



SHORTHAND INSTITUTE
SKILLS TODAY | BETTER TOMORROW

PROGRESSIVE SHORTHAND

NEW ADDITION
AUGUST 2026



Exercise 1

The House will remember that when this matter came up on the earlier Motion to appoint a Joint Committee, we ²⁰ had a fairly full and profitable discussion in this House. As a result, the House agreed to send this Bill ⁴⁰ to a Joint Committee. The other House went a step further and unanimously agreed to send it to the Joint ⁶⁰ Committee. I mention these facts to show what a great degree of unanimity of opinion there has been in Parliament ⁸⁰ over this matter.

One would imagine sometimes, reading or hearing some criticisms made outside this House, that this was a ¹⁰⁰ measure over which opinion was rent in twain, that it was a highly controversial measure which proposed something very extraordinary. ¹²⁰ Yet, when one comes to see what has actually happened in this House or the other House, one finds that ¹⁴⁰ the persons who are most intimately connected with this matter, in the sense that they are considering it directly, Members ¹⁶⁰ of the two Houses, who have listened to arguments for and against, have come to one broad conclusion—in favour ¹⁸⁰ of this amendment of the Constitution. This should be remembered because an attempt is made—outside Parliament, of course—to ²⁰⁰ create a contrary impression.

I am not saying anything secret when I say that the proceedings of the Joint Committee ²²⁰ were remarkable for their co-operative approach to this problem. It was an understanding approach and a near-unanimous approach. In ²⁴⁰ fact, the Bill as it has emerged from the Joint Committee, might almost be considered to represent the views of ²⁶⁰ almost every member of the Joint Committee, which consisted of people of various parties and various views.

After the report ²⁸⁰ of the Joint Committee was prepared and passed in this co-operative manner by almost every Member of the Joint Committee, ³⁰⁰ some Minutes of Dissent have been received. The Minute of Dissent by my friend has been major, a longest Minute, in ³²⁰ which he has quoted from high legal authorities, apart from that fact that he is himself a high legal authority. ³⁴⁰ First of all we must bear in mind exactly what this Bill is and what this attempt to amend the ³⁶⁰ Constitution is? It is odd that words like confiscation of property and expropriation are thrown about



when actually what the ³⁸⁰ Constitution says is—that there will be no such thing except by law and except on payment of compensation thereof.. ⁴⁰⁰

TWAIN : two; EXPROPRIATION : to dispossess;

CONFISCATION : to appropriate by state; UNANIMITY : absolute agreement;

Exercise 2

The quantum of compensation is to be determined by the legislature. The king has given many quotations about due ²⁰ process of law. For instance he says distinguished American Judge has observed: "A great desire to improve the public ⁴⁰ condition is not enough to warrant achieving the desire by a shorter cut than the constitutional way."

I say that ⁶⁰ this is the constitutional way, and what is proposed is the definite, legal and constitutional way of doing it and ⁸⁰ we are varying or amending the Constitution in the constitution way. I do not quite understand this throwing about of ¹⁰⁰ words like expropriation and confiscation and doing things apart from the law. Remember that the sole major change proposed is ¹²⁰ to make clear one thing which was clear to us at the time this Constitution was framed. That is to ¹⁴⁰ say, according to the Constitution as it emerged from the Constituent Assembly, the quantum of compensation or the principles governing ¹⁶⁰ compensation would be decided by the legislature. This was made perfectly clear. It is obvious that those who framed ¹⁸⁰ the Constitution failed in giving expression to their wishes accurately and precisely, and thereby, the Supreme Court and some other ²⁰⁰ Courts have interpreted it in a different way. The Supreme Court is the final authority for interpreting the Constitution. All ²²⁰ I can say is that the Constitution was not worded as precisely as the framers of the Constitution intended. What ²⁴⁰ the framers of the Constitution intended is there for anyone to see. All that has been done now is to ²⁶⁰ make that wording more precise and more in accordance with what the framers of the Constitution at that time meant ²⁸⁰ and openly said. I do not therefore understand this measure of excitement and agitation in people's minds—not in this ³⁰⁰ House but elsewhere—about this matter.

May I say straightaway what I think, with all respect, that the Joint Committee ³²⁰ has certainly improved the Bill from what it was previously? I accept this Report and the recommendations completely. There might ³⁴⁰ be one or two minor changes in view ³⁶⁰ but apart from that, I think that it would be a pity to amend this as it has emerged from

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change in Article 31(2) makes the point clear and as a consequence of that change, it has not been necessary to add too many matters there.

PRECISELY : exactly;

Exercise 3

I should therefore like Parliament to remember these basic things. Here is something that is proposed which in effect clarifies²⁰ and elucidates the Constitution and brings it completely in line with what the makers of the Constitution intended. Unfortunately, they⁴⁰ did not do so in clear enough language, and therefore the courts have interpreted it differently. So, first, it is⁶⁰ a matter of elucidation. Secondly, it is wrong to say that we are suggesting any arbitrary action, any confiscatory action⁸⁰ or any expropriatory action. In fact, the Constitution has said that there should be compensation by law. But it is¹⁰⁰ true that the quantum of compensation will be determined by the legislature. I cannot say off hand what in a particular¹²⁰ case the legislature might do. But, by and large, if you have to govern this country democratically, you have to¹⁴⁰ trust the legislature not only in this but in a hundred other matters of far greater moment. This legislature might¹⁶⁰ decide on some far-reaching change affecting, perhaps, a question of such magnitude as war and peace. Surely the Supreme¹⁸⁰ Court will not decide that. It may decide other questions in ways which directly or indirectly might even affect property.²⁰⁰ All kinds of decisions may be taken which will have a powerful effect on our social and economic structure, and, for²²⁰ example, on planning. But it is the legislature's will that is bound to prevail in such matters. There is no²⁴⁰ way out of it. It seems to me a basically wrong approach to single out this question of compensation and²⁶⁰ to take it out of the purview of the legislature in the sense of somebody else revising the legislature's decision.²⁸⁰ Such a course can be thought of only if you think that property is something semi-divine and that the³⁰⁰ protection of private property is to the largest good of the nation, which hardly anyone today will say, obviously.

I³²⁰ do not know how I can deal with these fears and apprehensions. There is no remedy for fear except the³⁴⁰ absence of fear. Today, in the larger world context, nations are afraid, and because they are afraid they often say³⁶⁰

ELUCIDATES : explains; **DIVINE** : holy;

In this transitional age, to think in a static way and to imagine that property has exactly the same place ²⁰ in human life as it used to have means that we have stopped thinking. These apprehensions and fears therefore appear ⁴⁰ to me completely unjustified. Far greater developments and disasters might suddenly confront the world and in this context for somebody ⁶⁰ to be afraid of some mill or plant or factory being acquired seems to me out of proportion. So far ⁸⁰ as this Government is concerned, my mind is perfectly clear on the subject. I have no respect for property, except ¹⁰⁰ perhaps some personal belongings. But I respect the other person's respect for property occasionally. The House will forgive me if ¹²⁰ I speak in a personal sense; I have no property sense. It seems a burden to me to carry property; ¹⁴⁰ it is a nuisance. In life's journey one should be lightly laden; one cannot be tied down to a patch ¹⁶⁰ of land or a building. I cannot appreciate this intense attachment to property. But, while not appreciating it, I realize ¹⁸⁰ and recognize its prevalence. At the same time I think the proposition that some Hon.. Members on the Opposite side²⁰⁰ advanced about acquisition or confiscation without compensation seems to me basically wrong. I say so from the point of view ²²⁰ of the public good, not because I love property. Except in particular cases, where a person misbehaves and so on, ²⁴⁰ I do not want anything to be acquired except on payment of just compensation.

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save a few crores or a few millions in financial terms. ⁴⁰⁰ Soviet Russia, leaving the Revolution aside, has had dealings with other countries and it has developed a reputation of always ⁴²⁰ honouring its word—financial word. Other European countries have not done so sometimes, but the Soviet Union has done always. ⁴⁴⁰

DISASTER : complete; NUISANCE : which annoyed or offends;

Exercise 5

It is very careful about preserving that reputation. Let us not therefore, pursue this talk of expropriating foreign capital; it is not worth it. ²⁰ We are not such a poor country as to go about indulging in tactics which will lose us ⁴⁰ the goodwill-and the credit of the world, and which will, perhaps, leave a feeling of wrong-doing in our minds and ⁶⁰ hearts.

Even inside our own country, we cannot think of schemes and policies in isolation. We deal, for example, with ⁸⁰ the Zamindari system and other schemes relating to land. What are referred to as schemes of social engineering cannot often ¹⁰⁰ be dealt with in the normal way of acquisition of land or property. We cannot acquire the whole land at ¹²⁰ once. We have to go about it gradually. We have to find out about our capacity to pay. And then ¹⁴⁰ the payment can be graded. That is: when we acquire the property, as we did in the case of zamindars, ¹⁶⁰ the relatively poor zamindar gets full compensation, a hundred per cent. Another person may get about 80 per cent, the ¹⁸⁰ third 70 and the fourth 60. There is no trouble there. But let us look at the industrial and business ²⁰⁰ ventures. We are acquiring the Imperial Bank. So far as I know, we are paying pretty full compensation, in whatever ²²⁰ form it may be. By not doing so, we may save a little money here and there, but it will ²⁴⁰ injure us. It will be even more wrong in the case of the small owners not to give them full ²⁶⁰ compensation. I am surprised that one of these Minutes of Dissent hints that we are out to harm the small ²⁸⁰ owner. I submit that it is an unfair charge. Nobody can do it; how can we—this Parliament? Or this ³⁰⁰ Government? Can anybody conceive of this Parliament or any other legislature going out to harm the small owner? The self-interest ³²⁰ of the average Member will shout out against such a step, if nothing else.

Coming to industrial property, our ³⁴⁰ approach is that the Government should never acquire any old plant except for the purpose of holding some strategic point ³⁶⁰ for the benefit of planning. The reasons behind this approach are

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obvious. We are an under-developed country, industrially speaking; ³⁸⁰ we want to industrialize the country; we want hundreds of factories to go up in every corner of the country. ⁴⁰⁰

ACQUISITION : to gain possession;
IMPERIAL BANK : predecessor of SBI;

Exercise 6

We are not going to acquire anything unless it comes in the way of our planning. The idea which is ²⁰ sometimes put forward by some honourable Members opposite, that a kind of general scheme of nationalization would bring about great ⁴⁰ equalization, is incorrect. Drastic equalization in that way simply means equalisation of the lowest stage of poverty. That is not ⁶⁰ good enough. We want to raise our country's standards and yet bring about this equalization, so that we can go ⁸⁰ towards an egalitarian society. The whole idea of nationalization does not come into the picture at all except that when ¹⁰⁰ planning requires that some strategic point which comes in its way should be taken possession of, the State should control ¹²⁰ it. Otherwise the State should go ahead and build up new State Plants. The public sector becomes bigger and more ¹⁴⁰ and more important and productive, letting the private sector advance simultaneously. If the public sector is eating into the private ¹⁶⁰ sector, there is no total advance, even though there might be some advantage from the social point of view. We ¹⁸⁰ shall only be losing our resources by shifting a factory from the private to the public sector.

