

PERSONAL EXPLANATION BY  
MEMBER

14.04 hrs.

**SHRI KANWAR LAL GUPTA** (Delhi Sadar) : This is my personal explanation under Rule 357 regarding some baseless charges made against me by Shri Yashpal Kapoor. I lay it on the table.

**MR. DEPUTY-SPEAKER** : You may please read that out.

**SHRI KANWAR LAL GUPTA** : Sir, you will kindly recollect that I laid a copy of the income-tax Report regarding Mr. Yashpal Kapoor, with the permission of the Deputy-Speaker. It was an authentic report. A copy of that report was submitted to you in advance and another copy to the concerned Minister.

Shri Yashpal Kapoor made certain baseless allegations against me in Rajya Sabha and also against the Citizens Council, Delhi, which is a leading non-political organization of the Capital, of which, I am the President. The news has appeared in the *Times of India* dated 20th December, 1977.

In this connection, I want to clarify that the Citizens Council is a non-political body and is registered under the Registrar of Societies Act for the last 15 years. Its accounts are audited every year. The Citizens Council has been setting up a Committee every year in the last 12 years to celebrate Sardar Patel Jayanti on 31st October, which is Sardar's birthday. This function was presided over by the respective Presidents of India in different years. This year it was presided over by the Prime Minister of India and was held at Red Fort, Delhi. The Convener of the Celebration Committee was late, Shri Prakash Vir Shastri, a Congress M.P. and the Chairman of the Celebration Committee was Shri Dharma Vira former Governor of West Bengal. Thus, late Shri Prakash Vir Shastri was the In-charge for the Function, which continued for about a fortnight. The allegation of Shri Yashpal Kapoor that the Council is non-registered body is entirely wrong as stated earlier. Similarly, it is also wrong that it collected Rs. 2 lakhs worth of advertisements recently. The amount collected from advertisements was not a big one.

Regarding the allegations against me, I may inform the House that I am the existing income-tax assesse for the last 35 years and there is no benami house or

property in my name. I have declared all my sources of income before the Income-tax Department.

I have come to know that the erstwhile Government made an inquiry against me and against the Citizens Council and it could not find anything objectionable in spite of its best efforts. I shall welcome any inquiry against me or the Citizens Council. If Mr. Kapoor is bold enough let him make these allegations against me outside the House so that he may face the legal consequences.

**MR. DEPUTY-SPEAKER** : We take up the next item.

**SHRI JYOTIRMOY BOSU** (Diamond Harbour) : I have given 377 notice. The allegations are serious.

**MR. DEPUTY-SPEAKER** : You have not been given permission to raise any matter under 377.

**SHRI KANWAR LAL GUPTA** (Delhi Sadar) : I have given notice of a privilege motion against Mrs. Indira Gandhi, three days ago and the Speaker has kindly allowed me to read it out; he said he would consider it. I am only reading with your permission.

**MR. DEPUTY-SPEAKER** : It has been permitted by the Speaker.

**SHRI KANWAR LAL GUPTA** : The astounding revelation of Shrimati Indira Gandhi....

**SHRI VASANT SATHE** (Akola) : I sent a similar thing; he did not allow me.

I want to raise a point of order. Kindly refer to rule 222.

**MR. DEPUTY-SPEAKER** : Shri Kanwar Lal Gupta is permitted to raise the matter, not to read out the notice.

**SHRI KANWAR LAL GUPTA** : I am not reading the notice.

आप इन्दिरा गांधी के पापों को क्यों छिपा रहे हैं ?

**SHRI JYOTIRMOY BOSU** : Under what rule am I not allowed. It involves multinationals; a motion was given by me.

MR. DEPUTY-SPEAKER : A privilege motion is to be raised in the House; at the earliest opportunity. Mr. Kanwar Lal Gupta came up with a motion and he is raising it at the earliest opportunity. Whether it is admissible or not will be decided by the Speaker; it is under his consideration.

SHRI JYOTIRMOY BOSU : Then allow me to raise a matter about the Britannia Biscuits.

SHRI VASANT SATHE : I am on a point of order. Under rule 222, a Member may with the consent of the Speaker raise a question involving breach of privilege of either a member of the House or a committee thereof and if the Speaker gives his consent... You yourself just now observed that consent has not yet been given.

MR. DEPUTY-SPEAKER : We have not come to that stage.

SHRI VASANT SATHE : If the Speaker gives his consent under rule 222 and holds that the matter proposed to be discussed is in order then he allows it to come up in the list of business and call the member concerned who shall rise in his seat and while asking for leave of the House to raise the question shall make a short statement relevant thereto. That stage will arise only after the consent to raise the matter has come; that stage has not yet come. So under rule 222, the question of making a statement does not arise now. That is all I submit.

MR. DEPUTY-SPEAKER : He is not making a statement; he is only raising the issue.

SHRI VASANT SATHE : That also has to be done with his consent.

MR. DEPUTY-SPEAKER : That is why I said that the Speaker has consented to his raising it in the House.

SHRI VASANT SATHE : That stage has not come. Rule 222 says, "A member may, with the consent of the Speaker, raise a question involving a breach of privilege....".

So, raising a question or making mention of it comes under Rule 222. But under the guise of rule 222, he cannot make a statement under rule 223. Please don't adopt different norms. When we do it, we are shut off.

MR. DEPUTY SPEAKER : There are no different norms as far as the Chair is concerned.

SHRI VASANT SATHE : Let the Speaker give his consent. Then, once he does it, the hon. Member can say what he wants under rule 225.

SHRI KANWAR LAL GUPTA : Why are you afraid ?

SHRI VASANT SATHE: I'm not afraid.

MR. DEPUTY-SPEAKER : You have already made a mention of the notice of privilege.

SHRI KANWAR LAL GUPTA : I have not mentioned it. Please see rule 227 and 228.

SHRI M. KALYANASUNDARAM (Tiruchirappalli) : There is a definite departure from the practice that has been observed so far in this House with regard to raising a matter of privilege under rule 222.

I welcome it. My only submission is that this procedure must be adopted in future also. Please give a ruling that this is a departure and it will be followed in the future also.

SHRI C. K. CHANDRAPAN (Cannanore) : I had given notice of a privilege motion against the Home Minister. The Speaker called me in his Chamber and said and that unless he gives permission, I cannot raise it in the House. I agreed. Then, how can Shri Kanwar Lal Gupta be allowed ? If there are two different standards, let us know about it.

MR. DEPUTY-SPEAKER : You have raised the question of the notice of privilege. Mr. Kanwar Lal Gupta, and it is being considered by the Speaker. That is the end of the matter.

Now, we go to legislative business. Bills to be introduced. Shri Patil.

SHRI JYOTIRMOY BOSU : What about matters under rule 377 ?

MR. DEPUTY-SPEAKER : After this. Several members want to oppose it.