

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/2021/600684

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	:	10.08.2019
CPIO replied on	:	Not on Record
First Appeal filed on	:	15.04.2020
First Appellate Authority order	:	Not on Record
Second Appeal received on	:	17.01.2021
Date of Hearing	:	01.06.2022

The following were present:

**Appellant:** Absent (despite being served the hearing notice)

**Respondent:** Ms. Prachi Jain, Assistant Secretary & CPIO and Mr. Vikram Chandravanshe, Legal Advisor, participated in the hearing in person.

*Prachi*  
17/06/2022  
HEO

1342  
20/06/2022

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

The Appellant filed an online RTI Application dated 10.08.2019 seeking information on the following nine points:

Please supply me complete details about establishments of Animal Welfare Division, complete list of sanctioned project disbursement under following scheme, since beginning to 2003 as AWBI have No record - information about project sanctioned funds disbursed by AWD, because record has been destroyed with criminal conspiracy as Puppy Farm of Anuradha Sawhney, Ex Chief of PETA India very much received grant in aid for ambulance and shelter both, funds were misutilised, likewise PFA Bawana, Sanjay Gandhi Animal Care Centre might be sanctioned, disbursed funds PFA received for Sadhrana project and Delhi PFA of Gautam Grover received grant in aid.

1. Ambulance services for animals in distress: List of beneficiaries with funds sanctioned date and head wise with disbursement, present status of project.
  2. Shelter for animals in distress: List of beneficiaries with funds sanctioned date and head wise with disbursement, present status of project.
  3. Complete details about Puppy Farms of Anuradha Sawhney as Shelter & Ambulance both funds misutilised, Ambulance sold out, amount not deposited back.
  4. Complete list of condemns Ambulances with present status of all ambulances.
  5. Status to shut down AWBI, merged with National Commission for Animal Welfare with Judicial powers.
  6. Complete details about delegation of power under section 34 & 37 of PCA Act, 1960.
  7. Complete list of Advisories made & issued under 9 (k) of PCA Act, 1960.
  8. Complete list of Regulations made & issued under section 10 of PCA Act, 1960.
  9. Complete details - list of Camel recognized as Performing animals, their transportation mechanism & type of vehicles to shift along with status of application pending of Yak for Educational purpose, which is exempted under section 27 (b) of PCA Act, 1960.
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Having not received any information from the CPIO, the Appellant filed a **First Appeal** dated 15.04.2020, 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 non-receipt of information from the Respondent. Appellant requested the Commission to direct the CPIO to provide information sought for.

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

The Appellant did not participate in the hearing despite being served the hearing notice.

The Respondent submitted that a point-wise reply qua the instant RTI Application has been given to the Appellant vide letter dated 02.09.2019. The contents of the same are as under:

Sir,

With reference to your Online RTI application under RTI Act, 2005, the following information is furnished hereunder:

Reply to Q.No.1: The list of grant-in-aid released by AWBI under the Scheme for Provision of Ambulance Services to Animals in Distress from 2004-05 to 2018-19 is enclosed.

Reply to Q.No.2: The list of grant-in-aid released by AWBI under the Scheme for Shelter House for looking after the animals from 2004-05 to 2018-19 is enclosed.

Reply to Q.No.3: The information regarding the Puppy farms of Anuradha Sawhney and other details are not available with the Board.

Reply to Q.No.4: The details of the list of condemn Ambulance and the present Status is not readily available.

Reply to Q.No.5: The Board does not have any information regarding the status to shut down and merged with National Commission for Animal Welfare.

Reply to Q.No.6: The powers delegation under Section 34 & 37 of the Prevention of Cruelty to Animals Act, 1960 may be seen in the website: [www.awbi.in](http://awbi.in) and the link is: <http://awbi.in/awbi/pdf/Act%20&%20Rules%20%20English.pdf> (page 20 & 21)

Reply to Q.No.7: The information sought is available in the website: [www.awbi.in](http://www.awbi.in).

Reply to Q.No.8: There is no regulations made and issued under Section 10 of the Prevention of Cruelty to Animals Act, 1960.

Reply to Q.No.9: The list of camels recognized as performing animals is not readily available. The matter regarding display of Yak during winter season around NCR is pending.

Upon being queried by the Commission whether the First Appeal has been adjudicated or not, the Respondent replied in negative.

A written submission has been received by the Commission from Dr. S.K. Dutta, Secretary and FAA, vide letter dated 27.05.2022, wherein the Commission has been apprised as under:

**Madam,**

With reference to the above cited subject, it is stated that as per the directions of the CIC, the following information is furnished hereunder:

The Board has replied to the RTI application No.AWBIC/R/2019/50047 dated 10-08-2019 on 02-09-2019. The first appeal no.AWBIC/A/E/20/00019 dated 15.04.2020 was not replied. The reply given to RTI is forwarded to the CIC for information.

**Decision:**

Upon perusal of the facts on record as well as on the basis of the proceedings during the hearing, the Commission observes that the instant Second Appeal has been filed after a delay of more around 9 months from the date of filing of the First Appeal and the same is beyond the stipulated time-frame as per the provisions of RTI Act and the appellant failed to provide a sufficient cause for such inordinate delay. Hence, the Commission dismisses the instant appeal as infructuous being time-barred Second Appeal.

With the above observations, the instant Second Appeal is dismissed.

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

**The Appeal, hereby, stands dismissed.**



**Amita Pandove (अमिता पांडव)**

**Information Commissioner (सूचना आयुक्त)**



दिनांक / Date: 02.06.2022

Authenticated true copy

(अभिप्रमाणित सत्यापित प्रति)

B. S. Kasana (बी. एस. कसाना)

Dy. Registrar (उप-प्रेजीयक)

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