

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI**  
**OFFICE OF THE REGISTRAR COOPERATIVE SOCIETIES**  
**PARLIAMENT STREET: NEW DELHI 110001**  
**SECTION-03/GH**

F.No. 47/ARH/1263-GH/Sec-III/RCS/2020/

Dated:

To

**The Deputy Director (GH),**  
**Delhi Development Authority,**  
C-03/215, Vikas Sadan,  
INA, New Delhi-110023.

**SUB: Forwarding the name of Sh. R.K. Jain (M.S. No.-133) for draw of lots in Jai Bhawani CGHS Ltd., Plot No. 5-B, Sector-22, Dwarka, New Delhi-110077 - regarding.**

Sir,

I am directed to forward the name of Sh. R.K. Jain (M.S. No. 133) of Jai Bhawani CGHS Ltd., Plot No.5-B, Sector -22, Dwarka, New Delhi-110077 as approved by the Committee constituted under Rule 90 of DCS Rules, 2007 on 16.12.2019 for draw of lot.

It is further informed that the clearance of the membership has been made on the basis of the documents filed by the Society. However, the contents of the affidavit have not been verified by this office.

This issues with the prior approval of the Competent Authority.

**Encl.: as above.**

/

**(AJIT KUMAR)**  
**ARCS(Sec-03/GH)**

F.No.47/ARH/1263-GH/Sec-III/RCS/2020/ 820

Dated: 13/1/20

Copy to:-

1. The President/Secretary, Plot No.5-B, Sector -22, Dwarka, New Delhi-110077.
2. Sh. R.K. Jain, E-4/8, Sector-11, Rohini, New Delhi-110085.
3. The AR (Computer Cell), O/o RCS, Parliament Street, New Delhi-110001 with the request to upload the same on the website of this office.

✓  
13.01.2020

**(AJIT KUMAR)**  
**ARCS(Sec-03/GH)**

47/ARH  
15/01/2020

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE REGISTRAR COOPERATIVE SOCIETIES,  
PARLIAMENT STREET, OLD COURT BUILDING,  
NEW DELHI – 110001  
(POLICY BRANCH)

No. F. 47/RCS/Policy/2010/PF/CD No. 107307965/0.3

Date:- 10/01/2020

Sub:- Minutes of meeting of Rule 90 Committee held on 16.12.2019

I am directed to enclose herein the copy of the minutes of Rule 90 Committee meeting held on 16.12.2019 for the necessary action at your end.

*M. G. Sathya*  
10/1/20  
(M.G. SATHYA)  
ASSISTANT REGISTRAR (POLICY)

No. F. 47/RCS/Policy/2010/PF/CD No. 107307965/

Date:-

Copy to:

1. Assistant Registrar, Section-1/GH
2. Assistant Registrar, Section-2/GH
3. Assistant Registrar, Section-3/GH
4. Assistant Registrar, Section-6/GH
5. PS to RCS

*M. G. Sathya*  
10/1/20  
(M.G. SATHYA)  
ASSISTANT REGISTRAR (POLICY)

*A. discuss*

*Ate*  
13-01-2020

*Pu. Hemika*

OFFICE OF THE REGISTRAR COOPERATIVE SOCIETIES  
 OLD COURT BUILDING, PARLIAMENT STREET NEW DELHI

MINUTES OF THE MEETING OF THE COMMITTEE CONSTITUTED UNDER RULE 90 OF DC'S RULES 2007 HELD ON 16.12.2019 AT 10:30 AM UNDER THE CHAIRPERSONSHIP OF SECRETARY (COOPERATION) AT THE OFFICE OF REGISTRAR COOPERATIVE SOCIETIES, PARLIAMENT STREET, NEW DELHI, TO CONSIDER THE PROPOSALS TO ACCORD ITS APPROVAL FOR FORWARDING THE NAMES OF MEMBERS OF THE CGHS TO DDA FOR CONDUCTING DRAW OF LOTS.

The following officers/members of the committee attended the meeting:

- |   |             |
|---|-------------|
| i. Ms. Padmini Singla, Secretary                        | Chairperson |
| ii. Sh. Virendra Kumar, Registrar Cooperative Societies | Member      |
| iii. Sh. Ranjeet Singh, Additional Registrar            | Member      |
| iv. Sh. A.K Singh, Deputy Secretary, Finance Department | Member      |
| v. Sh. Ramesh Kumar, Deputy Secretary, Law Department   | Member      |

The following agenda, wherein directions have been issued by the Hon'ble High Court under various orders, were placed before the Committee for its consideration. The Asst. Registrars of the concerned Sections as per the detail noted here below, presented the facts of the respective cases before the Committee.

