

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/2020/696336

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	:	27.08.2020
CPIO replied on	:	Not on record
First Appeal filed on	:	29.10.2020
First Appellate Authority order	:	Not on record
Second Appeal received on	:	16.12.2020
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 Kadyan
5/4/2022
HED

67
5/4/2022

ORDER**Information sought:**

The Appellant filed an RTI Application dated 27.08.2020, seeking information on the following ten points:

Supply me all relevant Noting sheets along with the Inspections report & CZA Committee agenda with proceedings, all communications made & received:

1. Secretary of the Ministry is a Member of CZA, then he cannot hear appeal against orders passed by Member Secretary of CZA, related to Great Golden Circus & so on, it is true, explain
 2. Complete details, event - date wise, amount spent during Investigations against Great Golden Circus as man power abused, misutilizing public funds as paid TA / DA to officials of CZA & others
 3. CZA letter dated 13-12-2019 confirmed that Micro Chip of two elephants at Great Golden Circus do not match, then explain the reasons - grounds of accepting appeal by the Appellate Authority, Secretary of Ministry cum CZA Member, related to Great Golden Circus
 4. Complete details about renewal of ownership of two elephants at Great Golden Circus as per Project Elephant guidelines dated 8-1-2008
 5. Complete details about procurement of 2 elephants at Great Golden Circus from the fair of Sonapur in Bihar
 6. Copies of action taken reports, as PETA India confirmed that Great Golden Circus abused all animals, AWBI & Ministry communicate with CZA, supply me all related to circus
 7. AWBI advised that Elephant cannot perform but CZA - AWBI allowed elephants performance at Great Golden Circus against AWBI communications, supply all concerned communications along with reasons for applying double standards
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8. Rajkot Police - local Administration inspected the Great Golden Circus, they confirmed the performing animals & birds with the circus, animals & birds age with numbers, which is different, keeping in view AWBI Registration of all performing animals
 9. All copies of communications & reports related to Great Golden Circus with Great Bharat Circus
 10. Secretary of the Ministry set aside orders passed by CZA, supply the reasons, complaint lodged against said orders, provide me action taken reports with the status of CZA orders, cancelling the recognition of said circus.

Having not received any information from the CPIO, the Appellant filed a **First Appeal** dated 29.10.2020, 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 23.09.2020 and the First Appellate Authority has also adjudicated the First Appeal on 11.12.2020. At the instance of the Commission, she handed over the copies of the aforesaid CPIO's reply and First Appellate Authority's order to the Commission during the hearing.

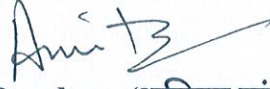
Decision:

Upon perusal of the facts on record as well as on the basis of the proceedings during the hearing, the Commission observes that 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)
3rd Seaward Rd, Valmiki Nagar,
Thiruvalluvar Nagar, Thiruvannamipur,
Chennai, Tamil Nadu -600041
2. The Central Public Information Officer
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3. Mr. Naresh Kadyan
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