

CITIZEN'S CHARTER

COOPERATIVE SETUP IN DELHI

(Revised & updated)



COOPERATIVE DEPARTMENT
(Office of the Registrar Co-operative Societies)
Govt. of National Capital Territory of Delhi,
Parliament Street, New Delhi-110001
April-2011

PROGRESS, PROSPERITY AND PEACE THROUGH CO-OPERATIVES





Bhagidari

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PROLOGUE

The Cooperative Movement in the NCT of Delhi was born on 25th March, 1904 with the enactment of first Cooperative Societies Act No. X. The objective was to take care of the organization and registration of Agriculture Credit Cooperative Societies in its rural areas. In essence, it was very similar to that in other States and Union Territories. Over the years and especially with the enactment of Cooperative Societies Act II in 1912, it gave a boost to cooperatives in areas of urban credit, housing, industrial and consumer products. Delhi Cooperative Societies Act 1972 has also helped to achieve new height especially in cooperative group housing societies. Now, Delhi Cooperative Societies Act 2003 has been enacted keeping in view the current needs of cooperative movement in Delhi. The Delhi Co-op Societies Rules 2007 has been notified w.e.f Oct 2007.

The tremendous success of the endeavour can be gauged from the fact that, by the financial year 2010-11, the total number of Registered Cooperative Societies crossed 5450 having membership of over 13.92 lakhs with their combined share capital of Rs.9914.11 lakhs and a deposit base of Rs.219813.16 lakhs.

THE OBJECTIVE

**This charter is a declaration of our
Mission, goals, values, efforts, duties, standard
And our sincere commitment to
Cooperative Societies
Set up in the NCT
Of Delhi**

AIMS AND OBJECTIVE

The objective and the role of Cooperative Department have undergone a sea-change during the last decade. In order to gear up the cooperative societies to meet the challenges posed by economic liberalization and super fast growth in the field of Information Technology and to protect the interests of the members of Cooperative Societies as financial stakes have become high, the Govt. of National Capital Territory of Delhi has made sincere efforts to prepare a new cooperative societies law to make cooperation a viable economic movement, encompassing simultaneously growth in the field of socio-culture, information technology, health & education through the medium of cooperative societies,

Therefore, the Delhi Cooperative Societies Act, 2003 has been enacted w.e.f. April 2005 which aims to consolidate and amend the laws relating to cooperative societies, to facilitate the voluntary formation and democratic functioning of cooperative as people's institutions based on self-help and mutual aid to enable them to promote their economic and social betterment and to provide for better regulation, management, functional autonomy of such societies and for matters connected therewith or incidental thereto in the National Capital Territory of Delhi.

The cooperative department attempts to serve in following ways:

- * Cooperation and transparency
- * Courtesy and understanding
- * Efficiency and professionalism
- * Speedy processing and prompt action
- * Fair and speedy settlement of disputes
- * To act as a friend, philosopher & guide to the cooperatives

Cooperative Principles:-

- 1) Voluntary and open membership
- 2) Democratic member control
- 3) Members economic participation
- 4) Autonomy and independence
- 5) Education training and information
- 6) Cooperation among cooperatives
- 7) Concern for community

THE TEAM

The Registrar (Cooperative Societies) and Secretary (Cooperation), Govt. of Delhi, plays vital role in monitoring the functioning of Cooperative Societies registered under the Act. The Government also appoints other persons to assist

the Registrar as Additional/ Joint Registrars, Deputy Registrars, Asstt. Registrars and other field / ministerial staff. The Government, by general or special order, has conferred on persons appointed to assist the Registrar, the powers of the Registrar under the DCS Act/ Rules. Every person appointed to assist the Registrar exercises the powers conferred on him subject to general guidance and superintendence and control of the Registrar.

The current status of delegation of power by Registrar Cooperative Societies is given below:-

S. No.	Section/Rule	Extent to which Powers are delegated	Authority to whom the power vests
1.	Section 4,9,10 of DCS Act 2003 read with Rule 5,6 &9 of DCS Rules 2007	Registration of Coop. societies	Addl. RCS/JRCS
2.	Section 12 (except clause 6,7 , Read with Rule 12,15 & 16)	Change of name and liability Amendment of bye laws of Society	Addl. RCS/JRCS
3.	Section 28 & 91 read with Rule 92 & 93	To issue acknowledgement after obtaining documents from the society & verification thereof	Assistant Registrar
4.	Section 31 (2) and Rule 49 & 51	To call Annual general body on failure of doing so by Managing Committee of the society and recovery of expenditure for the same.	Addl. RCS/JRCS
5.	Section 32 read with Rule 42	Annual statements	Assistant Registrar
6.	Section 33(2) and Rule 46 & 51	To call Special General Body Meeting and to recover expenditure for the same Securing possession of records,etc.	Addl. RCS/JRCS
7.	Section 35 read with rule 47(2)	Permission for division of members for constitution of representative General Body.	Deputy Registrar

8.	Section 38	Securing possession of records, etc.	Addl. RCS/JRCS
9.	Section 40 and Rule 31	Expulsion of members (Other than housing societies)	Assistant Registrar
10.	Section 45 (vii) and Rule 124	Power to issue certificate of recovery	Assistant Registrar
11.	Section 60 (6), Section 60 (8), read with Rule 80	Power to get audit conducted and accounts written on failure of the society.	Addl. RCS/JRCS/DRCS
12.	Section 61 read with Rule 82 & 83	To order inspection	Addl. RCS/JRCS
13.	Section 63 read with Rule 82 & 83	To order Inspection of books of indebted coop. societies	Assistant Registrar
14.	Section 64 read with Rule 7	Cost of Inquiry	Addl. RCS/JRCS
15.	Section 66 read with Rule 115,116	Services of legal practitioner in liquidated societies	Addl. RCS/JRCS
16.	Section 67 read with Rule 80(10)	Directions regarding expunging any portion of audit report of societies	Addl. RCS/ JRCS / Dy. Registrar
17.	Section 69 (2)(3)(4)	Maintenance of accounts & books etc.	Deputy Registrar/Assistant Registrar
18.	Section 70/83 read with Rule 84	Admission of fresh claim petition in r/o Housing Societies Fresh Claim Petition in r/o other than Housing Societies	Deputy Registrar Assistant Registrar

