

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

Appeal No. 5429 of 2022

Kishwar Majid	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated September 14, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated September 29, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00605) dated September 29, 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, vide his application dated September 14, 2022, sought the following information:

“Credforce Asia Ltd U74140DL2012PLC231581 has not filed their Annual returns with ROC and Income Tax since 2018 march onwards. What action has been taken by SEBI If penalty has been levied on Credforce Asia Ltd for violation of compliance has the penalty been paid by the company ? if NOT PAID then WHAT stringent actions have been initiated against the Directors & The company Credforce Inc part of Credforce Asia Ltd with common Promoters & Directors has committed fraud in USA and fined USD 1.2 million has SEBI initiated any enquiry by ED or SFIO . Has Credforce Asia Ltd an UNLISTED COMPANY given permission for issuance of preference shares? and if so for how much amount? and for maximum how many people? Status of complaint no. SEBIP/ 95/1 and several other complaints by email Kindly share the SHARE HOLDING of Credforce Asia Ltd.”

3. The respondent, in response to the aforesaid application, informed that Credforce Asia Ltd. is not a listed company. Hence, the matter does not come under the purview of SEBI.

4. **Ground of appeal-** The appellant has filed the appeal on the ground that the information provided was incomplete, misleading or false. The appellant, in his appeal, *inter alia*, submitted that the company has issued preference shares and that a fraud has been committed by the company. The appellant also stated that investigation has already been initiated by SEBI.
5. I have perused the queries regarding Credforce Asia Ltd. and the response provided thereto. On consideration, I do not find any reason to disbelieve the response of the respondent that Credforce Asia Ltd. is not a listed company and the matter does not come under the purview of SEBI. In my opinion, the respondent has adequately addressed the queries by providing the information available with him. Accordingly, no further intervention is warranted at this stage.
6. Further, I note that the appellant had sought the status of the complaint no. SEBIP/.....95/1 filed with SEBI. On consideration, I find that the said query has not been addressed by the respondent. Accordingly, it would be appropriate to remit the query for reconsideration.
7. In view of above observations, I remit the application to the respondent for reconsidering the query regarding status of complaint no. SEBIP/.....95/1 filed with SEBI and to provide a revised response within 15 working days from the date of receipt of this order.
8. The Appeal is accordingly disposed of.

Place: Mumbai

Date: October 19, 2022

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