

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

No. F. DRCS/AA/Coop./RTI/68/ AR (Sec.-7)/2015/40-43

Dated: 12/11/16

**ORDER**

This order shall dispose of the appeal filed by Sh. S.K.T. Sherman against the President of the Sri Ram Coop. Group Housing Society Ltd., Dwarka for not providing information on his RTI application dt. 05.10.2015 under Section 139 of the DCS Act 2003. The appellant in person and Sh. A.K. Tiwari, President of the abovesaid Society were present on 17.12.2015.

The appellant in his above RTI application sought (i) certified copies of complete Audit Reports for the years 2002-03 to 2005-06, (2) certified copies of election report issued by the Returning officer appointed for the MC term of 2002-2005 and 2005-2008 and (3) certified copies of the minutes of Annual General Body Meetings/Special General Body Meetings held from 2002-2005 alongwith approval of Audit of 2002-03, 2003-04, 2004-05 and 2005-06.

The appellant did not receive any information from the society. However, a reply to the appeal of the appellant was filed during the hearing on 17.12.2015. In the reply it is inter alia alleged that the appellant, being a persistent defaulter, is not entitled to the rights available to a member. Besides giving a point wise reply of the RTI, the Society required the appellant to deposit Rs. 790 towards cost of photocopy and other logistic to arrange the details of his above RTI application.

In view of the reply of the society there does not seem any demur to the society in providing information no. 1 and 3 of the RTI application subject to deposit of Rs. 790. In this regard, the Society shall charge only Rs. 10 per page per copy as under Rule 165 (2) of DCS Rules 2007. The Society is directed to intimate the number of pages involved in information no. 1 & 3 and the total amount thereof @10 per page within 7 days of receipt of this order, the requisite documents shall be provided by the Society within next 7 days after receipt of prescribed fee from the appellant.

Regarding information no. 2 of RTI application for certified copies of election report issued by the RO appointed for the MC term of 2002-05 and 2005-2008, the same being prior to five years may not be provided by the Society as stipulated under Rule 165 (5) (d) of DCS Rules 2007. Further, as per schedule II under Rule 53 of DCS Rules 2007, the retention period of election records is 6 months from the date of election or till such time a dispute regarding elections, if any, filed is disposed off, whichever is later.

It is also clarified that being a defaulter is not any bar to a member to exercise his right to seek information provided under the Act & Rules by the legislature. There are other adequate provisions in the DCS Act 2003/DCS Rules 2007 to deal with the aspect of default of a member. No member should be denied information for being defaulter.

The appeal is disposed of accordingly with the above observations.

  
(Vijay Bhardwaj)

**Appellate Authority/DRCS-II**

To

1. Mr. S.K.T. Sherman, Flat No. B-54, Sri Ram CGHS Ltd., Plot No. 32, Sector-4, Dwarka, New Delhi- 110077.
2. The President/Secretary, Sri Ram CGHS Ltd., Plot No. 32, Sector-4, Dwarka, New Delhi 110077.
3. AR (Sec.-7) O/o the RCS GNCTD.
4. ✓ AD, Computer O/o the RCS GNCTD.