54th year of Publication

SIMPLEST SWIFTEST & SUREST

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with

Eng./GK/Reasoning

READING & DICTATION EXERCISES FOR SPEED DEVELOPMENT

July 2024.

Exercise 1

uestions of equity apart, the mode and scale of subsidizing has had two effects. One has been to induce a²⁰ faster rate of growth of enrolments at this level than is otherwise likely to have taken place. In several parts⁴⁰ of the country the fees charged for higher education have remained unchanged for decades and the rising costs have been almost wholly⁶⁰ covered by the subsidies from Government. Higher education has therefore become almost free for those who are in a position to⁸⁰ meet the other related expenses.

The other effect has been to encourage in this sphere, particularly in the last decade, ¹⁰⁰ a kind of entrepreneurship with little commitment to the goals of higher education. Where the rate of subsidy is high, ¹²⁰ and the rest of the expenditure can be almost wholly covered by fees collected from students, a college can be started ¹⁴⁰ and run with very little exertion on the part of the sponsors. In Delhi, 95 per cent of the excess ¹⁶⁰ expenditure of a college on all approved items over its income from fees is met by the University Grants Commission. ¹⁸⁰ The sponsoring body - whether it is a private agency or a local authority - needs therefore to cover only a very ²⁰⁰ small fraction of the total expenditure on running a college. Naturally there is no dearth of entrepreneurs for starting colleges ²²⁰ with an eye on the patronage and influence they can exercise through their control over them.

Though the extent of ²⁴⁰ subsidy is not as high elsewhere the position is not very different in several other parts of the country where ²⁶⁰ liberal grants-in-aid are given by State Governments to colleges. The main qualification required of the promoters of higher ²⁸⁰ education under these conditions is only that they have the contacts for securing the necessary financial and other support from ³⁰⁰ the powers that be.

Where the rate of subsidy is not so high some adjustments are called for. These are 320 usually made in the fees charged from students and in the teacher-student ratios maintained. Thus the annual fee for 40 under-graduate education ranges all the way from less than Rs. 100 per student the colleges in Rajasthan to well 50 over Rs. 300 per student in Bombay. The average number of students assigned to a teacher also varies from as 12 in some areas to more than twice that figure in others. This subsidy has to be discontinued.

EXERTION: effort; SUBSIDY: grants.

All this has usually a decisive impact at the higher levels of decision-making and administration in the universities. For both the representatives of college managements and of teachers secure representation in the various bodies of the universities of which they form a part. Changes in the structure and content of courses are therefore usually resisted if they call for more appointments at the college level then the managements are prepared to make or if much more effort is required on the part of the existing staff. If any teaching is organized at the university level - as is generally done for post-graduate courses - the principle of representation has to be usually given considerable weight irrespective of academic considerations. The various sectional interests involved have to be taken into account also when examiners are appointed by universities and sometimes when the results of the examinations are declared.

Universities as organized now are in fact highly vulnerable to pressures of various kinds. The representation given to colleges, the system of elections to the more important decision-making bodies, and direct dependence on Government grants are all potential instruments for gaining influence and exerting pressure within universities. It is not surprising therefore that, when teachers and students are also free to participate in political activity, universities get affected very quickly by all the under-currents and conflicts in the society of which they are a part. One of the major problems now is that, while political forces are able to gain entry very easily, the universities do not have the means for effectively coping with them.

Under these conditions growth in size beyond a point becomes a particularly serious handicap.²⁸⁰ Not only are there few economies of scale to be gained by such expansion but diseconomies set in through300 their greater vulnerability to pressures from outside and from within. This has become a major problem for many Indian universities.³²⁰ The growing tendencies towards regionalism in the country have also had serious effects on higher education. These tendencies are generally340 expressed in demands relating to the medium of instruction. Some of these demands are based on sound educational principles360 and are wholly justifiable; but in their most extreme form they usually indicate either ignorance of the minimum requirements of 80 higher education or inward-looking conduct of a kind that places considerations of a selfish character above these requirements. In400 practice both have been in evidence. More specifically the problem arises when instruction at the post-graduate level is sought⁴²⁰ to be given in the regional languages. For most of the relevant literature at that level is usually not available. 440

IMPACT: effect; VULNERABILITY: easy to be hurt.

ir, I rise to support the Demands that have been placed before the House by the Home Minister. Sir, I ²⁰ need not remind the House that this year the Home Ministry's demands are being discussed in a context which can⁴⁰ be described as almost unexampled. It is for the first time that we are discussing the Demands of this Ministry⁶⁰ after the country passed through the period of the Emergency that rocked the very basic structure of our Constitution and⁸⁰ our policy and made the common people of our country realise what they have lost with the eclipse of their¹⁰⁰ Fundamental Rights and freedom.

Sir, the nineteen months of rule marked the culmination of a concerted effort to undermine democracy. Those who wanted to destroy the democracy and convert our system into a totalitarian system had looked upon the Home Ministry as the main instrument for forcing their will on the nation. They wanted to substitute the Rule of Law with a feeling of terror to place individuals above the Law, to provide immunity to those whom the group liked and to harass all those who were looked upon as dangerous to the monopoly of power that the extra-Constitutional caucus wanted of this caucus. It was practically a totalitarian regime and 220 was, therefore, bound to be a police regime. That is why, I would request the Home Minister that the whole 40 police department should be thoroughly overhauled.

Sir, I do not want to take the time of the House by listing²⁶⁰ the various agencies and organisations that were set up in the Police Department and the Home Department during emergency and²⁸⁰ before that I also do not want to take the time of the House in describing the fabulous amounts of³⁰⁰ money that had been placed at the disposal of RAW and other agencies. Even the money was placed³²⁰ at the disposal of certain individuals and that was exempted from the scrutiny of the Comptroller and Auditor General of³⁴⁰ India or the Parliament. I do not want to go into all these details, but I would only request the³⁶⁰ Home Minister to go into these things and ensure that such things do not happen in future. Under the circumstances, ³⁸⁰ Sir, the task of the Home Minister is, therefore, one of dismantling the police state that was built up by the previous Government.⁴⁰⁰

IMMUNITY: the state of being immune; FABULOUS: huge; DISMANTLING: to unfix; SCRUTINY: close examination.

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ir, I must congratulate the Home Minister for the excellent beginning that he has made and for the speed that²⁰ he has acquired to restore the Fundamental Rights to the citizens and to appoint Commission of Enquiry to go into40 the excesses of the earlier rule as well as the shocking scandals that had characterised last years of the previous regime. 60 However, in all humility, I must confess that it is not enough. The Forty-Second Amendment of the Constitution should80 be withdrawn immediately, the Fundamental Rights will have to be fully restored, the role and power of the judiciary must¹⁰⁰ be restored immediately. Then, the necessary correction in the attitude of the police cannot be achieved if, at this moment, 120 we do not differentiate between those officers and men who acted on instructions and those who went out of their 140 way to trouble and harass people during the earlier rule. If we do not differentiate between these people and do not 160 give to the guilty exemplary punishment that would serve as deterrent and corrective, we would not be able to reorganise¹⁸⁰ the police department.

Now I come to the area of general administration, for which the Home Minister is wholly responsible. 200 Our public offices have not earned a great reputation for efficiency. Public petitions and letters remain unanswered and under consideration²²⁰ for months and months together. Public petitions and letters written by the public representatives, councillors, legislators or Members of Parliament²⁴⁰ even to the Ministers, leave aside the officers, remain unanswered or under consideration for years together. Sometimes, we do not²⁶⁰ get a reply at all to our letters. Our people have to suffer because of this. function efficiently, even after 50 years of our own Government, these public officers officers like, Block Development Officers and the public officials do not behave properly and they even behave very badly to320 the public. The Home Minister should look into that so that the public officers behave properly and in a manner 340 as to instil confidence in the people that it is their own Government which wants to serve them and not 360 to terrorise them. Within the time you have given, I want to draw the attention of the Home Minister 380 to a very important matter. I know the law and order is a State subject. Honourable Member was telling that our400 Home Minister has encroached upon this State subject. Sir, if some State Governments and their Chief Ministers and Ministers behave 420 in such a way which is against people's interest, naturally, Government of India have to take action against these people. 440

INSTILL: to infuse; RESTORE: to give back; EXEMPLARY: worthy of imitation.

ir, the Directorates of Industries of the States which are the implementing agencies of the programmes of small scale industries²⁰ development are expected to ensure this. Therefore, the Centre expects the State Governments to do something about this. As far⁴⁰ as the Governments are concerned, they are complacent about all this. They are blissfully silent about the possible steps they60 may take in future at least to plug the loopholes, to prevent such recurring eventuality. They are not prepared to80 do that even now. They shift the responsibility or pass on the buck and say that State Governments are responsible 100 because the small scale sector is within their purview. That is, one stock reply which is often given. So, Sir, 120 this is how the multinational companies, big monopoly houses etc. have come to occupy a place of pivotal importance and 140 accumulated the riches, in a very speedy manner by cornering all the benefits legitimately due to small scale sector.

