

[Shri Somnath Chatterjee]

Article 31 if the concept 'money' would be included within the concept of 'property' which is mentioned in Article 31.

Sir, Mr. Daphtary said money cannot be treated as property within the meaning of Article 31. Since then Supreme Court had occasion to deal with this question. That was the opinion of the Attorney General in 1963. In 1968 the Supreme Court by a unanimous judgement held that the right to a sum of money is a property under Article 31. In this case, therefore, this is a deprivation with regard to the exercise of the right's over money for a certain period of time. This was conceded by Mr. Daphtary on the floor of the House also and he said money was different from property—either moveable or immovable property—excluding money in specie or currency. Subsequently, the Supreme Court has dealt with this question and held therein deprivation of right over money. This is another point which goes to the root of the matter apart from the legislative competence.

MR. DEPUTY-SPEAKER: Now, I had said, the point raised necessitated a full discussion about the legislative competence of this House with regard to this Bill. We have already exceeded the time-limit for Private Members' Business. I think we can leave the matter here and then take up the discussion later. Government will also have to meet all the legal points and constitutional objections.

Now, we take up Private Members Business.

‘जी मधु सिन्धे’ क्या एटार्नी जनरल को इस सदन में नहीं बुलावा जाएगा ?
‘श्रीप हन ने’ कहिये एटार्नी जनरलको लेकर आयें, यह बहुत गम्भीर मामला है ।

15.22 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

FORTY-FOURTH REPORT

SHRI S. P. BHATTACHARYYA (Uluberia): I beg to move:

"That this House do agree with the Forty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 14th August, 1974."

MR. DEPUTY-SPEAKER: The question is—

"That this House do agree with the Forty-fourth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 14th August, 1974"

The motion was adopted.

15.23 hrs.

RESOLUTION RE. AGRICULTURAL LABOUR—contd.

MR. DEPUTY-SPEAKER: The House will now proceed with further discussion on Shri Gadadhar Saha's Resolution on agricultural labour. He will continue his speech.

*SHRI GADADHAR SAHA (Birbhum): Mr. Deputy Speaker, Sir, the unprecedented price rise has made the life of the rural population particularly the agricultural labourers, poor peasants, unbearable, 70 per cent of the population of the country live in the rural area and out of this 40 per cent constitute adivasis, scheduled castes, scheduled tribes and backward people. As a result of inflation, their life has not only become very very

*The original speech was delivered in Bengali.