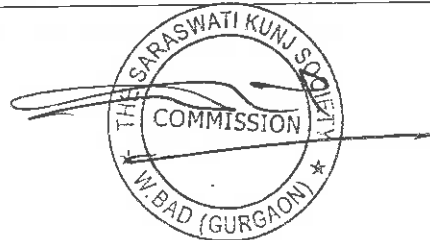


THE SARASWATI KUNJ COMMISSION, GURGAON)

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Annexure - A.

Regd. No. CHD/0093/2015-2017



Haryana Government Gazette EXTRAORDINARY Published by Authority

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No. 86-2016/Ext.] CHANDIGARH, MONDAY, JUNE 6, 2016 (JYAISTHA 16, 1938 SAKA)

HARYANA GOVERNMENT COOPERATION DEPARTMENT

Notification

The 6th June, 2016

No. 3266-C-6-2016/6358.—The Governor of Haryana is pleased to constitute a Commission under the Chairmanship of Sh. S.P.Sharma, IAS(Retd.) consisting of the following officers to resolve the long outstanding issues pertaining to membership and assets of the Saraswati Kunj Cooperative House Building Society Ltd., Wazirabad, Gurgaon.

- | | |
|---|----------|
| 1. Sh. S. P. Sharma, IAS(Retd.) | Chairman |
| 2. Additional Deputy Commissioner, Gurgaon. | Member, |
| 3. District Town Planner, Gurgaon. | Member |
| 4. Deputy Registrar Cooperative Societies, Gurgaon. | Member |

Terms and Reference of the Commission are as under :—

1. Tenure:

The tenure of the commission will be three months, which can be extended further by the Government if so required.

2. Scope of the Commission:

- The Commission will *inter alia* sort out the issues related to membership and plots of aggrieved persons who are claiming their right of plot/membership by deciding their eligibility under the provisions of relevant act/rule and bye laws. The guidelines in the respect will be approved by the Government after finalization of such parameters by the commission.
- The Commission will reconcile and ascertain the authenticity of the assets i.e. total land of the society at various places and total deposits of society in various banks, etc. as well as confirmation of the liability i.e. amount deposited by the applicants/claimants/members in the society. It will be duty of commission to assess the assets and liabilities of the said society.
- The Commission will submit a fact finding report consisting genuineness of membership/plots/deposits and actual claims of aggrieved persons, to the Government for approval so that claims can be settled and justice can be done to genuine member.
- The Commission will provide opportunity to any genuine applicant/member (picked out by chance). The commission will give wide publicity through news papers and invite the claims/representations within stipulated period. The commission will submit its report to the Government for taking final decision.
- The Board of Administrators will provide all the data, Records, Accounts including 2006 report of the Financial Commissioner to the Commission for said purpose.

- (f) The Commission shall have powers wherever necessary:
- To summon at the time of its functioning any officer, agent, servant or member of the society, past or present, who, he has reason in to believe can give valuable information in regard to transaction of the society or the management of its affairs; and
 - To require the production of any book or document relating to affairs of, or any cash or securities belonging to the society by officer, agent, servant or member in the possession of such books, documents, cash or securities and in the event of serious irregularity discovered during functioning of the Commission to take in these into custody.

Salary and Allowances:

The Chairman of the Commission shall be paid basic pay amounting to last pay drawn minus pension along D.A. as admissible subject to the condition that he will not draw D.A. on pension.

T.A.:

He will be entitled to T.A./D.A. as admissible to Grade-IV Officers as per F.D. Instructions.

Office space and other logistics:

The office of the Commission will be situated at Gurgaon and office space will be provided by Deputy Commissioner, Gurgaon. Other logistics, including secretarial and ministerial assistance, reimbursement of telephonic charges/incidentals will be provided by the society. Expenses to be incurred by Commission office in this regard will be borne by the "Saraswati Kunj Cooperative House Building Society Ltd.," Wazirabad, Gurgaon.

Expenses to be borne by Society:

All the payments related to remuneration, TA/DA or any other expenses of chairman/members or staff employed for the purpose will be borne by the society.

Chandigarh:

June, 2016.

RAJNI SEKHRI SIBAL,
Additional Chief Secretary to Government Haryana,
Cooperation Department, Chandigarh.

HARYANA GOVERNMENT
MINES & GEOLOGY DEPARTMENT, SECTOR 17, CHANDIGARH

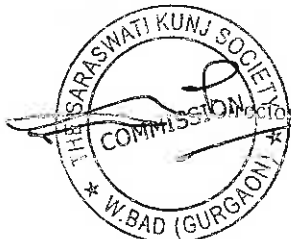
Corrigendum

The 6th June, 2016

3. DMG/Hy/e-auction/Amb./2015/3006.— It is notified that as per auction notice bearing No. DMG/Hy/ on/Amb./2015/2391 dated 11-5-2016 published in Haryana Government Extra Ordinary Gazette dated 11-5-2016, the e-auction for grant of mining contracts for extraction of Boulder, Gravel and Sand from the minor mines of district Ambala as per detail given under said notice, is to be held on 9th and 10th June, 2016. The auction has been postponed to 29th and 30th June, 2016. The revised schedule for depositing EMD and the same shall be as under :—

District	Last date and time for deposition of e-service fee/ earnest money and uploading of documents	Date and time for commencement of e-auction	Date, and time for closure of bidding process	Date and time for closure of extended period of bidding, if any	Date and time for deposition of initial bid security amount
Ambala	5.00 P.M. on 24.6.2016	9.00 A.M. on 29.6.2016	12.00 Noon on 30.6.2016	4.00 P.M. on 30.6.2016	4.00 P. M. on 1.7.2016

In the above notice dated 11.5.2016 shall remain same.



ARUN KUMAR GUPTA,
Secretary General, Mines & Geology Department, Haryana.

To Deputy Commissioner Puzos

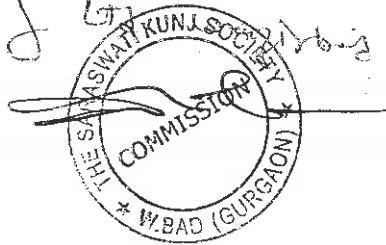
no.

MB

Dated 27/6/16

A Copy is forwarded to the following for information & necessary action please!

- ✓ ① Asst Puzos
- ② DTP (P) Puzos
- ③ DRCS Puzos
- ④ Manager Sumanthi Kung Co-operation House Bnd
Society Puzos



For Deputy Commissioner
Puzos 27/6

Annexure - B

OFFICE OF THE REGISTRAR CO-OPERATIVE SOCIETIES HARYANA, PANCHKULA

ORDER

This order is being passed in compliance with the directions dated 9.9.2016 passed by the Hon'ble High Court of Punjab and Haryana in COCP No. 1716 of 2016 titled as Vijaya Shanker Mudgal versus Ashok Sangwan and another. The order is reproduced below:-

In compliance with the order passed by this Court, contempt of which is alleged, the respondent has passed a speaking order, according to which the society has been ordered to scrutinise and finalise the claim of the petitioner within a period of 30 days from the date of the order i.e. 08.04.2016.

Mr. R.D. Gupta, Advocate, who is appearing for the Society in the connected contempt petitions, has been handed over a copy of the order, who on instructions from Mr. K. K. Vinayak, Legal Advisor to Society, states that the claim of the petitioner will be scrutinised and forwarded to the Registrar, Cooperative Societies, Haryana, to take a decision thereon in accordance with the order passed by the High Court in CWP No. 1720 of 2016 in consonance with the order passed by this Court in CWP No. 24583 of 2012 titled as *Rahul Aggarwal versus Registrar, Cooperative Societies, Haryana and others*. On receipts of the said information/communication, the Registrar, Cooperative Societies, Haryana, shall proceed and decide the case as per the judgment of this Court, within a period of six weeks thereafter and convey to the petitioner.

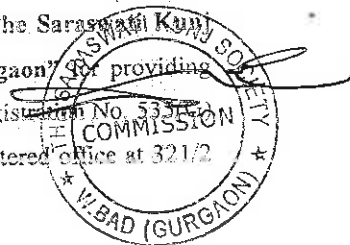
The present contempt petition is disposed of accordingly.

Learned Additional Advocate General, Haryana, has informed the Court that the audit, which was conducted by the department, is under active consideration of the competent authority and a decision thereon will be taken within a period of six weeks from today.

The compliance report as per the above statement of the State counsel be placed on record of the contempt petition. Further steps shall be taken by the concerned authorities to give effect to the said findings and completed within two months.

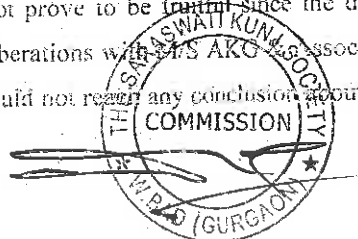
Rule issued to the respondent stands discharged."

The society was formed by 20 members in the name of "The Saraswati Kunj Cooperative Group Housing Society Limited Wazirabad, Gurgaon" providing flats to its members. It was registered on 31st March, 1983 vide Registration No. 33544 under The Punjab Cooperative Societies Act, 25 of 1961 with registered office at 321/2



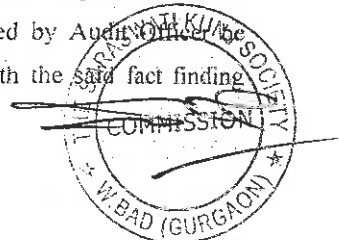
Mehrauli Road, Gurgaon. Later on, bye laws were amended from Cooperative Group housing to Cooperative house building society so as to allot plots to its members. The major problem of the society is to decide the genuineness of membership vis. a vis. and their eligibility for allotment of plot and member deposits etc. In this regard various complaints regarding mal-functioning/irregularities were received from time to time for which several enquiries and audit were done by the department but no adequate solution was derived in past years. Therefore keeping in view the seriousness of the allegations and sensitive nature of the issues involved, the RCS Haryana decided to get the accounts of the society re-audited from an independent Chartered Accountant firm under Section 95(7A) of the Haryana Cooperative Societies Act 1984 in the year 2012. Accordingly, M/S AKG & Associates Firm, Delhi was assigned the said audit along with directions to prepare records of said society since the inception of the society to 31st March 2012 vide RCS order endst. No. 2/4/13/Audit-4/5916-20 dated 27.5.2013. In compliance of the above M/S AKG & Associates Firm submitted their Audit Report in June 2015 which was under examination and consideration of Government since it's receipt. Further, as M/S AKG & Associates has submitted the final Audit Report and same has been sent to ADC-cum Administrator of the Society on 27.11.2015 further for compliance under Section 96 of the Haryana Cooperative Societies Act 1984.

In compliance of above said orders regarding the decision to be taken on Audit Report of "The Saraswati Kunj Cooperative House Building Society Ltd., Wazirabad, Gurgaon" for the year 1983 to 2012 submitted by M/S AKG & Associates New Delhi, two meetings of all officers concerned and Management of the said society were held on 20.9.2016 and 5.10.2016 in the office of Registrar, Cooperative Societies, Haryana, Panchkula to discuss the adaptability/rejection of the said Audit Report. Various issues like, membership, member deposits, assets, tempered records/ non availability of records and others etc. were discussed among all the members attending the meeting. During discussions the contents of Audit Report submitted by M/S AKG & Associates were discussed in detail. The DRCS Gurgaon, ARCS Gurgaon and AOCS Gurgaon submitted their comments on the said Audit Report that the Audit Report submitted by said firm is not in commensurate with the orders issued by the Registrar of their allotment/assignment of work. Many discrepancies have been found in the Audit Report. The Management of "The Saraswati Kunj Cooperative House Building Society Ltd., Wazirabad, Gurgaon" also submitted their written comments wherein they pointed out several serious shortcomings in the Audit Report submitted by the Firm. Further, the examination of said Audit Report at different levels by the department several times with the Government also could not prove to be fruitful since the date of release of said Audit Report. Even during deliberations with M/S AKG & Associates on 15.1.2016, the Firm itself admitted that they could not reach any conclusion about genuine members and their



eligibility for a plot as the available record is tampered/destroyed and based on partial records. During the said meetings, it was observed that the Firm only did the work of digitization of available records of the society and nothing was authenticated by them, neither the accounts as well as necessary registers pertaining to membership and member deposits/assets were prepared by them nor any bank accounts were reconciled by them. The necessary accounts and financial statements were not prepared which may enable the department to decide the issues of payments or registration of plots etc. The purpose for which the work was allotted to the Firm remain unsolved because in absence of verified and authentic records, the genuineness of memberships, deposits as well as the assets of the society could not be find out and on the basis of which the complaints of genuine members can not be sort out by the department. After considering all the issues and comments submitted by DRCS, ARCS and AOCS Gurgaon as well as Management of the Society and examination of the said Audit Report by the Department, it was decided unanimously in the meeting dated 5-10-2016 held under the Chairmanship of Registrar Cooperative Societies, Haryana, Panchkula to reject the Audit Report submitted by M/S AKG & Associates and the proceedings of the same has been issued on Memo No. CA/2016/7462-69 dated 13.10.2016.

Moreover, during discussions it was also submitted by departmental Officers that since the date (20-6-2015) from which the Auditing Firm submitted the said audit report to RCS Office, it was examined and discussed in several meetings held with the Government whether any solution can be derived out from the said audit report for members of the society but after consideration it was observed that the said report could not relied upon being worthless to sort out the issue pertaining to the society. Therefore, after considering the sensitivity of matter, the department has made another effort by constituting a fact finding committee in shape of Commission under the Chairmanship of Sh. S.P. Sharma IAS(Retd.) vide notification no. 86-2016/Ext./Chandigarh dated 06.06.2016 so as to enable the department to resolve the issues regarding the genuine membership, details of deposits with the society, genuineness of allotments of plots and conveyance deed etc., details of assets of the society i.e. land etc. The said Committee comprises three officers of the rank of class I, one departmental officer (DRCS Gurgaon) second ADC Gurgaon and third District Town Planner, Gurgaon to resolve long outstanding issues pertaining to membership, deposits and assets of this Society alongwith association of two departmental auditors for verification of transaction/records. At present the said committee is working actively has to submit a report within next 6 months to the office. During discussions it was also observed that a departmental audit team consisting of one Senior Auditor and two auditors headed by Audit Officer, be deputed to conduct the audit from 1983 to 31.3.2016 alongwith the said fact finding



committee so that the accounts of the society can be audited and reconciliation of bank accounts can be done. All the members unanimously agreed for this also.