Now 160 Sir, the other day, discussion took place in this House about the amounts held in the Swiss Banks. How this 180 is happening? A study by the International Monetary Fund has confirmed that deposits in Swiss Banks are to the extent200 of the secret accounts of 220 the Indians, in the Banks of Hong Kong, USA and several other places. Sir, it is estimated that the240 total amount thus comes to about Rs.30,000 crores. This figure is again escalating at the rate of 15260 to 20 per cent per year. Last year, foreign trade was of the order of about Rs. 3,000280 crores. At least 10 per cent of this cost goes towards secret accounts which covers trade only. There are defence300 and other contracts also. Therefore, we can very well understand what will happen in that sector also. Instead of the 320 money being made available. for this country, it is being kept elsewhere in furtherance of their own interests. It is 340 not available for any national purpose and developmental purpose. Honourable Sir, I want to make a passing reference to the360 big business, entering into small scale sectors, and cornering all the incentives, concessions and exemptions due to small scale sectors.380 With a view to harness these benefits, large Houses have started setting up their own units in the small scale sectors.400

COMPLACENT: self-satisfied; ACCUMULATING: to pile; ESCALATING: rising suddenly; HARNESS: to tackle.

rominent monopoly Houses and FERA companies have done so and are still doing this. Some of the small scale sector²⁰ enterprises are owned by the multinational companies. Small scale units are small because of the limited resources of the⁴⁰ entrepreneur. The definition of the small scale sector which is so changed as to permit monopoly houses to enter into⁶⁰ the small scale sector. Therefore, what I urge, that the Minister should give a ... considered thought to the definition of the small scale sector which is giving every scope to the multinationals to enter into small scale " sector and corner¹⁰⁰ all the benefits. The monopoly Houses enter the small scale sector. And several companies numbering 290 are 120 in the small scale sector because of the lacunae in the definition which is deliberately retained. I use the word¹⁴⁰ deliberately'. I am sorry; if I am wrong I may be corrected. I will be too happy for that160 corrections. Large Houses' entry in the small scale sector by virtue of their large resources both technical and commercial¹⁸⁰- places the real small scale manufacturer at a definite disadvantage. He is eliminated, he is being annihilated, the big shark²⁰⁰ is eating the small fish. There is no turnover ceiling. There is no reference to the character of ownership. There²²⁰ is a constant upward revision of investment ceiling.

I give a more glaring example of an electronic company, Weston, for²⁴⁰ instance. It registered itself as a small scale unit. But the amount it spends on publicity alone must be several260 times larger than the total investment of most of the small scale units. I will give one more instance of 280 companies which are subsidiaries to big Houses. There is a big list available. The Minister himself must be knowing it.300 The Government of India says that small scale | 8 1 undertakings which are subsidiaries or are owned or controlled by any other undertaking³²⁰ are not eligible for special concessions. Let the Minister then identify those industries. The stock reply is: This is a³⁴⁰ matter within the purview of the State Government. This information is not maintained by Centre. Let them not come d... forward³⁶⁰ with such replies. When I put a Question, a reply came that the information was not maintained by the Centre. 380 This was the reply. Is the Government in the dark or do they want us to be in the dark? In either 400 case, it is not good for the country. Government have more than 50 per cent equity. We have private companies⁴²⁰ where Government have more than 50 per cent of equity and there Government has a definite and decisive say. 440

LEGITIMATE: proper; LACUNAE: defects;

ANNIHILATED: to end.

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ir, politics has always been defined as a system under which you determine who gets, what, how much and how. Politics is concerned with the distribution of assets, resources and goods and services of the society. But politics in our country has been reduced to a game of competitive acquisition and we politicians perhaps are very acquisitive animals. We are always confronting each other in order to get wealth, very hopefully, for our States, for our regions, for our communities, a bigger share of the cake. Some sort of a struggle is essential; certain degree of competition ought to be there; but when it is carried to a point where we start encroaching upon the legitimate aspirations of another region of our country, then perhaps we give rise to a situation which does not a ugur well for harmony to which my friend referred.

Sir, we have two ways of looking at the problems that 160 are with us today. One is of course, to go into contemporary reality. The other is to take a conceptual¹⁸⁰ view and that what I imagine the Commission has tried to do, what is ought to be, what is²⁰⁰ the pattern that we should proceed towards. Of course, the real test will always be, how we can change from²²⁰ the contemporary reality to that ideal which we are harping on. But the tendency that we find today, whether it²⁴⁰ is the Central Government or the State Governments, the overall tendency over the last fifty years has been that every²⁶⁰ political party in our country and every political leader has been speaking in terms of decentralisation or power, keeping in²⁸⁰ view that surrender is the ultimate test. But the actual fact, we must admit that the trend has been towards³⁰⁰ centralisation. More and more power and more functions have gone upwards even from the level of the local³²⁰ bodies ... or municipalities. The functions that we at one time carried out by Panchayats, they have all become concentrated into³⁴⁰ the hand what you call, bureaucracy or the District Administration or the State Governments. In fact, if I say³⁶⁰ so, to a large extent, many of those functions have also in effect been concentrated in the hands of the 380 Central Government. There are ways of doing it. Some are blessed with favours and some are looked at with disfavour. 400

ACQUISITIVE: tendency to own (add);

HARPING: deal tediously;

ENCROACHING: to take over rights of other.

Exercise 8

nd that creates to my mind, a situation which I think. in the larger national interest, we should avoid. So²⁰ how do we reverse this trend? This is a question, to my mind. We must start with this confession that 40 this trend L. C. C. of 50 years has to be reversed. Gandhiji talked of the gram panchayat. And that is why when⁶⁰ I think of the Centre-State relations I am not confining myself to just the relations between the Centre⁸⁰ and the States. I think, you have to think of the Centre-State relations in the larger perspective of decentralisation of power when it logically follows that 1/2 a State Government must be prepared to share its power with the district level¹²⁰ and whatever authority we have at the district level that power should be decentralised to the block level and right140 down to the gram panchayat level. And I was very happy the other day when the Prime Minister did talk160 about reversing the planning process. That is what we have been arguing for so many years that economic and social¹⁸⁰ planning of this country must not be carried out in the ivory towers of Delhi. It must begin from the 200 grassroots level. A combination of panchayat plan must give²²⁰ us a district plans. A combination of district plans must give us a " State plan. And similarly, a combination of 240 State plans must finally give us the national plan. Of course, I am not so taking into considerations those specific areas²⁶⁰ of authority in which, for example the Centre is supreme. There, of and course, the Centre has to plan by itself.280 I will come to that later. But broadly that should be the pattern.

Having said this, I would like to³⁰⁰ say that from a purely functional point of view and by virtue of geography and history, by virtue of the³²⁰ very size of our country and by virtue of the plurality which is a gift of history, efficiency in administration³⁴⁰ and accountability are just not possible without a degree of decentralisation. If the village teacher is not working the³⁶⁰ Education Minister at the Centre cannot control. It is impossible. If a³⁸⁰ Medical Officer in the primary health centre is not paying due attention to his job, it is only at that⁴⁰⁰ level that his performance can be controlled and he can be made accountable there itself. Therefore, there has to be⁴²⁰ monitoring at that level. And for that monitoring to be effective, there has to be authority vested at that level.⁴⁴⁰

PERSPECTIVE: prospects for the future;

DECENTRALISATION: spreading.

ir, at the very outset I congratulate the Ministry of Steel and Mines for its efficient working. There has been in²⁰ the past propaganda on behalf of the private sector that it alone can deliver the goods, it alone is affection⁴⁰ and that the public sector is notorious for mismanagement, for inefficiency and⁶⁰ for loss of production. Both the things have been exploited by the working of the public sector since the year⁸⁰1981 and in streamlining the administration of the public undertakings the Steel Ministry has played a key and crucial¹⁰⁰ role.

There has been a mismanagement in this company and its management was taken over. I am personally of the 120 view that whenever mismanagement is visible in any private sector undertaking, then, instead of only taking its management for a limited 140 period, it should be taken over permanently and it should not be a short and half-hearted measure. The company should 160 have been taken over, acquired, as it is sought to be done now, in the year 1982 itself 180 once the Government comes to the conclusion that the company's affairs are not being conducted in an efficient manner and 200 when the Government has to invest funds to the tune of crores of rupees, where is the question of reserving 220 the decision that it may go back to the same old management?

Now, the second thing is that there is²⁴⁰ a new strategy which is being resorted to by this private business. They somehow or other welcome the takeover of 260 their undertaking and they start the process of mismanagement deliberately so that the Government may be compelled to take it²⁸⁰ over. They do not invest any money in the renovation of the machinery which ultimately becomes nothing but a junk³⁰⁰ and they would have derived the maximum benefit out of their investment long time ago and at the time when³²⁰ it is being taken over, nothing? worthwhile is left in the undertaking. So, it should be taken over at the³⁴⁰ earliest stage. We are now talking of commitment to the philosophy of the Constitution. The philosophy of the 2 Constitution means³⁶⁰ that we are committed to the establishment of an egalitarian society where there would be not only political and legal³⁸⁰ justice but there would be economic justice. If we want socialism it should come in a proper and effective way. 400

STRATEGY: policy in war; EGALITARIAN: equality based.

nose who have no commitment to the concept of public undertakings, socialism and working for the underdog, should have no²⁰ place in top management of any undertaking. The difficulty lies in that we are half-hearted in these matters. We have the mentality of private businessman and also we have the concept and the ideal of a public undertaking. The increasing ⁶⁰ participation of workers is the only safeguard for the success of any public undertaking in this country. There have been cases of inflated sales and fraudulent transactions about which my Honourable friend made a pointed reference I would submit that that the Economic Intelligence. Bureau should play an effective role in checking malpractices in such big undertakings. Unless this is done¹²⁰ public undertakings would come in a big way for sharp and hostile criticism from all those who are opposed to the dollars of the undertaking to the undertaking

As regards 4 per cent interest allowable on the quantum of compensation, my Honourable friend has 160 said that this is not fair. The Government cannot afford to pay the same amount of higher interest as is 180 done in the case of private sector. The Constitution itself has provided that the quantum of compensation would not be 200 justifiable. It has been done with a deliberate objective. If compensation at market value is to be paid to private 220 individuals then it would not be possible to take over the undertakings at all. If the shareholders have taken the 240 maximum benefit out of their investment they should not be paid any compensation and only nominal compensation can be paid. The Constitution allows legislation in that respect.

