

**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: 5th May 2026

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI
Appeal Registration No. ISBBI/A/E/25/00015**

IN THE MATTER OF

Nelson James Macwan

... 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 18th April 2026, challenging the communication of the Respondent, filed under the Right to Information Act (RTI Act).
 2. In the RTI Application, the Appellant had sought the following information pertaining to the recognition/status of the postgraduate valuation examination conducted by Sardar Patel University as equivalent to the Valuation Examination for registration as a Registered Valuer under Section 247 of the Companies Act, 2013 and Companies (Registered Valuers and Valuation) Rules, 2017: -
 1. *Sardar Patel University Decision: A certified copy of the administrative decision, including the complete file notings and correspondence, regarding the recognition/status of the examination conducted by Sardar Patel University, Vallabh Vidyanagar, as approved by the Chairperson, IBBI.*
 2. *Statement of Reasons: In terms of Section 4(1)(d) of the RTI Act, provide the specific reasons recorded for the aforementioned administrative decision.*
 3. *Equivalence Policy: A certified copy of the current guidelines, criteria, or internal checklists used by IBBI to evaluate and grant equivalence/recognition to university examinations under Rule 5(1) of the Companies (Registered Valuers and Valuation) Rules, 2017.*
 4. *List of Recognized Institutions: A certified list of all Universities/Institutes or specific Degree courses whose examinations have been recognized/exempted by IBBI as equivalent to the Valuation Examination to date.*
 5. *Competent Authority: A certified copy of the Office Order or Notification designating the specific Committee or Division within IBBI empowered to decide upon such equivalence.*
 6. *Statistical Summary: The total number of applications received from universities for recognition since 2017, categorized by: (a) Number Approved, (b) Number Rejected, and (c) Number Pending.*
 7. *Record Retention: A certified copy of the Record Retention Schedule or indexing system maintained by the Examination Division for records pertaining to "Equivalence of University Curricula/ examinations."*

The CPIO has replied, *inter-alia*, that the relevant information as been furnished to the Appellant vide letter and email dated 16.03.2026. Aggrieved with the response, the Appellant has filed the instant Appeal stating that the CPIO has failed to provide the information sought in the prescribed manner.

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 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. It is pertinent to extract the relevant note #12 dated 08.02.2019, in the noting as furnished by the CPIO: -
*"We only have information about candidates from SPU who sought registration with us, as the same information is not captured at the time enrollment. When compared the performance of candidates from SPU viz. a viz. there is no sign of outperformance by SPU candidates. The data size is small (specially for plant and machinery), **still it presents no case for recognizing SPU course as equivalent to Valuation examination.** Submitted please"*
- In view of the aforesaid, it is concluded that the noting is a conclusive decision on the issue and accordingly, the examination conducted by the SPU shall not be equivalent to the valuation examination for the purposes of registered valuer under the Companies Act, 2013 and relevant rules. Since the complete file notings have been furnished by the CPIO vide reply dated 16.03.2026, it does not warrant any interference.
5. With regard to query no. 3, 4, 5, 7 of the impugned RTI application, the CPIO is not obligated to maintain such information which is not part of their regular records. In this regard, the Hon'ble Supreme Court, in the matter of *CBSE & Anr. V/s Aditya Bandopadhyay & ors. (C.A. No. 6454 of 2011)* has held as follows, "If a public authority has any information in the form of data or analysed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in Section 8 of the Act. 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."
 6. This Appeal is, accordingly, disposed of.

Sd/-
(Kulwant Singh)
First Appellate Authority

Copy to:

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