BEFORE THE CHIEF GENERAL MANAGER AND FIRST APPELLATE AUTHORITY
INSOLVENCY AND BANKRUPTCY BOARD OF INDIA

7th Floor, Mayur Bhawan, Shankar Market,
Connaught Circus, New Delhi -110001
Dated: 28th October 2026

Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI Appeal No. ISBBI/A/E/26/00046

IN THE MATTER OF

Nelson James Macwan …Appellant

Vs.

Central Public Information Officer
The Insolvency and Bankruptcy Board of India
7th Floor, Mayur Bhawan, Shankar Market,
Connaught Circus, New Delhi -110001 … Respondent

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1. The Appellant has filed the present Appeal dated 8th September 2026, challenging the communication of the Respondent, filed under the Right to Information Act (RTI Act). Since the Appeal required detailed analysis of different provisions of the RTI Act, same is disposed of after 30 days as enshrined under Section 19(6) of the RTI Act.

2. In the impugned RTI Application, the Appellant has sought the information pertaining to IBBI's decision- making process in relation to Sardar Patel University's representation dated 09.02.2018 seeking recognition of its Post Graduate Valuation examination as equivalent to the IBBI Valuation Examination under the Second Proviso to Rule 5(1) of the Companies (Registered Valuers and Valuation) Rules, 2017.

3. The Respondent has stated that the information sought is available on the records of the Authority has already been furnished to the Appellant and further explanations and reasoning sought regarding reconsideration of the Authority's decision including recording of reasons beyond those available on file, or adjudication upon the correctness of the Authority's administrative decision, the same do not constitute "information" within the meaning of section 2(f) read with section 2(j) of the RTI Act. Aggrieved by the same, the Appellant has filed the present appeal and has sought following reliefs-

"V. PRAYERS
1. Allow the present First Appeal under Section 19(1) of the RTI Act, 2005.
2. Set aside the Impugned Reply dated 25.08.2026 as an omnibus, non-speaking disposal that fails to independently examine the 43 queries raised across the two applications, in violation of Sections 6, 7(1), 7(9), 2(f) and 2(j) of the Act;
3. Afford the Appellant a reasonable opportunity of personal hearing (in person, or through ideoconference, at the Appellant's option) before disposing of this Appeal, in accordance with paragraph 11 above;
4. Set aside/reconsider the CPIO's conclusion that RTI Nos. ISBBI/R/E/26/00065 and ISBBI/R/E/26/00094 are merely repetitive.
5. Direct the CPIO to examine both applications independently and provide a query-wise, point-wise reasoned response - in the tabular format previously followed in the replies to Registration Nos.

ISBBI/R/E/24/00028 and ISBBI/R/E/26/00036 — to each of the 34 queries and four Additional Requests in Application No. ISBBI/R/E/26/00065, and each of the 9 queries in Application No. ISBBI/R/E/26/00094, within a time to be fixed by this Authority, preferably within 15 days, free of cost;

6. Direct the CPIO, for every query alleged to have been answered earlier, to identify the earlier RTI application, date of reply, exact document/page/paragraph and the precise information which allegedly answers the present query - for each of the 34 queries in RTI No. ISBBI/R/E/26/00065 and each of the 9 queries in RTI No. ISBBI/R/E/26/00094:

(a) the earlier RTI application allegedly containing the same request;

(b) the date of the earlier CPIO reply;

(c) the exact document/page/paragraph allegedly containing the information;

(d) the precise information therein which answers the present query; and

(e) where the earlier response stated that information was "not available", an explanation as to whether the information subsequently became available and, if so, the date and record by which it became available.

In the absence of such identification, the CPIO's general assertion that the information has already been furnished may kindly be held to be unsupported by the record.

7. Direct disclosure of the existing records concerning the five May 2026 emails and the letter dated 25.05.2026, including notings, action taken, correspondence and replies, subject only to specific statutory exemptions.

8. Direct disclosure of the records concerning publication/effectuation/circulation of Note No. 12 and the published administrative decision referred to in the CIC decision dated 03.03.2026.

9. Where any record does not exist, direct the CPIO to state that fact specifically and unequivocally, as sought in Additional Request No. 2 of Application No. 00065.

