

**OFFICE OF THE REGISTRAR COOPERATIVE SOCIETIES
GOVT. OF N.C.T. OF DELHI, OLD COURT'S BUILDING
PARLIAMENT STREET, NEW DELHI-110001
(SECTION-III/ GROUP HOUSING)**

No. F. AR/Sec-III/U/S-118(1)/2024 **947-949**

Dated: **21/9/2025**

In the matter of:-

Smt. Shweta Bhardwaj
81-C, Jyoti CGHS Ltd.
Plot No. B-2, Sector-14 Extn.
Rohini, Delhi-110085

..... Applicant

Versus

The President/Secretary,
Jyoti CGHS Ltd.
Plot No. B-2, Sector-14 Extn.
Rohini, Delhi-110085

..... Defendant

ORDER OF PENALTY UNDER SECTION 139 OF DCS ACT, 2003

Whereas, 23 applications dated 12.12.2022 were filed by Smt. Shweta Bhardwaj for seeking informations u/s 139 of DCS Act, 2003 from the President/Secretary of Jyoti CGHS Ltd. But, the society did not reply.

And Whereas, an appeal dated 16.01.2023 & 20.01.2023 u/s 139(2) of DCS Act, 2003 were filed by Smt. Shweta Bhardwaj, stating denial of information to her before the first appellant authority.

And whereas, hearing conducted by First Appellant authority on 02/08/2023, wherein an opportunity of being heard was given to both the parties. Sh. Sat Pal Bhardwaj Dixit (H/o Smt. Shweta Bhardwaj Dixit) appellant and Sh. Vijay Kamra, President of the Society attended the proceedings. In his reply dated 25.06.2023, the President of society stated that the applicant Smt. Shweta Bhardwaj is not eligible and entitled to either apply for any information pertaining to the affairs of the society from the society nor could legally filed any appeal u/s 139 of DCS Act read with Rule 165 of the DCS Rules, 2007 as she is not member.

Further, after conducting various hearing the Deputy Registrar disposed of appeal vide order no. F.DRCS/U/S-139/54-76/2023/1334 dated 17.10.2023 and directed to provide the requisite information in terms of provisions of Section 139 of the DCS Act, 2003 read with Rule 165 of DCS Rules, 2007 within 7 days of receipt of this order under intimation to this office.

And Whereas, the applicant waited for about two months and submitted a request dated 13.12.2023 for non-compliance of above order and applicant again requested to this office for non-compliance of above order vide letter dated 13.02.2024, 27.03.2024 & 12/04/2024. But till date, M.C of society failed to provide the requisite information despite of applicant various visits to society office.

Sat Pal Bhardwaj

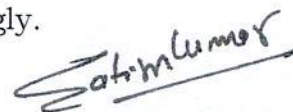
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Thereafter, show cause notice dated 23/07/2024 & its subsequent reminder dated 09/09/2024 were issued as to why the penalty action not be initiated for not complying the order dated 17.10.2023. But, the society failed to reply. Hence, last and final show cause notice dated 13/08/2025 were issued as to why the penalty action not be initiated for not complying the order dated 17.10.2023.

Now, a reply was received from the Secretary of society vide letter dated 22/08/2025 wherein it was stated that applicant is not member of the society hence, cannot be provided the information u/s 139 of DCS Act, 2003. But this office has issued order dated 28/02/2024 wherein MC of the society was directed to transfer membership under section 91 of DCS Act, 2003 in the name of the appellant Smt. Shweta Bhardwaj, Flat No. 81-C to the respondent society within 10 days from the date receipt of this order. Although, the MC of the society was filed review before the Addl. RCS/RCS. But, no stay has been granted till date by any court. Therefore, a reply given by the Secretary of society is not satisfactory. Moreover, the society has not complied office order dated 28/02/2024 regarding transferred the membership of the applicant.

As the society is not providing the information to the appellant, her right to seek information in relation to the transactions of the cooperative society cannot be denied. Accordingly, I conclude that the society has defaulted in providing the information to the appellant despite affording opportunity. Accordingly, a penalty of Rs. 10, 000/- (Ten Thousand only) is imposed under section 139 of DCS Act, 2003 read with Rule 165(8) of DCS Rules, 2007. The penalty so imposed shall be recovered from the personal pocket of the committee members or concerned information officer as arrears of land revenue. The amount so recovered shall be deposited in Co-operative Education Fund of Registrar Cooperative Societies within 30 days of the receipt of this order.

The appeal of the Appellant is disposed of accordingly.

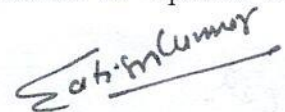

(SATISH KUMAR GUPTA)
ASSITANT REGISTRAR

No. F. AR/Sec-III/U/S-118(1)/2024/947-949

Dated: - 21/9/2025

Copy for information:-

- ✓ The Assistant Registrar (IT), O/o RCS, Delhi, with the requested to upload the order on the website of the department.


(SATISH KUMAR GUPTA)
ASSITANT REGISTRAR