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# Book- I

ANNEXURE-O (I)

## COMMISSION, THE SARASWATI KUNJ

SR. NO.	OBJECTION TYPE	TOTAL
1	SECTION-40	631
2	ADVERTISEMENT (23-11-95)	238
3	ALLOTMENT	143
4	CORRECTION(NAME & AMOUNT)	74
5	MEMBERSHIP	357
6	INDOOR MANAGEMENT	138
7	VOC	258
8	SUGGESTION	24
9	LEGAL	38
10	MERIT LIST	18
11	ALKA GUPTA CASE	39
12	NO OBJECTION	48
13	READY TO PAY	37
14	PRIORITY OUT OF 950	18
15	NOC	4
16	REFUND	4
17	UNDATED/UNSIGNED	21
18	CHANGE OF PLOT SIZE	9
19	WANT REGD OF PLOT	5
20	TRANSFER OF MEM	7
21	MISC	47
TOTAL		2158



## ANNEXURE O (II)

### OBJECTIONS AND RESPONSE OF THE COMMISSION

Some of the main objections that have been raised against the report of the Commission dated 5<sup>th</sup> August 2017 are as under:

Reliance on the Advertisement dated 23-11-1995 is misplaced.

Chairman had admitted them as members.

This means that he had waived off the "no vacancy" issue.

Does not mean vacancy will not arise in future.

The case of Sudhir Yadav and others VS ARCS and others has been quoted.

Regarding the issue of the name not being in the Register of members,

The Delhi High Court Judgements in the Smt. Alka Gupta vs The Registrar Cooperative Societies, 149(2008) DLT 615 and the decision of the Delhi High Court in Gurbachan Singh vs Rehabilitation Ministry, Employees Co-op, House Building Society Ltd, 45(1991)DLT 689 were cited.

Delhi High Court Judgement in the case of Modern Cooperative Housing Society Vs Registrar of Cooperative societies as reported in 101 (2002) Delhi Law Times 341 was cited in respect of defaulting members as also the judgement of the same court in the case of Anjuman Cooperative Group Housing Society Ltd.(regd.)Vs Registrar of Cooperative Societies and others in WP(C) no 1064 of 2007.

All of them have been issued share certificate, therefore they are genuine members.

Full payment for plot has been made to society, therefore they are genuine members.

Allotment letters have been issued to them, plots have been handed over to them, and registries of the plots have been executed in their names by the society; all of which could only have been done in the case of genuine members, therefore, they are genuine members.



Madhya Pradesh High court case of Mishrimal V/s District Cooperative Growers, 21 July 1960 cited to show delegation, any power exercised by a lower authority can be exercised by a higher authority, and that the General Body of a Cooperative society is Supreme.

The letter of the Registrar of 15-09-2005, and the order of the Additional Registrar dated 25-11-2013, voters' lists of 2007 and 2016, based on the orders of the Punjab and Haryana High Court were cited.

Now first of all these objections are discussed and then the others would be discussed.

With regard to the objections about the "no vacancy" public notice and name not occurring in the members registers, as has been brought out in the body of the main report, in view of the letters at annexure 1 to 9, it is clear that the society did not have any vacancy after 23-11-1995, right up to the present year of 2018.

For a vacancy of a member to occur in the society, the number of plots available with the society has to exceed the number of people waiting for allotment of plots.

Here, as per the report of the Secretary of the society, as far back as 27-11-1995, there were 5889 people waiting for plot of whom 4253 had made full payment and that the society has 3950 licensed plots (the actual number of plots available at that time with the society is 950).

Almost a year later on 8-11-96, the Treasurer of the Society confirms that there were 9200 members in the society of whom approximately 5000 had made payment for land.

In both these years, 1995 and 1996, the society only had 950 plots available for allotment, of which 131 plots were for the economically weaker sections, leaving just 819 plots for the members.

There were 5889 members waiting in 1995, 4253 of these members had made full payment.

There were 9200 members waiting in 1996, 5000 of these members had made payment for land cost.



Even if we correct the figures given by the Treasurer, to the figures given by the Commission, there would still be 8200 members, 2311 more members than what the Secretary reports.

With only 819 plots available for allotment, and so many members waiting, with over 4200 of these members having made full payment for the plots, there was no vacancy.

Five years down the line in the year 2000 when the society got its second licence, the position would be no better.

The society now had another 871 plots, of which 31 were for the economically weaker sections leaving 840 plots for the members.

Thus total number of plots available in the society for allotment by the year 2000 is 819 plus 840 which equals 1659 plots.

Thus the Society had a total of 1659 sanctioned plots.

It had 8200 members of whom over 4200 had paid the full cost of the plot as far back as 1995, according to the Secretary of the Society.

The number of members and those who had paid for the plots is far, far in excess of the number of plots that were ever available for allotment.

So there was no vacancy till the year 2000 when the society got its second and last licence for another 873 plots later on reduced to 871 plots, of which 31 were meant for the economically weaker sections, leaving 840 plots for its members, which is still far, far, short of the members who have made full payment.

And since the society never got any other licence after the licence it got in the year 2000, no vacancy has arisen since then.

There has never been a vacancy of membership in the society since 23-11-1995.

Therefore, since no vacancy arose after 23-11-1995, the date of publication of the notice, no member could have been enrolled in the society after that date.



Furthermore, both the Assistant Registrar, Cooperative Societies, Gurgaon, who was the Statutory Regulator, and the General Body of the Society had imposed ban on making further members in the society.

The Assistant Registrar had done so vide his letter number 4045 dated 9-7-1996 addressed to the Chairman of the Society number, and the General Body had done so in its meeting of 6<sup>th</sup> October 1996.

Thus all persons supposedly inducted as members after 23-11-1995 by the Chairman, have been inducted despite there being no vacancy of membership in the society and in violation of the ban on membership imposed by the Statutory Regulator, the Assistant Registrar, Cooperative Societies, Gurgaon, and by the General Body of the Society itself.

Moreover none of the persons so admitted was admitted with the approval of the Managing Committee or of the General Body of the Society.

In fact, in none of the meetings of the Managing Committee or of the General Body held after 23-11-1995, and there were fifteen meetings that were held after this date, was there ever an item on membership on the agenda of any of these meetings, nor has any membership been approved in any of these meetings.

Furthermore, the names of all such persons do not figure anywhere in the records of the society such as the registers of members, the cash books, the personal ledgers, the proceedings books of the society etc., except that of one Sneh Bhatla, who claims membership number 6510, and whose name has been entered in the register of members, and who claims that hers is a transferred membership on the previous member resigning.

However a perusal of the record in this case reveals that the previous member at that number, according to the register of members, is one Saroj Bhalla, whose name has been crossed out, she has been shown as having resigned, and the name of Sneh Bhatla has been entered on 31-3-99.

In the personal ledger too, the original person who was there and who had entries against the number is shown as having been refunded the money, but there is no date mentioned against that entry.



In the list prepared by Commission of persons who have been refunded their money on the basis of entries in the cash books, the name of Saroj Bhalla does not figure.

No money has been refunded to her.

She has a credit balance of rupees 193,950.

Scanned copies of both the entries are placed at annexure O III.

It appears that there has been an attempt to show her as having resigned by tampering with the record in both the register of members and the personal ledger in respect of her entry.

Thus Sneh Bhatla has the membership number of an already existing member who has a credit balance, and for this reason also, her membership is invalid.

It as if the trio of the Chairman, the Secretary and the Treasurer, the three persons who signed the share certificates of all such members, did not want the names of the persons from whom they had taken money and issued share certificates, to be discovered.

The same arguments as above, apply to the objections against the names not occurring in the members registers.

It is not that their names do not occur only in the registers of members; it is that their names do not occur anywhere in the records of the Society.

Their entry into the society has been made surreptitiously with the sole aim of depriving legitimate members of their right.

661 plots, which should have been registered in the names of genuine, members have been registered in the names of such unauthorised people and another 172 of these plots have been registered in the names of untraceable persons, again which should have been registered in the names of genuine members.





Thus a total of 833 plots which should have legitimately gone to the genuine members of the society have been registered in the names of such people who were not entitled to be allotted plots in the Society.

The Court judgements of cases quoted in support do not cover such blatantly illegal acts that have deprived hundreds of genuine members of plots that should have rightly gone to them and have exposed them to so much of suffering and pain all these years.