19.	Section 71	Arbitration matters of House Building Coop. Societies, Group Housing societies Pertaining to membership, seniority, size and category of flats Other cases to be allocated by Addl. Registrar/JR(Arb) to any other Arbitrator appointed under the Act/Rules.	Addl. RCS/JRCS Arbitrators on panel as per DCS Act.
20.	Section 77 read with Rule 90	Verification of enrolments of membership in Coop. House Building or Coop. Group Housing Societies	Assistant Registrar
21.	Section 80(3) & 80 (4) read with Rule 93	Hearing of appeal for refusal of permission for transfer of occupancy right by Coop. Housing Society.	Addl. RCS/JRCS
22.	Section 84 (5) read with Rule 96	Considering the matters with regard to issuance of certificate of recovery	Assistant Registrar
23.	Section 84 read with Rule 96	Inquiry and issuance of Recovery certificate of outgoing and arrear of dues	Assistant Registrar
24.	Section 85 read with Rule 64,69	Regulation of loan	Addl. RCS/JRCS
25.	Section 85 (2) read with Rule 96	Inquiry & issuance of recovery certificate	Deputy Registrar
26.	Section 86 (2 & 3) read with Rule 99	Approving/rejecting the proposal of Managing Committee for expulsion of a member	Addl. RCS/JRCS
27.	Section 91 read with Rule 92	Transfer of membership to purchaser of flats/houses	Concerned Zonal ARCS

28.	Section 104 read with Rule 123	Enforcement of charges	Assistant Registrar
29.	Section 105 & 106 read with Rule 124	Execution of orders etc.	Assistant Registrar
30.	Section 108 read with Rule 97	Power to issue certificate for recovery	Deputy Registrar
31.	Section 110 read with Rule 150	Recovery of sums due to Govt.	Addl. RCS/JRCS
32.	Section 139, Section 139 (2) read with Rule 165	Appellate Authority	Concerned Zonal ARCS
33.	Rule 7	Maintenance of Registers	Assistant Registrar
34.	Rule 36	Inspection of documents	Assistant Registrar
35.	Rule 153 (2)	Authorization for execution of award	Addl. RCS/JRCS

The delegation of power shall be read with the relevant corresponding provisions of Act & Rules in force.

The Powers delegated to the officers of the department under the provisions of the Punjab Land Revenue and other Acts as extended to Delhi may continue to be exercised by the same Officers as delegated earlier.

Role of Registrar

From the registration of a Cooperative Society till the cancellation of its registration, the Registrar acts as a friend, philosopher and guide to the cooperatives in order to ensure compliance of the Cooperative Act, Rules Bye-laws and Govt. Policies. The main functions of the Registrar are as under:-

1. Registration of Cooperative Societies and approval of their Bye laws.
2. Amendments in the Bye-laws of Cooperative Societies
3. Amalgamation, division and re-organization of Cooperative Societies
4. Ensuring conduct of elections of Managing Committees in Primary Cooperative societies, banks and federal Cooperative societies etc.

5. Regulation of investment of funds by Cooperative Societies as per Act/ Rules
6. To ensure compliance of provisions of audit and to prepare penal of Auditors and to conduct inspection, enquires and to fix surcharge on negligent functionaries of Cooperative Societies
7. To settle disputes of Cooperative Societies through the process of arbitration and preparation of panel of Arbitrators
8. Function as an appellate court
9. Enforcement/ execution of orders, awards and decrees of various courts and recovery of dues of the societies.
10. Winding up, dissolution & cancellation of registration of defunct/ non-functional societies and appointment of Liquidators
11. To operate Cooperative Education Fund for training, education and carry out publicity programme to strengthen cooperative movement in the NCT of Delhi.
12. To submit proposals for amendments in Delhi Cooperative Societies Act 2003 and Rules from time to time.
13. To issue instructions/directives for the promotion of business of different categories of Cooperatives as per provisions of DCS Act 2003
14. To verify membership in Housing Cooperative Societies for allotment of plots/flats
15. To frame, execute and monitor various welfare schemes approved by the Central/ State Govt., including financial assistance to various sectors of cooperatives.
16. To change the name of Cooperative Societies
17. To change form and extent of liability of cooperative societies
18. To call AGM and SGBM of the societies if not called by them as prescribed in the provisions of DCS Act, 2003 and Rules framed there under.
19. Supper session of the Committees as per provision of the Act
20. Securing of possession of records etc of the society from the past members of the Committee.
21. Approval of Expulsion of members.
22. To issue directions to certain societies for successful conduct of business
23. To summon and examine documents and persons of a Cooperative Society
24. To ensure maintenance of accounts and books by a Cooperative Society.
25. To issue directions and guidelines for execution of housing project of the society
26. To wind up cooperative house building societies who have achieved its purpose.

27. To decide question relating to disqualification regarding cessation of membership.
28. Issuance of certificate of outstanding demands of a society on its membership.

Types of Societies, which are registered with the Office of the Registrar, Cooperative Societies.

