

GOVT. OF N.C.T. OF DELHI  
OFFICE OF THE REGISTRAR COOPERATIVE SOCIETIES,  
PARLIAMENT STREET, OLD COURT BUILDING, NEW DELHI – 110001

F. No. 47/RCS/Policy/2010/Part File-II/

Dated:-

**Sub:- Minutes of meeting of Rule 90 Committee held on 29.04.2024 at 02:30 PM**

I am directed to enclose herewith the copy of the minutes of Rule 90 Committee meeting held on 29.04.2024 at 02:30 PM for necessary action at your end. Intimation may also be sent to the concerned members individually.

1  
ASST. REGISTRAR (POLICY)

F. No. 47/RCS/Policy/2010/Part File-II/ 147 - 151

Dated:- 07/05/24

Copy for necessary action to:-

1. P. S. to Pr. Secretary (Cooperation)
2. P. S. to Registrar Cooperative Societies.
3. P. A to Spl. Registrar Cooperative Societies/DRCS.
4. Assistant Registrar (Section – 6)
5. In-charge (Computer Cell) to upload the minutes held on 29.04.2024 at 02:30 PM on the RCS website.

  
ASST. REGISTRAR (POLICY)

**MINUTES OF THE MEETING OF THE COMMITTEE CONSTITUTED UNDER RULE 90 OF  
DCS RULES, 2007 HELD ON 29.04.2024 AT 02 : 30 P.M UNDER THE CHAIRMANSHIP OF  
THE PRINCIPAL SECRETARY (ENVIRONMENT) & SECRETARY (COOPERATION),  
GOVERNMENT OF NCT OF DELHI**

The meeting of the committee constituted under Rule 90 of DCS Rules, 2007 was held on 29.04.2024 at 02:30 P.M in the chamber of the Principal Secretary (Environment) & Secretary (Cooperation), GNCT of Delhi at 6<sup>th</sup> Floor, Conference Room, Delhi Secretariat, New Delhi. The following officers/ members of the committee attended the meeting:-

- |   |             |
|---|-------------|
| i. Sh. Anil Kumar Singh, Secretary (Cooperation)          | Chairperson |
| ii. Sh. Anil Kumar Singh, Registrar Cooperative Societies | Member      |
| iii. Sh. Puneet Nagpal, Additional Secretary (Law)        | Member      |
| iv. Sh. Srinivasa Rao Y., C.O.A (Finance)                 | Member      |
| v. Sh. Pradeep Kumar, D.R.C.S                             |             |

**Agenda of the meeting is regarding the membership case in r/o Sh. Pramod Kumar (Ms. No. 305) and Sh. Bhupender Mann (Ms. No. 219) of Railway Line Staff CGHS Ltd.**

The instant case was placed before the Rule 90 Committee in view of order dated 28.02.2024 in Writ Petition No. 9359/2021, titled as Pramod Kumar V/s RCS & ors. and Writ Petition No. 8197/2018, titled as Bhupinder Mann V/s GNCTD& Ors respectively.

The Railway line Staff CGHS Ltd. is registered with this office vide Regd. No. 121/GH dated 24.04.1972 under provision of DCS Act, and DCS Rules and by-laws of the society and the land was allotted to the society in Dwarka, Delhi. The Freeze Strength of the society is 116. The names of 112 members have already been cleared. Four members were detained due to various reasons mentioned in the table against their names:-

Sl. No.	Name & Membership No.	Remarks
1.	Sh. Bhupinder Mann (Ms. No. 219)	CBI Charge Sheeted.
2.	Sh. Sohan Lal Sharma (Ms. NO. 265)	Documents not submitted
3.	Sh. Pramod Kumar (Ms. No. 305)	Residence proof of Delhi, 03 years prior to the date of enrolment in the society was not submitted.
4.	Sh. Amit Rathee & Kamla Rathee (Ms. No. 311)	Residence proof of Delhi, 03 years prior to date of enrolment was not submitted and the matter is pending in the Hon'ble High Court W.P (C) No. 6768/2021, titled as Amit Rathee & Anr. V/s RCS & ors.

