

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.

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.

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

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

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

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.

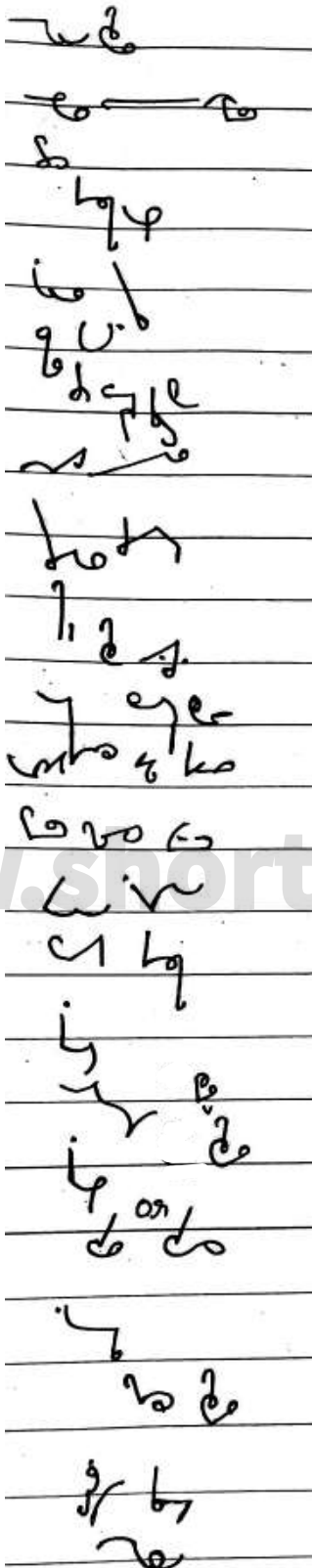
Keeping the distinction is essential since origin and the consequences that follow are distinct. We will now refer⁴⁶⁰ to the precedents cited by the Tribunal and the High Court. The High Court referred to its own decision.⁴⁸⁰ Having examined the said decision, we are of the opinion that it does not lay down the correct principle. In fact,⁵⁰⁰ the applicable Rule is not analysed and the decision is based on the facts and circumstances of the case,⁵²⁰ where the employee is said to have suffered injury during the course of employment. However, a sweeping observation in that judgment⁵⁴⁰ that "change of cadre was accorded pursuant to the report of the medical board and therefore it has to be⁵⁶⁰ treated as change of cadre in the public interest" is unsustainable as change of cadre pursuant to report of⁵⁸⁰ medical board is not determinative of whether the transfer is for public interest or effected at the request of the officer.⁶⁰⁰

Having considered Rule 16 of the 1977 Rules, as per which the respondent accepted the appointment after⁶²⁰ consenting to be placed before the last person in the transferred post, which position is recorded in the itself,⁶⁴⁰ we are of the opinion that seniority has to be with effect from 1989 only. The decision of the⁶⁶⁰ government in issuance of final seniority list granting seniority w.e.f. 19.04.1989 is in consonance with⁶⁸⁰ Rule 16 of 1977 Recruitment Rules. This decision is also in consonance with Rule 6⁷⁰⁰ of the 1957 Seniority Rules which specifically provide that where transfers are made at the request of the officer,⁷²⁰ the employee shall be placed below all the officers borne in that class in the transferred post. Before we conclude,⁷⁴⁰ we may also refer to another Division Bench judgment of the Karnataka High Court in which examined the Rule 16⁷⁶⁰ in the context of an undertaking given by the employee to work as a junior-most in the transferred post.⁷⁸⁰ The facts in our case are identical to the decision in in as much as the change of cadre occurred under the same⁸⁰⁰ Rule, and in fact, the employee was transferred to a similar post that is, the First Division Assistant.⁸²⁰ Further, the officer also gave an identical undertaking that he will occupy the junior-most position in the transferred post.⁸⁴⁰

Handwritten shorthand notes corresponding to the text on the left, including dates like 1977, 1989, 19.04.1989, and 1957, and various symbols and abbreviations used in shorthand.

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.



The principle governing transfers in government service has greater implications than mere placement of employees. It reflects a balance between administrative necessity and individual convenience. Transfers made in public interest arise from considerations such as maintaining efficiency of administration, equitable distribution of staff, meeting emergent requirements of a particular unit, or ensuring that public services are not disrupted. They are therefore treated as an incident of service, and the employee so transferred retains all his entitlements, including his seniority. This safeguard exists because the officer is not moving voluntarily but is being directed in the interests of the State. On the other hand, transfers at the request of the employee stand on a different footing. They are rooted in personal circumstances like health issues, family obligations, or preferences for location. While such grounds may be genuine and even compelling, they cannot override the larger administrative principle that seniority in a cadre is earned by continuous service in that cadre. If an employee were allowed to carry his previous seniority while entering a new unit on personal request, it would unfairly disturb the settled rights of those who have been serving there continuously. This is why the rules provide that request transferees must be placed below the junior-most in the new cadre.