- Urban Thrift and Credit Cooperative Societies
- Urban Cooperative Banks
- Industrial Cooperative Production & service societies.
- Labour & Construction Cooperative Societies
- Motor Transport Cooperative Societies
- Consumer Cooperative Societies
- Marketing Cooperative Societies
- Cooperative Federations /Unions.
- Group Housing/ Housing-Building Coop. Societies
- Security Services Cooperative Societies
- Cooperative Societies formed by professionals in the areas like IT, Education, Art & Culture, Insurance, Women Empowerment etc.
- Formation / registration of multi-purpose cooperative societies for the slum dwellers and self -help groups particularly women and weaker sections of society.
- Agricultural Credit Coop. Societies
- Agricultural Non-credit Coop. Societies

Basic information / conditions for registration of a society

The application or proposal for registration of a society should come from at least promoter members who belong to different families but are residents of Delhi only. The proposal should also mention the specific scheme which should be economically sound and may not adversely affect the cooperative movement indicating that the proposed society will be viable and will ensure promotion of economic, social and cultural interest of the members.

Documentation and procedures

The complete set of registration papers can be obtained from the office of the Delhi State Cooperative Union, Darya Ganj on payment of prescribed fees. The applications duly filled in as per section 7 of DCS Act, 2003, along with schemes are initially received from the Chief Promoters by the RCS office at Parliament

Street and are scrutinized by the Department to ensure (a) the viability of a society, (b) its conformity with Delhi Cooperative Societies Act and Rules. The required documents are as follows:-

- Model bye-laws (4 copies)
- Enquiry proforma
- List of promoter members who have contributed share capital.
- Copy of promotional meeting and its resolution, resolving name of the society, value of share money, admission fees, liabilities, total number of members of managing committee, annual subscription fees etc.
- A certificate from Financing Bank for about deposit of share money.
- A declaration on oath (affidavit) from each of the promoter members that they are not members of any other cooperative society.
- In case of Housing Society affidavit of each promoter stating non owning of a property in Delhi.
- Statement showing financial position of each member.
- Certified copy of necessary resolutions.
- Certified copy of minutes of General Body meeting.
- Affidavit of Secretary of the Society
- Affidavit of Managing Committee of the society.

The application of Registration shall be disposed of by RCS Office within 90 days period from the date of receipt of application after considering the same as per section 9 of the DCS Act, 2003.

Required documents and approval of the amendment in Bye-laws of a Cooperative Society

The proposal of amendment in bye-laws of societies is required to be approved in a General Body Meeting with 2/3rd majority of its members and the same is submitted to the Department within 30 days of the approval by the General Body Meeting along with a copy of the minutes of the meeting, four copies of existing and proposed bye-laws with justification/ reason and the certificate from the Secretary / President of the society with regard to the compliance of the provision of Cooperative Societies Act and Rules.

The proposal received is examined by the Assistant Registrar of concerned zone and it is either approved or rejected on merits within 90 days period. Specific reasons are given for not approving the proposed amendment and appeal lies with

the Delhi Cooperative Tribunal.

The main conditions of enrolment of a member in a Cooperative Society

A resident of Delhi can become a member of the society if he or she fulfils the conditions laid down in registered bye-laws of different types of societies. The person can become member in an industrial or a transport society if he or she is actually engaged in those respective field and he or she should not be member of other society of similar activities. But in case of housing societies, an applicant for membership should not have any plot/ flat in their name or in the name of any dependent member of their family. But this disqualification is not applicable in the case of person who has acquired property or power of attorney or agreement to sale or on conversion of the property from lease hold to free hold on execution of conveyance deed for it. He should also be resident of Delhi for a minimum period of 3 years on the date of application.

Management setup of cooperative Societies.

Day-today business of a cooperative society is carried out by a Managing Committee elected by the General Body Meeting of the society for a period of 3 years. The office bearers are President/ Secretary and Treasurer.

- President of a society looks after the affairs of the society and ensures that there is no financial irregularity. He signs the cashbook of the society.
- The secretary shall keep or cause to be kept all other records of the co-operative society and shall be responsible for preparation and submission of various returns to the Registrar. He or she is the custodian of the record of the society.
- Treasurer keeps the cash limit in hand in a society and ensures that all the expenses are properly authenticated by him as well as by the society. The treasurer shall keep or cause to be kept all the books of accounts and vouchers and shall prepare or cause to be prepared annual profit and loss accounts, receipt and disbursement account and the balance sheet.
- The President of society is responsible to ensure proper functioning and holding regular meetings of the society. The Managing Committee by majority approves various proposals and decisions are recorded. Elections, Audit, AGM are to be held in a time bound manner. In case of default, penalty can be imposed on the Managing Committee under section 118.
- The Managing Committee of a society can be superceded if a Managing Committee is persistently defaulting in the performance of the statutory duties given to them under DCS Act/ Rules & registered

by-laws or commits any act which is prejudicial to the interest of cooperative society or its members, fails to comply with section 92 or there is any stalemate in constitution of the Committee. In such an event, Registrar appoints an Administrator till regular elections are held. Initially, the Administrator will be appointed for 180 days but extendable to 365 days.

ANNUAL GENERAL BODY MEETING (AGM)

Final Authority in a cooperative society vest in the general body of members.

Every society has to call AGM every year within 180 days next after the date fixed for making its accounts for the year for the purpose of the following:-

Every co-operative society shall within a period of ninety days next after the date fixed for making-up its accounts for the year under the rules for the time being in force, call a general body meeting of its members for the purpose of

- (a) approval of the programme of the activities of the co-operative society prepared by the committee for the ensuing year;
- (b) election, if any, of the members of the committee other than the nominated members subject to the provisions of section 35;
- (c) consideration of the audit report along with audited accounts and the annual report;
- (d) disposal of the net profits; and
- (e) consideration of any other matter which may be brought forward in accordance with the bye-laws.

Settlement of disputes:

DCS Act / Rules provide for arbitration machinery for settlement of dispute touching with constitution, management or business of a cooperative society as per section 70 of DCS Act. A society member or any other person concerning the dispute can file an arbitration case by depositing the arbitration fee.