The departmental officers also do not appear to have looked at the facts properly.

They do not seem to have been aware of the facts of the ban imposed by the Assistant Registrar, his directions to the Chairman regarding recording the minutes of the General Body of 6<sup>th</sup> October 1996 imposing a ban on new membership in the society, the letters written by the Secretary of the Society to the Assistant Registrar on 27-11-1995, and the letter written by the Treasurer of the Society on 8-11-1996, all of which were available in their own office records.

Nowhere in their judgements has the question of membership been discussed with reference to the number of plots available.

Everywhere the discussion has centred around payments made to the society and about share certificates issued to such members.

Nowhere has the question of approval of membership by competent authority been discussed.

The three Principal office bearers of the society, its Chairman Sh. Iftikar Hasan, its Secretary Sh. H.S. Sharma, and its Treasurer Sh. Ram Gopal Sharma issued thousands of share certificates to unauthorised persons, took money from them, and made allotment of plots to them.

The Chairman then executed registries of those plots and issued No Objection Certificates to them, enabling them to build their houses.

He did all this for such persons whose names had never ever been put up for approval to the authorities competent to approve membership such as the Managing Committee of the society, or the General Body of the society.



The names of such persons have never been approved for membership, either by the Managing Committee of the Society, or of its General body, and their names do not figure anywhere in the records of the society, except the 500 members from serial number 8701 to 9200 whose names figure in the register of members but without any approval, and the fabricated register number six containing another 500 names.

By doing so they affected the rights of older members of the society, many of whom had been waiting for over a decade for allotment of plots, which wait would now extend to over two decades for some.

Thus the orders passed by the Assistant Registrar, and the Deputy Registrar are against the facts on record and need to be recalled.

Now other objections are discussed.

Doctrine of Indoor management also does not apply here in view of the no vacancy notice put up by the Chairman in the Hindustan times in 1995 and the various public notices that have been put up by the Assistant Registrar in various newspapers over the years.

It is thus clear that the then Chairman, Secretary and the Treasurer knowingly acted in a blatantly illegal manner since they knew that :-

1. There was never any vacancy of member in the society since 23-11-1995 right up to their suspension in November 2004.

In fact there is no vacancy even today, in the year 2018.

2. There was a ban imposed on membership by the Assistant Registrar, vide his letter 4045 dated 9-7-1996, addressed to the Chairman of the Society.

3. There was a ban on membership imposed by the GBM of 6-10-1996.

The letter number 6997 dated 16-10-1996 of Assistant Registrar to the Chairman of the society, asking him to record the decision of the ban taken by the GBM in the minutes of the GBM proves this.

The trio of the Chairman, the Secretary, and the Treasurer allowed thousands of unauthorised persons to enter the Society after 23-11-1995.



And instead of putting them in lines in the order in which they entered and behind the already existing members who had come in before them, they allowed such entrants to form crowds, of which they willingly become a part of, and which crowds later on took the shape of a mob which crowded out and trampled over most of the older members and cornered most of the plots meant for them.

The brazenness and the enormity of what they did can be gauged from the fact that even after the Society had sent a list of members who would be allotted the 950 plots of the first phase to the Town and Country Planning Department, and the Department had published that list in the newspaper and got it displayed on the notice boards of the offices of the Deputy Commissioner, Gurgaon, and the District Town Planner, Gurgaon, still the trio of these three persons allotted a large number of these very plots to persons who did not even figure in that list and who were not even members of the society.

It was alleged that the Society never sent any communication about not being a member of the society, nor any irregularity ever pointed out.

Audit never pointed out about non approval of members by Managing Committee or General Body.

The question is who would have given them the notice?

The very men who had enrolled them illegally without approval of competent authority were not likely to do so.

And since their names did not figure anywhere in the record of the society it could not have been possible for the audit to point this out as well.

The fact of their being in the society appeared to be a well kept secret, with their names not being written anywhere in the record of the society.

Even the money deposited in their accounts was shown against the numbers of the original members in the personal ledger accounts of those members, in some cases, even after those members had been refunded their share money and land cost.

Reference has been made to the Chairman's speech during the GBM of 6-10-1996 as published in the Hindustan Times of 26-10-1996 to show that membership of 9200 was approved.



In the audited balance sheet as of 31-3-1996 and onward up to 31-3-2007, the society has shown a share capital of Rupees 9,20,200 which affirms membership of 9202 members.

Share capital figures of audit reports have been quoted in support to show that 9200 members were approved.

The Chairman mentioning a figure in his speech does not constitute an approval.

As has been brought out earlier the names of such persons were never even put up for approval either before the Managing Committee or of the General Body of the Society, nor were they ever approved for membership by the Managing Committee or the General Body of the Society.

These share capital figures quoted are the figures that have been given by the society and have not been independently prepared by audit, therefore, they have to be taken with a pinch of salt.

The claim of there being 9200 members should mean that at any point of time the number of credit balance accounts with the society should be 9200 and not more.

Figures prepared by the Commission for the period March 1983, up to December 2004, show 10930 persons having credit balance with the society.

This means that as of December, 2004, the society has 10930 persons with credit balance.

Now if the figure of 9200 is taken as correct, it would mean that the society should have had only 9200 live accounts with a credit balance.

But the fact is that the Society actually has 10930 credit balance accounts which is much more than what it should actually have, if the figure of 9200 members is taken as correct.



This means that the society had 1730 more persons from whom it had taken money, than the 9200 that is being claimed.

Such a large number of accounts over and above their stated position puts a serious question mark on the claim of 9200 members.

Claims are made that since name is mentioned in voter lists of 2007 and 2016, and since they participated in both the elections, therefore, are genuine members.

This argument of theirs' is also without merits.

The voters list was prepared for a different purpose and it did not examine the merits of a member's legality of admission as a member in detail as has been done by the Commission.

The main focus of both these exercises was the membership certificate that the members had, and the payments made by them to the society.

No examination of whether their names occur anywhere in the records of the society, whether their membership was approved by the competent authority, whether the society had a vacancy against which they could be admitted, whether there was a ban on enrolling members at that time, etc was ever done.

These aspects were never considered during that exercise.

Many have objected that name of a person not occurring in register of membership is a mere technicality which can be cured.

It would have been a mere technicality if the competent authority had approved the name of the member but the name had not been written in the members register.

But when the matter has never been put up for approval of the competent and everything is done in a hush -hush manner, then it is not a mere technicality but a substantive issue.



And, as has been pointed out earlier where were the vacancies against which they could have been admitted?

The society never had any vacancy against which these members could be admitted.

Consumer court and other court orders have been cited.

The Commission respects the orders passed by various civil and consumer courts and has not discussed any of these.

However since merit lists are being made for all the members and non members the position of all such persons would also get reflected there.

Many persons claim that they have been shown as resigned while they have actually not resigned.

In view of this assertion by many members the Commission has compiled data afresh of all those persons who have taken back their share money.

This data has been prepared from the year the cash books were available, which is the year 1988 up to December 2004, barring the year 1999 to 2000 for which period cash book was not available.

This data indicates the names of all the members who were refunded their share money and land cost and whose balance with the society is nil and also those members who were refunded share money but who have a credit balance with the society.

The details of all such persons are given in Annexures R and R I

Some have claimed that they have shown to have been refunded money when actually no refund has been made to them.

The Commission has gone by what is recorded in the cash book of the society.

It does not question the entries in the cash book of the society, unless there are very good reasons to do so.



If the cash book shows a refund having been made to a member then that is what has been shown.

Many members claim that the irregularities committed are procedural in nature, and can, and should be rectified in the larger public interest.

The Commission is unable to agree with this argument that the irregularities committed here are just procedural in nature.

The Commission is of the firm view that the irregularities committed are not just procedural but illegal and very substantial in nature and have actually deprived genuine members of the plots which were rightly theirs and put them through years and years of anguish and suffering.

Registered plot holders claim that since their plot has been registered, therefore, they are genuine members of the society and their name should be included in list of genuine members.

If some office bearers of the society have committed irregularity and allotted plots and registered those plots in names of non members of the society, that in no way legitimises their action.

Such registries are illegal and the beneficiaries of such illegal acts cannot become genuine members of the society.

Those who have purchased plots argue that they have done so on the basis of registered sale deeds from members who also had registered sale deeds in their favour.