This distinction also ensures discipline and order in public administration. Seniority is not only a matter of personal pride but directly affects promotions, pay scales, and career progression. Permitting request transferees to claim earlier seniority would create resentment and litigation among existing employees. The High Courts and the Supreme Court have consistently discouraged such practices, emphasizing that seniority cannot travel with an officer when the transfer is for his personal

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

Total Words: 1207

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.

Page No.1

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।

www.shorthanddictation.com

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।

www.shorthanddictation.com

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

www.shorthanddictation.com

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"

www.shorthanddictation.com

By Sir AV Kushwaha,

Krishna Shorthand Institute,

via online Telegram Class at 7355504435

(Increase your vocabulary:

Learn New and Important Words of the Matter)

Keep revising all new words learned.

Page No.2

1. **To fall into an error:** (phrasal verb) to make a mistake गलती करना
2. **Blurring:** (verb) (gerund) mixing or confusing two different things धुंधला करना/भ्रम पैदा करना
3. **Impugned:** (verb) (past participle) challenged or questioned the validity of something आक्षेप/चुनौती देना
4. **Equivalent:** (adjective/noun) equal in value, meaning, or significance समकक्ष/समान
5. **Distinction:** (noun) a difference or contrast between similar things भेद/अंतर
6. **Essential:** (adjective) absolutely necessary or extremely important आवश्यक/जरूरी
7. **Consequence:** (noun) a result or effect that follows from an action परिणाम/नतीजा
8. **Precedents:** (noun) (plural) previous legal cases used as examples for deciding similar cases पूर्व उदाहरण/मिसाल

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

9. Cited vs. Sited vs. Sighted:

◆ **Cited = Referenced / Quoted (उद्धृत किया)**

☞ The judgment was cited in the court.
(निर्णय अदालत में उद्धृत किया गया।)

◆ **Sited = Located / Placed (स्थित किया गया)**

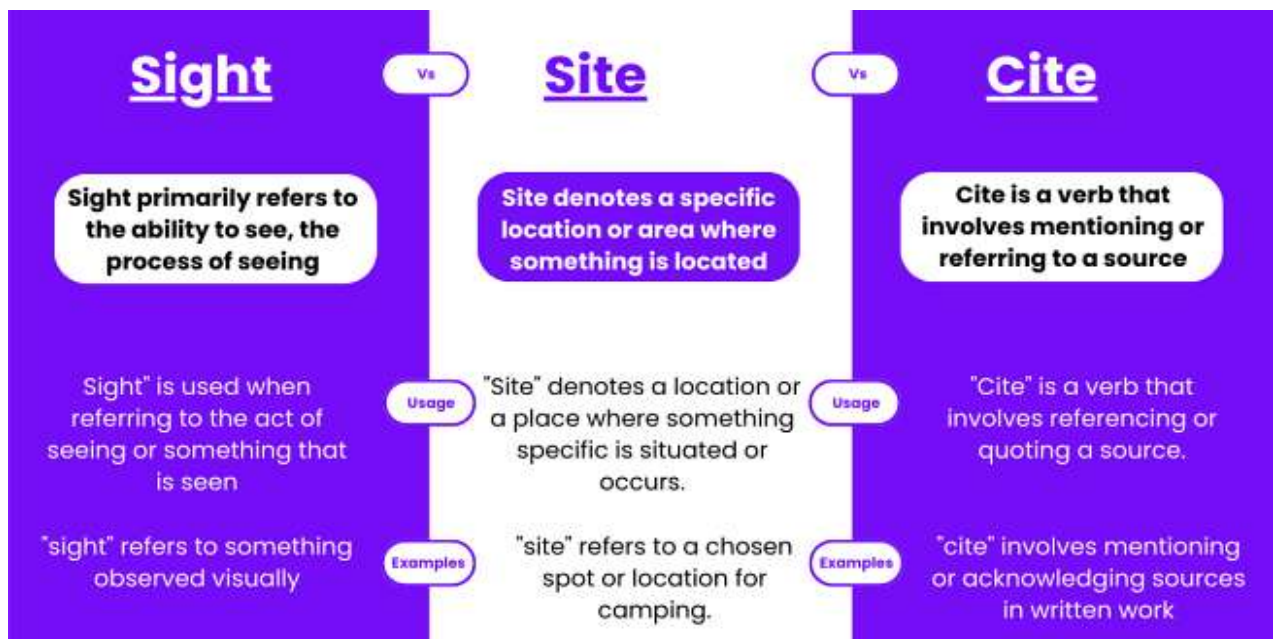
☞ The school is sited on the main road.
(विद्यालय मुख्य सड़क पर स्थित है।)

