

Run By Shorthand Dictation Legal Matters

Since 2005

(Sir Isaac Pitman's Shorthand)

Krishna Shorthand Institute

कृष्णा आशुलिपिक संस्थान

(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)

If you are not upgrading, you are downgrading.

For convenience, the dictation is divided into two parts, though it has been delivered in one go.

Skill Test Based Court Dictation: It covers all skill tests conducted by any Court (Supreme Court, High Court, District Courts, Tribunals, Law Firms). It is useful for SSC etc. too.

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

Topic: Sanction under Section 197 CrPC: Protection of Public Servants in Discharge of Official Duty

Volume 1, Dictation No. 3

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

Learned counsel for the complainant argued that want of sanction under Section 197(1) of the Code did not affect the jurisdiction of the court to proceed but it was only one of the defences available to the accused and the accused can raise the defence at the appropriate time. We are not in a position to accept this submission. Section 197(1), its opening words and the object sought to be achieved by it, and the decisions of this court earlier cited, clearly indicate that a prosecution hit by that provision cannot be launched without the sanction contemplated. It is a condition precedent, as it were, for a successful prosecution of a public servant when the provision is attracted, though the question may arise necessarily not at the inception, but even at a subsequent stage. We cannot,

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therefore, accede to the request to postpone a decision on this question.

Coming to the facts of this case, the question is whether the appellant was acting in his official capacity while the alleged offence was committed or was performed a duty in his capacity as a police officer which led to the offence complained of. That it was the day of election to the State Assembly, that the appellant was in uniform; that the appellant travelled in an official jeep to the spot, near a polling booth and the offence was committed while he was on the spot, may not by themselves attract Section 197(1) of the Code. But, as can be seen from the facts disclosed in the counter affidavit filed on behalf of the State based on the entries in the General Diary of the Phoolbagan Police Station, it emerges that on the election day, information was received in the Police Station at 1400 hours of some disturbance at a polling booth, that it took a violent turn and clashes between the supporters of two political parties was imminent. It was then that the appellant reached the site of the incident in his official vehicle. It is seen that a case had been registered on the basis of the incidents that took place and a report in this behalf had also been sent to the superiors by the Station House Officer. It is also seen that it is supported by the witnesses examined by the Chief Judicial Magistrate while taking cognizance of the offence that the appellant on reaching the spot had

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a discussion with the Officer-in-charge who was stationed at the spot and thereafter a lathi charge took place or there was an attack on the husband of the complainant and he met with his death.

Obviously, it was part of the duty of the appellant to prevent any breach of law and maintain order on the polling day or to prevent the blocking of voters or prevent what has come to be known as booth capturing. It, therefore, emerges that the act was done while the officer was performing his duty. Such being the position, it must be held that the respondent nos. 1 to 3 being the successors in interest from the side of Shyam Narayan whose name was duly recorded in respect of the said land were entitled to succeed to the said land on the basis of identity and re-settlement of the same. Section 197(1) of the Code makes sanction a condition precedent for prosecuting a public servant if the alleged act is connected with official duty. The object is to protect officers from frivolous litigation while ensuring accountability. In this case, the appellant, a police officer on election duty, acted to prevent disturbance near a polling booth.

Total Words: 605

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Adopt only those outlines which are better than yours.

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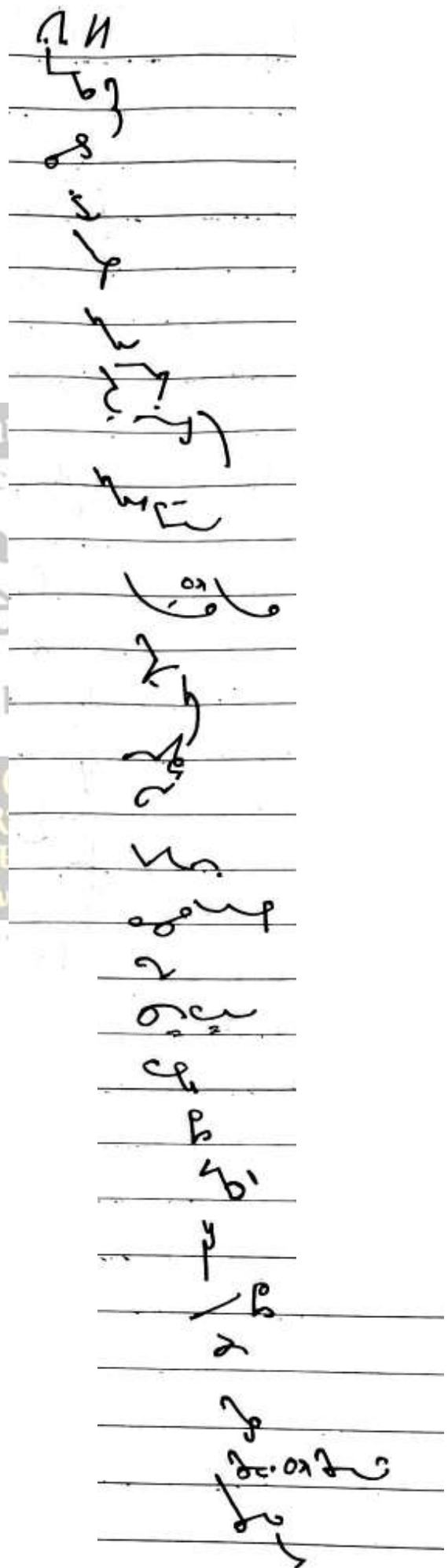
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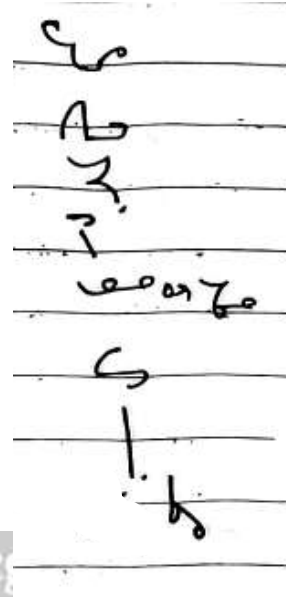
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frivolous
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Learn New and Important Words of the
Matter)