Therefore, since theirs was a bona-fide transaction, they should be considered as genuine members and their names should be included in the list of genuine members.

The Commission of 2016, while dealing with this issue had said that the purchaser steps into the shoes of the original allottee.

If the original allottee was a genuine member then his registry would also be considered as genuine.



If the original allottee was not a genuine member then his registry would also not be considered as genuine.

This is perfectly reasonable.

However the society needs to update its record in terms of all such registries and bring it up to date with the current status.

Many, including some of the affected persons, seek inclusion of members from serial number 8701 to serial number 9200, as genuine members of the society.

These are those persons whose names appear in the register of members, but who have not been considered as genuine members by the Commission.

The Commission is unable to accept the plea on the ground that there is no approval of membership either of the Managing Committee or of the General Body Meeting, despite many meetings of the Managing Committee being held after that date.

The Managing Committee meeting of 7-5-1995 approved names of members from serial number 7139 to serial number 8700.

This is the last approval of membership by the Managing Committee that is on record in the proceedings books of the society.

Names up to serial number 8600 were written in the register of members on April 30, 1995.

Thus only 100 names had to be written after that.

However on 23-11-95, which is also the date of the no vacancy public notice was issued by the Chairman of the society, instead of writing just 100 names, another 500 names have been added, just to pre-empt the notice.

After 23-11-95 the Managing Committee held 9 meetings and one General Body Meeting was held on 6-10-1996.





In none of these meetings the case for approval of these 500 or of any other persons was put up or discussed in these meetings.

After the General Body Meeting of 1996, the Managing Committee held another 7 meetings from 12-10-1997 to 12-4-1998.

In none of these meetings was any issue pertaining to membership put before the Committee or discussed or approved by it.

After 12-4-1998, and till its eventual dismissal on 29-4-2004, no meeting of the Managing Committee was held for a period of over six and a half years and the trio of the Chairman, the Secretary, and the Treasurer did pretty much as they pleased as subsequent events have shown.

Why they were allowed to do so for such a long time by the Statutory Regulator, the Assistant Registrar, is not clear.

The Society Management had enough opportunity and time to give approval to these 500 members and to all the others, but the trio of the Chairman, the Secretary, and the Treasurer never put up these matters before the Managing Committee.

The Managing Committee of the society appears to have been kept in the dark about all this.

Therefore, these 500, even though their names occur in the register of members, and all the others, cannot be considered as genuine members of the society.

Members whose names figure in the Members register number six seek inclusion of their names as genuine members.

Detailed reasons for this have been given in the Commission report of 2017 at pages 37 to 39.

Over a hundred affected persons have objected to this.



On going through their objections it was noticed that all of them have either said that they are members of the society since 5-11- 1996 or have attached photo copies of their share certificate, all of which bear the date 5-11-1996.

This only goes to prove that they only became members of the society after 23-11-1995 when a no vacancy notice was put out in the Hindustan Times of that date, and after the ban imposed by The Assistant Registrar, Cooperative Societies, Gurgaon on 9-7-1996, and after the ban imposed by the General Body Meeting of the Society on 6-10-1996.

The members register number six in which their names figure, however, shows their entry date as member in the society as 31-10-1990, which is patently wrong in view of their own claims.

However a clarification is required in respect of one aspect of the paragraph at page 38 of the report of 2017, where the Commission had recorded :

“ From serial number 3801 onwards up to serial number 4300, the names that appear in the membership register and those that appear in the personal ledger at that membership number are different and do not match even in a single case.”

The Commission notices that there is actually one name from among the 500 names that matches in the register of members and the personal ledger, and that is the name of one B.M. Bansal, at membership number 3874.

Mr. B.M. Bansal, membership number 3874 has filed an objection against the report of the Commission.

However, even this person, in his objection to the Commission, has claimed that he became a member of the society on 5-11-1996.

He does not claim membership from 31-10-1990, the date shown against his name in the register.

Moreover the share capital money and the land cost details in the pass book of the gentleman show undated entries of 200 rupees for share capital and land cost, while the personal ledgers shows these entries as dated 31-10-1990.



Therefore, while the name of the person, B.M. Bansal, shown in the personal ledger at membership number 3874 and the name of the person, B.M. Bansal, shown at membership number 3874, is the same, as brought out earlier, they are different persons.

Many allege that the Commission has acted in contravention to the principles of natural justice by not giving personal hearing to the members.

The Commission has acted beyond its scope in that the Committee was formed to look into the grievances of the aggrieved persons who are claiming their right of plot / membership by deciding their eligibility under applicable laws/byelaws.

The guidelines in this respect were to be approved by the Government.

Report does not speak about the guidelines. Moreover the Commission has acted beyond its scope and made recommendations for all members, without even giving them sufficient opportunity to present their case.

Thus the report is bad in law and deserves to be quashed.

The Commission was supposed to get the Guidelines approved from the Government and it was supposed to give an opportunity of personal hearing to people.

The report of the Commission was precisely such suggesting to the Government the future course of action to be taken for allotment of plots to genuine members.

It is in the nature of guidelines for allotment of plots to genuine members.

The terms of appointment of the Commission did not envisage providing personal hearing.

It did envisage providing an opportunity to left out members which the Commission did through public notice in Newspapers in October 2016.

The Chairman met everyone who came to see him during this period, as also members of the Managing Committee of the Society, and other groups of members constituted for looking after and promoting the interests of the members of the society.

So it cannot be said that opportunity was not given.



Many claim that they have duly registered sale deed/ conveyance deed and only civil court has power to decide the legality of sale deed and that sale deed cannot be challenged beyond the limitation of three years.

\* It has been argued that cancellation of registries falls within the domain of the civil courts and Commission by making this recommendation has over reached itself.

✓ The Commission in its report has specifically recorded that the cancellation of registries falls within the domain of civil courts and the society would have to file cases in the civil court for this purpose, when the question of limitation would also be examined.

But in view of the large number of persons involved the Commission has recommended that Government should examine the possibility of bringing out an ordinance in this regard.

Nowhere in its report has the Commission said that this matter did not fall within the domain of civil Courts.

There is thus nothing wrong with the recommendation of the Commission in this regard.

\* Many allege that the Commission has overlooked the fact that various persons have already raised construction over some of the plots allotted to them after obtaining no objection certificate from the society.

The objection that many persons have constructed their houses on the plots allotted to them after obtaining No Objection Certificate from the society, also does not hold good in the case of those non members who have wrongly been allotted plots depriving genuine members of their plots.

No Objection Certificate was given by the very persons who had wrongly allotted plots to them.

Courts have been known to have ordered the demolition of constructions if they found that these were in violation of laws/bylaws and if it held them to be illegal.



\* It was alleged that the Commission has overlooked the stay granted by the Hon'ble High Court in its order dated 21-01-08 in case number CWP-17545 of 2007, titled Saraswati Kunj Coop. House Building society V/S State of Haryana.

No copy of any stay granted by the court has been provided to the Commission in this regard.

Analysis of the financial data mentioned in the report implies that the applicants are being targeted for depriving their rights, illegally.

It has been argued that the land bank of the society has been made by the deposits of those declared as non members by the Commission.

This argument seems to imply that the bulk of the land available with the society was purchased after 23-11-95 and after 6-10-1996.

This is not supported by any facts on record.

The Secretary of the society vide his letter dated 27<sup>th</sup> November 1995 had informed the Assistant Registrar, Cooperative Societies, Gurgaon, that the society has purchased 478 bighas, 8 biswa and 151/2 biswansi of land which comes to 299 acres.

The Audit report for the period ending 31-3-1996 shows that up to that period the society had purchased 321 acres, 16 kanals and 12 marlas of land.

Thus up to March the society had 321 acres of land.

The argument that the bulk of the land was purchased by the society after 6-10-1996 is not borne out by any record.

The total land that the society has is about 350 acres or so as has been mentioned in the so called published speech of the Chairman in the GBM of 6-10-1996.

So all the land bank that was available in the society was available before 6-10-1996, and it is out of this land that the Society was able to obtain the two licences that it has, and it is this land that that the Government acquired.



216 acres of this is licensed land while about 140 acres or so appears to have been acquired by the Government.

Thus all the plots that the society has in its two licenses is on land which it had purchased before 27-11-1995, and therefore, those who came into the society in a blatantly unauthorized manner, can have no claims on these plots.