The House will ²⁰⁰ forgive me if I often talk about atomic energy. I do that because I wish people to realize how the ²²⁰ whole basis of our future industrial living pattern may be affected. I have no doubt that just as we were ²⁴⁰ affected by the advent of steam and electric power, the advent of atomic power in the next ten, fifteen or ²⁶⁰ twenty years, will make a vast difference to the running of all our factories. This is another reason why we ²⁸⁰ should not go about wasting national resources in mere acquisition of property when we can build other plants which ³⁰⁰ are more modern.

And if we have to acquire property we should pay just and equitable compensation. There may be ³²⁰ many rich men owing these interests but many of these large properties are limited liability companies with a large number ³⁴⁰ of shareholders. We do not wish to deprive them. I therefore say again that all this apprehension is completely misplaced. ³⁶⁰ It ignores not only existing

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conditions in India but the probable future line of advance.

We talk about a socialist ³⁸⁰ pattern of society, industrialization, the removing of unemployment, of higher standards, and so on. What is really necessary is somehow ⁴⁰⁰ to activize and dynamize the base of the Indian social structure. I want the House to appreciate this phrase. No ⁴²⁰ doubt there must be approaches from the top, but there has been too much activizing from the top layers too. ⁴⁴⁰

SIMULTANEOUSLY : at the same time; **DEPRIVE** : to dispossess;
EGALITARIAN : equitable; **STRATEGIC** : crucial, extra important;

Exercise 7

This seminar to discuss parliamentary democratic forms of government is a very good move. I have looked at the ²⁰ heads of discussion on which papers have been received. They are interesting aspects of parliamentary democracy, but it seems ⁴⁰ to me that they deal with somewhat superficial aspects of the question. Democracy, as a speaker just now said, is ⁶⁰ a means to an end. What is the end we aim at? I do not know if everybody will agree ⁸⁰ with me, but I would say the end is the good life for the individual. What form it should take ¹⁰⁰ can be argued about, but the good life certainly must imply a certain satisfaction of the essential economic needs, which ¹²⁰ will release him from continuous oppression, and which will give him a chance to develop his creative faculties.

Parliamentary democracy ¹⁴⁰ is a growth of the last 150 or 200 years. We must remember that even in England ¹⁶⁰ the franchise was strictly limited till recently. Twenty or thirty years ago a small percentage of the population had the ¹⁸⁰ vote. Even now in quite advanced countries, women, who form half the population, do not have the vote. Democracy in ²⁰⁰ those countries is presumably 'male democracy'.

It needed many struggles before democracy in the nineteenth century could widen out from ²²⁰ the strict confines of certain classes. As the franchise was extended, the representatives chosen also ceased to belong to the ²⁴⁰ higher classes. It is only in the last thirty years or so that adult franchise has come into being in ²⁶⁰ a number of countries. This period is not long enough really to tell us what the ultimate effects of the ²⁸⁰ universal franchise are likely to be in solving problems. Problems are solved not merely by the governmental structure being good ³⁰⁰ but by the quality of human beings, their education and their character. The machine can, at best, make it easier ³²⁰ for those qualities to develop and remove any elements which

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suppress growth.

In the past, democracy has been taken chiefly ³⁴⁰ to mean political democracy, roughly represented by the idea of every person having a vote. It is obvious that a ³⁶⁰ vote by itself does not mean very much to a person who is down and out and starving. Such a ³⁸⁰ person will be much more interested in food to eat than in a vote, his democratic right. ⁴⁰⁰

IMPLY : to mean; OPPRESSION : to harm;

FRANCHISE : right to vote; SUPPRESS : to crush down;

Exercise 8

Therefore, political democracy by itself is not enough except that it may be used to obtain a gradually increasing measure ²⁰ of economic democracy. The good things of life must become available to more and more people and gross inequalities must ⁴⁰ be removed. That process has, no doubt, gone on for some time in countries where there is political democracy.

One ⁶⁰ of the basic revolutions of the world has been the Industrial Revolution which has changed the texture of human life. But people's minds lag behind events. ⁸⁰ Sometimes the person who considers himself most revolutionary is very conservative, that is, he ¹⁰⁰ holds on to things regardless of the changing conditions. The French Revolution came with a mighty bang, frightened Europe and ¹²⁰ created innumerable waves of thought which affected Europe for almost the next hundred years. Again and again in the rest ¹⁴⁰ of Europe there were waves—of revolutions following the ideas of the French Revolution, but they ended up as petty ¹⁶⁰ revolutions. Even the French Revolution, when it occurred, was rather out of date in the sense that something bigger was ¹⁸⁰ happening behind it—the Industrial Revolution. The leaders of the French Revolution were hardly conscious of the Industrial Revolution that ²⁰⁰ was in its early stages. They were thinking mainly of political problems. For a considerable time after the French Revolution, ²²⁰ while the Industrial Revolution was working its mighty change, the thinking of people was governed by the slogans and ideas ²⁴⁰ of the French Revolution.

Something big has happened in the structure of human life with the coming of atomic energy. ²⁶⁰ We may take this as the consummation of the industrial age. It forces us to decide how we are going ²⁸⁰ to use this mighty power: rightly or wrongly, in conflict or in co-operation. All this should really force us to ³⁰⁰ think on entirely new lines. We have to decide how to face these problems and not continue

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to think of ³²⁰ petty matters.

We believe in democracy. Speaking for myself, I believe in it, first of all, because I think it ³⁴⁰ is the right means to achieve ends and because it is a peaceful method. Secondly, because it removes the pressures ³⁶⁰ which other forms of Government may impose on the individual. It transforms the discipline which is imposed by authority largely ³⁸⁰ to self-discipline. Self-discipline means that even people who do not agree—accept solutions because it is better to ⁴⁰⁰ accept them than to have conflict. It is better to accept them and then change them, if necessary, by peaceful methods. ⁴²⁰ Therefore, democracy means to me an attempt at the solution of all the economic and socio problems by peaceful methods. ⁴⁴⁰

INNUMERABLE : countless; CONSUMMATION : completion, excellent;

Exercise 9

Sir, one of the issues that was raised was about the price of coal and of petroleum. I must submit ²⁰ that the coal price has been recently raised because of the fact that we had to enter into the National ⁴⁰ Coal Agreement which casts a burden on the Exchequer to the tune of Rs. 200 crores every year. In ⁶⁰ fact, even the costs of inputs have also gone up. Having regard to these two factors, we had to take ⁸⁰ a very painful decision of increasing the coal price. Otherwise, the industry would have suffered like anything.

On the petroleum ¹⁰⁰ side, the position as it stands is that there is no doubt, as in fact Hon. Members had made observations, ¹²⁰ that while production has gone up, prices have also gone up. In fact, Sir, in another context I have given ¹⁴⁰ details to this House itself that if you compare the prices of petroleum with the prices as prevailing in various ¹⁶⁰ international markets, our prices are still cheaper. At one time when the House did want that we should reduce the ¹⁸⁰ prices, I had categorically said that whatever resources we build through this process, we plough back the money for the ²⁰⁰ exploration and exploitation of oil. We thought that by using these resources in exploration activities, we should try to become ²²⁰ self-sufficient by the end of the decade, ²⁴⁰ which hopefully we are expecting and if we are not going to be self-sufficient, we shall undoubtedly be in troubled ²⁶⁰ waters because we shall not be able to handle the economy in the proper perspective.

Therefore, sometimes a little sufferance ²⁸⁰ becomes absolutely necessary in order to have the long-term gains. It would be very easy to take certain populist ³⁰⁰ approaches

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in these masters, but in the long run the nation suffers. And it is precisely in this background that ³²⁰ I would take this opportunity to urge to the various State Governments and the Electricity Boards not to divert the ³⁴⁰ money that have been allocated to the power sector, because in many a case I am finding that for sheer ³⁶⁰ popularity, various State Governments and Electricity Boards are trying to divert the money allocated for power, which would in the ³⁸⁰ long run affect the economy of the State itself. I defend the rise to set the economy on rails. ⁴⁰⁰

EXPLORATION : to search carefully; POPULIST : advocate of collectivism;

Exercise 10

Hon. Members are aware, last year I had introduced the dual policy in regard to kerosene after discussing with all ²⁰ the Civil Supplies Commissioners of the States. And when I was assured that they would be able to implement the ⁴⁰ dual policy, I thought that the policy is such which could be taken care of in which case the poorer ⁶⁰ sections of the society could be protected. But unfortunately, I found that the poorer sections were the first victims, as ⁸⁰ a result of which within one month of the introduction of the dual policy that scheme had to be withdrawn. ¹⁰⁰ In fact, I myself stood in Bangalore in the queue, and I found that the poorer people were not being ¹²⁰ given. And the dealer said that the quota that was earmarked in the levy system has already been exhausted, and ¹⁴⁰ it was very difficult to find out which quota was what. Because of the distribution system not being strong, this ¹⁶⁰ step had to be taken.

Many a Hon. Member has been making a complaint from time to time that there ¹⁸⁰ had been adulteration of kerosene with HSD because of the fact that there is a disparity in prices. ²⁰⁰ It is true, I concede that I am aware that about 19 to 20 per cent of kerosene goes in ²²⁰ the adulteration with HSD. I have been requesting the State Government to take care of it. Notwithstanding the ²⁴⁰ fact that every quarter we go on increasing the allocation of kerosene to the States, much of the kerosene is ²⁶⁰ going towards adulteration. And I have been trying to impress upon the States that we have to import kerosene and ²⁸⁰ that quite a large amount of foreign exchange is spent. While in the case of petrol, we are absolutely self-sufficient ³⁰⁰ in the case of kerosene we have got to import, and this, I have been trying to impress that we ³²⁰ cannot employ the price mechanism that often advocated so that the adulteration of kerosene with HSD does ³⁴⁰ not take place

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because that would create more problems.

The moment we increase the price of kerosene, it affects the ³⁶⁰ ordinary man. May be some people had been trying to tell me that this is no argument at all. In ³⁸⁰ fact, I found in the other House that some of the Opposition Members had been trying to put across to ⁴⁰⁰ me this view. It is a question of policy which we are committed to. Whether one likes it or not, ⁴²⁰ a policy decision has certain perspectives, and these perspectives, we have sought to put forth for our all round progress. ⁴⁴⁰

DUAL : two; EARMARKED : specified;

ADULTERATION : to make impure; PERSPECTIVES : to see from all sides;

Exercise 11

I have ventured with your permission, Sir, to take part in this initial debate on the Draft Constitution, but it ²⁰ is not my intention to deal with any particular part of it, either in commendation or in criticism, because a ⁴⁰ great deal of that kind has already been said and will no doubt be said but in view of that ⁶⁰ perhaps I could make some useful contribution to this debate by drawing attention to certain fundamental factors again. I had ⁸⁰ thought that I could do this even more, because in recent days and weeks I have been beyond the shores ¹⁰⁰ of India, have visited foreign lands, met eminent people and statesmen of other countries and has the advantage of looking ¹²⁰ at this beloved country of ours from a distance. That is of some advantage.

It is true that those who ¹⁴⁰ look from a distance do not see many things that exist in this country. But it is equally true that ¹⁶⁰ those who live in this country and are surrounded all the time with numerous difficulties and problems sometimes fail to ¹⁸⁰ see the picture as a whole. We have to do both to see our problems in their intricate detail in ²⁰⁰ order to understand them and also to see them in some perspective so that we may have that picture as ²²⁰ a whole before our eyes. Now, this is even more important during a period of swift transition such as we ²⁴⁰ have gone through. We have lived through this period of transition with all its triumphs and glories and sorrows, and ²⁶⁰ bitterness, and are affected by all these changes we are changing ourselves we do not notice ourselves changing or the ²⁸⁰ country changing so much and it is quite helpful to be out of this turmoil for a while and to ³⁰⁰ look at it from a distance and to look at it also to some extent with the eyes of other ³²⁰ people.

