

IN THE SUPREME COURT OF INDIA
CONTEMPT PETITION (CIVIL) Diary No(s).36812/2024
IN
W.P.(C) No. 1040 OF 2019

IN THE MATTER OF: -

ANUJ NAKADE.

....PETITIONER

VERSUS

DR. POONAM MALAKONDAIAH & ORS.

....ALLEGED CONTEMNORS

REPLY AFFIDAVIT ON BEHALF OF THE STATE OF ODISHA
(RESPONDENT NO. 25)

PAPER BOOK

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SOM RAJ CHOUDHURY

[RESPONDENT NO 25]

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I, Sri Manoj Ahuja, aged about 59 years, S/o Ramesh Chander Ahuja, presently working as Chief Secretary, Government of Odisha, having office at Lok Seva Bhawan, Lok Seva Marg, Unit-II, Bhubaneswar Odisha, presently at Bhubaneswar do hereby solemnly affirm and state on as under:

1. That I am the Chief Secretary, Government of Odisha, and as such, I am well conversant with the facts and circumstances of the present case. The facts stated herein are based on the available official records and as such I am competent to swear



Manoj Ahuja

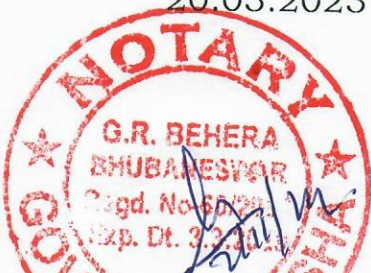
this affidavit on behalf of the Respondent No. 25 i.e. State of Odisha.

2. That the instant affidavit is being filed by the deponent herein in furtherance of the direction by this Hon'ble vide it's order dated 21.10.2024.

3. That, it is most respectfully submitted that the Answering Respondent herein has already taken steps in terms of the directions passed in Judgment dated 20.03.2023 passed by the Hon'ble Court in Writ Petition (C) No 1040 of 2019, wherein, the Hon'ble Supreme Court has directed the following:-

In view of the orders which have been passed in Writ Petition (Civil) No 1325 of 2020, there shall be a direction to all the State governments/Union Territories to set up and operationalize online web portals so that information sought under the Right to Information Act 2005 is made available in respect of all public authorities falling within their jurisdiction. This exercise shall be completed within a period of three months from the date of this order.

4. That the Hon'ble Supreme Court of India vide its order dated 20.03.2023 in WP (C) No. 1040 of 2019 directed all the State

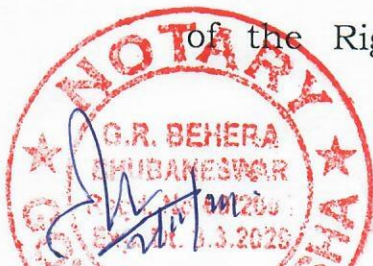


Governments/ Union Territories to set up and operationalize online web portals so that information sought under RTI Act-2005 is made available in respect of all public authorities falling within their jurisdiction.

5. That the during the course of hearing in WP(C)-1040 of 2019, this Hon'ble Court had been apprised of the fact that the High Court of Orissa had set up web portals for the purpose defined, and the same has also been recorded in the Order dated 20.03.2023 in the said Writ Petition.

6. That, it is further submitted that the deponent herein craves leave of this Hon'ble Court to bring on record that the Govt. of Odisha has already set up and operationalized a dedicated RTI portal being "<https://www.rti.odisha.gov.in>" for e-filing of RTI Applications & First Appeals and for proactive disclosure under Section 4 (1) (b) of information by Public Authorities through a Content Service Provider on 04th May 2009. This move marked a significant step in enhancing transparency and efficiency in the public service domain, ensuring the successful implementation

of the Right to Information (RTI) Act, 2005, vide I & PR



Department Office Order No. 13527 dated 23.05.2009 and the same is being annexed as **ANNEXURE:R/1**. (Page No _____ to _____)

