

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

F.No.47/AR /Sec-II/05-TC/RCS/2018 | 3388 - 42

Dated: 26/5/25

CD No.107279633

In the matter of: -

Delhi Mercantile Coop T/C Society Ltd.

Complainant

Versus

Sh. Bipin kumar & Sh. Gopal Pandey

Respondent

ORDER

This order shall dispose of the proceeding initiated Show Cause Notice Dated 20.08.2018 U/s 121 of DCS Act, 2003.

The case pertains to allegations of tampering with the official minutes of the Annual General Meeting (AGM) held on 29.10.2014 of a cooperative society. A complaint was filed against the then Administrator, Sh. Bipin Kumar, and society employee Sh. Gopal Pandey (Messenger), for unauthorized insertion of a paragraph dated 07.11.2016 into the minutes register after the proceedings were formally closed by the General Secretary on the date of the AGM. The society submitted both the original minutes (Pages 87-90) and the tampered version (Page 90) as evidence. Pursuant to directions from the Office of the Registrar Cooperative Societies (RCS), a formal application under Section 121 of the Delhi Cooperative Societies Act, 2003 was filed by the society vide Diary No. 26343 dated 27.06.2018.

Bipin Kumar submitted then Administrator (Respondent No.1) of the Society from January to July 2016 submitted that he acted strictly in accordance with the instructions of the RCS Office and the Hon'ble Delhi High Court. He fixed the salaries of the Society's employees based on the Service Rules dated 20.05.2009, with proper approval from the Accounts Branch of the RCS Office.

He further submitted that after the salary fixation, certain ex-Managing Committee members and the then President began raising baseless and malicious complaints, particularly against one employee, Mr. Gopal Pandey, who had supported the enforcement of the Service Rules.

In June/July 2016, a letter was received requesting termination of Mr. Pandey. However, upon reviewing the AGM records and related documents, Bipin Kumar found no proposal for such action had been made during the meeting. He clarified that he did not tamper with the AGM minutes but only added his observations to clarify the context, especially in view of any future disputes.



He stated that the complaints against him are false and an attempt to deflect attention from the Society's failure to release pending salary arrears. One employee has even retired without receiving retirement benefits. He added that a notice under Section 37 has already been issued to the present Managing Committee regarding non-payment of arrears.

Sh. Gopal (Respondent No. 02) submitted that the complaint against him is entirely false, baseless, and has been filed with the malicious intent to harass him. The issue relates to the Service Rules of the Delhi Millennium Cooperative Group Housing Society Ltd., dated 20.05.2009, which were duly approved by the Office of the Registrar Cooperative Societies (RCS). The original and valid Service Rules are clearly recorded in the official documents

He further stated that the former Managing Committee failed to comply with the lawful directions of the RCS, leading to their supersession on 13.02.2015, after which Shri Vimal Chand Pandey, was appointed as Administrator. Subsequently, the RCS issued a letter dated 10.06.2015 directing compliance with the Court orders. The Hon'ble Delhi High Court, through its order dated 20.10.2015 in W.P. (C) No. 1655/2012, mandated strict compliance with the RCS instructions within four weeks.

Thereafter, Sh. Bipin Kumar was appointed as the second Administrator by the RCS and was instructed to implement the Service Rules dated 20.05.2009 and ensure the payment of salary and arrears to the employees. The said Administrator complied with these instructions from April 2016 onwards, including finalization of salary arrears from 01.01.2006 to 31.03.2016, which is supported by official records.

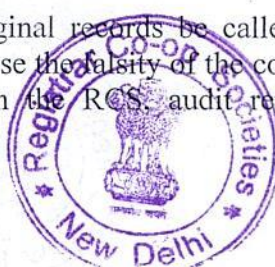
Sh. Gopal submitted that the complainant, Sh. Chetan Sharma, was not present at the AGM held on 29.10.2014 and therefore lacks any factual knowledge regarding the proceedings. He also mentioned that a senior member, Shri Tilak Raj Kapoor, had lodged a complaint, for which the second Administrator issued a Show Cause Notice on 05.07.2016 and received a reply on 05.08.2016. The observer Shri Satish Kumar was present during the AGM dated 29.10.2011 and submitted an accurate report to the RCS affirming the facts.

He denied any tampering or falsification in the minutes book, clarifying that the Administrator had only made his own observations without altering any original content. He alleged that the complainants had a personal grudge against him and were conspiring to terminate his services and membership without any valid reason. He firmly stated that he has not committed any wrongdoing and respects the rule of law.

Sh. Gopal contended that false statements were made by the complainants and requested that the original minutes books of the AGM dated 29.10.2014 and the minutes recorded during the Administrator's tenure be examined to reveal the truth. He also highlighted the Society's continued defiance of RCS orders, resulting in a notice under Section 37 of the DCS Act, 2003, for which proceedings are scheduled on 08.11.2018.

He submitted that the present complaint is a tactic to pressure him into withdrawing his case before the Hon'ble Delhi High Court and the RCS office and force a settlement, which he opposes. He prayed that the complaint be dismissed.

Lastly, he requested that the following original records be called for verification as they would clearly demonstrate the facts and expose the falsity of the complaint: the Service Rules as approved by RCS, correspondence with the RCS, audit reports from 1998 to 2014



including special audits, cheque issue registers, salary registers with leave details, due drawn statements, original rent registers, record handover lists, and the AGM and Managing Committee minutes books up to date.

Upon careful perusal of the records and submissions made by the parties, it is evident that the entry made by Sh. Bipin Kumar, the then Administrator, in the minutes register of the AGM dated 29.10.2014 was not an act of tampering but a subsequent noting, clearly dated 07.11.2016. This entry was made in his official capacity, without altering or overwriting the original AGM content, and appears to have been added only to clarify administrative developments. Notably, during the hearing held on 22.10.2024, the society failed to produce pages 91-92 of the minutes register, despite being specifically directed to do so. This omission further raises doubts about the intent and credibility of the complaint. In the absence of any concrete evidence indicating falsification or manipulation of records, and considering the transparent nature of the dated addition, no offence under Section 121 of the DCS Act, 2003 is made out. Accordingly, the complaint filed by the society is found to be baseless and without merit. The proceedings initiated vide Show Cause Notice dated 20.08.2018 are hereby dropped. No order as to costs.



A.K. Singh

A.K Singh
Registrar Coop. Societies

Sent to :-

1. President/ Secretary , Delhi Mercantile Cooperative T/C Society Ltd. 11, Manohar Market , Katra Neel Chandni Chowk Delhi-110006
2. Sh. Bipin Kumar R/o H.No. 201-B Ward No. 02, Mehrauli, New Delhi-110030.
3. Sh. Gopal Pandey , R/o C-11/16, Dayal Pur , Extn. Near Delhi Police Camp-110094

4. AR (rec-2)

5. IT computer cell.

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