

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

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MAY 2021

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.
- 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) In the present economic scenario, Do you think that the H.P. Cooperative Societies Act & Rules needs amendments for the sustainability of the cooperative movement in the State. Suggest some practical amendments.  
(10)

**Q. No.2:**

- (a) under what circumstances an Administrator is appointed in a Cooperative Society? Elaborate the role and powers of the Administrator.  
(10)
- (b) What do you understand by the term 'Body Corporate'? Discuss the advantages to a Cooperative Society by becoming a body corporate.  
(10)

**Q.No.3:**

Write short notes on any two of the following:

- (a) Bar on Jurisdiction of Courts
- (b) Difference between Appeal, Review and Revision
- (c) Statutory Funds in Cooperative Societies

(10x2)  
P.T.O.

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**Q.No.4:**

What are execution proceedings? Do you think that by conferring of Collector's powers on Deputy Registrar and Assistant Registrar recently will led to speedy recoveries in Cooperative Sector.

(20)

**Q.No.5:**

What is a 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? Whether surcharge and criminal proceeding can be initiated simultaneously? Please elaborate.

(20)

**Q.No.6:**

(a) Please discuss the recent amendments carried out in the H.P. Cooperative Societies Act, 1968 consequent to 97<sup>th</sup> Constitutional Amendment, especially regarding amendment of Bye-Laws and Statutory Audit.

(10)

(b) How an order of Liquidation is different from any other order passed under the H.P. Cooperative Societies Act, 1968? What are the main features of such an order?

(10)

**Q.No.7:**

Write short notes on any two of the following:-

1. Removal of management committee by the Registrar
2. Cooperative Education Fund and its administration
3. Appointment of Managing Committee Members by Registrar u/s 34-A of the H.P. Cooperative Societies Act, 1968

(10x2)

**Q.No.8:**

Write notes on the following:

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

(10)

(b) Describe the procedure presently in vogue for conducting the elections to the Managing Committee of Primary Cooperative Society?

(10)