Icongratulate the Minister on bringing forward this progressive
Bill. The steel industry²⁸⁰ is the basis of our industrial structure. In fact, the extent of industrialisation of a country is measured by the³⁰⁰ amount of steel consumed per head of the population. This industrial undertaking, namely, the Iron and Steel Company, is a³²⁰ big industrial complex and it consists of not only an integrated steel plant but also an iron foundry. The company³⁴⁰ was started initially after the First World War and by 1952 it had increased its capacity to one³⁶⁰ million tonnes. But the decline in the fortunes of the company started in the sixties and by 1963³⁸⁰ the production had gone down to one lakh tonnes per year, that is, 13 per cent of its rated capacity ⁴⁰⁰ as stated by the Honourable Minister. In fact, its production had reached a figure of 8 lakh tonnes, from that ⁴²⁰ it came down to one lakh tonnes which was a result of the rotten management and the low price of steel.⁸⁴⁰

CRUCIAL: essential point; VISIBLE: seen to the naked eye; STRATEGY: policy in war.

some of the vital issues that are agitating the minds of the people and their living conditions also, 40 but unfortunately it does not do so. The reality is that in the original Act of 1955, we 60 have about 13 categories of essential commodities including cattle fodder, coal, automobile parts, cotton, wool, textiles, raw cotton, raw jute, 80 drugs, foodgrains, iron ore, petroleum and petroleum products, sugar and sugarcane but this Bill touches only a few things. Here, 100 the vital aspects are not even touched up. There is no Statement of Objects and Reasons appended with the Bill 120 so that we can grasp the meaning of this. As far as this Bill is concerned, it deals with some 140 formality and technical matters only.

When we touch upon this subject, we know that there are three aspects which are 160 important such as production, distribution and price. With regard to production, the whole country knows that there has been a bumper crop 180 of foodgrains and we are patting ourselves on the back for that. Besides that, there have been huge imports. With 200 regard to groundnut also, the Minister has been declaring that there has been a bumper crop of 80 lakh tonnes 220 and it comes to about 40 per cent more than the last year's production. Here, we have just now heard 240 that the National Textile Corporation is playing its part in stepping production and making the sick and deserted units 260 viable ones. In such a situation, when there is production on such a huge scale, what is the factor that 280 is hindering the proper distribution and check on price rise in our country?

I would like to ask in view³⁰⁰ of the fact that the production in the public sector is growing even the National Textile Corporation with six mills,³²⁰ most of them dead mills, is growing, I would like to know about role of the private sector in the³⁴⁰ matter of textiles. We have been hearing that the private sector is resorting to lock outs and even retrenchment. Is the³⁶⁰ Government of India aware of the fact that the monopolies in our country are resorting to a policy of increasing³⁸⁰ profits by raising prices, after reducing production? So, their policy is anti-national. They reduce production and increase profit by raising the prices.⁴⁰⁰

APPENDED: attached; VIABLE: practicable;

RESORTING: to have recourse to.

In regard to production, we fear that we may again be in a mess. We have not been able to²⁰ control lock-outs etc. And in regard to the production of groundnuts, cotton and jute, there is an over-taken up. In such a situation, this would hamper production next⁶⁰ year. When the real producers are not getting impetus, whether they produce food grains, edible oils, jute, sugercane, cotton or oilseeds80 the danger is that they will not get adequate encouragement and the production may not go on steadily increasing, as 100 it did this year. As such, one would expect that the Government would consider the fact that the jute mills¹²⁰ are not doing justice to jute production, its growers or even to its marketing. They are depending entirely upon the 140 Government. They are not reducing the price of jute goods. When the price of jute has gone down naturally we160 expect that the prices of jute goods will be less. But they are not cheaper. There is a crisis in 180 the jute market but the prices of finished goods are where they were. They are also slightly costlier in some²⁰⁰ respects.

In such a situation the production policy of the private sector is not helping the cause of the industry²²⁰ itself, much less to talk of that of the producers or consumers. And the same thing applies to sugar²⁴⁰ mills and to cotton mills in private hands. One would feel that the time has come when the Government should 260 take up courage to 4.... nationalise at least jute, cotton and sugar mills, in order to be in a stronger position²⁸⁰ and to have a strong hand over production and to have a steady increase in production, in order to have³⁰⁰ proper distribution and reasonable prices. Then comes the question of distribution. With regard to this, our Government feels very helpless.320 The Minister has indicated that the traders were reconciled to the emergency and were waiting on their wings to exploit³⁴⁰ the situation when the opportunity arose. The opportunity was the delay in onset of the monsoon by three weeks which³⁶⁰ led them to hoarding and black-marketing. He is saying in a helpless manner that some delay in the onset³⁸⁰ of the monsoon allowed them to resort to hoarding and black marketing. Therefore, they are committing these crimes at a⁴⁰⁰ a time when there is a national emergency, when the Government has more then adequate powers to control them. There should be 420 a panel to deal with compilation of production data and identifying trends of significance and advising the Government in time of need. 440 IMPETEUS: to push energy; RECONCILED: to bring to agreement.

observations of the Board with regard to the policy on children of our country, is really speaking a very good outcome and a very good exercise. I have patiently heard the views on the policy as they were expressed by our Honourable Deputy Minister on the last day of the previous Session. I also congratulated him for his attitude towards the children. But, I would like to point out a few things on this national policy on children which is followed in other countries as well as in India. In India, perhaps it is a known fact both from the point of view of religion and that of ancient thinking, that the other countries as God. Usually, it is a common phenomenon both in the villages and the cities. This symbolises our devotion to children. It also indicates our expectations and our dreams about children.

I could really appreciate that when 160 we were under the British Rule, we could not evolve a suitable policy in relation to children with a view 180 to improving their conditions. But we are now a free country. After taking oath as the Prime Minister of free²⁰⁰ India, Jawaharlal Nehru never forgot to mention something about the children of India whenever he spoke whether on the 220 occasion of Republic Day, Independence Day or anything else. 3 He thought that the country could have been built much more²⁴⁰ given sufficient care and they had been made to feel that they were partners 260 in all our work, This was also the thinking of Lenin in Soviet Russia. Immediately after the Revolution, Lenin used 280 to speak about children on all occasions and say that they should be given due care. This resulted in the formation of the 300 Young Pioneers Group for children between the ages of 6 and 14, in Soviet Union and other socialist countries. In320 all the socialist countries this group is recognised, engineered, financed and administered by the governments and given highest priority) in340 the matter of development. Similarly, measures have been undertaken recently in Iraq also. While I was there recently, I could see360 that they have adopted the same policy. The first priority is given to them by that country. In our country380 many organisations do take care of the children. Voluntary organisations and the State Governments do provide them with many facilities.400

The recommendations are very nice. If we read them, they appear to be much more constructive then even the Young⁴²⁰

Pioneer Group's programmes in the Soviet Union. But in actual practice, nothing has been done because of lack of funds. 440 If everybody receiving a salary and paying income tax, wealth tax, gift tax or vehicle tax is requested to 460 participate in the endeavour to raise resources for children, nobody will object. If the general masses pay 5 paise per 480 individual per year, we can have a very sizeable budget and a very constructive and comprehensive policy, both at the 500 Centre and in the States.

When a child grows into a young man, he talks of sports and games. Look⁵²⁰ at the budget allocation for sports and games, which would help the development of the mental and physical potential of⁵⁴⁰ the young of our country. It is a small amount, in comparison to what they spend in Middleastern countries, 560 In a country having 100 crores of people, that is, the second largest population in the world, children and youth⁵⁸⁰ are not given any financial expenditure support by the Government. There is no compulsory item of expenditure for the promotion of the moral and cultural talents of the children, in the national sphere. This work has to depend on some social⁶²⁰ organisations. I do not _______ object to the participation of voluntary organisations. But I do feel that when a country proclaims⁶⁴⁰ itself to be a socialist country, or a country on its march towards socialism, the looking after the youth⁶⁶⁰ and children should be the basic pillar of the policy of the country.

What is the position in our country?⁶⁸⁰ The children are badly neglected. They do not know even their own parents. In the words of Jawaharlal Nehru, when a ⁷⁰⁰ child is born in this country, it should consider the country as its mother and the country should consider the ⁷²⁰ children as their own. Do our children think of our country in that way now? Today, the looking after of ⁷⁴⁰ children is done by the father of a church, because they feel that is the way to serve God. ⁷⁶⁰ Sometimes we give them prizes or we recommend their names to the United Nations Organisation or other authorities for ⁷⁸⁰ the award of Nobel or some other prize. But do you think that a country like ours should depend on ⁸⁰⁰ a father of a church for the welfare of our children? The moment a child is born in our country ⁸²⁰ it should be the responsibility of the country under our Constitution and the rule of law as it obtains today. ⁸⁴⁰

PHENOMENON: fact, ; ENDEAVOUR: serious efforts;

COMPREHENSIVE: detailed.

Exercise 14 (Budget)

he National Infrastructure Pipeline which I announced in December 2019 is the first-of-its-kind, whole-ofgovernment exercise20 ever undertaken by Government of India. The NIP was launched with 6800 projects;40 the project pipeline has now expanded to 7,400 projects. Around 217 projects worth60 Rs.1.10 lakh crores under some key infrastructure Ministries have been completed. The NIP is a specific target which this 80 government is committed to achieving over the coming years. It will require a major increase in funding both from the 100 government and the financial sector. In this Budget, I propose to take concrete steps to do this, in three ways:120 Firstly, by creating the institutional structures; Secondly, by a big thrust on monetizing assets, and, Thirdly by enhancing the share 140 of capital expenditure in central and state budgets. Infrastructure needs long term debt financing. A professionally managed Development Financial Institution160 is necessary to act as a provider, enabler and catalyst for infrastructure financing. Accordingly, I shall introduce a Bill to set180 up a DFI. I have provided a sum of Rs.20,000 crores to capitalise this institution.200 The ambition is to have a lending portfolio of at least Rs.5 lakh crores for this DFI²²⁰ in three years time.

