

**RULE 90 MEETING REGARDING ARVIND CGHS LTD.
(SOUTH ZONE)**

AGENDA FOR THE MEETING OF THE COMMITTEE CONSTITUTED UNDER RULE 90 OF THE DCS RULES, 2007 TO BE HELD ON 13.02.2013 AT 3.00 P.M. UNDER THE CHAIRMANSHIP OF THE SECRETARY (CORPORATION)/REGISTRAR COOPERTIVE SOCIETIES.

(154)

Arvind CGHS has registered in this department on 31.03.1973 vide Registration No. 158-GH having its registered office at 183, 1st Floor, Panchsheel Park, New Delhi – 110017. At the time of registration there were 52 promoter members. Freeze list of 114 members was sent to DDA on 03.01.2003 by this office.

(155)

This society is one of the 57 CBI investigated societies. The society was liquidated vide order no. 1993-99 dated 16.05.1979 (pl. see at page 66/C).

(156)

As per the findings of CBI charge-sheet, the Approval for liquidation and appointment of liquidator was given by the Ld. RCS on 03.03.2011. However the society filed writ petition WP (C) No. 1786/2011 which quashed the Liquidation order passed by the RCS and directing RCS for adjure revival of the Society. The order dated 23.05.2011 of the Hon'ble High Court is as under: -

"The petitioner society will move a requisite application for its formal dejure revival, since for all intents and purpose defacto the petitioner has been live and kicking. On an application being filed, the Registrar shall consider it keeping in mind the aforesaid facts and circumstances. Appropriate order shall be passed on the application within a maximum period of one month."

(157)

Subsequently, society filed an application for ^{dejure} ~~adure~~ revival of the Society. Since the above directions of the Hon'ble High Court was not implemented, The Society filed another WPC/2426/2011 titled Arvind CGHS Ltd V/s RCS & Ors. The Hon'ble High Court passed an order on 23.05.2011 which is as under: -

"The petitioner society is aggrieved by the non-forwarding of the list of 114 members by the Registrar Co-operative Societies (in short Registrar) to the DDA for holding draw of lots. The impediment in the way of the petitioner was the order passed on 03.03.2011 which was been quashed in WP(C) No. 1786/2011. The issue of formal revival of the petitioner society is required to be processed within a period of one month in terms of the directions passed therein."

On the relevant order being passed for revival, the names of the members of the petitioner society will be forwarded to the DDA within a week thereafter for the DDA to hold the draw of lots within 15 days of receipt of names."

The directions passed in WP(C) No. 2441/2011 today (following directions issued by this court in other matters) for furnishing affidavit(s) and undertaking(s) by the members of the petitioner society will also be followed in the present case as well."

(158)

The Department filed SLP case CC No. 18305-18306 /2011, titled RCS & Others V/s Arvind CGHS Ltd. came for hearing in Hon'ble Supreme Court on 05.12.11 and Hon'ble Supreme Court of India has dismissed the SLP.

The details of case in respect of Sh. Babu Lal Kumawat, M. No. 197 as per Schedule VII submitted by the society are given below:-

S.No	Particulars of information	Submitted
1.	Freeze Strength of the Cooperative Housing Society and number of dwelling unit and Parking spaces shop etc.	114 114 One covered car parking space for each flat. Nil Draw of 111 members out of 114 members have already been completed by DDA on 10.04.2012. (at page 69/c to 703/c)
2.	Resignation and enrollment	The society enrolled 278 members from time to time out of which 164 resigned from the society. (at page 86/N)
3.	Details of Transfer case	09
4.	Election last date of election	19.12.2010
5.	Audit Position	2010-11
6.	Annual General Body Meeting	23.01.2011
7.	Architect's certificate regarding completion of construction, quality and stability etc already submitted	The society has already submitted. (at page 87/N)
8.	Completion certificate from DDA already submitted	Letter dated 03.01.2011 issued by DDA submitted. (at page 87/N)
9.	Loan position and dues of Cooperative Group Housing Society against members.	NOC issued by the DCHFC submitted. (at page 87/N)
10.	Expulsion case	No expulsion case
11.	Category of flats	There are 02 categories of flats i.e. HIG 80 flats and MIG 34 flats.
12.	Court case/complaints	Nil
13.	Individual affidavit	Filed
14.	Vacancy Position	Nil
15.	Details of detained cases	02 cases
16.	Affidavit of President and Secretary i.e. Affidavit 'D'	Already Submitted
17.	To verify the genuineness of a person enrolled as a member of the Society, the following documents/information has been submitted by the member.	The society has submitted affidavit of Sh. Babu Lal Kumawat.
(1)	Details of permanent account No. allotted by the Income Tax Department or declaration in form 60 of Income Tax Act in case PAN No. has not been allotted in the Affidavit;	ADNPK5994M
(2)	Details of bank A.C. No. along with Name and Address of the branch in the	238420250092 with Canara Bank, Kirti Nagar, New Delhi.
(3)	affidavit	Submitted
(4)	Photograph on the affidavit which	Attested.

