

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

Appeal No. 7037 of 2026

Pankaj Mehra : Appellant

Vs

CPIO, SEBI, Mumbai : Respondent

ORDER

1. The appellant had filed an application dated August 05, 2026 (received by SEBI through RTI MIS portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated August 11, 2026 responded to the application filed by the appellant. The appellant filed an appeal dated August 11, 2026 (Reg. No. SEBIH/A/E/26/00306). 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 August 05, 2026, sought the following information:

“I seek the following information regarding the refund claims submitted under the SEBI PACL Refund Process in respect of my mother investment in PACL Limited. Background My mother submitted refund applications under the SEBI PACL Refund Process along with the required documents. Despite repeated follow up over a long period, no refund has been received.

Claim 1 PACL Certificate No U105181xxx status continues to indicate that land has been allotted against the PACL certificate. However, neither PACL nor any other authority has ever provided any allotment letter, land documents, possession details, ownership records or any communication regarding such allotment.

Claim 2 PACL Certificate No. U105187xxx remained pending for a long period and has now been updated with the following status. Your application PACL Certificate No. U10518xxx could not be processed further at this

stage as PACL certificate uploaded by you is incorrect or illegible. No deficiency notice or opportunity was provided to upload a clearer copy of the certificate before updating the status. I have also submitted repeated representations seeking clarification and resolution but have not received any response. I therefore request the following information available on record.

- 1. Provide the current status of Claim 1 and Claim 2.*
- 2. Provide the date wise movement and action taken history of both claims from the date of submission till the date of reply to this RTI.*
- 3. Provide the reasons recorded on file for not processing the refund in Claim 1.*
- 4. Provide the basis and supporting records on which Claim 1 has been shown as land allotted.*
- 5. Provide copies of all records available with SEBI relating to the alleged land allotment including allotment details land identification records communication received from PACL or any other supporting documents.*
- 6. If no such records are available with SEBI kindly confirm the same.*
- 7. Provide the reasons recorded on file for updating Claim 2 with the status that the uploaded PACL certificate was incorrect or illegible.*
- 8. Provide the date on which Claim 2 was examined and the name and designation of the authority that recorded the above decision.*
- 9. Provide copies of any note sheet file noting inspection report or internal communication relating to the processing of Claim 2.*
- 10. State whether any deficiency notice or communication was issued asking the applicant to submit a clearer copy of the certificate before updating the status. If yes provide a copy of such communication. If no state the reasons recorded on file.*
- 11. State whether there is any provision to allow the applicant to submit a fresh or legible copy of the PACL certificate. If yes provide the applicable rules guidelines or procedure.*
- 12. Provide the expected timeline for disposal of both claims as per the applicable rules guidelines or internal instructions. I request that the information be provided within the time prescribed under the Right to Information Act.”*

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** – The appellant has filed the appeal on the ground that he was provided incomplete, misleading or false information.
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. The appellant, in his appeal, has requested the instant forum to direct the respondent to transfer his application to the concerned public authority. 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 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 find that not further intervention of this forum is warranted.
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: September 04, 2026

RUCHI CHOJER

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