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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 [20] have said about this new University, which is only six years old, is commendable in many respects. Although you have [40] not had adequate equipment and the necessary wherewithal in the beginning, these serious shortcomings did not discourage you. In right [60] earnest you started the work. One might feel sorry, but I am sure no one will feel surprised to know [80] that in its seventh year this University does not possess departments in subjects like Sanskrit and English on the side [100] of arts, and physics, chemistry, anthropology and geology on the side of science. I need not say much about the [120] importance of the Sanskrit language which, besides having its own vast treasure house of knowledge, is the mother of [140] the present-day Indian languages of the North. The study of English language and literature is also essential for a [160] university student, for it is a language which many in our country have been cultivating for the last 200 [180] years and which is recognised as a medium of international expression by virtue of its being the language of a [200] number of countries.

Equally important is the study of chemistry and physics which are in a way the basic sciences [220] which go to form the foundations of all technical and scientific knowledge. As for anthropology and geology, these two subjects [240] have special significance for your State. Inhabited as your State is by a number of tribal people speaking different tongues [260] and having different customs, and possibly belonging to different ethnic groups, no other State in India provides such favourable conditions [280] and opportunities for the study of anthropology as yours. In respect of geology also, I feel that its study should [300] have special importance for the University of Gauhati, for the benefit of not only Assam but the whole country. Assam [320] is so rich in mineral wealth, which is yet to be tapped. And so far as the production of oil [340] goes, your State has its virtual monopoly in India. I am glad you have not been discouraged by these shortcomings, [360] but you are endeavouring to create department in these subjects as early as possible. I have not the least doubt [380] that the Government of India will on their part, do all that is possible to enable you to do so.[400]

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 [20] for the last few years some of our universities have relaxed their standards. I cannot say how far it would [40] be correct to say so, but if there is that much truth in it, this trend is to be deplored and [60] discouraged, because universities must always look ahead and after imparting education, must, of necessity, be upright, even strict, in the [80] matter of conferring degrees, distinctions or honours. You have done the right thing in sticking to this ideal from the [100] very beginning. I am one with you that in order to be fully useful to the people for whom [120] a university serves, it ought to be a teaching body. I am glad that in your planning you have kept [140] this point in view. I hope the building for which you have been good enough to invite me to open today, [160] marks the beginning of your undertaking in that direction.

Apart from imparting education, which is after all the real aim [180] of a university, it will also help you to co-ordinate and centralize your academic activities. What has particularly pleased me [200] in the Vice-Chancellor's address is his reference to the fact that your University is likely to provide a great [220] meeting place for the different racial and linguistic groups inhabiting Assam. My own view is that a University, besides being [240] a seat of learning, should also be a centre of real cultural activity. For the mixing of people professing different [260] faiths, speaking different tongues and having different customs and traditions, no other place can be more suitable than a university. [280] This is because a university is singularly free from any kind of bias and the din and turmoil of politics. [300] It provides an ideal atmosphere for all people to come close together and understand each other. I need hardly point [320] out that you will be rendering a great service not only to your State but to the whole of India, [340] if you keep this objective before you. You will have rendered a great service to the nation if by sticking [360] to your resolve you succeed in bringing all these groups together by providing them equal opportunities, thereby promoting mutual understanding [380] and the good of all. I am thankful to the Vice-Chancellor for having invited me to open this building [400] and for giving me an opportunity to address you today. I wish your University a bright future and hope it [420] will succeed in tiding over the difficulties and will be counted as one of India's great seats of learning and education.[440]

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;
SUNSUOUSNESS: 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 wil 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 pointles 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 estabishing 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 [20] 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 [100] 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-fields, 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, HARNESSED: 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 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, inspite 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 wellknown throughout the world. Yet the standard of sports here is gloomy. [440]

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 have[40] an important national task to address and I urge everyone to pay the highest attention to the issues at hand.[60] One of the key challenges facing India today is stabilising our population. A population which stood at 36 crores in[80] 1951 is now around 120 crores. Current trends indicate that it is expected to touch 140 crores[100] by 2026. By all estimates, we will end up as the world's most populated country in the[120] 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 desire[160] to achieve higher standards of living. Therefore, sustainability of development processes requires a degree of population stabilisation.

However, we must not[180] mistake population stabilization to be population control. There is widespread consensus that population stabilization entails a holistic, comprehensive[200] approach towards education and health care, particularly of our women and children. Investment in comprehensive health care, coupled with a[220] wider development policy addressing the educational and economic needs of our population together with raising the social status of our women must be[240] the key to any population stabilisation strategy. Improvement in health indicators must be understood to be interlinked with indicators[260] for literacy, water supply, sanitation, nutrition, housing and incomes. In this context, I believe that unless our population policy is[280] 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 link[320] 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 example[380] 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 areas[420] we need a national political and social consensus to move forward. Such a

consensus can be generated by the[440] distinguished members of this august Commission. First, there has to be a concerted campaign focusing on issues related to welfare of[460] 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 the[500] size of their families. This empowerment played a critical role in accelerating the demographic transition not just in States like[520] Kerala and Tamil Nadu, but across the world. Surveys indicate that even now, over half of our young women get[540] 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 more[580] prevalent in demographically weaker states. We need to address this problem. Our Government is committed to the full social and economic[600] empowerment of our women. We have already taken several steps, both legislative and administrative, to widen social opportunities and[620] guarantee the economic rights of women.

We are firm in our commitment to gender equality and women's empowerment. This is an[640] important policy plank of our Government. You should have no doubt about our commitment in this regard. We also need[660] to understand the role played by families as an effective social safety net. In a country where credible social safety[680] 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 with[720] a focused drive to reduce infant mortality will, I believe, reduce the incentives for having large families. Empowerment of[740] women and a holistic approach to reproductive and child care will enable this to happen and I would want greater[760] attention to be paid to this aspect. Second, in addition to giving focused attention to the welfare of girl child[780] and women, there has to be a concerted campaign to improve the health and educational status of the entire population[800] in general. This is particularly important in the less developed regions of our country. While regional imbalances are inherent to[820] 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.[849]

