

**TEXT SUMMARIZATION OF LEGAL DOCUMENTATION WITH
EXPLAINABILITY FEATURE**



UNIVERSITI TEKNIKAL MALAYSIA MELAKA

TEXT SUMMARIZATION OF LEGAL DOCUMENTATION WITH
EXPLAINABILITY FEATURE

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This report is submitted in partial fulfillment of the requirements for the
Bachelor of Computer Science (Artificial Intelligence) with Honours.

UNIVERSITI TEKNIKAL MALAYSIA MELAKA

FACULTY OF INFORMATION AND COMMUNICATION TECHNOLOGY
UNIVERSITI TEKNIKAL MALAYSIA MELAKA

2024

DECLARATION

I hereby declare that this project report entitled

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is written by me and is my own effort and that no part has been plagiarized

without citations.

STUDENT :  Date : 23/08/2024
(TEH XIAO THONG)

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I hereby declare that I have read this project report and found
this project report is sufficient in term of the scope and quality for the award of
Bachelor of Computer Science (Artificial Intelligence) with Honours.

SUPERVISOR :  Date : 23/08/2024
(TS. DR. HALIZAH BINTI BASIRON)

DEDICATION

I dedicate this work to my esteemed supervisor, Ts. Dr. Halizah Binti Basiron, whose invaluable guidance and expertise have been instrumental throughout this endeavour.

I am sincerely grateful to my academic advisor, Assoc. Prof. Gs. Dr. Asmala Bin Ahmad, for his unwavering support and insightful advice during the completion of this project. To my friends and family, your continuous encouragement and understanding have provided me with resolute strength. This achievement is not just mine, but ours to celebrate.



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ABSTRACT

Summarizing lengthy documents, especially in the legal domain, poses significant challenges for both humans and automated systems. Human efforts often entail considerable time and effort while automated systems sometimes falter in decision-making, leading to ambiguity in the generated summaries. This project explores the use of text summarization in legal documentation, coupled with an explainability feature. It addresses the challenges of condensing lengthy legal texts and improving transparency in automated summarization systems. The project involves gathering legal documents, developing a BART summarization model, and integrating explainability within the system, which is visualizing attention mechanism. The system which has been deployed on web-based application is the final product of this project. The system performance, that includes BERTScore, cosine similarity, and ROUGE score between human-generated and system-generated summaries, and evaluation by target users, lead to several engaging insights on legal summarization. The model demonstrated moderate performance where the user feedback indicated satisfaction with its functionality but highlighted the need for user interface improvements. Key strengths of the model include the system's explainability that is crucial for legal applications. Future improvements suggested including refining model training, enhancing the user interface, and adding features like adjustable summary lengths and language translation. The project contributes valuable insights to artificial intelligence and natural language processing with potential for further research and development.

ABSTRAK

Meringkaskan dokumen-dokumen panjang, terutamanya dalam bidang undang-undang, memberikan cabaran besar kepada manusia dan sistem automatik. Usaha manusia sering melibatkan masa dan usaha yang besar manakala sistem automatik kadang-kadang teragak dalam membuat keputusan, menyebabkan kekaburan dalam ringkasan yang dihasilkan. Projek ini meneroka penggunaan ringkasan teks dalam dokumen undang-undang, disertakan dengan ciri kejelasan. Ia mengatasi cabaran dalam meringkaskan teks undang-undang yang panjang dan meningkatkan ketelusan dalam sistem ringkasan automatik. Projek ini melibatkan pengumpulan dokumen undang-undang, membangunkan model peringkasan BART, dan mengintegrasikan penjelasan dalam sistem, iaitu memvisualisasikan mekanisme perhatian. Sistem yang telah dikerahkan dalam aplikasi web adalah produk akhir projek ini. Prestasi sistem, yang termasuk BERTScore, kesamaan kosinus, dan skor ROUGE antara ringkasan yang dihasilkan oleh manusia dan sistem, serta penilaian oleh pengguna sasaran, memberikan beberapa pandangan menarik mengenai peringkasan undang-undang. Model ini menunjukkan prestasi sederhana di mana maklum balas pengguna menunjukkan kepuasan dengan fungsinya tetapi menekankan perlunya penambahbaikan antara muka pengguna. Kekuatan utama model ini termasuk penjelasannya yang penting untuk aplikasi undang-undang. Penambahbaikan masa depan yang dicadangkan termasuk memperhalusi latihan model, meningkatkan antara muka pengguna, dan menambah ciri seperti panjang ringkasan yang boleh disesuaikan dan penterjemahan bahasa. Projek ini memberikan pandangan berharga kepada kecerdasan buatan dan pemrosesan bahasa semula jadi dengan potensi untuk penyelidikan dan pembangunan lanjut.

TABLE OF CONTENTS

	PAGE
DECLARATION.....	III
DEDICATION.....	IV
ACKNOWLEDGEMENTS.....	V
ABSTRACT	VI
ABSTRAK	VII
TABLE OF CONTENTS.....	VIII
LIST OF TABLES	XII
LIST OF FIGURES	XIII
LIST OF ABBREVIATIONS	XV
LIST OF ATTACHMENTS.....	XVII
CHAPTER 1: INTRODUCTION.....	1
1.1 Introduction.....	1
1.2 Problem Statement	1
1.3 Objective	2
1.4 Project Scope	2
1.5 Project Significance	3
1.6 Expected Output.....	3
1.7 Report Organizations	3

1.8	Summary	5
CHAPTER 2: LITERATURE REVIEW AND PROJECT METHODOLOGY . 6		
2.1	Introduction.....	6
2.2	Facts and Findings	6
2.2.1	Domain	6
2.2.2	Existing System	7
2.2.3	Technique	11
2.3	Project Methodology.....	16
2.4	Project Requirements	19
2.4.1	Software Requirement	19
2.4.2	Hardware Requirement.....	19
2.4.3	Other Requirements	20
2.5	Project Schedule and Milestones	20
2.6	Summary	20
CHAPTER 3: REQUIREMENT ANALYSIS..... 24		
3.1	Introduction.....	24
3.2	Problem Analysis	24
3.3	Requirement Analysis	26
3.3.1	Data Requirement	26
3.3.2	Functional Requirement.....	27
3.3.3	Non-functional Requirement	28
3.3.4	Other Requirement.....	29
3.4	Summary	30
CHAPTER 4: DESIGN		31

4.1	Introduction.....	31
4.2	High-Level Design.....	31
4.2.1	System Architecture for Expert System/DSS/Simulation	31
4.2.2	User Interface Design for expert system/DSS/simulation	35
4.3	AI Component Design	36
4.3.1	Dataset	36
4.3.2	BART Model	37
4.3.3	AI Techniques.....	42
4.4	Software or Hardware Design (if applicable)	46
4.5	Summary.....	46
	CHAPTER 5: RESULTS AND DISCUSSION	47
5.1	Introduction.....	47
5.2	Evaluation of AI Techniques Used in the Project.....	47
5.2.1	Techniques	47
5.2.2	Applications	50
5.3	Testing of Functional Requirement	51
5.4	Testing of Non-Functional Requirement	55
5.5	Summary.....	59
	CHAPTER 6: CONCLUSION.....	63
6.1	Observation on Weakness and Strengths.....	63
6.2	Propositions for Improvement	64
6.3	Project Contribution.....	64
6.4	Summary	65

REFERENCES.....	66
APPENDIX A: 20 EXAMPLES OF TRAINING DATA SET.....	69
APPENDIX B: 10 EXAMPLES OF TESTING DATA SET.....	89
APPENDIX C: TRAINING CODE.....	99
APPENDIX D: TESTING CODE	101
APPENDIX E: XAI CODE SNIPPET	103
APPENDIX F: USER MANUAL.....	105



LIST OF TABLES

	PAGE
Table 2.1 Summary of Reviewed System	9
Table 2.2 Summary of Reviewed Techniques.....	14
Table 2.3 Project Activities and Milestones.....	21
Table 5.1 Test Case Table.....	60

اونيورسيتي تيكنيكل مليسيا ملاك

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LIST OF FIGURES

	PAGE
Figure 2.1 Cross-Industry Standard Process for Data Mining (CRISP-DM) Diagram (Tounsi et al., 2020)	16
Figure 2.2 Gantt Chart	23
Figure 3.1 Activity Diagram of Human-generated Summary	24
Figure 3.2 Activity Diagram of System-generated Summary	25
Figure 3.3 Activity Diagram of Project System.....	27
Figure 4.1 System Architecture Diagram	31
Figure 4.2 Transformer Architecture Diagram (Vaswani et al., 2017).....	32
Figure 4.3 BART Architecture Diagram (Lewis et al., 2019)	33
Figure 4.4 Self-Attention Mechanism Architecture (Vaswani et al., 2017)	34
Figure 4.5 Mockup Interface of Home Screen.....	35
Figure 4.6 Mockup Interface of Result Page	36
Figure 4.7 Example of Original Text of Legal Document	37
Figure 4.8 Example of Original Text of Legal Document	37
Figure 4.9 Code Snippet for Lightning Model Initialization	38
Figure 4.10 Code Snippet for Freeze Embedding Layers Function	38
Figure 4.11 Code Snippet for Forward Pass Function	38
Figure 4.12 Code Snippet for Optimizer Function	39
Figure 4.13 Code Snippet for Training Step Function	39
Figure 4.14 Code Snippet for Validation Step Function	39
Figure 4.15 Code Snippet for Text Generation Function.....	40
Figure 4.16 Code Snippet for Freeze Parameters Function.....	40
Figure 4.17 Code Snippet for PyTorch Lightning Data Module Initialization ..	40
Figure 4.18 Code Snippet for Data Preparation Function.....	40

Figure 4.19 Code Snippet for Sentence Encoding Function.....	41
Figure 4.20 Code Snippet for Data Loader Creation (Training Data) Function	41
Figure 4.21 Code Snippet for Data Loader Creation (Validation Data) Function	41
Figure 4.22 Code Snippet for Data Loader Creation (Testing Data) Function..	41
Figure 4.23 Code Snippet for Token Shifting Function	41
Figure 4.24 Code Snippet for Sentences Encoding Function	42
Figure 4.25 Flowchart of Model Training Process.....	43
Figure 4.26 Flowchart of Model Testing Process	44
Figure 4.27 Flowchart of Explainability Feature	45
Figure 5.1 Precision, Recall, and F1-Score of Generated	48
Figure 5.2 Cosine Similarity between Reference Summary and Generated	
Summary, and the Overall Accuracy based on Cosine Similarity	49
Figure 5.3 ROUGE Score between Reference Summary and Generated	
Summary, and the Average ROUGE Score.....	50
Figure 5.4 Pie Chart of Target Users	51
Figure 5.5 Pie Chart of Experience Studying or Working in Legal Fields.....	52
Figure 5.6 Pie Chart of Frequency Dealing with Legal Case Documents.....	52
Figure 5.7 Pie Chart of Experience in Using Text Summarization Tools for Legal	
Case Documents	53
Figure 5.8 Bar Chart of How Accurate the Users Find the Summaries Generated	
by the System.....	53
Figure 5.9 Bar Chart of the Importance of Highlighted Words.....	54
Figure 5.10 Bar Chart of the Users' Understanding of the Legal Documents by	
only Reading the Generated Summaries	54
Figure 5.11 Bar Chart of Easiness of Navigation through the System.....	55
Figure 5.12 Bar Chart of the Helpfulness of the Briefing and Explanation	56
Figure 5.13 Bar Chart of Rating on Learning to Use the System.....	56
Figure 5.14 Bar Chart of Visual Appeal Level of User Interface	57
Figure 5.15 Bar Chart of Information Presentation.....	57
Figure 5.16 Bar Chart of Rating on the Font Size, Type, and Content Layout .	58

LIST OF ABBREVIATIONS

FYP	-	Final Year Project
XAI	-	Explainable Artificial Intelligence
NLP	-	Natural Language Processing
AI	-	Artificial Intelligence
TF-IDF	-	Term Frequency-Inverse Document Frequency
ROUGE	-	Recall-Oriented Understudy for Gisting Evaluation
LCS	-	Longest Common Subsequence
FFNN	-	Feed Forward Neural Networks
LSTM	-	Long Short-Term Memory
SSE	-	Similarity based on Sentence Embeddings
CNN	-	Convolutional Neural Networks
MMR	-	Maximal Marginal Relevance
BART	-	Bidirectional and Auto-Regressive Transformers
BERT	-	Bidirectional Encoder Representations from Transformers
seq2seq	-	sequence to sequence
RNN	-	Recurrent Neural Network
LCSTS	-	Large scale Chinese Short Text Summarization
LSA	-	Latent Semantic Analysis
GPT	-	Generative Pre-trained Transformer
LIME	-	Local Interpretable Model-agnostic Explanations

CRISP-DM	-	Cross-Industry Standard Process for Data Mining
NLTK	-	Natural Language Toolkit
CUDA	-	Compute Unified Device Architecture
GPU	-	Graphics Processing Unit
PDF	-	Portable Document Format
UI	-	User Interface
UX	-	User Experience



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LIST OF ATTACHMENTS

		PAGE
Appendix A	20 Examples of Training Data	69
Appendix B	10 Examples of Testing Data	89
Appendix C	Training Code	99
Appendix D	Testing Code	101
Appendix E	XAI Code Snippet	103
Appendix F	Simple User Guide	105

اونيورسيتي تيكنيكل مليسيا ملاك

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CHAPTER 1: INTRODUCTION

1.1 Introduction

Reviewing legal documents such as supreme court case documents often require specialized knowledge and reading through the entire document to capture the key information is time consuming. As the volume of legal documents increases, it becomes crucial to extract essential details without delving into the entire content. Hence, summarization provides a solution by providing flexibility and convenience to readers. In addition, explainable artificial intelligence (XAI) can ensure the system not only produces concise summaries, but also provides transparent justifications for the decisions made, which enhance trust and comprehension for legal professionals.

1.2 Problem Statement

Legal professionals often struggle with obstacles when driving through documentations which are time and effort. Reading and comprehending pages of documents can be a cumbersome process, which might lead to potential oversights or missed critical details. Moreover, clear explanations are necessary and crucial behind automated summarization, where transparency and accountability are paramount.

This project is aimed to develop a system which can summarize the legal documentation with suitable explanation. The system must ensure the generated summaries accurately capture the key points of original document and provide clear rationale for the inclusion of specific information.

1.3 Objective

This project embarks on the following objectives:

1. To develop a text summarization model for legal case documentation.
2. To design an XAI model for the summarization result explainability.
3. To create a user-friendly web-based application for the whole model.

1.4 Project Scope

The scopes involved in this project are as below with brief explanation:

1. Target Users

- i. Legal Professionals (included judges, magistrates, advocates, attorneys, and university lecturers)
- ii. University Students (especially law students)

2. Project Modules

i. Text Summarization Model

Collect and preprocess a diverse legal document dataset, implement a legal-specific NLP summarization algorithm using deep learning, and iteratively refine it for optimal performance.

ii. XAI (Explainable Artificial Intelligence) Model

XAI is an umbrella term for a range of techniques, algorithms, and methods, which accompany outputs from Artificial Intelligence (AI) systems with explanations (Norkute, 2021). Research and implement suitable XAI techniques such as visualizing attention mechanism for legal text summarization, develop an interpretable framework for generating explanations, ensure user-friendly explanations for legal professionals, and validate and fine-tune the model based on user feedback.

iii. Web-based Application

Design a user-friendly interface, implement the backend system for document uploads, summarization, and explanation generation, integrate the text summarization and XAI models into the application, conduct usability testing, and provide documentation for user assistance.

1.5 Project Significance

Users such as legal professionals and university students, especially those who study law will get benefits from the project. For legal professionals, this project helps in case law analysis, legal research, preparation for court proceedings, and teaching and learning. It also acts as a powerful aid in university students' academic endeavors such as study aid, research assistance, exam preparation, time management, and legal principles understanding.

In short, text summarization model generates summaries of legal documents which helps in time saving while explainable artificial intelligence (XAI) provides suitable explanations that improve users' understanding of the documents. A user-friendly web-based application allows users to use the application in simple and effective way.

1.6 Expected Output

This project aims to deliver a robust text summarization model tailored for legal documents for enhancing efficiency in condensing extensive texts without sacrificing accuracy or transparency. It includes the integration of an XAI model for transparent explanation and development of a user-friendly application for whole system combination. Rigorous testing and feedback from readers are essential for validating the process and ensuring the effectiveness of the developed application.

1.7 Report Organizations

Chapter 1: Introduction

This chapter introduces the project background briefly, followed by the problem statement highlighting issues motivating the project. The project objectives are outlined, alongside the project scope including the research domain and experimental setup. This chapter also discusses the project's contribution and expected benefits. Lastly, it outlined the report organization which summarizes each chapter's content.

Chapter 2: Literature Review and Project Methodology

This chapter provides a preview of the literature review and project methodology. It identifies the project's domain and summarizes existing systems and

techniques reviewed, with explanations and references. The selected approach and methodology, along with project requirements, are described briefly. Additionally, the project schedule and milestones are outlined. Finally, the chapter is summarized, highlighting the next activities to be developed.

Chapter 3: Requirement Analysis

This chapter introduces the requirement analysis phase, outlining problem analysis, data, functional, and non-functional requirements. It describes input interfaces, database contents, system functions, and performance criteria. The chapter concludes with a summary and explanation of the next steps.

Chapter 4: Design

This chapter outlines the design phase, covering high-level design, user interface (UI), database, AI component, and software or hardware design. It includes refining system architecture, navigation, input and output design, database schema, AI techniques, and software/hardware specifications. The chapter concludes with a summary and explanation of the next steps.

Chapter 5: Results and Discussion

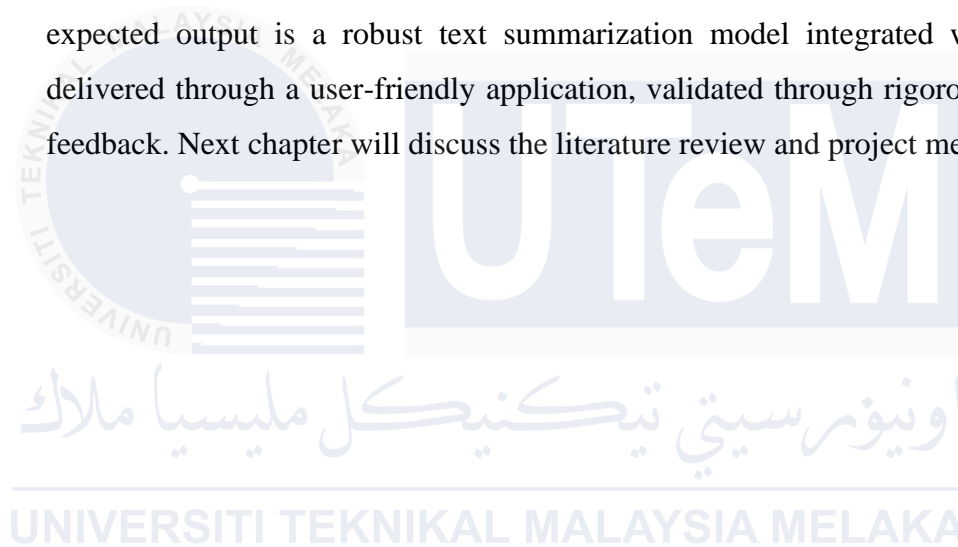
This chapter presents the results and discussions, beginning with an overview of the testing phase and strategy. It evaluates the AI techniques used, focusing on performance metrics specific to each technique. Functional requirements testing is explained, including test case identification and documentation. The chapter concludes with a summary and outlines the next steps in the project.

Chapter 6: Conclusion

This chapter discusses the project's strengths and weaknesses, offering suggestions for improvement. It highlights the project's contribution and provides guidance on accessing the user manual. The chapter concludes by summarizing if the project successfully meets its set objectives, ending with final remarks.

1.8 Summary

This project aims to develop a text summarization system which utilizes explainable artificial intelligence (XAI) tailored for legal professionals and university students studying law. XAI is to provide transparent justifications for the summarization decisions for enhancing trust and comprehension. The objectives include developing a text summarization model, designing an XAI model for explainability, and creating a user-friendly web-based application. The project's significance is mainly in time saving and understanding improvements for users by generating concise summaries of legal documents with clear explanations. The expected output is a robust text summarization model integrated with XAI and delivered through a user-friendly application, validated through rigorous testing and feedback. Next chapter will discuss the literature review and project methodology.



CHAPTER 2: LITERATURE REVIEW AND PROJECT METHODOLOGY

2.1 Introduction

In this chapter, the existing body of research surrounding the central themes of this project will be explained by exploring the key concepts, theories, and empirical findings to contextualize the investigation. This section aims to synthesize and critique relevant literature, identify gaps and debates that inform the project objectives. Subsequently, the project methodology outlines the systematic approach employed to address the project goals, detailing the project design, data collection methods, and analytical techniques utilized to acquire and analyze data. By integrating insights from the literature review with our methodological framework, a robust foundation for this project is aimed to construct, facilitating a comprehensive exploration of the research questions at hand.

2.2 Facts and Findings

2.2.1 Domain

The domain of this project falls within the intersection of several fields, which are legal domain, natural language processing (NLP), machine learning, and explainable artificial intelligence (XAI). This project operates within the legal fields, specifically dealing with legal case documents, and involves NLP techniques for processing and analyzing textual data. The incorporation of explainability features suggests the use of machine learning and XAI algorithms not only for summarization but also for providing insights or explanations about the summarized content. This project also delves into interpretability and transparency aspects to ensure the

generated summaries and explanations are understandable and trustworthy to stakeholders.

2.2.2 Existing System

A hybrid method for automatic text summarization of legal cases using k-means clustering techniques and term frequency-inverse document frequency (TF-IDF) word vectorizer is proposed by Varun Pandya (Pandya, 2019). The process involves data preprocessing to clean the document, clustering similar sentences using k-means, and extracting sentences to form a summary. The k-means algorithm groups sentences, which are then vectorized with term frequency-inverse document frequency (TF-IDF). Clustering minimizes intra-cluster distances and maximizes inter-cluster distances, with optimal clusters determined. Sentences are ranked based on TF-IDF score and title similarity, with top-ranked sentences selected for the final summary. The dataset comprises Australian legal cases from Auslii. Evaluation is done by using Recall-Oriented Understudy for Gisting Evaluation (ROUGE) metrics to compare results with three automated tools. Pandya's method showed promising results, where the proposed method performs favourably well against other existing methods, as detailed in a comparative table.

Anand and Wagh have also proposed simple generic techniques using neural network architecture which are feed forward neural networks (FFNN) based summary and long short-term memory (LSTM) based summary (Anand & Wagh, 2022). Their approaches require no manual features or domain knowledge and can be applied across various domains. The process involves generating labeled data using summary information from court judgment headnotes and utilizing this data to extract important sentences for summarization. Different similarity techniques are employed to compute sentence labels, with sentence embeddings (SSE) showing the best performance. FFNN transforms sentences into vectors, calculates probabilities, and selects the top-ranked sentences for the summary. LSTM, combined with convolutional neural networks (CNN), selects sentences with the highest importance likelihood based on LSTM output scores. Evaluation using ROUGE scores on Supreme Court of India judgment documents demonstrates the effectiveness of both methods. The result table shows that LSTM performs better in many cases.

Research about the comparison of extractive and abstractive legal case document summarization has been done by Shukla and his team (Shukla et al., 2022). This research is to analyze the performance of various summarization methods on legal case judgement documents and explore effective evaluation techniques. Extensive experiments with several abstractive and extractive summarizations including both supervised and unsupervised methods have been carried out over three legal summarization datasets. Some examples of the methods are Luhn, Pacsum_bert, Maximal Marginal Relevance (MMR), Bidirectional and Auto-Regressive Transformers (BART), Bidirectional Encoder Representations from Transformers - Bidirectional and Auto-Regressive Transformers (BERT-BART), and Legal-Pegasus etc. The datasets, Indian-Abstractive, Indian-Extractive, and UK-Abstractive dataset, are developed from Indian and United Kingdom Supreme Courts case documents. The analyses, including ROUGE, BERTScore, and evaluations by legal practitioners, aim to provide insights into legal summarization and long document summarization in general, contributing to advancements in this field.

Shifting focus to another system, the Neural Networks for Text Summarization, with a Keras implementation of an attention-based sequence-to-sequence (seq2seq) model is explored, emphasizing the success of the attention mechanism in the context (Adarsh, 2022). Similar to other systems, data preprocessing is done as the first step of implementation. A model with encoder-decoder architecture which has global attention is built and an embedding layer to convert words into appropriate vector representations is used, learning along with the seq2seq model. Attention mechanisms in encoder-decoder neural networks enable the generation of a context vector at each timestep by considering the decoder's current hidden state and a subset of the encoder's hidden states. The dataset used in this study is Amazon Fine Food dataset found on Kaggle. Since the original and generated summaries are short, the performance evaluation is just done by comparing both of them.

Last but not least, an automatic abstractive text summarization model based on hybrid attention mechanism has been introduced by Zhe Wang, where it incorporates a sentence-level attention mechanism to guide word-level attention distribution, adjusting the weight of sentence-level attention to mitigate high variance issues in word-level attention for shorter documents (Wang, 2021). The methodology of this study introduces a hybrid-attentional model using encoder-decoder networks with recurrent neural networks (RNN). It incorporates attention mechanisms to improve

decoder focus and a pointer-generator network for word generation or copying. Additionally, a dynamic hybrid attention mechanism adjusts attention values at both word and sentence levels to enhance summary quality based on document length. Evaluation of the approach by using ROUGE score on large scale Chinese short text summarization (LCSTS) dataset demonstrates the effectiveness of the proposed method in capturing key information and generating concise summaries.

Table 2.1 lists the summary of the reviewed systems, including method or technique used, dataset involved, and evaluation method.

Table 2.1 Summary of Reviewed System

Reviewed System	Summary
Automatic Text Summarization of Legal Classes: A Hybrid Approach (Pandya, 2019)	Method or technique: <ul style="list-style-type: none"> • K-mean clustering • TF-IDF word vectorizer Dataset: <ul style="list-style-type: none"> • Australian legal cases Evaluation method: <ul style="list-style-type: none"> • ROUGE
Effective Deep Learning Approaches for Summarization of Legal Texts (Anand & Wagh, 2022)	Method or technique: <ul style="list-style-type: none"> • Feed forward neural network (FFNN) • Long short-term memory (LSTM) Dataset: <ul style="list-style-type: none"> • Supreme Court of India Judgement Evaluation method: <ul style="list-style-type: none"> • ROUGE
Legal Case Document Summarization: Extractive and Abstractive Methods and Their Evaluation (Shukla et al., 2022)	Method or technique: <ul style="list-style-type: none"> • Extractive (Luhn, Pacsum_bert, MMR, KMM, LetSum, SummaRunner, BERT-Ext, Gist, DSDR, CaseSummarizer)

	<ul style="list-style-type: none"> • Abstractive (BART, BERT-BART, Legal-Pegasus, Legal-LED) <p>Dataset:</p> <ul style="list-style-type: none"> • Indian Supreme Court judgements • UK Supreme Court cases <p>Evaluation method:</p> <ul style="list-style-type: none"> • ROUGE • BERTScore • Expert evaluation
<p>Text Summarization with Attention Based Network (Adarsh, 2022)</p>	<p>Method or technique:</p> <ul style="list-style-type: none"> • Sequence to sequence model • Attention mechanism (global) <p>Dataset:</p> <ul style="list-style-type: none"> • Amazon Fine Food dataset <p>Evaluation method:</p> <ul style="list-style-type: none"> • Compare original and generated summary
<p>An Automatic Abstractive Text Summarization Model based on Hybrid Attention Mechanism (Wang, 2021)</p>	<p>Method or technique:</p> <ul style="list-style-type: none"> • Sequence to sequence model • Attention mechanism (hybrid) <p>Dataset:</p> <ul style="list-style-type: none"> • Large scale Chinese short text summarization (LCSTS) dataset <p>Evaluation method:</p> <ul style="list-style-type: none"> • ROUGE

2.2.3 Technique

Text summarization is the creation of a short, accurate, and fluent summary of a longer text document (Dutta et al., 2023). This process is crucial for managing the vast volume of online text data, facilitating the discovery and consumption of relevant information more efficiently. There are two main forms of text summarization method, which are abstractive and extractive summarization. Extractive summarization combines existing sentences without any alterations to create a summary while abstractive summarization involves text generation where the machine writes its own sentences (Ada, 2023). Extractive summarization is more rigid due to directly copy sentences from the source text which potentially resulting in awkward reading (Ada, 2023). Conversely, text generation in abstractive summarization initiates better human writing style, enhancing coherence and readability with concise and coherent output (Ada, 2023). There are several prominent examples of both the methods, which are Luhn, Latent Semantic Analysis (LSA), TextRank, LexRank, PositionRank, and TopicRank for extractive summarization, while abstractive summarization includes BART and pretraining with extracted gap-sentences for abstractive summarization (PEGASUS) (Giarelis et al., 2023).

BART, a denoising autoencoder for pretraining sequence-to-sequence model, is introduced by Mike Lewis and his team (Lewis et al., 2019). BART is trained to reconstruct original text from corrupted versions using a Transformer-based architecture, which can be seen as a generalization of models like BERT and generative pre-trained transformer (GPT). The architecture is explained with a diagram in Chapter 4.2.1 (page 31). The study evaluates various text corruption methods and demonstrates BART's effectiveness in tasks such as text generation, comprehension, abstractive dialogue, question answering, summarization, and machine translation. Additionally, ablation experiments within the BART framework are conducted to assess factors influencing end-task performance. On summarization task, BART shows an outperformance over two datasets (CNN/DailyMail and XSum) surpassing other existing methods. The resulting summaries are fluent and grammatically correct, indicating that BART's pretraining has effectively learnt a robust blend of natural language comprehension and generation.

Erkan and Radev have presented a stochastic graph-based method for determining the relative importance of textual units, particularly in the context of text

summarization (Erkan & Radev, 2004). The method is named LexRank. It computes sentence importance based on eigenvector centrality in a graph representation of sentences, using intra-sentence cosine similarity. In this study, LexRank is implemented into the MEAD summarization system (Radev & Zhang, 2001). The dataset used in the experiments consists of DUC 2003 and 2004 data sets, which involve generic summarization of news document clusters. For evaluation the ROUGE metric, specifically ROUGE-1 which represents the unigram-based ROUGE score, was used as it aligns closely with human judgements.

A study conducted by Kanya Singh and his team investigates using BERT-based techniques for summarization and sentence similarity checks to enhance important question answering systems (Sharma et al., 2023). The proposed approach combines BERT-based summarization with semantic similarity checking to extract key information and predict crucial questions. Experiments on benchmark datasets have been done and showing that this method surpasses traditional machine learning and deep learning techniques, achieving state-of-the-art performance. The approach was also effective in real-world applications like medical diagnosis, legal case analysis, and financial forecasting.

To evaluate the performance of a text summarization system, there are several methods and one of the approaches is ROUGE score. ROUGE stands for Recall-Oriented Understudy for Gisting Evaluation score (Santhosh, 2023). It is a set of metrics which commonly used for text summarization tasks to automatically generate a concise summary of a longer text. It was designed to evaluate the quality of machine-generated summaries by comparing them to reference summaries prepared by humans. ROUGE has variants like ROUGE-N focusing on n-gram overlap, ROUGE-L on the longest common subsequence (LCS), and ROUGE-S on skip-bigram overlap. ROUGE score ranges from 0 to 1, with higher values indicating better summary quality. It's widely used for its objectivity but may not fully capture semantic meaning or coherence.

Another method used to evaluate the quality of text summarization is BERTScore (Özbolet, 2023). This method measures the similarity between the summary and the original text. It addresses issues encountered by n-gram-based metrics by using contextualized token embeddings from models like BERT to compute similarity. The process involves representing sentences with contextual embeddings, measuring cosine similarity, token matching for precision and recall, considering word

importance using IDF, and rescaling values for readability. For a basic level BERTScore calculation, the output will be precision, recall, and F1 score. BERTScore enhances text similarity measurement, making it more accurate and balanced, with potential applications in various domains of natural language processing. However, this method has its own pros and cons. For example, BERTScore can handle different types of texts but it can be biased towards models that are more similar to its own underlying model.

In essence, ensuring the transparency and interpretability of the summaries is crucial, where explainable artificial intelligence (XAI) plays an important role in it. There are some examples of XAI methods in NLP such as visualizing attention mechanisms in neural networks, generating textual explanations for model predictions, and interpreting the reasoning behind the models' decision-making process (Mulkar, 2023). Attention mechanism is introduced by Vaswani in the year 2017 (Vaswani et al., 2017). The architecture is explained with a diagram in Chapter 4.2.1 (page 32). In traditional Deep Learning models like LSTMs and RNNs, longer inputs pose challenges for retaining relevant information, prompting the need for attention mechanisms to signal the model about focus areas (Norkute, 2021). However, transformer models, utilizing self-attention across all encoder and decoder layers, circumvent this issue (Norkute, 2021). Attention mechanisms are widely used in text summarization across diverse domains like news, reviews, scientific papers, legal documents, and social media posts, where models such as the Pointer-generator network, Transformer, and BART exemplify this trend (What Are the Pros and Cons of Using Attention Mechanisms in Text Summarization With RNNs?, 2023).

Research on an open-source tool for visualizing attention mechanism in transformer-based language models is proposed by Jesse Vig (Vig, 2019). The tool offers three levels of granularity which are attention head, model, and neuron views. Its application has been demonstrated on BERT and GPT-2 models. The tool aids in interpreting model decisions and identifying patterns, such as model bias detection, recurring patterns identification, and neurons to model behavior linkage. This allows for a comprehensive understanding of how the model attends to different parts of the input and how individual neurons contribute to attention computation. It enhances model interpretability, enables targeted improvements through user manipulation, and offers versatility for various analysis tasks and model types.

On the other hand, a theoretical analysis of local interpretable model-agnostic explanations (LIME) has been done by Garreau and Luxburg (Garreau & Luxburg, 2020). This explainer is commonly used for providing interpretability to machine learning models. The study derives closed-form expressions for the coefficients of the interpretable model when the function to explain is linear, demonstrating that LIME can uncover meaningful features proportional to the gradient of the function. It aids in understanding model decisions, improving trust, and facilitating compliances with regulations. However, it also highlights potential limitations of LIME where poor parameter choices may cause the algorithm to overlook important features.

Table 2.2 outlines the summary of the reviewed techniques for text summarization, evaluation methods, and explainability features respectively.

Table 2.2 Summary of Reviewed Techniques

Reviewed Techniques	Summary
Text Summarization	
BART: Denoising Sequence-to-Sequence Pre-training for Natural Language Generation, Translation, and Comprehension (Lewis et al., 2019)	Unique characteristic: <ul style="list-style-type: none"> • denoising autoencoder approach, which enable robust performance in natural language understanding and generation tasks. Dataset: <ul style="list-style-type: none"> • CNN/DailyMail • XSum Evaluation method: <ul style="list-style-type: none"> • ROUGE
LexRank: Graph-based Lexical Centrality as Saliency in Text Summarization (Erkan & Radev, 2004)	Unique characteristic: <ul style="list-style-type: none"> • reliance on eigenvector centrality and intra-sentence cosine similarity within a sentence graph. Dataset: <ul style="list-style-type: none"> • DUC 2003

	<ul style="list-style-type: none"> • DUC 2004 <p>Evaluation method:</p> <ul style="list-style-type: none"> • ROUGE
Question Summation and Sentence Similarity using BERT for Key Information Extraction (Sharma et al., 2023)	<p>Unique characteristic:</p> <ul style="list-style-type: none"> • captures bidirectional context. • pre-trained with masked language modelling and next sentence prediction. <p>Dataset:</p> <ul style="list-style-type: none"> • 500 interview questions from various industries <p>Evaluation method:</p> <ul style="list-style-type: none"> • Performance Metrics • User Study
Evaluation Method	
Understanding BLEU and ROUGE score for NLP Evaluation (Santhosh, 2023)	<p>Variant:</p> <ul style="list-style-type: none"> • ROUGE-N • ROUGE-L • ROUGE-S <p>Benefits:</p> <ul style="list-style-type: none"> • flexible for different n-gram lengths. <p>Limitations:</p> <ul style="list-style-type: none"> • not fully capturing semantic meaning or coherence.
Text Summarization: How to Calculate BertScore (Özbolat, 2023) BERTScore Explained in 5 minutes (Sojasingarayar, 2024)	<p>Benefits:</p> <ul style="list-style-type: none"> • can handle different types of texts. <p>Limitations:</p> <ul style="list-style-type: none"> • can be biased towards models that are more similar to its own underlying model.

Explainability Features	
Visualizing Attention in Transformer-Based Language Representation Models (Vig, 2019)	Purpose: <ul style="list-style-type: none"> Enhance interpretability of transformer-based language models. Benefit: <ul style="list-style-type: none"> Aids in interpreting model decisions. Links neurons to model behaviour.
Explaining the Explainer: A First Theoretical Analysis of LIME (Garreau & Luxburg, 2020)	Purpose: <ul style="list-style-type: none"> Provide interpretability to machine learning models. Benefit: <ul style="list-style-type: none"> Enhances understanding of model decisions. Facilitate compliances with regulations.

2.3 Project Methodology

For the development of the system, Cross-Industry Standard Process for Data Mining (CRISP-DM) is used as the methodology. Figure 2.1 shows the steps involved in CRISP-DM methodology.

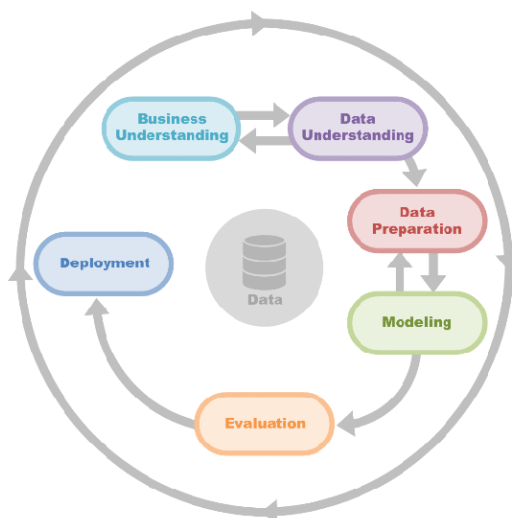


Figure 2.1 Cross-Industry Standard Process for Data Mining (CRISP-DM) Diagram (Tounsi et al., 2020)

1. Business Understanding

Legal professionals and university students often deal with extensive documents, spending a lot of time and effort. Summarizing legal documents can save time and effort and help to focus on critical information by having faster review on it. The main goal of this project is to develop a text summarization system for legal documents using BART, integrating with XAI technique which is visualizing attention mechanism to show the reason behind the decision made. The project also aims to design a website for deployment of the system, allowing users to upload documents, view, and download results. It targets a user-friendly interface to enhance user experience (UX) of the system.

2. Data Understanding

It is crucial to gain a comprehensive understanding of the legal documents, entailing the collection of a diverse array of documents. By delving into the structure and content of these documents, it allows discernment of commonalities and key sections to facilitate subsequent processing steps. The data collected should come from legal databases, court filings, or property sources. In the context of this project, the primary focus is on Indian Supreme Court case documents and their abstractive summaries. The dataset will be used in both training and testing process to train and evaluate the summarization model.

3. Data Preparation

This stage is a critical step to develop an effective text summarization system for legal documents. It involves transforming raw legal texts into a structured format which is suitable for modelling, including tokenization and document structuring. Tokenization is the process of breaking down the text into smaller units, such as words or sentences. In document structuring, a document is split into nested chunks of sentences since some models have a maximum number of tokens that they designed to accept, for example 1024 tokens for BART model. These steps are essential to prepare the data in a way that retains the complexity and detail of legal documents, ensuring the summarization model can generate accurate and contextually relevant summaries.

4. Modelling

This phase involves selecting, developing, and fine-tuning the machine learning or deep learning models that will generate summaries of legal documents. For model selection, extractive or abstractive summarization need to be chosen as both methods will generate different summaries. In this project, abstractive summarization which is BART model is used because it generates new sentences that capture the main ideas of the original text. During the training of the model, pairs of original texts and their corresponding summaries are fed to minimize the difference between the generated summaries and the reference summaries. To show the explainability features, visualization of attention mechanism is applied by highlighting key words or phrases in the original document. By carefully selecting and training summarization models and integrating explainability features, this phase aims to generate high-quality legal document summaries, ensuring transparency and practical utility for legal professionals.

5. Evaluation

Evaluation of the model is important to ensure the generated summaries are accurate, relevant, and useful for the target users. The evaluation process involves both objective and subjective assessments. In objective evaluation quantitative metrics such as ROUGE score is used to measure the overlap of n-grams, word sequences, and word pairs between the generated summary and a reference summary. On the other hand, subjective evaluation involves qualitative feedback from end users to assess the practical utility of the summaries, including informativeness, coherence, and relevance. Incorporating explainability features adds another layer to the evaluation, ensuring that users understand the rationale behind the summarization decisions, thereby increasing trust and usability.

6. Deployment

This is the final phase of CRISP-DM process where the text summarization system for legal documents, along with its explainability features, is made accessible to end-users in a practical, operational environment. This step involves integrating the developed model into existing workflows, ensuring it operates smoothly in real-world settings, and providing a user-friendly interface for legal professionals. The summarization model is

embedded into a website, allowing users to upload documents and receive summaries with explanations seamlessly. A user-friendly interface is developed to display the summarized content and its explanations clearly by highlighting the key words or phrases. By deploying the text summarization system effectively, the target users can significantly reduce the time spent on document review, improve their productivity, and make more informed decisions based on concise and understandable summaries.

2.4 Project Requirements

This section outlines the project's essential requirements, including software, hardware, and any additional needs. These requirements are crucial for guiding the technical and logistic aspects of the project to ensure that all necessary resources are available for successful execution.

2.4.1 Software Requirement

- Visual Studio Code
- Python version 3.11.4
 - numpy
 - nltk
 - pandas
 - torch
 - os
 - fitz
 - transformers
 - torch.nn.functional
 - pytorch_lightning

2.4.2 Hardware Requirement

- AMD Ryzen 7 5800H
- NVIDIA GeForce RTX 3050 Ti Laptop GPU
- 16GB RAM
- 512GB ROM (SSD)

2.4.3 Other Requirements

N/A.

2.5 Project Schedule and Milestones

This section delves into the project schedule and milestones, providing a roadmap for the project's progression. This section outlines the timeline for key activities, milestones, and deliverables, offering a structured plan to track progress and ensure timely completion. By detailing the project schedule and milestones, stakeholders gain insight into the project's timeline and can effectively manage resources and expectations throughout the development process. Table 2.3 (page 21) and Figure 2.2 (page 23) show the project activities and milestones for the system development.

2.6 Summary

This chapter introduces the Literature Review and Project Methodology, starting by summarizing existing research and methodologies related to legal text summarization and explainable artificial intelligence (XAI). The section covers domains, existing systems, and techniques, providing a comprehensive overview. Following this, the project methodology is outlined, detailing the Software Development Life Cycle (SDLC) stages from planning to maintenance phase. Additionally, the chapter presents project requirements by listing essential software and hardware needs. It concludes with a project schedule and milestones which offer a structured timeline for project progression. Next chapter will discuss the requirement analysis.

