

N.D.O.H: 21.10.2024

SECTION- PIL-W

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION (CIVIL) DAIRY NO. 36812 OF 2024

IN

WRIT PETITION (C) NO 1040 of 2019

THE MATTER OF:

ANUJ NAKADE.

.... PETITIONER

//versus//

**DR. POONAM MALAKONDAIAH
GOVT. OF ANDHRA PRADESH & ORS.**

.....RESPONDENTS

INDEX OF FILING

Sl. No.	PARTICULARS	Copies	Court Fees
1.	Reply Affidavit Of The Alleged Contemnor No.5.	1+3	20
2.	Annexure R/1 & R/2.	1+3	
3.	Memo of Appearance.	1	10
4.	Proof of Service.	1	
		TOTAL	30

FILEDBY

(K. ENATOLI SEMA)

**Advocate for Respondent
310, Lawyers chambers C.K. Daphtary Block
Supreme Court of India**

**New Delhi
Dated- 17.10.2024**

**Mob. [REDACTED]
Ph.: [REDACTED] Fax: [REDACTED]
Email - [REDACTED]
Code No [REDACTED]
RAHUL DEV MISHRA
MOB. [REDACTED]
I .CARD NO. [REDACTED]**

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION (CIVIL) DAIRY NO. 36812 OF 2024
IN
WRIT PETITION (C) NO 1040 of 2019**

THE MATTER OF:

ANUJ NAKADE.

.... PETITIONER

//versus//

DR. POONAM MALAKONDAIAH
GOVT. OF ANDHRA PRADESH & ORS.

.....RESPONDENTS

Reply Affidavit Of The Alleged Contemnor No.5

PAPER BOOK
FOR INDEX PLEASE SEE INSIDE

ADVOCATE FOR THE RESPONDENT: K. ENATOLI SEMA

INDEX

S.NO.	PARTICULARS	PAGE NO.
1.	Reply Affidavit Of The Alleged Contemnor No.5	1 – 4
2.	ANNEXURE R/1 A copy of the communication dated 15.10.2024 issued by the Department of Personnel & Administrative Reforms to the Commissioner & Secretary Information Technology and Communication Department.	5
3.	ANNEXURE R/2 A copy of the communication dated 15.10.2024 issued by Directorate of Information Technology & Communication.	6
4.	Memo of Appearance.	7
5.	Proof of Service.	8

New Delhi
Dated- 17.10.2024

FILED BY



(K. ENATOLI SEMA)
Advocate for Respondent

**IN THE SUPREME COURT OF INDIA
CONTEMPT PETITION (CIVIL) DAIRY NO. 36812 OF 2024
IN
WRIT PETITION (C) NO 1040 of 2019**

IN THE MATTER OF:-

Anuj Nakade

....Petitioner

///Versus///

Dr. Poonam Malakondaiah & Ors

.. Alleged Contemnors

**REPLY AFFIDAVIT OF THE ALLEGED CONTEMNOR
NO.5**

I, Shri R. Ramakrishnan, aged about 59 years, S/O Shri Shri R. Ramaiah, having office Civil Secretariat, Kohima, Nagaland, do hereby solemnly affirm and state as under:-

1. That I am the Principal Secretary, P & AR Department, Government of Nagaland. I state that I have gone through the present petition and am familiar with the facts and circumstances of the case based on all available official records. I state that I am competent to swear this instant affidavit in my official capacity. It is stated that the alleged named Contemnors No. 5 no longer holds the post of Commissioner & Secretary and hence the Principal Secretary of the Department is filing this instant Reply
2. That at the outset, the Deponent tenders unconditional apology for any mistake, omission, commission or lapses if ever committed unintentionally or inadvertently and for that it is prayed that this



Hon'ble Court may be gracious to pardon the Answering Respondent.

3. It is humbly stated that there is no willful or intentional disobedience of the direction passed in judgment dated 20.3.2023 by this Hon'ble Court in Writ Petition (C) 1040 of 2019 titled '*Pravasi Legal Cell v. Union of India & Ors*' or in any other subsequent directions issued by this Hon'ble Court in the matter.
4. It is stated that the Applicant has filed the instant Contempt Petition stating that the State of Nagaland has failed to set up and operationalize online web portals so that information sought under Right to Information Act, 2005 is made available in respect of all public authorities falling within the jurisdiction of the State.
5. It is humbly stated that the process to operationalise online web portals took more time due to reasons beyond the control of the Department, however, in compliance of the judgment passed by this Hon'ble Court, the concerned Department of Personnel & Administrative Reforms has communicated the approval to the Information Technology and Communication Department for making E-services of RTI application in the State operational.

A copy of the communication dated 15.10.2024 issued by the Department of Personnel & Administrative Reforms to the



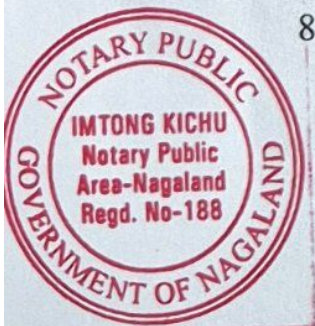
Commissioner & Secretary Information Technology and Communication Department is marked and annexed as **Annexure R/1**.

