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National Stock Exchange of India

Circular

Department: Investigation	
Download Ref No: NSE/INVG/61811	Date: April 29, 2024
Circular Ref. No: 315/2024	

To All NSE Members,

Sub: SEBI Order in respect of GTR Solution Financial Services (Proprietor: Mr. Nishant Chaturvedi) in the matter of Unregistered Investment Advisory Services

This is with reference to SEBI Order no. QJA/AA/MIRSD/MIRSD-SEC-2/30298/2024-25 dated April 29, 2024, wherein SEBI has debarred following entity from accessing the securities market, directly or indirectly and is prohibited from buying, selling or otherwise dealing in the securities market, directly or indirectly in any manner whatsoever, for a period of one (1) year from the date of this order or till the expiry of one (1) year from the date of completion of refunds to complainants/ investors along with depositing of balance amounts, if any, with SEBI, as directed in para 40.1 and 40.7 of above SEBI order, whichever is later.

Sr. No.	Name of the Noticee	PAN
1	Mr. Nishant Chaturvedi (Proprietor – GTR Solution Financial Services)	BEBPC0538M

Further, SEBI has directed that, any open position in any exchange traded derivative contracts, as on the date of the said order, they can close out /square off such open positions within 3 months from the date of order or at the expiry of such contracts, whichever is earlier.

The order comes into force with immediate effect.

The detailed order is available on SEBI website (http://www.sebi.gov.in).

Further, the consolidated list of such entities is available on the Exchange website http://www.nseindia.com home page at the below mentioned link:

National Stock Exchange of India

https://www.nseindia.com/regulations/member-sebi-debarred-entities

Members are advised to take note of the above and ensure compliance.

In case of any further queries, members are requested to email us at dl-invsg-all@nse.co.in

For and on behalf of
National Stock Exchange of India Limited

Sandesh Sawant
Senior Manager

ANNEXURE: SEBI Order in respect of GTR Solution Financial Services (Proprietor: Mr. Nishant Chaturvedi) in the matter of Unregistered Investment Advisory Services

QJA/AA/MIRSD/MIRSD-SEC-2/30298/2024-25

SECURITIES AND EXCHANGE BOARD OF INDIA

ORDER

UNDER SECTIONS 11(1), 11(4), 11(4A) AND 11B OF THE SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992 READ WITH REGULATION 3(1) OF SEBI (INVESTMENT ADVISERS) REGULATIONS, 2013

In respect of -

Sr. No.	Name of the Entity	PAN
1.	**Mr. Nishant Chaturvedi** **(Proprietor – GTR Solution Financial Services)**	**BEBPC0538M**

In the matter of Unregistered Investment Advisory Services

BRIEF BACKGROUND

1. Securities and Exchange Board of India (**"SEBI"**) conducted an examination, pursuant to receipt of a complaint dated July 16, 2019, with respect to the activities of GTR Solution Financial Services, which is a sole proprietorship of Mr. Nishant Chaturvedi (hereinafter referred to as the **"Noticee"**). The complainant had, *inter alia*, attached an invoice of Rs. 10,000 issued by the Noticee having *"service"* written in the particulars column and under the head *"Terms and Conditions"* it was stated that *"kindly trade in all the calls with proper stop loss and use equal quantity in all the calls"*. In view of the same, an examination was conducted by SEBI to determine whether there has been any violation of the provisions of the Securities and Exchange Board of India Act, 1992 (**"SEBI Act, 1992"**), the Securities and Exchange Board of India (Investment Advisers) Regulations, 2013 (**"IA Regulations"**) and any other Rules or Regulations made thereunder, by the Noticee.

2. Upon examining the complaint, KYC documents, bank account statements, website pages, etc. SEBI, *prima facie*, found that the Noticee is engaged in investment advisory services without obtaining a certificate of registration from SEBI. Further, it was observed that the Noticee, on its website viz. www.gtrsolution.com, has been holding himself / itself as a SEBI registered intermediary thereby, disseminating false and misleading information through its website.

SHOW CAUSE NOTICE, REPLY AND HEARING

3. A Show Cause Notice dated June 29, 2021 (**"SCN"**) was issued to the Noticee calling upon it / him to show cause as to why suitable directions under Sections 11(1), 11(4) and 11B of the SEBI Act, 1992 should not be issued against the Noticee for the alleged violation of the provisions of Section 12(1) of the SEBI Act, 1992 read with Regulation 3(1) of the IA Regulations. The said SCN was issued on the last known address of the Noticee viz. *"103, 1st Floor, Harshdeep Avenue, 157 Chikisak Nagar, Vijay Nagar, Indore, Madhya Pradesh - 452010"*. However, the same was returned undelivered with the remark *"No such person at the address"*. Thereafter, upon ascertaining the email id of the Noticee / Mr. Nishant Chaturvedi i.e. iiflnishant@gmail.com, vide email dated October 18, 2022, SEBI forwarded the SCN to him on the said email address. The following documents were enclosed as annexures to the SCN dated June 29, 2021:

Annexures to SCN	
Annex. No.	**Particulars**
A.	Copy of Complaint against the Noticee dated July 16, 2019
B.	Copies of webpages of the website www.gtrsolution.com
C.	Copy of the Noticee's Bank Statements showing credits towards alleged Unregistered Investment Advisory Services

4. The Noticee / Mr. Nishant Chaturvedi, vide email dated October 18, 2022, acknowledged receipt of the SCN and thereafter, vide email dated November 01, 2022, submitted as under:

"Dear Team I was working as an Employee I dint about all things. Even I also discussed with some people they are asking me documents and other thing which I don't have. Regarding my account there is my personal transaction, not any Advisory related transaction was there.

I also see 1-2 client are complaining that they pay fund and Invoices I don't have contacted personally with Client other people used me for transaction and other things
Because my Bank details was mentioned I am ready to short out that issue please update me if any client having complaint against me I will short out the issue."

5. Thereafter, the said case was allocated to the undersigned in November, 2022. During examination, as it was observed that the Noticee was holding himself / itself as a SEBI registered intermediary by disseminating a SEBI registration number on its website viz. www.gtrsolution.com, it was felt appropriate to issue a supplementary SCN (**"SSCN"**) alleging violation of the provisions of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices in Securities Market) Regulations, 2003 (hereinafter referred to as the **"PFUTP Regulations, 2003"**) and invoking penal provisions for imposition of monetary penalty for the alleged activities undertaken by the Noticee during the period under examination. Accordingly, an SSCN dated May 16, 2023 was issued to the Noticee calling upon it to show cause as to why suitable directions under Sections 11(1), 11(4), 11(4A), 11B(1) and 11B(2) of the SEBI Act, 1992, including a direction to refund of the fees/ monies collected from investors and imposing monetary penalty under Sections 15EB and 15HA of the SEBI Act, 1992, should not be issued against the Noticee, for the alleged violation of the provisions of Section 12(1) of the SEBI Act, 1992 read with Regulation 3(1) of the IA Regulations, 2013 and Regulation 3(a), (b), (c) and (d) of the PFUTP Regulations, 2003 read with Section 12A(c) of the SEBI Act, 1992. The copy of the SCN dated June 29, 2021 was also annexed with the said SSCN for reference.

