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with

Eng./GK/Reasoning

READING & DICTATION
EXERCISES FOR
SPEED DEVELOPMENT

Reading and Dictation Passages have been marked for 20 words each, so that the same can be dictated for 80 to 160 wpm speed

Education Ex. 1-12

Exercise 1

I am very happy to be present here today for opening the new building of your University. All that you have said about this new University, which is only six years old, is commendable in many respects. Although you have not had adequate equipment and the necessary wherewithal in the beginning, these serious shortcomings did not discourage you. In right earnest you started the work. One might feel sorry, but I am sure no one will feel surprised to know that in its seventh year this University does not possess departments in subjects like Sanskrit and English on the side of arts, and physics, chemistry, anthropology and geology on the side of science. I need not say much about the importance of the Sanskrit language which, besides having its own vast treasure house of knowledge, is the mother of the present-day Indian languages of the North. The study of English language and literature is also essential for a university student, for it is a language which many in our country have been cultivating for the last 200 years and which is recognised as a medium of international expression by virtue of its being the language of a number of countries.

Equally important is the study of chemistry and physics which are in a way the basic sciences which go to form the foundations of all technical and scientific knowledge. As for anthropology and geology, these two subjects have special significance for your State. Inhabited as your State is by a number of tribal people speaking different tongues and having different customs, and possibly belonging to different ethnic groups, no other State in India provides such favourable conditions and opportunities for the study of anthropology as yours. In respect of geology also, I feel that its study should have special importance for the University of Gauhati, for the benefit of not only Assam but the whole country. Assam is so rich in mineral wealth, which is yet to be tapped. And so far as the production of oil goes, your State has its virtual monopoly in India. I am glad you have not been discouraged by these shortcomings, but you are endeavouring to create department in these subjects as early as possible. I have not the least doubt that the Government of India will on their part, do all that is possible to enable you to do so.

COMMENDABLE: appreciable; WHEREWITHAL: means; ANTHROPOLOGY: study of mankind; ETHNIC: racial.

Exercise 2

I must congratulate you on maintaining high academic standards in your University. It has been said in certain quarters that for the last few years some of our universities have relaxed their standards. I cannot say how far it would be correct to say so, but if there is that much truth in it, this trend is to be deplored and discouraged, because universities must always look ahead and after imparting education, must, of necessity, be upright, even strict, in the matter of conferring degrees, distinctions or honours. You have done the right thing in sticking to this ideal from the very beginning. I am one with you that in order to be fully useful to the people for whom a university serves, it ought to be a teaching body. I am glad that in your planning you have kept this point in view. I hope the building for which you have been good enough to invite me to open today, marks the beginning of your undertaking in that direction.

Apart from imparting education, which is after all the real aim of a university, it will also help you to coordinate and centralize your academic activities. What has particularly pleased me in the Vice-Chancellor's address is his reference to the fact that your University is likely to provide a great meeting place for the different racial and linguistic groups inhabiting Assam. My own view is that a University, besides being a seat of learning, should also be a centre of real cultural activity. For the mixing of people professing different faiths, speaking different tongues and having different customs and traditions, no other place can be more suitable than a university. This is because a university is singularly free from any kind of bias and the din and turmoil of politics. It provides an ideal atmosphere for all people to come close together and understand each other. I need hardly point out that you will be rendering a great service not only to your State but to the whole of India, if you keep this objective before you. You will have rendered a great service to the nation if by sticking to your resolve you succeed in bringing all these groups together by providing them equal opportunities, thereby promoting mutual understanding and the good of all. I am thankful to the Vice-Chancellor for having invited me to open this building and for giving me an opportunity to address you today. I wish your University a bright future and hope it will succeed in tiding over the difficulties and will be counted as one of India's great seats of learning and education.

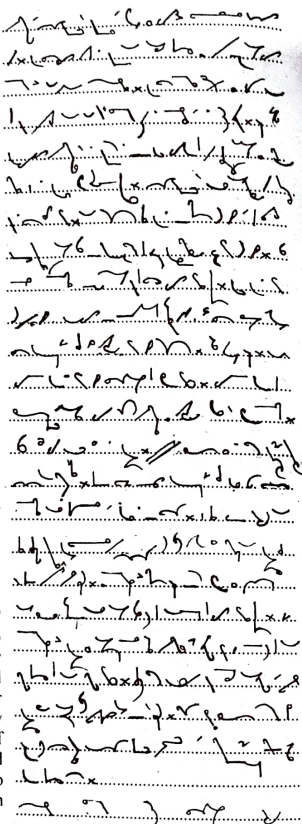
DEPLORED: blameworthy; IMPARTING: communicating; RACIAL: based on races; LINGUISTIC: adj. of language.

Exercise 3

Reproduction and multiplication of books and other things is one of the characteristics of modern age. If someone wrote a ²⁰ book in ancient times, the writer could have only one copy of the hand-written manuscripts. If more copies were ⁴⁰ required, the whole thing had to be rewritten in hand by a scribe, which was an expensive and an arduous ⁶⁰ job. Today, on the other hand, if we want reproductions of a book or a given event, we have at ⁸⁰ our disposal not only the printing press but a few other scientific devices. Multiplication of things in the present age ¹⁰⁰ appears to be a mere child's play. In earlier days if a good drama was staged and it happened to ¹²⁰ gain popularity, only those could benefit from it who were physically present when that play was staged. That is because ¹⁴⁰ the actors could not manage to be at more than one place at a time. Even if a play was ¹⁶⁰ re-staged, no one could guarantee that it would be rendered with the same skill and have the same effect on ¹⁸⁰ the audience as the original play staged earlier. All that has changed today. Now we can have a play staged ²⁰⁰ simultaneously at several places. We can have it cinematographed and in this way also reproduce the original voice of every ²²⁰ actor. This is what is generally known as a film.

Cinema is a very powerful medium for projecting ideas. It ²⁴⁰ can create excellent effect on the audience if it has well-groomed actors, nice dialogues and conveys a good moral. ²⁶⁰ But it is equally potential in its destructive powers if the characters are immoral so that their life, as portrayed ²⁸⁰ in films, tends to degrade rather than raise society. The capacity of the drama to do good or evil is ³⁰⁰ limited in the sense that it can influence only those who see it enacted at one place at a time. ³²⁰ But the capacity of the film is unlimited because of its reproductions and the large number of people who can ³⁴⁰ see it any number of times at any number of places. It is, therefore, very necessary to be cautious in ³⁶⁰ the production and use of films in order to ensure that they are utilized for the good of society. Broadly ³⁸⁰ speaking, cinema may be said to have three main objectives, namely, education, recreation and propaganda and these have utmost importance. ⁴⁰⁰

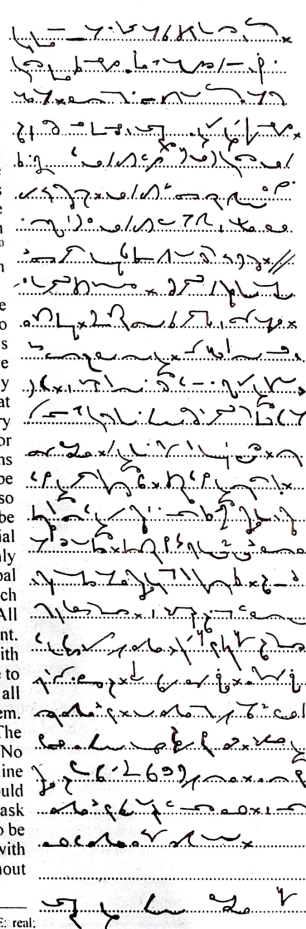
MANUSCRIPT: hand written document; SCRIBE: writer;
ARDUOUS: difficult; SIMULTANEOUSLY: at the same time;
POTENTIAL: latent strength.



Exercise 4

After all, books can give only a part of the knowledge which is desirable for man to acquire. Far ²⁰ more than books, it is the experience, the contacts and the environments which go to constitute an individual's knowledge. Cinema ⁴⁰ can be a great help in acquiring knowledge from all these different sources because it can extend to incredible limits ⁶⁰ the field of our visual and auditory experience. It is a truism that things which we see with our own ⁸⁰ eyes influence us far more than things which we hear from other's mouth. Things which we see on the screen ¹⁰⁰ may not be leaving as lasting an impression on us as things which we see in our actual life, but, ¹²⁰ nevertheless, scenes of the screen are more effective than description read in print or heard through ears.

As for recreation, ¹⁴⁰ it is also of many kinds. There is recreation which besides being entertaining is also educative. There can also be ¹⁶⁰ something which is recreative but morally injurious. I cannot claim to have seen many films. Actually, I have not had ¹⁸⁰ many occasions to see them. But I am told by many a friend that quite a number of our films ²⁰⁰ belong to the latter category and that far from being a genuine source of recreation or education, they only stimulate ²²⁰ sensuousness. Much films have a particularly bad effect on younger minds. May be that such films are more popular than ²⁴⁰ others. It is also possible that such films may be more paying. It might be said by some that films ²⁶⁰ are produced on a commercial basis and, therefore, the producers have to produce only what is in demand. It may ²⁸⁰ also be said that the principal function of the cinema is to provide entertainment, in which case producers have to ³⁰⁰ be guided by popular taste. All these good points might be put for the sake of argument. But I would ³²⁰ like to point out to those connected with cinema industry that if they want to render real service to ³⁴⁰ the public, and I do believe it should be their ideal, all these arguments should be of little consequence to ³⁶⁰ them. At any rate, these are secondary considerations. The primary consideration must be service of the people. No service can ³⁸⁰ be real unless it safeguards the genuine interests of those who are sought to be served. I would request film ⁴⁰⁰ producers to think over this and ask themselves as to what their real aim is. The aim has to be ⁴²⁰ service of the people, which is not incompatible with commercial success. But commercial success without service is hardly worth anything. ⁴⁴⁰



INCREDIBLE: unbelievable; VISUAL: seen by naked eye; GENUINE: real;
SENSUOUSNESS: controlled by senses; IDEAL: objective aimed at

Exercise 5

My interest in basic education, goes back to the day when Mahatma Gandhi convened a conference at Wardha for discussing ²⁰ this subject. A few prominent educationists and workers in the cause of national education had also been invited to attend ⁴⁰ this conference. I have been in touch with the progress of this system of education ever since. I am, therefore, ⁶⁰ happy to have got this opportunity to come here and speak to you about what I feel about this problem. ⁸⁰ although I know I might be repeating the views expressed by me earlier. It is also likely that the views ¹⁰⁰ which I express are not in consonance with those of others, particularly of educationists. Besides, it is also to be ¹²⁰ seen how far my views fit in with the policy which is being pursued by the Central and State Governments ¹⁴⁰ in this connection and how far it is practicable to modify that policy. Therefore, I hope what I am going ¹⁶⁰ to say will be taken as my personal opinion and that you will discuss it as such with an open ¹⁸⁰ mind without fear or favour. It will be agreed that the system of education, right from the first primary class ²⁰⁰ to the highest university course, which we are following today, is the same as introduced by the British Government in ²²⁰ this country.

