

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

7th Floor, Mayur Bhawan, Shankar Market,
Connaught Circus, New Delhi -110001

Dated: 15th April 2025

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI
Appeal Registration No. ISBBI/A/E/25/00057**

IN THE MATTER OF

Dax Babariya

... 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 4th March 2025, challenging the communication of the Respondent, filed under the Right to Information Act (RTI Act). As the Appeal required detailed analysis of different provisions of the RTI Act, same is disposed of within 45 days from the receipt of the impugned Appeal.
 2. The Appellant had sought records and documents pertaining to the mechanism for processing refunds to passengers, impact on external shareholders and involvement of the resolution professional and IBBI in the insolvency proceedings of the Go First airlines. The Respondent CPIO has, *inter-alia*, replied that the insolvency proceedings have been conducted in accordance with the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 and information on claims filed by different stakeholders is hosted on the website - <https://gofirstcirp.com/>. The Appellant has filed the present Appeal stating that the Respondent CPIO has replied beyond the statutory timeline enshrined under Section 7(1) of the RTI Act.
 3. 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. While the “*right to information*” flows from section 3 of the RTI Act, it is subject to other 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.
 4. In this regard, I note that the Appellant had filed the RTI application on 31st January 2025, which was disposed of by the Respondent CPIO on 11th March 2025. The deadline to

dispose of the impugned RTI Application expired on 2nd March 2025. Thus, the application has been disposed beyond thirty days of its receipt by the Respondent CPIO, which violates the timeline enshrined under Section 7 of the RTI Act. Being CPIO of Public Authority like IBBI, the Respondent should be sensitive to timelines and disposal of information request. I would, therefore, encourage and urge the Respondent to consider the requirements of law while dealing with information requests under the RTI Act and dispose of RTI applications within the prescribed time. Since the Application has been disposed of by the Respondent satisfactorily, it does not warrant our further interference.

5. The Appeal is, accordingly, disposed of.

Sd/-
(Kulwant Singh)
First Appellate Authority

Copy to:

1. Appellant, Dax Babariya
2. CPIO, The Insolvency and Bankruptcy Board of India, 7th Floor, Mayur Bhawan, Shankar Market, Connaught Circus, New Delhi -110001.