

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.*

Note: For easier comprehension, we have divided the passages into two parts, each containing approximately 600 words. First, we have provided the text, followed by the outlines of all highlighted words/phrases, vocabulary, accuracy tips etc.

Difficulty Level: Normal

Note: This is first part.

Topic: Election Disqualification

Volume 1, Dictation No. 13

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

Respondent herein was elected as a member of Zila Parishad. The result of election was declared on 05.01.2001. An application was filed by respondent no. 2, Daulat Ram before the Deputy Commissioner, Shimla District alleging that as he, having been declared an encroacher within the meaning of the provisions of Sections 4 and 7 of the Himachal Pradesh Public Premises (Rent Recovery & Land Eviction) Act, 1971 was disqualified to hold the elected post and, thus, should not be allowed to continue therein. The Deputy Commissioner took cognizance of the said complaint and by reason of an order dated 04.06.2002 declared respondent no. 1 as disqualified for being chosen as a member of the Zila Parishad and consequently his election was set aside. It is not in dispute that a proceeding under the Himachal Pradesh Land Revenue Act was

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

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initiated against respondent no.1. He was held to be unauthorized occupant of a land measuring 13 biswas in terms of the provisions of the Himachal Pradesh Public Premises (Rent Recovery & Land Eviction) Act by the Collector, Sub-Division, Theog. The said order was confirmed by the Financial Commissioner of the Shimla Division by an order dated 06.8.1998. We will proceed on the basis that the said order has attained finality although there appears to be some dispute in relation thereto. Respondent no. 1 was declared to be an encroacher in the year 1998. He was directed to be ejected from the land in question. The notification for election of Zila Parishad by the State Election Commission under the Act was issued on 16.11.2000. As noticed hereinbefore, Respondent no. 1 was declared elected on 05.01.2001. In terms of the provisions of Article 243-O read with Section 163 of the Act, an election petition, therefore, was maintainable for setting aside his election. Disqualification as provided for under Article 243-F has been laid down in Section 122 of the Act. Section 175 of the Act provides for disqualification as one of the grounds upon which an election petition could be filed. Interpreting the aforementioned provisions, a Division Bench of the Himachal Pradesh High Court opined that the order dated 27.06.2002 passed by the Deputy Commissioner is not sustainable in law.

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Mr. J.S. Attri, learned AAG appearing on behalf of the appellants would submit that although the provisions of Section 163 are ordinarily required to be taken recourse to but having regard to the fact that in terms of sub-section (2) of Section 122 of the Act, the question as regards declaring a candidate as disqualified may arise not only before an election is held but also after the election process is over; and thus, whereas in the former case, it will be the Authorized Officer concerned who can determine the question of disqualification but in a case where processes are initiated after the election, the Deputy Commissioner alone would be the prescribed authority. If a candidate or a voter had the knowledge that the elected candidate was disqualified in terms of Section 122 of the Act, he may file an application.

It is well settled that a statutory provision should be read harmoniously in its entirety and no part thereof shall be read in isolation. Particularly it should be read in such manner as not to render any other part thereof ineffective and redundant.

The case concerns the disqualification of a Zila Parishad member who had been declared an encroacher under the Himachal Pradesh Public Premises (Rent Recovery & Land Eviction) Act, 1971 prior to the election. Proceedings were later initiated before the Deputy Commissioner, who set aside the election on the ground of disqualification.

Total Words:601s

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Outlines of all highlighted words and phrases.

Note: Adopt only those outlines which are better than yours.

elected

member of
Zila Parishad.