We have not been able to introduce any fundamental change in that system even after the attainment of ²⁴⁰ Independence. It is pointless to blame anyone for it, because the peaceful manner in which the transfer of power took ²⁶⁰ place made it inevitable that along with the governmental machinery and other things, the system of education should also come ²⁸⁰ to us as a heritage of the old regime. It is now our duty to give thought to each one ³⁰⁰ of these problems and decide in the light of present-day condition how they can be solved, and then to ³²⁰ act upon what we have decided. There is no doubt that in introducing this system of education, the principal motive of ³⁴⁰ the British Government was to secure as much advantage as possible for establishing itself in this country. The Britishers also ³⁶⁰ thought that as compared to their own culture and literature there was nothing much in Indian culture and literature which ³⁸⁰ might be said to be worth preserving. There is no doubt, in course, of time their views underwent some change. ⁴⁰⁰

IN CONSONANCE: in harmony. HERITAGE: to get from the past

Exercise 6

The progress of science in Europe meanwhile confirmed them in their view that scientific education could be imparted only through ²⁰ the medium of English. Consequently, partly for the sake of administrative convenience and partly to propagate their own language and ⁴⁰ culture they stick to their own system of education which they introduced in this country. There is no doubt that ⁶⁰ the education received by our earlier generation was based on this very system. Those people knew little of Indian literature ⁸⁰ or culture and hardly felt drawn towards it, although a few Indian scholars who were inspired by English education did ¹⁰⁰ study Indian literature and wrote a good deal in praise of it. Thus we find two schools of thought in ¹²⁰ this country. The followers of one school believe that our own language alone can be the medium of education and ¹⁴⁰ until that is done, education is bound to remain confined to a small section of society and will never spread ¹⁶⁰ among the masses. The other school of thought thinks that in this scientific age our country cannot cut itself adrift ¹⁸⁰ from European thought and that at least higher education should continue to be imparted through the medium of English. If ²⁰⁰ that is not done, they argue, we shall fail to pull our weight and lag behind other nations in the ²²⁰ race for material progress. These views, as a matter of fact, apply not only to the medium of instruction but ²⁴⁰ actually to the whole system of education.

Our people have responded more and more to the call of education during ²⁶⁰ the last 50 years and this is evident from the phenomenal increase in the number of educational institutions. In 1911-12 ²⁸⁰ when Burma and Pakistan were also part of India, there were 186 Universities and colleges in India, as ³⁰⁰ compared with 537 in 1948-49, though Burma and Pakistan had separated, leaving India smaller ³²⁰ in area and population. It is clear from the figures that there is a widespread demand for educational facilities. This ³⁴⁰ demand is no longer confined to towns alone, but is evident among people of the rural areas also. One result ³⁶⁰ of this spread of education has been that many educated people find themselves unemployed. Government jobs and service in private ³⁸⁰ undertakings offer limited openings for the educated. Only a small fraction of successful scholars can be absorbed in them. ⁴⁰⁰ A large majority of the educated are averse to taking up their parental occupations. As a result of their education, ⁴²⁰ they have lost the capacity to take up those occupations and they are not equipped to follow any other either. ⁴⁴⁰

ADRIFT: to go aside; PHENOMENAL: huge.

Exercise 7

Mahatma Gandhi who had anticipated all this, thought that this system of education which is so expensive would not do ²⁰ if education was to be brought within the reach of every Indian, rich or poor. He, therefore, thought of a ⁴⁰ new system of education which has come to be known as Basic Education, and which Indian and foreign educational experts ⁶⁰ have declared to be highly useful. According to Gandhiji, as far as I understood him, there are two basic merits ⁸⁰ in this new system. Firstly, education under this system is imparted not merely through books but through some kind of ¹⁰⁰ practical work so that the knowledge which children acquire will not be the result of mere memorising but of actual ¹²⁰ experience. He thought, and some of the leading educationists were at one with him, that knowledge acquired in this way ¹⁴⁰ created a degree of consciousness, efficiency and a feeling of self-reliance, all of which would come handy to one when ¹⁶⁰ starting life.

Secondly, the other merit in this system, according to him, is that it brings education for all within ¹⁸⁰ the pale of practical possibility, because the handicraft on which children would be working would bring some return in terms ²⁰⁰ of money which would go, at least in part, to meet the expenses of their education. He was convinced that ²²⁰ unless young scholars made this contribution towards their own education, universal education in India would never be possible. The result ²⁴⁰ of all the discussions and experimentation in the field of education during the last 16 or 17 years is, in ²⁶⁰ my opinion, the same that we arrived at in our discussions in the first Conference held at Wardha. Educationists had ²⁸⁰ admitted the utility of the new system but considered children's contribution towards their education as not only impossible but undesirable. ³⁰⁰ Our experience, on the other hand, has demonstrated both the utility as well as the practicability of the system. My ³²⁰ remarks are essentially with reference to primary and secondary education. Little has been done so far to apply this system ³⁴⁰ to higher education. It is not, therefore, possible to say anything about it on the basis of experience. In spite ³⁶⁰ of all that has been done in this field so far, it is a pity that this system has not ³⁸⁰ received the encouragement which it deserved and which we could have given it after achieving Independence from the British rule. ⁴⁰⁰

ANTICIPATED: predicted; CONSCIOUSNESS: awareness.

Exercise 8

As far as I can say, the reason is that although the utility of the new system has been proved, ²⁰ our faith in the old system of education remains unshaken. That is also why most of those who are engaged ⁴⁰ in the work of education have not given much thought to the new system. All that we can say is ⁶⁰ that even today the new system has not gone beyond the experimental stage. Our Government has not decided to popularise ⁸⁰ it as a part of its constructive programme, let alone doing anything practical for it. I know that in the ¹⁰⁰ various conferences we have had so far, resolutions have been adopted in favour of it and Government agreed that the ¹²⁰ new system should be adopted, but actually it has not been done. Consequently, educational institutions of the old type are ¹⁴⁰ daily increasing and whatever budgetary provision Government makes under the head "Education", is spent mainly on keeping the old system ¹⁶⁰ of education intact. Naturally, the new system has received little encouragement. My own view is that unless fundamental changes are ¹⁸⁰ made in the current system, the sad state of affairs that we see today will become sadder. The feeling of ²⁰⁰ discontent among the educated and their utter dissatisfaction with life will continue to grow. I would, therefore, urge that all ²²⁰ those concerned with the education of children, our educationists, universities and the governing bodies of colleges and schools, Education Ministers, ²⁴⁰ etc., should give not only theoretical consideration to this problem but do something practical to change the present system of ²⁶⁰ education. Unless this is done the problem would become more and more complicated. I am very happy that the Talimi ²⁸⁰ Sangh has been carrying on its work undeterred by difficulties. I cannot say that its activities have influenced educational trends ³⁰⁰ in the country to any considerable extent, but I must admit that whatever is being done by it, is of ³²⁰ great value to the country. Its usefulness would be realised when, sooner or later, compelled by circumstances, we shall have ³⁴⁰ to introduce fundamental changes in the system obtaining today. At that time the experience acquired by workers of the Talimi ³⁶⁰ Sangh will come handy. As I said earlier, our experiment in the sphere of primary and secondary education has been ³⁸⁰ successful and we can confidently recommend the new system to our countrymen at these two stages. We cannot say the ⁴⁰⁰ same in respect of higher education in view of the inadequacy of our experience. Therefore, I attach great importance to ⁴²⁰ your work. I hope the unfavourable atmosphere will not detract your workers and they would continue to do their job. ⁴⁴⁰

UNDETERRED: not discouraged; DETRACT: to take away.

Exercise 9

Since Independence considerable interest has been shown by the States, individuals and voluntary agencies in the field of education. Educational facilities are being gradually extended to the remotest corners. Burden of tuition fees is being sought to be lessened, especially ⁴⁰ for the weaker sections of our people. More attention is being given to education of girls and for providing technical, ⁶⁰ scientific and professional instruction. Nevertheless, I must confess, I am far from happy with the progress we have made or ⁸⁰ the direction our educational programmes have taken. Equal opportunity in the full and true sense does not exist. Even though the Government gives merit scholarships to the deserving children of low income group to enable them to take advantage of ¹²⁰ public school education, the portals of our best institutions have for all practical purposes, remained the preserve of the affluent ¹⁴⁰ few. We have witnessed a proliferation of educational institutions but the curriculum is more or less a legacy of the ¹⁶⁰ times of Lord Macaulay. We have spent much energy on issues of language and medium of instruction and yet what ¹⁸⁰ has emerged is mostly clouds of controversy. We have not been able to evolve any system whereby our young boys ²⁰⁰ and girls after finishing their studies, can come out of their schools and colleges, with any measure of self-confidence to ²²⁰ face the realities of life and to undertake their responsibilities as responsible citizens and custodians of the future.

Standards of ²⁴⁰ discipline and physical fitness have also noticeably fallen. It is not too late to make a dispassionate re-appraisal. The educational ²⁶⁰ system has to be relevant to the society in which we live. Our children are the greatest asset of the ²⁸⁰ nation. The future of the country depends on them. And how safe the country's future will be in their hands ³⁰⁰ depends, in turn, on the character and capabilities that our education system and our educational institutions instil, inspire and build ³²⁰ in them. Towards this end our educational pattern has to be restructured so as to meet the challenge of our ³⁴⁰ times. It should be flexible enough to adjust to the changing requirements lest it should get fossilized. We cannot afford ³⁶⁰ to pursue old methods in the changed situation. If we want to build a brighter and better India, we should ³⁸⁰ start at the school level, by training our girls and boys to be useful and worthy citizens of the motherland. ⁴⁰⁰

PORTALS: doors, gateways; AFFLUENT: wealthy; PROLIFERATION: growth; APPRAISAL: evaluation; FOSSILIZED: remains of an object

Exercise 10

There is need in our schools and colleges for greater attention to professional and job-oriented courses of instruction so ²⁰ that our children can look forward to the future with confidence and hope and may not be pained with uneasy ⁴⁰ feelings of uncertainty and frustration as confront them today. There is also need to devote greater attention to sports and ⁶⁰ games for the play-fishes, help in building not only the body but also inculcate discipline and capacity to lead. ⁸⁰ Our educational system needs to be so rearranged that while we instilling our young boys and girls ethical values ¹⁰⁰ and respect for religion yet irrespective of the faith which they profess, they grow into good citizens with broad-minded, ¹²⁰ generous and catholic attitude, treating all their fellow men as members of one large family, without inhibitions of class or creed ¹⁴⁰ or material fortunes. For a vast country like ours with many languages, many religions and in a sense many cultures, ¹⁶⁰ education must help to bring about a synthesis of them all and foster a sense of togetherness and thereby contribute ¹⁸⁰ to national integration and harmony. Very often the question is asked whether the Public School system is in harmony with ²⁰⁰ the society in which we live?