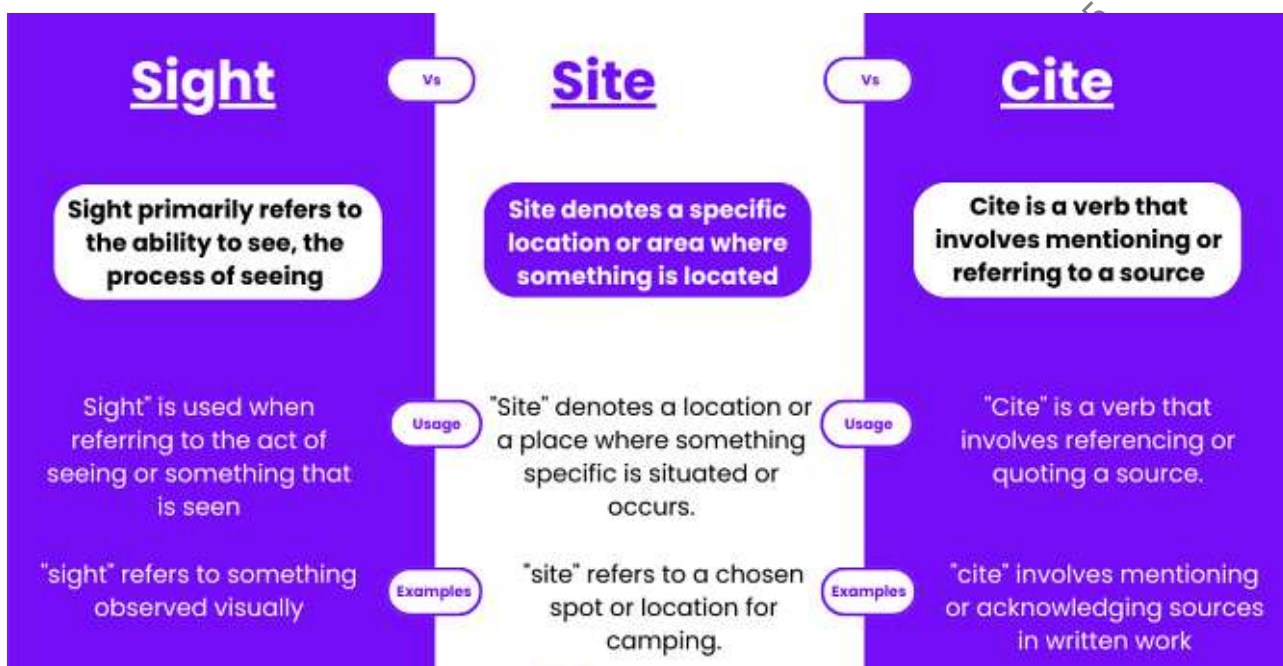
Keep revising all new words learned.

Legal/General Matter

1. **sanction:** (noun) official permission or approval;
(verb) to give official permission अनुमति/मंजूरी
2. **Code:** (noun) a systematic collection of laws कानून
संहिता
3. **jurisdiction:** (noun) the official power to make legal
decisions न्यायाधिकार/क्षेत्राधिकार
4. **to proceed:** (verb) to continue with a course of
action आगे बढ़ना/कार्यवाही करना
5. **submission:** (noun) the action of accepting or
yielding to authority निवेदन/प्रस्तुतीकरण
6. **to object:** (verb) to express disagreement or
opposition आपत्ति करना

Accuracy Mantra: To avoid, error in transcription, try to understand different in these words which sound similar.