6. The details of the allegations levelled against the Noticee in the SCN and SSCN are as under:

6.1 Mr. Nishant Chaturvedi, is the proprietor of the Noticee firm. The website of the Noticee i.e. www.gtrsolution.com was browsed for information but was found to be not operative. However, from the archive pages of the website downloaded from www.archive.com, it was observed that the website claimed that the Noticee firm is registered with SEBI having registration no. INH000001402 displayed on its website and also providing advisory services in Equity, Equity Derivatives, Commodity and HNI segments.

6.2 On the website www.gtrsolution.com it was observed that the Noticee firm had made the following disclosures:

(i) *GTR Solution is an Investment Advisory Company which basically provides recommendations for Stocks – Cash and F&O traded in NSE & BSE, commodities including Bullions, Metals and Agro-commodities traded in*

MCX & NCDEX.

(ii) *The team at GTR Solution consists of Experienced and Highly Qualified Analyst. This analyst, using their experience and latest software tools, have seen number of Ups and Downs in the market and knows Indian Stocks as a back of its palm.*

(iii) *We have tested GTR Solution rigorously before bringing it to the market, and are absolutely confident of the capability of our Stock and Commodity Tips to make money for you. That's also that reason that we provide a tip only when we are absolutely sure that its likely to work.*

(iv) *Therefore, 3-5 tips in a day, if the market movement in a given day is not interesting, then we will not force any tips on you and hence prevent you from taking losses. As a result, using our tips, our clients gain the most out of the share market. We offer diversified range of services as per the investments of an investor, trader or broker.*

(v) Services being offered by GTR Solution as gathered from its website are as follows:

Stock Cash, Stock Future, Stock Option, All Equity, Index Services, Delivery Based Services, All Equity Combo Pack, Bullion Services, Energy Services, Base Metal Services, All MCX Combo Services, NCDEX Services, Premium Cash, Premium Future, Premium Option, Premium Bullions, Premium Energy, Premium All MCX Combos, HNI Equity Cash, HNI Futures, HNI Options, etc.

(vi) Various packages (*Monthly/Quarterly/Half-Yearly/Yearly/2Yearly*) were being offered for subscription at specified rates and for specific products. The fees ranged from Rs. 7,000/- per month to Rs. 7.76 lakh per two years.

(vii) Payment details mentioned on the website are as under:

Account Name	**M/s GTR Solution**	**M/s GTR Solution**	**M/s GTR Solution**	**M/s GTR Solution**	**M/s GTR Solution**
Bank Name	AU Small Finance Bank	HDFC Bank Ltd	ICICI Bank Ltd	Google Pay & Phone Pay Number	Bhim UPI Id
Account No.	xxxxxxxxxxxx7990	xxxxxxxxxx4252	xxxxxxxx4652	xxxxxx3330	Nichaturvedi1@icici

NEFT/ IFSC Code	AUBI0002313	HDFC0003693	ICIC0002371	-	-

6.3 The following information regarding the Noticee firm / Mr. Nishant Chaturvedi was received from the abovementioned banks, respectively:

Account Holder	Mr. Nishant Chaturvedi		
PAN ID	BEBPC0538M		
Account Name	Nishant Chaturvedi / M/s GTR Solution Financial Services		
Bank Name	AU Small Finance Bank	HDFC Bank	ICICI Bank
Account No.	xxxxxxxxxxxx7990	xxxxxxxxxx4252	xxxxxxxx4652
NEFT/IFSC Code	AUBI0002313	HDFC0003693	ICIC0002371

6.4 It was observed that the services offered by the Noticee to the complainant were subscription based advisory services in Equity, Equity Derivatives, Commodities segments, etc. The amount charged for such services was Rs. 10,000/-.

6.5 The payment entry with respect to the payments made by the complainant as per the invoice was verified and the same was observed to have been credited on December 24, 2019 in the bank account held by the Noticee with ICICI Bank.

6.6 It was further observed that there were continuous credits in the abovementioned accounts held with ICICI Bank and HDFC Bank during the period December 06, 2019 to July 02, 2020. The amounts received in the said bank accounts of the Noticee are as under:

S. No	Account No.	Account Holder's Name	Amount (Rs.)	Period
1.	xxxxxxxxxx4252 (HDFC Bank)	Nishant Chaturvedi	5,58,776/-	December 10, 2019 to January 31, 2020
2.	xxxxxxxx4652 (ICICI Bank)		12,79,776/-	December 06, 2019 to July 02, 2020

6.7 Thus, it was observed that the Noticee had received credits amounting to Rs. 18.38 lakhs during the abovementioned period.

6.8 Further, it was observed that the Noticee / Mr. Nishant Chaturvedi had fraudulently represented that the Noticee firm is registered with SEBI and displayed SEBI Registration No. INH000001402 on its website. Thus, it has been alleged in the SSCN that the Proprietor of the Noticee firm was knowingly concealing the fact that the firm is not registered with SEBI as an Investment Adviser, and had also misrepresented about its expertise in investment advisory, thereby, luring and inducing investors to deal in the markets by availing its services with the objective of enhancing income.

7. From the information available on record and as detailed herein above, it was, *prima facie*, alleged in the SCN and the SSCN that the Noticee is carrying out activities which are in the nature of investment advisory services without obtaining any certificate of registration for which fees have been charged as consideration and also, disseminated false and misleading information through its website viz. www.gtrsolution.com that it is a SEBI registered Investment Advisor. Thus, it was alleged that the Noticee firm along with its Proprietor – Mr. Nishant Chaturvedi have violated the provisions of the SEBI Act, 1992, the IA Regulations, 2013 and the PFUTP Regulations, 2003.