◆ **Sighted = Seen / Noticed (देखा गया)**

☞ The pilot sighted the enemy aircraft.
(पायलट ने दुश्मन के विमान को देखा।)

Memory Hook for Accuracy in Dictation:

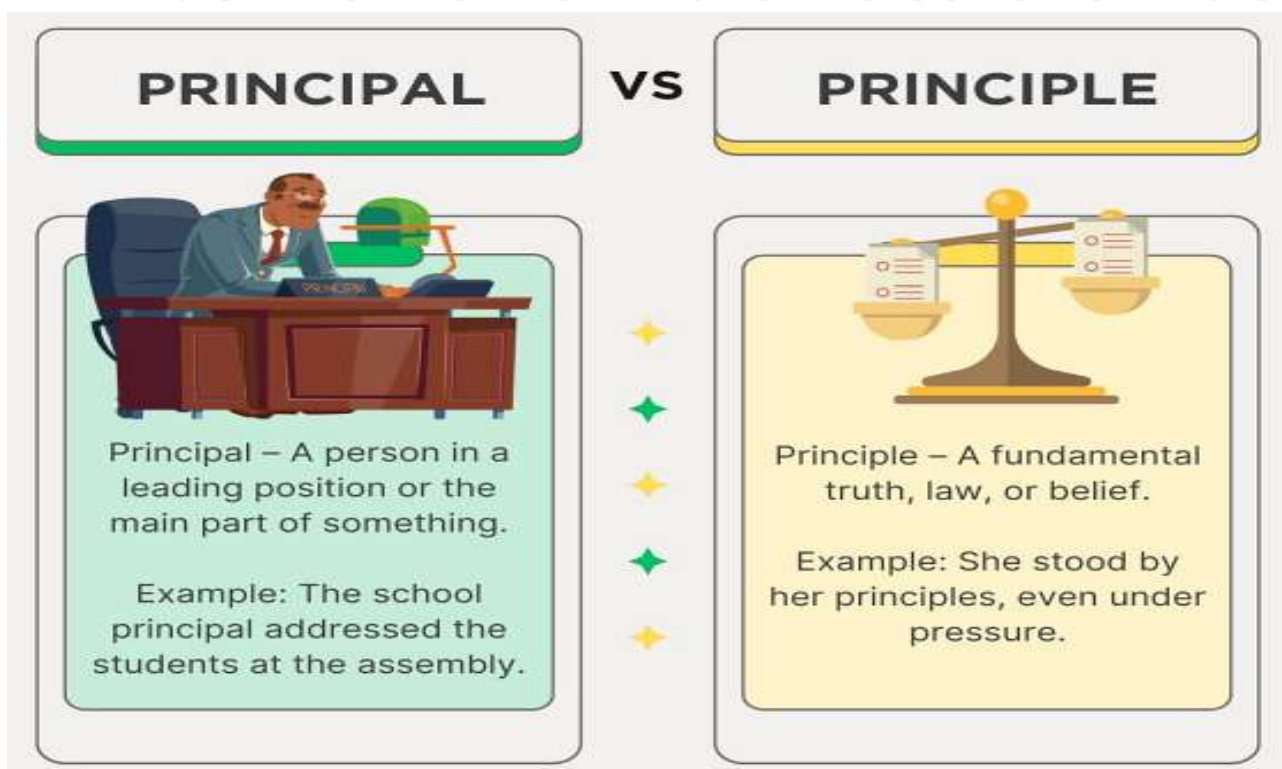
- Cited → law, books, reference.
- Sited → site, location, place.
- Sighted → sight, eyes, seeing.



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

10. Principle vs. Principal: (noun vs. noun/adjective)

Principle = fundamental rule; Principal = main/chief person सिद्धांत बनाम मुख्य



11. **Analysed:** (verb) (past participle) examined in detail विश्लेषण किया

12. **Pursuant to:** (preposition phrase) in accordance with or following के अनुसार/के तहत

Accuracy Mantra: This word is often followed by preposition 'to'.

13. **Unsustainable:** (adjective) not able to be maintained or justified टिकाऊ नहीं/अस्थायी

14. **Determinative:** (adjective) serving to determine or decide निर्णायक/फैसला करने वाला

15. **Consenting:** (verb) (gerund) agreeing or giving permission सहमति देना

16. **Seniority:** (noun) higher rank based on length of service वरिष्ठता/सीनियोरिटी

Accuracy Mantra: short form. Both are correct.