application

respondent no

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Deputy Commissioner

alleging that
having been

English Only

encroacher

within the

provisions

of Sections

Himachal Pradesh

Public Premises

Rent Recovery

Land Eviction

disqualified

and, thus

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Deputy Commissioner

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order dated 04.06.2002

respondent no. 1

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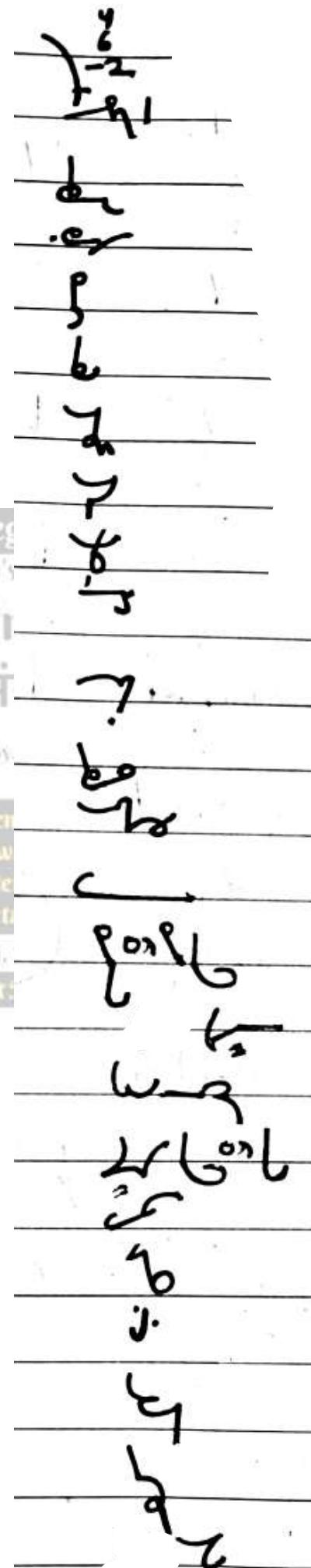
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on behalf of the appellants
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Difficulty Level: Normal

Note: This a part two.

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

Topic: Representations Before Chief Minister

Volume 1, Dictation No. 13

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

Various applications and representations on diverse subjects are received by the Chief Ministers of the States as the Head of the State and in respect of the Ministries under their control. Often such applications are directly addressed by members of the public to the Chief Minister. The Chief Minister then endorses the same to the concerned department so that the same may subsequently be followed up by the concerned department. When the Chief Minister is on tour in various parts of the State, representations and applications are given to him by various people who meet him. In the routine course, the Chief Minister endorses the same with a noting "please put up" and forwards the same to the

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concerned department. Such notation merely means that the concerned department should process the applications and representations lawfully and in accordance with certain prescribed procedure. While making such notations on the representations/applications so received, the Chief Minister does not analyse each and every case since this is to be done at the level of the concerned department which then scrutinizes the same in accordance with law. In our view, the notation is not even treated as a determination of eligibility or the merit of the concerned application. It is a routine notation made in the normal course and is really an action of forwarding to the concerned department the representations/applications received by the Chief Minister. The concerned department is then expected to examine the said representations/applications and decide the same on its own merits and in accordance with law. As rightly pointed out by learned Solicitor General as to how he treats the file, the nomenclature given to such matters are of matters of internal administration of the concerned department/corporation. Such an endorsement is purely administrative in nature and signifies only that the matter be processed in accordance with law and prescribed procedure. It does not reflect any assessment of merit, eligibility, or approval of the request. The responsibility of scrutiny and decision-making lies entirely with the competent

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department. Treating such routine notings as conferring favour or approval would undermine lawful administrative processes and unjustifiably reflect upon the functioning of the Chief Minister's office.

In our view, the observations and strictures made by the High Court and are extracted in paragraphs (supra) certainly reflects on the functioning of the office of the Chief Minister and day-today discharge of the duties of the Chief Minister. As rightly pointed out by learned Solicitor General, after the endorsement 'please put up', is made the file may or may not be approved by the concerned department and it is clear that the said notations are not approval of the contents of the representation and in our view, no other meaning could be taken. The observations/strictures made and the inference drawn by the High Court from the notation 'please put up' made by the Chief Minister are not warranted and are required to be expunged as rightly contended by learned Senior Counsel for the State of Maharashtra. The High Court has, in our view, erred in holding that by making a notation 'please put up' the applicants had blessings of the then Chief Minister. In our opinion, the civil appeal at the instance of the State of Maharashtra is maintainable inasmuch as the observations and strictures made by the High Court shall affect the working and functioning of the office of the Chief Minister of the State of Maharashtra.