7. **cite, sight, site:** (verb/noun) **cite:** to quote/reference उद्धृत करना; **sight:** vision/view दृश्य; **site:** location/place स्थान



8. **contemplated:** (verb) (past tense) considered or thought about विचारित/अपेक्षित

9. **precedent:** (noun) an earlier event or action that serves as an example पूर्व उदाहरण/न्यायिक मिसाल

10. **inception:** (noun) the beginning or start प्रारंभ/शुरुआत

11. **subsequent:** (adjective) coming after something in time बाद का/अनुवर्ती

12. **accede vs. exceed:** (verb) **accede:** to agree/consent सहमति देना; **exceed:** to go beyond सीमा पार करना;

Accuracy Mantra - "Accede vs. Exceed"

Dear Students, remember this:

- **Accede = Accept.** Whenever you agree, give consent, or take a position, think of "accepting" something. Example: The principal acceded to our request.
- **Exceed = Extra.** Whenever you go beyond a limit or do more than expected, think of "extra." Example: Do not exceed the speed limit.

Tip: Both sound alike, but meaning is worlds apart. **Accede** is about agreement; **Exceed** is about going beyond.

Practice: Say aloud - "I accede to your request but don't exceed your limits."

13. **postpone:** (verb) to delay or put off to a later time स्थगित करना

14. **official:** (adjective/noun) relating to authority/a person in authority आधिकारिक/अधिकारी

15. **alleged offence:** (noun phrase) a crime that is claimed to have occurred कथित अपराध

16. **committed:** (verb) (past tense) carried out or perpetrated किया गया/संपन्न

17. **uniform:** (noun/adjective) standard clothing/consistent वर्दी/एकरूप

18. **polling booth:** (noun) a place where votes are cast मतदान केंद्र

19. **counter affidavit:** (noun) a sworn statement in response to another affidavit प्रति-शपथपत्र

20. **General Diary:** (noun) official record book of daily events in a police station रोजनामचा

21. **emerges:** (verb) (present tense) comes to light/becomes apparent उभरना/स्पष्ट होना

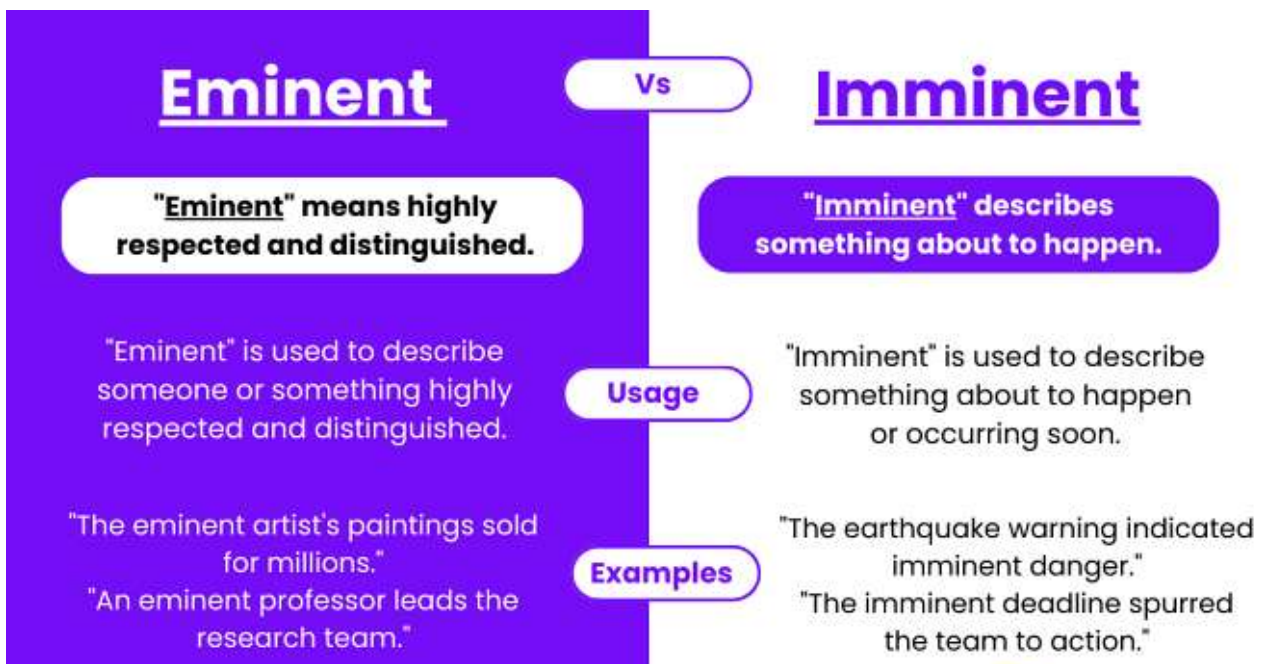
22. **1400 hours:** 1400 hours means 2:00 PM. In military or 24-hour time, the day runs from 0000 (midnight) to 2359 (11:59 PM). So 1400 hours = 14:00 = 2 बजे दोपहर.

