

**IN THE HON'BLE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION (CIVIL) NO. D. 36812 of 2024**

IN THE MATTER OF:

ANUJ NAKADE

...PETITIONER

VERSUS

DR. POONAM MALAKONDAIAH,

GOVT. OF ANDHRA PRADESH

...RESPONDENTS

& ORS.

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1/

ALLEGED CONTEMNOR NO. 1

PAPER BOOK

(For Index Kindly See Inside)

Advocate for the State of Andhra Pradesh: GUNTUR PRAMOD KUMAR

INDEX

S. NO.	PARTICULARS	PAGE NOS.
1.	Affidavit on behalf of Respondent No. Alleged Contemnor No. 1	1- 8
2.	Proof of Service	9

**IN THE HON'BLE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
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IN THE MATTER OF:

ANUJ NAKADE

... PETITIONER

VERSUS

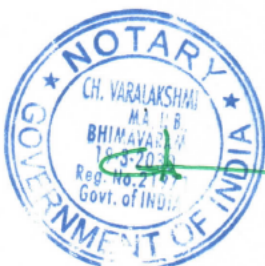
**DR. POONAM MALAKONDAIAH,
GOVT. OF ANDHRA PRADESH
& ORS.**

... RESPONDENTS

**AFFIDAVIT ON BEHALF OF RESPONDENT
NO.1/ALLEGED CONTEMNOR NO.1**

I, Shamsher Singh Rawat, S/o Sri Chandra Singh Rawat, aged about 56 years, O/o AP Secretariat, Velagapudi, Amaravati, Guntur District, Andhra Pradesh, do hereby solemnly affirm and state as follows:

1. I am the Principal Secretary to Government (FAC), General Administration (GPM & AR) Department and as such I am well acquainted with the facts and circumstances of the present case based on the record, and competent to affirm this affidavit.



CH. VARALAKSHMI
NOTARY M.A., LL.B.
ADVOCATE Code No. [REDACTED]
HIGH COURT OF A.P.
Cell: [REDACTED]

28/7/25

2. At the outset, the Answering Respondent tenders an unconditional apology to this Hon'ble Court. The Answering Respondent holds this Hon'ble Court in the highest regard and it has never been their intent to disobey any order of this Hon'ble Court.

3. That this Hon'ble Court, vide its order dated 20.03.2023 in WP (Civil) No.1040 of 2019, inter alia issued the following direction;

"In view of orders which have been passed in WP (Civil) No.1325 of 2020, there shall be a direction to all State Governments/Union Territories 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 their jurisdiction. This exercise shall be completed within a period of three months from the date of this order."

4. Apart from the above order, this Hon'ble Court also considered similar issues in its order dated passed in 09.10.2023 in W.P (Civil) No.360 of 2021, wherein the following directions came to be passed;

"23. In view of the above discussion, we are of the considered view that access to the Information Commissions is integral to securing the right to Information, which is a necessary concomitant of right to equality under Article 14, the freedom of speech and expression under Article 19(1)(a) of the Constitution, and the right to life under Article 21. Accordingly, we direct that all SICs across the country must provide hybrid modes of hearing to all litigants for the hearing of complaints as well as appeals. All SICs must provide an option for availing of a hybrid mode of hearing which shall be at the discretion of the applicant, or as the case may be, the appellant. The links for availing of the option must be stipulated in the daily



28/1/25
CH. VARALAKSHMI
NOTARY M.A., LL.B.
ADVOCATE Code No. [REDACTED]
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Cell: [REDACTED]

cause list of the Information Commissions across the country. This shall be operationalized no later than by 31st December, 2023.

...

27. All the State Governments shall cooperate in the implementation of the order. The State Governments shall, where funds are required, ensure provision of necessary funds to all the NICs for setting up the infrastructure for conducting virtual hearings. The CIC and SICs would be at liberty to avail of the facilities which have been provided by the NIC for setting up the websites on the NA WAS Platform which provides for ease of access in the electronic mode."

5. The Government of Andhra Pradesh has every intention to comply with the above-mentioned orders of this Hon'ble Court, and in this regard, the following steps have been taken:

(i) The Government of Andhra Pradesh requested the Secretary, A.P. Information Commission for implementation of the order of Hon'ble Supreme Court of India in W.P (Civil) No.360 of 2021 and to take immediate necessary action vide Letter No.2246116/GAD/AR/A2/2023-2, G.A(AR)Dept., Dated 08.11.2023.

(ii) In the meanwhile, the State Chief Information Commissioner (SCIC), A.P. Information Commission has sent another proposal requesting the Government to sanction an amount of INR. 2,51,02,582/- to provide Hardware and Software equipment for conducting Virtual/Hybrid Hearings, Development of web-portal of APIC for e-filing and infrastructure (Personal Computers etc.) to comply with the directions of this



28/7/25

CH. VARALAKSHMI
NOTARY
ADVOCATE Code No. [REDACTED]
HIGH COURT OF A.P.
Cell: [REDACTED]

Hon'ble Court vide AP Information Commission Lr. No. 786/APIC/IT/2018 dated 11.12.2023.

