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## Valedictory Session

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- The issue of how any legal system particularly third world legal system can establish jurisdiction over a foreign corporation.
- The complexity and delay of legal process which was used by the Government of India to establish convenient forum before Judge Keenan.
- The sheer arrogance of judicial power.

He described the 1989 settlement as 'Second Bhopal Catastrophe' and he felt that this settlement could unfortunately give a lot of peace of mind to foreign investors in India. He pointed out that the Bhopal case brought out the problems of enforcement of money judgements in 'first world'. It also brought out the medico-legal aspects of mass disasters. He stressed the need to understand the difference between 'victim' and 'victimage' in order to do justice to tort or any other litigation.

He concluded by mentioning about what he called the 'genetic Bhopals' which were in making in India. He remarked that only investment is entitled to progress which is an investment in human future and human solidarity.

The floor was than thrown open for discussions and a lively discussion followed.

## VALEDICTORY SESSION

The Valedictory session was declared open by Mr. Ashok Desai, Senior Advocate, Supreme Court of India. This was followed by the summing up of the contributions by Mr. Abhishek Singhvi, Advocate, Supreme Court of India.

After the Report Mr. Leonard de Hass, the 'President-elect of UIA spoke about the UIA. He said that the UIA was an organisation founded in 1927 in Belgium. It catered to different kinds of members like bar associations or similar kind of associations of lawyers, solicitors and barristers. He pointed out that the only requirement was that the lawyers must exercise his profession freely and the organisation to which he belonged must be a free organisation which implied that there should be no state interference. He also spoke that the objectives of the UIA which related to the human rights of the lawyers: and to scientific legal matters.

Next speaker was Mr. Ian Hunter, Commercial Queen's Counsel in England. He said that India is important because of its size, because it is a democratic

country where the rule of law applies and it has a lot to offer to foreigners. He remarked that English lawyers and foreign lawyers look to India for inspiration.

The Valedictory session was also addressed by P. H. Parekh, Derck Bradbeer and others. The Valedictory Address was given by Shri Justice R. S. Pathak former Chief Justice of India and former Judge of the International Court of Justice. Regarding the new Industrial and Trade Policy of the Government of India he said the new policy will have to be firmly executed and nothing can be permitted to defeat its successful operations. It seemed to him that one of the most valuable and noteworthy features of the new policy was the attempt to bring India into the mainstream of the world economy. He remarked that we have now entered a period in world history where global values have acquired concrete reality in the life of every nation and also in the life of every individual. He observed that we see in the world today, two simultaneously interacting planes, a national plane holding political, economic and social values in balance and an international plane also pre-occupied by the same values. He further added that every nation is now caught up in the vortex of continuous adjustment and co-ordination between the two planes. He was of the view that the economy of every nation should form a component in the global economy.

He mentioned that the European Economic Community is only the first of regional economic organisations to illustrate that the destiny of the human race is reflected in a condition of active co-operation and mutual respect. He felt that similar movements can be expected in other continents and some have already surfaced.

He remarked that India along with other developing nations believes strongly in the creation of a New International Economic Order. He also said that India believed that an international economic order must be created in which all the nations of the world including the weakest should be members with the guarantees of common benefit, equal justice and mutual respect.

He emphasised that this can be achieved only if a nation's economy enjoys free association and interaction with that of the others. He further said that India should benefit from access to advanced technology, to investment resources and to marketing techniques perfected by developed nations.

The Valedictory address was given by Mr. P. Chidambaram, Union Minister of State for Commerce. He began by saying that forty years ago, India did not have a class of entrepreneurs nor a cadre of managers nor a reservoir of man power and therefore the founding fathers had taken the primary responsibility for the economic development of the country, and this had brought us gains. Today, he said, that India was the third or the fourth largest reservoir of skilled and trained manpower. He was of the view that we have the capacity for research of absorbing new technology, of making massive investments, of receiving ventures in India and of taking ventures overseas.

He remarked that Indians problem was that for too long it has isolated itself from the world. According to him, the world has grown on two principles. The

first principle is that trade is the engine of growth and the second principle is that Capital must move from country to country. He further added that no country can be self sufficient in capital, whether it is in the form of money or in the form of technology and asked the developed countries to remember that when they grew, they grew on the capital that was transferred from the poor countries of today to those countries.

He expressed the view that it was easy to write a law or a regulation or put controls but it is much more difficult to dismantle a control or to abolish a law or to abolish a regulation. He expressed his intention to reduce the 500 pages volumes of the Red Book to not more than 70 pages by the 1st April 1992.

He remarked that delicensing of industry is the beginning of de-control and he also said that the proposition that customs is a source of revenue is an obsolete concept and the customs 'tariff walls' must be brought down. He also said that, we have the investment climate in India to attract foreign investment.

He concluded by saying that in India there is a world trade regime which is fair and non-discriminatory and assured that India would do its best to ensure that a set of rules are accepted in the world and that a multi-lateral trading organisation does come into existence as a successor to GATT (General Agreement on Trade and Tariffs). Later Mr. Henri Grondin, President of the Union International des Avocats addressed the gathering and Mr. Lalit Bhasin, Advocate, Supreme Court of India, proposed a vote of thanks.

## RAPPORTEUR'S REPORT

**Abhishek Singhvi**

**Advocate, Supreme Court**

The seminar got off to an excellent start with a scintillating inaugural function. Mr. Venugopal who had worked tirelessly over the past few weeks in organising the seminar welcomed and introduced all those in the dais. Far too many meetings and seminars end in airy nothings. So, therefore, Mr. Venugopal's statement that this international seminar would culminate in a concrete publication and presentation of views to our policy makers was most welcome and reassuring. Mr. Henri Grondin, current President of this oldest Association of Lawyers pointed out that UIA has 150 member Bars and associations spread over 70 countries and that it has done sterling work in upholding the independence of the judicial and legal family worldwide.