

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/2020/692602

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	:	02.09.2020
CPIO replied on	:	Not on record
First Appeal filed on	:	02.10.2020
First Appellate Authority order	:	Not on record
Second Appeal received on	:	17.11.2020
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.

ORDER

Information sought:

The Appellant filed an RTI Application dated 02.09.2020, seeking information on the following nine points:

Scouts & Guides for Animals & Birds along with OIPA: Indian People for Animals, wants to know, all communications made & received along with status reports & concerned file

Noting parts:

1. MOEAF/E/2020/01429
2. DOAHD/E/2020/00399
3. AWBI concealed actual report before Delhi High Court in W. P. (C) 4391 of 2020 and C.M. No. 15802 of 2020 as all circuses, registered with AWBI, before 2008-2009, all animals were died, due to age factor, abused & ill treatment.
4. CZA concealed actual report, related to Delhi High Court in W. P. (C) 4391 of 2020 and C.M. No. 15802 of 2020 as all circuses, recognized by CZA, all Elephants were traded or donated without competent Authority approval.
5. Radhe Krishna Temple Elephant Welfare Trust donated animals to Sardar Patel Zoological Park duly approval of CWLW of Gujarat, whereas Radhe Krishna Temple Elephant Welfare Trust, neither recognized under section 38-H of Wildlife Protection Act, 1972 nor animals were declared under Stock Rules, 1974 or 2003, hence unlawful animals were legalize by Enforcement agencies of IFS cadre, as CWLW, regularized serving with CZA with Project Elephant
6. Action taken report of WCCB, CZA, PE with AWBI on performing animals died with circuses, replaced with others & feathers chopped of exotic species of birds
7. Naresh Kadyan, passed out Master Trainer certificate course of AWBI, awarded certificate as qualification but unlawful communication received, not to represent Master Trainer of AWBI, supply me all complaints received, communications made with concerned orders & file Notings
8. Complete - full Files Notings of PFA Haryana with action taken of reply of FIR, lodged with Mundkati Police Station, via all sources
9. Copy of legal Notices issued for by AWBI, for non submission of UCs of 2nd Installments, including PFA Ludhiana

Having not received any information from the CPIO, the Appellant filed a **First Appeal** dated 02.10.2020, 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 30.09.2020 and the First Appellate Authority has also adjudicated the First Appeal on 13.11.2020. 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

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

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13/04/2022