

**BEFORE THE APPELLATE AUTHORITY
(Under the Right to Information Act, 2005)
SECURITIES AND EXCHANGE BOARD OF INDIA**

Appeal No. 6844 of 2026

Sandeep Kumar : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated April 19, 2026 (received by SEBI through RTI MIS portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated April 21, 2026 responded to the application filed by the appellant. The appellant filed an appeal dated April 21, 2026 (Reg. No. SEBIH/A/E/26/00143). I have perused 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.
2. **Queries in the application** - The appellant, in her application dated April 19, 2026, sought the following information regarding his PACL refund claim:
 - “ 1. *Current status of refund claim/ application.*
 2. *Reason why application was not processed further.*
 3. *Certified copy of record showing land allotted against said certificate.*
 4. *Whether investor is eligible for refund.*
 5. *If rejected, provide copy of rules/ order under which rejected.*
 6. *Further remedy available to investor.*”
3. **Reply of the Respondent** – The respondent, in response to the application, informed that the information sought is not available with SEBI. Notwithstanding the aforesaid, the respondent informed that the details

of PACL Matters – Public Notice, press Releases, Status Report, and FAQs etc. are available on SEBI website.

4. **Ground of appeal** – The appellant has filed the appeal on the ground that he was refused access to the information requested.
5. I have perused the application and the response provided thereto. The respondent, in his response, has categorically mentioned that the requested information is not available with SEBI. In this context, I note that the Hon'ble Central Information Commission in the matter of *Sh. Pattipati Rama Murthy vs. CPIO, SEBI* (Decision dated July 8, 2013), held: "... if it (SEBI) does not have any such information in its possession, the CPIO cannot obviously invent one for the benefit of the Appellant. There is simply no information to be given." Accordingly, I do not find any deficiency in the response of the respondent.
6. The appellant, in his appeal, has contended that his application ought to have been transfer to the concerned authority under section 6(3) of RTI Act, if the information sought is not available with SEBI. In this regard, I note that the responsibility of disposal of the properties and repayment to investors, is entrusted with the Justice (Retd.) R. M. Lodha Committee (under the Chairmanship of Hon'ble Mr. Justice R.M. Lodha, former Chief Justice of India), which has been constituted, pursuant to the order dated February 2, 2016 of the Hon'ble Supreme Court of India. Further, Hon'ble CIC in its decision in *M Shanmugam v CPIO, Pearls Agrotech Corporation Ltd. & Or.* (Date of decision: 14.03.2024) had accepted the contention of the respondent that the Justice Lodha Committee is not public authority under section 2(h) of the RTI Act. Accordingly, I do not find any deficiency in the action of the respondent.
7. In view of the above observations, I find that there is no need to interfere with the decision of the respondent. The appeal is accordingly dismissed.

Place: Mumbai

Date: May 13, 2026

RUCHI CHOJER

**APPELLATE AUTHORITY UNDER THE RTI ACT
SECURITIES AND EXCHANGE BOARD OF INDIA**