8. Vide email dated June 10, 2023, the Noticee / Mr. Nishant Chaturvedi, stated that he has discussed the matter with his Chartered Accountant (CA) and will be filing a reply by next week (*from the date of the email*). Thereafter, vide email dated June 22, 2023, the Noticee / Mr. Nishant Chaturvedi stated that his CA is in the process of drafting an appropriate reply to the SSCN and because of some pending documents, the same is getting delayed. It was stated that he has received the SSCN on May 16, 2023 and will file the reply in due course. Vide the said email, the Noticee / Mr. Nishant Chaturvedi also communicated his present correspondence and communication address which is *"14, Mansrovar Colony, Near Bombay Hospital, Mahalaxmi Nagar, Indore – 452010"*. Thereafter, the Noticee / Mr. Nishant Chaturvedi, vide his email id iiflnishant@gmail.com, filed a detailed reply dated July 01, 2023 to the SSCN which is summarized as under:

8.1 The Noticee stated that he had started the operations by incorporating the firm GTR Solution Financial Services in December 2019.

8.2 The Noticee had operated roughly for just 2 months, post which he had voluntarily closed the operations and started sub-broking activities.

8.3 The Noticee stated that he had created a website namely gtrsolution.com which was in development stage only as the Noticee had closed down its operations within 2 months itself. Further, the contents of the said website were framed by the website developer by referring to various websites in this regard.

8.4 It has been stated that the fees from investors has been received in just two bank accounts i.e. HDFC Bank and ICICI Bank. The bank account with HDFC Bank was current account and that with ICICI Bank was Nishant Chaturvedi's personal savings account.

8.5 The actual receipt from the investors were just around Rs. 1.40 lakhs in those two months of operations. The Noticee submits that he was not involved in any malpractices such as promising assured returns or handling clients' demat accounts, etc.

8.6 The Noticee admitted that for those two months when the operations of the firm were active, it had not acted with SEBI registration and he was not aware of any such registration. Thus, the Noticee states that as the tenure of such operations is miniscule, the Noticee be pardoned from the said act which was done in naivety and was only a mistake.

8.7 The Noticee states that no investors have been harmed because of the operations carried out by the Noticee nor has there been any repetitive nature of default.

8.8 The Noticee has submitted that in HDFC Bank account, he himself has made many transactions and the details of same have been mentioned in a tabular format totaling to a total credit of Rs. 4,96,756/-. Thus, the actual receipt in the HDFC Bank account was only around Rs. 60,000/-.

8.9 With respect to the credits in the ICICI bank, the Noticee states that majority of the transactions in the said account were his personal transactions. The amount of fees received from the clients in the said account is only Rs. 81,999/-. Thus, it is the case of the Noticee that the alleged amount as mentioned in the SCN and SSCN to have been collected by the Noticee is incorrect and only revenue of Rs. 1.40 lakh has been made by the Noticee by way of undertaking investment advisory services. The Noticee states that no business will fetch an amount of Rs. 18.38 lakhs in its initial couple of months.

8.10 With regards to the allegation of displaying SEBI registration number on the website, the Noticee states that his website was in a developmental stage and its contents were simply copied and pasted from another website by the website developer including the SEBI registration number. Alongwith the registration number, all other details such as services, pricing, performance, etc. were copied.

8.11 Thus, mentioning of the registration number on the website was done by the website developer while copying the contents from some other website which was unintentional and not fraudulent.

8.12 Further, the Noticee stated in the said reply that he will be availing of the benefit of settlement process under the SEBI (Settlement Regulations), 2018 and will intimate SEBI in due course on the same.

9. Thereafter, considering that enough time had lapsed since the issuance of SCN / SSCN and sufficient time to file reply was also granted to the Noticee before filing of the reply to the SCN/ SSCN, in compliance with the principles of natural justice, an opportunity of personal hearing was granted to the Noticee firm (*Prop: Nishant Chaturvedi*) on July 20, 2023 and the same was communicated to the Noticee by SEBI vide email dated July 05, 2023 attaching a hearing notice dated July 05, 2023. However, vide email dated July 13, 2023, the Noticee/ Mr. Nishant Chaturvedi informed that a settlement application for settling the SCN and SSCN issued to the Noticee has been filed by him vide UID: 100313 and that he is in the process of sending a hard copy of the same to the Settlement Division, SEBI shortly. Further, vide email dated July 14, 2023, the Noticee stated that he has dispatched the hard copy of the settlement application to SEBI. Thereafter, on the scheduled date of hearing i.e. July 20, 2023, Mr. Nishant Chaturvedi, Proprietor of the Noticee firm appeared through video conferencing and reiterated that he has submitted a settlement application with SEBI. Further, it was submitted that he was operating as an Investment advisor only for 2 months through which he has collected only Rs. 1.40 lakhs and not Rs. 18.38 lakhs. With respect to the display of SEBI registration number on the website of the Noticee firm, it was submitted that the same was a typographical error by the website developer as it was in developmental stage.

10. Despite conclusion of personal hearing in the matter, in terms of Regulation 8(1) of the SEBI (Settlement Regulations), 2018, the passing of the final order in the instant proceedings was kept in abeyance considering the settlement application filed by the Noticee was pending with SEBI. Thereafter, vide email dated March 28, 2024, it was informed by the Settlement Division, SEBI that the last Internal Committee meeting for considering the settlement application filed by the Noticee was held on March 13, 2024 and that vide email dated March 22, 2024, the Noticee (*Prop: Nishant Chaturvedi*) has withdrawn the settlement application.

11. In view of the same and considering that six months had lapsed since the Noticee was last heard, it was felt appropriate to grant another opportunity of personal hearing to the Noticee and accordingly, the same was granted and scheduled on April 16, 2024, vide hearing notice dated April 01, 2024. On the scheduled date, the Authorized Representative (AR), Adv. Manish Gupta, appeared on behalf of the Noticee and made oral submissions. The AR reiterated the submissions made by the Noticee / Mr. Nishant Chaturvedi vide reply dated July 01, 2023. The AR stated that the submissions of the Noticee with respect to the monies collected may be taken into consideration and harped on the submission that the website of the Noticee was in developmental stage. In support of the said submission, the Noticee has forwarded an affidavit of the website developer vide email dated April 13, 2024. Further, as the AR was desirous of making additional submissions in the case, time till April 20, 2024 was granted to the Noticee to make further submissions. However, no additional reply / submissions has been received from the Noticee till date.

CONSIDERATION OF ISSUES AND FINDINGS

12. I have carefully considered the allegations made in the SCN and the SSCN along with the findings of examination by SEBI stated therein, submissions made by the Noticee in his reply and the documents available on record.

