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Title: Introduction of the Arbitration and Conciliation (Amendment) Bill, 2015.

THE MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA): Madam, I beg to move for leave to introduce a Bill to amend the Arbitration and Conciliation Act, 1996.

HON. SPEAKER: Motion moved:

"That leave be granted to introduce a Bill to amend the Arbitration and Conciliation Act, 1996."

PROF. SAUGATA ROY (DUM DUM): I beg to move to oppose the introduction of the Arbitration and Conciliation (Amendment) Bill, 2015.

Madam, this Bill creates two types of courts in States; one is for the States which have high courts with original jurisdiction and one for the States which have no high courts with original jurisdiction. This original jurisdiction is a British colonial legacy and is an anachronism in modern India. That is why I would like the Minister to remove the clause relating to the original side of the high court and refer the whole thing to a civil court as it is for all other States. Not to create two classes of States but create only one class of State as far as this arbitration proceedings are concerned.

SHRI D.V. SADANANDA GOWDA: Madam Speaker, as per the existing Section 21(e), the court means principal civil court of regional jurisdiction in the district. In certain High Courts, there are original jurisdictions. The existing provision itself provides jurisdiction for district court as well as the High Court. Therefore, it is not correct to say that the amendment Bill has created jurisdiction of courts which are permissible in law. Two types of jurisdiction, *i.e.*, district court and the High Court exists in the principal Act. As per the amendment Bill for the purpose of international commercial arbitration, the court will be the High Court and other arbitrations the district courts as well as the High Courts are already having the original jurisdiction. Therefore, practically there is no confusion about this...*(Interruptions)*

HON. SPEAKER: You have not given any notice.

SHRI KALYAN BANERJEE (SREERAMPUR): Madam, I would just ask a supplementary. In our country, there are three chartered High Courts. They are at Kolkata, Mumbai and Chennai. These three High Courts are having the original jurisdiction. So, this cannot be changed by an arbitration Act itself. As usual original jurisdictions have to be kept.

SHRI D.V. SADANANDA GOWDA: Madam, if at all they want much more discussion, it can be debated during the course of discussion.

HON. SPEAKER: The question is:

"That leave be granted to introduce a Bill to amend the Arbitration and Conciliation Act, 1996."

*The motion was adopted.*

SHRI D.V. SADANANDA GOWDA: I introduce the Bill.