

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

Appeal No. 5038 of 2022

Pravin Chandra Tripathi	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated April 20, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated May 11, 2022, responded to the application filed by the appellant. The appellant filed an appeal dated May 12, 2022. I have carefully considered the application, the response 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 April 20, 2022, *inter alia*, stated that he, along with his family members, had applied for refund in the matter of PACL Ltd. Further, the appellant provided details with respect to names and registrations numbers of individuals who had applied for the refund. The appellant also stated that the eligible amount for refund shows Rs. 0 (zero) on the website. The appellant sought the reason for the same. The appellant also sought information regarding procedure to get appropriate refund.
3. The respondent, in response to the aforesaid queries, observed 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. The appellant was advised to refer to the public notice dated July 31, 2021 for status of refund. Further, the respondent had provided links for accessing the said public notice.
4. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided is incomplete, misleading or false. The appellant, in his appeal, submitted that no information was provided. Further, the appellant stated that the application should have been forwarded to other office by PIO. The appellant also queried whether Lodha Committee is beyond the coverage of RTI Act.

5. I have perused the queries raised by the appellant and the response provided by the respondent. I note that the responsibility of disposal of the properties and repayment to investors, is entrusted with the PACL 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. On consideration, I find no reason to disbelieve the observation of the respondent that the requested information is not available with SEBI. I note that the Hon'ble CIC in the matter of *Sb. 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 the same, I do not find any deficiency in the response.
6. Notwithstanding the above, I note that the respondent has guided the appellant to access the contact details of the Committee and the public notice dated July 31, 2021. Further, I note that the details of PACL – Status Report, FAQs, Press Releases and Public Notices etc. are available on SEBI website (www.sebi.gov.in) at : <https://www.sebi.gov.in/PACL.html> Further, there is a dedicated website with regard to PACL refund – <https://sebicommitteepaclrefund.com>. Additionally, the email address of the Committee is [-nodalofficerpac@sebi.gov.in](mailto:nodalofficerpac@sebi.gov.in)
7. Further, I note that the appellant queried whether Lodha Committee is beyond the coverage of RTI Act. I find that this query is in the nature of seeking clarification/opinion. Accordingly, the same does not warrant consideration at this stage.
8. In view of the above observations, I find that no further intervention of this forum is warranted. The appeal is accordingly dismissed.

Place: Mumbai
Date: June 07, 2022

A SUNIL KUMAR
APPELLATE AUTHORITY UNDER THE RTI ACT
SECURITIES AND EXCHANGE BOARD OF INDIA