

(TO BE PUBLISHED IN PART IV OF THE DELHI GAZETTE EXTRAORDINARY)  
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
COOPERATIVE DEPARTMENT  
DELHI SACHIVALAYA, I.P. ESTATE: NEW DELHI-110002

No. F. 47/Coop./16/Policy 05/dsfe2/98-106

Dated 11/8/2009

NOTIFICATION

No. F. 47/Coop./16/Policy 05/ \_\_\_\_\_. In exercise of the powers conferred by section 137 read with section 114 of the Delhi Cooperative Societies Act, 2003 (Delhi Act 3 of 2004), the Government of the National Capital Territory of Delhi, hereby makes the following rules to amend the Delhi Cooperative Tribunal Rules, 2006, namely: -

RULES

1. **Short title and commencement.** - (1) These rules may be called the Delhi Cooperative Tribunal (Amendment) Rules, 2009.  
(2) They shall come into force on the date of their publication in the Delhi Gazette.
2. **Amendment of rule 2.** - In the Delhi Cooperative Tribunal Rules, 2006 (hereinafter referred to as "the principal Rules"), in rule 2, after clause (d), the following clause shall be inserted, namely: -  
"(e). "Member" means a member of the Delhi Cooperative Tribunal."
3. **Substitution of new rule for rule 3.** - In the principal Rules, for rule 3, the following rule shall be substituted, namely: -  
"**3. Constitution of Tribunal.** - There shall be one Chairman and not more than two other members in the Delhi Cooperative Tribunal."
4. **Substitution of new rule for rule 5.** - In the principal Rules, for rule 5, the following rule shall be substituted, namely: -  
"**5. Qualification of the member.** - A member shall not be appointed unless he has, for at least two years, held the post of a Joint Secretary to the Government of India or any other post under the Central or a State Government or Government of Union Territory carrying a scale of pay which is not less than that of a Joint Secretary to the Government of India."

5. Omission of rule 6. – In the principal Rules, rule 6 shall be omitted.
6. Substitution of new rule for rule 8. – In the principal Rules, for rule 8, the following rule shall be substituted, namely: -

**“8. Appointment on deputation. - Every person, who is a member of Judicial Service or is in Service under the Central Government or a State Government or Government of a Union Territory and who fulfills the requisite qualification under rule 4 shall be eligible for appointment on deputation basis. Terms and conditions of appointment on deputation basis including pay and allowances, pension, leave and other benefits, etc. will be decided by the Government.”**

7. Substitution of new rule for rule 9. – In the principal Rules, for rule 9, the following rule shall be substituted, namely: -

**“9. Term of office. – Every person appointed as Chairman and member of the Tribunal shall hold office for a term of three years from the date on which any one of them enters upon his office, but shall be eligible for reappointment for another term of three years, provided that no such person shall hold office as member of the Tribunal after he has attained the age of sixty five years.”**

8. Substitution of new rule for rule 13. – In the principal Rules, for rule 13, the following rule shall be substituted, namely: -

**“13. Pay and increments. – The Chairman and each member shall receive pay in the pay structure of PB-4 Rs. 37,400-67000+10000 (Grade Pay) and earn annual increments in accordance with the rules applicable to a Joint Secretary to the Government of India belonging to the Indian Administrative Service:**

*Provided that -*

(i) *the subsequent increment shall be granted on the first day of July every year subject to the condition that he has completed six months in the revised pay structure as on 1<sup>st</sup> of July as laid down in rule 10 of the CCS (Revised Pay) Rules, 2008.*

(ii) *the officer appointed on deputation shall be given an option either to have fixed his pay in the pay scale of the post of Chairman/or Member as the case may be, or to draw his pay in his own pay scale plus deputation duty allowance as prescribed in FRSR.”*

9. Substitution of new rule for rule 14. – In the principal Rules, for rule 14, the following rule shall be substituted, namely: -

**“14. Dearness allowances and city compensatory allowance. – The Chairman and members shall receive dearness allowance and city compensatory allowance**

appropriate to their pay at the rates admissible to a Group 'A' officer of the Central Government drawing pay in the scale of Rs. 37400-67000."

