

**WHOLE TIME MEMBER AND FIRST APPELLATE AUTHORITY
INSOLVENCY AND BANKRUPTCY BOARD OF INDIA**

7TH FLOOR, MAYUR BHAWAN, NEW DELHI

DATED THE 19TH OF NOVEMBER, 2018

Appeal No. ISBBI/A/2018/60014 (F. No. IBBI/BS/RTI/RTI APP./BHARAT KUMAR/221)

Dated: November 10, 2018

Arising out of Order dated November 8, 2018 under RTI Request No.
ISBBI/R/2018/50113

IN THE MATTER OF

Mr. Bharat Kumar

.....

Appellant

Versus

CPIO, Insolvency and Bankruptcy Board of India

7th Floor, Mayur Bhawan

New Delhi

.....

Respondent

ORDER

1. The present Appeal No. ISBBI/A/2018/60014 dated November 10, 2018 received in the office of the First Appellate Authority (**FAA**), Insolvency and Bankruptcy Board of India under the Right to Information Act, 2005 has been preferred by Mr. Bharat Kumar against the order of the CPIO, Ms. Anuradha Guru, Insolvency and Bankruptcy Board of India with respect to his RTI Request No. ISBBI/R/2018/50113.
2. On a detailed perusal of the RTI Application of Mr. Bharat Kumar, it is observed that the appellant sought certain information about website made by Government of India under the Insolvency and Bankruptcy Code, 2016.
3. The respondent, CPIO, Ms. Anuradha Guru, Insolvency and Bankruptcy Board of India with respect to the RTI Request No. ISBBI/R/2018/50113 of the appellant, have provided the information as sought by the appellant vide her reply letter dated November 8, 2018.

4. The appellant raised the present appeal on the grounds, *vis a vis*, the information so sought that he asked specific information, but he was given incomplete and misleading information.
5. The present RTI appeal has been examined and I have perused the response provided by the respondent in respect of the queries raised in the RTI application.
6. In view of the above, it is observed that the query (1) in RTI application, i.e., *“when the Website developed and made available on internet for public use i.e. English Version”* contain two parts. With respect to first part of the query, i.e., *‘when the website developed’*, the respondent has already provided the date on which the domain name *‘www.ibbi.gov.in’* was registered with the domain registry. For the second part of the query, i.e., *‘made available on internet for public use i.e. English Version’*, the respondent is directed to provide the information so sought to the appellant within 20 working days from the date of receipt of this order after fulfilling the requisite procedure as envisaged under the RTI Act, 2005 read with the Right to Information Rules, 2012.
7. Further, the RTI query (2) is in the nature of obtaining advice/opinion, hence, it does not fall under ‘information’ under section 2(f) of the Right to Information Act, 2005, as observed by the Hon’ble CIC in the matter of *Sh. Alok Shukla vs. CPIO, SEBI (File No. CIC/SM/A/2012/001838)*, that *“while dealing with RTI, we should not forget that information means only an existing material record. The CPIO can provide the copy of the available records; he cannot create new records in order to address specific queries of the Appellant.”*
8. Accordingly, the appeal is disposed of.

Sd/-

(Dr. Navrang Saini)

Whole Time Member and First Appellate Authority

Copy to

1. Mr. Bharat Kumar
2. CPIO, Insolvency and Bankruptcy Board of India
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