

केन्द्रीय सूचना आयोग  
Central Information Commission  
बाबा गंगनाथ मार्ग, मुनिरका  
Baba Gangnath Marg, Munirka  
नई दिल्ली, New Delhi – 110067

शिकायत संख्या / Complaint No. CIC/AWBIC/C/2022/601671

In the matter of:

Naresh Kadyan

... शिकायतकर्ता/Complainant

VERSUS

बनाम

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

...प्रतिवादीगण /Respondent

Relevant dates emerging from the Complaint:

|                                 |   |               |
|---------------------------------|---|---------------|
| RTI Application filed on        | : | 25.10.2021    |
| CPIO replied on                 | : | Not on Record |
| First Appeal filed on           | : | Undated       |
| First Appellate Authority order | : | Not on Record |
| Complaint received on           | : | 09.01.2022    |
| Date of Hearing                 | : | 02.02.2023    |

The following were present:

**Complainant:** Shri Naresh Kadyan, participated in the hearing through video conferencing from NIC Ahmedabad.

**Respondent:** Ms. Prachi Jain, CPIO & Assistant Secretary/AWBI, participated in the hearing in person.

Prachi  
22/2/23  
HEO

5255  
22/02/2023

**ORDER****Information Sought:**

The Complainant filed an online RTI application dated 25.10.2021 seeking information on the following six points:

1. **Community Policing as man of many achievements and distinctions: Voice for voiceless: Fighter by spirit: Jat by birth: Philanthropist by profession: Activist by mission: Humanitarian by choice, Gandhian by vision and action, being habitual khadi wearers and scout warrior, speaking truth as passion: Naresh Kadyan, Convener, Animal Welfare Party, which is a 1st Political Party for animals, restoring their 5 freedoms. Mobile App: Scouts & Guides for Animals & Birds, wants to know that the supply to Animal Welfare Party, complete list and details, about sanctioned post of AWBI and NIAW along with list of all officials, occupied and lying vacant with their duties and functions, since 2014 onwards, till date.**
2. **Under the Prevention of Cruelty to Animals Act, 1960, only 30 Rules and 50 Notifications were issued, as attached, point wise confirm that these are effective and enforced in India or not, if not then describe the reasons.**
3. **Complete details - list of Political Parties for animals and birds in India, including Animal Welfare Party.**
4. **Supply the copies of bills, related to amendments in PCA Act, 1960.**
5. **Supply the, head wise details of expenditure, on all functions organized by AWBI, since 2014 onwards till date.**
6. **Present status of all berths, occupied in AWBI, quoting the Rules and regulations, sections of PCA Act, 1960 along with their contribution towards animal rights and their welfare.**

Having not received any information from the CPIO, the Complainant filed a **First Appeal** dated Undated, which has not been adjudicated by the First Appellate Authority as per available records.

**Grounds for Complaint:**

The Complainant filed a Complaint u/s 18 of the RTI Act on the ground of non-receipt of information from the Respondent.

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

The Complainant submitted that he has not received any response qua the instant RTI Application from the Respondent.



The respondent submitted that adequate and point-wise reply qua the instant RTI Application has been given to the Appellant on 17.11.2021 through speed post. The contents of the same are as under:

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

Ans.1: The details of sanction post of AWBI and lying vacant with their duties since 2014 is enclosed. There is no sanctioned post in NIAW.

Ans.2: No attachment found with the RTI for which the information is sought.

Ans.3: The information sought is not available with the Board.

Ans.4: The information sought is not clear in regard to year of the Bill.

Ans.5; The details of the expenditures on all the function of the AWBI since, 2014 onwards are mentioned in the Audited accounts of the Board of the respective year which is included in the Annual Report of each year. The Annual Report of AWBI is available in the website of the AWBI till the year 2018-19 which have been laid before the Parliament.

Ans 6: The information sought is not clear. The application is requested to ask specific question for providing the information.

At the instance of the Commission whether the First Appeal has been adjudicated or not to which the Respondent submitted that First Appeal has been adjudicated on 01.01.2022. The contents of the same are as under:

Sir,

This appeal has been presented by Shri Naresh Kadyan for not furnishing information by Central Public Information Officer of Animal Welfare Board of India. The CPIO of AWBI has furnished the information to the Appellant vide letter no.5-199/2021-22/RTIMIS dated 17.11.2022.

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. Since the requisite information has been furnished without delay the Appeal is accordingly disposed of.

The Complainant interjected and apprised the bench that he has not received any response qua the instant RTI Application from the Respondent.

In response the Respondent informed the Complainant that she will resend the above-said replies to the Complainant through email during the course of the day.

A written submission has been received by the Commission from Shri S.K Dutta, Secretary & Appellate Authority vide letter dated 01.02.2023, 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 Online RTI application No. AWBIC/R/T/21/00135 dated 25-10-2021 and DOAHD/R/E/21/00355 on 17.11.2021. The RTI Appeal No.AWBIC/A/E/21/00068 dated 25.11.2021 was replied on 01.01.2022. The reply given to RTI Appellant 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 matter is a complaint filed under Section 18 of the RTI Act. Hence, the only adjudication required to be made by the Commission is to determine if the information has been denied with a *mala fide* intention or unreasonable cause to the information seeker. Since the Respondent has provided adequate reply to the Complainant on the basis of available records within the stipulated



time-frame, no *mala-fide* can be attributed against the Respondent. Hence, the Commission finds no further scope of intervention in the instant matter.

With the above observations, the complaint is disposed of.

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

**The complaint, hereby, stands disposed of.**

*Amita Pandove*

**Amita Pandove (अमिता पांडव)**

**Information Commissioner (सूचना आयुक्त)**

दिनांक / Date : 06.02.2023

Authenticated true copy

(अभिप्रमाणित सत्यापित प्रति)

B. S. Kasana (बी. एस. कसाना)

Dy. Registrar (उप-पंजीयक)

011-26105027



Addresses of the parties:

- ✓ 1. The Central Public Information Officer (CPIO)  
Animal Welfare Board of India,  
42 KM Stone, Delhi- Agra Highway, (NH-2),  
Ballabhgarh, Faridabad,  
Haryana-121004
  
2. Mr. Naresh Kadyan  
C 38, Rose Apartment,  
Sector-14, Rohini,  
New Delhi-110085