Therefore, keeping in view the decision taken in meeting dated 5.10.2016, I, Ashok Sangwan, IAS, Registrar, Cooperative Societies, Haryana, Panchkula do hereby reject the Audit Report of "The Saraswati Kunj Cooperative House Building Society Ltd., Wazirabad, Gurgaon" for the year 1983 to 2012 submitted by M/S AKG & Associates, New Delhi.

I pass orders accordingly.

Place : Panchkula
Dated : 17.10.2016

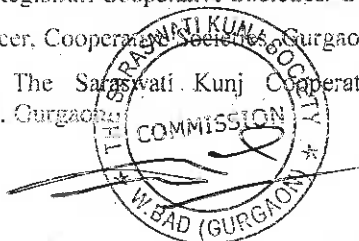
Ashok Sangwan, IAS
Registrar, Cooperative Societies,
Haryana.

Endst.No : 2/4/13-Audit(4)/ 7509-15

Dated: 17-10-2016

Copy of the above is forwarded to the following for information and further necessary action to:-

1. Additional Chief Secretary to Government of Haryana, Cooperation Department, Chandigarh.
2. Sh. S. P. Sharma, IAS(Retd.) Chairman of the Commission, The Saraswati Kunj Cooperative House Building Society Ltd., Wazirabad, Gurgaon.
3. Additional Deputy Commissioner, Gurgaon.
4. Deputy Registrar, Cooperative Societies, Gurgaon
5. Assistant Registrar, Cooperative Societies, Gurgaon.
6. Audit Officer, Cooperative Societies, Gurgaon.
7. President, The Saraswati Kunj Cooperative House Building Society Ltd., Wazirabad, Gurgaon.



Chief Auditor
For Registrar, Cooperative Societies,
Haryana, Panchkula.

Annexure - C.

2 THE HINDUSTAN TIMES, NEW DELHI, THURSDAY NOVEMBER 23 1995

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 authorised any agent/person to enrol members. The Society has no vacancy, any person dealing with such agents/person is doing so at his own cost and risk and the Society is not responsible for it.

92288-CA

Chairman.

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

U. S. Sharma

Hindustan Times New Delhi
23-11-1995



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

Chairman

Annexure E (E)

460
10/11/16

E

By hand
Copy by speed post

6th Nov 2016

To,

The Chairman-Saraswati Kunj Commission
District Child Welfare Office Compound
Near Nehru Stadium,
Civil Lines
GURUGRAM (HARYANA)

Kind Atten: Mr. S.P. Sharma IAS(Retd)

Ref: -Public Notice dtd 26th Oct 2016

-Earlier Representation (dtd 9th April 2004) and several personal visits regarding Manipulated unlawful change of Allotment letter dated 3rd Nov 1998 of Plot nos 18 (type C) of 502 sqyds (under phase 1 part 1) after receiving 100% cost of plot/EDC and even Part Registration Charges by 31st Oct'1998 itself with assurance of execution of Sale Deed on completion of development works meanwhile cancelling and issuing a New preprinted/revised (backdated 1st July 2001) allotment letter for plot nos 1639 on 5th Aug 2002 alongwith all original papers, retaining original allotment letter, misplacing original receipts taken for so called Accounts verification of payment and bank statement details on 3rd May 2002, being the date for execution of Sale Deed regretting deferment of registration on technical grounds till 9th April 2004 while accepting the balance stamp duty/miscellaneous chgs.

-And subsequent altogether deletion/Omission of Name from the list of eligible member for voting in 2016 registration of plot inspite of having paid entire cost of plot including registration amount duly verified per records as was communicated by Mr. Om Pal Sharma/Office Bearer way back in 1998 itself.

Sub: Request for inclusion of Name on merit in list of fully paid members for allotment/Registration of 502 sqyds plot in Sector 53/54, Gurugram.

Members Name: PRADEEP VARSHNEY

MEMBERSHIP No: 4760 with fully paid up/verified amount of Rs. 11,18,500 by 10/1998.

Date of Membership: 25th April 1992

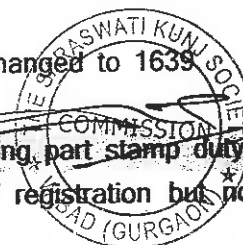
Date of Allotment letter: 3rd Nov 1998

Plot Nos: 18 type C size 502 Sqyds subsequently changed to 1639

Payment demanded @2100/- Rs. 10,54,200/-

Payment made by Oct 1998: Rs.10,75,200/- (including part stamp duty charges)

Payment demanded in cash 2,50,000/- on date of registration but not obliged/paid in May 2002



Payment demanded and paid for Registration @6%: Rs. 63300/- and Misc Charges: 700/- till 09/04/2004

All original receipts, Bank encashment certificate, Allotment letter demanded and taken on 3rd May 2002 for verification of payments made - receipts misplaced in Society office, original allotment letter replaced with new without assigning any reason except change of layout.

Payment made duly verified from Society records: Rs. 11,18,200/- including basic cost EDC/stamp duty/registration/Misc Charges. *Ram Lal Singh*

Date for personal Appearance for Registration GIVEN for 3rd May 2002 with ADDITIONAL CASH DEMAND FOR RS. 2,50,000/- OVER AND ABOVE BY OM PAL SHARMA ON THE DATE OF REGISTRATION AND ON NOT OBLIGING HIM, NEW PREDATED ALLOTMENT LETTER WITH REVISED TERMS AND PLOT NOS: 1639 WAS ISSUED, THEREAFTER NO ONE WAS AVAILABLE TO ATTEND AND OFFICE INVARIABLY FOUND WITH OUT PRESIDENT OR OFFICE BEARERS TO SEEK REDRESSAL OF THIS GRIEVANCE, EVEN TILL 12TH MAY 2016 WHEREIN NAME APPEARED IN DEFAULTERS LIST.

Dear Sir,

Stautus today's is as under, that I am a member since 1992 with allotment letter for plot No:1639, Phase - I part-2, of 502 sqyds vide predated allotment letter dtd 1st July 2001) post payment of entire cost @Rs.2100 i.e. Rs. 11,18,500/- including Stamp Duty Charges of Rs. 63400/- and misc chgs Rs. 700/- made way back in 1998 and balance part of stamp duty on 4th April 2004, waiting for some justice to happen, now nearing retirement.

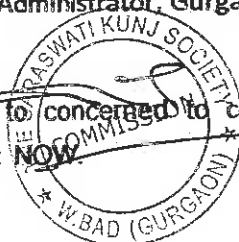
Breakup is as under:

Total cost@ Rs. 2100/-	Rs. 10,54,200.00
Already paid (Oct'1998)	Rs. 10,54,200.00
Stamp Duty Charges:	Rs. 63400.00
Stamp/Misc Chgs:	Rs. 700.00
Total Paid	Rs. 11,18,500.00

Documentary evidence of having paid all dues as were demanded from time to time with support of receipts of payments and encashment of cheques by bank statements/certificates were handed earlier on two occasions in last 22 yrs and are once again enclosed.

Copies of all documents including receipt of payments and bank encashment certificates duly notarised were submitted earlier to the office of The Administrator, Gurgaon vide receipt nos 5169 dated 11/4/05.

You are requested to issue necessary instructions to concerned to confirm the allotment and registration formalities to be completed at the earliest **NOW**



Enclosures: Notarised copies

- | | |
|--|------------|
| 1. Copy of pass book | - enclosed |
| 2. Notarised copy of Receipts | - enclosed |
| 3. Bank Certificate regd cheques clearance | - enclosed |

4. Copy of allotment letter (revised) - enclosed
5. Copy of share certificate - enclosed
6. Copy of sale deed - pending registration since 2002

Pls note the change of communication address as under

Yours faithfully


PRADEEP VARSHNEY

S/o B. G. Varshney

C-37, Surya Nagar, Ghaziabad - 201011

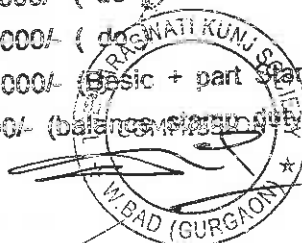
Mob: 9810188085

pv88085@gmail.com

- cc: Additional Deputy Commissioner, Gurugram - member
cc: Deputy Registrar Cooperative Societies, Gurugram - member
cc: District Town Planner, Gurugram - Member

Details of payments (Rs.11,18,200) made, as also verified by Society Office Records;

- | | |
|---------------------------------------|---|
| 1. 10/04/1992 chq nos 387121 IOB Bank | Rs. 1,68,950/- (Basic + EDC) |
| 2. 24/04/1993 chq nos 348282 IOB Bank | Rs. 1,30,000/- (do) |
| 3. 18/01/1995 chq nos 25940 BOM Bank | Rs. 2,75,000/- (do) |
| 4. 18/01/1995 chq nos 77959 IOB Bank | Rs. 51250/- (do) |
| 5. 22/01/1996 chq nos 77961 IOB Bank | Rs. 1,00,000/- (do) |
| 6. 31/10/1998 chq nos 329664 HSBC | Rs. 1,50,000/- (do) |
| 7. 31/10/1998 chq nos 763310 IOB Bank | Rs. 1,50,000/- (Basic + part Stamp duty) |
| 8. 11/04/2004 chq nos 195043 HSBC | Rs. 43000/- (balance stamp duty + Miscil. chgs) |



To,

7.17.01
11-17-05
The Administrator,
Saraswati Kunj Co-operative
House Building Society Ltd., Wazirabad, Gurgaon
Presently Office at :
The Gurgaon Central Co-Op. Bank Ltd.,
Civil Lines, Gurgaon

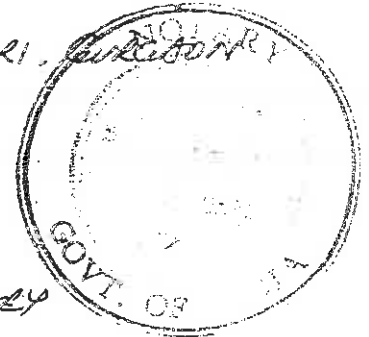


Sub. Regarding information of my membership Number 4760/1992 and plot No. 1639 ⁽⁴⁾ 502

Dear Sir,

I am the member/plot holder of the above said society. The details are as under :-

1. Name PRADEEP VARSHNEY
2. Father/husband Name P. G. VARSHNEY
3. Present Address : C-37 SURYA NAGAR CHAZIABAD
201011
3. A Permanent Address : V.P.O., KARTAR PURI, GURGAON
4. Date of Birth 02 04 1961
5. Occupation SERVICE
6. Membership No. 4760
7. Nominee if any (wife) ASHU VARSHNEY
8. Relation with nominee WIFE Date of Birth of nominee 15/07/70



A. Details of Plots

Plot Area

A/F

Regd.

502

Documents/Performance/Plots already
Submitted with society

A. Whether plot allotted by society as per allotment/possession letter Yes/No

If yes : Plot No.

Phase No.

Area

1639

I

502 Sq. ft.

B. Whether Registered deed

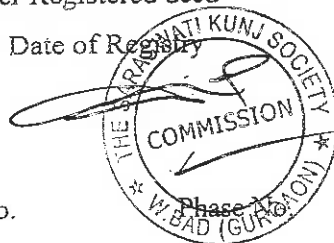
Yes/No

If yes : Date of Registry

Registry No.

Plot No.

Area



Contd. 2

ATTESTED TO BE TRUE COPY

SV. N. N. / 105

(S. N. N. / 105)

Total Amount Paid
10/4/02 - 31/10/98
Details of Payment

-2-
Total @ 2100/-
Stamp Duty =
Miscell =
TOTAL

Rs. 10,54,200 =
Rs. 68,800 =
Rs. 700 =
Rs. 11,18,200 =

Sr. No.	Date	Cheque/DD No.	Cash Receipt No.	Name of Bank With branch & A/C No.	Amount	Remarks
---------	------	---------------	------------------	--	--------	---------

TOTAL:

Request if any:

All dues were paid for 502 xyle by 21/10/98 and
require encashment details in demand submitted to
& Society Office. Allotment must be done @ 2100/- and.
not 2150/-

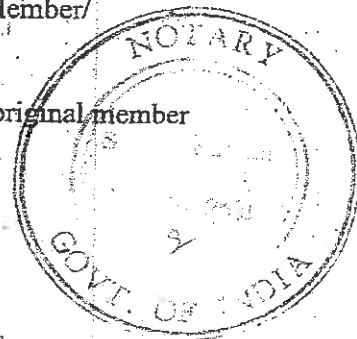
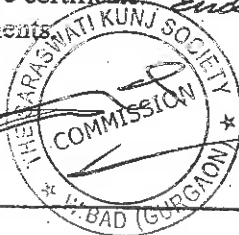
Date 10/4/05

Signature of Member/
Plot Holder

Note: In case purchased in resale, please mention above particular of original member also.

Encls:

1. Attested Photocopy of Pass Book if any *Enclosed*
2. Attested Photocopy of receipt *Enclosed*
3. Bank certificate regarding cheque/draft clearance. *Enclosed*
4. Attested Photocopy of allotment letter / Possession letter if any *Enclosed*
5. Attested Photocopy of Registration deed if any *(NOT APPLICABLE)*
6. Attested Photocopy of share certificate *Enclosed*
7. Specify if any other documents



For Office Use

Date & Receipt No. _____

Examined By _____

Report /Status _____

Reply to member _____

Remarks _____

ATTESTED TO BE TRUE COPY

8/11/4/05

Signature of Administrator

4495
01/2
15/11/16
21/09/2017
N(i)
11 November, 2016
(1263)

To

Shri S.P. Sharma, IAS (Retd)

Chairman

Saraswati Kunj Commission

Gurugram (Haryana)

Subject : Registry of my plot No. 401 measuring 100 sq. yds. in the Saraswati Kunj Cooperative House Building Society Ltd., Wazirabad, Gurgaon, illegally done in another name --

References :

- (1) Government of Haryana notification No. 3266-C-6-2016/6358, dated 6 June, 2016 constituting a Commission to resolve the long outstanding issues pertaining to the Saraswati Kunj House Building Society Ltd. Wazirabad, Gurugram, Haryana.
- (2) CWP No. 11080/2013 and CWP No. 6525/2014 titled Saroj Jain vs State of Haryana & Ors.,
- (3) Orders of the Hon'ble High Court for the States of Punjab and Haryana at Chandigarh, dated 21.05.2013 and dated 4.4.2014 in the matter of the above CWPs.
- (4) My several previous letters addressed to the Registrar, Cooperative Societies, Haryana (RCS), Board of Administrators (BOA) of the Saraswati Kunj Cooperative House Building Society Ltd. and other senior officers of the Haryana Government, from time to time.
- (5) Decision of the Board of Administrators on my Representation.

