

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/2020/683790

In the matter of:

Naresh Kadyan

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO,
Animal welfare Board of
India 3rd Seaward Rd, Valmiki
Nagar, Thiruvalluvar Nagar,
Thiruvannmiyur, Chennai,
Tamil Nadu -600041

...प्रतिवादीगण /Respondent

Relevant dates emerging from the appeal:

RTI Application filed on	:	13.06.2020
CPIO replied on	:	Not on record
First Appeal filed on	:	13.07.2020
First Appellate Authority order	:	Not on record
Second Appeal received on	:	31.08.2020
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
5/4/2022
HEO

ORDER

Information sought:

The Appellant filed an RTI Application dated 13.06.2020, seeking the following information:

Review Commission on Prevention of Cruelty to Animals Act, 1960 under the Scouts & Guides for Animals & Birds along with OIPA: Indian People for Animals: Detailed Application to supply required Information along with concerned file Notings, keeping in view Annual Reports of AWBI, since last 5 years, as attached, following as well:
Under RTI we want points, section wise confirmation as stated above below with clarification about section 31 (Code of Criminal Procedure, 1898 (5 of 1898), which was repealed but not amended, besides it Performing Animal Registration Rules, 1973 also replaced with Performing Animal Registration Rules, 2001 & being Central Act, under which power & authorities, many State Government make amendments, as given below, needs your confirmation, which are not applicable for others area, besides it all Rules & Notifications, tabled before Lok Sabha & Rajya Sabha, confirming final status on the issue, keeping in view statutory provisions under section 38-A. Status of all 2nd Appeal under RTI Act, confirming following facts are true, point, section wise confirmation required along with explanation, quoting the legislative provisions under PCA Act, which allowed foreign shooting along with stock shoots are allowed, including six ban species, to perform / Status of all performing animals, alive or dead, Is any change, adopting online mechanism / Complete details - list, related to each & every RTI Application fee paid by Naresh Kadyan, Abhishek Kadyan & Sukanya Kadyan, quoting allotted Number with status of reply, since beginning till date / Head wise & year, details of grant in aid released to PFA Haryana / Complete details, year wise grant in aid released for Ambulance for animals in distress, since introduction of this scheme till date, with status of the vehicles / Year wise above Ambulances declared condemn, auctioned & deposited money back to AWBI or supply status reports year wise, since beginning till date / Complete list of Trainer / Master Trainer of AWBI / Complete file Notings with details of Advocate fees paid by AWBI, related to CS No. 573 of 2018 in Rohini Court, Delhi / file Notings Chairman final orders, related to animal scanner. Supply as attached & asked above, complete & point wise reply required.

Having not received any information from the CPIO, the Appellant filed a **First Appeal** dated 13.07.2020, 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 an appropriate reply was provided to the Appellant on 10.07.2020 and the First Appellate Authority has also adjudicated the First Appeal on 24.08.2020. At the instance of the Commission, she handed over the copies of the aforesaid CPIO's reply and the First Appellate Authority's order to the Commission during the hearing.

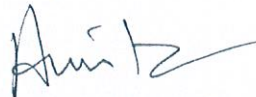
Decision:

Upon perusal of the facts on record as well as on the basis of the proceedings during the hearing, the Commission observes that an 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
3rd Seaward Rd, Valmiki Nagar,
Thiruvalluvar Nagar, Thiruvannamipur,
Chennai, Tamil Nadu -600041
2. The Central Public Information Officer
Animal welfare Board of India
3rd Seaward Rd, Valmiki Nagar,
Thiruvalluvar Nagar, Thiruvannamipur,
Chennai, Tamil Nadu -600041
3. Mr. Naresh Kadyan
C 38, Rose Apartment, Prashant Vihar,
Sector-14, Rohini, Delhi-110085