

**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 April 2026

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI
Appeal No. ISBBI/A/E/26/00012**

IN THE MATTER OF

Vivek 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

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1. The Appellant has filed the present Appeal dated 15th March 2026, challenging the communication of the Respondent, filed under the Right to Information Act (RTI Act).
 2. In the impugned Application, the Appellant has sought the following information -
 - “1. *Certified copy of the complete file / note-sheet maintained by IBBI in relation to my complaint dated 08.08.2025, including internal noting’s, recommendations, and approvals leading to disposal of the complaint.*
 2. *Copies of all replies, explanations, submissions, affidavits, or documents submitted by the Resolution Professional to IBBI in response to my complaint.*
 3. *Copies of all documents, records, or evidence (other than the RP’s reply) that were examined or relied upon by IBBI while disposing of my complaint.*
 4. *Copies of any correspondence, including emails, letters, or internal communications, exchanged between:*
 - a) *IBBI and the Resolution Professional.*
 - b) *IBBI and any other authority or stakeholder, in connection with my complaint.*
 5. *Certified copies of minutes / records of meetings, if any, held within IBBI (including IP Monitoring Division or any committee) where my complaint was discussed or decided.*
 6. *Copy of the legal opinion(s), if any, obtained or relied upon by IBBI while deciding to close the complaint.*
 7. *Copy of the standard operating procedure / internal guidelines followed by IBBI for examination and disposal of complaints against Insolvency Professionals.*
 8. *Information as to whether any independent verification, inspection, or investigation was conducted by IBBI in my case; if yes, copies of the report(s); if no, reasons recorded for not undertaking the same.*
 9. *Copies of any regulatory or disciplinary precedents relied upon by IBBI while concluding that “intervention of the Board prima facie does not appear necessary.*
 10. *Name, designation, and office address of the officer(s) who examined my complaint and recommended its closure.*
 11. *Copy of the dispatch record / email log / postal receipt evidencing communication of the disposal of my complaint to me.*
 12. *Date on which the disposal order was uploaded on the IBBI portal, and the authority who approved such upload.*
 13. *Copy of the policy / SOP / circular governing the mode of communication of complaint disposal orders to complainants.*

14. Information as to whether it is mandatory for IBBI to formally communicate the closure of a complaint to the complainant; if yes, reasons for non-compliance in my case; if no, copy of the rule or instruction permitting noncommunication.

15. Name and designation of the officer responsible for communicating the disposal order to complainants in the IP Monitoring Division.”

On queries no. 1 to 5 & 15, the CPIO has replied that the complaint against the conduct of Resolution Professional of the CD and related document pertains to personal information of such Resolution Professional and therefore is exempted from disclosure under section 8(1)(j) of the RTI Act, 2005. On query no. 5, the CPIO has stated that no information is available with the Board. On query no. 6, the CPIO has replied that no legal opinion has been obtained by IBBI with regard to the complaint against the Insolvency Professional. On queries no. 7, 8, 9, 13, & 14, the CPIO has replied that the complaint was examined in terms of the IBBI (Grievance and Complaint Handling Procedure) Regulations, 2017. Aggrieved with the reply, the CPIO has filed the present Appeal stating that the CPIO has wrongly denied the information sought by the Appellant. On query no. 10, the CPIO has replied that the disclosure of name of the officer handling the complaint is exempted from disclosure as it relates to personal information in terms of section 8(1)(j) of the RTI Act, 2005. On query no. 11 & 12, the CPIO has replied that the communication of closure of complaint was done on the dedicated portal on 16.01.2026 where the complaint was filed, the screenshot of the which has been attached with the reply.

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, I note that the Appellant had filed the RTI application on 01st February 2026, which was disposed of by the Respondent CPIO on 01st April 2026. The deadline to dispose of the impugned RTI Application expired on 3rd March 2026. 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.
5. In the interests of transparency and accountability, which are paramount objectives of the RTI Act, the file noting pertaining to complaint filed by the Appellant has been attached herewith.

6. The Appeal is, accordingly, disposed of.

Sd/-
(Kulwant Singh)
First Appellate Authority

Copy to:

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