

**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: 10th August 2026

**Order under section 19 of the Right to Information Act, 2005 (RTI Act) in respect of RTI
Appeal No. ISBBI/A/E/26/00030 & ISBBI/A/E/26/00031**

IN THE MATTER OF

Chennakeshavaiah. S

...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 Appeals dated 30th July 2026, challenging the communication of the Respondent, filed under the Right to Information Act (RTI Act). Since the Appeals pertain to the regulatory oversight and functioning of National E-Governance Services Limited (NeSL) as an Information Utility, same is disposed of vide impugned common order.
 2. With regard to Appeal No. ISBBI/A/E/26/00030, the Appellant has sought the following information:-
 - i. Details of the statutory, regulatory, supervisory and governance oversight exercised by IBBI over National E-Governance Services Limited (NeSL) as an Information Utility.
 - ii. Details of the mechanisms maintained by IBBI to monitor governance issues, ethical concerns, whistleblower complaints, operational risks, management conflicts and institutional issues within an Information Utility, including reporting obligations of Information Utilities to IBBI.
 - iii. Certified copies of frameworks, circulars, guidelines, advisories, policy documents or other records relating to inspection, audit, governance, operational resilience, risk management, regulation, supervision and oversight of Information Utilities.
 - iv. Details of inspections, audits, reviews or compliance examinations of NeSL conducted up to 30.04.2026, including the dates of inspection, reports, findings, notices, observations, recommendations and compliance responses submitted by NeSL.
 - v. Details of any governance issues, investigations, ethics complaints, management disputes or institutional concerns relating to NeSL known to IBBI up to 30.04.2026, together with copies of reports, communications and action taken.
 - vi. In the event no such governance issues are known, clarification regarding the statutory or regulatory powers of IBBI under the Insolvency and Bankruptcy Code, 2016 or related regulations to seek information, order investigations or conduct governance reviews of Information Utilities, along with relevant statutory provisions.

- vii. Details of the business continuity oversight mechanisms, contingency arrangements in the event of service disruption or failure, and systemic risk assessments arising from reliance on a single Information Utility.
 - viii. Copies of systemic risk assessments, contingency frameworks and continuity-related guidelines prescribed or maintained by IBBI for Information Utilities, particularly in relation to NeSL's Digital Document Execution service.
 - ix. Details of any consideration by IBBI or the Central Government regarding establishment of alternate Information Utilities, backup systems or redundancy mechanisms, together with copies of file notings, committee reports and policy deliberations.
 - x. Details of any framework, review mechanism or supervisory process enabling IBBI to seek information or explanations regarding significant or simultaneous leadership changes in an Information Utility, including copies of relevant frameworks, assessments, observations and communications.
 - xi. Details of the authorities, functionaries, committees and officials within NeSL responsible for governance, regulatory compliance, operational resilience, risk management, business continuity and audit oversight.
3. With regard to Appeal No. ISBBI/A/E/26/00031, the Appellant has sought the following information: -
- i. Information regarding the provisions governing registration of users, verification of user identity, acceptance of terms of service prior to registration, and whether an Information Utility may register a user without explicit acceptance of the terms of service, particularly in relation to NeSL's Digital Document Execution (DDE) service.
 - ii. Copies of the provisions, regulations, guidelines, circulars, approvals and other records defining "core services", "incidental services" and any other category of services that may be provided by an Information Utility.
 - iii. Records identifying whether various services offered by NeSL, including uploading scanned documents, creation and execution of debt-related documents through DDE, and creation of non-debt-related documents, constitute core services, incidental services or any other permissible category of Information Utility services.
 - iv. Copies of the provisions, circulars, directions, guidelines and other records prescribing the extent to which different categories of Information Utility services are required to comply with the IBBI (Information Utilities) Regulations, 2017 and the Guidelines for Technical Standards.
 - v. Copies of provisions, guidelines, circulars, approvals or other records distinguishing Information Utility services from various document processing services, including Form C submissions, scanned supporting documents and DDE services relating to debt and non-debt documents.
 - vi. Information regarding any regulatory provision, guideline, approval or clarification permitting authentication or execution of documents outside the NeSL platform while NeSL performs only part of the process, such as digital stamping.
 - vii. Clarification regarding whether debt-related documents constitute "financial information", applicability of preservation and purging requirements to DDE documents, and whether NeSL Communiqué No. 115 dated 17.01.2024 concerning purging of incomplete DDE documents complies with the IU Regulations and Guidelines for Technical Standards.
 - viii. Information regarding the preservation or purging of partially authenticated financial information under the core Information Utility services and reconciliation of such

treatment with the purging of partially executed DDE documents under NeSL Communiqué No. 115.

