

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")

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If you are not upgrading, you are downgrading.

What you will receive in this dictation:

- 1. Text & outlines,**
- 2. Vocabulary**
- 3. Accuracy Builders Tips**
- 4. Some Punctuation Analysis**

Topic: Service Matters: Public Interest Transfers vs. Requested Transfers

Transfers characterised as in public interest are founded, sourced, and rooted in administrative exigencies and nothing else. Effecting or transferring²⁰ employees at their behest is equally important but exercise of that power and discretion is to subserve a different cause⁴⁰ or a value, which is distinct from transfer in public interest. It is necessary to draw a clear distinction between⁶⁰ these two, as their purpose, procedure, and consequence are distinct. This distinction is in fact recognised and incorporated in the Rules.⁸⁰ If a government employee holding a particular post is transferred on public interest, he carries with him his existing¹⁰⁰ status including seniority to the transferred post. However, if an officer is transferred at his own request, such a transferred¹²⁰ employee will have to be accommodated in the transferred post, subject to the claims and status of the other employees¹⁴⁰ at the transferred place, as their interests cannot be varied without there being any public interest in the transfer.¹⁶⁰ Subject to specific provision of the Rules governing the services, such transferees are generally placed at the bottom, below the junior-most¹⁸⁰ employee in the category in the new cadre or department. The rationale here is to avoid heartburn of existing employees here.²⁰⁰

In service jurisprudence, the general rule is that if a government servant holding a particular post is transferred to the same²²⁰ post in the same cadre, the transfer will not wipe out his length of service in the post till the²⁴⁰ date of transfer and the period of service in the post before his transfer has to be taken²⁶⁰ into consideration in computing the seniority in the transferred post. But where a government servant is so transferred on²⁸⁰ his own request, the transferred employee will have to forego his seniority till the date of transfer, and will be³⁰⁰ placed at the bottom below the junior most employee in the category in the new cadre or department. This is because³²⁰ a government servant getting transferred to another unit or department for his personal considerations, cannot be permitted to disturb³⁴⁰ the seniority of the employees in the department to which he is transferred, by claiming that his service in the³⁶⁰ department from which he has been transferred, should be taken into account. This is also because a person appointed to³⁸⁰ a particular post in a cadre, should know the strength of the cadre and prospects of promotion as such there.⁴⁰⁰

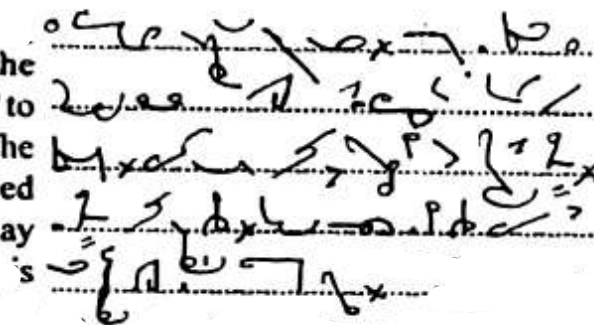
In the order impugned before us, the High Court has fallen into an error by blurring the distinction between the⁴²⁰ two functions and treating transfer made at the request of the officer on medical grounds as equivalent to transfer in⁴⁴⁰ public interest.

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

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.

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

Keeping the distinction is essential since origin and the consequences that follow are distinct. We will now refer⁴⁶⁰ to the precedents cited by the Tribunal and the High Court. The High Court referred to its own decision.⁴⁸⁰ Having examined the said decision, we are of the opinion that it does not lay down the correct principle.

Handwritten shorthand notes in a cursive style, corresponding to the text on the left. The notes are written on a set of three horizontal lines (top, middle, bottom) and include various symbols, loops, and abbreviations typical of shorthand systems.

Total Words: 497

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Note: Check How Powerful Your Vocabulary is by going through it and let us know how many words you already know with their meaning.

(Increase your vocabulary:

Learn New and Important Words of the Matter)

Keep revising all new words learned.

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1. **Characterised:** (verb) described/defined विशेषता बताना
2. **Founded:** (verb) based/established आधारित
3. **Sourced:** (verb) obtained/derived प्राप्त करना
4. **Rooted:** (verb) originated/based मूल आधार
5. **Administrative exigencies:** (noun) urgent admin needs प्रशासनिक आवश्यकताएं

Accuracy Mantra: Try to understand difference between following two words from the examples given.

6. **Effecting vs. Affecting:** (verb) causing vs. influencing प्रभावित करना बनाम कारण बनना

◆ **Affecting** = Influencing (प्रभाव डालना)

👉 Verb, action of producing change.

✍ Example: The weather is affecting the crops.
(मौसम फसलों पर प्रभाव डाल रहा है।)

◆ **Effecting** = Bringing about / Causing (कार्यान्वित करना / लागू करना)

👉 Verb, action of carrying something out.

