

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

**Appeal No. 5669 of 2023**

Akhilesh Pandey : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

**ORDER**

1. The appellant had filed an application dated March 23, 2023 (received by SEBI on March 28, 2023) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated April 13, 2023, responded to the application filed by the appellant. The appellant filed an appeal dated May 03, 2023 (received by the Office of Appellate Authority on May 11, 2023). 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 March 23, 2023, *inter alia*, sought the following information:

*i. In the matter of PACL, out of 410 properties with title or right vested in PACL, have the properties at Sr. no. 338 to Sr. no. 397 situated in Mirzapur district been acquired for sale and disposal by the Justice Lodha Committee constituted by the Supreme Court?*

*ii. Is interest in the property- Khasra No. 55 located in Mauza- Gopalpur, pargana- Kantit, Tehsil- Madihan, District-Mirzapur owned by Ramnaresh alias Prabhat/ Brij Bhushan and Om Prakash/ Shivanand also shown as property of PACL that has been acquired by the Committee?*

*iii. Will Khasra No. 55 located in Mauza- Gopalpur, pargana- Kantit, Tehsil- Madihan, District-Mirzapur also be transferred to PACL Ltd. by Hon’ble Justice (Retd.) R S Lodha Committee constituted by the Hon’ble Supreme Court? Is there any stay order for sale and disposal of the property?*

*iv. Whether any permission is required from the Hon’ble Committee before purchase/ sale/ registration of Khasra No. 55 located in Mauza- Gopalpur, pargana- Kantit, Tehsil- Madihan, District-Mirzapur?*

3. The respondent, in response to the aforesaid queries, informed that the information sought by the appellant, is not available with SEBI. However, the appellant was advised to contact the Justice (Retd.) R. M. Lodha Committee. The respondent also provided the link for accessing the details of the Committee, for further communication. Further, the respondent also provided the links for accessing the details with respect to 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 appeal it appears that the appellant is not satisfied with the response provided by the respondent. The appellant, in his appeal, *inter alia*, submitted that the reply sent by the respondent is unfair and contrary to the facts.
5. I have perused the queries raised by the appellant and the response provided by the respondent. The respondent, in his response, 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 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 appellant 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 appeal is accordingly dismissed.

Place: Mumbai

Date: June 08, 2023

**B RAJENDRAN**

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