54th year of Publication

SIMPLEST SWIFTEST & SUREST

PITMAN SHORTHAND

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with

Eng./GK/Reasoning

READING & DICTATION EXERCISES FOR SPEED DEVELOPMENT

March 2024

₹60

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

#### Exercise 1

am very happy to be present here today for opening the new building of your University. All that you<sup>20</sup> have said about this new University, which is only six years old, is commendable in many respects. Although you have<sup>40</sup> not had adequate equipment and the necessary wherewithal in the beginning, these serious shortcomings did not bother you. In right<sup>50</sup> earnest you started the work.

One might feel sorry, but I am sure no one will feel surprised to know so that in its seventh year this University does not possess departments in subjects like Sanskrit and English on the side so of science. I need not say much about the so importance of the Sanskrit language which, besides having its own vast treasure of knowledge, is verily the mother of the present-day Indian languages of the North. The study of English language and literature is also essential for a suniversity student, for it is a language which many in our country have been cultivating for the last two hundred sy years and which is recognised as a medium of international expression by virtue of its being the language of a so number of countries. Equally important is the study of chemistry and physics which are in a way the basic sciences which go to form the foundations of all technical and scientific knowledge.

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

ETHNIC: racial; WHEREWITHAL: means; GEOLOGY: study of earth structure; ANTHROPOLOGY: study of mankind.

I cannot verify how far it would<sup>40</sup> be correct to say so, but if there is any truth in it, this trend is to be deplored and<sup>60</sup> discouraged, because universities must always look ahead and after imparting education, must, of necessity, be upright, even strict, in the<sup>80</sup> matter of conferring degrees, destinations or honours. You have done the right thing in sticking to this ideal from the<sup>100</sup> very beginning.

I am one with you that in order to be fully useful to the people for whom 120 a university serves, it ought to be a teaching body. I am glad that in your planning you have kept 140 this point in view. I hope the building which you have been good enough to invite me to open today, 160 marks the beginning of your undertaking in that direction. Apart from imparting education, which is after all the real aim 180 of a university, it will also help you to co-ordinate and centralise your academic activities. What has particularly pleased me<sup>200</sup> in the Vice-Chancellor's Address is his reference to the fact that your University is likely to provide a great 220 meeting place for the different racial and linguistic groups inhabiting Assam. My own view is that a University, besides being 240 a seat of learning, should also be a centre of real cultural activity. For the mixing of people professing different 260 faiths, speaking different tongues and having different customs and traditions, no other place can be more suitable than a university.

This is because a university is singularly free from any kind of bias and the din and turmoil of politics. The provides an ideal atmosphere for all people to come close together and understand each other. I need hardly point out that you will be rendering a great service not only to your State but to the whole of India, who if you keep this objective before you. You will have rendered a great service to the nation if by sticking to your resolve you succeed in bringing all these groups together by providing them equal opportunities, thereby promoting mutual understanding and the good of all. I am thankful to the Vice-Chancellor for having invited me to open this building and for giving me an opportunity to address you today. I wish your University a bright future and hope it will succeed in tiding over the difficulties and will be counted as one of India's great seats of learning and education.

VERIFY: to check genuineness; LINGUISTIC: based or language........

eproduction and multiplication of books and other things is one of the characteristics of modern age. It someone -/. wrote a<sup>20</sup> book in ancient times, the writer could have only one copy of the hand-written manuscripts. If more copies were40 required, the whole thing had to be rewritten in hand by a scribe, which was an expensive and an arduous60 job. Today, on the other had, if we want reproductions of a book or a given event, we have at 80 our disposal not only the printing press but a few other scientific devices. Multiplication of things in the present age100 appears to be a mere child's play. In earlier days if a good drama was staged and it happened ....... to 120 gain popularity, only those could benefit from it who were physically present when that play was staged. That is because 140 the actors could not manage to be at more than one place at a time. Even if a play was160 re-staged, no one could guarantee that it would be rendered with the same skill and have the same effect on 180 the audience as the original play staged earlier.

All that has changed today. Now we can have a play staged<sup>200</sup> simultaneously at several places. We can have it cinematographed and in this way also reproduce the original voice of every<sup>220</sup> actor. This is what is generally known as a film. Cinema is a very powerful medium for projecting ideas. It<sup>240</sup> can create excellent effect on the audience if it has well-groomed actors, nice dialogues and conveys a good moral.<sup>260</sup> But it is equally potential in its destructive powers if the characters are immoral so that their life, as portrayed<sup>280</sup> in films, tends to degrade rather than raise society.

The capacity of the drama to do good or evil is<sup>300</sup> limited in the sense that it can influence only those who see it enacted at one place at a time.<sup>320</sup> But the capacity of the film is unlimited because of its reproductions and the large number of people who can<sup>340</sup> see it any number of times at any number of places. It is, therefore, very necessary to be cautious in<sup>360</sup> the production and use of films in order to ensure that they are utilized for the good of society. Broadly<sup>380</sup> speaking, cinema may be said to have three main objectives, namely, education, recreation and propaganda and these have utmost importance.<sup>400</sup>

SCRIBE: writer; ARDUOUS: difficult; SIMULTAMEOUSLY: at the same time.

Oxt

fter all, books can give only a part of the knowledge which is desirable for man to acquire. Far<sup>20</sup> more than books, it is the experience, the contacts and the environments which go to constitute an individual's knowledge. Cinema<sup>40</sup> can be a great help in acquiring knowledge from all these different sources because it can extend to incredible limits<sup>50</sup> the field of our visual and auditory experience. It is a truism that things which we see with our own<sup>80</sup> eyes influence us far more than things which we hear from other's mouths. Things which we see on the screen<sup>100</sup> may not be leaving as lasting an impression on us as things which we see in our actual life, <sup>120</sup> but nevertheless, scenes of the screen are more effective than descriptions read in print or heard through ears.

As for recreation, <sup>140</sup> it is also of many kinds. There is recreation which besides being entertaining is also educative. There can also be <sup>160</sup> something which is recreative but morally injurious. I cannot claim to have seen many films. Actually, I have not had <sup>180</sup> many occasions to see them. But I am told by many a friend that quite a number of our films <sup>200</sup> belong to the later category and that far from being a genuine source of recreation or education, they only stimulate <sup>220</sup> sensuousness. Such films have a particularly bad effect on younger minds. May be that such films are more popular than <sup>240</sup> others. It is also possible that such films may be more paying. It might be said by some that films <sup>260</sup> are produced on a commercial basis and, therefore, the producers have to produce only what is in demand. It may <sup>280</sup> also be said that the principal function of the cinema is to provide entertainment, in which case producers have to <sup>300</sup> be guided by popular taste.

All these good points might be adduced for the sake of argument.

But I would<sup>320</sup> like to point out to those connected with our cinema industry that if they want to render real service to<sup>340</sup> the public and I do believe it should be their ideal, all these arguments should be of little consequence to<sup>360</sup> them. At any rate, these are secondary considerations. The primary consideration must be service of the people. No service can<sup>380</sup> be real unless it safeguards the genuine interests of those who are sought to be served. I would request film<sup>400</sup> producers to think over this and ask themselves as to what their real aim is. The aim has to be<sup>420</sup> service of the people, which is not incompatible with commercial success. But commercial success without service is hardly worth anything,<sup>440</sup>

INCREDIBLE: unbelievable; ENVIRONMENTS: surroundings; SENSUOUSNESS: controlled by senses.

y interest in basic education, goes back to the day when Mahatma Gandhi convened a conference at Wardha for discussing20 this subject. A few prominent educationists and workers in the cause of national education had also been invited to attend40 this conference. I have been in touch with the progress of this system of education ever since. I am, therefore, 60 happy to have got this opportunity to come here and speak to you about this problem,80 although I know I might be repeating the views expressed by me earlier. It also likely that the views100 which I express are not in consonance with those of others, particularly of educationists. Besides, it is also to be120 seen how far my views fit in with the policy which is being pursued by the Central and State Governments140 in this connection and how far it is practicable to modify that policy. Therefore, I hope what I am going160 to say will be taken as my personal opinion and that you will discuss it as such with an open 180 mind without fear or favour.

It will be agreed that the system of education, right from the first primary class<sup>200</sup> to the highest university course, which we are following today, is the same as introduced by the British Government in<sup>220</sup> this country. We have not been able to introduce any fundamental change in that system even after the attainment of<sup>240</sup> Independence. It is pointless to blame anyone for it, because the peaceful manner in which the transfer of power took<sup>260</sup> place made it inevitable that along with the governmental machinery and other things, the system of education should also come<sup>280</sup> to us as a heritage of the old regime.

It is now our duty to give thought to each one<sup>300</sup> of these problems and decide in the light of present-day conditions how they can be solved and then to<sup>320</sup> act upon what we have decided. There is no doubt that in introducing this system of education, the principal motive of<sup>340</sup> the British Government was to secure as much advantage as possible for establishing itself in this country. The Britishers also<sup>360</sup> thought that as compared to their own culture and literature there was nothing much in Indian culture and literature which<sup>380</sup> might be said to be worth preserving. There is no doubt in course of time their views underwent some change.<sup>400</sup>

CONSONANCE: harmony; HERITAGE: to get from past.

he progress of science in Europe meanwhile confirmed them in their view that scientific education could be imparted only through<sup>20</sup> the medium of English. Consequently, partly for the sake of administrative convenience and partly to propagate their own language and<sup>40</sup> culture they stick to their own system of education which they introduced in this country. There is no doubt that<sup>60</sup> the education received by our earlier generations was based on this very system. Those people knew little of Indian literature<sup>80</sup> or culture and hardly felt drawn towards it, although a few Indian scholars who were inspired by English education did<sup>100</sup> study Indian literature and wrote a good deal in praise of it.

Thus we find two schools of thought in 120 this country. The followers of one school believe that our own language alone can be the medium of education and 140 until that is done, education is bound to remain confined to a small section of society and will never spread 160 among the masses. The other school of thought thinks that in this scientific age our country cannot cut itself adrift 180 from European thought and that at least higher education should continue to be imparted through the medium of English. If 200 that is not done, they argue, we shall fail to pull our weight and lag behind other nations in the 220 race for material progress. These views, as a matter of fact, apply not only to the medium of instruction but 240 actually to the whole system of education.