CONCENSUS: 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 available[20] in the more populated regions of the country. It cannot be a coincidence that the regions that have experienced a[40] lower rate of economic growth are geographically identical to those with a higher rate of population growth. While analysts can[60] debate whether it is development that enables the demographic transition, or the other way round, policy makers must deal with the[80] reality of this imbalance. This means we have to provide new employment opportunities in less developed regions. Since private investment[100] tends to go to better developed regions, the government has to step in to help backward regions. Given the paucity of[120] 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 employment[160] opportunities and incomes and hence, have an effect on demographic trends, but they will also ensure a higher participation[180] of women in our workforce. It is an accepted fact that increased participation of women in the workforce will ensure[200] an earlier demographic transition. While the three pronged approach of focussed attention on women and girls, a general enhancement of[220] 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 sector[260] been addressed through a series of vertical, disease based programmes. A focused, target driven family planning programme was[280] another major programme with poor results. Underlying all this was a general programme to support primary health care. This vertical[300] and horizontal fragmentation of health programmes, coupled with a target driven approach to population stabilisation in the past has distanced[320] 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 integrated[360] approach to family welfare. In this framework, it is essential to breakdown the disease centric walls in our health programmes[380] 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 poor[460] 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 Mission[500] does for our health care sector what the Sarva Shiksha Abhiyan is doing for our education sector. Our government is committed[520] to increasing the resources committed to primary health care so that there is substantial improvement in all demographic and health[540] indicators over the next five years. Some of our states have demonstrated that this is possible and we will certainly[560] ensure that all other states achieve similar results. The National Population Policy affirms the commitment of the Government towards voluntary[580] and informed choice to citizens availing of reproductive health care services.

The policy also reaffirms our commitment to a target[600] free approach in administering family planning services. I would like to make it clear that our policy does not encourage[620] incentives and disincentives as they have, at best, only a marginal impact and sometimes may even cause resentment and non-acceptance[640] 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 its[680] attention on elimination of poverty, empowerment of women and offers choice in limiting family size. Population stabilisation is only one[700] 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 a[740] right to live a decent life. The challenge of population management is to empower people so that those who are perceived[760] as liabilities can be effectively transformed into assets. A literate, gainfully employed and socially, culturally and economically productive person is[780] a national asset. In a country of over a billion people, you can imagine what we can do for our[800] nation by helping empower our people. Investing in human capabilities converts human liabilities into human assets. Therefore, even as our[820] 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 smalll pieces;
VULNERABLE: easy to be hurt; COERCION; forcing;
ELIMINATION: to end completly.

Exercise 15

It is a strange paradox that the historian, who is conerned professionally with the past, plays a crucial role,[20] in the future of the society which he is studying. The historian's interest lies in trying to understand the emergence and the[40] evolution of a society in a historical perspective, where the term society includes every aspect of a people's life.[60] As a result of his investigations, the historian creates a picture of the society. In his handling of the evidence[80] from the past, he is often influnced by his own contemporary setting. Historical interpretation can therefore become a two-way[100] process where, the needs of the present are read into the past, and where the image of the past is[120] 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 justification[160] from the theories of historians and other social scientists. To mention two recent and rather obvious examples, the theory of the[180] superior Aryan race came in very useful to Hitler and the Fascists; and that of the Hindus and Muslims[200] constituting two separate nations was used to justify the creation of Pakistan a theory which has been recently exploded by events[220] 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 social[300] and political function which historical writing has played in the past. New, more than ever, the historian, without compromising his[320] 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 certian attitudes and theories about the Indian past, which are now[360] becoming increasingly irrelevant. The time has come for us to free ourselves from the necessary division of the[380] 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 an[420] unavoidable preface to an understanding of the present; it has a direct connection with the present. But I shall try[440] 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 been[480] generally projected: and image which on occasion has led to deeply-rooted prejudices in the minds of both Indians[500] 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 that[560] of these records do not deal with political events and activities. They are more in the nature of[580] legends and monastic chronicles all legitimate constituents of a historical tradition but not, unfortunately, very useful as a description[600] of contemporary happenings. This latter type of record developed in the period after about A.D. 500. Court chronicles[620] 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 ample[660] evidence on the period after about A.D. 1000. But the earlier centuries remained historically missing.

Even the factual records[680] 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 major[720] 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 modern[760] writing of history was influenced in its manner of handling the evidence by two factors. One was the intellectual influence[780] of the scientific revolution, which resulted in an emphasis on a systematic uncovering of the past and, on checking the[800] 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 or[20] purchase of goods can be imposed by any State when the transaction of sale or purchse takes place in the[40] course of import of goods into or export of the goods out of the territory of India. Thus, if any[60] transaction of sale or purchase takes place when the goods are being imported in India or they are being exported[80] from India, no State can impose any tax thereon. Section 5 of the Central Act deals with the transaction which is[100] said to have taken place in the course of import or export. Relevant portion of Section 5 of the[120] Central Act reads as a sale or purchase of goods shall be deemed to take place in the course[140] of the import of the goods into the territory of India only if the sale or purchase either occasions such[160] import or is effected by a transfer of documents of title to the goods before goods have crossed the customs frontiers[180] of India. Upon perusal of the aforestated provision of Section 5 of the Central Act, it is clear that[200] a sale or purchase of goods shall be deemed to take place in the course of import of the goods[220] into the territory of India only if sale or purchase takes place before the goods have crossed the customs frontiers[240] of India. Looking to the aforestated legal positon, it cannot be disputed that the goods sold at the duty free shops[260] 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 Bengaluru[300] are beyond the customs frontiers of India i.e. they are not within the customs fomtiers of India.

If this is[320] the factual and legal position, in our opinion, looking to the provisions of Aritcle 286 of the[340] Constitution, the State of Karnataka has no right to tax any such transaction which takes place at the duty free shops[360] owned by the appellant which are not within the customs frontiers of India. Looking to the aforestated simple and[380] factual legal positon, 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 to[420] any judgment and merely by showing the aforestated factual aspect and legal provisions to the concerned authority, the appellant could[440] have convinced the concerned authority that the sale effected at the duty free shops of the appellant

could not have been[460] taxed by the State of Karnataka. Learned cousel appearing for the respondent Authorities had vehemently submitted that the appellant[480] had not exhausted equally efficacious alternative statutory remedy and, therefore, the Single Judge of the High Court had rightly[500] not entertained the petition filed by the appellant. According to them, the Division Bench had also rightly dismissed the appeal for the[520] same reason. According to them, this Court also should not entertain this appeal. It is true that the appellant had[540] rushed to the High Court without exhausting equally efficacious alternative statutory remedy. In our opinion, the learned Single Judge[560] 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 Petiton has already[600] been admittted and the matter pertains to the assessment year 2004-2005, it would not be [620] in the interest of the justice to relegate the appellant to the statutory authorities especially when the legal position is[640] very clear and the law is also in favour of the appellant.

