

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

Appeal No. 7044 of 2026

Devender Pawar

:

Appellant

Vs

CPIO, SEBI, Mumbai

:

Respondent

ORDER

1. The appellant had filed an application dated July 17, 2026 (received by SEBI on July 17, 2026) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated July 21, 2026, responded to the application filed by the appellant. The appellant filed an appeal dated Nil (Reg. No. SEBIH/A/P/26/00057, received by the Office of Appellate Authority on August 14, 2026). 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 his application dated July 17, 2026, sought the following information:

“

1. *Kindly provide a certified list of all immovable properties situated in Delhi, Haryana and Punjab identified, attached or listed by the Hon'ble Justice R.M. Lodha Committee for sale/e-auction in connection with the recovery of PACL investors' money, indicating the complete postal address, property identification details (where available) and present status of each property.*
2. *Kindly provide certified copies of all records relating to the approval, identification and inclusion of the above properties for sale/e-auction, including file notings, office notes, minutes of meetings, approval sheets, resolutions, office orders and correspondence.*

3. *Kindly provide a certified list of all properties situated in Delhi, Haryana and Punjab sold through e-auction/ e-tender under the supervision of the Hon'ble Justice R.M. Lodha Committee, indicating the property address, auction notice number, date of auction, reserve price, sale price and present status of sale. Kindly also provide certified copies of the auction notices, tender documents, sale confirmation letters and sale certificates relating thereto.*
4. *Kindly provide a year-wise statement showing:*
 - *the total amount realized from the sale/ e-auction of properties situated in Delhi, Haryana and Punjab; and*
 - *the amount disbursed to PACL investors from such sale proceeds, along with the number of investors benefited.*
5. *Kindly provide a certified list of all properties situated in Delhi, Haryana and Punjab which had already been lawfully sold or transferred by PACL Ltd. before the constitution of the Hon'ble Justice R.M. Lodha Committee but were subsequently proposed for or included in any auction/ e-auction/ e-tender process. Kindly also provide certified copies of all related file notings, legal opinions, office notes, correspondence, approvals and final orders.*
6. *Kindly provide a certified list of all objections, claims and representations received from purchasers, third parties or any other persons in respect of PACL properties included in auction/ e-auction/ e-tender proceedings. Kindly also provide certified copies of the records showing the action taken, including file notings, office notes, minutes of meetings, correspondence, speaking orders and final decisions, as well as the year-wise list of cases in which any property was withdrawn, excluded, cancelled, stayed or kept in abeyance on account of such objections or claims.*
7. *Kindly provide certified copies of all Standard Operating Procedures (SOPs), guidelines, manuals, circulars, policy documents, office orders and administrative instructions governing:*
 - *identification and attachment of PACL properties;*
 - *conduct of auctions/ e-auctions;*
 - *receipt, scrutiny and disposal of objections/ claims;*
 - *withdrawal or exclusion of properties from auction; and*
 - *cases where properties already sold by PACL Ltd. prior to the constitution of the Hon'ble Justice R.M. Lodha Committee are inadvertently included in auction proceedings.*

8. *Kindly provide certified copies of the records prescribing the timeline for registration, scrutiny, disposal and communication of decisions relating to objections/ claims concerning PACL properties.*
9. *Kindly provide:*
 - *the latest status report showing the unsold properties situated in Delhi, Haryana and Punjab as on the date of disposal of this RTI application, along with their complete addresses and present status;*
 - *the name, designation, office address, official telephone number and official e-mail ID of the present Nodal Officer/ Officer-in-Charge responsible for PACL property auctions and disposal of objections/ claims; and*
 - *certified copies of the office orders, notifications or delegation orders assigning such powers and responsibilities.*
10. *Kindly provide a certified copy of the register/ database maintained by SEBI or the Hon'ble Justice R.M. Lodha Committee containing details of objections/ claims received in respect of PACL properties, including the date of receipt, property details, present status and date of disposal, after masking only such personal information as is exempt under the RTI Act, 2005.*
11. *If any part of the information sought is held by the Office of the Hon'ble Justice R.M. Lodha Committee, the Court Receiver, the Official Liquidator or any other public authority, kindly transfer the relevant part of this application under Section 6(3) of the Right to Information Act, 2005 and intimate the undersigned accordingly."*
3. **Reply of the Respondent** – The respondent, in response to the application, informed that the information sought is not available with SEBI. The respondent also stated that all communication regarding refund status is handled by the Justice (Retd.) R.M. Lodha Committee. The respondent also advised the appellant to approach the aforementioned Committee. Further, the details of PACL Matters – Public Notices, Press Releases, Status Report, and FAQs etc. are available on SEBI website.
4. **Ground of appeal** – On perusal of the appeal, it appears that the appellant is not satisfied with the response of the respondent.
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 (**CIC**) 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. Notwithstanding the above, 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. I also note that the respondent has provided the links for accessing Status Reports, FAQs, Press Releases and Public Notices pertaining to the matter of PACL Ltd., which are already available in the public domain. The appellant may be guided accordingly.
7. Further, I note that the appellant in his appeal has sought further information pertaining to his application. As held by the Hon'ble CIC in *Harish Prasad Divedi vs. Bharat Petroleum Corporation Limited* (decided on January 28, 2014), an information seeker cannot be allowed to expand the scope of his RTI enquiry at appeal stage. Accordingly, I find that the said submissions do not warrant consideration at this stage.
8. 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: September 09, 2026

RUCHI CHOJER

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