

**BEFORE THE EXECUTIVE DIRECTOR AND FIRST APPELLATE AUTHORITY  
INSOLVENCY AND BANKRUPTCY BOARD OF INDIA**

7<sup>th</sup> Floor, Mayur Bhawan, Shankar Market,  
Connaught Circus, New Delhi -110001

**Dated: 18<sup>th</sup> August 2025**

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI  
Appeal Registration No. ISBBI/A/E/25/00099, ISBBI/A/E/25/000100,  
ISBBI/A/E/25/000101**

**IN THE MATTER OF**

**Kairav Anil Trivedi**

... Appellant

Vs.

**Central Public Information Officer**

The Insolvency and Bankruptcy Board of India

7<sup>th</sup> Floor, Mayur Bhawan, Shankar Market,

Connaught Circus, New Delhi -110001

... Respondent

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1. The Appellant has filed the present Appeals dated 7th July 2025, challenging the communication of the Respondent, filed under the Right to Information Act (RTI Act). Since the Appeals arise from the same subject-matter, they are hereby clubbed together and disposed of *vide* common order. The Appeals required detailed analysis of different provisions of the RTI Act and the same are disposed of within 45 days as enshrined under Section 19(6) of the RTI Act.
  2. With regard to RTI Appeal No. ISBBI/A/E/25/00099, the Appellant had requested for the following information, “*Ref:- DC order dt 17/12/24 passed by Mr. Sandip Garg for the SCN issued by Keshav Kumar Giridhari on 26/10/23 in the matter Parenteral Drugs India Ltd for Kairav Trivedi Please provide the copy of the internal records which documents in writing the efforts made by IBBI to dispose of the show cause notice issued on 26/10/23 within 35 day from the date of Issuance of the SCN i.e. by 30/11/23 In compliance with the regulation 13(2) Disposal of Show-cause notice of Insolvency And Bankruptcy Board Of India (Inspection And Investigation) Regulations, 2017, The Disciplinary Committee shall endeavour to dispose of the show-cause notice within a period of thirty-five days of the date of the issuance of the show-cause notice..*” The CPIO Respondent, in its reply dated 02.06.2025, has stated the following, “*The complete documents with respect to the DC order dt 17/12/24 has already been provided to the applicant in his earlier RTI application Number: ISBBI/R/E/25/00137, vide email dated 20 May 2025.*” Aggrieved with the reply, the Appellant has filed the present appeal stating that the CPIO Respondent has wrongly denied the information sought by the Appellant.
  3. With regard to RTI Appeal No. ISBBI/A/E/25/000100, the Appellant had requested for the following information, “*Ref :- DC order dt 21/03/25 passed by Mr. Jayanti Prasad for the SCN issued by Keshav Kumar Giridhari on 10/04/24 in the matter Parenteral Drugs India Ltd for Kairav Trivedi Please provide the copy of the internal records which documents in writing the efforts made by IBBI to dispose of the show cause notice issued on 10/04/24 within 35 day from the date of Issuance of the SCN i.e. by 15-05-24 In compliance with the regulation 13(2) Disposal of Show-cause notice of Insolvency And Bankruptcy Board Of India (Inspection And Investigation) Regulations, 2017, The Disciplinary Committee shall endeavour to dispose of the show cause notice within a period of thirty-five*

*days of the date of the issuance of the show-cause notice.”* The CPIO Respondent, in its reply dated 02.06.2025, has stated the following, *“The complete documents with respect to the DC order dt 21/03/25 has already been provided to the applicant in his earlier RTI applications Number: RTI: ISBBI/R/E/25/00136 and RTI: ISBBI/R/E/25/00142, vide email dated 20 May 2025.”* Aggrieved with the reply, the Appellant has filed the present appeal stating that the CPIO Respondent has wrongly denied the information sought by the Appellant.