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In case the submission of learned Senior Counsel is accepted, it would result in nullifying the mandatory maximum period beyond which a Government servant, who has ceased to hold the post, can occupy the official residence and to treat it, as if it is an ordinary residential accommodation allotted to a person. **Total Words: 624**

Total 601+624=1225

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

(English Only) By. A.V. Kushwaha

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(87, Sulem Sarai, Prayagraj, Uttar Pradesh, India)

(Contact No. 7355504435)

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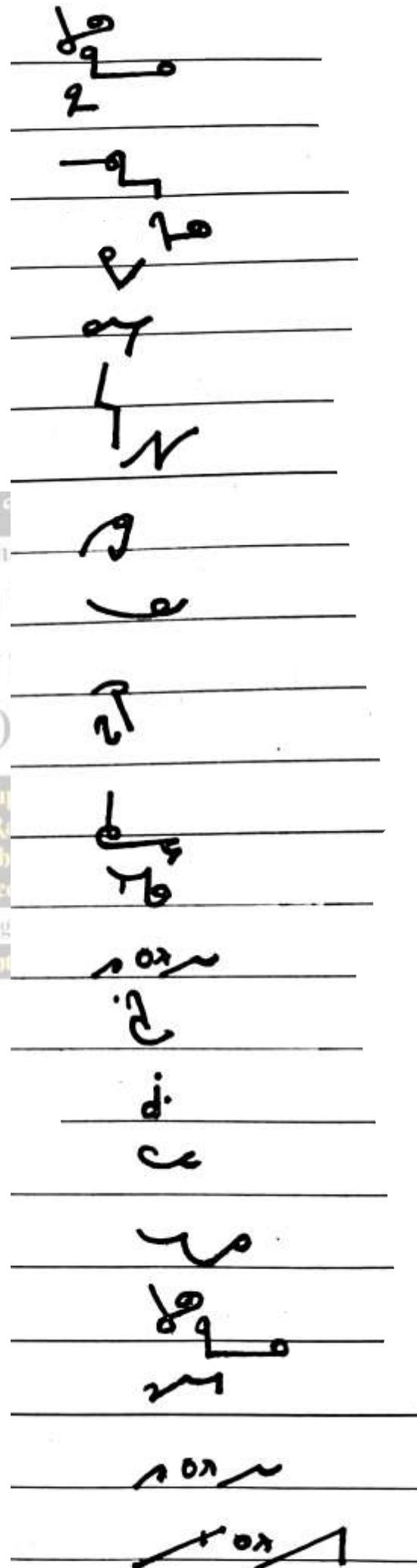
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(Increase your vocabulary:

Learn New and Important Words of the Matter)

Keep revising all new words learned.

Legal/General Matter (Legal Vocabulary Building)

- 1. Alleging:** (verb) (present participle) to claim or assert that someone has done something wrong, typically without proof आरोप लगाना / अभिकथन करना
- 2. Encroacher:** (noun) a person who illegally occupies or trespasses on land or property belonging to another अतिक्रमणकारी / अवैध कञ्जाधारी
- 3. Land Eviction:** (noun phrase) the legal process of removing someone from land or property they occupy भूमि से बेदखली / निष्कासन
- 4. Disqualified:** (verb) (past participle) / (adjective) declared ineligible or unfit to hold a position or participate अयोग्य घोषित / निरहित
- 5. Cognizance:** (noun) formal acknowledgment or recognition; judicial notice of a matter संज्ञान / न्यायिक ध्यान

6. Consequently: (adverb) as a result; therefore
परिणामस्वरूप / फलस्वरूप

7. Set aside: (phrasal verb) (past tense) to cancel, annul, or declare invalid (a judgment or decision) रद्द करना / निरस्त करना

8. Occupant: (noun) a person who resides in or occupies a place or property निवासी / कब्जाधारी

9. Measuring: (verb) (present participle) having a specified size or extent मापने वाला / माप का

10. Biswas: (noun) a traditional unit of land measurement in India (1 bigha = 20 biswas) बीसवां (भूमि माप की इकाई)

11. Attained: (verb) (past participle) reached or achieved; arrived at प्राप्त किया / हासिल किया

12. Finality: (noun) the state of being conclusive, decisive, or complete अंतिमता / निर्णायकता

13. Hereinbefore: (adverb) (legal term) in a preceding part of this document or text पूर्वक / इससे पहले (इसी दस्तावेज़ में)

14. Maintainable: (adjective) (legal term) capable of being upheld or supported in law; legally valid स्वीकार्य / विधिमान्य

