

**Shri Jawaharlal Nehru:** The hon. Member knows that lawyers differ and legal opinion differs. The legal opinion that was available to the Governor there was one and he acted up to it. He took the best legal opinion available there, because it was not a casual thing and something had to be done. Otherwise, every expenditure would become illegal. On the other hand, the lawyers we consulted here gave a different opinion, and we informed him. Naturally, he abided by the better opinion. This kind of thing might happen at any time. No'ning followed; that was rectified immediately.

**Shri Narasimhan (Krishnagiri):** Will that Ordinance lapse or has that been withdrawn?

**Shri Jawaharlal Nehru:** That also will depend on the consensus of legal opinion.

**Mr. Speaker:** No action will be taken. It is clear from what the hon. Home Minister has said that the better opinion seems to be that the Ordinance is illegal. Under article 204, Appropriation Bills can be passed regarding sums or grants made by the Assembly. When no grants are made by the Assembly, there is no question of drawing those moneys. The base itself is wanting. The better legal opinion seems to be that the Ordinance is illegal; and no action has been taken. Therefore, there is no need for me to give consent to the adjournment motion.

Regarding the advice which Shri Mahanty wanted to give me, I do not know of any single instance of irregularity. The Governor there was only anxious to avoid any irregularity and, therefore, passed that Ordinance. The hon. Member wants to draw an inference from this that the Governor is going to act illegally. Far from that. The conclusion is clear that he did not want to act illegally. Nothing more.

I will take his advice but I am not going to act upon it.

12:23 hrs.

PAPERS LAID ON THE TABLE  
AMENDMENTS TO EMPLOYEES' PROVIDENT FUNDS SCHEME

**The Deputy Minister of Labour (Shri Abid Ali):** Sir, I beg to lay on the Table a copy of Notification No. G.S.R. 201, dated the 18th February, 1961 making certain further amendments to the Employees' Provident Funds Scheme, 1952, under sub-section (2) of Section 7 of the Employees' Provident Funds Act, 1952. [Placed in Library. See No. LT-2692/61.]

ANNUAL REPORTS OF COFFEE BOARD

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** Sir, I beg to lay on the Table a copy of each of the following papers:—

- (i) Annual Report of the Coffee Board for the year 1957-58 (Vol. IV—Coffee Statistics relating to India). [Placed in Library. See No. LT-2693/61.]
- (ii) Annual Report of the Coffee Board for the year 1958-59 (Vols. I and II). [Placed in Library. See No. LT-2694/61.]
- (iii) Annual Report of the Coffee Board for the year 1959-60. [Placed in Library. See No. LT-2695/61.]

NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT

**The Deputy Minister of Food and Agriculture (Shri A. M. Thomas):** Sir, I beg to lay on the Table a copy of each of the following Orders under sub-section (6) of Section 3 of the Essential Commodities Act, 1955:—

- (i) The Rice (Punjab) Second Price Control (Third Amendment) Order, 1961 published in Notification No. G.S.R. 197, dated the 18th February, 1961. [Placed in Library. See No. LT-2696/61.]
- (ii) The Rice (Madhya Pradesh) Second Price Control (Third