The learned counsel appearing for the respondent had[660] submitted that the sale would not be taxed under the Act only if it occasions in the course of[680] import but the transactions of sale, which are subject matter of this litigation had not taken place in the[700] 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 aforestated submission cannot be sustained. They again submitted that 'in the course of import' means 'the[740] 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 takes place outside the customs frontiers of India, the[780] 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, the[820] said transaction would be said to have taken place outside India, the goods that are imported into the territory of India.[841]

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 [20] issue of global nuclear disarmament, which was identified as a priority by our leaders in 1961, we have [40] yet to make a decisive headway. With the end of the cold war, we are convinced that there is [60] a window of opportunity that needs to be exploited. Many sections of the international community are now re-evaluating their earlier [80] positions and becoming convinced of the merits of a phased approach for nuclear disarmament which they considered too idealistic in [100] 1988. The Canberra Commission on the Elimination of Nuclear Weapons declared that "the opportunity now exists, perhaps without [120] precedent or recurrence, to make a new and clear choice to enable the world to conduct its affairs without nuclear [140] weapons." Many others are realizing that the nuclear Non-Proliferation Treaty cannot provide a lasting and genuine solution to the problem [160] of proliferation. It is vital for our Movement, at this juncture, to renew our commitment to the goal of a [180] nuclear weapon free world and take advantage of this environment. Many of us have called, on the basis of the [200] document adopted at the Canberra Summit, for multilateral negotiations leading to an early conclusion of a Nuclear Weapons Convention prohibiting the [220] development, production, testing, deployment, stockpiling transfer, threat or use of nuclear weapons and providing for their elimination. India's recent nuclear [240] tests took place in a geo-political environment where our security was becoming ever more threatened by the overt and covert [260] nuclearization of our neighbourhood. We do not, however, believe now any more than we ever did before, that nuclear weapons [280] are here to stay. On the contrary, if the established nuclear weapon States agree to negotiations to abolish nuclear weapons [300] we will be the first to join. Today, I urge them, as India has urged them so many times before, [320] to join us in the Non-Aligned movement in negotiating a nuclear weapons convention through which we can eliminate this last [340] category of weapons of mass destruction. This Movement, in keeping with its long standing commitment, is issuing a historic call today, [360] for safeguarding our future. Let us pledge that when we assemble at the next summit in 2001, it [380] will be able to welcome the collective decision that nuclear weapons shall not cast their shadow into the new millennium.[400]

Apprehension have been expressed in some quarters that recent developments in South Asia raise the spectre of an arms [420] race and heightened tensions. These apprehensions are misplaced. India continues to seek good

relations with all its neighbours [440] work with them to build on our commonalities and shared aspirations. Differences should be resolved in a rational manner, peacefully and [460] through bilateral negotiations. I have had a cordial meeting with the Prime Minister of Pakistan at Colombo and our delegations [480] have continued the dialogue here. This is not the place to air the differences in some of our positions. The [500] Shimla Agreement, which both India and Pakistan have ratified, provides an agreed mechanism for resolving these differences amicably among ourselves. [520] Let me say this loud and clear: there is no place for any third party involvement in this process, howsoever, [540] well intentioned. The State of Jammu & Kashmir is, and will remain, an integral part of India. The real [560] problems there is one of cross-border terrorism. The international system in which the Movement must function remains beset [580] with inequality and uncertainly.

Ethnic conflict continues in Europe as well as other parts of the world. The Middle [600] East peace process remains deadlocked. Religious fundamentalism and terrorism daily claim innocent victims in many parts of the world. [620] Protectionism, currency speculation and flight of capital have been a setback to the economies of many developing countries. Pressures on [640] developing countries have intensified as the new architecture of the multilateral regime in trade, investment, development, cooperation, environment and human [660] rights shrinks the political space available to developing countries. The United Nations is being asked to shoulder increasing responsibilities but [680] its financial resources rest on shaky foundations. Expansion and reform of the Security Council should be based on global and [700] non-discriminatory criteria. NAM and developing countries are most often the objects of the council's actions; they must [720] have a role in decision making in the council on the basis of equality. To meet the aspirations of its [740] members, NAM has to develop the strength to translate its numbers into an effective voice in international affairs. It [760] has to regain lost ground in a changed international environment. Another priority should be to set an agenda for the [780] management of the international economy. Protectionism has returned in markets of the developed world; trade and investment are being increasingly [800] used to promote political objectives, on labour standards, intellectual property rights, human rights and the environment. These are defences thrown [820] up against the recent successes of some developing countries. These members have emerged in the vanguard of international growth.[840]

OVERT-COVERT: openly or concealed way, SPECTRE: ghost; RATIFIED: approved later; MULTILATERAL: many sides; INTELLECTUAL: person using reason/knowledge; VANGUARD: front part

Exercise 18 (Legal)

The Plaintiffs submit that the present plea relates to the denial and non-recognition of the beneficial interest of Defendant No.2[20] 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.11[60] records deconsolidation of its accounts with those of Defendant No.2 for the reason that there is "absence of[80] confirmation of beneficial ownership from the legally registered shareholders of the entities". Thus on 31.12.2016[100] 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 of[120] Defendant No.2 and its affairs namely Defendant Nos. 3, 4 and 7[140] and which hostile action led to not only the denial of the recording of beneficial interest of Defendant No.2[160] but also to deconsolidation with retrospective effect of its accounts with Defendant No.11. With the deconsolidation of accounts[180] 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.1 [220] refused to acknowledge the beneficial interest in the suit shares.