Sir,

I, Mrs. Saroj Jain, am a member of The Saraswati Kunj Cooperative House Building Society Ltd., Wazirabad, Gurgaon, since 25 May, 1991, holding Membership No. 4495 (Annex-1).

I have made full payment of Rs. 2,11,000/- for a 100 sq. yds. Plot for which I hold membership of the Society (Annex-2).

I was allotted a plot No. 401 measuring 100 sq. yds in the licensed area of the Society on the basis of my entitlement being one of the 950 successful members, vide Society's letter No. SKHB/99/4495, dated 6 September, 1999 (Annex-3). Possession of the said plot no. 401 was given to me vide letter No. SKCHBS/P-II/2000, dated 15 February, 2000 (Annex-4) and the plot was handed over to me by the Site Engineer on 12 April, 2000 (Annex-5).

But the Conveyance Deed/Registry of the said plot has been fraudulently done by the Society in the name of another person namely Mrs. Kiran Kalia.

MY MEMBERSHIP, ELIGIBILITY AND LISTS OF 950 ELIGIBLE MEMBERS FOR ALLOTMENT OF PLOTS

The Society conducted draw of lot on 11 November, 1991 (Annex-6 & 7) and 12-13 April, 1992, and prepared lists of 950 successful members who were eligible for allotment of plots

Saraj
W.BAD (GURGAON)

The First Phase after necessary Licence was received from the Haryana Government for development of residential colony by the Society.

Shri I. Hasan, the then Chairman of the Society had, in his letter No. S.K./HB/95, dated 18 March, 1995 addressed to all members of the society, clearly stated inter alia that allotment of plots to the members in the first phase would be based on the draw of lot taken out on 11 November, 1991 and 12-13 April, 1992 (Annex-8).

GRANT OF LICENCE No. 3 OF 1995 BY HARYANA GOVERNMENT

The Society was granted a licence No. 3 of 1995 dated 30.06.1995 under the Haryana Development and Regulation of Urban Areas Act, 1975 and the Rules made thereunder by the Director, Town & Country Planning, Haryana, Chandigarh, for development of a residential plotted colony over an area measuring 115.859 acres in revenue estate of village Wazirabad vide letter No. 5DP-95/7640-49, dated 30.06.1995 (Annex-9).

A total of 950 plots of different sizes were allowed to be carved on this land.

INTIMATION BY THE SOCIETY TO TOWN & COUNTRY PLANNING DEPARTMENT REGARDING THE 950 SUCCESSFUL MEMBERS

After receipt of the licence No. 3 of 1995, Shri I. Hasan, the then Chairman of the Society, vide his letter dated 13.3.1996, addressed to the Director, Town & Country Planning, Haryana, submitted lists of these 950 members of the society who as per the priority were entitled for allotment of various category of plots in the area licensed by the Department. The letter further stated that the remaining members would be accommodated in future phase/phases of Society's colony (Annex-10).

These lists comprised members who were successful in the draw of lot held by the Society in November, 1991 and April, 1992.

I am one of the successful 950 members of the Society whose name appears in List 'E' at Serial No. 120 (Flag E).

PUBLIC NOTICE ISSUED BY THE DIRECTOR, TOWN & COUNTRY PLANNING

Consequently, Director, Town & Country Planning, Haryana, Chandigarh, on its part, issued the following Public Notice :

"The Saraswati Kunj Cooperative House Building Society Ltd., Gurgaon, has been granted a licence No. 3 of 1995, dated 30.6.95 under the Haryana Development and Regulation of Urban Areas Act, 1975 and Rules, 1976 framed thereunder to develop a residential colony on the land measuring 115.859 acres in the revenue estate of village of Wazirabad, District Gurgaon.

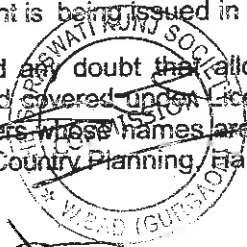
"The Society has submitted lists of its 950 successful members who will be allotted plots by the Society in the licenced area.

"The General Public is hereby informed that the said lists of successful members has been displayed on the notice boards in the offices of Deputy Commissioner, Gurgaon, Senior Town Planner, Gurgaon and District Town Planner, Gurgaon.

"This advertisement is being issued in the public interest." (Annex-11)

Thus, it is beyond any doubt that allotment of 950 plots of different sizes allowed to be carved on the land covered under Licence No. 3 of 1995, was to be done only to the 950 successful members whose names are included in the Lists submitted by the Society to the Director, Town & Country Planning, Haryana, and notified by the Department.

Sary



licensed area of the Saraswati Kunj Cooperative House Building Society Ltd., Wazirabad, Gurgaon.

THE HIGH COURT ORDER

It is unfortunate, though the Society's management has, for almost 12 years since 2000, been in the hands of Board of Administrators appointed by the RCS by superseding the elected Managing Committee of the Society, yet, my genuine grievance has not been redressed inspite of my repeated representations.

After my numerous representations at various levels did not bring justice to me, I moved the Hon'ble High Court for the States of Punjab and Haryana at Chandigarh, (CWP No. 11080 of 2013 titled Saroj Jain vs State of Haryana & ors). The Hon'ble High Court passed an Order dated 21.05.2013 in the matter, directing the Saraswati Kunj Cooperative House Building Society Ltd., Wazirabad, Gurgaon, through the Commissioner, Gurgaon, who was then the Chief Administrator of the said Society, inter alia as below :

"To consider the grievance of the petitioner, which prima facie seems to be genuine and decide the representation dated 25.04.2012 by passing an appropriate order thereon in accordance with law, within a period of three months from the date of receipt of the certified copy of this order." (copy at Annex 12)

DECISION OF THE BOARD OF ADMINISTRATORS (BOA) OF THE SOCIETY

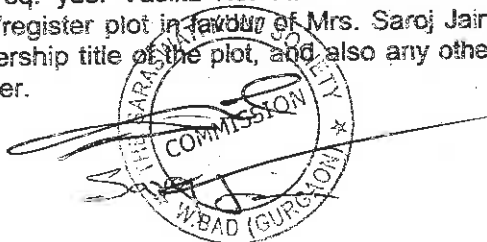
In compliance of the Order of the Hon'ble High Court, the then Board of Administrators (BOA) had considered the matter and inter alia decided as below :

"The petitioner Mrs. Saroj Jain is a genuine and bona fide member of society and her credentials recorded at membership no. 4495 dated 25.05.1991 and deposited a sum of Rs. 2,11,000. The member allotted a plot of 100 sq.yds. bearing no. 401 but on verification of the record/details of the aforesaid plot no. 401, it was found that the plot has been registered in the name of Mrs. Kiran Kalia, W/o Shri Bodh Raj Kalia, vide vasika no. 7274 dated 04.09.2003 on membership no. 6217, whereas this membership no. 6217 is recorded in the name of Geetech Vanaik, D/o Shri Navtej Vanaik, who is a bona fide genuine member of the society. The name of Mrs. Kiran Kalia is not entered in the membership register. The membership cannot be considered as genuine.

The Conveyance Deed of the aforesaid plot no. 401 in the name of Mrs. Kiran Kalia, W/o Shri Bodh Raj Kalia, to be cancelled by filing the case in the court of Addl. RCS, Panchkula, Haryana/competent court. Society should also initiate criminal proceedings as well as surcharge proceedings against the then Chairman I. Hasan and Treasurer Shri Ram Gopal Sharma and other members of Managing Committee." (Copy at Annex 13)

FOLLOW UP ACTION BY THE SOCIETY ON THE DECISION OF BOA

The Society, through its Manager, had in the year 2014 filed a petition in the Court of the Assistant Registrar, Cooperative Societies, Gurgaon, for cancellation of the allotment/possession letter/Conveyance Deed/Registry of the said plot no. 401 measuring 100 sq. yds. Vasika No. 7274 dated 4.9.2003 in the name of Mrs. Kiran Kalia and to allot/register plot in favour of Mrs. Saroj Jain (Membership No. 4495) who holds bona fide ownership title of the plot, and also any other relief as the Hon'ble Court may deem fit and proper.



DECISION OF THE ASSISTANT REGISTRAR, COOPERATIVE SOCIETIES, GURGAON

The Assistant Registrar, Cooperative Societies, Gurgaon, disposed of the Society's petition vide his order dated 11.12.2014 on the ground that cancellation of Conveyance Deed/Registry of plot as prayed by the Society is not within his powers (Annex-14).

The Society has not taken the matter further with the Civil court/appropriate court so far to bring the matter to fruition, despite my repeated requests.

ANOTHER CWP FILED BY THE UNDERSIGNED IN THE HIGH COURT OF PUNJAB & HARYANA

In the circumstances, I have been constrained to file another CWP No. 12446/2016 in the Hon'ble High Court for the States of Punjab & Haryana at Chandigarh, praying the Hon'ble Court to issue directive/order to the Society to do the Registry of plot no. 401 measuring 100 sq. yds in my name in a time bound manner.

The case is pending in the High Court.

CONCLUSION

The undersigned, who became member of the Society 24 years ago in May, 1991, and who is the bona fide owner of plot No, 401 measuring 100 sq. yds. which was allotted to me by the Society on 06.09.1999 and handed over possession on 12.4.2000, has been defrauded and the Registry of my said plot has been done illegally in the name of another person namely Mrs. Kiran Kalia, who by no means is eligible or entitled to hold ownership of the said plot.

It is unfortunate that despite the decision of the Board of Administrators of the Society in October, 2014 holding my claim on plot No.401 measuring 100 sq. yds. as valid and bona fide and ordering cancellation of the Registry of the said plot illegally done in the name of Mrs. Kiran kalia, the Society/BOA have, for unexplained reasons, failed in their duty to take appropriate action in the matter to redress my genuine grievance and get me justice.

Yours sincerely,


SAROJ JAIN (Mrs)

Membership No 4495

Address : B-2/36, Gyan Khand, Indirapuram, Ghaziabad-201010.

e-mail : jk_jain@msn.com



Annexure F (ii)

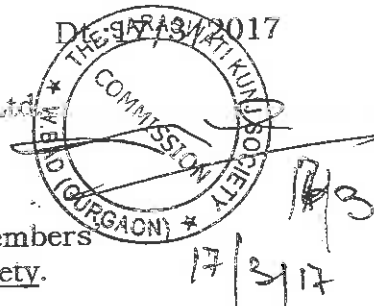
SARASWATI KUNJ GURGAON "JUSTICE FORUM"

Community Centre, East of Kailash, New Delhi-110065

mail: skunjjusticeforum@gmail.com, Phones: 09873141794, 09810043220

Memorandum

The Chairman,
Commission for Saraswati Kunj Co-op House Building Society Ltd.
Wazirabad, Gurgaon,
Gurgaon.



Reg.: Highlighting salient issues covering members
Interests in Saraswati Kunj Co-op Society.

Dear Sir,

- 1) Ref. our various meetings, we are pleased to highlight some of the salient issues covering the interests of the members of the Society with prayers that our perspectives & interests are duly addressed & supported while recommending your pragmatic & positive resolutions to the Govt.
- 2) The Society has long history of precipitated problems. For sake of brevity, we are focussing on the main issues seeking redressal for all on the principles of natural justice & jurisprudence.
- 3) Connecting with your vision & Govt.'s directions of **"Positivity for all concerned"**, we submit that **"we are the victims & not the perpetrators and therefore be saved of the short-falls in legalities while assessing eligibilities after 20 years"**.
- 4) **Society's controls were given to the Govt. Administrators since 2004-2005 but unfortunately even then we continue to be victim of Administrative neglect & apathy with miseries multiplying.**
- 5) The issue of determining the **'Seniority' with the established principle of seniority on payment of dues** is being undertaken by Commission, now after 20 years, is indicator of our apathy.
- 6) **As a reflection of quantum of our neglect, we enclose copy of our petition no. 13 of 2010 in the Court of Addl. Registrar, Co-operative Societies, Haryana, Order dt. 12/5/2011, Annex-1, which patterns direction for resolving our issues to list Seniority on the basis of payment. The orders non-complied in last 6 years.**
- 7) With "current conflict of interest", some members have been able to obtain directions based on above order from High Court of Punjab & Haryana vide CWP no. 21528 of 2015 decided on 14/12/2016, copy enclosed Annex-2. We request, please evolve your resolutions taking cognizance of these 2 orders for **(A) Establishing member seniority, (B) that any new Registry of a plot be effected on that seniority only.**
- 8) **We would also like to draw your attention that simultaneous to issuance of 1st Licence, the Director Town & Country Planning, Haryana, issued a public notice on 12/7/1997, copy enclosed Annex-3, displays list of eligible first 950 members in the office of Dy. Commissioner, Gurgaon, Senior Town Planner, Gurgaon & District Town Planner, Gurgaon. This list was also published in all leading newspapers like Hindustan Times & Nav Bharat Times etc. in public interest.**

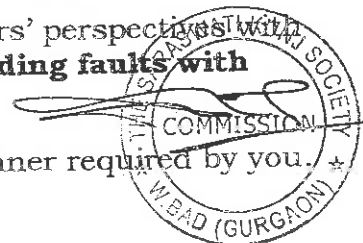
- 9) Permit us to submit that after such public orders, eligibility of those members should not be under scrutiny now after 20 years. Any of those members surpassed by any act of commission & omission should be placed 1st on seniority/priority list for registration of plots. We can produce newspapers advertisements for the benefit of the concerned members who continue to suffer & hope you will take due diligence while preparing list of bonafide members in process.
- 10) We appeal, while all acts of commission & omission have gone unpunished in this abuse of members (Public at large), let there be no rationale of finding faults with nitty-gritties at this late stage for members.
- 11) We seek your scrutiny & investigation as to why & how petitions of safeguarding of our lands; the all-important "Assets of Society" have been handled with total negligence & irresponsibility.
- 12) While Society funds have been ruthlessly spent between 2004 to 2017; alleged expenditure figure 28 crores; why in our land cases petty legal fee of couple of lakhs have not been paid resulting in pathetic & indifferent representation before High Courts losing our 88 acres acquisition petition with glaring Court observation, "Society failed to provide its ownership records". This gross failure to protect our assets needs to be reprimanded. Pray, affix responsibility.
- 13) Detailed history of our land cases is being reproduced in Annex-4 for your investigation. All these cases have been & continue to be contested by members raising own resources with Administrators playing mute & gallery spectators.
- 14) As discussed in our meetings, we are pleased to enclose a comprehensive map of Society lands Annex-5, showing status area-wise which will facilitate commission to help recommend release our lands from acquisition. Times of India clipping dt. 16/3/2017 Annex-6, conveys a happy & a win-win development as Haryana Govt. has approved law amendments to facilitate release of bonafide members' lands. Please build our case to end our miseries.
- 15) We also enclose copy of our detailed representation dt. 24/8/2015 to Hon'ble Haryana CM, Shri M. L. Khattar, for your ready reference & perusal, Annex-7. Annex-8 is copy of Affidavit of the then RCS Cooperative Societies, Haryana, submitted before High Court of Haryana on 13/2/2012 in CWP no. 6581 of 2011.
- You are requested to consider their contents which are relevant DNA helpful in compliance of your mandate to bring out hard facts.