Table 2.3 Project Activities and Milestones

Activity	Start Date	End Date	Duration (Days)
Task 1: Project Planning and Research			
Define project scope and objectives.	11 March	22 March	12
Identify stakeholders.	11 March	22 March	12
Create a project plan and conduct a feasibility analysis.	25 March	29 March	5
Conduct literature review on domain related to the project.	23 March	29 March	7
Milestone	Proposal, report chapter 1 and 2		
Task 2: Data Collection and System Design			
Collect data and separate it into training and testing dataset.	1 April	12 April	12
Define evaluating criteria for summary quality.	1 April	12 April	12
Design system architecture.	1 April	12 April	12
Define user interface.	1 April	12 April	12
Select appropriate algorithm and techniques for the system.	1 April	12 April	12
Milestone	Report chapter 3, data preprocessing		
Task 3: Model Training and Optimization			
Implement abstractive method for text summarization.	15 April	26 April	12
Train the model using training dataset, fine-tuning parameters for optimal performance.	15 April	26 April	12
Evaluate quality of generated summaries.	15 April	26 April	12
Milestone	Text summarization module		
Task 4: Integration of XAI Model			
Implement the explainability feature by using attention mechanisms.	5 May	14 June	41

Integrate the XAI model with the system.	5 May	14 June	41
Validate integration and interpretability of the XAI model.	5 May	14 June	41
Milestone	XAI module, report chapter 4		
Task 5: Deployment and Testing			
Develop a web-based application for the system.	15 July	15 Aug	31
Deploy the system on the application.	15 July	15 Aug	31
Conduct comprehensive testing on the whole application.	15 July	15 Aug	31
Milestone	Complete system with application		
Task 6: Documentation and Finalization			
Document project findings, methodologies, and results.	16 Aug	20 Aug	5
Prepare final report and presentation materials.	21 Aug	23 Aug	3
Conduct final review and validation of project deliverables.	24 Aug	24 Aug	1
Project submission.	25 Aug	25 Aug	1
Milestone	Report chapter 5 and 6		

Figure 2.2 depicts the Gantt chart for the project development activities for all tasks in CRISP-DM methodology.

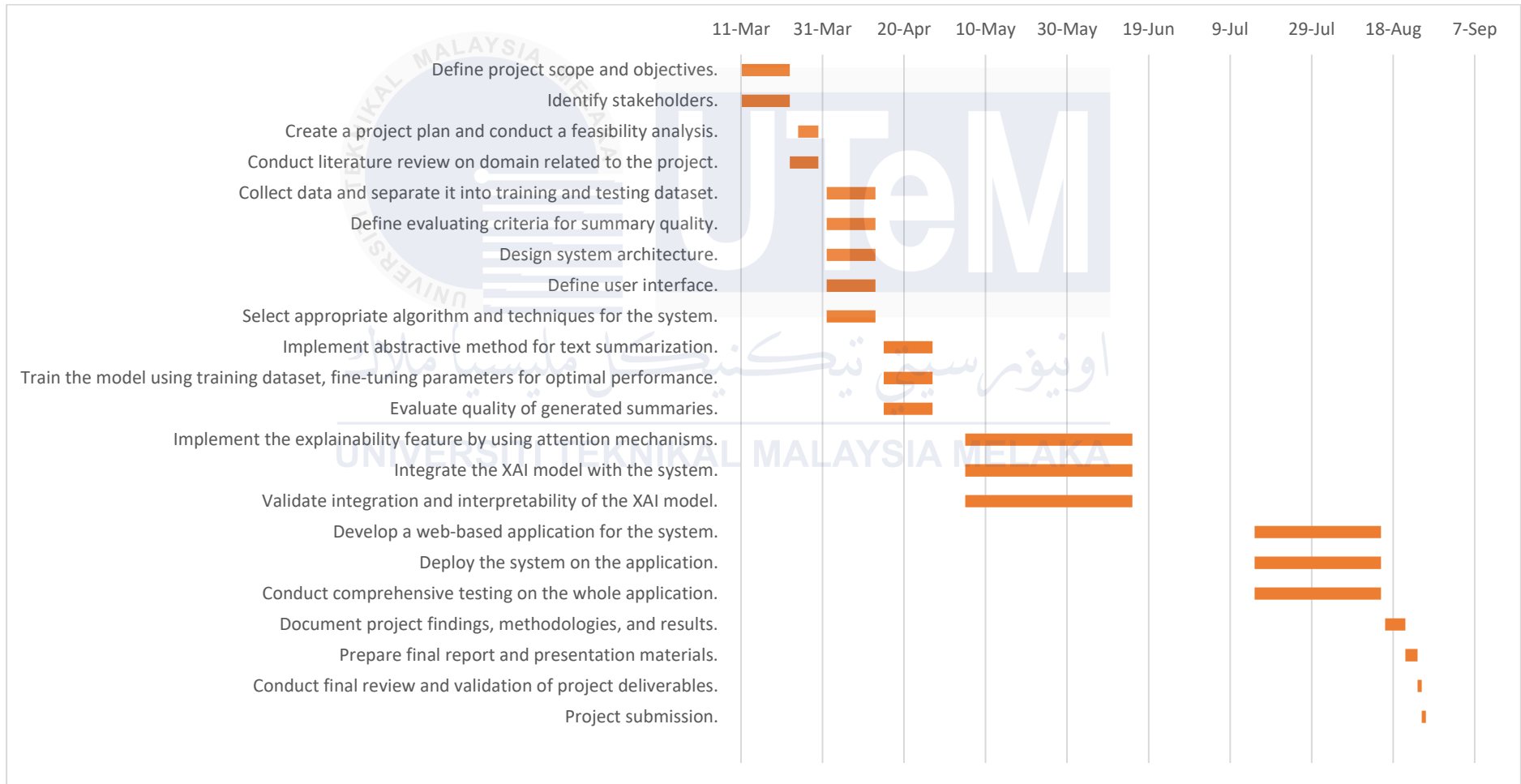


Figure 2.2 Gantt Chart

CHAPTER 3: REQUIREMENT ANALYSIS

3.1 Introduction

In this chapter, the requirement analysis phase, which is a crucial step in the project development journey, is embarked. This section offers a preview on how this phase will be unfold by outlining its significance and the methodologies it entails. The problem analysis will be delved into to identify core challenges, followed by a detailed examination of data, functional, non-functional, and other requirements essential for the project's success. By providing this preview, the comprehensive understanding of the analysis phase and its role in shaping the project trajectory is aimed to set. According to the CRISP-DM cycle (page 16), this chapter will involve business understanding and data understanding.

3.2 Problem Analysis

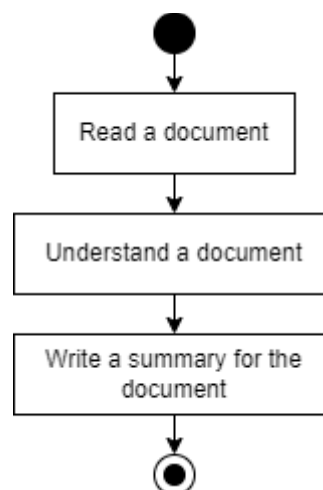


Figure 3.1 Activity Diagram of Human-generated Summary

Figure 3.1 shows the activity diagram of human-generated summary. Legal experts spend a lot of time reading and understanding the legal case documents to produce an appropriate summary. However, there is an increase in the number of documents, where potentially cause the wasting of time and effort on legal case summary production. To overcome the issue, a system which can generate legal case summary without sacrificing accuracy is required.

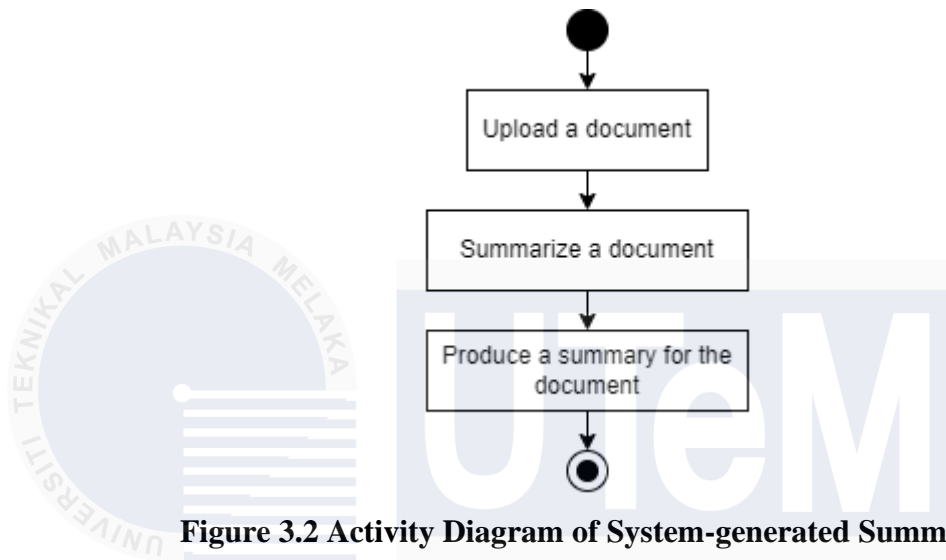


Figure 3.2 Activity Diagram of System-generated Summary

Figure 3.2 shows the activity diagram of system-generated summary. Several text summarization systems have been introduced in these years. The user only needs to upload the legal case document, and the system will process and generate a summary for the corresponding document. There is a problem occurring where the users do not understand why the summary is generated and which part of the original document does the system refer to generate the summary. Hence, a system with explainability features is necessary to enhance human understanding of the generated summaries.

To overcome the issues stated, this project implements abstractive method in text summarization where the system will generate new sentences for the summary, not only copy and combine the original sentences. Explainable artificial intelligence (XAI), which is attention mechanism, will be integrated into the system to show the transparency of the summarization process. This can help to improve the quality and coherence of the generated summaries, providing concise and readable outputs that capture the essence of the original text more effectively.

3.3 Requirement Analysis

3.3.1 Data Requirement

It is essential to ensure a sufficient amount of data for training purposes. While more data generally leads to more effective model training, it is important to strike a balance, as larger datasets require more computational resources and time for training. Hence, the dataset should be large enough to capture the variability and complexity of legal case documents but not so large to prevent it becoming impractical to train the model within reasonable timeframes.

Additionally, it is crucial to maintain a clear distinction between training data and testing data. Testing data should be separated from training data to evaluate the model's performance. This can help to prevent overfitting where the model performs well on the training data but fails to generalize to new data. By using distinct datasets for training and testing, the model's true performance can be accurately assessed, ensuring its reliability and effectiveness in real-world applications.

Utilizing a dataset exclusively composed of a specific court case is essential for optimizing the model's performance and relevance. By ensuring consistency in the source of dataset, the model can effectively capture the unique linguistic nuances and legal conventions specific to the court proceedings. This focused approach fosters domain expertise, enabling the model to generate more accurate and contextually relevant summaries while maximizing its ability to generalize to new cases within the Indian legal landscape.

3.3.2 Functional Requirement

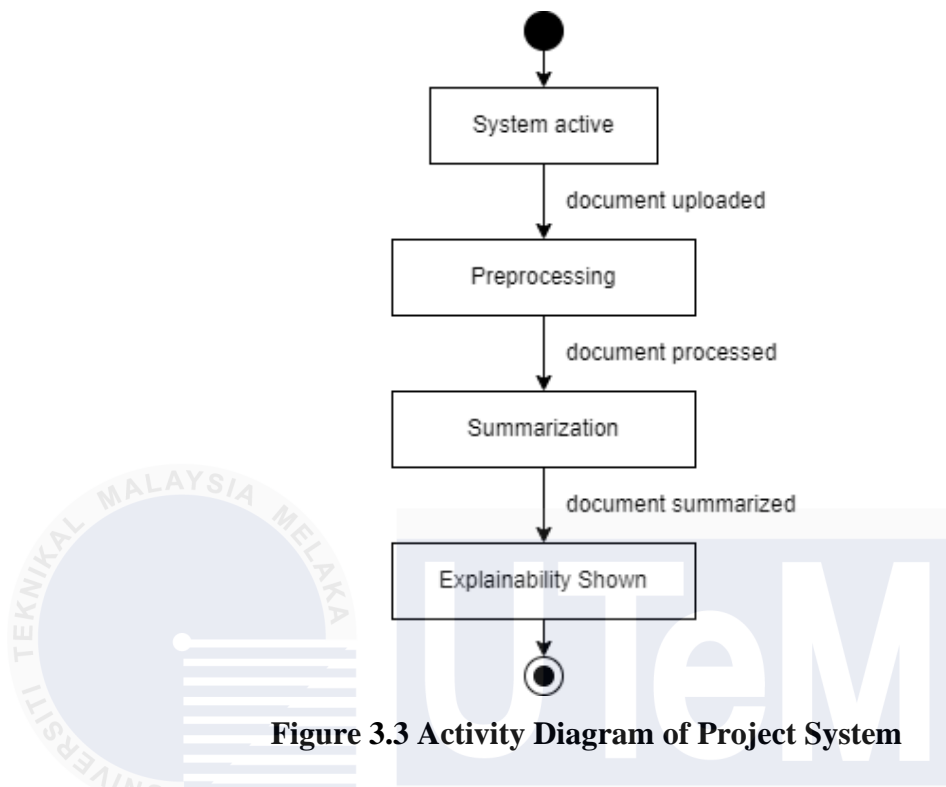


Figure 3.3 Activity Diagram of Project System

The primary function of the system is file upload which allows users to upload files for various format (.pdf, .docx, .txt, etc.) into the system. This feature ensures flexibility and convenience for users, enabling them to submit documents in their preferred format without restrictions. By accommodating multiple file types, the system enhances usability and accessibility, facilitating the seamless integration of diverse data sources for analysis and processing.

Once the document is uploaded, the system initiates the data processing pipeline, which includes essential steps such as chunking and tokenizing to facilitate the summarization process. Chunking involves segmenting the text in smaller and manageable chunks or sections to enable more efficient analysis and summarization. Tokenizing is the step to break down the text into individual tokens or words to establish the foundational units for further analysis and manipulation.

Following the preprocessing steps, the system proceeds to generate the summary using the processed data. Leveraging advanced algorithm, the system synthesizes the key information from the document chunks into a concise and coherent summary. By identifying essential concepts, extracting relevant sentences, and ensuring readability and coherence, the system produces summaries that effectively capture the essence of the original document.

After the summarization process, the system presents explainability features by visualizing attention mechanisms to provide users with insights into how the summaries were generated. In this case, the system will highlight the key elements and reasoning behind the summarization decisions. This transparency enhances user trust and understanding by elucidating the factors influencing the summary generation process.

3.3.3 Non-functional Requirement

The first non-functional requirement is quality requirement. This includes several criteria such as usability, maintainability, and scalability. The system's user interface should adhere to accessibility. The system should also be modular and well-documented, allowing for easy maintenance and updates by developers. The capability of scaling horizontally and vertically to accommodate increased user traffic and data volume should be considered.

The system's performance expectations, including throughput and response time are required in this project. The system should be able to process a minimum number of documents per hour to maintain consistent throughput even under heavy load conditions. It should also respond to user requests within an appropriate duration on average by providing feedback to users for document uploads and summary generations.

Accuracy is one of the non-functional requirements for this project. The evaluation methods used in this project are cosine similarity, BERTScore, and ROUGE score. The system's summarization algorithm should achieve a minimum cosine similarity score of 0.75 when comparing the generated summaries to human-authored summaries, indicating a high degree of semantic similarity between the two. BERTScore evaluation method includes precision, recall, and F1-score, where the F1-score should be minimum 0.60 for the model. It should also achieve ROUGE scores of at least 0.50 for ROUGE-1 (unigram overlap), 0.20 for ROUGE-2 (bigram overlap), and 0.20 for ROUGE-L (longest common subsequence) when evaluating the quality of the generated summaries against reference summaries.

3.3.4 Other Requirement

1. Software Requirements

- Python (version 3.8 or higher): Python is chosen for its rich ecosystem of libraries and frameworks in natural language processing, enabling efficient development of the text summarization algorithm, supported by its readability, flexibility, and strong community.
- PyTorch: PyTorch is chosen as the deep learning framework for its robust support in building and training neural network models, especially sequence-to-sequence models for abstractive text summarization, leveraging its dynamic computation graph and popularity in the research community.
- Natural Language Toolkit (NLTK): NLTK simplifies text preprocessing tasks by offering essential tools such as tokenization, stemming, and part-of-speech tagging, crucial for preparing textual data for summarization, thanks to its comprehensive linguistic resources and user-friendly interfaces.
- NumPy: NumPy is a Python library primarily used for working with arrays. It provides extensive functionalities for operations in linear algebra, Fourier transforms, and matrix computations, making it a fundamental tool in scientific computing and data analysis.
- Pandas: Pandas is a Python library designed for working with data sets. It offers functions for analysing, cleaning, exploring, and manipulating data, making it essential for data analysis and data science tasks.
- Os: The OS module in Python offers functions for creating and removing directories, fetching directory contents, and changing or identifying the current directory.
- Fitz: Fitz is the old version of PyMuPDF. It is a high-performance Python library for data extraction, analysis, conversion, and manipulation of PDF and other documents.
- Transformers: Transformers provides APIs and tools for downloading and training state-of-the-art pretrained models, helping to reduce compute costs, carbon footprint, and the time and resources needed to train models from scratch.

2. Hardware Requirements

- N/A

3. Environmental Requirements

- Network connectivity: reliable and high-speed network connectivity is required to ensure seamless communication between system components and support smooth data transmission.

3.4 Summary

This chapter outlines the requirement analysis phase to emphasize the need for a balance in data size for training, clear distinction between training and testing data, and the importance of using a consistent dataset source. Functional requirements include file upload, data processing pipeline, summarization, and explainability features are explained. Non-functional requirements encompass quality, performance, and accuracy criteria are interpreted. Other requirements such as software (Python, PyTorch, NLTK) and environmental (network connectivity) requirement have been indicated. Next chapter will discuss the system design.

CHAPTER 4: DESIGN

4.1 Introduction

This chapter serves as a crucial bridge between the conceptualization and implementation phases of system development. It provides a preview of the design analysis results by highlighting key areas such as high-level system architecture, user interface design, database design, AI component design, and software or hardware design if applicable. This chapter sets the stage for detailed exploration and implementation of each design aspect, ensuring a robust and functional system. This chapter is the data preparation and modelling steps based on CRISP-DM cycle (page 16).

4.2 High-Level Design

4.2.1 System Architecture for Expert System/DSS/Simulation

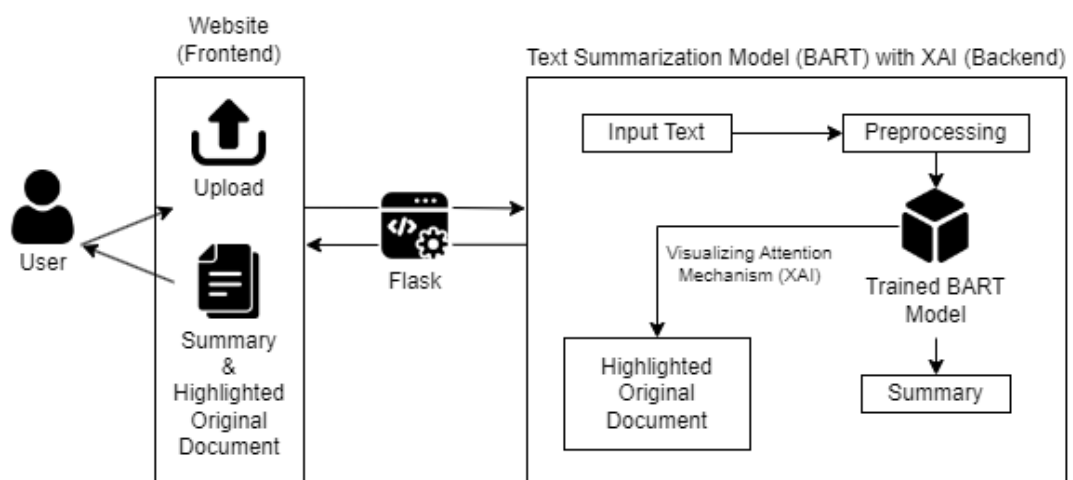


Figure 4.1 System Architecture Diagram

Figure 4.1 shows the architecture of the project system, which is the text summarization system with the explainability feature using natural language processing (NLP) and machine learning techniques. The architecture is separated into two main parts, which are frontend and backend, connected by Flask framework.

In the frontend part, the user interacts with the system through a website. The user can upload a legal document to the system. Once the document is sent to the backend part, the system will undergo preprocessing such as chunking and tokenizing. Then the preprocessed document will be passed to the trained BART model to generate summary. Additionally, the attention weight of the tokens in the document is visualized to produce a highlighted original document, showing important sections or terms. The higher the weight, the deeper the colour of highlight, the more important the word token. Once the outputs are generated, both will be sent back to the frontend via Flask and the user can see the result at the website. The user is also able to download the outputs on their device if they want to keep the results.

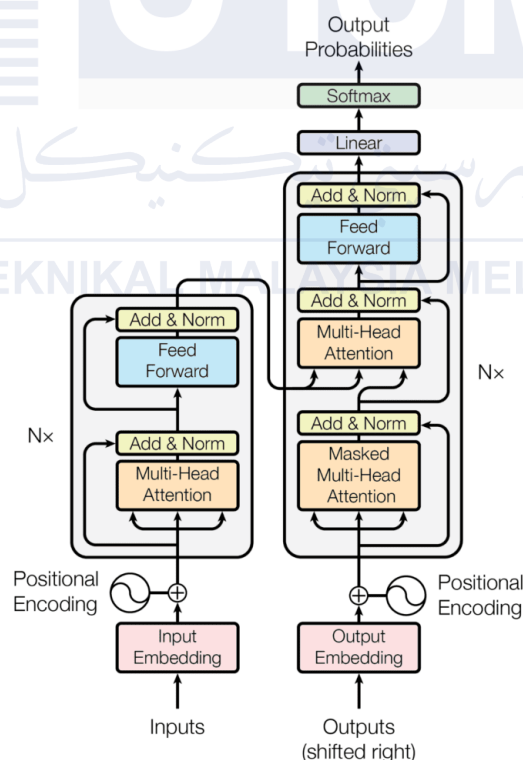


Figure 4.2 Transformer Architecture Diagram (Vaswani et al., 2017)

Figure 4.2 is the architecture diagram of a transformer. A transformer is a type of deep learning model introduced in 2017 and has quickly become fundamental in natural language processing (NLP) (What Is a Transformer Model? | IBM, n.d.). It has been applied to many different tasks in machine learning and artificial intelligence. It

brings two key innovations to text prediction: positional encoding assigns unique positions to tokens, helping the model to understand their order, and self-attention weighs the importance of each token in relation to each other, improving the sequence prediction. The left half of the architecture is the encoder while the right half is the decoder. The encoder maps an input sequence to continuous representations, which are then used by the decoder, along with previous outputs, to generate final sequence.

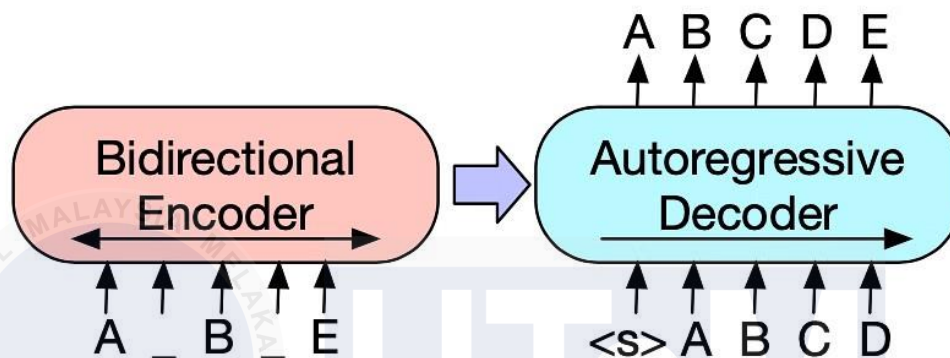


Figure 4.3 BART Architecture Diagram (Lewis et al., 2019)

Figure 4.3 displays the architecture diagram of BART. BART is built upon the transformer architecture, which utilizes self-attention mechanism to capture long-range dependencies in input sequences efficiently. It is a combination of bidirectional and autoregressive approaches. Bidirectional refers to the encoder-decoder architecture, where information from both past and future tokens is used to generate the current token, helping in capturing contextual information effectively. Autoregressive means that during generation, BART predicts tokens sequentially, conditioning on previously generated tokens to ensure coherence and fluency in generated text.

BART consists of an encoder and a decoder. The encoder processes the input sequence and produces a contextualized representation for each token while the decoder takes these representations and generates the output token by token. BART is typically pretrained on large corpora using tasks like denoising autoencoding, where noisy input sequences are corrupted, and the model is trained to reconstruct the original sequence. After pretraining, BART can be fine-tuned on specific downstream tasks like text summarization, where it learns to generate concise summaries based on the input.

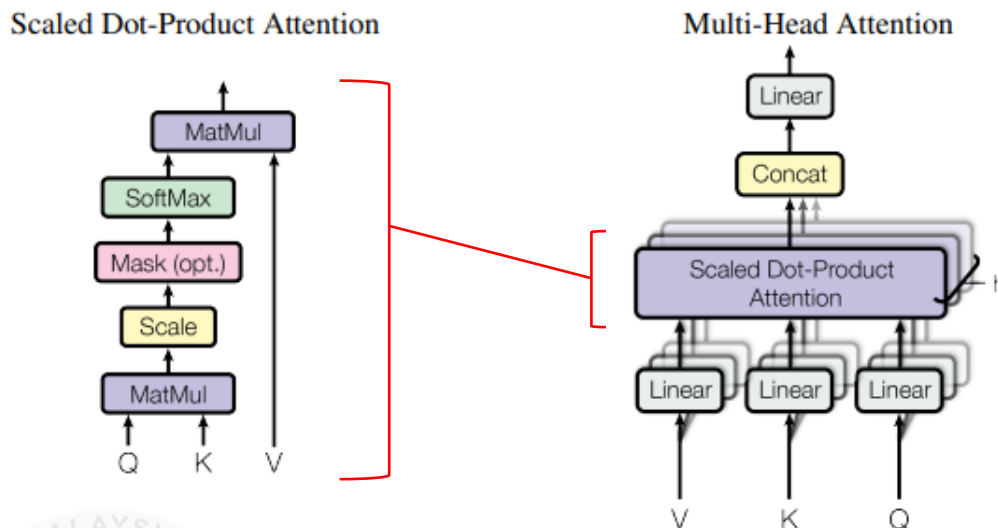


Figure 4.4 Self-Attention Mechanism Architecture (Vaswani et al., 2017)

Figure 4.4 comes out with the self-attention mechanism architecture, which is a key component of transformer-based architectures, including BERT, GPT, and BART. It enables these models to capture dependencies between different words in a sequence effectively. Each token in the input sequence is initially represented as a vector. Before applying self-attention, the input vectors are linearly transformed into three sets of vectors: Key (K), Query (Q), and Value (V) vectors. These transformations are learned during the training process and achieved using weight matrices.

For each token in the sequence, the self-attention mechanism computes attention scores with respect to all other tokens. To calculate the attention score for a token, the dot product between its Query vector and the Key vector of each token in the sequence is computed. These dot products are then scaled and passed through a SoftMax function to obtain normalized attention scores, ensuring that the attention weights sum up to 1. Once the attention scores are obtained, they are used to compute a weighted sum of the Value vectors. The Value vectors represent the information content of each token. The weighted sum is computed by multiplying each Value vector by its corresponding attention score and then summing these products. The weighted sum obtained represents the attended information for each token. These attended representations are concatenated to form the output of the self-attention mechanism. To enhance the model's ability to capture different types of dependencies, the self-attention mechanism often employs multiple attention heads. Each attention

head independently computes attention scores, resulting in multiple sets of attended representations. The outputs of these attention heads are typically concatenated or averaged before being passed through the subsequent layers of the model.

4.2.2 User Interface Design for expert system/DSS/simulation

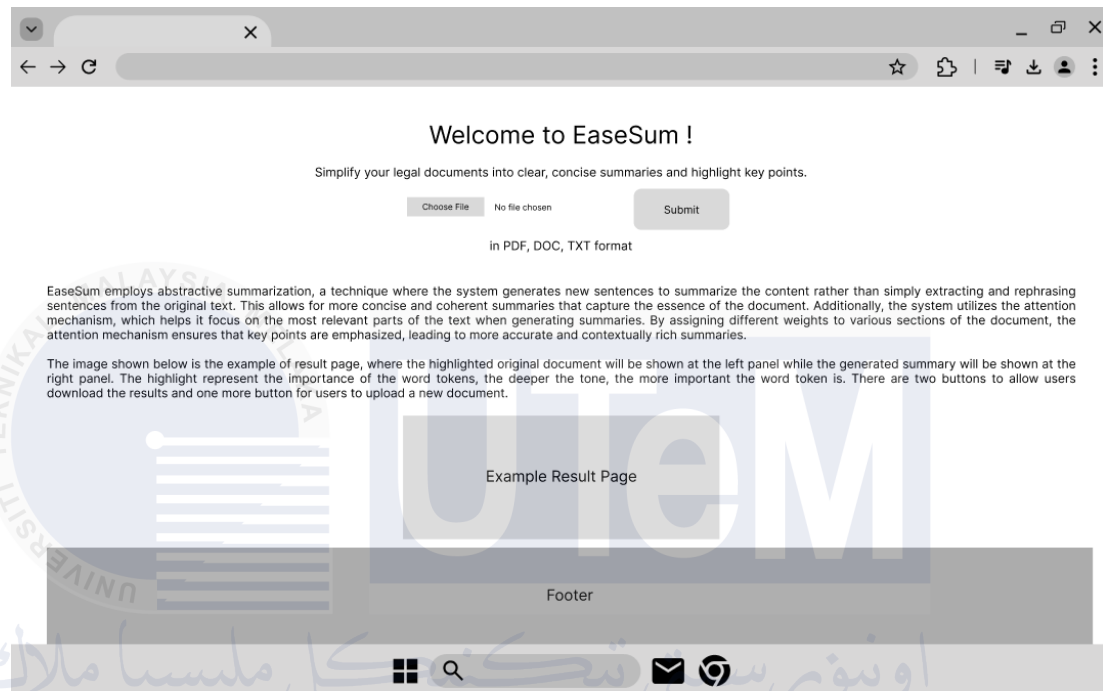


Figure 4.5 Mockup Interface of Home Screen

Figure 4.5 shows the mockup interface of home screen for the text summarization website. The design is simple to ensure user-friendly interaction between the user and the website. The website has a title welcoming the user and a short description of the website, introducing the system. The choose file button allows users to choose which file they want to upload to the system. Once the submit button is clicked, the selected file will be uploaded to the system for processing. The types of files which are accepted by the system are mentioned below the button. A brief explanation is prepared for users to have a better understanding of the system, with an example result page attached. A footer is the section which includes some overall information about the website, such as what the website is, how the website works, and contact and support details.

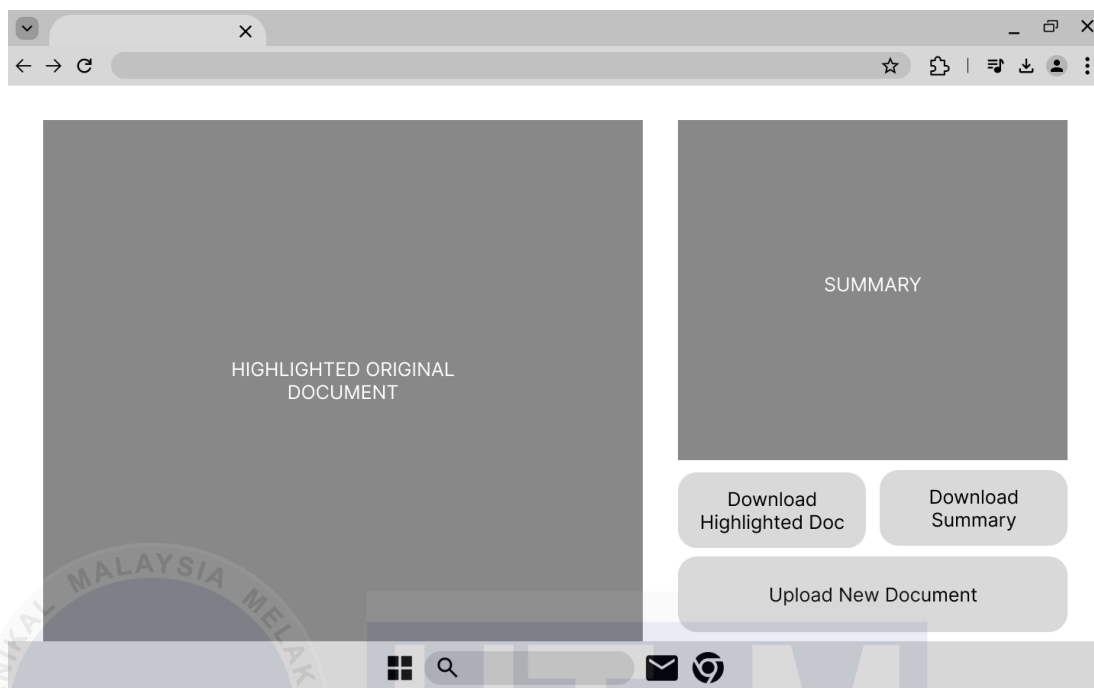


Figure 4.6 Mockup Interface of Result Page

Figure 4.6 illustrates the mockup interface of the result page. Once the users upload the file, the system will process the document and show the result on this page. The original document with highlighted word tokens is shown at the left part of the interface while the summary of the document will be shown at the right part. This provides a better view for users to look at both results at the same time. Users can download the results or upload new legal documents by clicking the button below the summary panel.

4.3 AI Component Design

4.3.1 Dataset

The dataset used is Indian Supreme Court case documents and their abstractive summaries. The text summarization model in the system requires two datasets for training and testing purposes. There are a total of 7130 documents in the original dataset. 100 documents from the dataset are randomly chosen as testing dataset, the remaining will be the training dataset. All the data is in .txt format. Figures 4.7 and 4.8 show the example of original text and corresponding abstractive summary. More examples of training and testing dataset can refer to Appendix A and B respectively.

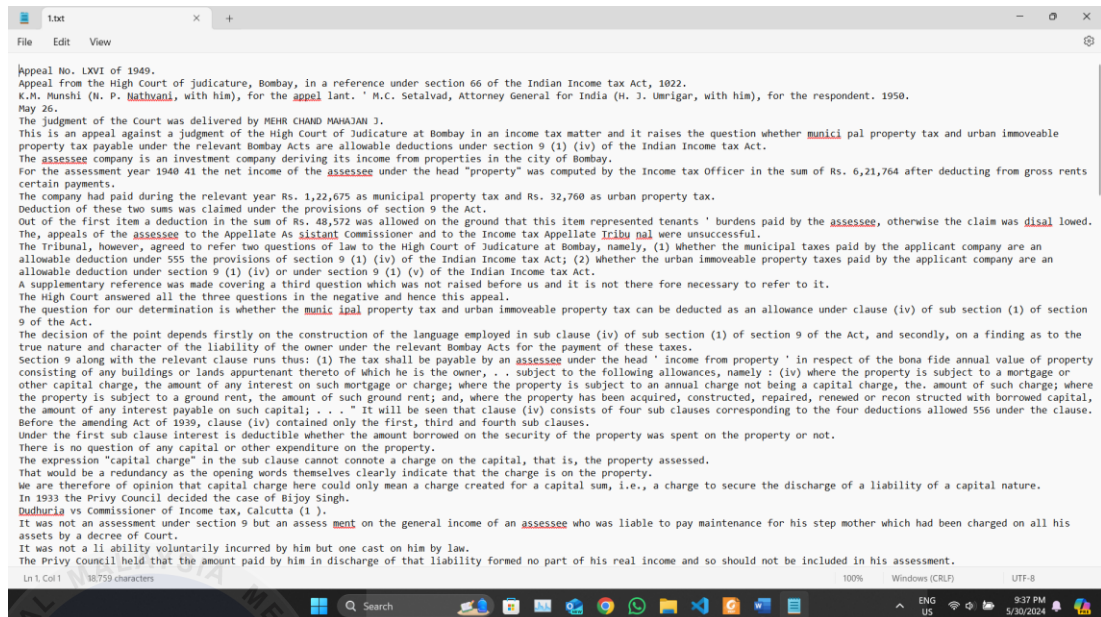


Figure 4.7 Example of Original Text of Legal Document

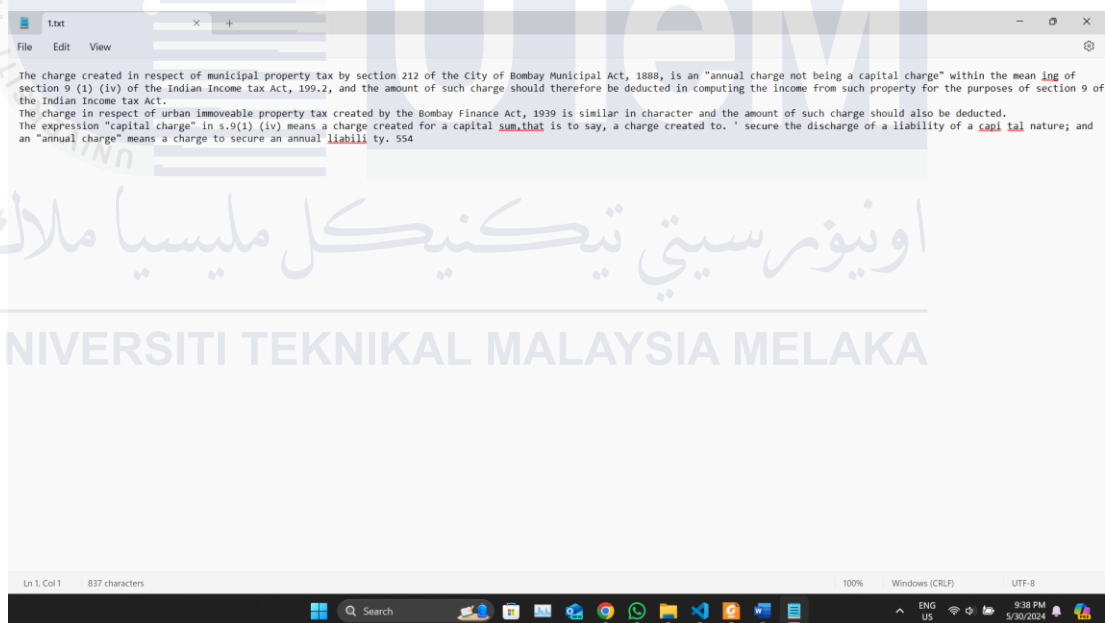


Figure 4.8 Example of Original Text of Legal Document

4.3.2 BART Model

The text summarization system involves several key components that work together to ensure the accuracy and efficiency of summary generation, one of them is utilizing PyTorch Lightning to implement BART model. Pytorch Lightning is the deep learning framework for those who require maximum flexibility without sacrificing performance at scale (Falcon, 2021). The reason why PyTorch Lightning is used, but not PyTorch, is because bugs are more likely to be introduced once the research gets

more complicated and things such as multi-GPU training, 16-bit precision, and TPU training are mixed in. This part of code is borrowed from the research done by Shukla et al. (2022). The explanation of various functions is as follows.

```

class LitModel(pl.LightningModule):
    # Instantiate the model
    def __init__(self, learning_rate, tokenizer, model) -> None:
        super().__init__()
        self.tokenizer: Any = tokenizer
        self.model: Any = model
        self.learning_rate: Any = learning_rate
        self.hparams.freeze_encoder = True
        self.hparams.freeze_embeds = True
        self.hparams.eval_beams = 4
        if self.hparams.freeze_encoder:
            freeze_params(self.model.get_encoder())
        if self.hparams.freeze_embeds:
            self.freeze_embeds()

```

Figure 4.9 Code Snippet for Lightning Model Initialization

Figure 4.9 shows the initialization of a lightning module with a tokenizer, model, and learning rate. It stores these three parameters as instance variables and sets hyperparameters for freezing the encoder, freezing embeddings, and number of beams for evaluation. The encoder parameters and positional and token embedding parameters will be frozen if the conditions are set to true. This means that the model will not update these parameters during training to ensure the learned features are not modified and prevent overfitting.

```

def freeze_embeds(self) -> None:
    #freeze the positional embedding parameters of the model; adapted from finetune.py
    freeze_params(self.model.model.shared)
    for d in [self.model.model.encoder, self.model.model.decoder]:
        freeze_params(d.embed_positions)
        freeze_params(d.embed_tokens)

```

Figure 4.10 Code Snippet for Freeze Embedding Layers Function

Figure 4.10 shows the function to freeze the embedding layers of the model to speed up training and reduce overfitting. Shared embeddings, encoder embeddings, and decoder embeddings are frozen when this function is called on each of them.

```

# Do a forward pass through the model
def forward(self, input_ids, **kwargs) -> Any:
    return self.model(input_ids, **kwargs)

```

Figure 4.11 Code Snippet for Forward Pass Function

Figure 4.11 displays the function of forward pass for the model where it is used to pass input (input_ids and any additional arguments) to the model and get the output.

```
def configure_optimizers(self) -> Adam:
    optimizer = torch.optim.Adam(self.parameters(), lr = self.learning_rate)
    return optimizer
```

Figure 4.12 Code Snippet for Optimizer Function

Figure 4.12 is the function which configures the optimizer for training. It creates an Adam optimizer with the model parameters and specified learning rate. The Adam optimizer is a popular choice for many deep learning tasks due to its ability to the learning rate and its robustness to noisy gradients.

```
def training_step(self, batch, batch_idx) -> dict[str, Any]:
    # Load the data into variables
    src_ids: Any, src_mask: Any = batch[0], batch[1]
    tgt_ids: Any = batch[2]
    # Shift the decoder tokens right (but NOT the tgt_ids)
    decoder_input_ids: Any = shift_tokens_right(tgt_ids, self.tokenizer.pad_token_id)
    # Run the model and get the logits
    outputs: Any = self(src_ids, attention_mask=src_mask, decoder_input_ids=decoder_input_ids, use_cache=False)
    lm_logits: Any = outputs[0]
    # Create the loss function
    ce_loss_fct = torch.nn.CrossEntropyLoss(ignore_index=self.tokenizer.pad_token_id)
    # Calculate the loss on the un-shifted tokens
    loss: Any = ce_loss_fct(lm_logits.view(-1, lm_logits.shape[-1]), tgt_ids.view(-1))
    return {'loss': loss}
```

Figure 4.13 Code Snippet for Training Step Function

Figure 4.13 shows the code snippet which defines the training step for batches of data. It loads the source IDs, source mask, and target IDs from the batch, and next shifts the decoder unput IDs to the right. The model is run to get logits. This function also computes cross-entropy loss, ignoring padding tokens, and the loss is returned. In essence, this function is used to calculate the loss of a batch of data during training.

```
def validation_step(self, batch, batch_idx) -> dict[str, Any]:
    src_ids: Any, src_mask: Any = batch[0], batch[1]
    tgt_ids: Any = batch[2]
    decoder_input_ids: Any = shift_tokens_right(tgt_ids, self.tokenizer.pad_token_id)
    # Run the model and get the logits
    outputs: Any = self(src_ids, attention_mask=src_mask, decoder_input_ids=decoder_input_ids, use_cache=False)
    lm_logits: Any = outputs[0]
    ce_loss_fct = torch.nn.CrossEntropyLoss(ignore_index=self.tokenizer.pad_token_id)
    val_loss: Any = ce_loss_fct(lm_logits.view(-1, lm_logits.shape[-1]), tgt_ids.view(-1))
    return {'loss': val_loss}
```

