

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Patents and Designs Act, 1911."

The motion was adopted.

Shri T. T. Krishnamachari: I introduce the Bill.

MYSORE HIGH COURT (EXTENSION OF JURISDICTION TO COORG) BILL

The Minister of Home Affairs and States (Dr. Katju): I beg to move for leave to introduce a Bill to extend the jurisdiction of the High Court of Mysore to the State of Coorg and to provide for matters connected therewith.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to extend the jurisdiction of the High Court of Mysore to the State of Coorg and to provide for matters connected therewith."

The motion was adopted.

Dr. Katju: I introduce the Bill.

FORWARD CONTRACTS (REGULATION) BILL

PRESENTATION OF REPORT OF SELECT COMMITTEE

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg to present the Report of the Select Committee on the Bill to provide for the regulation of certain matters relating to forward contracts, the prohibition of options in goods and for matters connected therewith.

ADMINISTRATION OF EVACUEE PROPERTY (AMENDMENT) BILL

PRESENTATION OF REPORT OF SELECT COMMITTEE

Pandit Thakur Das Bhargava (Gurgaon): I beg to present the Report of the Select Committee on the Bill further to amend the Administration of Evacuee Property Act, 1950.

CODE OF CIVIL PROCEDURE (AMENDMENT) BILL

Mr. Speaker: We will now proceed with the further consideration of the following motion moved by Shri Biswas on Tuesday, the 8th July, 1952, namely:

"That the Bill further to amend the Code of Civil Procedure, 1908, be taken into consideration."

The Minister of Law and Minority Affairs (Shri Biswas): Sir, hon. Members will remember that this Bill was considered in part during the last session of Parliament. Certain suggestions were made at the time for amendment of the Bill so as to provide that the United Kingdom and other foreign countries should be placed on the same footing under section 44A of the Civil Procedure Code. That section, as hon. Members know, deals with the question of enforcement of decrees of foreign courts in India on a basis of reciprocity. As originally introduced, that section was a corollary to the British Foreign judgments (Reciprocal Enforcement) Act, 1933 which provided that if His Majesty was satisfied that there existed a reasonable assurance of reciprocal treatment by a foreign country regarding the execution of decrees of British courts in that country, then the benefits of that Act would be extended to that country.

[MR. DEPUTY-SPEAKER *in the Chair*]

Consequent on the enactment of that legislation in Great Britain, section 44A was passed in this country. It provided that decrees passed by superior courts in the United Kingdom and in any other country within the Commonwealth which might be declared to be "reciprocating territory" by this Government, should be executable on certain conditions in the courts of India.

Now, since the attainment of independence it was considered by Government that these reciprocal facilities should not be limited to the United Kingdom and to countries forming part of His Majesty's Dominions. On that basis, the Bill was introduced. But with a view to making the minimum changes in the Section, that portion of the Section which made specific reference to the United Kingdom was left intact, and the only change that was made was in the definition of "reciprocating territory" in *Explanation 2*. On the floor of the House the view was expressed that there was no reason why the United Kingdom should be specifically mentioned even after independence. The suggestion was that the United Kingdom should be placed on the same basis as any other foreign country which might be declared to be "reciprocating territory". I accepted that suggestion, but said that it would perhaps be more graceful on our part if we made that change after giving intimation to the United Kingdom. That intimation has been given, and I am now in a position to suggest that the Bill should