

**OFFICE OF THE REGISTRAR COOPERATIVE SOCIETIES
GOVT. OF NCT OF DELHI, OLD COURT BUILDING
PARLIAMENT STREET, NEW DELHI-110001**

F.NO.PA/RCS/2026/232-234

Date: 18/06/2026

**Directives under section 42 of the Delhi Cooperative Societies Act, 2003 for
the election of Managing Committees of all kind of Cooperatives Societies**

Whereas several legal disputes are initiated every year impleading this office before the different legal forums and in some cases up to the Apex Court pertaining to elections of Managing Committees of societies registered with this office by some of their members which results into prolonged and unnecessary litigation/s and in some cases interim orders are passed which results into deemed extension of expired period of an outgoing committee beyond statutory period as prescribed.

Whereas as per the provisions of Sec.35 of Delhi Coop. Societies Act, 2003, an elected Managing Committee of Society is authorized to prepare electoral rolls for the conduct of elections of its members for successor committee, appointment of Returning Officer who is neither its member nor its employee who can also be appointed by this office either on request of its Committee or from the one sixth members of society and also in case of dispute with due opportunity to committee whose term is three years. If no steps are taken before expiry of this period, then Committee of the Society ceases to exist with appointment of administrator by this office who holds the election within 90 days and until then manages its affairs. In case of Cooperative/Financing bank, Federal Cooperative Society and Housing Society who are either not allotted land or after its allotment conducted self draw of flats whose Returning Officer is appointed by this office and not by Committee.

Whereas Schedule-II of rule 53 of Delhi Coop. Societies Act, 2007 prescribes the manner of conducting elections and authorizes the appointed Returning Officer who has to examine list of revised members of society prepared by its committee as per rule 33 of said rules, 30 days prior to the date of meeting for election of committee to include members admitted and excluded members resigned/ceased or expelled during the period commencing from the date when list was last revised and ending with the date of revision of the list submitted in Form 8 or 8A as the case may be. In case of Housing Society a copy of list is sent to this office in 30 days along with soft copy in a floppy diskette (or CD/Pendrive) of same for display on website.

Whereas disqualifications for membership of the committee is prescribed under Sec.35 (7)(d) of DCS Act, 2003 and rule 54 of the DSC Rules, 2007 are without any exception with no discretion to appointed Returning Officer. No prior notice/hearing is required to be served upon member of Society who incurs disqualifications as prescribed in the said provision and the said rule while



rejecting the nomination of a member by recording reasons on its scrutiny under cl.5,6 &7 of scheduled II of rule 53 of DCS Rules, 2007 except facilitation and is competent to decide objection made in respect of nomination or on its own motion after a summary enquiry if necessary and reject any nomination except on typographical/ clerical errors and decides a list of valid nominations on same day.

Whereas the litigations are also coming up frequently before the legal forums and this office by members of societies whose names are reflected in defaulters list as prepared by the Managing Committees and in some cases by the Administrators which should in accordance with the explanation to Sec.25 of the DCS Act, 2003 that should be prepared and displayed 30 days before date of election of Society with copy to this office and defaulters and have to be allowed to clear dues as per cl.3 of schedule-II of Rule 53 of DCS Rules, 2007 before filing the nominations.

Whereas such Societies whose annual audits or the annual general body meeting have not been conducted for the five consecutive years or has no fixed assets and outside liabilities and share money of members, such societies are deemed to have been dissolved and ceased to exist as corporate body after expiry of period of five years without any order to be passed by this office on their status in view of proviso to Sec.20 (5) of DCS Act, 2003. Hence, they cannot conduct election.

In view of settled legal position and to reduce the litigation on societies elections it is hereby directed that a declaration shall be submitted by all the cooperative societies two months before expiry of period of the elected committees/boards in annexed form to this office enclosing the requisite documents as mentioned in it for verification. The office of RCS will accord its approval within a period of 15 days for conducting the elections of committee/Board of Society as per Act & Rules. In case of failure to do so, administrator shall be appointed by this office on expiry of three years period to manage day to day affairs for 90 days or more as the case may be.

18/6/26
(KRISHNA KUMAR SINGH, IAS)
Registrar Co-operative Societies

Copy to:-

1. PA to Spl. RCS, O/o RCS
2. All DRCS/Branch In-charges, O/o RCS with direction for strict compliance of the timelines indicated in this directive.
3. DRCS (IT) for uploading this order on the website of the O/o RCS
4. Guard file

DECLARATION FORM FOR THE ELECTION

To,

The DRCS/ARCS
O/O Registrar Coop. Societies,
Old Court Building, Parliament Street,
New Delhi-110001

Sir/Madam,

Sub: Declaration before conducting election of Managing Committee /Board of Society with documents in compliance to directive dated 18.06.2026 issued by RCS.

1. Name, address and Registration number of Society:
2. The date of election of present committee of society:
3. Date on which the period of three years shall expire:
4. The certified copy of last declared election result:
5. The dates of completion of annual audits of society during the tenure of 3 years of Committee /Board:
6. Whether annual audit of Society for five consecutive years conducted by appointed panel auditor's name:
7. The dates for conducting the annual general meetings of society for 5 consecutive years with certified copies:
8. Whether any member of Committee is disqualified to contest election of new committee as per Sec.35(7)(d) of DCS Act, 2003 and under rule 54 of DCS Rules, 2007:
9. The list of members as per rule 33 of DCS Rules, 2007:
10. The list of defaulters as per Sec.25 of DCS Act, 2003:
11. The copy of resolution of committee as per cl.(1) Sch. II of rule 53 of DCS Rules, 2003 with a declaration of no dispute in society to conduct committee's election:
12. In case of Cooperative Bank, financing Society, Coop. Union/Federation a declaration that any of its member doesn't fall in proviso of Sec. 20(5) of DCS Act, 2003:

It is declared that information submitted with certified copies of documents for verification and approval is true & correct as per records maintained by Society.

Yours faithfully



(Chairman/Secretary/President)

Name of Society/address
Contact detail/email address