

**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: 19th 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/25/00014**

IN THE MATTER OF

Bhavik Goti

... 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 17th January 2025, challenging that the Respondent has not provided the information within 30 days as per the RTI Act.
 2. Before proceeding towards the disposal of the impugned Appeal, it is pertinent to note that the Appellant has filed this Appeal beyond the statutory limit prescribed under the RTI Act. As per section 19(1) of the RTI Act, an aggrieved person may prefer the first appeal within thirty days from the date of receipt of the response from the CPIO. In the instant case, the Appellant should have filed the first appeal by 15th May 2024. However, the Appellant has filed this first appeal on 17th January 2025 i.e. approximately 8 months after the last date permissible under the RTI Act. No sufficient cause has been provided by the Appellant to explain this inordinate delay of 8 months in filing the impugned Appeal. Accordingly, the appeal is not maintainable solely on this ground.
 3. However, I am examining the information request in the interests of transparency- that is the paramount objective of the RTI Act. 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 terms of information accessible under the Act which is held by or is under the control of a public authority. The inclusive list provides for the right to – (i) *inspection of work, documents, records; (ii) taking notes, extracts or certified copies of documents or records; (iii) taking certified samples of material; (iv) obtaining information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device.* 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.
 4. It is noted that as per section 7(1) of the RTI Act, the Respondent is required to respond within 30 days of the receipt of the request. As per records, the Application was received by CPIO on 18th March 2024. However, it was disposed of on 15th April 2024 which is 1 day before the due date i.e., 17th April 2024. Since the impugned RTI application was disposed of

within the timeline enshrined in the RTI Act and no cogent reasons have been provided by the Appellant to explain his delay, this Appeal cannot be sustained.

5. This Appeal is, accordingly, disposed of.

Sd/
(Kulwant Singh)
First Appellate Authority

Copy to:

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