7. The key features of the dedicated RTI portal of Odisha Government the following:

- I. Proactive Disclosure: The Nodal Department developed a website to ensure that all Public Authorities comply with Section 4(1)(b) of the RTI Act by regularly updating their disclosures in both English and Odia.
- II. Central Monitoring Mechanism: This mechanism enables the tracking of RTI applications and their disposal across all designated public authorities in the state.
- III. E-Filing System: Citizens can file RTI applications and first appeals online. It reduces paperwork and enhances transparency.
- IV. Annual Reports: The portal allows the submission and tracking of Annual Reports as required under Section 25(2) of the RTI Act.
- V. Capacity Building: Training programs are regularly conducted to familiarize public authorities with the RTI



portal and ensure smooth handling of RTI-related matters at state, district, block, and panchayat levels. A dedicated Project Management Unit (PMU) works to monitor, maintain, upgrade the website and to impart online training to all stakeholders on the features and mechanism of the portal.

A true copy of the screenshot of the RTI Web Portal is annexed here with and marked as **ANNEXURE:A/2**. (Page no.
)

8. That the Annexure annexed to the present Affidavit are true copy of its respective original.
9. That the deponent craves leave of this Hon'ble Court to file further affidavit/documents if and when required/directed by this Hon'ble Court.
10. It is respectfully submitted that the facts stated herein above are true to the best of my knowledge and belief.



Gangaram Behera

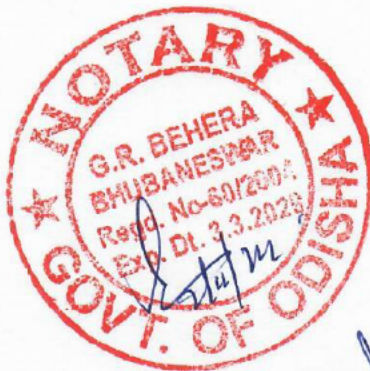
DEPONENT

Chief Secretary
Odisha

GANGARAM BEHERA
BESR. NOTARY

VERIFICATION:

Verified at Bhubaneswar on this 2nd Day of November, 2024 that the contents of paragraphs 1 to 10 of the above affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed there from.



identified by me
2/11/24
Advocate. BBSR

Sumit Choudhury
DEPONENT

Chief Secretary
Odisha

SOM RAJ CHOUDHURY
Advocate-on-Record



8CM - 349
CH-2/11/24

RTI Urgent
Involves Penalty

By Fax / E-mail/ Special Messenger

Government of Orissa
Information & Public Relations Department

RTI - 116/2008

No.....13527

Date...23.5.09

From

Sri P. K. Mohapatra, IAS
Commissioner -cum- Secretary and
Nodal Officer Right to Information, Orissa,

To

All Principal Secretaries / Commissioner-cum-Secretaries / Special Secretaries of all Govt. Departments.

Sub: Central Monitoring Mechanism containing RTI Portal, E-Filing & Computerization of all records under Sec-4 of RTI Act, 2005.

Madam / Sir,

In pursuance of the provisions as contained in the Section-4 (1) (a) and (b) of RTI Act, 2005 and observation of Hon'ble Orissa Information Commission in Complaint Case No. 1041/2007 filed by Sri Biswajit Mohanty, the Nodal Department has evolved an appropriate strategy to put in place a Central Monitoring Mechanism.

2. Accordingly, by virtue of powers vested vide rule 2 (f) of Orissa Right to Information Rules, 2005 and Rules of Business, Government of Orissa, the Information & Public Relations Department as the Nodal Agency for implementation of RTI Act in Orissa has

Signed an MoU with M/s Luminous Infoways Pvt. Ltd., the Content Service Provider for the National Portal as well as Hon'ble Orissa Information Commission.

3. As per the MoU, the scope of work and the division of the cost of work have been reflected in the following manner;

- Website pertaining to RTI information Section-4 (1) (b) disclosure and regular update of all Public Authorities in both English and Oriya.

