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(English Only) By. A.V. Kushwaha

(For Govt. Jobs, SSC (Group D & C), Supreme Court, High Court, District Courts, ASRB, CRPF, Railway, CBSC & all other departments requiring "English Stenographer/Personal Assistant/Private Secretary")

(87, Sulem Sarai, Prayagraj, Uttar Pradesh)

(Contact No. 7355504435)

Note: You will get following:

- 1. Passage are divided in two parts for easy comprehension.**
- 2. Important Outlines**

Court Skill Test Based Dictations: It covers all skill tests conducted by any Court (Supreme Court, High Court, District Courts, Tribunals, Law Firms) including SSC etc.

6

Krishna Shorthand Institute, Online English Shorthand Class at 7355504435 by Sir AV Kushwaha, Shorthand Dictation Legal Matters.

NOTE: Very important latest created passage for Supreme Court/High Court/District Court/Tribunal etc. related skill tests apart from speed building.

Topic: Service Matter: *Misconduct and Rule Violations*

Volume 1, Dictation No. 6, Part 1

Note: Outlines of all highlighted words/phrases are given at the end of the passage. Adopt all better outlines than yours.

The charge-sheet records that Sri Khanna has acted in a mala fide manner and in gross violation of established norms and procedure of government functioning and in utter disregard of All India Service Rules, principles of objectivity, fair play, integrity and the high morals expected of a senior civil servant. The notification pertains to acquisition of assets disproportionate to the known sources of income by a civil servant and it is in processing these cases that the aforesaid charge as emphasized has been levelled against Sri V.K. Khanna. We, however, have not been able to appreciate whether initiation of an enquiry

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against the civil servant, would be in gross violation of established norms and procedure of government functioning. The processing was further stated to be in utter disregard of All India Service Rules. We are not aware neither any rules have been placed before this court wherein initiation of an enquiry for assets disproportionate to the known source of income can be termed to be in disregard of the service rules or fair play, integrity and morals. Do the service rules or concept of fair play, integrity or morals excepted of a senior civil servant provide a prohibition for such an initiation or such processing, if that is so, then of course one set of consequence would follow but if it is other way round then and in that event, question of any violation or a mala fide move would not arise.

The second charge is in regard to undue hurry and undue interest not being actuated by the nature of cases and as an illustration therefore, note of the Chief Minister was taken recourse to the effect that there was no direction in either of the notes that the cases were to be handled at brake-neck speed. The note noted above, however, records that the CBI enquiry be initiated and the reference

may be made immediately to the direction of the Chief Minister that the recording of action immediately if understood to mean undue haste and if acted accordingly then again one set of consequence follow but in the normal course of events, such a direction from the Chief Minister ought to be adhered to with promptitude and no exception can thus be taken in that regard.

Sri V.K. Khanna was also said to have faulted government instructions under which it is stipulated that in the event of any impending change, no important decisions would be taken by the secretaries without having its seen by the new ministers, who were to take office shortly. Sri Khanna has been charged of failure to put up the cases for information to the Chief Minister and allegations have been levelled that statutory notification issued on 7th February 1997 were neither sent to the Legal Remembrancer as required by the rules of business of Punjab Government nor were they sent for gazetting as required by law. Both charges together however cannot be sustained at the same time. If the Chief Secretary is not supposed to act by reason of

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the impending change then he cannot possibly be accused of not acting.

Further, Khanna was accused of ignoring instructions that no major decisions should be taken during a change of ministers. Allegations also mention failure to follow procedures for statutory notifications. Yet, both charges cannot be sustained together, since one blames him for acting too fast and the other for not acting at all. The case of Sri V.K. Khanna revolves around allegations of malafide conduct and violation of service norms in processing matters relating to disproportionate assets. It was alleged that he acted in disregard of All India Service Rules, principles of fair play and integrity expected of a senior officer.