I have had that opportunity. I am glad of that opportunity, because for the moment I was rid of ³⁴⁰ the

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tremendous burden and responsibility which all of us carry and which some of us who have to shoulder the ³⁶⁰ burden of Government have perhaps to carry more. For a moment, I was rid of those immediate responsibilities and I ³⁸⁰ could look at the picture with a freer mind. From that distance I saw the star of India rising far above the horizon. ⁴⁰⁰

TURMOIL : disturbance; **SHORES** : land skirting the sea;
COMMENDATION : favourable recommendation; **INTRICATE** : complex;

Exercise 12

The world is in a bad way, and this great continent of Asia or Europe and the rest of the ²⁰ world are in a bad way and are faced with problems which might almost appear to be insurmountable. And sometimes ⁴⁰ one has the feeling that we were all actors in some terrible Greek tragedy which was moving on to its ⁶⁰ inevitable climax of disaster. Yet when I looked at this picture again from afar and from here, I had a ⁸⁰ feeling of hope and optimism not merely because of India, but also because of other things. I saw that the ¹⁰⁰ tragedy which seemed inevitable was not necessarily inevitable, that there were many other forces at work, that there were innumerable ¹²⁰ men and women of goodwill in the world who wanted to avoid this disaster and tragedy, and there was certainly ¹⁴⁰ a possibility that they would succeed in avoiding it.

But to come back to India, we have, ever since I ¹⁶⁰ moved this Resolution before the House passed through stage transitions and changes. We function here far more independently than ¹⁸⁰ we did at that time. We function as a sovereign independent nation, but we have also gone through a great ²⁰⁰ deal of sorrow and bitter grief during this period and all of us have been powerfully affected by it. The ²²⁰ country for which we were going to frame this Constitution was partitioned and split into two. And what happened afterwards ²⁴⁰ is fresh in our minds and will remain fresh with all its horrors for a very long time to come. ²⁶⁰ All that has happened, and yet, in spite of all this, India has grown in strength and in freedom, and ²⁸⁰ undoubtedly this growth of India, this emergence of India as a free country, is one of the significant facts of ³⁰⁰ this generation, significant for us and for the vast numbers of our brothers and sisters who live in this country, ³²⁰ significant for Asia, and significant for the world.

And the world is beginning to realize that India's role in Asia ³⁴⁰ and the world will be a beneficent role. Sometimes there may also be a measure of apprehension, because India may ³⁶⁰ play some part which some people,

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some countries, with other interests may not particularly like. All that is happening, but ³⁸⁰ the main thing is this very significant factor that India, after being dominated for a long period, has emerged as ⁴⁰⁰ a free, sovereign, democratic, independent country, and that is a fact which changes and is changing history. How far it ⁴²⁰ will change history will depend upon us, this House and other House like this representing the organized will of the Indian people. ⁴⁴⁰

INSURMOUNTABLE : not to be overcome, INEVITABLE : ultimately, TRANSITION : the act of change, BENEFICIENT : performing acts of charity,

Exercise 13

Sir, now some Hon. Members have expressed the fear that the management may misuse this power. I have already made ²⁰ it clear that the present provision is already there in the Act and this is an improvement that we say ⁴⁰ that instead to forfeit wholly, he can have the opportunity or the power to forfeit it partially. Regarding the question ⁶⁰ of the misuse of his power, supposing an employer misuses this power and he indiscriminately forfeits the gratuity, the employee ⁸⁰ has got the right to raise the dispute. He can dispute it, contest it. If the conciliation falls he can ¹⁰⁰ go to the Tribunal or to the Labour Court. The Labour Courts are presided over by judicial officers. Whatever the ¹²⁰ Labour Court decides is bringing on both the employees and the employers. Therefore, it is not correct to say that ¹⁴⁰ this power of partial forfeiture will be misused. I do not think this is going to be misused by the ¹⁶⁰ employer. I feel that there are sufficient opportunities which are open to the employee to challenge such a misuse exercised ¹⁸⁰ by the management. So, it is definitely an improvement on the existing provision of the Act.

Some Hon. Members expressed ²⁰⁰ the opinion that sufficient time is taken in making the payment of gratuity, it is not being paid promptly. I ²²⁰ want to make it clear that the rules relating to the payment of gratuity already provided that an employee shall ²⁴⁰ apply for payment of gratuity within 30 days from the date of gratuity becomes payable and the employer has to ²⁶⁰ make the payment within 30 days from the date of the receipt of the application for payment of gratuity. So, ²⁸⁰ the time limit is already prescribed and he has to pay the amount as per time limit fixed in the ³⁰⁰ rules. Some Hon. Members wanted to know why this limit of 10 workers was prescribed. It is because the Payment ³²⁰ of Gratuity Act says that this is applicable only to the establishment. In Section 2 it is said,

to what ³⁴⁰ category of industries and establishments it is applicable. So, in the Act it has been made clear that such other ³⁶⁰ establishments or class of establishments in which 10 or more employees are employed or were employed on any day of ³⁸⁰ the preceeding two months by notification specially in this behalf. We have got the powers, the Government has got the power. ⁴⁰⁰

It is applicable only to the establishment where the workers are 10 or more. Now the question is, why it ⁴²⁰ should not be made applicable to all the establishments irrespective of the member of workers? The question is whether an ⁴⁴⁰ employer having two, three, four or five workers has got that capacity. He has not got that capacity at all. ⁴⁶⁰ When he has not got the capacity. He has not got the capacity, what is the use of having legislation and thrusting that legislation on him? ⁴⁸⁰ Therefore, what we felt was that so far as this legislation is concerned; it should be made applicable only to ⁵⁰⁰ bigger establishments which can employ at least ten or more workers. Then I want to tell the Hon. Members, that ⁵²⁰ Government has got the powers to extend this Act to other establishments also. Accordingly the Central Government has specified motor ⁵⁴⁰ transport undertakings, clubs, chambers of commerce and industry, association, federations, inland water transport establishment and such local bodies in which ⁵⁶⁰ ten or more persons are employed.

Wherever the Government feels that it should be extended to other establishments, it has ⁵⁸⁰ already extended and if there are any good cases for extension of this, Government is prepared to consider those cases ⁶⁰⁰ and bring them under that category and extend the application of Payment of Gratuity Act to close establishments also. Now ⁶²⁰ we have come to the conclusion that it is necessary to amend the definition of 'continuous service' under the Industrial ⁶⁴⁰ Disputes Act also. It is similar. However, it has become necessary to amend the definition of continuous service in the ⁶⁶⁰ Payment of Gratuity Act because of the judgement of the Supreme Court. It is possible that we may have to ⁶⁸⁰ carry out similar amendments in the Industrial Disputes Act in due course.

Why we have brought this measure, you will ⁷⁰⁰ agree, is that because the Supreme Court had said in its judgement that unless he has put in 240 ⁷²⁰ days of continuous service, he will not be considered to be in service and will not be entitled to gratuity. ⁷⁴⁰ What we have said is for the definition of continuous service he will be considered

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to be in continuous service ⁷⁶⁰ even if he is on unauthorised leave, unless he has been punished by the management; and for punishing the worker, ⁷⁸⁰ the management has to punish under the standing orders. They cannot punish him off-hand according to their whims. If ⁸⁰⁰ he has to punish him, certain procedure is there which has to be gone through. After completing the procedure ⁸²⁰ only he can punish him. If the employer is misusing the powers, then, the employee can raise the Industrial Disputes Act. ⁸⁴⁰

GRATUITY : payment on retirement;

FORFEIT : to lose the right; PARTIAL : partly;

Exercise 14

That is a tremendous responsibility. Freedom brings responsibility; of course, there is no such thing as freedom without responsibility. Irresponsibility ²⁰ itself means lack of freedom. Therefore, we have to be conscious of this tremendous burden of responsibility which freedom has ⁴⁰ brought; the discipline of freedom and the organized way of working freedom. But there is something even more than that. ⁶⁰ The freedom that has come to India by virtue of many things inevitably leads India to play an important part ⁸⁰ in world affairs. It is not a question of our choosing this or that; it is an inevitable consequence of ¹⁰⁰ what India is and what a free India must be. And because we have to play that inevitable part in ¹²⁰ world affairs, we have another and greater responsibility.

Sometimes, with all my hope and optimism and confidence in my nation, ¹⁴⁰ I rather quake at the great responsibilities that are being thrust upon us, and which we cannot escape. If we ¹⁶⁰ get tied up in our narrow controversies, we may forget this. Whether we forget it or not, that responsibility is ¹⁸⁰ there. If we forget it, we fail in that measure. Therefore, I would beg of this House to consider these ²⁰⁰ great responsibilities that have been thrust upon India and on us in this House, because we represent India in this ²²⁰ as in many other spheres, and to work together in the framing of the Constitution, always keeping that in view, ²⁴⁰ for the eyes of the world are upon us and the hopes and aspirations of a great part of the ²⁶⁰ world are also upon us.

We dare not be little; if we do so, we do an ill service to ²⁸⁰ our country and to the hopes and aspirations of other countries that surround us. It is in this way that ³⁰⁰ I would like the House to consider this Constitution; first of all to keep the Objectives Resolution before us and ³²⁰ to see

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how far we are going to act upon it, how far we are going to build up, ³⁴⁰ as we said in the Resolution an Independent Sovereign Republic, where in all power and authority of the Sovereign Independent India, ³⁶⁰ its constituent parts and organs of Government, are derived from the people; and wherein shall be guaranteed and secured to ³⁸⁰ all the people of India justice, social, economic and political, equality of status, of opportunity, and before the law, freedom of thought, expression, belief and worship. ⁴⁰⁰

The House will remember that when I brought the Motion of the Objectives Resolution before this House, I referred to ⁴²⁰ the fact that we were asking for or rather we were laying down that our Constitution should be framed for ⁴⁴⁰ an Independent Sovereign Republic. I stated at that time and I have stated subsequently that this business of our being ⁴⁶⁰ a republic is entirely a matter for us to determine, of course. It has little or nothing to do with ⁴⁸⁰ what relations we should have with other countries, notably the United Kingdom or the Commonwealth that used to be called ⁵⁰⁰ the British Commonwealth of Nations. That was a question which had to be determined again by this House and by ⁵²⁰ no one else, independently of what our Constitution was going to be.

I want to inform the House that ⁵⁴⁰ in recent weeks when I was in the United Kingdom, this subject and allied subjects came up for private discussion, there ⁵⁶⁰ was as no public discussion or decision, because the Commonwealth Conference which I attended did not consider it at all in ⁵⁸⁰ its sessions. Inevitably these were private discussions, because it is a matter of high moment not only for us, but ⁶⁰⁰ also for other countries as to what, if any, relation we should have, what contacts, what links we should bear ⁶²⁰ with these other countries. Invariably the first thing that I had to say in all these discussions was that I ⁶⁴⁰ could not as an individual, even though I had been honoured with the high office of Prime Ministership, I could ⁶⁶⁰ not in any way or in any sense commit the country, nor even the Government which I had the honour ⁶⁸⁰ to represent. This was essentially a matter which the Constituent Assembly of India alone could decide.

