

**WHOLE TIME MEMBER AND FIRST APPELLATE AUTHORITY  
INSOLVENCY AND BANKRUPTCY BOARD OF INDIA**

7<sup>TH</sup> FLOOR, MAYUR BHAWAN, NEW DELHI

DATED THE 10<sup>th</sup> OF JULY 2019

Appeal No. ISBBI/A/2019/00025 (F. No. – IBBI/BS/RTI/RTI APP/246)

Arising out of order dated May 27, 2019 under RTI Registration No. ISBBI/R/2019/00024

IN THE MATTER OF

Mr. S. Selvakumar

..... Appellant

V/s

CPIO, Insolvency and Bankruptcy Board of India

7<sup>th</sup> Floor, Mayur Bhawan

New Delhi

..... Respondent

**ORDER**

1. The present Appeal No. ISBBI/A/2019/00025 dated 11<sup>th</sup> June, 2019, received by the office of the First Appellant Authority (**FAA**), Insolvency and Bankruptcy Board of India, New Delhi (**Board**) under the Right to Information Act, 2005 on 13<sup>th</sup> June, 2019 has been preferred by Mr. S. Selvakumar against the order of the CPIO, Dr. Anuradha Guru of the Board with respect to his RTI request, bearing Registration No. ISBBI/R/2019/00024.
2. After detailed perusal of the RTI application of Mr. S. Selvakumar, it is observed that the appellant has sought specific reply/ answer to question for the following (relevant extracts taken only):
  - a) It is not clear that AMIE degree is eligible or not, for the Registration of Valuers. Kindly arrange for the specific reply.
  - b) It is not specifically mentioned in the Company Rule about the Part time courses or Full-time course Educational Degrees. Kindly arrange for the specific reply.
  - c) What are all the guidelines formed by IBBI/requirements by IBBI for Universities for the Educational qualifications through full time – regular classes, Part time – regular classes, part time – Distance education engineering degrees?
3. The Respondent, CPIO, Dr. Anuradha Guru of the Board in reply to the RTI request of the appellant, bearing Registration No. ISBBI/R/2019/00024, provided the information asked for by the appellant vide its letter No. IBBI/BS/RTI/RTI APP/246/1055 dated 27/05/2019.

4. The appellant has preferred this appeal against the above stated order dated 27/05/2019 of the CPIO, Dr. Anuradha Guru of the Board. He has sought information about the eligibility or not of AMIE degree for registration of Valuers, mentioning of the same in the Company Rules about the part time courses or full-time courses educational degrees, guidelines formed by IBBI for universities.
5. The present RTI appeal has been examined and I have perused the information provided by CPIO in respect of the RTI application.
6. The Companies (Registered Valuers and Valuation) Rules, 2017 (Rules) have been notified by the Ministry of Corporate Affairs. The rules contain the requisite educational qualification and experience for being registered as a valuer. These rules along with annexure (Indicative Matrix on requisite qualification/experience in specified discipline) are available in public domain. The Central Government under section 458 of the Companies Act, 2013 has specified the Insolvency and Bankruptcy Board of India (IBBI) as authority to perform the functions under these rules.
7. Only such information is required to be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority. The CPIO is not supposed to create information, or to interpret information, or to solve the problems raised by the Applicants or to furnish replies to hypothetical questions. However, if appellant pinpoints the file, document, paper or record etc., the same can be provided by CPIO as per the procedure prescribed under the RTI Act, 2005.
8. The Hon'ble CIC in the matter of *S.K. Kapoor Vs. CPIO, SEBI & Anr.* (Order dated February 21, 2007), wherein, held: "...the SEBI Act, Rules, all its instructions are properly in the public domain already, which the appellant can easily access by putting up little bit of extra effort. Far from it, he wishes to treat the public authority as his Consultants who should enable him to locate provisions of Acts & Rules at public cost. This is not what the RTI Act is all about. In view of the above, there shall be no disclosure obligation regarding this item of information".
9. The Central Information Commission in its decision No. CIC/AT/A/2006/00045, dated 21.04.2006 in the case relating to *Dr. D.V. Rao, Superintendent (Legal), Deptt. of Legal Affairs Vs. Shri Yashwant Singh, APIO & Deputy Secretary (A), Deptt. of Legal Affairs*, had held that 'the RTI Act does not cast on the public authority any obligation to answer queries, as in this case, in which a petitioner attempts to elicit answers to his questions with prefixes, such as, why, what, when and whether. The petitioner's right extends only to seeking information as defined in Section 2 (f) either by pinpointing the file, document, paper or record, etc., or by mentioning the type of information as may be available with the specified public authority.'

10. In view of the above, the request of the appellant for specific reply/answer to the question is not tenable and accordingly, the appeal is disposed of.

Sd/-

**(Dr. Navrang Saini)**

Whole Time Member and First Appellate Authority

Copy to

1. Mr. S. Selvakumar
2. CPIO, Insolvency and Bankruptcy Board of India  
7<sup>th</sup> Floor, Mayur Bhawan  
New Delhi