The Public School system have undoubtedly, rendered great service to the country in the past ²²⁰ and can also contribute much in the years ahead but the institution has to undergo reorientation in its objectives and ²⁴⁰ a basic change in its concept of exclusiveness. It has to be recognised that Public Schools have afforded the flowering ²⁶⁰ of personality and building of character of its children and many of our illustrious sons have been the products of ²⁸⁰ such institutions. The times have changed. If the Public School system is to continue and prosper, and be meaningful and ³⁰⁰ I would go further, if it has to have any place in our society, it must ensure that admission of ³²⁰ students is not restricted only to those who come from the affluent strata of society and who can afford to ³⁴⁰ spend lavishly. The intelligent and deserving students, irrespective of their social and financial status, must find an opportunity for admission ³⁶⁰ to these institutions. To be precise and practical, firstly, a certain percentage of admissions should be reserved for bright students ³⁸⁰ of less fortunate parents, and secondly, a certain percentage should also be earmarked for average students of the so-called ⁴⁰⁰ common people. We have vast talent lying untapped in our sprawling rural backwaters, and this talent must be harnessed ⁴²⁰ for the overall good of the country. The country is facing many problems. But there are many opportunities as well. ⁴⁴⁰

ETHICAL: morally. SYNTHESIS: blending.
ILLUSTRIOUS: renowned. EARMARKED: specified for a
purpose. HARNESSSED: utilize for motive power.

Exercise 11

Mr. Chairman, Sir, I rise to support the demands of the Minister of Education, Social Welfare and Culture. I have ²⁰ always stood for certain values. Education has always been a moving spirit in the reconstruction of the nation. In all ⁴⁰ the developing countries of the world, the national leaders have always been the students of the universities. Educated men are ⁶⁰ like drivers of a bus who can see farther away than the driver of the car. I have always pleaded ⁸⁰ that there should be uniformity in education. Education should be within the easy reach of everybody. I say this because ¹⁰⁰ there are a number of public schools; and everybody cannot afford to get public school education. There should be compulsory ¹²⁰ education up to the age of 14; and the boys and girls, regardless of caste, creed or religion should be ¹⁴⁰ screened and provided all help. Equal opportunities should be given to all sections of the community. Education is the greatest ¹⁶⁰ instrument for national integration. It is the greatest force behind the New Education Programme of our Prime Minister. Educational institution ¹⁸⁰ are like workshops where characters are built and minds are moulded. We want men of character. Therefore, education in our ²⁰⁰ schools should aim at developing character. I have to point out that our country's educational system has always been governed ²²⁰ by trial and error. We find that changes are made frequently. There should be a consistent system of education, right ²⁴⁰ from the primary stage. It is not just like picking up a flower from one bush and leaves from another, ²⁶⁰ and expecting the combination to grow into a living plant. It does not work that way. If there is no ²⁸⁰ uniform standard of education, it will be difficult for students of a University in one State to get admission in ³⁰⁰ a University in another State, or within the same State. There is also a proposal to hold the Union Public Service ³²⁰ Commission Examinations in regional languages. I am afraid that with the present fabric of national character based ³⁴⁰ on regionalism, it will be a retarding effect on our national efforts, because if Tamil is supposed to be the ³⁶⁰ medium of examination, then a Tamil Examiner will always be interested in having the maximum intake from Tamil Nadu. ³⁸⁰ Bengalis will prefer Bengalis and so on. Obviously, it will mean a reduction in standards. There will be no uniformity. ⁴⁰⁰

UNIFORMITY: sameness. RETARDING: make slow or delay

Exercise 11

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Exercise 12

In the list of the New Education Programme of our Prime Minister, in which the maximum emphasis has been ²⁰ laid on the development of the weaker sections of the society, I would like to know the proposals of the ⁴⁰ Ministry of Education in this direction for the Scheduled Castes and Scheduled Tribes. Have they brought vocational and technical education in ⁶⁰ the undercharge field of training within the easy reach of the Scheduled Castes and Scheduled Tribes? What we know and we ⁸⁰ find in practice that there are certain sectors where the Scheduled Castes and Scheduled Tribes are not at all trained and ¹⁰⁰ although the posts are always invariably reserved for Scheduled Castes and Scheduled Tribes, they finally report that no candidate from the ¹²⁰ Scheduled Castes or Scheduled Tribes has emerged. The Education Ministry, therefore, will have to seriously think of having training of Scheduled ¹⁴⁰ Castes and Tribes and for that matter, of the weaker sections of the society and the community as a whole ¹⁶⁰ in different undercharged field of training. Even where candidates belonging to the Scheduled Castes and Scheduled Tribes are available in abundance, ¹⁸⁰ they report that no suitable candidate is available. That is why I again plead that there should be uniform standard ²⁰⁰ of education throughout the country, in all the Universities and in all States. Then, if possible, education should be ²²⁰ made a Central subject.

Now I come to the Department of Sports. Before I deal with the subject of sports, ²⁴⁰ I would like to draw the attention of the Education Minister to two points, one of which relates to the ²⁶⁰ Ministry of Education and the other to the Department of Culture to commemorate the memory of a great scientist of ²⁸⁰ our country, the late Professor Bose who is no more with us, an institute has been formed in Calcutta. I ³⁰⁰ think the Education Minister is well aware of the fact that, in spite of the formation of this Institute, sufficient funds ³²⁰ have not been allotted to it either by the University Grants Commission or the Central Government, to run that institution ³⁴⁰ in a manner which was the dream of the late Professor Bose. I wish and hope that the Education Minister ³⁶⁰ will take note of it. Having made these two requests, I will now deal with the subject of Sports which ³⁸⁰ is not properly looked after in our country. We are a country with 1/5th of the population of ⁴⁰⁰ the world, a country which is well advanced in science, technology and electronics, a country which is under the leadership of ⁴²⁰ a very able Prime Minister, who is well known throughout the world. Yet the standard of sports here is gloomy. ⁴⁴⁰

Exercise 12

In the list of the New Education Programme of our Prime Minister, in which the maximum emphasis has been laid on the development of the weaker sections of the society, I would like to know the proposals of the Ministry of Education in this direction for the Scheduled Castes and Scheduled Tribes. Have they brought vocational and technical education in the undercharge field of training within the easy reach of the Scheduled Castes and Scheduled Tribes? What we know and we find in practice that there are certain sectors where the Scheduled Castes and Scheduled Tribes are not at all trained and although the posts are always invariably reserved for Scheduled Castes and Scheduled Tribes, they finally report that no candidate from the Scheduled Castes or Scheduled Tribes has emerged. The Education Ministry, therefore, will have to seriously think of having training of Scheduled Castes and Tribes and for that matter, of the weaker sections of the society and the community as a whole in different undercharged field of training. Even where candidates belonging to the Scheduled Castes and Scheduled Tribes are available in abundance, they report that no suitable candidate is available. That is why I again plead that there should be uniform standard of education throughout the country, in all the Universities and in all States. Then, if possible, education should be made a Central subject.

Now I come to the Department of Sports. Before I deal with the subject of sports, I would like to draw the attention of the Education Minister to two points, one of which relates to the Ministry of Education and the other to the Department of Culture to commemorate the memory of a great scientist of our country, the late Professor Bose who is no more with us, an institute has been formed in Calcutta. I think the Education Minister is well aware of the fact that, in spite of the formation of this Institute, sufficient funds have not been allotted to it either by the University Grants Commission or the Central Government, to run that institution in a manner which was the dream of the late Professor Bose. I wish and hope that the Education Minister will take note of it. Having made these two requests, I will now deal with the subject of Sports which is not properly looked after in our country. We are a country with 1/5th of the population of the world, a country which is well advanced in science, technology and electronics, a country which is under the leadership of a very able Prime Minister, who is well known throughout the world. Yet the standard of sports here is gloomy.

Exercise 13

I welcome you all to this very important meeting of the National Commission on Population. At the outset,²⁰ I must thank each one of you for accepting our invitation to be members of this very important Commission. We have²⁰ an important national task to address and I urge everyone to pay the highest attention to the issues at hand.⁴⁰ One of the key challenges facing India today is stabilising our population. A population which stood at 36 crores in⁸⁰ 1951 is now around 120 crores. Current trends indicate that it is expected to touch 140 crores¹⁰⁰ by 2026. By all estimates, we will end up as the world's most populated country in the¹²⁰ next few decades. While we all can agree that human resource is an invaluable asset in economic and social development,¹⁴⁰ there are limits to the population that our environment can sustain in the long run, particularly in view of our desire¹⁶⁰ to achieve higher standards of living. Therefore, sustainability of development processes requires a degree of population stabilisation.

However, we must not¹⁸⁰ mistake population stabilisation to be population control. There is widespread consensus that population stabilisation entails a holistic, comprehensive²⁰⁰ approach towards education and health care, particularly of our women and children. Investment in comprehensive health care, coupled with a²²⁰ wider development policy addressing the educational and economic needs of our population together with raising the social status of our women must be²⁴⁰ the key to any population stabilisation strategy. Improvement in health indicators must be understood to be interlinked with indicators²⁶⁰ for literacy, water supply, sanitation, nutrition, housing and incomes. In this context, I believe that unless our population policy is²⁸⁰ integrated with our wider development policy, it can never achieve the objective of population stabilisation within a reasonable time frame.³⁰⁰ I draw your attention to the experience of states like Kerala, Tamil Nadu, Andhra Pradesh, Karnataka and Himachal Pradesh. The link³²⁰ between social and human development and demographic trends is obvious and too stark to ignore. I urge all political parties,³⁴⁰ social activists and policy makers in states with high population growth to study and learn from the experience of these states.³⁶⁰ This meeting offers us a unique opportunity to learn from these states which have served as an example³⁸⁰ in improving their demographic status through a multipronged approach. This approach has to be followed for achieving our goal set future.⁴⁰⁰

There are three aspects of population policy that I wish to draw your attention to. In each of these three areas⁴²⁰ we need a national political and social consensus to move forward. Such a

consensus can be generated by the⁴⁴⁰ distinguished members of this august Commission. First, there has to be a concerted campaign focusing on issues related to welfare of⁴⁶⁰ girls and young mothers. We need to invest in educating the girl child and improving her health and social status.⁴⁸⁰ We need to empower adolescent girls and young women so that they can make informed choices about their lives and the⁵⁰⁰ size of their families. This empowerment played a critical role in accelerating the demographic transition not just in States like⁵²⁰ Kerala and Tamil Nadu, but across the world. Surveys indicate that even now, over half of our young women get⁵⁴⁰ married below the legal age of 18 years. They do not have information or easy access to contraception of any kind.⁵⁶⁰ This has contributed to the demographic pattern of "too early, too frequent and too many children." This is more⁵⁸⁰ prevalent in demographically weaker states. We need to address this problem. Our Government is committed to the full social and economic⁶⁰⁰ empowerment of our women. We have already taken several steps, both legislative and administrative, to widen social opportunities and⁶²⁰ guarantee the economic rights of women.