23. **violent clashes:** (noun phrase) aggressive physical confrontations हिंसक झड़पें

Accuracy Mantra - "Imminent vs. Eminent"

Dear Students, remember this:

24. imminent means something about to happen
आसन्न/तत्काल; while eminent means
famous/distinguished प्रतिष्ठित/विख्यात



Tip: Both sound alike, but meaning is completely different. Imminent = something coming soon; Eminent = someone outstanding.

Practice: Say aloud - "An *imminent* storm warned us, while the *eminent* professor guided us."

25. Accuracy Mantra - "Incidents vs. Accident"

Dear Students, remember this:

- **Incident (noun)** घटनाएं; = **Any event or occurrence.** It can be good, bad, or neutral. Think of it as a **happening**. **Example:** Several minor incidents occurred during the festival.
- **Accident (noun)** दुर्घटना = **An unexpected event causing harm or damage.** Think of it as **unfortunate or harmful**. **Example:** He met with a car accident on his way home. Try to understand from the following image again:

Incident (noun /general)	VS Accident (noun/specific)
meaning: refer to any event – big or small, good or bad, intentional or unintentional.	meaning: always unintentional, and usually result in some damage/injury
Example:	Example:
 Mary Mary's coffee	 ambulance
Mary didn't have coffee this morning because an incident happened with her coffee.	Mary saw a car accident and the ambulance came.

Tip: Both sound similar, but meaning is different.

Incident = any event; **Accident** = harmful/unexpected event.

Practice: Say aloud - "Minor incidents happened at school, but thankfully no accident occurred."

26. **superiors:** (noun) people in higher positions
उच्चाधिकारी/वरिष्ठ

27. **Station House Officer:** (noun) officer in charge of a police station थाना प्रभारी

28. **cognizance:** (noun) awareness/judicial notice संज्ञान

29. **stationed:** (verb) (past tense) positioned/deployed
तैनात

30. **lathi charge:** (noun) police action using batons
लाठीचार्ज

31. **obviously:** (adverb) clearly/evidently स्पष्ट रूप से

32. **to prevent:** (verb) to stop from happening रोकना

33. **booth capturing:** (noun) illegal seizure of polling stations
बूथ कब्जा

34. **breach of law:** (noun phrase) violation of legal rules
कानून का उल्लंघन

35. **prosecuting:** (verb) (present participle) conducting legal proceedings
अभियोजन करना

36. **frivolous:** (adjective) lacking serious purpose/trivial तुच्छ/निरर्थक

37. **litigation:** (noun) the process of legal action मुकदमेबाजी

38. *Ensuring vs. Insuring vs. Assuring*

Accuracy Mantra -

Dear Students, remember this:

- **Ensuring (verb)** सुनिश्चित करना; = Making sure something happens. Think of it as guaranteeing or confirming.

Example: She is ensuring that all assignments are submitted on time.

- **Insuring (verb)** बीमा करना = Protecting against loss or risk (usually by insurance). Think of it as financial protection.

Example: He insured his car against theft and accidents.

- **Assuring (verb)** बीमा करना = Giving confidence or a promise to someone. Think of it as reassuring or encouraging.

Example: The teacher assured the students that they would do well in the exam.

Tip: All sound similar, but meanings differ:

- **Ensuring** = making sure
- **Insuring** = protecting financially
- **Assuring** = giving confidence

Practice: Say aloud - "I am **ensuring** my work is correct, have **insured** my car, and **assured** my friends that everything will be fine."

Assure, Ensure, and Insure



39. **accountability:** (noun) responsibility for one's actions जबाबदेही

Accuracy Builder: following words occurred in the dictation is to be capitalized;

Capital Words

1. **Section 197(1)** - Legal statute reference
2. **Code** - Specific legal document (Criminal Procedure Code)
3. **State Assembly** - Government institution
4. **General Diary** - Official police record
5. **Phoolbagan Police Station** - Specific place name
6. **Police Station** - Official institution
7. **Station House Officer** - Official police rank
8. **Chief Judicial Magistrate** - Judicial title
9. **Officer-in-charge** - Official designation
10. **Shyam Narayan** - Personal name

Accuracy Builder: Analysis from the passage dictated today.

