BEFORE THE CHIEF GENERAL MANAGER AND FIRST APPELLATE AUTHORITY
INSOLVENCY AND BANKRUPTCY BOARD OF INDIA

7th Floor, Mayur Bhawan, Shankar Market,
Connaught Circus, New Delhi -110001
Dated: 17th November 2026

Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI Appeal Registration No. ISBBI/A/E/26/00056

IN THE MATTER OF

Suraj …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

---

1. The Appellant has filed the present Appeal dated 18th October 2026, under the Right to Information Act (RTI Act).

2. In the impugned RTI Application, the Appellant had sought copies of question papers of examinations conducted by the Board during the preceding five years, copies of the question bank formulated by the Board, sample questions/model question papers and links to relevant webpages/documents available on the IBBI website. *Vide* reply dated 25.09.2026, the CPIO has replied that the previous examination question papers are barred from disclosure, since the same are prepared from a question bank for the purpose of conducting examinations and are not published as previous question papers. Further, the CPIO replied that the question bank is confidential in nature and is exempted from disclosure under the RTI Act. Aggrieved with the reply, the instant Appeal has been filed.

3. 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. 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.

4. It is observed that the RTI Act provides a mechanism for access to information which is "*held by or under the control of a public authority"* under Section 2(j) of the RTI Act. The right to information does not extend to requiring a public authority to create information, generate documents, compile information in a particular manner or furnish information which is already available in the public domain in the manner specifically sought by an applicant. Since the CPIO has duly provided the relevant web link (*https://ibbi.gov.in/examination/limited-insolvency-examination*) to enable the Appellant to

access the information concerning sample questions/model question papers, the CPIO is not obligated to generate a compilation of questions as a mandate to perform its duty under the Code. 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: –

"…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."

5. Moreover, the Hon'ble Supreme Court in *CBSE & Anr. Vs. Aditya Bandopadhyay & Ors. (C.A. No. 6454 of 2011)* has held as under:

"35. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the public authority, to collect or collate such non- available information and then furnish it to an applicant."

6. With regard to the question bank, it is observed that the same constitutes confidential examination material intended for framing the questions for the examinations conducted by the Board. Its disclosure may compromise the integrity and fairness of examinations and defeat the very purpose for which it is maintained. In this regard, it is pertinent to refer to the decision of the Hon'ble CIC in *Mrityunjay Kumar Sharma v. CPIO, M/o Railways, RRB, Siliguri, WB, Second Appeal No. CIC/RAILB/A/2017/154940],* wherein the CIC held that

"question paper, answer key and answer sheet related to the aptitude test and that the question papers source their origin from a limited question bank the disclosure of which can jeopardize the pattern of questions asked in the said aptitude test."

Accordingly, the CPIO cannot be compelled to disclose the question bank. In the absence of any larger public interest warranting such disclosure, the question bank is exempt from disclosure under Section 8(1)(d) of the RTI Act.

7. In view of the aforesaid, the reply of the CPIO does not merit any interference. The Appeal is, accordingly, disposed of.

Sd/-
(Shiv Anant Shankar)
First Appellate Authority

Copy to:

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