This memorandum is a humble attempt to place members' perspectives with prayers, **"View us with mind-set to help instead of finding faults with members' status"**.

We will be happy to assist Commission in any other manner required by you.

Thanking you.

Team Justice Forum.



Encl: ANN as above (5)

H.T. 24/12/7/57

ANNEX 30

PUBLIC NOTICE

The Saraswati Kunj Cooperative House Building Society Ltd., Gurgaon has been granted a licence No. 3 of 1995, dated 30.6.95 under the Haryana Development and Regulation of Urban Areas Act, 1975 and Rules, 1976 framed thereunder to develop a residential colony on the land measuring 115.859 acres falling in the revenue estate of village Wazirabad, District Gurgaon.

The Society has submitted lists of its 950 successful members who will be allotted plots by the Society in the licenced area.

The General Public is hereby informed that the said list of successful members has been displayed on the notice boards in the offices of Deputy Commissioner, Gurgaon; Senior Town Planner, Gurgaon and District Town Planner, Gurgaon.

This advertisement is being issued in the public interest.

(S. S. DHILLON)

Director, Town and Country Planning,
Haryana, Chandigarh



SARASWATI KUNJ GURGAON "JUSTICE FORUM"

Community Centre, East of Kailash, New Delhi-110065

mail: skunjjusticeforum@gmail.com, Phones: 09873141794, 09810043220

Date : 16/03/2017

Land acquisition cases: A.124 acre, 33 acre and 55 acre

Dear sir,

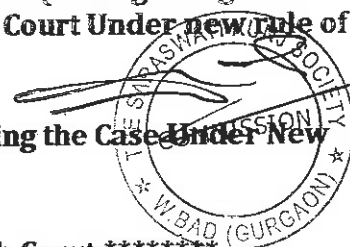
Society had bought **307.86 acre** of land by 1996-97 and applied for the licensed colony. 1st licensed phase for 115.86 was obtained in 1997 with priority list of 950 plots owners, DTPC gave 2nd phase approval for 100 acres in 2001 which was also fully developed with 900 additional plots. And licensed for balance 92 acre was applied and amount was deposited with DTDP.

33 acre

Acquisitions were challenged as follows thru Various Writs in High Court of Punjab and Haryana and Supreme Courts details are as follows:

1. Society Challenge the Acquisition in Punjab and Haryana High Court Thru Writ no :CWP-13129of 2001
2. Re-view Petition was filled by us in high court thru **RA-CWP 264 of 2014 (T.K.Dhillon and Others)**(after Losing the case due to Non submission of the Ownership papers of the Land In question by the BOA then)
- 3.Society filled **SLP (civil) CC 15808 of 2014 in Supreme Court** (after Losing the case due to Non submission of the Ownership papers of the Land In question by the BOA then)
4. We filled **SLP(civil) CC 18717 of 2014(T.K.Dhillon and Others)** (after not getting the relief from the High Court on our Review Petition no RA-CWP 264 of 2014)
- 5.We filled new case in high court **CWP- 2846 of 2015 (after getting the relief from Supreme Court to file the case in High Court Under new rule of 24 (II) of Acquisition)**
6. Society has not filled any case till date challenging the Case Under New 24(II) Acquisition .

*****Cases are still pending in the High Court *****



55 acre

Acquisitions were challenged as follows thru Various Writs in High Court of Punjab and Haryana and Supreme Courts details are as follows:

1. Society Challenge the Acquisition in Punjab and Haryana High Court Thru Writ no : CWP- 7880 of 2002
2. Re-view Petition was filled by us in high court (after Losing the case due to Non submission of the Ownership papers of the Land In question by the BOA then) thru RA-C W272 of 2014 (T.K.Dhillon and others)
3. SLP filled by society In Supreme Court thru SLP(civil) CC 16512 of 2014(after Losing the case due to Non submission of the Ownership papers of the Land In question by the BOA then)
4. We filled SLP in Supreme Court thru SLP(civil) CC no18769 of 2014 (T.K.Dhillon and Others) (after not getting the relief from the High Court on our Review Petition no RA-CWP 272 of 2014)
5. New petition filled by us in high court thru CWP-2813 of 2015 (after getting the relief from Supreme Court to file the case in High Court Under new rule of 24 (II) of Acquisition)
6. Society has not filled any case till date challenging the Case Under New 24(II) Acquisition,

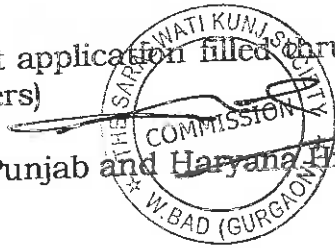
*****Cases are still pending the in the High Court.*****

124 Acre

Acquisitions were challenged as follows thru Various Writs in High Court of Punjab and Haryana are as follows:

1. Acquisition was challenged by the Society in Punjab and Haryana High Court thru Writ no : 17545 of 2007
2. We have moved the Impleadment application filled thru CM-12039 of 2014 (By Ishita Bowery and Others)
3. Cases are still pending in the Punjab and Haryana High Court .

Best Regards



Water crisis hits city before scheduled supply cut

Gurgaon: Residents of sectors 21 and 22 are facing severe water shortage since Tuesday and are now dreading the coming two days when Huda will shut supply in order to shift master pipelines at Hero Honda Chowk and Rajiv Chowk.

Residents have complained that water is being supplied to them for only 1-1.5 hours ahead of summer, against the regular supply of two and a half hours twice a day. Moreover, they have already started reeling under shortage, two days ahead of the scheduled cuts on Thursday and Friday announced by Huda.

"Earlier, we used to get water for two and a half hours in the morning and two hours in the evening. We are heavily dependent on water tankers these days. We are already reeling under acute water shortage and are dreading what will happen on Thursday when the supply will be cut off fully," said Kavita Chaudhary, a resident of sector 22. The RWA blamed shortage of staff at the water boosting stations for mismanagement. **TNN**

Huda hopes to resolve 300 land cases soon

TIMES NEWS NETWORK

Gurgaon: Huda is hoping to soon resolve a large number of court cases related to land acquisition, with the Haryana government recently amending the land acquisition Act.

These cases have turned out to be one of the biggest obstacles for the urban development body to implement the developmental works in the city.

Officials said as many as 300 court cases related to land acquisition in Gurgaon are currently pending with the Punjab and Haryana high court, in which physical possession of acquired land has not been taken by Huda or compensation has not been paid even after several years of acquiring the land. Out of these, HC had directed in 280 cases to pass speaking order.

The Haryana government amended The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation

ACT AMENDMENT | As many as 300 cases related to land acquisition in Gurgaon are currently pending with Punjab and Haryana high court, in which physical possession of acquired land has not been taken by Huda or compensation has not been paid even after several years

and Resettlement Act, 2013, on March 10, becoming the second in the country after Gujarat to make changes to the Act. This will have implication on all the cases related to land acquisition.

Infra Watch

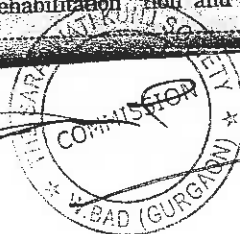
said a senior government official, who did not wish to be named.

According to the official, most of the pending cases of land acquisition are related to Section 24(2) of the land acquisition act.

Under section 24(2) of The Right to Fair Compensation and Transparency in

Land Acquisition, Rehabilitation and Resettlement Act, 2013 land acquisition proceedings were initiated under the erstwhile Land Acquisition Act, 1894, but if the agency that acquires land has not taken physical possession of land and or compensated the landowners for five years after the notification for acquisition of land, the acquisition proceedings are deemed to lapsed.

"With the state government making changes to the section, we intend to resolve as many cases as possible at the earliest, which will help in speeding up the development projects," said the official.



Annexure - F(116)

THE SARASWATI KUNJ CO-OPERATIVE HOUSE BUILDING SOCIETY LTD. (WAZIRABAD) GURUGRAM, HARYANA

Registration No. 535 (G)

OFFICE - GURGAON CENTRAL CO-OPERATIVE BANK LTD., CIVIL LINES, GURUGRAM

Reference No. 981

R. no. 21

Dated 26.05.2017

265717

To,

Shri S. P. Sharma,
Commission to resolve issues of
The SaraswatiKunj Co-operative House Building Society Limited,
Wazirabad,
Gurugram, Haryana .

Sub: Land of The SaraswatiKunj Co-operative House Building Society Limited-reg.

Sir,

We would like to bring to your kind notice details of the land purchased by the Society in Wazirabad Village and Behrampur Village as under:

- Wazirabad Village : 487.0 Acres
- Behrampur Village: 239.5 Acres
- Total : 726.5 Acres

2. **Wazirabad Land:** Details of the land purchased in Wazirabad Village by the Society are as follows:

- A. **116 Acre land:** 116 acres of land in Wazirabad Village was purchased by the Society and licence number 3/1995 dated 14th March, 1995 was received from the Haryana Development Authority for development of this land.
- B. **100 Acre land:** 100 acres of land in Wazirabad Village was purchased by the Society and licence number 1/2000 dated January, 2000 was received by the Society from the Haryana Development Authority for development of this land.
- C. **33 Acre land:** 33 acres of land in Wazirabad Village was purchased by the Society from the villagers and details of this land along with Jamabandi details are attached as per **Annexure -1**. This land measuring 33 acres of our society was acquired by H.U.D.A., under process of notifications, section 4 of the Land Acquisition Act, dated 08.09.1997 but the society raised objection u/s 5A of the Act. That was however not considered and notification u/s 6, dated 07.09.1998 was accorded. Finally the award was declared on 06.09.2000 in favour of H.U.D.A. Actions taken by the Society to get the land parcel back are as under:

a. This award was challenged by the society by filing CWP NO.13129 of 2001. Stay was granted by the Hon'ble Punjab and Haryana High Court. The case, however, could not be properly dealt with as there were frequent changes in the Management of the Society, with mostly the Board of Administrators being at the helm of affairs. Moreover the Head, Board of Administrators of the Society, never produced the land ownership papers in front of the Hon'ble High Court. Hence, the case was dismissed by the Hon'ble High Court on 31.10.2013. Immediately on the dismissal of CWP 13129/2001, instead of taking further course of action to challenge the order in the Hon'ble Supreme Court, the H.U.D.A. officials in a secretive manner, in connivance with the Revenue officials, showed in the revenue papers that the possession of the land had been handed over to H.U.D.A. on 06.11.2013, whereas the physical possession of the land was never parted from the society.

b. An Award for acquisition of this land was made but no payment was made against the award, even after passing of a period of more than 5 years after the award and till date.

The Society filed a review petition R. A. CW No. 264 of 2014, seeking review of the Judgment dated 31.10.2013 in CWP No. 13129/2001. However, the said application was ordered to be dismissed.

d. On 21.11.2014, on behalf of the members of the Society, petitioners (T. K. Dhillon and ors) filed SLP (Civil) CC NO. 18717 of 2014, before the Hon'ble Supreme Court. The said petition was taken up along with other connected petitions and petitioners were permitted to withdraw the SLP with the liberty to take another legal remedy.

e. Similarly, on behalf of the members of the society, petitioners (T. K. Dhillon and ors) filed CWP NO. 2846/2015(O&M), challenging acquisition of said land of the Society. The hearing of the present case has been adjourned sine die with the direction to post the writ petition for hearing after the decision of Hon'ble Supreme Court in Civil appeal No. 4835/2015 titled as "State of Haryana and ors v/s Maharana Pratap Charitable Trust".

f. **From the above you will observe that the land has been acquired from the Society illegally as the Society had purchased land from the farmers and an appeal is pending in the Supreme Court against this illegal acquisition of land. Also, no payment was ever made to the Society for the land acquired. Therefore, acquisition of this land is null and void under section 24(2) of The Land Acquisition Act. In addition to the legal remedy, we are going to make an appeal to the Government of Haryana to return this land illegally acquired by the previous Haryana Government.**

D. 55 Acre land: 55 acres of land in Wazirabad Village was purchased by the Society from the villagers and details of this land along with Jamabandi details are attached as per **Annexure-2**. 55 acres of land belonging to our Society was also acquired by H.U.D.A. u/s 4 of the Land Acquisition Act on 24.08.2000 but the Society raised objection u/s 5A of the Act. That was again not considered and the notification u/s 6, dated 22.08.2001 was accorded. An award was declared on 21.07.2003 in favour of H.U.D.A. A copy of the award is attached as per **Annexure 3**. Actions taken by the Society against this illegal acquisition of the land are as under:-

a. This award was challenged by the Society by filing CWP NO.7880 of 2002. Stay was granted by the Hon'ble Punjab and Haryana High Court. The case was not properly dealt with and the matter was never seriously pursued before the Hon'ble Court and the true facts were never brought to the notice of the Hon'ble Court. Moreover neither the then Managing Committee nor the Board of Administrators of the Society ever produced the land ownership papers before the Hon'ble High Court. Therefore, the case was dismissed by the Hon'ble High Court on 31.10.2013.

b. Immediately on the dismissal of CWP, instead of taking further course of action to challenge the order in Supreme Court, the H.U.D.A. officials in a secretive manner in connivance with the Revenue officials, showed in the revenue papers that the possession of the land had been handed over to H.U.D.A. on 06.11.2013, whereas the physical possession of the land was never parted from the society. No payment against the award has been made, even after passing of a period of more than 5 years.

c. The Society filed a review petition R. A. CW No. 18769 of 2014 seeking review of the Judgment dated 31.10.2013 in CWP No. 13129/2001 and 11332/2000. However, the said application was ordered to be dismissed. The said petition was taken up along with other connected petitions and petitioners were permitted to withdraw the SLP with the liberty to take another legal remedy.

d. Similarly, on behalf of the members, the petitioners (T. K. Dhillon and Ors) filed CWP NO. 2813/2015(O&M), challenging acquisition of said land of the Society. The hearing of the present case has been adjourned sine die with the direction to post the writ petition for hearing after the decision of Hon'ble Supreme Court in Civil appeal No. 4835/2015 titled as "State of Haryana and ors v/s Maharana Pratap Charitable Trust".

