

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/2022/604805

In the matter of:

Naresh Kadyan

... शिकायतकर्ता/Complainant

VERSUS

बनाम

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

...प्रतिवादीगण /Respondent

Relevant dates emerging from the Complaint:

|                                 |   |               |
|---------------------------------|---|---------------|
| RTI Application filed on        | : | 08.11.2021    |
| CPIO replied on                 | : | Not on Record |
| First Appeal filed on           | : | Undated       |
| First Appellate Authority order | : | Not on Record |
| Complaint received on           | : | 24.01.2022    |
| 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 Jain*  
24/2/23  
HEO

5257  
24/02/2023

ORDER**Information Sought:**

The Complainant filed an online RTI application dated 08.11.2021 seeking information on the following seven points:

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**As per the Prevention of Cruelty to Animals Act, 1960 (No. 59 of 1960, section 41: Repeal of Act 11 of 1890:**

**Where in pursuance of a notification under sub-section (3) of section 1 any provision of this Act comes into force in any State, any provision of the Prevention of Cruelty to Animals Act, 1890 (11 of 1890), which corresponds to the provision so coming into force, shall thereupon stand repealed, introducing the Animal Welfare Board of India, which is a statutory advisory body on Animal Welfare Laws and promotes animal welfare in the country, established in 1962 under Section 4 of the Prevention of Cruelty to Animals Act, 1960 (No. 59 of 1960).**

**AWP has strong objections, on the glorifying of Late Smt. Rukmini Devi Arundale, repeatedly used her name twice, on the official website, May I know any specific contribution towards animal right and their welfare, beside she spent many years, holding berth in AWBI, since 1962 till her death 1986, whereas animals are still defined as goods, poultry as agriculture products and elephant as cattle, besides it we do not have proper vehicles, duly approved by Transport Authorities, to shift animals in humane way, keeping in view, section 3 of the Prevention of Cruelty to Animals Act, 1960, read with article 51 A(g) of Indian Constitution. It would be pertinent to mention here that, violation of section 3 of the Prevention of Cruelty to Animals Act, 1960, have zero punishments, even not censure as well.**

**AWP, endorsing Late Smt. Indira Gandhi, responsible for Introducing article 51 A, vide Ins. by the Constitution (Forty-second Amendment) Act, 1976, s. 11 (w.e.f. 3-1-1977) and Ins. by the Constitution (Eighty-sixth Amendment) Act, 2002, s. 4 (w.e.f. 1-4-2010).**

**Supply with file notings and communications with action taken reports, related to:**

- 1. PRSEC/E/2021/31684: PMOPG/E/2021/0563753: DOAHD/E/2021/00754**
  - 2. Complete details - list of Chairpersons of AWBI, since beginning till date.**
  - 3. Complete details - list of contributions, in animal welfare by Smt. Rukmini Devi Arundale along with private bills, she introduced in the Parliament.**
  - 4. Smt. Rukmini Devi Arundale, was decorated with National awards, including Prani Mitra and Padma awards, complete details including tenure and special achievements, behind these awards.**
  - 5. Reasons for quoting Smt. Rukmini Devi Arundale, twice repeatedly, on the official website of AWBO, supply complete details with the permission of competent authority.**
  - 6. Article 51 A, was introduced, amending Constitution, supply me complete details of 42nd amendment bills with reasons.**
  - 7. State Emblem of India, was insulted by AWBI, placing without Satyamev Jayete, while at Chennai but after my complaints, it was corrected, supply complete details. Complete details as attached.**
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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 03.12.2021 through speed post. The contents of the same are as under:

Ans.1: The action taken report on the Public Grievances No. Prsec/E/2021/31684, PMOPG/E/2021/0563753 and DOAHD/E/2021/00754 is available in the public domain.

Ans.2: The list of Chairpersons of AWBI is enclosed.

Ans.3 & 4: The information sought is not available as it is beyond the retention period.

Ans.5: The contents are available since inception of the website of AWBI.

Ans.6 & 7: The information sought is not available with the Board.

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:

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.5-208/2021-22/RTIMIS dated 03.12.2021.

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.

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/E/21/00109 dated 08-01-2021 on 03.12.2021. The RTI Appeal No. AWBIC/A/E/21/00072 dated 08.12.2021 was replied on 01.01.2022. The reply given to RTI Appellant is forwarded to the CIC for information.

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

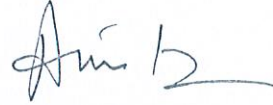
In response the Respondent informed the Complainant that she will resend the above-said replies to the Complainant through email during the course of the day.

**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 (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 First Appellate Authority (FAA)  
Animal Welfare of India,  
42 KM Stone, Delhi- Agra Highway, (NH-2),  
Ballabhgarh, Faridabad,  
Haryana-121004
- ✓ 2. The Central Public Information Officer (CPIO)  
Animal Welfare of India,  
42 KM Stone, Delhi- Agra Highway, (NH-2),  
Ballabhgarh, Faridabad,  
Haryana-121004
3. Mr. Naresh Kadyan  
C 38, Rose Apartment,  
Sector-14, Rohini,  
New Delhi-110 085