Monetizing operating public infrastructure assets is a very important financing option for new infrastructure construction.240 A "National Monetization Pipeline" of potential brownfield infrastructure assets will be launched. An Asset Monetization dashboard will also be created for tracking260 the progress and to provide visibility to investors. Some important measures in the direction of monetisation are: one, National Highways Authority of India²⁸⁰ and PGCIL each have sponsored one Investment that will attract international and domestic institutional investors.300 Five operational roads with an estimated enterprise value of Rs. 5,000 crores are being transferred to the320 NHAI Investment Trust. Similarily, transmission assets of a value of Rs.7,000 crores will be transferred to the 340 PGCIL Investment. Two, Railways will monetise Dedicated Freight Corridor assets for operations and maintenance, after commissioning.360 Three, The next lot of Airports will be monetised for operations and management concession. Four, other core infrastructure assets that will be rolled out³⁸⁰ under the Asset Monetization Programme include NHAI Operational Toll Roads, Transmission Assets of. PGCIL,400

In the Budget Estimates 2020-21, we had provided Rs.4.12 lakh crores for Capital Expenditure. 420 It was our effort that in

5 1% 20 > PGCILX

spite of esource crunch we should spend more on capital and we are likely⁴⁴⁰ to end the year at around Rs.4.50 lakh crores which I have provided in the Reviged Estimate 2020-21.⁴⁶⁰ For this year, I propose a sharp increase in capital expenditure and thus have provided⁴⁸⁰ Rs.5.54 lakh crores which is 34.5% more than the Budget Estimate of 2020-21.⁵⁰⁰ Of this, I have kept a sum of more than Rs.44,000 crores in the Budget head of the⁵²⁰ Department of Economic Affairs to be provided for projects, programmes, departments that show good progress on Capital Expenditure and are⁵⁴⁰ in need of further funds. Over and above this expenditure, we would also be providing more than Rs.2 lakh crores to⁵⁶⁰ States and Autonomous Bodies for their Capital Expenditure.

More than 13,000 Kms length of roads, at a cost of 580 Rs.3.3 lakh crores, has already been awarded under the Rs.5.30 lakh crores Bharatmala Pariyojana project600 of which 3,800 Kms have been constructed. By March 2022, we would be⁶²⁰ awarding another 8,500 Kms and complete an additional 11,000 Kms of national highway corridors. 640 To further augment road infrastructure, more economic corridors are also being planned. Some are: One, 3,500 km660 of National Highway works in the state of Tamil Nadu at an investment of Rs.1 lakh crores. Construction will start next year. 680 Two, 1,100 Km of National Highway works in the State of Kerala at an investment⁷⁰⁰ of Rs.65,000 crores including 600 km section of Mumbai Kanyakumari corridor in Kerala. Three, 700 km⁷²⁰ of highway works in the state of West Bengal at a cost of Rs.25,000 crores including740 upgradation of existing road-Kolkata Siliguri, Four, National Highway works of around Rs. 19,000 crores are currently 760 in progress in the State of Assam. Further works of more than Rs.34,000 crores covering more than 1300 Kms780 of National Highways will be undertaken in the State in the coming three years. Indian Railways have⁸⁰⁰ prepared a National Rail Plan for India 2030. The Plan is to create a 'future ready' Railway system by 2030.820 Bringing down the logistic costs for our industry is at the core of our strategy to enable 'Make in India'.842

CATALYST: thing/person that causes change;
MONETIZATION: to value in money;
CRUNCH: great shortage;
LOGISTIC: carrying goods/service;
STRATEGY: policy in war.

ir, the problems of the company audit, the difficulties experienced by the junior auditors and the complaints of the audit profession²⁰ in relation to these companies are before the Government and a comprehensive amending Bill was introduced in this House in 40 1992 which was referred to the Select Committee of both Houses of Parliament in which I happened to60 be a Member where elaborate evidence was recorded not only from the Chambers of Commerce and Industry but also from80 the Chartered Accountants and also others who had the special knowledge of the working of the companies. All these aspects100 were considered and the Committee came to the conclusion of fixing the number of companies an auditor personally or a120 firm of auditors could audit be at 20. Therefore, the mover could have withdrawn this Bill and introduced another after the140 amendments to the Company Law came into force.

One of the reasons advanced by the mover is that the social 160 concept should be introduced into auditing, by which perhaps he means that there should be dispersal of audit work among 180 the thousands of members of the audit profession. I respectfully submit that this is not possible. No work can be distributed 200 because some auditors have little work or are starving and some work should be given to them. This is not 220 possible. An auditor like a lawyer or a doctor should have a reputation which would enable him to get the 240 work of audit of a company. Naturally companies would select auditors or firms of auditors who have a reputation in 260 their profession. Therefore, it is not possible to introduce the social concept in auditing in fixing the number of companies, 280 a firm of auditors should be allowed to audit under the Act.

His second point is that monopoly should be³⁰⁰ broken. The cry against monopoly is common now-a-days that there should be no monopoly houses, there should be no monopoly ³²⁰ and all that. If an auditor has attracted the audit work of a number of companies to himse¹ how can³⁴⁰ you say it is a monopoly? When an auditor has no work because he has not earned a reputation in³⁶⁰ the field, how can there be a complaint that he is not occupied? This happens in every profession. Only a³⁸⁰ few lawyers get the work. Work is concentrated among a few doctors. How can the others in the profession complain?⁴⁰⁰

Then there is the cry for nationalisation of audit. The mover mentioned it while moving the Bill. How can there 420 be nationalisation of a profession? Have we thought of nationalisation of the legal profession or the medical profession? It is 440 not possible. Can the State maintain a panel of lawyers? The State do appoint lawyers in case where a client 460 is not able to engage a lawyer. But no Government, no State can maintain a panel of lawyers, doctors and 80 so on to look to the needy. It is not a workable proposition. Nationalisation may be a good slogan but 500 it does not work in relation to certain professions in which the success of an individual depends on his own 520 merit.

Another point urged by the mover was that an auditor should be changed every two or three years. His⁵⁴⁰ main complaint is that an auditor or firm of auditors auditing the accounts of a particular company for a number of years may act in collusion with the firm and may not do the auditing faithfully or correctly, that he580 may be hand in glove with the company and its directors. In such cases where a there are provisions in the Chartered Accountants Act under which action can be taken against⁶²⁰ him. It takes two to three years for an auditor to understand the working of a company. All these questions⁶⁴⁰ were gone into the Joint Committee in great detail and then it was found that no limit could be 660 put. Though the number of companies an auditor could audit could be limited, the period during which he should ") of limitation as feasible, and that was why it 700 was rejected. Another objection taken by the mover was that all the auditors are in the metropolitan areas. Necessarily, they 720 should be from the metropolitan areas. They should know the working town whose only business is to audit the accounts of small businessmen for sales tax purposes or for the760 purposes of other commercial taxes be entrusted with the work of auditing a company's accounts? It is a complicated affair, 780 it is not \$2 possible. It is only in metropolitan cities that the auditors could carry on their profession, they get 800 the whole time experience of accounts of the companies. About costing also I think the Company Law Board can order an 820 enquiry into the cost of production in a company. I think all those provisions have been made after elaborate discussion.840

ELABORATE: to highlight; STARVING: to die out of hunger; COLLUSION: coming togather for fraud.

alal.

how to get it and then come to the contractor who used to exploit these poor⁴⁴⁰ tribals and take the minor forest produce at very cheap prices and sell it to Government or other agencies at⁴⁶⁰ a very high price, making a lot of profit. We have advised the State Government that this should be put⁴⁸⁰ to an end to, that the cooperatives should purchase these minor forest produce from the tribals or the State Government itself ⁵⁰⁰ should directly purchase these minor forest produces from the tribals so that all the benefits can go to the tribals⁵²⁰ rather than going to the middlemen.

Then in the field of marketing policy, there also we are taking steps so⁵⁴⁰ that exploitation of the tribals by these moneylenders can be stopped. Now-a-days what happens particularly in Madhya Pradesh. Orissa⁵⁶⁰ and Bihar, is that if a moneylenders gives a few rupees to a tribal, he makes him bonded labour for 580 life. The tribal people are simple people they do not know the ... calculation and other things. A few hundred600 rupees are given to them and for their whole life they have to serve that man because he will say⁶²⁰ that it is the interest that has been paid and the original still remains. So he becomes a bonded labourer⁶⁴⁰ to the moneylender. To end that exploitation also laws have been passed and you know liquidation of indebtedness is 660 one item of the New Econimic Programme. An alternative system of credit is also being provided and particularly in the 680 tribal areas we are seeing to it that when they need consumption loans there also some arrangement should be made 700 so that they have not to go to those very moneylenders who will now exploit them with more vigour.720

A single line of administration has been provided with ... effective delegation. Previously, postings in tribal areas were considered as punishment⁷⁴⁰ postings. Whenever any officer was found unfit in urban areas, he used to be posted in the tribal areas. We⁷⁶⁰ have asked the State Governments that this should be totally discarded, and only able and honest officers should be posted⁷⁸⁰ there. We have also told them that unless you make it more attractive, efficient officers may not be forthcoming to⁸⁰⁰ ... go and serve in the tribal areas. But we have appointed some efficient officers and given them incentives in the⁸²⁰ form of money and facilities so that those who are posted in the tribal areas can live in that area.⁸⁴⁰

VENDING: selling; RESTORATION: to give place to; LIQUIDATION: bankruptcy; DISCARDED: to reject.