Our people have responded more and more to the call education during260 the last 50 years and this is evident from the phenomenal increase in the number of educational institutions. In 1911-12280 when Burma and Pakistan were also part of India, there were 186 Universities and colleges in India, as300 compared with 537 in 1946-49, though Burma and Pakistan had separated, leaving India smaller320 in area and population. It is clear from the figures that there is a wide-spread demand for educational facilities. This 340 demand is no longer confined to towns alone, but is evident among people of the rural areas also. One result360 of this spread of education has been that many educated people find themselves unemployed. Government jobs and service in private<sup>380</sup> undertakings offer limited openings for the educated. Only a small fraction of successful scholars can be absorbed in them. 400 A large majority of the educated are averse to taking up their parental occupations. As a result of their education, 420 they have lost the capacity to take up those occupations and they are not equipped to follow any other either.440

ADRIFT: to go aside; PHENOMENAL: large.

ahatma Gandhi who had anticipated all this, thought that this system of education which is so expensive would not do20 if education was to be brought within the reach of every Indian, rich or poor. He, therefore, thought of a40 new system of education which has come to be known as Basic Education and which Indian and foreign educational experts60 have declared to be highly useful. According to Gandhiji, as far as I understood him there are two basic merits to in this new system. Firstly, education under this system is imparted not merely through books but through some kind of 100 practical work result of mere memorising but of actual120 experience. He thought, and some of the leading educationists were at one with him, that knowledge acquired in this way140 created a degree of consciousness, efficiency and a feeling of self-reliance, all of which would come handy to one when 160 starting life.

Secondly, the other merit in this system, according to him, is that it brings education for all within<sup>180</sup> the pale of practical possibility, because the handicrafts on which children would be working would bring some return in terms<sup>200</sup> of money which would go, at least in part, to meet the expenses of their education. He was convinced that<sup>220</sup> unless young scholars made this contribution towards their own education, universal education in India would never be possible. The result<sup>240</sup> of all the discussions and experimentation in the field of education during the last 16 or 17 years is, in<sup>260</sup> my opinion, the same that we arrived at in our discussions in the first Conference held at Wardha. Educationists had<sup>280</sup> admitted the utility of the new system but considered children's contribution towards their education as not only impossible but undesirable.<sup>300</sup>

Our experience, on the other hand has demonstrated both the utility as well as the practicality of the system. My<sup>320</sup> remarks are essentially with reference to primary and secondary education. Little has been done so far to apply this system<sup>340</sup> to higher education. It is not, therefore, possible to say anything about it on the basis of experience. In spite<sup>360</sup> of all that has been done in this field so far, it is a pity that this system has not<sup>380</sup> received the encouragement which it deserved and which we could have given it after achieving independence from the British rule.<sup>400</sup>

s far as I can say, the reason is that although the utility of the new system has been proved,20 our faith in the old system of education remains unshaken. That is also why most of those who are engaged40 in the work of education have not given much thought to the new system. All that we can say is that even today the new system has not gone beyond the experimental stage. Our Government as bit decided to popularise 80 it as a part of its constructive programme, let alone doing anything practical for it. I know that in the ovarious conferences we have had so far, resolutions have been adopted in favour of it and Government agreed that the 120 new system ...... should be adopted, but actually it has not been done. Consequently, educational institutions of the old type are 140 daily increasing and whatever budgetary provision Government makes under the head "Education" is spent mainly on keeping the old system 160 of education intact.

Naturally, the new system has received little er couragement. My own view is that unless fundamental changes are 180 made in the current system, the sad state of affairs that we see today will become sadder. The feeling of discontent among the educated and their . L utter dissatisfaction with life will continue to grow. I would, therefore, urge that all220 those concerned with the education of children, our educationists, universities and the governing bodies of colleges and schools, education ministers, 240 etc., should give not only theoretical consideration to this problem, but do something practical to change .... the present system of 260 education. Unless this is done the problem would become more and more complicated.

I am very happy that the new<sup>280</sup> organisation has been carrying on . . . . . its work undeterred by difficulties. I cannot say that its activities have influenced educational trends300 in the country to any considerable extent, but I must admit that whatever is being done by it, is of 320 great .h... value to the country. Its usefulness would be realised when, sooner or later, compelled by circumstances, we shall have340 to introduce fundamental changes in the system obtaining today. At that time the ..... experience acquired by workers of the new360 organisation will come handy. As I said earlier, our experiment in the sphere of primary and secondary education has been 380 successful and we can confidently ..... recommend the new system to our countrymen at these two stages. We cannot say the 400 same in respect of higher education in view of the inadequacy of our experience. Therefore, I attach great importance ......... to 420 your work. I hope the unfavourable atmosphere will not detract your workers and they would continue to do their job. 440

COMPLICATED: complex. Progressive Shorthand (Monthly) March 2024

ir, coming to technical education, I may point out there are many colleges without infrastructure. Several colleges have been running20 without any facilities. You have to do something so that these colleges acquire the necessary infrastructure. NPE also40 spoke about the capitation fees charged by these engineering and medical institution. In the interest of maintaining standards etc. commercialisation60 of technical education should be curbed. The All India Council of Techical Education has been given this task, but today<sup>80</sup> eight engineering colleges in Bihar, 27 in Karnataka, 52 in Maharashtra, 22 in Tamil Nadu and about five medical colleges on in Karnataka are still collecting high capitation fees. You have promised to bring forward a Central Bill, but so far120 it has not been brought. More and more such colleges are proliferating everyday. In .... Maharahtra particularly, there is a mushroom140 growth of such technical institution. I would like to know whether it is advisable to allow such institutions to come 160 up. The Minister should ponder over this.

So far we are having only five IITs. They are maintaining 180 good standards. I understand you are going to have the sixth one in Assam. Its progress is very slow. When200 I went to Assam, the Assam Chief Minister said that only the site has been identified, but no progress has 220 been made. It should be given a fillip. In addition, I suggest one more IIT should be started240 in Hyderabad, because it is a central place, easily accessible to many people. The Minister need not feel shy about260 it. It can be had even at Warangal or anywhere else, but we need one more IIT. Similarly,280 the number of Indian Institutes of Management is also very less. Such institutes are only four in number. If you300 cannot open an IIT, you open IIM in Hyderabad. That is my specific request to the320 Honourable Minister. You are financing a number of other organizations the Indian Council of Social Sciences Research, the Indian Council<sup>340</sup> of Philosophical Research, the Indian Institute of Advanced Studies, Simla, the Indian Council of Historical Research. I know some of 360 them are doing a good work, but I do not know if the money allotment is just sufficient for salaries380 and maintenance of the buildings. Therefore, a review of the allotment and a committee to review the functioning is needed.400

PROLIFERATING: growing rapidly; PONDER: to think seriously; FILLIP: encouragement.

he Minister knows that the Administrative Staff College in Hyderabad is a premier institution running on excellent lines. But20 you have given just Rs.2.5 lakhs as grant in this year's Budget. I suggest such an organisation<sup>40</sup> must be encouraged. ..... Similarly, for the scientist going abroad you have provided only Rs.1.25 lakhs in the60 Budget. It is a very small amount. This should be extra-curricular activities of the students. Study tours, excursions, the NCC and the NSS should be given 100 encouragement. The Earn-asyou-Learn has also to be encouraged. It has not picked up in our country, 120 but we should give more encouragement to this scheme. ....... Because in a poor country like ours there are many students 140 from the middle class families. If you can introduce a scheme like Earn-as-you-160 learn, at least in some centres, on an experimental basis, that would be helpful.

Regarding the role of the Student 180 Unions, also you must review. because in certain universities like Delhi University and some other universities, elections to these Unions<sup>200</sup> are comparable to the General Elections and most of the time of the students is being lost in the direct<sup>220</sup> elections. In earlier days, the Student Unions were formed by indirect elections. The class leaders used to be elected and 240 ..... those leaders used to elect the executive of the Union. Whether we should go back to that system, should be260 examined because of the role of the Students Union. I do not want abolishing of the Unions as a whole<sup>680</sup> but a different method for elections to these Unions must be examined.

Then, I strongly, oppose any move for an300 All India Service in Education. If you have got any thought like that, we will firmly oppose it and all320 the non-Congress States are opposed to any new All India Service, particularly in education, because teachers going from adult education, also the literacy rate in 1951360 was 16 per cent and it has just come to 36 per cent in 1981, after 30 years. 380 Just you have 20 per cent increase. There are still 425 million illiterates in this country and if100 you take the 15-35 years age group they are now 210 million. It is a very 420 explosive situation. You must do something to remove adult illiteracy, voluntary organisations should be encouraged to take up this task.440

PREMIER: first, prime; (PREMIERE; first performance)

ABOLISHING: to remove

adam, I rise firstly to support the Constitution Amendment
Bill 1983, but I am not supporting the Representation of
the People Bill, 1988. I have got serious objections to
certain provisions of the amending Bill. Madam, you are quite
aware, and the nation is also aware, that there have been frequent
promises from the side of the Government that the Government is
very serious about bringing about comprehensive electoral reforms.

