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EDITORIAL 01

Option or stratagem?: On Governors, powers and Bills

The Supreme Court should limit Governor's power to refer Bills to President without cause

The manner in which some Governors have been dealing with legislation passed by the State legislatures is a **travesty** of the Constitution. After the Supreme Court of India intervened in the case of Punjab and raised questions about the action or inaction of Governors in Tamil Nadu and Telangana, it was believed that **incumbents** in Raj Bhavans would end their **deliberate** inaction on Bills passed by the Assemblies. However, it appears that on finding that their supposed **discretion** to sit indefinitely on the Bills or withhold assent to them has been significantly **curtailed**, Governors have taken to the **stratagem** of sending Bills they disapprove of to the President for consideration. When the President refuses assent, based on the advice of the Union government, there is no recourse left for the State legislatures. This has given rise to the question whether the provision for reservation of some Bills for the President's consideration is being misused for **subverting** federalism. In other words, the Centre is given a



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contrived veto over State laws — something not **envisaged** in the Constitution. This is precisely the question that Kerala has raised in its writ petition before the Court, challenging the Governor's action in sending the Bills to the President and the latter's refusal of assent. It is now quite an appropriate time for the Court to adjudicate the question and place limitations on the use of the option given to Governors.

It is worth recalling that in the Punjab case, the Court ruled that Governors do not have a veto over Bills, and that whenever they withheld assent, they were bound to return the Bills to Assembly; and if the Assembly adopted the Bills, with or without amendments, they were bound to grant assent. In the case of Telangana, the Court observed that Governors were expected to act on Bills “as soon as possible”, underscoring that the phrase had significant constitutional content and that constitutional functionaries would have to bear this in mind. It is quite surprising that the Governors of West Bengal and Kerala have learnt nothing from these judgments and observations. Seven Bills from Kerala that may not normally require the President's assent were sent up to Rashtrapati Bhavan; four were refused assent without any reason being assigned. The inaction on these Bills range from 23 to 10 months. West Bengal has also challenged the inaction on some Bills, a few of which may have been referred to the President. The issue **transcends** the political considerations that may have

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inspired the action or inaction on the part of the Governor. At its core, it concerns the question whether the Constitution permits such indirect central intervention in the legislative domain of the States.

SUMMARY

The Supreme Court of India should limit Governors' power to refer Bills to the President without cause, as Governors have been using the option to send disapproving Bills to the President for consideration. This has led to questions about whether the provision for reservation of some Bills for the President's consideration is being misused for subverting federalism, or if the Centre is given a contrived veto over State laws. Kerala has challenged the Governor's action in sending the Bills to the President and the latter's refusal of assent. The Court has ruled that Governors do not have a veto over Bills and are bound to return them to the Assembly. However, Governors of West Bengal and Kerala have not learned from these judgments, with seven Bills from Kerala sent to Rashtrapati Bhavan and four refused assent without any reason.