.d.x.1.4.

ir, it is for the first time that this concept of integrated tribal development block has been introduced in the Sixth²⁰ Five Year Plan. It is known to this House and to everybody that the tribal people who live in the 40 most under-developed and backward pockets of our country have been exploited for centuries. They have been exploited by the moneylenders. They were exploited by the foreigners who came to this country and so they remained backward. We brought the concept of tribal 5.4.d. development blocks. More than 500 tribal development blocks were there. Central assistance was given to the States, so100 that they could develop, but unfortunately the exploitation has remained there. The States, instead of spending some money from their¹²⁰ own State plans, spent only that money which was given by the Centre. So, seeing their plight, seeing that after 140 50 years of Independence, they have not come up to the standard, and our Prime Minister was kind enough to 160 pay a special attention to the development of tribals, and it is for the has been that we must protect them from exploitation and we must raise their standard of²⁰⁰ living and their educational level.

responsible for tribal development was called 220 and certain hard decisions were taken there. The first decision we took was to change the excise policy. We said²⁴⁰ that vending of liquor through that, in spite²⁶⁰ of our calling the Conference and advising the Chief Ministers, all the Chief Ministers have not done it. But in²⁸⁰ the majority of the States it is being done. In some States in tribal areas the new excise policy is 300 in operation and vending of liquor through contractors has been stopped. Then there was the question of review of 320 land laws and restoration of appropriated lands which were taken away from the tribals by hook or by crook by340 the money-lenders and other exploiters. We brought some laws that these lands should be restored to the tribals. When the³⁶⁰ New Economic Programme was launched after the earlier period, it was for the first time that action was taken on³⁸⁰ that and most of the States have passed laws under which appropriated lands are being restored to the tribals.400

Sir, I also come from a forest area and I know how in many forest areas things are happening. It⁴²⁰ is the tribal who knows

ir, I express my gratitude to the Honourable Members for the keen interest they had taken in the whole matter and20 Ofor the many valuable suggestions they have made. Unfortunately, in the limited time at my disposal, I will not be⁴⁰ able to refer to every point which has been raised by the Honourable Members but I can assure the House⁶⁰ through you that all the suggestions which have been made will be given full consideration by the Government. I would80 like to take up some common points which have been stressed by a very large number of my Honourable friends100 here. The first point that has been stressed by a very large number of members deals with the question of 120 the care of expectant mothers and the care and particularly, the nutritional care of smaller children upto the age of 140 six. There is no doubt that this is the most important period in the life of any human being and 160 any lack of effort in this age group can have very serious consequences when the child grows into adulthood. For 180 this purpose, Education Ministry in close collaboration with the Ministry of Health, Agriculture and obviously with the co-operation of the200 State Governments has started the integrated child development services which aim at all these points that have been emphasized.

The²²⁰ concept of integrated child development services has been explained by us before, but I would crave your indulgence to explain²⁴⁰ again in a few minutes the main concept of the integrated child development services. It starts with the question of²⁶⁰ nutrition and health care of expectant mothers, than there is a full-fledged programme of immunisation, which certainly includes the triple²⁸⁰ vaccines. Along with this there is the question of regular health check up, referal services, nutrition supplementing measures and³⁰⁰ the diet and pre-school, and formal and informal education.

We consider it absolutely essential that children of the age group three³²⁰ to six, and particularly those belonging to the weaker sections of the community should be provided with such care so³⁴⁰ that they can develop proper attitudes and motivations and also their character formation is influenced in a healthy direction. For³⁶⁰ this purpose, we propose to set up centres as far as possible in close proximity of a primary school to³⁸⁰ involve elder children, especially girls, to participate in the looking after of the younger babies as a part of their work experience.⁴⁰⁰

It would provide them with adequate training to learn about how to look after children and younger babies. It would⁴²⁰ also

provide assistance to the Centres' workers and a fullfledged training programme the workers have to undertake. Because this 440 was a new scheme and because it involved the co-operation of a very large number of agencies it was felt⁴⁶⁰ that let the systems be worked out in a small number of blocks and we have chosen 35 blocks⁴⁸⁰ -- 20 of these are rural blocks, 10 are in tribal areas and 5 in urban slums. This programme is being500 tried out and Government would like to expand this scheme to a very large number of other blocks so that 520 we are able to cover hopefully by the Ninth Plan period every block in the country.

This is an important⁵⁴⁰ scheme whereby the problems of the rural children and the children belonging to the weaker sections of the community would560 be looked after from the point of view of health, from the point of view of immunisation and from the⁵⁸⁰ point of view of what may be called pre-school education or attitude formation and so on. This programme, I am600 glad to say, has evoked proper response from all the Ministries of the Government of India and most of the 620 State Governments. We felt that an independent agency to monitor this scheme would be extremely useful. For this purpose⁶⁴⁰ we invited the medical colleges and I am glad to say that 27 medical colleges have responded to our⁶⁶⁰ invitation.

The All India Institute of Medical Sciences in New Delhi is co-ordinating the work that is being done by680 the medical colleges for preparing the base-line data about nutrition, about the general health of children and of expectant700 mothers and so on. It would also be supervising the implementation of the Scheme in other respects so that along with the administrative set-up which is looking after this programme, there is also an independent organisation which can monitor and 740 which can provide expert guidance for the implementation of this particular programme.

We have also insisted that in each village760 there should be women organisation formed because without involvement of? the women of the villages and the localities concerned no⁷⁸⁰ worthwhile programme for children is likely to succeed. The progress so far in this regard has been on 800 the whole satisfactory although I would like greater emphasis being placed by the State Government on the setting up of 820 women organisations in each of the villages. The State Governments are anxious to set up these organisations as early as possible.840

COLLABORATION: cooperation; PROXIMITY: nearness;

IMMUNISATION: to protect against disease.

ir, while supporting the Demands for Grants of the Commerce Ministry, I compliment the Commerce Minister for the excellent work²⁰ done during the year on all matters falling within the purview of the Ministry. The Report of the Ministry highlights⁴⁰ the achievements and puts the problems in a correct perspective. The time has now come to push ahead with policies⁶⁰ for placing greater emphasis on exporting finished and semi-finished goods in preference to raw materials. This will promote industrialisation⁸⁰ and help augment foreign exchange earnings. Renewed emphasis must be laid on creation of export surplus and restraining the pull¹⁰⁰ of the home market as and when it develop, through suitable fiscal measures. This is very important. We must create¹²⁰ export surplus otherwise we cannot improve our exports.

There is a paramount need to do some fundamental rethinking on export 140 assistance measures. Is it possible to replace the present Schemes of cash compensatory support and import replenishment by a more 160 durable system such as taxing profits attributable to exports to a concessional rate? Also a scheme of tax credit certificate 180 can be introduced. For this purpose, I suggest that a compact high level committee preferably including non-official experts should be 200 appointed. The increasing problems of sales tax on export transactions must be resolved. It was over a year ago that 220 the Supreme Court had made a judgement that chain contracts for exports through State Trading Corporation would not be exempt 240 from sales tax. I understand that Commerce Ministry is engaged in resolving this problem, but so far, no action has been 260 taken.

The problem of export finance must be examined so as to put Indian exporters at least on par²⁸⁰ with their competitors. Adequate shipping facilities must be provided. This problem must be taken up in right earnest. I believe³⁰⁰ that India has the capacity to become a world leader in exports of cotton textiles, ready-made garments³²⁰ sugar, processed vegetable oils, leather manufacturers and engineering goods. These potentialities ean be realised by initiating a bold programme of³⁴⁰ augmenting production of raw cotton sugarcane, oilseeds, steel etc. I also attach great importance to the efforts that the Commerce³⁶⁰ Ministry have been making in building a healthy relationship between industry and trade. There should be complete harmony on all³⁸⁰ matters concerning policies and procedures and regular and frequent discussions must take place between the commercial organisations and Government.⁴⁰⁰

I find that we have too many associations both at the Centre,

State and District levels. Such expansion is not⁴²⁰ a healthy process. I would suggest that this matter should be examined in all its aspects so that there are⁴⁴⁰ selected all-India organisations which can speak with appropriate knowledge and study on all matters relating to export promotion and⁴⁶⁰ industrial development. I know myself that many of the commercial houses have now reoriented their thinking. They are wedded to⁴⁸⁰ achieve national goals in which the highest priority must be given to promotion of exports through creation of larger surpluses.⁵⁰⁰ I am glad to find that a new Department of Textiles is being created. The cotton textile and jute industries ⁵²⁰ are currently in a bad way and are working below capacity. There is a crying need for initiating programmes of modernisation, ⁵⁴⁰ renovation and rehabilitation. I would like to submit that the Commerce Ministry should restore health to the cotton textiles industry⁵⁶⁰ so that the general economic and industrial outlook in the country will improve.

The policy announced in the beginning of \$80 December last year was good as far as it went, but there is need to review it so that a \$600 vigorous programme of development of the spinning sector can be initiated without further loss of time. I would like to \$620 take this opportunity of referring to the number of joint commissions that have been set up with different countries in \$640 the world. I suggest that the business community should be associated with the discussions as also in negotiating trade agreements. \$660 That will be really very beneficial.

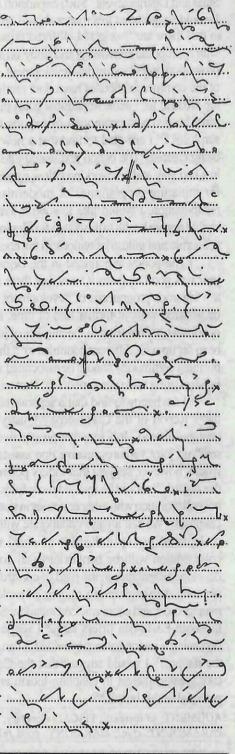
I am happy to find that a separate chapter has been devoted in the⁶⁸⁰ Report of the Commerce Ministry to Indian industrial joint ventures abroad. It is true that prospective entrepreneurs wishing to set700 up joint ventures receive due assistance from Government. I would, however, suggest that India's potentialities and capabilities in this regard 720 should be realised more fully. Here, I would also suggest our collaboration with other countries in putting up industries in 740 third countries. We can always collaborate with the Russia, China or Japan to put up industries in third world760 countries. Such collaboration wiill be beneficial to all concerned. India has welldeveloped capacities in the field of construction, architecture, town⁷⁸⁰ planning, dam engineering, mining, oil exploration, power engineering, management and economic consultancy. Subcontracting, particularly in South-East Asia offers large800 scope and there is no harm in becoming a junior partner, provided it can give satisfactory results to the nation.820 I would suggest that the Commerce Ministry should take greater interest in enabling Indian entrepreneurs to realise the potential in this behalf.840

AUGMENT: to increase; FISCAl: monetary; PARAMOUNT: chief; HARMONY: good relations.

ir, no governments, no party has any magic solutions to those problems and those problems are going to be with us²⁰ the problems of reviving economic growth, the problem of massive unemployment, the problem of resource mobilisation, the problem of savings,⁴⁰ investment, etc., the problem of energy, the problem of shortage of power, electrical, hydro and other forms of power, not the⁶⁰ political power, as 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 of finding a happy combination between hard-core, a 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 powers. Sir, we have had an occasion to discuss certain developments on our borders, Afghanistan and 260 Pakistan, and I have spoken on them at length, and I do propose to repeat those things. But I280 would like to positive and negative. Only when we understand 300 these, can 1/2 we evolve suitable responses also. One is the problem of " 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 power, 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 sufficiency of superiority and we had the theory of sufficiency of power here.400



My good 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 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 cliche⁴⁶⁰ 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 which 580 I will mention and which is a positive factor is that the power of the powerful may be 600//.K increasing at a fast rate but there are limits to the use of that power. You have enormous weapons, you620 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, to 660 come together, to work together and to exercise more leverage. And finally, Sir, I would like to say that there 680 is an immediate problem for this country because for the first time, we are being encircled. There is the US700 China-Pakistan combine. Whatever may be their calculations for the rest of the " world, and I know that at 720 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 on and so forth, the it, is encirclement of India for the first time by three major powers.