When to Use Commas - Simple Rules

1. Around Extra Information

- Example: "It is a condition precedent, **as it were**, for prosecution"

- Rule: Put commas around words that add extra meaning but can be removed

2. Around Connecting Words

- Example: "We cannot, **therefore**, accept this"
- Rule: Put commas around words like "therefore," "however," "moreover"

3. After Opening Words

- Example: "**Obviously**, it was his duty"
- Rule: Put comma after words that start a sentence

4. Before "But" in Contrasts

- Example: "not at the beginning, **but** at a later stage"
- Rule: Use comma before "but" when showing opposite ideas

5. Between Multiple "That" Clauses

- Example: "**That** it was election day, **that** he was in uniform, **that** he travelled..."
- Rule: Separate multiple similar clauses with commas

6. Before Main Verb in Long Sentences

- Example: "The officer who was on duty and received information, **acted** properly"

- Rule: When subject is very long, put comma before the main action word

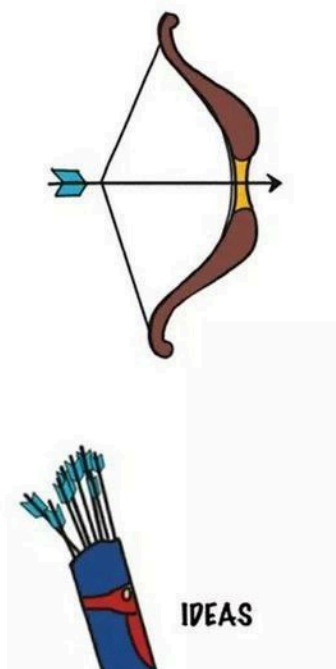
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Principal,

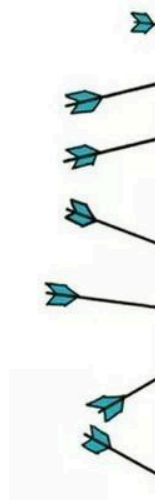
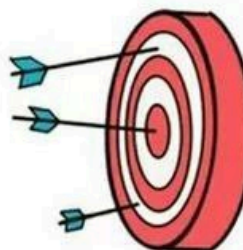
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Topic: Scope of Mid Term Review in Anti-Dumping Duty Proceedings

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

(Contact No. 7355504435)

We have considered the rival submissions put forth by the counsel for the parties. The Mid Term Review in the instant case was initiated suo motu after the domestic industry had withdrawn its application and the review initiated at its instance was closed. For the purpose of ascertaining whether there was justification for continued imposition of anti-dumping duty, all relevant information was asked for from the domestic industry as well as the appellant and other interested parties. The domestic industry supplied

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all the relevant material for the continued imposition of anti-dumping duty whereas the appellant did not co-operate with the designated authority during the time of Mid Term Review but it took the stand that there was no dumping. Though before the designated authority, the appellant had not raised a ground that all the 14 parameters given in paragraph 3 of Annexure-II relating to principles of determination of injury were required to be determined or had not been taken into account and that only some of the parameters were considered, in appeal before the tribunal, the said ground was raised and findings were returned against the appellant. Before us, it is submitted that the parameters mentioned in the rules read with paragraph 3 of Annexure-II are mandatory, and the finding as to the injury to the domestic industry by the designated authority is perverse. After going through the entire record with the assistance of the learned counsel for the parties, we are of the opinion that the contention raised by the appellant is clearly contrary to the facts on record. The designated authority in its findings in the Mid Term Review proceedings has categorically stated that all the factors have been taken into consideration while determining continuance of the anti-dumping duty. That apart, at the time of arguments, we had the advantage of going through the original records/documents which had been placed before the designated authority, which shows

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that along with the information provided in the proforma, necessary information with respect to all the 14 parameters had been provided by the domestic industry and considered by the designated authority, after due corrections. In view of the foregoing consideration, the argument of the appellant that all relevant factors have not been considered, has no factual foundation. Otherwise also, we are of the opinion that scope of the review inquiry by the designated authority is limited to the satisfaction as to whether there is justification for continued imposition of such duty on the information received by it. By its very nature, the review inquiry would be limited to see as to whether the conditions which existed at the time of imposition of anti-dumping duty have altered to such an extent that there is no longer justification for continued imposition of the duty. The inquiry is limited to the change in the various parameters like the normal value, export price, dumping margin, fixation of non-injury price and injury to domestic industry. The said inquiry has to be limited to the information received with respect to change in the various parameters.

We shall first take up for consideration the several allegations that have been made and see whether they had been satisfactorily made out. Before proceeding further, it is necessary to state that allegations of a personal character having been made against the Chief Minister, there could only be

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two ways. In Mid Term Review proceedings, the designated authority is empowered to assess whether continued imposition of anti-dumping duty is justified. The inquiry is limited to examining changes in parameters, such as, normal value, export price, dumping margin, non-injury price, and injury to domestic industry. In the present case, though the appellant failed to cooperate during the review and later argued that all 14 parameters under Annexure-II were not considered, the record reveals otherwise. **Total Words 631 Total 605+630=1235**

Outlines of all highlighted words and phrases.