We are firm in our commitment to gender equality and women's empowerment. This is an⁶⁴⁰ important policy plank of our Government. You should have no doubt about our commitment in this regard. We also need⁶⁶⁰ to understand the role played by families as an effective social safety net. In a country where credible social safety⁶⁸⁰ nets are absent, it is children who form the main pillar of support to their parents in their old age. This,⁷⁰⁰ coupled with high infant mortality rates, compels families to have more children. Having an effective old age care system along with⁷²⁰ a focused drive to reduce infant mortality will, I believe, reduce the incentives for having large families. Empowerment of⁷⁴⁰ women and a holistic approach to reproductive and child care will enable this to happen and I would want greater⁷⁶⁰ attention to be paid to this aspect. Second, in addition to giving focused attention to the welfare of girl child⁷⁸⁰ and women, there has to be a concerted campaign to improve the health and educational status of the entire population⁸⁰⁰ in general. This is particularly important in the less developed regions of our country. While regional imbalances are inherent to⁸²⁰ large, continental countries, in our case the less developed regions also happen to be more densely populated and are critical determinants of the overall demographic status of our country.⁸⁴⁰

CONSENSUS: complete agreement; COMPREHENSIVE: detailed; STRATEGY: decision making approach; ACCELERATION: to speed gradually;

Exercise 14

We have to pursue a more balanced policy of regional development so that adequate employment opportunities are made available²⁰ in the more populated regions of the country. It cannot be a coincidence that the regions that have experienced a⁴⁰ lower rate of economic growth are geographically identical to those with a higher rate of population growth. While analysts can⁶⁰ debate whether it is development that enables the demographic transition, or the other way round, policy makers must deal with the⁸⁰ reality of this imbalance. This means we have to provide new employment opportunities in less developed regions. Since private investment¹⁰⁰ tends to go to better developed regions, the government has to step in to help backward regions. Given the paucity of¹²⁰ state level resources, we have set up a Backward Regions Grant Fund to augment development assistance in these regions.¹⁴⁰

We are also launching the National Employment Guarantee programme to ensure livelihoods in these regions. Not only will these measures enhance employment¹⁶⁰ opportunities and incomes and hence, have an effect on demographic trends, but they will also ensure a higher participation¹⁸⁰ of women in our workforce. It is an accepted fact that increased participation of women in the workforce will ensure²⁰⁰ an earlier demographic transition. While the three pronged approach of focussed attention on women and girls, a general enhancement of²²⁰ educational and health levels and balanced regional development must be the core of any population stabilisation strategy,²⁴⁰ I would also like to draw attention to some aspects of our health programmes. For far too long has the health sector²⁶⁰ been addressed through a series of vertical, disease based programmes. A focused, target driven family planning programme was²⁸⁰ another major programme with poor results. Underlying all this was a general programme to support primary health care. This vertical³⁰⁰ and horizontal fragmentation of health programmes, coupled with a target driven approach to population stabilisation in the past has distanced³²⁰ the entire gamut of health services from the aam aadmi who is the primary stakeholder in any service delivery programme.³⁴⁰ At the same time, a better understanding of health behaviour has led to a move away from targets to an integrated³⁶⁰ approach to family welfare. In this framework, it is essential to breakdown the disease centric walls in our health programmes³⁸⁰ and to increase the stakeholders' role in the management of health sector. This shall be our major programme for future.⁴⁰⁰

Our Government has launched the National Rural Health Mission to facilitate this holistic, participatory, decentralised approach

to our people's health care.⁴²⁰ The Mission, which will function on the basis of a decentralised district plan for health care, will ensure stakeholder participation,⁴⁴⁰ enhanced investments and proper prioritisation. It will provide accessible, affordable, accountable, effective and reliable primary health care to the poor⁴⁶⁰ and vulnerable sections of the population so as to achieve the Goals of National Population Policy & National Health Policy.⁴⁸⁰ The Reproductive and Child Health Programme will be integrated into the Mission and become subsumed in it. I hope that this Mission⁵⁰⁰ does for our health care sector what the Sarva Shiksha Abhiyan is doing for our education sector. Our government is committed⁵²⁰ to increasing the resources committed to primary health care so that there is substantial improvement in all demographic and health⁵⁴⁰ indicators over the next five years. Some of our states have demonstrated that this is possible and we will certainly⁵⁶⁰ ensure that all other states achieve similar results. The National Population Policy affirms the commitment of the Government towards voluntary⁵⁸⁰ and informed choice to citizens availing of reproductive health care services.

The policy also reaffirms our commitment to a target⁶⁰⁰ free approach in administering family planning services. I would like to make it clear that our policy does not encourage⁶²⁰ incentives and disincentives as they have, at best, only a marginal impact and sometimes may even cause resentment and non-acceptance⁶⁴⁰ of the programme. I sincerely believe that coercion of any kind to achieve population stabilisation is unacceptable in a free society.⁶⁶⁰ Our Government's approach places fertility reduction in the broader context of evolving an effective development strategy that focuses its⁶⁸⁰ attention on elimination of poverty, empowerment of women and offers choice in limiting family size. Population stabilisation is only one⁷⁰⁰ aspect of population policy. I do urge you to pay equal attention to the challenge of building capabilities of our people.⁷²⁰ No civilised society can regard any human being as a burden, a liability. Every one of us has a⁷⁴⁰ right to live a decent life. The challenge of population management is to empower people so that those who are perceived⁷⁶⁰ as liabilities can be effectively transformed into assets. A literate, gainfully employed and socially, culturally and economically productive person is⁷⁸⁰ a national asset. In a country of over a billion people, you can imagine what we can do for our⁸⁰⁰ nation by helping empower our people. Investing in human capabilities converts human liabilities into human assets. Therefore, even as our⁸²⁰ population policy focuses on population stabilisation, it must also focus on altering the skill profile of our population in future.⁸⁴⁰

PAUCITY: shortage; FRAGMENTATION: put in small pieces; VULNERABLE: easy to be hurt; COERCION: forcing; ELIMINATION: to end completely.

to our people's health care.⁴²⁰ The Mission, which will function on the basis of a decentralised district plan for health care, will ensure stakeholder participation,⁴⁴⁰ enhanced investments and proper prioritisation. It will provide accessible, affordable, accountable, effective and reliable primary health care to the poor⁴⁶⁰ and vulnerable sections of the population so as to achieve the Goals of National Population Policy & National Health Policy.⁴⁸⁰ The Reproductive and Child Health Programme will be integrated into the Mission and become subsumed in it. I hope that this Mission⁵⁰⁰ does for our health care sector what the Sarva Shiksha Abhiyan is doing for our education sector. Our government is committed⁵²⁰ to increasing the resources committed to primary health care so that there is substantial improvement in all demographic and health⁵⁴⁰ indicators over the next five years. Some of our states have demonstrated that this is possible and we will certainly⁵⁶⁰ ensure that all other states achieve similar results. The National Population Policy affirms the commitment of the Government towards voluntary⁵⁸⁰ and informed choice to citizens availing of reproductive health care services.

PAUCITY: shortage; FRAGMENTATION: put in small pieces; VULNERABLE: easy to be hurt; COERCION: forcing; ELIMINATION: to end completely.

Exercise 15

It is a strange paradox that the historian, who is concerned professionally with the past, plays a crucial role²⁰ in the future of the society which he is studying. The historian's interest lies in trying to understand the emergence and the⁴⁰ evolution of a society in a historical perspective, where the term society includes every aspect of a people's life.⁴⁰ As a result of his investigations, the historian creates a picture of the society. In his handling of the evidence⁶⁰ from the past, he is often influenced by his own contemporary setting. Historical interpretation can therefore become a two-way¹⁰⁰ process where, the needs of the present are read into the past, and where the image of the past is¹²⁰ sought to be imposed upon the present. The image of the past is the historian's contribution of the future.¹⁴⁰ For, this image can be used by his contemporaries for political mythmaking. Such political projections of a society seek intellectual justification¹⁶⁰ from the theories of historians and other social scientists. To mention two recent and rather obvious examples, the theory of the¹⁸⁰ superior Aryan race came in very useful to Hitler and the Fascists; and that of the Hindus and Muslims²⁰⁰ constituting two separate nations was used to justify the creation of Pakistan a theory which has been recently exploded by events²²⁰ in Bangladesh. Such supposed justifications impose the present on the past and a generation is fed with distorted images.²⁴⁰

But over the years, with changing methods of investigation, the discipline of history has been made more precise and more analytical.²⁶⁰ Ne evidence and fresh interpretations enable us to reassess the past in more realistic terms and proceed in new directions.²⁸⁰ Historians, too, have become, as it were, self-conscious, both about the nature of the evidence and about the social³⁰⁰ and political function which historical writing has played in the past. Now, more than ever, the historian, without compromising his³²⁰ scholarly integrity, has much to contribute to society. The modern writing of Indian history developed during the last two centuries.³⁴⁰ The needs of these times had encouraged the adoption of certain attitudes and theories about the Indian past, which are now³⁶⁰ becoming increasingly irrelevant. The time has come for us to free ourselves from the necessary division of the³⁸⁰ history writing of the colonial period. We should acquire the confidence of critically assessing our own culture and history.⁴⁰⁰

It is generally conceded that the history of the colonial period in India, of the last two centuries, is an⁴²⁰ unavoidable preface to an understanding of the present; it has a direct connection with the present. But I shall try⁴⁴⁰ in these lectures to suggest, that even the more ancient part of the history of our country, is relevant to the

present.⁴⁶⁰ This can perhaps best be done by first discussing the image of the past which has so far been⁴⁸⁰ generally projected: and image which on occasion has led to deeply-rooted prejudices in the minds of both Indians⁵⁰⁰ and others. I shall then indicate the kind of evidence and interpretation, which is forcing historians to reconsider this image.⁵²⁰ It is still a popular belief that the Indians were an a-historical people and kept no records of their history.⁵⁴⁰ The ancient Indians did keep records of those aspects which they felt were significant and worth preserving. It is true that⁵⁶⁰ of these records do not deal with political events and activities. They are more in the nature of⁵⁸⁰ legends and monastic chronicles all legitimate constituents of a historical tradition but not, unfortunately, very useful as a description⁶⁰⁰ of contemporary happenings. This latter type of record developed in the period after about A.D. 500. Court chronicles⁶²⁰ and historical biographies of considerable authenticity were maintained by the Turkish and Mughal courts and the tradition remained alive until recent time.⁶⁴⁰ So, when the Europeans arrived in India and began to look for histories of India, they found ample⁶⁶⁰ evidence on the period after about A.D. 1000. But the earlier centuries remained historically missing.