S.No.	Name of the Societies	Housing Section/Name of AR	Cases
1.	Agenda item No. 1 <u>Abhinav CGHS Ltd</u>	Section-I Sh. M.G. Sathya (AR)	02 1) Sh. Madhukar Gupta (M.S. No. 390) 2) Smt. Kapila Bhatia (M.S. No. 53)
2.	Agenda item No.2 <u>Bhagwati CGHS Ltd</u>	Section-I Sh. M.G. Sathya (AR)	01 1) Ms. Arti Jarnwal (M.S. No. 335)
3.	Agenda item No. 2 <u>Delhi Transport's CGHS Ltd</u>	Section-II Sh. Gulshan Ahuja Link officer to Sh. Amitabh Joshi (AR)	01 1) Sh. Padam Raj Samrendra (M.S. No. 24)

*Padmini*

*Virendra*

*Ran*

*A.K*

*Ramesh*  
AK

4.	Agenda item No. 1 <b>Chinar CGHS Ltd</b>	Section-II Sh. Gulshan Ahuja Link officer to Sh. Amitabh Joshi (AR)	01 1) Sh. Sanjay Bajaj (M.S. No. 257)
5.	Agenda item No. 3 <b>Jai Bhawani CGHS Ltd</b>	Section-III Sh. Ajeet Kumar (AR)	01 1) Sh. Ravindra Kumar Jain (M.S. No. 133)
6.	Agenda item No. 3 <b>Railway Line Staff CGHS Ltd</b>	Section-VI Sh. Gulshan Ahuja Link officer to Sh. Amitabh Joshi (AR)	01 1) Sh. Anil Kumar Ganda (M.S. No. 351)

**1. Abhinav CGHS Ltd**

**A. Membership clearance case of Dr. Madhukar Gupta (M.S. No. 390)**

The Committee was apprised by Sh. M.G. Sathya, AR that the free strength of the society is 149 and the membership of 147 members have already been cleared and sent to DDA from time to time. Dr. Madhukar Gupta is enrolled in the Abhinav Cooperative Group Housing Society with membership no. 0007 vide Managing Committee Resolution dated 14.09.1990. His name was kept in abeyance by the society due to non-payment of dues. A writ petition WP(C) No. 11483/2009 was filed by Dr. Madhukar Gupta and the court order dated 25.11.2009 the Hon'ble Court directed the Respondent no. 2 society to raise the demand upon the petitioner for payment of dues including the equalisation charges payable in accordance with the law. The society raised the demand on Dr. Madhukar Gupta who paid the same on 12.06.2009. Thereafter, the society submitted the membership clearance proposal in schedule VII of DCS Rules 2007. The documents relating to Dr. Madhukar Gupta and the society were verified by Sh. M.G. Sathya, Assistant Registrar and the Dealing Assistant in accordance with the provisions of DCS Act and Rules and the case was recommended for being placed before Rule 90 Committee meeting for consideration for forwarding the name of Dr. Madhukar Gupta to DDA to conduct draw of lots.

After considering the facts of the case, the Rule 90 Committee agreed to accord its approval for forwarding the name of Dr. Madhukar Gupta to DDA to conduct draw of lots.

*Padi*

*[Signature]*

*[Signature]*

FILED  
AR

B. **Smt. Kapila Bhatia** (Memb. No.53)

The Committee was apprised by Sh. M.G. Sathya, AR that the society had initially submitted Schedule VII for clearance of membership on 24.05.2017 in respect of Smt. Kapila Bhatia holding membership no. 53. Sh. Hansraj Bhatia was the original member in the society. He however expired and since Smt. Kapila Bhatia was the nominee, the society transferred the membership in her favour vide Managing Committee Resolution dated 13.04.1990. Her name was detained by the society on account of non-payment of dues which was paid only on 03.11.2017. The Schedule VII submitted by the society was examined in accordance with the provisions of DCS Act and Rules and found in order. The documents submitted in Schedule VII by the society and the documents submitted by the member was verified by Sh. M. Sathya Assistant Registrar and Dealing Assistant in accordance with the provisions of DCS Act and Rules and the case was recommended for being placed before Rule 90 Committee meeting for consideration of the name of Smt. Kapila Bhatia.

After considering the facts of the case, the Rule 90 Committee agreed to accord its approval for forwarding the name of Smt. Kapila Bhatia to DDA for draw of lots.

