

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

7TH FLOOR, MAYUR BHAWAN, NEW DELHI

DATED THE 29TH OF NOVEMBER, 2018

Appeal No. ISBBI/A/2018/00015 (F. No. IBBI/RTI/D. R. PAUL/173)

Dated: September 26, 2018

Arising out of Order dated September 12, 2018 under RTI Request No.
ISBBI/R/2018/00038

IN THE MATTER OF

Mr. D. R. Paul

.....

Appellant

Versus

CPIO, Insolvency and Bankruptcy Board of India

7th Floor, Mayur Bhawan

New Delhi

.....

Respondent

ORDER

1. The present Appeal No. ISBBI/A/2018/00015 dated September 12, 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. D. R. Paul against the order of the CPIO, Mr. Umesh Kumar Sharma, Insolvency and Bankruptcy Board of India with respect to his RTI Request No. ISBBI/R/2018/00038.
2. On a detailed perusal of the RTI Application of Mr. D. R. Paul, it is observed that the appellant sought the information pertaining to some 26 cases referred/undergoing corporate insolvency resolution process based on a news item dated July 24, 2018, from the Insolvency and Bankruptcy Board of India.
3. The respondent in his reply referred the information so available and disseminated in the newsletter of the Insolvency and Bankruptcy Board of India for that period for the information prayed by the appellant.

4. Having been unsatisfied with the reply by the CPIO, the appellant in the present appeal raised the following grounds in the queries: -
- (i) *I have gone through the news letter available o the website under ‘what’s new’ but could not find the required/demanded information sought for.*
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 this context, I find that information in respect of the query (1) in appellant’s RTI query is available on the website of IBBI (www.ibbi.gov.in) in the form of ‘Public Announcement’ of initiation of corporate insolvency resolution process. Further, the data relating to the Corporate Insolvency Resolution Process is also available in IBBI newsletters which can be seen on IBBI website (www.ibbi.gov.in) under the heading ‘publication.
7. Information with respect to queries (2), (3), (4) and (5) in appellant’s RTI query is not available with the Insolvency and Bankruptcy Board of India. Further, The Hon’ble CIC in the matter of Sh. Alok Shukla vs. CPIO, SEBI (File No. CIC/SM/A/2012/001838), held: “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. D. R. Paul
2. CPIO, Insolvency and Bankruptcy Board of India
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New Delhi