

IN THE COURT THE SPECIAL REGISTRAR COOPERATIVE SOCIETIES
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
OLD COURT BUILDING, PARLIAMENT STREET, NEW DELHI-110001.

F.No.: SPL RCS/D/S-40/2023/1935-36

Dated.: 31/07/2023

IN THE MATTER OF:-

Saini Cooperative Thrift & Credit Society Ltd.,
(President/Secretary)
2420-21 Kamra Bangash
Darya Ganj, New Delhi-110002

.....Petitioner


Versus

Sh Rajinder Kumar Saini
R/o 25 Shiv Mandir Gali
Gaon Bhorgarh
Narela, Delhi-110040

.....Respondent

ORDER

1. This order shall dispose off the petition under section 40 of the DCS Act 2003 read with Rule 31 of the DCS Rules 2007 filed by the petitioner society for approval of resolution dated 23.01.2023 of Managing Committee for expulsion of Sh Rajinder Kumar Saini, a member of the society.
2. The petitioner society in its dossier dated 31.01.2023 submitted on 01.02.2023 has stated that Sh Rajinder Kumar Saini (Membership No.: 5132) R/o 25 Shiv Mandir Gali, Gaon Bhorgarh, Narela, Delhi-110040, a member of the society "Saini Co-operative Thrift & Credit Society Ltd., has been expelled under the provisions of Section 40 of DCS Act 2003 read with Rule 31 of DCS Rules 2007 in Managing Committee Meeting held on 23.01.2023 in the society.
3. The dates and events submitted by the petitioner society are as follows:-
 - i. Sh Rajinder Kumar Saini submitted an e mail dated 23.10.2022 with the society to be put up in AGBM held in the society on 30.10.2022. The letter/questionnaire had in question no.: 10 allegations against the society and its Managing Committee Members/Officials. The question no.: 10 prima facie contained baseless, false and frivolous allegations against the society and its management.
 - ii. During the questions and answers session in the AGBM held on 30.10.2022 Sh Rajinder Kumar Saini was given 15 days time to submit documentary evidences and proof of allegations levied by him against the society and its management stating in respect of question no.: 10


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that all the allegations levied by him are false and that allegations levied by him against the management as regards sale of shops are liable to damage the reputation of the society. Further the false allegations levied by him would damage the social status and lower the dignity of the management and create stir in the society.

- iii. Sh Rajinder Kumar Saini failed to submit any documentary evidence of any of the allegations as levied by him against the society and its management even after mandated time period of 15 days given to him. In view of the absence of any documentary evidence being submitted by him, his acts are detrimental to the interest and proper working of the society having brought disrepute to the society and its management.
- iv. It was decided in a Managing Committee Meeting held on 28.11.2022 that action be initiated against Sh Rajinder Kumar Saini under the provisions of Section 40 of DCS Act 2003.
- v. A Show Cause Notice dated 15.12.2022 was issued to Sh Rajinder Kumar Saini calling upon him to appear in person and submit his explanation before the Managing Committee on 04.01.2023 at 2.30 PM.
- vi. Sh Rajinder Kumar Saini sent an e mail dated 03.01.2023 stating that all allegations levied against him are baseless and no explanation can be called for in respect of questions asked by him.
- vii. The response of the Sh Rajinder Kumar Saini was considered in the Managing Committee Meeting held on 04.01.2023 and found to be unsatisfactory.
- viii. Another Show Cause Notice dated 06.01.2023 was issued to Sh Rajinder Kumar Saini calling upon him to appear before the Managing Committee on 23.01.2023 at 2.30 PM and submit his explanation.
- ix. Sh Rajinder Kumar Saini replied to the Show Cause Notice dated 06.01.2023 issued to him vide letter dated 23.01.2023 and e mail dated 23.01.2023. Instead of replying on merits Sh Rajinder Kumar Saini again reiterated that all allegations levied against him are baseless and that he has never damaged the reputation of the society and that questions asked by him are for the benefit of the public. He demanded answers to the questions asked by him.
- x. The reply dated 23.01.2023 of Sh Rajinder Kumar Saini was considered by the Managing Committee Members on 23.01.2023 and again found it to be unsatisfactory.
- xi. It was resolved in the MC meeting dated 23.01.2023 to expel Sh Rajinder Kumar Saini under the provisions of Section 40 of DCS Act 2003 read with Rule 31 of DCS Rules 2007.


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4. The petitioner society forwarded the resolution dated 23.01.2023 of the Managing Committee for approval to Office of Registrar Cooperative Societies for expulsion of Sh Rajinder Kumar Saini.
5. The society has annexed all relevant documents with its dossier dated 31.01.2023.
6. Taking cognizance of the proposal for approval, notice dated 10.02.2023 was issued for appearance of both the parties for 24.02.2023.
7. The society submitted copies of its MC meetings dated 28.11.2022, 04.01.2023 and 23.01.2023.
8. Arguments were heard from both the parties on 20.04.2023.
9. I do not find any valid reason for approving the proposal for expulsion of Sh Rajinder Kumar Saini.
10. In exercise of powers vested in me as per allocation of powers dated 11.03.2021 of Secretary cum RCS, I hereby reject the resolution dated 23.01.2023 of the Managing Committee of the society for expulsion of Sh Rajinder Kumar Saini from the membership of the society.


It is ordered accordingly.


31/7/2023

(Dr. T. Philip Thanglienmang)
Special Registrar Cooperative Societies

Copy to:-

1. Saini Cooperative T/C Society (through President/Secretary), 2420/21 Kamra Bagas Darya Ganj, New Delhi-110002.
1. Sh. Rajinder Kumar Saini, 25 Shiv Mandir Gali, Gaon Bhorgarh, Narela, Delhi-110040
2. AR(Banking)
3. In-charge (Computer Cell) for uploading on website


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(Dr. T. Philip Thanglienmang)
Special Registrar Cooperative Societies