Many argue that the report is in derogation and in contravention to the quasi judicial order of the DRCS dated 12-12-13 and order dated 14-11-2014 of the ARCS.

This also does not hold good since both of those orders have been passed with reference to voters' lists and not with reference to allotment of plots.

The question of membership, vacancies in the society, the orders banning membership in the society by the Assistant Registrar himself vide his letter number 4045 dated 9-7-1996 to the Chairman of the Society, the ban on membership by the General Body Meeting as recorded by the Assistant Registrar, and his directions to the Chairman of the Society to include these in the minutes of the meeting, all these facts were never brought on record and do not form part of the proceedings.

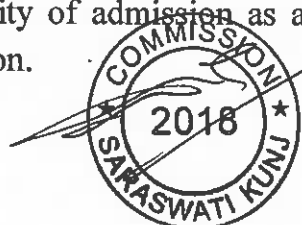
Since these orders are passed in contravention of the facts and of the available official record they need to be recalled.

Many have argued that members, whose names are included in the voters lists prepared by the Society on the basis of registries kept by the society, should be considered as members of the Society.

There is also the claim that since their names figured in the voters' list of 2007 and 2016 and since they also voted in the two elections of 2007 and 2016 they should be considered as genuine members.

Their arguments are without merits.

The voters list was prepared for a different purpose and did not examine the merits of a member's legality of admission as a member in detail as has been done by the Commission.



The main focus of both these exercises was the membership certificate that the members had, and the payments made by them to the society.

No examination of whether their names occur anywhere in the records of the society, whether their membership was approved by the competent authority, whether the society had a vacancy against which they could be admitted, whether there was a ban on enrolling members at that time, etc was ever done.

These aspects were never considered during that exercise.

It has been argued that transfer cases have approval of the GBM and Managing Committees, GBM decision of 2-10-89 and Managing Committee decisions of 12-08-90 and 06-09-1991 have been cited in support.

The decision of the GBM of 2-10-1989 is reproduced:

“Item number 3. Membership up to serial number 3000 was approved.

Resignations of 58 members were approved and in their place proposal to take in new members was approved.”

There are no details as to who these persons were who were taken in place of the resigned members.

Without these details who does the Commission consider as members as per this decision?

The decision of the Managing Committee of 12-8-1990, at item number 4, is also not a specific decision but a general one saying that the society should take in new members in place of resigned members but the number of such members should be 3800.

The Managing Committee in its meeting of 6-9-1991, at item number 3, resolved that in place of resigned members new members be made but full amount be taken from them.

All these decisions pertain to those periods before 6-9-1991.



For any member to be taken in place of a resigned there has to be a specific decision of the Managing Committee or of the General Body.

There is no specific decision of the Managing Committee or of the General Body after this to show that any member was admitted as per these decisions.

These decisions do not help anyone since they do not contain any information about members that could in any way be verified.

Many have objected that the Commission has not considered the following issues such as double registries, Registries done under different Court Orders by the Board of Administrators, etc.

The Commission did not think it necessary to go into orders passed by any court, as it was beyond the scope of the Commission to do so.

Some have argued that the area of operation of society has not been taken into consideration by the Commission while determining membership, etc.

The Commission had taken the decisions taken by the Management Committee or the General Body Meeting decisions with regard to membership, as valid decisions in this regard.

It has been argued that the Commission has wrongly concluded that non members were favoured over members etc.

Let the facts speak for themselves.

There were 8200 genuine members.

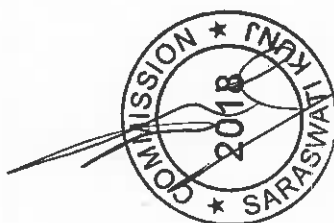
5999 of them had credit balances.

554 plots have been registered in their names.

There are 5923 non genuine members.

4953 have credit balance

836 plots have been registered in their names.





Thus 5999 genuine members who should have got all the 1659 plots actually got just 547 plots, while the 4953 non members who should not have got even a single plot got 836 plots.

Another objection is that some of the names of members have been written in the register of members have been first written in the register of members and approval of the Managing Committee or of the General Body obtained later on.

It needs to be understood that approval can either be before the event or it can be after the event, ex-post facto.

But approval must be there.

While there is approval of 8700 persons, except for the 100 persons whom the Commission put down to an oversight, and whose membership the Commission approved, in all the other cases of members enrolled after 23-11-1995, including the 500 members from serial number 8701 to serial number 9200, there is no approval of their membership at all available in the record of the society either before they became members or after they became members.

There is also no record that the membership of all these persons was ever put up before the Managing Committee or the General Body of the Society for approval.

Approving membership in the society is a substantive act and not a mere procedural one.

It has been alleged that bounced cheques relate to genuine members, whose balance would then fall below the threshold limits, improper maintenance of registers, and other procedural lapses, which lapses could be cured by subsequent actions.

Bounced cheques belonged to both categories, they belong to both members and non members, and have been debited to the account of the concerned person, whether it was that of a genuine member or that of a non genuine member and the balance of the person corrected accordingly.



Many have challenged the figures of the Commission showing over 14,000 persons having accounts with the society.

They have questioned these figures on the ground that when only 5600 persons filed their claims in the year 2005, then how has this figure of over 14,000 been arrived at?

The Commission prepared its data from the cash books and the cash receipts of the society available in the record supplemented by information contained in these claims files, as obtained from the society, and also on the basis of information received by the Commission in response to its advertisements issued in four newspapers in October, 2016 and on the basis of documentary evidence provided by persons during their personal visits to the Commission office.

These numbers represent the total number of persons who deposited money in the society between March 1983 and December 2004.

If somebody had taken the pains to do this exercise in 2005 itself, the problems that beset the society could have been taken care of at that time, thirteen years ago, itself.

There are a number of complaints that members have made against each other.

Since the Commission does not have the where withal to look into such matters, no action was taken on them.

\* A large number of people say that they have become members in place of resigned members and are, therefore, genuine members since they step into the shoes of such resigned members.

✓ The correct position is that they could only have become a member in place of a resigned member, if, as a consequence of such a resignation, a vacancy had arisen.

And that would have required specific approval of the Managing Committee or of the General Body of the Society that they have been made member in place of that member.



There is not a single such approval of any such member taken as such available on record.

Membership of resigned members cannot be transferred, since in the case of resigned member, once he had resigned and taken his share money, his membership ceases.

There can be no transfer of such share, since no share remains.

✕ Some have claimed that they have allotment and possession in their favour, and therefore, their plots be registered.

✓ All such cases would be covered under the membership and merit lists prepared by the Commission.

Many persons have produced possession letters in support of their claims.

An examination of some of them reveals that they have been given possession of the plots without their having made full payment for the plot, putting a serious question mark on those possession letters itself.

A list of fifty or so such possession letters is given at annexure Possession Letters.

✕ Many have sought change of size of plot.

✓ This is not within the scope of the Commission.

✕ There are those who seek No objection Certificate to go ahead and build their house.

✓ This aspect has been covered in the report of the Commission.

✕ There are those who seek refund.

✓ A detailed recommendation has been made by the Commission in this regard.

✕ Some have suggested that the Commission make specific recommendation on the release of land acquired by the Government.

This aspect has also been dealt with by the Commission in its report.



# Annexure - 7

दिनांक. 29.11.1995

क्रमांक 754

प्रेषक:

प्रेषित:

श्रीमान सहायक रजिस्ट्रार

सहकारी समितियां, गुडगांव।

विषय: दि सरस्वती कुंज H.B. समिति लि0 321/2, महरौली रोड़, गुडगांव में सदस्य बनाने पर रोक लगाने के बारे में।

मैने आपके मौखिक आदेश के अनुसार समिति को सदस्य बनाने की रोक के बारे में लिखा था। समिति ने अपने कार्य (सदस्य बनाने) पर रोक लगाने बारे 23 नवम्बर 1995 के हिन्दुस्तान टाइम्स की फोटो प्रति लगाई है। यह रिपोर्ट सूचनार्थ आपके कार्यालय को भेजी जाती है।

Sd/-

Ram Dass (29.11.1995)

Inspector (N.B.)