- e. Here again you will observe that the land has been acquired from the Society illegally as the Society had purchased land from the farmers and an appeal is pending in the Supreme Court against this illegal acquisition of land. Also, no payment was ever made to the Society for the land acquired. Therefore, acquisition of this land is null and void under section 24(2) of The Land Acquisition Act. In addition to the legal remedy, we are going to make an appeal to the Government of Haryana to return this land illegally acquired by the previous Haryana Government.

E. 124 Acre land: 124 acres of land in Wazirabad Village was purchased by the Society from the villagers and details of this land along with Jamabandi details are attached as per **Annexure -4**. The State Govt. proceeded to issue notifications u/s 4 & 6 dated 20.06.2005 and 19.06.2006 of the Act of 1984, for acquiring area which includes 124 acres of land owned and possessed by the society. The Society learnt that even while issuing notification u/s 6 of the Act, the State Govt. had proceeded to release from acquisition a substantial area of others but the area owned and possessed by the Society was not released. An award for compensation of this land was made on 22-2-2007. A copy of the award is attached as per **Annexure 5**. For this land parcel also no payment has ever been made to the Society. Actions taken by the Society against this illegal acquisition of the land are as under:

- a. For this land also an appeal was filed in the Supreme Court vide CWP NO. 17545/2007, challenging acquisition of the said land of society. The hearing of the present case is adjourned sine die with the direction to post the writ petition for hearing after the decision of Hon'ble Supreme Court in Civil appeal No. 4835/2015 titled as "State of Haryana and ors v/s Maharana Pratap Charitable Trust".
- b. This land also has been acquired from the Society illegally as the Society had purchased land from the farmers and an appeal is pending in the Supreme Court against this illegal acquisition of land. Also, no payment was ever made to the Society for the land acquired. Therefore, acquisition of this land is null and void under section 24(2) of The Land Acquisition Act. In addition to the legal remedy, we are going to make an appeal to the Government of Haryana to return this land illegally acquired by the previous Haryana Government.

F. **59 Acre Land:** The Society had applied for Licence for 59 acres of land but the licence was not granted. This land we understand is in the Green Belt in the RD City. We are taking up this matter with STP again.

3. **Behrampur land:** Details of the land purchased in Behrampur Village by the Society are as follows:

A. **72 Acre land registered in the name of the Society:** 72 acres of land was purchased by the Society on 7th July, 2004 from two vendors and payment of Rs 1.4 Crore was made as under:

a. Cheque number 522782 dated 4th April, 2004 of State Bank of India, Gurgaon for Rs 70,00,000/-

b. Cheque number 522783 dated 4th April, 2004 of State Bank of India, Gurgaon for Rs 70,00,000/-.

c. Copies of the Sale Deeds for this land are attached as per **annexure numbers 6&7**

B. **97.5 Acre land purchased through GPA as registries were closed at that time:** 97.5 acres of land was purchased vide three powers of attorney. Copies of these powers of attorney are attached as per **annexure 8, 9 & 10**. Vendors of these land parcels have gone into litigation with the Panchayat of Behrampur and the matter is pending in the Supreme Court of India. The Society shall become a party to this court case to protect its rights.

C. **70 Acre land purchased through agreement to sell:** We understand that 70 acre of land in Behrampur was purchased on agreement to sell. The Society is in the process of locating all relevant documents and to initiate necessary actions to take this land and to safeguard its assets.

4. From the above you will notice that the summary of land of the Society is as under:

- Land licenced to the Society in Wazirabad village- 216 Acre
- Land illegally acquired by the Haryana Government in Wazirabad village - 212 Acre
- Licence applied but licence not received in Wazirabad village - 59 Acre
- Land purchased in Behrampur village - 239.5 Acre
- Total - 726.5 Acre

5. While we are working with our legal team to seek remedy for the illegal acquisition of the Society's land and other legal matters, we would request your good self to highlight these facts in your report. Also, we request you to recommend to the Haryana Government to release 212 acres of land in Wazirabad village illegally acquired by them, as release of this 212 acres of land would go a long way in solving current problems faced by the Society.

Thanking you,

Yours sincerely,



(SEEMA RAJ

Chairperson

The Saraswati Kunj Co-operative

HBS Limited, Wazirabad, Gurugram, Haryana

M:- 9013851850, 981195032

Email ID:- seema6raj@yahoo.co.in

Copy to:-

The Chief Minister, Government of Haryana.

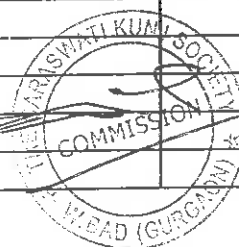
G.

DETAIL OF RECORD (10-4-2017)

SR. NO.	REGISTER /FILE NO.	PARTICULAR	FROM/TO
	REG INTKAL VILL. WAZIRABAD H.B.		
1	75 74	S.K. LAND AND FINANCE CO. WAZIRABAD	
2	75	S.K. LAND AND FINANCE CO. WAZIRABAD	4120-4322
3	76	S.K. LAND AND FINANCE CO. WAZIRABAD	5971-6066
4	77	S.K. LAND AND FINANCE CO. WAZIRABAD	6211-6367
5	78	S.K. LAND AND FINANCE CO. WAZIRABAD	745-1049
6	79	S.K. LAND AND FINANCE CO. WAZIRABAD	3986-4119
7	80	S.K. LAND AND FINANCE CO. WAZIRABAD	2599-2678
8	81	S.K. LAND AND FINANCE CO. WAZIRABAD	3891-3985
9	82	S.K. LAND AND FINANCE CO. WAZIRABAD	
10	83	S.K. LAND AND FINANCE CO. WAZIRABAD	2377-2523
11	84	S.K. LAND AND FINANCE CO. WAZIRABAD	2262-2376
12	85	S.K. LAND AND FINANCE CO. WAZIRABAD	2167-2261
13	86	S.K. LAND AND FINANCE CO. WAZIRABAD	
14	87	S.K. LAND AND FINANCE CO. WAZIRABAD	
15	88	S.K. LAND AND FINANCE CO. WAZIRABAD	5765-5909
16	89	S.K. LAND AND FINANCE CO. WAZIRABAD	4873-5221
17	90	S.K. LAND AND FINANCE CO. WAZIRABAD	4476-4836
18	91	S.K. LAND AND FINANCE CO. WAZIRABAD	
19	92	S.K. LAND AND FINANCE CO. WAZIRABAD	
20	93	S.K. LAND AND FINANCE CO. WAZIRABAD	
21	94	S.K. LAND AND FINANCE CO. WAZIRABAD	3091-3257
22	95	S.K. LAND AND FINANCE CO. WAZIRABAD	3400-3495
23	96	S.K. LAND AND FINANCE CO. WAZIRABAD	
24	97	S.K. LAND AND FINANCE CO. WAZIRABAD	
25	98	S.K. LAND AND FINANCE CO. WAZIRABAD	
26	99	S.K. LAND AND FINANCE CO. WAZIRABAD	
27	100	S.K. LAND AND FINANCE CO. WAZIRABAD	2524-2598
28	101	S.K. LAND AND FINANCE CO. WAZIRABAD	
29	102	S.K. LAND AND FINANCE CO. WAZIRABAD	
30	103	S.K. LAND AND FINANCE CO. WAZIRABAD	3637-3760
31	104	S.K. LAND AND FINANCE CO. WAZIRABAD	
32	105	S.K. LAND AND FINANCE CO. WAZIRABAD	
33	106	S.K. LAND AND FINANCE CO. WAZIRABAD	2806-2943
34	107	S.K. LAND AND FINANCE CO. WAZIRABAD	
35	108	S.K. LAND AND FINANCE CO. WAZIRABAD	3496-3636
36	109	S.K. LAND AND FINANCE CO. WAZIRABAD	
37	110	S.K. LAND AND FINANCE CO. WAZIRABAD	2679-2804
38	111	S.K. LAND AND FINANCE CO. WAZIRABAD	4323-4475
39	112	S.K. LAND AND FINANCE CO. WAZIRABAD	
40	113	S.K. LAND AND FINANCE CO. WAZIRABAD	YEAR 1996 TO 23-6-4

DETAIL OF RECORD (10-4-2017)

SR. NO.	REGISTER /FILE NO.	PARTICULAR	FROM/TO
41	114	REGISTRY REGARDING REGISTRY OF PLOTS	
42	115	REGISTRY REGARDING VILLAGE MADHNAKA, CHANADAKA, REBAR, AKBARPUR, NATON, BIGHAWALI	
43	116	S.K. LAND AND FINANCE CO. WAZIRABAD	
44	117	S.K. LAND AND FINANCE CO. WAZIRABAD	ND VILLAGE RAIHNA
45	118	S.K. LAND AND FINANCE CO. WAZIRABAD	
46	119	S.K. LAND AND FINANCE CO. WAZIRABAD	
47	120	S.K. LAND AND FINANCE CO. WAZIRABAD	
48	121	S.K. LAND AND FINANCE CO. WAZIRABAD	3258-3398
49	122	S.K. LAND AND FINANCE CO. WAZIRABAD	5128-5427
50	123	S.K. LAND AND FINANCE CO. WAZIRABAD	2944-3090
51	124	S.K. LAND AND FINANCE CO. WAZIRABAD	3761-2890
52	61	BAINAMA PHOTOCOPY, BRAHM PRAKASH	
53	62	BAINAMA PHOTOCOPY	
54	63	BAINAMA PHOTOCOPY, RAJKUMAR	
55	64	R.K. SHARMA & ASSOCIATES	
56	65	PHOTOSTAT	
57	66	MUTATION FILE	1937-2032
58	67	MUTATION FILE	2033-2166
59	68	MUTATION FILE	2167-2289
60	69	MUTATION FILE	2321-2376
61	70	MUTATION FILE	5656-6860
62	71	MUTATION FILE	6261-6367
63	72	DETAIL OF PLOTS	
64	73	IMPORTANT PAPERS	
65	41	IMPORTANT PAPERS	
66	42	PATTA NAMA , IKRAR NAMA & GPA	
67	43	PATTANAMAS	
68	44	PATTA NAMA , IKRAR NAMA & GPA	
69	45	BAINAMA, PATTA NAMA	
70	46	BAINAMA, PATTA NAMA	
71	47	BAINAMA	
72	48	BAINAMA, PHOTOCOPIES	
73	49	BAINAMA, PHOTOCOPIES	
74	50	BAINAMA, PHOTOCOPIES	
75	35	ORIGINAL PATTAS & GPA	
76	36	PHOTOCOPIES OF REGISTERIES	
77	37	RECORD FILE OF PURI-LAND	
78	38	SITA/GEETA RANI	
79	39	MOST IMPORTANT PAPERS	
80	40	MOST IMPORTANT PAPERS	

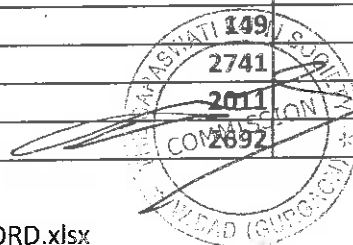


DETAIL OF RECORD (10-4-2017)

SR. NO.	REGISTER /FILE NO.	PARTICULAR	FROM/TO
81	29	DETAIL OF REG	18-01-2002/16-04-02
82	30	DETAIL OF REG	17-04-2/14-6-2
83	31	DETAIL OF REG	15-07-02/ 09-02-02
84	32	DETAIL OF REG	16-09-98/22-09-98
85	33	DETAIL OF REG	06-10-98/23-10-98
86	34	DETAIL OF REG	03-11-98/19-11-98
87	22	DETAIL OF REG	23-06-00/05-10-00
88	24	DETAIL OF REG	04-04-01/03-05-01
89	23	DETAIL OF REG	16-03-01/27-03-01
90	28		22-05-96/04-01-02
91	27		18-12-01/04-02-02
92	26		13-07-01/20-09-01
93	25		30-05-01/27-06-01
94	5		23-06-97/20-08-97
95	4		02-01-97/23-04-97
96	3	(18)	02-01-97/23-04-97
97	2		06-12-96/23-12-96
98	13		23-06-98/20-07-98
99	12		06-01-98/17-01-98
100	11		05-12-97/23-12-97
101	10		20-11-97/02-12-97
102	9		19/11/1997
103	8		03-11-97/19-11-97
104	7		08/05/1997
105	6		20-8-97/22-9-97
106	1		WITHOUT PAPERS
107	51	PATTANAMAS COPY VILLAKBARPUR, NATON	
108	52	BAINAMA PHOTOCOPIES	
109	53	BAINAMA PHOTOCOPY	
110	54	BAINAMA PHOTOCOPY	
111	55	BAINAMA PHOTOCOPY	
112	57	BAINAMA PHOTOCOPY	
113	58	BAINAMA PHOTOCOPY	
114	59	RELEASE DEED AND HALAFNAMAS	
115	60	BAINAMA PHOTOCOPY	
116	15	REGD DEED	06-08-98/17-08-98
117	16	REGD DEED	02-09-98/07-09-98
118	17	REGD DEED	18-08-98/19-08-98
119	18	REGD DEED	23-11-98/20-01-99
120	19	REGD DEED	19-02-99/23-02-99
121	20	REGD DEED	03-10-97/23-10-97
122	13	REGD DEED	17-06-98/22-06-98
123	14	REGD DEED	31-07-98/05-08-98