As a matter of fact, never has there been the occasion when the
Government really put into shape in concrete terms, what it really
means by electoral reforms. But, so far as we are concerned, we
put forth certain suggestions in specific form which may be considered
as 20 practical, viable suggestions, propositions and ingredients to
bring about appreciable changes in the present electoral system of our
country. 140

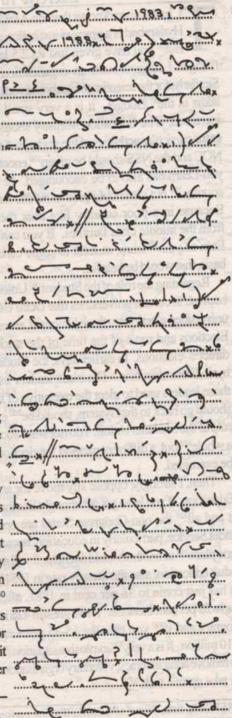
I do not venture to say that all the measures which we have suggested constitute the final ingredients for a complete on and final reform of the electoral system in our country because the concept of election changes with changing times. Since on the election changes with changing times. Since of a swe are concerned, we placed before the Government certain ingredients which should be considered as inevitable propositions for bringing about certain changes in the electoral system. Those include, amongst others, acceptance of the principle of proportional representation, state funding of elections, elimination of moneypower and muscle power, stoppage of misuse of media, reduction of corrupt electoral practices and impartial and independent Election Commission. 260

Madam, I leave it to you and to the House. There was commonality of views on these items. On<sup>280</sup> certain items even the Congress Party also expressed its commonness in their view. But please find out which of these<sup>300</sup> components have formed a part of the present Bill, barring one and two. Anyway, at this stage, I want to<sup>320</sup> say something about the comments made by my friend particularly in regard to proportional representation in India. He has a<sup>340</sup> misconceived idea, and he is ignorant of the electoral history of this country. Number one, is it a fact<sup>360</sup> that always the Muslims voted for the Muslims or that always the Hindus voted for the Hindus? Had it been<sup>380</sup> the case, I think, many of us would not have seen the chamber of this House either this or that.<sup>400</sup>

COMPREHENSIVE: detailed; ELIMINATION: removal;

IMPARTIAL: independent; INGREDIENTS: elements to form the whole.

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large number of people, I think majority of the people, are still not infected by communal ideas. They are very much secular so far as they exercise their voting right. But here once you accept the principle of proportional representation in our electoral system, you are encouraging communal forces, you are dividing India communally, I do not find any rationale in this idea. If we have to accept this, then, Madam Deputy Chairman, then you have to negate the history of your party. The Congress Party did not get the votes of a particular section or a particular community. People voted for the Congress Party on secular ideas, not on communal ideas. Therefore, it is not that idea. If that idea is there, I think it needs severe condemnation. It is you who encourage communal feelings in the electoral to processes.

My friend has rightly pointed out that the concept of proportional representation is based on arithmetic might. We want 160 proportional representation because it has been our experience that some party, particularly the Congress has occupied majority of the seats 180 on the basis of minority votes secured by them. Few Members are elected to this House or that House or 200 in any other electoral process securing the majority of the total votes. If you want really to judge the will 200 of the people, if you want to have democracy based on the will of the people, the majority of the 240 people, the present system does not fulfil that objective. You get elected, even I get elected, not on the basis 260 of the majority of the total votes but on the basis of the minority of the votes. I think, everybody 280 will agree that this cannot be a sound principle of democracy. I don't say that there may be means and 300 modes of proportional representations.

There cannot be a cut and dried mode of proportional representation. What we want is that the Government should accept the principle of proportional representation so that there can be reflection of the people's will proportionately. Therefore, I am rather very much disappointed with the comments made by my friend. Please allow me to make this comment. As a matter of fact these are not at all electoral reforms. It is rather a caricature of reforms. On the other hand, this amending Bill puts certain impediments on political parties in our country. I would give only two examples. One is registration. You will find there are lots of information to be given by a political party to the Commission and the political party will bound to furnish that information to the Election Commission.

RATIONALE: reason; CARICATURE: to appear ridiculous; IMPEDIMENTS: hindrances.

1227

am happy that the Government has emphasised its commitment to non-alignment but in the process of their commitment20 to non-alignment, they have tried to use the phrase genuine non-alignment. I shall not quarrel with my friend40 about words. . 2..... But what is non-alignment? Non-alignment is not a mantra. Non-alignment is the basic fundamental right of every sovereign country. When we are not committed -- and there is no prior commitment to any power block -- we take80 our decision on ..... what our policy should be, on its merits on any given issue. And if this cannot be 100 genuine, it cannot be non-alignment. So to use the word genuine non-alignment in a sense, is a contradiction 20 in term. In any case, I hope, what he means by genuine and 2/2 what we meant by genuine, are the140 same and there is no concrete difference in the word. Today foreign relations do not cover only consular or diplomatic 160 relations. They cover trade, 3 .... economic development, technological co-operation and many other things. Foreign relations also fall into different spheres and 180 categories.

It is needless for me to point out the importance of . > our relations with the Soviet Union in many200 of these fields. Soviet Union has always stood by us in every hour of our crisis ... and in every220 problem that we have had to face. This can be \_\_\_\_\_, a.x. said of few other countries and we recognise this invaluable<sup>240</sup> assistance. I shall not dilate on this, I am sure, my friend understands what I am trying to convey. At260 the same time, I \_\_\_\_\_\_\_\_\_ need not emphasize the necessity of our working out economic and developmental relations with the United280 States, Japan, West Germany and other Western countries. They have the technology and they have the financial resources to play300 a leading role in giving assistance to all developing countries. But we have to recognise the complementary nature of any320 class assistance that we can get either from the Soviet Union or from the Western countries. This complementary nature of assistance340 is very clear and does not require any elaboration. .... There is one other aspect to which I would like to360 draw the ac attention of the Honourable Minister. This is very often forgotten. We are not really an under-developed country. 380 Next to the United States and USSR, the largest reservoir of technological skills do exist in India.400

It is unfortunate that we have not been able to utilise fully the

technological manpower and trained skills that we have in this country in plenty. However, this very reservoir of technological skills and trained manpower can become a useful element and an asset in our foreign relations. We can in certain fields become an aid giving country. Giving of aid does not necessarily mean giving only financial aid. We can very well compete with the so-called developed countries in certain fields through the export of our technology and skills, such as, in sugar, in cement, in textiles and in many other fields. In fact, we can probably be more helpful to the less developed countries than the highly developed and complex technologies of the West.

This is a field which needs to be carefully explored in our foreign relations. In the context of our extremely friendly relations which the Honourable Minister mentioned with countries, like Iran and the Arab States, our technical services can be offered to mutual advantage and this could become an extremely useful cementing factors in our relations. This would apply with equal emphasis to the countries of Africa and South East Asia. While on this subject, I would like to give one interesting instance. One of my colleague in this House, was telling me the other day that he once suggested that we take on the technical survey, free of cost of the hydroelectric potential of Indonesia and how this could have been a contribution from us to the development process of Indonesia. This is a field where we have the manpower, the skills and the competence.

I do not know what<sup>680</sup> became of this suggestion. Probably this is buried in bureaucratic files neatly tied up with red tape. I am not<sup>700</sup> disclosing any secret, if I were to recall one of my own experiences in this context. Some years ago, I <sup>720</sup> made a submission to the Ministry of External Affairs that we should consider assisting Zambia on the building of the<sup>740</sup> railways. We did not take sufficient interest in this project. Finally, China took the work on hand and has now<sup>760</sup> completed the job. Surely, if China could have done it, we would have also done it. Sir, I can<sup>780</sup> only call it our lack of interest in the railways as an example of our bureaucratic indifference and incompetence lying therein.<sup>800</sup> If we had undertaken their railway, our Bhilai Steel Plant, Locomotive Works and the Coach Factory would have been kept <sup>820</sup> busy for at least 20 years. I presume that my friend might say that this should have been raised earlier.<sup>440</sup>

COMMITMENT: to trust; ELABORATION: to detail out; RESERVOIR: a store for fluids; POTENTIAL: hidden strength; BUREAUCRATIC: official.

Exercise 14

r. Vice-Chairman, Sir, the Constitutional pundits rightly pointed out that free and fair election is the essence of democracy. So, the Government which has faith in democracy is expected to introduce necessary reforms to have free and fair elections. So, in the Constitution Amendment Bill 1988, as well as representations to the Government have taken some necessary measures to remove the defects in our electoral system and restore free and fair elections in our process. Sir, I extend my full support to the Constitution Amendment Bill, 1988, which reduces the voting age from 21 years to 18 years. No doubt, it is a drastic change and there was a 20 great demand for this change from the younger generation. But I am to remind this House that there are some 140 State Governments which have already introduced this change.

Our Government reduced the voting age from 21 years to 18 years. <sup>160</sup> So in consonance with that line, the Central Government has also come forward to reduce the age by amending the Constitution. But here I would like to remind one thing that when the voting age was 21 years, it is <sup>200</sup> quite common in all the States that so many voters at the age of 18, 19 or 20 years have <sup>220</sup> enrolled their names. When you reduce the age from 21 years to 18 years, it is quite natural that the <sup>240</sup> people who are at the age of 15 or 16 years may also come forward to enrol their names in <sup>260</sup> the electoral rolls. To avoid this influx I would like to appeal to the Government that without any delay, the <sup>280</sup> multi-purpose card must be introduced. I am glad that the government has given an assurance to introduce the identity <sup>300</sup> card system. It is in the right direction.

Sir, the Honourable Minister, in the name of reforming the electoral process has<sup>320</sup> taken some steps to curb the rights of the States. For example, under Section 13 he has introduced a new<sup>340</sup> section by which all the officers and members of the staff who are actually under the control of the State<sup>360</sup> Government are brought under the control of the Election Commission during the election period and not only for control, but<sup>380</sup> also for discipline purpose and other purposes, they are under their control. Sir, earlier they were assisting the Election Commission.<sup>400</sup>

There was no difficulty to the Election Commission. But now the Central Government want control on the officials and want to 200 conduct the election with its own power. In the name of giving powers to the Election Commission, it has amended this,

it has moved this proposal with a bad motive. The Election Commission we know in theory, is an independent body. There is no doubt about that. But in practice, it is under the control and direction of the Central Government. If the Government is very particular about this amendment, then my honest opinion is that it should have consulted the State Governments before putting this proposal. But, to the best of my information, this Government has not consulted any State Government. Without consulting the State Governments, it has taken the officials of the State Governments under its control.

Sir, 540 here, a right move is regarding the recognition of political parties, and definition of political parties. I am not against 560 this clause,. But the dangerous thing is this. Which is a political party? The decision of the Election Commission is 580 final on this question. That is a dangerous thing. There must be room for decision by Court. If the decision 600 of the Election Commission is final, then there will be no democracy because, as I state earlier we know by 620 experience that the Election Commission is under the control and influence of the party in power at the Centre.