Even the factual records⁶⁸⁰ of this early period were written largely in the Brahmi script, which could not longer be read by Indians.⁷⁰⁰ Consequently, the discovery of the Indian past was initiated under the auspices of the new rulers, the British. A major⁷²⁰ contradiction in our understanding of the entire Indian past, is that this understanding derives largely from the interpretations of Indian history made in the last two hundred years.⁷⁴⁰ There is a qualitative change between the traditional writing of history and history as we know it today. The modern⁷⁶⁰ writing of history was influenced in its manner of handling the evidence by two factors. One was the intellectual influence⁷⁸⁰ of the scientific revolution, which resulted in an emphasis on a systematic uncovering of the past and, on checking the⁸⁰⁰ authenticity of historical facts. The other was the impact on the motivation of history by the new ideology of nationalism,⁸²⁰ with its stress on the notion of a common language, culture and history of a group. Indeed, historical studies the world.⁸⁴⁰

PARADOX: contradictory;

PERSPECTIVE: problems thought reasonably;

CONTEMPORARY: modern;

PREJUDICES: strong unliking feeling.

Exercise 16

In the light of the legal position stated hereinabove, it is very clear that no tax on the sale or²⁰⁰ purchase of goods can be imposed by any State when the transaction of sale or purchase takes place in the¹⁰⁰ course of import of goods into or export of the goods out of the territory of India. Thus, if any⁶⁰ transaction of sale or purchase takes place when the goods are being imported in India or they are being exported⁸⁰ from India, no State can impose any tax thereon. Section 5 of the Central Act deals with the transaction which is¹⁰⁰ said to have taken place in the course of import or export. Relevant portion of Section 5 of the¹²⁰ Central Act reads as a sale or purchase of goods shall be deemed to take place in the course¹⁴⁰ of the import of the goods into the territory of India only if the sale or purchase either occasions such¹⁶⁰ import or is effected by a transfer of documents of title to the goods before goods have crossed the customs frontiers¹⁸⁰ of India. Upon perusal of the aforesaid provision of Section 5 of the Central Act, it is clear that²⁰⁰ a sale or purchase of goods shall be deemed to take place in the course of import of the goods²²⁰ into the territory of India only if sale or purchase takes place before the goods have crossed the customs frontiers²⁴⁰ of India. Looking to the aforesaid legal position, it cannot be disputed that the goods sold at the duty free shops²⁶⁰ owned by the appellant, would be said to have been sold before the goods crossed the customs frontiers of India,²⁸⁰ as it is not in dispute that the duty free shops of the appellant situated at the International Airport of Bengaluru³⁰⁰ are beyond the customs frontiers of India i.e. they are not within the customs frontiers of India.

If this is³²⁰ the factual and legal position, in our opinion, looking to the provisions of Article 286 of the³⁴⁰ Constitution, the State of Karnataka has no right to tax any such transaction which takes place at the duty free shops³⁶⁰ owned by the appellant which are not within the customs frontiers of India. Looking to the aforesaid simple and³⁸⁰ factual legal position, in our opinion, it would not be much useful to discuss the judgments which have been referred to.⁴⁰⁰

In our opinion, the legal position is so clear that it was not necessary for the learned counsel to refer to⁴²⁰ any judgment and merely by showing the aforesaid factual aspect and legal provisions to the concerned authority, the appellant could⁴⁴⁰ have convinced the concerned authority that the sale effected at the duty free shops of the appellant

could not have been⁴⁶⁰ taxed by the State of Karnataka. Learned counsel appearing for the respondent Authorities had vehemently submitted that the appellant⁴⁸⁰ had not exhausted equally efficacious alternative statutory remedy and, therefore, the Single Judge of the High Court had rightly⁵⁰⁰ not entertained the petition filed by the appellant. According to them, the Division Bench had also rightly dismissed the appeal for the⁵²⁰ same reason. According to them, this Court also should not entertain this appeal. It is true that the appellant had⁵⁴⁰ rushed to the High Court without exhausting equally efficacious alternative statutory remedy. In our opinion, the learned Single Judge⁵⁶⁰ of the High Court was also right when he directed the appellant to move the statutory appellate authority. In normal circumstances,⁵⁸⁰ even we would have expressed the same opinion but looking to the fact that the Special Leave Petition has already⁶⁰⁰ been admitted and the matter pertains to the assessment year 2004-2005, it would not be⁶²⁰ in the interest of the justice to relegate the appellant to the statutory authorities especially when the legal position is⁶⁴⁰ very clear and the law is also in favour of the appellant.

The learned counsel appearing for the respondent had⁶⁶⁰ submitted that the sale would not be taxed under the Act only if it occasions in the course of⁶⁸⁰ import but the transactions of sale, which are subject matter of this litigation had not taken place in the⁷⁰⁰ course of import and, therefore, they would not be exempted under the provisions of Section 5 of the Central Act.⁷²⁰ In our opinion, the aforesaid submission cannot be sustained. They again submitted that 'in the course of import' means 'the⁷⁴⁰ transaction ought to have taken place beyond the territories of India and not within the geographical territory of India.'⁷⁶⁰ We do not agree with the said submission. When any transaction takes⁷⁸⁰ outside the customs frontiers of India, the⁷⁸⁰ transaction would be said to have taken place outside India. Though the transaction might take place within India but technically,⁸⁰⁰ looking to the provisions of Section 2(11) of the Customs Act and Article 286 of the Constitution, the⁸²⁰ said transaction would be said to have taken place outside India, the goods that are imported into the territory of India.⁸⁴⁰

PERUSAL: careful understanding;

VEHEMENTLY: forcefully;

RELEGATE: to give a lower position.

Exercise 17

Since the first summit in 1961, our Movement has registered many achievements to its credit. But on the ²⁵¹ issue of global nuclear disarmament, which was identified as a priority by our leaders in 1961, we have ²⁵² yet to make a decisive headway. With the end of the cold war, we are convinced that there is ²⁵³ a window of opportunity that needs to be exploited. Many sections of the international community are now re-evaluating their ²⁵⁴ earlier positions and becoming convinced of the merits of a phased approach for nuclear disarmament which they considered too idealistic in ²⁵⁵ 1988. The Canberra Commission on the Elimination of Nuclear Weapons declared that "the opportunity now exists, perhaps without ²⁵⁶ precedent or recurrence, to make a new and clear choice to enable the world to conduct its affairs without nuclear ²⁵⁷ weapons." Many others are realizing that the nuclear Non-Proliferation Treaty cannot provide a lasting and genuine solution to the problem ²⁵⁸ of proliferation. It is vital for our Movement, at this juncture, to renew our commitment to the goal of a ²⁵⁹ nuclear weapon free world and take advantage of this environment. Many of us have called, on the basis of the ²⁶⁰ document adopted at the Canberra Summit, for multilateral negotiations leading to an early conclusion of a Nuclear Weapons Convention prohibiting the ²⁶¹ development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination. India's recent nuclear ²⁶² tests took place in a geo-political environment where our security was becoming ever more threatened by the overt and covert ²⁶³ nuclearization of our neighbourhood. We do not, however, believe now any more than we ever did before, that nuclear weapons ²⁶⁴ are here to stay. On the contrary, if the established nuclear weapons States agree to negotiations to abolish nuclear weapons ²⁶⁵ we will be the first to join. Today, I urge them, as India has urged them so many times before, ²⁶⁶ to join us in the Non-Aligned movement in negotiating a nuclear weapons convention through which we can eliminate this last ²⁶⁷ category of weapons of mass destruction. This Movement, in keeping with its long standing commitment, is issuing a historic call today, ²⁶⁸ for safeguarding our future. Let us pledge that when we assemble at the next summit in 2001, it ²⁶⁹ will be able to welcome the collective decision that nuclear weapons shall not cast their shadow into the new millennium.²⁷⁰

Apprehension have been expressed in some quarters that recent developments in South Asia raise the spectre of an arms ²⁷¹ race and heightened tensions. These apprehensions are misplaced. India continues to seek good

relations with all its neighbours ²⁷² work with them to build on our commonalities and shared aspirations. Differences should be resolved in a rational manner, peacefully and ²⁷³ through bilateral negotiations. I have had a cordial meeting with the Prime Minister of Pakistan at Colombo and our delegations ²⁷⁴ have continued the dialogue here. This is not the place to air the differences in some of our positions. The ²⁷⁵ Shimla Agreement, which both India and Pakistan have ratified, provides an agreed mechanism for resolving these differences amicably among ourselves. ²⁷⁶ Let me say this loud and clear: there is no place for any third party involvement in this process, however, ²⁷⁷ intended. The State of Jammu & Kashmir is, and will remain, an integral part of India. The real ²⁷⁸ problems there is one of cross-border terrorism. The international system in which the Movement must function remains beset ²⁷⁹ with inequality and uncertainty.

Ethnic conflict continues in Europe as well as other parts of the world. The Middle ²⁸⁰ East peace process remains deadlocked. Religious fundamentalism and terrorism daily claim innocent victims in many parts of the world. ²⁸¹ Protectionism, currency speculation and flight of capital have been a setback to the economies of many developing countries. Pressures on ²⁸² developing countries have intensified as the new architecture of the multilateral regime in trade, investment, development, cooperation, environment and human ²⁸³ rights shrinks the political space available to developing countries. The United Nations is being asked to shoulder increasing responsibilities but ²⁸⁴ its financial resources rest on shaky foundations. Expansion and reform of the Security Council should be based on global and ²⁸⁵ non-discriminatory criteria. NAM and developing countries are most often the objects of the council's actions; they must ²⁸⁶ have a role in decision making in the council on the basis of equality. To meet the aspirations of its ²⁸⁷ members, NAM has to develop the strength to translate its numbers into an effective voice in international affairs. It ²⁸⁸ has to regain lost ground in a changed international environment. Another priority should be to set an agenda for the ²⁸⁹ management of the international economy. Protectionism has returned in markets of the developed world; trade and investment are being increasingly ²⁹⁰ used to promote political objectives, on labour standards, intellectual property rights, human rights and the environment. These are defences thrown ²⁹¹ up against the recent successes of some developing countries. These members have emerged in the vanguard of international growth.²⁹²

OVER-COVERT: openly or concealed way, SPECTRE: ghost, RATIFIED: approved later, MULTI-ATURAL: many sides, INTELLIGENTIAL: person using reason/knowledge, VANGUARD: from pari

Handwritten shorthand notes corresponding to the text on the left page, covering the same topics of nuclear disarmament and international relations.

