

*“No carelessness until there is a cure Wear mask,
follow physical distancing & maintain hand hygiene”.*

**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: 17.02.2021

Complainant : Smt. Esha Behl

Respondent : The Registrar,
Department of Cooperative Societies,
Govt. of NCT of Delhi
through
Sh. Krishan Kumar, UDC
Office of RCS - Present.

Grievance No. : PGC/2019/A.II/RCS/05

1. Brief Facts of the Case

1.1 Smt. Esha Behl has filed a grievance in the Commission on 21.10.2019 regarding allotment of membership in Delhi Citizen CGHS Ltd. society.

2. Facts emerged during the proceedings

2.1 Sh. Krishan Kumar, UDC, O/o RCS was present in the hearing and filed a status report dated 15.02.2021 and the same is taken on record stating that:-

1. *At present, as per DCS Act, 2003 & DCS Rules, 2007, no action is pending on the part of Registrar Cooperative Societies.*

2. *That the order dated 20.08.2020 passed by the Addl. RCS, the Society was directed to grant the membership to Smt. Esha Behl within three weeks. Copy of the order is annexed for reference.*

3. *The society filed an application u/s 115 of the DCS Act, 2003 for review and recall of the ex-parte order passed on 20.08.2020. Copy of the application of the society is also annexed for reference.*

4. *The Addl. RCS, vide order u/s 115 of the DCS Act, 2003 dated 09.11.2020, dismissed/quashed the appeal of the Society. Copy of the order is annexed for reference.*

5. *As per Minutes of Annual General Body Meeting of Society held on 31.01.2021 and received on 16.02.2021, wherein it has been*

decided that "Management put forwarded a proposal whether the membership should be given to Mrs. Esha Behl (B-8) because she has filed many litigations on the management of the society last few years. The answer was absolutely "No". The entire members agreed not to allot membership unless she withdraws all irrelevant litigation. "It is hereby resolved that in view of the repeated complaints and litigation initiated by Esha Behl against the society, the decision of the MC to reject the membership application of Smt. Esha Behl is correct and is hereby ratified. However, the MC is authorized to take any further decision in case of any change in her behavior. The MC is also to take appropriate legal action against any order that may have been passed in her favour and against the society."

Further, in this regard, it is submitted that the case under section 118 of the DCS Act, 2003 filed by Mrs. Esha Behl against the Delhi Citizen CGHS Ltd. society is under progress."

2.2 The complainant's husband was present in the hearing and stated that the Additional RCS order dated 20.08.2020, wherein, the Society is directed to grant the membership to Smt. Esha Behl within three weeks, has not been complied by the Society till date.

He further submitted that he has filed case u/s 118 of the DCS Act, 2003 against the Society on 15th September 2020. However, the department has been sleeping on his case and no action has been taken against the MC of the Society till date.

2.3 The complainant is totally dissatisfied with the taken in the matter by the RCS office and the Commission's repeated directions have also not been followed by the department in letter and spirit. The complainant's other issues were resolved, however, the issue regarding allotment of membership of Society to the complainant has been kept pending by the RCS office by not forcing the Society to implement the Addl. RCS orders dated 20.08.2020.

3. Directions

3.1 The case stands disposed of in the Commission as the RCS office has not taken any strict action against the Society for non implementation of its orders and the case is lingering on in the Commission without any positive outcome. The complainant is free to approach the available

legal forums as well as the Police to register FIR against the Society in the instant case as they are not following the relevant DCS Rules & Regulations and defying the orders of the RCS office as well as the Commission.

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

No. PGC/2019/A.II/RCS/05

Dated:

Copy to:

1. The Registrar, Cooperative Societies, Govt. of NCT of Delhi, Old Court's Building, Parliament Street, New Delhi-110001.
2. The Dy. Registrar (T&C) Cooperative Societies, GNCT of Delhi, Old court's Building, Parliament Street, New Delhi-110001.
3. Smt. Esha Behl