

OFFICE OF THE PR. SECRETARY-CUM-DIVISIONAL COMMISSIONER  
DEPARTMENT OF REVENUE, GOVT OF NCT OF DELHI  
5, SHAM NATH MARG, NEW DELHI

No. 1 (17)/LC/DC/Rev. (HQ)/2019/4690

Date: 24-8-2020


Circular

In order to stop any misuse of Registration of Group Housing Society under the garb of Societies under Societies registration Act, 1830, all Registrar of Firm and societies (RFS) / SDM (HQ) of the concerned District while registering Society will do proper scrutiny and due diligence prior to registration. The guidelines detail hereunder are for strict implementation by all RFS.

1. Registrar Firms and societies will scrutinize Memorandum of Association and Rules and Regulation of Society for any commercial activities for benefits of members as purchasing land from contributions of members, constructing apartment, real estate project, selling or leasing or maintenance of apartment complexes. Only societies with object as defined in Section 20 of the said Act, shall be registered as per the procedure defined in the Act.
2. Societies with names attracting provision of Emblem Act, 1950 for names like Central, Delhi, India, Central / State Government will be referred to Ministry of Consumer Affairs, Government of India, the competent Authority for allotment of such name which signify State or its affiliation.
3. Registration of Societies with names like, Co-operative Society, employee welfare society of Government Department will not be registered by RFS in routine unless a NOC of the Administrative Secretary of the concerned Department / Government has been obtained for giving consent for registration and after certifying bonafides of all the Governing Body members.
4. An undertaking in affidavit form will be obtained from Governing Body of society that no commercial activity for benefits of members a purchasing land from contributions

of members, constructing apartment, real estate project, selling or leasing or maintenance of apartment complexes is carried out or intended to be carried out post registration. A specimen of the affidavit is enclosed. If anything contrary to the contents of affidavit/ undertaking particularly with respect to object of the society is found at any stage, the Registrar of firms and societies / SDMs shall initiate appropriate penal action including registration of FIR under the relevant provisions of law.

5. Accounts (Receipt - Expenditure) Statement, list of assets of the society and audit reports may be submitted mandatorily on an annual basis. Failing to comply with the same will make the society liable for action under the provisions of Societies registration Act, 1860.
6. The Account statement of the society will be required to be certified by qualified CA for issues like no property, land or immovable asset has been purchased by Society from contribution or money collected directly or indirectly from members in lieu of promise of allotment of flat / house / commercial complex etc.
7. All RFS will immediately take cognizance of any complaint either by general public or by members of society for any fraudulent activities by investigating into affairs of the society and take appropriate action under relevant sections of law by referring the matter to appropriate authority.

  
SDM - VI (HQ) / L.O

To  
All SDMs/ Registrar of Societies

Copy for information to DMs of all Districts for periodical monitoring of the work of RFS in their respective Districts.

AFFIDAVIT

I, \_\_\_\_\_ S/o \_\_\_\_\_  
Resident of \_\_\_\_\_ do  
hereby solemnly affirm and declare as under :-

1. That I am the President / Secretary of the Society named \_\_\_\_\_  
Registered / to be registered under the Societies Registration Act, 1860.
2. That this society shall not undertake the activities of promoting housing projects; advertising for induction of members and collecting money in the garb of cost of agricultural land to be purchased by this society for participation in the Land pooling Policy of DDA.
3. That this society shall not undertake any commercial activity such as purchasing land from money collected as contributions received from the members; constructing apartment; houses or other real estate projects; selling, leasing or maintenance of apartment complexes or other such real estate ventures.

DEPONENT

VERIFICATION

Verified at Delhi, on this the \_\_\_\_\_ day of \_\_\_\_\_ 202 \_\_\_\_\_ that  
The contents of the above affidavit are true and correct to the best of my knowledge and  
belief and nothing has been concealed therefrom.

DEPONENT