

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

2<sup>nd</sup> Floor, Jeevan Vihar Building  
Sansad Marg  
New Delhi- 110001.  
Dated: 8<sup>th</sup> April, 2020.

**Appeal No. ISBBI/A/E/20/00004**

IN THE MATTER OF

Mr. Amit Gupta

..... Appellant

Vs.

Central Public Information Officer  
Insolvency and Bankruptcy Board of India  
7<sup>th</sup> Floor, Mayur Bhawan, Shankar Market  
New Delhi – 110001.

..... Respondent

**ORDER**

1. This is an appeal against Right to Information (RTI) Registration No. ISBBI/R/E/20/00019. In the RTI application, the information sought by the appellant under section 6 of the Right to Information Act, 2005 (Act) and the reply given by the respondent are as under:

Sl. No.	Information Sought	Response of Respondent
(1)	<i>"I want to know the final outcome of the complaint registered as Comp-1101/18/2019-IBBI since it has been disposed off and money refunded to me as well. However, I am not aware of the action or decision taken by the IBBI on the aforesaid complaint.</i>	<i>On the basis of material available on record, it is observed that prima facie, there is no violation of Code/Regulation on part of the RP to the allegations made. Hence, the complaint has been disposed of/closed."</i>

2. The appellant submits that the complaint had provided detailed instances of gross violations committed by the RP. He further submits that the RP is in contempt of orders passed by the Hon'ble NCLT and prays that detailed explanation against every head in the complainant may be provided to him. The respondent submits that the appellant had requested for

information on the final outcome of the complaint which was provided to him within the time frame provided under the Act, therefore the appellant is not aggrieved and thus, has no cause to prefer this appeal.

3. In this connection, it is relevant to consider Section 19(1) of the Act, which is reproduced hereunder:

*“19(1) **Any person** who, **does not receive** a decision within the time specified in sub-section (1) or clause (a) of sub-section (3) of section 7, or is **aggrieved by a decision of the Central Public Information Officer** or the State Public Information Officer, as the case may be, **may** within thirty days from the expiry of such period or from the receipt of such a decision **prefer an appeal to such officer who is senior in rank to the Central Public Information Officer** or the State Public Information Officer, as the case may be, in each public authority: Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.”*

4. Thus, it is found that only a person who did not receive a decision within the time frame provided under the Act or is aggrieved by the decision of the CPIO, may prefer a first appeal under the Act. In the instant case, the information sought by the appellant was provided by the respondent within the timeframe under the Act and he seems to be only aggrieved by the outcome of his complaint to the IBBI and not by the reply given by the respondent.
5. In view of the foregoing, this first appellate authority is of the considered view that the appellant is not aggrieved by the information provided by the respondent rather he is aggrieved by the outcome of his complaint to the IBBI. Thus, the appeal has no merit and is dismissed.

(Sd/-)

(Mr. K. R. Saji Kumar)

Executive Director and First Appellate Authority

Copy to

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