

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

Appeal No. 5851 of 2023

Devi Lal	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

Appeal No. 5852 of 2023

Vijay Singh	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

Appeal No. 5853 of 2023

Bhagwati	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellants had filed applications dated October 6, 2023 (received by SEBI on October 11, 2023) under the Right to Information Act, 2005 ("**RTI Act**"). The respondent, by letters dated October 16, 2023, responded to the said applications filed by the appellants. The appellants filed appeals dated November 02, 2023 (received by the Office of Appellate Authority on November 09, 2023). I have perused 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.
2. **Request in the applications-** The appellants, in their applications, *inter alia*, sought information regarding the status and decision taken w.r.t. their letters dated nil sent in December, 2018 to Justice (Retd.) R. M. Lodha Committee. Copies of the said letters were enclosed with the respective applications. The said letters, *inter alia*, pertain to their claims for refund of money in the matter of PACL.

3. **Replies of the Respondent** - The respondent in response to the applications informed that the information sought is not available with Securities and Exchange Board of India (hereinafter referred to as “SEBI”). However, the appellants were informed that Justice (Retd.) R. M. Lodha Committee was constituted by an order dated February 02, 2016 passed of the Hon’ble Supreme Court of India and that the same is not a Public Authority within the meaning under section 2(h) of the RTI Act. Hence, the said Committee would not fall within the purview of the said Act. The appellant was also advised to contact the Justice (Retd.) R. M. Lodha Committee. Further, the respondent provided the link for accessing the details of the Committee, for further communication. The respondent also provided the links for accessing the details with respect to PACL Refund, Public Notices, Press Releases, Status Report and FAQs etc. related to refund in the matter of PACL refund.
4. **Ground of appeal-** On perusal of the appeals, it appears that the appellants are not satisfied with the responses provided by the respondent. The appellants, in their appeals, *inter alia*, submitted that the information sought may be provided to them.
5. I have perused the applications and the responses provided thereto. The respondent, in his responses, has categorically mentioned that the requested information is not available with SEBI. 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, I note that the Hon’ble Central Information Commission (hereinafter referred to as “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.” In view of these observations, I do not find any deficiency in the response.
6. Notwithstanding the above, I note that the respondent has provided the links for accessing the contact details of the Committee, Status Reports, FAQs, Press Releases and Public Notices pertaining to the refund in the matter of PACL Ltd., which are already available in the public domain. The appellants may be guided accordingly.

7. In view of the above observations, I find that there is no need to interfere with the decision of the respondent. The appeals are accordingly dismissed.

Place: Mumbai

Date: December 4, 2023

B RAJENDRAN

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