✍ Example: The manager is effecting major changes in the policy. (प्रबंधक नीति में बड़े बदलाव लागू कर रहा है।)

Memory Hook

- **Affecting** = Action of Influence
- **Effecting** = Execution / Bringing into Effect

7. **Behest**: (noun) command/request आदेश, a person's orders or command आदेशानुसार
8. **Discretion**: (noun) freedom to decide विवेकाधिकार
9. **To subserve**: (verb) to serve/help सेवा करना
10. **Distinct**: (adjective) different/separate अलग
11. **Distinction**: (noun) difference भेद
12. **Recognised**: (verb) acknowledged मान्यता देना
13. **Incorporated**: (verb) included शामिल करना
14. **Public interest**: (noun) public welfare जनहित

15. **Transferees:** (noun) transferred persons
स्थानान्तरित व्यक्ति

16. **Cadre:** (noun) service group/category संवर्ग

Accuracy Mantra: Try to understand difference between following two words from the examples given.

17. **Rationale vs. Rational:** (noun vs. adj) reason vs. logical
तर्क बनाम तर्कसंगत

1. **Rationale = Reason (कारण)**

- The rationale for the decision is safety.
निर्णय का कारण सुरक्षा है।

Rational = Logical (तार्किक)

- His plan is rational and practical.
उसकी योजना तार्किक और व्यावहारिक है।

2. **Rationale = Reason (कारण)**

- The teacher explained the rationale of the rule.
शिक्षक ने नियम का कारण समझाया।

Rational = Logical (तार्किक)

- Be rational, not emotional.
भावुक नहीं, तार्किक बनो।

3. **Rationale = Reason (कारण)**

- The rationale for higher taxes is to reduce deficit.

अधिक कर लगाने का कारण घाटा कम करना है।

Rational = Logical (तार्किक)

- It is rational to save for the future.
भविष्य के लिए बचत करना तार्किक है।

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4. Rationale = Reason (कारण)

- He gave the rationale behind his choice.
उसने अपने चुनाव का कारण बताया।

Rational = Logical (तार्किक)

- Only a rational person can solve this puzzle.
केवल तार्किक व्यक्ति ही यह पहेली सुलझा सकता है।

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5. Rationale = Reason (कारण)

- The rationale for punishment is discipline.
दंड का कारण अनुशासन है।

Rational = Logical (तार्किक)

- Her explanation was rational and clear.
उसका स्पष्टीकरण तार्किक और स्पष्ट था।

Accuracy Tips:

- If it names the "reason" → rationale (noun).
- If it describes "being logical" → rational (adjective).

18. **To avoid heartburn:** (idiom) prevent dissatisfaction असंतोष से बचना

19. **Service jurisprudence:** (noun) service law सेवा कानून

20. **Wipe out:** (phrasal verb) eliminate मिटाना

21. **Computing:** (verb) calculating गणना

Accuracy Mantra: Try to understand difference between following two words from the examples given.

22. **Personal vs. Personnel:** (adj vs. noun) individual vs. staff व्यक्तिगत बनाम कर्मचारी

◆ **Personal** = Private, Individual (निजी / व्यक्तिगत)

👉 Think: Personal diary, personal life.

✍ Example: This is my personal opinion.
(यह मेरा निजी विचार है।)

◆ **Personnel** = Staff, Employees (कार्मिक / कर्मचारी वगै)

👉 Think: Personnel department = staff section.

✍ Example: The company hired new personnel.
(कंपनी ने नए कर्मचारी नियुक्त किए।)

Memory Hook for Dictation

- *Personal* → ends with -al = qualities of a person.
- *Personnel* → ends with -nel = group of men (staff).

23. **Prospects:** (noun) future chances भविष्य की संभावनाएं

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Following words are to be written in capital letters:

1. High Court: Official name of judicial institution
2. Rules: Specific government regulations (like a law book's name)

Comma use and reasons for its application:

6 MAIN COMMA RULES

1. LISTS (3+ items)

Example: "founded, sourced and rooted" Rule: Put commas between items in a list Easy tip: Count items - if 3 or more, use commas!

2. EXTRA INFO

Example: "a value, which is distinct from transfer" Rule: Comma before "which/who/that" when adding extra details Easy tip: Can you remove the part after comma? If yes, use comma!

3. IF SENTENCES

Example: "If a government employee is transferred, he carries..." Rule: Comma after the "if" part Easy tip: IF..., then main sentence

4. HOWEVER/THEREFORE

Example: "However, if an officer is transferred" Rule: Comma after transition words Easy tip: However = comma after!

5. JOINING SENTENCES

Example: "employee will forego seniority, and will be placed at bottom" Rule: Comma before "and/but" when joining two complete sentences Easy tip: Two complete thoughts? Comma before "and"!

6. EXTRA DETAILS

Example: "placed at the bottom, below the junior-most employee" Rule: Comma before additional specific information Easy tip: General info, then specific details

SUPER SIMPLE MEMORY TRICK:

"3-List, Which-Extra, If-Then, However-Comma, And-Join, More-Details"

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