

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

Appeal No. 5384 of 2022

Appeal No. 5385 of 2022

Richard Koszarek	:	Appellant
	Vs	
CPIO, SEBI, Mumbai	:	Respondent

ORDER

1. The appellant had filed an application dated July 07, 2022 (received by the respondent through RTI MIS Portal) under the Right to Information Act, 2005 (“**RTI Act**”). The respondent, by a letter dated July 25, 2022, responded to the application filed by the appellant. The appellant filed an appeal (Reg. No. SEBIH/A/E/22/00559) dated August 29, 2022. The appellant also filed an appeal (Reg. No. and SEBIH/A/E/22/00560) dated August 29, 2022 against letter dated July 25, 2022 issued by the respondent to one Mr. Dhruv Vig, who had filed an identical application dated July 08, 2022 under the RTI Act. I have carefully considered the applications, the responses and the appeals and find that the matters can be decided based on the material available on record.
2. **Queries in the application** –The appellant, in his application dated July 07, 2022, referred to a complaint dated June 16, 2022 filed by an investor to SEBI. The appellant also mentioned details of the complaint regarding CIG Reality Fund-IV. Further, the appellant provided information regarding various schemes launched under the name CIG.
3. The respondent, in response to the query, informed that no information has been sought in the RTI Application.
4. **Ground of appeal-** The appellant has filed the appeal dated August 29, 2022 ((Reg. No. SEBIH/A/E/22/00559) on the ground that access to the requested information was refused. The appellant, in his appeal, *inter alia*, alleged violation of regulation 23(1)(a) read with regulation 16 of the SEBI (Venture Capital Funds) Regulations, 1996 and also sought refund of investment.

5. I have perused the query and the response provided thereto. I note that the appellant has provided details of the complaint filed against CIG Reality Fund-IV. On consideration, I find that the appellant has not specifically sought any information under the RTI Act. Accordingly, I find that there is no need to interfere with the decision of the respondent.
6. Further, the appellant, in his appeal, *inter alia*, made certain allegations against CIG Reality Fund and sought refund of investment. I note that the Hon'ble CIC, in the matter of *Sh. Triveni Prasad Babuguna vs. LIC of India, Lucknow* (Decision dated September 6, 2012), held: "The Appellant is informed that ... redressal of grievance does not fall within the ambit of the RTI Act rather it is up to the Appellant to approach the correct grievance redressal forum...". In view of these observations, I find that if the appellant has any grievance, the remedy for the same would not lie under the provisions of the RTI Act.
7. Further, I note that the appellant has filed another appeal dated August 29, 2022 ((Reg. No. SEBIH/A/E/22/00560) against letter dated July 25, 2022 issued by the respondent with respect to application filed by one Mr. Dhruv Vig. I find that the said appeal has been filed by third party and not the person seeking the information under the RTI Act. In view of the same, the appeal is liable to be dismissed.
8. In view of the above observations, both the appeals are dismissed.

Place: Mumbai
Date: September 26, 2022

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