

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE REGISTRAR CO-OPERATIVE SOCIETIES
OLD COURT'S BUILDING, PARLIAMENT STREET,
NEW DELHI - 110001

F.No.47/ARH/306-GH/Sec-II/RCS/2021/

Dated: -

ORDER U/S 61 of DCS Act, 2003

Whereas, the Ekta Cooperative Group Housing Society Ltd. is registered vide registration No. 306-GH with this department under the provisions of DCS Act & Rules.

And wherein, perusal of complaint dated 09.10.2013 filed by Sh. Bharat Bhushan Allahabadi, Secretary of the society, it reveals that:-

- The membership of Sh. Sunil Kumar Aggarwal, who was appointed officiating President is not clear as it has not been indicated whether approval of the Competent Authority for grant of membership under Section 91 of DCS Act, 2003 has been approved or not.
- There is no provision by which any person or member can be appointed President of Managing Committee of a Society. It is a post which can be filled through direction election.
- RCS vide his order dated 11.10.2013 has already declared the Special General Body Meeting dated 13.10.2013 as illegal.
- There is a dispute regarding possession of the records of the Society as both the parties are denying possession.
- There are many other allegations leveled by the complainant against the Managing Committee. And whereas, this office had issued an order dated 13.03.2015 for the appointment of Inspection Officer under section 61 of DCS Act, 2003. Further, Society had filed a Revision Petition under Section 116 of DCS Act, 2003 (Case No. 169/2015) before Hon'ble Financial Commissioner, Delhi against the said order. Hon'ble Financial Commissioner, Delhi has disposed of the above petitioner and passed an order dated 14.01.2020. Operative part of the order is as under:-

"Accordingly, the contention of the petitioner, that RCS failed to appreciate that no inspection can be initiated on complaint of Shri Bharat Bhushan Allahabadi as he is/was not a Secretary of the society as per section 61 (1) of DCS Act, 2003, is not sustainable due to the provisions provided under proviso to the section 61 (1) of the DCS Act, 2003.

10. The citations quoted by the petitioner relied upon do not appear to be relevant to the circumstances of the present case.

11. The above findings explicitly establish that the impugned order dated 13.03.2015 passed by the Registrar Co-operative Societies is correct in the eyes of law. For these reasons, there is no cause to interfere with the impugned order of the Registrar Co-operative Societies, therefore, the same is upheld.

12. With these observations the present Revision petition is disposed of. No orders as to cost."

And whereas, the Registrar Co-operative Societies has approved for the appointment of **Mr.R.S. Krishnan, Deputy Secretary (C.S. Office)** as Inspection Officer under Section 61 of DCS Act, 2003 in Ekta CGHS Ltd. in place of Mr. S.K. Jha. Further, the society shall pay ₹.15,000/- (Rupees Fifteen Thousand Only) as remuneration to Inspection Officer from the fund of the Society for holding the inspection on the above cited complaint dated 09.10.2013. The Inspection Officer shall complete the inspection and submit his report within 60 days of issue of this order.

Encl:- Complaint dated 09.10.2013
alongwith Annexures.

(JOSEPH BAXLA)
ASSISTANT REGISTRAR (GH/SEC-II)

Dated: - 12/02/2021

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Copy to: -

- Mr. R.S. Krishnan, Deputy Secretary (Chief Secretary Office), Room No.503, A-Wing, 5th Level, Delhi Secretariat, I.P. Estate, New Delhi-110002 (Mob.9873784843) alongwith enclosures as referred above.
- President/Secretary, Ekta CGHS Ltd., Plot. No.-23, Sector-13, Rohini, Delhi -110085 with the request to furnish all the relevant documents to Inspection Officer.
- Mr. Bharat Bhushan Allahabadi, R/o Flat No.B-218, Ekta CGHS Ltd., Plot No.23, Sector-13, Rohini, Delhi-110085.
- P.S. to RCS, office of RCS Parliament Street, New Delhi-110001.
- The Assistant Registrar (Policy), O/o RCS, New Delhi -110001 for information.
- The Assistant Director (Computer Cell), O/o RCS, New Delhi -110001 with request to upload the same on the website of this department.

(JOSEPH BAXLA)
ASSISTANT REGISTRAR (GH/SEC-II)

34/CC
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