Cooperative Societies

Gurgaon



①

क्रमांक 754

पुणव

Annexure - I

29-11-95 (489)

प्रोवा श्रीमान सहायक निरीक्षक  
रक्त कारा सजातीया गुडगावा

विषय :- ठा अरस्वा कुन्ज M. B. सजाती लि 034/2 महाराष्ट्र  
गुडगावा में सदस्य लतात पर रक्त लगान के कार में

मैंने आपके मौखिक आदेश के अनुसार सजाती को  
सदस्य लतात को रक्त के बारे में लिखा था। सजाती ने आपके  
कार्य (सदस्य लतात) पर रक्त लगाने बारे 23 नवम्बर 1995 के  
हिन्दुस्तान टाइम्स को फोटो प्रेषित लगाई है। परीक्षण  
सुनना आप के कारालय में किया जाता है।



Ram  
Inspector (N. B.)  
Commission of Enquiry  
CORROON.

(1491)

2 THE HINDUSTAN TIMES, NEW DELHI, THURSDAY NOVEMBER 1959

**PUBLIC NOTICES**

THE SARASWATI KUNJ  
CO-OPERATIVE HOUSE BUILDING SOCIETY  
LTD.  
GURGAON (HARYANA)  
NOTICE

SOME property agents/dealers are advertising for membership in this Society. This Society has nothing to do with these advertisements as it has not authorized any agent/person to enrol members. The Society has no vacancy, any person dealing with such agent/person is doing so at his own cost and risk and the Society is not responsible for it.  
S4258-CA Chairman.

14.  
15.  
16.  
17.  
18.  
19.  
20.

U.S. Sharma





Annexure (23)

Regd. No. 535 (G)

Phone :

**THE SARASWATI KUNJ  
CO-OPERATIVE HOUSE BUILDING SOCIETY LTD.  
GURGAON (HARYANA)**

Ref. No. ....

Dated ... 27.11.95 .....

सेवा में,

सहायक रजिस्ट्रार  
सहकारी समितियां, गुड़गांव।

उप रजिस्ट्रार के पत्र क्रमांक न० 703 दिनांक 15.11.95 के के  
सन्दर्भ में निम्न रिपोर्ट भेजी जाती है।

1. समिति पंजीकरण तिथि: 31.3.83/18.6.90
2. समिति पंजीकरण से तात्काल तक सदस्यों की संख्या जो कि अब तक शामिल हुये हैं। 5889
3. भूमि की खरीद व विकास के लिये सदस्यों की संख्या जिन्होंने पूरी राशि जमा कराई - 4253
4. सदस्यों की संख्या जिन्होंने पार्टली राशि जमा कराई - 1636
5. सदस्यों की संख्या जिन्होंने कोई राशि जमा नहीं कराई - 1
6. समिति द्वारा कुल खरीद की गई भूमि - 478 बीघे 8 बिस्वा 15 1/2 बिस्वान्सी।
7. लाईसेन्स शुदा जमीन में से कितने प्लॉट किस किस साईज के हैं।  
प्लॉट साईज 100, 250, 500, 700, 1000, 1250 वर्ग गज  
कुल प्लॉट 3950।
8. सदस्यों को जमीन अलाक करने का क्या तरीका अपनया गया है।  
सदस्यों के डा के समय परावरटी न० दे दिये गये हैं जो रिजार्डन किये गये सदस्यों के स्थान पर जो पहले सदस्य आया है उसने पैसे दे दिये हैं और उसे प्लॉट दे दिया जायेगा।

R  
848  
21/11/95



H. S. S. S.  
सचिव

The Saraswati Kunj Co-op House  
Building Society Ltd.  
Wazirabad Gurgaon (Haryana)

प्रेषक

प्रेषित

प्रधान श्री इफ्तकार हुसैन सु० श्री शब्बीर हुसैन  
दी सरस्वती कुंज को० हाउस बिल्डिंग सो० लि०, 321/2  
महरौली रोड़, गुड़गांव

विषय: 1. समिति की सदस्यता बढ़ाने पर रोक दिनांक 23.11.95 पर आपने हिन्दुस्तान टाइम्स नई दिल्ली में दिखाई है। विश्वसनीय सूत्रों से पता चला है कि आप इसकी सदस्यता बढ़ाकर झूठी रिपोर्ट दे रहे हैं।

2. निरीक्षण समिति कराने के बारे में।

यादि:

समिति की सदस्य बढ़ाने पर रोक दिनांक 23.11.95 के अनुसार आप ने लगाई है। जिसकी रिपोर्ट आपने मेरे कार्यालय को 28.11.95 पत्र न० 848 के अनुसार दी है। विश्वसनीय सूत्रों से पता चला है कि आप 23.11.95 के पश्चात् भी सदस्य बढ़ा रहे हैं और झूठी रिपोर्ट दे रहे हैं।

समिति के निरीक्षण के बारे में मैंने आप को पत्र क्रमांक 703 दिनांक 15.11.95 व क्र० संख्या 737-739 दिनांक 22.11.95 लिखे गए परन्तु आप ने समिति का रिकार्ड अपूर्ण बता कर बहाना किया और निरीक्षण भी नहीं करवाया है।

अतः मैं पुनः आपको निर्देश देता हू कि आप समिति का कच्चा चिट्ठा तैयार करके मुझे सूचित करे ताकि सदस्यता बारे झूठी रिपोर्ट का प्रवलोकन किया जा सके। मैं इस कार्य के लिए श्री मुन्शी राम, उपनिरीक्षक को आपके पास भेज रहा हू। कृपया रपट देकर निरीक्षक पत्र तैयार करने का कष्ट करना।

Sd/-

Inspector

Cooperative Societies

Gurgaon

D.No- 845-48(19-12-95)

1- इसकी एक प्रति उपनिरीक्षक सहकारी समितिया गुड़गांव-IV को भेजकर कच्चा चिट्ठा तैयार करने के निर्देश दिए जाते हैं।

2. इसकी एक प्रति सहायक रजिस्ट्रार गुड़गांव को सूचनार्थ भेजी जाती है।

3 इसकी एक प्रति श्री एच. एस शर्मा को उचित निरीक्षण करवाने व रिपोर्ट देने बारे प्रार्थना की जाती है ताकि मैं समय पर इसकी रिपोर्ट भेज सकूँ।

Sd/-(18-12-95)

Inspector

Cooperative Societies

Gurgaon



विषय ! (1) समाज की समस्या को ठीक से समझना और उसे ठीक से  
 पर आपने बहुत कुछ सोचा है कि समाज को  
 है। समाज को ठीक से समझना और उसे ठीक से  
 के समाज को ठीक से समझना और उसे ठीक से

वहाँ विद्या और शिक्षण ही कहा जाता है।  
 जब मैं तुम आप को शिक्षित करता हूँ कि  
 आप जो भी का कर रहे हैं और कर रहे हैं मैं जो  
 कर रहा हूँ। मैं तुम को के लिए ही तुम्हारे लिए



1. श्रमक को आप के पास भेजा रहा है। कृपया आप  
इसकी निरीक्षण पत्र तैयार करवाने का कार्य करना  
54

No 845-48 दिनांक 19/12/95 Inspector of  
Mines

2. इसकी एक प्रत उप निरीक्षक सहकार को भेजी जा  
एगी। को भेज कर कृपया निम्न तैयार करने के लिये नि  
जोते हैं।

3. इसकी एक प्रत और गुडगावा को सूचनाय भेजी  
जाती है।

4. एक प्रत श्री H.D. जग को सूचित निरीक्षण करवाने  
के लिये के लिये शादीना को जाती है ताकि निरीक्षण  
पर इसका निरीक्षण भेज सकें।

Signature  
21/12/95

Secy  
21/12/95

4819  
21/12/95



क्रमांक 4045

दिनांक 9-07-1996

प्रेषक

सहायक रजिस्ट्रार  
सहकारी समितियां, गुड़गांव।

प्रेषित

प्रधान  
दि सरस्वती कुंज सहकारी भवन निर्माण समिति लि०  
वजीराबाद, गुड़गांव।

विषय: समिति में सदस्य बनाने बारे।

यादि:

उपरोक्त विषय बारे आपको सूचित किया जाता है कि आपको समिति के विरुद्ध अन्धाधुंध सदस्य बनाने बारे भारी संख्या में शिकायतें प्राप्त हो रही हैं। अतः आपको निर्देश दिए जाते हैं कि समिति में सदस्य बनाने पर तत्काल प्रभाव से रोक लगाई जाती है। यह निर्देश अगले आदेश जारी होने तक रहेंगे। इन आदेशों का दृढ़ता से पालना की जावे।