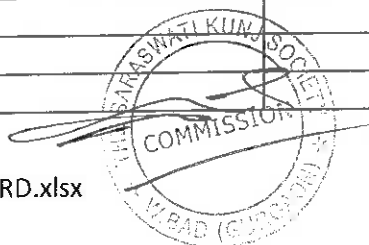
DETAIL OF RECORD (10-4-2017)

SR. NO.	REGISTER /FILE NO.	PARTICULAR	FROM/TO
124		PHOTOCOPIES OF REGISTERIES	20-02-04/12-07-04
125		SALE DEED OF SH. RAM GOPAL, SH. PAL, VIJAY PAL S/O SH. NIHAL IN F/O MS. WORLD WIDE PVT LTD	
126		SALE DEED OF SH. IMRAT/AMRITLAL IN F/O MS. LKG BUILDERS PVT LTD	
127		SALE DEED OF SH. SURESH KUMAR S/O SH. RAM CHANDER IN F/O MS. LKG BUILDERS PVT LTD	
128		DEATH CERTIFICATE OF SH. TRILOKI NATH LABROO	
129		PHOTOCOPIES OF REGD DEED	12-07-01/07-02-02
130		MISCELANIOUS INDEMNITY BOND	
131		EXCHANGE DEED MS. WORLD WIDE CARRIER	
132		5 REGISTER REGARDING DETAILS OF REGISTERIES MADE IN F/O MEMBERS	
133		EXCHANGE OF LAND	
134		ORIGINAL STAMP PAPER UN-REGISTERED	
135	PASSBOOK of members with the entries of Rs. 200 without date & receipt no.	4805	
136		5539	
137		4307	
138		4300	
139		4371	
140		8272	
141		8465	
142		8309	
143		9063	
144		8273	
145		736	
146		1985	
147		9064	
148	pASSBOOK of members with the entries of Rs.	1992	
149		149	
150		2741	
151		2011	
152		2092	



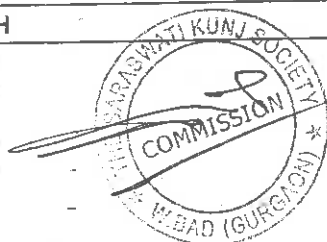
DETAIL OF RECORD (10-4-2017)

SR. NO.	REGISTER /FILE NO.	PARTICULAR	FROM/TO
153		2987	
154		1043	
155		3021	
156		3182	
157		3487	
158		3622	
159		4149	
160		4798	
161		5022	
162		5040	
163		5089	
164		5045	
165		5225	
166		5488	
167		5489	
168		5673	
169		6485	
170		7265	
171		7473	
172		7474	
173		7605	
174		7727	
175		7870	
176		8033	
177		8235	
178	SHARE CERTIFICATE NO. 8506	RAMESH	
179	8235	SURESH CHANDER	
180	7870	VIRENDER KUMAR	
181	7890	MANJU MONGIA	
182	7727	NELIMA AGGARWAL	
183	7605	JAWAHAR SINGH	
184	4626	S.D. YADAV	
185	4587	S.S. YADAV	
186	3650	AMAR NATH	
187	2586	KULWANT SINGH	
188	2341	SATISH	
189	2219	JAI PAL SINGH	
190	2198	BALRAJ SINGH	
191	2119	SAROJ BALA	
192	1374	LALIT KUMAR JOHRI	
193	1992	VIBBHA GABA	



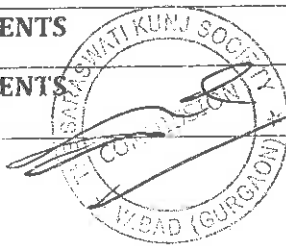
DETAIL OF RECORD (10-4-2017)

SR. NO.	REGISTER /FILE NO.	PARTICULAR	FROM/TO
194	1059	ROHTAS GODARA	
195	4371	RAVI PRAKASH YADAV	
196	5022	VINOD KUMAR	
197	4805	KANTA RANI	
198	8465	GIRDHARI MAL	
199	5089	RAJINDER KUMAR	
200	8309	JITENDER KUMAR	
201	8273	MUKHTAR ANSARI	
202	8272	ANITA JAIN	
203	5045	SUMITRA	
204	5040	PURNIMA	
205	9064	NEELU	
206	5673	DEEPAK GOYAL	
207	9063	SUMAN	
208	4300	TEJ PRAKASH	
209	2433	PAWAN SACHDEVA	
210	4793	VEENA SHARMA	
211	2105	MANJU KUMAR	
212	5168	PUSHPA	
213	9187	ANAND ARORA	
214	8847	MAHINDER SINGH	



FILES RECEIVED FROM SH. RAM GOPAL SHARMA ON DATED (03-03-2017)

1	COPY OF BANK STATEMENT
2	MISCELLANIOUS PAPER FILES
3	LAND RECORD PAPERS
4	INCOME TAX FILE
5	PHOTOCOPIES OF BAYNAMA, ARAJI
6	COPIES OF MAPS- NO.14
7	PHOTOCOPIES OF BAYNAMA, ARAJI
8	MISCELLANIOUS PAPERS
9	BANK STATEMENTS
10	BANK STATEMENTS



Manager

28/12/2016

आज दिनांक 28/12/2016 को श्री रामगोपाल शर्मा पूर्व स्वजांची दि सरस्वती कुंज को हाकर बिलिगा सोसाईटी लि० वजीराबाद (गुड़गांव) दि सरस्वती कुंज आर्गन के कार्यालय में उपस्थित आए।

श्री रामगोपाल शर्मा के निम्न लिखित दस्तावेज देने के लिए तीन सप्ताह का समय मांगा।

1. जमीन से सम्बन्धित कागजात

- गांव बेंदरम पुर में - 945 एकड़,

गांव वजीरा बाद में कुल जमीन 72. एकड़

2. - मांग सूची :-

2100/- रुपए प्रति वर्गगज

2850/- — do

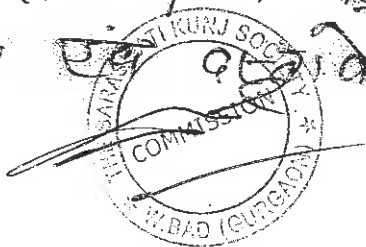
2600/- — do

445/- — do

3250/- — do

3. सदस्य को जारी की गई रसीदों व अन्य बैंक अकाउंट स्टेटमेंट जारी

श्री शर्मा जी ने 19/1/2017 तक उपरोक्त सूचना एवं दस्तावेज देने के समय मांगा।



Ram G.P. Sharma

28/12/2016

JRL

28/12/2016

[S.P. SHARMA]

Annexure H

IN THE OFFICE OF REGISTRAR, COOPERATIVE SOCIETIES,
HARYANA.

Creating Minutes
Tm/S. Singh
A.H. 18-6-90

I hereby certify that pursuance to provisions
of the Punjab Cooperative Societies Act 25 of 1961 (Also
applicable in the state of Haryana). The SARASWATI KUN.
House Building
Cooperative Group Housing Society Ltd. GURGAON
Tehsil Gurgaon Distt. Gurgaon has this day been registered
at No. 535(G)

Given under my hand and seal this day 31st
day of March 1988

Assistant Registrar,
Cooperative Societies,
Gurgaon Exercising the
powers of Registrar,
Cooperative Societies,
Haryana. *ABORA*



RK. II / 10/4/81

Annexure H

From

The Assistant Registrar,
Cooperative Societies, Gurgaon.

To

The Managing Director,
The Gurgaon Central Cooperative Bank Ltd.
Gurgaon.

Sir,

I have the honour to inform you that

the SARASWATI KUNJ Cooperative Group Housing Society
Ltd. GURGAON Tehsil Gurgaon Distt. Gurgaon has
been registered at No. 535(G) dated 23-33. The name of
the President of the Society is Shri Anand Kumar Sharma
s/o Sh. P. R. Sharma. One copy of registered byelaws

is attached herewith for record.

Encl. one copy of
registered byelaw.

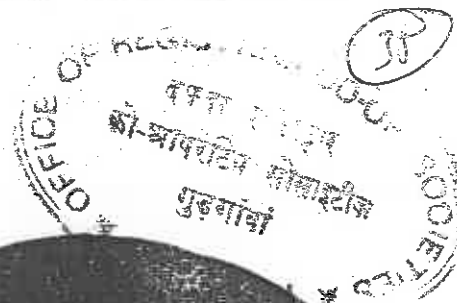
Assistant Registrar,
Cooperative Societies,
Gurgaon. 23/3/81 of the file
dated 5/4/81

Copy of the above is forwarded to:-

1. President of the Sarawati Kunj Cooperative Group
Housing Society Ltd. Gurgaon Tehsil and Distt. Gurgaon
alongwith a copy of registered byelaws and registration
certificate of the above said Society for Society's record
2. Inspector, Co-op. Soc. Non Block Gurgaon for information
and necessary action.
3. Inspector (Audit) Cooperative Societies, Gurgaon.

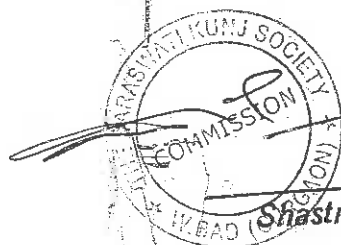
Assistant Registrar,
Cooperative Societies, Gurgaon.

Annexure (i)



of

The Saraswati ^{Kunj} Coop. Group Housing Society Ltd;



Gurgaon

Shastri Cooperative Press, PANIPAT.

☎ 3633

authorized to sign these bye laws on
behalf of the society in the same
General meeting.

Asshamp

S. M. A.

The above signature are of the same persons
who were duly authorized in the General
meeting of this society held on 2-3-83 and
they have signed in my presence. It is
also certified that the above Bye laws
are the true copies of the Model Bye laws
duly approved by the Registrar Co-operative
Societies, Bangalore, and contain
all the amendments which have been
been approved by him. The three
copies tally with each other.

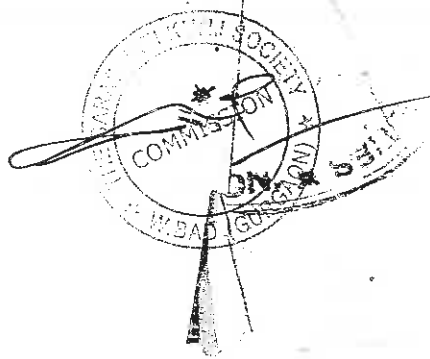
C/S.

No. 23-3-83
23-3-83
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Registered this 1st day of March
1983

Assistant Registrar
Co-operative Societies, Bangalore
Assistant Registrar
Co-operative Societies, Bangalore

23-3-83



BYE LAWS OF THE
The SARANATHI KUNJ COOPERATIVE
GROUP HOUSING SOCIETY LTD. *Hyderabad*

1. PRELIMINARY

1. The Name of the Society shall be the *Saranathi Kunj*
Co-operative Group Housing Society Ltd. *Hyderabad*
Its registered address :-

II. OBJECTS

2. The objects of the Society shall be :-

- (i) To acquire either through outright purchase or on lease, land for development and construction of residential houses/flats for giving to its members, either outright purchase or on lease or rent but the ownership of land shall always remain with the Society.
- (ii) to lease out/sell residential house/flats to its members,
- (iii) to undertake repairs of houses of its members,
- (iv) to borrow loans for running the business of the Society and to arrange for its repayment,
- (v) to advance loans to its members for payment of premium or repairs of the houses/flats leased out to them and other allied need,
- (vi) to arrange to provide to its members all necessary common amenities and facilities as per law,
- (vii) to arrange for the maintenance of the estate of Society including roads, lanes and parks etc.
- (viii) to establish and carry on, on its own account or jointly with individuals or institutions educational, physical, social and recreative activities particularly for the benefit of its members and tenants;



- (ix) to do all things necessary or expedient for the attainment of the objects specified in these Bye-laws.

III. MEMBERSHIP

3(A) Any person shall be eligible to be a member of the Society provided:-

- (i) He is a resident of Haryana for at least a period of one year at the time of becoming member of the society;

belongs to Haryana State but working or residing outside; or

working in Haryana Govt. or undertaking organisation of Haryana Govt.;

- (ii) his written application for membership has been approved by the Managing Committee;

- (iii) his age is more than 10 years, except in the case of minor heir of a deceased member; ~~he is not a member of any other house building/Group Housing Society.~~

- (iv) he or his wife (she or her husband, in case of woman) or any of his/her dependents does not own a dwelling house or plot for building a house in the town;

- (vi) directly or indirectly he does not deal in purchase or sale of houses/flats or land for construction of houses/flats either himself or through any of his dependents;

- (vii) every person seeking membership of the Society shall

sign a declaration to the effect that he or his wife (she or her husband) or any of his/her dependents does not own a dwelling house or plot in the town of Gurgaon and that he/she is not a member of any other cooperative house building/Group Housing Society. He shall also be required to submit a declaration to the effect that he shall abide by the regulations of the society set out in annexure 'A'.

to the effect that he shall abide by the regulations of the society set out in annexure 'A'.

(iii) every member on admission shall pay Rs. 10/- as admission fee which shall not be refunded in any case;

(ix) when a person's application has been accepted by the Committee, he shall pay the admission fee and

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share money, he shall be deemed to have acquired all the rights and incurred all the obligations and liabilities of a member of the Society as laid down in the Act, the Rules made there under and these bye-laws;

(A) application for admission as member and for allotment of shares shall be made to the Secretary/Manager in the form prescribed by the Society for the purpose. Every such application shall be disposed off by the Committee who shall have power to grant admission or to refuse in after recording reasons for such refusal;

3(B) The Managing Committee shall not admit members exceeding the number of tenements/flats available for allotment.

3(C) The Managing Committee shall allot tenements to the members as per rules framed by The Haryana State Cooperative Housing Finance Society Ltd. for allotment with the prior approval of the Registrar Cooperative Society, Haryana.