The cause of action further arose when Defendant No.1 through[240] 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 equity[300] investors through a bidding process and the present investors including the Defendant Nos. 3 to 7 along with Defendant[320] 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 the[380] 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 defendant[420] Nos. 3 to 7 in fact belong to defendant No.2 company. Since defendant No.2 did not come forward to make[440] the said claim, derivative action was filed by the plaintiffs on its behalf to the aforesaid effect. As per the[460] plaintiffs, the High Court of Madras,

at Chennai, had the jurisdiction to entertain the same inasmuch as: one, Registered Office[480] of the Indian company is in Chennai; two, the investments made by defendant No.2 were made in the Indian company in Chennai; and[500] three, substantial part of cause of action, as reflected in the correspondence/letters exchanged between plaintiff No.2 and defendant Nos. 1[520] and 10 arose in Chennai. The contesting defendants questioned the territorial jurisdiction of the Madras High Court to entertain the[540] said suit on the ground that no cause of action available to the plaintiffs to maintain the suit arose[560] within the jurisdiction of the said Court. In substance, the plaintiffs were attempting to resolve the dispute between the shareholders of the[580] company though all these shareholders are residents and nationals of Dubai. Moreover, they are claiming that though shares are in the[600] names of defendants Nos. 3 to 7, it is defendant No.2 which has the beneficial interest therein and[620] even defendant No.2 is a foreign entity which is covered by the foreign law. Likewise, the inter se relationship[640] between defendant No.2 and the plaintiffs is also covered by the foreign law. It was additionally contended that the[660] 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 of[700] 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 the[740] learned Single Judge of the Madras High Court had rightly allowed the application for leave to file the suit[760] after satisfying that the Court at Chennai had the territorial jurisdiction to entertain such a suit which was a derivative[780] action taken out by the plaintiffs on behalf of defendant No.2. It was highlighted that even if defendant No.2[800] was a Dubai company, of which plaintiffs and defendant Nos. 3 to 7 were the shareholders, dispute was in respect of[820] shares in defendant No.1 which was an Indian company having its Registered Office in Chennai from the date of its incoporation. [840]

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

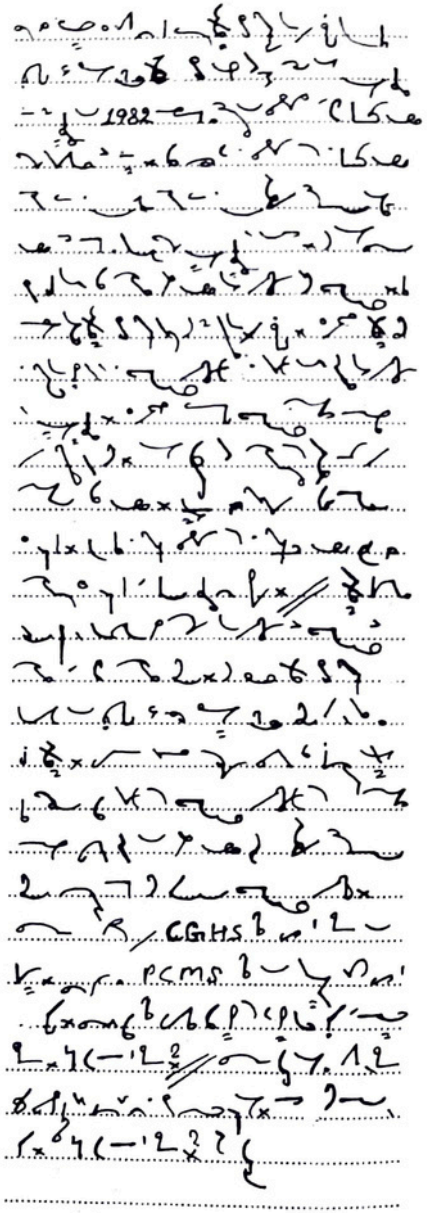
Miscellaneous Subjects Ex 19 - 25

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 grievances 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 [360] strike in Delhi. Similarly, the PCMS doctors in Punjab also went on agitation. Somehow, these doctors [380] whether it is this State or that State, have been agitating and going on strike. Why do they go on strike?[400]

As a matter of fact, they do not enjoy the right to strike just as university teachers about whom [420] I made a special mention today only. Again they are going to agitate. Why do they go on strike? [440] Although they do not have



the right to strike, why do they go on strike? That is what I am [460] saying. You listen to me. They go to strike, compelled by circumstances. When they are not able to get justice, [480] economic and social, due to them, then whether you give them the right to strike, or not, whether [500] it is on the statute books or not, the workers, the wage earners must take that action ultimately. You cannot [520] check them and you have not been able to check them. After all, you have to come to terms with [540] them. An agreement was signed, an accord was there in the case of University teachers, but that accord has not [560] been implemented as yet. Those University teachers and employees are also covered under this Bill. That is why I am [580] mentioning this.

As regards doctors, of course, much has been done to give them justice. Still they are not [600] happy. It is the attempts of the Government to keep the medical institutions, the educational institutions free from conflict, as [620] far as possible, so that they do not have to agitate every now and then and there is an alternative [640] mechanism provided for where they can take their grievances. As regards individual grievances, of course, you go on strike [660] for collective grievances, not for individual grievances. The grievance redressal authority for the appellate authority, that is being [680] provided for, is all right. It is only in the case of collective grievances that Trade Union activity comes into [700] the picture. But that also comes into the picture, if necessary. Otherwise if the collective grievances can [720] also be met through negotiations, through arbitration and in other ways, then the question of direct action may not arise [740] at all. So, at least, so far as individual grievances are concerned, this will go a long way in settling them [760] and keeping the working force happy. As regards collective grievances also, I personally think that the mechanism that is now [780] being provided for, will go a long way to eliminate conflicts. What I mean to say is that so far [800] as hospitals are concerned or educational institutions are concerned, I would request the Government to make all possible efforts to [820] extend the justice due to them. They must have justice if they can get it like other personnel in services.[840]

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 relatable 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]

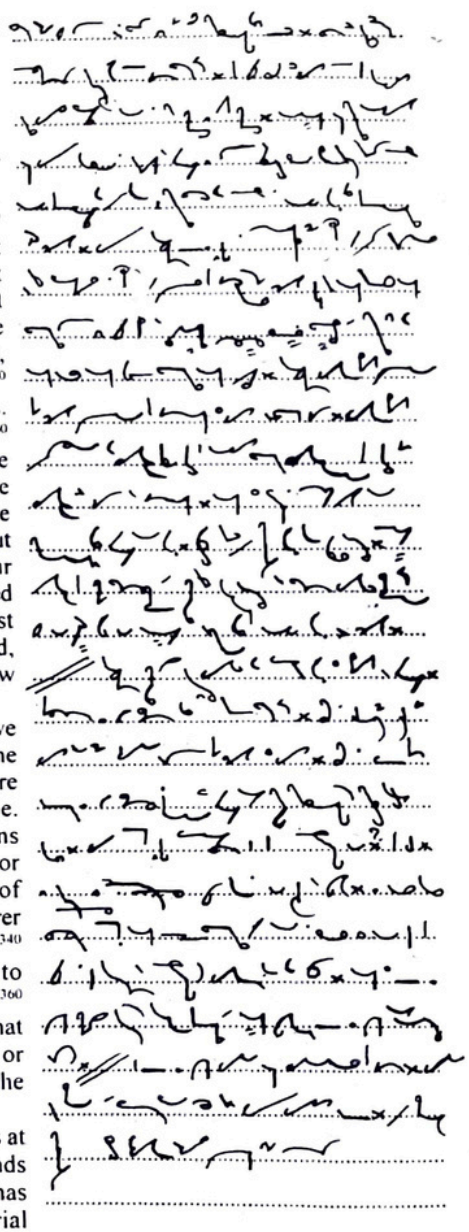
SOVEREIGN: superior, ruler; VULNERABLE: easy to be hurt; CUMBERSOME: complex; BIPARTITE: two parties.