This 640 Bill has included some more offences to disqualify a candidate from contesting elections. In principle, I am not all against this.660 But, is it necessary? Why should we enlarge the number of grounds? There is no need at all. If anybody<sup>680</sup> is convicted by the court, it is the people who reject him in the poll. Why do you unnecessarily increase700 the grounds for disqualification? It will give room for the talk that the Government is always for restricted democracy and 720 not for liberal ..... democracy. We cannot give room for such suspicion or ..... apprehension by the people. I am not against740 this in principle. Of course, in case of certain valid grounds, it may be necessary. But at the same time, 760 if you enlarge the grounds in this way, the party in power, either at the Centre or in the States will misuse the power to disqualify any contesting candidate. For example, one or two persons in a local area may800 be influential. " But with the help of the local police, they may get punished ..... thereby preventing them from contesting820 the election. That is why the clause which include more grounds for disqualification must be deleted from this Amendment.840

RESTORE: to give back; INFLUX: sudden inflow.

ir, this is the time to look at the performance of the general fiscal situation. I have listened with some attention<sup>20</sup> to the remarks from the Opposition. Everybody is worried. I heard my friend speaking and the Honourable Members just now<sup>40</sup> who spoke also and talked about the problems of the size of the deficit of no-Plan expenditure, the question of continuing<sup>60</sup> inefficiency of relatively less efficiency of public enterprises or the fear of the debt trap. These are familiar battle cries<sup>80</sup> on the side of the Opposition. At the same time, if you heard the earlier debates, the demand on behalf<sup>100</sup> of the States for net added transfer of resources from the Centre to States is still growing. The pressure is<sup>120</sup> mounting. There is a demand for additional subsidy and continuation of excise subsides.

Then, on the one side, we talk 140 about efficiency in economic management, on the other side we find different State Governments and particularly, some of the neighbouring160 State Governments indulging in populist approach towards repayment of loans from the banks or other sectors of the Government. Now, 180 it is very difficult to reconcile the economic rationality of the demand and the economic rationality of the comments that 200 the Opposition Members are trying to make. Let us look at the hard facts. The question is whether the economy<sup>220</sup> is growing in terms of growth rate of the GNP. This can be checked is terms of figures available here The fact is that it is 240 growing at a very fast pace. In fact, the expected rate of growth of real income in the current year<sup>260</sup> is likely to be around 8 per cent, which is much higher than what we have seen in the recent<sup>280</sup> years. If you look at the sectoral composition of performance thanks to the bountiful monsoon and a more imaginative agricultural300 strategy, particularly the food production, we are finding a better performance in the food production sector. Of course, we depleted320 our buffer stock but as a result of the better crops and with some imports we are trying to replenish340 our buffer stocks. Industrial growth has been very encouraging although in the last few months there has been a tendency360 at deceleration and we hope by the year-end, the things will level up and our performance in the industrial380 sector will be well above the recent performance. It should be crossing 10 to 11 per cent mark altogether.400

has not been as alarming as440 we think, particularly if we look at the recent drought and the risk of likely increase in price which did 460 not take place. Now so far as the Consumer's Price Index is concerned, it is closely related to the liquidily480 in the economy. It is true that the liquidity is growing because disposable income has been growing because of different500 kinds of payments that we have committed whether it is the Fifth Pay Commission and the cascading effect of that<sup>520</sup> in the rest of the economy or the other salary settlements, Dearness allowances and all that. This leads to demand<sup>540</sup> inflation. But on supply side if our buffer stock position is right and releases are timely and adequate, all the 560 operations both on the supply side and on the demand side of the buffer stock are efficient that we should 580 have no fears. It seems to me the very fact that the price index has not been rising at a600 very rapid pace, shows that the supply management, so far as the essential commodities are concerned, has been somewhat efficient<sup>620</sup> and this has given us a relatively better balance with demand.

Now, so far as the wholesale price index is 640 concerned, it is very encouraging. As a matter of fact, there was a slight pressure but if you take the660 latest figures, there has been a deceleration there. What is particularly encouraging is that in the agricultural product group the 680 rate of increase in the wholesale price index has been much less compared to the non-agricultural commodity group. However, 700 the fact remains that the resource position of the Government is under strain. When we talk of resource position, we talk720 of three components. Number one, what is the rate of the domestic savings, particularly the net figures have been under740 serious stress. Fortunately, the household sector performance has been good but the performance at the corporate sector level, and particularly, 760 the saving in the public sector of the corporate sector has been discouraging and much more discouraging has been the 780 rate of the savings in the Government sector. So this is one area where substantial correction is required in order<sup>800</sup> to generate adequate resource for investment. The second component is related to revenue. Now if you take the total revenue820 picture, the direct taxes constitute 14 percent and indirect taxes constitute 85 percent which are increasing every year.840

FISCAL: relating to money; POPULIST: popular; RATIONALITY: based on reason; DEPLETED: to exhast; REPLENISH: to fill up again; DECELERATION: to decrease gradually; SUBSTANTIAL: large.

r. President, it is no accident that Indonesia is the first country I have visited since my assumption of office.20 Indonesia and India are neighbours who share a common cultural heritage and whose record of peaceful cooperation over the centuries40 can perhaps be regarded as a model for relations between States. In the more recent past, our peoples inspired one another in a mutually reinforcing struggle to rid ourselves of colonial domination. Since our emergence as independent States. We have been engaged in the task of consolidating our freedom. Both our countries have adopted the principles of Panchshila. In a100 world characterised by competition between power blocs, we concluded that a policy of nonalignment was best calculated to consolidate 120 our independence and to foster our political and economic development in directions best suited to the genius of our people, 140 Our common assessment ...... that military alliances afford an illusory sense of security and cannot provide enduring strength has been fully 160 vindicated by developments which have taken place since we first enunciated the policy of nonalignment. While referring to the 180 period shortly after we became independent members of the comity of nations I cannot but recall with pride and gratification200 the initiatives our countries took to pave the way for Afro-Asian unity at the historic Bandung Conference.

The ASEAN<sup>220</sup> countries have formulated proposals calculated to ensure their stability and security from external interference. We ... fully share the concerns and240 aspirations of the ASEAN countries and have pledged our cooperation in the attainment of their objectives. The concept of the Indian<sup>260</sup> Ocean as a Zone of Peace constitutes yet a further assertion on the part of the litoral and hinterland States 280 of their concern over the tension and the serious intensification of the arms race caused by the expansion of Great300 Power presence in our region. Indonesia and India are among the largest countries in . L. Asia and the world and our320 constructive and close cooperation could contribute significantly to the creation of conditions of peace and stability in the region to 340 which we belong. Mr. President, there is a wind of change in Asia. Important developments have taken place in Indo-China360 in the recent past. The termination of the conflict in that region is a matter of particular gratification since it 380 .... has brought to an end a long period of bitter and avoidable human suffering but more difficult task lies ahead.400

The new situation which has emerged is of great significance for Asia since it opens up the prospect of a<sup>420</sup> constructive and fruitful relationship among the States in the region based on sovereignty,

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territorial integrity and cooperation and mutual<sup>440</sup> benefit. The situation in the sub-continent has changed fundamentally since the emergence of Bangladesh as an independent nation in 1971.<sup>460</sup> We have been earnestly engaged in the process of establishing a climate of durable peace in our region and are<sup>480</sup> determined to persist with these efforts. In West Asia, the situation will remain tense as long as forcible occupation of<sup>500</sup> Arab territories is not vacated and the legitimate rights of the Palestinian people are not recognised.

These various developments have 520 tended to underscore the question of security and development in the Asian context. Mr. President, it is our belief that 540 in the ultimate analysis, these can most effectively be assured through the establishment of stability and internal strength both in 560 the national and regional contexts. Our thinking in this regard corresponds to the Indonesian concept of resilience. The fabric of 580 peace and stability can be further strengthened through bilateral, economic and cultural cooperation which can gradually be extended to assume 500 a multilateral character. History and political circumstances have prevented Asian nations from developing an Asian consciousness or a sense of 520 regional unity and identity. I am confident that through the promotion of closer cooperation and understanding between the nations of 540 our region we can take decisive and meaningful steps towards the attainment of a goal which would undoubtedly be in 660 the interest of all our people.

Mr. President, both our countries are engaged in the monumental task of improving the 680 quality of life of our peoples. We realize that we must undertake the responsibilities of economic development and for independence since freedom can become secure and meaningful for our people 720 only if it has social and economic content. The responsibility to make the less developed countries economically strong has to740 be accepted by the international community as a whole as an essential pre-requisite for durable peace and security and the 760 developed and rich countries have an obligation to promote this process. It is equally necessary for the developing countries to 780 assist one another by sharing their resources and skills and by establishing close links for mutually beneficial economic cooperation. Indonesia's reserves of natural resources are happily abundant and I have been gratified to see what remarkable progress your Government has<sup>820</sup> made in the development of these resources. We in India have made our own efforts to develop our technology.840 ...

FOSTER: strengthen; GENIUS: intelligence; RESILIENCE: flexibility.

Exercise 17

adam, I do not have animosity towards that language ... and I do not have any hatred towards that language. LI20 have got great respect for the Hindi-speaking people and for the Hindi language. But I will not give it40 more love and more respect that I would give to my language. I love my own language and my60 own mother-tongue more than any thing else. That is the point we are stressing. Is it not all a fact so that these people get more advantages because of .L., this? In the year 1950, it was said that Hindi would100 be the official language of India and English also would continue. Then in 1965, because of the agitation 120 in the South, they ... extended it for another ten years, and now they say that Hindi would be the sole140 official language. If at all a person is to be considered really an Indian, he should tolerate the Hindi ... imposition160 and he must read and write in that language. That is what it comes to. Then, Madam, they say that 180 Hindi is spoken by a majority of the people. What is majority or minority here? It is a sentimental issue200 and it should not .6.2. A. be treated as a majority or minority issue. This has to be considered and treated as220 a matter of justice and truth. They should consult the people of South India on this issue. .... Fretting and fuming240 should not be the policy, and vindictiveness and vituperation should not be the policy. This is the real feeling of 260 the people of the southern part of the country. Now, Madam some speaker just now mentioned that if you simply280 go into the markets of Chennai, you will find the people speaking in Hindi and understanding Hindi.