*Puneet Nagpal*

*Sh*

*Pradeep Kumar*  
19/4/24

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The Brief facts of the matter of Sh. Pramod Kumar (Ms. No. 305)

Sh. Pramod Kumar (Ms. No. 305) enrolled as a member in Railway Line Staff CGHS Ltd. on 20.12.2004. His case for clearance of membership was earlier detained by this office, since; he had not submitted proof of residence of Delhi, 03 years prior to enrollment in the society (as per DCS Act & DCS Rules). In this regard, it is informed that this office directed the society and the concerned members of the society to submit the documents of the members whose name were detained due to aforementioned reasons on many a times. But, the society failed to provide the requisite documents as per schedule- VII of DCS Rules, 2007 therefore the case was not cleared by this department. In the year 2021, Sh. Pramod Kumar (Ms. No. 305) filed a petition bearing W.P (C) No. 9359/2021 in the Hon'ble High Court regarding clearance of his membership.

This office vide letter dated 06.02.2023 directed the Railway Line Staff CGHS Ltd. and Sh. Pramod Kumar to appear before the Assistant Registrar along with all requisite documents as per Schedule- VII of DCS Rules, 2007 for verification, but no one appeared on the said date. Further, a reminder dated 18.04.2023 was sent to both of them to appear for verification. The society and Sh. Pramod Kumar (Ms. No. 305) appeared for verification on 24.04.2023 at 03:00 P.M before the Assistant Registrar. Shri Pramod Kumar submitted the copy of share-money Receipt, Share-Certificate, Residence Proof of Delhi i.e. MTNL Bill dated 09.04.2001 in his name, Foreign Trade License dated 05.06.1995 issued by the Govt. of India & Driving License which was first issued on 07.04.1992 by the Delhi Govt, Aadhar, PAN, Affidavit in Form-C & Affidavit of Indemnity for clearance of his membership. Moreover, the President/Secretary of the Society vide its letter no. REF.No.RLS/2023-24/RCS/64 dated 24.04.2023 submitted that the original records/documents pertaining to the society & its members were seized/handed over by/to CBI on 22.03.2006, 26.04.2006, 08.06.2006 & 30.11.2006. The society further informed that they had made a request to the CBI for release of original documents/records seized from the society. They have also submitted that vide letter dated 04.01.2023, CBI advised the Society to approach the Hon'ble Spl. Judge, CBI Court, Rouse Avenue District, New Delhi for this purpose, accordingly the society has moved an application through Lawyer for the same.

In this regard, it is submitted that the certified copies of the records/file has already been obtained by this office from CBI Court, Rouse Avenue, New Delhi wherein the name of Shri Pramod Kumar (MS no. 305) was kept in abeyance from main draw due to non submission of Residential proof of Delhi 03 years prior to enrollment in the society.

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Shri Pramod Kumar (MS no. 305) vide letter dated 20/01/2023 has informed that the matter is sub-judice before the Hon'ble High Court of Delhi vide case no. W.P(C) No 9359/2021 and CM Appl. 29070/2021 and that he will withdraw his aforementioned case from the Hon'ble High Court, if this department clears his membership.

As Shri Pramod Kumar has removed the deficiencies as was pointed out earlier, by providing and submitting the residence proof of Delhi i.e. MTNL Bill dated 09.04.2001, Foreign Trade License dated 05.06.1995 issued by the Govt. of India & Delhi Driving License dated 07.04.1992, the originals of which have been seen, verified and found in order. Accordingly, name of Shri Pramod Kumar (MS No. 305) has been placed before the competent authority for clearance of his membership for consideration under the provisions of section 77 read with Rule 90 of DCS Act, 2003/Rules, 2007 and after the approval of the competent authority the same has been forwarded vide this office letter dated 15.06.2023 to the AR (Policy), O/o the RCS, GNCTD to place the same before the Rule-90 committee for kind consideration.