Figure 4.14 Code Snippet for Validation Step Function

Figure 4.14 is the validation step for batches of data where it is similar to training step but used for validation. This function will compute the loss of a batch of data during validation and return it.

```

# Method that generates text using the BartForConditionalGeneration's generate() method
def generate_text(self, text, eval_beams, early_stopping = True, max_len = 1024) -> list:
    #Function to generate text
    generated_ids: Any = self.model.generate(
        text["input_ids"],
        attention_mask=text["attention_mask"],
        use_cache=True,
        decoder_start_token_id = self.tokenizer.pad_token_id,
        num_beams= eval_beams,
        max_length = max_len,
        early_stopping = early_stopping
    )
    return [self.tokenizer.decode(w, skip_special_tokens=True, clean_up_tokenization_spaces=True) for w in generated_ids]

```

Figure 4.15 Code Snippet for Text Generation Function

The function shown in Figure 4.15 is to generate text using the model's generation capabilities. It takes input IDs, attention mask, and various generation parameters. The generated text is produced using beam search, with the number of beams and the maximum length of the generated text controlled by the input parameters. The generated text is then decoded and returned as a list of strings.

```

def freeze_params(model) -> None:
    #Function that takes a model as input (or part of a model) and freezes the layers for faster training adapted from finetune.py
    for layer in model.parameters():
        layer.requires_grad = False

```

Figure 4.16 Code Snippet for Freeze Parameters Function

Figure 4.16 displays the function of freezing parameters of the given model or model component. It iterates through the model parameters and sets `requires_grad` to false to prevent these layers from being updated during training.

```

# Create a dataloading module as per the PyTorch Lightning Docs
class SummaryDataModule(pl.LightningDataModule):
    def __init__(self, tokenizer, df, batch_size) -> None:
        super().__init__()
        self.tokenizer: Any = tokenizer
        self.batch_size: Any = batch_size
        self.data: Any = df

```

Figure 4.17 Code Snippet for PyTorch Lightning Data Module Initialization

A data module is initialized with the tokenizer, data frame which contains the data, and batch size as shown in Figure 4.17. these parameters are stored as instance variables. This module is designed to handle the data loading and preprocessing for a text summarization task.

```

# Loads and splits the data into training, validation and test sets with a 60/20/20 split
def prepare_data(self) -> None:
    self.train: NDArray, self.validate: NDArray, self.test: NDArray = np.split(self.data.sample(frac=1), [int(.6*len(self.data)),
                                                                                               int(.8*len(self.data))])

```

Figure 4.18 Code Snippet for Data Preparation Function

The function displayed in Figure 4.18 prepares the data by randomly shuffling and splitting it into training, validation, and test sets with a 60/20/20 split.

```

# encode the sentences using the tokenizer
def setup(self, stage) -> None:
    self.train: dict[str, Tensor] = encode_sentences(self.tokenizer, self.train['source'], self.train['target'])
    self.validate: dict[str, Tensor] = encode_sentences(self.tokenizer, self.validate['source'], self.validate['target'])
    self.test: dict[str, Tensor] = encode_sentences(self.tokenizer, self.test['source'], self.test['target'])

```

Figure 4.19 Code Snippet for Sentence Encoding Function

Figure 4.19 shows the sentence encoding function for the three sets of data using the tokenizer. The tokenized data is then stored in the instance variable.

```

# Load the training, validation and test sets in Pytorch Dataset objects
def train_data_loader(self) -> DataLoader[Tuple[Tensor, ...]]:
    dataset = TensorDataset(self.train['input_ids'], self.train['attention_mask'], self.train['labels'])
    train_data = DataLoader(dataset, sampler = RandomSampler(dataset), batch_size = self.batch_size)
    return train_data

```

Figure 4.20 Code Snippet for Data Loader Creation (Training Data) Function

Figure 4.20 is the code snippet of the data loader creation function. It creates a data loader for the training data to load the data in batches during training.

```

def val_data_loader(self) -> DataLoader[Tuple[Tensor, ...]]:
    dataset = TensorDataset(self.validate['input_ids'], self.validate['attention_mask'], self.validate['labels'])
    val_data = DataLoader(dataset, batch_size = self.batch_size)
    return val_data

```

Figure 4.21 Code Snippet for Data Loader Creation (Validation Data) Function

The code snippet in Figure 4.21 is similar to the one in Figure 4.19, but it is used for validation data.

```

def test_data_loader(self) -> DataLoader[Tuple[Tensor, ...]]:
    dataset = TensorDataset(self.test['input_ids'], self.test['attention_mask'], self.test['labels'])
    test_data = DataLoader(dataset, batch_size = self.batch_size)
    return test_data

```

Figure 4.22 Code Snippet for Data Loader Creation (Testing Data) Function

The code snippet in Figure 4.22 is similar to the one in Figure 4.19 and 4.20, but it is used for testing data.

```

def shift_tokens_right(input_ids, pad_token_id) -> Any:
    #Shift input ids one token to the right, and wrap the last non pad token (usually <eos>).
    #This is taken directly from modeling_bart.py
    prev_output_tokens: Any = input_ids.clone()
    index_of_eos: Any = (input_ids.ne(pad_token_id).sum(dim=1) - 1).unsqueeze(-1)
    prev_output_tokens[:, 0] = input_ids.gather(1, index_of_eos).squeeze()
    prev_output_tokens[:, 1:] = input_ids[:, :-1]
    return prev_output_tokens

```

Figure 4.23 Code Snippet for Token Shifting Function

Figure 4.23 shows the function for shifting input tokens in sequence to the right by one position for decoder input preparation. The shifted tokens are then returned.

```

def encode_sentences(tokenizer, source_sentences, target_sentences, max_length=1024, min_length = 512, pad_to_max_length=True,
                    return_tensors="pt") -> dict[str, Tensor]:
    #Function that tokenizes a sentence
    #Args: tokenizer - the BART tokenizer; source and target sentences are the source and target sentences
    #Returns: Dictionary with keys: input_ids, attention_mask, target_ids
    input_ids: list = []
    attention_masks: list = []
    target_ids: list = []
    tokenized_sentences: dict = {}
    for sentence in source_sentences:
        encoded_dict: Any = tokenizer(
            sentence,
            max_length=max_length,
            padding="max_length" if pad_to_max_length else None,
            truncation=True,
            return_tensors=return_tensors,
            add_prefix_space = True
        )
        input_ids.append(encoded_dict['input_ids'])
        attention_masks.append(encoded_dict['attention_mask'])
    input_ids: Tensor = torch.cat(input_ids, dim = 0)
    attention_masks: Tensor = torch.cat(attention_masks, dim = 0)
    for sentence in target_sentences:
        encoded_dict: Any = tokenizer(
            sentence,
            max_length=min_length,
            padding="max_length" if pad_to_max_length else None,
            truncation=True,
            return_tensors=return_tensors,
            add_prefix_space = True
        )
        # Shift the target ids to the right
        # shifted_target_ids = shift_tokens_right(encoded_dict['input_ids'], tokenizer.pad_token_id)
        target_ids.append(encoded_dict['input_ids'])
        target_ids: Tensor = torch.cat(target_ids, dim = 0)
    batch: dict[str, Tensor] = {
        "input_ids": input_ids,
        "attention_mask": attention_masks,
        "labels": target_ids,
    }
    return batch

```

Figure 4.24 Code Snippet for Sentences Encoding Function

Figure 4.24 is the code snippet of the sentences encoding function, where it encodes a list of source and target sentences using a tokenizer. The encoded data is then returned in a batch format.

In summary, the LitModel handles the model's training and generation processes while the SummaryDataModule manages the data loading and preprocessing. This facilitates a streamlined workflow for training a BART text summarization model by utilizing Pytorch Lightning.

4.3.3 AI Techniques

To develop a text summarization model for legal documentation with explainability feature using BART model, several processes and techniques are required, including training and testing process. Visualizing the attention mechanism is the technique used for the explainability feature. The overall flow of the system is explained step-by-step using the flowcharts below.

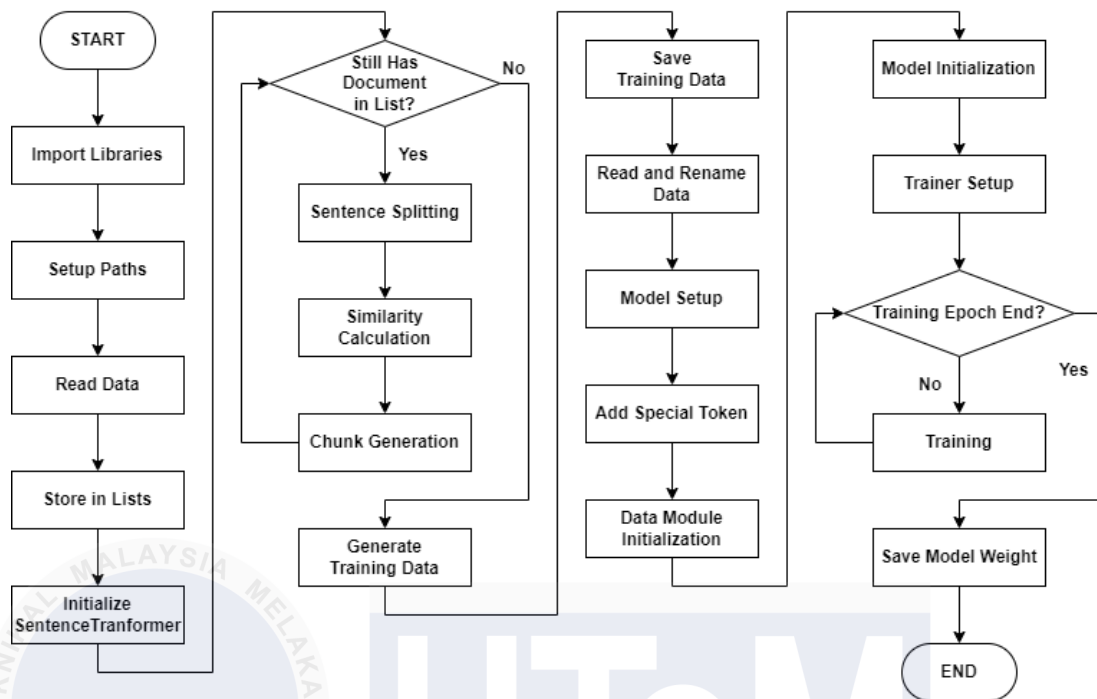


Figure 4.25 Flowchart of Model Training Process

Figure 4.25 shows the training process of the proposed text summarization model. The necessary libraries such as NumPy, NLTK, Pandas, TQDM and BART_utilities are imported. BART_utilities is the file containing libraries that utilize PyTorch Lightning (detail description in Chapter 4.3.2 (page 37)). The paths which will be used in the following process are defined, including dataset, root path, and output path. The training data, including judgment and summary, are read from specified directories and stored in lists. A total of 7030 data (a pair of judgement and summary considered as 1 data) is used in the training process.

A pre-trained sentence transformer is initialized and loaded, specifying to run on CUDA (Compute Unified Device Architecture). This is because CUDA offers a significant boost for training and running a model. Next, the model will check both the judgement and summary lists. If there is document in the lists, the model will split paragraphs into individual sentences and store in lists (for example l1 for judgement sentences and l2 for summary sentences). The cosine similarity between two lists of sentences is calculated. Based on the result, chunks of text from judgement and their corresponding summaries will be generated. Once there is no more document in the judgement and summary lists, the training chunks and summaries are done generated and stored in an excel file. The file is then read, and the columns are renamed into source and target data.

To continue the training process, the environment for using BART model is set up, including load a pre-trained BART model and tokenizer. Special tokens are added to the tokenizer and the token embeddings in the BART model are resized. The data module and lightning model with specified parameters (BART model is used) are initialized. A PyTorch Lightning trainer is set up with GPU (Graphics Processing Unit) acceleration and other training parameters. After all settings are done, the training process starts until the maximum number of epochs is reached. The training process ends with saving the model weight into checkpoint. The detailed code is attached in Appendix C.

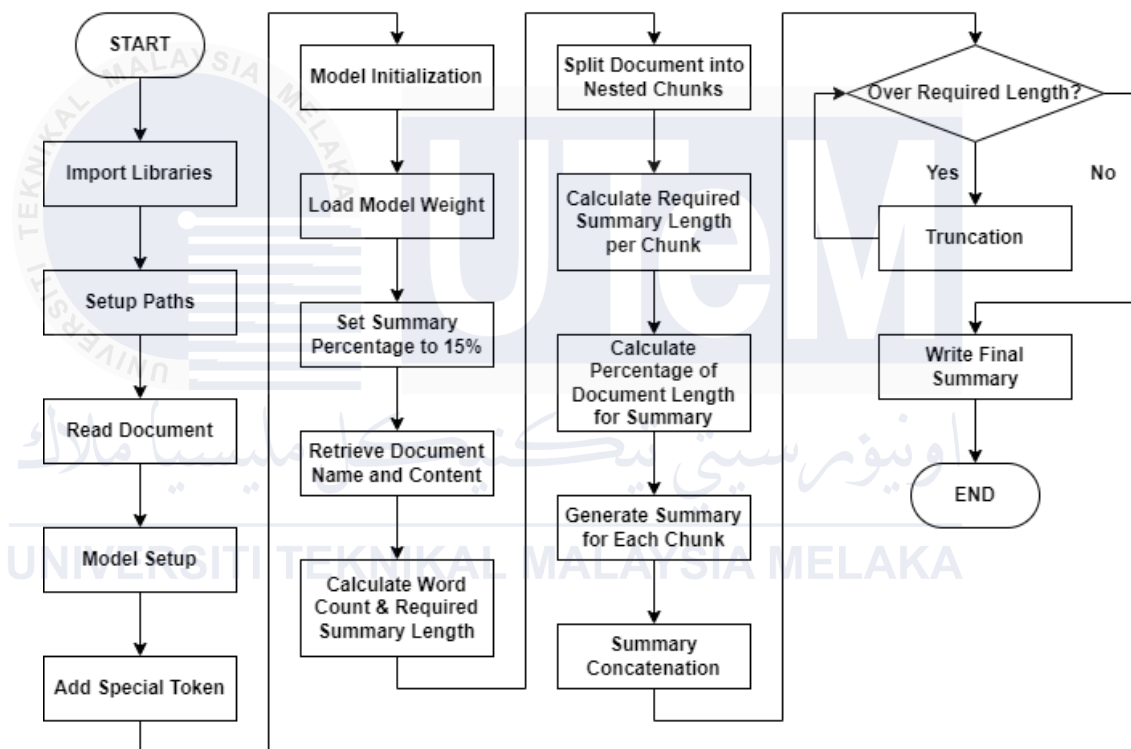


Figure 4.26 Flowchart of Model Testing Process

Figure 4.26 is the testing process of the trained model to read a single document and generate its summary. Similar to the training process, it starts with the import of libraries, path set up, and document reading. The environment for using BART model is set up by loading pre-trained BART model and tokenizer. Special tokens are added to the tokenizer and the token embeddings in the BART model are resized. The lightning model with specified parameters is initialized and the saved model weight is loaded (trained BART model).

The required summary length is set to 15% of the length of the original document. This is because normally the summary length should be in the range of 10%

to 15% of the original text length, or even shorter than the range (Burnell et al., n.d.). The model next retrieves the document's name and content. The word count of the document and the required summary length are calculated. The model splits the document into nested chunks of sentences with a maximum chunk length of 1024 words. The required summary length per chunk and percentage of document length for summary is calculated.

The testing process continues by generating summaries for each chunk using the BART model on GPU. The generated summaries are concatenated into a single string. If the length is more than the required length, truncation needs to be done, else the final summary will be written to the specified output file, and this is the end of the testing process. The detailed code is attached in Appendix D.

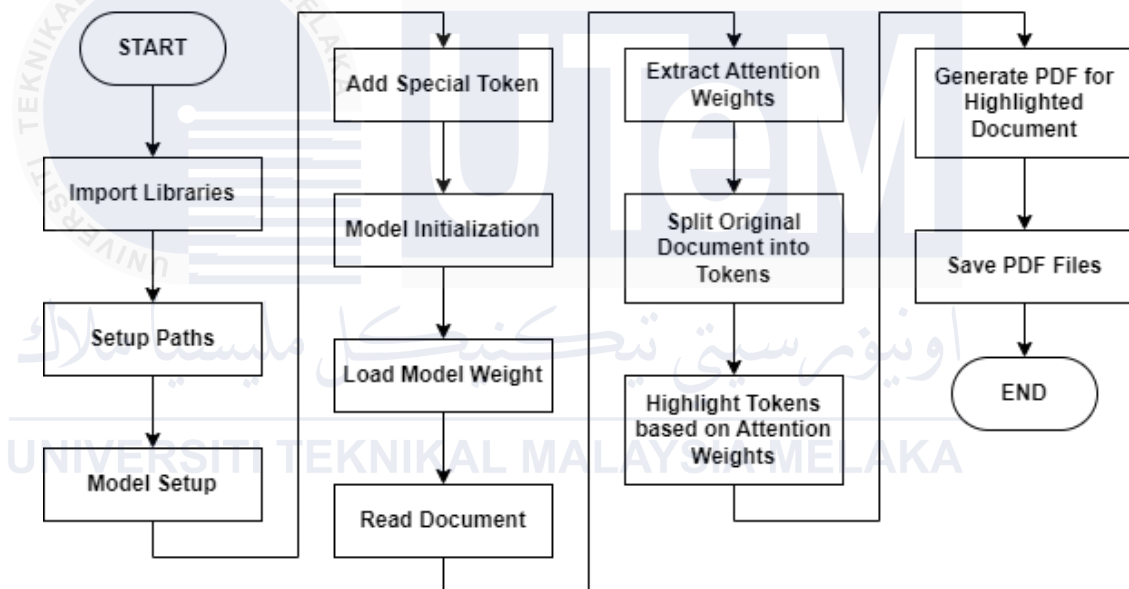


Figure 4.27 Flowchart of Explainability Feature

Figure 4.27 displays the process of how the explainability feature is done. The process is similar to the testing process until the read document step. These steps can be skipped if continued after the summary generation. The attention weights are extracted from the model's output, where the last layer's attention is targeted.

To visualize the attention weights, the original document is split into individual tokens. The important tokens are highlighted based on the attention weights by setting highlight colours proportional to the attention weights. The higher the attention weights, the more important the token is, the more obvious the highlight colour. A PDF (Portable Document Format) file containing the original document text with

highlighted tokens based on attention weights is created. The generated PDF file is saved to the specified output directory. The code snippet is attached in Appendix E.

4.4 Software or Hardware Design (if applicable)

For this section, readers may refer to the detailed description of Software and Hardware Requirement in Chapter 2.4 on page 19 to 20, under the topic of Project Requirements.

4.5 Summary

This chapter outlines the transition from conceptualization to implementation of the proposed text summarization system. It describes the high-level architecture of the system, where the system is divided into a frontend for user interaction and a backend for processing, connected by Flask. Users upload the legal documents, which will be processed and summarized using the trained BART model, and receive documents with important sections highlighted based on attention weights and corresponding summaries. The architectures behind the transformers, BART model, and attention mechanism are also explained. The user interface is designed for simplicity and ease of use, displaying both the original and summarized documents side-by-side. The dataset used in this project is described with examples shown. The AI component utilizes PyTorch Lightning to implement BART model for efficient model training and testing, with detailed code snippets provided for various functions and flowchart granted for process understanding. Next chapter is about the result and discussion of the system developed.

CHAPTER 5: RESULTS AND DISCUSSION

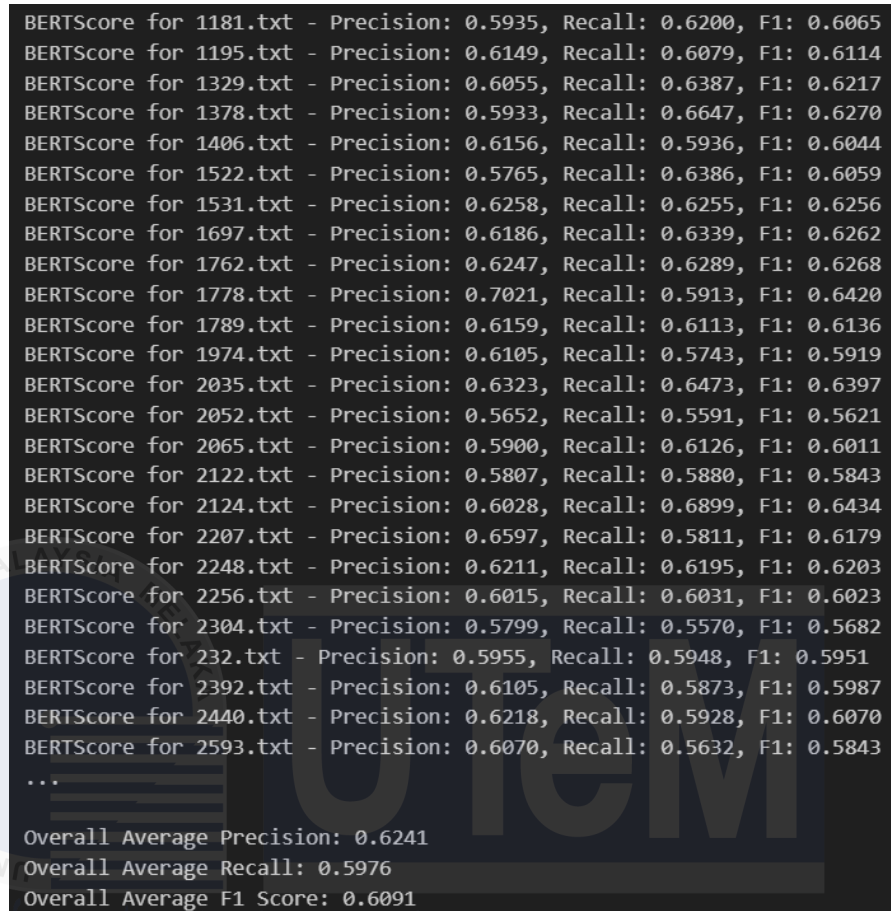
5.1 Introduction

This chapter outlines the evaluation methods used in the project which are precision, recall, F1-score, cosine similarity, and ROUGE score. It also details the testing of functional and non-functional requirements, including test case identification, tester identification, and test case results. A survey has been prepared with certain questions for the testing and the results will be recorded with detailed explanation. This chapter is the evaluation and deployment phases in CRISP-DM (page 16).

5.2 Evaluation of AI Techniques Used in the Project

5.2.1 Techniques

The methods used to evaluate the AI technique used in this project which is the BART text summarization model are BERTScore (including precision, recall, and F1-score) and cosine similarity. In the context of BERTScore, precision reflects how many of the tokens generated by the model are similar to the tokens in the reference summary, recall reflects how well the generated summary covers the tokens from the reference summary, and F1-score combines both to give an overall sense of how similar the generated text is to the reference text in terms of token similarity. High precision but low recall indicates that the model generates very accurate tokens, but it might miss out on important content. High recall but low precision indicates that the model includes the most relevant content but also adds unnecessary or irrelevant tokens. A high F1-score suggests a good balance between capturing the important content and avoiding irrelevant content in the generated summaries.



```

BERTScore for 1181.txt - Precision: 0.5935, Recall: 0.6200, F1: 0.6065
BERTScore for 1195.txt - Precision: 0.6149, Recall: 0.6079, F1: 0.6114
BERTScore for 1329.txt - Precision: 0.6055, Recall: 0.6387, F1: 0.6217
BERTScore for 1378.txt - Precision: 0.5933, Recall: 0.6647, F1: 0.6270
BERTScore for 1406.txt - Precision: 0.6156, Recall: 0.5936, F1: 0.6044
BERTScore for 1522.txt - Precision: 0.5765, Recall: 0.6386, F1: 0.6059
BERTScore for 1531.txt - Precision: 0.6258, Recall: 0.6255, F1: 0.6256
BERTScore for 1697.txt - Precision: 0.6186, Recall: 0.6339, F1: 0.6262
BERTScore for 1762.txt - Precision: 0.6247, Recall: 0.6289, F1: 0.6268
BERTScore for 1778.txt - Precision: 0.7021, Recall: 0.5913, F1: 0.6420
BERTScore for 1789.txt - Precision: 0.6159, Recall: 0.6113, F1: 0.6136
BERTScore for 1974.txt - Precision: 0.6105, Recall: 0.5743, F1: 0.5919
BERTScore for 2035.txt - Precision: 0.6323, Recall: 0.6473, F1: 0.6397
BERTScore for 2052.txt - Precision: 0.5652, Recall: 0.5591, F1: 0.5621
BERTScore for 2065.txt - Precision: 0.5900, Recall: 0.6126, F1: 0.6011
BERTScore for 2122.txt - Precision: 0.5807, Recall: 0.5880, F1: 0.5843
BERTScore for 2124.txt - Precision: 0.6028, Recall: 0.6899, F1: 0.6434
BERTScore for 2207.txt - Precision: 0.6597, Recall: 0.5811, F1: 0.6179
BERTScore for 2248.txt - Precision: 0.6211, Recall: 0.6195, F1: 0.6203
BERTScore for 2256.txt - Precision: 0.6015, Recall: 0.6031, F1: 0.6023
BERTScore for 2304.txt - Precision: 0.5799, Recall: 0.5570, F1: 0.5682
BERTScore for 232.txt - Precision: 0.5955, Recall: 0.5948, F1: 0.5951
BERTScore for 2392.txt - Precision: 0.6105, Recall: 0.5873, F1: 0.5987
BERTScore for 2440.txt - Precision: 0.6218, Recall: 0.5928, F1: 0.6070
BERTScore for 2593.txt - Precision: 0.6070, Recall: 0.5632, F1: 0.5843
...
Overall Average Precision: 0.6241
Overall Average Recall: 0.5976
Overall Average F1 Score: 0.6091

```

Figure 5.1 Precision, Recall, and F1-Score of Generated

According to Figure 5.1, the BERTScore of every single testing data and the average are calculated. The overall precision, recall, and F1-score are 0.6241, 0.5976, and 0.6091 respectively. From the score calculated, the model can be proved that it can generate quite accurate tokens without missing some important content, but the performance still can be improved to get a higher score.

```

Similarity between 1181.txt and 1181.txt: 0.9193541386848635
Similarity between 1195.txt and 1195.txt: 0.9303525554499819
Similarity between 1329.txt and 1329.txt: 0.887512350035644
Similarity between 1378.txt and 1378.txt: 0.8198837464532405
Similarity between 1406.txt and 1406.txt: 0.8502952508578361
Similarity between 1522.txt and 1522.txt: 0.8443071406749381
Similarity between 1531.txt and 1531.txt: 0.9255358522734118
Similarity between 1697.txt and 1697.txt: 0.9540117143227209
Similarity between 1762.txt and 1762.txt: 0.948831555904428
Similarity between 1778.txt and 1778.txt: 0.8618334213286098
Similarity between 1789.txt and 1789.txt: 0.8914524463069843
Similarity between 1974.txt and 1974.txt: 0.9123053902746598
Similarity between 2035.txt and 2035.txt: 0.9390765903501115
Similarity between 2052.txt and 2052.txt: 0.6443404534313723
Similarity between 2065.txt and 2065.txt: 0.9311172106911576
Similarity between 2122.txt and 2122.txt: 0.9746142610635046
Similarity between 2124.txt and 2124.txt: 0.8567284823600161
Similarity between 2207.txt and 2207.txt: 0.912408529570948
Similarity between 2248.txt and 2248.txt: 0.8877496268596694
Similarity between 2256.txt and 2256.txt: 0.9145632007322129
Similarity between 2304.txt and 2304.txt: 0.9242800812185699
Similarity between 232.txt and 232.txt: 0.9666595872164601
Similarity between 2392.txt and 2392.txt: 0.8855462794318737
Similarity between 2440.txt and 2440.txt: 0.9367443453920362
Similarity between 2593.txt and 2593.txt: 0.9012599165193018
...
Similarity between 78.txt and 78.txt: 0.8883868459359161
Similarity between 784.txt and 784.txt: 0.9200697677318741

Overall Accuracy: 0.94

```

Figure 5.2 Cosine Similarity between Reference Summary and Generated Summary, and the Overall Accuracy based on Cosine Similarity

Cosine similarity is a metric used to measure how similar the documents are irrespective of their size (Cosine Similarity | Engati, n.d.). This metric is advantageous as the two similar documents could still have smaller angle even they are far apart by the Euclidean distance because of the size. The smaller the angle, the higher the similarity. The cosine similarity value is allocated between 0 to 1, where the larger the value, the more similar the two documents are. Figure 5.2 displays the result of cosine similarity of the reference summaries and summaries generated by the proposed system, and the overall accuracy based on cosine similarity. A threshold of 0.8 is defined to calculate the accuracy, which means that only summaries with cosine similarity of more than 0.8 will be considered. From the given result, the accuracy is 0.94, showing there are 94 documents from 100 testing data that have cosine similarity higher than 0.8.

5.2.2 Applications

The method used to evaluate the applications is ROUGE Score. The detailed explanation of ROUGE score can be found in Chapter 2.2.3 Techniques (page 12). In the evaluation for the proposed application, ROUGE-1, ROUGE-2, and ROUGE-L are used. ROUGE-N measures the overlap of n-grams between the reference summaries and system generated summaries, where ROUGE-1 refers to the overlap of unigrams (every single word) and ROUGE-2 refers to the overlap of bigrams (two consecutive words), while ROUGE-L is based on the length of the longest common subsequence.

```

ROUGE scores for 1181.txt and 1181.txt:
ROUGE-1: 0.5546448087431695, ROUGE-2: 0.20000000000000004, ROUGE-L: 0.26229508196721313
ROUGE scores for 1195.txt and 1195.txt:
ROUGE-1: 0.5516587677725118, ROUGE-2: 0.22602089268755934, ROUGE-L: 0.22559241706161137
ROUGE scores for 1329.txt and 1329.txt:
ROUGE-1: 0.5436619718309859, ROUGE-2: 0.268361581920904, ROUGE-L: 0.2704225352112676
ROUGE scores for 1378.txt and 1378.txt:
ROUGE-1: 0.5357873210633948, ROUGE-2: 0.2792607802874743, ROUGE-L: 0.32719836400818
ROUGE scores for 1406.txt and 1406.txt:
ROUGE-1: 0.48656294200848654, ROUGE-2: 0.21843971631205675, ROUGE-L: 0.26025459688826025
ROUGE scores for 1522.txt and 1522.txt:
ROUGE-1: 0.5087956698240865, ROUGE-2: 0.21166892808683851, ROUGE-L: 0.2489851150202977
ROUGE scores for 1531.txt and 1531.txt:
ROUGE-1: 0.5907626208378088, ROUGE-2: 0.32292787944025836, ROUGE-L: 0.322234156820623
ROUGE scores for 1697.txt and 1697.txt:
ROUGE-1: 0.6723724751797331, ROUGE-2: 0.3048989379924632, ROUGE-L: 0.2437521396781924
ROUGE scores for 1762.txt and 1762.txt:
ROUGE-1: 0.6311336717428089, ROUGE-2: 0.2847457627118644, ROUGE-L: 0.26057529610829105
ROUGE scores for 1778.txt and 1778.txt:
ROUGE-1: 0.40672782874617736, ROUGE-2: 0.2822085889570552, ROUGE-L: 0.290519877675841
ROUGE scores for 1789.txt and 1789.txt:
ROUGE-1: 0.5801526717557252, ROUGE-2: 0.2664624808575804, ROUGE-L: 0.2564885496183206
ROUGE scores for 1974.txt and 1974.txt:
ROUGE-1: 0.504983388704319, ROUGE-2: 0.21087680355160934, ROUGE-L: 0.2170542635658915
ROUGE scores for 2035.txt and 2035.txt:
...
ROUGE-1: 0.5690890481064483, ROUGE-2: 0.22153846153846152, ROUGE-L: 0.25588536335721596

Average ROUGE scores:
ROUGE-1: 0.49110974216249476, ROUGE-2: 0.24344801246817693, ROUGE-L: 0.24488994840568767

```

Figure 5.3 ROUGE Score between Reference Summary and Generated Summary, and the Average ROUGE Score

The average of the ROUGE score has been calculated as shown in Figure 5.3, which ROUGE-1 is 0.4911, ROUGE-2 is 0.2434, and ROUGE-L is 0.2449. The scores are considered moderate except ROUGE-L as it is lower than 0.3 (What is the ROUGE Score (Recall-Oriented Understudy for Gisting Evaluation)?, Stephen M.). However, it cannot be concluded that the overall performance of the application is poor because ROUGE score relies on reference summaries. The ROUGE score primarily focusses

on the proportion of relevant information preserved in a summary, which may not always be the most crucial aspect in evaluating the system. Researchers may sometimes prioritize on how accurately key details are captured, or fluency, which assesses the coherence and naturalness of the generated summary.

5.3 Testing of Functional Requirement

In application development, thoroughly testing the functional requirements of the product is critical to ensure that the system operates as intended and meets the user needs. Functional testing verifies that each function of the application behaves as the required specifications. This process involves several key steps such as test case identification, tester identification, test case results in either pass or fail, and detailed documentation on the failed test case if any. The test case will describe all the functions of the system including documents upload, process, and result. The description is explained in Table 5.1. Test case 1 to 8 is done by the target users while test case 9 is checked by the developer.

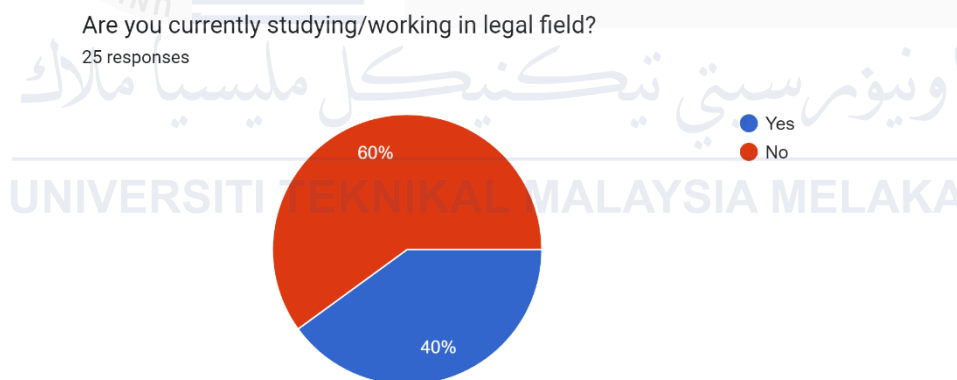


Figure 5.4 Pie Chart of Target Users

A survey has been prepared for the users to rate the system's functionality. The target users are those who study or work in legal fields. Figure 5.4 shows the pie chart of the target users with percentage. In a total of 25 respondents, 10 of them (40%) are currently studying or working in legal field while the 15 people (60%) left are not. Those 10 target users will continue with the questions about functionality of the system.

How many years of experience do you study/work in the legal field?

10 responses

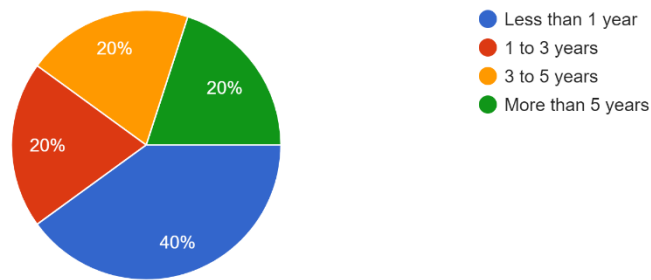


Figure 5.5 Pie Chart of Experience Studying or Working in Legal Fields

A simple demographic is indicated in Figure 5.5, Figure 5.6, and Figure 5.7. Figure 5.5 shows the pie chart of experience of the 10 target users studying or working in legal field. 4 people (40%) have less than 1 year experience, while the range 1 to 3 years, 3 to 5 years, and more than 5 years have 2 respondents (20%) each.

How often do you deal with legal case documents?

10 responses

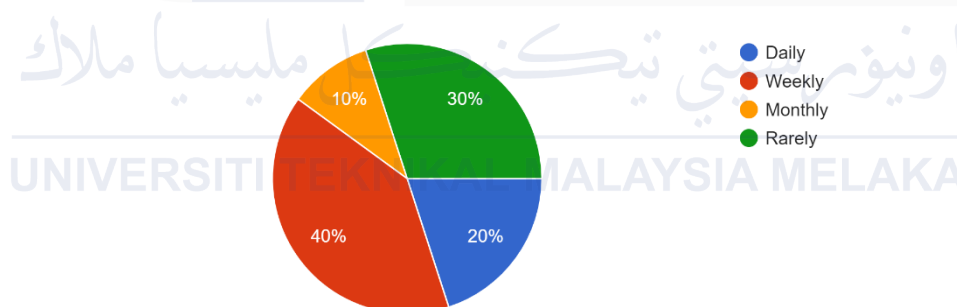


Figure 5.6 Pie Chart of Frequency Dealing with Legal Case Documents

Figure 5.6 displays the pie chart of frequency the target users dealing with the legal case documents. Most of them deal with the documents weekly (4 respondents with 40%), followed by rarely (3 respondents with 30%), and daily (2 respondents with 20%). Only one respondent (10%) from the target users deals with the legal documents monthly.

Have you ever use text summarization tools for legal case documents before?
10 responses

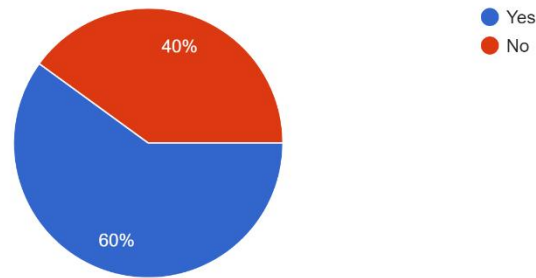


Figure 5.7 Pie Chart of Experience in Using Text Summarization Tools for Legal Case Documents

Figure 5.7 exhibits the pie chart of target users' experience in using text summarization tools for legal case documents. 60% (6 respondents) of them have used the tools before while 40% of the left (4 respondents) have not.

The demographic gives a basic impression on the target users, especially on the years they are involved in legal field, frequency they deal with legal documents, and their experience on using text summarization tools. This can help in answering the functionality questions better because different experiences can have different opinions on the system. Their rating on the system's functionality is shown in Figure 5.8, Figure 5.9, and Figure 5.10.

How accurate do you find the summaries generated by the system?
10 responses

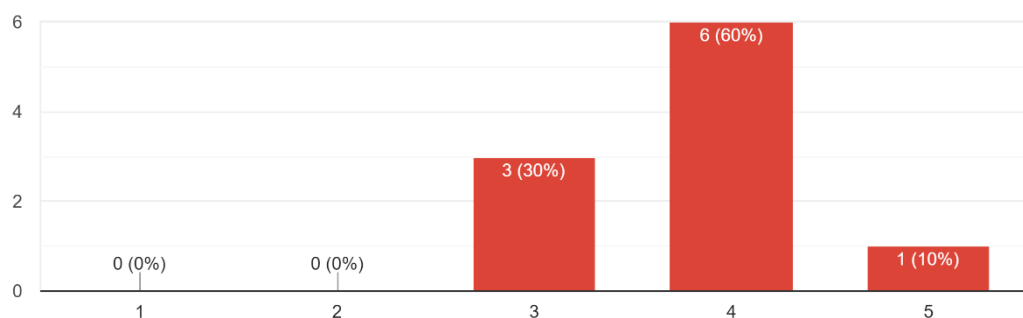


Figure 5.8 Bar Chart of How Accurate the Users Find the Summaries Generated by the System

Figure 5.8 is the bar chart on how accurate the users find the summaries generated by the system. The rating started from 1 (very inaccurate) to 5 (very

accurate). Most of the target users (6 respondents, 60%) find the summaries generated to be accurate and one of them (10%) said it is very accurate, while 3 respondents (30%) found the summaries generated are only moderate.

Do you think the highlighted words are important keywords in the original text?

10 responses

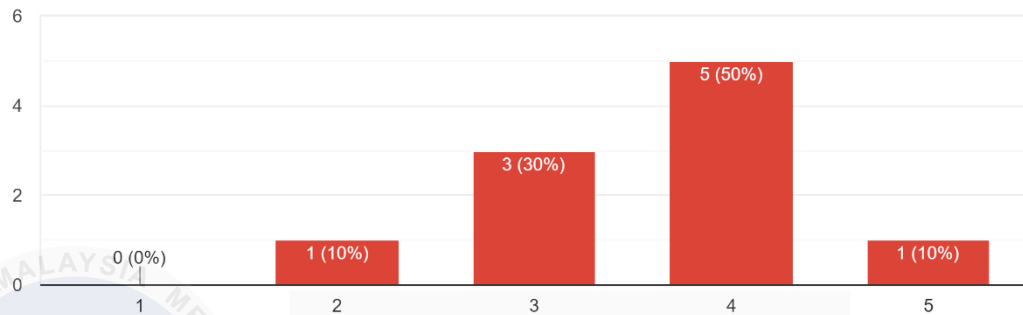


Figure 5.9 Bar Chart of the Importance of Highlighted Words

Figure 5.9 displays the bar chart of target users' opinion on the importance of the highlighted words, rating from 1 (very unimportant) to 5 (very important). Half of the target users (5 respondents, 50%) think the highlighted words are important, followed by 3 respondents (30%) who feel the importance of highlighted words are average. For the range unimportant and very important, one respondent (10%) voted for each.

How effectively do you find to understand the legal documents by only reading the summaries generated?

10 responses

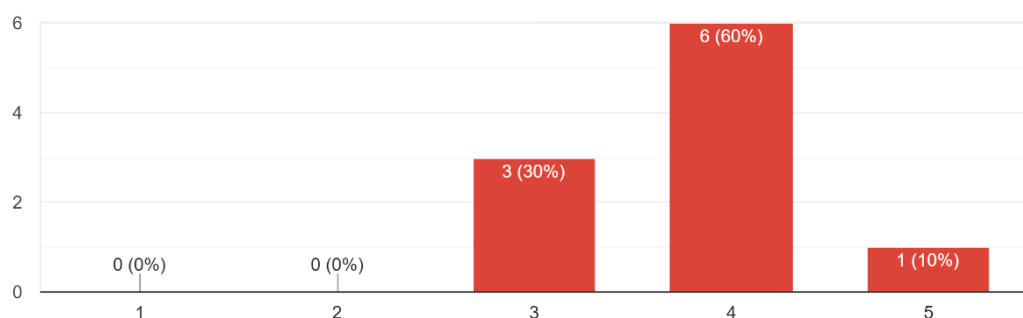


Figure 5.10 Bar Chart of the Users' Understanding of the Legal Documents by only Reading the Generated Summaries

Figure 5.10 shows the bar chart about the target users' understanding of the legal documents by only reading the generated summaries. The rating is between 1 (very poorly) to 5 (very well). 6 respondents (60%) from the target users are able to understand well and one respondent (10%) can understand very well. 30% (3 respondents) of the target users only have moderate understanding of the legal documents if only read the generated summaries.

5.4 Testing of Non-Functional Requirement

The testing of non-functional requirements of the system is also crucial to ensure the system works smoothly. Testing on usability, design, and aesthetics has been done through a survey, including some open-ended questions for extra opinions, comments, and feedback. A total of 25 respondents have been involved in this section.