6. It is humbly stated that the concerned Department has further received acknowledgement and communication from Directorate of Information Technology & Communication that the e-services of RTI application for making online live and will be available for public access by 18.10.2024.

A copy of the communication dated 15.10.2024 issued by Directorate of Information Technology & Communication is marked and annexed as **Annexure R/2**.

7. It is stated that the online portal service will cover all public authorities including Government Departments, registered autonomous bodies like Nagaland Public Service Commission, Nagaland Bamboo Development Agency, Nagaland State Minerals Development Cooperation are covered under the portal.

8. It is further stated the Unified Services portal (NagalandOne) meets all the basic criteria including those specified by Open Web Application Security Project, Guidelines for Indian Government Websites and apps and World Wide Web Consortium.



9. It is humbly stated that the State of Nagaland has the highest regard and respect for the Apex Court and is committed to comply with all directions issued by this Hon'ble Court and has no intent of disobeying any directions issued by this Hon'ble Court.
10. I say that the facts stated in the above paras are true and correct to the best of my knowledge and information.



Verification:

I, the deponent abovementioned do hereby verify that the contents of the above affidavit are true to the best of my knowledge and nothing material has been concealed therefrom.

Solemnly verified at Kohima, Nagaland on this 17 day of October, 2024.

DEPONENT

*Principal Secretary
P&AR Department
Nagaland : Kohima*

DEPONENT

*Principal Secretary
P&AR Department
Nagaland : Kohima*



Authenticated by me

Imtong Kichu
Notary Public

ANNEXURE- R/1

**GOVERNMENT OF NAGALAND
PERSONNEL & ADMINISTRATIVE REFORMS DEPARTMENT
(PERSONNEL 'B' BRANCH)**

NO.PAR-B/NIC-8/2021 (PT-III) // Dated Kohima, the 15th October, 2024.
To,

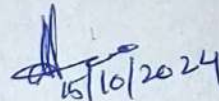
✓ The Commissioner & Secretary to the Government of Nagaland,
Information Technology & Communication,
Nagaland, Kohima

Sub: **Implementation of online RTI application in the State –Regarding.**

Sir,

I am directed to refer to the subject cited above and to inform that Government has approved the proposal of the Department for making the E-services of RTI application in the State operational so as to enable the citizens to access facilities for filing of online application for RTI.

Yours faithfully,


(VEKHO PURO)

Under Secretary to the Govt. of Nagaland.

NO.PAR-B/NIC-8/2021 (PT-III) // Dated Kohima, the 15th October, 2024.
Copy to:

1. The PS to the Chief Secretary, Nagaland, Kohima for information.
2. The Secretary, Nagaland Information Commission, Nagaland, Kohima for information and necessary action.
3. The Director, Information Technology & Communication for information and necessary action.


(VEKHO PURO)

Under Secretary to the Govt. of Nagaland



GOVERNMENT OF NAGALAND
DIRECTORATE OF INFORMATION TECHNOLOGY & COMMUNICATION
(Below New Secretariat) Thizama Road
Nagaland : Kohima 797001

No. DIT&C/Gen-55/2019 Vol-1

Dated 15th October 2024

To.

The Commissioner & Secretary,
Information Technology & Communication
Nagaland, Kohima

Subject: Implementation of Online RTI application in the State-Regarding

Sir,

In inviting a reference to the subject cited above, I am directed to state that in view of the approval for making the e-services of RTI application, vide No. PAR-B/NIC-8/ 2021 (Pt-III) Dated 15.10.2024, this office has initiated the process for making the Online RTI live and will be available for public access at <https://services.nagaland.gov.in/> by 18th October 2024. This is for your kind information please.

Yours faithfully,

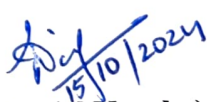

(Er. Daniel Krocha)
Deputy Director

No. DIT&C/Gen-55/2019 Vol-1

Dated 15th October 2024

Copy to:

- ✓ 1. The Principal Secretary, P&AR Department for kind information please.
2. Office copy.


(Er. Daniel Krocha)
Deputy Director

NO. 9

Memorandum of Appearance through Advocate-on-Record
(S.C.R., Order XIX Rule 9)
IN THE SUPREME COURT OF INDIA
(CIVIL/CRIMINAL/ORIGINAL/APPELLATE/JURISDICTION)

CONTEMPT PETITION (CIVIL) DAIRY NO. 36812 OF 2024

IN

WRIT PETITION (C) NO 1040 of 2019

THE MATTER OF:

ANUJ NAKADE.

.... PETITIONER

//versus//

DR. POONAM MALAKONDAIAH
GOVT. OF ANDHRA PRADESH & ORS.

.....RESPONDENTS

MEMO OF APPEARANCE

Please enter my appearance on behalf of the Petitioner(s)/Appellant(s)
Respondents(s) in the above matter.

Dated this the 17TH day of October 2024.



K ENATOLI SEMA.
ADVOCATE FOR STATE OF NAGALAND