

OFFICE OF THE REGISTRAR, COOPERATIVE SOCIETIES, GNCT OF DELHI  
OLD COURTS BUILDING, PARLIAMENT STREET, NEW DELHI-110001.  
**(Ph. 011-23748133)**

No. F. DRCS/AA/Coop./RTI/79/AR (Sec.-7)/2016/411-414

Dated: 10/06/16

**ORDER**

This order shall dispose of the appeal dt. 28.04.2016 filed u/s 139 of DCS Act 2003 by Sh. Roop. Kumar Trikha, R/o 44, SBI CGHS Ltd, Pitampura, Delhi-110034, against the President/ Secretary of SBI CGHS Ltd. Pitampura, for not providing information against his RTI application dt. 07.03.2016. The appellant in person and Sh. S.K. Kapoor, Vice President & Sh. I.C. Trikha, Secretary of the society were present on 24.05.2016.

The appellant in his above RTI application sought: (a) the certified copy of minutes of the meeting dated 21.11.2015; (b) the copy of the decision of the Managing Committee/ General Body co-opting Sh. S.D. Vaid and Smt. Veena Dogra in the MC of SBI Employees CGHS Ltd; (c) copy of circular/provision of the law/rule in pursuance of which such co-options were made; (d) names of the members/ resident of the society who have not paid the demand raised by the Administrator by its final notice dated 31.07.2015 against the outstanding water charges of the society; (e) the list of the defaulters provided to Election Officer Sh. Tarun Kumar, for conducting the elections in terms of Schedule-II, Rule 53 of DCS Rules, 2007.

The society, vide its letter dated 03.04.2016, furnished the information to the appellant. Not satisfied with the reply in respect of (c), (d) and (e) above, hence the present appeal u/s 139 of DCS Act, 2003. The reply dated 03.04.2016 is perused and has also been deliberated during the hearing. Both the parties filed their written submissions also which were exchanged between the parties.

Though a reply has been furnished by the society on the issue of cooption of 2 members during the meeting on 21.11.2015 (copy is enclosed with appeal) but there is no such provision of cooption in the Act/Rules as cited in the reply in case of Housing Societies. The Society is advised to take corrective measures in this regard. The Society has expressed its inability to provide information on (d) and (e) viz names of the members/ residents who didn't pay outstanding water charges demand and list of defaulter provided to RO, on the plea that the relevant records has not yet been handed over to the present MC.

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The appellant did not buy this contention of the society. The society endorsed a copy of the reply to the appellant on his RTI application to Sh. P.C. Jain Spl. Secretary (GAD) mentioning *as the correspondence files and other records have not been handed over to us; he is requested to provide the missing information directly to Sh. Roop Kumar Trikha, under advise to us.* It was also informed during the hearing by the society that a request has also been made in this regard in this office to take necessary steps u/s 38 of DCS Act 2003. As such the inability of the society in providing the information is vindicated.

The appeal is disposed of accordingly with the above observations.

  
(Vijay Bhardwaj)  
9.6.16  
**Appellate Authority/DRCS-II**

To

1. Mr. Roop Kumar Trikha, R/o 44, SBI Cooperative Group Housing Society Ltd., Bank Vihar, Pitampura, Delhi- 110034.
2. The President/Secretary, SBI CGHS Ltd., Road No.42, Saraswati Vihar, Pitram Pura, Delhi- 110034.
3. AR (Sec.-7) O/o the RCS GNCTD.
- ✓ 4. AD, Computer O/o the RCS GNCTD.