Adopt only those outlines which are better than yours.

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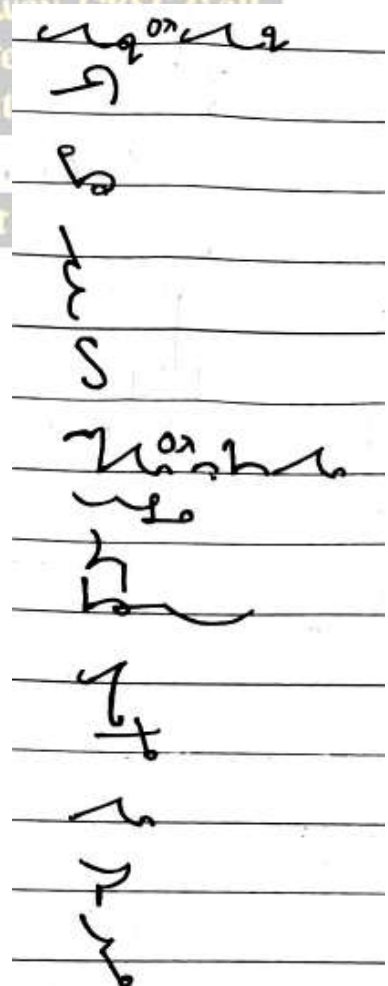
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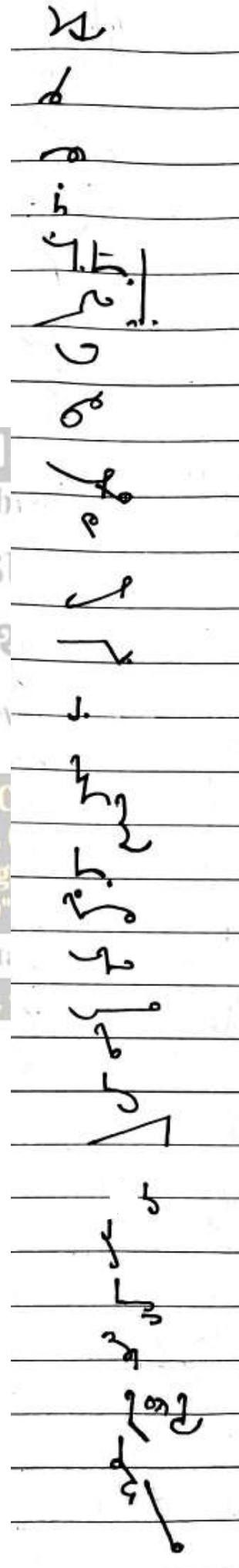
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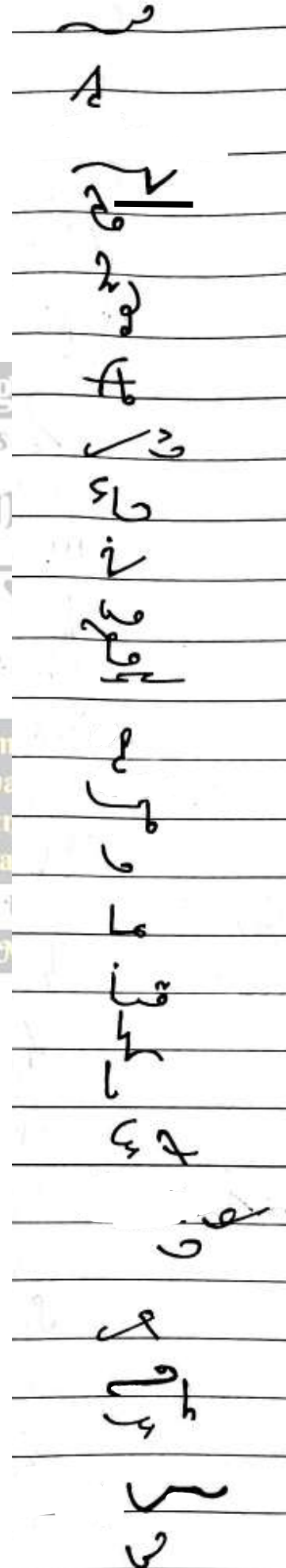
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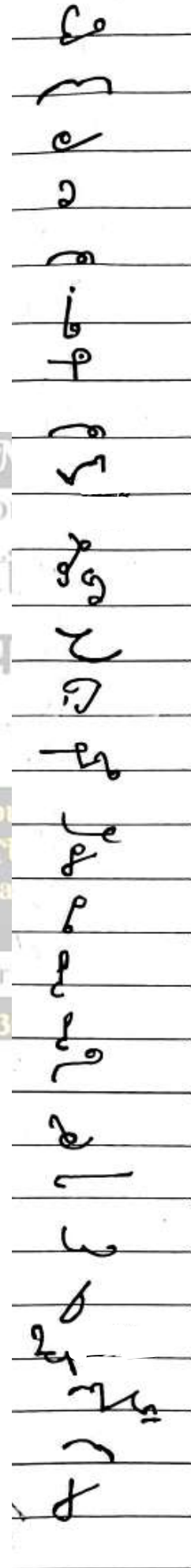
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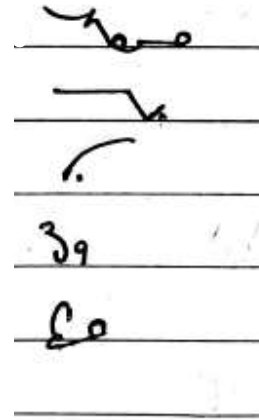
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(Increase your vocabulary:

Learn New and Important Words of the
Matter)

Keep revising all new words learned.

Legal/General Matter

1. **rival submissions:** (noun phrase) competing or opposing arguments presented by different parties
विरोधी प्रस्तुतियां
2. **put forth:** (phrasal verb) to present or propose something
प्रस्तुत करना
3. **application:** (noun) a formal request or petition आवेदन
4. **in the instant case:** (prepositional phrase) in this particular case
इस मामले में
5. **suo motu:** (Latin adverb) on its own initiative; by itself
स्वप्रेरणा से
6. **domestic industry:** (noun phrase) local/national industry within a country
घरेलू उद्योग
7. **withdrawn:** (verb) (past participle) taken back or removed
वापस लिया गया

8. **ascertaining:** (verb) (gerund) finding out or determining with certainty निर्धारित करना

9. **justification:** (noun) valid reason or explanation औचित्य

10. **imposition:** (noun) the act of imposing or enforcing something आरोपण

11. **anti-dumping:** (adjective) measures against unfair trade practices एंटी-डंपिंग

12. **relevant information:** (noun phrase) applicable or pertinent details प्रासंगिक जानकारी

13. **dumping:** (noun) selling goods at unfairly low prices डंपिंग

14. **parameters:** (noun) (plural) specific factors or criteria मापदंड

15. **principle vs. principal:** (noun) principle = fundamental rule (सिद्धांत); principal = main/head person (प्रधान)

Accuracy Mantra -

Dear Students, remember this:

- **Principle = A fundamental truth, rule, or belief. Think of it as a guiding idea or law. Example: Honesty is a basic principle of life.**

- **Principal** = The head of a school, or the main/most important thing. Think of it as leader or primary.
- **Example 1:** The principal addressed the students in the assembly.
- **Example 2:** The principal reason for his success is hard work.

Tip: Both sound similar, but meaning is different:

- **Principle** = rule or belief
- **Principal** = person in charge / main thing

Practice: Say aloud - "The principal taught us an important principle about honesty."

16. **determined:** (verb) (past participle) decided or established निर्धारित

17. **taken into account:** (verb phrase) (past participle) considered or included विचार में लिया गया

18. **mentioned:** (verb) (past participle) referred to or stated उल्लेखित

19. **mandatory:** (adjective) compulsory or required अनिवार्य

20. **perverse:** (adjective) contrary to what is reasonable विकृत/गलत

21. **through**: (preposition) by means of; from beginning to end के माध्यम से

22. **proceedings**: (noun) (plural) legal or official process कार्यवाही

23. **categorically**: (adverb) in a clear and definite manner स्पष्ट रूप से

24. **taken into consideration**: (verb phrase) (past participle) given thought to विचाराधीन लिया गया

25. **foregoing**: (adjective) mentioned before or preceding पूर्वोक्त

26. **as to whether**: (conjunction phrase) regarding the question of क्या इसके बारे में

27. **altered**: (verb) (past participle) changed or modified परिवर्तित

28. **personal vs personnel**: (noun) **personal** = individual/private (व्यक्तिगत); **personnel** = staff/employees (कर्मचारी)

Accuracy Mantra -

Dear Students, remember this:

- **Personal** = Relating to an individual, private, or individual matters. Think of it as your own or private.

- **Example:** She shared her **personal** experience with the class.
- **Personnel** = Employees or staff of an organization. Think of it as people working in a company or department.
- **Example:** The HR department manages all **personnel** records.

Tip: Both sound alike, but meaning is different:

- **Personal** = private / individual
- **Personnel** = employees / staff

Practice: Say aloud - "I keep my **personal** diary safe, while the **personnel** department handles staff files."

