

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/80/AR (Sec.-7)/2016/341-344

Dated: 31/05/16

ORDER

This order shall dispose of the appeal dt. 12.04.2016 filed u/s 139 of DCS Act 2003 by Sh. Bharat Bhushan, R/o A-4, Sant Tulsi Dass CGHS Ltd., Plot No.14, Sec-14, Rohini, Delhi-85 against the President/ Secretary of Sant Tulsi Dass CGHS Ltd. for not providing information against his RTI application dt. 25.02.2016. The appellant in person and Ms. Anusueya (Advocate) on behalf of the society were present on 24.05.2016.

The appellant in his above RTI application dated 25.02.2016, by enclosing copies of notice dated 06.03.2001 of last AGM held on 25.03.2001 with its minutes, sought information from the Sant Tulsi Dass CGHS Ltd, Rohini which the society vide its letter dated 23.03.2016 replied as under:-

Sl. No	Information	Reply
1.	The section/rules of DCS Act/Rules which permits the MC of Tulsi Apartment to submit the Balance Sheets with the Hon'ble RCS without holding AGM during the tenure of present MC.	You are advised to buy Delhi Cooperative Societies Act, 2003 and Delhi Cooperative Societies Rules, 2007 and go through the same.
2.	If there is no section/Rules of DCS Act/ Rules which permits them please inform the basis on which the M.C submitted the Balance Sheets without holding AGM during the tenure of present M.C.	As far as the AGM dated 25.03.2001 is concerned, the same is beyond five years and the society is not bound to comment anything on the same under Rule 165(5) (b) of the DCS Rules 2007.

The appellant received the above reply on 20.04.2016.

The questions asked in the RTI application are queries, not 'information'. Queries are not replied under RTI Act/ Section 139 of DCS Act.

u

2539/4
2/6/16

The society is also under mistaken belief that it can withhold all the information prior to 5 years. In terms of Rule 165(5) (d), it is obligatory on its part to furnish information pertaining to permanent records as mentioned in schedule 1 (Rule 43) of the Rules. Proceeding Registers/ Minute Books are amongst records to be retained permanently.

The appeal is disposed of accordingly with the above observations.


(Vijay Bhardwaj)
Appellate Authority/DRCS-II

To

1. Mr. Bharat Bhushan, R/o A-4, Sant Tulsi Dass CGHS Ltd., Plot No.14, Sec-14, Rohini, Delhi-85
2. The President/Secretary, Sant Tulsi Dass CGHS Ltd, Plot No. 14, Sector- 14, Rohini, Delhi- 110085.
3. AR (Sec.-7) O/o the RCS GNCTD.
4. ✓ AD, Computer O/o the RCS GNCTD.