

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/76/ AR (Sec.-7)/2016/307-310

Dated: 24/05/16

Sh. Bharat Bhushan (M.No. 382) vide his application dated 28/08/2015 sought certain information from the Sant Tulsı Dass CGHS Ltd. Rohini under Section 139 of DCS Act. 2003. The society did not provide any information prompting Sh. Bharat Bhushan to file appeal U/s 139(2) of DCS Act. 2003 requesting them to direct the MC of Tulsı Apartment to provide the required information free of cost and penalise them for their default as per provisions of the Act. During the appeal hearing on 20/11/2015, which was attended by both the appellant as well as the Society. The society was directed to furnish reply to the information sought within 2 weeks. The appellant vide his E-mail dated 22/02/2016 informed non-compliance of order dated 20/11/2015 about furnishing information asked for. A Show Cause Notice dated 05/04/2016 was issued to the President / Secretary of the Sant Tulsı Dass CGHS Ltd. for violation of provision of Section 139 r/w rule 165 of DCS Act/ Rules for not providing information as directed on 20/11/2015. Accordingly, on 12/04/2016 Sh. Akshaya Kaushik, advocate for the Society and the appellant in person were present. The society claimed to have complied the order dt. 20/11/2015 by furnishing reply to the appellant vide their letter dt. 01/12/2015. The appellant denied having received any such reply. A copy of the reply dt. 01/12/2015 was made available to the appellant during the hearing. A copy of the said letter dt. 01/12/2015 addressed to the appellant and endorsed to the undersigned was also received vide diary no. 34817 dt. 07/12/2015 the reply furnished is as follow:-

Sl No.	Information sought	Reply
1.	.....the whitewash inside the roof/top portion of stairs and paint on the iron angel/iron garder below water tank on the roof is still pending..... please refer my/our letter dated 26.08.2014, 17.02.2015, 08.04.2015 and 07.06.2015 inform the date by which it will be done.	1.....money was collected for whitewash/ paint of the stair case and other common areas but nothing was decided for the paint on the iron angel/iron grader below water tank. Since you have not attached the alleged letter it is not possible to give further information.

34/10/16  
26/5/16  
25/5/16



2.	Please inform the month/year when the signature of the present MC was recorded/changed in the Bank's records	The signature of the present MC was recorded/changed in the Bank Records on 16.06.2013.
3.	Please inform the amount spent on Holi Festival organized by the M.C in 2015 and alongwith the authority which permit these expenses. In this connection, please refer my letter dt. 07.06.2015 and also inform the section/rule which permit MC if the expenses not approved by the GBM.	3. Rs. 4500/- were incurred as Holi expenses. Since you have not attached the alleged letter at 07.06.2015, it is not possible to give further information.
4.	Please inform the action taken regarding removal of Dhobis (Presswala/wali) outside boundary walls, --- criminal case/ FIR for killing tree, pollution etc. In this connection, please refer my/our letters dated 08.2012, 18.09.2014, 05.01.2015 and 07.06.2013.	Dhobi is pressing clothes for the residents of the society since last many years and is not creating any hindrance in the activities of the residents of the society. Since you have not attached the alleged letters it is not possible to give further information.
5.	Please inform the amount spent on Intercoms by the previous M.C of Tulsi Apts. and annual maintenance spent every year since installation of intercoms.	Total amount spent on intercom was Rs. 2,53,000/- and the annuai maintenance charges are Rs. 15,000/-.

After going through the reply of the society, it is seen that necessary information has been provided to the appellant. Information asked at Sl.No. 1 of the application does not come in the definition of "information" (as in the RTI Act 2005). There is as such no cause for levying penalty on the M.C of the society. The SCN dt. 05.04.2016 is therefore, withdrawn.

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

To

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