After the verification of the documents submitted by Sh. Pramod Kumar (MS no. 305) and the Managing Committee of the Railway Line Staff CGHS Ltd., the file was placed before the Competent Authority, i.e. the Registrar Cooperative Societies, GNCTD, who had cleared their membership under the provisions of section 77 of DCS Act, 2003 read with Rule 90 of DCS Rules, 2007. Accordingly, this office vide letter dated 15.06.2023 forwarded duly filled and signed proforma along with the copy of note sheets wherein the approval of Competent Authority was granted to the A.R (Policy) for placing his name before the Rule- 90 Committee for kind consideration.

During the Rule- 90 Committee meeting on 13.03.2024, it was directed that department has to seek clarification from Sh. Pramod Kumar regarding non- submission of address proof at the relevant time. This office vide letter dated 13.03.2024 directed Sh. Pramod Kumar and the Managing Committee of the Railway Line Staff CGHS Ltd. to appear before the Assistant Registrar on 18.03.2024 at 01:00 P.M with justified reason for non- submission of the same. Sh. Pramod Kumar appeared on the said date and informed that he had some personal reasons for non submission of the same and he did not wish to reveal the personal reasons for non-submission of the address proof. The same was recorded by the Assistant Registrar (Section-6/GH) (page- 35/N). No one from the Railway Line Staff CGHS Ltd appeared in this regard on the said date.

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Subsequently, the Rule- 90 committee meeting was convened on 21.03.2024 and the Rule- 90 Committee was apprised with the reasons which were furnished by Sh. Pramod Kumar on 18.03.2024 when he appeared before the Assistant Registrar (Section- 6/GH).

The Committee considered the case of Sh. Pramod Kumar (Ms.No.305) for approval of membership subject to the verification of all residence proof of Delhi submitted by the member (i.e. MTNL bill, Export Import Licence and Driving Licence) from the concerned issuing authority. Further, it was also directed that the submission of the member regarding non submission of residence proof of 03 years of Delhi prior to the enrolment must be mentioned in the minutes of the meeting as well as in the affidavit to be filed in the Hon'ble High Court.

Accordingly, this department verified the Driving Licence bearing No. DL0119920187451 issued in r/o Sh. Pramod Kumar (Ms. No. 305) from the official website of Ministry of Road Transport & Highways, GoI, wherein the date of initial issuance of the said license has been reflected as 07.04.1992 and export- import licence bearing No. 0595010873 from the official site of Ministry of Commerce and Industry, GoI, wherein the issuance date of the same has been reflected as 09.06.1995 in r/o Sh. Pramod Kumar. The MTNL bill could not be verified online, therefore a letter dated 28.03.2024 was sent to the Area Manager, MTNL, Sanchar Parisar, Sector- 3, Rohini, New Delhi- 110003 with request to provide the information in r/o C.A No. 2043077438 issued in r/o Sh. Pramod Kumar. As per direction, an official of this office has visited the O/o the MTNL, Sanchar Parisar, Sector- 03, Rohini, New Delhi to enquire about the status of this office letter dated 28.03.2024, an employee who is working there in the O/o of Area Manager (Rohini) informed that the MTNL has provided information to matter related to Police enquiry on being asked by the Police Authority or on the direction of the Hon'ble Court. The O/o the MTNL could not provide any information in r/o this office letter dated 28.03.2024. Further, the employee working in the O/o MTNL told that he can verbally give the information in r/o the C.A No. 2043077438. After checking through its data base of the MTNL, it was informed that the aforementioned C.A No. was issued in r/o Sh. Pramod Kumar Goyal, on the address of AM- 69, 1<sup>st</sup> Floor, Shalimar Bagh, Delhi- 110052 (the same address mentioned in his MTNL Bill for the month of March, 2001 submitted by him in this office). It is also informed by him that presently this phone connection is disconnected and the security money of the same was returned to Sh. Pramod Kumar Goyal.