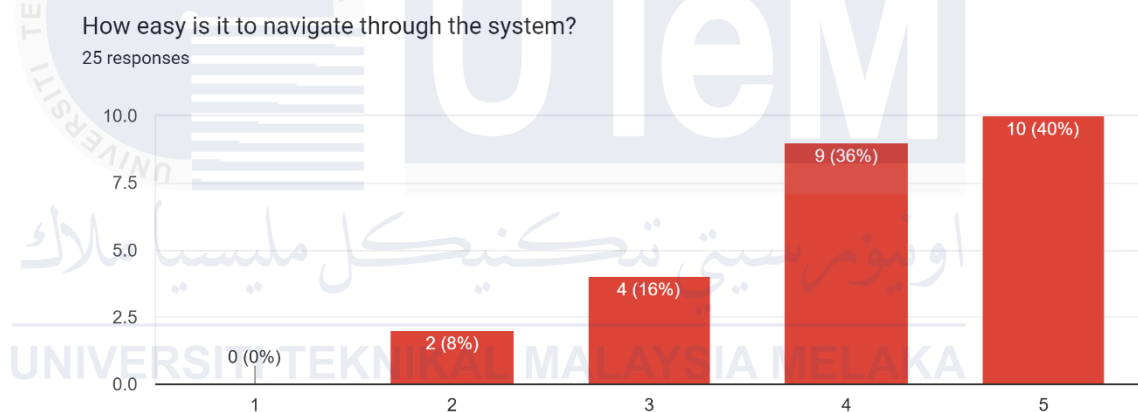


Figure 5.11 Bar Chart of Easiness of Navigation through the System

Figure 5.11 indicates the users' opinion on the easiness of navigation through the system, from 1 (very difficult) to 5 (very easy). 10 respondents (40%) think it is very easy to navigate through the system, followed by 9 respondents (36%) who think the navigation is easy. 16% of the users (4 respondents) feel moderate on the navigation while the two respondents left (8%) feel difficult to navigate through the system.

How helpful are the briefing and explanation in guiding you through the system?

25 responses

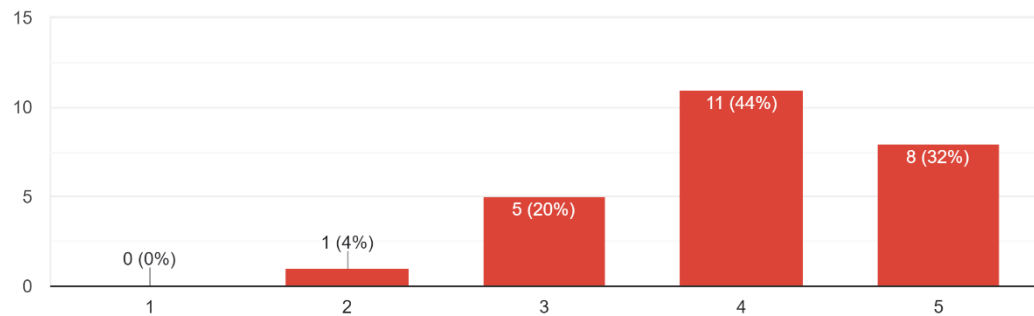


Figure 5.12 Bar Chart of the Helpfulness of the Briefing and Explanation

Figure 5.12 is the bar chart about the helpfulness of the briefing and explanation in guiding users through the system. The rating started from 1 (very unhelpful) to 5 (very helpful). 8 respondents (32%) find the information very helpful while 11 respondents (44%) think it is helpful. 20% of the users (5 respondents) feel average on the information and only one respondent (4%) finds it unhelpful.

How would you rate on learning to use the system?

25 responses

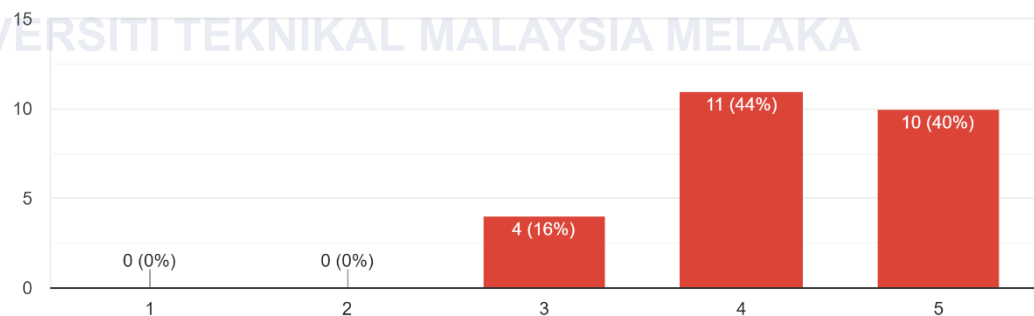


Figure 5.13 Bar Chart of Rating on Learning to Use the System

Figure 5.13 exhibits the bar chart of users' rating on learning to use the system from 1 (very difficult) to 5 (very easy). There are 11 respondents (44%) and 10 respondents (40%) feel easy and very easy on learning to use the system respectively. However, 16% of the users (4 respondents) rated only moderate on it.

How visually appealing do you find the user interface?

25 responses

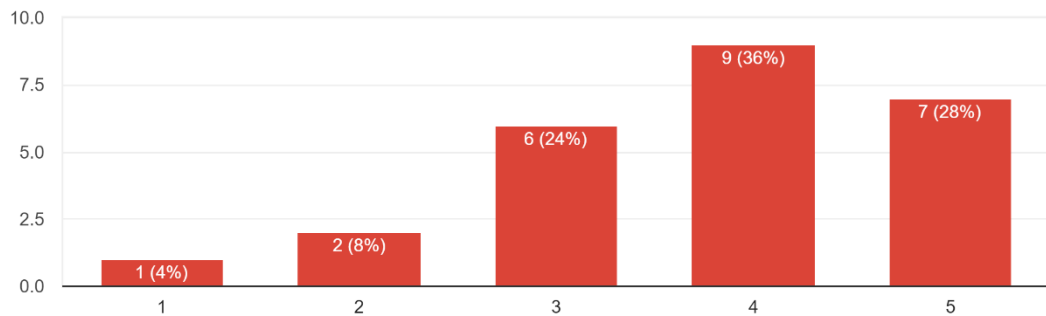


Figure 5.14 Bar Chart of Visual Appeal Level of User Interface

Figure 5.14 displays the level of visual appeal of the user interface, rating start from 1 (very unappealing) to 5 (very appealing). The highest rating is 4 which is appealing with the vote of 9 (36%), followed by rating 5 (very appealing) with 28% voting (7 respondents). 6 respondents (24%) found the visual appeal of the user interface is average. For the range unappealing and very unappealing, they have 8% (2 respondents) and 4% (1 respondent) of voting respectively.

Is the information presented in clear and organized manner?

25 responses

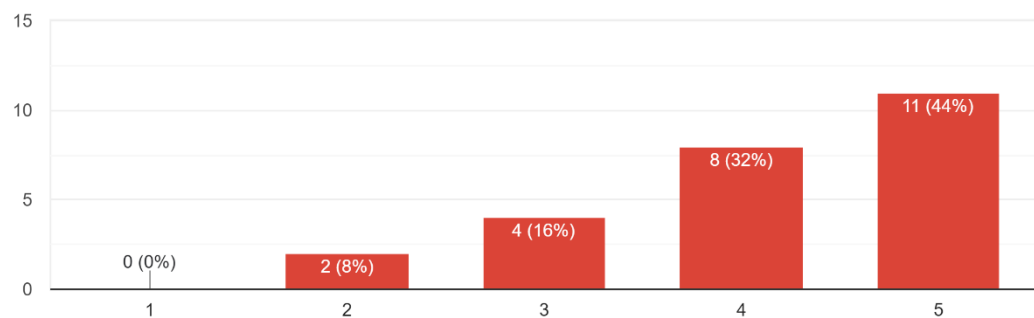


Figure 5.15 Bar Chart of Information Presentation

Figure 5.16 shows the users' opinion on the information presentation whether it is presented in clear or organized manner or not. The rating is between 1 (very disorganized) to 5 (very organized). Most of the users (11 respondent, 44%) agree that the presentation is very organized while 8 respondents (32%) said it is organized. 16%

of users (4 respondents) found the presentation is only average and the last 2 respondents (8%) feel the presentation is disorganized.

How would you rate the font size, type, and layout of the content?

24 responses

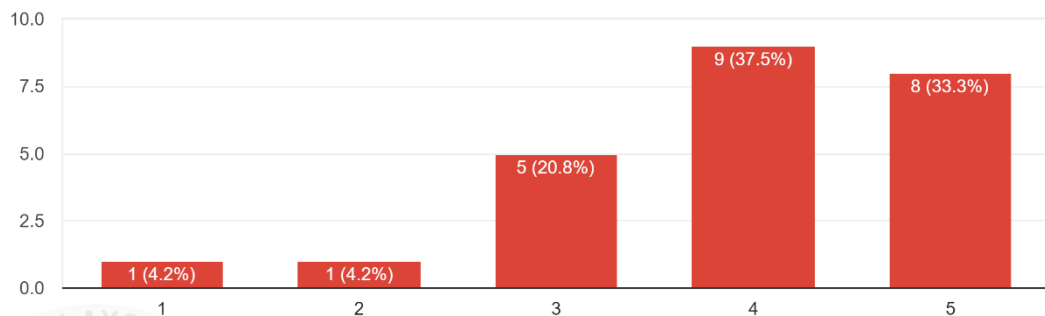


Figure 5.16 Bar Chart of Rating on the Font Size, Type, and Content Layout

Figure 5.17 indicates the bar chart of users' rating on the font size, type, and content layout from 1 (very poor) to 5 (excellent). The highest rating is 4 (good) with a total of 37.5% vote (9 respondents). 8 respondents (33.3%) rate the readability of the system excellent while 5 respondents (20.8%) feel the readability is only moderate. For the range poor (2) and very poor (1), one respondent (4.2%) voted on each.

Open-ended questions are also prepared for the respondents for the extra comments or feedback. Most of the respondents think the system is already good presently, but some also provide their opinions on future improvement. The largest improvement to be made is enhancing the user interface and content layout such as increasing the line spacing, more creative in colours and layout, and making sure the layout is more organized for easy viewing. Extra functions are also requested by the users. For example, language translator feature and adjustable summary for users to select on the summary length. Overall, the feedback highlights the users' satisfaction with the current system, but also points out some valuable suggestions for enhancing the user interface (UI), layout, and functionality to further improve the user experience (UX).

5.5 Summary

This chapter focuses on the evaluation methods and results of the AI techniques and system requirements for the project. The evaluation includes BERTScore (precision, recall, F1-score), cosine similarity, and ROUGE score, with a detailed test case description of the system. The chapter also covers the functional and non-functional testing of the system, including user feedback which is gathered through surveys. Functional testing verifies the system's ability to meet the specifications while non-functional testing assesses usability, design, and aesthetics. Extra feedback indicates the general satisfaction of the users with the system, along with some suggestions for user interface and functionality improvements to enhance user experience.



Table 5.1 Test Case Table

Test Case	Description	Steps	Expected Output	Actual Output	Status (Pass/Fail)
1	Upload document from local storage.	<ol style="list-style-type: none"> 1. Click "Choose File" button. 2. Select file to upload. 3. Click "Submit" button. 	Document selected successfully uploaded to system for processing.	Document selected successfully uploaded to system for processing.	Pass
2	Real-time summarization of document and result generation.	<ol style="list-style-type: none"> 1. Click "Choose File" button. 2. Select file to upload. 3. Click "Submit" button. 4. Highlighted original document and summary are on the left and right panel of result page respectively. 	Both results were successfully processed and shown in the right position.	Both results were successfully processed and shown in the right position.	Pass
3	Download highlighted original document to local storage.	<ol style="list-style-type: none"> 1. Click "Choose File" button. 2. Select file to upload. 3. Click "Submit" button. 4. Highlighted original document and summary are on the left and right panel of result page respectively. 	Highlighted original document successfully downloaded to local storage.	Highlighted original document successfully downloaded to local storage.	Pass

		5. Click “Download Highlighted Original Document” button.			
4	Download summary to local storage.	<ol style="list-style-type: none"> 1. Click “Choose File” button. 2. Select file to upload. 3. Click “Submit” button. 4. Highlighted original document and summary are on the left and right panel of result page respectively. 5. Click “Download Summary” button. 	Summary successfully downloaded to local storage.	Summary successfully downloaded to local storage.	Pass
5	Upload new document.	<ol style="list-style-type: none"> 1. Click “Choose File” button. 2. Select file to upload. 3. Click “Submit” button. 4. Highlighted original document and summary are on the left and right panel of result page respectively. 5. Click “Upload New Document” button. 	Navigate back to the homepage to allow document upload.	Navigate back to the homepage to allow document upload.	Pass
6	Handle various format of	1. Click “Choose File” button.	Three types of documents were successfully	Three types of documents were successfully	Pass

	document (.pdf, .docx, .txt).	<ol style="list-style-type: none"> 2. Select file (in .pdf, .docx, .txt) to upload. 3. Click “Submit” button. 	uploaded to the system for processing.	uploaded to the system for processing.	
7	Highlight of important words in original document.	<ol style="list-style-type: none"> 1. Click “Choose File” button. 2. Select file to upload. 3. Click “Submit” button. 4. Highlighted original document and summary are on the left and right panel of result page respectively. 5. Click “Download Highlighted Original Document” button. 	Both original documents on the result page and downloaded pdf have important words highlighted.	Both original documents on the result page and downloaded pdf have important words highlighted.	Pass
8	Error handling.	<ol style="list-style-type: none"> 1. Click “Choose File” button. 2. Select file (in .pdf, .docx, .txt) to upload. 3. Click “Submit” button. 	Error message of unsupported file type displayed.	Error message of unsupported file type displayed.	Pass
9	Frontend and backend communication using Flask.	<ol style="list-style-type: none"> 1. Click “Choose File” button. 2. Select file to upload. 3. Click “Submit” button. 4. Check backend process. 	Successful communication with documents uploaded and processed.	Successful communication with documents uploaded and processed.	Pass

CHAPTER 6: CONCLUSION

6.1 Observation on Weakness and Strengths

The project has shown a combination of both weaknesses and strengths that reflects its current state and recommendations for future development. One of the notable weaknesses is the moderate performance of the AI model, which does not consistently deliver the high accuracy and quality expected from advanced text summarization systems. The performance may be due to various factors, such as improper training parameters or limitations in the dataset used.

Another area that needs attention is the user interface of the web-based application, which will further affect the user experience. Although it serves its purposes and gets most of the good feedback, some users are still unsatisfied with the visual appeal like line spacing and the content layout. The modern users required more creative and intuitive design which can enhance the overall user experience and satisfaction.

On the other hand, the project strength lies in its successful integration of explainable AI that increases the transparency of the AI model. By using the feature, users have insights into how and why the summary was generated during text summarization. This feature is particularly valuable in understanding the rationale behind AI-generated content, especially in the legal field. The ability to explain decisions made builds trust with users and sets the system apart from other summarization tools that operate as “black boxes”.

6.2 Propositions for Improvement

After the identification of the strengths and weaknesses of the system, several key propositions for improvement can be made in future. First and foremost is modifying the training parameters. To enhance the system's performance, a detailed review and adjustment of the training parameters need to be done. This could involve experimenting with different model architectures, tuning hyperparameters, or using more diverse and extensive training datasets. The suggested ideas should be able to increase the model's accuracy and ability to generate high-quality summaries.

For the user interface of the application, a comprehensive overhaul is recommended. The enhancement should focus on making the user interface more visually appealing and user-friendly. This could involve updating the design to be more modern and responsive to ensure it meets the accessibility standards. User feedback should also be incorporated to improve the navigation through the system and overall usability.

A feature that some users required is the adjustable summary length, allowing users to adjust the length of the summary generated by the system. This feature will add a valuable level of customization as there are different needs between users. Some require a brief overview, but some claim a detailed summary. The target users would benefit from being able to tailor the output according to their specific requirements.

Last but not least, introducing a language translation feature will significantly broaden the system's appeal and usability as it enables the system to serve a more diverse user base. The feature allows the system to generate summary in multiple languages and catering to non-native users or those studying or working in multilingual environments.

6.3 Project Contribution

From the findings of the project, it makes several important contributions to the university, faculty, and individual, especially in the field of artificial intelligence text summarization and the integration of explainable artificial intelligence.

To the university and faculty, the project provides a practical example to implement an AI-driven solution with a focus on model transparency and interpretability. The project can be used as a learning tool or a basis for further academic research, potentially leading to future innovations or collaborations.

On a personal level, the project contributes to the individual's expertise in artificial intelligence, specifically in the areas of natural language processing and explainable artificial intelligence. The experience and skills gained through this project can be precious for future career opportunities or advanced studies.

The detailed user manual which provides comprehensive instructions on how to use the system is attached in Appendix F. The manual is a crucial resource for users and stakeholders to ensure that they can fully leverage the system's capabilities.

6.4 Summary

In summary, the project successfully meets the set objectives as it delivers a functional and explainable AI-driven text summarization system. The system demonstrates significant potential especially with the integration of XAI. It also reveals some areas for improvement, such as performance optimization and user interface enhancement. The proposed improvements, including adjusting training parameters, upgrading the user interface, and adding new features like adjustable summary length and a language translator, will further enhance the system's functionality and user satisfaction. Concluding, the project not only contributes valuable insights and tools to the AI and legal field but also create a basis for further development. With the recommended improvements, the system has a high potential to become a leading tool in its domain, offering users a more powerful, customizable, and accessible text summarization experience.

REFERENCES

- Norkute, N. H. A. M. (2021, August 24). *Explainable AI for Text Summarization of Legal Documents*. Hyperight. <https://hyperight.com/explainable-ai-for-text-summarization-of-legal-documents/>
- Pandya, V. (2019, August 17). *Automatic Text Summarization of Legal Cases: A Hybrid Approach*. <https://doi.org/10.5121/csit.2019.91004>
- Anand, D., & Wagh, R. (2022, May). Effective deep learning approaches for summarization of legal texts. *Journal of King Saud University - Computer and Information Sciences*, 34(5), 2141–2150. <https://doi.org/10.1016/j.jksuci.2019.11.015>
- Shukla, A., Bhattacharya, P., Poddar, S., Mukherjee, R., Ghosh, K., Goyal, P., & Ghosh, S. (2022, October 14). Legal Case Document Summarization: Extractive and Abstractive Methods and their Evaluation. arXiv.org. <https://arxiv.org/abs/2210.07544>
- A. (2022, January 4). *Text Summarization with Attention based Networks - Adarsh - Medium*. Medium. <https://medium.com/@iit2018056/text-summarization-with-attention-based-networks-8492e9277c0>
- Wang, Z. (2021, April 1). An Automatic Abstractive Text Summarization Model based on Hybrid Attention Mechanism. *Journal of Physics: Conference Series*, 1848(1), 012057. <https://doi.org/10.1088/1742-6596/1848/1/012057>
- Dutta, S., Das, A. K., Ghosh, S., & Samanta, D. (2023, January 1). Graph-based clustering technique for microblog clustering. Elsevier eBooks. <https://doi.org/10.1016/b978-0-32-391785-8.00018-4>
- A., & A. (2023, April 6). Tech Deep Dive: Extractive vs. abstractive summaries and how machines write them. Iris.ai - Your Researcher Workspace. <https://iris.ai/technology/tech-deep-dive-abstractive-summarization/>
- Stephen M. Walker II. What is the ROUGE Score (Recall-Oriented Understudy for Gisting Evaluation)? – Klu. <https://klu.ai/glossary/rouge-score>

- Giarelis, N., Mastrokostas, C., & Karacapilidis, N. (2023, June 28). Abstractive vs. Extractive Summarization: An Experimental Review. Applied Sciences. <https://doi.org/10.3390/app13137620>
- Lewis, M., Liu, Y., Goyal, N., Ghazvininejad, M., Mohamed, A., Levy, O., Stoyanov, V., & Zettlemoyer, L. (2019, October 29). BART: Denoising Sequence-to-Sequence Pre-training for Natural Language Generation, Translation, and Comprehension. arXiv.org. <https://arxiv.org/abs/1910.13461>
- Erkan, G., & Radev, D. (2004, December 1). LexRank: Graph-based Lexical Centrality as Salience in Text Summarization. Journal of Artificial Intelligence Research/the Journal of Artificial Intelligence Research. <https://doi.org/10.1613/jair.1523>
- Sharma, K., Singh, K., Sharma, K., & Gupta, J. (2023). Question Summation and Sentence Similarity using BERT for Key Information Extraction. International Journal for Research in Applied Science and Engineering Technology, 11(4), 1636–1639. <https://doi.org/10.22214/ijraset.2023.50087>
- Radev, D. R., & Zhang, Z. (2001, October 5). Experiments in Single and Multi-Document Summarization Using MEAD. ResearchGate. https://www.researchgate.net/publication/2494248_Experiments_in_Single_and_Multi-Document_Summarization_Using_MEAD
- Santhosh, S. (2023, April 17). Understanding BLEU and ROUGE score for NLP evaluation. Medium. <https://medium.com/@sthanikamsanthosh1994/understanding-bleu-and-rouge-score-for-nlp-evaluation-1ab334ecadcb>
- Özbolat, H. (2023, October 13). Text Summarization: How to Calculate BertScore - Hatice Özbolat - Medium. Medium. <https://haticeozbolat17.medium.com/text-summarization-how-to-calculate-bertscore-771a51022964>
- Sojasingarayar, A. (2024, February 23). BERTScore Explained in 5 minutes - Abonia Sojasingarayar - Medium. Medium. <https://medium.com/@abonia/bertscore-explained-in-5-minutes-0b98553bfb71>

Mulkar, A. (2023, October 25). Explainable AI (xAI) in Natural Language Processing (NLP). Medium. <https://ankushmulkar.medium.com/explainable-ai-xai-in-natural-language-processing-nlp-d75d5be216e3>

Vaswani, A., Shazeer, N., Parmar, N., Uszkoreit, J., Jones, L., Gomez, A. N., Kaiser, L., & Polosukhin, I. (2017, June 12). Attention Is All You Need. arXiv.org. <https://arxiv.org/abs/1706.03762>

What are the pros and cons of using attention mechanisms in text summarization with RNNs? (2023, March 21). www.linkedin.com. <https://www.linkedin.com/advice/3/what-pros-cons-using-attention-mechanisms-text-summarization>

Vig, J. (2019, April 4). Visualizing Attention in Transformer-Based Language Representation Models. arXiv.org. <https://arxiv.org/abs/1904.02679>

Garreau, D., & Luxburg, U. (2020, June 3). Explaining the Explainer: A First Theoretical Analysis of LIME. PMLR. <https://proceedings.mlr.press/v108/garreau20a.html>

Tounsi, Y., Anoun, H., & Hassouni, L. (2020). CSMAS. <https://doi.org/10.1145/3386723.3387851>

What is a Transformer Model? | IBM. (n.d.). <https://www.ibm.com/topics/transformer-model>

Falcon, W. (2021, December 13). From PyTorch to PyTorch Lightning — A gentle introduction. Medium. <https://towardsdatascience.com/from-pytorch-to-pytorch-lightning-a-gentle-introduction-b371b7caaf09>

Burnell, C., Wood, J., Babin, M., Pesznecker, S., & Rosevear, N. (n.d.). Writing Summaries. Pressbooks. <https://openoregon.pressbooks.pub/wrd/chapter/writing-summaries/>

Cosine similarity | Engati. (n.d.). Engati. <https://www.engati.com/glossary/cosine-similarity>

APPENDIX A: 20 EXAMPLES OF TRAINING DATA SET

Judgement 1:

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Appeal No. 75 of 1950.
Appeal from the Judgment of the High Court of Judicature at Patna dated 22nd November, 1944, in Appeal No. 238 of 1940 arising out of order dated 13th July, 1940, of the Subordinate Judge of Bhagalpur in M.S.
Case No. 174 of 1939.
The facts of the case appear from the judgment.
The appeal was originally preferred to the Privy Council and was subsequently transferred and heard by the Supreme Court.
N.C. Chatterjee (B. Sen, with him) for the appellant.
B.C. De (Raghunath Jha, with him) for the respondents.
65 1951.
October 26.
The Judgment of the court was delivered by DAs J.
This appeal has come up for hearing before us on transfer from the Privy Council.
The appellant is the present holder of Taluk Kakwara which appertains to Mahalat Kharakpur.
The respondents represent the Banaili Raj which has also acquired the Mahalat of Kharakpur.
The respondents obtained a decree for Rs. 11,587 14 6 against the appellant for arrears of rent and cess and applied for execution of their decree by the attachment and sale of Taluk Kakwara.
On August 29, 1939, the appellant judgment debtor filed an objection under section 47 of the Code of Civil Procedure alleging that as Taluk Kakwara was held on Ghatwali tenure it could not be sold in execution of a money decree.
This objection was rather too wide, for all lands held on Ghatwali tenure were not necessarily inalienable.
Indeed, in Kali Pershad Singh vs Anand Roy(1) which related to the Ghatwali Mahal of Kharakpur within the Mahalat of Kharakpur the evidence clearly established a number of instances in which there had been unquestioned transfers and sales applicable to Mahals in Kharakpur and it was held by the Privy Council that the true view to take was that such a tenure in Kharakpur was not inalienable, and might be transferred by the Ghatwali or sold in execution of a decree against him, if such transfer or sale was assented to by the Zamindar.
A sale at the instance of the Zamindar in execution of a decree for arrears of rent necessarily implies the existence of such assent.
In the later case of Narayan Singh vs Miranjan Chakravarti(2) which related to the Ghatwali Mahal of Handwa, Lord Sumner recognised that the decision of the Privy Council in the Kharakpur Ghatwali Mahal case was fully supported by the evidence adduced in that case and that that authority had been repeatedly followed and applied in India, and, so far as the reports showed, without proof of the custom being required over again.
Lord Sumner, however, pointed out that (1) (1887) L.R. 15 I.A. Cal.
(2) (1923) L.R. 51 I.A. Pat. 184; A.L.R. (1924) P.C. 5.
9 66 it was plain that as the custom depended on proof, and as the tenure in question was one in the Zamindari of Kharakpur and under its Zamindar, it could have no reference to Ghatwali tenures not under him nor forming part of his Zamindari.
The Privy Council in the later case referred to above saw no ground for thinking that the custom of Kharakpur had any application to Ghatwali tenures, which, like Handwa, were independent of the Kharakpur Zamindari, even though they might be not far off Kharakpur.
In short, it may be said to be well established and the contrary has not been urged before us that Ghatwali tenures held under the Zamindar of Kharakpur were, by custom judicially recognised, alienable with the assent of the Zamindar while Ghatwali tenures like Handwa held under the Government direct were inalienable.
In this state of the authorities, the appellant judgment debtor on May 31, 1940, filed a fresh petition of objection under section 47 of the Code claiming that Taluk Kakwara was held under a Government Ghatwali tenure.
The principal question for determination in those execution proceedings was whether Taluk Kakwara was a Government Ghatwali, as alleged by the appellant judgment debtor, or was a Zamindari Ghatwali held under themselves, as claimed by the Respondents decree holders.
The learned Subordinate Judge held that Taluk Kakwara was a Zamindari Ghatwali under the Raja of Kharakpur and overruled the objection of the judgment debtor.
The Judgment debtor appealed to the High Court.

Summary 1:

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Taluk Kakwara was in its origin a Zamindari Ghatwali tenure and continued to be so, and was in fact treated as such ever since.
Even if by virtue of Captain Browne's Sanad it became a Government Ghatwali tenure, then under the Sanad of Raja Kadir Ali or after the Permanent Settlement at any rate, it became a Zamindari Ghatwali and as such alienable with the consent of the Zamindar according to the custom of Kharakpur judicially recognised [Nature and incidents of Ghatwali tenures discussed].

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Judgement 2:

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Civil Appeals Nos. 29 and 30 of 1951.
Appeals from the judgment and decree dated 26th October, 1943, of the High Court of Judicature at Allahabad (Verma and Yorke JJ.) in First Appeal No. 48 of 1938 arising out of the judgment and decree dated 6th August, 1937, of the Court of the Additional Civil Judge at Agra in suit No. 30 of 1936.
M.C. Setalvad and Kishan Ram (K. B. Asthana, with them) for the appellant in Civil Appeal No. 29 of 1951.
K.N. Agarwal for the appellant in Civil Appeal No. 30 of 1951.
C.K. Daphary (G. C. Mathur, with him) for the respondents in both the appeals.
April 24.
The Judgment of the Court was delivered by MAHAJAN J.
796 Mst.
Khem Kuer, the young widow of Shah Chiranji Lal, was murdered on the 28th August, 1919, and Mst.
Mohan Kuer, the mother, died on the 5th December, 1932.
Prem Kuer, the respondent in the appeal, claiming herself to be the heir to Shah Chiranji Lal as his sister, brought the suit giving rise to this appeal in the court of the civil judge, Agra, against, amongst others, Mst.
Phool Kuer, the present appellant, for recovery of possession of the properties of Shah Chiranji Lal and mesne profits.
Prem Kuer joined her half sister Mst.
Ram Kuer and their sons as plaintiffs along with herself.
In the array of defendants were impleaded Mst.
Phool Kuer and Mst.
Khem Kuer, widows of Shah Jwala Prasad and Shah Madho Lal and his sons and a host of others as transferees of the properties.
The main defence to the suit was that Shah Jwala Prasad and Shah Madho Lal were recognized to be the owners and heirs to the entire estate of Shah Chiranji Lal by Khem Kuer and Mohan Kuer in a family settlement arrived at between the parties in suit No. 120 of 1915, that by virtue of this family settlement the estate of the deceased was vested in them subject to the life estates of the two women and that the plaintiffs who came to be recognized as reversioners by the Hindu Law of Inheritance (Amendment) Act, 11 of 1929, were not entitled to claim it.
It was further pleaded that on the death of Khem Kuer in 1919, Mohan Kuer surrendered the estate in favour of Jwala Prasad and Madho Lal and they took possession of it as owners and the plaintiffs who subsequently became statutory heirs in 1919 could not be allowed to question the surrender and reopen the succession which could not remain in abeyance.
The learned additional civil judge who tried the suit, dismissed it holding that the compromise of 1915 was a bona fide settlement of a bona fide dispute and was binding as a family settlement being for the benefit of the estate, that Mohan Kuer surrendered the estate validly in favour of Jwala Prasad and Madho Lal.
The dispute in this appeal concerns the zemindari and house properties last owned by Shah Chiranji Lal who died at a young age on the 14th May, 1913, leaving him surviving a widow, Mst. Khem Kuer, and his mother Mst.
Mohan Kuer, besides a number of collaterals, indicated in the pedigree table below : Shah Pirthi Raj : : : : : Mst.
Tulsa Kuer=Shah Lal Chand=Mst.
Mohan Kuer : : : : : Hira Lal : : : : : Shah Lal : : : Kisen : : : Mst.
Ram Kuer : =Khem Lal : : : : : : : : : : : Shah Jwala Shah Sri Prasad Kisen : : : (1)Khem : : : : : Kuer Shah Madho Ram Chand Lachman Kishan Lal :(2)Phool Lal Prasad -Mst.
Umri : Kuer : : : : : : : : : : : Sudar Mad : Dwarka shan sudan : Prasad Lal Lal : : : : : : : : : : : Ganga Prasad Janna Mst.
Prem Kuer Shah Chiranji Lal Prasad =Lekh Raj =Mst.
Khem Kuer : : : : : Manohar Lal Lachmi Narain 797 Lal and they entered into possession of it after the death of Khem Kuer.
Some of the transferees who had been impleaded as defendants compromised the suit with the plaintiffs and that part of the suit was decided according to the terms thereof between those parties.
Prem Kuer preferred an appeal to the High Court of Judicature at Allahabad against the decree dismissing her suit.
The High court by its judgment dated the 26th October, 1943, allowed the appeal, reversed the findings of the learned additional civil judge on the above issues and decreed the plaintiffs' suit with costs.
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Summary 2:

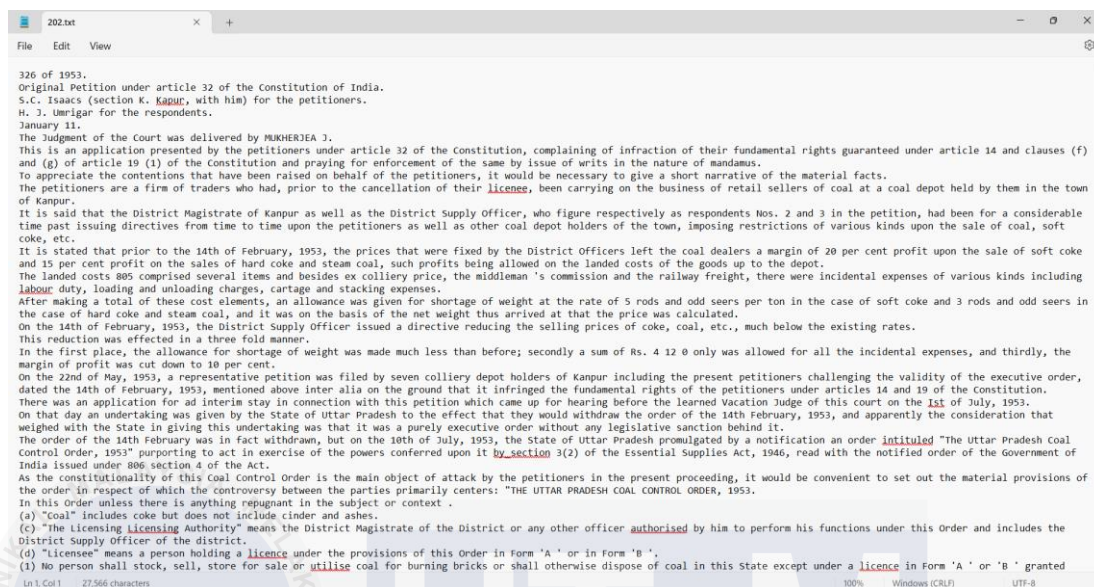
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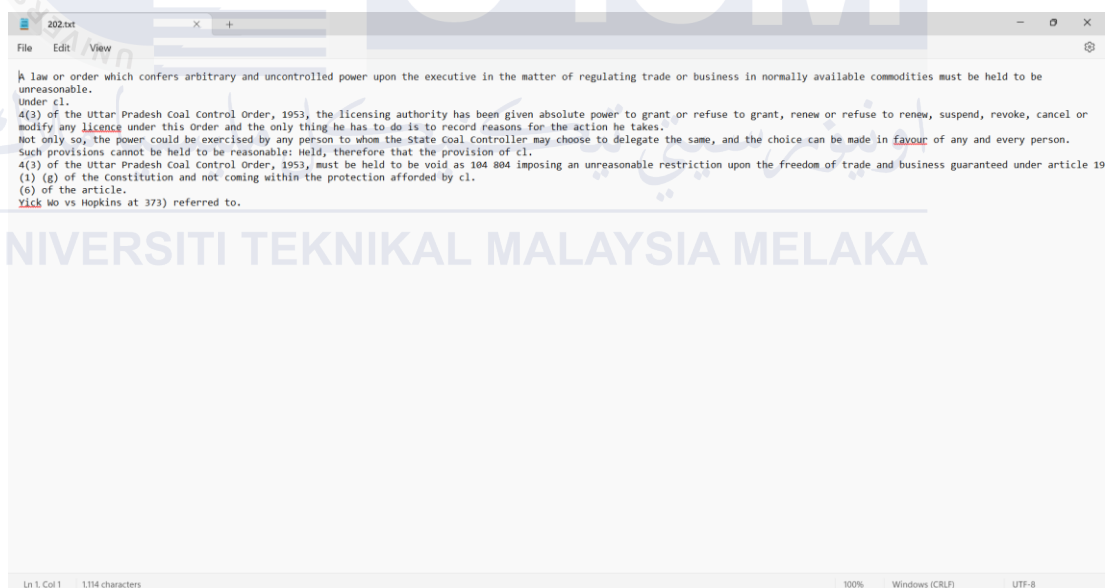
A relinquishment by a Hindu widow of her estate in favour of the next reversioner and a stranger in equal moieties is not a valid surrender under Hindu law.
A valid surrender cannot be made in favour of anybody except the next heir of the husband.
Mumtazuddin Nagireddi vs Pitti Durairaja Naidu [1951] (S.C.R. 655) followed.
It is competent to a Hindu widow to enter into a compromise in the course of the suit bona fide in the interest of the estate and not for her personal advantage and a decree passed on such a compromise will be binding on the reversioner.
The question whether a compromise is a bona fide settlement of a disputed right between the parties depends on the substance of the transaction and in order that it may bind the estate it should be a prudent and reasonable act.
[On the facts their lordships held, agreeing with the High Court, that, the compromise in the present case was neither prudent nor reasonable so far as it affected the interests of the estate and of the ultimate reversioners and that it was not, therefore, binding on the reversioners.] Ramsumaran Prasad vs Shyam Kumari (49 I.A. 342), Mohendra Nath Biswas vs Shamsunnessa Khatun (21 C.L.J. 157) and Janit Kumbar vs Rong Narain Singh followed.
Mata Prasad vs Nageshar Sahai (52 I.A. 393) distinguished.
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Judgement 3:



Summary 3:



Judgement 4:

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Appeal No. 122 of 1954.
 Appeal under section 109(b) read with section 110, C.P.C. from the judgment and order dated the 28th September 1953 of the Orissa High Court in O.S. No. 1 of 1953.
 P. K. Das and Bakshi Tek Chand, with M. Mohantian section P. Varma, for the appellant.
 M. C. Setalvad, Attorney General of India.
 B. Mohapatra, Advocate General of Orissa with section Mohanti and P. G. Gokhale, for the respondent.
 February 3.
 The Judgment of the Court was delivered by DAS C.J.).
 This is an appeal from the judgment and decree passed on the 28th September, 1953, by a Bench of the Orissa High Court in an original suit which was filed on the 24th November, 1952, in the court of the subordinate Judge of Cuttack and was on the 17th January, 1953, transferred to the High Court and marked as Original Suit No. 1 of 1953.
 The suit was filed by the plaintiff appellant claiming as the Raja and owner of the Rajge, known as the Kanika Raj, against the State of Orissa, praying for a declaration that the Orissa Estates Abolition Act, 1951 (hereinafter referred to as "the Abolition Act") was, in its application to the Rajge of Kanika, invalid, unconstitutional and ultra vires the State Legislature and for an injunction restraining the State of Orissa from taking any action under the said Act.
 The suit was instituted evidently under an apprehension that the State of Orissa might issue a notification under section 3(1) of the Abolition Act declaring that the Rajge of Kanika had passed and to become vested in the State free from all encumbrances.
 The High Court dismissed the suit but gave a certificate of fitness for appeal to this court.
 Hence the present appeal by the plaintiff.
 The plaintiff's contention before us is that no notification under section 3(1) of the Abolition Act 10 74 can issue because (1) his land is not an "estate" as defined in section 2(g) of the Act, and (2) the plaintiff is not an "intermediary" within the meaning of section 2(h) thereof.
 In answer to this, the Attorney General, appearing on behalf of the State, makes five Submissions, viz., (a) that on the admitted facts the plaintiff's land is an "estate" within the meaning of the Abolition Act; (b) that the plaintiff is estopped by the compromise decree passed by the Patna High Court on 2nd May 1945 in F.A. No. 15 of 1941 from contending that his land is not an "estate" within the meaning of the Abolition Act; (c) that the plaintiff's land has been held as an "estate" ever since 1803; (d) that whatever may have been the position before 1805, the plaintiff's land became an "estate" by Regulation XII of 1805; and (e) that in any event, the plaintiff's land became an "estate" after 1805 by subsequent acts and conduct of the plaintiff and his predecessors in title.
 (a): Under section 3(1) of the Abolition Act, the State government can declare that a specified "estate" has passed to and has become vested in the State.
 It is, therefore, clear that the State government cannot make any notification with respect to land which is not an "estate".
 "Estate" is defined in section 2(g) of the Abolition Act.
 The material portion of that definition, as it stood at the date of the institution of the suit, was as follows: "estate" means any land held by an intermediary and included under one entry in any of the general registers of revenue paying lands and revenue, free lands, prepared and maintained under the law for the time being in force by the collector of a district, In order to be an "estate", the land must be held by an "intermediary" and must be included under one entry in any of the general registers of revenue paying lands and revenue free lands and such general registers must be prepared and maintained under the 75 law for the time being in force.
 Section 2(h), as it stood then, by its earlier part, defined an "intermediary", with reference to any "estate", to mean, amongst other things, a proprietor.
 The plaintiff certainly claims to be the proprietor of his land.
 Therefore, if his land is an "estate", he is clearly an "intermediary".
 The case of Biswanath Singh vs The State of Orissa and Others, which has been relied on by learned counsel for the plaintiff has no application to the present case, for that case was concerned not with the earlier but with the latter part of the definition of "intermediary".
 That the plaintiff's land is included under one entry in the general register of revenue paying lands is not disputed.
 What is contended for is that in order to make such land an "estate" the register must be prepared and maintained under the law for the time being in force.
 There is no dispute that "the law for the time being in force" means the Bengal Land Registration Act (Bengal Act VII of 1876).
 The plaintiff contends that the register in which his land is included under one entry was not prepared or maintained under the Bengal Land Registration Act.
 The argument is that it is not only necessary to show that the land is included under one entry in a register but that it is also necessary to show that the register where the entry

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Summary 4:

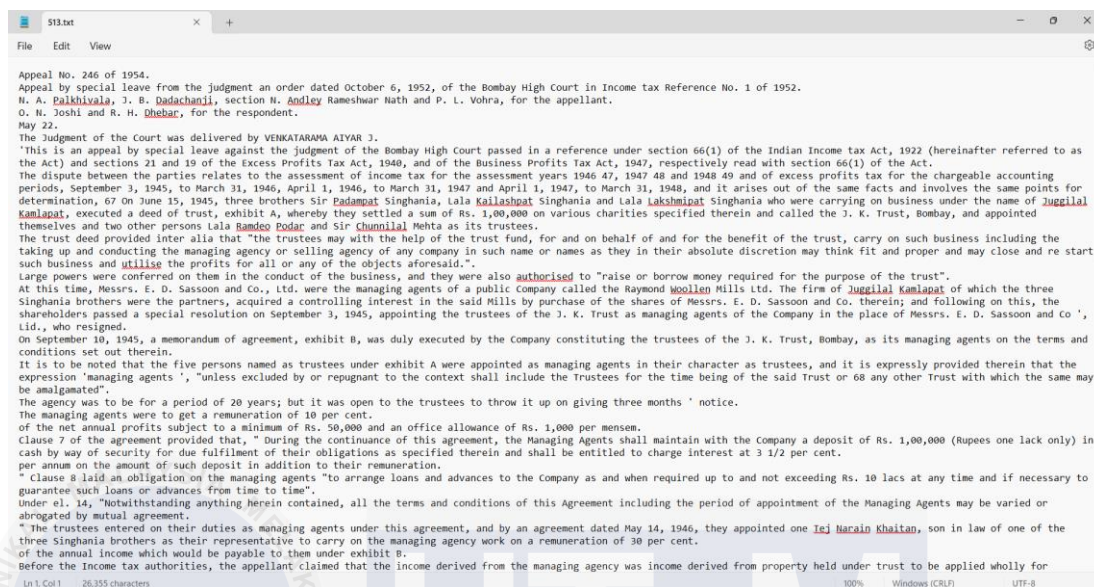
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The appellant sued the State of Orissa for a declaration that the Orissa Estates Abolition Act of 1951 was in its application to the Kanika Raj, of which he was the Raja and owner, invalid, unconstitutional and ultra vires the State Legislature and for an injunction restraining the State of Orissa from taking any action under the Act.
 It was contended, inter alia, that no notification under section 3(1) of the Act vesting the Kanika Raj in the State of Orissa could issue as the Raj was not an estate as defined by section 2 (g) of the Act.
 The contrary was asserted by the State of Orissa and its further contention was that the appellant was estopped by a compromise decree between his predecessors in title on the one hand and the Secretary of State on the other from denying that the Raj was an estate as defined by the Act.
 Held, that the Kanika Raj was an estate as defined by the Orissa Estates Abolition Act of 1951 and the appellant was estopped from denying it by the compromise decree.
 That the real intention of the Act in defining 'estate' as it has done in section 2(g) of the Act, was to include all lands, such as the appellant's, which were as a matter of fact included in the register prepared under the Bengal Land Registration Act of 1876, and in construing the definition it is wholly unnecessary to consider whether such inclusion was valid or proper or in conformity with the meaning of an estate under that Act.
 That a judgment by consent is as effective in creating an estoppel between the parties as a judgment on contest and the test is whether the judgment in the previous case could have been passed without the determination of the question which is put in issue in the subsequent case where the plea of estoppel is raised.
 Held further, that there is no rule corresponding to Rule 4 of Order XIX of the Supreme Court Rules imposing a similar disability on the respondent, and even with regard to the appellant the court may in appropriate cases, give him leave to raise a ground not specified in the Statement of the Case filed by him.