I made that perfectly ⁷⁰⁰ clear. Having made that clear, I further drew their attention to the Objectives Resolution of the Constituent Assembly. I said, ⁷²⁰ it was, of course, open to the Constituent Assembly to vary that Resolution as it could vary everything else, because ⁷⁴⁰ it was sovereign in this and other matters. That was the

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located but to all the States in the ³⁴⁰ region. 15 per cent of the electricity is kept with the Centre to release to the State in the region ³⁶⁰ whichever is in sufferance. This is the formula that has been evolved. If this formula has got to be changed ³⁸⁰ for those States which are deficit States than, the States would not take up the projects which they ought to. ⁴⁰⁰

And perhaps it would not be exaggeration for me to reassert that the States would become parasites over the Central ⁴²⁰ projects. It is precisely because of this reason, that we have evolved this formula. In fact, I am facing one ⁴⁴⁰ more difficulty which I must share with the House. I am having quite a lot of difficulty in the transmission ⁴⁶⁰ of power that has to be evacuated from the Central power projects. The Rajyadhyaksha Committee has gone on record to ⁴⁸⁰ say that the 220 KV lines which are crucial for the purpose of evacuation of power should ⁵⁰⁰ be taken over by the Centre, the management of those transmission lines. And, in fact, we are going ahead with ⁵²⁰ setting up the 400 KV transmission lines at various places. Now, what had been happening is that the ⁵⁴⁰ States which are subjected to a power shortage had certainly been trying to say, "yet, you must control the transmission ⁵⁶⁰ lines."

But I am finding that quite a large number of States are not prepared to agree to allow the ⁵⁸⁰ Centre to have the control of the 220 KV transmission lines. In fact, sometime back, I had ⁶⁰⁰ taken a meeting of all the Power Ministers in the northern zone and none agreed for the Central control. I ⁶²⁰ had to set up a committee of the Chairmen of Electricity Boards to go into it and find a way ⁶⁴⁰ out for the purpose of evacuation of power from the thermal power stations controlled by the Centre. I have taken ⁶⁶⁰ this step so that the power could be evacuated without difficulty. Otherwise, if the transmission lines have also to be ⁶⁸⁰ developed, the cost will be equal to the setting up of the thermal power station.

Now, according to a rough ⁷⁰⁰ calculation, the creation of one MW capacity costs about Rs. 1 crore. That means that for setting up the ⁷²⁰ super thermal power stations which have been set up at different places with a capacity of 2,100 MW, ⁷⁴⁰ we would have had to spend Rs. 2,100 crores and an equal amount would have to be spent ⁷⁶⁰ for the purpose of the transmission lines which would make things very difficult because of the resource constraints. I thought ⁷⁸⁰ I should explain this so that the position becomes a little clear. Sir, one of the Members

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direction which the Constituent Assembly had given itself and ⁷⁶⁰ to its Constitution Drafting Committee and as long as it remained as it was, the Constitution would be in terms ⁷⁸⁰ of the Objectives Resolution. Having made that clear, Sir, I said that it had often been said on our behalf ⁸⁰⁰ that we desired to be associated in friendly relationship with other countries, with the United Kingdom and the Commonwealth. That ⁸²⁰ is all I wish to say about the matter because in the course of the session this matter will come up. ⁸⁴⁰

OPTIMISM : seeing the brighter side;

ASPIRATION : a strong desire; INVARIABLY : constantly;

Exercise 15

Sir, one of the arguments that was put forth was that the distribution system of power through the super thermal ²⁰ power stations was illogical. That is what one of the Hon. Members had put forth. In fact it should not ⁴⁰ be said that I am not courteous to the lady Member who had spoken. In fact, I must compliment her ⁶⁰ for the brilliant maiden speech that has been made this morning. But I am not merely on the point of ⁸⁰ the skill of the debate, but what happens you kindly consider. Now supposing power is to be supplied from the ¹⁰⁰ Central project according to the deficit of the States, then, I am sure the States will become mere parasites. I ¹²⁰ would not like to go into these details because it would be unfair. You don't expect me to answer every ¹⁴⁰ question that you will raise in a debate of this nature.

Sir, it is not as though the Central sector ¹⁶⁰ which exist in Bihar only consumes power. Quite a good bit of power is supplied by the Central Sector. So ¹⁸⁰ it is both ways. I am sure there is a quota for it. The position that I would rather prefer ²⁰⁰ to put forth is that there is a formula. There is a formula that has been evolved. The whole country ²²⁰ has been divided into various regions for this purpose. In fact, Rajyadhyaksha Committee wanted that we should set up ²⁴⁰ Regional Electricity Boards. There was opposition from the States because the States think that their power would be eroded. Therefore, ²⁶⁰ we are acting a little slow in the matter.

Now, what had been happening, I must also explain my difficulty ²⁸⁰ in one sector. Now, the formula that has been evolved is that the Central power project if it is located ³⁰⁰ in a particular State we provide straightway 10 per cent electricity generated to that State and, then, 75 per cent ³²⁰ is evacuated not only to the State in which this project is

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had asked about ⁸⁰⁰ the future of the Haldia Petro Chemicals Complex. In fact, I have said this in the other House also that ⁸²⁰ so far as the Haldia Petro Chemical Complex is concerned, it is unfortunate that the delay had been taking place. ⁸⁴⁰

TRANSMISSION : to change in form, nature substance;
EVACUATE : to withdraw from; ILLOGICAL : not based on reason;
PARASITES : sycophant, one who lives on others; ERODE : eat away;

Exercise 16

Undoubtedly it has some substance, but a vague statement that we stand for peace and freedom by itself has no ²⁰ particular meaning, because every country is prepared to say the same thing, whether it means it or not. What then ⁴⁰ do we stand for? Well, you have to develop this argument in the economic field. As it happens today, in ⁶⁰ spite of the fact that we have been for some time in authority as a Government, I regret that we ⁸⁰ have not produced any constructive economic scheme or economic policy so far. Again my excuse is that we have been ¹⁰⁰ going through such amazing times which have taken up all our energy and attention that it was difficult to do ¹²⁰ so. Nevertheless, we shall have to do so and when we do so, that will govern our foreign policy more ¹⁴⁰ than all the speeches in this House.

We have sought to avoid foreign entanglements by not joining one block or ¹⁶⁰ the other. The natural result has been that neither or these big blocs looks on us with favour. They think ¹⁸⁰ that we are undependable, because we cannot be made to vote this or that way. Last year when our ²⁰⁰ delegation went to the United Nations, it was the first time that a more or less independent delegation went from ²²⁰ India. It was looked at a little distance. They did not know what it was going to do. When they ²⁴⁰ found that we acted according to our own will, they did not like. We were unpopular last year at ²⁶⁰ the United Nations. I do not mean individually, but in regard to our policy. They could not quite make out ²⁸⁰ what we were or what we were aiming at. There was a suspicion in the minds of the first group ³⁰⁰ that we were really allied to the other group in secret thought we were trying to hide the fact, and ³²⁰ the other group thought that we were allied to the first group in secret though we were trying to hide ³⁴⁰ the fact.

This year there was a slight change in this attitude. We did many things which both the groups ³⁶⁰ disliked, but the comprehension came to them that we were not really allied to either group, that we were trying ³⁸⁰ to act according

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quarrelling with one another, some statesmen in America, France and the British imperialism lurking behind the curtain in the distance. ⁸⁴⁰

AMAZING : surprising; ENTANGLEMENTS : to twist together;
COMPREHENSION : to understand; LURKING : to be unnoticed;

Exercise 17

Mr. Deputy Chairman, I thank you for having given me this opportunity to express my views on the subject under ²⁰ discussion, the working of the Ministry of Energy. Since the Hon. Member who spoke before took exactly thirty minutes since ⁴⁰ this is my maiden speech, I would request you, Sir to give me at least 15 minutes. At the outset, ⁶⁰ I wish to assure you, Sir, and all the Hon. Members here that I am fully aware of the noble ⁸⁰ traditions of this august assembly which, since its inception has been and continues to be a meeting place of some ¹⁰⁰ of the finest intellects in our country, of scholars, statesmen and towering personalities who have distinguished themselves in diverse fields. ¹²⁰

Much comments has been made in the Press recently about the present infusion of young blood into this House of ¹⁴⁰ Elders. I hasten to reassure you, Sir, and all the senior Members here that they need harbour no apprehension on ¹⁶⁰ this score. I give you my solemn word that I shall never fail to uphold the dignity, prestige and decorum ¹⁸⁰ of the Rajya Sabha, and I shall do nothing to detract from the House that has been added to it ²⁰⁰ by the luminous personalities who have graced these hallowed portals, who are no longer with us, and to whom I ²²⁰ pay my respectful homage as a new entrant. I deem it a great honour to stand here and speak on the ²⁴⁰ floor of the very same Rajya Sabha where 36 years ago, in 1962 our great departed leader rose ²⁶⁰ to make his forceful maiden speech which electrified the entire nation. While electrified the whole country with his maiden speech, ²⁸⁰ the theme of my maiden speech today is going to be dedicated mainly to the subject of electricity.

My leader ³⁰⁰ has sent me here, together with my colleagues in the party to echo the voice of the people of Tamil ³²⁰ Nadu in this national forum. In particular, I have come here as the representative of the weaker sections of our ³⁴⁰ society, the toiling masses, the crores of humble workers to give oral manifestation to their feelings, and legitimate desires and make ³⁶⁰ them known to the rest of the country. There are many Members here who are far more knowledgeable than I ³⁸⁰ am, and vastly richer in

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experience. Some of them may disagree with some of the views I put forth. ⁴⁰⁰

I wish to emphasize the fact that the fundamental purpose of my speaking here in the Rajya Sabha is not ⁴²⁰ to engage in wordy duals with other Members, but to state positive truths to the best of my knowledge and ⁴⁴⁰ to draw the attention of the nation to certain crucial issues. Tamil Nadu has been facing acute shortage of electricity ⁴⁶⁰ for more than a decade. The State Government was forced to impose power cuts ranging from 25 per cent to ⁴⁸⁰ 100 per cent intermittently from 1991-92 onwards to overcome the shortage. As a result of ⁵⁰⁰ the repeated power cuts, the industrial and agricultural production in the State has been affected adversely and drastically.

Tamil Nadu ⁵²⁰ has very meagre hydel potential. Most of the economical hydel potential has either already been exploited or is already on ⁵⁴⁰ the anvil. The balance potential is either tied up in Inter-State disputes or is too small and seasonal for ⁵⁶⁰ economic exploitation. The only fossil fuel that is available in the State is lignite, and efforts have already been undertaken ⁵⁸⁰ to utilise this potential in an optimum manner. Tamil Nadu has almost exhausted its hydel resources and has no coal ⁶⁰⁰ resources at all. For setting up more coal based thermal stations, there are formidable constraints in that coal has to ⁶²⁰ be hauled over long distances, either from Andhra Pradesh or from Bengal or Bihar, rendering the cost too high and ⁶⁴⁰ the availability of coal uncertain. It was in this context that the State Government passed for the location of a ⁶⁶⁰ nuclear plant in the State and the Government of India was kind enough to concede the demand by sanctioning the ⁶⁸⁰ Madras Atomic Power Project with a capacity of 235 MW in 1967. Later in ⁷⁰⁰ Eighth Five Year Plan the second unit also with a generation capacity of 235 MW was ⁷²⁰ also sanctioned. At the time there was a clear understanding between the State and the Central Governments that the entire ⁷⁴⁰ output from Kalpakkam would be allocated solely to Tamil Nadu to meet the urgent and pressing needs of the State.