Total Words: 617

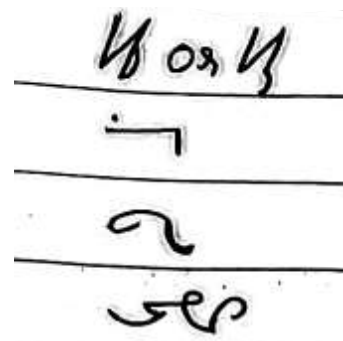
Outlines of all highlighted words and phrases.
Note: Adopt only those outlines which are better than yours.

charge-sheet

acted

malafide vs. mala fide

in gross violation



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established

norms

functioning

utter

disregard

All India Service Rules

principles

objectivity,

fair play

integrity

high

morals

expected

civil servant

notification

pertains

acquisition

assets

disproportionate

income

processing

emphasized

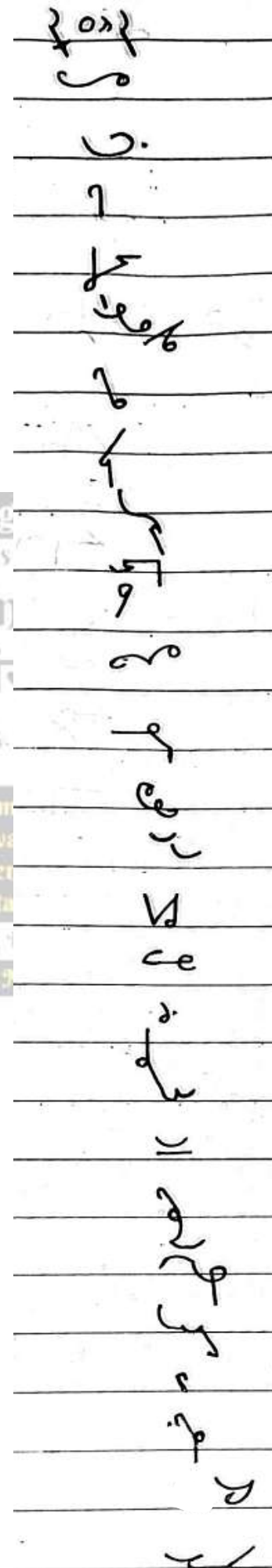
have not been

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appreciate

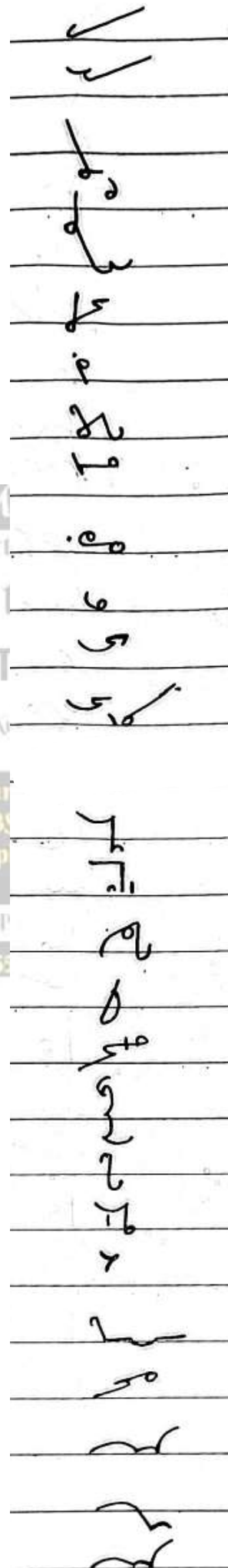
initiation

enquiry



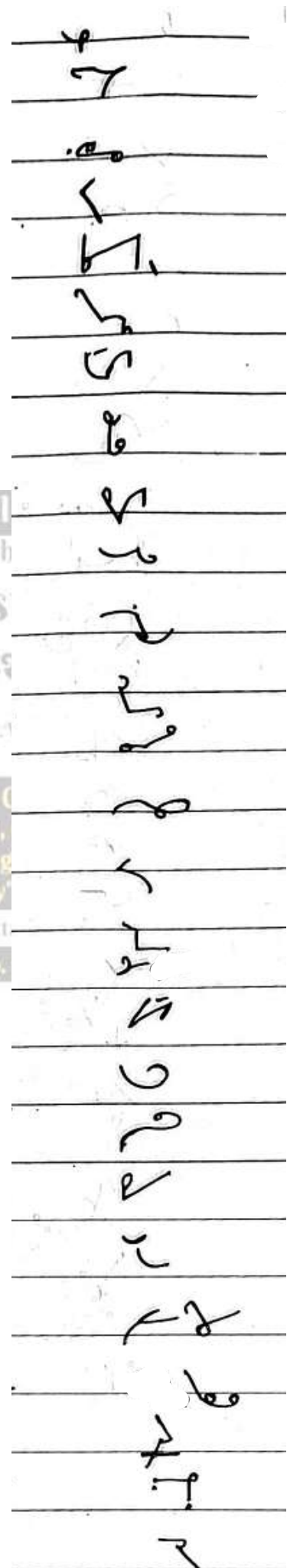
Court Skill Test Based Dictations: It covers all skill tests conducted by any Court (Supreme Court, High Court, District Courts, Tribunals, Law Firms) including SSC etc.