2. **Bhagwati CGHS Ltd (Registration no. 588/GH)**

**Membership clearance case of Smt. Arti Jamwal (Membership no. 335)**

The Committee was apprised by Sh. M.G. Sathya, Asst. Registrar that in this case, Sh. Kuldeep Kohli was initially enrolled on 15.06.2003 by the society with membership no. 335 on 15.06.2003. Subsequently, Smt. Arti Jamwal (D/o Sh. Kuldeep Kohli) was inducted as joint member on 30.03.2007. The Bhagwati CGHS is one of the societies which was investigated by the CBI and CBI has filed charge sheet against Sh. Kuldeep Kohli who is presently under trial in the CBI Court. The freeze strength of society is 135 members out of which membership of 134 members have already been cancelled from time to time. In the mean time, Sh. Kuldeep Kohli withdrew his name from the membership of the society and the Managing Committee of the society vide resolution dated 15.01.2012 transferred sole membership in the name of Smt. Arti Jamwal who has made payment towards the land money and construction. The society submitted Schedule VII vide letter dated 10.04.2018 in r/o Smt. Arti Jamwal recommending her case for clearance of membership. Necessary verification of the documents submitted by the member as well as society has already been done by Sh. M.G. Sathya, AR and the Dealing Asst. Since the committee was

the view that the membership of Smt. Arti Jamwal originated from the primary membership of her father Sh. Kuideep Kholi, the present status of pending HC Court case against him needs to be obtained.

In the mean time Smt. Arti Jamwal had filed a writ petition in the Hon'ble High Court in WP(c) no.10939/2019 and the said writ petition was disposed of vide order dated 15.10.2019 stating that the committee meeting in terms of Rule 90 of the Delhi Cooperative Society Rules 2007 will be convened within six weeks.

After considering the facts of the case, the Rule 90 Committee agreed to defer this case till the next meeting by which time the present status of the HC court case may be obtained and put up in the next meeting for taking a view.

### 3. Delhi Transport CGHS Ltd.

#### **Membership clearance case of Sh. Padam Raj Samrendra (membership no. 245)**

The Asst. Registrar of the concerned Section, Sh. M.G. Sathya apprised the Committee that the freeze strength in the society is 180 out of which 13 members have already been cleared by the RCS from time to time. In the present case, Sh. Padam Raj Samrendra was enrolled as a member in the society on 30.01.1998. His membership was detained on account of non-submission of document of residence proof. Thereafter he submitted rent agreement as proof of residence in Delhi and the society forwarded Schedule VII vide letter dated 19.07.2010 in respect of 11 members including the present claimant member. However, during examination it was found that the document submitted by Sh. Padam Raj Samrendra as residence proof was not valid. Accordingly, the office directed to detain his case and cleared the membership of remaining 10 members. Thereafter he filed a writ petition no. 2350/2016 in the Hon'ble High Court and vide judgment dated 02.04.2018 directions were issued to process the application in accordance with the law without insisting upon the proof of residence. Subsequently, the office filed an SLP no. 15442/2019 in the Hon'ble Supreme Court against the order dated 02.04.2018 of the High Court and vide order dated 29.07.2019 the SLP was dismissed. Now the claimant Sh. Padam Raj Samrendra has also filed a contempt petition in the Hon'ble High Court vide CCP No. 703/2018. Necessary verification of the documents submitted by the member and the society has been done by Sh. M.L. Gupta, the then AR (North) and the Dealing Assistant in accordance with the provisions of DCS Act and Rules and the case was recommended for being placed before Rule 90

Y1-11/11/19  
11/11/19

Committee meeting for consideration for forwarding the name of Sh. Padam Raj Samrendra to DDA to conduct draw of lots.

After considering the facts and circumstances of the case as well as directions of the Hon'ble High Court and Hon'ble Supreme Court, the Rule 90 Committee agreed to accord approval for forwarding the name of Sh. Padam Raj Samrendra to DDA for draw of lots.

#### 4. Chinar CGHS Ltd

##### Membership clearance case of Sh. Sanjay Bajaj (membership no. 257)

Sh. Gulshan Ahuja Link officer to the Assistant Registrar of the concerned Section apprised Committee that the freeze strength of the society is 108 members out of which 104 members have been cleared and sent to DDA from time to time. Mr. Sanjay Bajaj was enrolled in the society vide membership no. 257 dated 18.12.1997. The society was one of the CBI investigated societies. He was subsequently charge sheeted by CBI. His membership clearance case was detained by the society being CBI charge sheeted. Sh. Sanjay Bajaj thereafter filed a writ petition no. WP(C) 2908/2014 whereby the Hon'ble High Court vide order dated 28.03.2016 allowed the writ petition and directed the respondent RCS to process the claim of the petitioner for consideration of allotment in accordance with the law. In the same order passed by the Hon'ble High Court, the membership of Sh. Gopal Bansal who had also filed a writ petition WP(C) No. 3641/2014 on similar grounds was also directed for consideration of allotment in accordance with law by clubbing the writ petitions of both Sanjay Bajaj and Gopal Bansal & decided by a common order dated 28.03.2016. It has been held by the Hon'ble High Court that barring a conviction after completion of the proceedings in the duly conducted criminal trial, a member who is merely charge sheeted cannot be precluded from participation in the draw of lots. The case of Sh. Gopal Bansal which is similarly placed, was considered & recommended by the Committee vide minutes dated 04.10.2017.