Exercise 21

Sir, I would first like to congratulate you on the short presentation that you gave. Some of the pieces were [20] 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 mindest 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]

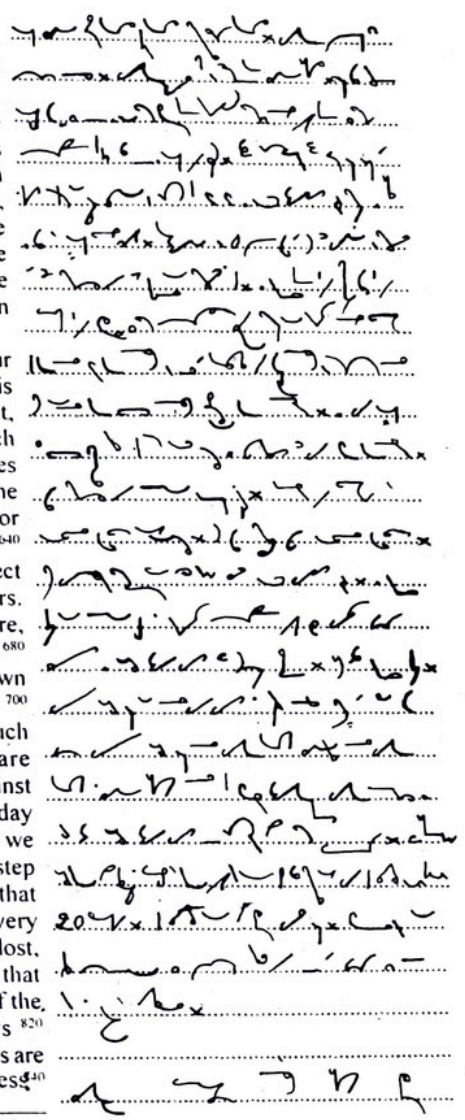
But to give the lead, we need to do certain things at home. We need to be strong and clear [420] in our minds about where we want to go. Our strength traditionally has been that we have always looked beyond [440] the material



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 not[20] however in that spirit that those who settled and colonised Asia and Africa, sought familiarity with the history[40] of these regions. With the transformation of trading connections into colonical relations, the need to know the history of the colonies[60] was based not merely on an intellectual curiosity but also on the exigencies of administration. If the norms, traditions and[80] 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 interpretations of the past.[120] These were notions which were constantly repeated since they were first enunciated and which have become stereotypes of Indian history[140] and culture. Even though today they are being questioned, they are still widespread. Some of these stereotypes are related[160] to the needs of imperialism, for economics imperialism had its counterpart in cultural domination. Historical writing coming from this source[180] aimed at explaining the past in a manner which facilitated imperial rule. Others arose, in contrast, from Indian national sentiments[200] opposed to the nature of imperial rule, and seeking justification in the reading of the past.

The ideology of Indian nationalism[220] found not only political expression, but influenced every aspect of intellectual life philosophy, literature, the arts and history in the[240] early twehtieth century. The relationship with historians was especially close. The national movement itself had picked up stages from the[260] 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 of[300] cultural nationalism as well, in order to regenerate the indigenous culture. The intellectual content of nationalism arose out of the need[320] for Indians to react to the experience of colonialism, industrialisation and economic backwardness. Paucity of evidence also assisted in the[340] creation of these stereotypes. Some of the recent questioning has been necessitated by greater and improved evidence. The more[360] presistent 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 long.[400]

The notion of an Aryan race is alien to the indian tradition. There are frequent references in early literature[420] to the aryans, either in the sense of the more honoured persons of society or else as

distinct from the mleccha[440] and the un-arya. The criteria of difference are primarily language and the observance of the universal dharma, that is, the origanisation[460] 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 as[520] a distinct race. This is also borne out in the early sources where there are references to the aryavarta,[540] the land of the aryas. The definition of the aryavarta varies in each group of sources in accordance with the culture[560] which the source represents and the geographical location of its nuclear area. The later Vedic tests speak of aryavarta as[580] essentially the Ganga-Yamuna Doab and its fringes. Lands beyond this are generally listed as mlechha-desa. Thus we are[600] told the Magadha and Anga are inhabited by the mixed castes and are unfit for the arya. In Jaina sources[620] however, these regions are listed as a part of the aryavarta, as also in the Buddhist sources where the location[640] of aryavarta, is distinctly to the east of the Doab, in the modern Rajmahal area. By the time of Manu, aryavarta[660] was defined more or less as northern India, north of the Vindhyas. 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 the[720] Indian way of life was concerned solely with things spiritual. The ideal of the earlier texts that the best life[740] on earth is a balance between dharma, artha and karma, shows a healthy unconcern for any obsession with either the[760] spiritual or the material. As for the static, unchanging quality of Indian society, this is also contray to what is said[780] 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 only[820] changed but deteriorated, ultimately however, it will move towards the return of the utopia, be it a fresh Satyayuga or a final Judgment Day.[844]

