

**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: 09th September 2025

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI
Appeal Registration No. ISBBI/A/E/25/000108**

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

-
1. The Appellant has filed the present Appeal dated 26th July 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, this Appeal is being disposed of within 45 days as enshrined under Section 19(6) of the RTI Act.
 2. The Appellant had requested the following information, *"Please provide copy of reply to my below mentioned emails: 1. Sent to - rammilan.singh@ibbi.gov.in on 9th June 2025 2. Sent to tomaini.ravinder@ibbi.gov.in on 7th June 2025 3. Sent to -rammilan.singh@ibbi.gov.in on 7th June 2025 4. Sent to -rammilan.singh@ibbi.gov.in on 6th June 2025 5. Sent to -rammilan.singh@ibbi.gov.in on 30th May 2025 6. Sent to tomaini.ravinder@ibbi.gov.in on 30th May 2025 7. Sent to toyadwinder.singh93@ibbi.gov.in on 28th May 2025 8. Sent to tomaini.ravinder@ibbi.gov.in on 26th May 2025 9. Sent to tob.sankar@ibbi.gov.in on 21st May 2025 10. Sent to tob.sankar@ibbi.gov.in on 18th May 2025 11. Sent to tob.sankar@ibbi.gov.in on 15th May 2025 12. Sent to tob.sankar@ibbi.gov.in on 14th May 2025 13. Sent to tob.sankar@ibbi.gov.in on 7th May 2025 14. Sent to tob.sankar@ibbi.gov.in on 10th May 2024 15. Sent to tob.sankar@ibbi.gov.in on 23rd May 2024 16. Sent to tob.sankar@ibbi.gov.in on 9th May 2024 17. Sent to tob.sankar@ibbi.gov.in on 7th May 2024 18. Sent to tob.sankar@ibbi.gov.in on 27th August 2024 19. Sent to Chairperson@ibbi.gov.in 18th June 2024."* The CPIO submitted that no information has been provided, as the queries raised in the impugned RTI Application had already been disposed of vide emails dated 18th April 2023 and 5th July 2023. Aggrieved by the CPIO reply, the Appellant has filed the present appeal stating that the CPIO has failed to provide an item-wise response to 18 specific emails by relying on prior replies (5th July 2023 and 18th April 2023) without establishing documentary linkage between them.
 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. 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. With regard to the emails sent to designated officials of IBBI, I note that the Appellant had sought response on the grant of recognition to the examination conducted as part of the Master's or Post-graduate degree course by the Sardar Patel University, as equivalent to the Valuation Examination, under Rule 5 of the Companies (Registered Valuers and Valuation) Rules, 2017. Since IBBI has not furnished any reply to the grievance and only referred to its earlier emails dated 18th April 2023 and 5th July 2023, the CPIO cannot be compelled to create fresh information to the Appellant. On perusal of the copy of the impugned Appeal, the Appellant has stated the following, *“The 18 emails referenced in my RTI are not mere repetitions; they contain detailed arguments, justifications, and procedural questions, constituting a sustained appeal against administrative inaction and indifference.”* Since the queries raised in the Appeal are in the nature of grievance against refusal to recognize the Appellant's examination as ‘Valuation Examination’, same is beyond the scope of the RTI Act as the RTI is not a grievance redressal forum. Moreover, the clarifications/interpretation on linkage between the previous replies and the queries raised in the impugned RTI Application, as sought by the Appellant, is beyond the ambit of the RTI Act. In *The Hon'ble CIC in M Jameel Basha Vs. CPIO, Ministry of Personnel Public Grievances & Pension, Department of Personnel & Training, North Block, New Delhi -110001, File No: CIC/MPERS/A/2017/158527/SD (Decision dated 06.05.2019)*, has observed the following: *“Commission concedes with the submission of the CPIO as no information has been sought as per Section 2(f) of the RTI Act. It may be noted that under RTI Act, CPIO is not supposed to create information or interpret/clarify/deduct information in respect of queries/clarifications. Similarly, redressal of grievance, non-compliance of rules, contesting the actions of respondent public authority and suggesting correction in government policies are outside the purview of the RTI Act.”* In view of the aforesaid observations, the reply of the CPIO does not warrant any interference.
5. The Appeal is, accordingly, dismissed.

Sd/-
(Kulwant Singh)
First Appellate Authority

Copy to:

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