In ⁷⁶⁰ the year 1988 when the necessary lands were acquired for the project, the Government of Tamil Nadu agreed ⁷⁸⁰ to make available free of cost, 2500 acres of land required for the project. The lands were valued ⁸⁰⁰ at about Rs. 53 lakhs. This commitment was based on the confirmation given by the Madras Atomic Power Project authorities ⁸²⁰ to the effect that in return the entire energy output from the project would be sold to Tamil Nadu. ⁸⁴⁰

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INCEPTION : beginning, DIVERSE : unlike;
MAIDEN : for the first time; MEAGRE : very small;

Exercise 18

There has been a lot said about other matters. Here is Indonesia. It is a clear issue before this House. ²⁰ We have done precious little by way of actual active help; we are not in a position to do so. ⁴⁰ But we have sympathy for the Indonesians and we have expressed it as publicly as possible. Because we give our ⁶⁰ sympathy and some degree of help to Indonesia and because this offends and irritates some of the major powers of ⁸⁰ the world, are we to withdraw that help? Are we to submit tamely and say, no, this might irritate this ¹⁰⁰ power or that? For, it does irritate this or that power and there is no doubt about it.

Naturally, we ¹²⁰ cannot as a Government go as far as we might have done as a non-official organization in which we ¹⁴⁰ can express our opinions as frankly and as aggressively as possible. Speaking as a Government we have to moderate our ¹⁶⁰ language. We have sometimes to stop doing things which we might otherwise do. Nevertheless, the fundamental thing is whether we ¹⁸⁰ sympathize and openly sympathize with a country like Indonesia in her struggle for freedom, or not. That applies not to ²⁰⁰ Indonesia only, but to several other countries. In each case, we have to face the passive hostility of various interests, ²²⁰ not only the direct interests involved, but also the indirect interests involved, because the direct and the indirect interests hang ²⁴⁰ together in such matters.

It is an astonishing thing to see how, for many months, the Good Offices Committee has ²⁶⁰ functioned in Indonesia. They are all good people, and it happens that the Secretary of the Committee is an Indian. ²⁸⁰ The way it has functioned and the results it has produced are not at all satisfactory. If this House is ³⁰⁰ dissatisfied with what the Security Council has done this year or considered in regard to Kashmir, they would be still ³²⁰ more dissatisfied, I think, if they considered the Indonesian Good Offices Committee's work. Unfortunately, their approach to such problems is ³⁴⁰ an approach with which this House cannot agree, on account of our past traditions, on account of our ideals.

I ³⁶⁰ am not talking in terms of this bloc or that bloc; I am talking independently of the blocs as they ³⁸⁰ have appeared on the world stage. We have either to pursue our policy generally within limitations or give it up. ⁴⁰⁰

The problem before us was that if that veto was,

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removed by a vote or decision of the United Nations, ⁴²⁰ there was little doubt that the United Nations would cease to be that very instant. That was the choice. It ⁴⁴⁰ was not a question of liking the veto. On behalf of India, as on behalf of many countries, it was ⁴⁶⁰ stated openly that we disliked the veto and that it should go. It was pointed out, however, that this could ⁴⁸⁰ only come about by some kind of general agreement.

We agree with what my friend said, that the United Nations, ⁵⁰⁰ in spite of its failings and weaknesses, is something that is good. It should be encouraged and supported in every ⁵²⁰ way, and should be allowed to develop into some kind of world government or world order. Therefore, we instructed our ⁵⁴⁰ delegates not to press the question of the veto to the breaking point and to say that, although we did ⁵⁶⁰ not like it, it should remain there so long as it could not be removed by some kind of agreement ⁵⁸⁰ among the major groups involved.

In that way various questions come up and each question has to be considered on ⁶⁰⁰ its merits. I do not know if any Hon. Member has analysed our voting at these International Conferences. It would ⁶²⁰ help them perhaps to appreciate the scene better if they took up any one of the major issues during the ⁶⁴⁰ last year at the United Nations or its various Committees and Councils and found out what India had done. It ⁶⁶⁰ is certainly true that our instructions to our delegates have always been to consider each question first in terms of ⁶⁸⁰ India's interest and secondly on its merits and not merely to do something or give a vote just to please ⁷⁰⁰ this power or that power, though, of course, it is perfectly natural that in our desire to have friendship with ⁷²⁰ other powers, we avoid doing anything which might irritate them.

As a matter of fact, we go as far as ⁷⁴⁰ possible to try and win them over. It is not our purpose to enter into other people's quarrels. Our general ⁷⁶⁰ policy has been to avoid entering into anybody's quarrels. If I may say so, I have come more and more ⁷⁸⁰ to the conclusion that the less we interfere in international conflicts the better, unless, of course, our own interest is ⁸⁰⁰ involved, for the simple reason that it is not in consonance with our dignity just to interfere without producing any ⁸²⁰ effect. We should either be strong enough to produce some effect or we should not interfere at all in this matter. ⁸⁴⁰

ASTONISHING : surprising;
DIGNITY : noblemen of mind;

Handwritten shorthand notes in Devanagari script, corresponding to the printed text on the left. The notes are written in a cursive style on lined paper.

Exercise 19

I am overwhelmed by the affectionate welcome extended to me. Your good wishes and blessings are an inspiration to me²¹ to live and serve. It has been a difficult year for me. For mere bodily troubles, however, I do not care.²² Dust return to dust. But the fact that this has been a very difficult year for the country worries²³ me day and night. The coming year may be even more critical. One wrong step can bring the country to ruin.²⁴ My 74 years are a fairly long life span in a country like India. There is not much²⁵ time left to me in this world. But what departure could be better than to depart with all the love²⁶ that you have shown. I can only pray to God to make me every day more deserving of your blessings²⁷ as long as I live. But India's leader, our helmsman, is abroad these days. Mine is a limited role²⁸ to strengthen his hands as long as I can. He is exerting himself to enhance the honour of our country.²⁹ Of course, it was Gandhiji above all who gained for India a place of honour in the world by the way³⁰ he lived and still more by the way he died. Next to him, our leader has raised the status of our country³¹ by the spirit with which he is doing his work abroad. For true honour, however, and for the³² protection for our integrity, we should set our house in order. Honour abroad without strength at home cannot last long.³³ We have to live up to the expectations we raise in the world.

People, both from within and outside the³⁴ Congress, are criticising us. Some go to the extent of saying that British rule was better. This is unfortunate because³⁵ when we think like this, we show preference for slavery. But we should not forget that our centuries old³⁶ slavery was a burden set so oppressively on our chest, that we could not even breathe. We have thrown off³⁷ that burden but have yet to recover our breath. New life is being infused into an almost dead body.³⁸ We are not yet fit to walk. If we try to run before we have learnt how to walk, we will³⁹ break our legs. Let no one think we are ignorant of hunger and want in the country.⁴⁰

If we were so ignorant, Prime Minister would have been right in saying that the government of this country had been⁴¹ handed over to 'men of straw'. But even he realises now that these are not 'men of straw' but men⁴² of a peculiar strength. It should not be forgotten that there is suffering everywhere in the world.⁴³ What we need is economic independence and that is not easy of attainment. There are

Handwritten shorthand notes corresponding to the printed text on the left, written in a cursive style on lined paper.

so many barriers to be crossed.⁴⁹⁰ Devaluation has also created many difficulties which the peasant in the field and the labourer in the factory cannot realize.⁵⁰⁰ But those who fear difficulties can achieve nothing. Whatever the difficulties, there is power in man which can face⁵²⁰ them and overcome them. But it is given to man, not cowards, to achieve this. You must understand that great⁵⁴⁰ sacrifices will be needed to achieve economic independence, sacrifices of a nature different from those made in the freedom struggle;⁵⁶⁰ and all classes will have to contribute, the farmers, the factory workers, the rich as well as the middle class⁵⁸⁰ people who are already hard pressed. The hardship may be less in the case of the rich, even none, let us⁶⁰⁰ presume. But in our country rich persons are very few. Ours is a poor country with a sprinkling⁶²⁰ of the rich. It is not use chasing them all the time. I will deal with them any way like,⁶⁴⁰ but I know we have few men of experience in our country today.

It is the bulk of the people⁶⁶⁰ we must tighten their belts. Do not give to the government if you cannot afford it. Deposit what you can⁶⁸⁰ as a loan. Not only will our future be ensured but industry also will get a boost. Today we do not have⁷⁰⁰ enough financial resources for expanding industry and producing wealth. But if each individual makes his contribution in the⁷²⁰ form of savings, the savings of crores of people will go a long way towards achieving economic independence. There is no⁷⁴⁰ other way. From those who are wealthy we will try to get by persuasion. They will not be left out.⁷⁶⁰ But you must not say that we should take from them first and you will only follow later.⁷⁸⁰ There should be some kind of healthy competition here. I have no fear of internal dangers now. Whenever there is⁸⁰⁰ danger from outside, the world will share the risk, because the Big Powers, affluent thought they are, are always afraid⁸²⁰ lest another country become more powerful. Gandhiji taught us to shun fear. People of diverse faiths should live together and not quarrel among themselves.⁸⁴⁰

RUIN: remains of building destroyed/fallen;
OPPRESSIVELY: burdensome, causing discomfort;
AFFLUENT: rich;
DIVERSE: unlike character.

Handwritten shorthand notes corresponding to the text on the left, written in a cursive shorthand style.

FISSIPAROUS : separatist; FOETUS : child in the womb;
 DRAG : to draw along the ground; ENDEAVOUR : an attempt;
 PESSIMISM : looking on the dark side of things; EMANATES : to flow from;

Exercise 20

Sir, now the question arises and the amendment which Hon. Member has brought forward also raise the question, namely, to ²⁰ what extent the supremacy of Parliament has to be accepted? Sir, at one stage, when the Supreme Court had struck ⁴⁰ down the Bank Nationalisation Act and the Privy Purse abolition measure there was a dominant body of thinking in ⁶⁰ the country that Parliament should be supreme. People then said, as eminent justice had said, that the Constitution of a ⁸⁰ country should not be what the judges say, but what the people say. The feeling was like what President Roosevelt had ¹⁰⁰ said, namely, that the Courts should not be a third House, a third Chamber, a super Legislature, a super Parliament. On ¹²⁰ policy question, Parliament is supreme.

Sir, then there has been further thinking on this question and this Constitution Amendment ¹⁴⁰ Bill also raises this question. So far as Parliament's power to amend the Constitution is concerned, particularly where individual rights ¹⁶⁰ are concerned, where property rights are concerned and where Parliament is passing legislations for the Harijans, for the backward classes, ¹⁸⁰ for the Scheduled Castes, for the small and marginal farmers, for minorities and so on, that power should be supreme ²⁰⁰ unchallengeable and immutable. This should be beyond the reach of judicial review.

