

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/2021/619112

In the matter of:

Naresh Kadyan

... अपीलकर्ता/Appellant

VERSUS

बनाम

1. CPIO,
Department of Animal Husbandry,
Dairying and Fisheries,
Krishi Bhawan, Rajpath Area,
Central Secretariat,
New Delhi-110001

...प्रतिवादीगण /Respondent

2. CPIO,
Animal Welfare of India
42 KM Stone, Delhi- Agra
Highway (NH-2), Ballabgarh,
Faridabad, Haryana-121004

Relevant dates emerging from the appeal:

RTI Application filed on	:	24.04.2020
CPIO replied on	:	26.08.2020
First Appeal filed on	:	31.07.2020
First Appellate Authority order	:	20.05.2021
Second Appeal received on	:	21.05.2021
Date of Hearing	:	30.09.2022

The following were present:

Appellant: Shri. Naresh Kadyan, participated in the hearing through video conference from NIC Ahmedabad

Respondent: Shri. Narender Kumar, CPIO & Under Secretary from Department of Animal Husbandry, Dairying and Fisheries along with Smt. Prachi Jain, CPIO & Assistant Secretary & Shri. Vikram Chandravanshi,

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not
27/10/2022
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27/10/2022

Legal Advisor, from Animal Welfare Board of India, participated in the hearing in person

ORDER

Information sought:

The Appellant filed an online RTI Application dated 24.04.2020 seeking information on the following seven points:

Smt. Sukanya Berwal, Commissioner of Education, Scouts & Guides for Animals & Birds along with OIPA: Indian People for Animals endorsed me to ask:
National Judicial Academy with many other legal Establishments as National or state legal services authority may select - nominate Resource Persons to share their expert opinion & knowledge, Experiences & to give training, Workshop, refresher courses etc in the field of Animal Rights & their Welfare including the Prevention of Cruelty to Animals Act, 1960 along with Rules & Notifications, likewise similar for the Wildlife Protection Act, 1972 & Biological Diversity Act, 2002 along with others rules & regulations, hence supply me complete details, list with future schedules for above said subjects:

1. Resource Persons for animal rights & their welfare
2. Resource Persons for Wildlife
3. Resource Persons for Flora & fauna
4. Resource Persons for Biological Diversity Act, 2002 with Rules & Regulations.
5. Qualifications & procedure to be a Resource Persons for above said subjects
6. Eligibility for a Resource Persons along with benefits & fee - TA & DA
7. List - details of Maneka Gandhi & Gauri Mulekhi participated as Resource Persons with National Judicial Academy, because their conflict of interest to appear before the many courts as petitioners.

The CPIO vide online reply dated 26.08.2020, informed to the Appellant as under:

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

vide registration number :- AWBIC/R/T/20/00084 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/20/00084](#)

Being dissatisfied, the Appellant filed a **First Appeal** dated 31.07.2020. The First Appellate Authority vide online reply dated 20.05.2021, informed as under:

“With regards to the resource person in the Judicial academy is not available.”

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 stated that he is not satisfied with the information furnished by the Respondent with respect to the instant RTI Application.

The Respondent submitted that a final reply with respect to the instant RTI Application has been furnished to the Appellant vide letter dated 23.09.2020, wherein it has been informed that the averred information is not available with the Board because it pertains to National Judicial Academy which comes under the ambit of another Ministry of the Government of India i.e. Ministry of Law and Justice. The contents of the letter dated 23.09.2020 are as under:

Sir,

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

Ans.1 to 7: As per the available records, the information sought is not available with the Board.

The Commission queried the Respondent regarding delay in furnishing the above reply, to which the Respondent submitted that initially the instant RTI had been filed with other ministry who then transferred the same to Department of Animal Husbandry, Dairying and Fisheries on 26.08.2020, thereafter the above reply dated 23.09.2020 has been furnished to the Appellant.

The Commission queried the Respondent regarding the status of First Appeal to which the Respondent submitted that the First Appeal has been adjudicated on 06.11.2020 and the contents of the same are as under:

This appeal has been presented by Shri Naresh Kadyan for not furnishing information by Central Public Information Officer of Animal Welfare Board of India. Appellant has sought information from Animal Welfare Board of India through Central Public Information Officer vide letter no. 25-93/2020-21/RTIMIS 00084 dated 23.9.2020.

I have read the contents of the Appeal; RTI original application of the Appellant; and also the records of the matter presented before the undersigned. The Central Public Information officer of the Board has furnished relevant information to Appellant in time as informed by the Central Public Information Officer of the Board. Since the requisite information has been furnished with delay the Appeal is accordingly disposed of.

A written submission has been received by the Commission from Shri. Narender Kumar, CPIO & Under Secretary from Department of Animal Husbandry, Dairying and Fisheries vide letter dated 29.09.2022 wherein the Commission has been apprised as under:


3. In respect of CIC hearing (at 11.50 AM) File No. CIC/DOAD/A/2021/619112 in respect of RTI Regn No. DOAHD/R/T/20/00082, this RTI was transferred to Animal Welfare Board of India on 26.08.2020. Vide DOAHD/A/E/20/00054 dated 20.05.2021, the appeal was disposed of stating that "With regard to the resource person in the judicial academy is not available.

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 reply with respect to the instant RTI Application has been provided by the Respondent. Further, the Respondent has informed that the information qua the RTI Application pertain to National Judicial Academy which comes under the ambit of another Ministry of the Government of India i.e. Ministry of Law and Justice, which is beyond the adjudication power of this bench of the Commission.

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: 30.09.2022

Authenticated true copy

(अभिप्रमाणित सत्यमाहित प्रति)

B. S. Kasana (बी. एस. किसाना)

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
Department of Animal Husbandry,
Dairying and Fisheries,
Krishi Bhawan, Rajpath Area,
Central Secretariat,
New Delhi-110001

✓ 3. The Central Public Information Officer
Animal Welfare of India
42 KM Stone, Delhi- Agra Highway (NH-2),
Ballabhgarh, Faridabad,
Haryana-121004

4. Mr. Naresh Kadyan
C-38, Rose Apartment,
Sector - 14, Rohini,
Delhi-110085