- (iii) The proposals submitted by the A.P. Information Commission were examined by the Government of Andhra Pradesh. On examination, the Secretary, A.P. Information Commission was requested to route those requirements, specifications and estimates also through NIC vide Letter No.2298711/GAD/AR/2023-1, G.A(AR) Dept. dated 20.12.2023.
- (iv) The State Informatics Officer, Vijayawada informed the Government of Andhra Pradesh that the NIC team has thoroughly examined the requirements, specifications and estimates and submitted an estimate of Rs.1,86,88,582/- for Hybrid Video Conference Setup, Hardware and Software systems vide Lr. No. NIC-APSC/SIO/2019/117 dated 02.01.2024.
- (v) While communicating the letter of State Informatics Officer, National Informatics Centre, Vijayawada, the Secretary, A.P. Information Commission has been requested by the Government of Andhra Pradesh vide Lr. No. 2298711/GAD/AR/A2/2023-5 dated 05.02.2024 to furnish a comprehensive proposal keeping in view the estimates furnished by the NIC team for taking necessary action for implementation of the judgement of this Hon'ble Court. Thereafter, the process got delayed due to the conduct of Lok Sabha as well as State elections in 2024.



28/7/25

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ADVOCATE Code No. [REDACTED]
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(vi) Thereafter, the State Govt. of Andhra Pradesh has released a total amount of Rs.2,03,90,987/- to the A.P. Information Commission vide G.O. Rt. No.367 General Administration (AR) Department, dated:19.02.2025 and the BRO was issued by the Govt. vide G.O. Rt. No.1441 Finance (FMU-GAD- 1) Department, dated 16.04.2025. Thereafter, upon receipt of the bill from NIC, an amount of Rs.1,86,88,582/- was sanctioned *vide* Progs. Rc. No. 786/APIC/IT/2018, dated 16.04.2025 and the amount was adjusted to the NICS on 18.04.2025.

(vii) Therefore, now the work for development of the web portal is entrusted to NIC AP along with certain other works like the setup of a hybrid hearing system, which is to be done in compliance of another order of this Hon'ble Court as explained hereinabove. NIC is carrying out and monitoring the said works.

Present Work Progress:

6. The website of the State Information Commission has been designed, developed, and successfully deployed by the National Information Centre, Andhra Pradesh. It has been officially launched and is accessible at the URL: www.sic.ap.gov.in.
7. The RTIMIS portal is currently under design and development. Substantial development work has been completed till date. The workflow and the presentation on



28/7/25

CH. VARALAKSHMI
NOTARY M.A., LL.B.
ADVOCATE Code No. [REDACTED]
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each and every role/user has been prepared and shared with the department for their review and feedback on the process.

8. It is further submitted that the detailed timeline for the implementation of the project, as provided by NIC is as detailed hereunder.

Sl.	Milestones/Activities	Project Phase	Target Date
1	Project Requirement Analysis & Submission of software Requirement Specification Document	Phase I	30-06-2025
2	Development of User Management Module and Workflow	Phase II	30-09-2025
3	Design & Development of Dashboards, Report, Pendency Query Management, Security Audit and Hosting of Application Portal	Phase III	30-09-2025

9. In furtherance of the above, it is submitted that the Phase-I has been completed as per the target date i.e., 30.06.2025. Further, the payment gateway has also been set up and operationalised. However, to abide by the order of this Hon'ble Court in its full letter and spirit, all the Departments have to be made accessible on the portal, and this is proving to be time-consuming, even though it is under progress.

10. It is humbly submitted that it can be seen that NIC i.e., a nationalised agency has been entrusted with the works. Further, regular meetings are being held to monitor the development of the web portal and ensure compliance of the order of this Hon'ble Court.



CH. VARALAKSHMI
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 ADVOCATE Code No. [REDACTED]
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28/7/25

11. It is humbly submitted that the Government of Andhra Pradesh is taking necessary steps to abide by the directions of this Hon'ble Court and set up and operationalise the RTI web portal to abide by the letter and spirit of the order passed by this Hon'ble Court.

12. It is therefore submitted that the Government of Andhra Pradesh has every intention of complying with the order of this Hon'ble Court, and the delay in this regard has occurred for reasons beyond the control of the Answering Respondent & is neither wilful, nor deliberate, and occurred due to reasons beyond the control of the Answering Respondent. The Answering Respondent once again tenders an unconditional apology to this Hon'ble Court.

13. In the premises mentioned above, it is therefore humbly submitted that the Answering Respondent is taking steps in compliance of the order dated 20.03.2023 passed by this Hon'ble Court and it is humbly prayed that the Hon'ble Court may be pleased to grant 3 months' further time to enable the Government of Andhra Pradesh to comply with the order dated 20.03.2023 passed by this Hon'ble Court in W.P. (C) No.1040 of 2019, and pass any such order(s) as it deems fit in the interest of justice



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28/7/25

DEPONENT

Principal Secretary to Government,
General Administration (GPM & AR) Dept.
Government of Andhra Pradesh,
A.P. Secretariat, Velagapudi,
Guntur District - 522 238.

VERIFICATION

I, the deponent above named, do hereby verify and state that the contents set out in the Counter Affidavit are based on records and are believed to be true and correct.

Verified at Vijayawada on this the 28th day of July, 2025.

ATTESTED BY ME



CH. VARALAKSHMI
NOTARY MA LLB
 ADVOCATE Code No. [REDACTED]
 HIGH COURT OF A.P.
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Principal Secretary to Government,
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