But there is another question. The question that has ²²⁰ now arisen is this. Among individual rights there are some rights, that is, the property right, which is a ²⁴⁰ subsidiary right and which has to be curbed in social interest. But among individual right, there are some basic ²⁶⁰ rights like the right of free speech, right to form associations, certain cultural rights, rights of the minorities and so on. ²⁸⁰ The question therefore, arises that when we say Parliament is supreme and Parliament's legislations should not be checked or should not be ³⁰⁰ judicially reviewed or should not be set aside or should not be declared ultra vires the Constitution by the Courts, then ³²⁰ we say that so far as Parliament's socio-economic legislations are concerned, like abolishing landlordism, curbing monopolies, curbing restrictive practices, ³⁴⁰ curbing discriminatory practices, curbing exploitation of the weaker and backward sections and so on, the Courts should not come into the picture ³⁶⁰.

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and they should not be able to interfere. But, Sir, so far as the personal rights of the citizen are concerned, that ³⁸⁰ is to say, right of not being detained etc. require a fundamental thinking in the light of the experience. ⁴⁰⁰

The latest Constitution Amendment Bill which has been passed bases itself on the assumption that there is a basic structure of ⁴²⁰ the Constitution which cannot be touched, the basic structure which enshrines the faith of a secular State, a Republican State, a ⁴⁴⁰ Democratic State, a State committed to social change and advancement towards social objectives and social goals. Therefore, this basic structure ⁴⁶⁰ is there. Then the question arises that though Parliament is supreme yet so far as this basic structure is concerned, ⁴⁸⁰ whether judicial review is permissible on this question? If Parliament, by a majority vote, change this basic structure whether the ⁵⁰⁰ Courts can look into this question? Sir, this is one of the major questions that arise here. This arose when ⁵²⁰ the last Constitution Amendment Bill was passed and this also arises now in this Bill of my friend. The question ⁵⁴⁰ is: Can the Courts look into this question? So far, the Government have proceeded on the assumption that there ⁵⁶⁰ is a certain basic structure like the concept of republicanism, concept of secularism, concept of democracy and so on, ⁵⁸⁰ which should be immutable.

Sir, so far as these things are concerned, I think, it is an accepted position; everybody accepts ⁶⁰⁰ these are immutable. The question arises: What are the modalities by which we ensure that these are immutable, that democracy is immutable? How do ⁶²⁰ we ensure that those are immutable, that secularism is immutable, that democracy is immutable? How do we ensure that these ⁶⁴⁰ are immutable without defining what secularism is, what democracy is. Then, you will be giving a very wide, untrammelled, unguided ⁶⁶⁰ and unchartered power to the Court to define these things and then say that according to the definition of ⁶⁸⁰ these various concepts, which are fundamental concepts and which are part of the basic structure, this particular law is ⁷⁰⁰ invalid. Therefore, Parliament must be very clear and careful in its mind, that is, if Parliament wants to give power ⁷²⁰ to the courts, then the courts will review all laws in the light of the basic structure. Parliament cannot then pass ⁷⁴⁰ a law in negation to this basic structure. Then these concepts relating to the basic structure must be defined and ⁷⁶⁰ it has to be ascertained how far the courts can go into them. This is

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one aspect.

The other aspect that ⁷⁸⁰ arises is this: Hon. Member has suggested a Parliamentary Committee to go into the constitutionality of the statutes ⁸⁰⁰ the Parliament passes. This is a very controversial provision, for this reason that we have got a quasi federal structure. We ⁸²⁰ have got the Council of States. We represent the States. The States have certain rights which are under the law. ⁸⁴⁰

MONOPOLIES : haing exclusive right;

QUASI : half-way; **ABOLISHING** : ending;

ENSHRINES : gives place of importance; **IMMUTABLE** : unchangeable;

Exercise 21

People in rural areas find that there are no health facilities available to them and their children may die due ²⁰ to lack of it. In order to have security both in terms of child survival and old age support, they ⁴⁰ go for at least three or four children. The better off in the society, however, can take greater care of ⁶⁰ their children because of being sure of getting all the medical care that science and technology can provide them in ⁸⁰ today's world. In the name health care being the responsibility of the society or the State, we are actually leaving ¹⁰⁰ poor rural folks to their own fate. We should not forget that we have given them freedom to live as ¹²⁰ they like. It is a nation where we have given right to every individual whether literate or illiterate, poor or ¹⁴⁰ rich, that he will not only decide about himself but he will also decide the course of history for all ¹⁶⁰ of us. If more than 50 per cent of population is below poverty line, if more than 50 per cent people ¹⁸⁰ are illiterate in this country, what is going to happen? What will be the psychological impact of this section of ²⁰⁰ the society on others and the leadership?

The other related question for human capital build-up is the nature and ²²⁰ quality of the educational system. We need to question ourselves as to how far we have been able to improve ²⁴⁰ and reform the educational system which was handed over to us by the British. In spite of a large number ²⁶⁰ of studies, reports of committees and high-power commissions and their recommendations, the educational system in the country, in essence, ²⁸⁰ continues to be the same as it was during the colonial phase of Indian history. We have yet not reformed ³⁰⁰ the system to be the one which could promote professional competence or help the youth to think independently and that ³²⁰ too in terms of immediate community and national interest. The educational system needs to be thought of in a different ³⁴⁰ manner

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than what has been the case so far.

Spread of education is closely associated with population control. This has ³⁶⁰ been amply demonstrated in Kerala which has the highest literacy rate and the lowest rate of population growth. The opposite ³⁸⁰ is true of states like Madhya Pradesh and Rajasthan where literacy rate is not high. Education, particularly among the women ⁴⁰⁰ increases the effectiveness of population control programmes. To build human capital of excellence has, therefore, to be the primary concern ⁴²⁰ of a purposeful population policy.

Education of women is particularly important and this aspect of education is lacking in our ⁴⁴⁰ country. If women are educated, they can take better care of their children and play a great role in making ⁴⁶⁰ them healthy, useful and intelligent citizens. I shall like to emphasize that we should arrange to provide to every child ⁴⁸⁰ whether a boy or a girl, a free and compulsory education upto the age of 14 years as an urgent ⁵⁰⁰ national endeavour as given in the Directive Principles of the Constitution.

Providing education and health care to all children means ⁵²⁰ that they grow into a healthy young man or young woman who would expect productive jobs in order to lead ⁵⁴⁰ a life of dignity. Here comes the problem of employment. With the advancement of technology and the associated luxury and ⁵⁶⁰ comfort that people are enjoying in many parts of the world, we are also aspiring to have the same facilities ⁵⁸⁰ in our lives. But, I know that all the indigenous methods that were providing jobs to millions of our people, ⁶⁰⁰ though are not enough to provide a comfortable life, can at least give them sustenance. This employment to millions is ⁶²⁰ being threatened by technology. Since survival is the basic instinct of human beings, people are not bothered about what will ⁶⁴⁰ be the future of India or whether they will have the comforts and benefits of technology, they are simply interested ⁶⁶⁰ in survival. As long as a large section of population is just struggling for survival, we cannot pull out from ⁶⁸⁰ them the indigenous employment facilities that gave them sustenance. Unless we think afresh about education, employment and health services in ⁷⁰⁰ the changing climate, I don't think we shall be able to make a great impact on population front.

Our population ⁷²⁰ policy, therefore, must relate to the question of employment. How best to exploit the human capital remains a critical question. ⁷⁴⁰ A balance between needs of technological advancement on the one hand and

(3.5) x 6 = 21
1/2 x 6 = 3
1/3 x 6 = 2
1/4 x 6 = 1.5
1/5 x 6 = 1.2
1/6 x 6 = 1
1/7 x 6 = 0.857
1/8 x 6 = 0.75
1/9 x 6 = 0.666
1/10 x 6 = 0.6
1/11 x 6 = 0.545
1/12 x 6 = 0.5
1/13 x 6 = 0.461
1/14 x 6 = 0.428
1/15 x 6 = 0.4
1/16 x 6 = 0.375
1/17 x 6 = 0.352
1/18 x 6 = 0.333
1/19 x 6 = 0.315
1/20 x 6 = 0.3
1/21 x 6 = 0.285
1/22 x 6 = 0.272
1/23 x 6 = 0.260
1/24 x 6 = 0.25
1/25 x 6 = 0.24
1/26 x 6 = 0.230
1/27 x 6 = 0.222
1/28 x 6 = 0.214
1/29 x 6 = 0.206
1/30 x 6 = 0.2
1/31 x 6 = 0.193
1/32 x 6 = 0.187
1/33 x 6 = 0.181
1/34 x 6 = 0.176
1/35 x 6 = 0.171
1/36 x 6 = 0.166
1/37 x 6 = 0.162
1/38 x 6 = 0.157
1/39 x 6 = 0.153
1/40 x 6 = 0.15
1/41 x 6 = 0.146
1/42 x 6 = 0.142
1/43 x 6 = 0.139
1/44 x 6 = 0.136
1/45 x 6 = 0.133
1/46 x 6 = 0.13
1/47 x 6 = 0.127
1/48 x 6 = 0.125
1/49 x 6 = 0.122
1/50 x 6 = 0.12
1/51 x 6 = 0.117
1/52 x 6 = 0.115
1/53 x 6 = 0.113
1/54 x 6 = 0.111
1/55 x 6 = 0.109
1/56 x 6 = 0.107
1/57 x 6 = 0.105
1/58 x 6 = 0.103
1/59 x 6 = 0.101
1/60 x 6 = 0.1
1/61 x 6 = 0.098
1/62 x 6 = 0.096
1/63 x 6 = 0.095
1/64 x 6 = 0.093
1/65 x 6 = 0.092
1/66 x 6 = 0.090
1/67 x 6 = 0.089
1/68 x 6 = 0.088
1/69 x 6 = 0.087
1/70 x 6 = 0.085
1/71 x 6 = 0.084
1/72 x 6 = 0.083
1/73 x 6 = 0.082
1/74 x 6 = 0.081
1/75 x 6 = 0.08
1/76 x 6 = 0.079
1/77 x 6 = 0.078
1/78 x 6 = 0.076
1/79 x 6 = 0.075
1/80 x 6 = 0.074
1/81 x 6 = 0.073
1/82 x 6 = 0.072
1/83 x 6 = 0.071
1/84 x 6 = 0.07
1/85 x 6 = 0.069
1/86 x 6 = 0.068
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1/93 x 6 = 0.061
1/94 x 6 = 0.06
1/95 x 6 = 0.059
1/96 x 6 = 0.058
1/97 x 6 = 0.057
1/98 x 6 = 0.056
1/99 x 6 = 0.055
1/100 x 6 = 0.054

Exercise 22

I am fully aware of Bengal's agony. My heart goes out to the people of Bengal, but I am confident²⁰ that, as always, they will face the difficulties with determination. Ever since India's freedom was at stake, Bengal has shown⁴⁰ courage in every crisis. The leaders and the youth of Bengal endured great cruelties in the fight against alien rule.⁶⁰ All India is indebted to Bengal for that. Later, when the alien grip was relaxed but the transition was still⁸⁰ half-way through, the power was shared by the Muslim League and the British. That was a period of travail¹⁰⁰ for you and you stood up to it courageously. Bengal or India can never forget what was called the "direct action"¹²⁰ by those people. How can the plight of Calcutta in those days be forgotten? Nor can the subsequent events in¹⁴⁰ Noakhali be forgotten by you or India. Those pages of history good or bad, such as they are cannot be deleted.¹⁶⁰