The question of dispute shall be decided within 90 days by the Registrar and the Powers of Registrar for deciding such cases has been delegated to Dy. Registrar (Arb.) and Asstt. Registrar (Arb.). If the dispute is admitted under section 70 by the Registrar, the petitioner has to deposit the requisite fee as arbitration fee. Then the matter is referred for arbitration u/s 71 of the DCS Act for disposal of the case to one of the arbitrators out of the panel of arbitrators prepared by Govt. The Arbitrator then passes the award u/s 71 of DCS Act after hearing the parties to the dispute.

The award / order passed by the arbitrators are appeal-able within 60 days before the Delhi Cooperative Tribunal, Delhi whose decision shall be final.

DCS Act/ Rules also provide for execution of award passed by arbitrators.

Public Documents:-

Following documents shall be treated as public document which shall be open to inspection by any member of the public on payment of a fee of Re. 1 for each occasion for any lawful Purpose:-

- I. Registration Register
- II. Registration certificate of a Society
- III. Registered bylaws of the society including regd. Amendments.
- IV. Any order cancelling the registration of the Society
- V. Annual Accounts of the society as audited by the Registrar
- VI. Any decision of the Registrar or award of the Arbitrator
- VII. Reports of inspection under section 62 & section 66.

Audit

- (1) A co-operative society shall get its accounts audited annually by an auditor selected from the panel prepared by the Registrar in the prescribed manner within the period of 120 days from the close of co-operative year.
- (2) The audit shall include an examination of overdue debts, if any, the verification of the cash balance, securities and a valuation of the assets and liabilities of the co-operative society :

Provided that in the case of a co-operative group housing society where land has been allotted, the audit report shall contain a separate chapter regarding detailed financial working of the co-operative society before construction, during construction, and on allotment of flats to members, detailing individual investment, defaults if any, by an individual, action taken by the committee in case of default, etc.

Statutory obligations of a Co-operative Society

1. Every cooperative society shall within a period of 180 days of next after the date fixed for making up its accounts, call a general body meeting of its members for the purpose of approval of the programme of the activities, elections, audit reports, net profit etc. and committee is bound by decision taken by GBM.
2. Every year within thirty days of holding of annual general body meeting, the Committee shall file returns relating to its constitution, business and allied matters to the Registrar.
3. All cooperative societies shall hold election on the date fixed for holding annual general body meeting.

4. A cooperative society shall get its accounts audited annually by an auditor selected from the panel prepared by the Registrar within a period of 120 days from the close of cooperative year (i.e. 31st March).
5. The committee of a cooperative society may, at any time, call a special general body meeting of the cooperative society and shall call such meeting within thirty days after the receipt of a requisition in writing from the Registrar or on a request to the Registrar by the institution to which cooperative society is indebted, if the number of defaulter members of such cooperative society is one-fifths or more among the loanee members or on a requisition from one-fifths members out of total membership of a cooperative society.
6. The management of the Cooperative Society may forward to the Registrar the amendment in bye- laws and change of name of the society passed by the General Body meeting within 30 days of the meeting.
7. When a Cooperative Society has passed a resolution to change the form or extent of its liabilities, it shall give notice thereof in writing to all its members and creditors and they have the option of withdrawing shares, deposits or loans, as the case may be.
8. Liability of the committee for mis-management of the Society
9. Committee may refer any dispute U/S 70 for arbitration.
10. Committee to take steps for recovery of debt or outstanding dues
11. Committee should keep open for inspection of public documents to any member.
12. Committee shall dispose of application for membership within 30 days of its receipt
13. Committee shall maintain a Registrar of members
14. Committee may expel certain member with the prior approval of Registrar
15. Accounts Book of the Society regarding business transactions should be closed every year as on 31st March, and the Accounts should be made up for each year by 30th April next following.
16. Committee shall employ staff and prepare their recruitment Rules.
17. Committee may call AGM by giving less than 14 days notice in writing to members.
18. Minutes of the meeting of General Meeting as well MC Meeting are to be noted down and separate record is required to maintained in the Registers.
19. The Committee shall maintain register of declarations, maintain liquid resources, write off debts and other sum due should lay before General Body a statement showing details of loans.
20. Committee will write to Registrar for securing possession of its records from past members of the committee.
21. Committee shall contribute towards Education Fund.

22. Committee of a Housing Society shall maintain a corpus of Building maintenance Fund.
23. Committee may recover outgoings arrears of dues, recovery of dues and foreclosure as arrears of land revenue after getting certificate from RCS to this effect.
24. Management of Cooperative Housing Societies and maintenance of essential services in these societies is responsibility of their committees.
25. The committee of a Housing Society will issue NOC to GPA holder within 30 days time of filing application by him.
26. Housing Society shall complete the Housing project within 5 years of sanction of building plans, finalize the likely cost, categories, size and design of the flats and committee will ensure no escalation of the cost and no unilateral change of category or size of the flat.
The proposals for execution of the housing project shall be got approved by General Body by a majority of not less 2/3rd of total membership of a coop. society.
27. Committee shall ensure quality and structural stability of the housing project and ensure availability of water, electricity, lifts, sewage, roads and mandatory green etc. in the society.
28. Society has to provide certified copy of any document within 30 days from the date of receipt of application from any member or creditor.
29. To grant to its member permission for transfer of his occupancy rights in the property of coop. housing society within 30 days of receipt application by the society.

Rights of a member

- i) Right to vote
- ii) Share or contribution or interest not liable to attachment
- iii) A member may nominate any person or person for transfer of share or interest.
- iv) A member may inspect certain documents of the society
- v) A member is entitled to receive notice of less than 14 days duration for AGM and not less than 7 days of SGBM.
- vi) A member is entitled to receive copy of Balance Sheet and profit and loss accounts alongwith notice of AGM.
- vii) A member can get copy of list of members prepared by the society every year.
- viii) Any allotment of plot/ flat in a cooperative housing society to its member shall entitle such member to hold such plot/ flat with such right title and interest in the property including undivided share common areas is heritable and transferable.

