

**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: 20th February 2025

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI
Appeal Registration No. ISBBI/A/E/25/00013**

IN THE MATTER OF

Gaurav Kumar

... 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

ORDER

1. The Appellant has filed the present Appeals dated 15th January 2025, challenging the communication of the Respondent, filed under the Right to Information Act (RTI Act). As the appeals required detailed analysis of provisions of the RTI Act, same are disposed within 45 days.
2. 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.
3. With regard to RTI Appeal No. ISBBI/A/E/25/00013, the Appellant had requested for “*Please provide all file notings and order passed in following complaints: 1. Complaint F.No. COMP-11015/192/2020-IBBI 2. Comp-11011/113/2019-IBBI/291 3. Complaint 11011/113/2019-IBBP.*” The CPIO had replied stating that “*The copy of the notings is attached herewith*” and had provided file notings.

4. Aggrieved by the same, the Appellant has filed the present Appeal stating that *“The information provided is incomplete as the file notings have been provided till 28/02/2022 only. Also, I have not been provided the copies of order passed in these complaints. Request you to please pass an order to provide complete information as asked.”*
5. In this regard, I note that the purpose of the RTI Act is to provide information in documents, orders, etc. as is available on record. The Respondent has provided file notings of file no. COMP-11011/113/2019-IBBI, but the Respondent has not provided notings regarding Complaint F.No. COMP-11015/192/2020-IBBI. In this regard, I request the Respondent to deal with the request of the Appellant with respect to file no. Complaint F. No. COMP-11015/192/2020-IBBI, and provide information as per provisions of the RTI Act. With regard to Comp-11011/113/2019-IBBI/291, I noted that the same is a letter issued by IBBI on 14th March 2020 and accordingly, same is part of the file no. COMP-11011/113/2019-IBBI. As the copy of the letter is already available with the Appellant no further information is required to be given.
6. With regard to the order passed in the review request, I note that the Appellant was served the order copy on 23.09.2020. Accordingly, the Appellant is already in possession of the said information.
7. The Appeal is, accordingly, disposed of.

Sd/
(Kulwant Singh)
First Appellate Authority

Copy to:

1. Appellant, Gaurav.
2. CPIO, The Insolvency and Bankruptcy Board of India, 7th Floor, Mayur Bhawan, Shankar Market, Connaught Circle, New Delhi - 110 001.