

**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: 21st June, 2024

RTI Appeal Registration No. ISBBI/A/E/24/00015

IN THE MATTER OF

Shivam Gupta

... 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 Appellant has filed the present Appeal dated 29th May 2024, challenging the communication of the Respondent dated 3rd May 2024 with regard to his RTI Application No. ISBBI/R/E/24/00060 dated 9th April 2024 filed under the Right to Information Act, 2005 (RTI Act).
2. In the RTI Application, the Appellant has stated for the following –
“cover to cover copy for application: IBBI/C/2023/00911, filed against Mr. Arvind Kumar”
3. The Respondent’s replied the RTI Application as follows -
“The information sought is not clear. However, it is informed that after examination of the said complaint, action has been initiated in terms of IBBI (Inspection and Investigation) Regulations, 2017.”
4. The Appellant, in his Appeal stated that:-
“... The information sought is very clear. All I ask is for the cover-to-cover, i.e. each and every document pertaining to the Application Number: IBBI/C/2023/00911 filed on 11.05.2023. kindly do the needful”
5. I have carefully examined the application, the response of the Respondent and the Appeal and find that the matter can be decided based on the material available on record. Before examining the request, I deem it appropriate to deal with scope of information and right to receive the information under the RTI Act. It is noted that 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.” This definition contemplates providing of material in the forms of records, documents, opinions, advice, etc. It does not include giving opinions on issues raised or providing clarifications or advice to inquiries. 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 and which can be disclosed subject to exemptions under section 8 of the RTI Act. 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. It is thus, clear that the “*right to information*” under section 3 of the RTI Act is circumscribed by RTI Act itself as the right is limited within scope of ‘*information*’ as defined under section 2(f) and is subject to other provisions including those under section 8 of the Act.

6. I note that the Appellant has not specified the exact ‘*information*’ that he needs from the Respondent. The phrases like ‘*cover to cover*’ and ‘*each and every document*’ is vague and unclear and does not find its mention in the definition of ‘*information*’ mentioned in section 2(f) of the RTI Act. Accordingly, I deem the Appeal as unclear and vague and same does not fall within the definition of ‘*information*’ and ‘*right to information*’ under the RTI Act, 2005. The matter of *Shri Harmit Singh Vs. Central Excise Department, Chandigarh* (Order dated November 07, 2008) the Hon’ble CIC *inter alia* held that the respondents therein were right in rejecting the request as it is quite unclear and vague and no specific information can be identified on the basis of the signals contained in the query.
7. The appeal is disposed of accordingly.

Sd/
(Jithesh John)
First Appellate Authority

Copy to:

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