The society forwarded Schedule VII vide letter dated 27.04.2016 recommending the name of the petitioner Sh. Sanjay Bajaj for clearance of membership. The documents of the said member and the documents submitted by the society in terms of Schedule VII have been duly verified by Sh. Jitendra Kumar Singh, the then Assistant Registrar and the Dealing Assistant in accordance with the provisions of DCS Act and Rules and the case was recommended for being placed before Rule 90 Committee meeting













consideration for forwarding the name of Mr. Sanjay Bajaj to DDA to conduct draw of lots.

After considering the facts of the case, the Rule 90 Committee agreed to accord approval for forwarding the name of Sh. Sanjay Bajaj to DDA to conduct draw of lots as per directions of Hon'ble High Court Delhi.

#### 5. Jai Bhawani CGHS Ltd

##### **Membership clearance case of Sh. R.K. Jain (membership no. 133)**

Sh. Ajeet Kumar, the Asst. Registrar of the concerned Section apprised the Committee that the freeze strength of the society is 69 members out of which 68 members have already been cleared and sent to DDA from time to time. This was one of the CBI investigated societies wherein claimant Sh. R.K Jain was in charge sheeted by CBI and due to which his name was detained by the society. Thereafter Sh. R.K Jain filed a writ petition bearing WP(C) no. 4204/2016. During the proceedings before the Hon'ble High court on 29.05.2018, Sh. Jitender Kumar Singh, Asstt. Registrar made a submission before the Court that they shall abide by the directions contained in the case of Sanjay Bajaj (Supra). Accordingly the Hon'ble High Court disposed off the writ petition vide order dt. 29.05.2018 with the directions to RCS to process the application in terms of decision of the court in Sanjay Bajaj (Supra) in accordance with law as expeditiously as possible preferably within 03 months. The society vide letter dated 04.04.2018 submitted the documents relating to the membership of Sh. R.K. Jain. The verification of the documents relating to member and the documents submitted by the society was duly carried out by Sh. Jitender Kumar Singh Assistant Registrar and Dealing Assistant. In the mean time, Sh. R.K.Jain filed the contempt case no. 468/2019 before the Hon'ble High Court Delhi on account of non-compliance of the order issued in WP(C) no. 4204/2016 dated 29.05.2018. A status report in the matter by way of affidavit is to be filed in the said contempt case.

After considering the facts of the case, the Rule 90 Committee agreed to accord approval for forwarding the name of Sh. R.K. Jain to DDA for draw of lots in compliance of directions of Hon'ble high court.

#### 6. Railway line staff CGHS Ltd

##### **Membership clearance case of Sh. Anil Kumar Jandas (Membership no. 351)**

Sh. Gulshan Ahuja Link officer to the Asst. Registrar of the concerned Section apprised the Committee that the freeze strength in the society is 116 and





the names of 111 members have already been cleared by this office from time to time. The membership case of Sh. Anil Kumar Gandas was earlier detained by the society on account of his non-submission of documents. However, the society submitted the schedule VII later upon the submission of requisite documents by the members. Sh. Anil Kumar Gandas has filed a writ petition WP(C) No. 7344/2019 regarding non-consideration of his name for verification under Rule 90 of the Delhi Cooperative Society Rules for sending his name to DDA. The Hon'ble Court has directed to file status report with regard to all such pending cases and explain the delay in disposal of the same. In the last hearing held on 27.09.2019 a further time of six weeks has been granted to comply with the order dated 10.07.2019. Necessary verification of the documents of the individual member and the society has been done by Sh. Gulshan Ahuja Asstt. Registrar and the Dealing Assistant in accordance with the provisions of DCS Act and Rules and the case was recommended for being placed before Rule 90 Committee meeting for consideration for forwarding the name of Sh. Anil Kumar Gandas to DDA to conduct draw of lots.

After considering the facts of the case, the Rule 90 Committee agreed to accord its approval for forwarding the name of Sh. Anil Kumar Gandas to DDA for conducting draw of lots in compliance of directions of Hon'ble high court.

  
(M.G. Sathya)  
AR (Policy)

  
(A.K. Singh)  
Dy. Secretary/Member  
Finance Deptt.

  
(Ramesh Kumar)  
Dy. Secretary/Member  
Law & Justice Deptt.

  
(Ranjeet Singh)  
Addl. RCS/Member

  
(Virendra Kumar)  
RCS/Member

  
(Padmini Singla)  
Secretary (Cooperation)  
Chairperson