

**HIMACHAL PRADESH BOARD OF DEPARTMENT EXAMINATIONS,
DEPARTMENTAL EXAMINATION OF OTHER GAZETTED OFFICER OF H. P.**

DECEMBER 2018

Time allowed :3 hours

Maximum Marks: 100

PAPER-4

COOPERATIVE LAW

Note:-

1. Attempt any five questions.
2. All questions carry equal marks, Do quote relevant law in support of your answers.
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
 - Himachal Pradesh Cooperative Societies Rules, 1971.

Q.No.1: (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? Do you think this amendment is proving effective in changing the face of cooperatives in India? (10)

Q.No.2: (a) Write short notes on any two of the following with reference to Cooperative Societies Act and Rules: (10+10)

1. Appropriation of profit in a Cooperative Society.
2. Removal of management Committee by the Registrar.
3. Cooperative education Fund and its administration.

Q.No.3: (a) What is surcharge proceeding? What are the grounds on which this can be initiated? What are the important points to be kept in mind while conducting this proceeding? (10)

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

Q.No.4: (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)

Q.No.5: 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) Execution proceeding. (10+10)

Q.No.6: Write notes on the following:

(a) Describe the procedure presently in vogue for conducting the elections to the Managing Committee of primary cooperative societies? (10)

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

Q.No.7: Write notes on the following:

(a) Under what circumstances an Administrator is appointed in a cooperative society? Do you think this provision is being properly implemented in Himachal Pradesh? (10)

(b) What do you understand by the term 'Body Corporate'? (10)

Q.No.8: (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 is sufficient to prevent the irregularities being committed in the cooperatives? (10)

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