

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/DOAHD/A/2021/612318

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),  
Ballabhgarh, Haryana-121004

...प्रतिवादीगण /Respondent

Relevant dates emerging from the appeal:

RTI Application filed on	:	07.01.2021
CPIO replied on	:	23.03.2021
First Appeal filed on	:	17.02.2021
First Appellate Authority order	:	18.02.2021
Second Appeal received on	:	03.04.2021
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.

Recd  
17/6/2022  
HEO

1341  
20/06/2022

**ORDER**

**Information sought:**

The Appellant filed an online RTI Application dated 07.01.2021 seeking information on the following nine points:

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**Subject: RTI as response on question raised on PG Portal as attached**

Kindly supply point wise reply along with concerned file notings, communications made and received, on the followings:

1. Action taken report on all grievances on PG Portal, related to adoption Cow as National Cattle of India, including DOAHD/E/2021/00026
2. AWBI must issue Advisory for Educational purpose, under section 9(k) of the Prevention of Cruelty to animals Act, 1960, related to Industries based on Cow therapy.
3. Regulate under section 10 of the Prevention of Cruelty to animals Act, 1960, adopting Cow as National Cattle of India.
4. Being proper coordination among AWBI with Rastriya Kamdhenu Aayog and National Biodiversity Authority.
5. Advisories issued on Educational basis under section 9(k) of the Prevention of Cruelty to animals Act, 1960, related to Industries based on Cow therapy.
6. Regulations issued on Educational basis under section 10 of the Prevention of Cruelty to animals Act, 1960, related to Industries based on Cow therapy.
7. Copies of annual reports of AWBI with Rastriya Kamdhenu Aayog as per their mandate
8. 2nd appeals related to AWBI with Rastriya Kamdhenu Aayog, pending with CIC
9. Compliance of point wise, duties and functions of the AWBI with Rastriya Kamdhenu Aayog

The CPIO vide online reply dated 23.03.2021, informed to the Appellant as under:

Details of Public Authority :- Animal welfare Board of India, Chennai.

vide registration number :- AWBIC/R/T/21/00053 respectively.

Note:- Further details will be available on viewing the status of the above-mentioned new request registration number.

View Status of [AWBIC/R/T/21/00053](#)

Being dissatisfied, the Appellant filed a **First Appeal** dated 17.02.2021. The First Appellate Authority vide order dated 18.02.2021, informed as under:

Reply :- All points (Starting from 1 to 9) pertain to AWBI (autonomous body) and RKA (Advisory body) which are under the administrative control of Department Animal Husbandry & Dairying. Therefore, It is requested that requisite information (starting from 1 to 9) can be obtained directly from the concerned authorities. The contact details and emails are available at [www.dahd.nic.in](http://www.dahd.nic.in).



**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 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 initially they have not received the RTI Application as the same has been received along with the First Appeal and accordingly adequate reply has been given to the Appellant vide letter dated 25.02.2021. The contents of the same are as under:

Sir,

With reference to the above cited subject, the following information is furnished hereunder:

Ans.1& 3: The Board does not have information related to adoption of cow as National Cattle of India.

Ans.2& 4: It is informed that "this" does not come under definition of "information" under Section 2(f) of the RTI Act, 2005.

Ans.5 & 6: The Board does not have information or documents related to Industries based on Cow therapy.

Ans.7: The Board does not have any such annual reports available with RastriyaKamadhenuAayog.

Ans.8: The Board does not have any appeals related to AWBI with RastriyaKamadhenuAayog and all the appeals stands disposed off. The Board has not received any communication from CIC.

Ans.9: There is no such duties or functions of AWBI with RastriyaKamadhenuAayog available with the Board.

It is informed that RastriyaKamadhenuAayog is a separate entity and therefore it is not integrated with the Animal Welfare Board of India.

She further added that with respect to point no. 7 of the RTI Application, Rashtriya Kamdhenu Aayog was separate entity at that point of time but now it has been merged with AWBI recently in the year 2022.

At the instance of the Commission whether the requisite information with respect to point no. 7 of the RTI Application can be given to the Appellant, the Respondent submitted that they will provide the same to the Appellant after searching their database, subject to its availability.

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:

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 not received the RTI application from the Ministry. However, the RTI Appeal application No.DOAHD/A/E/21/00019 dated 07-01-2021 received by the Board on 18-02-2021 by email was replied on 25.02.2021. The reply given to RTI is forwarded to the CIC for information.

**Decision:**

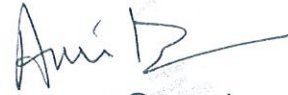
Upon perusal of the facts on record as well as on the basis of the proceedings during the hearing, the Commission observes that adequate information has been given to the Appellant vide letter dated 25.02.2021 except for point no. 7 of the RTI Application. Hence, the Commission deems it fit to direct the present CPIO to make an effort to search their database/records in a prudent manner to find/locate the relevant information as sought in point no. 7 of the instant RTI Application and provide the same to the Appellant. The said directions should be complied within 30 days, from the date of receipt of this order.

On the contrary, if the relevant information is still not found in the official records of the Respondent, the Commission deems it fit to direct the concerned CPIO to submit an appropriate affidavit, on non-judicial stamp paper deposing the factum of non-availability of the relevant record/information as sought in point no. 7 of the RTI Application. The said affidavit should be submitted to the Commission with its copy duly endorsed to the Appellant, within 45 days from the date of receipt of this order.

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: 01.06.2022



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  
National Institute of Animal  
Welfare Campus, 42 Mile Stone,  
Delhi- Agra Highway (NH-2),  
Ballabhgarh, 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),  
Ballabhgarh, Haryana-121004

3. Mr. Naresh Kadyan

C-38, Rose Apartment,  
Prashant Vihar, sector - 14,  
Rohini, Delhi-110085