इस कार्यालय में आपको समिति में भारी संख्या में सदस्य उपस्थित होकर समिति का कोई कार्यालय न होने अथवा कार्यालय न खोलने के बारे में शिकायतें प्राप्त हो रही हैं। अतः यह पूर्ण सुनिश्चित करें कि समिति का कार्यालय नियमित रूप से खुले तथा सदस्यों को मांगी जाने वाली सूचना उपलब्ध करवाई जावे। सदस्य संख्या और न बढ़ाने के बारे में आपको इस कार्यालय व निरीक्षक द्वारा भी रोक लगाई गई है परन्तु आप द्वारा निरन्तर इन आदेशों की उल्लंघना की जाती रही है। अतः आपसे ऐसी आशा करता हूँ कि आप भविष्य में इन निर्देशों की उल्लंघना नहीं करेंगे।

इसे अति आवश्यक



पृ० क० 4046। स्टैनो।सरगु।

सहायक रजिस्ट्रार  
सहकारी समितियां, गुड़गांव।  
दिनांक: 09-07-96

उपरोक्त की प्रति निरीक्षक सहकारी समितियां, गुड़गांव-2 को भेजकर लिखा जाता है कि इन आदेशों की दृढ़ता से पालना करवाई जावे।

सहायक रजिस्ट्रार  
सहकारी समितियां, गुड़गांव।



9

9-7-96

4045 नं. रेली । त्रिपुरा ।

दिनांक

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प्रीतक

Annexure - 5

42 (30)

सेवा में

उप रजिस्ट्रार  
सहकारी समितियां, गुडगांव

सहायक रजिस्ट्रार,  
सहकारी समितियां,  
गुडगांव।

कक्रांक / 2753 / 322 / 2753 / दिनांक 4-10-96

विषय:

आम सभा दि सरस्वती कुंज सहकारी हाऊस  
मिलिउंग समिति दिनांक 6-10-96

श्रीदी:-

आपका ध्यान उपरोक्त विषय की ओर दिलो  
हुए लिखा जाता है कि आप उक्त सभा में भाग लें तथा  
सुनिश्चित करें कि आम सभा से ऐसी कोई कार्यवाही  
न की जाये जो सहकारी उप, नियमों / नियमों / अधिनियमों  
के प्रतिकूल हो।

संलग्न:- मूल पत्र

7/10/96

R.N. 6095

7/10/96



उप रजिस्ट्रार

सहकारी समितियां, गुडगांव  
7/10/96

# Annexure - 6.

क्रमांक/स्टैनो/स.र.गु 6938

दिनांक: 11-10-96

प्रेषक

सहायक रजिस्ट्रार  
सहकारी समितियां,  
गुड़गांव।

सेवा में

प्रधान  
दी सरस्वती कुंज ग्रुप हाउसिंग  
समिति लि० वजीराबाद, गुड़गांव।  
(निरीक्षक सहकारी समितियां, गुड़गांव-॥ के माध्यम से)

विषय: सरस्वती कुंज गृह निर्माण समिति में अंधाधुंध सदस्य शामिल करने बारे।  
यादी

उपरोक्त विषय पर आपका लिखा जाता है कि आपने निरीक्षक के माध्यम से यह सूचना दी थी कि हिन्दुस्तान टाइम्स के माध्यम से प्रकाशन देकर सदस्य संख्या बन्द कर दी गई है परन्तु समिति की आम सभा दिनांक 06.10.96 को सम्पन्न हुई है उसमें मुझे यह ज्ञात हुआ है कि समिति की सदस्य संख्या लगभग 9000 से उपर बनाई गई है जबकि इस कार्यालय द्वारा कई बार सदस्य संख्या बढ़ाने पर रोक लगाई जा चुकी है आपने यह सदस्य संख्या बढ़ाकर इस कार्यालय द्वारा दी गई हिदायतों की उल्लघना की है। अब समिति की आम सभा गठित करके यह निर्णय लिया जा चुका है कि एक भी सदस्य इस आम सभा की बैठक के बाद शामिल न किया जावे। इस आम सभा के इस निर्णय की पूर्ण रूप से अनुपालना की जावे तथा पीछे जो समिति ने भारी मात्रा में सदस्य संख्या बढ़ाई गई है उसका स्पष्टीकरण इस पत्र प्राप्ति के पश्चात् अतिशीघ्र इस कार्यालय में प्रस्तुत करे।

समिति की आम सभा में यह भी निर्णय किया गया कि जो समिति में अतिदेय सदस्य है उनको एक माह का समय अदायगी का देकर सदस्य संख्या समाप्त की जाएं। इस निर्णय की भी पूर्ण रूप से अनुपालना की जावे।

अतः आपको निर्देश दिए जाते हैं कि उपरोक्त नियमों की दृढ़ता से पालना की जावे अन्यथा आपकी समिति के विरुद्ध हरियाणा सहकारी समितियां की धारा के अन्तर्गत कार्यवाही अमल में लाई जाएगी।

हस्ता०

ए. एस डागर (11-10-96)

सहायक रजिस्ट्रार  
सहकारी समितियां, गुड़गांव।

पृष्ठांकन क्रमांक/स.र.गु/

दिनांक

उपरोक्त की एक प्रति निरीक्षक सहकारी समितियां, गुड़गांव-॥ को भेजकर लिखा जाता है कि समिति के आम इजलास में किए गए निर्णयों की दृढ़ता से पालना की जाए।



हस्ता०

सहायक रजिस्ट्रार  
सहकारी समितियां, गुड़गांव।

A-6

1. इस की एक प्रति प्रबन्धक कमेटी को आवश्यक कारवाई हेतु भेजी जाती है. और आगे के लिए बिल्कुल सदस्य वृद्धि पर रोक लगाई जाती है। उचित कारवाई न करने की दशा में कानूनी कारवाई अमल में लाई जायेगी।

Inspector  
Cooperative Societies  
Gurgaon

प्रति प्राप्त की (14.10.96)





सेवा में

सहायक रजिस्ट्रार  
सहकारी समितियां, गुड़गांव।  
(मार्फत-निरीक्षक)

विषय: दी हरियाणा सहकारी अधिनियम 1984 की धारा 34 के अन्तर्गत कारण बताओ नोटिस- दी सरस्वती कुंज सहकारी गृह निर्माण समिति लि० वजीराबाद।

आपके कार्यालय क० 7011-15 दिनांक 18.10.96 के सदर्थ में उपरोक्त विषय पर कारण बताओ नोटिस का जवाब बिन्दुवार निम्नलिखित है।

1. समिति के पास रजि० सभासद रिकार्ड मौजूद है जिसमें सभी सदस्यों के नाम पते दर्ज है
2. समिति में सभी सदस्यों ने अपना स्थायी पता गुड़गांव का दे रखा है कुछ सदस्यों ने अपना डाक का पता बाहर का दे रखा है इस प्रकार अधिनियम व उपनियम की अवहेलना नहीं की है।
3. दिनांक 23.11.95 के बाद समिति ने कोई सदस्य नया नहीं बनाया है पहले बने सदस्यों से बकाया राशि वसूली जारी है।
4. समिति के रजि० के समय समिति के पास कोई भूमि नहीं थी सदस्यों ने जब जब भूमि राशि जमा करायी भूमि खरीदी गई सदस्य 9200 जरूर है परन्तु भूमि राशि लगभग 5000 सदस्यों की ही जमा है।
5. समिति ने भूमि खरीदने हेतु अधिनियम की धारा 89 के तहत स्वीकृति प्राप्त की हुई है। जिसकी प्रति साथ संलग्न है यह स्वीकृति उपरजिस्ट्रार महोदय के कार्यालय क० 234 जी.ए. दिनांक 17.01.1991 द्वारा 760 बीघा की प्राप्त की है।
6. विकास कार्य पूर्ण होने पर आम सभा में निर्धारण किया जाएगा।
7. समिति के सदस्य बाहर कार्य करते हैं उनके बैंक दिल्ली में देय है अतः उन बैंकों के क्लेक्शन हेतु खाते खोलें हैं।
8. समिति ने अपना कार्यालय गांव वजीराबाद जहा समिति ने जमीन खरीदी हुई है वहां बना रखा है जो आपने भी दिनांक 06.10.1996 की आम सभा की मीटिंग में देखा है।
9. समिति के सभी लेन देन खंजाची द्वारा किए जाते हैं अतः खंजाची ही इस कार्य के लिए अधिकृत है।
10. आडिट नोटों व निरीक्षण नोटों की अनुपालना की जाती रही है। अनुपालना रिपोर्ट शीघ्र आपके कार्यालय में भेज दी जाएगी।
11. यह राशियां विकास कार्य करते समय घटती बढ़ती रहती है कार्य पूर्ण होने पर समाप्त हो जायेगी जहा तक नकद बकाया का सवाल है यह भी घटती बढ़ती रहती है। समिति का लेन देन करोड़ों में है।

अतः आपसे निवेदन है कि हमारे जवाब को मध्य नजर रखते हुए सहानुभूति पूर्वक विचार करके इसे फाईल करने की कृपा करें।

Enclose One

(08-11-96)

R.No. 477(8-11-96)

D. No. 638 (12-11-96)





सेवा में,

575

Annexure-7.