15. Opined: (verb) (past tense) expressed an opinion, especially a formal or judicial one राय व्यक्त की / अभिमत दिया

16. Sustainable: (adjective) (legal context) capable of being maintained or upheld; defensible in law कायम रखने योग्य / टिकाऊ

17. Ordinarily: (adverb) usually; normally; in most cases सामान्यतः / आमतौर पर

18. Recourse to: (noun phrase) the act of turning to something for help or as a solution सहारा लेना / शरण लेना

19. As regards: (preposition phrase) concerning; with respect to के संबंध में / के विषय में

20. Process: (noun) (legal context) a series of actions or proceedings; also legal proceedings प्रक्रिया / कार्यवाही

21. Whereas: (conjunction) (legal usage) while on the contrary; in contrast; considering that जबकि / इसके विपरीत

22. Former: (adjective) the first of two things mentioned (as opposed to latter) पूर्वोक्त / पहला (दो में से)

23. Processes: (noun) (plural) procedures, proceedings, or series of actions प्रक्रियाएं / कार्यवाहियां

24. Statutory provision: (noun phrase) a rule or regulation established by statute or legislation वैधानिक प्रावधान / कानूनी धारा

25. Harmoniously: (adverb) in a way that is consistent, compatible, and without conflict सामंजस्यपूर्ण ढंग से / सुसंगत रूप से

26. Entirety: (noun) the whole of something; completeness संपूर्णता / समग्रता

27. To render: (verb) (infinitive) to cause to become; to make बना देना / कर देना

28. Ineffective: (adjective) not producing the desired result; not functioning properly अप्रभावी / निष्प्रभावी

29. Redundant: (adjective) unnecessary because it duplicates something else; superfluous अनावश्यक / निरर्थक

30. Concerns: (verb) (present tense, third person singular) relates to; is about संबंधित है / सरोकार रखता है

31. Encroacher: (noun) [repeated] a person who illegally occupies or trespasses on land or property
अतिक्रमणकारी / अवैध कब्जाधारी

LATER vs. LATTER - Elaborate Explanation with Examples

LATER

- **Part of speech:** Adverb / Adjective
- **Meaning:** At a time in the future; after the present or a specified time; coming after in time
- **Hindi:** बाद में / पश्चात्

Examples:

1. "I will call you **later** this evening." (समय के संदर्भ में - आज शाम को बाद में)
2. "The meeting was scheduled for 2 PM but was postponed to a **later** time." (भविष्य के किसी समय पर)
3. "He arrived **later** than expected." (प्रत्याशित समय के बाद)
4. "We can discuss this matter **later**." (भविष्य में किसी समय)

Accuracy Mantra for LATER: Think of "LATER" = "LATE + R" = relates to TIME (समय)

LATTER

- **Part of speech:** Adjective / Noun
- **Meaning:** The second of two things or people mentioned; nearer to the end; the last mentioned
- **Hindi:** उत्तरोक्त / दूसरा (दो में से) / अंतिम उल्लिखित

Examples:

1. "Between coffee and tea, I prefer the **latter**." (दो विकल्पों में से दूसरा - tea)
2. "He visited Delhi and Mumbai; the **latter** city impressed him more." (दूसरा शहर - Mumbai)
3. "In the document, provisions were mentioned regarding disqualification before and after election; in the **former** case the Authorized Officer decides, in the **latter** case the Deputy Commissioner decides." (पहली स्थिति में बनाम दूसरी स्थिति में)
4. "The company offers two plans: basic and premium. The **latter** is more expensive." (दूसरा प्लान - premium)

Accuracy Mantra for LATTER: Think of "LATTER" = "LATT + ER" = relates to **LAST** of **TWO** (दो में से अंतिम/दूसरा)

Key Differences:

LATER	LATTER
About TIME (समय)	About (क्रम/चयन) CHOICE/SEQUENCE
Means "after some time"	Means "the second of two"
Opposite: EARLIER	Opposite: FORMER
Example: "See you later"	Example: "Between A and B, I choose the latter"

Memory Trick:

- LATER has "ATE" (like "date" - time-related)
- LATTER has "ATT" (like "attention" to the last/second item mentioned)

By Sir AV Kushwaha,

Principal,

Krishna Shorthand Institute,

via online Telegram Class through 7355504435

(Increase your vocabulary:

Learn New and Important Words of the Matter)

Keep revising all new words learned.