Exercise 18 (Legal)

The Plaintiffs submit that the present plea relates to the denial and non-recognition of the beneficial interest of Defendant No.2²⁰ of the shares held by the Defendant Nos. 3, 4, 5, 6 and 7 in Defendant No.1.⁴⁰ The cause of action arose on 31.12.2016 when the draft consolidated financial statement of Defendant No.1⁶⁰ records deconsolidation of its accounts with those of Defendant No.2 for the reason that there is "absence of⁸⁰ confirmation of beneficial ownership from the legally registered shareholders of the entities". Thus on 31.12.2016¹⁰⁰ it became manifested that the recordal of declaration of beneficial interest of the Defendant No.2 would no longer be caused to be made by those in control of¹²⁰ Defendant No.2 and its affairs namely Defendant Nos. 3, 4 and 7¹⁴⁰ and which hostile action led to not only the denial of the recording of beneficial interest of Defendant No.2¹⁶⁰ but also to deconsolidation with retrospective effect of its accounts with Defendant No.11. With the deconsolidation of accounts¹⁸⁰ it became clear that a hostile action denying the beneficial interest of Defendant No.2 stood taken by Defendant Nos. 3, 4 and 7.²⁰⁰ The cause of action further arose on 07.06.2017 when Defendant No.1²²⁰ refused to acknowledge the beneficial interest in the suit shares.

The cause of action further arose when Defendant No.1 through²⁴⁰ Defendant No.10 on 27.06.2017 once again refused to acknowledge the beneficial interest in the suit shares.²⁶⁰ The cause of action further arose on 12.11.2017 and 24.11.2017 when newspaper articles,²⁸⁰ being in public knowledge suggested that the equity of the Defendant No.1 is being sold to private equity³⁰⁰ investors through a bidding process and the present investors including the Defendant Nos. 3 to 7 along with Defendant³²⁰ Nos. 8 and 9 are attempting to sell their investments in the Defendant No.1 and exit the health insurer.³⁴⁰ The cause of action further arose on 21.12.2017 when newspaper articles of the Economic Times,³⁶⁰ being in public knowledge suggested that the five companies have been shortlisted to purchase the Defendant No.1 and that the³⁸⁰ floor price of 5,500 crore has been put for the sale by the Defendant No.1.⁴⁰⁰

The plaintiffs, thus, wanted a declaration to the effect that shares in the Indian company which are held by defendant⁴²⁰ Nos. 3 to 7 in fact belong to defendant No.2 company. Since defendant No.2 did not come forward to make⁴⁴⁰ the said claim, derivative action was filed by the plaintiffs on its behalf to the aforesaid effect. As per the⁴⁶⁰ plaintiffs, the High Court of Madras,

at Chennai, had the jurisdiction to entertain the same inasmuch as: one, Registered Office⁴⁸⁰ of the Indian company is in Chennai; two, the investments made in Defendant No.2 were made in the Indian company in Chennai; and⁵⁰⁰ three, substantial part of cause of action, as reflected in the correspondence/letters exchanged between plaintiff No.2 and defendant Nos. 1⁵²⁰ and 10 arose in Chennai. The contesting defendants questioned the territorial jurisdiction of the Madras High Court to entertain the⁵⁴⁰ said suit on the ground that no cause of action available to the plaintiffs to maintain the suit arose⁵⁶⁰ within the jurisdiction of the said Court. In substance, the plaintiffs were attempting to resolve the dispute between the shareholders of the⁵⁸⁰ company though all these shareholders are residents and nationals of Dubai. Moreover, they are claiming that though shares are in the⁶⁰⁰ names of defendants Nos. 3 to 7, it is defendant No.2 which has the beneficial interest therein and⁶²⁰ even defendant No.2 is a foreign entity which is covered by the foreign law. Likewise, the inter se relationship⁶⁴⁰ between defendant No.2 and the plaintiffs is also covered by the foreign law. It was additionally contended that the⁶⁶⁰ claims made by the plaintiffs are not enforceable even under the Companies Act, 1956 or the Companies Act, 2013.⁶⁸⁰

As far as inter se disputes between the plaintiffs and the contesting defendants, who are all shareholders of⁷⁰⁰ defendant No.2, are concerned, they have arisen in Dubai which is outside the territorial jurisdiction of Chennai. M/s. C.A. Sundaram,⁷²⁰ Neeraj Kishan Kaul and others learned senior counsel appeared for the plaintiffs. In substance, their argument was that the⁷⁴⁰ learned Single Judge of the Madras High Court had rightly allowed the application for leave to file the suit⁷⁶⁰ after satisfying that the Court at Chennai had the territorial jurisdiction to entertain such a suit which was a derivative⁷⁸⁰ action taken out by the plaintiffs on behalf of defendant No.2. It was highlighted that even if defendant No.2⁸⁰⁰ was a Dubai company, of which plaintiffs and defendant Nos. 3 to 7 were the shareholders, dispute was in respect of⁸²⁰ shares in defendant No.1 which was an Indian company having its Registered Office in Chennai from the date of its incorporation.⁸⁴⁰

MANIFESTED: to show clearly; DERAVATIVE: developed from the original; INTER SE: in between; INCORPORATION: to come into existence.

Miscellaneous Subjects Ex 19 - 25

Exercise 19

Sir, as the Hon'ble Minister has already made it clear that this Bill has been brought forward for our consideration after ²⁰ due consultation with the Central trade unions and this Bill has been necessitated by the fact that the amendment in ⁴⁰ the Industrial Disputes Act in 1982 excluded the workers in hospitals and other educational institutions from the ⁶⁰ purview of the Act. This means that a hospital or an educational institution cannot be called an industry and if ⁸⁰ it cannot be called an industry, all those who are working in those institutions cannot get the benefit from ¹⁰⁰ the Industrial Disputes Act of any kind. So, naturally something has to be done for all those employees of such ¹²⁰ institutions for the redressal of their grievances. It is exactly for this that this Bill has been brought before us ¹⁴⁰ for our consideration. As regards this Bill, there is a provision for setting up of a grievance redressal authority ¹⁶⁰ an appellate authority in all establishments for the redressal of industrial disputes. As regards the collective grievances, management councils ¹⁸⁰ are proposed to be there. Naturally, this has to be done by the employers or by those who actually are ²⁰⁰ managing those institutions. If the Government is the proprietor, then the Government has to do it. If it is a private ²²⁰ hospital or a private educational institution, whoever is the employer has to do it and doing it has been made ²⁴⁰ statutory.

By this Bill, it will be the bounden duty to evolve such machinery for redressal of the grievances ²⁶⁰ of the employees and other employees therein. So, since this Bill has been brought forth in consultation with the concerned ²⁸⁰ Central trade unions there is not much to oppose the content of this Bill. We can, of course, earnestly hope ³⁰⁰ that as contemplated in the Bill itself, very soon these appellate authority or grievance redressal authority or management council ³²⁰ will be established in all such institutions so that all those who are working therein may be able to ³⁴⁰ get their genuine grievances redressed. As a matter of fact, last year our CGHS doctors went on strike in Delhi. Similarly, the PCMS doctors in Punjab also went on agitation. Somehow, these doctors ³⁶⁰ whether it is this State or that State, have been agitating and going on strike. Why do they go on strike? ³⁸⁰

As a matter of fact, they do not enjoy the right to strike just as university teachers about whom ⁴⁰⁰ I made a special mention today only. Again they are going to agitate. Why do they go on strike? ⁴²⁰ Although they do not have

the right to strike, why do they go on strike? That is what I am ⁴⁴⁰ saying. You listen to me. They go to strike, compelled by circumstances. When they are not able to get justice, ⁴⁶⁰ economic and social, due to them, then whether you give them the right to strike, or not, whether ⁴⁸⁰ it is on the statute books or not, the workers, the wage earners must take that action ultimately. You cannot ⁵⁰⁰ check them and you have not been able to check them. After all, you have to come to terms with ⁵²⁰ them. An agreement was signed, an accord was there in the case of University teachers, but that accord has not ⁵⁴⁰ been implemented as yet. Those University teachers and employees are also covered under this Bill. That is why I am ⁵⁶⁰ mentioning this.

As regards doctors, of course, much has been done to give them justice. Still they are not ⁵⁸⁰ happy. It is the attempts of the Government to keep the medical institutions, the educational institutions free from conflict, as ⁶⁰⁰ far as possible, so that they do not have to agitate every now and then and there is an alternative ⁶²⁰ mechanism provided for where they can take their grievances. As regards individual grievances, of course, you go on strike ⁶⁴⁰ for collective grievances, not for individual grievances. The grievance redressal authority for the appellate authority, that is being ⁶⁶⁰ provided for, is all right. It is only in the case of collective grievances that Trade Union activity comes into ⁶⁸⁰ the picture. But that also comes into the picture, if necessary. Otherwise if the collective grievances can ⁷⁰⁰ also be met through negotiations, through arbitration and in other ways, then the question of direct action may not arise ⁷²⁰ at all. So, at least, so far as individual grievances are concerned, this will go a long way in settling them ⁷⁴⁰ and keeping the working force happy. As regards collective grievances also, I personally think that the mechanism that is now ⁷⁶⁰ being provided for, will go a long way to eliminate conflicts. What I mean to say is that so far ⁷⁸⁰ as hospitals are concerned or educational institutions are concerned, I would request the Government to make all possible efforts to ⁸⁰⁰ extend the justice due to them. They must have justice if they can get it like other personnel in services. ⁸²⁰

CONTEMPLATED: planned: ARBITRATION: to act
as a court, ELIMINATE: to end

Exercise 20

Madam, I beg to move that the Bill to provide for the redressal of grievances of employees in hospitals and ²⁰ certain other institutions, and for matters connected there with or incidental thereto, be taken into consideration. Madam, as you are aware, ⁴⁰ following the judgement of the Supreme Court in the Bangalore Water Supply and Sewerage Board case which gave a ⁶⁰ very wide interpretation to the term industry under the Industrial Disputes Act 1947, the definition of the ⁸⁰ term industry was revised so as to exclude among others, hospital or dispensaries, educational, scientific, research ¹⁰⁰ or training institutions, institutions owned or managed by organisations wholly or substantially engaged in any charitable, social or philanthropic ¹²⁰ service, khadi or village industries, any activity of the Government relating to the sovereign functions of the Government ¹⁴⁰ including all the activities carried on by the Department of Central Government dealing with defence research, atomic ¹⁶⁰ energy and space. Madam, this was necessary because these are the areas which we felt should be free from ¹⁸⁰ strikes or stoppages of work etc.

