

HIMACHAL PRADESH BOARD OF DEPARTMENTAL EXAMINATIONS  
DEPARTMENTAL EXAMINATION OF OTHER GAZETTED OFFICERS OF  
HIMACHAL PRADESH.

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APRIL 2014

Time Allowed: 3 HOURS

MAXIMUM MARKS: 100

PAPER-4

CO-OPERATIVE LAW

*Note:-*

1. *Attempt any five questions.*
2. *All questions carry equal marks. Do quote relevant law in support of your answer.*
3. *The answers should be in your own words and bare reproduction of relevant sections of Act/Rules should be avoided.*
4. *Books allowed: Bare Acts and Rules.*

*- H.P. Cooperative Societies Act, 1968 (Act No. 3 of 1969)*

*- Himachal Pradesh Cooperative Societies Rules, 1971*

Q.No. I:

- (a) How is an order of Liquidation different from any other order passed under the H.P. Co-operative Societies Act, 1968? What are the main features of such an order? (10)
- (b) Do you think the Directive of not charging any interest on Bank CCLs / loans of a co-operative society under liquidation is reasonable and justified? Discuss the *pros* and *cons* of this practice. (10)

Q.No.II:

- (a) Has the provision of surcharge proved to be an effective deterrent in preventing frauds and misappropriations in co-operatives? How can this be used more effectively to deal with the malpractices prevalent in co-operatives? (10)
- (b) Give a brief history of co-operative legislation in India with

special reference to our state. (10)

- Q.No. III:** (a) Under what conditions can an Administrator be appointed in a co-operative society? Do you think this provision has been properly used in Himachal Pradesh? (10)
- (b) What do you understand by the term '*Body Corporate*'? (10)

- Q.No. IV:** (a) What change has been brought about in co-operative law by the 97<sup>th</sup> Constitutional amendment? (10)
- (b) What is the difference between a regular, nominal and an associate member in a co-operative society? (10)

- Q.No. V:** Write short notes on any two of the following:
- (a) Powers of the Registrar to give directions to a co-operative society
- (b) Bar on jurisdiction of Courts
- (c) Difference between Appeal, Review and Revision (10X2)

- Q.No. VI:** (a) What is the procedure laid down for conduct of elections to the managing committee of a primary and a secondary level co-operative society in Himachal Pradesh? Do you think the changes made in election law in recent times have led to more democratic and free & fair elections in co-operatives? (20)

- Q. No. VII:** (a) Do you think the mechanism for settlement of disputes under the H.P. Co-operative Societies Act, 1968 is effective and expeditious? What are the constraints in speedy disposal of such disputes? (10)
- (b) Do you believe that the quality of audit of co-operative societies has deteriorated over the years? If so, what are the reasons? Do

you think outsourcing is the answer to make audit more effective?  
(10)

**Q. No. VIII:** Write notes on the following:

1. Self-reliant Co-operative Societies Act
2. Execution proceedings (10X2)

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