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/2020/696335

In the matter of:

Naresh Kadyan ... अपीलकर्ता/Appellant

VERSUS
बनाम

1. CPIO,
Animal welfare Board of
India 3rd Seaward Rd, Valmiki
Nagar, Thiruvalluvar Nagar,
Thiruvanmiyur, Chennai,
Tamil Nadu -600041

...प्रतिवादीगण /Respondent

2. CPIO
/Assistant Secretary Animal
Welfare Board of
India National Institute of
Animal Welfare Campus, 42
Mile Stone, Delhi- Agra
Highway (NH-2), Ballabhgarh,
Haryana-121004

S 459 25/03/2022

Relevant dates emerging from the appeal:

RTI Application filed on	:	14.04.2020
CPIO replied on	:	Not on record
First Appeal filed on	:	26.10.2020
First Appellate Authority order	:	Not on record
Second Appeal received on	:	16.12.2020
Date of Hearing	:	11.03.2022

24/3/2022 HEO

The following were present:

Appellant: Absent (informed the Commission vide an undated letter that he does not want to avail hearing).

Respondent: Shri Narender Kumar, CPIO and Under Secretary, Department of Animal Husbandry and Dairying and Smt. Prachi Jain, CPIO and Asst. Secretary, Animal Welfare Board of India participated in the hearing in person.

ORDER

Information sought:

The Appellant filed an RTI Application dated 14.04.2020, seeking information on the following nine points:

> **Smt. Sukanya Berwal, Commissioner of Education, Scouts & Guides for Animals & Birds along with OIPA: Indian People for Animals, undergoing Doctorate in animal welfare, whereas Animal Welfare Board of India, grants recognition to the newly started Animal Welfare Organizations (AWOs), without any rules & regulations, made under section 10 of the Prevention of Cruelty to Animals Act, 1960, hence supply complete details & list with letters & Noting sheets about under which rules, authority & regulations, AWBI recognizing AWOs along with recognized, de-recognized AWOs**
> **2. The AWOs has to agree to nominate a representative of the AWBI on its Managing / Executive Committee and also for regular inspection of its functioning, confirm it is true & AWBI nominated each & every recognized AWOs, provide me complete details & list, describing allotted registration Number with nominated person, clearly mention about their function & present status of AWOs.**
> **3. As per section 10 of the PCA Act, 1960: Power of Board to make regulations: The Board may, subject to the previous approval of the Central Government, make such regulations as it may think fit for the administration of its affairs and for carrying out its functions. Please confirm these legal provisions, complete details & list of regulations made by AWBI to regulate its Mandate**
> **4. As per NGO Darpan of NITI Ayog, registered with them eligible to get grant in aid with recognition or any benefits from AWBI, supply me complete list- details of AWOs registered under NGO Darpan, benefitted by AWBI, since beginning till date because official website of AWBI, have wrong information without certification**
> **5. Supply me complete list & details of initial Members of PFA Wardha: MH092/2002**

along with each & every elections duly verified, after every 3 years, proof of each member paid Rs. 25/- annually, as eligibility fee never paid by them, illegally functioning since beginning till today, confirming the relationship of each & every members along with CZA defaulter Maneka Gandi role as Chairman with PFA Wardha
6. PFA Wardha not disclosing AWBI & CZA grant in aid with NGO Darpan, in their books of account, supply me compiled list & details of grant in aid, received from all resources along with status of their utilizations because without eligibility of Member as per law not eligible for any benefits
7. Complete details, list of PFA Wardha & Bangalore KA025/2001, their fixed, movable & immovable assets as PFA Bangalore not registered under NGO Darpan but enjoying allotment of 6 Acre land from Govt. of Karnataka with CZA recognition, violating their terms & conditions
8. Societies Registration Act, 1860 is not existed in Haryana but AWOs, SPCAs recognized, complete details & list of recognized NGOs in Haryana under repealed
9. Complete details about AWBI recognition AWO No. ND011/1993 along with ND018/1999 & head wise released grant in aid, their utilisation position, list of members with present status.

Having not received any information from the CPIO, the Appellant filed a **First Appeal** dated 26.10.2020, 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 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 vide an undated letter has informed the Commission as under:

> *"2. ..., to decide on merit, on the following matters as I don't want to avail hearing."*

Smt. Prachi Jain submitted that an appropriate reply was provided to the Appellant on 13.05.2020 and the First Appellate Authority has also adjudicated the First Appeal on 07.12.2020. At the instance of the Commission, she handed over the

copies of the aforesaid CPIO's reply and the First Appellate Authority to the Commission during the hearing.

Decision:

Upon perusal of the facts on record as well as on the basis of the proceedings during the hearing, the Commission observes that appropriate reply has been provided to the Appellant and the same is upheld. Though the Appellant chose not to attend the instant hearing, for the reasons best known to him, the Commission has gone through the case records in entirety and finds no further scope of intervention in the matter.

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: 11.03.2022

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
   3rd Seaward Rd, Valmiki Nagar,
   Thiruvalluvar Nagar, Thiruvanmiyur,
   Chennai, Tamil Nadu -600041

2. The Central Public Information Officer,
   Animal welfare Board of India
   3rd Seaward Rd, Valmiki Nagar,
   Thiruvalluvar Nagar, Thiruvanmiyur,
   Chennai, Tamil Nadu -600041

3. The Central Public Information Officer,
   /Assistant Secretary
   Animal Welfare Board of India
   National Institute of Animal Welfare Campus,
   42, Mile Stone, Delhi- Agra Highway (NH-2),
   Ballabhgarh, Haryana-121004

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