13. I note that the issue that arises for consideration in the present proceeding is whether the Noticee firm / Mr. Nishant Chaturvedi has acted as an unregistered investment adviser in violation of the provisions of the SEBI Act, 1992 and the IA Regulations, 2013 and whether, by disseminating that it is a SEBI registered Investment Advisor on its website, the Noticee has violated the provisions of PFUTP Regulations, 2003.

14. In this regard, I note that the definition of *'Investment Adviser'* as given under Regulation 2(1)(m) of the IA Regulations, 2013 is as follows:

> *"investment adviser means any person, who for consideration, is engaged in the business of providing investment advice to clients or other persons or group of persons and includes any person who holds out himself as an investment adviser, by whatever name called;"*

15. Further, Regulation 2(1)(l) of the IA Regulations, 2013, which defines *'investment advice'*, reads as follows:

> *"investment advice means advice relating to investing in, purchasing, selling or otherwise dealing in securities or investment products, and advice on investment portfolio containing securities or investment products, whether written, oral or through any other means of communication for the benefit of the client and shall include financial planning:*
> *Provided that investment advice given through newspaper, magazines, any electronic or broadcasting or telecommunications medium, which is widely available to the public shall not be considered as investment advice for the purpose of these regulations;"*

16. For ease of reference, the provisions of the SEBI Act, 1992, IA Regulations, 2013 and PFUTP Regulations, 2003 alleged to have been violated by the Noticee are reproduced as under:

SEBI Act, 1992
"Registration of stock brokers, sub-brokers, share transfer agents, etc.
12 (1) *No stock broker, sub-broker, share transfer agent, banker to an issue, trustee of trust deed, registrar to an issue, merchant banker, underwriter, portfolio manager, investment adviser and such other intermediary who may be associated with securities market shall buy, sell or deal in securities except under, and in accordance with, the conditions of a certificate of registration obtained from the Board in accordance with the regulations made under this Act:"*

SEBI (INVESTMENT ADVISER) REGULATIONS, 2013
"Application for grant of certificate.
3. (1) *On and from the commencement of these regulations, no person shall act as an investment adviser or hold itself out as an investment adviser unless he has obtained a certificate of registration from the Board under these regulations:*

SEBI (PFUTP) REGULATIONS, 2003

2(c) *"fraud" includes any act, expression, omission or concealment committed whether in a deceitful manner or not by a person or by any other person with his connivance or by his agent while dealing in securities in order to induce another person or his agent to deal in securities, whether or not there is any wrongful gain or avoidance of any loss, and shall also include—*

(1) a knowing misrepresentation of the truth or concealment of material fact in order that another person may act to his detriment;

(2) a suggestion as to a fact which is not true by one who does not believe it to be true;

(3) an active concealment of a fact by a person having knowledge or belief of the fact

(4) a promise made without any intention of performing it

(5) a representation made in a reckless and careless manner whether it be true or false;

(6) any such act or omission as any other law specifically declares to be fraudulent

(7) deceptive behaviour by a person depriving another of informed consent or full participation,

(8) a false statement made without reasonable ground for believing it to be true.

(9) the act of an issuer of securities giving out misinformation that affects the market price of the security, resulting in investors being effectively misled even though they did not rely on the statement itself or anything derived from it other than the market price.

*And "fraudulent" shall be construed accordingly**;***

3. Prohibition of certain dealings in securities

No person shall directly or indirectly—

(a) buy, sell or otherwise deal in securities in a fraudulent manner;

(b) use or employ, in connection with issue, purchase or sale of any security listed or proposed to be listed in a recognized stock exchange, any manipulative or deceptive device or contrivance in contravention of the provisions of the Act or the rules or the regulations made there under;

(c) employ any device, scheme or artifice to defraud in connection with dealing in or issue of securities which are listed or proposed to be listed on a recognized stock exchange;

(d) engage in any act, practice, course of business which operates or would operate as fraud or deceit upon any person in connection with any dealing in or issue of securities which are listed or proposed to be listed on a recognized stock exchange in contravention of the provisions of the Act or the rules and the regulations made there under.

17. I note from the SCN / SSCN and the other material available on record that the

Noticee firm was having a website viz. www.gtrsolution.com which clearly mentioned that it is an Investment Advisory Company which basically provides recommendations for Stocks – Cash and F&O traded in NSE & BSE, commodities including Bullions, Metals and Agro-commodities traded in MCX & NCDEX. Further, the said website also mentions the services namely "*Stock Cash, Stock Future, Stock Option, All Equity, Index Services, Delivery Based Services, All Equity Combo Pack, Bullion Services, Energy Services, Base Metal Services, All MCX Combo Services, NCDEX Services, Premium Cash, Premium Future, Premium Option, Premium Bullions, Premium Energy, Premium All MCX Combos, HNI Equity Cash, HNI Futures, HNI Options, etc.*" which were being offered by the Noticee firm. In addition, the details of the packages and the duration of packages have also been mentioned on the said website which demonstrate that the said advisory services were being offered by the Noticee firm for fees / consideration. Upon examination by SEBI, it was also observed that the Noticee / Mr. Nishant Chaturvedi has received a total credit of Rs. 18,38,552/- towards fees from the said activities in his HDFC Bank and ICICI Bank accounts.

18. I note from the reply dated July 01, 2023 submitted by the Noticee / Mr. Nishant Chaturvedi that he has explicitly admitted that he was providing investment advisory services through his proprietorship concern '*GTR Solution Financial Services*' and that the operations of the said firm had started in December 2019. It has also been admitted by the Noticee / Mr. Nishant Chaturvedi that the fees from the said activities were collected by him in his HDFC Bank and ICICI Bank accounts which have even been displayed on the webpage stating details of '*payment*' on the Noticee's website. Further, it is even admitted by the Noticee / Mr. Nishant Chaturvedi that he was not aware of any SEBI registration and that the said investment advisory services were being offered without obtaining any certificate of registration from SEBI. However, I note that the Noticee has stated that the said advisory activities were undertaken by the Noticee only for a period of 2 months and the operations of the Noticee firm were closed thereafter.

19. I find that in the light of the admission of the Noticee as mentioned above, it is established beyond doubt that the Noticee firm, which is a proprietorship concern of

Mr. Nishant Chaturvedi, has been providing investment advices through its website for fees and was engaged in giving advice relating to investing in, purchasing, selling or otherwise dealing in securities or investment products during the relevant period. Therefore, I find that in terms of Regulation 2(1) (l) of IA Regulations, the Noticee was providing *"investment advice"* through its website and was acting as an '*investment advisor*' within the ambit of the definition in terms of Regulation 2(1)(m) of the IA Regulations, 2013 without having a SEBI registration.

