

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date of hearing: 20th March, 2018

Complainant : Sh. Suresh Chandra Jain,
Respondent : The Registrar,
Department of Cooperative Societies,
Govt. of NCT of Delhi,
Old Court Building,
Parliament Street,
New Delhi-110001
Grievance No. : PGC/2016/RCS/07
Grievance filed on : 6/ 12/ 2016
First hearing in the PGC, : 29/ 12/ 2016
Scheduled on

1. Brief facts of the complaint

Sh. Suresh Chandra Jain filed a complaint in PGC on 6/12/2016 against the grievance caused by the Office of RCS in a case under Section 59(2) titled Pharmaceutical Employees Cooperative Group Housing Society, Plot No.88, I. P. Extension, Delhi-110092 against the erstwhile officers of the Managing Committee of society, pending in his court for the last 15 years.

2. Proceedings in the Public Grievances Commission

The PGC convened its hearings on 29th December, 2016, 21.3.2017, 16.5.2017, 23.8.2017, 26.9.2017, 10.10.2017, 21.11.2017, 26.12.2017 and the latest hearing on 20.03.2018 wherein following were present :

Complainant : Present
Respondent : Shri Gulshan Ahuja, Asstt.Registrar, Coop.Societies
Section-6, GNCTD.

3. Relevant facts emerging during the hearing

An ATR has been filed by Asstt.Registrar, Coop.Societies, Section-6, GNCTD

stating that “the Registrar of Cooperative Societies, GNCT of Delhi has taken a view after consulting with the Law Department of GNCT of Delhi that **“as per provisions of Section 76 of DCS Act, 1972, an appeal can be filed against the order of Registrar u/s 59 of the Act. Thus, a perusal of aforesaid provisions shows that PGC cannot pass orders directing Registrar to review its orders when there is specific provision in the Act itself to challenge the order of Registrar. Further, the orders of PGC are recommendatory in nature.”**

The applicant may be asked to file an appeal against the quasi-judicial order dated 15.03.2017 passed by the Registrar of Cooperative Societies u/s 59(2) of DCS Act, 1972.”

4. Directions of the PGC

In view of the ATR filed by the Department and advice given by the Law Department, GNCT of Delhi, the case of the complainant is closed in PGC.

**(N DILIP KUMAR)
MEMBER (PGC)**

Copy to:

1. Sh. J.B. Singh, Registrar, Department of Cooperative Societies, Govt. of NCT of Delhi, Old Court's Building, Parliament Street, New Delhi-110001.
3. The Dy.Registrar, Cooperative Societies, (Sec-06), O/o. RCS, Govt. of NCT of Delhi, Old Court's Building, Parliament Street, New Delhi-110001.
4. Sh. Gulshan Ahuja, Asstt.Registrar, Coop.Societies, (Sec-06), O/o. RCS, Govt. of NCT of Delhi, Old Court's Building, Parliament Street, New Delhi-110001.
5. Sh. Suresh Chandra Jain.
6. PS to Member, PGC, GNCTD.