Then, I tell<sup>300</sup> you one more thing about the Hindi language. They talk about majority and minority. What is majority? Majority means 51<sup>320</sup> per cent of the population of this country who are speaking Hindi, but even according to the Census Report, it<sup>340</sup> was stated that 42 per cent of this country are in a position to understand Hindi. Even among this<sup>360</sup> 42 per cent, there are other groups belonging to the languages like Punjabi, Urdu, etc as such and so<sup>380</sup> on. Even among this 42 per cent every body is not in a position to understand Hindi at all.<sup>400</sup>

Even if that<sup>420</sup> per cent includes the people scattered all over the country, throughout the length and breadth<sup>420</sup> of the country, I can understand. But these people are confined to

three or four States only, that is, Rajashtan, 440 Madhya Pradesh, Bihar and Uttar Pradesh. Simply because some people somewhere in the northern part of the country understand this 460 language, you cannot ask the persons from the southern part of this country to accept it and you cannot ask 480 the people from the southern part of the country, particularly the Tamilians, to learn this language and accept this as 500 the sole official language, read this Constitutional language and follow this language, do all the day-to-day transactions and 520 other transactions, political or social, in that language.

I have a very good language, a language which is very ancient.540 I do not know when it was born. It was born even before the appearance of mud and stone, a<sup>560</sup> language spoken ... by my forefathers, a language in which our poets have given sermons and written scriptures, a language in580 which not only sermons, and scriptures are available in plenty, but thousands and thousands of literary works and novels are 600 there. But I am not asking that language to be introduced as the sole official language for the whole of 620 this country. If at all anybody has to come forward and ask others to learn a particular language, it is 640 I who should ask them to learn this language. But nobody would come forward and say, "let us introduce Tamil660 as the " sole official language." Why don't you think that if you are really ...... an Indian, you should have that680 important language which is your language and, if you should and, if you at all are an Indian, you should accept that important language700 also?

Madam, in our Constitution, we have accepted the community called the Anglo-Indian community. We have accepted that community in our Constitution and that Anglo-Indian community is a minority community and that minority community speaks English and English as its mother-tongue. Then, is it not the bounden duty of the citizens of India to think that English which is spoken by this community and which community has been accepted in the Constitution, is also accepted as one of the officeal languages? Madam, English is not the mother-tongue of the Britishers alone. They had also to import many words from so many sources and English has become a very wonderful thing and it has now become a language which is understood by the entire world. It is a language through which we can understand technical know-how.

VITUPERATION: to abuse; SCRIPTURES: holy books; SERMONS: measage from holy books.

thank you majesty for the gracious words of welcome you have just spoken. My wife and I a have been overwhelmed by the warm and affectionate welcome given to us since we set foot on this friendly land, I have been looking forward to this visit as it gives us a most welcome opportunity to further strengthen the bonds of friendship existing between our two countries. Your Majesty's visit to India two years ago is still vivid in our memory. It is remembered for having opened new avenues of cooperation in diverse fields.

Iran has been a cradle of human 100 civilisation. Her contribution to common heritage of mankind can hardly be over-emphasised. This glorious country has been responsible for 120 many an illustrious chapter in the history of human endeavour in the field of Government, art. culture, music and poerty. 140 For millions of my countrymen, even for those who have not been fortunate enough like us to have visited this 160 great country. Iran is not a strange land. The aroma of Iranian culture and civilisation has permeated Indian literature and 180 philosophy since many a century. This visit thus provides us an opportunity to reaffirm the links of history and culture<sup>200</sup> which bind our two peoples and provide an unshakable foundation for a multi-dimensional relationship of friendships and cooperation between 220 India and Iran of today. The ancient civilisation to which we are heirs, mould our responses to the challenges we240 face in the present era. They enable us to make our distinctive contribution to the world community. It is our 260 common endeayour to modernise our economies without the disadvantages accompanying the processes of industrialisation and technological change. This we hope<sup>280</sup> to achieve by stressing the importance of a balance between man, whose welfare is our prime concern, and his environment.300 It is only appropriate for me to say that our present visit is but one in a chain of visits320 undertaken by the leaders of our nations in recent years. We had the privilege and honour to welcome Your Majesties340 nearly two years ago in India. Our Prime Minister visit to Iran in 1994 was a most memorable360 one for us here. It was a great pleasure for us to receive Prime Minister only last month. Fruits of these visits are now for everyone to see. New vistas of cooperation between India and Iran have been opened.400

This cooperation is based on our own technological capacities and physical and financial resources. We are maintaining a continuing dialogue<sup>420</sup> between our two countries on issues of common concern and in finding new ways of augmenting and deepening the range<sup>440</sup> of our industrial and scientific collaboration. Indo-Iran

economic cooperation already provides a model for other developing countries. We in 460 India will do our utmost to promote and develop this mutually beneficial relationship and raise it to new heights. My 480 Government is convinced that a constructive relationship between India and Iran based on close cooperation and political understanding has been made 500 and will continue to make a signal contribution to the stability and peace of our region.

Our cooperation is not 520 limited to bilateral relationships alone. In the international arena, we are engaged in creating an environment of peace and cooperation.540 Both our countries are parties to the declaration of the Indian Ocean as a Zone of peace free from foreign500 military presence and rivalry. Both are working together in various international institutions to bring about a new world economic order,580 based on inter-dependence, equality and justice. Great changes are taking place throughout the world, both in the political and economic spheres, throwing up new challenges and responsibilities. At this juncture, Iran is fortunate in having Your Majesty's wise and620 farsighted leadership. We have watched with satisfaction and happiness the phenomenal progress made by Iran over the last few<sup>640</sup> years. Your profound comprehension of the world forces and of the interconnection between world peace and the reduction and 660 elimination of the glaring economic disparities among nations has made Iran play an important role in the struggle to bring680 about a more just international economic order. We welcome Iran's emphasis on regional cooperation in trade and development and share 700 your vision that such cooperation will lead to global peace and secure regional environment which will deny any possibility of 720 interference by outside forces.

We fully support your efforts to gain complete control over your national resources and to avail<sup>740</sup> of the limitless opportunities in advances in Science and Technology for raising the living standards of all your peoples. I<sup>760</sup> had visited your beautiful country nearly eight years ago. Within the few hours I have been there, I have seen<sup>780</sup> unmistakable proof of the great progress made by Iran under your statesmanship. Mr. President, Sir, during the next few days<sup>800</sup> I hope to acquaint myself more with this remarkable progress made by Iran in social, economic and technological fields as<sup>820</sup> much as to visit a few famous centres of learning which have inspired countless generations all over the world.<sup>840</sup>

PERMEATED: to absorb, to get into; ENVIRONMENT: atmosphere; ELIMINATION: to remove.

### Exercise 19

rise to inform this august House of the status of discussions with the United States on civil nuclear energy co-operation.20 Substantive aspects of this are reflected in the Joint Statement that US President Bush and I agreed upon 40 during my visit to Washington DC last year. I would like to use this occasion to outline the context60 and core elements of the Joint Statement, before detailing the status of the ongoing negotiations. Hon'ble Members are aware that our effort to reach an understanding with the United States to enable civil nuclear energy cooperation was based on our 100 need to overcome the growing energy deficit that confronts us. As India strives to raise its annual GDP growth rate<sup>120</sup> from the present 7-8 per cent to over 10 per cent, the energy deficit will only worsen. This may not only 140 retard growth, it could also impose an additional burden in terms of the increased cost of importing oil and natural gas,160 in a scenario of sharply rising hydrocarbon prices. While we have substantial reserves of coal, excessive dependence on coal-based on energy has its own implications for our environment. Nuclear technology provides a plentiful and non-polluting source of power to meet200 our energy needs. However, to increase the share of nuclear power in our energy mix, we need to break out220 of the confines imposed by inadequate reserves of natural uranium, and by international embargos that have constrained our nuclear programme<sup>240</sup> for over three decades.

Established through the vision of Pandit Jawaharlal Nehru and sustained by the commitment of scientists like Dr. Homi Bhabha,260 our nuclear programme is truly unique. Its uniqueness lies in the breadth of its overarching vision: of India mastering280 a three-stage nuclear programme using our vast thorium resources, and mastering more complex processes of the full nuclear fuel cycle.300 Consequently, our civilian and strategic programmes are deeply intertwined across the expanse of the nuclear fuel cycle. There are 320 hardly any other countries in a similar situation. Over the years, the maturation of our nuclear programme, including the development of 40 world-class thermal power reactors, has made it possible to contemplate some changes. These are worth considering if benefits include gaining 360 unhindered access to nuclear material, equipment, technology and fuel from international sources. However, international trade in nuclear material, equipment and technologies<sup>380</sup> is largely determined by the Nuclear Suppliers' Group an informal group of 45 countries members including the United States.400

But more importantly, in the Joint Statement, the United States implicitly acknowledged the existence of our nuclear weapons programme. 420 There was also public recognition that as a responsible State with advanced nuclear technologies, India should acquire the

same benefits and advantages 440 as other States which have advanced nuclear technology, such as the United States. The Joint Statement offered the possibility 400 of decades-old restrictions being set aside to create space for India's emergence as a full member of a new nuclear world order. On our part, as Hon'ble Members may recall from my suo motu statement last year, we500 committed ourselves to separating the civilian and strategic programme. However this was to be conditional upon, and reciprocal to, 520 the United States fulfilling its side of the understanding. I had stressed that reciprocity was the key and we expected that the540 steps to be taken by India would be conditional upon and contingent on action taken by the United States. 560 I had emphasized then and I reiterate today that no part of this process would affect or compromise our strategic programme. 580 I now come to the negotiations that have taken place in the past few months. While these have been principally with600 the US, there have been discussions with other countries like Russia, UK and France as well. At the political level, 620 I have maintained contact with President of France, President Putin of Russia, Prime Minister of the UK. I have ... also<sup>640</sup> raised this subject with the Heads of State/Government of Norway, Republic of Korea, Netherlands, etc. all members of the 3 NSG I also met President Bush in New York last September and discussed implementation statement. In the same680 period, several American Congressional leaders and policy-makers have visited India INS.C. in the past few months, many of whom met me. 700 We have amply clarified our objective in pursuing full civil nuclear energy cooperation for our energy security and to reassure 720 them of India's impeccable non-proliferation credentials.