- ix) 1/5th of total members of a cooperative society can write to society to bring no confidence motion against the committee in a special GBM.
- x) Registrar can conduct inspection of the society on the request of 1/5th of total member of members of the society.
- xi) Registrar can conduct inquiry of the society on the request of 1/5 of total members of the society.

Liabilities of a member

- i) A member can not exercise rights if he has not made payment prescribed by the society.
- ii) A member can not hold shares of a society more than such portion of share capital as is prescribed subject to 1/10th of the total share capital and transfer of shares is restricted to the above condition.
- iii) In the case of society being wound up the past member or the estate of a deceased member shall be liable to pay any deficit occurring during winding up and such liability continue up to two years of death of the member.
- iv) Society has first charge on property of share, dividend etc. of the member to settle any debit or outstanding demand owing to the society.
- v) Prohibition on membership in two cooperative societies
- vi) A member has to give notice to the society with unlimited liability before resignation from its membership.
- vii) A member can be expelled from the membership of the society if he is defaulter, willfully deceive the society, incurs any disqualification given in the Act, and has brought disrepute to the society and has done any act detrimental to the interests and proper functioning of the society.
- viii) Defaulter member can not vote in the elections if he is in default of loan installment, land money, construction money and annual subscription payable to the society.
- ix) The defaulter member cannot contest the lections of the society and he looses right to represent to any other society.
- x) The DCS Act 2003 and DCS Rules provide certain disqualification for membership and ceasations of membership.

Clearance of membership for conducting draw of lots of flats / plots.

For clearance of membership for conducting draw of lots following documents / information has to be submitted by the housing societies / individuals:-

All the Cooperative Group Housing Societies awaiting clearance of

membership for draw for allotment are required to provide the following information / documents alongwith their proposals for clearance of membership :-

1. The Cooperative Housing Societies shall submit the approved freeze strength alongwith date of its approval and also indicate the number of dwelling units, no. of parking spaces, and no. of shops etc. and their sizes etc. and names of members opting for parking space, shops etc.
2. The cooperative housing society shall submit complete details of the members who have resigned alongwith their addresses for verification in the Form---'A' to the schedule VII.
3. The cooperative housing society shall certify that no transfer of shares or interest of a member except the transfer to heir or a nominee has been allowed and are within first degree blood relation.
4. The cooperative housing society shall clearly state the date of last election and also indicate whether any dispute against such election is pending before any arbitration authority / court.
5. The cooperative housing society has to furnish a copy of upto date audit report and action taken thereon by it. As per the provision of section 31 of the Act, for every completed accounting year, an annual general meeting has to be called by 31st October of the succeeding financial year to adopt the accounts of that year.
6. The cooperative housing society shall intimate that it had called annual general body meeting or special general body meeting in view of the provision of section 31, section 92 and other provisions of the Act and Rules.
7. The cooperative housing society shall submit the Architect's Certificate regarding completion of construction quality and structure stability of the project.
8. The cooperative housing society shall submit Completion Certificate of the construction from land owning agency.
9. In case of loanee members, No Dues Certificate (as on date) from DCHFC or other financial institutions, if any, shall be submitted along with the proposal.
10. The details of expulsion cases shall be reported in Form-B annexed to the schedule VII.
11. It shall be clarified if there are any disputes relating to category of flats and details of such cases whether pending for adjudication / arbitration.
12. The cooperative housing society shall clearly certify the details of pending court cases, if any, or the major complaints, if any, and their status.
13. The affidavits from all the members shall be submitted in the Form – C annexed to the schedule VII , stating that they have not incurred any

- disqualification at the time of clearance of their membership.
14. The vacancy position shall be clearly indicated as on the date of submission of proposal for clearance.
 15. The details of the cases which has not been included in the proposal for clearance of membership for allotment on account of (a) members being defaulter (b) non-submission of affidavit and other documents, (c) on account of court cases should be clearly specified in the proposal.
 16. Affidavit shall be signed by the president, vice-president and secretary of the Co-operative Housing Society in Form – D annexed to the schedule VII for verification of list of members for allotment of flats as prescribed in Form – E of schedule VII.
 17. To verify the genuineness of a person enrolled as a member a Cooperative Housing / House Building Society Ltd. , the Co-operative housing society shall obtain the following documents / information from the member and submit the same to the Registrar office.
 - (1) Details of permanent account number allotted by the Income Tax Deptt. or declaration in form 60 of Income Tax Act in case PAN No. has not been allotted in the affidavit;
 - (2) Details of Bank A/C No. along with Name and address of the Branch in the affidavit;
 - (3) Photograph on the affidavit which should also be attested by the Notary public;
 - (4) Certificate of verification from Gazetted Officer who will attest photograph and signatures of person who has been enrolled as a member of cooperative group housing society.
 18. In case a member has not been able to submit the prescribed verification certificate from a Gazetted Officer, the society may submit the proposal as without obtaining the verification certificate from him.
 19. The cooperative housing society shall publish a Public notice in two leading daily newspapers of National Capital Territory of Delhi one each in English & Hindi, inviting objections on the proposal regarding clearance of membership for allotment of flats / plots by draw of lots.
 20. The cooperative housing society shall submit the revised proposal if any within forty-five days of publication of public notice as prescribed in clause no. 19 along with objections.
 21. All the cooperative group housing / house building societies shall submit an affidavit given in Form G, signed by the Secretary / President of a Cooperative Group Housing Society / House Building

Society Ltd. to verify that the procedure given in sub clause 19 has been complied with by the cooperative housing society.

