

**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: 27th March, 2023

IN THE MATTER OF

Ashok Kriplani

... 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 6th March 2023, challenging the communication of the Respondent dated 21st February 2023 with regard to his RTI Application No. ISBBI/R/E/23/00020 dated 31st January 2023 filed under the Right to Information Act, 2005 (RTI Act). In his RTI application, the Appellant had requested for the email ids of the Board of IBBI. The Respondent had shared the *link* - <https://ibbi.gov.in/en/about/senior-officers>.
2. Aggrieved by the above response of the Respondent, the Appellant has submitted that “*In the last application Email IDs of the Board of IIBI was requested. However, the Email IDs of the 'Individual Members' of the Board or the Board are unavailable in the provided link. Kindly provide those Emails IDs.*”
3. 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. The scope of information disclosure under the RTI Act is circumscribed by RTI Act itself. While the “*right to information*” flows from section 3 of the RTI Act, it is subject to other provisions of the Act. 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.
4. It is pertinent that section 8(1)(j) exempts information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or ; which would cause unwarranted invasion of the privacy of the individual unless the CPIO or SPIO or the Appellate Authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information. In this regard, it is pertinent to mention that the term “*personal information*” has been amplified in the Apex Court's decision in the case of *Cen. Pub. Information Officer, SC vs. Subhash Chandra Agarmal* dated 13th November, 2019 whereby it was held as under:
“...personal records, including name, address, physical, mental and psychological status, marks obtained, grades and answer sheets, are all treated as personal information. Similarly, professional records, including qualification, performance, evaluation reports, ACRs, disciplinary proceedings, etc. are all personal information. Medical records, treatment, choice of medicine, list of hospitals and doctors visited, findings recorded, including that of the family members, information relating to assets, liabilities, income tax returns, details of investments, lending and borrowing, etc. are personal information. Such personal information is

entitled to protection from unwarranted invasion of privacy and conditional access is available when stipulation of larger public interest is satisfied. This list is indicative and not exhaustive.”

5. I note that the e-mail ID of members of the Board are personal information of such members and the disclosure of the same may cause unwarranted invasion on the privacy of such members. Accordingly, the requested information is exempted under section 8(1)(j). Also, the Appellant has failed to establish how a larger public interest is involved warranting disclosure of requested information nor has he disclosed as to how his interest is affected by non-disclosure of requested information.
6. With regard to e-mail IDs of the Board is concerned, the Board has at appropriate places on its website disclosed the functional e-mail ID. For example –

Sl. No.	Purpose	Location
1.	E-mail IDs of the officers	https://ibbi.gov.in/en/about/senior-officers
2.	E-mail ID for any comment/feedback	https://ibbi.gov.in/en/public-comments
3.	E-mail ID for query related to the online IP account	https://ibbi.gov.in/uploads/register/FAQs%20on%20Registration%20as%20an%20Insolvency%20Professional_08_02_2023.pdf
4.	Email - ID of Registered Valuers Division	https://ibbi.gov.in/uploads/register/FAQsf orRegistrationasaValuer-Individual-01October2021.pdf

7. In this regard, the Hon'ble CIC in *Shri Girish Prasad Gupta vs. CPIO, Indian Oil Corporation* (decided on March 30, 2015) held that “*With regard to the first issue, we note that the information that is placed by a public authority on its website is already available in the public domain and is, therefore, not under the control of the public authority. It can be obtained by any interested person by consulting the relevant website. If public authorities are required to provide hard copies of the information, already available on their website as part of suo motu disclosure, such suo motu disclosure will become futile, because the very purpose of such disclosure is to ensure that applicants do not have to approach public authorities to get a good deal of information already placed by them on their website.*” Since all the relevant information relating to the requested subject are available on the website of IBBI, the Respondent did not have an obligation to collate all the e-mail IDs at one place and provide to the Appellant.
8. In view of the above, the Appeal is disposed of.

Sd/
(Santosh Kumar Shukla)
First Appellate Authority

Copy to:

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