we are
not aware
before this court
assets
disproportionate
disregard
concept
prohibition
of course
consequence
if it is
in regard to the
in regard to, hurry
undue
actuated
illustration
Chief Minister
recourse
that there was no
direction
notes
handled
brake-neck'
reference
immediately,
may be made
immediately



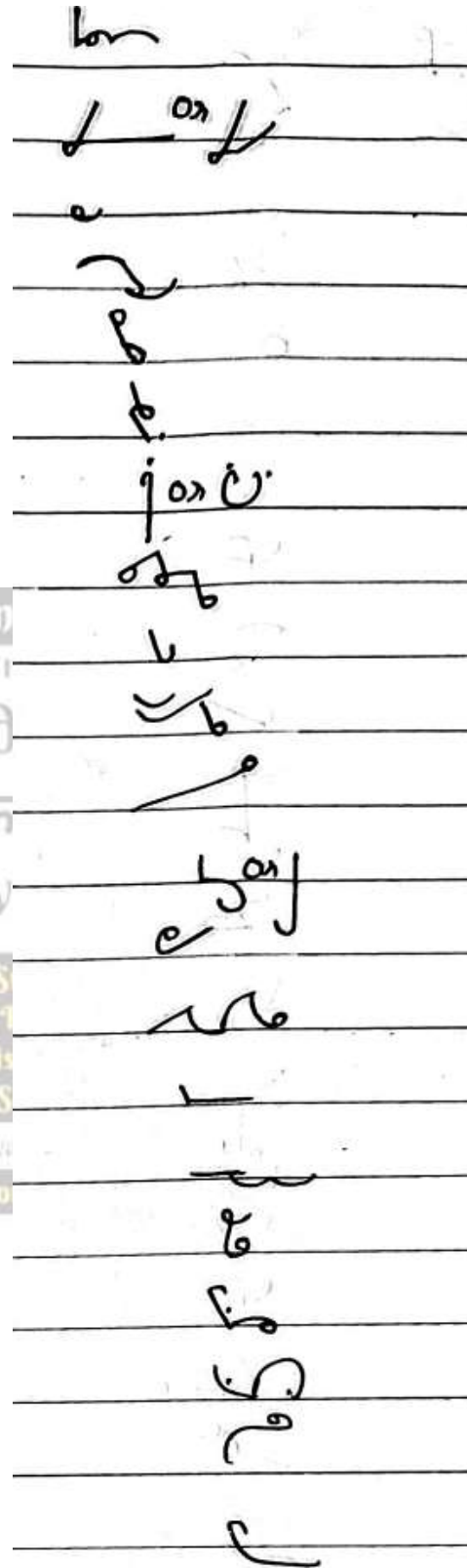
Court Skill Test Based Dictations: It covers all skill tests conducted by any Court (Supreme Court, High Court, District Courts, Tribunals, Law Firms) including SSC etc.

understood
accordingly
consequence
ought to be
adhered to
promptitude
faulted
instructions
stipulated
in the event
impending
would be taken
secretaries
Ministers
who were
to take
shortly.
charged
information
allegations
statutory
notification
Legal Remembrancer
business
Punjab Government
gazetting
cannot be



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at the same time
Chief Secretary
is not
impending
supposed
possibly
controversy
habeas corpus
petition
in a narrow compass
requires
determination
as to whether
revolves
together
ignoring
instructions
blames
failure
Allegations
further



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Topic: Service Matter: Workman/Labour Laws

Volume 1, Dictation No. 6, Part 2

Note: Outlines of all highlighted words/phrases are given at the end of the passage. Adopt all better outlines than yours.

In the present case, the benefit which is sought to be claimed by the workman was benefit of the higher pay scale which flows from the revised pay scale revised by the authorities themselves. The workman is not claiming any scale which has not yet been sanctioned to the employees. The question as to whether the workman was entitled for the higher pay scale after completion of 10 years or 20 years period is not a question which requires any adjudication apart from computation only. The fixation of the salary according to the higher pay scale sanctioned by the pay scale itself is a claim of pre-existing

Court Skill Test Based Dictations: It covers all skill tests conducted by any Court (Supreme Court, High Court, District Courts, Tribunals, Law Firms) including SSC etc.

right which flows from the relevant government orders sanctioning the pay scale and the condition for the grant of higher pay scale. The judgment relied by learned counsel for the petitioner in State of Bihar's case (supra) was a case in which the workman had filed a Misc. case before the Labour Court for payment of salary from 4.7.1987 till July, 2025 and the bonus.