22. The secretary/ president of the cooperative housing society shall submit compliance of section 92 and other provisions of the Act in an affidavit given in Form – H.
23. The cooperative housing society shall produce original records i.e., membership application, and register thereof affidavits, residence proof, committee resolutions, share certificate and payment details etc. for verification of records.
24. The cooperative house society shall submit details of enrolment of members in violation of rules alongwith justification for the same which shall be placed before the Govt. for consideration as per provisions of the Act and Rules.
25. Any other information / document as may be required under the provisions of the Act and Rules etc., not mentioned in the schedules shall be furnished by the cooperative housing society.

After examining the office records and the proposals submitted by the cooperative housing society and documents and records of the cooperative housing society accompanying it, by the concerned Assistant Registrar a case of clearance of membership shall be referred the committee constituted under Rule 90 of the Act along with his appropriate recommendations.

The Registrar shall recommend the cases of draw of lots to land allotting agency after seeking approval of the committee.

TIME SCHEDULE

The time schedule for RCS office for disposal of applications/references received from Cooperative Societies

The time schedule for disposal of various applications/references received from cooperative Societies/federations are given below:-

*	Approval of proposal for Registration of a new Cooperative Societies	Maximum day 90 days	Deemed days 90 days
*	Amendment in bye-laws of the coop society as per initiative of the Registrar	90days	90 days
*	The settlement of disputes which may be referred for Arbitration	90 days	

*	Approval for expulsion of Members	180 days
*	Under right to information Act, any member or creditor having interest in the affairs of the cooperative society may seek information/certified copy of any Document	30 days
*	Approval of resignation and enrolment of members in Housing /Group Housing Society	
*	Others (Miscellaneous matters)	90 days

Public Grievance Redressal

Method of dealing with complaints

When a complaint is received in the Cooperative Department, it is examined by the section concerned. If need be, the comments of the society concerned official/ non-official is called for within 30 days time and copy of comments received from the society is sent to complainant within 30 days of receipt of the comments from the society. After examination, if required inspection u/s 61; enquiry u/s 62 or surcharge proceedings u/s 66 are ordered by the Registrar if the complaint is of serious nature. No inspection can be conducted if the request has not been received from 1/5th of the total members of the society and no inquiry can be conducted if the request has not been received from 1/3rd of total member of the society. If the complaint falls in the purview of section 70/71, the complainant is accordingly advised to file the arbitration case.

We have prepared an Action Plan for the Public Grievances Redressal System:

- 1). In compliance of action plan, complaint/ suggestion boxes have been installed in the premises in the office.
- 2). Public Relation Officer has been posted at Reception Counter to guide the general public about the general information of the Department and concerned officers.
- 3). A time limit of one month has been fixed for sending interim/ final reply in respect of complaints received in the office.
- 4). General public is being attended for public hearing during the 12 noon to 1.00 P.M. by all officers of this Department on all days of week.

Right to information under DCS Act- 2004

Section 139. Any member or creditor having interest in the affairs of the co-operative society may seek information relating to any transaction of the co-operative society and for that purpose may be provided a certified copy of any document within thirty days from the date of receipt of application relating to such transaction on payment of such fee as may be specified.

A revolution has begun

The dynamic website of the Department – a step towards E-Governance

In our never – ending efforts to improve interface with the people and bring transparency in our working, the Office of the Registrar of Cooperative Societies has gone on line with its dynamic, all comprehensive website to gather information any time, anywhere.

Information available on the website;-

- Citizen's charter of the Department
- Status of registration of new applications
- Status of applications for amendment in bye-laws of societies
- Status of election

- Detailed list of registered societies with office-bearers
- Names of superceded societies
- Membership of Group Housing/ House Building societies
- Status of cooperative banks
- Audit position of cooperative societies
- Defunct societies
- Status of arbitration cases
- Cause list of cases before RCS and other designated officers
- D.C.S. Act 2003/ DCS Rules 2007
- Right to information Act (Including 17 Manuals)
- List of Coop. Housing Societies Pending clearance for Draw of Lots/allotment.
- List of Coop. Group Housing Societies in the scanner of CBI.
- Recent circulars & Notifications of the Department.
- Rules of Delhi Coop Tribunal.

