

File No.: R-11017/15/2024-Omb/CRCS

Government of India
Ministry of Cooperation
Office of Cooperative Ombudsman

9th Floor, Tower-E, World Trade Centre,
Nauroji Nagar, Delhi-110029
Dated: 10th December 2024

Hearing in the Matter of Smt. Neethu Vijayan Vs The Urban Care Multi State Agro Cooperative Society Ltd. Before the Cooperative Ombudsman

Present:

1. Shri Subheesh Kumar MS, Authorised Representative of Smt. Neethu Vijayan..... Complainant
2. Shri V. Manoharan, CEO of The Urban Care Multi State Agro Cooperative Society Ltd.Respondent

ORDER

1. Smt. Neethu Vijayan vide her complaint dated 26th August 2024 against The Urban Care Multi State Agro Cooperative Society Ltd., Kozhikode, Kerala has stated that she has invested an amount of Rs.12.00 Lakh (Rupees Twelve Lakh only) on 13th May 2024 in Fixed Deposit with the society for a period of six months and was offered interest at 9% p.a. She has submitted a signed copy of the FD No.00031003 dated 13th May 2024 issued by the Society.
2. Due to some urgency, on 13th June 2024, she requested the Society for premature closure of the FD. However, the Society neither acceded to her request for premature withdrawal of FD nor allegedly sent any reply to her request.
3. A notice was issued on 17th September 2024 to The Urban Care Multi State Agro Cooperative Society Ltd. seeking their response to the complaint.
4. Shri V. Manoharn -CEO of the Urban Care Multi State Agro Cooperative Society Ltd. in his reply dated 09th October 2024 stated that Smt. Neethu Vijayan had made a deposit for a period of six months and the maturity date of this deposit is 13th November 2024. The deposit is still within its maturity period. He also stated that the Society provided an advance payment of Rs.50000/- to the complainant on 24th June 2024 against her FD in view of her father's illness. He also assured this Authority that the complainant's FD



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amount would be refunded promptly upon reaching its maturity on 13th November 2024.

5. Following the submissions, both the parties were summoned for a hearing through video conferencing on 07th November 2024.
6. During the course of video conferencing, Shri Subheesh Kumar MS- authorised representative of the complainant Smt. Neethu Vijayan restricted his submission on the line of facts and submission made in the complaint dated 26th August 2024 before the Cooperative ombudsman.
7. However, Shri V. Manoharan-CEO of the Society backtracked from his earlier written submission and denied the existence of this FD and submitted that the fixed deposit amount of Rs.12.00 Lakh was neither deposited in the bank account of the Society nor recorded in its cash books & other records. He further submitted that an internal inquiry had been initiated in the matter.
8. Since the stand taken by the CEO of the Society was at variance with the earlier reply dated 09th October 2024, the CEO was directed to make a written statement/reply within 15 days from 07th November 2024 to the Cooperative Ombudsman and also supply a copy thereof to the complainant.
9. In compliance of the aforesaid directions, the society filed its reply vide letter dated 19th November 2024 wherein they submitted copies of their internal documents.
10. Shri Subheesh Kumar MS- authorised representative of Smt. Neethu Vijayan- refuted the claims made by the Society in its response dated 19th November 2024. Further in support of his contention, Shri Subheesh Kumar MS has pointed towards the extracts of manual Cash Book and computer copy of the transaction submitted by the Society in its reply dated 19th November 2024, which clearly indicates that the advance was given against the FD No. 00031003, which is in his possession.
11. On perusal of the facts and submissions made, the following aspects emerge:-
 - a) Smt. Neethu Vijayan- the complainant, is in possession of an FD No. 00031003 of Rs.12.00 Lakh issued by The Urban Care Multi State Agro Cooperative Society Ltd. and has claimed its encashment.
 - b) In its initial response, the Society has acknowledged the existence of captioned FD and assured in its written submission to the Cooperative Ombudsman that the required payment would be made on maturity of the FD on 13th November 2024.



** [Signature]*

Ombudsman that the required payment would be made on maturity of the FD on 13th November 2024.

- c) The Society took a different stand in the hearing held on 07th November 2024, claiming that there is no record of such FD being made and the matter pertains to the tenure of the earlier CEO.
 - d) However, the extracts of manual Cash Book and Day Book, submitted by the Society, clearly mention that an emergency cash advance of Rs.50000/- was made to Smt. Neethu Vijayan on 24th June 2024 against her FD No. 00031003.
 - e) There are serious violations and contradictions in the stand taken by the Society. A depositor once making a deposit is only concerned with the receipt given for the transaction and is neither a party to nor is responsible for the accounting management or mismanagement, the entity has entered into.
12. After due consideration of the documents submitted, representation made by the parties and the relevant provisions of law, the matter is hereby disposed off as follows:-

- a) The Urban Care Multi State Agro Cooperative Society Ltd. is hereby directed to pay the balance due to Smt. Neetu Vijayan against her FD No. 00031003 along with up to date interest thereon within 10 days from the date of issue of this order.
- b) Compliance report to be submitted by the society to this office immediately thereafter.



A. Agarwal

(Alok Agarwal)

Cooperative Ombudsman

To:-

1. Smt. Neethu Vijayan w/o Shri Subheesh Kumar MS (Naik Retd.), Mundiyadi House, Cheeral OP, District Wayanad (Kerala)- 673 595
2. The CEO, The Urban Care Multi State Agro Cooperative Society Ltd., Eravannur Tower, Cheruvalathu Thazham, Earvannur PO, Narikkuni, Kozhkode (Kerala)- 673 585