20. I note that for seeking a certificate of registration for acting as an investment adviser, an entity is required to satisfy, *inter alia*, the following requirements, as provided under IA Regulations:

(i) An application for seeking certificate of registration to be made to Local Office, Regional Office or Head Office, of SEBI, as the case may be, in Form A as specified in the First Schedule to IA Regulations, 2013 along with requisite non-refundable application fee;

(ii) The applicant, in case of an individual investment adviser or its principal officer in case of a non-individual investment adviser shall be appropriately qualified and certified as under:

a. A professional qualification or post-graduate degree or post graduate diploma (minimum two years in duration) in finance, accountancy, business management, commerce, economics, capital market, banking, insurance or actuarial science from a university or an institution recognized by the Central Government or any State Government or a recognized foreign university or institution or association or a professional qualification by completing a Post Graduate Program in the Securities Market (Investment Advisory) from NISM of a duration not less than one year or a professional qualification by obtaining a CFA Charter from the CFA Institute;

b. An experience of at least five years in activities relating to advice in financial products or securities or fund or asset or portfolio management;

c. Applicant in case of individual investment adviser or its principal officer in case of a non-individual investment adviser, and persons associated with investment advice shall have, at all times a certification on financial planning or fund or asset or portfolio management or investment advisory services, from (a) NISM; or (b) any other organization or institution including Financial Planning Standards Board of India or any recognized stock exchange in India provided such certification is accredited by NISM.

(iii) Individual applicant must have net worth of not less than 5 lakh rupees and non-individual applicant must have net worth of not less than 50 lakh rupees.

21. I note that safeguards provided under IA Regulations, 2013 requires continued minimum professional qualification and net-worth requirement for investment adviser, including disclosure of all conflict of interest, prohibition on entering into transactions which are contrary to advice given for 15 days, risk profiling of investors, maintaining documented process for selecting investment for client based on client's objective and risk profile, understanding the nature and risks of products or assets selected for clients, etc. These requirements are aimed at protection of investor's interest.

22. As per Regulation 3(1) of IA Regulations, 2013, the registration of the investment advisers is mandatory. It provides that, "*On and from the commencement of these regulations, no person shall act as an investment adviser or hold itself out as an investment adviser unless he has obtained a certificate of registration from the Board under these regulations*". In view of the same, I conclude that the Noticee / Mr. Nishant Chaturvedi has violated the provisions of Section 12(1) of the SEBI Act, 1992 read with Regulation 3(1) of the IA Regulations.

23. With respect to the submission of the Noticee that the operations of the said business were discontinued after 2 months and that the website was not active and was only in developmental stage, as mentioned earlier, I find from the examination report and the documents available on record that the website of the Noticee was active till August 2020 i.e. almost for 8-9 months from the period when the Noticee firm began its operations i.e. from the month of December 2019 till August 2020. Further, from the bank account statements available on record, it is noted that the Noticee was getting credits in Bank accounts for a period from December 10, 2019 to January 31, 2020 in HDFC Bank account and for a period from December 06, 2019 to July 02, 2020 in ICICI Bank account. As admitted by the Noticee, the fees were being collected by the Noticee for the investment advisory services provided by him in both, HDFC Bank Account and ICICI Bank account held in the name of the Noticee / Mr.

Nishant Chaturvedi. Considering that credits were being received in the ICICI Bank account of the Noticee till July 02, 2020 and the fact that no documentary evidence has been provided by the Noticee in support of his claim of being operational only for a period of 2 months, the submissions of the Noticee lack merit and therefore, cannot be accepted. Further, upon perusal of the credit entries in the bank account statement of the account held by the Noticee in ICICI Bank, I note that in the months of December 2019 and January 2020, entries with narrations such as '*Advisory*', '*Equity Option*', '*Fund*', etc. are noticed. Thereafter, cash deposits and various UPI payments are observed to have been credited in the said account for which no explanation and / or evidence has been provided by the Noticee. I find that the said deposits in the bank account of the Noticee, without any proof to show his being engaged in any other activity, cannot be ignored in the light of the fact that the Noticee has admitted that he was acting as an investment advisor without obtaining a certificate of registration from SEBI during the relevant period and that the website of the Noticee was active for a period longer than the period of operations claimed by the Noticee, in violation of the provisions of securities laws.

24. With respect to the allegation of false and misleading dissemination by the Noticee that it is a SEBI registered intermediary by displaying on its website viz. www.gtrsolution.com a SEBI registration number, the Noticee has submitted that the same was a mistake on the part of the website developer as the developer had copied and pasted the contents from other websites with similar activities of providing investment advice along with all other details including the SEBI registration number appearing on some other website. The Noticee has further submitted that the website of the Noticee firm was in developmental stage and therefore, display of the registration number on the website was unintentional and a mistake. Further, as the operations of the Noticee firm were discontinued within a period of 2 months (*as claimed by the Noticee*), it is the case of the Noticee that the said inadvertent error may be considered with leniency. In support of the said submission, the Noticee has provided an affidavit dated April 12, 2024 from the website developer namely, Mr. Vijay Pawar, mentioning the following:

(i) That he is the web-developer of Nishant Chaturvedi's website gtrsolutions.com and the said website is developed by him.

(ii) *That for the purpose of the website development, the client was requested to give 8-10 websites which the client likes so that the website can be created in similar manner, with alike features and interface.*

(iii) *That the website of Mr. Nishant Chaturvedi was in developmental stage only. There was hardly any traffic and by human error while copying other material for language usage, the developer copied a SEBI registration number for which he did not have any approval or instruction from the Noticee / Mr. Nishant Chaturvedi.*

(iv) *That the website was only in developmental stage and was not fully functional and was dropped in developmental stage only. Mr. Chaturvdi did not approve the contents and thus, the website was not re-hosted or maintained after 2 months of its trial launch.*

25. In order to address the submissions of the Noticee with respect to the contents of the website, the webpages as archived during the examination conducted by SEBI were examined. From the webpages available on record, I find that the website of the Noticee firm / Mr. Nishant Chaturvedi viz. www.gtrsolution.com was active till August 18, 2020. Further, I note from said webpages that the website had a page dedicated for '*payments*' which gave the details of the bank accounts and the mode of payment along with the mobile number for making payments towards fees / subscription monies for the investment advisory services offered by the Noticee / Mr. Nishant Chaturvedi. The screenshot of the said page is as under:

support@gtrsolution.com
Sebi Reg No. : Inh000001402

Payment

Bank Details

Paytm (https://p-y.tm/fwr-x68)