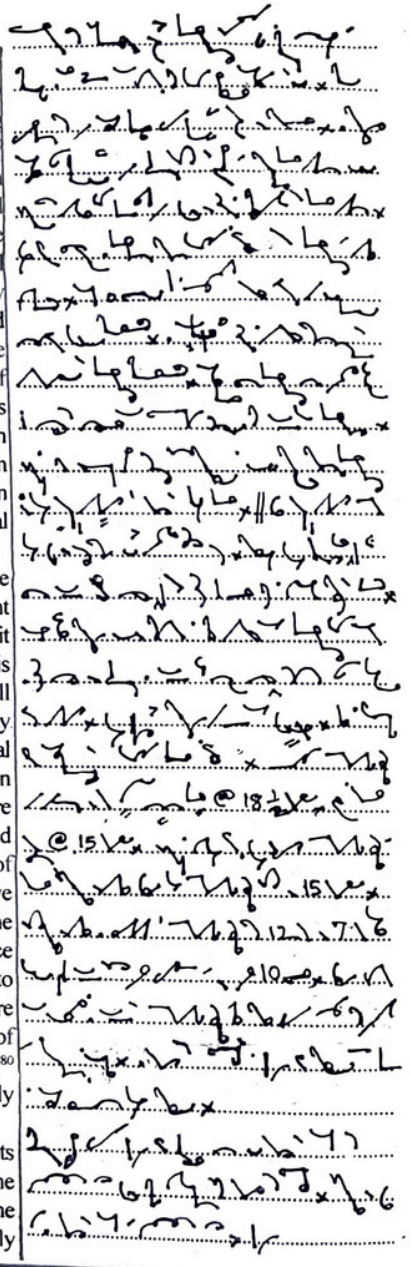
TRANSFORMATION: total change;
STEROTYPES: fixed idea about someone which may not be true;
IMPERIALISM: rich & powerful countries control;
PAUCITY: shortage; **PERPETUALLY:** for all time.

Exercise 23 (Budget)

Hon'ble Speaker, Sir, I take this opportunity to thank all the taxpayers of our country who have contributed immensely and[20] strengthened the hands of the government in helping their fellow citizens in this hour of need. Drawing wisdom from our[40] ancient texts, we continue on the path to progress. The proposals in this budget, while continuing with our declared policy[60] of stable and predictable tax regime, intend to bring more reforms that will take ahead our vision to establish a[80] trustworthy tax regime. This will further simplify the tax system, promote voluntary compliance by taxpayers, and reduce litigation. India is[100] growing at an accelerated pace and people are undertaking multiple financial transactions. The Income Tax Department has established a robust[120] framework of reporting of taxpayers' transactions. In this context, some taxpayers may realize that they have committed omissions or[140] mistakes in correctly estimating their income for tax payment. To provide an opportunity to correct such errors, I am proposing[160] a new provision permitting taxpayers to file an Updated Return on payment of additional tax.

This updated return can be filed[180] within two years from the end of the relevant assessment year. Presently, if the department finds out that some[200] income has been missed out by the assessee, it goes through a lengthy process of adjudication. Instead, with this proposal[220] now, there will be a trust reposed in the taxpayers that will enable the assessee himself to declare the income[240] that he may have missed out earlier while filing her return. Full details of the proposal are given in the[260] Finance Bill.It is an affirmative step in the direction of voluntary tax compliance. Currently, cooperative societies are required to pay[280] Alternate Minimum Tax at the rate of eighteen and one half percent. However, companies pay the same[300] at the rate of fifteen percent. To provide a level playing field between co-operative societies and companies, I, propose to reduce[320] this rate for the cooperative societies also to fifteen percent. I also propose to reduce the surcharge on co-operative societies[340] from present 12 percent to 7 percent for those having total income of more than Rs. 1 crore and[360] upto Rs. 10 crores. This would help in enhancing the income of cooperative societies and its members who are mostly from rural[380] and farming communities. The parent or guardian of a differently abled person can take an insurance scheme for such person.[400]

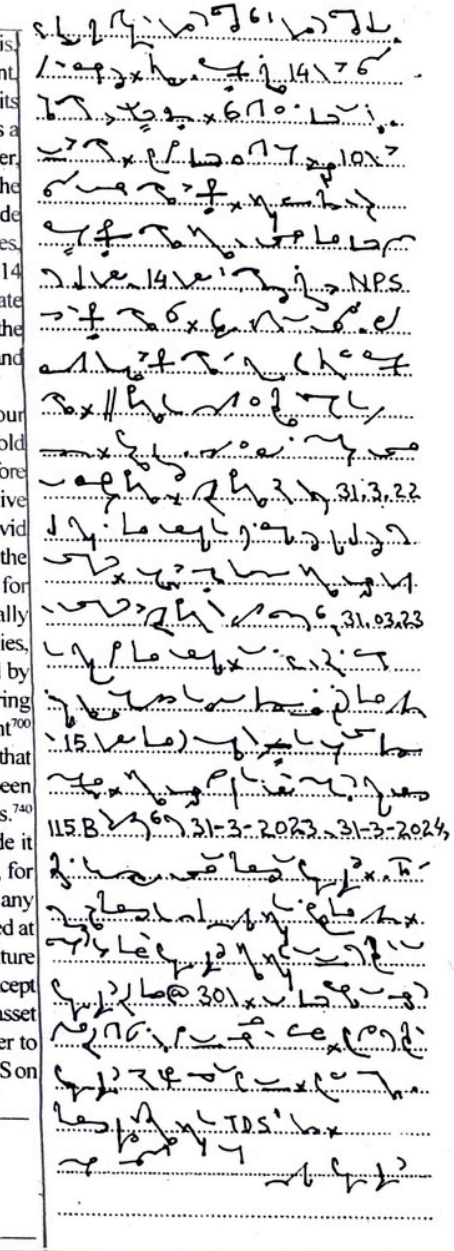
There could be situations where differently abled dependants may need payment of annuity or lump sum amount even during the lifetime[420] of their parents or guardians. I propose to thus allow the payment of annuity and lump sum amount to the[440] differently



abled dependent during the lifetime of parents or guardians that is, on parents or guardians attaining the age of sixty years.[460] At present, the Central Government contributes 14 percent of the salary of its employee to the National Pension System. This is[480] allowed as a deduction in computing the income of the employee. However, such deduction is allowed only to the extent[500] of 10 percent of the salary in case of employees of the State government. To provide equal treatment to both Central[520] and State government employees, I propose to increase the tax deduction limit from 10 percent to 14 percent on employer's[540] contribution to the NPS account of State Government employees as well. This would help in enhancing the social security[560] benefits of the state government employees and bring them at par with central government employees.

