

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/2020/689341

In the matter of:

Naresh Kadyan

... अपीलकर्ता/Appellant

VERSUS

बनाम

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

...प्रतिवादीगण /Respondent

Relevant dates emerging from the appeal:

RTI Application filed on	:	23.08.2019
CPIO replied on	:	Not on record
First Appeal filed on	:	25.09.2019
First Appellate Authority order	:	Not on record
Second Appeal received on	:	16.10.2020
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.

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**ORDER**

**Information sought:**

The Appellant filed an RTI Application dated 23.08.2019, seeking information on the following eight points:

Section 31 of the Prevention of Cruelty to Animals Act, 1960 defined cognizable offenses as per Code of Criminal Procedure, 1898, whereas it was repealed, onward 1-4-1974 CrPC 1973 enforced & applicable in India. Please supply me the correct information confirming working of Animal Welfare Board of India onwards 1-4-1974 as protecting procedure repealed as CrPC 1898.

1. Code of Criminal Procedure, 1898 applicable in India: Yes or No.
2. Define section 31 of the Prevention of Cruelty to Animals Act, 1960, which explained the procedure as per Code of Criminal Procedure, 1898 instead CrPC 1973.
3. Complete details - list of crime against animals handled by procedure explained under CrPC 1898 onwards 1-4-1974.
4. Complete details - list of crime against animals handled by procedure explained under CrPC 1973 during last three years.
5. Complete details - list of communication made - received to amend section 31 of Prevention of Cruelty to Animals Act, 1960 replacing CrPC 1898 with CrPC 1973.
6. Status - white paper on the procedure as defined under CrPC 1898 & CrPC 1974.
7. Status - white paper on the replacement of Prevention of Cruelty to Animals Act, 1960 with strong legislation.
8. Bar Council of India issued circular No. 4 of 2015, please supply its copy with complaint received against this circular on Public Grievances portal with noting sheets during the decision of circular No. 4 of 2015.

Having not received any information from the CPIO, the Appellant filed a **First Appeal** dated 25.09.2019, 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 20.09.2019 and the First Appellate Authority has also adjudicated the First Appeal on 05.11.2019. 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.

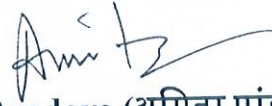
**Decision:**

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-पंजीषक)  
011-26105027

Addresses of the parties:

- ✓ 1. The First Appellate Authority (FAA)  
Animal welfare Board of India  
3rd Seaward Rd, Valmiki Nagar,  
Thiruvalluvar Nagar, Thiruvanmiyur,  
Chennai, Tamil Nadu -600041
2. The Central Public Information Officer  
Animal welfare Board of India  
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Thiruvalluvar Nagar, Thiruvanmiyur,  
Chennai, Tamil Nadu -600041
3. Mr. Naresh Kadyan  
C 38, Rose Apartment, Prashant Vihar,  
Sector-14, Rohini, Delhi-110085