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: 1st September 2026

Order under section 19 of the Right to Information Act, 2005 (RTI Act)

IN THE MATTER OF

Sharad Atmaram Jejani …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 11th July 2026, received on 29th July 2026 through offline mode, 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 its receipt, as enshrined under Section 19(6) of the RTI Act.

2. The Appellant has sought records and documents concerning the liquidation conducted by Mr. Prasad Kamalakar Dharap. In particular, the Appellant had sought information concerning Action Taken Report (ATR) on complaints filed by him, Qualification & AFA Status of the liquidator, compliance with NCLT orders and the statutory liquidation timeline under the Code and Regulations; the use and legal implications of Rule 11; details of show-cause notices and disciplinary proceedings; compliance with the Hon'ble Supreme Court's stay order; records relating to CPGRAMS and other complaints/review proceedings; and details concerning regulatory oversight, including cumulative complaints and any supervisory review. The Appellant further sought copies of Quarterly Progress Reports filed by the Liquidator, amended reports and related IAs, chronological filing dates, details of delays or non-compliances, notices/deficiency memos/advisories issued by IBBI, and records concerning extensions, exclusions, approvals and compliance with the liquidation period. The CPIO has, *inter-alia,* furnished file-notings while denying certain requests for information as seeking *"opinion"* from the Board, which is beyond the ambit of information under Section 2(f) of the RTI Act. Aggrieved with the reply, the Appellant has filed the present Appeal stating that the CPIO has wrongly denied the information sought.

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. In this regard, the impugned Appeal is disposed of as under: -

<table>
<tr><th>No</th><th>Grounds for Appeal</th><th>Decision</th></tr>
<tr><td>1.</td><td>The principal issue in Complaint No. IBBI/C/2024/01113, regarding the Liquidator's eligibility and authority being limited up to 27.03.2021 pursuant to the NCLT order dated 14.10.2022 in IA No. 640/2021, was not examined or decided. Thus, certified copies of the complete file notings, examination reports, internal correspondence and decisions concerning all issues raised in the complaint</td><td rowspan="2">It is observed that the file notings maintained by a public authority constitute "records" and, consequently, fall within the ambit of "information" as defined under Section 2(f) of the Right to Information Act, 2005, insofar as such records are held by or under the control of the public authority. In the present case, the relevant file notings held by or under the control of the Public Authority have already been furnished to the Appellant. Once the information available on record has been disclosed, the CPIO is not required, within the scope of the RTI Act, to interpret such information, draw inferences, provide explanations, or adjudicate upon and redress the underlying grievance of the Appellant. The CIC in M Jameel Basha Vs. CPIO, Ministry of Personnel Public Grievances & Pension, (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."</td></tr>
<tr><td>2.</td><td>Certified copies of the review application, review order and any speaking orders; Examination reports and supervisory review records; Regulatory oversight records and connected documents in relation to the subject matter.</td></tr>
<tr><td>3.</td><td>Complaint-wise status and Action Taken Reports (ATRs) for seven complaints dated 23.01.2026 to 09.03.2026, including file noting, internal correspondence, and present status.</td><td>The records pertaining to these complaints contain confidential information relating to the affairs and functioning of the Corporate Debtor(s), including sensitive financial and transactional details and disclosure of such information, particularly while the matters remain under examination, may compromise the integrity of the ongoing investigative process and</td></tr>
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4.	Certified copies of the Show Cause Notice, file notings, approvals, internal correspondence, and all connected records pertaining to any disciplinary proceedings against the Insolvency Professional concerned.	prejudice the apprehension and prosecution of offenders. Such disclosure may also reveal financial transactions, records and other material which are being examined for the purpose of ascertaining possible contraventions of the Insolvency and Bankruptcy Code, 2016 and the regulations framed thereunder. In the circumstances, disclosure of such information, to the extent it pertains to the ongoing examination/investigation and the confidential records forming part thereof, is liable to be withheld under Section 8(1)(h) of the RTI Act. In *Bhagat Singh v. Chief Information Commissioner, 146 (2008) DLT 385*, the Delhi High Court observed that: *"Under Section 8, exemption from releasing information is granted if it would impede the process of investigation or the prosecution of the offenders. It is apparent that the mere existence of an investigation process cannot be a ground for refusal of the information; the authority withholding information must show satisfactory reasons as to why the release of such information would hamper the investigation process. Such reasons should be germane, and the opinion of the process being hampered should be reasonable and based on some material."* As discussed above, since sufficient reasons exist on record which may hamper the process of investigation by the Board, the same is accordingly exempted from disclosure under Section 8(1)(h) of the RTI Act.
5.	Certified, date-wise records regarding the exact period of validity of the concerned Insolvency Professional's Authorisation for Assignment (AFA), including any period of suspension, invalidity or non-availability.	The information pertaining to the concerned IP is hosted at https://ibbi.gov.in/insolvency-professional/details?fieldid=MjIxNQ== . Moreover, data or any relevant orders pertaining to applications filed before

6.	Records regarding any IA filed after 27.03.2021 and compliance with Section 12 of the IBC and Regulation 44(2), including relevant file notings and internal correspondence. Any certification with reasons for their non-availability/non-maintenance.	different Courts across India can be accessed from the website of the respective Courts. Since the information is available in the public domain, the CPIO is not obligated to maintain or collate information in a specific format as sought by the Appellant. In this regard, it is pertinent to refer to the judgment of the Hon'ble Supreme Court in *CBSE & Anr. Vs. Aditya Bandopadhyay & Ors. (C.A. No. 6454 of 2011)* *"35. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non-available information and then furnish it to an applicant."*
7.	Copies of legal opinions, departmental records, internal notes, and file notings concerning any invocation of Rule 11 in the concerned matter.	The query does not identify any specific record, document, opinion, note or file, but seeks access to a broad and unspecified category of internal records pertaining to the matter. Thus, the request, in its present form, amounts to a fishing and roving inquiry.

1. The Appeal is, accordingly, disposed of.

Sd/-
(Shiv Anant Shanker)
First Appellate Authority

Copy to:
1. Appellant, Sharad Atmaram Jejani
2. CPIO, The Insolvency and Bankruptcy Board of India, 7th Floor, Mayur Bhawan, Shankar Market, Connaught Circus, New Delhi -110001.