Au small Finance Bank

Name GTR Solution

A/C Number [redacted]7990

Bank Name Au small Finance Bank

Type of A/C current

RTGS/NEFT IFSC Code Aubl0002313

HDFC

Name GTR Solution

A/C Number [redacted]4252

Bank Name HDFC

Type of A/C current

RTGS/NEFT IFSC Code Hdfc0003693

ICICI Bank

Name GTR Solution

A/C Number [redacted]4652

Bank Name ICICI Bank

Type of A/C current

RTGS/NEFT IFSC Code Icic0002371

Google Pay & Phone Pay Number :

[redacted]3330

Bhim Upi Id :
nichaturvedi1@icici

26. I find from the bank details reflecting on the website viz. www.gtrsolution.com that the same were matching exactly with the details of the bank accounts provided by the banks held in the name of Mr. Nishant Chaturvedi / GTR Solution as mentioned at para nos. 6.3 and 6.6 above. Further, the mobile number mentioned for purpose of various modes of payment i.e. Google pay/ Phone Pay is the same as mentioned by the Noticee / Mr. Nishant Chaturvedi in the Account Opening Form of AU Small Finance Bank which establishes that the same is that of the Noticee / Mr. Nishant Chaturvedi. I find that the email id disseminated on the website for mentioning the Bhim UPI ID also matches with the email id present in the account opening form of AU Small Finance Bank as provided by the Bank. Considering that the details with respect to the Bank name/s, type of account/s, account number/s, RTGS/ NEFT IFSC, mobile number, etc. were correctly mentioned on the website, the submission of the Noticee that the website was having details which were just copied from some other website/s and that the SEBI registration number was also copied from another website by mistake is totally baseless and is devoid of any merit.

27. I further find that in support of its / his submissions the Noticee has forwarded an affidavit from the website developer. I find that in the absence of any documentary evidence showing (a) engagement of Mr. Vijay Pawar as the website developer by the Noticee for developing its website, (b) fees charged or agreed to be paid and / or paid to him by the Noticee, (c) documentary evidence showing payment of fees to the website developer, (d) terms of the agreement, etc. the said submission of the Noticee appears to be an afterthought and a tactic to cover his wrongdoings. Therefore, considering the above findings, I find that display of a SEBI registration number on the website showing that the Noticee was a registered intermediary with SEBI cannot be said to be an inadvertent act on the part of the Noticee. I find that the said act on the part of the Noticee / Mr. Nishant Chaturvedi was with an intention to fraudulently influence and induce the investors at large in the guise of presenting itself / himself to be a registered (*intermediary*) investment advisor with the sole purpose of getting more and more business and enhance its / his income. I am also of the considered view that by disseminating information that the firm is registered with SEBI through its website, the Noticee has knowingly misled the investors at large thereby engaging in acts, practices, course of businesses which operated as '*fraud*' as defined under Regulation 2(1)(c) of the PFUTP Regulations, 2003.

28. I find that in the case of ***SEBI Vs. Kishore Ajmera***[1], the Hon'ble Supreme Court observed that,

"the SEBI Act and the Regulations framed there under are intended to protect the interests of investors in the Securities Market which has seen substantial growth in tune with the parallel developments in the economy. Investors' confidence in the Capital/Securities Market is a reflection of the effectiveness of the regulatory mechanism in force. All such measures are intended to preempt manipulative trading and check all kinds of impermissible conduct in order to boost the investors' confidence in the Capital market. The primary purpose of the statutory enactments is to provide an environment conductive to increased participation and investment in the securities market which is vital to the growth and development of the economy. The provisions of the SEBI Act and the Regulations will, therefore, have to be understood and interpreted in the above light".

29. The PFUTP Regulations, 2003 are intended to curb out market abuse. The Hon'ble Supreme Court in the case of ***SEBI Vs. Kanaiyalal Baldevbhai Patel***[2], has observed that,

"The definition of 'fraud', which is an inclusive definition and, therefore, has to be understood to be broad and expansive, contemplates even an action or omission, as may be committed, even without any deceit if such act or omission has the effect of inducing another person to deal in securities. Certainly, the definition expands beyond what can be normally understood to be a 'fraudulent act' or a conduct amounting to 'fraud'. The emphasis is on the act of inducement and the scrutiny must, therefore, be on the meaning that must be attributed to the word "induce"…………
to make inducement an offence the intention behind the representation or misrepresentation of facts must be dishonest whereas in the latter category of cases like the present the element of dishonesty need not be present or proved and established to be present. In the latter category of cases, a mere inference, rather than proof, that the person induced would not have acted in the manner that he did but for the inducement is sufficient."

[1] **(2016) 6 SCC 368**
[2] **(2017) 15 SCC 1**

30. Thus, I conclude that, the Noticee, by disseminating that it is a SEBI registered Investment Advisor on its website, has knowingly published false and misleading information through the said website, thereby, defrauding the investors at large by inducing them to execute trades in the market, based on the advice so provided, and therefore, has violated the provisions of Section 12A(c) of the SEBI Act, 1992 read with Regulations 3(a), (b), (c), (d) of the PFUTP Regulations, 2003.

31. With respect to the amounts collected by the Noticee / Mr. Nishant Chaturvedi towards fees for the said investment advisory services given to its/ his clients, the Noticee has submitted that the fees collected during the period of 2 months for which the investment advisory services were operational was only Rs. 1,40,000/- (*In ICICI Bank Account Rs. 81,999/- and in HDFC Bank Rs. 60,000*) and not Rs. 18,38,000/- as alleged in the SCN/ SSCN. It is further submitted by the Noticee that in his HDFC Bank account, he himself has made many transactions and the details of same have been mentioned in a tabular format totaling to a total credit of Rs. 4,96,756/-. Thus, it is the case of the Noticee that amount collected by the Noticee by way of providing unregistered investment advisory services, as alleged in the SCN / SSCN, i.e. Rs. 18,38,000/- is incorrect. In order to verify the said submission, SEBI, vide email dated April 25, 2024, requested HDFC Bank to forward the counter-party details for the transactions claimed to be inter-bank transactions by the Noticee in its reply and during the personal hearing granted. Vide email dated April 26, 2024, the said Bank has stated that the specified transactions in the bank account no. xxxxxxxxxx4252 held in the name of the Noticee / Mr. Nishant Chaturvedi were from the ICICI Bank account bearing no. xxxxxxxx4652 (*also held in the name of the Noticee / Mr. Nishant Chaturvedi*). The details of the transactions found to be inter-bank transfers between the bank accounts held in the name of the Noticee / / Mr. Nishant Chaturvedi are detailed as under:

Sr. No.	**Date of the Transaction**	**Particulars**	**Amount (Rs.)**
1.	12.12.2019	IMPS – 934610592746 - Nishant Chaturvedi	20,756
2.	14.12.2019	IMPS – 934811686575 – Nishant Chaturvedi	11,000
3.	24.12.2019	IMPS – 935810217074 – Nishant Chaturvedi	2,00,000
4.	24.12.2019	IMPS – 935810218052 – Nishant Chaturvedi	1,50,000
5.	27.12.2019	IMPS – 936118810922 – Nishant Chaturvedi	60,000

6.	28.12.2019	IMPS – 936216810575 - Nishant Chaturvedi	50,000
7.	22.01.2020	IMPS – 002217040364 - Nishant Chaturvedi	2,300
8.	23.01.2020	IMPS – 002315214887 - Nishant Chaturvedi	400
9.	29.01.2020	IMPS – 002918437197 - Nishant Chaturvedi	2,000
10.	01.02.2020	IMPS – 003214675831 - Nishant Chaturvedi	300
		Total amount of credits:	**4,96,756**

32. Ai this juncture, reference is drawn to the decision of the Securities Appellate Tribunal (SAT) in the case of ***Vusa Ravi Vs. SEBI decided on July 27, 2023***, wherein it was argued by the Appellant that the direction to refund is patently erroneous in as much as the entire amount shown in the bank accounts was not towards the advisory services but was for other services. Hon'ble SAT while upholding the order held as follows: -

"....However, with regard to the direction for refund, considering the facts and circumstances that have been brought above, we direct the appellant to move an appropriate representation within three weeks from today giving details of the credit entries of the three bank accounts and indicate with precision as to which amount relates to advisory services and which amount does not relate to advisory services. <u>The authority will consider each and every entry and thereafter crystallize the amount to be refunded within two months thereafter</u>."

33. I note that the SCN / SSCN has alleged that the Noticee / Mr. Nishant Chaturvedi has collected total funds of Rs. 18,38,552/- in its / his HDFC Bank A/c bearing No. xxxxxxxxxx4252 and ICICI Bank A/c bearing no. xxxxxxxx4652. However, as mentioned in the preceding paragraph No. 31, it is noticed that there existed certain inter-bank transactions undertaken by the Noticee from his ICICI Bank A/c bearing no. xxxxxxxx4652 to HDFC Bank A/c bearing No. xxxxxxxxxx4252 totaling to a credit of Rs. 4,96,756/-. In view of the same, I am of the considered view that the said amount will have to be reduced from the total amount collected towards the unregistered investment advisory services. Further, with respect to the claim of the Noticee that only an amount of Rs. 1,40,000 had been collected by him towards the advisory activities / services during the examination period, I find that no explanation and / or documentary evidence has been provided by the Noticee in support thereof. In the absence of any documentary evidence to prove the same, I find that the said submission is without any merit and not tenable. Thus, the revised total amount which is considered towards the unregistered investment advisory activities by the Noticee is as under:

Sr. No.	Bank Name	Account No.	Account in the name of	Total Credit as alleged in the SCN / SSCN	Amount not be considered	Revised amounts collected (Rs.)
1.	HDFC Bank	xxxxxxxxxx4252	Nishant Chaturvedi	5,58,776	4,96,756 (inter-bank credits from ICICI account of the Noticee)	62,020
2.	ICICI Bank	xxxxxxxx4652		12,79,776		12,79,776
TOTAL				**18,38,552**	**4,96,756**	**13,41,796**

34. In view of the foregoing, I do not have any hesitation to conclude that the Noticee / Mr. Nishant Chaturvedi was acting as an investment advisor. However, neither the Noticee firm nor its proprietor i.e. Mr. Nishant Chaturvedi were found to be registered with SEBI in the capacity of Investment Advisor. Hence, I find that these activities were being carried out by the Noticee / Mr. Nishant Chaturvedi without obtaining the necessary certificate of registration as an investment adviser and therefore, the Noticee has violated Section 12(1) of the SEBI Act, 1992 along with Regulation 3 of the IA Regulations. Further, as concluded above, the Noticee, by disseminating false and misleading information on its website showing the firm as SEBI Registered entity, has violated the provisions of Section 12A(c) of the SEBI Act, 1992 read with Regulation 3(a), (b), (c) and (d) of the PFUTP Regulations, 2003.

35. The SSCN referred above, also calls upon the Noticee / Mr. Nishant Chaturvedi to explain as to why appropriate penalties be not imposed upon it / him under Sections 15EB and 15HA of SEBI Act, 1992 for the violations alleged in the SCN/ SSCN. Relevant extract of the penalty provisions, as existing at the time of violations, is reproduced, hereunder:

"Penalty for default in case of investment adviser and research analyst.
15EB. *Where an investment adviser or a research analyst fails to comply with the regulations made by the Board or directions issued by the Board, such investment adviser or research analyst shall be liable to penalty which shall not be less than one*

*lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees.***"**

*"**Penalty for fraudulent and unfair trade practices**.*
15HA**.If any person indulges in fraudulent and unfair trade practices relating to securities, he shall be liable to a penalty which shall not be less than five lakh rupees but which may extend to twenty-five crore rupees or three times the amount of profits made out of such practices, whichever is higher."**

36. Upon consideration of the above penalty provisions, I find that Section 15HA and 15EB have been invoked in the present case for indulging in fraudulent and unfair trade practices related to securities by way of dissemination on the website of the Noticee that it is a SEBI registered Investment Advisor without obtaining a certificate of registration from the Board under these Regulations. It has been clearly established in the preceding paragraphs that the Noticee had defrauded the investors at large by disseminating on its website that it was a SEBI registered investment advisor and mentioning certain registration numbers on it. In view of the same, I am of the considered view that penalty under Section 15HA of the SEBI Act is attracted in the instant case.

37. I also note that the above allegation that the Noticee has acted as an investment adviser without obtaining a certificate of registration from SEBI has been clearly established in the preceding paras and therefore, violated Regulation 3(1) of the IA Regulations read with Section 12 of the SEBI Act. I find that the penalty under Section 15EB of the SEBI Act, 1992 is clearly attracted.

38. For imposition of penalties under the provisions of the SEBI Act, 1992, Section 15J of the SEBI Act, 1992 provides as follows:

"Factors to be taken into account while adjudging quantum of penalty.
***15J**. While adjudging quantum of penalty under 15-I or section 11 or section 11B, the Board or the adjudicating officer shall have due regard to the following factors, namely:—*
(a) the amount of disproportionate gain or unfair advantage, wherever quantifiable, made as a result of the default;
(b) the amount of loss caused to an investor or group of investors as a result of the default;
(c) the repetitive nature of the default."