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Judgement 5:



Summary 5:



Judgement 6:

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Appeal No. 119 of 1955.
 Appeal from the judgment and order dated June 16, 1953, of the Punjab High Court in Civil Reference No. 1 of 1953.
 A. V. Viswanatha Sastri and Naunil Lal, for the appellant.
 H. N. Sanjal, Additional Solicitor General of India, R. H. Dhebar and D. Gupta, for the respondent.
 November 24.

The Judgment of the Court was delivered by SARKAR, J.

The appellant is a company carrying on business as a distiller of country liquor.
 It was incorporated in May 1945 and was in fact a previously existing company called the Amritsar Distillery Co. Ltd. reconstructed under the provisions of the Company's Act.
 The appellant carried on the same business as its predecessor, namely, sale of the produce of its distillery to licensed wholesalers.
 The wholesalers in their turn sold the liquor to licensed retailers from whom the actual consumers made their purchases.
 The entire trade was largely controlled by Government regulations.
 After the war started the demand for country liquor increased but difficulty was felt in finding bottles in which the liquor was to be sold.
 In order to relieve the scarcity of bottles the Government devised in 1940 a scheme called the buy back scheme.
 The scheme in substance was that a distiller on a sale of liquor became entitled to charge a wholesaler a price for the bottles in which the liquor was supplied at rates fixed by the Government which he was bound to repay to the wholesaler on the latter returning the bottles.
 The 685 same arrangement, but with prices calculated at different rates was made for the liquor sold in bottles by a wholesaler to a retailer and by a retailer to the consumers.
 Apparently it was conceived that the price fixed under the scheme would be found to be higher than the price which the bottles would fetch in the open market and the arrangement for the refund of the price would therefore encourage the return of the bottles from the consumers through the intermediaries ultimately to the distiller.
 The price refundable was later increased perhaps because the previous price did not fully achieve the desired result of the bottles finding their way back to the distillers.
 Sometime in 1944, the Amritsar distillery Co. Ltd. which then was in existence, insisted on the wholesalers paying to it in addition to the price of the bottles fixed under the buy back scheme, certain amounts described as security deposits and calculated at varying rates per bottle according to sizes for the bottles in which the liquor was supplied to them promising to pay back for each bottle returned at the rate applicable to it and further promising to pay back the entire amount paid on a transaction when 90 per cent. of the bottles covered by it had been returned.
 The company while it was in existence realised these additional sums and so did the appellant after it took over the business.
 The object of demanding and taking these additional sums was obviously to provide additional inducement for the return of the bottles to the distiller so that its trade in selling the produce of its distillery might not be hampered for want of bottles.
 No time limit had been fixed within which the bottles had to be returned in order to entitle a wholesaler to the refund, nor does it appear that a refund had ever been refused.
 The price of the bottles received by the appellant under the buy back scheme was entered by it in its general trading account while the additional sum received for them was entered in the general ledger under the heading " Empty Bottles Return Security Deposit Account ".
 It is not disputed that for the accounting periods with which this case is concerned, the additional amounts had been taken 686 without Government's sanction and entirely as a condition imposed by the appellant itself for the sale of its liquor.
 The appellant was assessed to income tax on the balance of the amounts of these additional sums left after the refunds made there out.
 It had also been assessed to business profits tax and excess profits tax on the same balance.
 Its appeals against the orders of assessment to these taxes to the Appellate Assistant Commissioner and thereafter to the Tribunal failed.
 It then obtained an order referring a certain question arising out of the assessments for decision by the High Court of Punjab.
 The question originally suggested was reframed and in its final form reads thus: whether on the facts and circumstances of the case the collections by the assessee company described in its accounts as " empty bottle return security deposits " were income assessable under section 10 of the Income tax Act? The High Court answered the question in the affirmative.
 The present appeal is against that decision which related to all the three varieties of taxes for which the appellant had been made liable.
 We are concerned in this appeal only with the additional sums demanded and received by the appellant and described as security deposit and not with the price of bottles which also it took under government sanction.

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Summary 6:

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The appellant, a distiller of country liquor, carried on the business of selling liquor to licensed wholesalers.
 Due to shortage of bottles during the war a scheme was evolved, where under the distiller could charge a wholesaler a price for the bottles in which liquor was supplied at rates fixed by the Government, which he was bound to repay to the wholesaler on his returning the bottles.
 In addition to this the appellant took a further sum from the wholesalers described as 'security deposit' for the return of the bottles.
 Like the price of the bottles these moneys were also repaid as and when the bottles were returned with this difference that the entire sum was refunded only when 90% of the bottles covered by it had been returned.
 The appellant was assessed to income tax on the balance of the amounts of these additional sums left after the refunds made there out.
 Held, that the amounts paid to the appellant and described as 'security deposit' were trading receipts and therefore income of the appellant assessable to tax.
 These amounts were paid as an integral part of the commercial transaction of the sale of liquor in bottles and represented an extra price charged for the bottles.
 They were not security deposits as there was nothing to secure, there being no right to the return of the bottles.
 684 K. M. section Lakshmanier & Sons vs Commissioner of Income tax and Excess Profits tax, Madras, J., followed.
 Davies vs The Shell Company of China Ltd., (1951) Tax Cas. 133; and Morley vs Tattersall, , distinguished.
 Imperial Tobacco Co. vs Kelly, , referred to.

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Judgement 7:

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Final Appeal No. 177 of 1959.
Appeal by special leave from the judgment and order dated May 23, 1958, of the Punjab High Court in Criminal Appeal No. 515 of 1957.
Jai Gopal Sethi and R. L. Kohli, for the appellant.
B. K. Khanna, R. H. Debbar and D. Gupta, for the respondent.
April 24.
The Judgment of the Court was delivered by RAGHUBAR DAVAL, J.
This appeal, by special leave, is against the order of the Punjab High Court dismissing the appellant's appeal against his conviction under section 307, Indian Penal Code.
Bimla Devi, P. W. 7, was married to the appellant in October, 1951.
Their relations got strained by 1953 and she went to her brother's place and stayed there for about a year, when she returned to her husband's place at the assurance of the appellant's maternal uncle that she would not be maltreated in future.
She was, however, ill treated and her health deteriorated due to alleged maltreatment and deliberate undernourishment.
In 1956, she was deliberately starved and was not allowed to leave the house and only sometimes a morsel or so used to be thrown to her as alms are given to beggars.
She was denied food for days together and used to be given gram husk mixed in water after five or six days.
She managed to go out of the house in April 1956, but Romesh Chander and Suresh Chander, brothers of the appellant, caught 256 hold of her and forcibly dragged her inside the house where she was severely beaten.
Thereafter, she was kept locked inside a room.
On June 5, 1956, she happened to find her room unlocked, her mother in law and husband away and, availing of the opportunity, went out of the house and managed to reach the Civil Hospital, Ludhiana, where she met lady Doctor Mrs. Kumar, P. W. 2, and told her of her sufferings.
The appellant and his mother went to the hospital and tried their best to take her back to the house, but were not allowed to do so by the lady Doctor.
Social workers got interested in the matter and informed the brother of Bimla Devi, one Madan Mohan, who came down to Ludhiana and, after learning all facts, sent information to the Police Station by letter on June 16, 1956.
In his letter he said: "My sister Bimla Devi Sharma is lying in death bed.
Her condition is very serious.
I am told by her that deliberate attempt has been made by her husband, mother in law and brother in law and sister in law.
I was also told that she was kept locked in a room for a long time and was beaten by all the above and was starved.
I therefore request that a case may be registered and her statement be recorded, immediately.
" The same day, at 9.15 p.m., Dr. Miss Dalbir Dhillon sent a note to the police saying "My patient Bimla Devi is actually ill.
She may collapse any moment".
Shri Sehgal, Magistrate, P.W. 9, recorded her statement that night and stated in his note: "Blood transfusion is taking place through the right forearm and consequently the right hand of the patient is not free.
It is not possible to get the thumb impression of the right hand thumb of the patient.
That is why I have got her left hand thumb impression.
" The impression formed by the learned Judge of the High Court on seeing the photographs taken of Bimla Devi a few days later, is stated thus in the judgment: "The impression I formed on looking at the two 257 photographs of Bimla was that at that time she appeared to be suffering from extreme emaciation.
Her cheeks appeared to be hollow.
The projecting bones of her body with little flesh on them made her appearance skeletal.
The countenance seemed to be cadaverous." After considering the evidence of Bimla Devi and the Doctors, the learned Judge came to the conclusion: "So far as the basic allegations are concerned, which formed the gravamen of the offence, the veracity of her statement cannot be doubted.
After a careful scrutiny of her statement, I find her allegations as to starvation, maltreatment, etc., true.
The exaggerations and omissions to which my attention was drawn in her statement are inconsequential.

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Summary 7:

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B was married to the appellant in October, 1951, but their relations got strained by 1953.
She was ill treated and her health deteriorated due to maltreatment and under nourishment.
In 1956 she was deliberately starved and not allowed to leave the house in which they were living and only sometimes a morsel or so used to be thrown to her as alms are given to beggars.
On June 5, 1956, she managed to escape from the house and went to the Civil Hospital at Ludhiana.
Her brother came down to Ludhiana on learning of the facts and made a complaint to the police.
The doctor who attended on B sent a note to the police saying that she was seriously ill and might collapse any moment.
The appellant was prosecuted for the offence of attempting to murder B under section 307 of the Indian Penal Code.
The trial Court acquitted him but, on appeal, the High Court came to a finding, on the evidence, that the object of the appellant was to confine B and deprive her of regular food in pursuance of a scheme of regular starvation in order to accelerate her end, and convicted him under section 307 of the Indian Penal Code.
On behalf of the appellant it was contended, inter alia, that whereas under section 511 of the Code for an Act to amount to the offence of attempting to commit an offence it need not be the last act and can be the first act towards the commission of the offence, under section 307 it is the last act which, if effective to cause death, would constitute the offence of an attempt to commit murder, and that even if B had been deprived of food for a certain period, the act of so depriving her did not come under section 307 as that act could not, by itself have caused her death, it being necessary for the period of starvation to continue for a longer period to cause death.
Held, that a person commits an offence under section 307 of the Indian Penal Code when he has an intention to commit murder and in pursuance of that intention does an act towards its commission irrespective of the fact whether that act is the penultimate act or not.
Abhayanand Mishra vs The State of Bihar, [1962] 2 S.C.R. 241, followed.
Rex vs White, , relied on.
Queen vs Nidha, All. 38 and Emperor vs Vasudeo Balwant Gogte, BOM. 434, considered. 255 Criminal vs State, A.I.R. 1950 Madhya Bharat 21, disapproved.
The word "act" in section 307 did not mean only a particular act of a person, but denoted, according to section 33 of the Code, as well, a series of acts.
In the present case the course of conduct adopted by the appellant in regularly starving his wife B, comprised a series of acts which though they fell short of completing the series sufficient to kill her, came within the purview of section 307 of the Indian Penal Code.
The High Court was, therefore, right in convicting the appellant under that section.

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Judgement 8:

94 of 1955.

Petition under article 32 of the Constitution of India for the enforcement of Fundamental Rights.

643 Bishan Narain, Rameshwarnath, section N. Andley and P. L. Vohra, for the petitioner.

H. M. Sanjay, Additional Solicitor General of India, N. section Bindra and P. D. Menon, for the col respondents.

August 28.

The Judgment of the Court was delivered by HIDAYATULLAH, J.

This is a petition under article 32 of the Constitution challenging the imposition of Excise Duty on the petitioner by virtue of item No. 17 "Footwear" of the First Schedule to the (1 of 1944) with effect from February 28, 1954, and the calculation of the duty advalorem by including in the price, charges for freight, packing and distribution.

The petitioner, the British India Corporation Ltd. is a public limited company which was formed to take over other companies and to amalgamate them.

Among the companies which the petitioner took over were Cooper Allan & Company Ltd., and the North West Tannery Company Ltd., both at Kanpur.

These two companies manufacture shoes and other leather goods and operate as a single unit manufacturing the well known brand of "F L E X" shoes.

As a result of the financial proposals of the Central Government for the financial year 1952-55, a bill (No. 9 of 1954) was introduced in parliament on February 27, 1954.

Under cl. 8 of the Bill footwear were proposed to be taxed at 10% advalorem if produced in any factory as defined in the Factories Act, 1948 (53 of 1948).

When the Finance Act, 1954 (17 of 1954) was enacted, the Central Excises and Salt Act, 1954, was amended by the inclusion of item 17 in the Schedule, though in a slightly different form.

The item as finally enacted read as follows: 644 "17.

FOOTWEAR, produced in any factory including the precincts thereof whereon fifty or more workers are working or were working on any day, of the preceding twelve months, and in any part of which manufacturing process is being carried on with the aid of power or is ordinarily so carried on, the total equivalent of such power exceeding two horse power.

"Footwear" includes all varieties of footwear, whether known boots shoes, sandals, chappals, or by any other name." (Ten percent "advalorem") Under the provisions of the , (XVI of 1931), the duty was leviable from February 28, 1954, by virtue of a declaration in the Bill to that effect.

On the preceding day the Superintendent of Central Excise, Kanpur, deputed an Inspector of his department to obtain from the petitioner a declaration of all stock of footwear and requested that the Inspector be permitted to verify the stocks with a view to levying the Excise Duty on and from February 28, 1954.

As a result of the position of Excise Duty on footwear the petitioner was required to pay during the remaining ten months of 1954 a sum of Rs. 9,47,630/ as Excise Duty.

The petitioner produces in the two units above named, footwear for sale to the public and for supplies to the Government for the use of the Army and the Police.

The petitioner contends that though the Excise Duty paid by it was capable of being passed on to the consumer, it could not include it in the price at which shoes were sold to the public because of heavy competition by those free from such duty, though it did include the Excise Duty in the price of the footwear supplied to Government.

Thus Rs. 2 lacs odd were passed on to Government but Rs. 7 lacs odd were borne by the Company itself.

The petitioner contended before the Collector of Central Excise, Allahabad, that the calculation of the duty advalorem should not be, based on price including freight, packing and distribution charges paid to it, by its distributors in the outlying parts of India.

This contention of the petitioner was not accepted by the Collector.

The petitioner then took an appeal to the Central Board of Revenue but before the appeal could be disposed of, the petitioner filed this petition under Art. 32 of the Constitution praying for writ or writs to quash the order of the Collector of Central Excise, Allahabad, and writ or writs to prohibit Union Government.

The Central Board of Revenue and the Collector and Superintendent of Central Excise from enforcing the provisions of item 17 against petitioner and collecting the Excise Duty therein levied.

According to the petitioner, a distinction has been made in Item 17 above quoted between manufacturers of footwear employing more than 50 workers or carrying on the manufacturing process with the aid of power exceeding 2 H.P. and other manufacturers.

According to the petitioner this amounts to discrimination because there is no reasonable basis for differentiating between manufacturers on the basis of number of workers or the employment of power above 2 H.P.

The petitioner contends that the essentials of the manufacture of footwear are the same whether one employs 50 or more workers or less.

The larger number of workers is merely needed because the output has to be greater but the number does not change the nature of the operations or the method of production.

Summary 8:

Under item No.17 of the Schedule to the , excise duty was levied on footwear produced in any factory employing 50 or more workmen and using power exceeding 2 H.P.

The petitioner contended that the imposition of duty on larger manufacturers only was discriminatory and there was no reasonable basis for differentiating between manufacturers on the basis of number of workers or the employment of power above 2 H.P. and that the im. position of the heavy duty gave rise to a competition sufficient to put the big manufacturers out of business.

Held, that item 17 of the Schedule is based upon a reasonable classification and is validly enacted.

Manufacturers who employed 50 or more workers form a well defined class, so also manufacturers who use power exceeding 2 H.P.

In imposing the excise duty there is a definite desire to make an exemption in favour of the small manufacturer who is unable to pay the duty as easily, if at all, as the big manufacturer, such a classification in the interests of co operative societies cottage industries and small manufacturers has often been made to give an impetus to them and save them from annihilation in competition with large industry.

Orient Weaving Mills (P) Ltd. vs Union of India, (1962) Supp. 3 S.C.R. 481 referred to.

Judgment 9:

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Appeals Nos.
680 to 682 of 1963.
Appeals by special leave from the judgment and decree dated February 8, 1960 of the Board of Revenue, U. P. in petitions Nos. 203 to 205 of 1958-59.
J. P. Goyal, for the appellant (in all the appeals).
Brijbans Kishore and Ramesh B. Saxena, for respondents Nos. 1 to 3 (in all the appeals).
April 17, 1964.
The judgment of the Court was delivered by HIDAYATULLAH, J.
This judgment shall also govern the disposal of C. A. 681 of 1963.
These are appeals by special leave of this Court against a common order of the Board of Revenue, U.P. dated February 8, 1960 disposing of three appeals.
Civil Appeal No. 682 of 1963 (since compromised) was also against the same decision.
The appellant in each of these appeals is one Amba Prasad who was the Zamindar of village Rhonda, Pargana and Tehsil Khurja, District Bulandshahr, before the coming into operation of the U. P. Zamindari Abolition and Land Reforms Act, 1950.
The opposite parties (who will be referred to as the answering respondents in this judgment) are persons whose names were recorded in column 23 (miscellaneous) in the Kharsa for the year 1356 Fasli, as persons in possession and who claim, by reason of the entry, to be the recorded, occupants of the fields in dispute, and to have obtained adhivasi rights in the fields under section 20 of the Abolition Act.
Though the point in dispute appears to lie within a very narrow compass the history of litigation in respect of these plots is as tedious as it is long.
It must unfortunately be told to get a true measure of the arguments in the appeals.
Amba Prasad brought two suits under section 180 of the U.P. Tenancy Act, 1939 for ejectment from the fields now in dispute and for damages, against Mohammad Ali and Mit. Sharifan respectively because their names are recorded in the Kharsa as tenants 'bila tasfia lagan'.
These suits were dismissed by the trial Judge and Amba Prasad's appeal to the commissioner failed on November 30, 1943.
Amba Prasad then appealed to the Board of Revenue, U.P. and succeeded.
The order of the Board of Revenue, U. P. is dated March 19, 1949 (item No. 25).
Mohammad Ali had died by L/P(D)JSCI 26 802 then and was represented by one Faizazali and six others.
Sarfan had also died and was represented by one Abdul Sattar alias Chumma Khan and two others.
As a result of the decision of the Board of Revenue possession of the fields was delivered to Amba Prasad on July 1, 1949 the day of the commencement of the year 1357 Fasli.
The dakhlanas are items Nos. 44 and 45 in this record and they mention fields Nos. 427/2, 428/2, 429, 430 and 380 (item No. 44) and fields Nos. 416, 418/1 and 418/2 (item No. 45) of village Rhonda, Pargana and Tehsil Khurja, District Bulandshahr.
Immediately after obtaining possession of the fields Amba Prasad was required to commence proceedings under section 145, Criminal Procedure Code before the Sub Divisional Magistrate, Amnshahr against Faizazali and Abdul Sattar and others and on January 13, 1951 these proceedings terminated in favour of Amba Prasad (item No. 28).
The Sessions Judge Bulandshahr made a reference to the High Court of Allahabad recommending that the order be vacated but the High Court declined to interfere.
The order of the High Court is dated October 20, 1951 (item No. 29).
Meanwhile Amba Prasad started a prosecution under section 218, Indian Penal Code against the Lekhpal alleging that he had made false entries in the Revenue papers but the Magistrate, 1st Class, Bulandshahr discharged him by his order dated July 24, 1950 (item No. 26).
An application for revision of the order filed by Amba Prasad was dismissed by the Sessions Judge, Bulandshahr on October 10, 1950 (item No. 27).
During the pendency of the proceedings under section 145, Criminal Procedure Code these fields remained under attachment from August 23, 1949 (1358 F.) to November 6, 1951 (1359 F.).
Two suits were then commenced in the court of the Munsif, Khurja for declaration that crops of the fields under attachment belonged to the plaintiffs.
One suit (97 of 1951) was filed by Abdul Noor Khan and others (answering respondents) and the other (67 of 1952) was filed by Sarfraz Ali Beg and 8 others (respondents in C. A. 682 of 1963).

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Summary 9:

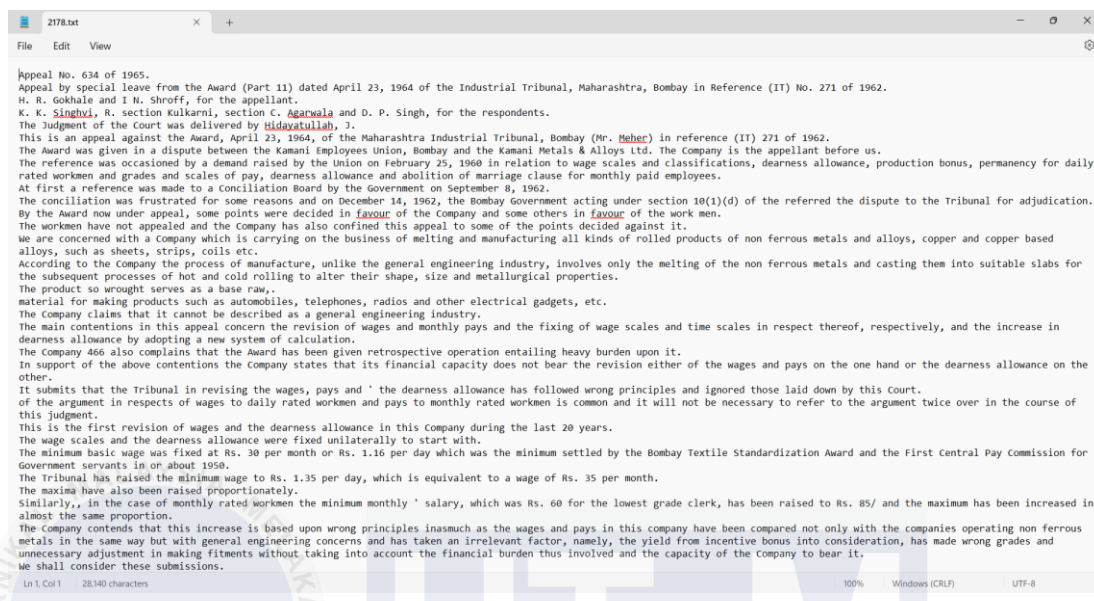
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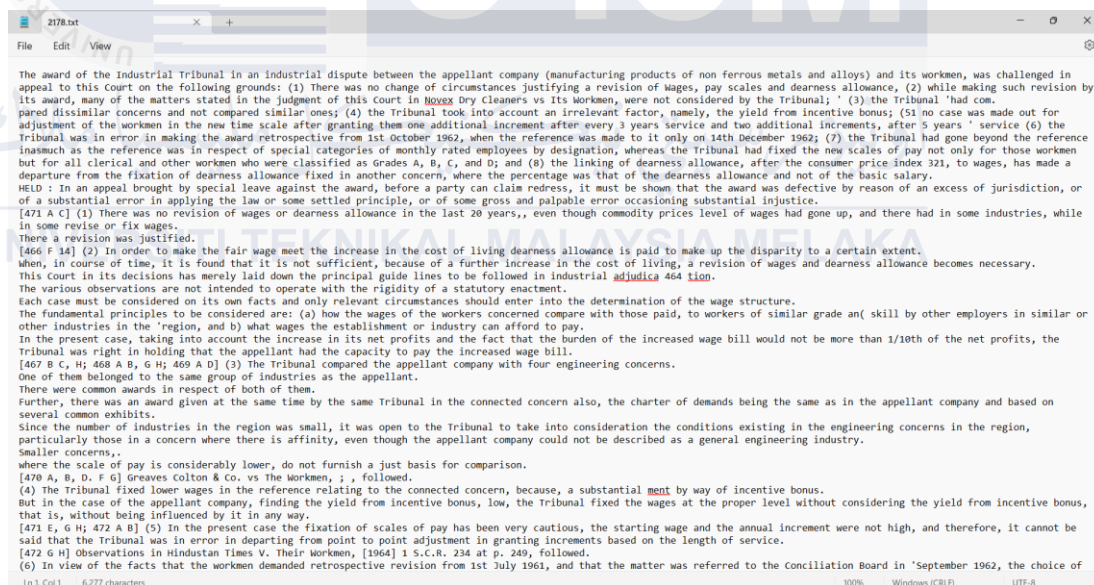
On October 10, 1953, the respondents filed suits under section 232 read with section 20 of the U. P. Zamindari Abolition, and Land Reforms Act, 1950 against the appellant before the Sub Divisional Officer.
Before the coming into operation of the Abolition Act the appellant (Amba Prasad) was zamindar of the disputed land.
The names of the respondents were recorded in column 23 (miscellaneous) in the Kharsa for the year 1356 Fasli as persons in possession of the disputed land.
The respondents claimed adhivasi rights under section 20 of the Abolition Act because they were recorded as occupants of the fields in dispute in the Kharsa for 1356 Fasli.
The common case of the respondents was: (i) that they were in possession of the suit land (ii) that they were dispossessed after June 30, 1948 by the appellant, (iii) that as they were recorded occupants in 1356F they were not required to prove actual possession.
The case of the appellant was that the entry was fraudulently made after July 1, 1949.
These suits were dismissed by the Sub Divisional Officer.
On appeal, the Additional Commissioner held that the respondents had acquired the adhivasi fights.
Against this order Amba Prasad (the appellant) appealed to the Board of Revenue.
The Board of Revenue dismissed the appeals.
The appellant then filed appeals in this Court.
Held: (i) under section 20 of the Abolition Act (U. P. Zamindari Abolition and Land Reforms Act) a person continues as an adhivasi after July 1, 1952, provided he is in possession or was evicted after June 30, 1948.
If he was evicted after June 30, 1948 he is entitled to regain possession in spite of any order or decree to the contrary.
(ii) The words "recorded as occupants" in section 20 of the Abolition Act mean persons recorded as occupants in the Kharsa or Khatauni for 1356 Fasli (1748 to 30649).
Such persons do not include an intermediary.
The word "occupant" must mean a person holding the land in possession or actual enjoyment.
Mediate possession (except where the immediate possessor holds on behalf of the mediate possessor) is of no consequence.
(iii) The appellant was not entitled to raise the plea of the correctness of the entry in Kharsa because the entry was not corrected before the date of vesting (1752) as required by Explanation (ii) to section 20 of the Abolition Act.
(iv) The title to possession as adhivasi depends on the entries in the Kharsa or Khatauni for the year 1356 Fasli.
Section 20 of the Abolition Act does not require the proof of actual possession.
Therefore, section 20 eliminates inquiries into disputed possession by accepting the record in the Kharsa or Khatauni of 1356F. or its correction before July 1, 1952.
801 The Upper Ganges Sugar Mills Ltd. vs Khalil ul Rehman, ; , referred to.
Lala Nanak Chand vs Board of Revenue, U. P., 1955 A.L.J. 408, Ram Dular Singh vs Babu Sukh Ram, , Bhal Singh vs Bhop and Anr., and Sugriva vs Mukhi etc., approved.

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Judgement 10:



Summary 10:



Judgement 11:

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Appeal No. 98 of 1966.
 Appeal from the judgment and order dated September 7, 1962 of the Punjab High Court, Circuit Bench at Delhi in Civil Revision Application No. 140 D of 1961. ' P. Sinha, G. **Bhimsena** Rao and M. J. Khosla, for the appellants.
 I. N. Shroff, for the respondent.
 The Judgment of the Court was delivered by Sikri, J.
 This appeal by certificate granted by the Circuit Bench of the Punjab High Court at Delhi is governed by the decision of this Court in Bahadur Singh vs **Muni Subrat Dass**(1).
 (1) [1969] 2 S.C.R. 1041 The facts out of which the present appeal arises are these.
 One Raghunath sharma, predecessor in interest of the appellants hereinafter referred to as the plaintiff instituted on February 7, 1956, suit No. 53 of 1956 in the Court of Subject 1st Class, Delhi, for the eviction of his tenant, K.L. Bansal, hereinafter referred to as the defendant.
 He gave three grounds for ejection in the plaint: (1) that the premises were required bona fide by the plaintiff for occupation as residence for himself and other members of the family, and that he had no other, suitable accommodation to meet his bona fide residential requirements; (2) that the defendant already owned a house in Delhi which was suitable for him; and (3) that the defendant had defaulted in payment of rent.
 The defendant filed a written statement denying these allegations.
 Appropriate issues were framed on April 4, 1956.
 On June 5, 1956, an application was filed by the plaintiff and the defendant that a compromise had been effected on the following terms: "(a) Decree for ejection be passed in favour of the plaintiff against the defendant, the decree will be executable after the 31st December, 1958, if the defendant does not give possession till then.
 (b) The standard rent of the premises be fixed at Rs. 40/ per menses, instead of Rs. 50/ paid at present payable from the 1st July, 1956, till the defendant vacates the premises.
 (c) The amount, in deposit with this Court be paid to the plaintiff which will be adjusted between the on July 6, 1956, the counsel for the parties and the plaintiff made a statement on solemn affirmation to the same effect, and on the same day the Court recorded the following order: "In view of the statement of the parties' counsel and the written compromise, a decree is passed in favour of the plaintiff against the defendant."
 * The decree was drawn up accordingly.
 The defendant, however, did not vacate the premises ' on December 31, 1958.
 On the other hand, he presented an application on February 16, 1959, under section 47, C.P.C., challenging the validity of the decree alleging that the same had been passed in contravention of the provisions of section 13 of the Delhi and Ajmer Rent Control Act, 1952 (XXXXVIII of 1952), (hereinafter referred to as the Act) and hence the decree was a nullity.
 He failed 1050 before the Sub Judge, and also 'on appeal before the Senior Sub Judge, Delhi.
 The High Court, on revision, held that the decree was a nullity as the order passed on the basis of the compromise did not indicate that any of the statutory grounds mentioned in section 13 of the Act existed.
 In Bahadur Singh 's case(1) this Court held that the decree passed on the basis of an award was in contravention of section 13(1) of the Act because the Court had passed the decree in terms of the award without satisfying itself that the ground of eviction existed.
Bachawat, J., speaking for the Court, observed that "on the plain wording of section 13(1) the Court was forbidden to pass the decree.
 The decree is a nullity and cannot be enforced in execution." This Court, accordingly, declared inter alia that "the decree in so far as it directs delivery of possession of the premises to the landlord is a nullity and cannot be executed."
 * The present case is also governed by the provisions of section 13(1) of the Act and, as we have said before, this appeal must fail, in view of the judgment of this Court in Bahadur Singh 's case(1).
 In the result the appeal is dismissed but there will be no order as to costs.
 R.K.P.S. Appeal dismissed.

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Summary 11:

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The appellant plaintiffs filed a suit in February 1956, for the eviction the respondent on the ground that the premises were required for their own use, that the defendant already owned a suitable house of his own, and that the respondent had defaulted in payment of rent, after the defendant had filed a written statement and issues had been framed a joint application was made by them that a compromise had been effected.
 The trial court decreed the suit in the plaintiff 's favour in terms of the compromise which provided inter alia, for the ejection of the defendant after 31st December 1958, and fixed the standard rent as agreed.
 The defendant, however, did not vacate the premises in December 1958, and presented an application in February 1959 under section 47 C.P.C., challenging the validity of the decree alleging that it had been passed in contravention of the provision of Delhi and Ajmer Rent Control Act, 1952 and contending that the decree was, therefore, a nullity.
 He 'failed before the Sub Judge and also in appeal before the Senior Sub Judge.
 However, the High Court in revision held in his favour.
 appeal to this Court, HELD: The High Court has rightly held that the decree was a nullity as the order passed on the basis of the compromise did not indicate that any of the statutory grounds mentioned in section 13 of the Act existed.
 [1050 B] Bahadur Singh vs Muni Subrat Dass, , followed.

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Judgement 12:

Appeal No. 1728 of 1967.

Appeal by special leave from the judgment and order dated February 23, 1967 of the Bombay High Court, Nagpur Bench in Civil Revision No. 32 of 1965.

W. section Baalingay and A. G. Batnaparkhi, for the appellants.

M. C. Bhandare and section P. Nayak, for the respondent.

The judgment of the court was delivered by Grover, J.

This is an appeal by special leave from a judgment of the Bombay High Court (Nagpur Bench).

The appellants had filed a suit for claiming proprietary rights in a property which was known as "Navegaon tank" and which consisted of several khasras with a total acreage of 3104 odd. These villages were malguzari villages.

By virtue of the provisions of the Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands), Act, 1950 the malguzari of this tank were deprived of their rights and the Government took over possession.

The compensation was paid by the Government after holding enquiry provided by the Act.

The appellants, however, claimed a declaration that they still continued to be owners as before and wanted a permanent injunction restraining the Government from interfering with their rights.

Alternatively it was prayed that if the Government was found to be in possession then a decree for possession be granted in their favour.

605 The Court fee which was paid by the appellants was calculated on the following basis.

It was alleged that compensation of Rs. 1126/ only had been paid, to the proprietors and therefore the tank had to be valued on the basis of that figure for the purpose of court fee and jurisdiction.

In addition owing to the injunction claimed an additional court fee of Rs. 501 was paid.

On behalf of the State an objection was raised in the trial court that the value of the tank would not be less than Rs. 10,00,000/ and court fee on that amount should have been paid.

The trial court came to the conclusion that the suit was for possession of land on the evidence which was produced it was held that the value of the land was Rs. 25,00,000/ .

The appellants were directed to pay court fee on that amount and make appropriate amendments in the plaint.

The appellants approached the High Court on the revisional side and challenged the decision of the trial court on the question of court fee.

The High Court referred to section 6(i) (v) of the Bombay Court fees Act, 1959, which was in force at the material time.

This provision may be reproduced "In suits for the possession of land, houses and gardens according to the value of the subject matter; and such value, shall be deemed to be, where the subject matter is a house or garden according to the market value of the house or garden and where the subject matter is land." (a). . (b) (c). .

According to the High Court the court fee was payable according to the value of the subject matter of the suit.

So far as the houses and gardens were concerned it was the market value on which the court fee had to be paid.

As regards the land subclauses (a), (b) and (c) contained a qualification with regard to those lands which were liable to pay land revenue to the State.

Since tank was land covered under water it had to be valued as on the date of the suit without taking into consideration the improvements which might have been made.

The value was of the subject matter and it would be that value which would be relevant for the purpose of court fee and jurisdiction.

The matter was remanded to the trial court for further enquiry in the matter.

It appears that according to the view of the high court the court fee is payable under section 6 (i) (v) even with regard to land 606 on its value which according to the counsel for the State would be the market value.

In our judgment section 6 (i) (v) does not admit of any such method of calculating the court fee where the subject matter is land.

There is no doubt that where the subject matter is a house or a garden, in a suit for possession the court fee has to be paid according to the market value of the house or garden but where the subject matter is land the court fee has to be calculated according to what has been provided in the subclauses (a), (b) and (c) with regard to different categories of land.

It may be that in clause (v) the land which has not been assessed to land revenue is not covered by, clauses (a), (b) and (c) but then the court fee will have to be calculated under some other provision of the Act but not on the basis of the value of the land.

If there is any lacuna in the Bombay Act that will not justify the court in straining the language of clause (v) and reading it in such a way that if the land does not fall within sub clauses , (a), (b) and (c) mentioned therein it must be valued in the same way as a house or a garden and court fee should be paid on that value.

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Summary 12:

In a suit for possession of land court fee was held to be payable, under section 6(i) (v) of the Bombay Court Fees Act, 1959, on the value of the land.

On appeal, HELD : Under section 6(i)(v) in a suit for possession of land the court fee has to be calculated according to what has been provided in subclauses (a) (b) and (c) with regard to different categories of land.

It may be that in cl. (v) the land which has not been assessed to land revenue is not covered by clause (a), (b) and (c) but then the court fee will have to be calculated under some other provision of the Act but not on the basis of the value of the land.