There will be bases there. Today⁷⁸⁰ we read in the newspapers that the Minister is going to the Special Assistant to the U.S. President, 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

CONSENSUS: agreement; GRAVITY: seriousness

FANTASTIC: extraordinary.

t is today a rare day in my life, having to introduce a friend of 50 years from whom I have20 borrowed a great deal, I from whom I have learnt a great deal. I think, it was Lord Keynes who said40 that in human affairs one should not minimise the role of vested interest. But he had the courage to60 say that, in his view, in the long run ideas are probably more influential than vested interests. Prof. Sen's writings, his life,80 his work are a standing monument to the100 living truth embodied in Lord Keynes's that famous quote. When I was a student at Cambridge, and this I have 120 mentioned very many times, an old book of Prof. Pigou influenced me a great deal and that was the opening 140 chapter of his Economics of Welfare in which he stated, 'when we study economics our impulse is not philosopher's impulse160 knowledge for the sake of knowledge but for the healing touch e... that knowledge directly or indirectly may help to bring'. 180 I think, in our times we have seen Prof. Sen's writings have world thinks about issues of development, about poverty, about inequalities, gender inequalities in particular. In all these²²⁰ areas Prof. Sen has been a great pathfinder. Wonder, I believe, he once said, is the beginning of philosophy and240 I go back to Pigou when he said 'it is not wonder but the social enthusiasm which revolts against the²⁶⁰ joylessness of withered life and the filth of mean streets which is the beginning of the economic science'.

Prof. Sen²⁸⁰ is no ordinary economist. He has contributed a great deal to the world of philosophy, our understanding of our past, culture³⁰⁰ and civilisation. But his written work has always been inspired by what³²⁰ I believe, is the ultimate purpose of the study of social science. So it is for me a real pleasure to be associated with this function for yet³⁴⁰ another reason. When I went to Washington I came to know in a manner which was not known to me before,³⁶⁰ how much the world looks upto India as a laboratory for the successful functioning of a democracy in a country³⁸⁰ of billion people with a great diversity, where all religions of the world are represented, where we take pride in languages as our national languages.⁴⁰⁰

When the President of the United States introduced me to his wife and he said to her 'Laura do you⁴²⁰ know of any other country of a billion people trying to seek its salvation in the framework of a democratic polity'.⁴⁴⁰ 150 million Progressive Shorthand (Monthly) July 2024

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Muslims but not one of them has joined the rank Al-qaeda. So it was with deep sense⁴⁶⁰ of pride that I heard all that. But we have to practice tolerance, respect for diversity which is our heritage.⁴⁸⁰ If the 21st century is to be Indian century and I do believe that this century in many ways⁵⁰⁰ will be Indian century because distances are losing their old significance. Advances in science and technology have made it⁵²⁰ possible as never before that chronic poverty not to be the inevitable lot of a majority of human kind⁵⁴⁰ also most societies of the future thanks to the revolution in transport in communication will be multi-cultural and multi-ethnic⁵⁶⁰ and how then to reconcile the management of this globalisation processes with the search inherent in all human beings,⁵⁸⁰ of searching for their roots and I think in that quest our culture our civilisation our history I do believe⁶⁰⁰ will have important guides.

India is on the threshold of great opportunities and great challenges. As I have said that 620 poverty removal is an attainable goal and here works of Prof. Sen and his colleagues have illuminated the pathways how640 this can be realised. I think, today more and more people recognize that that's the route to deal with our⁶⁶⁰ social and economic problems. But India's message to the world is that diversity pluralism are the way of future.680 We have lots of challenges at home. At times scepticism to which Prof. Sen has so brilliantly referred in this 700 new book, takes us in many directions sometime it breeds cynicism. I recall, I was in 1975 in 720 Paris attending the meeting of the Aid India Consortium and I think the declaration of emergency was introduced while 740 meeting was on and if a French social scientist of mine said Dr. Singh well inevitable has happened liberal democracy is not 760 meant for people at low standards of living that India has. So this is 1 a luxury you cannot afford ⁷⁸⁰ and you have proved that sceptics right. For 57 years we have kept the faith with some aberrations800 but a lot has to be done. I think the thinking segment of our population has to give this lead. The eternal India⁸²⁰ and essence of Indian culture and civilisation and here Prof. Sen has captured the true essence of what it is. 840

MONUMENT: memorial: SALVATION: act of saving:

PLURALISM: more than one thought;

SCEPTICISM: doubting; CYNICISM: doubting nature;

ABERRATION: the act of straining from truth...

strayed into politics by an accident but I have been a lifelong student of politics and I have always believed that 20 politics change. Politics which departs from that path and becomes⁴⁰ a servant of narrow, parochial, silly, things loses its wider societal role. We are today debating a great national tragedy,60 a great human tragedy. This is not an issue which should divide this House. This is not an issue80 where partisan politics should have an upper hand in analysing those traumatic events of 1984 the death of a 100 Prime Minister, a revered and beloved leader of our country in her own courtyards, by two bodyguards; and this whole 120 mass tragedy that befell Delhi V. and other cities. Our collective effort has to be to find pathways where we140 ensure that such tragedies whether in Delhi or Gujarat never again take place in our country. Therefore, I am not160 standing before this House to score any partisan points. What happened in 1984 was a grim national tragedy¹⁸⁰ and it brought us all to shame. Both the assassination of Shrimati Indira Gandhi and subsequent events leading to²⁰⁰ anti-Sikh riots and all those ghastly happenings should have never happened. They are blots on our national conscience. 220 On this, there is no difference of opinion on any side. But the question arises: "Where do we go from here?"240

Twenty-one years have passed; more than one political party has been in power; and yet the feeling persists that somehow260 the truth has not come out and justice has not prevailed. Therefore, it is our collective reponsibility to find ways280 and means where we could accelerate the processes which would give out people a feeling that they do appreciate justice in this 300 massive State of India. I wish the debate had J.x. 1.8 taken that tone. But the debate has been on narrow, partisan lines 320 and I respectfully say to the House that does not serve its purpose. The Sikhs are a very340 proud community. They XXXX have a glorious past. Our gurus have bequeathed to us a was. That the Sikhs have made a phenomenal contribution to our freedom struggle is also known.380 Anybody who goes to Port Blair would find how many people who were sent to the).... gallows.400

Came the partition, the Sikh community suffered the most. The Canal colonies of erstwhile Punjab which were blooming with property⁴²⁰ were the creations of the Sikh Progressive Shorthand (Monthly) July 2024

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peasents. They were all lost to the Sikh community. Many of them migrated440 to this part of the Punjab. Lakhs and lakhs of people became homeless. I have seen people seeing their daughters, their 460 children being killed before their very eyes in those ghastly days of the partition. That trauma still haunts me. 480 It is a crdit to the Sikh community that did not allow that tragedy to depress them. Then came the500 Indepedence of India and there arose a new Punjab on the ashes of old. When the history of that period520 is written, the making of the new Punjab, the role of two individuals will shine in the annals of history.540 That was Jawaharlal Nehru and Sardar Pratap Singh Kairon. What Punjab is today is largely the creation of these two great men⁵⁶⁰ of our country. I do not want to score debating points against my friends in the Akali Dal and580 I say to them with all respect, while they were all agitating to divide Punjab, the Punjab Government, inspired by600 Jawaharlal Nehru and with people like Sardar Pratap Singh Kairon at their help, wrote a glorious chapter in the history of Punjab. 620

The Green Revolution is the creation of Pandit Jawaharlal Nehru, late Shrimati Indira Gandhi and Sardar Pratap Singh Kairon⁶⁴⁰ in Punjab. If we are trying to drivea gap between the Sikh community and the Congress Party, we must⁶⁶⁰ never forget that fact. Then came the events of 1980s. Who is to be blamed and who is 680 not to be blamed, I am not here to apportion blames. But for a time it appeared the Punjab had fallen700 on evil day. We saw that period when serious attempts were made to divert the attention of this brave community which has 720 contributed so much to the development of our country, which even to this day, defends many of our national frontiers740 that are on the borders. People, many of them outside our country, tried to drive a wage between the Sikh community 760 and the mainstream of national life. The terrorist elements, aided and abetted by forces from abroad, sought to780 disrupt our unity, our polity, our society and whatever we say or do in this House or outside I think, 800 it would be a sin against our nationhood if we try to saw the seeds of discontent among the youths⁸²⁰ of Punjab. Pujnab is border State of our Union. The Sikhs have been its valiant protectors through centuries here.840

PAROCHIAL: limited intrests;

ACCELERATE: to increase gradully;

TRAUMA: physical or emotional stock;

VALIANT: fighter.

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r. Chairman, I stand to support the Demands for Grants under the control of the Ministry of Human Resource Development.²⁰ There are number of departments under this Ministry. So it is not easy to cover all the departments. Even a⁴⁰ few known to you know very well that I always take my seat before you⁶⁰ ring the bell which you please note. Today I may take a few minutes more. It is difficult to select from which point I⁸⁰ shall start. I shall take some points, which most probably will not be taken up by my colleagues in this¹⁰⁰ House.