(Continued to Page/2)

- Putting in place a Central Monitoring Mechanism to co-ordinate all RTI related developments in respect of all Public Authorities designated under the RTI Act, 2005.
- E-Filing of RTI cases (Keep track of filing & disposal of RTI application throughout the State).
- Update and filing of Annual Report as per Clause 25 (2) and devising appropriate formats.
- Exhaustive training programme to acquaint all Public Authorities to handle and maintain the designed Software and website for RTI related matters at State / District / Block / Panchayat level.

Man day rate for any development work	Rs. 1100/- per man-day
Unit pricing for designing of web page in HTML	Rs. 350/- per HTML page
Unit pricing for making major modification to the existing pages	Rs. 300/- per HTML page
Man day rate for any training session	Rs. 1, 500/- per day
Conversion to digital format	Rs. 80/- per page
Image scanning per page	Rs. 10/- per image

4. The software has been designed to help all Public Authorities to stick to the provisions as contained in the sec 4 and 25 of RTI Act, 2005 within the specific time-frame and thereby reducing chances of attracting penalties.

5. While reviewing the process of implementation of the aforementioned act, the Chief Secretary and Chief Development Commissioner, Orissa has instructed all Public Authorities of Govt. Departments to stick to the prescribed time-frame of 31st May 2009 to comply to mandatory provisions of the act.

6. In view of this, you are requested to utilize the benefits of the software engaging the CSP, Luminous Infoways Pvt. Ltd. to finish all exercises on war-footing basis.

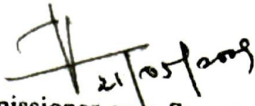
7. Respective Public Authorities may meet the expenditure incurred for this purpose from their budgetary heads like Office Contingency / Computer / E-governance / IEC and other sources.

(Continued to Page/3)

8. The bills of M/s Luminous Infoways Pvt. Ltd. only be paid after technical vetting by Technical Director, NIC, Govt. of India, Bhubaneswar. 9

9. All Public Authorities under your administrative control may urgently be instructed to act accordingly. They are also intimated directly by this department to stick to the prescribed time-frame.

10. M/s Luminous Infoways Pvt. Ltd. is being intimated to approach Public Authorities to expedite the whole process.


Commissioner-cum-Secretary
and Nodal Officer, RTI

By Special Messenger

Memo No. 13528

Date. 23.5.09

Copy forwarded to The Registrar, Orissa Information Commission, Tosali Plaza, Satya Nagar, Bhubaneswar for kind information of Hon'ble Commission with reference to the observation made on the complaint case no 1041/2007 filed by Sri Biswajit Mohanty.


Director

By Fax / Speed Post/ E-mail

Memo No... 13529 (34)

Date.... 23.5.09

Copy forwarded to Member Board of Revenue, Cuttack / All Revenue Divisional Commissioner / All District Magistrate and Collector for kind information and appropriate action.


Director

(Continued to Page/4)

By Fax / Speed Post/ E-mail

Memo No....13530

Date.....23.5.09

Copy forwarded to all Heads of Departments / Directorates / Organizations for information and immediate action in the similar manner.


Director

By special Messenger

Memo No....13531

Date.....23.5.09

Copy forwarded to Technical Director, NIC, Sachibalaya Marg, Bhubaneswar for kind information and appropriate action.


Director

By special Messenger

Copy forwarded to M/s Luminous Infoways Pvt. Ltd., Bhubaneswar for kind information and contact the Public Authorities to speed up the process.


Director

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RTI Central Monitoring Mechanism

for Proactive Disclosures & Citizens' Online Applications

Govt. of Odisha



Departments Districts Commission PIO/FAA RTI Act RTI Campaign Downloads Advertisement Contact Us

or Submission of hard copies of application, which have already been filed online. 18th phase Right to Information & RTI CMM Training programme is going on.

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