

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

7TH FLOOR, MAYUR BHAWAN, NEW DELHI

DATED THE 28TH OF MAY, 2018

Appeal No. ISBBI/A/2018/60006 (F. No. IBBI/RA/2017-18/52)

Dated: May 01, 2018

Arising out of Order dated April 02, 2018 under RTI Request No.
ISBBI/R/2018/50013

IN THE MATTER OF

Mr. Sunny Singh

.....

Appellant

Versus

CPIO, Insolvency and Bankruptcy Board of India

7th Floor, Mayur Bhawan

New Delhi

.....

Respondent

ORDER

The present Appeal No. ISBBI/A/2018/60006 dated May 01, 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. Sunny Singh against the order of the CPIO, Ms. Anita Kulshrestha, Insolvency and Bankruptcy Board of India with respect to his RTI Request No. ISBBI/R/2018/50013. I have carefully considered the application, the response and the appeal and find that the matter can be decided based on the material available on record.

2. On a detailed perusal of the RTI Application of Mr. Sunny Singh, it is observed that the appellant sought the following information from the Insolvency and Bankruptcy Board of India: -

- (i) “As per recruitment notice dated 22.02.2018 Recruitment of Officer Grade A (Assistant Manager) please provide information what will be their Gross and Net pay (take home pay in Delhi). Please provide detail information.
- (ii) Whether you are following IDA or CDA pattern of pay scale in your organisation.

(iii) What are core and Non – core benefits like House Allowance, Transport, LFC and Medical Benefits etc. provided by your organisation to employees?

(iv) What will be the retirement age of officers in your organisation?

(v) Whether your organisation is pure governmental department or PSU. From the Appeal, I note that the appellant is aggrieved by the respondent's response to his application."

3. With respect to RTI queries (i)-(v), the Respondent provided following information:

(i) "Pay Scale of Rs.28150-1550(4)-34350- 1750(7)-46600-EB-1750(4)-53600- 2000(1)-55600(17 years). Dearness Allowances (February – April 2018) 52.70%

(ii) It is neither IDA nor CDA. IBBI follow pay scale followed in SEBI.

(iii) At present House Allowance, Transport, LFC and Medical Benefits etc. are payable.

(iv) 60 years

(v) IBBI is a Statutory Body established in accordance with the Insolvency and Bankruptcy Code, 2016"

4. The appellant stated in the present appeal that information provided in previous reply to RTI application was incomplete and he requested to provide detail information. In appeal he raised following queries: -

(i) *"I have asked for Gross and Net Pay in Metro City i.e New Delhi but you have provided only pay scale so information provided by you is incomplete. I request you to provide detail information what will be gross and net pay for selected candidates along with formula for arriving at gross and net pay. Further provide me information that whether board is providing board own accommodation facility to selected assistant managers or providing lease accommodation facility to them. If lease accommodation facility is provided to selected candidates what is their eligibility limit for lease accommodation in Delhi."*

(ii) *"you have mentioned that you are following pay scale followed in SEBI. As per SEBI recruitment notice dated 5 May, 2017 SEBI Provide following benefits for Assistant manager cadre Officers: SERVICE CONDITIONS/ PAY AND ALLOWANCES:*

a. Pay: The incumbent will be on a scale of pay of Officer Grade A in the scale of Rs. 28150-1550(4)-34350- 1750(7)-46600-EB-1750(4)-53600-2000(1)-55600 (17 years). Presently, the gross emolument including Board Contribution towards National Pension Scheme (NPS), Grade Allowance, Special Allowance, Dearness Allowance, Family Allowance, Local Allowance etc. at Mumbai at the minimum of this scale is approx. Rs. 92,000/- p.m. without accommodation and Rs. 62,000/- p.m. with accommodation."

(iii) *"Whether Insolvency and bankruptcy board also provide same Gross pay i.e Rs. 92,000/- without accommodation and Rs. 62,000/- p.m. with accommodation in Metro Cities?"*

- (iv) *“Whether this board also provide Grade Allowance, Special Allowance, Dearness Allowance, Family Allowance, Local Allowance etc as given by SEBI?”*
- (v) *“Whether above benefits as provided by SEBI is provided by your organization? I request you to provide detail information? Please avoid concise information.”*
- (vi) *“Question 3: IBBI is a Statutory Body established in accordance with the Insolvency and Bankruptcy Code, 2016 so selected Officers will be called Public servant or not? Further Assistant Manager is gazetted post or not?”*
- (vii) *“Question 4: If in future Board is dissolved whether employees will be transferred to Govt. of India Ministry or PSU’s.”*
- (viii) *“Question 5: Please provide information about Promotion policy of your organization in details?”*
- (ix) *“Question 6: Please provide information about total no. of employees presently working in your organization and their present gross and net pay cadre wise?”*
5. I have perused the response of the respondent in light of the RTI application, and subsequent appeal, I find that the respondent has already provided him with the requisite information.
6. I also note that the appellant’s request for information through the queries as raised in paras 4 (iii)- (ix) has been raised for the first time at this appeal stage. A request at the first appeal, different from what the appellant had raised with the respondent is impermissible, as was held by the Hon’ble CIC in the matter of *Shri. Ajit Kumar Roy vs. Inland Waterways Authority, NOIDA* (Decision dated February 8, 2012). If the appellant wants any new information, he is free to approach the respondent by making an application along with application fees and additional fees for cost of information, as envisaged under the RTI Act, 2005 read with the Right to Information Rules, 2012. Hence, I do not find that any interference is warranted at the First Appeal stage.

Accordingly, the appeal is disposed of.

Sd/-

(Mukulita Vijayawargiya)

Whole Time Member and First Appellate Authority

Copy to

1. Mr. Sunny Singh
2. CPIO, Insolvency and Bankruptcy Board of India
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