In the interest of general public, promotion of voluntary effort, efficient discharge of the ²⁰⁰ sovereign functions, administrative, legislative and judicial, of the Government and also with a view to protecting vulnerable sections of industry, ²²⁰ While most of the provisions of the said Amendment Act of 1982 have been enforced, the ²⁴⁰ said Section 2(e) could not be enforced because it was felt that before excluding certain establishments or institutions from ²⁶⁰ purview of the Industrial Disputes Act there must be an alternative grievance redressal machinery for the employees employed ²⁸⁰ therein or else their exclusion without at the same time providing for a suitable alternative machinery might be open ³⁰⁰ to challenge as being discriminatory and violative of Article 14 of the Constitution of India. It was with ³²⁰ this objective in mind that the then Minister of State for Labour introduced in this House the Hospitals ³⁴⁰ and Other Institutions Settlement of Disputes Bill on 6th May 1992. Divergent points of view were ³⁶⁰ expressed in the course of the debate on this Bill. Representatives of the voluntary organisation etc. were also heard. And ³⁸⁰ the then Minister gave an assurance that he would discuss the matter with the trade union leaders. ⁴⁰⁰

In pursuance of that assurance, meetings were held with the representatives of the Central Workers Organisations in ⁴²⁰ July-August 1995. In the light of the

discussions held with different persons concerned, we have now ⁴⁴⁰ brought forward another Bill which is much simpler than the previous one, and embodies for the employees concerned ⁴⁶⁰ a machinery which would be largely internal to each organisation. The Bill which is now before the House is in pursuance ⁴⁸⁰ of Government's desire to provide for a proper procedure and machinery for the redressal of individual and collective grievances. The ⁵⁰⁰ arrangements proposed are more conducive and less cumbersome than the procedure incorporated in the Industrial Disputes Act 1947. ⁵²⁰ This Bill provides for two types of machinery, one for the redressal of individual grievances and the other for ⁵⁴⁰ collective grievances. Individual grievances will be looked into by the Grievance Redressal Authority against whose orders, an appeal will ⁵⁶⁰ lie to the Appellate Authority. If any aggrieved party is not satisfied with the decision of the Grievance Redressal ⁵⁸⁰ Authority or the Appellate Authority, it is free to approach an independent Tribunal whose decisions would be binding. All these ⁶⁰⁰ authorities would be required to pass an order within a specified time. As regards collective grievances, these would be looked into ⁶²⁰ by a Management Council, a bipartite machinery comprising the representatives of the employers and the employees. Where a management Council ⁶⁴⁰ fails to settle any collective grievance within a specified period, there is a provision for reference of the grievance to ⁶⁶⁰ an agreed Arbitrator failing which the grievance could be referred to a Board of Arbitrators headed by a judicial officer, ⁶⁸⁰ appointed by the appropriate Government. In order to give relief to the smaller establishment, we do not propose to apply ⁷⁰⁰ the proposed legislation to establishments employing less than ten persons. We also propose to exclude from its purview establishments owned ⁷²⁰ or controlled by Government. This provision has been made owing to the fact that Government employees can take recourse ⁷⁴⁰ to Administrative or similar Tribunals in individual matters and JCM or JCM type machinery in ⁷⁶⁰ collective matters. We also propose to exclude societies registered under the Societies Registration Act, 1860 subject ⁷⁸⁰ to certain conditions, one of these being that if they are entirely financed by the Government they would be excluded. ⁸⁰⁰ Besides, educational institutions will cease to be covered in due course as and when the appropriate Government makes a law ⁸²⁰ for the redressal of grievances of employees. The Government will have the power to exempt any establishment from its purview. ⁸⁴⁰

SOVEREIGN: superior, ruler. VULNERABLE: easy to be hurt;
CUMBERSOME: complex; BIPARTITE: two parties.

Exercise 21

Sir, I would first like to congratulate you on the short presentation that you gave. Some of the pieces were ²⁵ extremely powerful and they go home very hard. It just shows what one can do if one puts one's energies ⁴⁰ in a particular direction, the right direction. In India today, perhaps in the world today, we are facing a period ⁶⁰ of change, the like of which has not been seen ever before, partly because of new technologies that are available, ⁸⁰ but, perhaps more than that, because of a new thinking that is taking place around the world. We are for ¹⁰⁰ the first time coming out of a mindset which really belongs to past centuries, a mindset which looks at human ¹²⁰ beings or the world divided up into boxes, into groups, like you just said, of Hindus, Muslims, Sikhs, Christians, and perhaps ¹⁴⁰ beyond that, into nations, into ethnic groups, into regions. For the first time we have started looking at the world ¹⁶⁰ looking at humanity as one integrated whole. We have started realising that survival does not depend on any one group ¹⁸⁰ surviving, it depends on the survival of the whole of humanity. India has played a major role in bringing about ²⁰⁰ this change in thinking. This has been part of our traditional thinking for thousands of years. Gandhiji revived it during ²²⁰ the freedom struggle and, during these past fifty two years of freedom, we have been struggling hard, first under Panditji ²⁴⁰ then under Indiraji, to bring this new thinking to the world.

For the first time during these last few years, ²⁶⁰ we find that global thinking has started to change. At the same time, the old system fights back very hard. ²⁸⁰ There is a tendency, on the one hand, to look at the world as one. There is an equal attempt ³⁰⁰ to keep the old systems continuing with change only projection presentation or perception for the benefit of few. We got out ³²⁰ of colonialism, but did exploitation end? It did not. The poorer countries, the weaker countries, still have a net outflow ³⁴⁰ of wealth. The next phase seems to be getting into economic groups, which, in a sense, is no different; it ³⁶⁰ just a different form of exploitation so we have to fight that as well. India has given the lead ³⁸⁰ during the last four or five decades and India will have to give the lead in the coming years also. ⁴⁰⁰

But to give the lead, we need to do certain things at home. We need to be strong and clear ⁴²⁰ in our minds about where we want to go. Our strength traditionally has been that we have always looked beyond ⁴⁴⁰ the material

into certain higher values, deeper values, perhaps spiritual values. We have looked beyond immediate gains. We have always ⁴⁶⁰ tried to work for certain ideals. Today, this basic Indian thinking is coming under very severe attack, partially from you, ⁴⁸⁰ because the real attack is from the materialistic attitude that is coming into our society. That is why I am ⁵⁰⁰ glad to be with you here today to try and turn your attention, not to just selling but also at ⁵²⁰ building, building the nation that we want to build, projecting the ideas, the ethos of India across the world. For ⁵⁴⁰ that, we need to first look within and see what we need to preserve and what the problems are, and ⁵⁶⁰ the difficulties in preserving it.

The biggest attack on our traditional thinking, on our culture, on our civilisation, is from ⁵⁸⁰ materialism, which is being brought in partly because of growth, development, because people have access to goods and facilities which ⁶⁰⁰ they did not have access to earlier, because their incomes have grown, because their standards of living have gone up. ⁶²⁰ The way India has grown during these past eight or nine years is well behind what we ever have expected. ⁶⁴⁰ These problems are going to get compounded. I expect our growth rate to increase even more in the coming years. ⁶⁶⁰ So, these pressures will increase even more. Therefore, we must be very clear in our minds about the sort of ⁶⁸⁰ nation we want to build. The biggest danger in going down a purely materialistic route is that we will ultimately ⁷⁰⁰ surrender the independence that we won with so much struggle. I see that as the biggest danger. We are independent ⁷²⁰ today not because we won a battle against the British and sent them home; we are independent today because we ⁷⁴⁰ have followed certain policies, because we have followed a certain ideology, because at every step that we have taken, we ⁷⁶⁰ have kept in mind the point that the Independence that we won could also be lost very quickly. When I ⁷⁸⁰ talk about the Independence being lost, it is not just a question of being ruled by another State, that is ⁸⁰⁰ perhaps not the way it happens now at the end of the twentieth century. It happens in much subtler ways ⁸²⁰ today. Flexibility in decision-making is limited, options are cut and, ultimately, you go by a feeling of righteousness. ⁸⁴⁰

SURVIVAL: continue to exist; COLONIALISM: policy of having colonies ruled; ACCESS: reach; IDEOLOGY: based on idea; SUBTLER: cleverer; hard to detect

Exercise 22

Thus nationalism in Europe had led in the eighteenth century, to a new look at the European past. It was not²⁰ however in that spirit that those who settled and colonised Asia and Africa, sought familiarity with the history⁴⁰ of these regions. With the transformation of trading connections into colonial relations, the need to know the history of the colonies⁶⁰ was based not merely on an intellectual curiosity but also on the exigencies of administration. If the norms, traditions and⁸⁰ behaviour patterns of a colony were to be understood, then research into the history of the colony would have to be carried out.¹⁰⁰ The search for or discovery of the Indian past, resulted in a number of interpretations of the past.¹²⁰ These were notions which were constantly repeated since they were first enunciated and which have become stereotypes of Indian history¹⁴⁰ and culture. Even though today they are being questioned, they are still widely used. Some of these stereotypes are related¹⁶⁰ to the needs of imperialism, for economics imperialism had its counterpart in cultural domination. Historical writing coming from this source¹⁸⁰ aimed at explaining the past in a manner which facilitated imperial rule. Others arose, in contrast, from Indian national sentiments²⁰⁰ opposed to the nature of imperial rule, and seeking justification in the reading of the past.

The ideology of Indian nationalism²²⁰ found not only political expression, but influenced every aspect of intellectual life philosophy, literature, the arts and history in the²⁴⁰ early twentieth century. The relationship with historians was especially close. The national movement itself had picked up stages from the²⁶⁰ reconstruction of the Indian past. Those historians who were sensitive to the stirrings of nationalism also responded to these facets.²⁸⁰ Because of the cultural domination implicit in imperialism, nationalism of the anti-colonial variety had to incorporate a programme of³⁰⁰ cultural nationalism as well, in order to regenerate the indigenous culture. The intellectual content of nationalism arose out of the need³²⁰ for Indians to react to the experience of colonialism, industrialisation and economic backwardness. Paucity of evidence also assisted in the³⁴⁰ creation of these stereotypes. Some of the recent questioning has been necessitated by greater and improved evidence. The more³⁶⁰ persistent of the stereotypes have dominated not only historical interpretation but have become the foundation of modern political ideologies.³⁸⁰ The Indian society has always been an unchanging society, based on a caste structure, characterised by harmony in the society at long⁴⁰⁰.

