

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

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

Dated: 13th April, 2021

RTI Appeal Registration No. ISBBI/A/E/21/00011

IN THE MATTER OF

Mr. Ashish Kumar Srivastava

... 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 No. ISBBI/A/E/21/00011 dated 16th March, 2021, has been filed by Mr. Ashish Kumar Srivastava (Appellant), before the First Appellant Authority (FAA), Insolvency and Bankruptcy Board of India (IBBI) under the Right to Information Act, 2005 (RTI Act), against the disposal of the RTI Application No. ISBBI/R/E/21/00048 by the Central Public Information Officer - CPIO (Respondent) on 25th February, 2021.
2. The information sought by the Appellant under section 6 of the RTI Act and the response given by the Respondent are as under:

S. No	Information Sought	Reply by CPIO
1.	<i>Pointwise findings in the matter related to Complaint with registration number COMP-11011/68/2020-IBBI.</i>	<i>The information sought is exempt from disclosure under section 8(1)(d) and 8(1)(j) of RTI Act, 2005</i>
2.	<i>Allegation wise findings in the matter related to complaint with registration number COMP-11011/68/2020-IBBI.</i>	<i>The information sought is exempt from disclosure under section 8(1)(d) and 8(1)(j) of RTI Act, 2005</i>
3.	<i>Action taken on complaint with registration number COMP-11011/68/2020-IBBI.</i>	<i>The information sought is exempt from disclosure under section 8(1)(d) and 8(1)(j) of RTI Act, 2005</i>
4.	<i>In case the complaint with registration number COMP-11011/68/2020-IBBI has been closed without taking any action against the IRP and the IPE, reasons for the same.</i>	<i>The information sought is exempt from disclosure under section 8(1)(d) and 8(1)(j) of RTI Act, 2005</i>

3. In this appeal, the Appellant has broadly stated that he is a financial creditor (FC) in the matter of CIRP of M/s Horizon Buildcon Pvt Ltd and a complaint no. COMP-11011/68/2020-IBBI was filed by some FCs against Shri Sanjay Kumar Gupta and his IPE for their illegal actions which was dismissed. The Appellant is not satisfied with the exemptions claimed by the CPIO under the Act for not disclosing the findings of the Board in the said complaint.
4. Comments of the respondent were called for. The respondent has submitted the following:
“The information sought is exempt from disclosure under section 8(1)(d) and 8(1)(j) of RTI Act, 2005”
5. On perusal of the application submitted by Appellant, the FAA notes that a similar matter was dealt by the FAA in RTI Appeal Registration No. ISBBI/A/E/21/00008 vide Order dated 31st March 2021. In line with that order, the CPIO is directed to provide the Appellant with relevant part of the information requested in the matter pertaining to complaint with registration number COMP-11011/68/2020-IBBI after severing the parts which are exempted under Section 8(1)(d) and 8(1)(j), within 10 days of this Order.
6. In view of foregoing, the appeal is disposed of.

(Sd/-)

(Dr. Anuradha Guru)

Executive Director and First Appellate Authority

Copy to:

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