[606 A]

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Judgment 13:

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Appeal No. 1554 of 1970.
Appeal.
by Special Leave from the Judgment & Order dated the 19th August, 1968 of the Madras High Court in Tax Case No. 18 of 1 965.
G. B. Pai, A. G. Hanesssya, D. C. Mathur and K. K. John, For appellant.
B. B. Ahuja and section P. Navar, for the respondent.
807 The Judgment of the Court was delivered by GUPTA, J.
This is an appeal by special leave from a judgment of the Madras High Court in a reference under section 66(1) of the Income Tax Act, 1922.
The appellant, Mousuch Estate Limited, is a public limited company incorporated in the year 1924 under the Companies Act, 1913.
The appellant, referred to hereinafter as the Company, derives its income from tea grown in its estate for which it is assessed to income tax.
M/s. Harrisons and Crosfield Limited have been the managing agents of the Company from the beginning.
The following question relating to the assessment year 1959 60 was referred to the High Court : "Whether on the facts and in the circumstances of the case, the sum of Rs. 97,188/ representing the Managing Agency remuneration for the period 1 4 1956 to 30 6 1957 was deductible in the computation of the income of previous year ending on 30th June 1958, relevant for the assessment year 1959 60."
The relevant facts leading to the reference are these.
The managing agents of the Company were entitled to commission at the rate of 11 per cent on all sales of tea and other produce of the Company and a further sum of Rs. 12,000/ per annum for secretarial work.
There was, however, no written agreement embodying the terms.
After the came into force on April 1, 1956 it was decided that there should be a fresh managing agency agreement between the Company and its managing agents in conformity with the provisions of the said Act.
A fresh agreement drawn up and submitted by the managing agents was approved by the Company.
The new agreement proposed the re-appointment of M/s. Harrisons & Crosfield Limited as the managing agents of the Company for a period of 10 years on a remuneration of 5 per cent commission on the net profits of the company computed in the manner laid down in sections 349 to 351 of the subject to a minimum remuneration of Rs. 12,000/ per annum.
The revised terms were to take effect from April 1, 1956.
As required by sec.
326 of the , the new agreement was sent to the Central Government for approval by a communication dated August 3, 1957 enclosing a formal application for the purpose in Form 25, On September 2, 1957 by a letter addressed to the Company the Government conveyed its approval to the appointment of M/s. Harrisons & Crosfield Ltd. as the Managing agents. . for a period of 10 years with effect from 1st April 1956, on a remuneration of 5 per cent commission on the net profits of the company computed in the manner as laid down in Sections 349 to 351 of the subject to a minimum remuneration of Rs. 12,000/ (Rupees twelve thousand only) per annum payable to the Managing Agents, in the event of absence or inadequacy of profits in any financial year.
On receipt of the approval, the Company by a resolution adopted at an extraordinary general meeting of its shareholders held on October 4, 1957 reappointed M/s. Harrisons & Crosfield Limited on the terms stated above.
In terms of the new agreement the existing agency agreement between the parties stood cancelled with the expiry of March 31, 1956.
808 The Company follows the mercantile system of accounting.
For the period April 1, 1956 to June 30, 1956, the Company credited a sum of Rs. 9320/ to the account of the managing agents as their remuneration in accordance with the terms of the proposed new agreement.
This was disclosed in the published accounts of the Company for the year July 1, 1955 to June 30, 1956 relevant to the assessment year 1957 58.
For the purpose of assessment of income tax, however, the Company added back the said sum of Rs. 9,320/ to its taxable income.
In the next accounting year ending on June 30, 1957 relevant to the assessment year 1958 59 the same process was followed with regard to the remuneration payable to the managing agents.
For the assessment year 1959 60 for which the previous year was July 1, 1957 to June 30, 1958, a total sum of Rs. 97,188/ was shown as managing agents' remuneration payable during that

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Summary 13:

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the assessee who followed the mercantile system of accounting debited in its account books certain sums of money as remuneration of the managing agents for the assessment years 1957 58 to 1959 60.
For the purpose of income tax the company added back the sum to its taxable income and claimed the whole sum as a deductible expenditure in the assessment year 1959 60 on the ground that the sum became payable only during that year when the Government accorded its approval to the new managing agency agreement.
The income tax officer rejected the claim holding that the approval of the central Government was necessary only for actual payment and the assessee should have ascertained the liability for each year and claimed it since he followed the mercantile system of accounting.
This view was upheld by the Appellate Assistant Commissioner and the Income Tax Appellate Tribunal.
The High Court held that although at the time the debit entries were made in the account books of the assessee, approval of the Central Government had not been received, when it came later, it gave legal effect to the debit entries with retrospective effect from April 1, 1956 and that the refusal of deduction by the Income tax Officer was right.
Allowing the appeal to this Court, HELD : The High Court was in error in answering the question against the assessee.
Even an assessee following the mercantile system of accounting is not entitled to claim a deduction until liability for the sum for which deduction is claimed has accrued.
The High Court overlooked the plain terms of s.326 of the under which it could not be assumed that the Central Government would approve every proposed appointment or re appointment of managing agent.
[809A; D; 810A] In the instant case it is only when the Central Government conveyed its approval to the appointment of managing agents by its letter dated September 2, 1957 that the appointment became effective and the Company's liability to pay the remuneration of the managing agents accrued.
The liability became effective from April 1, 1956 because the Central Government chose to give its approval retrospective operation.
The liability could not be said to have arisen from any date prior to September 2, 1957 when the approval was given.
Section 326 of the contains an absolute prohibition against the appointment or re appointment of a managing agent before the approval of Central Government was obtained.
[8100 C]

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Judgement 14:

3545.txt

File Edit View

Civil Appeal No. 18 of 1974.
Appeal by special leave from the judgment and order dated the 18th June 1974 of the Andhra Pradesh High Court at Hyderabad in Writ Appeal No. 460 of 1974.
K. R. Nambiyar for the appellants.
L. N. Sinha, Sol.
General of India and Girish Chandra for respondents.
The Judgment of the Court was delivered by SARKARIA, J.
This is an appeal by special leave against a judgment of the High Court of Andhra Pradesh.
The appellants are office bearers of the Civil Employees Unions in the various Centers of the Defence Establishments of Secunderabad and Hyderabad.
They filed a writ petition in the High Court to impugn the authority of the Commandants (Respondents 2 and 3 herein) in declaring the Unions, represented by the appellants as unlawful associations.
The Registrar of Trade Unions had issued Certificates of Registration to the four Unions represented by the appellants between 1954 and 1970.
The General Secretary of Class IV, Civil Employees Union, Bolaram, Secunderabad was informed, per letter dated 770 12 5 1971, by the Under Secretary of the Government of India, Ministry of Defence that their Unions could not be granted recognition as these employees being in the Training Establishments, were not entitled to form Unions.
The Commandant also issued a notice to the appellants to show cause why disciplinary action be not taken against them for forming this unlawful association.
The main ground taken in the petition was that the impugned action was violative of their fundamental right to form associations or Unions conferred by article 19(1)(c) of the Constitution.
In their reply affidavit, the respondents averred that the Civilian Non Combatants in the Defence Establishments were governed by the and were duly prohibited by Rules framed thereunder from joining or forming a Trade Union; that the associations in question were formed in breach of that prohibition, and were therefore, validly declared illegal.
The learned Judge of the High Court, who tried the petition, held that the right of the appellants to form associations given by article 19(1) (c) of the Constitution, had been lawfully taken away.
He accordingly dismissed the petition.
The appellants carried an appeal to the appellate Bench of the High Court.
The Bench dismissed the appeal holding that the impugned action was not without jurisdiction.
The main contention of Mr. K. R. Nambiyar, appearing for the appellants is that the members of the Unions represented by the appellants, though attached to the Defence Establishments, are civilians, designated as "Non Combatants Un Enrolled".
They include cooks, chowkidars, jaskars, barbers, carpenters, mechanics, boot makers, tailors etc.
They are governed by the civil service regulations for purposes of discipline, leave, pay etc.
and are also eligible to serve upto the age of 60 years unlike that of the members of the Armed Forces.
In view of these admitted facts, proceeds the argument, these categories of civilian employees, attached to the Defence Establishments, could not be validly called "members of the Armed Forces" covered by article 33 of the Constitution.
The points sought to be made out are: that the members of the appellants' Unions are not subject to the as they do not fall under any of the categories enumerated in sub clauses (a) to (i) of section 2 of the , and that the impugned notifications are ultra vires the and are struck by articles 19(1)(c) and 33 of the Constitution.
For reasons that follow, the contentions must be repelled.
Article 33 of the Constitution provides an exception to the preceding Articles in Part III including article 19(1) (c).
By Article 33, Parliament is empowered to enact law determining to what extent any of the rights conferred by Part III shall, in their application, to the members of the Armed Forces or Forces charged with the main tenance of public order, be restricted or abrogated so as to ensure 771 the proper discharge of their duties and the maintenance of discipline among them.
In enacting the , in so far as it restricts or abrogates any of the fundamental rights of the members of the Armed Forces, Parliament derives its competence from Art.33 of the Constitution.
Section 2(1) of the Act enumerates the persons who are subject to the operation of this Act.
According to sub clause (i) of this section, persons governed by the Act, include "persons not otherwise subject to military law who, on active service, in camp, on the march or at any

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Summary 14:

3545.txt

File Edit View

In the question whether civilian employees of Defence Establishments have the right to form trade unions under Art, 19(1) (c) of the Constitution, HELD: Article 33 of the Constitution provides an exception to the Preceding Articles in Part III including Act.
19(1)(c).
By article 33, Parliament is empowered to enact law determining to what extent any of the rights conferred by Part III shall.
In their application to the members of the armed forces or forces charged with the maintenance of public order, be restricted or abrogated so as to ensure the proper discharge of their duties and the maintenance of discipline among them.
[770G, 771A] by virtue of section 2(1) of the , the Central Government was competent to make rules restricting or curtailing the fundamental rights of civilian employees of Defence Establishments to form trade unions under article 19(1)(c) of the Constitution.
Although they are non combatants and are in some matters governed by the civil service regulations, yet they are integral to the armed forces.
They answer the description of the members of the armed forces within the contemplation of article 33.
[771 B D]

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Judgement 15:

Civil Appeal No. 467 of 1970.
 From the Judgment and order dated 25 4 1969 of the Madhya Pradesh High Court in Misc. Petition No. 4/67.
 D. N. Mukherjee and G. section Chatterjee for the Appellant.
 section K. Gambhir, R. Nath and Miss Ram Rakhiani for the Respondent.
 197 The order of the Court was delivered by UNTHAALIA, J.
 The appellant was an office Superintendent in the office of Agriculture Department. Certain charges were levelled against him.
 An enquiry was purported to be held.
 After finding him guilty of some charges, he was reverted to a lower rank.
 He challenged that order by filing a Writ Petition in the Madhya Pradesh High Court .
 That Writ Petition was allowed and the order of reversion was quashed on the ground that the enquiry held was not proper and legal.
 In view of the order of the High Court, the appellant was reinstated in his original post of office Superintendent.
 But shortly after, he was put under suspension and fresh proceedings were started on the basis of the same old charges.
 In the second proceedings, he has been found guilty of certain charges, the details of which are not necessary to be mentioned in our judgment.
 He was again reverted and it was also directed in the order that the allowance paid to him during the period of suspension could remain intact.
 The appellant filed a second Writ Petition in the High Court to challenge the fresh order of reversion.
 The High Court has dismissed his Writ Petition.
 Hence this appeal in this Court on grant of a certificate by the High Court.
 Mr. D. N. Mukherjee, learned counsel for the appellant urged only two points before us; (1) that after the earlier order of reversion was quashed by the High Court and after the appellant was reinstated, no second enquiry on the very same charges could be held and no second order of reversion could be legally and validly , made; and (2) that appellant was entitled to the full salary for the period of suspension.
 We find no substance in either of the points urged on behalf of the appellant.
 The earlier order was quashed on the technical ground.
 On merits, a second enquiry could be held.
 It was rightly held.
 The order of reinstatement does not bring about any distinction in that regard.
 The Government had to pass that order because the earlier order of reversion had been quashed by the High Court.
 Without reinstating the appellant, it would have been difficult perhaps unlawful, to start a fresh enquiry against the appellant.
 The observations of this Court in the last paragraph of the judgment in State of Assam & Anr. vs J. N. Roy Biswas are not applicable to the facts of the present case and do not help the appellant at all.
 The reduced amount paid to the appellant for the period of suspension was affirmed by making it a part of the order of reversion 198 itself.
 That being so, the second point urged by the counsel is also, of no substance.
 For the reasons, stated above, we dismiss this appeal but since the, appellant has already retired from service, we make no order as to costs.
 V.D.K. Appeal dismissed.

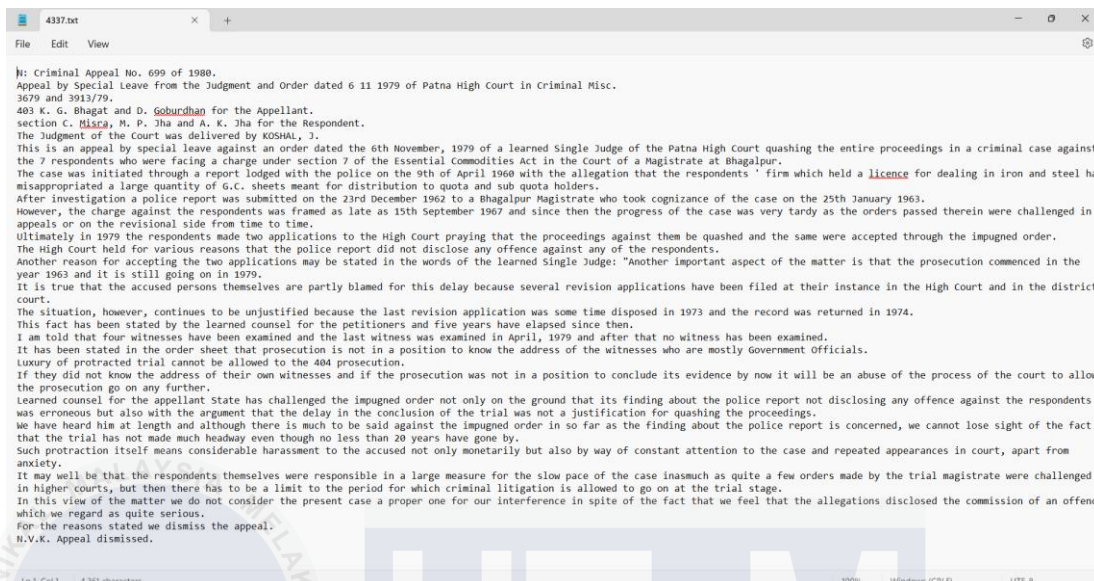
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Summary 15:

The appellant, an office Superintendent was reverted to a lower rank after finding him guilty of some charges held in a departmental enquiry. The said orders were quashed by the High Court on the ground that the enquiry held was not proper and legal. The appellant was reinstated as office superintendent.
 Later, fresh enquiry was started after placing him under suspension on the basis of the same old charges.
 He was found guilty and again reverted to lower rank with a direction in the order of reversion that the allowance paid to him during the period of suspension could remain intact.
 The writ petition filed by the appellant against the said orders was dismissed.
 Dismissing the appeal by certificate, the Court ^ HELD: 1.
 The observations of this Court in State of Assam & Anr. vs J. N. Roy Biswas [1976] 2 SCR p. 128 @ 130 to the effect that "once a disciplinary case has closed and the official reinstated, presumably on full exoneration, a chagrined Government cannot restart the exercise in the absence of a specific power to review or revise, vested by rules in some authority" are not applicable to the fact of the Present case.
 [1977 G] The earlier order was quashed on a technical ground.
 The order of reinstatement does not bring about any distinction in that regard.
 The Government had to pass that order because the earlier order of reversion had been quashed by the High Court.
 Without reinstating the appellant it would have been difficult, perhaps unlawful, to start a fresh enquiry against the appellant.
 [1977 G] (b) The reduced amount paid to the appellant for the period of suspension was affirmed by making in a part of the order of reversion itself, and is in order.
 [197H, 198H]

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Judgement 16:



4337.txt

File Edit View

N: Criminal Appeal No. 699 of 1980.
Appeal by Special Leave from the Judgment and Order dated 6 11 1979 of Patna High Court in Criminal Misc. 3679 and 3913/79.
403 K. G. Bhagat and D. Goburdhan for the Appellant.
section C. Misra, M. P. Jha and A. K. Jha for the Respondent.
The Judgment of the Court was delivered by KOSHAL, J.
This is an appeal by special leave against an order dated the 6th November, 1979 of a learned Single Judge of the Patna High Court quashing the entire proceedings in a criminal case against the 7 respondents who were facing a charge under section 7 of the Essential Commodities Act in the Court of a Magistrate at Bhagalpur.
The case was initiated through a report lodged with the police on the 9th of April 1960 with the allegation that the respondents' firm which held a licence for dealing in iron and steel had misappropriated a large quantity of G.C. sheets meant for distribution to quota and sub quota holders.
After investigation a police report was submitted on the 23rd December 1962 to a Bhagalpur Magistrate who took cognizance of the case on the 25th January 1963.
However, the charge against the respondents was framed as late as 15th September 1967 and since then the progress of the case was very tardy as the orders passed therein were challenged in appeals on or on the revisional side from time to time.
Ultimately in 1979 the respondents made two applications to the High Court praying that the proceedings against them be quashed and the same were accepted through the impugned order.
The High Court held for various reasons that the police report did not disclose any offence against any of the respondents.
Another reason for accepting the two applications may be stated in the words of the learned Single Judge: "Another important aspect of the matter is that the prosecution commenced in the year 1963 and it is still going on in 1979.
It is true that the accused persons themselves are partly blamed for this delay because several revision applications have been filed at their instance in the High Court and in the district court.
The situation, however, continues to be unjustified because the last revision application was some time disposed in 1973 and the record was returned in 1974.
This fact has been stated by the learned counsel for the petitioners and five years have elapsed since then.
I am told that four witnesses have been examined and the last witness was examined in April, 1979 and after that no witness has been examined.
It has been stated in the order sheet that prosecution is not in a position to know the address of the witnesses who are mostly Government Officials.
Luxury of protracted trial cannot be allowed to the 404 prosecution.
If they did not know the address of their own witnesses and if the prosecution was not in a position to conclude its evidence by now it will be an abuse of the process of the court to allow the prosecution go on any further.
Learned counsel for the appellant State has challenged the impugned order not only on the ground that its finding about the police report not disclosing any offence against the respondents was erroneous but also with the argument that the delay in the conclusion of the trial was not a justification for quashing the proceedings.
We have heard him at length and although there is much to be said against the impugned order in so far as the finding about the police report is concerned, we cannot lose sight of the fact that the trial has not made much headway even though no less than 20 years have gone by.
Such protraction itself means considerable harassment to the accused not only monetarily but also by way of constant attention to the case and repeated appearances in court, apart from anxiety.
It may well be that the respondents themselves were responsible in a large measure for the slow pace of the case inasmuch as quite a few orders made by the trial magistrate were challenged in higher courts, but then there has to be a limit to the period for which criminal litigation is allowed to go on at the trial stage.
In this view of the matter we do not consider the present case a proper one for our interference in spite of the fact that we feel that the allegations disclosed the commission of an offence which we regard as quite serious.
For the reasons stated we dismiss the appeal.
N.V.K. Appeal dismissed.

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Summary 16:



4337.txt

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A case was initiated through a report lodged with the police on the 9th April, 1960 that the respondent's firm had misappropriated a large quantity of G. C. Sheets meant for distribution to quota and sub quota holders.
After investigation, a police report was submitted on the 23rd December 1962 to the Magistrate, who took cognizance of the case on the 25th January, 1963.
Charges were framed against the respondents under section 7 of the Essential Commodities Act on 15th September, 1967.
The progress of the case thereafter was very tardy.
In 1979, the respondents made two applications to the High Court for quashing the proceedings initiated against them.
The High Court allowed them on the ground that the police report did not disclose any offence against any of the respondents and that as the prosecution commenced in the year 1963 was still going on in 1979, it would be an abuse of the process of the court to allow the prosecution to continue any further.
In the appeal by the State to this Court, it was contended that the finding about the police report not disclosing any offence was erroneous and that the delay in the conclusion of the trial was not a justification for quashing the proceedings.
Dismissing the appeal. HELD: 1.
There has to be a limit to the period for which criminal litigation is allowed to go on at the trial stage.
[404D] 2.
The present case is not a proper one for interference in spite of the fact that the allegations disclose the commission of an offence which is quite serious.
[404E] In the instant case the trial has not made much headway even though no less than 20 years have gone by.
Such protraction itself means considerable harassment to the accused not only monetarily but also by way of constant attention to the case and repeated appearances in court, apart from anxiety.
[404C] 0]

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Judgement 17:

5211.txt

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Civil Appeal No. 1359 (NT) of 1974 From the Judgment and Order dated 11.1.1974 of the Orissa High Court in Special Jurisdiction Case No. 62 of 1972. Govind Das, P.N. Misra, D.C. Taneja and P.K. Juneja for the Appellant. V.S.Desai, P.K. Bhatnagar and Miss A. Subhashini for the Respondent. The Judgment of the Court was delivered by PAHAK, J. This appeal by special leave is directed against the judgment of the High Court of Orissa and raises the familiar question whether a loss suffered by the assessee is a capital loss or a revenue loss. The assessee deals in automobiles and also sells spare motor parts. For the assessment year 1963-64, the relevant accounting period being the year ended March 31, 1963, the assessee claimed a loss of Rs.53,650 sustained by it on disposing of its subscription to the Orissa Government floated loan 1972. It claimed that the loss suffered by it was revenue loss and, therefore deductible against its profits for the year. The Income tax Officer disallowed the loss in the view that it was 210 a capital loss. The assessee's appeal was dismissed by the Appellate Assistant Commissioner of Income tax. But on second appeal the Income tax Appellate Tribunal accepted the contention of the assessee that the subscription to the Government loan was conducive to its business and that the loss arose in the course of the business, and that therefore, the assessee was entitled to a deduction of the loss claimed by it. The Accountant Member and the Judicial Member wrote separate but concurrent orders. At the instance of the Revenue the Appellate Tribunal referred the case to the High Court of Orissa for its opinion on the following question of law. "Whether, in the facts and circumstances of the case, the loss of Rs.53,650 sustained by the assessee on the sale of the Government loan is a capital loss or a revenue loss. " Disagreeing with the findings of the Appellate Tribunal the High Court held that the loss was a capital loss and accordingly answered the reference in favour of the revenue and against the assessee. At the outset, we find it necessary to note that the High Court has taken the view that the factual substratum of the case has been misconceived by the Appellate Tribunal and that it is, therefore, entitled to re examine the evidence and arrive at its own findings of fact. We think the High Court fell into serious error in doing so. It is now well settled that the Appellate Tribunal is the final fact finding authority under the Income tax Act and that the Court has no jurisdiction to go behind the statements of fact made by the Tribunal in its appellate order. The Court may do so only if there is no evidence to support them or the Appellate Tribunal has misdirected itself in law in arriving at the findings of fact. But even there the Court cannot disturb the findings of fact given by the Appellate Tribunal unless a challenge is directed specifically by a question framed in a reference against the validity of the impugned findings of fact on the ground that there is no evidence to support them or they are the result of a misdirection in law. There is a long line of cases decided by this Court laying down this proposition. See India Cements Ltd. vs C.I.T., , 64; Hazarat Pirahomed Shah Saheb Roza Committee vs C.I.T., , 495 6; C.I.T. vs Greaves Cotton & Co. Ltd., 68 ITR200; C.I.T. vs Meenakshi Mills Ltd., , 613; C.I.T. vs Madan Gopal Radhey Lal, ; , 656; Hooghly Trust Ltd. vs C.I.T., , 690; C.I.T. vs Imperial Chemical Industries (India) Ltd., and Aluminium Corpn. of India Ltd. vs C.I.T., The High Court has relied on Com 211 Commissioner of Income tax, Bihar and Orissa vs S.P. Jain. to justify its re-examination of the evidence and to supersede the findings of fact rendered by the Appellate Tribunal by findings of fact reached by itself. In that case, however, the questions raised in the Reference before the High Court included questions specifically challenging the findings of fact reached by the Appellate Tribunal as being invalid in law. In the present case the question referred to the High Court was framed on the assumption that it had to be decided in the factual matrix delineated by the Appellate Tribunal: In the circumstances, the findings of fact set forth in the judgment of the High Court must be vacated. We would have sent the case back to the High Court requiring it to answer the question of law referred to it on the basis of the facts found by the Appellate Tribunal but we refrain from doing so and propose to dispose of the Reference ourselves on the statements of fact contained in the appellate order of the Appellate Tribunal. The case has remained pending through its successive stages for the last over 20 years, and it is appropriate that it should be disposed of now without further delay. According to the statement of the case drawn up on the basis of the appellate order of the Appellate Tribunal the assessee was told that if it subscribed for the Government Loan

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Summary 17:

5211.txt

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The assessee deals in automobiles and also sells spare motor parts. For the assessment year 1963-64 the assessee claimed a loss of Rs.53,650 sustained by it on disposing of its subscriptions to the Orissa Government floated loan 1972. It claimed that the loss suffered by it was revenue loss and, therefore, deductible against the profits for future years. The Income Tax Officer and the Appellate Commissioner of Income Tax negatived the claim of the assessee. But on second appeal, the Appellate Tribunal accepted the contention that the subscription to the Government loan was conducive to its business and that the loss arose in the course of the business, and that therefore, the assessee was entitled to a deduction of the loss claimed by it. But the High Court on a reference to it at the instance of the revenue, held that the loss was a capital loss. The High Court was of the view that the factual substratum of the case had been misconceived by the Appellate Tribunal and that it was, therefore, entitled to re examine the evidence and arrive at its own findings of fact. Hence this appeal by special leave. Allowing the appeal, the Court, 208 A HELD: 1.1 whether government bonds or securities were purchased by the assessee with a view to increasing his business with the Government or with the object of retaining the goodwill of the authorities for the purpose of his business, the loss incurred on the sale of such bonds or securities was allowable as a business loss. [212F G] 1.2. Having regard to the sequence of events and the close proximity of the investment with the receipt of Government orders it is clear that the investment, in the instant case, was made in order to further the sales of the assessee and boost its business. In the circumstances, the investment was made by way of commercial expediency for the purpose of carrying on the assessee's business and therefore the loss suffered by the assessee on the sale of the investment must be regarded as a revenue loss. [211H;212A B] 1.3 No enduring benefit was brought about by the assessee investing in the loan so far as the orders from the Government Departments were concerned. The material on record shows that on August 30, 1961 it was decided to purchase 16 jeeps, 8 trucks and 4 one tonne pick up vans. There was nothing to show that there was any reason for the assessee to hold on to the investment in the loan indefinitely. The investment did not bring in an asset of a capital nature, and that in the circumstances of the case the loss suffered by the assessee was a revenue loss and not a capital loss. [212D F] Commissioner of Income Tax vs Industry and Commerce Enterprises (P) Ltd., ; Additional Commissioner of Income tax, Madras II vs B.M.S.(P) Ltd., ; Commissioner of Income tax, Tamil Nadu v vs Chandrayyathapani Foundry (P) Ltd., approved. It is now well settled that the Appellate Tribunal is the final fact finding authority under the Income tax Act and that the Court has no jurisdiction to go behind the statements of fact made by the Tribunal in its appellate order. The Court may do so only if there is no evidence to support them or the Appellate Tribunal has misdirected itself in law in arriving at the findings of fact. But even there the Court cannot disturb the findings of fact given by the Appellate Tribunal unless a challenge is directed specifically by a question framed in a reference against the validity of the impugned findings of fact on the ground that there is no evidence to support them or they are the result of a misdirection in law. [218E G] 209 India Cements Ltd. vs C.I.T., , 64; Hazarat Pirahomed Shah Saheb Roza Committee vs C.I.T., , 495 6; C.I.T. vs Greaves Cotton & Co. Ltd., ; C.I.T. vs Meenakshi Mills Ltd., , 613; C.I.T. vs Madan Gopal Radhey Lal, ; , 656; Hooghly Trust Ltd. vs C.I.T., , 690; C.I.T. vs Imperial Chemical Industries (India) Ltd., ; Aluminium Corporation of India Ltd. vs C.I.T., and Commissioner of Income tax, Bihar and Orissa vs S.P. Jain, referred to. In the case of a reference under the Income Tax Act which has remained pending through its successive stages for the last several years and as a result of the Supreme Court setting aside the judgment of the High Court, the case has to go back to the concerned High Court to answer the question of law referred to it, the Supreme Court to avoid further delay can itself decide the said question of law. [211C D]

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Judgement 18:

5672.txt

File Edit View

Special Leave Petition (Civil) No. 2545 of 1988.
 From the Judgment and Order dated 2.2.1988 of the Bombay High Court in Arbitration Petition No. 234 of 1987.
 G. Ramaswamy, Additional Solicitor General, K.V. Kinn, section Bharthari and P.H. Parekh for the Petitioner.
 K.S. Cooper, D. Karkali, R. Karanjawala and Mrs. M. Karanjawala for the Respondents.
 The Judgment of the court was delivered by SABYASACHI MUKHARJI, J.
 After hearing the parties fully we had by our order dated 10th March, 1988 dismissed the special leave petition under Article 136 of the Constitution.
 We do so by this judgment.
 This is a petition for leave to appeal under Article 136 of the Constitution from the judgment and order of the learned Judge of the High Court of Bombay dated 2nd February, 1988.
 By the impugned judgment the learned Judge has rejected the application for revocation of the authority of respondent No. 1, Shri K.D. Bali, sole arbitrator under sections 5 and 11 of the (hereinafter called 'the Act').
 In order to appreciate the contentions raised, it may be stated that the International Airport Authority of India which was the petitioner in the High Court and is the petitioner herein had invited tenders for the work of construction of terminal building of new international passenger complex (Phase II) at the Bombay Airport at 375 Sahar, Bombay.
 Respondent No. 2, M/s. Mohinder Singh and Company, a partnership firm having registered office at Delhi and carrying on business in Bombay submitted a tender and it was accepted for the value of Rs.7,26,31,325.
 A formal agreement followed on 22nd January, 1982.
 It is not necessary to refer to the clauses of the agreement for the present purposes.
 It may be reiterated, however, that there was provision in the agreement for settlement of disputes through appointment of sole arbitrator under clause 25 of the Conditions of Contract by the competent authority.
 Certain disputes arose in which the petitioner sought claims amounting to Rs.85 lakhs.
 Respondent No. 2 contractor approached the petitioner by letter dated 22nd February, 1985 to refer the disputes with regard to claims amounting to Rs.85 lakhs to the arbitration.
 One Shri K.K. Sud, the Chief Engineer of the petitioner by his letter appointed respondent No. 1 as the arbitrator and made the reference with regard to the claim of Rs. 85 lakhs on 23rd February, 1985.
 On 8th March, 1985, it appears from the narration of the events in the judgment impugned that the arbitrator gave directions to the parties regarding submission of pleadings.
 Respondent No. 2 filed pleadings within time, but the petitioner filed its pleadings after a delay of two and a half months.
 On 17th March, 1986 respondent No. 2 addressed a letter to the Chief Engineer asking for reference of further disputes to the arbitration and accordingly on 16th May, 1986 a second reference was made referring 11 further points of dispute.
 A third reference was sought by respondent No. 2 on 22nd May, 1986 in respect of seven more claims but the petitioner informed on June 12, 1986 that the third reference was premature.
 It appears that in respect of the second and third references the assertion of the petitioner was that these disputes were not referable to the arbitrator.
 The arbitrator had directed the parties to submit their statements in respect of second reference and though respondent No. 2 submitted its claim within the stipulated period, the petitioner had again delayed doing so according to the learned Judge and according to the assertions of respondent No. 2 for a period of three months.
 On 16th May, 1986 the Chief Engineer made reference No. 2 with regard to claims amounting to Rs.1.17 crores to the arbitrator.
 On 23rd December, 1986 the Chief Engineer of the petitioner made another reference being reference No. 3 to the arbitrator with regard to claims amounting to Rs.5.81 crore.
 The petitioner by its applications of 8th and 9th June, 1987 expressed its objections to the references Nos. 2 and 3 made by the Chief Engineer as according to the petitioner the said references were null and void as these were irregularly made.
 On 26th June, 1987 the petitioner by its written submissions took preliminary objection before the arbitrator 376 to the said arbitration proceedings, being lack of jurisdiction of the arbitrator on account of the fact that he was not validly appointed as far as references Nos. 2 and 3 were concerned.
 The petitioner by its application dated 3rd August, 1985 noted that respondent No. 1 had not noted the minutes of the meeting dated 10th of June, 1985 correctly.
 The petitioner by its application on 15th of June, 1987 requested respondent No. 1 not to proceed with the arbitration proceedings till its preliminary objections regarding jurisdictional aspects were decided and also made it clear that it was appearing under protest in the proceedings before him.

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Summary 18:

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This petition for special leave was against the judgment and order of the High Court of Bombay, rejecting the application for revocation of the authority of the respondent No. 1, the sole arbitrator under sections 5 and 11 of the ('the Act').
 The petitioner invited tenders for the construction of the terminal building of a new international passenger complex (Phase II) at the Bombay Airport.
 The respondent No. 2, a partnership firm, submitted a tender which was accepted and a formal agreement followed, with a provision in the agreement for settlement of disputes through a sole arbitrator appointed under clause 25 of the conditions of contract by the competent authority.
 Certain disputes arose in which the petitioner sought claims amounting to Rs.85 lakhs.
 The respondent No. 2 the contractor approached the petitioner to refer the disputes to arbitration.
 The Chief Engineer of the petitioner appointed respondent No. 1 as the arbitrator and made a reference with regard to the claim of Rs.85 lakhs.
 The respondent No. 2 asked the Chief Engineer to refer further disputes to the arbitrator and, accordingly, on 16th May, 1986, a second reference was made with regard to 11 further points of dispute with claims amounting to Rs.1.17 crores.
 On 23rd December, 1986, the Chief Engineer made reference No. 3 to the Arbitrator with regard to claim amounting to Rs.5.81 crore.
 Thereafter, by applications of 8th and 9th June, 1987, the petitioner expressed objections to the references Nos. 2 and 3 made by the Chief Engineer contending that the references were null and void, being irregularly made, and took preliminary objections before the arbitrator to the arbitration proceedings, being lack of jurisdiction of the arbitrator on the ground that he was not validly appointed so far as references Nos. 2 and 3 were concerned.
 On 7th 31 August, 1987, the petitioner made an application before the arbitrator under section 13(b) of the Act with the request to state the matter before him for the opinion of the Court as special case.
 The arbitrator by his order dt. 3rd October, 1987, rejected the said application and the preliminary objections of the petitioner.
 Thereafter, the petitioner alleging that the arbitrator had formed his own opinion regarding the matters in issue, filed an application before the High Court for the revocation of the authority of the arbitrator on the ground of apprehension in the petitioner's mind about bias of the arbitrator.
 The High Court by its judgment and order dt. 2nd February, 1988, rejected the application of the petitioner.
 The petitioner then moved this Court for relief by special leave.
 Dismissing the petition for special leave, the Court, ^ HELD: It was necessary to reiterate first what are the parameters by which an appointed arbitrator can be removed on the application of a party.
 It is well settled that there must be purity in the administration of justice as well as quasi justice involved in the adjudicatory process before the arbitrator.
 Once the arbitrator enters on an arbitration, he must not be guilty of any act which can possibly be construed as indicative of partiality or unfairness.
 It is not a question of the effect which a misconduct on his part had in fact upon the result of the proceeding, but of what effect it might possibly have produced.
 It is not enough to show that even if there was misconduct on his part, the award was unaffected by it and was in reality just; the arbitrator must not do anything which is not in itself fair and impartial.
 In the words of Lord O'Brien, L.C.J., there must be a real likelihood of bias and not a mere suspicion of bias before proceedings can be quashed on the ground that the person conducting the proceedings is disqualified by interest.
 The purity of administration requires that the party to the proceedings should not have apprehension that the authority is biased and is likely to decide against the party, but it is equally true that it is not every suspicion felt by a party which must lead to the conclusion that the authority hearing the proceedings is biased, as held by the High Court.
 The apprehension must be judged from a healthy, reasonable and average point of view and not on a mere apprehension of any whimsical person.
 It cannot be and should never be in a judicial or quasi judicial proceeding that a party who is a party to the appointment could seek the removal of an appointed authority or an arbitrator on the ground that the appointee being his nominee had not acceded to his prayer about conduct of the proceedings.
 It is the reasonableness and apprehension of an average honest man that must be taken note of.
 There was no substance found in the alleged grounds of apprehension of bias, examined in this light.
 [378D G; 379D H; 380A B] The High Court had examined five circumstances advanced before it.

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Judgement 19:

(Civil) No. 1155 of 1987.
 (Under Article 32 of the Constitution of India).
 S.P. Malik and Mrs. Lalitha Kaushik for the Petitioner.
 Anil Dev Singh, R. Venkataramani, R.B. Mishra and Ms. A. Subhashini for the Respondents.
 The Judgment of the Court was delivered by DUTT, J.
 The petitioner was the Additional Registrar of this Court.
 His normal date of retirement was March 31, 1987.
 He, however, sought for voluntary retirement from the service of this Court and on his application in that regard, the following order dated December 6, 1985 was communicated to him by the Registrar of this Court: "OFFICE ORDER The Hon'ble the Chief Justice of India has accepted the notice of Shri section Banerjee, Offg. Additional Registrar (Permanent Deputy Registrar), seeking voluntary retirement from service under the provisions of Rule 48A of the Central Civil Services (Pension) Rules, 1972, and has permitted him to retire voluntarily from the service of the Registry of the Supreme Court of India with effect from the forenoon of January 1, 1986.
 " 504 It is clear from the order extracted above that the petitioner was permitted to retire voluntarily from the service of the Registry of the Supreme Court with effect from the forenoon of January 1, 1986.
 After the retirement of the petitioner, the Fourth Central Pay Commission (for short 'Pay Commission ') gave its report recommending the revision of salaries and pension of the Government employees.
 It is not disputed that the above recommendations of the Pay Commission have been accepted by the Government and that the benefit thereof is also available to the employees of this Court. Paragraph 17.3 of Chapter 17 of Part II at page 93 of the Report of the Pay Commission provides as follows: "17.3 In the case of employees retiring during the period January 1, 1986 to September 30, 1986, Government may consider treating the entire dearness allowance drawn by them up to December 31, 1985 as pay for pensionary benefits.
 " The petitioner claimed the benefit of the recommendation of the Pay Commission as contained in the said paragraph 17.3, but it was not allowed on the ground that he did not, as he was not entitled to, draw salary for January 1, 1986 in view of the proviso to rule 5(2) of the central Civil Service (Pension) Rules, 1972, hereinafter referred to as 'the Rules '.
 Rule 5(2) reads as follows: "5(2).
 The day on which a Government servant retires or is retired or is discharged or is allowed to resign from service, as the case may be, shall be treated as his last working day.
 The date of death shall also be treated as a working day.
 Provided that in the case of a government servant who is retired prematurely or who retires voluntarily under clause (j) to (m) of Rule 56 of the Fundamental Rules or Rule 48 (or Rule 48 A) as the case may be, the date of retirement shall be treated as a non working day.
 " At the hearing of the writ petition, it has also been vehemently urged on behalf of the respondents that as in view of the proviso to rule 5(2) of the Rules, the date of retirement of the petitioner should be treated as a non working day or, in other words, as the petitioner was not entitled to the salary for the day of his retirement, he was not 565 entitled to the benefit of the recommendation of the Pay Commission as contained in paragraph 17.3 of the report extracted above.
 Under paragraph 17.3, the benefits recommended will be available to employees retiring during the period, January 1, 1986 to September 30, 1986.
 So the employees retiring on January 1, 1986 will be entitled to the benefit under paragraph 17.3.
 The question that arises for our consideration is whether the petitioner has retired on January 1, 1986.
 We have already extracted the order of this Court dated December 6, 1985 whereby the petitioner was permitted to retire voluntarily from the service of the Registry of the Supreme Court with effect from the forenoon of January 1, 1986.
 It is true that in view of the proviso to rule 5(2) of the Rules, the petitioner will not be entitled to any salary for the day on which he actually retired.
 But, in our opinion, that has no bearing on the question as to the date of retirement.
 Can it be said that the petitioner retired on December 31, 1985? The answer must be in the negative.
 Indeed, Mr. Anil Dev Singh, learned counsel appearing on behalf of the respondents, frankly conceded that the petitioner could not be said to have retired on December 31, 1985.
 It is also not the case of the respondents that the petitioner had retired from the service of this Court on December 31, 1985.
 Then it must be held that the petitioner had retired with effect from January 1, 1986 and that is also the order of this Court dated December 6, 1985.

Summary 19:

Paragraph 17.3 of Chapter 17, Part II of the Report of the Fourth Central Pay Commission entitled Government employees retiring during the period January 1, 1986 to September 30, 1986 to consideration of the entire dearness allowance drawn by them upto December 31, 1985 as pay for pensionary benefits.
 Rule 5(2) of the central Civil Services (Pension) Rules, 1972 permits the day on which a government servant retires from service to be treated as his last working day.
 The proviso thereto, however, states that in the case of a government servant who retires voluntarily under Rule 48 A the date of retirement shall be treated as a non working day.
 The petitioner was permitted to retire voluntarily from the service of the Registry of the Supreme Court under the provisions of Rule 48 A of the Rules with effect from the forenoon of January 1, 1986 by an order dated December 6, 1985.
 His claim to the benefit of paragraph 17.3 was not acceded to.
 In the writ petition it was contended for the respondents that as in view of the proviso to rule 5(2) of the Rules the petitioner was not entitled to the salary for the day of his retirement, he was not entitled to the benefit of paragraph 17.3.
 Allowing the writ petition, HELD: Under paragraph 17.3 of Chapter 17, Part II of the Report of the Fourth Central Pay Commission the benefits recommended will be available to employees retiring during the period, January 1, 1986 to September 30, 1986.
 In the instant case, the petitioner was permitted to retire voluntarily from the service of the 563 Registry of the Supreme Court with effect from the forenoon of January 1, 1986.
 The fact that under the proviso to rule 5(2) of the Rules, the petitioner will not be entitled to any salary for the day on which he actually retired has no bearing on the question as to the date of retirement.
 The petitioner could not be said to have retired on December 31, 1985.
 It has then to be said that he had retired with effect from January 1, 1986 and that is also the order of this Court dated December 6, 1985.
 He, therefore, comes within the purview of paragraph 17.3 of the recommendations of the Pay Commission.
 [565A E] The respondents to calculate and pay to the petitioner within three months his pension in accordance with the recommendation of the Pay Commission as contained in paragraph 17.3.
 [566D]

Judgement 20:

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Civil Appeal No. 233 of 1991 etc.
 From the Judgment and Order dated 21.6.1988 of the Central Administrative Tribunal, Bombay Bench in O.A. No. 58 of 1988.
 V.C. Mahajan, S.N. Ingda, A.K. Srivastava, C.V. Subba Rao, S.K. Gambhir, Dr. B. L. Wadhwa, Sudarshan Menon, P. Parameshwaran and G.D. Gupta for the appearing parties.
 The Judgment of the Court was delivered by K. JAGANNATHA SHETTY, J.
 To cater to the educational needs of children of persons employed in the ordnance factory at Ambazari the Central Government has sanctioned and is running a Primary School from classes I to V.
 In the same premises, the employees 687 of the ordnance factory, by their own arrangement are also having a Secondary School with classes VI to X.
 They have appointed the respondents as teachers in the Secondary School.
 They are paid honorarium and not full salary.
 Their honorarium is paid out of fees from the children and other donations received by the school.
 The respondents, however, approached the Central Administrative Tribunal seeking regularisation of their services and demanding equal pay for equal work.
 The Tribunal has allowed their claim with certain directions to the appellants including the Union of India.
 The directions issued by the Tribunal are as follows: "(i) The respondents will immediately take up an assessment of the needs of the school to carry on its activities at their present level and the number of additional teachers required for this purpose; (ii) After assessing the number of teachers needed, the respondents will proceed to create a sufficient number of posts to be filled up on a regular basis; (iii) After completing the above exercise respondents will take steps to fill up the newly created posts in accordance with recruitment rules to be framed for the purpose.
 The applicants who have worked as teachers in past should be first considered for the posts and only if they are found unsuitable should candidates from sources like the Employment exchange be considered; (iv) Once the procedure outlined above is completed all persons selected should be appointed on a regular basis and on remuneration admissible to the regular teachers of the primary school; (v) Similar procedure should also be followed in respect of posts of peon giving Shri Tadas an opportunity of competing for regular appointment; (vi) Till the exercise outlined above is completed which we hope will be done before the academic year 1989-90 commences the present procedure may continue and such of the applicants as are selected for appointment will be subject to the same conditions of service as before.
 * The Union of India and the officers of the ordnance factory have challenged the validity of these directions in Civil Appeal No. 233/1991.
 The respondents who have not been recruited as per the directions of the Tribunal have preferred Civil Appeal No. 480/1989.
 We have considered the submissions of counsel on both sides in the light of the material on record.
 At the outset we may point out that 688 there is no evidence that the respondents were appointed as teachers on honorarium by or on behalf of the Central Government.
 There is also no evidence that the respondents were initially appointed in the Primary School and later they were shifted to the Secondary School.
 The fact, however, remains that when the respondents moved the Tribunal for relief they were only teaching in the Secondary School.
 It is undisputed that the Central Government has not sanctioned the Secondary School nor created any posts thereto.
 The Central Government has only sanctioned the Primary School and the posts connected therewith.
 Those posts are being occupied by regularly recruited teachers.
 The Tribunal, however, has directed the Central Government immediately to take up an assessment of the needs of the School to carry on its activities at the present level and to create a sufficient number of posts to be filled up on a regular basis.
 The Tribunal has further directed the Central Government to take steps to fill up the newly created posts in accordance with the recruitment rules to be framed for the purpose.
 These directions are indeed amazing.
 It has compelled the Government to sanction the Secondary School, create adequate number of posts and fill up the posts after framing the recruitment rules for the purpose.
 There is no law requiring the Central Government to sanction the Secondary School.
 The Central Government has taken a decision that it will not involve itself in sanctioning or running classes beyond the Primary School level.
 It is a policy matter involving financial burden.
 No court or the Tribunal could compel the Government to change its policy involving expenditure.
 The Tribunal therefore, could not have, could not have, issued the directions as it did to compel the Central Government to assess the needs of the school and create the necessary posts

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Summary 20:

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The appellant i.e. the Central Government sanctioned primary school from classes I V to cater to the educational needs of children of persons employed in the ordnance factory at Ambazari. The employees on their own in the same premises opened a secondary school with classes VI to X.
 The respondents are teachers in the Secondary School and are being paid out of fees and other donations received by the school. They approached the Central Administrative Tribunal seeking regularisation of their service and demanded equal pay for equal work.
 The Tribunal allowed their claim with certain directions to the appellants including the Union of India i.e. directing the Central Government immediately to take up an assessment of the needs of the School to carry on its activities at the present level and to create a sufficient number of posts to be filled up on a regular basis.
 The Tribunal further directed the Central Government to take steps to fill up the newly created posts in accordance with recruitment rules to be framed for the purpose.
 Allowing Civil appeal No. 233 of 1991 of the Union of India, and setting aside the order of the Tribunal dismissing Civil Appeal No. 480 of 1989 of the respondents who have not been recruited as per direction of the Tribunal, the Court.
 HELD: 1.
 There is no evidence in record that respondents were appointed as teachers on honorarium by or on behalf of the Central Government.
 There is no evidence that they were initially appointed in primary school and later shifted to the Secondary School.
 It is undisputed 686 that the Central Government has not sanctioned the Secondary School nor created any posts thereto.
 It had only sanctioned the Primary School and the posts connected therewith which are being occupied by regularly recruited teachers.
 [688A] 2.
 The directions of the Tribunal are indeed amazing compelling the Central Government to sanction the Secondary School.
 The Central Government has taken a decision that it will not involve itself in sanctioning or running classes beyond the Primary School level.
 It is a policy matter involving financial burden.
 No court or the Tribunal could compel the Government to change its policy involving expenditure.
 [688D] 3.
 The respondents are not paid by the Central Government.
 There is no relationship of master and servant between the Central Government and the respondents.
 The respondents are employed by the local officers so how the Central Government is accountable.
 [688E] 4.
 Even section 14 of the Administrative Tribunal Act, 1985 confers no jurisdiction, power or authority on the Tribunal to deal with the service matters of the employees like the respondents. The respondents cannot claim the pay scale admissible to the Government school teachers and much less regularisation of their services by the Central Government.
 [688H 689A] 5.
 The directions of the Tribunal are apparently unjustified and without authority of law so cannot be sustained.
 [688F]

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APPENDIX B: 10 EXAMPLES OF TESTING DATA SET

Judgement 1:

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In: Criminal Appeal No. 8 of 1951.
Appeal from an Order of the High Court of Bombay (Bavdekar and Chinnani JJ.) dated 20th February, 1950, in Criminal Appeal No. 106 of 1950 arising out of an order dated 9th January, 1950, of the Presidency Magistrate, 19th Court, Esplanade, Bombay, in case No. 10079/9 of 1949.
The facts are stated in the judgment.
Iswarlal C. Dalai and R.B. Dalai, for the appellants.
C.K. Daphary, Solicitor General for India (G. N. Joshi, with him) for the Republic of India (respondent No. 1). Jindra Lal for the respondent No. 2. 1952.
February 1.
The judgment of the court was delivered by CHANDRASEKHARA AIVAR J.
The facts out of which this criminal appeal has arisen are not long.
The appellant, W.H. King, who is carrying on a business in Bombay under the name and style of Associated Commercial Enterprises, was the tenant of a flat on the second floor of a building called "Ganga Vilas", Marine Drive, Bombay, which belongs to a lady named Durgeshwari Devi.
The tenancy was a monthly one, the rent being Rs. 215.
It is said that the appellant wanted to go to the United Kingdom for treatment of his falling eye sight and he got into touch with the complainant Mulchand Kodumal Bhatia, who is the second respondent in this appeal, through one Sayed for the purpose of making necessary arrangements about the flat occupied by him in view of his intended departure.
The prosecution case is that the accused demanded a sum of Rs. 30,000 which was later on reduced to Rs. 29,500 as consideration for putting the complainant in vacant possession of the flat and an additional amount of Rs. 2,000 for the furniture, and that the complainant agreed to pay these sums.
The complainant actually paid the accused two sums of 420 Rs. 500 each on 7th November, 1948, and 17th November, 1948.
He, however, got into touch with the police on 1 12 1948, and in conjunction with the latter, a trap was laid for the appellant.
It was arranged that the complainant should bring with him Rs. 1,000, being the balance due in respect of the furniture and that the police would give him Rs. 29,500 to be paid to the appellant.
The complainant and a sub-inspector, posing as the complainant's brother, went to the appellant on 4 12 1948, and paid him the two sums of money; and the keys of the flat and the motor garage were handed over to the complainant.
As the appellant and his wife were leaving the flat, the man, who masqueraded as the complainant's brother, threw off his disguise and disclosed his identity.
The police party, who were down below ready for the raid, held up the car of the appellant and recovered the sum of Rs. 30,500 from the rear seat of the car and also some papers, a typed draft of a partnership agreement between the complainant and the appellant and an application form for permission to occupy the building as caretaker.
From the complainant were recovered the bunch of keys and the documents that were handed over to him by the appellant, namely, the letter handing vacant possession (Exhibit D), the receipt for Rs. 2,000 for the articles of furniture (Exhibit E), a letter to the Bombay Gas Company for transfer of the gas connection to the name of the complainant (Exhibit F), and the letter to the Bombay Electric Supply and Transport Committee for transfer of the telephone connections and the deposit of Rs. 27 (Exhibit G).
The appellant was charged under section 18(1) of the Bombay Rents, Hotel and Lodging House Rates Control Act, LVII of 1947, for receiving a paguee of Rs. 29,500 and he was further charged under section 19(2) of the said Act for receiving the said sum as a condition for the relinquishment of his tenancy.
His wife, who was the second accused in the case, was charged with aiding and abetting her husband in the commission of the two offences.
421 The defence of the appellant was that he was in search of a partner to carry on his business during his intended absence, who was also to act as caretaker of his flat and that it was in this connection and with this object in view that he entered into negotiations with the complainant.
The sum of Rs. 29,500 was not paguee but represented capital for 12 1/2 share in the business and as the complainant was also to be a caretaker of the flat, the sum of Rs. 2,000 was paid and received as a guarantee against disposal and damage of the furniture and it was agreed to be paid back on the appellant's return to India.
The wife of the appellant denied any aiding and abetting.
The Presidency Magistrate, who tried the case, dismissed the defence on the facts, holding that what was received by the accused was by way of paguee.
As section 18 (1) of the Act was not applicable he convicted him under section 19(2) of the Act and sentenced him, in view of his old age and blindness, to one day's simple imprisonment and a fine of Rs. 30,000.
The wife was acquitted, the evidence being insufficient to prove any abetment.
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Summary 1:

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Sub section (1) of sec.
19 of the Bombay Rents, Hotel and Lodging House Rates Control Act, LVI I of 1947, provided that "it shall not be lawful for the tenant or any person acting or purporting to act on behalf of the tenant to claim or receive any sum or any consideration as a condition for the relinquishment of his tenancy of any premises"; and sub sec.
(2) provided that any tenant or person who in contravention of the provisions of sub sec.
(1) receives any sum or consideration shall on conviction be punished with imprisonment and also with fine.
A, who was a tenant of a flat, handed over vacant possession of the flat to B on receiving "paguee", under a document which recited that A shall have no claim whatever over the flat and that B shall pay the rent directly to the landlord.
A was convicted of an offence under sec.
19 (2).
Held, that there was no "relinquishment" of his tenancy by A, within the meaning of sec.
19 (1) and the conviction could not be sustained.
There is a clear distinction between an assignment of a tenancy on the one hand and a relinquishment or surrender on the other.
In the case of an assignment, the assignor continues to be liable to the landlord for the performance of his obligations under the tenancy and this liability is contractual, while the assignee becomes liable by reason of privity of estate.
The consent of the landlord to an assignment is not necessary, in the absence of a contract or local usage to the contrary.
But in the case of relinquishment it cannot be a unilateral transaction; it can only be in favour of the lessor by mutual agreement between them.
Relinquishment of possession must be to the lessor or one who holds his interest; and surrender or relinquishment terminates the lessee's rights and lets in the lessor.
As sec.
19 of Bombay Act LVII of 1947 creates an offence and imposes a penalty of fine and imprisonment, the words of the section must be strictly construed in favour of the subject.
The court is not concerned so much with what might possibly have been intended as with what has been actually said in and by the language employed in the statute.
Judgment of the Bombay High Court reversed.
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Judgement 2:

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Appeal No. 251 of 1963.
Appeal by special leave from the judgment and order dated March 20, 1957, of the Patna High Court in Civil Revision No. 40 of 1956.
M. C. Setalvad, and R. C. Prasad, for the appellants.
The respondent did not appear.
March 24, 1964.
The short question which arises in this appeal is whether the term "wages" as defined by section 2(vi) of the (No. 4 of 1936) (hereinafter called 'the Act ') includes wages fixed by an award in an industrial dispute between the employer and his employees.
This question has to be answered in the light of the definition prescribed by section 2(vi) before it was amended in 1958.
The subsequent amendment expressly provides by section 2(vi) (a) that any remuneration payable under any award or settlement between the parties or order of a court, would be included in the main definition under section 2(vi).
The point which we have to decide in the present appeal is whether the remuneration payable under an award was not already included in the definition of wages before the said definition was amended.
It is common ground that between the appellant, Sasamusa Sugar Works Ltd., and its workmen, the respondents, an award had been made by an Industrial Tribunal fixing the pay of the employees at Rs. 2/2 per day, and in pursuance of the said award, the management of the appellant had entered into an agreement with the respondents that effect would be given to the wage structure, prescribed by the said award.
This agreement was subsequently published in the Bihar Gazette as a part of the award.
In spite of the award and the agreement, the appellant paid its employees only Rs. /10 / per day and that led to the present claim made by the respondents under section 15 of the Act.
The respondents contended before the payment of wages authority that the refusal of the appellant to pay to them wages at the rate awarded, in substance, amounted to an illegal deduction from their wages and on that basis, they asked for an order from the authority directing the appellant to pay to the respondents the said prescribed wages.
The appellant raised two pleas against the respondents' claim.
It urged that section 15 of the Act was inapplicable, because the rates of wages fixed by the award did not fall within the definition of wages prescribed by section 2(vi) and it also argues, that the claim of the respondents was barred by limitation.
421 The authority has found that section 2(vi) includes wages prescribed by the Industrial Tribunal, and so, it has rejected the appellants' contention that the applications made by the respondents were incompetent under section 15 of the Act.
In regard to the question of 'limitation, the authority did not decide the said question as a preliminary question, because it held, and, in our opinion, rightly, that it was a mixed question of fact and law, and so, it had to be tried after recording evidence.
The appellant challenged the correctness of the conclusion of the authority that the applications made by the respondents were competent under section 15 of the Act before the Patna High Court by filing a petition under article 226 of the Constitution.
The High Court has affirmed the finding of the authority and held that section 15 was applicable to the case, because the wages prescribed by the award did amount to wages as defined by section 2(vi) of the Act.
On that view, the writ petition filed by the appellant was dismissed.
It is this order which the appellant seeks to challenge before us by its present appeal by special leave.
Section 2(vi) as it stood at the relevant time, provides, inter alia, that wages means all remuneration, capable of being expressed in terms of money, which would, if the terms of the contract of employment, express or implied, were fulfilled, be payable.
Mr. Setalvad for the appellant contends that before it is held that the wages prescribed by the award fall under section 2(vi), it must be shown that they constitute part of the terms of the contract of employment, either express or implied.
The terms in question need not be express and can be implied; but they must be terms which arise out of the contract of employment, and since an award made by an Industrial Tribunal cannot be said to amount to a contract of employment, the wage structure prescribed by the award cannot fall within the definition prescribed by section 2(vi).
That, in brief, is the substance of the argument raised by the appellant.

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Summary 2:

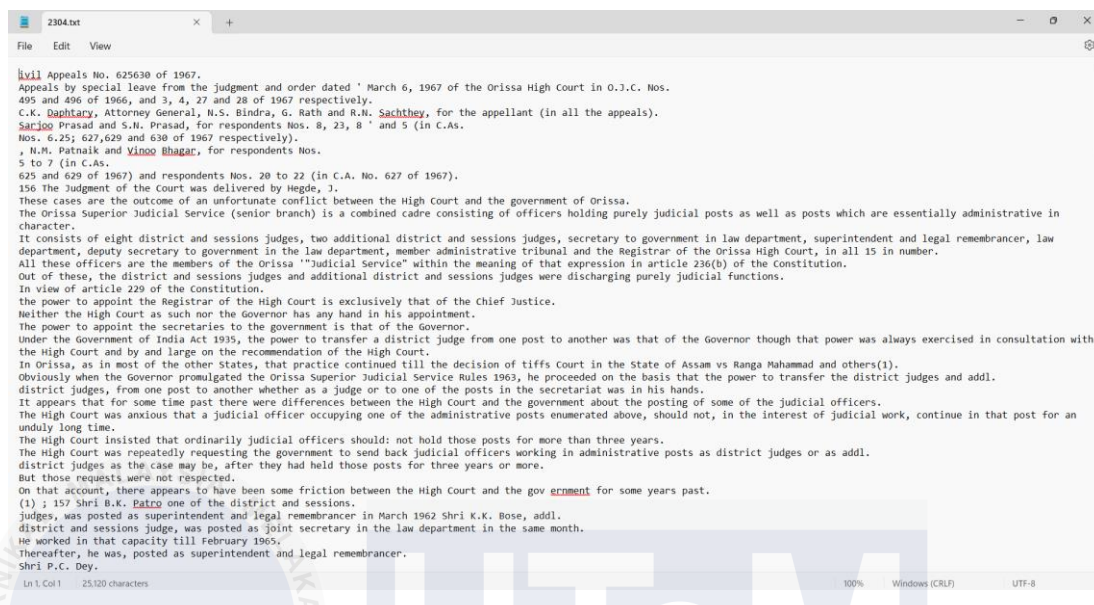
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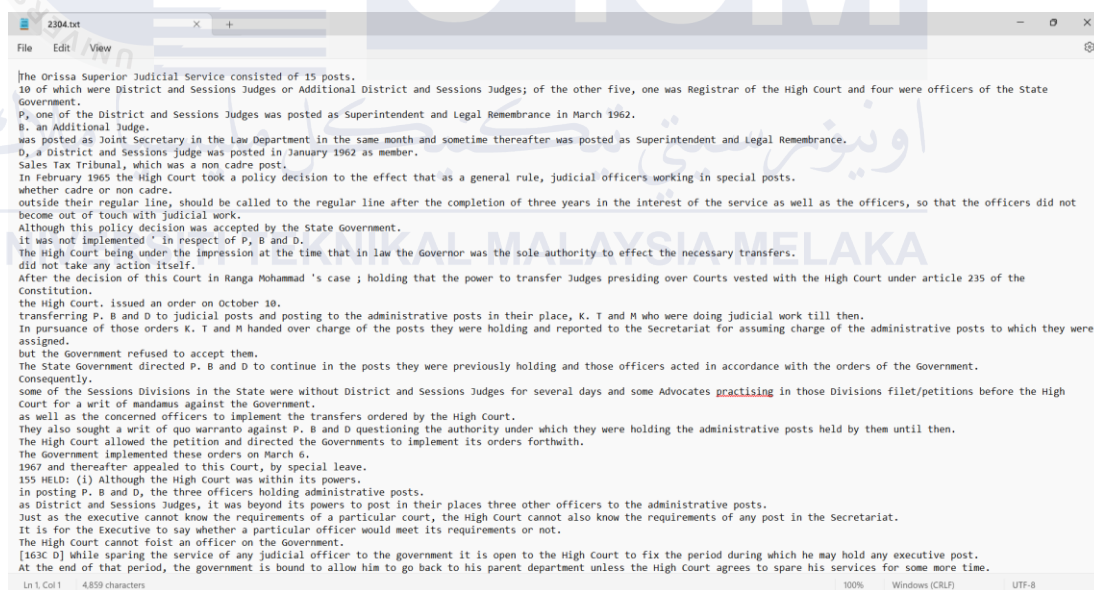
In pursuance of an award made by an Industrial Tribunal fixing the pay of the employees at Rs. 2/2 per day, the management of the appellant had entered into an agreement with its workmen, that the effect would be given to the wage structure prescribed by the said award.
In spite of the award and the agreement, the appellant paid its employees only Rs. /10 / per day and that led to the present claim made by the respondents under section 15 of the Payment of Wages Act.
They asked for an order from the payment of wages authority directing the appellant to pay the said prescribed wages.
Against the respondent's claim it was urged by the appellant that section 15 of the Act was inapplicable, because the rates of wages fixed by the award did not fall within the definition of wages prescribed by section 2(vi) of the Act.
The authority rejected the appellant's contention.
The appellant then challenged the correctness of the conclusion of the authority before the High Court under article 226 of the constitution.
The High Court dismissed the writ petition and affirmed the finding of the authority.
It held that section 15 was applicable to the case, because the wages prescribed by the award did amount to wages as defined by section 2(vi) of the Act.
On appeal by Special Leave the appellant contended that before it is held that the wages prescribed by the award fall under section 2(vi), it must be shown that they constitute part of the terms of the contract of employment, either express or implied.
Held: The argument is not well founded.
When an award is made and it prescribes a new wage structure, in law the old contractual wage structure becomes inoperative and its place is taken by the wage structure prescribed by the award.
In a sense, the latter wage structure must be deemed to be the contract between the parties, because that, in substance, is the effect of industrial adjudication.
The true legal position is that when industrial disputes are decided by industrial adjudication and awards are made, the said awards supplant contractual terms in respect of matters covered by them and are substituted by them.
That being so, it is difficult to hold that the wages prescribed by the award cannot be treated as wages under section 2(vi) of the Act before it was amended.
The amendment has merely clarified what was included in the unamended definition itself.
South Indian Bank Ltd. vs A. R. Chacko, A.I.R., 1964 S.C. 1522, referred to.
Jogindra Nath Chatterjee and Sons, v. Chandreswar Singh, A.I.R., , inapplicable.
Modern Mills Ltd. vs V. R. Mangalwedikar, A.I.R., 1958 Bom.
342 and V. B. Godse, Manager, Prabha Mills Ltd. vs R. M. Haick , approved L/P(D)SCT 14(a) 420

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Judgment 3:



Summary 3:



Judgement 4:

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Appeal No. 1653 of 1967.
 Appeal from the judgment and order dated February 23, 1967 Of the Delhi High Court in C.W. No. 403 D of 1959.
 B. Sen, P. L. Jumeja, K. W. Sachthey and section P. Mayer, for the appellants.
 Sardar Bahadur and Youngindra Khushalani, for the respondent.
 The judgment of the court was delivered by Sikri, C.J.
 The judgment, reproduced below, was drafted by the late Mr. Justice Roy and we all had subscribed to it.
 We heard the matter formally again on November 19, 1971.
 We adopt the judgment as our own.
 448 This is an appeal by the Union of India by way of special leave.
 On April 9, 1959, the Central Government directed removal from service of Capt. section K. Rao under r. 14 of the Army Rules, 1954.
 The facts leading to his removal are as follows : Rao was a commissioned officer in the Indian Army and was attached to the Army Ordnance Corps Training Centre, Secundrabad.
 It was alleged that on April 4, 1958, he committed acts of gross misconduct.
 The allegations were as follows : "Knowing Kumari Prakash as the daughter of a brother Officer, Rao assisted her in going away from her parents protection and planning to run away with a sepoy." "Rao, by threatening to cause harm to Kumari Prakash 's parents, intimidated her to visit his house where he took her in his scooter to the unit lines of 51 1 1 Gurkha Rifles where he arranged her meeting with a sepoy of the unit." "He (i.e. Rao) acquiesced in the girl being met by the sepoy later at a tea shop nearby where she received a present of a sari and blouse from the sepoy in his presence." "Rao thus actively abetted in the attempt of brother officer 's daughter elope with a sepoy." "Rao then took Kumari Prakash to a hotel "Saidya Lodge" in Hyderabad and got a room to themselves by impersonating and giving a false identity as "Mr. & Mrs. Prakash".
 An inquiry into the matter was made by Court of Inquiry.
 The Chief of the Army Staff, after going through the proceedings of the Court of Inquiry, considered that the conduct of Capt. Rao was most unbecoming of an officer.
 As he was of opinion that trial of the officer by a General Court Martial was inexpedient, he ordered administrative action to be taken under r. 14 of the Army Rules, 1954.
 By memorandum dated September 4, 1958, Rao was called upon to submit his explanation by way of defence regarding the allegations against him.
 The explanation of Rao was placed before the Central Government.
 The Central Government found it to be unsatisfactory, and on April 9, 1959, an order was passed removing the respondent from service.
 Rao thereupon filed a petition under article 226 of the Constitution for quashing the order of removal from service on the 449 ground, inter alia, that r. 14 of the Army Rules, 1954, was ultra vires the , and that the action taken thereunder was without any authority.
 In the petition Rao gave a somewhat different version of what had happened.
 According to him he did not assist Kumari Prakash to go away from her parents ' house.
 At the hearing of the petition the only point which was urged was the validity of r. 14 of the Army Rules, 1954.
 If this rule was intra vires the , Rao has no case.
 The Army Rules, 1954, including r. 14, were framed in exercise of the powers conferred by section 191 of the .
 Rule 14 of the Army Rules, 1954, is as follows: "(1) when after considering the reports on an officer 's misconduct, the Central Government is satisfied or the C in C is of the opinion, that the trial of the officer by a court martial is inexpedient or impracticable but considers the further retention of the said officer in the service as undesirable, the C in C shall communicate the view of the Central Government or his views, as the case may be, to the officer together with all reports adverse to him and he shall be called upon to submit his explanation and defence.
 (2) In the event of the explanation of the officer being considered unsatisfactory by the "C in C, or when so directed by the Central Government, the case shall be submitted to the Central Government with the officer 's defence and the recommendation of the C in C as to whether the officer should be, (a) dismissed from the service; or (b) removed from the service; or (c) called upon to retire; or (d) called upon to resign.
 (3) The Central Government, after due consideration of the reports, the officer 's defence, if any, and the recommendation of the C in C, may dismiss or remove the officer with or without pension or call upon him to retire or resign, and on his refusing to do so, the officer may be retired from or gazetted out of the service on pension or gratuity, if any admissible to him."
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Summary 4:

3019.txt

File Edit View

The respondent, a commissioned officer in the Indian Army, was found to have committed acts of gross misconduct by a Court of Inquiry.
 The Chief of the Army Staff was of the opinion that his trial by a general Court Martial was inexpedient, and the respondent was removed from service after following the procedure under r. 14 of the Army Rules, 1954.
 On the question whether r. 14, which gives power to the Central Government to remove an officer without being tried and convicted by Court Martial was in derogation of section 45, which specifically provides for conviction by court martial and punishment for unbecoming conduct, HELD : The rule is not ultra vires.
 [451 D] (1) Section 19 of the Act provides that subject to the provisions of the Act and the rules made thereunder the Central Government may remove from service, any person subject to the Act.
 Therefore, the section itself suggests that there should be rules regarding removal from service, and section 191 (2) (a) of the Act specifically gives power to make a rule providing for the removal from the service of persons subject to the Act.
 [450 H; 451 A B] (2) Although section 19 uses the words "Subject to the provisions of this Act", the section is not subject to section 45.
 The power under section 19 is independent of the power under section 45, because, while section 19 speaks of removal of a person, section 45 provides that on conviction by Court Martial an officer is liable to be cashiered or to suffer such less punishment as is in the Act mentioned.
 [451 B D]

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Judgement 5:

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3924.txt
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Criminal Appeal No 133 of 1975.
Appeal from the Judgment and order dated 3 2 1978 of the Andhra Pradesh High Court in CrI.
A. No. 628/73.
R. Nagarathnam for the Appellant.
P. Parmeswara Rao and G. N. Rao for the Respondent.
The Judgment of the Court was delivered by CHINNAAPPA REDDY, J.
This appeal has been filed under Section 2(a) of the .
The appellant was acquitted by the learned Additional Sessions Judge, Chittoor of an offence under Section 302, Indian Penal Code.
The acquittal was reversed by the High Court of Andhra Pradesh and the appellant was convicted under Section 302 Indian Penal Code and sentenced to suffer imprisonment for life.
The deceased Subhadramma was the wife of the appellant.
They were married about one and a half years before the occurrence.
About three months before the occurrence the deceased gave birth to a female child in the house of the accused at Cherlopalle.
After the ninth day the mother and child, according to customary practice, were taken by the mother of the deceased to her house at Krishna Kalva.
Cherlopalle is about 25 miles from Krishna Kalva.
The accused used to visit his wife and often used to stay in the house of the deceased 's mother.
After about one and a half months the, accused asked his mother in law and brother in law to send his wife to his place.
They replied that she had only delivered a child recently and that she would be sent to her husband 's house in the fifth month.
On 18th December, 1972, according to the case of the prosecution the accused once again requested his mother in law to send his wife to his house.
This time he also brought with him P.W. 8, an elderly gentleman from his village.
His mother in law P.W. 2 told him that she would send the girl in the fifth month as she had not yet regained her health after delivery.
The accused and P. W. 8 went away.
That evening the accused again came to the house of his mother in law.
After dinner all of them went to sleep.
The house consisted of only one room.
The accused, the deceased, her brother P.W. 1, her mother P.W. 2 and her grand mother P.W. 3 were all sleeping in the room.
In the middle of the night P.Ws. 1, 2 and 3 were awakened by the cry "Amma" raised by Subhadramma.
On waking up they saw the accused sitting by the side of the deceased with a knife in his hand.
They found the deceased bleeding profusely from the left side of her chest.
P.W. 1 put his foot on the hand in which the accused was holding the knife.
The accused dropped the knife which was then picked up by the grand mother P.W. 3.
Attracted by the cries raised by the P.Ws. 1 to 3, the neighbours P. Ws. 4, 5, 6 and others came there.
They caught hold of the accused and tied him to a pole in front of the house by means of a rope.
Some of the villagers who had gathered there also gave a beating to the accused P.W. proceeded to the house of P.W. 9 the Village Munsif and reported the occurrence to him.
P. W. 1 affixed his thumb impression on the report exhibit P. 1 prepared by P. W. 9.
P. W. 9 then proceeded to the house of P.W. 1 where the blood stained knife M.O. 1 was handed over to him.
Thereafter, P. W. 9 prepared his own report exhibit P. 4 and sent it alongwith exhibit P. 1 and M.O. 1 to the Police Station at Beniguntla.
P. W. 14, the Sub Inspector of Police registered the First Information Report at 5 A. M. on 19th December, 1972 and went ahead with the further investigation which was later taken over by the Inspector of Police P.W. 15.
When the Police officers went to the village, they 366 found the accused tied to a pole.
They arrested him and found that he had injuries on his person.
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Summary 5:

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3924.txt
File Edit View

The appellant was charged with the offence of committing the murder of his wife.
The trial court acquitted him on the ground that the prosecution had failed to establish any motive for the offence, that the evidence of the prosecution witnesses was discrepant, conflicting and improbable and that when two views were possible on the basis of two divergent versions given by the prosecution and the defence, the benefit of doubt should be given to the accused.
The High Court reversed the order of acquittal and convicted and sentenced the appellant to imprisonment for life on the view that the trial court had magnified the importance to be attached to the discrepancies which were of a minor nature in appeal to this court it was contended on behalf of the appellant that in all cases where two views of the evidence were possible the accused was entitled to the benefit of doubt arising from the two views and that on this principle the High Court should not have interfered with the order of acquittal merely because another view was also possible.
Dismissing the appeal: ^ HELD : (1) Where the trial court allows itself to be beset with fanciful doubts, rejects creditworthy evidence for slender reasons and takes a view of the evidence which is but barely possible, it is the obvious duty of the High Court to interfere in the interest of justice, lest the administration of justice be brought to ridicule.
[3700] (2) After the decision of this court in Sanwat Singh vs State of Rajasthan ; this court has consistently recognised the right of the appellate court to review the entire evidence and to come to its own conclusion bearing in mind the considerations mentioned by the Privy Council in Sheo Swarup vs Emperor (61 T.A. 389).
Occasionally phrases like "manifestly illegal", "grossly unjust have been used to describe the orders of acquittal which warrant interference.
But such expressions have been used more as flourishes of language to emphasise the reluctance of the appellate court to interfere with an order of acquittal than to curtail the power of the appellate court to review the entire evidence and to come to its own conclusion.
In two other cases it has been held that to the principles laid down in Sanwat Singh 's case may added the further principle that if two 364 reasonable conclusions could be reached on the basis of the evidence on record the appellate court should not disturb the finding of the trial court.
This principle stems out of the fundamental principle of our criminal jurisprudence that the accused is entitled to the benefit of any reasonable doubt.
If two reasonably probable and evenly balanced views of the evidence are possible one must necessarily concede the existence of a reasonable doubt.
But fanciful and remote possibilities must be left out of account.
To entitle an accused person to the benefit of a doubt arising from the possibility of duality of views, the possible view in favour of the accused must be as nearly reasonably probable as that against him.
If the preponderance of probability is all one way, a bare possibility of another view will not entitle the accused to claim the benefit of any doubt.
It is, therefore essential that, any view of the evidence in favour of the accused must be reasonable even as any doubt, the benefit of which an accused person may claim, must be reasonable.
A reasonable doubt does not mean some light, airy, insubstantial doubt that may flit through the mind of a Judge about almost anything at any time or other, it does not mean a doubt begotten by sympathy out of reluctance to convict, it means a real doubt, a doubt founded upon reason.
"Proof beyond a reasonable doubt" does not mean proof beyond a shadow of doubt The law would fail to protect the community if it admitted fanciful possibilities to deflect the course of justice.
If the evidence is so strong against a man be to leave only a remote possibility in his favour which can be dismissed with the sentence, "of course it is possible but not in the least probable," the case is proved beyond reasonable doubt but nothing short of that will suffice.
[369A G] Sanwat Singh vs State of Rajasthan, ; applied.
Ramabhubala Reddy & Ors.
vs The State of A.P., AIR 1971 SC 460, Bhim Singh Rup Singh vs State of Maharashtra, AIR 1974 SC 286, Miller vs Minister of Pensions, [1947] 2 All. E.R. 372; Khem Karan & Ors.
vs State of U.P. & And., referred to.
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Judgement 6:

4963.txt

File Edit View

Tax Reference Cases Nos. 3 to 5 of 1975 Tax Reference under Section 257 of the Income tax Act, 1961 made by the Income tax Appellate Tribunal, Cuttack Bench, Cuttack P.A. Francis, Champat Rai and Miss A. Subhashini for the Appellant.
C.S.S. Rao for the Respondent.
The Judgment of the Court was delivered by 308 PATHAK, J.
: These references under s.27(1) of the have been made by the Income Tax Appellate Tribunal, Cuttack Bench at the instance of the Commissioner of Wealth Tax, Orissa for the opinion of this Court on the following question of law: "Whether on the facts and in the circumstances of the case, the Wealth Tax Officer was in law justified in including in the net wealth of the assessee interest due on accrual basis (though not realised) on the outstandings of the money lending business, the accounts of the assessee being maintained on cash basis?" The respondent assessee was assessed to wealth tax for the assessment years 1965-66, 1966-67 and 1967-68 (the respective valuation dates being March 31, 1965, March 31, 1966 and March 31, 1967), in the status of a Hindu Undivided Family.
In each of the assessments, the Wealth Tax Officer included a sum of Rs. 1,50,000 estimated as the accrued interest on the assessee's money lending investments.
The assessee appealed to the Appellate Assistant Commissioner and urged that as it maintained its books of account in accordance with the cash system of accounting the accrued interest on the money lending investments could not be included in the wealth tax assessments.
The contention found favour with the Appellate Assistant Commissioner, and accordingly he deleted the additions of Rs. 1,50,000 representing accrued interest.
In doing so the Appellate Assistant Commissioner followed "Commissioner of Wealth Tax Bihar and Orissa vs Vysyaraju Badreanarayana Moorthy Raju (Orissa)(1), The Wealth Tax Officer appealed to the Appellate Tribunal and contended that accrued interest was liable to be included in the wealth tax assessments of the assessee.
The Wealth Tax Officer sought support from a judgment of the Andhra Pradesh High Court in Vedreya Venkappa Rao vs Commissioner of Wealth Tax(2) A.P.
The Appellate Tribunal observed that the judgment of the Orissa High Court was binding on it, and accordingly by a consolidated order dated April 3, 1972, it dismissed the appeals.
The Commissioner of wealth Tax applied under sub section (1) of section 27 of the Wealth (1) (2) 309 Tax Act for a reference of the cases to this court in view of the conflict of opinion between the Orissa High Court and the Andhra Pradesh High Court, and so these references have been made.
The question can be disposed of shortly.
Under section 3 of the Wealth Tax Act, wealth tax is charged for every assessment year in respect of the net wealth of the assessee on the corresponding valuation date.
The expression "net wealth" is defined by cl.
(m) of s.2 of the Act as "the amount by which the aggregate value . . .
Of all the assets, wherever located, belonging to the assessee on the valuation date, is in excess of the aggregate value of all the debts owed by the assessee on the valuation date."
That is the "valuation date".
Clause (q) of s.2 defines the expression "valuation date" as follows: "(q) Valuation date, in relation to any year for which an assessment is to be made under this Act, means the last day of the previous year as defined in (Section 3) of the Income Tax Act, if an assessment were to be made under that Act for that year; Provided that (i) where in the case of an assessee there are different previous years under the Income Tax Act for different sources of income, the valuation date for the purposes of this Act shall be the last day of the last of the previous years aforesaid, (ii) in the case of a person who is not an assessee within the meaning of the Income Tax Act, the valuation date for the purposes of this Act shall be the 31st day of March immediately preceding the assessment (2 year); (iii) where an assessment is made in pursuance of section 19A, the valuation date shall be the same valuation date as would have been adopted in respect of the net wealth of the deceased if he were alive.
" 310 The computation of the net wealth of an assessee calls for a determination of his assets and debts as on the valuation date.
The definition embodied in the substantive part of cl.
(q) of s.2 indicates that broadly Parliament has fixed upon the last day of the "previous year", as defined under the Income Tax Act, as the valuation date.
The figure of net wealth of the assessee at the end of the "previous year" takes into account the financial activities of the assessee during that "previous year".
His financial activities during that period determine how his net wealth on a particular valuation date differs from his net wealth on the immediately preceding valuation date.
There is an obvious advantage in adopting as the valuation date the last day of a period which is also the relevant period under the Income Tax Act.
The reasons for defining the valuation date in terms of the last day of the income tax "previous year" stop there.

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Summary 6:

4963.txt

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The respondent assessee was assessed to wealth tax for the assessment years 1965-66, 1966-67 and 1967-68, in the status of a Hindu undivided Family.
In each of the assessment years, the Wealth Tax Officer included a sum of Rs. 1.5 lakhs estimated as the accrued interest on the assessee's money lending investments.
The assessee appealed to the Appellate Assistant Commissioner, contending that as the books of account were maintained in accordance with the cash system of accounting, the accrued interest on the money lending investment could not be included in the wealth tax assessments, the Appellate Assistant Commissioner following the decision of the Orissa High Court in Commissioner of Wealth Tax Bihar and Orissa vs Vysyaraju Badreanarayana Moorthy Raju (Orissa) (1971) 79 ITR 330 deleted the additions representing accrued interest.
The Wealth Tax Officer, appealed to the Appellate Tribunal and contended that the accrued interest was liable to be included in the wealth tax assessment of the assessee, relying on the judgment of the Andhra Pradesh High Court in Vedreya Venkappa Rao vs Commissioner of Wealth Tax A.P.
The Appellate Tribunal dismissed the appeal, as it was bound by the decision of the Orissa High Court.
The Commissioner of wealth Tax applied under section 27(1) of the Wealth Tax Act, 1957 for a reference to the Supreme Court in view of the conflict of opinions between the Orissa High Court and the Andhra Pradesh High Court and the question: "Whether the wealth tax officer was justified in including in the net wealth of the assessee, interest due on accrual basis (though not realised) on the outstandings 307 of the assessee's money lending business, the accounts being maintained on cash," was referred to this Court.
^ HELD: 1.
Even though the accounts of the assessee are maintained on cash basis interest due on accrual basis, though not realised, on the out standings of the money, lending business is liable to be included in the net wealth of the assessee.
[310E] 2.
The value of a property refers to the value of the rights in that property.
What accrues as a right also falls to be included within the assets of an assessee under the Wealth Tax Act 1957.
[310F] 2.1.
The system of accounting, mercantile or cash or hybrid, is of no relevance for the purpose of determining the assets of the assessee.
That appears plainly from the definition of "net wealth" which speaks of "the aggregate value, of all the assets" belonging to the assessee on the valuation date.
All the assets of the assessee, bar those expressly excepted by the statute, are to be taken into account, and it is immaterial whether the assessee employs one system of accounting or another.
[310 G D] 3.
The assets are not confined to cash.
Where the asset is an asset other than cash, its value is determined pursuant to sub section (1) of section 7 as the estimated price, which, in the opinion of the Wealth Tax Officer, the asset would fetch if sold in the open market on the valuation date.
It would be the estimated open market value of the rights in the property which constitute the asset.
[310E F] Vedreya Venkappa Rao vs Commissioner of Wealth Tax A.P., Commissioner of Wealth, Tax, A.P.I. vs Pachigolla Narasimha Rao, and Ditta Kumar Basu vs Commissioner of Wealth Tax, West Bengal, approved.
Commissioner of Wealth Tax Bihar and Orissa vs Vysyaraju Badreanarayana Moorthy Raju (Orissa) and A.T. Mirji vs Commissioner of Wealth Tax, Karnataka, over ruled.

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Judgement 7:

5364.txt

File Edit View

Writ Appeal No. 10761077 of 1987.
From the Judgment and Order dated 17.8.1985 of the Allahabad High Court in C.M. Writ No. 6849 of 1984.
K. Parasaran, B. Datta, P.P. Rao, K.L. Hathi, Anil Nauriya, S.R. Aggarwal, Y. Ramachandran, U.J. Rana, R.P. Srivastava, Hem 188 ant Sharma, P. Parmeshwaran, Ms. Sushma Suri and C.V. Subba Rao for the Appellants.
M.K. Ramamurthy, C.S. Vaidyanathan, section Ravindra Bhatt, Mohan, S.R. Setia and Probir Choudhary for the Respondents.
The Judgment of the Court was delivered by VENKATARAMIAH J.
The question involved in these appeals by special leave which are filed against the judgment dated August 17, 1985 of the High Court of Allahabad in Civil Miscellaneous Writ No. 6849 of 1984 relates to the constitutional validity of regulation 19(2) of the Life Insurance Corporation of India (Staff) Regulations, 1960 (hereinafter referred to as 'the (Staff) Regulations, 1960'), as amended on 21.1.1977 by the Life Insurance Corporation of India (hereinafter referred to as 'the Corporation') which provides that an employee belonging to Class I or Class II appointed to the service of the Corporation on or after 1st September, 1956 shall retire on completion of 58 years of age but the competent authority may, if it is of the opinion that it is in the interest of the Corporation to do so, direct such employee to retire on completion of 50 years of age and at any time thereafter on giving him three months' notice or salary in lieu thereof.
Prior to January, 1955 there were more than 200 insurers carrying on life insurance business in India.
As it came to the notice of the Government that the Indian life insurers, with a few exceptions, were virtually controlled by few individuals who were utilising the funds of those companies to the detriment of the industry and the policyholders, the Government decided to nationalise the life insurance business.
Pursuant to the said decision, the President of India promulgated the Life Insurance (Emergency Provisions) Ordinance, 1956 on January 19, 1956 providing for the vesting of the management of the life insurance business (which was called the controlled business under the Ordinance) which was being carried on by any insurer in India on that day in the Central Government and providing for its management.
On the passing of the said Ordinance the management of the controlled business of all the insurers in India thus vested in the Central Government and pending the appointment of the custodians for the controlled business of any insurer the person in charge of the management of such business immediately before the passing of the Ordinance was required to be in charge of the management of the business for and on behalf of the Central Government.
The Ordinance contained detailed provisions for the carrying on of the life insurance business by the Government for the time being.
The Ordinance was replaced by the which was published on 21st of March, 1956.
The said Act was followed by the (Act 31 of 1956) (hereinafter referred to as 'the Act') which was published in the Gazette on 18th June, 1956.
The Act, however, came into force on 1st July, 1956.
The Act provided for the establishment and incorporation of the Corporation.
The Corporation was accordingly established on 1st September, 1956.
Under the Act the expression 'appointed day' is defined as the date on which the Corporation is established.
The appointed day for the purposes of the Act is, therefore, September 1, 1956.
By virtue of section 7 of the Act on the appointed day all the assets and liabilities appertaining to the controlled business of all insurers, the management of which it had been taken over earlier by the Central Government, stood transferred to and vested in the Corporation.
When the Corporation thus came into existence it had no employees of its own to carry on the vast business of the large number of insurers which had been taken over by it.
It, therefore, became necessary to transfer the services of the existing employees of the insurers to the Corporation because without the services of those employees it was almost impossible for the Corporation to run the life insurance business in India which involved management of the various offices situated in different parts of India, servicing of lakhs of insurance policies, the administration of the assets taken over from the insurers and several other activities connected with the life insurance business.
The nature of the work of the Corporation was such that it required the services of the employees with sufficient experience and expertise in running the life insurance business.
In order to meet the above need section 11 of the Act came to be enacted.
Section 11 of the Act originally stood as follows: "11.
Transfer of service of existing employees of insurers to the Corporation (1) Every whole time employee of an insurer whose controlled business has been transferred to and vested in the Corporation on the appointed day shall, subject to such conditions as may be specified in this behalf in the regulations made by the Corporation, continue to be employed by the Corporation on the same terms and conditions as if he had continued to be employed by the insurer in whose business he was employed immediately before the appointed day."
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Summary 7:

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The Life Insurance Corporation was established on September 1, 1956 under the Life Insurance Act of 1956 (Act 31 of 1956) by amalgamating about 200 insurers carrying on life insurance business in the country.
It had no employees of its own to carry on the vast business which had been taken over and the nature of the work was such that the Corporation required the services of employees with experience and expertise in running life insurance business.
In order to meet the above need, Section 11 of the Act came to be enacted.
Sub section (1) provided that with effect from September 1, 1956, every whole time employee of the erstwhile insurers would become an employee of the Corporation and hold office therein by the same tenure, at the same remuneration, and upon the same terms and conditions and with the same rights and privileges as to pension and gratuity and other matters as he would have held on September 1, 1956, had the Act not been passed.
The conditions of service of the employees whose services were transferred to the Corporation under Section 11(1) were not uniform.
The conditions governing the retirement of those employees were also diverse and different.
In some cases the age of retirement had been fixed at 55 years, in some at 58 years and in some others at 60 years.
In many cases, the insurers had permitted their employees to continue in their services even beyond 60 years depending upon their efficiency and physical capacity.
For the purposes of rationalising the pay scales of the transferred employees, under sub section (2) of Section 11 the Central Government was empowered to alter the terms of service of the employees as to their remuneration in such manner as it thought fit.
The sub section was amended by Acts 17 and 36 of 1957.
Clause (bb) of sub section (2) of Section 11 conferred power on the Corporation to make regulations with the previous approval of the Central Government as regards 'the terms and conditions of service of persons who had become employees of the Corporation under sub section (1) of Section 11'.
Under clauses (b) and (bb) of Section 49(2) of the Act, Regulations were framed prescribing the ages of retirement of the employees of the Corporation belonging to different categories with the previous approval of the Central Government and were incorporated in the Life Insurance Corporation of India (Staff) Regulations, 1960 made by the Corporation which came into effect on July, 1960.
Under Regulation 19(1), all transferred employees were entitled to remain in service till they completed 60 years of age but the appointing authority was empowered to retire any such transferred employee on completion of 55 years of age or at any time thereafter, if his efficiency was found to have been impaired.
Under Regulation 19(2) employees appointed to the service of the Corporation on or after September, 1956, were required to retire on completion of 58 years of age but the appointing authority was empowered to retire any such employee on completion of 55 years of age or thereafter if his efficiency was found to have been impaired.
In the case of the transferred employees this regulation was made in conformity with the 'standardisation order' passed in respect of Class III and Class IV transferred employees, in whose case the age of retirement was fixed at 60 years.
The result was that the regulation made a clear and distinct classification of all the employees of the Corporation belonging to all classes into two groups transferred employees and the employees appointed after September 1, 1956 for purposes of the age of retirement having regard to the historical reasons.
122 Consequent upon the settlement arrived at, upon an industrial dispute which arose between Class III and Class IV employees who were appointed subsequent to September 1, 1956 in the Corporation.
Regulation 19 of the Life Insurance Corporation of India (Staff) Regulations 1960 which came into force w.e.f.
July 1, 1960 was amended and the employees of the Corporation were divided both longitudinally and latitudinally insofar as the age of retirement was concerned.
Longitudinally, all the transferred employees belonging to Class I and II became entitled to continue in service till they attained the age of 60 years, the Corporation being empowered to retire any of them prematurely on completion of 55 years of age if his efficiency was found to have been impaired, and all the Class I and Class II officers appointed to the service of the Corporation on or after September 1, 1956 had to retire on completion of 58 years of age subject again to the power of the Corporation to retire any such employee on completion of 55 years of age or at any time thereafter if his efficiency was found to have been impaired.
Latitudinally, the employees were divided into two groups and all the employees belonging to Class III and Class IV, irrespective of the fact whether they were transferred employees or employees appointed after September 1, 1956 were entitled to continue in service till 60 years of age, but the employees belonging to Class I and Class II who were appointed to the service of the Corporation on or after September 1, 1956 had to retire on the completion of 58 years of age subject to the usual clause relating to premature retirement.
Sub regulation (2) of Regulation 19 was modified empowering the appointing authority to extend at its discretion service of any employee of the Corporation belonging to Class I or
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Judgment 8:

6003.txt

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it case for initiating any proceedings for contempt against the respondents.
 [109F] & ORIGINAL JURISDICTION: Writ Petition (Civil) No. 530 of 1983 etc.
 (Under Article 32 of the Constitution of India).
 V.A. Bobde, Shyam Madaljar, V.M. Tarkunde, G.L. Sanghvi, A.K. Sanghi, Mrs. R. Karanilwala, Mrs. Meenakshi Karanilwala la M.M. Popli and V.J. Francis for the Petitioners.
 Ms. A. Subashini, D.N. Deivedi, Girish Chandra, M.C. section Rao, M.C. Dingra and N.K. Sharma for the Respondents.
 The Judgment of the Court was delivered by OJHA, J.
 The petitioners in the aforementioned writ petitions claim to have been appointed as Supervisors Grade 'A' in various Ordnance factories between 1962 to 1966 and had filed these writ petitions with the prayer that the same relief may be granted to them also as was granted by this Court to 75 appellants in Civil Appeal No. 441 of 1981 vide its order dated 2nd February, 1981.
 The three civil miscellaneous petitions referred to above on the other hand have been made by the appellants of Civil Appeal No. 441 of 1981 asserting that the direction given by this Court on 2nd February, 1981 has not been complied with in the manner as it ought to have been by the respondents and they should be consequently required to comply with the said direction.
 The exact nature of the prayer made in these miscellaneous applications shall be indicated after referring to the relief granted on 2nd February, 1981 in Civil Appeal No. 441 of 1981.
 The 75 appellants of Civil Appeal No. 441 of 1981 filed a writ petition in the Allahabad High Court in 1972 asserting that they had been appointed as Supervisors Grade 'A' on various dates in pursuance of a circular dated 6th November, 1962 issued by the Director General of Ordnance Factories, the relevant portion whereof reads as hereunder: "Subject: NON INDUSTRIAL ESTABLISHMENT PROMOTION D.G.O.F. has decided that Diploma holders serving as 97 Supervisor 'A' (Tech)/Supervisor 'B'/(Tech) and in equally lent grades should be treated as follows (i) All those Diploma holders who have been appointed as Supervisor 'B' (Tech) (and in equivalent grades) should on completion of one year's satisfactory service in Ordnance factories be promoted to Supervisor 'A' (Tech) and in equal v alent grades.) (ii) All those Diploma holders who work satisfactorily as Supervisor 'A' (Tech) or in equivalent grades for 2 years in Ordnance Factory should be promoted to Chargeman.
 Kindly acknowledge receipt.
 Sd/ K.G. Bijlani ADGOF/Est.
 for D.G.O.F. Their grievance in the writ petition was that even though quite a large number of Supervisors Grade 'A' had been promoted to the post of Chargeman grade II on completion of two years' satisfactory work they had been discriminated against and had not been so promoted immediately on the expiry of two years' in pursuance of the aforesaid circular even though their work was satisfactory.
 The relief prayed for in the said writ petition was for the issue of a writ of mandamus directing the Union of India through the Director General of Ordnance Factories to promote the appellants to the post of Chargeman II.
 The writ petition was contested by the respondents thereto inter alia on the ground that under the rules of promotion from Supervisor 'A' to Chargeman II first Departmental Promotion Committee at the factory level and then a Departmental committee at the Central level screens the service record of each of the supervisors 'A' who comes within the range of eligibility and then finally the Director General of Ordnance Factories draws up a list and sanctions promotions.
 It was further asserted that in accordance with the said rule the cases of all the appellants were screened by the Promotion Committee at the factory level and then at the Central level and they not having been found fit were not promoted.
 It appears that at the criterion of promotion is seniority cum merit.
 The learned Single Judge, however, did not go into the merits of the controversy and dismissed the writ petition on the ground of unexplained laches and also on the ground that a previous petition for similar relief had not been presented. Against the 98 Judgment of the learned Single Judge the appellants preferred a special appeal before a Division Bench of the Court.
 The learned Judges who decided the special appeal did not consider it appropriate to uphold the dismissal of the writ petition on the technical ground which found favour with the learned Single Judge and they went into the merits of the respective contentions of the parties.
 They, however, did not find any substance in the submission made on behalf of the appellants and accordingly dismissed the special appeal on 8th February, 1977.
 The learned Judges pointed out that it was admitted that the conditions of service applicable to the case of the appellants were governed by the Indian Ordnance Factories (Recruitment and Conditions of Service of Class III Personnel) Rules, 1956 (hereinafter referred to as the Rules) framed by the President of India under Article 309 of the Constitution.