Manual 2
Powers and duties of Officers and employees

S.No.	Section/Rule	Extent to which Powers are delegated	Authority to whom the power vests
1.	Section 4,9,10 of DCS Act 2003 read with Rule 5,6 &9 of DCS Rules 2007	Registration of Coop. Societies	Spl.RCS/Addl.RCS/JRCS
2.	Section 12 (except clause 6,7 , Read with Rule 12,15 & 16)	Change of name and liability Amendment of bye laws of Society	Spl.RCS/Addl.RCS/JRCS
3.	Section 28 & 91 read with Rule 92 & 93	To issue acknowledgement after obtaining documents from the society & verification thereof	Assistant Registrar
4.	Section 31 (2) with read Rule 49 & 51	To call Annual general body on failure of doing so by Managing Committee of the society and recovery of expending for the same .	Spl.RCS/Addl.RCS/JRCS
5.	Section 32 read with Rule 42	Annual statements	Assistant Registrar
6.	Section 33(2) and Rule 46 & 51	To call Special General Body Meeting and to recover expenditure for the same Securing possession of records, etc.	Spl.RCS/Addl.RCS/JRCS
7.	Proviso to Section 35 (1) read with Rule 53 and Clause 1 of Schedule-II appended to DCS Rules, 2007	For appointment Returning office to conduct the election of a society except in cases u/s 35 (5) and in case where the power to appoint Returning Officer vests in Govt.	Deputy Registrar
8.	Section 38	Securing possession of records, etc.	Spl.RCS/Addl.RCS/JRCS
9.	Section 40 and Rule 31	Expulsion of members (Other than housing societies)	Spl.RCS/Addl.RCS/JRCS
10.	41 (2)& (3) of DCS Act, 2003	Cessation of membership in case of Cooperative Bank & Thrift & Credit Societies	Spl.RCS/Addl.RCS/JRCS
11.	Section 45 (vii) and Rule 124	Power to issue certificate of recovery	Assistant Registrar
12.	Section 60 (6), Section 60 (8), read with Rule 80	Power to get audit conducted and accounts written on failure of the society.	Spl.RCS/Addl.RCS/JRCS/DRCS
13.	Section 61 read with Rule 82 & 83	To order inspection	Spl.RCS/Addl.RCS/JRCS
14.	Section 63 read with Rule 82 & 83	To order Inspection of books of indebted coop. societies	Assistant Registrar
15.	Section 64 read with Rule 7	Cost of Inquiry	Spl.RCS/Addl.RCS/JRCS
16.	Section 66 (1)	Conduct of Inquiries U/s 66 (1) however, power to institute inquires and appointment of I.O. will continue with RCS	Spl. RCS/Addl. RCS/JRCS
17.	Section 66 (2)	Passing orders in u/s 66 (2) where Spl. RCS/Addl. RCS is not the I.O. u/s 66(1)	Spl. RCS/Addl. RCS
18.	Section 67 read with Rule 80(10)	Directions regarding expunging any portion of audit report of societies	Spl.RCS/Addl.RCS/JRCS/DRCS
19.	Section 69 (2)(3)(4)	Maintenance of accounts & books etc.	Deputy Registrar/Assistant Registrar

20.	Section 70/Section 83 read with Rule 84	Admission of all dispute/claim petitions in r/o Housing Societies (including Group Housing and House Building Societies.)	Deputy Registrar
		All disputes/claims petition in r/o other then housing societies	Assistant Registrar
21.	Section 71	(i) Disputes/Claim petition relating to membership, category and size of flat/plot to be referred to RCS for Arbitration.	Not Delegated
		(ii) All other cases of Arbitration	Assistant Registrar/Arbitrators on panel as DCS Act, 2003
		(iii) All arbitration matter of Group Housing and House Building Coop. Societies except those at Sl. No. (i) above.	JRCS/DRCS
22.	Section 77 read with Rule 90	Verification of enrolments of membership in Coop. House Building or Coop. Group Housing Societies	Assistant Registrar
23.	Section 80(3) & 80 (4) read with Rule 93	Hearing of appeal for refusal of permission for transfer of occupancy right by Coop. Housing Society.	Spl.RCS/Addl.RCS/JRCS
24.	Section 83 (5) read with Rule 93	Considering the matters with regard to issuance of certificate of recovery	Assistant Registrar
25.	Section 84 read with Rule 96	Inquiry and issuance of Recovery certificate of outgoing and arrear of dues	Assistant Registrar
26.	Section 85 read with Rule 64,69	Regulation of loan	Spl.RCS/Addl.RCS/JRCS
27.	Section 85 (2) read with Rule 96	Inquiry & issuance of recovery certificate	Deputy Registrar
28.	Section 86 (2 & 3) read with Rule 99	Approving/rejecting the proposal of Managing Committee for expulsion of a member	Spl.RCS/Addl.RCS/JRCS
29.	Section 91 read with Rule 92	Transfer of membership to purchaser of flats/houses	Spl.RCS/Addl.RCS/JRCS/DRCS
30.	Section 104 read with Rule 123	Enforcement of charges	Assistant Registrar
31.	Section 105 & 106 read with Rule 124	Execution of orders etc.	Assistant Registrar
32.	Section 108 read with Rule 97	Power to issue certificate for recovery	Deputy Registrar
33.	Section 110 read with Rule 150	Recovery of sums due to Govt.	Spl.RCS/Addl.RCS/JRCS
34.	Section 139, Section 139 (2) read with Rule 165	Appellate Authority	JRCS
35.	Rule 7	Maintenance of Registers	Assistant Registrar
36.	Rule 36	Inspection of documents	Assistant Registrar
37.	Rule 153 (2)	Authorization for execution of award	Spl.RCS/Addl.RCS/JRCS

MANUAL-9

DIRECTORY OF OFFICERS & EMPLOYEES

Name of Officer	Designation / Work Assigned	Telephone Office	Room No.	Official
				Accomodation
1	2	3	4	5
Sh. A.K Singh, IAS	Registrar Cooperative Societies RCS (HOD) email id: rcoop@nic.in	23742938 23742806 Fax: - 23340939	1	
Sh.A.K Singh	Secretary Do Sip	23379626		
Sh. Devender Dagar	P.S. to RCS	-do-	1	
Sh.	Spl. RCS Head of the Office.		27	
Sh. Pradeep Kumar	Deputy Registrar H/Sec-5,6,7 & 8, Coordination, Planning, R&I, Nodal Officer (PGMS, PGC< CPGRAM, e-SLA, Door-step-Delivery of Services), Legal Branch, e-litigation, RTI Branch, FAA under RTI Act for all sections and branches, Arbitration cases u/s 70 of DCS Act 2003 in r/o housing sections H/1,2,3 & 4. Vigilance Branch, All Appellate Cases u/s 139 of DCS Act 2003 in r/o H/Sec-1 to 8.	23361005	Porta Cabin	
Sh	Adhoc DANICS/ARCS H/Section-1 (A-B)		42	
Sh. Joseph Baxela,	Adhoc DANICS/ARCS H/Section-2 (C,D,E)		50	
Sh. Satish Kumar Gupta,	Adhoc DANICS/ARCS H/Section-3 (F, G, H, I, J) Legal, e-litigating, Monitoring of all court cases.		48	
Smt.	Assistant Director (Plg/Stat.) Panning Branch, Library	email id: Geeta.mehta63@gov.in	14	
Sh.Alok Garg	Adhoc DANICS/ARCS Administration Branch, Vigilance, R&I		23	
Sh.	Adhoc DANICS/ARCS PGMS, L.G. Listening post, RTI, e-RTI, Coordination Branch, Banking Branch, Arbitration Branch, Nodal Officer PGC.		32 & Back Side of Recovery Branch	