The notion of an Aryan race is alien to the Indian tradition. There are frequent references in early literature⁴²⁰ to the aryaans, either in the sense of the more honoured persons of society or else as

distinct from the mlechha⁴⁴⁰ and the un-arya. The criteria of difference are primarily language and the observance of the universal dharma, that is, the organisation⁴⁶⁰ of society on the basis of caste and the prescription of the four stages in the life of a man.⁴⁸⁰ In the very early texts additional differences are recognised as those of appearance, and religious worship. But, very soon after,⁵⁰⁰ the criteria of language and culture alone remained. The Aryans are seen as a separate cultural group but not as⁵²⁰ a distinct race. This is also borne out in the early sources where there are references to the aryaavarta,⁵⁴⁰ the land of the aryaas. The definition of the aryaavarta varies in each group of sources in accordance with the culture⁵⁶⁰ which the source represents and the geographical location of its nuclear area. The later Vedic texts speak of aryaavarta as⁵⁸⁰ essentially the Ganga-Yamuna Doab and its fringes. Lands beyond this are generally listed as mlechha-desa. Thus we are⁶⁰⁰ told the Magadha and Andhra are inhabited by the mixed castes and are unfit for the arya. In Jaina sources⁶²⁰ however, these regions are listed as a part of the aryaavarta, as also in the Buddhist sources where the location⁶⁴⁰ of aryaavarta, is distinctly to the east of the Doab, in the modern Rajmahal area. By the time of Manu, aryaavarta⁶⁶⁰ was defined more or less as northern India, north of the Vindhyaas. Race is not the criterion and obviously could not be,⁶⁸⁰ for the concept of race both in the scientific and the popular sense is a product of modern Europe.⁷⁰⁰

Again, Indians in the pre-eighteenth century never claimed that they were more spiritual than other peoples, or, that the⁷²⁰ Indian way of life was concerned solely with things spiritual. The ideal of the earlier texts that the best life⁷⁴⁰ on earth is a balance between dharma, artha and karma, shows a healthy unconcern for any obsession with either the⁷⁶⁰ spiritual or the material. As for the static, unchanging quality of Indian society, this is also contrary to what is said⁷⁸⁰ in Indian sources. There are frequent references to changes in society some of which are approved and other deplored.⁸⁰⁰ Hindu, Buddhist and Islamic thinkers state that society is perpetually undergoing change. From an initial utopian condition, society has not only⁸²⁰ changed but deteriorated, ultimately however, it will move towards the return of the utopia, be it a fresh Satyayuga or a final Judgment Day.⁸⁴⁰

TRANSFORMATION: total change;

STEREOTYPES: fixed idea about someone which may not be true;

IMPERIALISM: rich & powerful countries control;

PAUCITY: shortage; PERPETUALLY: for all time.

Exercise 24 (Budget)

It has been observed that a lot of time and resources are consumed in filing of appeals which involve identical issues.²⁹ Taking forward our policy of sound litigation management, I propose to provide that, if a question of law⁴⁰ in the case of an assessee is identical to a question of law which is pending in appeal before the jurisdictional⁶⁰ High Court or the Supreme Court in any case, the filing of further appeal in the case of this assessee⁸⁰ by the department shall be deferred till such question of law is decided by the jurisdictional High Court or the Supreme Court.¹⁰⁰ This will greatly help in reducing the repeated litigation between taxpayers and the department. Taking forward our efforts to¹²⁰ further promote the IFSC, I hereby propose to provide that income of a non-resident from offshore derivative instruments,¹⁴⁰ or over the counter derivatives issued by an offshore banking unit, income from royalty and interest on account of¹⁶⁰ lease of ship and income received from portfolio management services in IFSC shall be exempt from tax,¹⁸⁰ subject to specified conditions.

In the globalized business world, there are several works contracts whose terms and conditions mandatorily require²⁰⁰ formation of a consortium. The members in the consortium are generally companies. In such cases, the income of these²²⁰ AOPs has to suffer a graded surcharge upto 37 percent, which is a lot more than the surcharge²⁴⁰ on the individual companies. Accordingly, I propose to cap the Surcharge of these AOP's at 15 percent.²⁶⁰ Further, the long-term capital gains on listed equity shares, units etc. are liable to maximum surcharge of 15 percent, while²⁸⁰ the other long term capital gains are subjected to a graded surcharge which goes up to 37 percent.³⁰⁰ I propose to cap the surcharge on long term capital gains arising on transfer of any type of assets at 15 percent.³²⁰ This step will give a boost to the start up community and along with my proposal on extending tax benefits³⁴⁰ to manufacturing companies and start-ups reaffirms our commitment to AtmaNirbhar Bharat. The income-tax is not an allowable expenditure³⁶⁰ for computation of business income. This includes tax as well as surcharges. The 'Health and Education Cess'³⁸⁰ is imposed as an additional surcharge on the taxpayer for funding specific government welfare programs. However, some courts have allowed.⁴⁰⁰

Presently, there is ambiguity regarding set off, of brought forward loss against undisclosed income detected in search operations. It has been⁴²⁰ observed that in many cases where

Handwritten notes in Urdu script, likely a translation or commentary on the English text, covering the same topics as the printed text.

undisclosed income or suppression of sales etc. is detected, payment of tax is⁴⁴⁰ avoided by setting off, of losses. In order to bring certainty and to increase deterrence among tax evaders, I propose⁴⁶⁰ to provide that no set off, of any loss shall be allowed against undisclosed income detected during search and survey operations.⁴⁸⁰ It has been noticed that as a business promotion strategy, there is a tendency on businesses to pass on⁵⁰⁰ benefits to their agents. Such benefits are taxable in the hands of the agents. In order to track such transactions,⁵²⁰ I propose to provide for tax deduction by the person giving benefits, if the aggregate value of such benefits exceeds⁵⁴⁰ Rs. 20,000 during the financial year. GST has been a landmark reform of Independent India showcasing the⁵⁶⁰ spirit of Cooperative Federalism. While aspirations were high, there were huge challenges too. These challenges were overcome deftly and painstakingly⁵⁸⁰ under the guidance and oversight of the GST Council. We can now take pride in a fully IT⁶⁰⁰ driven and progressive GST regime that has fulfilled the cherished dream of India as one market-one tax.⁶²⁰

There are still some challenges remaining and we aspire to meet them in the coming year. The right balance⁶⁴⁰ between facilitation and enforcement has engendered significantly better compliance. GST revenues are buoyant despite the pandemic. Taxpayers deserve⁶⁶⁰ applause for this growth. Not only did they adapt to the changes but enthusiastically contributed to the cause by paying taxes.⁶⁸⁰ In Part A of my speech, I have referred to the proposed reforms in SEZs. Alongside, we will also⁷⁰⁰ undertake reforms in Customs Administration of SEZs and it shall henceforth be fully IT driven and⁷²⁰ function on the Customs National Portal with a focus on higher facilitation and with only risk-based checks. This will ease⁷⁴⁰ doing business by SEZ units considerably. This reform shall be implemented by 30th September 2022. Customs administration⁷⁶⁰ has reinvented itself over the years through liberalised procedures and infusion of technology. Faceless Customs has been fully established. During Covid-19⁷⁸⁰ pandemic, Customs formations have done exceptional frontline work against all odds displaying agility and purpose. Customs reforms have played⁸⁰⁰ a very vital role in domestic capacity creation, providing level playing field to our MSMEs, easing the⁸²⁰ raw material supply side constraints, enhancing ease of doing business and being an enabler to other policy initiatives in the current year.⁸⁴⁰

MANDATORILY: compulsory under law;

AMBIGUITY: not clear; **SUPPRESSION:** to stop an activity;

DETERRENCE: discouraging through fear; **COMPLIANCE:** to abide by.

Handwritten notes in Urdu script, likely a translation or commentary on the English text, covering the same topics as the printed text.

Exercise 25 (Legal)

Transfers characterised as in public interest are founded, sourced, and rooted in administrative exigencies and nothing else. Effecting or transferring²⁰ employees at their behest is equally important but exercise of that power and discretion is to subserve a different cause²⁰ or a value, which is distinct from transfer in public interest. It is necessary to draw a clear distinction between⁶⁰ these two, as their purpose, procedure, and consequence are distinct. This distinction is in fact recognised and incorporated in the Rules.⁸⁰ If a government employee holding a particular post is transferred on public interest, he carries with him his existing¹⁰⁰ status including seniority to the transferred post. However, if an officer is transferred at his own request, such a transferred¹²⁰ employee will have to be accommodated in the transferred post, subject to the claims and status of the other employees¹⁴⁰ at the transferred place, as their interests cannot be varied without there being any public interest in the transfer.¹⁶⁰ Subject to specific provision of the Rules governing the services, such transferees are generally placed at the bottom, below the junior-most¹⁸⁰ employee in the category in the new cadre or department. The rationale here is to avoid heartburn of existing employees here.²⁰⁰

In service jurisprudence, the general rule is that if a government servant holding a particular post is transferred to the same²²⁰ post in the same cadre, the transfer will not wipe out his length of service in the post till the²⁴⁰ date of transfer and the period of service in the post before his transfer has to be taken²⁶⁰ into consideration in computing the seniority in the transferred post. But where a government servant is so transferred on²⁸⁰ his own request, the transferred employee will have to forego his seniority till the date of transfer, and will be³⁰⁰ placed at the bottom below the junior most employee in the category in the new cadre or department. This is because³²⁰ a government servant getting transferred to another unit or department for his personal considerations, cannot be permitted to disturb³⁴⁰ the seniority of the employees in the department to which he is transferred, by claiming that his service in the³⁶⁰ department from which he has been transferred, should be taken into account. This is also because a person appointed to³⁸⁰ a particular post in a cadre, should know the strength of the cadre and prospects of promotion as such there.⁴⁰⁰

In the order impugned before us, the High Court has fallen into an error by blurring the distinction between the⁴²⁰ two functions and treating transfer made at the request of the officer on medical grounds as equivalent to transfer in⁴⁴⁰ public interest.

Keeping the distinction is essential since origin and the consequences that follow are distinct. We will now refer⁴⁶⁰ to the precedents cited by the Tribunal and the High Court. The High Court referred to its own decision.⁴⁸⁰ Having examined the said decision, we are of the opinion that it does not lay down the correct principle. In fact,⁵⁰⁰ the applicable Rule is not analysed and the decision is based on the facts and circumstances of the case,⁵²⁰ where the employee is said to have suffered injury during the course of employment. However, a sweeping observation in that judgment⁵⁴⁰ that "change of cadre was accorded pursuant to the report of the medical board and therefore it has to be⁵⁶⁰ treated as change of cadre in the public interest" is unsustainable as change of cadre pursuant to report of⁵⁸⁰ medical board is not determinative of whether the transfer is for public interest or effected at the request of the officer.⁶⁰⁰

Having considered Rule 16 of the 1977 Rules, as per which the respondent accepted the appointment after⁶²⁰ consenting to be placed before the last person in the transferred post, which position is recorded in the itself,⁶⁴⁰ we are of the opinion that seniority has to be with effect from 1989 only. The decision of the⁶⁶⁰ government in issuance of final seniority list granting seniority w.e.f. 19.04.1989 is in consonance with⁶⁸⁰ Rule 16 of 1977 Recruitment Rules. This decision is also in consonance with Rule 6⁷⁰⁰ of the 1957 Seniority Rules which specifically provide that where transfers are made at the request of the officer,⁷²⁰ the employee shall be placed below all the officers borne in that class in the transferred post. Before we conclude,⁷⁴⁰ we may also refer to another Division Bench judgment of the Karnataka High Court in which examined the Rule 16⁷⁶⁰ in the context of an undertaking given by the employee to work as a junior-most in the transferred post.⁷⁸⁰ The facts in our case are identical to the decision in in as much as the change of cadre occurred under the same⁸⁰⁰ Rule, and in fact, the employee was transferred to a similar post that is, the First Division Assistant.⁸²⁰ Further, the officer also gave an identical undertaking that he will occupy the junior-most position in the transferred post.⁸⁴⁰

EXIGENCIES: urgent need or demand;

JURISPRUDENCE: legal system;

IMPUGNED: passed against order;

PRECEDENT: official example;

CONSONANCE: in agreement.