

(b) whether it is proposed to implement the recommendation in full or with any modifications ; and

(c) if any modifications are contemplated, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI BHAGWAT JHA AZAD) : (a) to (c). Copies of the Resolution giving a summary of the Wage Board's recommendations and Government's decision thereon, were placed on the Table of the Sabha on the 19th November, 1968. The State Governments have been requested to secure implementation of the recommendations accepted by the Government.

12:27 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Death of Mr. D'Cruz due to alleged torture by Police in Goa

SHRIMATI SUSEELA GOPALAN (Ambalanuzha) : I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon :

"The death of Shri J. B. D' Cruz, leader of the Communist Party of India (Marxist) and Trade Unions, due to assault and torture by the Police on the 6th March, 1969 in the Union Territory of Goa."

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : According to the information received from Goa, Daman and Diu Administration, during the night between 5th and 6th March, 1969, the striking workers of Messrs. Timblo are reported to have indulged in throwing stones at a garage at Digna. Shri D' Cruz and some other workers were arrested. They are alleged to have resisted the arrest and in the scuffle that followed, some workers as well as some policemen are reported to have been injured. The injured persons were attended to by the

medical officer. On the 6th morning they were remanded to judicial custody by the Magistrate, who sent Shri D' Cruz to hospital for further treatment. At night he died. The cause of death, disclosed by *post mortem* examination is cerebral naemorrhage caused, by laceration of brain. The District Magistrate has been asked to hold an inquiry under section 176 of the Code of Criminal Procedure.

SHRIMATI SUSEELA GOPALAN : This is a very serious matter. A beloved leader of the working people of Goa, a patriot who had fought against the Portuguese has died at the hands of the police while in judicial custody. The information that we have received from Goa last night through trunk telephone is at variance with the report given by the hon. Minister at present. For the last two months, a strike was going on in the mines and there was a meeting on the 5th evening which ended peacefully. After the meeting ended, at the instigation of the employers, the police entered the quarters of the workers and beat them up. After that, there was a demonstration by the workers, and when the demonstration was going on, the police instigated by the employers flogged the demonstration workers, and thirty workers were injured including Mr. D' Cruz. Later, one sub-inspector by name Mr. Rane came with two hundred policemen and there was a lathi charge on the workers including those injured people. Later, 10 of them were arrested and taken to prison. All those people were terribly injured. But they were not taken to hospital, and they were produced before the magistrate only at 4 o' clock on the next day, that is, the 6th March. The magistrate rebuked the police and asked them to take Mr. D' Cruz to the hospital. At that time only the police took him to the hospital and that was on the day after at four o' clock on the 6th evening ; at that time he was taken to the local hospital and they said that nothing could be done there and it was a very serious case. He was then sent to the headquarters hospital, and after that he died at that hospital.

Even the ruling party secretary Mr. Prabhu has demanded a judicial inquiry. May I know the reason for not holding a judicial inquiry instead of a magisterial inquiry ?

**SHRI VIDYA CHARAN SHUKLA :** It is exactly for the purpose of verifying facts that the district magistrate has been asked to go into this matter and find out what exactly had happened. There is no question of trying to shield anybody or trying to put up a version which is not correct. We want to find out the correct information as it is. So, a district magistrate who is a responsible officer in charge of maintenance of law and order has been asked to go into this matter. I am quite sure that his inquiry will bring out the real facts. As soon as the facts are known to us, and he can identify the persons who had done this, we shall take suitable action under the law against them.

**SHRI UMANATH (Pudukkottai) :** This information that the hon. Minister had ordered the district magistrate to go into it was given yesterday itself in the Rajya Sabha.

After the receipt of this information, there has been a terribly angry reaction among the workers and among all sections of the public, irrespective of political affiliations because of the district magistrate having been asked to conduct the inquiry. In the public mind this particular magistrate is associated with the past activities of Portuguese repression and other tortures there. This is the thought which is uppermost in the minds of the people so far as this district magistrate is concerned. In 1964 there was a dock strike and two workers died under similar circumstances at the hands of the police and it was the same district magistrate who has now been ordered by the Central Government to inquire in this case who had been ordered to inquire into the death of the two workers in similar situation in 1964, and he had completely suppressed all the facts with regard to the death of the two workers. That is why the people there are angry with this district magistrate. The genuine demand of the people there is, and I would like the hon. Minister to consider it, that they have no objection if the judicial Commissioner of Goa Administration is appointed to go into it or a High Court judge of Mysore High Court or Maharashtra High Court. This being a serious thing, and in view of the antecedents of this particular district magistrate, will the hon. Minister assure the House

that he will accept this particular proposal from the people of Goa irrespective of political affiliations ?

