

**EXECUTIVE DIRECTOR AND FIRST APPELLATE AUTHORITY
INSOLVENCY AND BANKRUPTCY BOARD OF INDIA**

2nd Floor, Jeevan Vihar Building
Sansad Marg, New Delhi- 110 001

Dated: 16th February, 2021

RTI Appeal Registration No. ISBBI/A/E/21/00003

IN THE MATTER OF

Mr. Valuer

... Appellant

Vs.

Central Public Information Officer

The Insolvency and Bankruptcy Board of India
2nd Floor, Jeevan Vihar Building
Sansad Marg, New Delhi- 110 001.

... Respondent

ORDER

1. The present Appeal No. ISBBI/A/E/21/00003 dated 20th January, 2021, has been filed by Valuer (Appellant), before the First Appellant Authority (FAA), Insolvency and Bankruptcy Board of India (IBBI) under the Right to Information Act, 2005 (RTI Act), against the disposal of the RTI Application No. ISBBI/R/E/21/00003 by the Central Public Information Officer - CPIO (Respondent) on 20th January, 2021.
2. The information sought by the Appellant under section 6 of the RTI Act and the response given by the Respondent are as under:

S. No	Information Sought	Reply by CPIO
1.	<p><i>Sir,</i></p> <p><i>We would like to bring to I.B.B.I notice, fraud done by RV mentioned below</i></p> <p>Vaddepalli Murali – IBBI/RV/02/2018/10096</p> <p><i>To obtain Registration with IBBI as valuer, Mr. Murali has done a fraud, From 2013 to 2016 Mr. Murali has done full time post-graduation from Aurora Engineering College, JNTU University. Verification report enclosed.</i></p> <p><i>It clearly proves that it is impossible to do full time job while doing full time postgraduation course. College is 200 kms away from working place mentioned in his experience letters. Submitted Experience letters are also fake/manipulated.</i></p> <p><i>Above fraud clearly proved that Mr. Murali is not Fit and Proper person as he doesn't have integrity and character. Mr. Murali is not eligible for being RV.</i></p>	<p><i>The information sought is not covered under "information" as defined under section 2(f) of the RTI Act.</i></p>

	<i>RVO is encouraging these characterless people by taking lakhs of rupees to process applications. Please revert with details of action taken</i>	
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3. In this appeal, the appellant has submitted that IBBI is trying to escape from mistake done and is not providing answer to the query. He has also requested for taking action against the named registered valuer (RV) who he believes has committed fraud.
4. Comments of the respondent were called for. The respondent has submitted that under the RTI Act only such information, as covered under section 2(f) may be provided.
5. In this connection, it is relevant to consider the definition of the term “information” under the Act. Section 2(f) of the Act defines "information" as 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. On perusal of the Application submitted by Appellant for seeking information under RTI Act and the appeal made thereafter, it is observed that Appellant has made a complaint against an RV and has requested the CPIO for taking action against such RV on the basis of his complaint.
6. It is pertinent to note that in the Guide on Right to Information Act, 2005 issued vide OM No. 1/32/2013-IR dated 28th November, 2013 of DoPT, it is stated that:

“The Public Information Officer is not supposed to create information that is not a part of the record of the public authority. The Public Information Officer is also not required to furnish information which require drawing of inference and/or making of assumptions; or to interpret information; or to solve the problems raised by the applicants; or to furnish replies to hypothetical questions.”

7. This being the position, this FAA finds that the appellant, through his RTI application wants some action to be taken against a RV whom he believes has committed a fraud. This is not within the domain of the RTI Act and as such does not fall within the definition of ‘information’ provided at section 2(f) of the Act. However, the appellant can file his complaint on IBBI’s website at this link: <https://ibbi.gov.in/complaint-users/login> or send a hard copy to the Complaints Division of IBBI.
8. With the above finding, the appeal is disposed of.

-sd-

(Dr. Anuradha Guru)

Executive Director and First Appellate Authority

Copy to:

1. Appellant, Mr. Valuer.
2. CPIO, The Insolvency and Bankruptcy Board of India, 2nd Floor, Jeevan Vihar Building, Sansad Marg, New Delhi - 110 001.