Earlier, the matter was pending in the High Court against the order terminating his services in which interim order was granted by the High Court. The Apex Court in the facts of the said case took the view that the question of back wages could be decided only in a forum to which a reference under Section 10 of Industrial Disputes Act is made. The Apex Court held that the Labour Court in the facts of that case could not entertain the claim made by the respondent which was not based on existing right but which could have appropriately been made subject matter of industrial dispute. The said case is clearly distinguishable and is not applicable in facts of the present case. Another case relied by the petitioner's counsel is State Bank of India's case (supra).

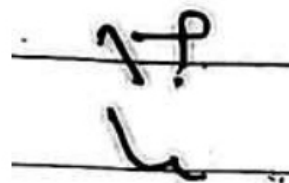
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In the aforesaid case, the workmen were terminated and the industrial dispute was raised. The Tribunal passed an award of reinstatement of the workmen with effect from 16.8.1969. The award was, however, silent in regard to payment of wages for the period of termination and reinstatement. The High Court also did not interfere with the award. After dismissal of the writ petition, application was filed under Section 33C(2) claiming back wages on the basis of award.

Total Words: 617+385= 1002

Outlines of all highlighted words and phrases.
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than yours.

pre-existing
benefit



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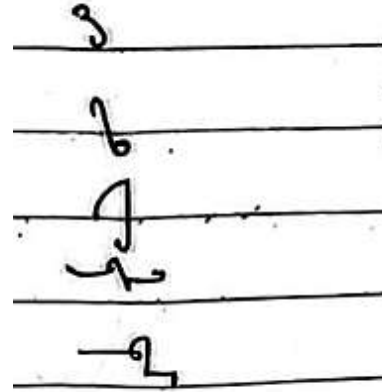
State of
Bihar's case
(supra)
workman
Misc.
labour court
before the
In the aforesaid
workmen
terminated
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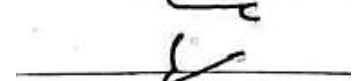
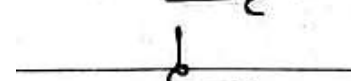
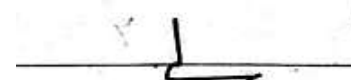
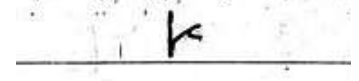
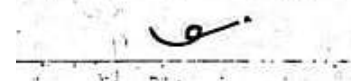
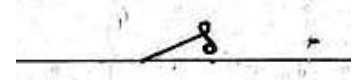
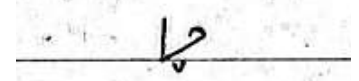
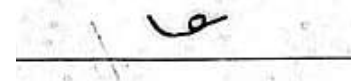
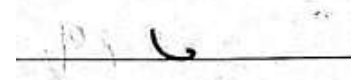
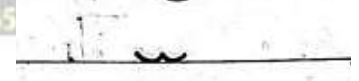
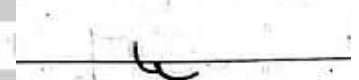
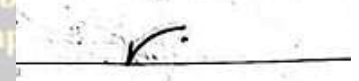
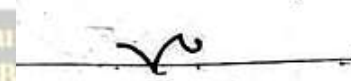
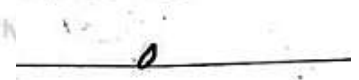
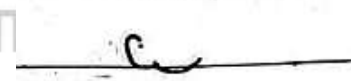
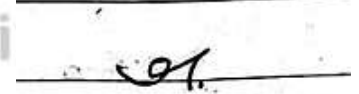
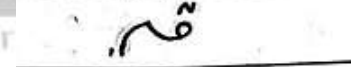
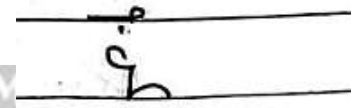
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were not
Principles
laid down
in paragraph
extracted
Bihar State Road Transport Corporation's
case
overtime
allowance
necessarily
flowing
First,
irrelevant
wholly
even if
need not
have been
answered
derive
respondents
answering
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it clear that
it is clear that
they were



Bihar State Road Transport Corporation's



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made out
acceptable
evidence.
Secondly
it is
well settled
jurisdiction
Labour Court
cannot
create
adjudicate
computation
crystallised
binding
government order.

