

केन्द्रीय सूचना आयोग  
Central Information Commission  
बाबा गंगनाथ मार्ग, मुनिरका  
Baba Gangnath Marg, Munirka  
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या/ Second Appeal No. CIC/AWBIC/A/2020/678045

In the matter of:

Naresh Kadyan

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO,  
Animal Welfare Board of  
India National Institute of  
Animal Welfare Campus, 42  
Mile Stone, Delhi- Agra  
Highway (NH-2), Ballabgarh,  
Haryana-121004

...प्रतिवादीगण /Respondent

Relevant dates emerging from the appeal:

RTI Application filed on	:	31.01.2020
CPIO replied on	:	17.02.2020
First Appeal filed on	:	21.05.2020
First Appellate Authority order	:	Not on record
Second Appeal received on	:	15.07.2020
Date of Hearing	:	11.03.2022

The following were present:

**Appellant:** Absent (informed the Commission vide an undated letter that he does not want to avail hearing).

**Respondent:** Shri Narender Kumar, CPIO and Under Secretary, Department of Animal Husbandry and Dairying and Smt. Prachi Jain, CPIO and Asst. Secretary, Animal Welfare Board of India participated in the hearing in person.

*Naresh*  
24/03/2022  
HEO

5 AS 7  
25/03/2022

**ORDER****Information sought:**

The Appellant filed an RTI Application dated 31.01.2020, seeking information on the following nine points:

AWBI responsible for preventing animals from unnecessary pain & sufferings as per PCA Act, 1960, CZA responsible for strict compliance of terms & conditions under section 38-H of WP Act, 1972, whereas NBA responsible for strict compliance of Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations, 2014, besides it Secretary of the Ministry of Environment also a duty bound to safeguard lega

1. Identify the black sheeps of the system, responsible for safeguarding the abusers of animals, mishandling all references related to Great Golden Circus with another Great Bharat Circus, adopting delay tactics.
2. Supply me complete details & copies or orders passed after suspension of Great Golden Circus after 2016 along with copies of cancellation - confiscation of animals, restoration of their five freedoms, orders as all animals registered with AWBI died, replaced with others untrained animals, exotic species birds were smuggled from Abroad, even Anand, Rajkot in Gujarat along with Malegaon & Mumbai - Ahmadabad enforcement agencies compelled by Circus operators to close their eyes, even Anand wildlife authorities compel to appreciate circus tactics of unregistered abuse of animals without AWBI, CZA & NBA approval, CWLW of Gujarat have No authority to do so.
3. Scouts & Guides for Animals & Birds ready to take responsibility of all animals & birds, rescued from the unlawful captivity of said circus operator, supply me complete details of Infirmaries, established by AWBI approved SPCAs in Gujarat & Maharashtra
4. Supply me all copies of noting parts, communications received & made, related to Special Meeting of AWBI against eligibility - Rules, abuse of power & authority by all concerned, misuse of public money, send me details of public funds sanctioned - disbursed to all concerned of said unlawful meeting on public funds, copies of recovery orders along with orders against tainted officials.
5. Chairman of AWBI have No power to dumped Minister office advice to process the references related to animal scanner, preventing cruelties against animals, supply me noting portions, orders passed by competent authorities, communications made & received related to animal scanner
6. Supply me complete head wise expenditure of details of public funds incurred towards the shifting of AWBI office from Chennai to till date including public funds incurred on renovations in NIAW & details of use of premises in Chennai after shifting.
7. Complete details about reasons to shift again AWBI HQ from NIAW to Delhi in private premises instead Government premises
8. Complete month wise details about funds received with utilization of General Donations A/c No. : 62461874155, Specific Donations A/c No. : 62461874213 along with similar details of FCRA No: 10029835025, since its opening till date
9. Scouting for NIAW Alumni Association, supply me complete details of all students, since beginning till date, batch wise

Smt. Prachi Jain, Assistant Secretary & CPIO, AWBI, vide letter dated 17.02.2020, informed the Appellant as under:

With reference to the above cited subject, the following information is furnished hereunder:

Ans.1: It is informed that "this" does not come under definition of "information" under Section 2(f) of the RTI Act, 2005.

Ans.2: The copy of the action taken report on the Great Golden Circus is enclosed at page 1 to 16 & 47 to 108 was already provided to you in RTI File No.25-135/2019-20/RTIMIS dated 20.01.2020.

Ans.3: The list of recognized Society for Prevention of Cruelties to Animals (SPCAs) in Maharashtra and Gujarat is available in the website: [www.awbi.in](http://www.awbi.in).

Ans.4: The matter is under consideration of the Ministry.

Ans.5: A copy of the note F.No.9-1/2018-19/PCA dated 1.1.2019 on the installation of scanner at Toll Tax Barriers is enclosed at page 23.

Ans.6: A details of the funds incurred for shifting of AWBI office from Chennai to Ballabgharh including renovation work is enclosed consisting of one page at no.22.

Ans.7: The information sought is not available with the Board.

Ans.8: The details of donations received under General Donation, Specification donation and FCRA account since 2000 to till date is enclosed at page 1 to 21.

Ans.9: The information sought is not available with the Board.

Being dissatisfied, the appellant filed a **First Appeal** dated 21.05.2020, which has not been adjudicated by the First Appellate Authority as per available records.

### **Grounds for Second Appeal:**

The Appellant filed a Second Appeal u/s 19 of the Act on the ground of unsatisfactory reply furnished by the Respondent. Appellant requested the Commission to direct the CPIO to provide complete information sought for.

### **Submissions made by Appellant and Respondent during Hearing:**

The Appellant vide an undated letter has informed the Commission as under:

“2. ..., to decide on merit, on the following matters as I don't want to avail hearing.”

Smt. Prachi Jain submitted that appropriate reply has been provided to the Appellant on 17.02.2020. At the instance of the Commission, she clarified that the information sought at point nos. 7 and 9 of the RTI Application is not available with the Respondent public authority. Upon queried by the Commission as to whether the First Appellate Authority has adjudicated the First Appeal, she replied in affirmative and handed over a copy of the First Appellate Authority's order dated 03.07.2020.

**Decision:**

Upon perusal of the facts on record as well as on the basis of the proceedings during the hearing, the Commission observes that appropriate reply has been provided to the Appellant and the same is upheld. Though the Appellant chose not to attend the instant hearing, for the reasons best known to him, the Commission has gone through the case records in entirety and finds no further scope of intervention in the matter.

With the above observations, the instant Second Appeal is disposed of.

Copy of the decision be provided free of cost to the parties.

**The Appeal, hereby, stands disposed of.**



**Amita Pandove (अमिता पांडव)**

**Information Commissioner (सूचना आयुक्त)**

दिनांक / Date: 11-03-2022



Authenticated true copy

(अभिप्रमाणित सत्यापित प्रति)

B. S. Kasana (बी. एस. कसाना)

Dy. Registrar (उप-पंजीयक)

011-26105027

Addresses of the parties:

1. The First Appellate Authority (FAA)  
Animal Welfare Board of India  
National Institute of Animal Welfare Campus,  
42, Mile Stone, Delhi- Agra Highway (NH-2),  
Ballabgarh, Haryana-121004
- ✓ 2. The Central Public Information Officer  
Animal Welfare Board of India  
National Institute of Animal Welfare Campus,  
42, Mile Stone, Delhi- Agra Highway (NH-2),  
Ballabgarh, Haryana-121004
3. Mr. Naresh Kadyan  
C 38, Rose Apartment, Prashant Vihar,  
Sector-14, Rohini, Delhi-110085