29. empowered: (verb) (past participle) given authority or power अधिकार प्रदान किया गया

30. cooperate: (verb) to work together सहयोग करना

31. later vs. latter: (adverb/adjective) later = at a subsequent time (बाद में); latter = the second of two things mentioned (उत्तरार्द्ध)

Accuracy Mantra -

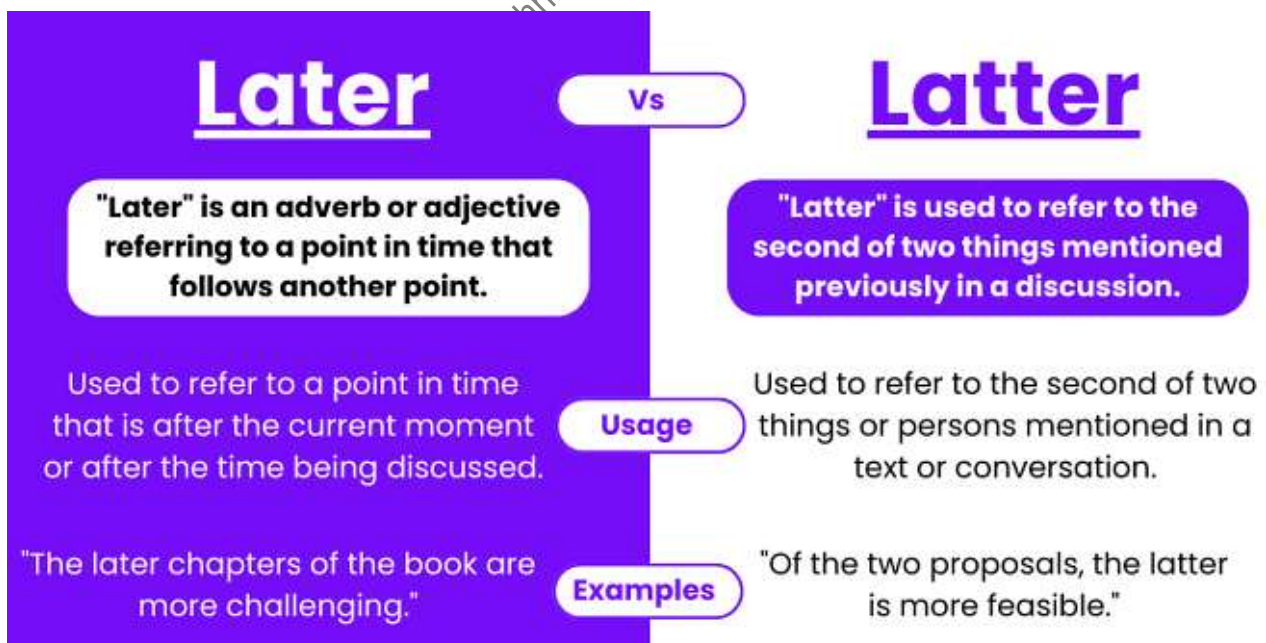
Dear Students, remember this:

- **Later** = At a future time; afterwards. Think of it as something happening after a certain point.
Example: I will call you later today.
- **Latter** = The second or last mentioned of two things. Think of it as the one mentioned last.
Example: I like tea and coffee, but I prefer the latter.

Tip: Both sound similar, but meaning is different:

- **Later** = time in the future
- **Latter** = the second or last of two things

Practice: Say aloud - "I will see you later, and between tea and coffee, I choose the latter."



Accuracy Builder: Capitalization

Following words to be written in capital letters;

Mid Term Review - Specific legal proceeding name (proper noun)

Chief Minister - Official governmental title/position

Annexure-II - Formal document section reference

Accuracy Builder: Comma

Comma Usage in the Passage - Simple Explanation

1. Lists/Series

Example: "normal value, export price, dumping margin, non-injury price, and injury to domestic industry"

Reason: Commas separate items in a list (like grocery shopping: apples, bananas, oranges)

2. Before Connecting Words

Example: "The domestic industry supplied all relevant material, whereas the appellant did not cooperate"

Reason: Comma before words like "whereas," "but," "and" when joining two complete sentences

3. After Introductory Phrases

Example: "After going through the entire record with assistance of counsel, we are of the opinion..."

Reason: Comma after opening phrases (like "After dinner, we watched TV")

4. Around Extra Information

Example: "the appellant, in appeal before the tribunal, raised the said ground"

Reason: Commas surround extra details that can be removed without changing the main sentence

5. Before Explanations

Example: "there could only be two ways, such as..."

Reason: Comma before examples or explanations starting with "such as," "for example"

6. In Complex Sentences

Example: "Though the appellant failed to cooperate, the record reveals otherwise" **Reason:** Comma after dependent clauses starting with "though," "because," "if," "when"

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