

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
M-Block , I.P. Estate (near ITO) Vikas Bhawan: New Delhi-2
Order under Para 2(B) of the PGC Resolution No. F.4/14/94-AR/dt. 25.9.97

Date of hearing: 02.09.2020

Complainant : Smt. Esha Behl
Sh. Sachin Yadav H/o Smt. Esha Behl – Present

Respondent : The Registrar,
Department of Cooperative Societies,
Govt. of NCT of Delhi
through
Sh. Krishan Kumar, Senior Assistant
Department of Cooperative Societies - Present

1. Brief Facts of the Case

- 1.1 The complainant Smt. Esha Behl has filed a grievance in the Commission against the Registrar of Cooperative Societies regarding various issues. Some of these issues are:-
- (i) Transfer of membership under Section 91 of DCS Act, 2003.
 - (ii) For allotment/issuing/providing space for car parking inside the society premises.
 - (iii) Refund of illegal Joining Fees.
 - (iv) To give notice to the impugned Society under Section 118(9) of DCS Act, 2003.

1. Facts emerged during the proceedings

- 2.1 Sh. Krishan Kumar, Senior Assistant, Office of Registrar Cooperative Societies was present in the hearing and filed an Action Taken Report dated 31.08.2020 and the same is taken on record stating that:-

“1. Transfer of membership under Section 91 of DCS Act, 2003:- In this regard, it is submitted that the Additional RCS vide order dated 20.08.2020 (copy enclosed) in respect of transfer of membership of Smt. Esha Behl has passed an order directing the society to initiate the process of grant of membership to the appellant within three weeks as appellant had already filed all the essential documents..

2. For allotment/issuing/providing space for car parking inside the society premises:- In this regard, it is submitted that the complaints dated 25.06.2020 and 07.07.2020 filed by Smt. Esha Behl has been forwarded to the President/Secretary of

the society vide letter dated 04.08.2020 for redressal of grievance. The RCS office has no role to play in this regard.

3. Regarding Refund of illegal Joining Fees:- *In this regard, it is submitted that this office has issued letters dated 08.08.2019, 20.11.2019 and 06.12.2019 (copies enclosed) to the President/Secretary of the society with direction to return the said amount to Smt. Esha Behl which appears to be in violation of Rule 92(3) of DCS Rules, 2007.*

4. Notice under Section 118(9) of DCS Act, 2003:- *In this regard, it is submitted the representation with request to charge them fine of Rs.10000/- as penalty under Chapter-XIII, section 118, section 9 of DCS Act, 2003 was received in this office but due to sudden outbreak of Covid 19 pandemic, the matter could not be processed. Now, the matter is being processed for further action.”*

2.2 Sh. Krishan Kumar, Senior Assistant, Office of Registrar Cooperative Societies (O/o RCS) present in the hearing stated that the complainant's grievance and the redressal measures taken by the Office of Registrar Cooperative Societies are as follows:-

(a) As regards to transfer of membership in favour of Smt. Esha Behl by the Delhi Citizen Cooperative Group Housing Society, Rohini, an order dated 20.08.2020 was passed by the Additional RCS directing the society to grant membership to the appellant within a period of three weeks as the appellant had already filed all the essential documents pertaining to grant of membership.

2.3 It was brought to the notice of the Commission that the complainant Smt. Esha Behl has already filed appeal in two forums i.e. Registrar Cooperative Societies and Financial Commissioner and in one of the forums i.e. RCS, order was passed in favour of the complainant by the Additional RCS wherein the department has ordered the Society to grant membership to the complainant. Thus, the complainant's primary grievance has been redressed.

2.4 However, the complainant present in the hearing stated that there are other grievances also ranging from allotting space for car parking inside the society premises to refund of illegal joining fees etc., which has not been redressed by the department till date. The Commission advises the complainant to submit his other grievances (which have not been redressed by the RCS till date) separately to the Commission rather than clubbing them together.

3. Directions

- 3.1 The case stands disposed of in the Commission as the complainant's primary grievance regarding grant of membership by the Society has been redressed. Further, the complainant is at liberty to approach the Commission in case he has any further grievance with regard to his present complaint.

**(SMT. MADHU SHARAN)
MEMBER (PGC)**

Copy to :

1. Shri Virender Kumar, Registrar, Cooperative Societies, Govt. of NCT of Delhi, Old Court's Building, Parliament Street, New Delhi-110001.
2. Shri Ranjeet Singh, Additional Registrar, Cooperative Societies, GNCT of Delhi, Old court's Building, Parliament Street, New Delhi-110001.
3. Shri M.G. Sathya, Assistant Registrar, Cooperative Societies, Govt. of NCT of Delhi, Old Court's Building, Parliament Street, New Dehi-110001.
4. Smt. Esha Behl