At the official level, we have constituted two groups comprising key functionaries concerned with<sup>740</sup> strategic and nuclear matters. They included the Department of Atomic Energy, the Ministry of External Affairs, the Armed Forces and my Office.<sup>760</sup> These two groups were respectively mandated to draw up an acceptable separation plan, and to negotiate on this basis.<sup>780</sup> The directive given to both groups was to ensure that our strategic nuclear programme is not compromised in any way, while<sup>800</sup> striving to enlarge avenues for full civil nuclear energy cooperation with the international community. The negotiations by our officials have been<sup>820</sup> extensive and prolonged. These have focused on four critical elements to focus on the nuclear facilities development in this area.<sup>840</sup>

SUBSTANTIVE: existing in reality;
INTERTWINED: to twist together; IMPLICITY: implied.

SUO MOTU: out of free will;
IMPECCABLE: without any defect:

MANDATED: ordered under law.

ir, the Honourable Member, has very ably summed up in a way the total situation, so far as irrigation is concerned and the problem that arises in this context. The question was of a limited nature and we did try to give all the answers that the Honourable Member wanted. But now he has tried to amplify some of the things that he wanted to elicit from the Government, I will try to answer as best as I can. It is true that there would be a shortfall in our achievement of irrigation target at the end of the Sixth Plan target is 13 million hectares and the likely achievement is going to be 11 million hectares.

Thus there will be shortfall of two million hectares. As I answered to the question, the main constraint is that 140 of resource. I mentioned the figure of Rs.1,650 crores as additional Central ... assistance for two years plus160 20 per cent step-up in market borrowings for the programme in 1993-94 as compared to last 180 year. I want to clarify that this is not the figure which would be made available for irrigation. This is 200 the total additional that the Government has made available to the States in the State sector. We do hope that 220 the States would be able to use as much of these additional resources that have been made available to them240 to reach the target and expedite irrigation programmes, about whose importance the Honourable Member very rightly stressed. It is a260 very important sector of our development and .... in a way, all future development in agriculture and in other areas can280 only come from irrigation and development of agriculture, which depends on provision of water. I cannot say that the targets300 would be reached with these additional funds because it all depends how much priority the State Government would give in320 allocating these additional resources so far as irrigation k... development is concerned.

Another constraint is that the inputs sometimes are not<sup>340</sup> available, which hinders development of irrigation works. It is true that some time back, that was the situation and we<sup>360</sup> were passing through a great scarcity, which unfortunately, we are not still able to get over. It is not true<sup>380</sup> that the cement allocation has been reduced from six million tonnes, as stated by the ... Honourable Member to five million tonnes.

But the problem is that even the allocations are not made available by the cement factories because of many other<sup>420</sup> things. In the last year or two there have been various serious

cuts in electricity for cement works and this 40 slowed the supply of cement for irrigation works to the extent we wanted. We in the Ministry of Irrigation have 460 set up an Inter-Ministerial Group. We are constantly in touch with the Cement Controller, who also attends these meetings. 480 The State Government's requisition are received and we try to sort out the thing. I can say as of now 500 no serious complaint about this has been received. We have tried to streamline the distribution of cement to various States 520 and project authorities.

Another very important point raised by the Honourable Member is: Why do we create potential when the potential already created is not being utilised? This is a serious problem. The figure for utilised potential is, unfortunately, growing. In 1993-94 the figure of unutilised potential was 2 million hectares and it has gone up in 1995-96 to four million hectares. On the one hand, we have completed some irrigation works provided more potential; on the other hand we have not been able to utilize it through the various methods that are available to us. This problem has been with us for quite a few years. It is because of this situation of lag between potential created and its utilisation that in 1984-85 the Command Area Development Programme was introduced. It has been going on in a number of States, and a number of Projects have been started.

All the things that the Honourable Members mentioned regarding the field channels, water management technique, provision of water to 700 the tail-enders, rotational irrigation, drainage and cross drainage works, all these form part of the CAD Programme. 720 We have further strengthened the CAD Programme this year by announcing that Rs.25 crores would be made<sup>740</sup> available to the Command Area Development Authority, where the performance is found to exceed the target for the construction of field channels and we would be able to assist .. them more than what they normally get. Lastly, the Honourable Member mentioned780 that we have a potential of 110 million hectares. This is true. According to the surveys carried out800 .... as on today our water resources minor, medium, ground water etc. is 110 million hectares, of which we 820 have utilised just about 50 per cent. If we continue the rate of development we would have utilised all this. 840

AMPLIFY: detailed; ELICIT: to seek; REQUISITION: to ask for; CONSTRAINT: restriction; POTENTIAL: hidden strength.

#### Exercise 21

have great pleasure in associating myself with the Silver Jubilee Celebrations of the Chandigarh Press Club. Chandigarh is the20 symbol of a new India, it is the City Beautiful. At the time of its creation, Jawaharlal Nehru declared "Let Chandigarh be40 the first large expression of our genius flowering on our newly earned freedom". Representing the indomitable spirit of the people60 of Punjab and Haryana, the city has symbolized the resurgence of modern India. In keeping with this vibrancy, the media in80 Punjab has also been at the forefront of journalism in our country. Many of our finest journalists at the national level cut100 their teeth here in Chandigarh. This city has been a fine training ground for journalists. Today morning, I had the 20 privilege of attending the 125th anniversary celebrations of The Tribune. The Tribune was born in Lahore,140 but it blossomed here in Chandigarh. It did so because Chandigarh provided the intellectual, .... social and political environment in which media 160 could freely develop and grow. I salute Chandigarh and the people of Chandigarh. May your city continue to grow as 180 a role model in ....... all walks of life.

I would like to pay a special tribute to the media in standing up to the forces of terrorism and anti-national forces \ and for<sup>220</sup> defending democracy and democratic values. I have always believed in the importance of a free press. It is the ultimate240 check against the tyranny of authority. As I have often said, I do sincerely believe that there is no grievance, 260 howsoever extreme and desperate, that cannot be redressed through \$... democratic means. Our democracy gives everyone the right to articulate any280 grievance in a democratic manner. However, no civilized society can tolerate violence and extremism. Extremism of any form, based on 300 any divisive ideology, cannot be tolerated in any civilized, democratic society. Any group that claims to represent the interests of a<sup>320</sup> people must be willing to test its popularity through democratic means and accept the people's verdict. It is through the340 legislature and in the media that public opinion has to be won over to a cause. Not by killing innocent people.360 Not by denying media its freedom to survey news and views. Many journalists have defended the freedom of the press380 against the tyranny of terrorism, bigotry and separatism. They were willing to do this by paying with their lives.400

We are proud of our media and its contribution to shaping public opinion for nation building and social change. 420 The high standards of journalism prevailing in our country, in spite of the

commercial pressures on media, testify to the robust<sup>440</sup> traditions of independent journalism. Our free press has emerged as an important guarantor of democratic and human rights. Our media<sup>460</sup> has given voice to the voiceless. It has ensured that every minority and marginal group is heard, is seen, is<sup>480</sup> involved in the mainstream. Media has been described as the last line of defense for freedom and democracy. Media holds<sup>500</sup> a mirror to society. It constitutes an early warning system. Its assessments on numerous policies alert the nation to the<sup>520</sup> prevailing situation and signal us to be mindful of the future challenges and opportunities. However, with the rapid growth of media in recent times, qualitative development has not kept step with quantitative growth. In the race for capturing markets, <sup>500</sup> journalists have been encouraged to cut corners, to take chances, to hit and run. I believe the time has come<sup>580</sup> for journalists to take stock of how competition has impacted upon quality.

Consider the fact that even one mistake,600 and a resultant accident, can debar an airline pilot from ever pursuing his career. Consider the case that one wrong operation 620 leading to a life lost, and a doctor can no longer inspire the confidence of his patients. One night of sleeping 640 on the job at a railway crossing, an avoidable train accident, and a railwayman gets suspended. How many mistakes660 must a journalist make, how many wrong stories, how many motivated columns before professional clamps are placed? How does the680 financial media deal with market moving stories that have no basis in fact? Investors gain and lose, markets rise and700 fall, but what happens to those reporters, analysts, editors who move and make markets? Are there professional codes of conduct720 that address these challenges? Is the Press Council the right organization to address these challenges? Can professional organizations of journalists, 740 like the Press Club for example, play a role? I have often heard it said that the Press Club is 160 just a watering hole, a meeting place and nothing more. However, I am impressed by the fact that the 780 Chandigarh Press Club is aspiring to be more. You have built conference facilities, meeting rooms. You can bring these buildings alive by800 making use of them to reflect, to discuss, to debate among yourselves. Where is media headed? How can you reach 820 global professional standards. This is important when we have to deliberate and take same positive stand for the future 840

GENIUS: great talent; RESURGENCE: to rise again; TYRANNY: cruelty;

BIGOTRY: introlerance: CLAMPS: stoppers.

ir, the other day when I initiated the debate, I spoke only for five minutes and during that time I20 made a reference 3 to Article 39 and Article 41. I also submitted that in spite of thirty-three40 years of our Independence States could not implement the Directive Principles with reference to that. I also made a60 mention to the exception of the West Bengal > Government and the Government of Maharasthtra. I was discussing the question as80 to the necessity of the introduction ....... of this particular Bill. I said at that time that on many occasions we100 referred as problems from outside. For example, when there is a price rise, it is usually said that there 120 is price rise in all countries and, therefore, we cannot help it. It is with reference to the I would 140 also like to invite the attention of this august House and the Hon. Minister as to what is the position 160 abroad. .... As far as this is concerned, if we have to look to other Constitution, a reference of which has180 been made to the Constitution of the world; we find there are about 21 countries in .3. the world wherein200 this right to work has been recognised and out of this 21 countries China, Japan, Russia220 are there; not only this, Ireland from whom we look this inspiration for Independence has also included this right240 to work as a Constitutional right.

