

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

F.No.47/237/GH/coop/296
CDNo.107489857

Dated:- 30/07/2024

ORDER

Whereas the Chetak Co-operative Group Housing Society Limited (hereinafter referred as "Society"), Plot No. 27/2, Sector-9, Rohini, Delhi-110085 is registered with the department under the provisions of Delhi Cooperative Societies Act (hereinafter referred as "DCS Act") and Rules framed thereunder.

And whereas, R.K. Singh, Secretary, The Chetak Co-operative Group Housing Society Ltd., Sector-9, Rohini, Delhi-110085 vide letter dated 09.07.2024 had appointed Sh. Jai Kishore, Vimal CGHS, Sector -12, Dwarka as Returning Officer wherein it has been stated that the executive committee meeting held on 07.07.2024 has unanimously resolved that to appoint him as election officer for conducting the election of the society.

And whereas, Sh. Jai Kishore vide his letter dated 10.07.2024 accepted the appointment as Election Officer and sought the documents from the society. The society vide letter dated 11.07.2024 submitted that the requisite documents as sought from the Mr. Jai Kishore i.e. Latest Rule book of co-operative societies, List of member, List of defaulters and audited accounts duly approved by RCS for the year 2022-23.

And whereas Sh. Arya Muni, Ms. Seema Mehra and others have filed complaint dated 23.07.2024. Against this complaint it has been basically informed that:

(a) Against Order u/S 37 of DCS Act, 2003, dated 19.04.2024 the management of the society had approached court of Financial Commissioner and as per order 25.04.2024 in para-5 the following had been mentioned, "***Without any observations on the merits of the impugned orders and only to enable the petitioner herein to avail the opportunity to appear before this court in Revision and to hear all sides before taking a view, it is directed that notices be issued for response of the Respondents. Also in the interest of fair play, no coercive action qua the society be taken and status quo be maintained till the next date of hearing so that a view can be taken qua the impugned orders at the earliest.***"

(b) While the matter is under adjudication the society had appointed an Election Officer to conduct the election by appointing one Sh. Jai Kishore as Election Officer from this conduct of the management it can be apparently seen that the management of the society has clearly violated the provision of Scheduled II of Rule 53 of DCS Rules, 2007.

And whereas, RCS vide its order No. F.No.47/237/GH/Coop/107489857/548-52 dated 19.04.2024 in the matter of Smt. Seema Mehra V/s The Chetak CGHS Ltd., superseded the Management Committee of the Society u/s 37 of DCS Act, 2003 and appointed Sh. R.K. Kapoor, Section Officer (Retd.) as Administrator of the Society with immediate effect to manage the day to day affairs of the society and convene the elections of the society within a period of one hundred and eighty days.

And whereas, it is apparent that the letters issued by the Sh. R.K. Singh dated 09.07.2024 and 11.07.2024 for appointment of election officer as Secretary of the society are arbitrary and illegal as Management committee of The Chetak CGHS was superseded U/s 37 of DCS Act, 2003 and an Administrator was appointed to look after the day to day affairs of the society and for convene the election of the society with immediate effect and also the matter is subjudice in the Court of Financial Commissioner

And whereas, the last election of the Management of the Society was conducted on 20.03.2022 and which has now been proponed without any reason.

And whereas, as per the copies enclosed regarding appointment of Returning Officer, the society as not adopted the provision of clause 1(i) of scheduled II of Rule 53 of DCS rule 2007, *the committee or Board of a co-operative society shall meet atleast sixty clear days in advance of the date of expiration of its term and by resolution determine the date, time and place for convening a general body meeting for conduct of election of its successor Committee* and clause 2 of the said prevailing scheduled in the appointment of Sh. Jai Kishore as a Returning Officer which has apparently been done in haphazard manner and without following the provisions of DCS Act and Rules .

Now, therefore, the said order dated 25.04.2024 of the Ld. Financial Commissioner which is not limited/ binding only on the O/o RCS but is also inherently applicable on the management of the society. Accordingly, subsequent to the approval of the Registrar Cooperative Societies, Delhi in exercise of the powers vested under DCS Rules, 2007, the declaration of the appointment of Sh. Jai Kishore as Election Officer and the election notice dated 20.07.2024 stand cancelled and treated Abinitio invalid.

This issue with the prior approval of Registrar Cooperative Societies, Delhi.


ASSISTANT REGISTRAR
HOUSING SECTION-II

The President/Secretary
The Chetak Co-operative Group Housing Society Limited,
Plot No. 8, Sector-23, Dwarka,
New Delhi-110077

Copy to for information

1. Arya Muni and Others, A-26, Chetak Apartment, Plot no.27/2 Sector-9, Rohini Delhi-110085.
2. AR (IT), O/o the Registrar Cooperative Societies, Delhi.