**The Brief facts of the matter of Sh. Bhupendar Mann (Ms. No. 219)**

Sh. Bhupender Mann enrolled as a member in Railway Line Staff CGHS Ltd. on 29.06.2003. His case for clearance of membership was earlier detained by this office, since; he was CBI charge sheeted. Further, a letter dated 04.08.2021 was received in this office from Sh.

*Puneet Nagpal*

*Sh.*

*Asst. Registrar*



Bhupender Mann vide which he had requested this office for clearance of his name for draw of lots and he was acquitted from the CBI court vide court order dated 07.11.2020. Thereafter, a letter dated 30.01.2023 was issued to the society and Sh. Bhupender Mann (Ms. No. 219) and both of them were directed to appear before the Assistant Registrar for verification of documents as per Schedule VII of DCS Rules 2007. Accordingly, in the matter of Sh Bhupender Mann the society authorized Sh. Kapil Basu, Manager to appear on behalf of the society, the member himself and Sh. Kapil Basu himself was physically present on 08.02.2023 for verification. Further, on behalf of the society Sh. Kapil Basu, it was informed that the original records of the society were seized/handed over by/to CBI on 22.03.2006, 26.04.2006, 08.06.2006 & 30.11.2006 and certified copy of same was available with them and same was provided during the verification i.e. Copy of Application Form, Affidavit filed at the time of enrolment, Membership Register, MC Resolution dated 22.06.03, No dues certificate (in original), Ledger (in original) and all the original records was shown by the member i.e. Residence Proof prior to 03 years of enrolment, Share Certificate, Share Money Receipt, Pan Card, Aadhar Card, Latest Affidavit in Form-C and Verification Certificate from Gazetted Officer. All the documents were duly verified by the dealing assistant and Assistant Registrar (Section-06/H) and then certified copy of all the documents were obtained and kept in individual folder which is linked with this file.

All the documents of Sh. Bhupender Mann (Ms. No. 219) were checked during verification and were found in order as per the provision of Schedule- VII of DCS Rules, 2007. Accordingly, name of Sh. Bhupender Mann (Ms. No. 219) has been placed before the competent authority for clearance of his membership for consideration under the provisions of section 77 of DCS Act, 2003 read with Rule 90 of DCS Rules, 2007 and after the approval of the competent authority the same has been forwarded to the A.R (Policy), O/o the RCS, GNCTD vide this office letter dated 15.06.2023 with request to place the same before the Rule-90 committee for kind consideration.

During the Rule- 90 Committee meeting held on 21.03.2024, it was observed that department has to ascertain whether any appeal is pending against the CBI court order dated 07.11.2020 vide which Sh. Bhupender Singh Mann were acquitted from the Hon'ble Court in the matter of CBI V/s Shrichand etc. (Railway Line Staff CGHS Ltd.)

Accordingly, this office sent a letter to Sh. Bhupender Mann (Ms. No. 219) and the society to appear before the Assistant Registrar on 18.03.2024 at 01:00 P.M to clarify that whether any appeal has been filed by the CBI/ any other authority against the order dated

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07.11.2020, passed by Ld. Trial Court. Neither Sh. Bhupinder Mann (Ms. No. 219) nor the representative from the Railway Line Staff CGHS Ltd. appeared in this case on the stipulated date and time.

A letter dated 12.03.2024 was also sent to the Reader to the Special Judge, PC Act, CBI- 15 and a letter dated 18.03.2024 was sent to the S.P, SC- III, CBI regarding information about, appeal, if any, pending against the order dated 07.11.2020 of CBI court. The reply of the aforesaid offices is still awaited.

