

**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: 23rd 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/25/000119 & ISBBI/A/E/25/000120**

IN THE MATTER OF

Ishrat Ali

...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 23rd September 2025, challenging the communication of the Respondent, filed under the Right to Information Act (RTI Act). Since the impugned Appeals deal with similar subject-matter, the same is disposed of *vide* common order. Since the Appeals required detailed analysis of different provisions of the RTI Act, same is disposed of within 45 days as enshrined under Section 19(6) of the RTI Act.
 2. With regard to RTI Appeal No. ISBBI/A/E/25/000119, the Appellant had sought for following information pertaining to the corporate insolvency resolution process of Micro Dynamics Pvt. Ltd (CD): -
*“(i) the date on which the admission order dated 23.09.2019 of the CD was received in the IBBI, New Delhi and the name/designation of the authority who received it in Ld. IBBI.
(ii) the date of uploading the said order dated 23.09.2019 onto the IBBI's official website.
(iii) the date of publishing the public announcement in FORM-A onto the IBBI's official website.
(iv) the date of constitution of COC as per the records of the IBBI.”*
The CPIO has, *inter-alia*, replied that the information sought is not available with the Board. Aggrieved with the same, the Appellant has filed the present Appeal stating that the CPIO has wrongly denied the information sought despite furnishing precise dates of public announcement and constitution of CoC.
 3. With regard to RTI Appeal No. ISBBI/A/E/25/000120, the Appellant had sought information on the action taken by the Board against Ms. Anagha Anasingaraju (former resolution professional of CD) for conducting CIRP of the CD backed by an alleged fraud

judicial order from Sept 2019 till March 2020. Moreover, the Appellant had sought information on the explanation submitted by the accused to the Board and the action taken by the Board. The CPIO has replied that the Board has already examined the complaint and that explanations provided by the accused are exempted under Section 8(1)(e) and Section 8(1)(j) of the RTI Act. Aggrieved with the same, the Appellant has filed the present Appeal stating that the CPIO has wrongly denied the information

4. 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.
5. With regard to RTI Appeal No. ISBBI/A/E/25/000119, it is pertinent to note that the date of receipt of the order at IBBI, name of the authority receiving the order and the uploading of the same order on the website is not available with the Board. Since the information is not “*held or under the control of public authority*” within the meaning of information under Section 2(f) of the Act, the CPIO is not obligated to create new information. The Hon’ble CIC in *M Jameel Basha Vs. CPIO, Ministry of Personnel Public Grievances & Pension, Department of Personnel & Training, North Block, New Delhi (File No: CIC/MPERS/A/2017/158527/SD)*, has observed that, “*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.*”
6. With regard to RTI Appeal No. ISBBI/A/E/25/000120, insofar as the explanation provided by the accused to the Board is concerned, I note that the communications between the IP and IBBI are in the context of a complaint related to a corporate insolvency resolution process of a corporate debtor and do contain details which are commercial in nature and disclosure of such details about IP or corporate debtor could harm their competitive positions. While providing any information received from the IP to a third party, the Respondent cannot be oblivious to the fact that by information disclosure, no harm is caused to the commercial transactions in corporate insolvency process or to the persons associated with the process. Accordingly, the requested information is exempted under section 8(1)(d). Moreover, the letter

dated 21.06.2022 and the review order dated 23.08.2022, as provided by the CPIO to the Appellant, delineate the examination of the complaint filed by the Appellant against Ms. Anagha. In view of the foregoing, the reply of the CPIO does not merit any interference.

7. The Appeal is, accordingly, disposed of.

Sd/-
(Kulwant Singh)
First Appellate Authority

Copy to:

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