

# OFFICE OF THE REGISTRAR COOPERATIVE SOCIETIES

GOVERNMENT OF NCT OF DELHI  
OLD COURT BUILDING, PARLIAMENT STREET, NEW DELHI - 110 001

No.F.AR(Bkg)/RCS/2021/2802-2806

Dated : 17-08-2021

In the matter of: -

Chairman/CEO,  
Jamia Cooperative Bank Ltd.,  
2/30, Sarai Jullena, New Delhi-110025

... Petitioner

Versus

Sh. Syed Mohd. Noorullah. M.S.No. 1633

...Respondent

## ORDER U/s 40 of DCS Act 2003

This order shall dispose of the application dated 17.02.2021, bearing this office Diary No.8783 dated 24.02.2021, made by the Jamia cooperative Bank Ltd. for approving the expulsion of member namely Sh. Syed Mohd. Noorullah under Section 40 of DCS Act, 2003.

The Bank vide letter No JCB/HO/CEO/2020-21 dated 5<sup>th</sup> January 2021 issued a show-cause notice by registered post under section 40 of Delhi Cooperative Societies Act 2003 and Rule 31 of Delhi Cooperative Societies Rule 2007 to Sh. Syed Mohd. Noorullah (having membership number 1633) for his proposed expulsion from the membership of the Jamia Co-operative Bank Ltd., for bringing disrepute to the Cooperative Bank and for his acts detrimental to the interest and proper working of the Cooperative Bank and for his anti-bank activities. By Show-cause notice dated 5<sup>th</sup> January 2021 Sh. Syed Mohd. Noorullah was given an opportunity to submit written reply to the charges levelled against him that is why he should not be expelled from the membership of the Cooperative Bank and to make verbal submission in addition to written submission before the Board of Directors of the Cooperative Bank in its meeting to be held on 6<sup>th</sup> February 2021 at 11.30 AM. Accordingly, the CEO convened a special meeting of the Board for the said purpose of 6<sup>th</sup> February 2021 at 11.30 AM. That Sh. Syed Mohd. Noorullah submitted a written submission dated 18<sup>th</sup> January 2021 by Speed post received by the Bank on 21<sup>st</sup> January 2021, however did not appear before the Board. In the absence his personal appearance, the Board deliberated on the written submission of the member and observed that the same is vague and evasive denial of the charges without any substance and supporting document or any proof for the denial and hence is not tenable. Considering all the facts and circumstances, the Board unanimously decided for his expulsion from the membership of the Co-operative Bank and passed the resolution.

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Accordingly, Notices were issued to the Applicant Bank and to the Respondent to appear before the undersigned on 15.04.2021, 08.06.2021, 29.06.2021, 29.07.2021, 10.08.2021, and 13.08.2021.

During hearing appellant society represented by Advocate Sh. Shahzad Husan and respondent was present in person alongwith Sh. Sanjay Tripathi.

The Bank submitted its submissions with index (page 1 to 78) alongwith copy of orders issued by Hon'ble High Court of Delhi in 7006/2013, WP(C) 7264/2014 etc., which is taken on record and copy given to Syed Mohd. Noorullah.

Advocate of Syed Mohd Noorullah also filed brief submission which is taken on record and copy given to counsel of bank.

The counsel of bank drew attention towards Section 40 of DCS Act 2003 with focus on its subsection (3) and submitted that Syed Mohd. Noorullah has brought disrepute to Bank through his actions like forwarding the complaint of contractual employee Sh. Mohd Imran on non renewal of his contract to RCS and thus turned dead issue to a live one. Sh. Syed Mohd Noorullah has also raised certain issues relating to election and also filed arbitration case against the bank. Due to the conduct of Sh. Syed Mohd Noorullah, the bank has to face inspection, inquiry and unnecessary litigation in Delhi High Court. According to bank, such issues could have been resolved at the level of Bank through discussions in General Body meetings. The actions of Sh. Syed Noorullah has resulted in wastage of time, money and energy of the bank. In addition to above, the counsel stated that Sh. Syed Mohd Noorullah always allege that appropriate information is not furnished to him in response to RTIs and members and Director of bank are in Blood relation and for addressing these issues he may approach RCS and RBI as per law. The counsel also submitted that the RCS office has to do the balancing act and protect the interest of the bank from complainants like Sh. Syed Noorullah.

The counsel of Sh. Syed Noorullah submitted that they are still running from pillar to post in order to get information under RTI of the year 2013 despite orders of FC and High Court. He further submitted that forwarding complaints, seeking inquiry and inspection of misconduct of bank and approaching RCS and Court for getting remedies and information under RTI does not bring disrepute to the bank. He also submitted that business of the bank is continuously increasing since the year RTIs were filed by Syed Mohd. Noorullah.

The Cooperative Banks are established and running in a democratic set-up. In case of any issue/grievance each & every individual member of Cooperative Bank has a right to approach the appropriate authority/forum to redress his/her issue/grievance, and it doesn't mean the aggrieved individual is brought disrepute to the society and his acts are detrimental to the interest and proper working of the Cooperative Bank.

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In the view of above and the record available in case file and observations made hereinabove, the appeal made by the applicant Bank for proceedings of expulsion of membership namely Sh. Syed Mohd Noorullah (Membership No. 1633), R/o H-19/5, 2<sup>nd</sup> Floor, Momin Street, Batla House, Jamia Nagar, Okhla, New Delhi-110025, respondent is dismissed.

The case is disposed off, accordingly.

The case file be sent to the concerned Assistant Registrar Cooperative Society / Section to keep the same on record.



(Ranjeet Singh)

Additional Registrar Cooperative Societies

To

1. Chairman/CEO, Jamia Cooperative Bank Ltd., 2/30, Sarai Jullena, New Delhi-110025.
2. Sh. Syed Mohd. Noorullah, H-19/5, II Floor, Momin Street, Batla House, Jamia Nagar, New Delhi-110025.
3. Computer Cell for uploading.
4. Guard file.



(Ranjeet Singh)

Additional Registrar Cooperative Societies