4. With regard to RTI Appeal No. ISBBI/A/E/25/000101, the Appellant had requested for the following information, *“Ref:- DC order dt 17/12/24 passed by Mr. Sandip Garg for the SCN issued by Keshav Kumar Giridhari on 26/10/23 in the matter Parenteral Drugs India Ltd for Kairav Trivedi Please provide the copy of the internal records which documents in writing the efforts made by IBBI to dispose of the show cause notice issued on 26/10/23 within 35 day from the date of Issuance of the SCN i.e. by 30/11/23 In compliance with the regulation 13(2) Disposal of Show-cause notice of INSOLVENCY AND BANKRUPTCY BOARD OF INDIA (INSPECTION AND INVESTIGATION) REGULATIONS, 2017, The Disciplinary Committee shall endeavour to dispose of the show cause notice within a period of thirty-five days of the date of the issuance of the show-cause notice.”* The CPIO Respondent, in its reply dated 02.06.2025, has stated that the information as sought by the Appellant is not available. Aggrieved with the reply, the Appellant has filed the present appeal stating that the CPIO Respondent has wrongly denied the information sought by the Appellant.
  
5. I have carefully examined the applications, the responses of the Respondent and the Appeals 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.
  
6. In this regard, I note that the Appellant has requested for records signifying that the IBBI has made compliance of Section 13(2) of the IBBI (Inspection and Investigation) Regulations, 2017 i.e., the IBBI has endeavoured to dispose of the show-cause notice within sixty days from receipt of reply to the show-cause notice issued to the Appellant. It is pertinent to note that under Section 13 (1) of the aforesaid Regulations, the IBBI has disposed of the SCN *vide* a reasoned order. Moreover, the investigation report and the file notings pertaining to the orders passed by the Disciplinary Committee (DC) in the impugned Appeals have been provided by the CPIO to the Appellant *vide* ISBBI/R/E/25/136, ISBBI/R/E/25/137, ISBBI/R/E/25/141 and ISBBI/R/E/25/142 dated 20<sup>th</sup> May 2025. Since the information as available and “held” by the public authority within the meaning of Section 2(j) and Section 4 of the RTI Act has been provided to the Appellant, the CPIO is not expected to create new information or interpret/clarify any document as provided to the Appellant. In *A.K Vasudev vs. CPIO*,

M/O. Consumer Affairs, Food & Public Distribution, New Delhi [CIC/DOCAF/A/2018/137220], the CIC observed as follows, “the Commission observes that at the outset it is clarified that under the provisions of the RTI Act only such information as is available and existing and held by the public authority or is under control of the public authority can be provided. The PIO is not supposed to create information that is not a part of the record. He is also not required to interpret information or provide clarification or furnish replies to hypothetical questions.”

7. Kindly note that the Appellant has filed 28 RTI applications before the CPIO seeking records pertaining to the disciplinary proceedings initiated by the IBBI against the Appellant. Moreover, the Appellant has filed 22 RTI Appeals against the replies provided by the CPIO. Upon perusal of the RTI applications and submissions made in appeal, it is apparent that the Appellant is aggrieved by the orders of the Disciplinary Committee of IBBI and has been insistently seeking information regarding the said orders. This design of indiscriminate filing is a blatant abuse of the RTI mechanism and amounts to harassment of the public authority.
8. The RTI Act is not meant to be a tool for frivolous and vexatious litigation, nor should it be misused to create administrative roadblocks or disrupt the normal functioning of government offices. Such misuse not only diverts attention from genuine RTI queries but also causes an undue burden on government officials, who are obligated to respond to each application in a time-bound manner under the Act. In this regard, it is useful to refer to the following observations of the Hon’ble Supreme Court of India in the matter of *Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors.* (Judgment dated August 9, 2011) which held as follows, “Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counterproductive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquillity and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising ‘information furnishing’, at the cost of their normal and regular duties.” This deliberate, persistent, inexorable and planned misuse of the RTI process by the Appellant is unacceptable. Such frivolous use of the RTI mechanism will be treated as a ground to deny information to the Appellant since it leads to disproportionate diversion of public resources as enshrined under Section 7(9) of the RTI Act.
9. In view of the foregoing, the replies of the CPIO does not warrant my interference.
10. The Appeal is, accordingly, disposed of.

Sd/-  
(Kulwant Singh)  
First Appellate Authority

**Copy to:**

1. Appellant, Kairav Anil Trivedi
2. CPIO, The Insolvency and Bankruptcy Board of India, 7<sup>th</sup> Floor, Mayur Bhawan, Shankar Market, Connaught Circus, New Delhi -110001.