

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

APRIL 2016

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) Give a brief history of Cooperative legislation in India with specific reference to Himachal Pradesh. (10)

b) What are the main features of the 97th Constitutional Amendment? (10)
Do you think this amendment has been proving effective in changing the face of co-operatives in India?

Q. No. II:

a) Describe the procedure laid down for the registration of a Co-operative society under the H.P. Cooperative Societies Act. (10)

b) Under what conditions can the registration certificate of a society be cancelled. (10)

Q. No. III:

a) What are surcharge proceedings? What are the grounds on which these can be started? What are the important things that should be kept in mind while conducting these proceedings? (10)

b) What is the role of the Registrar in laying down the service conditions of employees in co-operative societies? Do you think co-operatives should be given more freedom in this regard? (10)

Q. No. IV: a) Describe the procedure presently in vogue for conducting the elections to the Managing committee of a primary cooperative society? (10)

b) Which types of disputes can be referred to arbitration? What is the procedure to be followed while disposing them? (10)

Q. No. V: a) Under what circumstances is a cooperative society directed to be wound up? What is the procedure for its winding up? How is an order for winding up different from other orders issued under the Act? (10)

b) What are the main reasons for the delay in finalization of liquidation proceedings? Suggest some ways through which early completion of such proceedings can be ensured. (10)

Q. No. VI: Write short notes on any two of the following with reference to Cooperative Societies Act / Rules:- (10+10)

i) Appropriation of profit in a co-operative society.

ii) Removal of a managing committee by the Registrar.

iii) Cooperative Education Fund and its administration

Q. No. VII: a) What are the circumstances under which a person can be debarred from holding an office in a cooperative society? Do you think this provision should be used more often given the irregularities being committed in the co-operatives? (10)

b) Under which provisions of the Act/Rules can the property of a person be attached? What is the procedure for such an attachment? (10)

Q. No. VIII: a) What is the distinction between an Appeal, a Review and a Revision? Do you think there is a need for setting up a Co-operative Appellate Tribunal in H.P. in view of rising litigation? What advantages will it have? (12)

b) Do you think the avenues available for investment of funds by a co-operative society under the Act / Rules are adequate or do they require any changes to give more flexibility to them in view of the wider investment opportunities now available? (8)

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