4. A person may be admitted as a normal member on payment of Rs. 10/- only as entrance fee for purpose of occupying a shop/garage in the Society. A normal member shall not exercise any right of membership or receive any benefit or dividend etc.

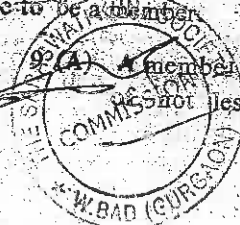
5. Every application for admission must be made in writing and signed by the applicant and shall be considered by the Managing Committee at its first meeting after the application is received or soon thereafter as is practicable.

6. Every member must hold at least one share in the Society.

7. No member of the Society shall hold more than one flat in his/her own name or in the name of his/her spouse or family members like wife/husband or minor child living with her.

8. A member whose shares have been transferred, repaid shall cease to be a member.

9(A) A member may be expelled from the Society if the vote of not less than three-fourths of the members present



subject to the approval of R.C.S. and voting at a General Meeting of the Society on a motion that in the opinion of the Meeting such member has:

- (i) will fully deceived the Society by false statements.
- (ii) has been bankrupt.
- (iii) been criminally convicted of an offence involving moral turpitude.

9.(B) The Committee shall give a member 30 days' written notice of the proposal to expel him. The member's explanation, if any, shall be placed before the General Meeting for consideration.

9.(C) To a member so expelled shall be refunded through transfer the amount received by the Society in respect of the shares held by him at the date of the resolution for his expulsion.

IV. TRANSMISSION OF INTEREST

10.(A) HOW NOMINATION IS TO BE MADE: A member may by a writing under his hand shall nominate person/persons as his nominee/nominees.

10.(B) HOW IT IS TO BE REVOKED OR VARIED: A nomination so made may be revoked or varied by any similar or writing statement under the hand of the nominator deposited or made as aforesaid.

11.(A) PROCEEDINGS ON THE DEATH OF A MEMBER.

On receiving satisfactory proof of the death of a member the Committee may transfer the share or the interest of the member of the person or persons nominated or if there is no person so nominated to the heir/heirs or the legal representative of the member or to pay such a sum representing the value of such nominator's share or interest as determined in accordance with the Section 21 of the Act deducting all sum due to the Society from the nominator. Provided that the Society shall transfer the share or interest of the nominator to such nominee or nominees, heir or legal representative as the case may be, being qualified in accordance with the

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12. The capital shall be

(a) an undetermined number each;

(b) loans and deposits

(c) donations and grants

(d) contribution towards roads, drains and

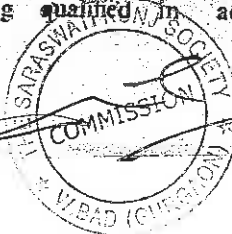
(e) other funds;

13. The capital of the Society. Surplus funds of the Society, shall be invested in

14. The share capital of Rs. 100/- each share,

15. Notwithstanding anything to the contrary, no member shall be entitled to his interest in the Society less than one year after his death. Application for the same shall be made to the managing committee.

16.(A) The society shall issue a certificate showing the shares and the holder's name authorised in this behalf by



Act, Rules and these By-laws for membership of the Society or on his application within one month of the death of the nominator or any person specified in the application who is so qualified.

V. CAPITAL

12. The capital shall be composed of :-

- (a) an undetermined number of shares of the value of Rs. 100/- each;
- (b) loans and deposits from members;
- (c) donations and grants;
- (d) contribution towards the cost of houses, lands maintenance of roads, drains and parks;
- (e) other funds.

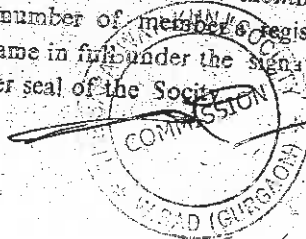
13. The capital of the society shall be used in carrying out its objects. Surplus funds of the society not likely to be immediately required, shall be invested in accordance with section 44 of Act.

SHARES

14. The share capital of the society shall be raised by shares of the value of Rs. 100/- each and shall be held entirely by members of the society.

15. Notwithstanding anything contained in any other By-laws, no member shall be permitted to transfer any share held by him/her or his interest in the property of the society for a period of less than one year from the date of allotment of flat by the society. Application for transfer shall be in the form set out by the managing committee.

16. (A) The society shall issue within six months of allotment, share certificate showing the number of shares in register, number of the shares and the holder's name in full under the signature of officers authorised in this behalf under seal of the Society.



16 (B) The committee shall keep a shares register in which there shall be entered the name, occupation and address of the member, the date of admission and the number of shares allotted or transferred from another member's holding. The register shall also show the number of shares transferred, the date of such transfer.

17. If a share certificate is lost or destroyed, a duplicate copy of share shall be issued on payment of Rs. 2/-

VI LIABILITY

18. The liability of the member for meeting any deficit in the assets of the society on winding up shall be limited to five times of subscribed shares.

VII. POWER OF GENERAL BODY

19. (i) Election, if any, of the members of the Committee other than nominated members, subject to the provisions of section 26.

(ii) Consideration of the audit report and the annual report;

(iii) disposal of the net profits; and

(iv) consideration of any other matter which may be brought forward in accordance with the Act, Rules and bye-laws;

(v) The annual general meeting shall be called within a period of 3 months of the close of cooperative year.

A special General Meeting may be called at any time by the Managing Committee and shall be called by the Secretary/Manager on receipt of a requisition from 1/5th of the total number of members or from the Registrar, Cooperative societies or any persons authorised by him.

(vi) The quorum for a general body meeting will be 30 members or 1/3 members of total members on the date of notice whichever is less. Each member shall have one vote irrespective of the share held by him. The Chairman/President shall be have a casting vote in case of equity. No proxy shall be allowed.

20. The President or the Vice-President or in their absence one of the other member elected for the purpose shall preside.

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21. The duties and powers of the General Body are :-

- (i) to elect, suspend or remove members of the Managing Committee, including a President and one or more Vice-President and if the number of members in the society exceeds 20, to elect a committee of control;
- (ii) to receive from the Committee a report on the proceeding year's working of the society together with a statement showing the receipts and expenditure, assets and liabilities and profit and loss for the year.
- (iii) to consider the audit note, inspection note of the Registrar or Financing Institution and any other communication from Registrar;
- (iv) to dispose off profits in accordance with the Act, Rules made thereunder and these bye laws;

22. All business discussed or decided at a General Meeting shall be recorded in a proceeding book which shall be signed by the Chairman of the meeting.

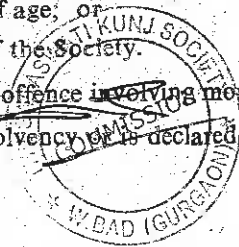
VIII MANAGING COMMITTEE

23. The Managing Committee shall consist of the following :-

- (i) five elected members;
- (ii) A Representative of a Financing Institution.
- (iii) Registrar Co-operative Societies Haryana or his nominee.
- (iv) not more than 3 Govt. nominees in case of Govt. has subscribed to share capital of the society.

24. (i) No person shall be eligible for election as a member of Committee, if he

- (a) is below 21 years of age; or
- (b) is paid employee of the Society.
- (c) is convicted of any offence involving moral turpitude ;
- (d) has applied for insolvency or is declared insolvent; or



- (e) is of unsound mind; or
 (f) is in default in the payment of the debts due to the society.

25 Election to the Board shall be regulated by the provision of the Act & Rules framed thereunder.

26 The President and Vice-President of the Committee shall be elected by the members of the Board out of themselves.

27. An elected member of the Committee shall cease to hold office if;

- (a) Applies for bankruptcy; or
 (b) is convicted of any offence involving moral turpitude; or
 (c) becomes of unsound mind; or
 (d) becomes a paid employee of the society or of any Co-operative Society;
 (e) defaults in the payment of debts due to the society or the society to which he represents;
 (f) resigns and his resignation is accepted by the board; or
 (g) acquires an interest directly or indirectly in any contract with the society or in any sale or purchase made by the society;
 (h) is a representative of the society under winding up or in liquidation; or
 (i) ceases to be share holder of the society he represents; or
 (j) is a representative of the cooperative society which may cease to be the member of the society;
 (k) Any member who ceases to be a member of the Committee under clause 27 (e) & (i) of this bye-laws shall not be eligible for re-election as member of the committee for a period of six months, provided that the Registrar of Cooperative Societies Haryana shall have the right of superceding the Managing Committee.

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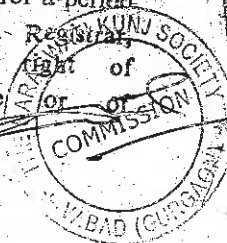
28. The Committee shall give notice specifying the date, place and time of the meeting. The Committee shall be given to all the members of committee shall be present, or in his absence Vice President, or in his absence member elected by those present at the meetings of the committee. A member shall have one vote of the votes. In case of equality of votes, the member casting vote.

29. Notwithstanding at the first Board of Directors shall be in force at the time of registration for three years or until the bye-laws No. 37 which ever

POWERS OF THE

30. Without prejudice to the powers conferred by the bye-laws the following powers shall be conferred upon the committee

- (a) To pay the preliminary expenses of the society and register the society;
 (b) To purchase or lease or otherwise acquire any land or building or to construct and to maintain buildings for the use of the society for such land or building or to lease or acquire



removing one or more committee members and of appointing new member of the committee or one or more committee member in the place of these so removed as the case may be, for a period which may extend at one time upto 3 years, if in the opinion of the Registrar there exists an emergency in the affairs of the society of the Registrar, Co-operative Societies, Haryana is satisfied that the society is not following canons of prudent finance.

28. The Committee shall meet from time to time atleast 15 days notice specifying the date, place, time and agenda of the meeting of the Committee shall be given to all themselves 1/3rd of the total number of the members of committee shall form quorum of the meeting. The President, or in his absence Vice Chairman and in the absence of both, a member elected by those present in the meeting shall preside over the meetings of the committee. All questions shall be decided by majority of the votes. In case of equality of votes, the president shall have a casting vote.

29. Notwithstanding anything contained in bye-laws No. 37 the first Board of Directors shall be elected by the promoted members at the time of registration for three years till the new Board elected as provided in bye-laws No. 37 which ever is earlier.

POWERS OF THE MANAGING COMMITTEE

30. Without prejudice to the general powers conferred by these bye-laws the following powers and authorities are expressly given to and conferred upon the committee:

(a) To pay the preliminary expenses incurred in the promotion and registration of the society.

(b) To purchase, take on lease, or otherwise acquire any building or land (whether freehold, leasehold or otherwise) from any person with or without a house or houses building or buildings thereon in the State and to erect construct and build offices or later any building or buildings for the purposes of an office or as and to pay for such land and buildings, whether purchased, leased or acquired or build or constructed by the



society either in cash or otherwise and to purchase furniture and other things necessary for office with all things which the committee may deem necessary or convenient for carrying on the business of the society.

(e) From time to time to appoint or remove or suspend General Manager and officers for permanent, temporary or special services and to determine their powers and duties and fix their remuneration, and to acquire security in such instances and to such amount as they think fit provided that the creation of and the appointment to the post of General Manager, irrespective of the remunerations in excess of Rs. 500/- per month shall be with the prior concurrence of the Registrar, Cooperative Societies.

(d) To raise or borrow such sum of money by way of loans (otherwise than by the issue of debentures and or bonds) as may be required from time to time for the purposes of the society subject to the previous sanction of the Registrar, Cooperative Societies.

(e) To undertake on behalf of the society the payment of all rents and performance of all convenient conditions and agreements contained in or reserved any lease that may be granted or assigned to or otherwise acquired by the society.

(f) To admit members.

(g) To insure and keep insured if deemed expedient all or any of the buildings or other property or securities of the Society either separately or conjointly for such period and to such extent as the Committee may think fit and to assign surrender or discontinue any policies insurances effected in pursuance of these powers.

(h) To make advances or lend money to Cooperative Housing Societies.

(i) To appoint Sub-Committee or special Committees of the three members at least to consider any specific problems or subjects and make recommendations to the Committee for decision.

(j) To establish funds.

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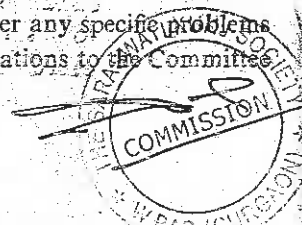
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(j) To establish and maintain provident or other benefit funds for the employees of the society.

(k) To delegate any of their powers to the Executive Committee or Committees consisting of such members of their body as the Committee may think fit.

(l) To execute all deeds, agreements, receipts and other documents that may be necessary or expedient for the purpose of the society.

(m) To determine from time to time who shall be entitled to sign, on behalf of the society, bills, notes, receipts, acceptances, endorsements, cheques, releases, contracts and documents and to give the necessary authority for that purpose.

(n) To accept from any member or such terms and conditions as shall be agreed a surrender of his shares or any part thereof.

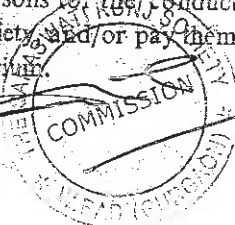
(o) To institute, conduct, defend, compound or abandon any legal proceedings by or against the society or its officers or otherwise concerning the business and affairs of the society and also to compound and allow time for payment or satisfaction of any debts due and or any claims or demands by or against the society.

(p) To invest and deal with any money of the society in accordance with these byelaw and from time to time vary or realise such investments.

(q) To regulate and sanction the expenditure which the Committee may consider necessary or desirable to carry out the objects of the society.

(r) To join membership of any Cooperative institution which in opinion of the committee may be desirable or necessary in the interest of the society.

(s) To engage the services of advocates, attorneys, architect values, and or order professional persons for the conduct of the business and affairs of the society and or pay them fees, professional charges or honorarium.



- (t) to fix contribution to be made by member for the maintenance of the estate of the society ;
- (u) to decide the manner in which development and construction work will be carried out by the Society ;
- (v) to decide the terms and conditions of which the houses/flats will be allotted to the members ;
- (w) to frame the rules of business subject to the approval of the Registrar.

31. The Committee shall have power to provide a common seal for the purposes of the society and it shall be used except by the specific authority to the committee and in the presence of the atleast one of the members of the committee. The seal remain in the custody of the General Manager.