- ix. Copies of inspection reports, audit reports, validation or verification reports, findings, observations and correspondence demonstrating whether IBBI has independently verified NeSL's compliance with the IBBI (Information Utilities) Regulations, 2017 and the Guidelines for Technical Standards, including information regarding IBBI's power to direct or conduct independent third-party audits or special audits.
4. The CPIO has, inter-alia, replied that the information sought by the Appellant can be accessed from the (i) Insolvency and Bankruptcy Code, 2016. (ii) IBBI (Information Utilities) Regulations, 2017 and (iii) Guidelines for Technical Standards for the Performance of Core Services and Other Services under the Insolvency and Bankruptcy Board of India (Information Utilities) Regulations, 2017, which are available in the public domain at the IBBI website. Aggrieved with the reply, the Appellant has filed the instant Appeal stating that the CPIO has wrongly denied the information sought by the Appellant.
 5. I have carefully examined the application, the response of the Respondent and the instant 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. 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.
 6. With regard to Appeal No. ISBBI/A/E/26/00030, the Appellant has stated that information concerning any inspection, audit, review, or compliance examination of NeSL is not exempted under Section 8(1)(d) of the RTI Act, since the Appellant has merely sought number of times and dates of inspection carried out by the IBBI. It is pertinent to note that while the Board is empowered to inspect NeSL, the CPIO is not obligated to compile and collate information pertaining to inspection of NeSL in a specific format as sought by the Appellant. In addition, it is observed that several queries in the RTI application seek broad categories of information such as all governance frameworks, supervisory mechanisms, systemic risk assessments, inspection records, internal governance documents, committee mandates, internal circulars, reports, correspondence and other records relating to the regulatory oversight of NeSL. The RTI Act confers a right to access information as held by or under the control of a public authority. It does not oblige the CPIO to create information, undertake research, interpret statutory provisions, compile information from numerous files, or collate records to answer omnibus or exploratory queries. Moreover, the Appellant has not disclosed any larger public interest warranting disclosure of such information. Accordingly, no such information is maintained by the Board. In addition to the aforesaid, inspection reports and compliance responses contain detailed information relating to the internal systems, operational processes, information security architecture, risk management framework, regulatory gaps, corrective measures and commercially sensitive business practices. Disclosure of such information is capable of prejudicing the operational efficiency

of the regulated entity. The information, therefore, attracts the exemption under section 8(1)(d) of the RTI Act.

7. With regard to Appeal No. ISBBI/A/E/26/00031, it is observed that the Appellant has sought multiple categories of records, including approvals, filings, communications, circulars, directions, inspection reports, audit reports, validation reports, correspondence and other documents relating to various regulatory aspects of NeSL. The information sought is not identifiable from any single record or file but would require the CPIO to trace, identify, collate, examine and compile records spread across numerous regulatory, supervisory and administrative files maintained by different divisions of the Board. Compliance with the request, therefore, would necessitate an extensive exercise involving substantial diversion of the limited resources of the public authority from the efficient discharge of its statutory and regulatory functions. The RTI Act provides access to information as available on the records of the public authority and does not cast an obligation upon the public authority to undertake extensive research, compilation or collation of voluminous records to satisfy an omnibus request. In this regard, it is useful to refer to the following observations of the Hon'ble Supreme Court of India in the matter of *Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors.* (Judgment dated August 9, 2011):

“Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising ‘information furnishing’, at the cost of their normal and regular duties.”

8. Furthermore, the Appellant has also contended that the CPIO failed to consider the applicability of Section 10 of the RTI Act, 2005. The contention is not tenable. The information sought comprises inspection reports, findings, observations, recommendations and compliance responses, which constitute an integrated regulatory record. The exempt information is so inextricably interwoven with the non-exempt portions that severance would neither yield any meaningful information nor preserve the coherence and context of the record. Disclosure of isolated portions, after severance, would indirectly reveal the substance of the exempt material and defeat the very purpose of the exemption under Section 8(1)(d) of the Act. Accordingly, the provisions of Section 10 relating to severability are not attracted in the facts of the present case. In view of the aforesaid observations, the replies of the CPIO does not merit interference.

9. The Appeal is, accordingly, disposed of.

Sd/-
(Kulwant Singh)
First Appellate Authority

Copy to:

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