It is known that the West Bengal Government did not agree to start Navodaya Vidyalayas. I know from my¹²⁰ personal experience that if opportunity is given to a boy from the street, he can develop in a wonderful way.140 I can give you hundreds of examples from my personal experience of my long life. But I will give you160 one example. Perhaps you know of a man-made famine in Bengal in 1943. At that time¹⁸⁰ there were a large number of people who were on the streets. We picked up a few boys and girls²⁰⁰ from the street and kept them in our house for some time and we opened a number of children's homes²²⁰ in West Bengal. And with reference to this I am telling you about the Home of Kolkata. One boy was²⁴⁰ a little boy when we picked him up. We thought that he was a boy of seven or eight years²⁶⁰ but after some time, when he stayed with us after he was fed well, we realised that the boy was²⁸⁰ not less than 12 years old. Gradually, we could realise that he is not only good in education but he³⁰⁰ is a wonderful singer and a good painter. A few years later, we took the painting of that boy to³²⁰ no less than a person, a famous painter.

Now, I request through you Sir, that the West Bengal
Government should³⁴⁰ start this scheme. What they are
denying the people they do not know and I do not want to
go³⁶⁰ into that controversy but I request them to think
over it. In this connection I would like very earnestly to
point out³⁸⁰ that in 1942 Movement, they did not agree,
but later on they said, it was a mistake.⁴⁰⁰

Sir, I would like to suggest that a special programme should be introduced for girls in sports. Usually our

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parents⁴²⁰ are not coming forward to send their girls for sports. Special efforts must be made so that the girls could⁴⁴⁰ come to the sports. I would like to point out that the scheme of stadium must be helped in there⁴⁶⁰ sub-division and even in the villages. In this connection, I would like to submit that I have tried my level⁴⁸⁰ best to get some money for the stadium in our sub-division, but I was not successful. I hope I will⁵⁰⁰ be successful later on. As far as I know, Trihal dances are not included in the Dance Degree Course. It⁵²⁰ must be introduced and tribal people are to be appointed as tribal dance teachers. It is not that a person⁵⁴⁰ from outside should learn and come to the University or Colleges. Tribal people should be trained and appointed as teachers.⁵⁶⁰

Development of folk dance must be looked into. In this connection, I would like to submit that collection of folk stories and themes are to be planned from the remote corners of our country because as you all know, if those can be collected we shall have a real treasure in our country. There are a number of very good schemes under Department of Young Affairs, Sports and Women Child Welfare, but I am sorry to say that delay in releasing grant spoils everything. I am forced to say that delay in release of grant gives scope of false accounts and even the situation makes for a few organisations not to use money properly. If money is not released for months, how the teachers are to be paid, how children are to be fed, how medical care can be given and where is the money for medicine.

The policy of our Government is to help voluntary organisations. But⁷²⁰ I am sorry to say that sometimes many voluntary organisations do not get proper treatment. After the applications from voluntary⁷⁴⁰ organisations are sent, they are kept pending for a long time. My request is this. If the Government cannot give⁷⁶⁰ grants, let them say that for certain reasons, they are not able to give them the grant. Do not keep⁷⁸⁰ them pending and keep hanging. Then money is not released in time. Of course, I must say that I am⁸⁰⁰ the last person to suggest that the Government should assist voluntary organisations without proper enquiry. I further suggest that some⁸²⁰ organisations which get money from various foreign organisations Government should keep proper vigilance so that the money is spent properly.⁸⁴⁰

VIGILANCE: to keep a watch.

r. Chairman, Sir, I thank you for allowing me to participate in this debate. Firstly, I support the grants allotted20 to this Ministry. I personally feel the allotment is less as the Ministry and the Government are going in for40 the New Education Policy wherein Culture, Education and Sports have been clubbed together. It is a very big step for 60 the Government and I personally feel that some more time should have been spent on assessing the whole structure and80 the results before actually putting it into practice. Sir, there are two major things which have affected our education and 100 that is the rural and the urban people have to be separated. They have different standards of living. It is one 120 crux of the problem and the gap has to be bridged so that the youth living in the rural areas 140 have equal opportunity, equal standing along with the urban youth and society.

Secondly, educational institutions like any other institution should¹⁶⁰ have autonomy for achieving better standard. Whenever there is competition, there is always an attempt to do better. For that¹⁸⁰ reason, to improve the educational system, to improve better educational facilities, it would be advisable to give more powers to²⁰⁰ these institutions so that they compete with each other for better results. Further, the role of the Government should be²²⁰ that of an observer and not an active participant as it has now been. Sir, there is too much of²⁴⁰ involvement, political involvement, which hinders the development of the institutions and also the educational system.

The National Education Policy was²⁶⁰ adopted in 1986. Unfortunately, we have been having drought for the last three years. In spite of that,²⁸⁰ I very strongly feel that the allocation of funds for education should not have been cut. For, the education is³⁰⁰ a very important factor, for a developing country like ours, specially where there is too much illiteracy and for development,³²⁰ it is very essential that a new awakening among the masses, specially among the backward people, the uneducated people is³⁴⁰ important. For that reason, the allocation, as I said earlier, is not enough. It should not have been cut either. ³⁶⁰ I now come over to Culture where I want to say a few words. I was referring to the dictionary³⁸⁰ to find out exactly what Culture means. It means trained and refined state of the understanding and manners and etiquette. ⁴⁰⁰

There seems to be a certain amount of confusion when culture is referred to especially in the Government. Culture is 420 everywhere in whatever you do, eat, sleep, walk, talk. It is not only an art. Culture has to be inborn. 440 It cannot be implemented into anybody just like you implement education. No doubt, the Government is doing a laudable job460 in trying to get the massive public interested in culture. But the biggest blunder they made is .a.. the Apna Utsav⁴⁸⁰ that was organised in Delhi last year. No statement has been brought forward to show how much culture has been⁵⁰⁰ created in the city of Delhi. What was the idea behind so much expenditure and so much culture that does⁵²⁰ not exist? No doubt it was like giving a book on law to a two-year old KG-going⁵⁴⁰ student and telling him to study. Culture can be brought into prominence. But, at first, it is necessary to understand⁵⁶⁰ how much acceptance is there amongst the public. As you travel, you will see that most of the public listens⁵⁸⁰ to film music, ghazals, geets but suddenly you give them classical music by the top-most artistes of our country. Naturally600 they are not going to understand what is happening. It is a gradual consumption which should take place from light⁶²⁰ music, which can be understood, gradually to better music and better arts.

Same is the case with the folk dances. 640 Now, folk dance is not artistic, not all of them, but a lot of them are not artistically inclined. There 660 are spontaneous activities which take place during festival or during other rites. They seem always right amongst their own atmosphere, 680 their own surroundings, cannot be presented on a stage and ask people to accept them as a form of art.700 All this should have been thought before organising these festivals. No doubt it is a very good idea to show 720 what our culture is to other countries where it does not exist or where they don't have. We have a⁷⁴⁰ very rich culture in our country, varying culture. Culture is one thing which can replace words. It does not mean⁷⁶⁰ any words to convey something which our Government is trying to do. We have got several museums in the country. 780 All over the world, there are museums which are the last⁸⁰⁰ five years, why this step has not been taken by the Government where our museums are taken as educational institutions, 820 where our culture is housed. The Government has not come forward with any policy and always evaded the reply.840

CRUX: essential; AUTONOMY: independence; HINDERS: draws back; SPONTANEOUS: voluntarily.

ir, we would like you to share with us the role which you envisage for elected local bodies in the planning²⁰ process. At present, there exist many different agencies outside the framework of democratically elected local bodies, to whom is entrusted40 most of the major tasks of urban planning. These include City Development Authorities and City Improvement Trusts, besides a number 60 of State Government agencies owing responsibilities to the State Government above, but not to the people below. If planning for economic⁸⁰ development and social justice is to become the centrepiece of the activities of democratic local bodies, should all these other100 agencies be dissolved or merged into the elected local bodies? Or should they be kept separate and above the system, 120 as at present? The answer you give should be compatible with our basic principle of maximum devolution.140

for coordinating urban planning with rural planning while it would of 160 course be appropriate for urban and rural bodies respectively to plan matters which fall exclusively within the irrespective jurisdiction it¹⁸⁰ has to be recognised that growth impulses largely come from the interaction between urban groups and the their rural areas. It²⁰⁰ is because the linkages between town and country are so crucial to the District Planning Board or the District Planning and Development

Council to identify and attended to the District Planning and Development Council to identify and strengthen these linkages. The tragedy²⁴⁰ is that, in the name of coordination, District Planning Board have been established outside the framework of democratically elected local²⁶⁰ bodies and generally placed under the charge of a Minister appointed by the State Government.

Thus, the most crucial planning²⁸⁰ functions and much of the effective decision-making power, as also the allocation of the bulk of finances, has been³⁰⁰ vested in bodies which are outside the democratic framework of local government and are dominated by Ministers appointed by the 320 State Government. I call it a tragedy because it is through these agencies that the elected authority is bypassed or³⁴⁰ overruled. In the name of coordination, democracy is being sabotaged. In the name of coordination the will of elected local³⁶⁰ bodies is being subordinated to the will of the State Government. In the name of corrdination, the people's will is 380 : being replaced by the will of officialdom. What measure would you suggest to establish a democratic district planning body?400

The second major act of devolution envisaged in the Panchayati Raj Bill is the implementation of development schemes relating to⁴²⁰ the subjects set out in the proposed Eleventh Schedule.