Sh. Surinder Narang	Adhoc DANICS/ARCS H/Sec-4 ((K,L,M) Recovery Branch (including Banking and T&C Recovery)		40 & 44	
Smt. Suman Kumari	Adhoc DANICS/ARCS H/Sec-8 (T,U,V,W,X,Y,Z)		41	
Sh.	Adhoc DANICS/ARCS Housing Section-5 (N-O) H/Section-6 (P,Q,R) and Audit T&C excluding Recovery.		21	
Sh.	Adhoc DANICS/ARCS H/Section-7 (S-S), IT & Office Automation, e-SLA, Door Step Delivery of Services.		45 & 5	
Sh.Rakesh Kohli	Accounts Officer Account Branch			
Admin. Branch	Assistant Registrar		23	
C.T. Branch	Assistant Registrar	23742991	04	
Education Fund	Account Officer	23361614	09	
Arbitration Branch	Assistant Registrar	--	17	
Vigilance Branch	Assistant Registrar	--	28	
Recovery Branch	Assistant Registrar	23361614	39	
Audit Branch	Assistant Registrar	--	15	
Sh. Alok Aggarwal, Retd. (DHJS)	Chairman, DCT,	23812804	Vikas Bhawan-II	
Sh. G.S. Meena, Retd. IAS	Member, DCT	23812805	Vikas Bhawan-II	

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PARTICULARS OF PIO'S

PUBLIC INFORMATION OFFICER UNDER RTI TO INFORMATION ACT, 2005

S.NO.	NAME OF PIO	OFFICER ADDRESS	EMAIL ADDRESS	TELEPHONE NUMBER	JURISDICTION	LINK OFFICER-I	LINK OFFICER-II
1.			rcoop@nic.in	9868538231	H/Section-1 (A-B)	Sh. Sanjay Jha, ARCS	Sh. Surinder Narang, ARCS
2.			rcoop@nic.in	8130418929	Administration Branch, Vigilance, R&I, CTB & CEE Fund.	Sh. Ashfaq Ahmed Arfi, ARCS	Sh. Sanjay Jha, ARCS
3.		O/o The RCS, GNTCD	rcoop@nic.in	8595735380	PGMS, L.G. Listening post, RTI, e-RTI, Coordination Branch, Banking Branch, Arbitration Branch, Nodal Officer PGC	Sh. Bishamber Nath, ARCS	Smt. Geeta Mehta, A.D.
4.	Sh. Satish Kumar Gupta, ARCS	O/o The RCS, GNTCD	rcoop@nic.in	9899288747	H/Sec-3 (F, G, H, I, J) Legal, e-litigation, Monitoring of all court cases.	Sh. Ajit Kumar, ARCS (Transferred to Other Department)	Sh. A.L. Madan, ARCS
5.	Sh. Surinder Narang, ARCS	O/o The RCS, GNTCD	rcoop@nic.in	9810587100	H/Sec-4 ((K,L,M) Recovery Branch (including Banking and T&C Recovery)	Sh. Sandeep Yadav, ARCS	Sh. Sanjay Jha, ARCS
6.			rcoop@nic.in	9999756424	H/Section-7 (S-S), IT & Office Automation, e-SLA, Door Step Delivery of Services.	Sh. Sanjay Jha, ARCS	Sh. Sanjay Jha, ARCS
7.	Sh. Joseph Baxela, ARCS	O/o The RCS, GNTCD	rcoop@nic.in	9953053124	H/Sec-2 (C,D,E)	Smt. Suman Kumari, ARCS	Sh. Satish Kumar Gupta, ARCS
8.			rcoop@nic.in	9968074653	Planning, Library	Sh. Ashfaq Ahmed Arfi, ARCS	—
9.			rcoop@nic.in	9899144666	Housing Section-5 (N-O) H/Section-6 (P, Q, R) and Audit T&C excluding Recovery.	Sh. A.L. Madan, ARCS	Sh. Bishamber Nath, ARCS
10.	Smt. Suman Kumari, ARCS	O/o The RCS, GNTCD	rcoop@nic.in	8826049812	H/Sec-8, (T,U,V,W, X, Y,Z)	Sh. Joseph Baxela, ARCS	Sh. Sandeep Yadav, ARCS
11.			rcoop@nic.in	011-23361615	Accounts Branch	—	—
12.		O/o The RCS, GNTCD	rcoop@nic.in	011-23812804	Delhi Cooperative Tribunal	—	—

FIRST APPELLANT AUTHORITY WITH THE DEPARTMENT

S.NO.	NAME OF FIRST APPELATE AUTHORITY	OFFICER ADDRESS	EMAIL ADDRESS	TELEPHONE NO.	JURISDICTION
1.	Sh. Pradeep Kumar, DRCS	O/o The RCS, GNTCD	rcoop@nic.in	011-23748133	H/Sec-5,6,7 & 8, Coordination, Planning, R&I, Nodal Officer (PGMS, PGC, CPGRAM, e-SLA, Door-step-Delivery of Services), Legal Branch, e-litigation, RTI Branch, FAA under RTI Act for all sections and branches, Arbitration cases u/s 70 of DCS Act 2003 in r/o housing sections H/1,2,3 & 4. Vigilance Branch, All Appellate Cases u/s 139 of DCS Act 2003 in r/o H/Sec-1 to 8.