Explanation. —For the removal of doubts, it is clarified that the power to adjudge the quantum of penalty under sections 15A to 15E, clauses (b) and (c) of section 15F, 15G, 15H and 15HA shall be and shall always be deemed to have been exercised under the provisions of this section."

39. As discussed in the aforesaid paras, I note that a total of Rs. 13,41,796/- has been received by the Noticee / Mr. Nishant Chaturvedi in its / his bank accounts for the investment advisory services provided by it / him. Thus, in the light of the findings in the preceding paras, I am of the considered view that the Noticee firm, through its proprietor Mr. Nishant Chaturvedi, is liable for refund of the aforementioned amount collected as an unregistered investment adviser in addition to monetary penalties which are attracted for the said violations under Sections 15EB and 15HA of the SEBI Act, 1992.

ORDER AND DIRECTIONS

40. In view of the foregoing, I, in exercise of the powers conferred upon me under Sections 11(1), 11(4), 11(4A), 11B(1) and 11B(2) read with Section 19 of the SEBI Act, 1992 and Rule 5 of the SEBI (Procedure for Holding Inquiry and Imposing Penalties) Rules, 1995, do hereby issue the following directions:

40.1 The Noticee / Mr. Nishant Chaturvedi shall, within a period of three months from the date of coming into force of this direction, refund the money received from any complainants/ investors, as fees or consideration or in any other form, in respect of the unregistered investment advisory activities;

40.2 The Noticee / Mr. Nishant Chaturvedi shall issue public notice in all editions of two National Dailies (one English and one Hindi) and in one local daily with wide circulation, detailing the modalities for refund, including the details of contact person such as names, addresses and contact details, within 15 days of coming into force of this direction;

40.3 The repayments to the complainants/ investors shall be effected only through Bank Demand Draft or Pay Order or electronic fund transfer or through any other appropriate banking channels, which ensures audit trails to identify the beneficiaries of repayments;

40.4 The Noticee / Mr. Nishant Chaturvedi is prevented from selling its/ his assets, properties and holding of mutual funds/shares/securities held by it/ him in demat and physical form except for the sole purpose of making the refunds as directed above. Further, the banks are directed to allow debit only for the purpose of making refunds to the clients/ investors/ complainants who were availing the investment advisory services from the Noticee, as directed in this order, from the bank accounts of the Noticee / Mr. Nishant Chaturvedi;

40.5 After completing the aforesaid repayments, the Noticee / Mr. Nishant Chaturvedi shall file a report of such completion with SEBI addressed to the "Division Chief, Division of Post - Inspection Enforcement Action, Market Intermediaries Regulation and Supervision Department, SEBI Bhavan II, Plot No. C7, G Block, Bandra Kurla Complex, Bandra (East) Mumbai –400051", within a period of 15 days, after completion of three months from the coming into force of the directions at para 40.1 and 40.2 above, duly certified by an independent Chartered Accountant and the direction at para 40.5 above shall cease to operate upon filing of such report on completion of refunds to complainants/ investors;

40.6 The remaining balance amount shall be deposited with SEBI which will be kept in an escrow account for a period of one year for distribution to clients / complainants / investors who were availing the investment advisory services from the Noticee / Mr. Nishant Chaturvedi. Thereafter, remaining amount, if any, will be deposited in the Investors Protection and Education Fund maintained by SEBI;

40.7 In case of failure of the Noticee / Mr. Nishant Chaturvedi to comply with the aforesaid directions in paras 40.1 and 40.6, SEBI, on the expiry of the stipulated time period therein from the date of coming into force of this order, may recover such amounts, from the Noticee / Mr. Nishant Chaturvedi, in accordance with

Section 28A of the SEBI Act, 1992 including such other provisions contained in securities laws;

40.8 The Noticee / Mr. Nishant Chaturvedi is debarred from accessing the securities market, directly or indirectly and is prohibited from buying, selling or otherwise dealing in the securities market, directly or indirectly in any manner whatsoever, for a period of one (1) year from the date of this order or till the expiry of one (1) year from the date of completion of refunds to complainants/ investors along with depositing of balance amounts, if any, with SEBI, as directed in para 40.1 and 40.7 above, whichever is later;

40.9 It is hereby clarified that if the Noticee / Mr. Nishant Chaturvedi has any open position in any exchange traded derivative contracts, as on the date of this order, he can close out/ square off such open positions within 3 months from the date of order or at the expiry of such contracts, whichever is earlier. The Noticee / Mr. Nishant Chaturvedi is permitted to settle the pay in and pay out obligations in respect of transactions, if any, which have taken place before the close of trading on the date of this order;

40.10 The Noticee / Mr. Nishant Chaturvedi shall not undertake, either during or after the expiry of the period of debarment/restraint as mentioned in para 40.8 above, either directly or indirectly, investment advisory services or any activity in the securities market without obtaining a certificate of registration from SEBI as required under the securities laws.

40.11 The Noticee / Mr. Nishant Chaturvedi is hereby imposed with, the monetary penalties, as provided hereunder:

Provisions under which penalty imposed	**Amount of Penalty (INR)**
Section 15 EB of the SEBI Act	One (1) lakh
Section 15 HA of the SEBI Act	Five (5) lakh
Total	**Six (6) Lakh**

40.12 The Noticee / Mr. Nishant Chaturvedi shall remit / pay the said amounts of penalty through online payment facility available on the website of SEBI, i.e.

www.sebi.gov.in on the following path, by clicking on the payment link: ENFORCEMENT -> Orders ->Orders of EDs/CGMs -> PAY NOW. In case of any difficulties in online payment of penalties, the Noticee / Mr. Nishant Chaturvedi may contact the support at portalhelp@sebi.gov.in.

41. The direction for refund, as given in para 40.1 above, does not preclude the clients/investors to pursue the other legal remedies available to them under any other law, against the Noticee / Mr. Nishant Chaturvedi for refund of money or deficiency in service before any appropriate forum of competent jurisdiction.

42. This order shall come into force with immediate effect.

43. A copy of this order shall be sent to the Noticee / Mr. Nishant Chaturvedi, recognized Stock Exchanges, the relevant Banks, Depositories and Registrar and Transfer Agents of mutual funds to ensure that the directions given above are strictly complied with.

Date: April 29, 2024
Place: Mumbai

Dr. ANITHA ANOOP
CHIEF GENERAL MANAGER
SECURITIES AND EXCHANGE BOARD OF INDIA