तहासक रजिस्ट्रार,

तहकारी समितियां, गुडगांवा ।

(कॉफ़्ट - जिराद्वला)

विषय:- टी करियाणा तहकारी अधिनियम 1984 की धारा 34 के अन्तर्गत  
कारण बताओ नोटिस - टी तरस्वती कुंज तहकारी गृह निर्माण  
समिति लि० वजीराबाद ।

आपके कार्यालय क्र० 7011-15 दिनांक 18.10.96. के तंदर्भ में उपरोक्त  
विषय पर कारण बताओ नोटिस का जवाब बिन्दू बार निम्नलिखित है :

1. समिति के पास रजि० तमातद रिकार्ड में स मौजूद है जिनमें सभी सदस्यों के नाम पते दर्ज हैं ।
2. समिति में सभी सदस्यों ने अपना स्थायी पता गुडगांवा का दे रखा है । कुछ सदस्यों ने अपना डाक का पता बाहर का दे रखा है इस प्रकार अधिनियम व उपनियम की अवेहलना नहीं की है ।
3. दिनांक 23.11.95. के बाद समिति ने कोई सदस्य नया नहीं बनाया है पहले बने सदस्यों से बकाया राशि वसूली जारी है ।
4. समिति के रजि० के तमय समिति के पास कोई भूमि नहीं थी सदस्यों ने जब जब भूमि राशि जमा करायी भूमि खरीदी गई सदस्य 9200 जरूर है स परन्तु भूमि राशि लगभग 5000 सदस्यों की ही जमा है ।
5. समिति ने भूमि खरीदने हेतु अधिनियम की धारा 89 के तहत स्वीकृति प्राप्त की हुई है जिसकी फोटो प्रति साथ संलग्न है यह स्वीकृति उपरजिस्ट्रार महोदय के कार्यालय क्र० 234जी.ए. दिनांक 17.1.1991. द्वारा 760 बीघा की प्राप्ति की है ।
6. विकास कार्य पूर्ण होने पर आम तभा में निर्धारण किया जायेगा ।
7. समिति के सदस्य बाहर कार्य करते हैं उनके बैंक दिल्ली में दिये हैं अतः उन बैंकों के कलक्शन हेतु खाते खोले हैं ।
8. समिति ने अपना कार्यालय गुडगांवा जहाँ समिति ने जमीन खरीदी हुई है वहाँ बना रखा है जो आपने भी दिनांक 6.10.96. को आम तभा की मीटिंग में देखा है ।

(573)

9. सभिति के सभी लेन देन खंजाची द्वारा किये जाते हैं अतः खंजाची ही इत कार्य के लिये अधिकृत है ।

10. ऑडिट नोटों व निरिक्षण नोटों की अनुपालना की जाती रही है । अनुपालना रिपोर्ट शीघ्र आपके कार्यालय में भेज दी जायेगी ।

11. यह राशियां विकास कार्य करते समय घटती बढ़ती रहती है कार्य पूर्ण होने पर समाप्त हो जायेगी जहां तक नकद बकाया का तवाल है यह भी घटती बढ़ती रहती है । सभिति का लेन देन करोड़ों में है ।

अतः आपसे निवेदन है कि हमारे जवाब को मध्य नजर रखते हुये सहानुभूति पूर्वक विचार करके इसे फाईल करने की कृपा करें ।

भवदीय

Encl - Encl  
28/11/16

K No 477  
8-11-96

C. No 638  
12-11-96



# Annexure - 8.

क्रमांक/स्टैनो/स.र.गु 6937

दिनांक: 14/10-10-96

प्रेषक

सहायक रजिस्ट्रार  
सहकारी समितियां,  
गुडगांव।

सेवा में

श्री रामदास  
निरीक्षक सहकारी समितियां,  
गुडगांव-।।

विषय: सरस्वती कुंज गृह निर्माण समिति की कार्यप्रणाली बारे।

संदर्भ इस कार्यालय का पत्र क्रमांक 6508 दिनांक 06.09.96

यादी

बड़े खेद के साथ लिखना पड़ता है कि समिति में अन्धाधुंध सदस्य संख्या बढ़ाई जा रही है। इस कार्यालय द्वारा कई बार सदस्य संख्या बढ़ाने बारे तत्काल प्रभाव से रोक लगाई जा चुकी है। परन्तु दिनांक 06.10.96 को समिति के हुए आम इजलास में मुझे यह ज्ञात हुआ है कि समिति की सदस्य संख्या लगभग 9000 से उपर पहुंच चुकी है जो कि एक गंभीर विषय है तथा विभाग की कार्यप्रणाली पर प्रश्नचिन्ह लग जाता है। आपसे बार बार निर्देश जारी करने के उपरांत भी आपने इस कार्यालय में कोई रिपोर्ट नहीं भेजी है।

आपने इस कार्यालय को अवगत कराया था कि समिति ने हिन्दुस्तान टाइम्स में प्रकाशन द्वारा समिति की सदस्य संख्या पर रोक लगा दी है और अब नए सदस्य शामिल नहीं किए जा रहे हैं। परन्तु आम सभा की बैठक जो दिनांक 06.10.96 को सम्पन्न हुई मुझे यह ज्ञात हुआ है कि समिति में अब भी नए सदस्य शामिल किए जा रहे हैं। इस प्रकार आपने तथा समिति ने इस कार्यालय को अंधेरे में रखा है।

अब आपको निर्देश दिए जाते हैं कि आप अन्य समस्त कार्य छोड़कर इस समिति की प्रबन्धक कमेटी द्वारा की गई अनियमितताओं की पूर्ण रिपोर्ट दिनांक 18.10.96 तक इस कार्यालय में हर हालत में प्रस्तुत करें। ताकि समिति की प्रबन्धक कमेटी के विरुद्ध सहकारी अधिनियम के अन्तर्गत कार्यवाही की जा सके। इस विषय में किसी भी प्रकार की लापरवाही असहनीय होगी। इस समिति के रिकार्ड के छानबीन करने पर किसी भी प्रकार की कोई दिक्कत आती है तो आप मुझे उसका ब्यौरा बीच-बीच में प्रस्तुत करें। अगर इस विषय में किसी प्रकार की कोताही या लापरवाही बरती गई तो आपके विरुद्ध प्रशासनिक कार्यवाही रजिस्ट्रार महोदय को लिख दिया जाएगा।

मैं यहां पर यह स्पष्ट करना चाहता हू कि आप विभाग के अन्य सभी कार्य छोड़कर इस कार्य को पूर्ण महत्व दें।



हस्ता०

ए. एस. डागर (11-10-96)  
सहायक रजिस्ट्रार  
सहकारी समितियां, गुडगांव।

क्रमांक / स्टैनो / स.र.गु. / 69 38

(557)

दिनांक 14-1-1968

प्रेषित

सहायक रजिस्ट्रार,  
सहकारी समितियों,  
गुड़गाँव।प्रधान,  
दी सरस्वती कुँज सहकारी ग्रुप हाऊसिंग  
समिति लि० वज्जीराबाद (गुड़गाँव)  
(निरीक्षक, सहकारी समितियों, गुड़गाँव - II के माध्यम से)