32. Every deed or document other than a share certificate to which the seal is affixed shall be signed by two of the members of the Board and countersigned by the General Manager or any other person or persons appointed for the purpose by the committee

33. The committee may make its own rules of business for the smooth running of the society, with the approval of the Registrar, Cooperative Societies.

SECRETARY/MANAGER, CASHIER & CUSTUDIAN

34. **MANAGER/SECRETARY:** The committee may appoint a wholetime/Part-time/Honourary Secretary/Manager for the proper maintenance of books of accounts and other records of the Society. He will be responsible :

- (a) to prepare returns and statements ;
- (b) to carry on all the correspondence & other work of the society ;
- (c) to call the meetings of the committee & General Meeting under the direction of the President/Managing Committee.

35. **CASHIER:** - Cash balance in hand shall always remain in the hands of the officer/official of the society appointed by the committee for the purpose.

35. CUSTUDIAN

a custodian of records of the society, a receipt of which shall be kept by the

37. The following shall be open for inspection by any person without his consent

- (a) a register of occupation by him, date of termination and under byelaws
- (b) a cash book on each
- (c) a ledger account of miscellaneous
- (d) a register of
- (e) an account of
- (f) a register of sale/leased
- (g) a register of loans :
- (h) a pass book
- (i) a book of the registered name and application of refusal refusing a
- (k) any other



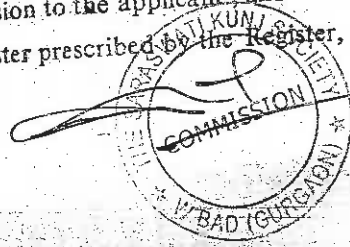
35. CUSTODIAN :- The committee of the society shall appoint a custodian of records of the society who will be responsible for its safe custody, a receipt of which will be sent Registering authority.

REGISTERS

37. The following registers and records shall be maintained and shall be open for inspection of any one interested in its funds, of any person without his consent in writing.

- (a) a register of members showing the name, address and occupation of every member, the number of shares held by him, date of his admission to membership, date of termination of membership and the nominee appointed under byelaws.
- (b) a cash book showing the income, expenditure and balance on each day on which business is done ;
- (c) a ledger account for each member, depositor and creditor, miscellaneous and contingent income and expenditure ;
- (d) a register showing the maximum credit of each member;
- (e) an account showing monthly deposits and contributions.
- (f) a register showing all the properties purchased and disposal/leased out by the society ;
- (g) a register showing the monthly instalments for payment of loans ;
- (h) a pass book for each member and depositor ;
- (i) a book of bonds for all loans issued ;
- (j) the register of application for membership containing the name and address of applicant, the date of receipt of application, the number of shares applied for and in case of refusal, the date of communication of the decision refusing admission to the applicant ; and
- (k) any other register prescribed by the Register,

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38. Copies of the bye-laws on payment and balance shall be supplied on demand to any member. The last balance sheet shall be open to public inspection during office hours.

COMPULSORY DEPOSITS

39. (A) Every member may subscribe to deposits for specific objects.
- (B) Such deposits shall be governed by rules to be framed by the society subject to approval of the General Meeting of the society.
- (C) With the sanction of the Committee, a member may be exempted from the obligation to deposit for any period during which his circumstances do not permit of such payments.

LOANS

40. No loan shall be advanced by the society save for payment of premium or repair of house/flats allotted to the members.

41. All loans shall be granted within the maximum credit limit of a member. Such loans shall be granted subject to any general or special restrictions or conditions which may be imposed by the Registrar from time to time. The borrower shall execute a bond before release of loan to him by the society.

42. Loan shall be released as per terms and conditions for grant of loans.

43. The property mortgaged by a borrowing member shall remain under first charge with the society till the borrower pays off the whole dues.

44. Houses given in security shall be insured against fire for their full value. The insurance premium shall be paid by the borrower, failing which the society will pay the premium and debit the amount to the member's account.

45. If the Committee finds that the security for an outstanding loan has become insufficient or that the borrower's material position is weakened, they shall call on the borrower to provide satisfactory security and in default shall call in the loan at once.

loan shall also be recalled and applied to the purpose.

46. Interest on borrowing and lending shall be fixed by the Committee. The default penal rate may be fixed by bye-law (30 (ii)).

47. All documents shall be signed by the Managing Committee. The documents of the Society shall be kept in the custody of the bearer of the society.

48. Society shall not allot flats to any person not allotted on lease or rent.

RECOVERIES

49. The Society shall recover from the capital, loan, share of a member and upon arrears of a past member to the member in or towards the society.

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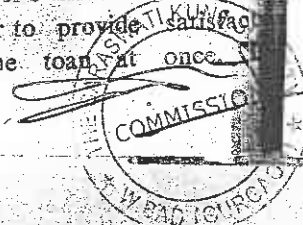
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loan shall also be recalled if the Committee find that it has not been applied to the purpose for which it was taken.

46. Interest on loans to members shall be charged at a rates to be fixed by the Committee provided that the margin between the borrowing and lending rates is of at least 2% per annum. In case of default penal rate may be prescribed by the General Meeting under bye-law (30 (11)).

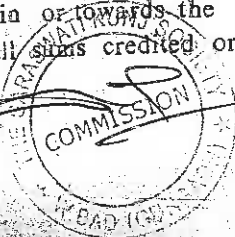
47. All documents creating a charge or obligation on the society shall be signed by the President or Vice-President and two other members of the Managing Committee appointed for the purpose. All important documents of the Society shall be sealed with the society's seal. The seal shall be kept in the custody of the Secretary or any other officer or officer bearer of the society authorised for the purpose.

48. Society shall not allot any property including plots, houses or flats to any person except to its own members. No member shall be allotted on lease or rent more than one plot or house or flat by the Society.

RECOVERY OF DEBTS DUE TO SOCIETY

49. The Society shall have a charge upon the shares or interest in the capital, loan, stock, bond and on the deposit of a member or past member and upon any dividend, bonus or profits payable to a member or past member to the society and may set off any credited or payable to a member in or towards the payments of such debts.

50. (a) SET OFF IN RESPECT OF SHARES OR INTEREST OF MEMBERS; if a debts of any member or past member shall at any time be equal to or exceed the amount credited or payable to such member or past member the Committee may serve a notice upon such a member or past member requiring him to pay the sum within 15 days from the service of such notice at a place or places to be named in the notice. If the requirements of such notice are not complied with, the Committee may set off the shares or interest, deposits, dividend, bonus or profits of such member or past member specified in the notice in or towards the payment of any such debt and all sums credited or payable to



such member or past member and any dividend interest declared but not paid shall upon being declared by the Committee, as set off become the property of the society and a statement to this effect shall be included in the notice. The Secretary shall within seven days of the date of the meeting at which any set off is declared give notice of such set off to the member or part member concerned whose shares, loan, stock bond or interest, deposits, dividend, bonus or profits are set off. The committee may at any time within one calendar month from the date of the meeting at which any set off shall have been declared, upon cause shown, which seems sufficient annual the set off and reinstate the member or past member in the possession of his set off rights.

(b) **LIABILITY OF MEMBER AFTER SHARE OR INTEREST HAS BEEN SET OFF:** If after any rights of a member or past member have been set off as stated in Bye-laws 50(a) and the amount paid or credited thereon and the dividend, if any, has been credited to the society there shall remain any sum due from such member to the society, the member or past member shall be liable to pay such balance as debt due to society and the committee may take such steps as they deem necessary to enforce payment thereof.

51. For the purpose of enforcing the lien of the society the committee, may, instead of forfeiting the rights liable to be forfeited under Bye-laws 50(a), sell such right or any of them in such manner as they shall think fit, but no sale shall be made until such time as the moneys are presently due and until a demand notice in writing stating the amount due and demanding payment, giving notice of intention to sell in default of payment shall have been sent by registered post to the registered address of such member or the person (if any) entitled by transmission to the forfeited rights and default in payment shall have been made by him for seven days after such notice.

52. Upon any sale for enforcing a lien in pursuance of the powers herein before given, the Committee shall cause the purchaser's name to be entered in the register in respect of the forfeited rights sold, and the purchaser shall be entitled to



to see the regularly of the proceeding or the application of the purchase of money and after his name has been entered in the register in respect of such forfeited rights, the validity of the sale shall not be impeached by any person and the remedy of any person aggrieved by the sale shall be in damages only and against the society exclusively.

53. The net proceeds of any sale shall be applied towards satisfaction of the amount due to the society and the residue (if any) paid to the member or past member.

TRANSFER OF SHARES

54. The committee may, on the application of the member of any share/shares repay through transfer any such amount not exceeding the amount of paid up value.

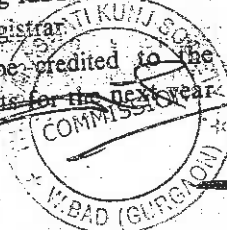
AUDIT

55. The accounts of the society shall be audited at least once a year by an Auditor appointed by the Registrar. The Society shall pay such Audit fee as may from time to time be fixed by the Registrar, Cooperative Societies Haryana.

DISTRIBUTORS OF PROFITS

56. Subject to the approval of the Registrar the net profits of the society as per audited balance sheet shall be distributed as follows:

- (i) 25% shall be carried to the reserve fund.
- (ii) Such proportion not exceeding 5% but not less than 2% of the net profits, as may be specified by the Registrar, shall be carried to the Cooperative Education Fund.
- (iii) 5% as contribution to any charitable purpose as defined in section of the charitable endowment Act, 1890
- (iv) Distribution as dividend among members at a rate not exceeding 10% per annum of the value of shares actually paid up.
- (v) Creation of building fund or any other fund with the approval of the Registrar.
- (vi) Any surplus may be credited to the reserve fund or carried to the profits for the next year.



57. Bonus shall be paid according to the Bonus Act & rules approved by the managing committee subject to the approval of the Registrar.

58. No bonus in addition to the dividend shall be distributed on shares amongst the members.

59. Dividend shall not be paid while any claim due from the society to a depositor or creditor remains unsatisfied.

60. Allocation and distribution of profits shall be made only after the annual audit. Members shall have no right to the dividend unless declared and approved by the General Body. The dividend shall be paid to all members within three months of the approval by the General Body.

RESERVE FUND

61. The Reserve Fund is indivisible and no member is entitled to claim a specified share in it. It shall be invested in Government Securities or otherwise as directed by Registrar under the relevant provision of the Act.

DISPUTES

62. If any dispute touching the constitution or business of the society arises between members or past members of the society or person claiming through a member or past member the society (past or present) between the society or its Committee and any officer, member or servant of the society (past or present), it shall be referred to the Registrar as provided in the Act and the Rules made thereunder.

63. (i) All matters not specially provided are to be decided in accordance with the Cooperative Societies Act and the Rules made thereunder.

(ii) In case of any doubt/dispute regarding interpretation of these bye-laws, the opinion of the R.C.S. shall be final.

64. The Managing Committee with the approval of the General Meeting may frame Rules of business for carrying on the work of the society and may make additions or alterations in them.

WIN

65. (i) The society shall order of the Registrar Cooperative Societies Act under (as applied)

(ii) After meeting the capital the society among the members object of public of the society liquidation and Registrar may with society place in State Co-operative society with sir of the Registrar Reserve Fund wholly or interest or a the Charitable

REGULATIONS RELATIVE TO GROUP HOUSING

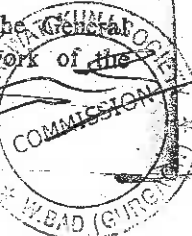
(Under)

66. (1) Residents to its members agree to

(2) The residents society

REGAON. * with the

(3) Each a agreement found allotment



WINDING UP

65. (i) The society shall be wound up and dissolved only by an order of the Registrar under section 57 of the Punjab Cooperative Societies Act, 1961 and Rules made thereunder (as applicable to Haryana).

(ii) After meeting the liabilities including the paid up share capital the surplus assets, if any, shall not be divided among the members, but shall be utilised towards any object of public utility determined by the General Meeting of the society within three months of the date of final liquidation and approved by the Registrar; or the Registrar may with the approval of the General Meeting of the society place the said surplus on deposit with the Haryana State Co-operative Bank Ltd; until such time a new society with similar conditions is registered with the consent of the Registrar such surplus may be credited to the Reserve Fund of such society or assign the surplus either wholly or part to an object of public utility of local interest or a charitable purpose as defined in section 2 of the Charitable Endowments act, 1890.

ANNEXURE

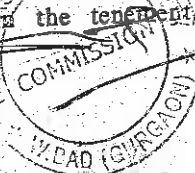
REGULATIONS RELATING THE FLATS/APARTMENT BY THE GROUP HOUSING SOCIETIES TO THEIR MEMBERS

(Under bye-laws No. 3 (VII))

66. (1) Residential Tenements/flats will be allotted by the society to its members who fulfil the prescribed conditions and agree to abide by these regulations.

(2) The residential Tenements/flats shall be allotted by the society to its members as per rules framed by the Haryana State Co-op. Housing Finance Society Ltd., with the approval of R. C. S.

(3) Each allottee shall be required to execute all necessary agreement/documents with the society/Govt as may be found necessary before entering in the tenement/flat allotted to him.



(5) No allottee shall make any alteration in or addition to tenement^{4/10} allotted to him without the approval of the committee in writing and subject to the Municipal Bye-laws.

(6) Each allottee shall be required to get the house insured against fire or damage and shall be liable to pay annual premium regularly. If for any reason the allottee fails to pay the premium in time, it shall be paid by the society, debited to the account for the allottee concerned and shall be recovered from him in accordance with provisions of the act and the Rules made thereunder and bye-laws of the society.

(7) Each allottee shall be responsible for the internal repairs of the tenement, but allocated to him. The maintenance of the common services Building portion not in the occupation of any allottee shall be the responsibility of the society.

(8) No allottee will do anything which in the society's opinion may cause a nuisance, annoyance or inconvenience to the occupants adjacent or in the neighbourhood or to be prejudicial to the society.

(9) Each allottee shall always abide by the rules and regulations and other instructions issued by the Registrar, Cooperative Societies or the Government in this behalf from time to time.

(10) These regulations are subject to such modifications by the General Meeting of the society with the approval of the Registrar, Cooperative Societies as may be deemed fit.

the above Page - has been adopted
in the General meeting of the Society held
on 20-3-83. We this under signed will