Gandhiji was there in those days. He walked from village to village and shared in the people's woes. He gave¹⁸⁰ them sustenance and consolation. For a few days he stayed in Calcutta too. Then, either under provocation or in sympathy²⁰⁰ with you, or Bihari brethren showed their anger and the fire spread in India, particularly in the north. It came²²⁰ to be felt that unless the alien rule was removed somehow or the other, whatever their intentions, peace in the country²⁴⁰ was impossible, nor was it easy to remove the strife between the two communities. In the circumstances, we²⁶⁰ decided to accept partition of the country on the condition that Punjab and Bengal should also be divided. It was²⁸⁰ God's will that when others wanted to partition Bengal, the people resisted the decision at great sacrifice, but partition the³⁰⁰ same Bengal had to be accepted when there was no alternative. No dissenting voice was raised at that time³²⁰ because everyone understood that there was no other way out. We were clear in our minds that we could never³⁴⁰ accept Calcutta being taken away from us. The Muslim League leaders did not accept this. They were averse to having³⁶⁰ a 'moth-eaten' Pakistan. They wanted the whole of Bengal and the whole of Punjab. Ultimately they came round but the³⁸⁰ bloodshed which then occurred has left a wound which will take some time to heal. Bengal's hurt is deep.⁴⁰⁰

In the part of Bengal that has separated from us, there are Hindus as well as Muslims. We want all⁴²⁰ of them to be happy. We want all wounds to heal quickly. For this, patience

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and forbearance are needed on⁴⁴⁰ both sides. Those who are our flesh and blood, those who fought by our side in the freedom struggle, cannot⁴⁶⁰ suddenly become foreign to us because they are on the other side of a line. There are people in South Africa,⁴⁸⁰ people of Indian origin but with African citizenship, whom we still try to help. If they have a claim⁵⁰⁰ on us, surely those in that part of Bengal too have a claim. The bonds of kinship and economic and⁵²⁰ social links cannot be broken. But to remove their difficulties, we have first to set our own house in order.⁵⁴⁰ Some people mislead the refugees who have come here and incite them by saying that the Government does nothing for them.⁵⁶⁰ But this does them no good. It does not mitigate their suffering. We can help them only if we⁵⁸⁰ set our house in order. We must stop the daily incidents of bomb and cracker blasts, burning of trains and cars,⁶⁰⁰ assaults on policemen, etc. Such occurrences distract attention from relief work. People elsewhere get the impression that lawlessness prevails⁶²⁰ in Calcutta and living there is difficult. Only on coming there do they find that such is not the case.⁶⁶⁰

A handful of miscreants want to hold Calcutta and the Bengal Government in the grip of fear. I cannot understand⁶⁸⁰ their motives and intentions. I can understand a communist ideology but how can such vandalism help? But what pains me⁷⁰⁰ more is the attitude of the lakhs of other residents of Calcutta. Why don't we understand our duty? It is⁷²⁰ wrong to think that combating lawlessness is the duty only of the police and the Government. Today's Government is not⁷⁴⁰ a foreign Government. A foreign Government would have used the old methods which we cannot use. Of course, when you⁷⁶⁰ feel you do not want this Government, you can remove it. We do not want to delay elections at all.⁷⁸⁰ A lot of money will have to be spent on the crores of people who have been enfranchised for the⁸⁰⁰ first time, but that does not matter. Much time and energy will have to be spent. Even that is of⁸²⁰ small consequences. What is needed even more is the right atmosphere. To those who think they have a substitute for the ballot box in the shape of revolution.⁸⁵⁶

TRAVAIL: painfully, burden;
 AVERSE: opposition feeling;
 KINSHIP: family relationship;
 MITIGATE: to lessen harshness;
 VANDALISM: deliberately destruction of property;
 ENFRANCHISED: to admit citizenship/ right to vote.

Handwritten shorthand notes on the right margin, corresponding to the text on the left. The notes are written in a cursive shorthand style on lined paper.

Exercise 23

Sir, no governments, no party has any magic solutions to these problems and these problems are going to be with us;²⁰ the problems of reviving economic growth, the problem of massive unemployment, the problem of resource mobilisation, the problem of saving,⁴⁰ investment, etc., the problem of energy, the problem of shortage of power, electrical, hydro and other forms of power, not the⁶⁰ political power, for there is no shortage of political power. But there is shortage of this power where every scheme⁸⁰ of areas, every project of areas, almost every unit of enterprise is roadblocked because of the shortage of power and¹⁰⁰ energy. The problem is of finding a happy combination between hard-core economic policies for economic revival with distributed justice¹²⁰ with constraints on the growth of the kind of economic activity which would deprive merit. How to find this balance¹⁴⁰ and how to revive the economy? These are massive problems for which we need a massive national effort, and¹⁶⁰ I am pleading for a new national consensus, the path that has already proved to be the most suitable, the¹⁸⁰ path of the public sector enjoying the commanding heights while we retain freedom of enterprise in certain important sectors.

Sir,²⁰⁰ the President has also in his speech mentioned the international situation although in somewhat subdued terms because of the gravity²²⁰ of the situation. There is no doubt that the international situation is grim. The psychology of the cold war is²⁴⁰ again gripping the big power. Sir, we have had an occasion to discuss certain developments on our borders, Afghanistan and²⁶⁰ Pakistan, and I have spoken on them at length, and I do propose to repeat those things. But I²⁸⁰ would like to submit three major factors in the international situation at present, positive and negative. Only when we understand³⁰⁰ these, can we evolve suitable responses also. One is the problem of adjustments to the realities of the new situation. The³²⁰ new situation is that at one time we saw one power or one set of powers predominant, dominating the seas,³⁴⁰ dominating the pathways and now another set of powers have arisen with an equal measure of power. To find³⁶⁰ adjustment and harmony is one of the major problems. We had the philosophy or the theory of the preponderance of³⁸⁰ power, we had the theory of sufficiency of superiority and we had the theory of sufficiency of power here.⁴⁰⁰ My dear friend, the Agriculture Minister is here. I do not know whether he is interested in the international problems. But⁴²⁰ I hope he will convey some of our ideas to

Handwritten shorthand notes corresponding to the typed text, written in a cursive style on lined paper.

those who are directly dealing with these. I would like⁴⁴⁰ to mention the second problem. It is also a negative one if I may put it in this kind of cliché⁴⁶⁰ that the power of the powerful is increasing at a fantastic rate and that the distance between it and⁴⁸⁰ the other is increasing sharply. We have seen the experience of the UNIDO Conference⁵⁰⁰ which is taking place these days, how difficult it is for the international community to work towards a⁵²⁰ new international economic order because the powerful do not find it in their interests to agree to a new international⁵⁴⁰ economic order which would be more just. And that makes it necessary for us, precisely for that reason, to concert⁵⁶⁰ forces with all other similarly situated countries to work for a new international economic order.

But the third factor which⁵⁸⁰ I will mention and which is a positive factor is that the power of the powerful may be⁶⁰⁰ increasing at a fast rate but there are limits to the use of that power. You have enormous weapons⁶²⁰ which can destroy the world many times over but you cannot use those weapons. The balance of terror has given⁶⁴⁰ leverage to less powerful countries, those countries who may not be a large power like India and others, to⁶⁶⁰ come together to work together and to exercise more leverage. And finally, Sir, I would like to say that there⁶⁸⁰ is an immediate problem for this country because for the first time, we are being encircled. There is the U.S.⁷⁰⁰ China-Pakistan combine. Whatever may be their calculations for the rest of the world, and I know that at⁷²⁰ least the United States is worried, is bothered, is concerned about the Gulf more than anything else, about the Middle East,⁷⁴⁰ about the oil and so forth. The actual impact of what is happening, the actual consequence⁷⁶⁰ of it, is encirclement of India for the first time by three major powers. They will put bases there.

Today,⁷⁸⁰ we read in the newspapers, the Minister is going to the Special Assistant to the U.S. President, who himself is⁸⁰⁰ going to Pakistan. Now this is an ominous development for which we must find suitable responses. I would suggest a⁸²⁰ multi-pronged approach. The first element of that approach must be to exercise all our influence to restrain the big powers.⁸⁴⁰

HYDRO	:	relating to water;
OMINOUS	:	bad omen;
PREPONDERANCE	:	plenty; in large supply.

Handwritten notes in shorthand script, likely representing the text of the page. The notes are written in a cursive, shorthand style, filling the right side of the page. There are approximately 25 lines of handwriting, corresponding to the lines of the printed text on the left. The handwriting is dense and fluid, typical of shorthand used for rapid note-taking.

Exercise 24

Sir, with regard to the family planning programme of the Government of India, it is true that our Government and²⁰ our country have been perhaps the pioneers in respect of taking advantage of the World Health Organisation expertise and assistance⁴⁰ in regard to family planning programme and that in the last several years, one cannot ignore some of the good⁸⁰ sides of the achievements of the family planning programme. Sir, I would like to invite the attention of the Government⁸⁰ to two aspects of the matter. One is that after having got this experience of some years, more than a¹⁰⁰ decade or two, can we not have some kind of a sustained uniform policy with regard to the various projects¹²⁰ and programmes of family planning, particularly with regard to two things? One is the assistance that we would like¹⁴⁰ to rope in of the voluntary agencies. Because, by its very nature, this is not something which the Government can do,¹⁶⁰ Government can spend money, Government can give encouragement. But basically it is a question of educating the people, educating the¹⁸⁰ illiterate and educating the people in the countryside and also taking the maximum possible help from the voluntary social institution²⁰⁰ in which a large number of women organisations are also doing a lot of good work.

In this regard, the²²⁰ complaint I hear is that the policy of the Government in regard to incentives offered, is not quite free from²⁴⁰ faults. Every now and then, different kinds of incentives are tagged on while attracting more people. Then those incentives are²⁶⁰ not maintained for a particular period of time so that certain incentives are withdrawn and certain new incentives are given.²⁸⁰ The result is that the interest in the programme is for the incentives offered rather than for the ultimate objective³⁰⁰ of controlled and healthy family planning. I would, therefore, request the Government to ensure that the family planning programme has³²⁰ a certain sustained outlook that the incentives are well thought out and that there is no change every now and³⁴⁰ then in regard to this or that incentive. Then, this should be free from one very serious error. This is³⁶⁰ not only an error, I would say it is a criminal thing. In the name of operations³⁸⁰ large number of old people, children and boys are also booked into the whole thing, because they get some extra financial incentive.⁴⁰⁰

Now, I come to the demand of the freedom fighters. I endorse very warmly many of the points which my Hon.⁴²⁰ friend had made when he talked about genuine and bogus freedom

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fighters. In fact, the Government of India itself in various⁴⁴⁰ replies in the past in this august House have told us about how many bogus cases were found out.⁴⁶⁰ Here we must remember that to some extent, we, the elected Members of State Legislature and Parliament, are also responsible⁴⁸⁰ for giving false information or false certificates. I am not saying that this or that particular person had done it.⁵⁰⁰ But when the Government say that in the absence of any proper proof, the certificate of a Member of Parliament or⁵²⁰ Member of Legislative Assembly should be attached, surely the Member of Parliament or Member of Legislative Assembly should be 100 per cent⁵⁴⁰ sure of his facts and he just should not do it by way of obliging any person. It is there⁵⁶⁰ where the bogus cases come. I am only making an appeal through this speech to Members of Legislative Assembly in a State Legislature⁵⁸⁰ and Members of Parliament here that we take extraordinary care so that we do not issue certificates liberally or irresponsibly⁶⁰⁰ because otherwise it become more difficult for the Government.

