

**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: 27th October 2025

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI
Appeal Registration No. ISBBI/A/E/25/000121**

IN THE MATTER OF

Naveen Bhatnagar

...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 24th September 2025, challenging the communication of the Respondent, filed under the Right to Information Act (RTI Act). Since the Appeal required detailed analysis of different legal provisions, same is disposed of within 45 days as enshrined under Section 19(6) of the RTI Act.
 2. The Appellant had sought information on the number of cases as dealt by the NCLT's and NCLAT under the cross-border insolvency framework of the Code. Moreover, the Appellant sought the number and respective amount of personal guarantors and corporate debtors involved within cross-border insolvency framework in India. The CPIO has stated that the Code does not possess a comprehensive framework of cross-border insolvency as of now. Aggrieved with the same, the Appellant has filed the instant Appeal stating the following, "*As per information in public knowledge, media there are 3 cases in my knowledge on Cross Border insolvency. There will be more such cases in IBBI knowledge for sure. These cases were dealt with by the respective NCLT Tribunals on PAN India basis. Namely, State Bank of India v. Jet Airways India Ltd., Company Petition No. IB 2205 MB 2019 NCLT, Mumbai Bench. Again, Standard Chartered Bank v. Essar Steel India Ltd., Company Petition No. 39 of 2017 NCLT, Ahmedabad Bench. Finally, Bank of New York Mellon v. Videocon Industries Ltd., Company Petition No. 05 of 2018 NCLT, Mumbai Bench. IBBI is the Nodal Custodian of Public Assets, Records, more particularly, on Insolvency matters. It is therefore all the more necessary for IBBI to provide information requested, else provide guidance therefor. Reiterate, once again to provide information, documents, etc. inter alia, the Number and Amount of Personal Guarantors therein, as also, Corporate Guarantee furnished. Kindly appreciate there is no personal information sought in these 3 cases which is in IBBI domain. Also, to provide similar information related to other cases in IBBI knowledge, so far.*"

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 note that the Appellant's "*right to information*' flows from section 3 of the RTI Act and the said right 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.
4. It is pertinent to note that the cases, as enumerated by the Appellant in the impugned Appeal, have not been dealt under a statutorily defined framework under the Code. The Courts have devised their cross-border insolvency protocol based on the facts and circumstances unique to their cases. While the Insolvency and Bankruptcy (Amendment) Bill, 2025 has empowered the Central Government to implement cross-border insolvency under Section 240C of the Code, the same has not been notified as of now. Thus, the information is not available on record and 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, Naveen Bhatnagar
2. CPIO, The Insolvency and Bankruptcy Board of India, 7th Floor, Mayur Bhawan, Shankar Market, Connaught Circus, New Delhi -110001.