

[Shri Kanungo]

ed and the alternative will be to use, what Shri Bharucha says, *ad hoc* standards for which the provision is there. Necessarily it does not mean foreign institutions' standards. It all depends upon the nature of the institutions, the traditions which the institutions have built up and the procedures by which they establish standards. It is quite possible that other institutions in India, for example, the Railway Standards Institution and the Defence Ministry Standards Institution, find in cases where they have established standards of the Indian Standards Institution that without going through the same process again they can conveniently adopt them, they will adopt them. The main merit of the amendment is that many other standards can be used for the licensing of the marks as long as the Institution is satisfied that the standards are all right for Indian conditions.

As Shri Tangamani has said, standards require revision from time to time. I have indicated in my speech that it is one of the functions of the Indian Standards Institution, namely, to revise the standards from time to time with the change and improvement in technology. They are doing so. Unfortunately, leaving aside the processes and methods, the number of articles which are now used in trade and in industry and by consumers is so vast that I suppose, if ever, even after many years, the Standards Institution will be able to cover all. I hope they will be able to cover in course of time provided Parliament is gracious enough to provide them with adequate funds and adequate technical personnel is available. In course of time, they will be able to cover. As some of the Members have indicated and appreciated the services of the Institute, I may say that the reputation of the institution has been growing and I hope it will continue to grow.

I move that the motion be accepted.

14 hrs.

Mr. Chairman: The question is:

"That the Bill further to amend the Indian Standards Institution (Certification Marks) Act, 1952, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Chairman: There are no amendments. I will put all the clauses to the vote of the House.

The question is:

"That Clauses 1 to 7, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 1 to 7, Enacting Formula and the Title were added to the Bill.

Shri Kanungo: I move:

"That the Bill be passed."

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

14.02 hrs.

FOREIGN AWARDS (RECOGNITION AND ENFORCEMENT) BILL

Shri Kanungo: I move:

"That the Bill to enable effect to be given to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done at New York, on the tenth day of June, 1958, to which India is a party and for purposes connected therewith, as passed by Rajya Sabha, be taken into consideration."

The last legislation on the subject which is operating now is the Foreign Arbitration Act of 1937, which was passed by the Legislative Assembly

of that time. That was passed to give effect to what is known as the Geneva Convention of 1927. Broadly, the idea has been that arbitral awards in different countries should be effective in the countries which have entered into convention to respect them. Obviously, in commercial undertakings it is necessary that arbitration should be encouraged and, as a necessary corollary, the awards in these arbitrations should be effective subject to the conditions of public policy and law in different countries.

After the Geneva Convention of 1927, there have been many changes in the world and many changes in commercial practices also. Now, under the aegis of the United Nations Economic and Social Council, a further Convention was discussed in 1953 and that was finalised in 1958. This is the Convention which now replaces the old Geneva Convention. Therefore, this Act is meant to give effect to the Convention to which India has agreed. It will mean that the enforcement of foreign awards is made a little more comprehensive than it was before because of the discussions between the different States and different commercial bodies which participated in the discussion of the matter over a number of years. I move that the Bill be taken into consideration.

Mr. Chairman: Motion moved:

"That the Bill to enable effect to be given to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done at New York, on the tenth day of June, 1958, to which India is a party and for purposes connected therewith, as passed by Rajya Sabha, be taken into consideration."

Shri S. M. Banerjee (Kanpur): I want to know from the hon. Minister what are the specific awards. They are possibly defined. He may define the awards.

Mr. Chairman: Do you want it now? Or he may allow this motion to be

passed and take it up later at the consideration stage and the Minister can answer if possible.

Shri S. M. Banerjee: Since he has read out certain things. . .

Shri Kanungo: I can say this much that the awards are awards of arbitrations. The point is, normally, an award given in one country is not enforceable in law in another country. All the countries have come to a minimum understanding on a certain basis which is a part of the Convention to which India has agreed. It was not 100 per cent satisfactory. All arbitration awards are not enforceable. The Indian courts will have to examine them and give them conditional or delayed effect. The point is that up to a point, we have come to agreement that the awards will be enforceable in different countries which agreed to the convention provided they come up to certain standards. That is an advance which we have made over the position in 1927. In 1927, the matter was such that any country could refuse to enforce the award. That is, any court in any country could refuse to enforce the award. Under the present Convention, to a limited extent, awards given by competent arbitrations will be enforceable in the courts.

Mr. Chairman: The question is:

"That the Bill to enable effect to be given to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done at New York, on the tenth day of June, 1958, to which India is a party and for purposes connected therewith, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Chairman: There are no amendments and, therefore, I shall put all the clauses 1 to 11 to the vote of the House.

[Mr. Chairman]

The question is:

"That clauses 1 to 11, the Schedule, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 1 to 11, the Schedule, the Enacting Formula and the Title were added to the Bill.

Shri Kanungo: I move:

"That the Bill be passed."

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

14.10 hrs.

MOTIONS RE: ANNUAL REPORTS OF HINDUSTAN ANTIBIOTICS LTD.

Mr. Chairman: The House will now take up the motions regarding the Annual Reports of the Hindustan Antibiotics Ltd.

Shri S. M. Banerjee (Kanpur): Before the discussion starts, may I know one thing? This discussion was to have started at 3 p.m. and to have been continued up to 5 p.m. But, now, it is only 2.10 p.m. Are we to continue this discussion for about three hours, that is, up to 5 p.m.?

Mr. Chairman: The time allotted to this discussion is 2 hours. This being the only item of business left over in the Order Paper of today, if the House so desires, and there are enough Members to take interest in the discussion, they can prolong the discussion till 5 p.m. if they so wish.

Shri N. R. Muniswamy (Vellore): I beg to move:

- (i) "That this House takes note of the Annual Report of the

Hindustan Antibiotics Limited for the year 1958-59, along with the Audited Accounts and comments of the Comptroller and Auditor-General, laid on the Table of the House on the 15th December, 1959."

- (ii) "That this House takes note of the Annual Report of the Hindustan Antibiotics Limited for the year 1959-60, laid on the Table of the House on the 22nd November, 1960."

Before proceeding to make certain observations on the several aspects of the working of this public sector concern, I may be permitted, at the outset, to record my appreciation of, and congratulations on, the work done by the management, the workers, the scientists and other persons engaged in this public sector undertaking. The progress and achievement made by these workers are really deserving of much appreciation by the whole country.

I shall be failing in my duty if I do not also thank the hon. Minister for the unstinted support and assistance which he has been giving to the company, as and when the company makes a request to him for such assistance or guidance, and by such advice and guidance, he has been rendering a great service to the national cause. The services rendered by the people engaged in this company and the spirit of devotion with which they have devoted themselves to the national cause are worthy of great appreciation.

14.13 hrs.

[MR. DEPUTY SPEAKER in the Chair]

There has been a good deal of criticism about the activities of the public sector, by very many persons. I can only say that the realities do not warrant such criticisms at all. Such criticisms are made probably because many of those persons might not have gone and visited these factories. I