

*"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: 01.09.2021

Complainant : Shri Subhash Chandra Aggarwal & Ors.  
Respondent : The Registrar,  
Department of Cooperative Societies,  
Govt. of NCT of Delhi.  
Sh. Joseph Baxla, Asstt. Registrar,  
O/o RCS – Present.

**1. Brief Facts of the Case**

Shri Subhash Chandra Aggarwal & others, all aged 70 years or above, has filed a grievance stating that the members of Delhi Rail Karamchari CGHS Ltd. had applied to Delhi Development Authority for conversion of their flats from lease hold to freehold. It was informed that conversion of 06 flats had been done by the DDA. However, it has been denied to remaining members. DDA has now requested the members to get certified list of membership from the Registrar of Cooperative Societies, Delhi for conversion of flats from leasehold to freehold. Despite several requests and repeated reminders, the office of Registrar, Cooperative Societies has neither made available the list to the applicants nor sent to the Delhi Development Authority. Therefore, the conversion of Flats from lease hold to freehold could not take place for over one year.

**2. Facts emerged during the proceedings**

2.1 Sh. Joseph Baxla, Asstt. Registrar, Office of Registrar Cooperative Societies was present in the hearing and filed a status report dated 26.08.2021. It is stated in the report that:-

*"This department is formulating a policy of self draw conducted by the societies itself and the matter regarding Delhi Rail Karamchari CGHS Ltd. along with names of other societies who have similar case has been referred to Policy branch of this office, so that a common policy can be devised for the societies wherein self draw has been conducted by the societies themselves. As soon the policy is formulated by the department, the matter will be taken up accordingly in accordance to the provisions of DCS Act & Rules.*

Therefore, you are once again requested that at present, there is no policy/provision in DCS Act & Rules to regularize the self draw or regularization of membership of the society who have conducted self draw of flats and the directions thereto regarding forwarding the list of remaining 194 flats to the DDA , a special reference cannot be complied with in respect to the present provisions of the DCS Act & Rules for the redressal of the grievance made by Shri Subhash Chandra Aggarwal. Accordingly, when the policy will be finalized in the above stated matter of societies, the same will be considered for pursuing it with the DDA.

*This issues with the approval of the Secy.-cum-Registrar, Cooperative Societies."*

2.2 As per the departmental representative, the department is in the process of formulating a policy with regard to self draw conducted by the societies themselves and whenever the policy is formulated by the department, the matter will be taken up in accordance to the provisions of DCS Act & Rules. Sh. Joseph Baxla, Asstt. Registrar further submitted that on the direction of Hon'ble High Court of Delhi vide order dated 05.05.2015 in WP(C) No.519/2012 in the matter of "Manohar Lal & Ors. Vs. Registrar Cooperative Societies & Ors.", the RCS office regularized the membership of 26 Societies who had conducted the self draw. However, the society under reference is not among the said 26 societies.

2.3 The complainant was present in the hearing.

### 3. Directions

3.1 The Registrar, Cooperative Societies is requested to put up a self contained proposal/note regarding framing policy with regard to self draw conducted by the societies themselves before the appropriate authority in a time bound manner, mentioning therein the proposed policy that the RCS office has already regularized membership of 26 Societies who had conducted the self draw on the directions of Hon'ble High Court of Delhi vide order dated 05.05.2015. The complainant has also given his consent to close the present grievance in the Commission. The respondent department shall intimate the complainant as well as the Commission of the decision taken by the competent authority.

3.2 With these directions, the case stands disposed of in the Commission.

01/2

  
(SUDHIR YADAV)  
MEMBER

No.PGC/2018/RCS/13 5575-578

Dated: 06/09/2021

Copy to:

1. The Registrar, Cooperative Societies, Govt. of NCT of Delhi, Old Court's Building, Parliament Street, New Delhi-110001.
2. The Special Registrar, Cooperative Societies, GNCT of Delhi, Old court's Building, Parliament Street, New Delhi-110001.
3. The Asstt. Registrar (Section-II/G.H.), O/o Registrar, Cooperative Societies, Govt. of NCT of Delhi, Parliament Street, New Delhi-110001.
4. Shri Subhash Chandra Aggarwal, R/o: Flat No. B-144, Ashoka Enclave, Delhi Rail Karamchari CGHS, Peera Garhi Chowk, New Delhi-110087.