Start-ups have emerged[580] as drivers of growth for our economy. Over the past few years, the country has seen a manifold increase in[600] successful start-ups. Eligiblestart-ups established before 31.3.2022 had been provided a tax incentive for[620] three consecutive years out of ten years from incorporation. In view of the Covid pandemic, I propose to extend[640] the period of incorporation of the eligible start-up by one more year, that is, up to 31.03.2023 for providing such tax incentive. In an[660] effort to establish a globally competitive business environment for certain domestic companies, a concessional tax regime of 15 percent tax[680] was introduced by our government for newly incorporated domestic manufacturing companies. I propose to extend the last date for commencement[700] of manufacturing or production under section 115B by one year that is from 31st March, 2023[720] to 31st March, 2024. There has been a phenomenal increase in transactions in virtual digital assets.[740] The magnitude and frequency of these transactions have made it imperative to provide for a specific tax regime. Accordingly, for the[760] taxation of virtual digital assets, I propose to provide that any income from transfer of any virtual digital asset[780] shall be taxed at the rate of 30 percent. No deduction in respect of any expenditure or allowance shall be[800] allowed while computing such income except cost of acquisition. Further, loss from transfer of virtual digital asset cannot be set off[820] against any other income. Further, in order to capture the transaction details, I also propose to provide for TDS on payment.[840]

IMMEMSELY: greatly;
ACCELERATED: gradual increase;
ANNUITY: payments regularly;
IMPERATIVE: essential;
VIRTUAL DIGITAL ASSET: value existing not physically.

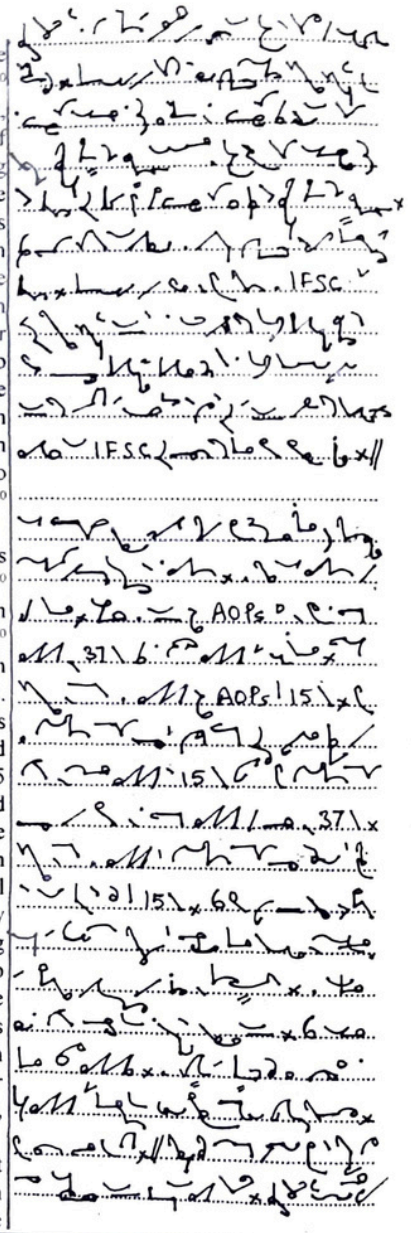


Exercise 24 (Budget)

It has been observed that a lot of time and resources are consumed in filing of appeals which involve identical issues.[20] Taking forward our policy of sound litigation management, I propose to provide that, if a question of law[40] in the case of an assessee is identical to a question of law which is pending in appeal before the jurisdictional[60] High Court or the Supreme Court in any case, the filing of further appeal in the case of this assessee[80] 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 to[120] 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 of[140] 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 require[200] formation of a consortium. The members in the consortium are generally companies. In such cases, the income of these[220] AOPs has to suffer a graded surcharge upto 37 percent, which is a lot more than the surcharge[240] 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, while[280] 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 benefits[340] to manufacturing companies and start-ups reaffirms our commitment to AtmaNirbhar Bharat. The income-tax is not an allowable expenditure[360] 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]

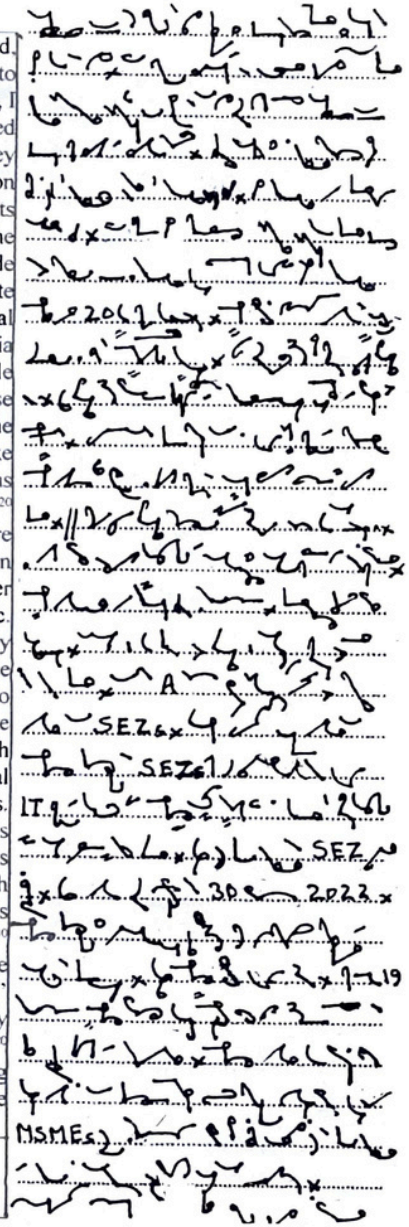
Presently, there is ambiguity regarding set off, of brought forward loss against undisclosed income detected in search operations. It has been[420] observed that in many cases where



undisclosed income or suppression of sales etc. is detected, payment of tax is[440] avoided by setting off, of losses. In order to bring certainty and to increase deterrence among tax evaders, I propose[460] 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 on[500] 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 exceeds[540] Rs. 20,000 during the financial year. GST has been a landmark reform of Independent India showcasing the[560] spirit of Cooperative Federalism. While aspirations were high, there were huge challenges too. These challenges were overcome deftly and painstakingly[580] under the guidance and oversight of the GST Council. We can now take pride in a fully IT[600] 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 balance[640] between facilitation and enforcement has engendered significantly better compliance. GST revenues are buoyant despite the pandemic. Taxpayers deserve[660] 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 also[700] undertake reforms in Customs Administration of SEZs and it shall henceforth be fully IT driven and[720] function on the Customs National Portal with a focus on higher facilitation and with only risk-based checks. This will ease[740] doing business by SEZ units considerably. This reform shall be implemented by 30th September 2022. Customs administration[760] has reinvented itself over the years through liberalised procedures and infusion of technology. Faceless Customs has been fully established. During Covid-19[780] pandemic, Customs formations have done exceptional frontline work against all odds displaying agility and purpose. Customs' reforms have played[800] a very vital role in domestic capacity creation, providing level playing field to our MSMEs, easing the[820] 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.