The second point relating to planning is the methodology

We would wish you to pool your experience of the different 440 States of India and suggest the subjects which might be set out in a separate / \ Schedule in respect of which⁴⁶⁰ Constitutional authority would be available for the meaningful devolution of powers to urban panchayats. The financial condition of municipal bodies⁴⁸⁰ at all level is pitiable. They barely have the funds to sustain themselves. They are unable to even maintain community⁵⁰⁰ assets and services, let alone create new ones. Debt and default are widespread. There is fiscal irresponsibility allied to financial⁵²⁰ indiscipline. The sound finances of urban institutions of local self-government is a matter of crucial importance. Much of the wealth⁵⁴⁰ of India is generated in urban India. Its rates of growth are significantly higher than in rural India. The asset⁵⁶⁰ which municipal bodies sit on, namely, urban land is a very valuable commodity whose values goes on increasing rapidly. We⁵⁸⁰ would like you to examine in depth all questions relating to the financial health or urban bodies. You have numerous600 reports on the subject prepared by Committees established by both the Central and State Governments. You have in the Panchayati620 Raj Bill the proposal for the establishment of a State Finance Commission to set out principles on the basis of 640 which taxes may be assigned to, or appropriated by, Panchayati Raj institutions at different levels. Then there are the grants-in-aid660 from the Consolidated fund of the State and funds from Centrally-sponsored schemes as such. Should the proposed State Finance⁶⁸⁰ Commission also set out similar principles for financial devolution to urban local bodies? Should there be Centrally-of access for municipal bodies to institutional finance and the capital market.

We⁷²⁰ would like your consideration of these financial' questions to be guided by the sentiments expressed by Jawahar Lal Nehru when he⁷⁴⁰ presented his first report as Chairman of the to 760 consider issues that are vital for efficient municipal administration but are not, perhaps, amenable to settlement through a Constitutional provision.⁷⁸⁰ For example, what should be the relationship between the municipal bureaucracy and the elected municipal representatives? How does one ensure⁸⁰⁰ harmony and cooperative relations between the municipal bureaucracy and the democratically elected representatives of municipal bodies? Should not urban administration820 be carried out at the behest of the elected representatives rather than by bureaucratic order, however, benevolent and well-intentioned?840

DEVOLUTION: distribution: HARMONY: in agreement; SABOTAGED: to prosecute a dispute by destruction;

AMENABLE: changeable.

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Exercise 25 (Legal)

ll wages or salary including wages payable for time or piece work and salary earned wholly or in part by 6 way of 20 commission of any workman, in respect of services rendered to the company and any40 compensation payable to any workman under any of the provisions of the Industrial Disputes Act, 1947; Two, all accrued holiday remuneration becoming⁶⁰ payable to any workman, or in the case of his death to any other person in his right, on the⁸⁰ termination of his employment before, or by the effect of, the > winding up order or resolution; Three, unless the company 100 is being wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company, or Co unless the120 company has, at the commencement of the winding up, under such a contract with insurers as is mentioned in 140 Section 14 of the Workmen's Compensation Act, 1923, 2 rights capable of being transferred to and vested in the workman,160 all amounts due in respect of any compensation or liability for compensation under the said Act in respect of .c _ _ _ _ the180 death or disablement of any workman of the company; 's Four, all sums due to any workman from a provident fund, a pension fund, 200 a gratuity fund or any other fund for the welfare of the workmen, maintained by the company;220 Five, "workmen's portion", in relation to the security of any secured creditor of a company, means the amount which bears240 to the value of the security the same proportion as the amount ... of the workmen's dues bears to the aggregate260 of (a) the amount of workmen's dues; and (b) the amounts of the debts due to the secured creditors.280

As per Section 447 of the Companies Act, an order for winding up of a company operates in favour of 300 all the creditors as if it had been made on a joint petition of a creditor. All creditors are treated as 320 petitioning creditors. Section 456 of the Companies Act requires a provisional liquidator or a liquidator, as the case 340 may be, to take all properties and action claims, to which the company is or appears to be entitled, into 360 his custody or under his control. Sub-section (1A) to Section 456 of the Companies Act entitles the 380 liquidator to write a request to the Chief Presidency Magistrate within whose jurisdiction such property, effects or actionable claims are. 400

Sub-section (1B) to Section 456 of the Companies Act permits the Chief Presidency Magistrate or the District Magistrate to take such steps or use such force, as in his Progressive Shorthand (Monthly) July 2024

opinion may be necessary. Section 468440 of the Companies receiver, banker, agent, officer or other employee460 of the company to pay, deliver, surrender or transfer forthwith, or within such time as directed, to the liquidator, any 480 money, property, or books and papers in his custody and control to which the company is prima facie entitled.500 Sections 528 to 530 of the Companies Act fall under Chapter V--Provisions Applicable to Every Mode520 of Winding Up', under the subheading 'proof and ranking of claims'. Section 528 of the Companies Act⁵⁴⁰ states that debts of all descriptions, including the debts payable on contingency, and claims against the company, present or future, 560 ascertained or sounding only in damages, shall be admissible to proof against the company, on a just estimate being made⁵⁸⁰ of such debts as far as possible. Section 456 of the Companies Act, inter alia, provides that all the600 property and effects of the Company shall be deemed to be in the custody of the tribunal/court⁶²⁰ as from the date of the order for the winding up of the Company.

The objective of giving jurisdiction to the 640 Company Court/tribunal during the process of liquidation of the Company is two-fold: First, to ensure that the assets⁶⁶⁰ of a company in liquidation are amassed and possessed to prevent a scramble " and dissipation of the assets of an⁶⁸⁰ insolvent company. Secondly, the Company Court/tribunal is entrusted with paying off debts from the sale proceeds of the assets 700 so assimilated, according to the waterfall mechanism provided for and only specified under Sections 529, 529A⁷²⁰ and 530 of the Companies Act. Accordingly, and with this objective, Section 529A of the Companies Act⁷⁴⁰ refers to the doctrine of pari 52.9A. passu in the proviso to sub-section (1) to Section 529,760 with reference to the claims inter se the workmen and the secured the principle applicable and underlying these provisions is to stop alienation and preserve the assets on the date of the 800 bankruptcy, which date, in some cases, can relate back to the date of filing of the winding up petition,840 as in case of Q execution of a decree. This preservation is with a view to ensure the division and application of the assets of the company.840

ACCRUED: earned:

LIQUIDATOR: person to distribute assets among creditors; JURISDICTION: legal area; PRIMA FACIE: on the force of it;

INTERALIA: in relation to.

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Exercise 26 (Legal)

the contention now raised in the present round of proceedings for absorption as Assistant Teacher in the 3... Higher Secondary Section²⁰ is strongly refuted by the respondents by pointing out that his engagement as a substitute teacher was only in the 40 pay-scale of Rs. 1200-2040 which was the scale for the primary teacher. They contend that his60 claim that he was allowed to take classes for XI and XII is unfounded. No doubt, the Central Administrative Tribunal, 80 Calcutta Bench has recorded that the applicant had functioned as a mathematics 45 teacher for Class XI and XII as a100 stop-gap measure. This point in the first 120 round of proceedings, the appellant made such a claim; the Screening Committee having considered him, pursuant to the orders 140 of this Court, has thought it fit to absorb him only as a primary teacher; the Screening Committee itself was pursuant160 to the orders of this Court and based on the Master Circular of 29.01.1991 wherein the claims of the candidates 29.01.1991 like the appellant were examined; the records of his appointment a 2 as a substitute teacher admittedly200 show that he was only appointed as a substitute primary teacher; it is on the completion 2... of three months as²²⁰ substitute primary teacher that he acquired temporary status and on absorption now he became entitled to certain benefits under the240 Circular which we have elaborated herein above.

In the earlier round of proceedings culminating in the order of this Court²⁶⁰ dated 15.02.1996, this issue was never raised. His claim for absorption as an assistant teacher²⁸⁰ in the Higher Secondary Section is clearly barred by constructive res judicata. Almost two centuries ago, in Henderson vs. Henderson,³⁰⁰ the Vice-Chancellor Sir James Wigram felicitously puts the principle thus: In trying this question I believe I state the³²⁰ rule of the Court correctly when I say that, where a given matter becomes the subject of litigation in, and³⁴⁰ of adjudication by, a Court of competent jurisdiction, the Court requires the parties to that litigation to bring forward their³⁶⁰ whole case, and will not permit the same parties to open the same subject of litigation in respect of matter which³⁸⁰ might have been brought forward as part of the subject in contest, but which was not brought forward earlier.⁴⁰⁰

This principle popularly known as the doctrine of constructive res judicata, based on the might and ought theory, has been the recognized by this Court in several judgments. In

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Maharashtra Vikrikar Karamchari Sangathan vs. State of Maharashtra and Another, this Court held as under: It was then contended on behalf of the appellants that neither the Recruitment Rules of 1971460 nor the Seniority Rules of 1982 provided for carrying forward the vacancies falling in either category. In the480 absence of such rules which specifically provide for carrying forward the vacancies falling in either category, no such carry-forward500 rule could be implied either in the Recruitment Rules or in the Seniority Rules. This contention need not detain us520 any longer because such a contention was available to the appellants in the earlier proceedings, namely, Transfer Application No. 820540 of 1991 and the same was not put in issue. That not having been done, it must⁵⁶⁰ follow that such a contention is barred by the principles of constructive res judicata. Neither the contesting respondents nor the sa appellants 4.1 ever raised this contention at any stage of the proceedings in Transfer Petition No. 822 of 1991.600 It would, therefore, be too finalized pursuant to the judgment of MAT, Bombay Bench in Transfer Petition No. 822 of 1991."640

The doctrine itself is based on public policy flowing from the age-old legal maxim which republic state had bounden duty 660 which means that in the interest of the State there should be litigation for one and the same cause. The contention raised on behalf of the appellant 700 that he should at least be paid the salary and allowances as paid to the Assistant Teachers in the 720 Higher Secondary Section for the time he functioned should also fail for CS R the reason as set out herein above.740 The appellant however cannot be denied continuity of service under the Master Circular read with the orders of this Court in Smt. J. D. Roy⁷⁶⁰ and the order in the appellant's own case i.e. C.A. No. 3557 of 1996.⁷⁸⁰ This is a fresh cause of action, which has arisen in view of his absorption on 02.01.1998,800 subsequent to the culmination of the earlier round of proceedings. The conduct of the authorities themselves in subjecting the appellant⁸²⁰ to screening before the 1906, treat the appellant's case on par with the case of Smt. J. D. Roy

ELABORATED: detailed;

RES JUDICATA: matter not taken earlier, not taken now:

CULMINATION: in highest point attained.