

**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: 9th February 2026

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of
RTI Appeal No. ISBBI/A/E/25/00133**

IN THE MATTER OF

Vipin Kumar Tyagi

...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 31st December 2025, 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 within 45 days of the receipt of impugned Appeal.
 2. In its RTI application dated 25th November 2025, the Appellant has sought registration details, complaints filed against and prior insolvency cases handled by Mr. Rajiv Chakraborty (resolution professional to the corporate debtor - Era Infra Engineering Limited). Moreover, the Appellant has sought inspection/verification records of IBBI pertaining to the resolution applicant – SA Infrastructure Ltd. While the information pertaining to the resolution professional has been furnished, the CPIO has replied that the verification records are not available with him. Aggrieved with the reply, the Appellant has filed the instant Appeal stating that the CPIO has wrongly denied the information sought and the denial amounts to evasion and dereliction of statutory duties by the CPIO.
 3. 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.
 4. The particulars concerning the registration and assignment details are available in the public domain at <https://ibbi.gov.in/insolvency-professional>. Since the information has been hosted by the IBBI on its website, “*held by or under the control of any public authority*” within the meaning

of “*right to information*” under Section 2(j) of the Act. Moreover, since no inspection has been carried out, the CPIO is not obligated to create new information. In addition to it, the RP is vested with the duty to undertake verification of resolution plans or voting records of the CoC under Section 25 of the Code r/w Regulation 40B of the IBBI (Insolvency Resolution Process for Corporate Persons) Regulations, 2016. Since the relationship between the Insolvency Professional and the IBBI is in the nature of a fiduciary relationship, the other information stands exempted from disclosure under Section 8(1)(e) of the RTI Act. In view of the aforesaid observations, the reply of the CPIO does not merit any interference.

5. The Appeal is accordingly disposed of.

Sd/-
(Kulwant Singh)
First Appellate Authority

Copy to:

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