17. **w.e.f.:** (abbreviation) with effect from प्रभावी तिथि से

Accuracy Mantra: This phrase often occurs in dictation.

18. **In consonance with:** (preposition phrase) in agreement or harmony with के अनुरूप/के साथ तालमेल में

19. **Borne vs. Born:** (verb) **Borne** = carried/endured (past participle of bear); **Born** = given birth to सहन किया बनाम जन्म लिया

Accuracy Mantra: Try to understand from the following examples:

Born = Given birth to / Originated (जन्मा / उत्पन्न हुआ)

👉 He was born in Delhi. (वह दिल्ली में जन्मा था।)

Borne = Carried / Endured / Brought forth (वहन किया / सहा / ढोया गया)

👉 The cost will be borne by the company. (खर्च कंपनी द्वारा वहन किया जाएगा।)

Memory Hook for Dictation

- **Born** → Birth (जन्म)
- **Borne** → Burden (वहन करना / सहना)

20. Undertaking given: (noun phrase) a formal promise or commitment made वचन/प्रतिबद्धता दी गई

21. Occupy: (verb) to hold or fill a position पद धारण करना/कब्जा करना

Following words are to be written in capital letters:

1. COURT NAMES

Word/Phrase	Why?
Tribunal	Official court name
High Court, Supreme Court	Specific court institution
Division Bench	Official court division
Karnataka High Court	State court name

2. LEGAL RULES & DOCUMENTS

Word/Phrase	Why?
Rule	Specific legal rule
Rules	Official regulations
Recruitment Rules	Government rule set
Seniority Rules	Official regulations

3. JOB TITLES

Word/Phrase	Why?
First Division Assistant	Official position title

MEMORY TRICK:

"Courts, Rules, Jobs, Terms, Dates, Names" = All get capitals!

By Sir AV Kushwaha,

Krishna Shorthand Institute,

via online Telegram Class at 7355504435

(Increase your vocabulary:

Learn New and Important Words of the Matter)

Keep revising all new words learned.

Page No.3

1. **Implications:** (noun) (plural) consequences or results that follow from something निहितार्थ/परिणाम

2. **Convenience:** (noun) personal comfort or ease सुविधा/आसानी

3. **Efficiency:** (noun) ability to work well without waste कुशलता/दक्षता

4. **Equitable:** (adjective) fair and just समान/न्यायसंगत

5. **Ensuring vs. Insuring vs. assure:** (verb) Ensuring = making certain; Insuring = getting insurance सुनिश्चित करना बनाम बीमा कराना, Assure = To promise, guarantee, or make someone feel confident (आश्वासन देना / विश्वास दिलाना)

Assure, Ensure, and Insure



assure

(to say with confidence)



ensure

(to make certain)



insure

(to arrange compensation)

6. **Voluntarily:** (adverb) by choice, not forced स्वेच्छा से/अपनी मर्जी से
7. **Obligations:** (noun) (plural) duties or responsibilities दायित्व/कर्तव्य
8. **Preference:** (noun) liking one thing more than another प्राथमिकता/पसंद
9. **Genuine:** (adjective) real and sincere, not fake वास्तविक/सच्चा
10. **Compelling:** (adjective) very convincing or forcing attention बाध्यकारी/मजबूर करने वाला
11. **Override:** (verb) to set aside or overrule something अधिक्रमण करना/रद्द करना
12. **Accommodating:** (verb) (gerund) adjusting or making room for समायोजन करना/स्थान देना
13. **Especially vs. Specially:** (adverb) Especially = particularly; Specially = for specific purpose विशेष रूप से बनाम खास तौर पर
14. **Integrity:** (noun) honesty and moral principles अखंडता/ईमानदारी
15. **Important dimensions:** (noun phrase) significant aspects or factors महत्वपूर्ण आयाम/पहलू

16. **Suppression**: (noun) keeping something down or preventing सदमन/दबाना

Following words to be transcribed in capital with their analysis.

1. PROPER NOUNS - INSTITUTIONS

Word/Phrase	Why Capital?
First Division	Official job title
Assistant	
State	Government/country name
High Courts	Official court names
Supreme Court	Highest court name

2. SPECIFIC LEGAL DOCUMENT

Word	Why Capital?
Rule	Specific legal regulation

3. EMPHASIS/RESPECT

Word	Why Capital?
State	Shows respect for government

By Sir AV Kushwaha,

Krishna Shorthand Institute,

via online Telegram Class at 7355504435