Further, as per directions, O/o the SC- III branch of CBI was personally visited to enquire about the status of the letter dated 18.03.2024 issued by this office to the O/o the SC- III branch of the CBI regarding status about that appeal filed by the CBI against the order dated 07.11.2020 of CBI court, it was informed by the employee working there that an appeal bearing NO. CrI. L.P. 31/2022 has been filled by the CBI against the order dated 07.11.2020 of the CBI Court whererin Sh. Bhupinder Singh Mann is Respondent No. 03. In the order dated 19.02.2024 of the Hon'ble High court in CrI. L.P. 31/2022, titled as CBI V/s Srichand and Ors., it is mentioned that a Learned Counsel for R-3 (i.e. Sh. Bhupinder Singh Mann) appeared in the Hon'ble court and had sought one week time to file Vakalatnama on behalf of Bhupinder Singh Mann.

#### DECISION OF THE RULE- 90 COMMITTEE

The Rule 90 Committee re-examined the proposed matter regarding consideration of membership case in R/o Sh. Pramod Kumar (Ms No.305) and Sh. Bhupender Mann (Ms.No.219) of Raliway Line Staff CGHS Ltd.

#### In r/o Sh. Pramod Kumar (Ms. No. 305)

The Rule- 90 Committee has carefully examined the matter and based on the recommendation of the RCS, the Rule- 90 Committee endorse the recommendation of the RCS and unanimously considered the membership case of Sh. Pramod Kumar (Ms. No. 305) and recommended to send his name to the DDA for draw of lots of allotment of the flat in the said society. On the basis of the verification of documents namely the Driving Licence bearing No. DL0119920187451 issued in r/o Sh. Pramod Kumar (Ms. No. 305) from the official website of Ministry of Road Transport & Highways, Gol, wherein the date of initial issuance of the said license has been reflected as on 07.04.1992 and export- import license bearing No. 0595010873 from the official site of Ministry of Commerce and Industry, Gol, wherein the issuance date of the same has been reflected as on 09.06.1995 and the verbal information

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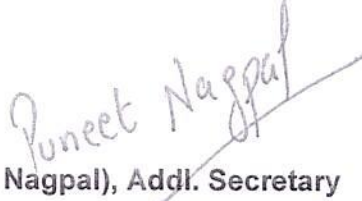
provided by the O/o the MTNL office Rohini, Delhi that MTNL Bill bearing C.A No. 2043077438 was issued in r/o Sh. Pramod Kumar Goyal, on the address of AM- 69, 1<sup>st</sup> Floor, Shalimar Bagh, Delhi- 110052 (the same address mentioned in his MTNL Bill for the month of March, 2001 submitted by him in this office) on personal visit of an employee of this office in r/o Sh. Pramod Kumar documents submitted by the member as the 03 year's residence proof of Delhi prior to the enrollment in the said society.

**In r/o Sh. Bhupinder Mann (Ms. No. 219)**

The Rule- 90 Committee has carefully examined the matter and based on the recommendation of the RCS, the Rule- 90 Committee endorse the recommendation of the RCS unanimously decided that the membership case of Sh. Bhupinder Mann (Ms. No. 219) may be kept in abeyance till the outcome of the pending appeal in the Hon'ble High Court of Delhi in CrI. L.P. 31/2022 filled by the CBI against the order dated 07.11.2020 as the matter is sub-judice in the Hon'ble High Court and the same may be apprised to the Hon'ble High Court in W/P (C) No. 8197/2018, titled as Bhupinder Mann V/s GNCTD & Ors.



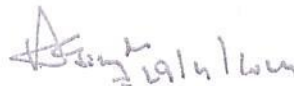
(Srinivasa Rao Y), COA,  
(Member)



(Puneet Nagpal), Addl. Secretary  
(Member)



(Anil Kumar Singh), RCS  
(Member)



(A.K. Singh)  
Pr. Secretary (Cooperation),  
(Chairman)