

[Attorney-General]

of the Governor-General. Shri Deshmukh asked that the rights should be liberally construed. I have no doubt about that. He also says that as a corollary the exceptions also should be strictly construed. I have no doubt about the correctness of the proposition. So far as the exception are concerned we do not have to consider them strictly. It stares as in the face. This principle of interpretation only applies when we are considering particular section. It is not at all relevant to find out for the purpose of finding out whether or not what is left out in one entry is to be found under another entry. This interpretation is not relevant for our purpose. Shri Sheo Narain said that we should re-read it again. I can assure him that I have read it many times and reading it again would neither help me nor help him.

So far as Shri Jha is concerned, Shri Jha has raised a question that Shri Daphtary my predecessor in-office gave the opinion that "the matter" came within the power of Parliament. Of course he did it for this reason. He was trying to find out the meaning of the expression 'matter' in Art. 248. What is the meaning of the word 'matter' ? Well he said that the expression 'matter' is not the matter of the capital value but the matter of capital value of certain specific assets. He said that the matter of capital value of agriculture land was excluded and that matter was brought back in Art. 248. As far as I remember, this was the argument and I agree.

Shri Nambiar asked me if it comes in 49. I have already answered that. I do not want to waste your time. My time does not matter.

There has been a suggestion by certain hon. members here that we should have an amendment. It is for you to persuade the Government. I have nothing to add here.

So far as Shri Patil is concerned, he asked a question whether there is a distinction between agricultural land and cultivable land. Personally I do not find any distinction myself. Agricultural land is land when

you cultivate it. Shri Ranjit Singh asked me what is the meaning of the expression 'exclusive'. This is a matter of drafting really. So far as the expression 'exclusive' is concerned, it definitely means 'exclusive' of agricultural land. That is to say land which does not come within the ambit of agricultural land.

I now come to the last question. The question was this. I request you to remind me if I have not answered any question. I am rather nervous, this being the first time and I may be missing certain points. It has been suggested that the matter should be referred to the President for being referred to the Supreme Court for opinion. I may say, that is not a question, that is a suggestion.

AN HON. MEMBER : What is your opinion ?

THE ATTORNEY GENERAL : I will give my opinion outside this House.

16.36 hours

TRADE UNIONS (AMENDMENT) BILL*

(Amendment of section 2 and substitution of section 4, 5 etc.)

SHRI TENNETI VISWANATHAM (Visakhapatnam) : Sir, I beg to move for leave to introduce a Bill further to amend the Trade Unions Act, 1926.

MR SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Trade Unions Act, 1926."

The Motion was adopted.

SHRI TENNETI VISWANATHAM : Sir, I introduce the Bill.

* Published in Gazette of India, Extraordinary. Part II, section 2, Dated 1. 5. 69.