**SHRI VIDYA CHARAN SHUKLA :** I am not aware of the antecedents mentioned by the hon. Member but I shall definitely have them checked up, and if these are the antecedents of that person, then we shall definitely change the inquiring officer, and we shall not keep an officer in the inquiry, about whose impartiality there is any doubt in the minds of the people.

**SHRI VISWANATHA MENON (Ernakulam) :** From the information that we have received, we find that the police are trying their level best to hush up the thing. Even after the death of Comrade D' Cruz, that news was not given to the public. Even the *post-mortem* was conducted without giving any information to anybody connected with Comrade D' Cruz. All these actions clearly show that the attitude of the police is somehow or other to hush up the matter.

Moreover, the son of Mr. D' Cruz is also a police constable. He was asked to take the body and bury it without informing anybody.

**SHRI NAMBIAR (Terucherappalli) :** Most inhuman and most degrading.

**SHRI VISWANATHA MENON :** The Inspector-General of Police had taken personal interest in the matter and has pressurised that poor police constable so that he cannot even talk anything about his father's death.

In these circumstances, may I know whether the hon. Minister is prepared to suspend the police officials connected with the incident and give a clean slate so that there may be a proper inquiry ? Or is he going to side with them and shield those police officials ?

**SHRI VIDYA CHARAN SHUKLA :** Unless we can find some *prima facie* evidence against the police, it would not be proper to suspend them. But if *prima facie* evidence is found, we shall not hesitate to take the necessary action.

**SHRI NAMBIAR** : With those police officials there, he would not get the facts and the inquiry would not be complete.

12.35 hrs.

#### PAPERS LAID ON THE TABLE

##### Cinematograph (Censorship) Second Amendment Rules

**THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL)** : I beg to lay on the Table a copy of the Cinematograph (Censorship) Second Amendment Rules, 1968 (Hindi and English versions), published in Notification No. G. S. R. 2191 in Gazette of India, dated the 21st December, 1968, under sub-section (3) of section 8 of the Cinematograph Act, 1952. [Placed in Library. See No. LT—297/69.]

##### Notifications under Essential Commodities

**THE DEPUTY MINISTER IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION (SHRI D. ERING)** : On behalf of Shri Annasahib Shinde,

I beg to lay on the Table—

(1) A copy each of the following Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1955 :

- (i) The Roller Mills wheat Products (Price Control) Third Amendment Order, 1968, published in Notification No. G. S. R. 2239 in Gazette of India, dated the 26th December, 1968.
- (ii) The West Bengal Roller Mills Wheat Products (Price Control) Order, 1968, published in Notification No. G. S. R. 2240 in Gazette of India, dated the 26th December, 1968.
- (iii) The Madhya Pradesh Rice Procurement (Levy) Amendment Order, 1969, published in Notification No. G. S. R. 44 in Gazette of India, dated the 6th January, 1969.

(iv) The Uttar Pradesh Foodgrains (Restrictions on Border Movement) Order, 1969, published in Notification No. G. S. R. 90 in Gazette of India, dated the 7th January, 1969.

(v) The Inter-Zonal Wheat and Wheat Products (Movement Control) Amendment Order, 1969, published in Notification No. G. S. R. 139 in Gazette of India, dated the 13th January, 1969. [Placed in Library. See No. LT—298/69.]

(vi) The Wheat Roller Flour Mills (Licensing and Control) Amendment Order, 1969 published in Notification No. G. S. R. 446 in Gazette of India dated the 21st February, 1969 (English version) and G. S. R. 451 in Gazette of India, dated the 24th February, 1969 (Hindi version).

(vii) Notification No. G. S. R. 448 published in Gazette of India, dated the 22nd February, 1969. [Placed in Library. See No. LT—298/69.]

(2) A copy of Notification No. G. S. R. 111 published in Gazette of India dated the 18th January, 1969, making certain amendments to Notification No. G. S. R. 1842, dated the 24th December, 1964, under section 12A of the Essential Commodities Act, 1955. [Placed in Library. See No. LT—299/69.]

##### Main conclusions of the Fifth Session of the Industrial Committee on Mines other than Coal

**THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (SHRI S. C. JAMIR)** : I beg to lay on the Table a copy of the Main Conclusions of the Fifth Session of the Industrial Committee on Mines other than Coal held at New Delhi on the 7th November, 1968. [Placed in Library. See No. LT—300/69.]

12.36 hrs.

##### STATEMENT RE. FURTHER RELAXATION OF ACTION AGAINST GOVERNMENT EMPLOYEES

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA)** : On October