

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/20/ AR (Sec.-6)/2015/ 194 - 197

Dated: 23/09/15

ORDER

This order shall dispose of the application dated 05.05.15 of Sh. Shyam Sunder Khemani R/o C-09, the Rehabilitation Ministry Emp. Coop. H/B Society Ltd. (Shivalik, New Delhi- 110017) for imposing penalty (on the Society) for providing incomplete reply by the Rehabilitation Ministry Emp. Coop. H/B Society Ltd., Shivalik in response to order dt. 19.03.15 of the Appellate Authority/AR (Sec.-6) u/s 139 of DCS Act 2003. The appellant in person and Sh. S.N. Bhardwaj, Office Assistant of the Society were present on the dates of hearing on 22.05.15 and 05.06.15.

The appellant in his RTI application dt. 14.07.2014 sought information interalia in respect of membership of Late Smt. Tara Devi w/o Late Sh. Gopeshwar Nath and also of membership of legal heir Sh. Ashok Nath S/o Late Gopeshwar Nath. The President of the Society vide letter dt. 16.08.14 returned the RTI application to the appellant with the plea that the Society is not covered under the RTI. Aggrieved with this reply, the appellant filed appeal u/s 139 of DCS Act 2003. On receiving notice in appeal under section 139 of DCS Act, the Society represented vide letter dt. 08.11.14 that the intention of section 139 of the Act is to supply information ~~only~~ in regard to monetary transaction. As the Information asked for does not relate to financial transaction the Society does not appear to be liable to supply the information as asked for by Sh. Khemani. Further, the appellant being a member of the managing Committee had gone through the entire file of Sh. Gopeshwar Nath. The purpose behind his having copies of the various letters etc is not understood. The then Appellate Authority/AR (Sec.6)/ (Banking) after hearing the appeal on 31.10.14, 21.11.14, 05.12.14, 24.12.14 and 13.01.15 directed the Society vide order dt. 19.03.15 to provide requisite information to the appellant within 15 days. The Society responded vide its letter dt. 04.04.2015 alongwith certain documents.

In his application dt. 05.05.15 for imposing penalty for providing incomplete information the appellant has highlighted the information which were not furnished to him by the Society which are inter alia, as follows:-

- (i) Information provided as recorded nominee only which is not relevant as it does not verify membership of Late Smt. Tara Devi by RCS;
- (ii) Copy of letter of membership approval of legal heir Sh. Ashok Nath from RCS;
- (iii) Copy of succession certificate of Late Sh. Gopeshwar Nath;

- (iv) Copy of original letter of employment of Sh. Gopeshwar Nath from administrative/ministry/department;
- (v) Copy of share (certificate) transferred in the name of legal heir Sh. Ashok Nath;
- (vi) Copy of original death certificate of late Sh. Gopeshwar Nath;
- (vii) Copy of relinquishment deed in favour of Sh. Ashok Nath submitted by other legal heirs.

I have gone through the reply dt. 15.12.14 to AR (Sec.6), reply dt. 04.04.15 alongwith documents provided to the appellant and also the reply dt. 05.06.15 in appeal to the undersigned by the said Society. In my opinion, the Society has provided enough information to the appellant. The so-called incomplete information as not provided to the appellant are purely personal information of the persons concerned which the society has rightly not provided. There is as such no cause of levying penalty on the said cooperative Society.

Moreover, the RTI is not the appropriate forum to agitate the issues raised herein by the appellant.

Vijay
18.9.15
(Vijay Bhardwaj)

Appellate Authority/DRCS-II

To

1. Sh. Shayam Sunder Khemani, C-9, Shivalik, New Delhi- 110017, Rehabilitation Min. Emp. Coop. HBS Ltd., Shivalik, New Delhi- 110017.
2. The President/Secretary, Rehabilitation Min. Co-op- HBS Ltd., Shivalik, New Delhi-17.
3. AR (Sec.-6) O/o the RCS GNCTD.
4. AD, Computer O/o the RCS GNCTD.

2198/CC
23-09-2015