

**PUBLIC GRIEVANCES COMMISSION**  
(Govt. of NCT of Delhi)  
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**Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97**

Complainant : Sh. Hakam Singh, President  
Respondent : Registrar,  
Deptt. of Cooperative Societies,  
GNCTD  
Grievance No. : PGC/2018/A.II/RCS/15

**1. Brief facts of the complaint**

Sh. Hakam Singh has filed a complaint in the Public Grievances Commission, received in the Commission on 04.10.2018, which *inter-alia* alleges large scale scam and irregularities fraught with corruption through nexus of public servants with private builders. The significant details and relevant events that happened in the last three decades are as under:

1. The Co-operative GH Society was registered on 07 December, 1983 vide No. 997(GH) in the name of 'The Naval Technical Officers Co-operative Group Housing Society Ltd.' by the office of Registrar of Co-operative Societies, Govt. of NCT of Delhi. This society was, as a matter of fact, promoted by 75 officers of the Indian Navy working in its 'Technical Wing' associated to Ministry of Defence, Government of India and was registered with the address of Sena Bhawan, New Delhi.
2. A piece of land admeasuring 16001 sq. meter, located at Plot No. 03-A, Sector 22, Dwarka, New Delhi was allotted to the Society in June 1998 (approximately after 15 years of its registration) by Delhi Development Authority. However, as alleged, 238 flats were built on the society land without the knowledge of the promoter members by some private unknown persons (builders) with connivance, involvement and indirect participation of officials of Department of Co-operative Societies. Further, bogus (non-official) members were enrolled as members of the said Co-op Society from retrospective date by forging documents and flats were even sold to persons without enrolling them as members of the said

Co-op Society. Additionally, it is alleged that the address of the Co-operative Society which was originally the Sena Bhawan, New Delhi was changed to residence of the unknown builder without knowledge of the promoter members. It is further alleged that this particular manner of changing addresses of the Co-operative Societies was found by the complainant in few other cases as well.

3. Pursuant to the orders of the Hon'ble High Court of Delhi in the matter of Yogiraj Krishna Group Housing Society Ltd. WP(C) 10066/2004 (filed as a Public Interest Litigation) primarily on the issue of mass scale corruption and taking over of Co-operative Housing Societies by private builders in collusion with public servants, the Central Bureau of Investigation had initiated inquiry in the said process. Further, it is brought to the knowledge of this Commission that another public interest litigation (PIL) vide WP (C) 21912/2005 titled 'Naval Technical Officer GH Society vs. Registrar of Societies & Anr.' filed by the promoter members of the complainant society was also tagged with the former case and on a parity basis CBI inquiry too was ordered in the said case.
4. It is a matter of record that charges were framed against the officials of the RCS i.e. Mohan Lal Verma, Asst. Registrar, Sri Chand, Builder, Devender Kumar Dwivedi, Dealing Clerk, Padam Dutt Sharma, Deputy Registrar and Gopal Dikshit, Registrar Co-operative Societies by the learned Special CBI Judge, Rohini under sections 420/468/471/120-B/34 IPC read with Sections 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988 pursuant to the directions of the Hon'ble High Court of Delhi ordering filing of chargesheets in the said case. No recent records w.r.t. above matters are available on record of the Commission as all original records of the complainant society and others have been seized by the CBI and presently, as informed, held in the custody of the Hon'ble CBI Court, Rohini, Delhi.
5. Most significantly, the Hon'ble High Court of Delhi in the matter of Yogiraj Krishna Group Housing Society Ltd. WP(C) 10066/2004 vide order dated 25.08.2008 ordered verification of the membership of 57 societies (including the Naval Technical Officer CGHS) by the Registrar Co-operative Societies, New Delhi taking into account the CBI

chargesheets/inquiry inputs under the supervision of Justice R.C. Chopra assisted by DIG, CBI and Additional Secretary, Land and Building Deptt. as its members, for the purpose of approval of flats for draw of lots by the DDA. However, the said exercise was abandoned due to recusal of the Chairman of the said committee and accordingly, the amounts of Rs. 15000/-deposited by promoter members of Society towards verification of membership were duly returned by the Hon'ble High Court of Delhi. As a result, the said direction of verification could not be implemented till date. Although, the said process of verification has been started on 16.08.2016, as per the information displayed by the RCS online and the complainant, as informed, has submitted all the relevant documents to the office of RCS on 19.09.2016.