Exercise 25 (Legal)

Transfers characterised as in public interest are founded, sourced, and rooted in administrative exigencies and nothing else. Effecting or transferring[20] employees at their behest is equally important but exercise of that power and discretion is to subserve a different cause[40] or a value, which is distinct from transfer in public interest. It is necessary to draw a clear distinction between[60] 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 existing[100] status including seniority to the transferred post. However, if an officer is transferred at his own request, such a transferred[120] employee will have to be accommodated in the transferred post, subject to the claims and status of the other employees[140] 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-most[180] 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 same[220] post in the same cadre, the transfer will not wipe out his length of service in the post till the[240] date of transfer and the period of service in the post before his transfer has to be taken[260] into consideration in computing the seniority in the transferred post. But where a government servant is so transferred on[280] his own request, the transferred employee will have to forego his seniority till the date of transfer, and will be[300] placed at the bottom below the junior most employee in the category in the new cadre or department. This is because[320] a government servant getting transferred to another unit or department for his personal considerations, cannot be permitted to disturb[340] the seniority of the employees in the department to which he is transferred, by claiming that his service in the[360] department from which he has been transferred, should be taken into account. This is also because a person appointed to[380] 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 the[420] two functions and treating transfer made at the request of the officer on medical grounds as equivalent to transfer in[440] public interest.

Keeping the distinction is essential since origin and the consequences that follow are distinct. We will now refer[460] 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 judgment[540] that "change of cadre was accorded pursuant to the report of the medical board and therefore it has to be[560] treated as change of cadre in the public interest" is unsustainable as change of cadre pursuant to report of[580] 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 after[620] 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 the[660] government in issuance of final seniority list granting seniority w.e.f. 19.04.1989 is in consonance with[680] Rule 16 of 1977 Recruitment Rules. This decision is also in consonance with Rule 6[700] 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 16[760] 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 same[800] 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;
JURIPRUDENCE: legal system;
IMPUGNED: passed against order;
PRECEDENT: official example;
CONSONANCE: in agrement.

Exercise 26 (Legal)

With effect from the date of taking possession of the site the allottee or his heirs and successors shall be[20] liable to pay the taxes, fees and cesses payable in respect of the site and any building erected thereon.[40] If the particulars furnished by the applicant in the prescribed application form for allotment of site are found incorrect or false subsequently,[60] twelve and half per cent of the site value, shall be forfeited after the site is resumed by the[80] Board and the balance amount of site value refunded to the applicant." Rule 18, likewise, speaks about restrictions, conditions[100] and limitations on sale of sites and we refer to the same. Restrictions, conditions and limitation on sales of sites.[120] One, Notwithstanding' anything contained in. (a) these rules or any other rules, bye laws or orders governing the allotment, grant or[140] sale of sites by the Board for construction of buildings; or (ii) any instrument executed in respect of any site allotted,[160] granted or sold by the Board for construction of buildings, the Chairman may at the request of the allottee[180] grantee or purchaser of a site, execute a deed of conveyance subject to the restrictions, conditions and limitations specified.[200]

The conveyance by the Chairman of a site in favour of an allottee, grantee or purchaser of a site[220] shall be subject to the following restrictions, conditions and limitations, namely (a) in the case of a site on which a[240] building has not been constructed. One, the purchaser shall construct a building on the site within such period as may be[260] specified by the Board, as per plans, designs and conditions to be approved by the Board or in conformity[280] with the provisions of the City of Bangalore Municipal Corporation Act, 1949 and the Bye-laws made thereunder;[300] Two, the purchaser shall not without the approval of the Board, construct on the site any building other than a[320] building for the construction of which the site was allotted, granted or sold; Three, the purchaser shall not alienate the[340] site within a period of ten years from the date of allotment except by mortgage in favour of the Government of India,[360] the Government of Mysore, the Life Insurance Corporation of India or the Mysore Housing Board, or any or[380] any Corporation set up, owned or controlled by the State Government or the Central Government to secure moneys advanced by.[400]

In the case of a site on which a building has been constructed, the purchaser shall not alienate the[420] site and the building constructed thereon within a period of ten years from the date of allotment, except. (a) by[440] mortgage in favour of the Government of India, the Government of Mysore, the Life

Insurance Corporation of India or[460] the Mysore Housing Board or any Co-operative Society approved by the Board to secure moneys[480] advanced by such Government, or Society for the construction of the building on the site; or (b), with the previous approval of the Board;[500] (c) in the event of the purchaser committing breach of any of the conditions in clause (a) or clause (b),[520] the Board may at any time, after giving the purchaser reasonable notice, resume the site free from all encumbrances. The purchaser[540] may remove all things which he has attached to the earth: 'Provided he leaves the site in the state in which[560] he received it. All transaction entered into in contravention of the conditions specified in clauses (a) and (b) shall be[580] null and void ab initio.

Notwithstanding anything in sub-rule (2), but without prejudice to the provisions of Rule 17[600] where the lessee applies that for reasons beyond his control he is unable to reside in the City of Bangalore[620] or by reasons of his insolvency it is necessary for him to sell the site or site and the[640] building, if any, he may have put up thereon, the Bangalore Development Authority may, with the previous approval of the[660] State Government, either. (a) require him to surrender the site, where there is no building, in its favour; or[680] (b) where there is a building put up, permit him to sell the vacant site and building: Provided that.[700] (i) in case covered by clause (a), the Bangalore Development Authority shall pay to the lessee the allotted value of the[720] site and an, additional sum equal to the amount of interest at twelve per cent per annum thereon; and[740] in case covered by clause (b), the lessee shall pay to the Bangalore Development Authority a sum equal to the[760] amount of interest at twelve per cent per annum on the allotted value of the site. Rule 19 dealt with[780] voluntary surrender and it read as follows: An allottee may at any time after allotment, surrender the site allotted[800] to him to the Board. On such surrender the Board shall refund all amounts paid by the allottee to the[820] Board in respect of the said site. The Rules did not apply to disposal of corner sites and commercial sites.[840]

RESUMED: to continue;
ALIENATE: to make isolated;
BREACH: breaking a law;
ENCUMBRANCE: burden;
VOID ABINITIO: not good in law from beginning.