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Summary 8:

6003.txt

File Edit View

The petitioners in the writ petitions were appointed as Supervisors Grade 'A' in various Ordnance factories between 1962 and 1966, in pursuance of circular dated 6th November, 1962 issued by the Director General of Ordnance Factories section The circular further provided for promotion from Supervisor 'A' to Chargeman II, on completion of two years' satisfactory service.
 75 Supervisors Grade 'A' had moved a writ petition in the Allahabad High Court in 1972.
 Their grievance was that even though quite a large number of Supervisors Grade 'A' had been promoted to the post of Chargeman Grade II on completion of two years' satisfactory work, in pursuance of the circular dated 6th November, 1962, they had been discriminated against and had not been so promoted immediately on the expiry of two years' service.
 The writ petition was contested on the ground that the promotion from Supervisor Grade 'A' to Chargeman II were governed by the Indian Ordnance Factories (Recruitment and Conditions of Service of Grade III Personnel) Rules, 1956 and such promotions could be made only in accordance with the procedure prescribed by Rule 8 of these Rules.
 The learned Single Judge dismissed the writ petition on the ground of unexplained laches.
 The Division Bench did not find any substance in the submission made on behalf of the petitioners and dismissed their special appeal.
 According to the Division Bench, it was difficult to read in the circular that after two years of satisfactory service there would be automatic promotion from Supervisor Grade 'A' to Chargeman II as such a view would militate against Rule 12 of the Rules, which provided that no appointment shall be made otherwise than as specified in the Rules.
 It was further held by the Division Bench that even assuming that some Supervisors grade 'A' had been automatically promoted on completion of two years' service, without the recommendation after screening by the Promotion Committee, as provided in Rule 8, no right would accrue in favour of the appellants inasmuch as such promotions would be in the teeth of Rule 12.
 Against the Judgment of the Division Bench, Civil Appeal No. 441 of 1981 (Virendra Kumar and Others vs Union of India and Others, was preferred and this Court by its order dated 2.2.1981 directed that the cases of the 75 appellants in Civil Appeal No. 441 of 1981 be considered for promotion as Chargeman Grade II and they be so promoted unless found to be unfit.
 Another group of 125 Supervisors Grade 'A' got the benefit of the Circular dated 6.11.1962 in pursuance of an order passed by the Madhya Pradesh High Court on 4th April 1983 on the basis of the Judgment of this Court in Civil Appeal No. 441 of 1981.
 Special leave petitions against the Judgment of the Madhya Pradesh High Court were dismissed by this Court.
 The petitioners in the present writ petitions pray that the same relief may be granted to them as had been granted in Civil Appeal No. 441 of 1981.
 In the Civil Miscellaneous petitions now filed in Civil Appeal No. 441 of 1981, the petitioners, apart from the prayer for initiating proceedings for contempt against the respondents for disobedience of the order of this Court dated 2.2.1981, have prayed for orders directing the respondents to implement in true letter and spirit the said order and to promote the petitioners to the next higher posts after giving them the benefit of the directions of that order.
 Their grievance is that their promotion tant amounts to implementation of the order of this Court dated 2.2.1981 only on paper inasmuch as they have not been granted the difference of back wages and promotion to higher posts on the basis of their back date promotion as Chargeman II.
 Before this Court it has been urged on behalf of the respondents that (i) promotions of employees including Supervisor 'A' were governed by the Rules and in view of Rule 12 no appointment could be made otherwise than as specified therein; (ii) appointments by promotion were to be made according to Rule 8 on the basis of selection list prepared in the manner provided there in and there was no scope for automatic promotion merely after expiry of 2 years of continuous service on the basis of the circular dated 6th November, 1962; (iii) the circular which was in the nature of an executive instruction prescribed 2 years' service as Supervisor 'A' to make them only eligible for promotion; and (iv) after the issue of the subsequent order dated 28th December, 1965 and circular dated 28th January, 1966 no Supervisor or could claim to have become eligible for promotion merely on completion of 2 years' satisfactory service and his promotion thereafter could be effected only in accordance with the normal Rules.
 Dismissing the writ petitions and disposing of the miscellaneous petitions, it was, HELD: (i) An executive instruction could make a provision only with regard to a matter which was not covered by the Rules and such executive instruction could not override any provision of the Rule.
 [109E] B.N. Nagarajan vs State of Mysore, ; 2; Sant Ram Sharma vs State of Rajasthan, 1; Ramchandra Shankar Deoghar vs The State of Maharashtra, ; ; Union of India vs Somasundaram Viswanath, [1988] 3 SC.
 Judgments Today 724, referred to.
 (2) Notwithstanding the issue of instructions dated 6th November, 1962 the procedure for making promotion as laid down in Rule 8 of the Rules had to be followed, and the said procedure could not be abrogated by the executive instructions dated 6th November 1962.
 [109F] (3) The only effect of the circular dated 6th November 1962 was that Supervisors 'A' on completion of 2 years' satisfactory service could be promoted by following the procedure

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Judgement 9:

6413.txt

File Edit View

Criminal Appeal No. 8 18 of 1979.
From the Judgment & Order dated the 27.10.1979 of the Madras High Court in CrI.
A. No. 4 of 1977.
A.S. Nambiar and K.R. Nambiar for the Appellant.
V. Krishnamurthy for the Respondent.
The Judgment of the Court was delivered by FATHIMA BEEVI, J.
This appeal is directed against the judgment dated 27.10.1979 of the High Court of Madras con firming the conviction of the appellant under section 161, I .P.C. and under section 336 5(2) read with section 5(1)(d) of the Prevention of Corruption Act.
The appellant had been sentenced to undergo R.I. for 15 months under section 5(2) read with section 5(1)(d) of the Prevention of Corruption Act with no separate sen tence under section 161 I.P.C.
The brief facts of the case are as under.
The appellant, Sunderamorthy was an Accountant cum Headclerk in the Tamil Nadu Forest Training School at Vaigai Dam.
He took charge of the office on 6.10.1975 and had been residing in a house opposite the training school.
PW 3, the Principal of the training school issued exhibit P 2 show cause notice to the PW 1, Venkatashamy, the canteen contractor, as to why his licence for running the canteen should not be cancelled.
This was on the basis of a complaint made by the appellant that the food served in the canteen was substand ard.
The appellant had taken food in the canteen for two days and being dissatisfied discontinued the practice before the notice was issued.
The prosecution case is that the accused thereafter sent for PW 1, informed him that he would help him in restoring the licence and demanded a bribe of Rs. 100.
On 21.10.1975, the appellant is stated to have pressed the demand to PW 1.
The latter made a complaint to PW 6 who thereupon arranged a trap.
As instructed, PW 1 was ready with ten rupees currency notes.
PW 6 after drawing up a mahazar in the presence of PW 2, Jaganathan, Assistant of the Office of the Special Tehsildar, Usilampatti directed PW 1 to give the notes to the appellant.
PW 1 handed over the money to the appellant who received the same.
When PW 1 emerged, PW 6 along with PW 2 confronted the appellant.
The appellant produced the currency notes.
PW 6 conducted the phenolphthalein test with reference to the fingers of the appellant.
The test was positive, the currency notes were seized and the appellant arrested.
PW 3, the Principal produced the concerned file relating to show cause notice, from the house of the appellant on the same day.
Finally, the appellant was chargesheeted.
At the trial, the prosecution witnesses supported the case.
PW 1 affirmed the fact that the appellant made the demand and had also received the amount on 22.10.
The recovery of the currency notes from the appellant was not challenged.
The plea of the appellant was that PW 1 had returned the amount due to him and there had been no demand for a bribe as there had been no occasion for doing so.
The Trial Court accepted the prosecution evidence, rejected the plea of the appellant and recorded the conviction.
Before the High Court, the .contentions of the appellant were that there was no independent evidence regarding the demand, the messenger who had contacted PW 1 at the 337 behest of the appellant had not been examined, the solitary evidence of PW 1 is insufficient, the explanation offered by the appellant was probable and there is no conclusive evi dence to hold that the appellant was guilty.
It was also urged that the appellant being new in the office could exert little influence on the Principal and the whole story is, therefore improbable.
These contentions did not find favour with the High Court.

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Summary 9:

6413.txt

File Edit View

The appellant was an Accountant cum Headclerk in the forest Training School, PW 3 the Principal of the training school, and PW 1 the canteen contractor.
The prosecution alleged that on the basis of a complaint made by the appel lant that the food served in the canteen was substandard, PW 3 issued a show cause notice to PW 1, as to why the licence for the canteen should not be cancelled and that thereafter the appellant sent for PW 1 and demanded a bribe of Rs. 100.
As the appellant pressed the demand from PW 1, the latter made a complaint to PW 6, the inspector, who arranged a trap.
The trap was arranged.
PW 1 handed over the money to the appellant, who received the same.
PW 6 conducted the ph e nolphtalein test with reference to the fingers of the appellant.
The test was positive.
The currency notes were seized, and the appellant arrested chargesheeted.
The Trial Judge accepted the prosecution evidence, rejected the pleas of the appellant that PW 1 had returned the amount of Rs. 100 due to him, that there had been no demand for a bribe as there had been no occasion for doing so, and recorded conviction.
The appellant appealed to the High Court and contended that there was no independent evidence regarding the demand, the messenger who had contacted PW 1 at the behest of the appellant had not been examined, the solitary evidence of PW 1 is insufficient and that the explanation offered by the appellant was probable and that there is no conclusive evidence to hold that the appellant was guilty.
The High Court took the view that the recovery of the currency notes from the appellant prove his guilty conduct, in view of the presumption arising under section 4(1) of the Prevention of Corruption Act and that the same has not been rebutted and held that though the conviction under 335 section 161 I.P.C. and section 5(2) of the Prevention of Corruption Act, 1947 is to be maintained, no separate sen tence need be awarded under section 161 I.P.C. It, accord ingly, confirmed the conviction of the appellant and sen tenced him to undergo rigorous imprisonment for 15 months.
In the appeal to this court, it was contended that the appellant had a consistent case even from the earliest opportunity, that the currency notes found in his possession was the money returned by PW 1, and that the presumption, if any, arising under section 4 was rebutted, and the convic tion cannot therefore be sustained.
Dismissing the appeal, this court HELD: 1.
The appellant has not even by preponderance of probability succeeded in rebutting the presumption under section 4(1) of the Prevention of Corruption Act.
[338C] 2.
The Court has no choice once it is established that the accused person has received a sum of money which was not due to him as a legal remuneration, but to draw a presump tion that the person received the money as a motive of reward.
However, it is open to that person to show that though that money was not due to him as legal remuneration, it was legally due to him in some other manner or that he received it under a transaction or an arrangement which was lawful.
The explanation offered by the person should be a true one and not one which is merely plausible.
[339B C; F] Dhanyantrai Balwantrai Desai vs State of Maharashtra, AIR 1964 SC 575, referred to.

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Judgement 10:

7109.txt

File Edit View

Appeal No. 1367 of 1980.
 From the Judgment and Order dated 19.7.1979 of the Rajasthan High Court in D.B. Civil Writ Petition No. 769 of 1979.
 Subhash Mullick and S.K. Jain for the Appellant.
 B.O. Sharma for the Respondents.
 The Judgment of the court was delivered by YOGESHWAR DAYAL, J.
 This is an appeal against the Judgment of the Rajasthan High Court dated 19th July, 1979 passed in D.B. Civil Writ Petition No. 681 of 1978 (Raghubir Singh vs the Board of Revenue for Rajasthan and others) and D.B. Civil Writ Petition No. 769 of 1979 (Surenndrapal Singh vs the Board of Revenue for Rajasthan and others).
 These writ petitions were decided by the aforesaid common Judgment.
 The first writ petition was filed by the father Raghubir Singh whereas the second writ petition was filed by his minor son Surenndrapal Singh through his next friend Shri Jagjit Singh, maternal grand father of the minor.
 The relief claimed in both the petitions before the High Court was the same, namely for setting aside of the order dated 6th August, 1977 passed by the Board of Revenue for Rajasthan, Ajmer.
 The facts of the case briefly are that proceedings under Chapter III B of the Rajasthan Tenancy Act (Act No. 3 of 1955) (hereinafter referred to as 'the Act of 1955) were commenced for determining the ceiling area for Raghubir Singh.
 The Sub Divisional Officer, Hanumangarch, by his order dated 10th August, 1972, determined the ceiling area, but an appeal by Raghubir Singh, the Revenue Appellate Authority, set aside the order of the sub Divisional Officer on March 6, 1973 and remanded the case.
 The matter was taken to the Board of Revenue for Rajasthan by a revision application and the Board by its order dated 14th April, 1975 directed that the ceiling area for Raghubir Singh may be determined according to the old law i.e. Act of 1955 and not according to the new law i.e. Rajasthan Imposition of Ceiling on Agricultural Holding Act, 1973 (hereinafter referred to as 'the Act of 1973).
 In pursuance of the direction of the Board, the Sub Divisional Officer, Hanumangarch, by his order dated 5th May, 1976 held that Surenndrapal Singh, (appellant herein) aged 12 years, was a minor son of Raghubir Singh and used to 725 study in Punjab and further held that the land in possession of Raghubir Singh was ancestral.
 The Sub Divisional Officer, then came to the conclusion that the father and the son constitute two separate units and each one of them was entitled to get 62 Bighas and 8 Biswas.
 It was thus held that Raghubir Singh and his son Surenndrapal Singh are entitled to retain 124 Bighas and 16 Biswas only and the surplus land measuring, 4 Bighas and 6 Biswas may be resumed.
 Aggrieved by the order of the Sub Divisional Officer, Raghubir Singh filed appeal before the Revenue Appellate Authority, Bikaner, who by his order dated 6th September, 1976 dismissed the same and upheld the order of the Sub Divisional Officer.
 Dissatisfied with the order of the Revenue Appellate Authority, Raghubir Singh filed a revision application under section 230 of the Act of 1955 before the Board of Revenue for Rajasthan.
 On behalf of Raghubir Singh it was urged before the Board that the petitioner was in possession of 112 Bighas only and not 129 Bighas and 3 Biswas as held by the lower courts.
 He sought permission to adduce additional evidence in support of his contention.
 The application for adducing additional evidence was disallowed.
 However, the member of the Board came to the conclusion that Surenndrapal Singh (appellant here in) was born to Raghubir Singh on 14th March, 1963 and was only 13 years of age when the ceiling proceedings were finalized by the sub Divisional Officer on 5th May, 1976.
 He further held that the provisions of the old ceiling law applied to the case but the Sub Divisional Officer had committed an error of law in determining the ceiling area under the new law i.e. the Act of 1973.
 The Board went on to hold that there is no provision for separate units in Chapter III B of the Act of 1955.
 In the ultimate analysis the Member of the Board found that there was a gross and patent illegality in the order of the Sub Divisional Officer and, consequently, set aside the order of the Sub Divisional Officer dated 5th May, 1976 as well as the order of the Appellate Authority dated 6th September, 1976 and remanded the case to the Sub Divisional Officer, Hanumangarch, for fresh determination of the calling area for Raghubir Singh.
 Before the Division Bench of the High Court in the writ petitions it was urged on behalf of Raghubir Singh that no appeal having been filed by the State from the order of the Sub Divisional Officer dated 5th May, 1976, the said order became final and the Board of Revenue had no jurisdiction to set aside that part of the Sub Divisional Officer's order which had gone against

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Summary 10:

7109.txt

File Edit View

Proceedings were commenced under Chapter III B of the Rajasthan Tenancy Act 1955 for determining the ceiling area for Raghubir Singh, the father of the appellant.
 In a revision application in the first round of litigation.
 The Board of Revenue directed that the ceiling area for Raghubir Singh may be determined according to the old law, i.e. Act of 1955, and not according to the Rajasthan Imposition of Ceiling on Agricultural Holdings Act, 1973.
 Thereafter, by his order dt. 5.5.76, the SDO held, inter alia, that the father and the son, appellant, constituted two separate units and each of them was entitled to get 62 bighas and 8 biswas.
 Aggrieved by the SDO's order, Raghubir Singh filed an appeal before Revenue Appellate Authority, which was dismissed.
 He then filed a revision application under s.230 of the Act of 1955 before the Board of Revenue for Rajasthan.
 He urged that he was in possession of 112 bighas only and sought permission to adduce additional evidence, which was disallowed.
 However, the Member of the Board held inter alia that the provisions of the old law applied to the case, but the SDO had committed an error of law in determining the ceiling area under the new Act of 1973.
 The Board further held that there is no provision for separate units in Chapter III B of the Act of 1955, and remanded the case to the SDO, Hanumangarch, for fresh determination of the Ceiling area for Raghubir Singh.
 Before the High Court, it was urged that the State having not appealed against the order of the SDO dated 5.5.76, it became final, and the Board of Revenue had no jurisdiction to set aside that part of the SDO's order which had gone against the State and in his favour.
 It was submitted that the power of general superintendence and control over all revenue courts which vested in the Board could not be exercised to the detriment of the writ petitioners much less by way of suo motu exercise of powers.
 The High Court dismissed the petitions.
 Before this court it was submitted that the State not having filed an appeal, or a revision, the Board of Revenue could not, while hearing the revision petition of Raghubir Singh, set aside the orders of the SDO and Revenue Appellate Authority under s.221 of the Act of 1955.
 Dismissing the appeal, this court, HELD: (1) s.221 is not subject to the other provisions of the Act.
 It is clear from the language of Section 221 of the Act 1955 that the Board of Revenue has general powers of superintendence and control over all revenue courts.
 It is both administrative as well as judicial powers.
 It is open to the Board to exercise its powers of superintendence on all its subordinate courts in order to regulate the functioning of the subordinate courts so as to keep them within their respective spheres of jurisdiction.
 If the subordinate court disregards any specific provision of law and does something illegal it is open to the Board of Revenue to interfere and set the matter right.
 (727 E) Karan Singh vs Board of Revenue, Rajasthan and Permessar Singh vs Kailaspati AIR 1916 Pat. 292 (FB), distinguished.
 Kana vs Board of Revenue ILR , approved.
 (2) There is no restriction on the powers of the Board to set aside the order of the SDO provided it comes to the conclusion that interest of justice requires exercise of such powers.
 (728 D) (3) In not determining the ceiling area according to the Act of 1955, the SDO committed a grave illegality in not merely ignoring the law but also ignoring the directions of the Board of Revenue itself.
 (728 F) 724

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APPENDIX C: TRAINING CODE

```

• #import libraries
import numpy as np
import nltk
import pandas as pd
from tqdm import tqdm
from BART_utilities import *

#set up path
dataset = "IN"
root_path = "C:/Users/Acer/Desktop/UTEM/Year 3 Sem 2/PSM/System 2"
output_path = "./IN_BART/"

```

Python

```

#read text files from directories
path: str = root_path + '/' + dataset + '-Abs/train-data/judgement'
all_files: list[str] = glob.glob(path + "/*.txt")
data_source: list = []
names: list = []
#store content into lists
for filename in all_files:
    with open(filename, 'r') as f:
        p: int = filename.rfind("/")
        names.append(filename[p+1:])
        a: str = f.read()
        data_source.append(a)
path: str = root_path + '/' + dataset + '-Abs/train-data/summary'
all_files: list[str] = glob.glob(path + "/*.txt")
data_summary: list = []
for filename in all_files:
    with open(filename, 'r') as f:
        a: str = f.read()
        l: int = len(a)
        data_summary.append(a)

#read length of lists
print(len(names))
print(len(data_source))
print(len(data_summary))

```

Python

```

#import module
from sentence_transformers import SentenceTransformer
from sklearn.metrics.pairwise import cosine_similarity

#initiating model & specifying to run on CUDA
sbert_model: SentenceTransformer = SentenceTransformer('sentence-transformers/bert-base-nli-mean-tokens').to("cuda")

```

Python

```

#calculate the similarity between two lists of sentences using cosine similarity
def similarity_l1(l1, l2) -> list:
    document_embeddings: List[Tensor] | ndarray | Te... = sbert_model.encode(l1+l2)
    similarities: ndarray = cosine_similarity(document_embeddings)
    ...
    result: list = []
    for i in range(len(l1)):
        vals: Any = similarities[i]
        vals: Any = vals[len(l1):]
        idx: intp = np.argmax(vals)
        result.append(idx)
    return result

```

Python

```

#splits a paragraph into individual sentences
def split_to_sentences(para) -> Any | _UrlopenRet:
    sents: Any | _UrlopenRet = nltk.sent_tokenize(para)
    return sents

```

Python

```

#splits a document into nested chunks of sentences
def nest_sentencesV2(document, chunk_length) -> list:
    nested: list = []
    sent: list = []
    length = 0
    for sentence in nltk.sent_tokenize(document):
        length += len(sentence.split(" "))
        if length < chunk_length:
            sent.append(sentence)
        else:
            nested.append(sent)
            sent: list = []
            sent.append(sentence)
            length = 0
    if len(sent) > 0:
        nested.append(sent)
    return nested

```

Python

```

#generates chunks of text from a document and their corresponding summaries
def get_chunks_data_from_docV2(doc, summ) -> tuple[list, list]:
... chunk_summ_word_threshold = 150
... sentence_mapping: dict = {}
... doc_sents: Any | _UrlopenRet = split_to_sentences(doc)
... summ_sents: Any | _UrlopenRet = split_to_sentences(summ)
...
... result: list = (similarity_1_1(summ_sents, doc_sents))
...
... for i in range(len(summ_sents)):
... |... sentence_mapping[doc_sents[result[i]]] = summ_sents[i]
...
... final_chunks: list = []
... final_summ: list = []
... for chunk in nest_sentencesV2(doc, 1024):
... |... summ: Literal[""] = ""
... |... for chunk_sent in chunk:
... |... |... if chunk_sent in sentence_mapping:
... |... |... |... summ = summ + sentence_mapping[chunk_sent]
... |... |... if len(summ.split(".")) >= chunk_summ_word_threshold:
... |... |... |... final_chunks.append(" ".join(chunk))
... |... |... |... final_summ.append(summ)
... |... return final_chunks, final_summ

```

Python

```

#generate training chunks and summaries
training_chunks: list = []
training_summs: list = []
for i in tqdm(range(len(data_source))):
... cks: list, summs: list = get_chunks_data_from_docV2(data_source[i], data_summary[i])
... training_chunks: list = training_chunks + cks
... training_summs: list = training_summs + summs
... if i%100 == 0:
... |... full = list(zip(training_chunks, training_summs))
... |... df = pd.DataFrame(full, columns=['data', 'summary'])
... |... df.to_excel("FD_" + dataset + "_CSM_BK_512.xlsx")
full = list(zip(training_chunks, training_summs))
df = pd.DataFrame(full, columns=['data', 'summary'])
df.to_excel("FD_" + dataset + "_CSM_512.xlsx")

```

Python

```

#read file and check length of data frame
filename = "./FD_IN_CSM_512.xlsx"

df: DataFrame = pd.read_excel(filename, index_col=0)
df.rename(columns = {'data': 'source', 'summary': 'target'}, inplace = True)
len(df)

```

Python

```

#sets up environment for using the BART model
from transformers import BartTokenizer, BartForConditionalGeneration

tokenizer: Any = BartTokenizer.from_pretrained("facebook/bart-large", add_prefix_space=True)

bart_model: tuple[Any | BartForConditio... = BartForConditionalGeneration.from_pretrained("facebook/bart-large")

```

Python

```

#add new special tokens to the tokenizer and resize the token embeddings
new_tokens: list[str] = ['<F>', '<RLC>', '<AS>', '<S>', '<P>', '<R>', '<RPC>']

special_tokens_dict: dict[str, list[str]] = {'additional_special_tokens': new_tokens}
num_added_toks: Any = tokenizer.add_special_tokens(special_tokens_dict)
bart_model.resize_token_embeddings(len(tokenizer))

```

Python

```

#prepare data and initialize training model
summary_data = SummaryDataModule(tokenizer, df, batch_size = 1)
model = LitModel(learning_rate = 2e-5, tokenizer = tokenizer, model = bart_model)

```

Python

```

#set up a PyTorch Lightning Trainer object
trainer = pl.Trainer(
... devices = 1,
... accelerator='gpu',
... max_epochs = 3,
... min_epochs = 2,
... precision = 16
)

```

Python

```

#start the training process
trainer.fit(model, summary_data)

```

Python

```

#save the checkpoint of trained model
trainer.save_checkpoint("output.ckpt")

```

Python

APPENDIX D: TESTING CODE

```
#import libraries
import nltk
from BART_utilities import *
import os
import torch
from sklearn.metrics.pairwise import cosine_similarity
from sklearn.feature_extraction.text import CountVectorizer

#set up path
dataset = "IN"
root_path = "C:/Users/Acer/Desktop/UTEM/Year 3 Sem 2/PSM/System 2"
output_path = "./IN_BART/"
```

Python

```
#sets up environment for using the BART model
from transformers import BartTokenizer, BartForConditionalGeneration

tokenizer = Any = BartTokenizer.from_pretrained('facebook/bart-large', add_prefix_space=True)

bart_model = tuple[Any | BartForConditio... = BartForConditionalGeneration.from_pretrained("facebook/bart-large")
```

Python

```
#add new special tokens to the tokenizer and resize the token embeddings
new_tokens: list[str] = ['<F>', '<RLC>', '<A>', '<S>', '<P>', '<R>', '<RPC>']

special_tokens_dict: dict[str, list[str]] = {'additional_special_tokens': new_tokens}
num_added_toks: Any = tokenizer.add_special_tokens(special_tokens_dict)
bart_model.resize_token_embeddings(len(tokenizer))
```

Python

```
#read text files from directories
path: str = root_path + '/' + dataset + '-Abs/test-data/judgement'
all_files: list[str] = glob.glob(path + "/*.txt")
data_source: list = []
names: list = []

#store content into lists
for filename in all_files:
    with open(filename, 'r') as f:
        p: int = filename.rfind("/")
        names.append(filename[p+1:])
        a: str = f.read()
        data_source.append(a)

path: str = root_path + '/' + dataset + '-Abs/test-data/summary'
all_files: list[str] = glob.glob(path + "/*.txt")
data_summary: list = []
for filename in all_files:
    with open(filename, 'r') as f:
        a: str = f.read()
        l: int = len(a)
        data_summary.append(a)

#read length of lists
print(len(names))
print(len(data_source))
print(len(data_summary))
```

Python

```
model = LitModel(learning_rate=2e-5, tokenizer=tokenizer, model=bart_model)

checkpoint_path = "output.ckpt"
model: LitModel = LitModel.load_from_checkpoint(checkpoint_path, learning_rate=2e-5, tokenizer=tokenizer, model=bart_model).to("cuda")
```

Python

```
#generate summaries for nested sentences using BART
def generate_summary_gpu(nested_sentences, p=0.2) -> list:
    device: Literal['cuda', 'cpu'] = 'cuda' if torch.cuda.is_available() else 'cpu'
    summaries: list = []
    bart_model: BartForConditionalGeneration... = BartForConditionalGeneration.from_pretrained("facebook/bart-large-cnn").to(device)
    tokenizer: Any = BartTokenizer.from_pretrained("facebook/bart-large-cnn")
    for nested in nested_sentences:
        l = int(p * len(nested.split(" ")))
        input_tokenized: Any = tokenizer.encode(nested, truncation=True, return_tensors='pt').to(device)
        summary_ids: GenerateOutput | LongTensor... = bart_model.generate(input_tokenized,
            length_penalty=1.0, # Encourage more balanced summaries
            min_length=max(1-10, 10), # Ensure minimum length is reasonable
            max_length=1+50, # Allow more room for generating a complete summary
            num_beams=4, # Use beam search for more diverse summaries
            early_stopping=True)
        output: list = [tokenizer.decode(g, skip_special_tokens=True, clean_up_tokenization_spaces=False) for g in summary_ids]
        summaries.append(output)
    summaries: list = [sentence for sublist in summaries for sentence in sublist]
    return summaries
```

Python

```

#split a document into nested chunks of sentences
def nest_sentences(document, chunk_length) -> list:
... nested: list = []
... sent: list = []
... length = 0
... for sentence in nltk.sent_tokenize(document):
...     length += len(sentence.split("."))
...     if length < chunk_length:
...         sent.append(sentence)
...     else:
...         nested.append(" ".join(sent))
...         sent: list = []
...         sent.append(sentence)
...         length = 0
...     if len(sent)>0:
...         nested.append(" ".join(sent))
... return nested

```

Python

```

#check directory (create if not exist)
if not os.path.exists(output_path):
... os.makedirs(output_path)

```

Python

```

summary_percentage = 0.15

for i in range(len(data_source)):
... #retrieve documents' name and content
... name: Any = names[i]
... name: Any = name.replace("judgement\\", "")
... doc: Any = data_source[i]
... wc: Any = doc.split(" ")
... #calculate word count and required summary length
... input_len: int = len(wc)
... req_len = int(input_len * summary_percentage)
... #print information
... print(str(i) + ": " + name + " " + str(input_len) + " : " + str(req_len), end = ",")
...
... #split document into nested chunks
... nested: list = nest_sentences(doc,1024)
... #calculates the required summary length per chunk
... l = int(req_len/len(nested))
... #calculate the percentage of the document's total length that the summary should represent
... p = float(req_len/input_len)
... print(p)
...
... #generates a summary for each chunk
... abs_summ: list = generate_summary_gpu(nested,p)
... #concatenates the generated summaries into a single string and truncates it if necessary to meet the required summary length
... abs_summ: LiteralString = ". ".join(abs_summ)
... if len(abs_summ.split(" ")) > req_len:
...     abs_summ: list[LiteralString] = abs_summ.split(" ")
...     abs_summ: list[LiteralString] = abs_summ[:req_len]
...     abs_summ: LiteralString = ". ".join(abs_summ)
... #print the length of the final summary to verify if it meets the required length
... print(len((abs_summ.split(" "))))
...
... #write the final summary
... path: Any = output_path + name
... file: TextIOWrapper[WrappedBuffer] = open(path, 'w', encoding='utf-8')
... file.write(abs_summ)
... file.close()

```

Python

APPENDIX E: XAI CODE SNIPPET

```

# Function to generate text with attention and extract attention weights
def generate_text_with_attention(model, tokenizer, input_text, device="cuda") -> tuple:
    ... encoded_text: Any = tokenizer(input_text, return_tensors="pt", padding=True, truncation=True).to(device)
    ... generated_ids: Any = model.model.generate(
    ...     input_ids=encoded_text["input_ids"],
    ...     attention_mask=encoded_text["attention_mask"],
    ...     use_cache=True,
    ...     decoder_start_token_id=tokenizer.pad_token_id,
    ...     num_beams=model.hparams.eval_beams,
    ...     max_length=1024,
    ...     early_stopping=True,
    ...     output_attentions=True,
    ...     return_dict_in_generate=True
    ... )
    ... generated_text: Any = tokenizer.decode(generated_ids.sequences[0], skip_special_tokens=True)
    ... attentions: Any = generated_ids['encoder_attentions'][-1] # Assuming last layer's attentions
    ... return generated_text, attentions

# Function to generate highlighted text based on attention weights
def generate_highlighted_text(original_document, attention_weights) -> LiteralString:
    ... tokens: Any = original_document.split()
    ... highlighted_document_tokens: list = []
    ... scaling_factor = 5 # Increase this factor for stronger highlights
    ... for token, attention_weight in zip(tokens, np.nditer(attention_weights)):
    ...     # Scale the attention weights directly
    ...     adjusted_attention_weight: NDArray[Any] = np.clip(attention_weight * scaling_factor, 0, 1)
    ...     highlight_intensity = int(255 * adjusted_attention_weight)
    ...     highlighted_token: str = f"<span style='background-color: rgba(255, {255 - highlight_intensity},
    ...     {255 - highlight_intensity}, 0.5) '>{token}</span>"
    ...     highlighted_document_tokens.append(highlighted_token)
    ... return " ".join(highlighted_document_tokens)

```

```

# Function to generate a highlighted PDF
def generate_original_document_with_highlight_pdf(original_document, attention_weights, filename, output_folder) -> str:
    os.makedirs(output_folder, exist_ok=True)
    pdf_filename: str = os.path.join(output_folder, f"{os.path.splitext(filename)[0]}_H.pdf")
    c = canvas.Canvas(pdf_filename, pagesize=letter)
    width: float, height: float = letter

    # Set uniform margins
    margin = 72 # 1 inch margin
    line_height = 18
    x_pos = margin
    y_pos: float = height - margin # Start from the top margin
    max_line_width: float = width - 2 * margin
    tokens: Any = original_document.split()
    font_name = "Helvetica"
    font_size = 12
    c.setFont(font_name, font_size)

    # Add title to the first page
    title = "Highlighted Original Text"
    title_font_size = 16
    c.setFont(font_name, title_font_size)
    c.drawString(margin, y_pos, title)

    # Adjust y_pos after title
    y_pos -= line_height + title_font_size # Add some space after the title

    # Reset font size for document text
    c.setFont(font_name, font_size)

    def start_new_page() -> None:
        nonlocal x_pos, y_pos
        c.showPage()
        c.setFont(font_name, font_size)
        x_pos = margin
        y_pos: float = height - margin

    def draw_token(token, attention_weight) -> None:
        nonlocal x_pos, y_pos
        scaling_factor = 5 # Increase this factor for stronger highlights

        # Scale the attention weights directly
        adjusted_attention_weight: Any = np.clip(attention_weight * scaling_factor, 0, 1)
        highlight_intensity = int(255 * adjusted_attention_weight)

        color = colors.Color(1, 1 - (highlight_intensity / 255), 1 - (highlight_intensity / 255), alpha=0.5)
        text_width: float = c.stringwidth(token, font_name, font_size)

        # Check if the text will fit in the current line; if not, move to the next line
        if (x_pos + text_width) > max_line_width:
            x_pos = margin
            y_pos -= line_height
            if y_pos < margin:
                start_new_page()

        c.setFillColor(color)
        c.rect(x_pos, y_pos - font_size, text_width, font_size, fill=1, stroke=0)
        c.setFillColor(colors.black)
        c.drawString(x_pos, y_pos - font_size, token)
        x_pos += text_width + 2

    for token, attention_weight in zip(tokens, np.nditer(attention_weights)):
        draw_token(token, attention_weight)

    c.showPage()
    c.save()
    return pdf_filename

```

APPENDIX F: USER MANUAL

Welcome to EaseSum

Simplify your legal documents into clear, concise summaries and highlight key points.

Choose File

No file chosen

Submit

in .pdf, .docx, .txt format

Brief explanation

EaseSum employs abstractive summarization, a technique where the system generates new sentences to summarize the content rather than simply extracting and rephrasing sentences from the original text. This allows for more concise and coherent summaries that capture the essence of the document. Additionally, the system utilizes the attention mechanism, which helps it focus on the most relevant parts of the text when generating summaries. By assigning different weights to various sections of the document, the attention mechanism ensures that key points are emphasized, leading to more accurate and contextually rich summaries.

The image shown below is the example of result page, where the highlighted original document will be shown at the left panel while the generated summary will be shown at the right panel. The highlight represent the importance of the word tokens, the deeper the tone, the more important the word token is. There are two buttons to allow users download the results and one more button for users to upload a new document.

About EaseSum	How It Works	Contact & Support
EaseSum is designed to simplify complex legal documents into easy-to-understand summaries.	1. Upload your document in PDF, DOC, or TXT format.	Email: support@easesum.com
Our system uses advanced natural language processing (NLP) techniques to identify key points and summarize content.	2. Our system processes the document and generates a summary.	Phone: +1 (123) 456-7890
	3. Download the summarized document along with highlighted key points.	

1. Choose file and click submit button to upload

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Highlighted Original Document

Appeal No. 205 of 1954. On appeal from the judgment and order dated the 978 13th April 1954 of the Bombay High Court in Appeal No. 49 of 1954 arising out of the order dated the 31st day of March 1954 of the said High Court exercising its Ordinary Original Jurisdiction in Misc. Petition No. 55 of 1954. K. T. Desai, P. N. Bhagwati, Rameshwar Nath and Rajinder Narain, for the appellants, C. K. Daphtary, Solicitor General of India, (Forus A. Mehta and B. H. Dhebar, with him), for the respondent. November 10. The Judgment of the Court was delivered by VENKATARAMA AYYAR J. This appeal raises a question as to the powers of a Custodian of Evacuee Property to cancel a lease granted by him under section 12 of the XXXI of 1950, hereinafter referred to as the Act. Messrs Abdul Karim and Brothers owned, along with certain other properties which are not the subject matter of the present appeal, three mills with bungalows and chawls at Ambarnath in Thana District and the Bobbin Factory at Tardeo in Bombay. They having migrated to Pakistan, these properties were declared by a notification dated 12 9 1951 issued under section 7 of the Act as evacuee property, and under section 8(1) of the Act, they became vested in the respondent as the Custodian for the State. The appellants are displaced persons, and on 30 8 1952 the respondent entered into an agreement with them, Exhibit A, which is, as aptly characterised by learned counsel for the appellants, of a composite character, consisting of three distinct matters. There was, firstly, a demise under which the mills and the factory in question were leased to the appellants for a period of five years on the terms and conditions set out therein. Secondly, there was a sale of the stock of raw materials, unsold finished goods, spare parts, cars, trucks and other movables which were in the mills and the factory with elaborate provisions for the determination and payment of the price therefor in 979 due course. And thirdly, there was an agreement to sell the mills and the factory to the appellants in certain events and subject to certain conditions. There was also a clause for referring the disputes between the parties to arbitration. In pursuance of this agreement, the appellants were put in possession of the mills and the factory on 31 8 1952. On 12 2 1954 the respondent issued a notice to the appellants, Exhibit C, wherein he set out that the appellants had systematically committed breaches of the various terms on which the properties had been leased to them, and called upon them to show cause why the lease should not be cancelled and why they should not be evicted. The notice then went on to state that the respondent considered it necessary to issue certain directions for the "preservation of the demised premises and the goods and stock in trade, etc., lying in the demised premises", and the appellants were accordingly required not to remove the stock or raise any money on the security thereof, and to send daily reports to the Custodian, of the transactions with reference thereto. Presumably, these directions were given under section 10 of the Act. On 13 2 1954 the appellants appeared before the respondent, and contended that he had no authority to issue the notice in question under section 12, and that it was therefore illegal. Apprehending that the lease might be cancelled, and that they might be evicted, the

Summary

Messrs Abdul Karim and Brothers owned three mills with bungalows and chawls at Ambarnath in Thana District and the Bobbin Factory at Tardeo in Bombay. They having migrated to Pakistan, these properties were declared by a notification dated 12 9 1951 issued under section 7 of the Act as evacuee property. They became vested in the respondent as the Custodian for the State. On 12 2 1954 the respondent issued a notice to the appellants, Exhibit C, wherein he set out that the appellants had systematically committed breaches of the various terms on which the properties had been leased to them, and called upon them to show cause why the lease should not be cancelled. Custodian has the power to cancel leases created not merely by the evacuees but also by himself, says High Court. But he con tends that this power could be exercised only so as to override a bar imposed by any law but not the contract under which the lease is held, says the court. But the notice in terms refers firstly to the lease which it is proposed to cancel, and secondly to the movables in respect of which certain directions were given, the court says. The court rules that the rights of the appellants in so far as they related to the purchase by them of the mills and the factory was not raised in the petition.

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Result panels

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