6. The Government of NCT of Delhi through the Hon'ble Lieutenant Governor, Delhi had notified a scheme issued vide Ref. No. F.47/86/RCS/Policy/2009/PF/519 dated 17.10.2011 for approving self-draw for the purpose of provisional allotment of 238 flats to the members, who are alleged to have been inducted through forgery and fraud. It has been alleged that the self-draw were never held as per the RCS records and the notification has been procured by the motivated people through the channel of RCS by defrauding/misleading the office of Hon'ble Lieutenant Governor, Delhi. However, it is significant to note that the said notification was challenged before the Hon'ble High Court of Delhi by some of the promoter members of this society in WP (C) 519/2012 titled 'Manohar Lal &Anr. Vs. Registrar, Co-op. Group Housing Society and Ors.' The same stand dismissed on 05.05.2015, with the direction that the final allotment to be made after verification of the membership of the members as per earlier orders in the Yogiraj Krishna Group Housing Society Ltd. WP(C) 10066/2004.

In essence, the complainant's allegation is that no original promoter member is either a member or occupying a flat in the society promoted by them as on date.

## **2. Observations:**

The Commission finds that the present situation is an eye opener on the state of administration. The state of affairs in the Deptt. of Co-operative Societies is no less alarming with no-result even after long

drawn litigations in grievances and irregularities reported to the Departments.

The Hon'ble Courts have invested great amount of time and efforts in hearing and disposing of the petitions filed by one or other aggrieved pertaining to the issue at hand, whether directly or indirectly and related criminal investigations carried out by the CBI and consequent trials. This Commission finds it expedient to focus on the core issue which if resolved or addressed would provide major relief to the aggrieved. The Commission, therefore, has considered pertinent to deliberate on the real issue for due consideration:

**Time Bound Verification Exercise to determine bonafide of membership and consequent regularization of provisional allotment or otherwise.**

The Commission noted that the complainant Sh. Hakam Singh has not been able to furnish any documentary evidence in support of his membership contribution towards the cost of land and otherwise. However, on perusal of the details available on record including the reply of the RCS furnished in the year 2018, it is evident that the office of RCS, Delhi never intimated the complainant & others about their expulsion from the membership of the society in accordance with law. The Commission being not invested with resources to carry out investigation and largely depends on departments does not find it expedient to direct a parallel inquiry when the CBI has already undertaken a mammoth task and substantial part of the issues are at the stage of trial in the Hon'ble Courts. Even prima facie, the issue does not initiate or end with the complainant, being a matter affecting thousands of persons and each being an aggrieved stakeholder.

**3. Directions:**

In light of the above mentioned facts and circumstances and with regard to the observations made herein above, the Commission is of the considered view to issue the following directions:

1. The Registrar, Co-operative Society, GNCTD is advised to undertake verification of memberships of the Society, as ordered by the Hon'ble Delhi High Court, in a time bound process for determining bonafide of members and consequent regularization of provisional allotment or otherwise, within a period of 90 days from the date of receipt of this order.
2. The Registrar, Co-operative Society to upload the necessary details pertaining to the above said exercise, at the initiation, progress and disposal level, on the website of RCS duly

updated every week, for information to the members of the public and especially the aggrieved persons in the matter. Further, a public notice containing appropriate and relevant details in this regard may also be issued.

Needless to re-iterate that the above directions are issued with due respect to the orders passed by the Hon'ble High Court of Delhi and non-compliance of the above directions, nothing more than a reminder to the authorities concerned, to discharge their duties in accordance with law. The compliance report be made available to this office through a responsible officer of the RCS, Delhi in person preferably within 7 days of conclusion of the exercise and in no case later than 3 months from the receipt of this order.

The matter is disposed of and compliance report be put up for further necessary orders in this regard.

SUDHIR YADAV  
Member (PGC)

No.PGC/2018/A.II/RCS/15/

Dated :

Copy to :

1. The Registrar, Cooperative Societies, Govt. of NCT of Delhi, Old Court Building, Parliament Street, New Delhi – 110001
2. Sh. Hakam Singh