विषय:-

थाड़ी

दी सरस्वती कुँज सहकारी ग्रुप हाऊसिंग समिति लि०  
वज्जीराबाद में अंधाधुंध सदस्य शामिल करने बारे।

उपरोक्त विषय पर आपको लिखा जाता है कि आपने निरीक्षक के माध्यम से यह सूचना दी थी कि 'हिन्दुस्थान टाइम्स' के माध्यम से प्रकाशन देकर समिति की सदस्य संख्या बढ़ाई गई है परन्तु समिति की आम सभा दिनांक 6-10-66 को सम्पन्न हुई है, उसमें छूटने यह साबित हुआ है कि आपकी समिति सदस्य संख्या 9000 से ऊपर बनाई गई है जबकि इस कार्यालय द्वारा कई बार आगे सदस्य संख्या बढ़ाने पर रोक लगाई जा चुकी है। आपने यह सदस्य संख्या बढ़ाकर इस कार्यालय द्वारा दी गई हिदायतों की उल्लंघना की है। अब समिति की आम इजलास आम सभा गठित करके यह निर्णय लिया जा चुका है कि एक भी सदस्य इस आम सभा की बैठक के बाद शामिल नहीं किया जाए। इस आम सभा के इस निर्णय की पूर्ण रूप से अनुपालना की जावे तथा पीढ़े जो समिति में जारी माफा में सदस्य संख्या बढ़ाई गई है उसका स्पष्टीकरण इस पत्र प्राप्त के पश्चात् आदि शीघ्र इस कार्यालय में प्रस्तुत करें। समिति की आम सभा में यह भी निर्णय किया गया कि जो समिति में आविर्भाव सदस्य हैं उनको एक माह का समय अदायगी का देकर उनकी सदस्य संख्या समाप्त की जावे। इस निर्णय का भी पूर्ण रूप से अनुपालना की जावे।

अतः आपको निर्देश दिए जाते हैं कि उपरोक्त नियमों की दृढ़ता से पालना की जाए अन्यथा आपकी समिति के विरुद्ध हरियाणा सहकारी समितियों की धारा के अंतर्गत कार्यवाही अमल में लाई जाएगी।

सहायक रजिस्ट्रार  
14/1/68

पुष्पांकुश केंद्र / स.र.गु.

15-11-04

मुड़गाँव-II को उपरोक्त से एक प्रति, निरीक्षक, साहकायी समितियों को भेजकर लिखा जा रहा है कि समिति के आग्रह पर इसमें किए गए निर्णयों की दृढ़ता से पालना की जाए।

sd/- gk

R 432

14-10-96

श्री गुरु पद उप निवेदन स. म. ग. ३२१५

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*[Handwritten signature]* 9/198

15-10-96

15-10-96

S. J. C. S. G. G. G.

505

15/10/96



1. The first part of the report is the title page, which contains the title of the report, the name of the author, and the date of the report.

2. The second part of the report is the abstract, which is a brief summary of the main findings of the report.

3. The third part of the report is the introduction, which provides background information on the topic and states the purpose of the study.

4. The fourth part of the report is the methodology, which describes the methods used to collect and analyze the data.

5. The fifth part of the report is the results, which present the findings of the study.

6. The sixth part of the report is the discussion, which interprets the results and discusses their implications.

7. The seventh part of the report is the conclusion, which summarizes the main findings and provides recommendations for future research.

8. The eighth part of the report is the references, which list the sources of information used in the study.

9. The ninth part of the report is the appendix, which contains supplementary material that is not included in the main body of the report.

10. The tenth part of the report is the index, which provides a list of the topics covered in the report and the page numbers where they can be found.

# Annexure - 9

क्रमांक/अ.प.।/स.र.ग/6997

दिनांक: 16-10-96

प्रेषक

सहायक रजिस्ट्रार  
सहकारी समितियां,  
गुड़गांव।

सेवा में

प्रधान  
दी सरस्वती कुंज सहकारी गृह निर्माण समिति लि०  
वजीरबाद। (मार्फत Insp.C.S-2)

विषय: समिति के आम इजलास दिनांक 06-10-96 के एजेण्डा बारे।

यादी

आपको सूचित किया जाता है कि समिति के आम इजलास दिनांक 06-10-96 में यह स्पष्ट निर्णय आम सभा द्वारा लिया गया था कि दिनांक 06-10-96 के बाद समिति में नए सदस्य शामिल करने पर पूर्ण प्रतिबंध लगा दिया गया। आम इजलास में सदस्यों की वर्तमान संख्या 9151 बताई गई है। अतः आप आम इजलास के इस निर्णय को आम इजलास की कार्यवाही में दर्ज करें। इस निर्णय के बारे में अगर समिति की प्रबन्धक कमेटी ने कोई उपेक्षा की तो समिति की प्रबन्धक कमेटी के विरुद्ध अधिनियम के तहत कार्यवाही अमल में लाई जाएगी।

इस पत्र को विशेष महत्व दिया जाए।

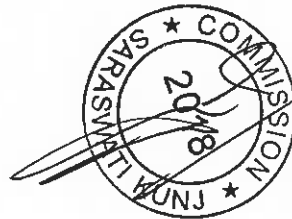
हस्ता०

ए. एस डागर (16-10-96)  
सहायक रजिस्ट्रार  
सहकारी समितियां, गुड़गांव।

पृष्ठांकन क्रमांक /अ.प.।/स.र.ग/

दिनांक

उपरोक्त की एक प्रति निरीक्षक सहकारी समितिया गुड़गांव-॥ को भेजकर निर्देश दिए जाते हैं कि आप आम इजलास के इस निर्णय की कठोरता से पालना करवाई जावे।



हस्ता०

ए. एस डागर (16-10-96)  
सहायक रजिस्ट्रार  
सहकारी समितियां, गुड़गांव।

440/17-10-96

क्रमांक/अ.प.०.१/स.र.गु/ 6997

Annexure - 9.

दिनांक 16-10-96

535

प्रेषक

सहायक रजिस्ट्रार,  
सहकारी समितियाँ,  
गुडगाँव।

सेवा में

प्रधान,

दी सरस्वती कुंज सहकारी ग्रह निर्माण समिति लि०  
बजीराबाद। (मारपत क्रमांक ८०५४)

विषय:—

समिति के आम इजलास दिनांक 6-10-96  
के एजेंडा बारे।

यादी

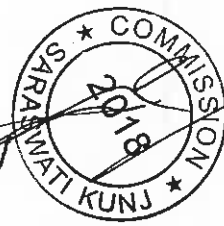
आपको सूचित किया जाता है कि समिति के आम  
इजलास दिनांक 6-10-96 में यह स्पष्ट निर्णय आम सभा द्वारा लिया  
गया था कि दिनांक 6-10-96 के बाद समिति में नए सदस्य शामिल करने  
पर पूर्ण प्रतिबन्ध लगा दिया गया। आम इजलास में सदस्यों की  
वर्तमान संख्या ~~1151~~ 9151 बरतई गई है। अतः आप आम इजलास  
के इस निर्णय को आम इजलास की कार्यवाही में दर्ज करें। इस निर्णय  
के बारे में अगर समिति की प्रबन्धक कमिटी ने कोई अपेक्षा की हो समिति  
की प्रबन्धक कमिटी के विरुद्ध अधिनियम के तहत कार्यवाही अमल में ला  
जाएगी।

इस पत्र को विशेष महत्व दिया जाए।

R. No 440

17/10/96

पृष्ठक्रमांक/अ.प.०.१/स.र.गु



सहायक रजिस्ट्रार  
सहकारी समितियाँ, गुडगाँव  
दिनांक 16/10/96

उपरोक्त की एक प्रति निरीक्षक, सहकारी समितियों,  
गुडगाँव II को भेजकर निर्देश दिए जाते हैं कि आप आम  
इजलास के इस निर्णय की कठोरता से पालना कराई जाए।

Noted &  
17-10-96  
S. I. C. S. Gm.

श्री सुरेश चन्द उपनिष स.स. गुडगाँव II

समिति की सदस्यसूची 9151 स.स. गुडगाँव II  
उपनिष पत्र में दर्ज है। इस के आगे समिति की  
सदस्यता बढाने के लिए आवश्यक इजलास आम  
है। आप प्रधान समिति का इस की सूचना पूरा रूप  
से दे जाए इसकी पालना कोवापे।

Inspector  
Cooperative Societies