10. Specifically direct the CPIO to respond to Query 1 of Application No. ISBBI/R/E/26/00094 by confirming the date and mode of publication of the "published administrative decision" referred to in the CIC's order dated 03.03.2026 in Second Appeal No. CIC/IBBIN/A/2024/640301, distinct from and without reference to any internal note sheet, and to report on IBBI's compliance with that order. If such decision is not published then state that the 'published administrative decision' is not available on record.

11. Where any information is withheld, direct the CPIO to identify the precise exemption under Section 8 or Section 9, record reasons for the claim, and the specific document/information to which it applies and furnish the severable non-exempt portion under Section 10.

12. Direct the CPIO to reconcile any assertion of prior disclosure with earlier replies which stated that information was "not available" or that no Office Order/policy was available.

13. Direct the CPIO to reconsider the precedents relied upon in the impugned reply in their proper factual context and not apply them mechanically to distinct or subsequent information.

14. Pass a reasoned and speaking order dealing separately with each query and each material ground raised in this First Appeal.

15. Pass such further or other order(s) as this Authority may deem fit in the interest of justice."

4. I have carefully examined the application, the response of the Respondent and the instant Appeal and find that the matter can be decided based on the material available on record. In terms of section 2(f) of the RTI Act 'information' means *"any material in any form, including records, documents, memos e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force."* It is pertinent to mention here that the Appellant's "right to information' flows from section 3 of the RTI Act and the said right is subject to the provisions of the Act. Section 2(j) of the RTI Act defines the *"right to information"* in term of information accessible under the Act which is held by or is under the control of a public authority. Thus, if the public authority

holds any information in the form of data, statistics, abstracts, etc. an applicant can have access to the same under the RTI Act subject to exemptions under section 8.

5. With regards to the prayer No. 5, regarding passing of a common order by respondent with regards to RTI Application No. 00065 and 00094, it is observed that there is no prohibition on CPIO which restrict passing of a common order, however, such order must explicitly provide reference of both the RTI registration numbers and their respective dates. Such requirement has been fulfilled by the respondent, thus requiring no interference by the First Appellate Authority.

6. With regard to Prayer No. 1 to 4 and 6 to 13, the Appellant has contended, in substance, that the CPIO erred in treating the present applications as repetitive when they share a subject matter with earlier applications but seek different information; that the CPIO's claim of prior disclosure through earlier replies is not borne out by the record; that the CPIO declined to provide the information and answered questions other than those asked; that the directions of the Central Information Commission (CIC) and the correspondence addressed to the Chairperson, IBBI were not dealt with; that the CPIO departed, without reasons, from his own practice of query-wise disposal; and that severability under Section 10 of the RTI Act was not considered. I have considered these contentions. The record shows that the information available with the Authority on this subject has already been furnished to the Appellant, both through replies under the RTI Act to his earlier applications, including RTI Registration Nos. ISBBI/R/E/24/00028, ISBBI/R/E/26/00036 and ISBBI/R/E/26/00037, and through replies to his various representations and communications. Several queries do not seek a record. Instead, they ask the Authority to explain or justify the administrative decision it has taken, or to confirm inferences drawn by the Appellant. Such queries do not seek "information" as defined in section 2(f) of the RTI Act, and the CPIO is not required to answer them. In this regard, it is relevant to refer to the Order dated April 21, 2006 of the Hon'ble CIC in *Dr. D.V. Rao Vs. Shri Yashwant Singh & Anr*, wherein it was observed that: "*the RTI Act does not cast on the public authority any obligation to answer queries in which a petitioner attempts to elicit answers to his questions with prefixes, such as, 'why', 'what', 'when' and 'whether'. The petitioner's right extends only to seeking information as defined in section 2 (f) either by pinpointing the file, document, paper or record, etc., or by mentioning the type of information as may be available with the specified public authority.*"

7. In view of the aforesaid observations, the reply of the CPIO does not merit any interference.

8. The Appeal is, accordingly, disposed of.

Sd/-
(Shiv Anant Shanker)
First Appellate Authority

Copy to:
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