

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

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

Dated: 3rd June, 2024

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI
Appeal**

IN THE MATTER OF

Shailesh Kumar Agrawal

... 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

1. The Appellant has filed present Appeal dated 6th May 2024, challenging the communication of the Respondent dated 2nd May 2024 with regard to his RTI Application No. ISBBI/R/E/24/00055 filed under the Right to Information Act, 2005 (RTI Act). The information sought in the RTI Application was on 8 points as follows:

This has a reference to the insolvency proceedings initiated against the above-named company. I as a minority shareholder and a stakeholder seek following information under RTI Act:

- (i) The valuation of these properties owned by above named CD in terms of Regulation 27 and 35 of the bankruptcy code may kindly be intimated:

(Amount Rs. In crore)			
Sl. No	Particulars of assets	Value assigned by approved Valuer I	Value assigned by approved Valuer II
1	Land and factory building at Darjipura Vadodara in R.S. No 587/B of village Harmi, Vadodara Gujrat. The land holding is in excess of 100 acres. The installed capacity is 5 million pcs per hour of tobacco products.		
2	Land measuring 9.5 acres at CTS NO. 382, 385, 386, 387, 415 and 416, village Vile Parie, SV Road, District and Tehsil Mumbai Maharashtra 400056.		
3	Part of survey NO 325, village Dhanot, Taluka Kalol, Dist Gandhi Nagar, Gujrat 382715		
4	Land situated at Agatha Varappadu, Guntur, Andhra Pradesh 522509.		
5	Flat NO 6A, 6B and 6C on floor no 6 & 7, Gazdar Apartment, Juhu Tara Road, Mumbai 49.		

- (ii) Whether expression of interest been invited online through MSTC platform?

- (iii) Following information may kindly be provided regarding admission of liabilities of secured and unsecured creditors in this regard:

(Amount Rs. In crore)						
Creditors	Claim submitted	Claim admitted by IRP	Principal Amount outstanding	Simple Interest/ rate of interest	Penal/compound interest/ rate	Date since when interest allowed
Secured (Arrow Engineering Ltd)	2634.99	265.97				
Unsecured financial Creditor (914 Nos)	1664.92	897.85				
Operational creditors (Govt dues)	380.71	375.71				
Operational creditors (Employee)	19.96	10.15				

- (iv) Whether The IRP, while admitting liabilities of secured/unsecured creditors has ensured that a Statutory Institution like CoC which is in most of the cases represented by Public Financial Institutions, has been fair and neutral to all stakeholders, over its narrow interest of realization of its own dues, so that the objects of IBS 2016 can be achieved for the benefit of all?
- (v) Basis of admitting the liabilities of Central Bank of India.
- (vi) A copy of the demand notice and agreement entered into with Central bank of India. valuation of land/developmental rights at Chhatarpur New Delhi. If no reasons thereof.
- (vii) Details of criminal proceedings initiated against the promoters for not creating any enforceable rights of development on Chhatarpur land and falsifying books of accounts by hiding liabilities of Central bank of India in the books of accounts of the CD.
- (viii) E-Copy of Bids of all 7 bidders opened on 15.03.2014.

2. I noted that the Respondent has provided reply to only the first three queries, whereas there is no reply on the remaining 5 queries. I would, therefore, encourage and urge the Respondent to take into account the requirements of law while dealing with information requests under the RTI Act.
3. In view of above, I direct the Respondent to re-examine the RTI Application as per provisions of the RTI Act and provide reply on all the 8 points as raised in the RTI application, within 10 days of the date of this Order. The Respondent is granted liberty approach this First Appellant Authority again, if he is not satisfied with the reply of the Respondent.
4. In view of above, the Appeal is, accordingly, disposed of.

Sd/
(Jithesh John)
First Appellate Authority

Copy to:

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