

ALL INDIA LAW CONFERENCE

A part of the objectives of the Indian Law Institute is to "promote advanced studies and research in law and its administration" and to "promote the reform of administration of justice". In furtherance of these objectives, the Institute convened an All India Law Conference which met in Delhi at Vigyan Bhavan from 26th to 29th March, 1959. The Conference which was presided over by Dr. K.M. Munshi, the Executive Chairman of the Institute, was largely attended by judges, lawyers, law teachers and administrators from all over the country. After the inauguration by the Hon'ble Shri Justice S.R. Das, Chief Justice of India, the Conference split into committees to discuss the Working Papers on Indian Bar Association, Legal Education and those on the various research projects undertaken by the Institute.

The arrangement of the Committees was as follows :

- COMMITTEE 1 : Administrative Procedure.
Chairman : Shri C.B. Agarwala.
- COMMITTEE 2 : Judicial Review.
Chairman : Shri S.M. Sikri.
- COMMITTEE 3 : Inter-State Barriers to Movement of
Commodities and Persons.
Chairman : Shri H.N. Sanyal.
- COMMITTEE 4 : Fundamental Rights.
Chairman : Shri N.C. Chatterjee.
- COMMITTEE 5 : Delegated Legislation.
Chairman : Shri Justice P.B. Mukharji.
- COMMITTEE 6 : Legal Education.
Chairman : Shri Rama Prasad Mookerjee.
- COMMITTEE 7 : Indian Bar Association.
Chairman : Shri M.C. Setalvad.

The Committees reported¹ back to the concluding plenary sessions of the Conference and on the basis of these reports and detailed discussions, the Conference adopted certain resolutions.

1. The reports of the committees were considered by a steering committee.

One of our contemporaries² hoped that the All India Law Conference would evolve plans for giving practical shape to its ideas and not rest merely content with reading of papers and discussions and added: "The objectives which the law Conference has set before it are high and involve strenuous and self-sacrificing work for their achievement but we do sincerely hope and feel that the distinguished names with which the present session of the All India law Conference is associated ensure that these high objectives will be realized and the fruits will enure for the benefit not merely of lawyers but of society as a whole"³ It is not for us to say how far the Conference succeeded in living up to the high hopes that have been pinned upon it. But there have already been appreciative comments on the useful work that has been done by the Conference⁴. The participants in the Legal Education Committee, presided over by Dean Rama Prasad Mookerjee, consisted of the Chairman of the University Grants Commission, Mr. C.D. Deshmukh, Supreme Court judges, High Court judges and very experienced members of the Bar Deans of many Faculties of Law, Principals of Law Colleges and a number of teachers of Law, thereby making it the most representative and authoritative body on Legal Education that has ever assembled in India. The conclusions reached as a result of the deliberations of this committee were of such a nature that the Chairman of the University Grants Commission stated that law faculties could hope to get financial assistance from the Commission if they decided to implement those resolutions. These facts are evidence to prove that the Conference, in procedure and substance, struck a high level of excellence and utility. The timing and tenor of the proposals of the committee for the Indian Bar Association were apparently very appropriate because lawyers of India who assembled at the Conference not only decided to have an Indian Bar Association but also started immediately the organizational activities for its establishment. The other Committees which were concerned with the research activities of the Institute did very useful work. It is difficult to go into detail about the proceedings of the five committees which were concerned with the research activities of the Institute and it will be invidious to single out any one of them. However, a word may be said about the Committee on Delegated Legislation, presided over by Justice P.B.

2. See Calcutta Weekly Notes, 1959, Journal Section, pp. 63-64.

3. *ibid.*

4. Confer, for example, the Editorial of 'The Statesman', 3 May, 1959 on the contribution of the Committee on Delegated Legislation under the caption "Delegated Law".

Mukharji of the Calcutta High Court. It was attended by the Hon'ble the Speaker of the Lok Sabha, Shri M. Ananthasayanam Ayyangar and Shri Hukam Singh, Deputy Speaker of the Lok Sabha, who is also the Chairman of the Committee on Subordinate Legislation. Shri M.N. Kaul, Secretary and Shri Shakdar, Jt. Secretary, of the Lok Sabha joined some of the important sittings. Shri M. Bakshi, Deputy Draftsman of the Law Commission, Mr. H.C.L. Merillat, Special Legal Consultant of the Ford Foundation and Shri R.S. Sarkar, Jt. Secretary of Law, also participated. These gentlemen who accepted the request of the Institute and enriched the deliberations of the Committee in spite of their pressing engagements deserve the Institute's special gratitude. With the distinguished advocates and teachers who were the other participants in this committee it formed a very competent group to discuss the subject. Two hundred and nineteen persons attended the Conference.

Delegates from all parts of India heartily congratulated Dr. K.M. Munshi, the Executive Chairman of the Institute for organizing the Conference.⁵ The Conference, according to them, had put the lawyers and the law on the map of free India. They felt happy that the Institute had taken the initiative and provided a forum for judges, lawyers, teachers of law and jurists from all over India to discuss common problems.⁶ Delegates representing Bar Associations assured the fullest co-operation in implementing the recommendations of the Conference.

Dr. K.M. Munshi, the Chairman of the Conference, in his concluding remarks, said that when the idea of convening a Conference was mooted he had much misgivings about the response the idea would evoke and the results such a Conference would achieve. However, the enthusiastic response to the invitations and the achievements of the Conference, he said, belied his misgivings and he felt re-assured of the future. He congratulated the participants on the

5. Messers. K. Raja Iyer, V.C. Gopalaratnam and C.R. Pattabiraman from Madras, H.N. Dhar from Jammu & Kashmir, B.B. Tawkley, R.V.S. Mani, S.D. Sekhri and T.S. Venkataraman from Delhi, Shrimati Sitamahalakshmi from Andhra, Professors V.V. Deshpande, K.K. Bhattacharyya and G.S. Sharma, Deans of Patna, Allahabad and Rajasthan Law Faculties respectively were some of the speakers.

6. The delegate from Kashmir Shri Dhar stressed that as Kashmir was a part and parcel of India, suitable constitutional amendments should be carried out to provide Kashmiris access to the Supreme Court on an equal footing with the other States. Shri Gopalaratnam from Madras stressed the hardships that arose out of the levy of heavy court fees in the State of Madras.

high level of discussions and the constructive suggestions they made in the various committees and the plenary sessions of the Conference.

Regarding the research activities of the Indian Law Institute, the Chairman said : " This is an entirely new line that we have taken up. You very well know that legal research on the lines launched by the Law Institute is the first of its kind in India. There are enormous difficulties in our way to getting the whole thing started and going. Scarcity of qualified research hands enhanced the normal difficulty of selection of staff and the housing problem of Delhi added to the difficulties. We need an up-to-date Library and we may have to send our research workers to other countries so that they might get acquainted with other legal systems also. I assure the Conference that the Institute is making earnest endeavours in each of these directions". He thanked the delegates for their co-operation in making the Conference a great success.

The speeches delivered at the inaugural session, the resolutions adopted at the plenary session and some of the other proceedings of the Conference appear on the following pages.