

**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: 31st July, 2024

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI
Appeal Registration No. ISBBI/A/E/24/00017**

IN THE MATTER OF

Anubhav Choudhary

... 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

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1. The Appellant has filed the present Appeal dated 2nd July 2024, challenging that the Respondent has not provided the information within 30 days as per the RTI Act.
 2. It is noted that as per section 7(1) of the RTI Act, the Respondent is required to respond within 30 days of the receipt of the request. As per records, the Application was received by CPIO on 30th May 2024. However, it was disposed of on 4th July 2024 which is 4 days after the due date.
 3. Being CPIO of Public Authority like IBBI, Respondent should be sensitive to timelines and disposal of information request. I would, therefore, encourage and urge the Respondent to take into account the requirements of law while dealing with information requests under the RTI Act and dispose of RTI applications within the prescribed time.
 4. As the RTI application has already been disposed, no further direction is required in the matter.
 5. In the Appeal, the Appellant has also submitted the following -
“**CLARIFICATION NEEDED FOR THIS JUDGMENT BY THE NCLT COURT FOR NON EV2 PROJECTS. 2 MY FIRM M/S AKRITI ASSOCITES IS WORKING AS VENDOR/OPERATIONAL CREDITATOR UNDER M/S SUPERTECH LIMITED. 3 ON 25 TH MARCH 2022 THE COOPERATE M/S SUPERTECH LIMITED WENT UNDER INSOLVENCY .4 ON JULY 2022 THERE WAS ANOTHER JUDGMENT THAT CAME DEFINING ONLY ECO VILLAGE 2 PROJECT WILL BE UNDER INSOLVENCY AND REST PROJECTS UNDER SUPERTECH LIMITED WILL BE AS ON GOING PROJECT UNDER THE SUPERVISION OF IRP MR HITESH GOEL . 5. I AM SEEKING A CLARIFICATION OF THE ORDER IN JULY , AS M/S AKRITI ASSOCIATES IS WORKING UNDER SUPERTECH IN NON ECO VILLAGE 2 PROJECTS ARE UNDER INSOLVENCY AND LIQUIDATION RULES AS M/S AKRITI ASSOCIATED HAVE TO FILE CLAIM BY FORM B FOR NON ECO2 PROJECTS. 6 I HAVE BEEN ASKING THE IRP FOR PAYMENTS OF MY WORK HE SAID THAT DUES BEFORE 25TH MARCH 2022 ARE IN CLAIM FOR NON ECO**”

VILLAGE 2 PROJECTS ALSO PLEASE **CALRIFY** THIS AS THE JUDGMENT CLEAR ITSELF THAT NON ECO VILLAGE 2 PROJECTS WILL BE TREATED AS ON GOING PROJECTS . 7 THE IRP HITESH GOEL OPPOINTED BY THE COURT IS CONFUSING THE ORDER PLEASE SPECIFY”

6. 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. I deem it appropriate to deal with scope of information under the RTI Act. It is noted that in terms of section 2(f) of the RTI Act ‘*information*’ means “*any material in any form, including records, documents, memos e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.*” This definition contemplates providing of material in the forms of records, documents, opinions, advice, etc. It does not include giving opinions on issues raised or providing clarifications or advice to inquisitions, as is the case of the Appellant. Accordingly, no further direction is required in the matter.
7. The appeal is accordingly, disposed of.

Sd/
(Jithesh John)
First Appellate Authority

Copy to:

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