Not only this, there are other countries also who thought not to include 260 the Right to Work as a Fundamental Right in their Constitution have provided for unemployment benefits. We find that there 280 are about 28 countries which include Switzerland, Sweden and Australia. It is because of this, I would request 300 the Hon. Minister for Law to consider the Constitution of these particular countries who have recognised this particular right and then 320 consider whether the time has not come after 60 years of independence and especially when we could not implement 400 the Directive Principles. Whether the time has not come now to consider very seriously this particular problem as to whether 360 this right should be enshrined in our Constitution as one of our Fundamental Right? As far as our country 380 is concerned, the Government of West Bengal unanimously passed a resolution to this effect and without exception all agreed 400 to it.

I would also like to invite the attention of the House to Rule
23 of the Declaration of Human<sup>420</sup> Rights which makes a provision
of this right to work and a directive has been given that all
developing countries<sup>440</sup> should provide such a right as a
fundamental right in their Constitution. This matter was debated:

There was an amendment<sup>460</sup> to refer the matter to a Select. Committee. The matter was referred to a Select Committee, but in the meantime, <sup>480</sup> Parliament was dissolved. I would appeal to the Law Minister to accept to amendment of my friend.<sup>500</sup> The founding father of our Constitution, in the Constituent Assembly that political democracy cannot<sup>520</sup> survive without economic and social democracy. It is in this background also that we have to take into consideration this<sup>540</sup> particular aspect. The demand for this right to work to be included in the Constitution has been made by many<sup>560</sup> youth organizations. The Janata Yuva Morcha, Yuva Janata Morcha and the Congress Youth Organization and other youth organisations have<sup>580</sup> all passed resolutions in 1988 and 1989 and requested the Government to include this particular right in<sup>600</sup> Constitution.

Not only that. I believe that there is no Opposition to this Bill because my Hon. friend who is620 not to be seen here now, has introduced a similar Bill, No. 81 of 1990 where he<sup>640</sup> mentions that where a citizen is not provided with work to enable him to earn his livelihood, the State shall660 render him assistance with unemployment allowance. When a similar Bill was moved in the last Parliament, the present Minister was 680 very eloquent in his support and said that this should be included in the Constitution immediately. I do not 700 know whether he has changed his mind because of the change of his position from this side to that 720 side. I believe, not. There is one more thing to which I would like to invite the attention of the House.740 Justice Khanna, when he was addressing the 15th Annual Convocation of Punjab University said the commitment relating to right to 760 work under Article 39 and 41 have in the face of mounting unemployment, a strange ring of irony. 780 These Articles, he said pose a question for all those who had been in charge of the affairs of the 800 State as to how far they have carried out the mandate. He pleaded for solid, hard work for carrying out the820 Constitutional mandate. Lastly, there was a public demonstration by all the youths before the House of the Prime Minister for this.840

IRONY : dilemma;

MANDATE : vote;

ENSHRINED : placed at important place;

ELOQUENT : power of fine speech;

ir, if democracy is to survive, the Government which swears by democracy, must guarantee that nobody would die of hunger.20 If this is not guaranteed and if this hope is not kindled in the hearts of millions of our people, 40 our democracy would be meaningless. This has been stated practically by all jurists, all political leaders and social workers. Now,60 I would like to know the difficulties. If we take into consideration that this right is not included what are the80 effects? When I was speaking over the Resolution moved by my esteemed colleague regarding North-Eastern situation, I made a 100 mention that the time had come when you should provide work to the people or allowance if the work could120 not be given. At that time, the Hon. Minister had said that this was matter which concerned the Law Ministry. 140 Therefore, I would like to invite the attention of the Law Minister again on this particular point.

There is 160 a problem of law and order in this country. The crime is on the increase. There is dissatisfaction everywhere, there 180 is unrest amongst the students. Students feel that even if they take any number of degrees, they are not assured200 of a job. We all know that with 90 per cent marks they do not get admission even in medical and220 engineering colleges. Even after getting MBBS and BE degree, we are seeing what is happening240 in Delhi? Questions are being raised in this particular House. The number of people below poverty line is increasing every260 year. If we see this particular data, I the280 reasons for the same. The question that arises then is, how these people are to live? May I ask the300 Hon. Minister a question? Should they starve? If they declare that they are going to die would you prosecute them320 for an attempt to commit suicide? Should they beg? In that case, you would prosecute them under the prevention of 340 Begging Act. Should they steal? If they do so, you would prosecute them under IPC. should they360 do? How should they live? Therefore, it is in this background that we have to consider this matter very seriously 380 and we have to decide as to whether the time has come to think seriously about this particular matter. 400

During all these years, enough lip-sympathy has been tendered by all of us without any exception. I believe that420 time has come when we must go beyond this lip-sympathy and we must give something in the shape of 440 concrete proposal so that the Government and the Parliament can tell the downtrodden

and unemployed and affected people that the460 Parliament of India really means business and that it does not believe in giving only lip-sympathy. If we take480 into consideration this particular aspect and if we really enshrine this particular right in the Constitution, I believe a new500 hope will be kindled in the hearts of the millions of young people in our country. Younger people will feel520 that when they would attain the age of 18, it would not be necessary for them to roam from 540 place to place in search of a job; they would be assured of a job and they would be very happy.560 There would not be uncertainty in life. The unrest and strikes in the colleges and schools will stop. The problem580 of students unrest cannot be solved if we guarantee them this particular right of work for which I have made a humble attempt through this particular Bill,620 to be included under Article 19. We see in big cities they trek in thousands and thousands of people from the640 villages in search of jobs. The position in my district is that every month money orders worth Rs. 180 crores are660 received from Mumbai from the Ratnagiri citizens living in Mumbai. There are no youngsters in the villages, only old persons<sup>680</sup> live in the villages, looking after agriculture. This is happening because we could not provide any work to people in 700 the villages.

When these people go to the metropolitan cities for work, do they get it? I am reminded of an<sup>720</sup> old adage, to which a reference was made by our Hon. Finance Minister, a very interesting adage, which is applicable here.<sup>740</sup> On a dark night and a dark room, people go in search of a black cat when in fact there<sup>760</sup> is none. This is the position with reference to jobs in the metropolitan cities.

Under these circumstances; I believe that we have to take into consideration this problem very seriously. Unemployment is growing everywhere. If we take into account the data, we it is very serious problem which will become worse, if we do not take some serious steps in time now. With these words, I conclude my speech for the need for providing employment to all young people in the country.

KINDLED
JURISTS
INTROSPECT
STARVE
ADAGE

to inspire; judges of the court; self examination;

to die of hunger;

saying;

Exercise 24

ir, I rise to support the Bill brought forward by the Hon. Deputy Minister in the Ministry of Finance. Banking is20 a service of vital importance to industry, commerce and agriculture. It is concerned with the creation of credit money and40 its distribution between various users such as industry and agriculture or between institution and individuals. In fact the smooth working60 of a modern economy depends on the proper regulation of credit with which the banks are concerned. The question, therefore, 80 of recruitment of the personnel of banking institutions assumes great importance. The Banking Commission has recommended the establishment of such 100 a Commission in its Report in 1972. In fact, Government have been rather late in bringing forward this 120 very important and necessary piece of legislation. Before nationalisation, some of the big commercial banks had made some arrangements of 140 their own for retirement of their staff. The Institute of Bank Management and the Reserve Bank of India through the 160 Bankers' Training College run some short term and long-term courses for recruitment and training of bank staff. But these 180 arrangements are not adequate even to meet the requirements for recruitment of higher cadres. The largest proportion of banks staff<sup>200</sup> consists of clerks and cashiers. The recruitment policies followed by most of the Indian banks before nationalisation were not based<sup>220</sup> on either scientific lines. In several cases even minimum qualifications were not insisted upon. The Banking Commission has reported that240 in many cases people who had not even passed matriculation examination were recruited as clerks. There was no proper evaluation260 of the aptitude or capacity and very often caste and relationship determined the choice of candidates. Lack of training facilities280 however, aggravated the problem and banks found themselves with staff which had neither aptitude nor ability to carry out the300 jobs assigned to '... them.

The Bill, therefore, is welcome. It seeks to provide for proper methods of selection for recruitment.320 It provides for the establishment of a body corporate to be called the Banking Service Commission. It shall be the340 duty of the Commission to hold competitive examinations to recruit people for clerical and allied cadres, junior officers cadre and360 such other officers' cadre as the Central Government may by notification, specify. It shall consist of a Chairman and 380 persons who in the view of the government are men of integrity, ability and have experience of finance and business administration. 400 The Bill rightly attaches great importance to selection of people for the clerical cadre 2

because the clerical staff constitute the 420 largest proportion of the total manpower and it is they who give the banking service to the people.440 Rapid expansion of banking ensures further that many of them will soon get promotion to the officers' cadre. It has been 460 ..... estimated that every clerk can hope to reach the officers' cadre in 10 or 12 years time. Every clerk is 480 therefore, a potential officer. But to be effective, recruitment should attempt to attract appropriate skills and attitude and search for500 suitable talent should not be restricted to the first point of entry in the bank at the clerical level. It520 should so be extended to attract sufficient number of persons who possess executive skill. With the functional enlargement of the540 banks, they require the service of experts, such as agricultural scientists and those who are experts in engineering. Recruitment of such personnel should also be considered by the Banking \_ Commission. A provision in the Bill enables the Government to increase<sup>580</sup> the proportion of such junior staff from 25 per cent to 33 per cent. In my view it600 is a welcome provision.

There is a provision that a certain percentage shall be reserved for Scheduled Castes and Scheduled Tribes. 620 This percentage has to be determined according to the general principles and also the requirements of the banks. One640 provision says that the Commission will have certain advisory functions. It is an important provision. We know how in Government<sup>660</sup> service very difficult problems of promotion and seniority arise. It is tatter that they are solved by a third body680 rather than the superior officers who have sometimes prejudices against people working under them. I hope this provision will be 700 used for that purpose.

