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/2022/601669

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	:	22.10.2021
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.

Received 24/2/23 HEO

5259 22/02/2023

ORDER

Information Sought:

The Complainant filed an online RTI application dated 22.10.2021 seeking information as under:

With the consultations of Smt. Sukanya Berwal, Commissioner of Education along with Canada based Abhishek Kadyan and Smt. Suman Kadyan of Scouts and Guides for Animals and Birds www.scoutingindia.in and OIPA: Indian People for Animals: 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 of Animal Welfare Party, which is a 1st Political Party for animals and birds, restoring their 5 freedoms, wants to know the service conditions of the all officials on the pay role of AWBI - CZA - WCCB - NTCA - NBA - GSDS - NBB - NHB - TRIFED - KVIC - Lokpal of India - NHRC, NCC, NSS, Bharat Scouts and Guides - All National Commissions, Board and Corporations with all Cantonments in India along with all establishments registered under the Societies Registration Act, 1860, working under the control of Govt. of India, before 2005, because No elections instead nominations, which are against the soul of this Act, does not solve the purpose: Mobile App: Scouts & Guides for Animals & Birds.
Attached for consideration with lifetime achievements of Naresh Kadyan.

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 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 information sought is not clear. The applicant is requested to seek the specific information as the RTI submitted is vague in nature.

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.5-198/2021-22/RTIMIS dated 17.11.2021.

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/T/21/00134 dated 22-10-2021 and DOAHD/R/E/21/00358 on 17.11.2021. The RTI Appeal No.AWBIC/A/E/21/00067 dated 21.11.2021 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 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

केन्द्रीय सूचना आयोग ★ Central Information Commission ★

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