

**BEFORE THE EXECUTIVE DIRECTOR AND FIRST APPELLATE AUTHORITY
INSOLVENCY AND BANKRUPTCY BOARD OF INDIA**

7th Floor, Mayur Bhawan, Shankar Market,
Connaught Circus, New Delhi -110001

Dated: 13th June 2025

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI
Appeal Registration No. ISBBI/A/E/25/00083**

IN THE MATTER OF

Karthikeyan

... Appellant

Vs.

Central Public Information Officer

The Insolvency and Bankruptcy Board of India

7th Floor, Mayur Bhawan, Shankar Market,

Connaught Circus, New Delhi -110001

... Respondent

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1. The Appellant has filed the present Appeal dated 2nd May 2025, challenging the communication of the Respondent, filed under the Right to Information Act (RTI Act). As the Appeal required detailed analysis of different provisions of the RTI Act, this Appeal is being disposed of within 45 days.
 2. The Appellant had sought the following information in the impugned RTI application, *"DHFL went on Bankruptcy in 2019. NCLT approved only 23% of the value to be returned to the FD holders and DHFL has returned back 23% of the FD value to some of the FD holders in 2021. Information required for the following queries: 1. When will be the balance FD amount of 77% will be paid back to the FD holders? 2. Why DHFL lately taken over by Piramal group is cheating the poor holders who believed DHFL / Piramal and end up with no go for last 6 years? 3. What are the govt. actions till now to protect those FD holders? 4. Don't you think it is a clear criminal offence to keep the FD holders to wait for more than 6 years for the hard-earned money deposited? 5. Will there be the same interest rate to be added (as per FD Certificate) while returning the balance FD principal value? 6. If not why? then what is the difference between the share market and FD regulations? 7. Why the Govt / NCLT is not insisting the defaulter (DHFL / Piramal) to pay the balance amount immediately along with the compound interest since the waiting period was more than 6 years? 8. If some general public as FD holders has lost their lives because of this issue, or not able to proceed with higher education, medical needs, or for any marriage purposes of their children / grandchildren, who will take responsibility and blame, DHFL / Piramal or Govt body?"* The CPIO Respondent has replied that the information sought are in the nature of seeking clarifications/opinions, which is beyond the ambit of 'information' as enshrined under Section 2(f) of the RTI Act. The Appellant has filed the present Appeal stating the following, *"As I received the reply from your end stating that it is the nature of seeking opinion and clarification, which is totally wrong. Question no. 1, 3, 5, 6 & 7 are clear questions asked to ISBBI since there are no action from DHFL / Piramal for last 6 years and I am one of the affected person. Hence ISBBI simply cannot avoid those questions. the other questions are directly connected with above said 5 questions (1, 3, 5, 6 & 7) and if I get the direct answers for those clear questions, it will be fine. Pl. do the needful."*
 3. I have carefully examined the applications, the responses of the Respondent and the Appeals and find that the matter can be decided based on the material available on record. 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.”

It is pertinent to mention here that the Appellant’s “right to information” flows from section 3 of the RTI Act and the said right is subject to the provisions of the Act. While the “right to information” flows from section 3 of the RTI Act, it is subject to other provisions of the Act. Section 2(j) of the RTI Act defines the “right to information” in term of *information* accessible under the Act which is held by or is under the control of a public authority. Thus, if the public authority holds any information in the form of data, statistics, abstracts, etc. an applicant can have access to the same under the RTI Act subject to exemptions under section 8.

4. In this regard I note that the Appellant has raised specific references to the queries raised in no.1, 3, 5, 6 & 7 of the impugned RTI application in its Appeal. Upon careful perusal, it can be fairly concluded that the information sought by the Appellant (especially query no. 1,3,5,6) are in the nature of seeking redressal of his grievances emanating from the insolvency resolution process of DHFL Ltd. It is pertinent to note that the scope of the RTI Act is circumscribed by the information as “held” by the public authority. The RTI Act has not mandated the CPIO to work as a forum to redress grievances of the public. Pertinently, the definition of information under Section 2(f) of the RTI Act contemplates providing of material in the forms of records, documents, opinions, advice, etc. It does not include giving opinions or initiating actions on representations/complaints as asked by the Appellant. The Hon’ble CIC in *M Jameel Basha Vs. CPIO, Ministry of Personnel Public Grievances & Pension, Department of Personnel & Training, North Block, New Delhi -110001, File No: CIC/MPERS/A/2017/158527/SD (Decision dated 06.05.2019)*, has observed the following: “*Commission concedes with the submission of the CPIO as no information has been sought as per Section 2(f) of the RTI Act. It may be noted that under RTI Act, CPIO is not supposed to create information or interpret/clarify/deduct information in respect of queries/clarifications. Similarly, redressal of grievance, non-compliance of rules, contesting the actions of respondent public authority and suggesting correction in government policies are outside the purview of the RTI Act.*” Moreover, the nature of queries (especially query no. 7) raised by the Appellant is in the nature of seeking clarification/opinion from the CPIO Respondent, which is beyond the ambit of ‘information’ as enshrined under Section 2(f) of the RTI Act. In this regard, it is pertinent to refer to the Order dated April 21, 2006, of the Hon’ble CIC in the matter *Dr. D.V. Rao Vs. Shri Yashwant Singh & Anr*, wherein it was observed that: “*the RTI Act does not cast on the public authority any obligation to answer queries in which a petitioner attempts to elicit answers to his questions with prefixes, such as, ‘why’, ‘what’, ‘when’ and ‘whether’.* The petitioner’s right extends only to seeking information as defined in section 2 (f) either by pinpointing the file, document, paper or record, etc., or by mentioning the type of information as may be available with the specified public authority.” Since the queries numbering 2, 4, & 8 of the impugned RTI Application are intricately connected with the aforesaid queries and the CPIO Respondent has satisfactorily replied to the information sought, it does not warrant my interference.

5. The Appeal is, accordingly, disposed of.

Sd/-
(Kulwant Singh)
First Appellate Authority

Copy to:

1. Appellant, Karthikeyan

2. CPIO, The Insolvency and Bankruptcy Board of India, 7th Floor, Mayur Bhawan, Shankar Market, Connaught Circus, New Delhi -110001.