	<p>should be attested by the Notary Public;</p> <p>Certificate of verification from Gazetted Officer who will attest photograph and signature of person who has been enrolled as a member of cooperative group housing Society. The prescribed proforma is given at in Form E to the schedule.</p>	Verification certificate submitted.
18.	Verification certificate	Member has submitted Verification certificate from the Gazetted officer.
19	Advertisement in two leading newspaper	The society has already published a notice in the leading newspaper one each in Hindi (Rashtriya Shahra) and in English (The Statesman) on 09.10.2009 (at page 352/C).
20.	Society can submit revised proposal within 45 days of publication of public notice.	No revised proposal submitted by the society.
21.	An affidavit in form No G sent by the President /Secretary of the Society.	The society has already submitted form G signed by the Secretary / President (at page 417/C).
22.	The schedule alongwith supporting documents as prescribed in form H submitted by President / Secretary of the society.	The Society has already submitted Form H.
23	The Cooperative Housing society shall produce original records i.e. membership, application and regd. Thereof affidavits residence proof, committee resolution share certificate and payment details etc for verification of records.	The Society has produced all the original documents viz. membership application and register thereof affidavits, residence proof, committee resolution, share certificate and payment details etc. for verification of record.
24.	The Cooperative Housing society shall submit the details of enrolment of members in violation of rules alongwith justification for the same which shall be placed before the govt. consideration for act and rules.	The detail of violation is not applicable as informed by the society.
25.	Any other information/documents as may be required under the provision of the act and rules etc., not mentioned in the schedule shall be furnished by the Cooperative Housing Societies.	No documents further required under the provisions the Act and Rules etc. not mentioned in schedule shall be furnished by the cooperative housing society.
26.	After examine the office record and proposal submitted by the Cooperative Housing society and documents and records of the cooperative societies accompanying it, by the concern Assistant Registrar a case of clearance of membership shall be referred to the committee constituted under Rule 90 of the Act alongwith his appropriate recommendations.	After verification of the records of the society, AR (South) has found the case of Sh. Babu Lal Kumawat (M. No. 197) in order and recommended to place the case before Rule 90 Committee. The particulars of Sh. Babu Lal Kumawat is given below:-
27	The Registrar shall recommend the case of draw of lots to land allotting agency after seeking approval of the committee.	The registrar cooperative society is requested to place the matter before Rule 90 committee in r/o Sh. Babu Lal Kumawat (M. No. 197).

1171N

The particulars of Sh. Babu Lal Kumawat are given below:-

S.No	M. No	Name of Member	Category of flat
1.	197	Sh. Babu Lal Kumawat	Type 'A'

The case may be placed before Rule 90 committee members before forwarding the name of Sh. Babu Lal Kumawat to DDA.

I, R. S. Krishnan, Assistant Registrar, South Zone, have personally verified the original documents / CBI certified photo copies pertaining to Sh. Babu Lal Kumawat listed in schedule VII and found in order as per the record made available.

In view of this, the Agenda is submitted before the Rule 90 Committee to consider the proposal of clearance of Sh. Babu Lal Kumawat (M. No. 197) before forwarding her name to DDA for draw of lots.

(R. S. KRISHNAN)
Asstt. Registrar (South)

Dy. Registrar (South)

Signature of the members:-

1. Shri Tajom Taloh, Secretary Coop/ RCS
2. Shri G. L. Meena, Spl. Registrar,
3. Shri Tarun Sehrawat, Addl. Secretary (Law)
4. Addl. Secretary/Dy. Secretary (Finance)

In Chair

Member

Member

Member

Refer above, fair letter is added for
sign. please.

18/2/13

ARC(S)
18/2/13

DR(S)
2.1.2/13

ARC(S)
21/2/13

51/AR/S1
19/02/13

2284/DR-F
19/02/13