The second point is that some freedom fighters are not yet⁶²⁰ included in this scheme. I do not know whether the Minister has ready information at hand in this regard. There⁶⁴⁰ is also the project of old freedom fighters homes. I remember there is one in Delhi. But it is neglected.⁶⁶⁰ Some of the old freedom fighters who are living in Delhi are staying in this House. There is no one⁶⁸⁰ to look after them. They are not given proper food, proper drinking water or hot water for bath and so on.⁷⁰⁰ Because they are old and infirm, naturally they need these things all the more. Therefore, I would like the Government to⁷²⁰ take particular care of these old freedom fighters homes.

Lastly, although I know that the Government of India have paid⁷⁴⁰ a lot of money to these freedom fighters, I see from letters received by me not only from Gujarat but⁷⁶⁰ from other parts of the country as well that the papers of freedom fighters are not disposed of, although the applications⁷⁸⁰ had been properly sent through the State Administrations and more than two years have elapsed. Some of them are above⁸⁰⁰ sixty-five. If they have to wait for another one or two years to get their pensions, they may not be available⁸²⁰ to take it. We are prepared to give some additional grants if the Minister wants it that way to them.⁸⁴⁰

PIONEERS : 2 initiators;
GENUINE : 4 real.

Exercise 25 (Legal)

A Three-judge Bench of this Court in *Larsen and Toubro Limited & Another Versus State of Karnataka & Another*,²⁰ reported in 1 SCC 708, was faced with the question whether taxing the sale of goods in⁴⁰ an agreement for the sale of a flat by a developer or promoter was permissible. This Court, when dealing with the⁶⁰ said issue, made some pertinent observations with regard to: one, the interpretation of Article 366 of the⁸⁰ Constitution; two, the scope and meaning of works contract; and three, the application of the dominant intention test. They read as:¹⁰⁰ It is important to ascertain the meaning of sub- clause (b) of clause of Article 366 of the¹²⁰ Constitution. As the very title of Article 366 shows, it is the definition clause. It starts by saying¹⁴⁰ that in the Constitution unless the context otherwise requires the expressions defined in that article shall have the meanings respectively¹⁶⁰ assigned to them in the article. The definition of expression "tax on sale or purchase of the goods" is contained in¹⁸⁰ clause. If the first part of clause is read with sub-clause (b) along with latter part of this clause, it reads²⁰⁰ like this: "tax on the sale or purchase of the goods" includes a tax on the transfer of property in²²⁰ goods involved in the execution of a works contract and such transfer, delivery or supply of any goods shall be²⁴⁰ deemed to be a sale of those goods by the person making the transfer, delivery or supply and a purchase of²⁶⁰ those goods by the person to whom such transfer, delivery or supply is made.

The definition of "goods" in²⁸⁰ clause (12) is inclusive. It includes all materials, commodities and articles. The expression "goods" has a broader meaning than³⁰⁰ merchandise. Chattels or movables are goods within the meaning of clause (12). Sub-clause (b) refers to transfer of property³²⁰ in goods involved in the execution of a works contract. The expression "in some other form" in the bracket is³⁴⁰ of utmost significance as by this expression the ordinary understanding of the term "goods" has been enlarged by bringing within³⁶⁰ its fold goods in a form other than goods. Goods in some other form would thus mean goods which have³⁸⁰ ceased to be chattels or movables or merchandise and become attached or embedded to earth.⁴⁰⁰

In other words, goods which have by incorporation become part of immovable property are deemed as goods. The definition⁴²⁰ of "tax on the sale or purchase of goods" includes a tax on the transfer of property in the goods as⁴⁴⁰

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goods or which have lost its form as goods and have acquired some other form involved in the execution of⁴⁶⁰ a works contract. Viewed thus, a transfer of property in goods under clause (b) of Article 366⁴⁸⁰ is deemed to be a sale of the goods involved in the execution of a works contract by⁵⁰⁰ the person making the transfer and the purchase of those goods by the person to whom such transfer is made.⁵²⁰ The States have now been conferred with the power to tax indivisible contracts of works. The taxable event is a deemed sale. It is open to the⁵⁴⁰ States to divide the works contract into two separate contracts by legal fiction: one, contract for sale of goods involved⁵⁶⁰ in the works contract, and two, for supply of labour and service. By the Forty-sixth Amendment, the States have been⁵⁸⁰ empowered to bifurcate the contract and to levy sales tax on the value of the material in the execution⁶⁰⁰ of the works contract.

Whether the contract involved a dominant intention to transfer the property in goods, in our view,⁶²⁰ is not at all material. It is not necessary to ascertain what is the dominant intention of the contract.⁶⁴⁰ Even if the dominant intention of the contract is not to transfer the property in goods and rather it is the rendering⁶⁶⁰ of service or the ultimate transaction is transfer of immovable property, then also it is open to the States⁶⁸⁰ to levy sales tax on the materials used in such contract if it otherwise has elements of works contract.⁷⁰⁰ The view taken by a two-Judge Bench of this Court in Rainbow Colour Lab that the division of the contract⁷²⁰ after the Forty-sixth Amendment can be made only if the works contract involved a dominant intention to transfer the property⁷⁴⁰ in goods and not in contracts where the transfer of property takes place as an incident of contract of⁷⁶⁰ service is no longer good law, Rainbow Colour Lab has been expressly overruled by a three Judge Bench in Associated Cement.⁷⁸⁰ There is no doubt that to attract Article 366 there has to be a works contract but then what is its⁸⁰⁰ meaning. The term "works contract" needs to be understood in a manner that Parliament had in its view⁸²⁰ at the time of the Forty-sixth Amendment and which is more appropriate to Article 366(b).⁸⁴⁰

- PERTINENT:** relevant;
MERCHANDISE: manufactured goods;
CHATTEL: movable article of personal property;
BIFURCATE: to divide into two.

Handwritten notes in shorthand script, likely representing the text of the article or related legal commentary. The notes are written in a cursive, shorthand style on lined paper.

Exercise 26 (Legal)

The learned counsel would submit that the amendment in question is not based on economic condition, which is multi-dimensional,²⁰ but on financial incapacity which is transient in nature, rewarding poor financial behaviours and is, therefore, not a reliable criterion for⁴⁰ giving reservation. There are two wings of reservation - social and educational backwardness, which cover the people who are economically weaker⁶⁰ but not those who are financially incapable. Economic weakness goes hand-in-hand with social and educational backwardness. EWS⁸⁰ is individual-centric in contrast to Article 38(2) of the Constitution, which talks about inter-group inequalities.¹⁰⁰ Thus, the learned counsel has submitted that the 103rd Amendment deserves to be set aside, being violative of the¹²⁰ principle of equality, which is the basic structure of the Constitution. The learned senior counsel, elucidating on the twin objectives of Equality Code¹⁴⁰ enshrined under Articles 14 to 17 of the Constitution as to the formal equality and substantive equality, has submitted that¹⁶⁰ these provisions are to ensure that those sections of society who have been kept out of any meaningful opportunity,¹⁸⁰ participation in public life and decision making, on the grounds enumerated under Article 15(1), be uplifted through positive discrimination,²⁰⁰ giving flesh and blood to the Equality Code, and essentially enabling the substantive equality. Emphasizing on the efficiency in services²²⁰ as under Article 335, she would submit that the positive discrimination has to be read along with other guardrails²⁴⁰ provided by the Constitution, ensuring identification of the protected group by constitutionally sanctioned bodies. The absence of these guardrails and safeguards²⁶⁰ in the newly created class of EWS through the amendment in question strikes at the core of the Equality²⁸⁰ Code, violating the basic structure of Constitution.

Stressing further on the argument of social and educational backwardness and inadequacy³⁰⁰ in representation being the bedrock for grant of reservations, the learned counsel has submitted that the communities, whom the amendment³²⁰ in question aims to protect, are duly represented in all walks of life and hence, even from the angle of³⁴⁰ adequacy in representation, they are not eligible to avail benefit of reservation under Articles 15 and 16. She has placed³⁶⁰ reliance on decisions of this Court to submit that it is social 'and' educational backwardness and not social 'or' educational³⁸⁰ backwardness that is to be considered by the legislature to grant the benefit of reservation.⁴⁰⁰

Moving on and while relying on the decisions of this Court in Indra Sawhney case the learned counsel has submitted that the⁴²⁰ purpose of reservation was to enable the backward classes to have a

Handwritten notes in Urdu script, likely a translation or commentary on the English text. The notes are written on lined paper and include various symbols and abbreviations, such as 'EWS', '38(2)', '103', '14', '15(1)', '335', '15-16', and '44'. Some parts are underlined or circled.

level playing field with the forward class⁴⁴⁰ so that they can participate in public life with them on an equal basis. Also, this Court has held that⁴⁶⁰ no one criterion such as caste could be the sole basis for grant of reservation. In the amendment in question,⁴⁸⁰ the economic criteria is the sole basis for grant of reservation without considering the concept of representation; and this⁵⁰⁰ prescription is not only against the judicial pronouncements but also against the Preamble vision of casteless society, hitting the basic structure⁵²⁰ of the Constitution. The learned counsel has further contended that for classes that are socially and educationally backward, there are⁵⁴⁰ constitutionally devised commissions and guardrails to ensure that the benefits are extended only to the deserving sections, who are actually⁵⁶⁰ socially and educationally backward but the amendment in question is bereft of any such guardrails or safeguards. The amendment is limited⁵⁸⁰ to those classes that are neither identifiable nor have any constitutionally devised mechanism for their identification.

The learned counsel would further submit that⁶⁰⁰ economic status is transient in nature and would keep on changing unlike the status of backwardness, which is based⁶²⁰ on age-old caste practices and oppressions that are immutable. The newly protected class under the amendment in question lacks⁶⁴⁰ historic and continuing lack of adequate representation caused by structural or institutional barriers, so as to be eligible for positive discrimination.⁶⁶⁰ Further, the reservation is intended to be operative only until there is inadequacy in representation of those classes and⁶⁸⁰ not in perpetuity. However, the present amendment prescribes essentially no end to reservation as there would always be people⁷⁰⁰ poorer than others. Since the need for reservation has been delinked from inadequacy of representation and the need to show backwardness,⁷²⁰ there is no natural guardrail or end point to reservations connected with poverty. This constitutes a clear violation of the Equality Code⁷⁴⁰ and of the basic structure of the Constitution. In the alternative, the learned counsel has argued that even⁷⁶⁰ if this Court were to accept poverty and income as valid criteria for the grant of reservation then too, the amendment⁷⁸⁰ to the extent of 'other than the class mentioned in clause (4)' should be severed from Articles 15(6) and 16 so⁸⁰⁰ as to include the poor of all classes without any exclusion or discrimination. Learned senior counsel, has relied extensively on the⁸²⁰ Constituent Assembly Debates to contend that the Assembly was of the clear opinion that the word 'backward' should precede 'class of people'.⁸⁴⁰

ELUCIDATING: to make clear;

ENSHRINED: to cherish with affection;

GUARDRAILS: fences to guard;

BEREFT: to deprive of; PERPETUITY: till all times.