

**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: 04th January, 2022

RTI Appeal Registration No. ISBBI/A/E/21/00034

IN THE MATTER OF

Anita S Goyal

... 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 present Appeal dated 8th December 2021, challenging the communication of the Respondent dated 8th December 2021 with regard to her RTI Application No. ISBBI/R/E/21/00185 dated 21st November 2021 filed under the Right to Information Act, 2005 (RTI Act).
2. The Appellant in her RTI application has requested for following details of Individual Registered Valuer with registration no 12226 to 12229 -
 - a. Name of each individual registered valuer,
 - b. Registered e-mail of each individual registered valuer,
 - c. Asset class under which they are registered,
 - d. Date of registration as individual registered valuer, and
 - e. Current status as to whether active or not active.
3. The Respondent, in his response dated 8th December 2021, replied that the requested information sought is available on the website of IBBI accessible at <https://ibbi.gov.in/service-provider/rvs> .
4. In the Appeal, the Appellant has stated that she needs a certified hard-copy of information with a formal response on IBBI letter-head, even if the same is readily available on IBBI website, with following details of Individual Registered Valuer with registration no 12226 to 12229 -
 - a. Current status as to whether active or not active,
 - b. Full name of each individual registered valuer,
 - c. Registered e-mail of each individual registered valuer,
 - d. Asset class under which they are registered, and

e. Date of registration as individual registered valuer.

5. I have carefully considered the application, response of the Respondent and the Appeal; and find that the matter can be decided based on the material available on record. I find that the Appellant has accepted response of the Respondent but she wants to have the requested information on the formal letter-head of IBBI. In my view, Respondent is not bound to provide the information in the manner and form as asked by the Appellant. It is relevant to refer to the decision of Hon'ble CIC in *Shri Girish Prasad Gupta vs. CPIO, Indian Oil Corporation* (decided on March 30, 2015), wherein it has held that:-

“The Appellant raised two general issues in the course of the proceedings. Firstly, he stated that even in cases in which information is available on the website of the Respondents, hard copies of the same should be provided to him. 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.”

6. Further, the Hon'ble CIC in *N. Murugesan Vs. CPIO, Ministry Of Power* (Second Appeal No. CIC/POWER/A/2018/165515) Order dated 21.05.2020 had observed that –

“..... collation of the information in the manner sought by the appellant on point no. 3 of the RTI application would involve compilation from voluminous records by a significant number of officials and would disproportionately divert the resources of the public authority from the efficient discharge of its normal functions. If the required information was not maintained in the manner as asked for, the CPIO could not be asked to compile such data which would require going through each of these files individually. Furthermore, the CPIO is also not required to collect and compile the information on the demand of a requester nor is he expected to create a fresh one merely because someone has asked for it..... the CPIO cannot be expected to compile the information which requires disproportionate diversion of the resources of the public authority.”

7. Further, the collection and compilation of vast and voluminous information about all RVs as requested would disproportionately divert the manpower and resource of IBBI. Hence, it will not be possible to supply the information in the form as requested in view of provisions of section of RTI Act. Furthermore, the Hon'ble Supreme Court in the matter of *ICAI vs. Shaunak H. Satya* (2011) 8 SCC 781 dated 02.09.2011 had held as under:

"26. We however agree that it is necessary to make a distinction in regard to information intended to bring transparency, to improve accountability and to reduce corruption, falling under Section 4(1)(b) and (c) and other information which may not have a bearing on accountability or reducing corruption. The competent authorities under the RTI Act will have to maintain a proper balance so that while achieving transparency, the demand for

information does not reach unmanageable proportions affecting other public interests, which include efficient operation of public authorities and government, preservation of confidentiality of sensitive information and optimum use of limited fiscal resources"

8. Before parting with this order, I would also observe that in the facts and circumstances of this case, the Appellant's questions are nothing but roving and fishing enquiries to challenge registration to specific RVs in the garb of information request about all RVs wherein no element of public interest is involved. I think that this kind of requests would go against the letter and spirit of the RTI Act and affect the sanctity of right to information. In this regard, it is also relevant to refer to the following observations of the Hon'ble Supreme Court of India in the matter of *Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors.* (Judgment dated August 9, 2011):

"Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising 'information furnishing', at the cost of their normal and regular duties."

9. In view of the above, I find that there is no obligation on the CPIO to create and collate information in a manner desired by the Appellant. Therefore, there is no need to interfere with the decision of the Respondent.
10. The Appeal is dismissed accordingly.

Sd/
(Santosh Kumar Shukla)
First Appellate Authority

Copy to:

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