

**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 August, 2021

IN THE MATTER OF

Mr. Pandurang Ramchandra Shinde

... 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 has been filed by Mr. Pandurang Ramchandra Shinde (Appellant), before the First Appellate Authority (FAA), Insolvency and Bankruptcy Board of India (IBBI) under the Right to Information Act, 2005 (RTI Act) *vide* his e-mail dated 17th July 2021, against Mr. Vijendra Kumar Jain (IBBI/IPA-001/IP-P00721/2017-18/11253), Resolution Professional (RP) of Cyclo Transmissions Ltd. (CD). In his letter dated 4th June 2021 the Appellant had sought various clarifications/information from Mr. Vijendra Kumar Jain. However, the Appellant has stated that Mr. Vijendra Kumar Jain has not sent any reply to him, which is violative of his fundamental right and contravenes the law.
2. I have carefully considered the application, and the appeal; and find that the matter can be decided based on the material available on record. It is noted that the instant appeal seemingly does not qualify to be an appeal before me under the RTI Act. It is pertinent to mention here that this FAA has jurisdiction over appeals filed under section 19(1) of the RTI Act against the decision of the Central Public Information Officer (CPIO), IBBI and not against decision of any other CPIO much less against an entity who is not even so designated. Accordingly, this appeal fails on this ground alone.
3. Apart from the above position, I also deem fit to mention that although the RP is an Insolvency Professional registered with IBBI, he is a professional proposed by the creditors and appointed by Adjudicating Authority (AA) for conducting the corporate insolvency resolution process of the CD and is not a '*public authority*' within the meaning of the expression under section 2(h) of the RTI Act. Thus, the appeal cannot sustain on this count also.

4. I, therefore, find that the request of the Appellant cannot be entertained and no interference is called for. The appeal is disposed of accordingly.

Sd/

(Santosh Kumar Shukla)
First Appellate Authority

Copy to:

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