10. Substitution of new rule for rule 16. – In the principal Rules, for rule 16, the following rule shall be substituted, namely: -

**"16. Leave sanctioning authority.** – *The Secretary (Cooperation) of the Government shall be the authority to sanction leave to the Chairman and members.*"

11. Omission of rule 17. – In the principal Rules, rule 17 shall be omitted.

12. Omission of rule 18. – In the principal Rules, rule 18 shall be omitted.

13. Substitution of new rule for rule 19. – In the principal Rules, for rule 19, the following rule shall be substituted, namely: -

**"19. Traveling allowances.** – *The Chairman and members of the Tribunal while on tour or on transfer (including the journey undertaken to join the Tribunal or on the expiry of his term with the Tribunal to proceed to his home town), shall be entitled to traveling allowances, daily allowances, transportation of personal effects and other similar allowances at the same scale at the same rate as are applicable to a Joint Secretary to the Government of India from the Indian Administrative Service.*"

14. Substitution of new rule for rule 20. – In the principal Rules, for rule 20, the following rule shall be substituted, namely: -

**"20. Accommodation.** - **(1)** *The Chairman and members of the Tribunal shall be entitled to use of an official residence from the General Pool accommodation of the Government of the type admissible to an officer of the rank of a Joint Secretary to the Government of India stationed at Delhi on the payment of licence fee at the rates determined by the Government from time to time.*

**(2)** *When the Chairman or member is not provided with or does not avail himself of the accommodation referred to in sub-rule (1), he may be paid every month an allowance of an amount equal to thirty percent of his pay.*

**(3)** *Where the Chairman or member occupies an official residence beyond the permissible period, he shall be required to pay additional licence fee or penal rent, as the case may be, and liable to eviction in accordance with the rules applicable to a Joint Secretary to the Government of India belonging to the Indian Administrative Services."*

Substitution of new rule for rule 21. – In the principal Rules, for rule 21, the following rule shall be substituted, namely: -

**“21. Facility of conveyance. – The Chairman and members of the Tribunal shall be entitled to a facility of staff car for journey for official and private purposes in accordance with the staff car rules of the Government of India.”**

16. Substitution of new rule for rule 22. – In the principal Rules, for rule 22, the following rule shall be substituted, namely: -

**“22. Facility for medical treatment. – The Chairman and members of the Tribunal shall be entitled to medical treatment and hospital facility as provided in the rules applicable to the employees of the Government.”**

17. Substitution of new rule for rule 23. – In the principal Rules, for rule 23, the following rule shall be substituted, namely: -

**“23. Residuary provisions. – The conditions of service of the Chairman and members of the Tribunal, for which no express provision is available in these rules, shall be determined by the rules and orders for the time being applicable to a Joint Secretary to the Government of India belonging to the Indian Administrative Service.”**

18. Omission of rule 24. – In the principal Rules, rule 24 shall be omitted.

By order and in the name of the  
Lieutenant Governor of the National  
Capital Territory of Delhi.


  
(S.C. BHARDWAJ)

Deputy Secretary (Cooperation)

Copy forwarded for information and necessary action to: -

1. The Principal Secretary, G.A.D., Govt. of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi with one spare copy for its publication in the Delhi Gazette Part-IV (extraordinary) in today's date.
2. The O.S.D. to L.G., Raj Niwas, Delhi.
3. The Secretary to Cooperative Minister, Govt. of NCT of Delhi, Delhi Secretariat, New Delhi
4. The O.S.D. to the Chief Secretary, Govt. of NCT of Delhi.
5. The Principal Secretary (Law & Judicial) Govt. of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi.
6. The Principal Secretary (Services), Govt. of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi.
7. The Registrar Cooperative Societies, Govt. of NCT of Delhi, Parliament Street, New Delhi-110001.
8. Website.
9. Guard File

Diary No. 1740 Dated 12/8/9  
O/o the Registrar Cooperative Societies  
Govt. of Delhi Parliament Street,  
New Delhi

  
(S.C. BHARDWAJ)

Deputy Secretary (Cooperation)