I will not take any more time of the House by dilating on the details of 720 the Bill. I hope the Hon. Members will accept the basic idea behind the Bill. The establishment of a Commission740 on the lines envisaged will impart objectivity and impartiality in the recruitment procedures of the banks by prescribing uniform qualifications 760 and eligibility standards applicable in all public sector banks and thereby help to tap the right type of persons for 780 the banking industry. Finally, there is a last clause which says that the Government may extend the provisions of this Bill800 to other banks. If the Banking Service Commission could cover the recruitment of other commercial banks also, so much the better. 820 We will have 100 uniform standards for recruitment of personnel in all the banks. With these words, I support the Bill.840

AGGRAVATED -POTENTIAL IMPARTIALITY

PREJUDICS: bias; ? worsened; strength; DILATING: to enlerge; independence:

Exercise 25 (Legal)

earned counsel, has submitted that the amendment in question changes the identity of Fundamental Rights while omitting to take into account20 the crucial factor that social backwardness f. was a 'cause' of economic backwardness and not its 'consequence'. While relying on the decision in Saurav Yadav and others which .......... held that open category is open to all and horizontal and vertical reservations60 are methods of ensuring representation in public places, he has argued that the right to equality of the persons belonging to . Lo. SC, ST and OBC communities is impacted by reducing their seats in ST. OBC open category.100 He would reiterate that rule of equal status shall apply while reading Article 46. Lastly, he has submitted that 120 . .... confining each social category to its extent of reservation would result in communal reservation, which, in turn, would result in 140 breach of Equality Code and thereby, damage the basic structure of the Constitution.

Learned counsel, referred to the phraseology of the 160 provisions under consideration and submitted that while Articles 15(4) and 15(5) refer to socially and educationally backward classes, 180 Article 16(4) is directed towards backwardness and inadequate representation. According to him, the impugned provisions of Articles 15(6)200 and 16(6) have left aside the key elements of "social 15(6) backwardness" and "inadequate representation" while providing for EWS reservation.<sup>220</sup> These provisions, therefore, are rather opposed ' to the spirit of the existing provisions. The learned counsel has again urged that 240 Article 46 should be read under the rule of equal status 46-01 and by excluding SC, ST and OBC260 communities, the said rule is violated. According to the learned counsel, keeping SC, ST and OBC<sup>280</sup> communities outside of its scope and bringing in economically ......S weaker sections within it was never the idea of Article 46.300 He has . also submitted that no constitutionally recognised commission has been set up for determination of the financial incapacity or capacity 320 4.6.x of a candidate, as in the case of OBCs. Learned senior counsel, has > ( argued that there was340 no dimension of equality, other than what was rooted in Articles 14 to 16 of the Constitution. Relying360 on .... passages of judgments in Kesavananda, which indicated that new 14.5.16 dimensions of equality could be discerned having regard to new380 challenges, he has submitted that those observations were not endorsed by other judges in that cases refeurred in the Judgements earlier.400 & 203

As a result, the amendment cannot sustain itself on the ground that it gives shape to another facet or dimension of equality. 420 Learned counsel has further contended that economic criteria cannot be the sole criteria for the basis of classification, and if it is to be taken440 as a sole criterion, Indra Sawhney has to be revisited, which

cannot be done by this Bench of 5 Judges case.460 Learned senior counsel, in addition to the arguments already advanced, would submit that ten per cent. reservation in 480 open category in favour of forward class reduces the availability of seats in open category for other classes and communities, in particular500 the persons belonging to the creamy layer category in OBCs. This, according to him, would damage the basic structure 520 of the Constitution. Learned senior counsel, and the learned counsel, Mr. Sachin, have also made their submissions as interveners. All of their submissions, which are akin to the submissions already noticed above, need not be elaborated. However, in sum and substance, their additional submissions 560 had been that the amendment in question, which states 'not more than ten per cent. of the total seats in each category 1580 has to be interpreted as providing ten per cent. reservation for EWS in each category. One of the interveners provided600 the statistics as to the percentage of people working in each category to submit that the exclusion of SCs, STs620 and OBCs is invalid as they are still inadequately represented in State services. Further, they submitted that the current strength of Bench is not ... competent to overrule Indra Sawhney case wherein it was explicitly held that reservation cannot be based solely660 on economic criteria. Yet further, discussing the power of Parliament under Article 368, it was posited that the Parliament has the power to amend the Constitution by way of 'addition, variation or repeal' and not by breaking down<sup>700</sup> the basic structure of the Constitution.

In part challenge to the amendment in question the Learned senior counsel, Mr. Gopal has taken<sup>720</sup> a stance different than other petitioners, and has contended that the amendment in question is violative of basic structure of the Constitution<sup>740</sup> only to the extent of the words 'in addition to the existing reservation and' which need to be severed and that the of the part, which provides classification on the economic criteria for extension of special provisions for the advancement of seconomically weaker sections excluding classes already covered under Articles 15(4) and 16(4), was permissible. The learned counsel has, so otherwise, supported the amendment in question on two grounds. First, that the insertion of the Economically Weaker Sections is perfectly valid as a class for the extension of 16.(4) special provisions for their advancement, admissions and for reservations in posts. seconomically at a stance different than other postions is seconomically only to the extent of the extension of the extension of the Economically weaker sections is seconomically at a class for the extension of 16.(4) special provisions for their advancement, admissions and for reservations in posts. seconomically at a stance different than other postions is seconomically at a stance different than other postions is seconomically at a stance different than other postions is seconomically at a stance different than other postions is seconomically at a stance different than other postions is seconomically at a stance different than other postions is seconomically at a stance different than other postions is seconomically at a stance different than other postions is seconomically at a stance different than other postions is seconomically at a stance different than other postions is seconomically at a stance different than other postions is seconomically at a stance different than other postions are seconomically at a stance different than other postions are seconomically at a stance different than other postions are seconomically a

IMPACTED: big effect: IMPUGNED: contradicted: DISCERNED: to understand; ELABORATED: detailed.

Exercise 26 (Legal)

n behalf of the Respondent, it was urged that the cheque was given for repayment of the aforementioned loan amount of20 Rs.30 crore for which the accused company agreed to repay the principal amount in two installments with first installment<sup>40</sup> of Rs. 10 crore payable on 31.03.2015 and the second 1. installment of Rs.20 crore.60 The accused company had to pay interest @ 15 per cent per annum on the said principal amount of loan and such interest was payable monthly on the 15th day of \$ every month, which was in consonance with the dates and the 100 cheque amount. It was urged that the accused company along with the Appellant deliberately and with the mala fide intention 120 gave the cheque to defraud the Respondent to take loan from it and subsequently to usurp the loan amount and140 hence had closed the bank account. The Appellant being the signatory was 4 directly liable along with the accused company.160 The Appellant Q was actively involved in the day to day affairs of the company as by him as well.

We may note that some of the SLPs being withdrawn,200 in respect of the SLPs in question, the interim order was made absolute with the direction for urgent listing220 as criminal proceedings had been stayed. Learned counsel for the parties stated that they will file short synopsis not240 running into more than three pages each and will not take more than 15-20 minutes each for their respective submissions.260 On the basis of the aforesaid we heard the arguments when we granted leave and reserved the judgment. The Appellant280 had submitted the synopsis in advance. The Respondent however, despite assuring that they would submit the synopsis has not cared<sup>300</sup> to do so and we have gone on the basis of the record. This position is prevalent right and we do not consider320 it appropriate to wait any more. We assume that the Respondent is not interested in rendering any further 340 assistance to the Court by filing synopsis. Fortunately for them, for the reasons to be recorded hereinafter, they have not360 really suffered the consequences thereof. The issue whether the respondent is a Secured Financial Creditor or an ? Unsecured Financial Creditor380 within the meaning of the said Code is not something we can deal with the proceedings under the said Code or any appeal preferred therefrom. 400

The only issue with which we are concerned with is whether during the pendency of the proceedings under the said Code<sup>420</sup> which have been admitted, the present proceedings under

the N.I. Act can continue simultaneously or not. We have no440 hesitation in coming to the conclusion that the scope of nature of proceedings under the two Acts and quite different460 and would not intercede each other. In fact, a bare reading of Section 14 of the IBC would make it clear480 that the nature of proceedings which have to be kept in abeyance do not include criminal proceedings, which is the500 nature of proceedings under Section 138 of the N.I. Act. We are unable to appreciate the pleas20 of 1.38...NI the learned counsel for the Appellant that because Section 138 4 PC of the N.I. Act proceedings arise540 from a default in financial debt, the proceedings under Section 138 should be taken as akin " to civil proceedings560 rather than criminal proceedings. We cannot lose sight of the fact that Section 138 of the N.I. Act<sup>580</sup> are not recovery proceedings. They are penal in character. A person may face imprisonment or fine or both under Section 138 of the N.I. Act. It is not a recovery of the amount with620 interest as a debt recovery proceedings would be. They are not " akin to suit proceedings.

It cannot be said that the640 process under the IBC whether under Section 31 or Sections 38 to 41660 which can extinguish the debt would ipso facto apply to the extinguishment of the criminal proceedings. No doubt in terms of the 680 Scheme under the IBC there are sacrifices to be made by parties to settle the debts, 700 the company being liquidated or revitalized. The Appellant before us has been roped in as a signatory of the cheque720 as well as the Promoter and Managing Director of the Accused company, which availed of the loan. The loan agreement740 was also signed by him on behalf of the company. What the Appellant seeks is escape out of criminal liability 760 having defaulted in payment of the amount at a very early stage of the loan. In fact, the loan account780 itself was closed. So much for the bona fides of the Appellant. We are unable to accept the plea that if800 proceedings against the company come to an ..... end then the Appellant as the Managing Director cannot be proceeded against. 820 We are unable to accept the plea that Section 138 of the N.I. Act proceedings are primarily840 compensatory in nature and that the punitive element is incorporated only at enforcing the compensatory proceedings.856

MALAFIDE: in bad faith; USURP: to possess illegally; SYNOPSIS: brief; INTERCEDE: to plead in favour of; ABEYAMCE: to keep floating; IPSO FACTO: in very fact.