Vocabulary

1. Travesty

Synonyms: Parody, mockery, distortion

Antonyms: Tribute, homage, respect

2. Incumbents

Synonyms: Holders, occupants, current office-bearers

Antonyms: Challengers, contenders, successors

3. Deliberate

Synonyms: Intentional, purposeful, planned

Antonyms: Accidental, hasty, unintentional

4. Discretion

Synonyms: Prudence, judgment, caution

Antonyms: Recklessness, imprudence, indiscretion

5. Curtailed

Synonyms: Reduced, shortened, decreased

Antonyms: Extended, increased, lengthened

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6. Stratagem

Synonyms: Plan, scheme, tactic, maneuver, ruse

Antonyms: Openness, honesty, candor, straightforwardness

7. Subverting

Synonyms: Undermining, overthrowing, sabotaging

Antonyms: Supporting, upholding, strengthening

8. Contrived

Synonyms: Artificial, fabricated, forced

Antonyms: Natural, spontaneous, genuine

9. Envisaged

Synonyms: Artificial, fabricated, forced

Antonyms: Natural, spontaneous, genuine

10. Transcends

Synonyms: Eclipse, outstrip, overstep

Antonyms: Be inferior, fail, fall behind, lose, surrender

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EDITORIAL 02

Impatience with jobs: On the Budget speech

Union Budget's stress on employment is good; a lot more needs to be done

One of the biggest pivots in this Budget speech has been a shift in the stance on employment and the sharply higher frequency of mentions it received. 'Employment' was the central theme of the Budget, that placed the Prime Minister's package to facilitate jobs and skills on top of its list of **soothing** promises. The proposed ₹2 lakh crore package seeks to help 4.1 crore youth over five years with three employment linked-incentive schemes — two of which encourage hiring of fresh entrants in the job market for at least one year with subsidies, while a third attempts to incentivise companies to scale up hiring beyond their previous year's worker count. To bridge the gap between skill sets and available job roles, a **spruce-up** of 1,000 industrial training institutes with courses designed in **tandem** with industry has been promised, along with an **ambitious** internship programme for a crore youth in 500 top companies. The details of this intern placement programme will be fleshed out, but



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the Centre has promised to bear a bulk of the stipend involved. Firms can join the scheme on a voluntary basis and tap their mandatory corporate social responsibility funds for the remaining costs. The primacy assigned to tackling the jobs crisis, that the Opposition sought to highlight in the electoral battle, marks an **acknowledgement** of an issue that the government has otherwise sought to paper over.

To be clear, critiques of jobless growth are not unique to this government — even the UPA had faced similar **barbs**. Part of the problem has been investors' preference for capital-intensive investments, not in the least because India's labour laws are yet to catch up with the rest of the **liberalised** economy, acting as a disincentive against creating larger units with more hands on deck. The distress in recent years has perhaps been more acute, as the informal sector that accounts for a bulk of India's jobs also took a hit from successive shocks such as demonetisation, the GST rollout and COVID-19 pandemic lockdowns. Plans to **spur** private investments through incentives have focused on production levels rather than new jobs. With even rating majors terming India's high youth unemployment as a structural threat to its long-term growth potential, the results of this package of good intent that officials

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believe can **nudge** hiring plans at the margins, will be watched. But for the broader employment outlook to pick up, the government must do more, including filling lakhs of vacancies in its own ranks **expeditiously**. Fostering conditions to boost consumption is most critical, as the private sector shall neither feel the need to expand capacity, nor hire more people without that **trigger** just to avail a subsidy.

SUMMARY

The Union Budget's focus on employment has been shifted, with the Prime Minister's package to facilitate jobs and skills being a central theme. The proposed ₹2 lakh crore package aims to help 4.1 crore youth over five years with three employment linked-incentive schemes. Two schemes encourage hiring of fresh entrants in the job market for at least one year with subsidies, while a third attempts to incentivize companies to scale up hiring beyond their previous year's worker count. The government has promised to bear a bulk of the stipend involved, and firms can join the scheme on a voluntary basis. Critics argue that the government has not addressed the issue of jobless growth, which has been exacerbated by investors' preference for capital-intensive investments and the impact of shocks such as demonetisation, GST rollout, and COVID-19 pandemic lockdowns.

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Vocabulary

1. Soothing

Synonyms: Calming, comforting, relaxing

Antonyms: Agitating, disturbing, irritating

2. Spruce

Synonyms: Neat, tidy, trim

Antonyms: Messy, scruffy, disheveled

3. Tandem

Synonyms: Together, Concurrently, simultaneously

Antonyms: Separately, Independently, apart

4. Ambitious

Synonyms: Aspiring, determined, motivated

Antonyms: Indifference, apathetic, lazy



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5. Acknowledgements

Synonyms: Recognition, appreciation, credit

Antonyms: Disregard, neglect, ignorance

6. Barbs

Synonyms: Taunts, Jabs, Insults

Antonyms: Compliment, praises, admiration

7. Liberalised

Synonyms: Freed, relaxed, deregulated

Antonyms: Restricted, regulated, controlled

8. Spur

Synonyms: Encourage, motivate, prompt, stimulate

Antonyms: Deter, discourage, hinder, restrain

9. Nudge

Synonyms: Poke, push, shove, jolt

Antonyms: Dissuade, Discourage, hinder, restrain

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10. Expeditiously

Synonyms: Slowly, inefficiently, sluggishly

Antonyms: Quickly, efficiently, promptly

11. Trigger

Synonyms: Activate, initiate, stimulate, spark

Antonyms: Dampen, suppress, quench, stifle

