

GOVT. OF NATIONAL CAPITAL TERRITORY DELHI
IN THE COURT OF THE REGISTRAR COOPERATIVE SOCIETIES
OLD COURT BUILDING, PARLIAMENT STREET, NEW DELHI-110001

F.No.047/919/Sect-5/2019/1994-2001

Dated: 6/7/22

In the matter of:-

NANDA DEVI CGHS LTD.

ORDER

This order shall dispose of the proceedings initiated against the President/Secretary as well as other members of Managing Committee of the Nanda Devi CGHS Ltd. vide Show Cause Notice dated 03.12.2020 issued U/s 37 of DCS Act, 2003.

Whereas, various complaints were received in this office regarding differences among the members of the MC on the issue of selection of Secretary leading to allegations of non-handing and taking over of charge, based on which directions were issued by this office dated 23.10.2019 to sort out the matter amicably failing which provisions of Section 37(1) of the DCS Act, 2003 may be invoked.

Whereas, as per the Inspection Report U/s 61 of the DCS Act, 2003 submitted by Sh. K.K. Satija, Inspecting Officer, Managing Committee members have informed that the President of the Society is neither attending the Managing Committee meetings nor he is honouring the decisions taken in the meetings. The President had also not attended the AGBM held on 06.10.2019.

Whereas, it appeared from the above mentioned instances that there are alleged differences persisting among the members of the society despite directions from this office and accordingly explanation was sought from President/Secretary as well as other members of the Managing Committee as to why the Managing Committee of the society should not be superseded as per the provisions of Section 37 of DCS Act, 2003.

Whereas, Secretary as well as other members of the Management Committee submitted their initial reply received in this office on 16.12.2020 to the Show Cause Notice U/s 37 of DCS Act, 2003 wherein they had submitted that the AGBM has been conducted on 22.11.2020 and the matter of non-cooperation by the President and Vice-President and their non-attendance in the AGBMs and MC meetings was extensively discussed and the General Body of the society which is the supreme body, has taken note of the same, but has decided to permit the current MC to work on majority principles which effectively means the remaining working 7 members of the Managing Committee have been mandated by the general body to run the society based on majority decisions.

Hereafter, the Secretary as well as other members of the Management Committee in their reply dated 22.03.2021 stated that previous President Sh. Sukhbir Singh was not attending MC meetings or GBMs of the society, was not doing anything for the welfare of the society, and instead, was routinely submitting false and frivolous complaints against the previous and current committee members just to harass them and to prevent them from working for the society. Hence, on 14.03.2021, the General Body of the society has impeached Sh. Sukhbir Singh from the post of President under section 36 of the DCS Act, 2003 and Smt. Seema Bali was appointed as acting/adhoc President, and the working 7 members of the MC (including Secretary and Treasurer) were allowed by the General Body to continue working. Subsequent to that, there are no differences among the committee members and the committee is working as a single cohesive team. Further, all records of the Office which were in possession of the previous MC were already handed over to the current MC on 06.05.2019 and the current MC is in charge of the society records. Hence, there is no reason for applicability of section 37 on the present managing



committee of Nanda Devi CGHS Ltd. or of section 38 on the previous MC of 2016-2019, and we request you to quash these unwarranted proceedings.

Whereas, the Secretary as well as other members of the Management Committee in their reply dated 22.03.2021 submitted that the matter had already been resolved by the supreme general body of the society in its SGBM dated 14.03.2021 wherein, the general body had impeached the President Sh. Sukhbir Singh through secret ballot voting and appointed Smt. Seema Bali as acting/adhoc President, and the members of the Managing Committee were allowed by the general body to continue working. They had also submitted that the elections of the society are due in next 3-4 months.

Whereas, the President of the Society Sh. Sukhbir Singh neither submitted any reply to the Show Cause Notice nor attended the proceedings despite of various notices issued to him.

Whereas, Sh. V.P. Gupta and Sh. Neeraj Johari, members of the M.C. present during the hearing on 24.03.2022 informed that elections of the Managing Committee have not been held so far, but are due in April, 2022. They further informed that they both have resigned from M.C. and as a result M.C. now consists of President and Treasurer only.

On hearing dated 22.04.2022 Sh. V.P. Gupta, member of the Managing Committee of the society was present and informed that the R.O. has been appointed by the Managing Committee of the society and the election agenda had already been issued by the R.O. He further submitted that Election of the society is scheduled on 08.05.2022. Further, this court had ordered for the appointment of the observer to oversee the conduction of the election. Accordingly, Sh. Preetam Kumar, ASO has been appointed as an Observer, who had submitted his report on 09.05.2022 wherein he had submitted that election in the society was held unopposed and the election result was announced without voting/polling and a total of 9 members were elected in the new Managing Committee of the society.

In view of the above, as the new Managing Committee has already been elected in the society wherein nine members have been elected. Hence, in view of the same the present proceedings become infructuous. Accordingly, the current proceedings are disposed of. The parties are at liberty to avail appropriate legal remedies as per DCS Act, 2003 and Rules, 2007. Ordered accordingly.



Devesh Singh
Registrar Cooperative Societies

Dated: 6/7/22

F.No.024/GH/Sec-06/2017-2018/1997-2001
Sent To:-

1. President, Nanda Devi CGHS Ltd., Plot No. 19, Sector-10, Dwarka, New Delhi-110075
2. Secretary, Nanda Devi CGHS Ltd., Plot No. 19, Sector-10, Dwarka, New Delhi-110075
3. Other Managing Committee Members through President/Secretary, Nanda Devi CGHS Ltd., Plot No. 19, Sector-10, Dwarka, New Delhi-110075
4. ARCS (Housing/Sec-5) O/o RCS
5. Incharge Computer Cell to upload the order on the website of the Department.

Devesh Singh
Registrar Cooperative Societies