Legal/General Matter (Legal Vocabulary Building)

- 1. Diverse:** (adjective) of different kinds or varied विविध, भिन्न-भिन्न
- 2. Endorses:** (verb) (present tense) to write a note or comment on a document and forward it पृष्ठांकन करना, टिप्पणी लिखकर आगे भेजना
- 3. Please put up:** (phrase) a routine administrative noting meaning "please process this matter" कृपया प्रस्तुत करें, कार्यवाही करें
- 4. Forwards:** (verb) (present tense) to send something to another person or department आगे भेजना, प्रेषित करना
- 5. Notation:** (noun) a note or comment written on a document टिप्पणी, संक्षिप्त लेख
- 6. Scrutinizes:** (verb) (present tense) to examine something carefully and critically सावधानीपूर्वक जांच करना, छानबीन करना

7. Eligibility: (noun) the state of being qualified or entitled to something पात्रता, योग्यता

8. Normal: (adjective) usual, regular, or ordinary सामान्य, साधारण

9. Nomenclature: (noun) a system of names or terminology used in a particular field नामपद्धति, नामकरण प्रणाली

10. Endorsement: (noun) a written note or approval on a document पृष्ठांकन, समर्थन

11. Processed: (verb) (past participle) to deal with something according to a procedure कार्यवाही की गई, प्रक्रिया में लाया गया

12. Reflect: (verb) to show, indicate, or express प्रतिबिंबित करना, दर्शाना

13. Entirely: (adverb) completely, fully पूर्णतया, पूरी तरह से

14. Competent: (adjective) having the legal authority or ability सक्षम, समर्थ

15. Notings: (noun) (plural) written comments or observations on files टिप्पणियां, लिखित नोट्स

16. Conferring: (verb) (present participle) to grant or bestow something प्रदान करना, देना

17. Undermine: (verb) to weaken or damage something gradually कमज़ोर करना, नुकसान पहुंचाना

18. Unjustifiably: (adverb) in a manner that cannot be justified or defended अनुचित रूप से, बिना औचित्य के

19. Strictures: (noun) (plural) severe criticism or censure कड़ी आलोचना, निंदात्मक टिप्पणी

20. Extracted: (verb) (past participle) to remove or take out something निकाला गया, उद्धृत किया गया

21. Supra: (adverb) (Latin) mentioned above or earlier ऊपर उल्लिखित, पूर्वोक्त

22. Day-to-day: (adjective) relating to daily routine activities दैनिक, रोजमरा का

23. Endorsement: (noun) a written note or approval on a document पृष्ठांकन, समर्थन

24. Inference: (noun) a conclusion drawn from evidence or reasoning निष्कर्ष, अनुमान

25. Warranted: (adjective) justified or authorized उचित, न्यायसंगत

26. Expunged: (verb) (past participle) to remove or erase completely हटाया गया, मिटाया गया

27. Erred: (verb) (past tense) to make a mistake or be incorrect गलती की, त्रुटि की

28. Inasmuch as: (conjunction) to the extent that; because चूंकि, क्योंकि, इस हद तक कि

29. Affect vs. Effect:

- **Affect:** (verb) to influence or produce a change in something प्रभावित करना
- **Effect:** (noun) a result or consequence; (verb) to bring about परिणाम, प्रभाव; लागू करना

30. Nullifying: (verb) (present participle) to make something legally invalid or ineffective निरस्त करना, शून्य करना

31. Mandatory: (adjective) required by law or rules; compulsory अनिवार्य, आवश्यक

32. Ceased vs. Seized: (Accuracy Mantra)

- **Ceased:** (verb) (past tense) to stop or come to an end समाप्त हो गया, बंद हो गया Example: "The officer ceased to hold the post means he stopped holding that position."

- **Seized:** (verb) (past tense) to take hold of forcibly or suddenly; to confiscate जब्त किया, पकड़ा Example: "The police seized the illegal documents from the accused."

33. Treat: (verb) to regard or consider something in a particular way मानना, व्यवहार करना

34. Ordinary: (adjective) normal, usual, or common सामान्य, साधारण

35. Residential: (adjective) relating to residence or housing आवासीय, निवासीय

36. Accommodation: (noun) a place to live or stay आवास, निवास स्थान

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