

OFFICE OF THE REGISTRAR COOPERATIVE SOCIETIES  
GOVERNMENT OF NCT OF DELHI  
OLD COURT BUILDING, PARLIAMENT STREET, NEW DELHI 110001  
(HOUSING SECTION - III)

No. F.47/530/AR/GH/Sec-III/RCS/2024/348

Dated:- 5/5/2025

**ORDER**

By this order, I shall dispose of this representation/complaint dated 30.04.2023 of Smt. Sona Devi Bansal, member of Jatav CGHS Ltd. In view of the Hon'ble Delhi High Court Order dated 29.07.2024 in the matter of WP(C) No/ 9020/2023 title as Smt. Sona Devi Bansal, Vs GNCT of Delhi & Ors.

Whereas, a complaint dated 30.04.2023 has been filed by Smt. Sona Devi Bansal regarding appointment of a Special Auditor to conduct Special Audit of the Account in the society of Jatav CGHS Ltd. for the last twenty years.

**Submissions made by Petitioner/Complainant vide complaint dated 30.04.2023**

- The Managing committee of the society has not audited the balance sheet for the last twenty years in as much as no GBM is called to disclose about the expenditure and balance amounts remained with the society.
- The office bearers of society are running multiple illegal boring plants/dug well motor-operated tube well in the society in as much as they are illegally charging money from members for water bills in the name of DJB but they have not paid any amount to DJB in the last seven years.
- The office bearers of the society are charging money under the garb of water bills. However, they are not paying any money to DJB as much as they are not giving any explanation about the money received by them.
- The society is constructed only for residential purposed in which various portions have been left open/vacant for smooth and free air and sunlight as well as for using the common portion as passage. However, the office bearer of the society have encroached upon the public land and have allowed raising of illegal constructions with the officials of Building department, Keshav Puram Zone, MCD. The society allowed illegal constructions and encroachment in public places in such a manner that a fire brigade cannot even enter into the premises of the society.



- The complainant filed RTI in Audit Branch, RCS Office vide ref. no.RCS/2017/111 dated 19.01.2018 supplied by one of the member of the society in which the RCS has admitted that the aforesaid society has not submitted the audit report since 2001-2002 onwards.
- The office bearer of society prepared forged and fabricated documents as much as Mr. Kamal Deep Katyal presented himself as Secretary to the society, though he was not even a member of the society. It is submitted that mother of Sh. Kamal Deep Katyal namely Smt. Bimla Katyal was a member, she died on 02.08.2022.

### **Proceedings of the case:**

As per Hon'ble High Court order dated 29.07.2024, hearing in the matter was fixed on 23/10/2024 at 03:00 P.M. On hearing Smt. Shweta Goswami, Advocate from the society & Mr. Chander Shekhar on behalf of complaint Smt. Sona Devi Bansal appeared before the RCS but the Advocate of the society has objected the appearance of Sh. Chander Shekhar attending the proceeding without the authority letter. Thereafter, Mr. Chander Shekhar informed that he is the husband of Smt. Sona Devi Bansal. He promised before the Court of RCS to that he will come next time with proper authority letter. Society was also directed by the Court to file its reply within 10 days.

Next date of hearing was fixed on 13.11.2024 at 03:00 P.M but adjourned due to administrative reasons. On subsequent next date of hearing is fixed for 06.12.2024. On hearing present Sh. Ashish Sehrawat & Smt. Shweta Goswami, Advocates for the society were present before the RCS and filed the reply. The society submitted additional documents in ref. of written submission dated 12.11.2024.

### **The reply dated 13.11.2024 submitted by the society are as under :-**

- As per Section 23 of the DCS Act 2003 read with Rule 27 of the DCS Rules, 2007 any complaint or representation must be filed by the aggrieved member themselves or through their duly authorized representative "documents purporting to be filed by one person but signed by another without proper authorization are void ab initio and cannot be entertained".
- That Smt. Sona Devi Bansal became a member in 2013, and it is procedurally and legally improper for her to request records dating back to 2001. Members have access to financial documents only for the period relevant to their membership, respecting privacy and management efficiency in cooperative societies.





- That in the year of 2016-17, the society returned Rs. 10,000/- to each member of society, including Smt. Sona Devi Bansal, as a goodwill gesture based on accumulated profits, which was also recorded in the income statements and balance sheets.
- That the Audit reports have been conducted through auditors appointed from the panel of RCS every three years as per section 60 of the DCS Act. It is further submitted that even the Remuneration paid to the auditors have been transparently recorded in the society's accounts.
- That the Balance Sheets and financial accounts are regularly presented at the AGM after being submitted to your good office which were duly audited by the Auditor empanelled by the RCS and are open for review by all the members, which shows transparency in Financial Records and Balance sheets.
- That the transparent and compliant audits have been conducted by Jatav CGHS with no indications of misconduct or mismanagement on the part of the Managing Committee of the society. The absence of concrete evidence in the member's representation further invalidates the request. It is settled legal precedent that mere allegations without material evidence do not justify the imposition of additional audit measures on co-operative societies.

**Conclusion:-**

The matter has been examined as per Rule 80 of DCS Rules 2007. The society submitted that the complaint dated 30.04.2023 is not even signed by the complainant i.e. Smt. Sona Devi Bansal makes out no grounds for conducting special audit of the society as per Rule 80 of the DCS Rules 2007.

Based on the arguments put forward by both the parties and submission of both parties, the applicant has not provided any valid ground/documents for conducting Special Audit of the society for the last 20 years. Further the complaint dated 30.04.2023 does not fulfil the condition of Rule 80 of the DCS Rule 2007 for conduct of Special Audit.

Hence, in view of above, the representation/Complaint Dated 30.04.2023 of Smt. Sona Devi Bansal is not considered and accordingly dismissed.

  
**(ANIL KUMAR SINGH) IAS**  
**REGISTRAR OF COOPERATIVE SOCIETIES**

No. F.47/530/AR/GH/Sec-III/RCS/2024/348

Dated:- 5/5/2025

Copy to : -

- 1) The President / General Secretary, Jatav Cooperative G.H. Ltd., Venus Apartments, Zone H/4-5, Rani Bagh (opp. Sainik vihar), Pitampura, Delhi-110034.
- 2) Smt. Sona Devi Bansal, W/o Chander Shekhar Bansal, R/o E-402, Venus Apartment, Pitampura, Delhi-110034.
- 3) PS/PA to RCS, GNCTD, Parliament Street, New Delhi-110001 for information.
- 4) PA to Addl. RCS, GNCTD, Parliament Street, New Delhi-110001 for information.
- 5) PA to DRCS, GNCTD, Parliament Street, New Delhi-110001 for information.
- ✓ 6) The Asstt. Registrar (Computer Cell) O/o Registrar Co-operative Societies, Parliament Street, New Delhi-10001 for further necessary action.
- 7) Guard File.

  
(ANIL KUMAR SINGH) IAS  
REGISTRAR OF COOPERATIVE SOCIETIES