

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903
E mail: pgcdelhi@nic.in

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated
25.9.97

Date of hearing: 20.12.2018

Complainant : Shri Gurcharan Singh, Present.

Respondent : The Registrar,
Deptt. of Cooperative Societies, GNCTD.
Through Sh. Tanuj Bhanot, Asstt.Registrar,
Section-IV/H,
Sh. Shalender Singh, Sr.Asstt.
Sh. R.K. Mishra,
On behalf of Administrator, Modern CGHS - Present.

Grievance No. PGC/2018/A.II/RCS/16

1. Brief facts of the case.

1.1 Shri Gurcharan Singh filed a complaint in PGC on 23.10.2018 regarding complaint in respect of forgery & concealment on the part of Administrator appointed by the Registrar, Cooperative Societies in issuance of invalid/illegal Share Certificate to Shri V.K. Jain & Shri Narender Kumar (Minor at the time of enrolment) and tampering of Membership Register of the Society.

2. Facts emerged during the proceedings.

2.1 A report has been submitted by the O/o Administrator, Modern Cooperative Group Housing Society stating that his predecessor had issued the Share Certificate on 06.03.2012 to the following members :

- (i) Mr. Narender Kumar, membership No. 86 date of enrollment 26.05.1985.
- (ii) Mr. Virender Kumar Jain, membership No. 159 date of enrollment 24.11.1995

The complainant alleged that both above mentioned members were minor at the time of enrollment.

That as per records available in the office of Registrar of Cooperative Societies, copy of list has been provided to the complainant.

That as per Freeze list the details regarding date of enrollment is recorded as below.

Mr. Narender Kumar, Membership No. 86 date of enrollment 09.01.1978 (the same is listed in the list at Sl. No. 86).

Mr. Virender Kumar Jain, Membership No. 159 date of enrollment 09.08.1978 (the same is listed in the list at Sl.No.159).

That as per records available in the Society, date of birth of the above mentioned members is as follows :

(i) Mr. Narender Kumar, membership No. 86 date of Birth 27.05.1964

(ii) Mr. Virender Kumar Jain, membership No. 159 date of Birth 07.12.1961

2.2 The Administrator, Modern CGHS Ltd. has prayed that the present submission may be taken on record as he had to attend the Hon'ble High Court in W.P.(C) No. 9015/2018 titled as Radha Soami Satsang Beas V/s Govt. of NCT of Delhi & Ors. and prayed for exemption of personal appearance and further he assured prompt and timely compliance of the orders of this Hon'ble Commission in future.

2.3 Sh. Bhanot, Asstt. Registrar, present in the hearing informed that a case of similar nature, in the Court of Financial Commissioner is under way and as & when the decision comes out the same shall be implemented in this case also.

3. Directions

3.1 The Registrar, Cooperative Societies, is advised to clarify the complainant that his grievance has been examined by the Administrator and as per the report of the Administration a case of similar nature is pending with the

Financial Commissioner and as and when a decision in the same is conveyed, the same will be implemented in his case.

3.2 The Registrar, Cooperative Societies is advised to further clarify whether minor members are eligible for allotment and their status on the date of enrollment be communicated to the Commission with a copy to the complainant and dispose of the matter on the lines as discussed and agreed by Asstt. Registrar and representative of the Administrator Sh. R.K.Mishra.

3.3 Complainant is advised to implead himself in the Court of Financial Commissioner as two decisions cannot be taken in two cases of similar nature by two different forums i.e. Financial Commissioner & PGC.

3.4 In view of the above deliberations and advice to the complainant, the case of the complainant is closed in PGC.

(SUDHIR YADAV)
MEMBER(PGC)

Copy to:-

1. The Registrar, Cooperative Societies, GNCT of Delhi, Old Court's Building, Parliament Street, New Delhi.
2. Asstt.Registrar, Coop. Societies (Sec-IV/GH), GNCT of Delhi, Old Court's Building, Parliament Street, New Delhi.
3. Shri R.C. Shingare, SDM(Saket)/Administrator, Modern CGHS Ltd. Plot No.05, Sector-15, Rohini, Delhi-110085.
4. Shri Gurcharan Singh