

[English]

**Effect of Privatisation of Undertaking  
on SCs/STs**

5992. SHRI K.H. MUNIYAPPA :  
PROF. JOGENDRA KAWADE :

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state :

(a) whether the recruitment reservation of Scheduled Castes/Scheduled Tribes in Government undertakings has been discontinued due to privatisation of undertakings;

(b) if so, the details thereof;

(c) the action taken or proposed to be taken by the Government to continue the reservation; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI) : (a) to (d) There is no proposal to discontinue the reservation in recruitment to SC/ST in public sector undertakings.

**Citizenship Rights to Refugees In J&K**

5993. VAIDYA VISHNU DATT : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the refugees came from West Pakistan are not given citizenship rights in Jammu and Kashmir even after fifty years of independence;

(b) if so, the details thereof;

(c) whether those refugees are also deprived of rights to land, property, voting profession, education and employment in the State service;

(d) if so, whether it is a fact that those refugees are allowed to vote in Parliament Elections but not entitled to vote in J&K Assembly Elections;

(e) if so, the details thereof;

(f) whether the Government propose to restore their rights and rehabilitate them permanently in the State; and

(g) if so, the reaction of the Union Government thereto?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) : (a) and (b) The citizenship rights of persons who migrated to India from Pakistan after partition are governed by the provisions of Article 6 of the Constitution of India.

(c) The state of J&K has conferred certain special rights (such as employment, acquisition of immovable property, settlement in State, scholarship etc.) upon its permanent residents which are not available to others.

(d) and (e) Yes, Sir. Under Section 140 of the Constitution of Jammu and Kashmir, only permanent residents of the State are entitled to cast their votes in Legislative Assembly elections. This right is not available to other citizens. However, other citizens as well as permanent residents are entitled to cast their votes for Parliament elections under Article 326 of the Constitution of India, by virtue of being citizens of India.

(f) and (g) These matters fall within the jurisdiction of the State Government of Jammu and Kashmir.

**Excess of Army and Para-military Forces**

5994. SHRI P.R. KYNDIAH : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the National Human Rights Commission has propose to give more powers to probe complaints of excesses by the Army and Para-military Forces;

(b) whether the NHRC continues to receive complaints of excesses from J&K and North East;

(c) if so, the findings of the probe by the Defence Ministry on such complaints; and

(d) whether the Government consider to amend the PHR act to bring human rights violations by the Army/Para-military personnel in its ambit?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) : (a) No such proposal has been sent by the National Human Rights Commission so far.

(b) and (c) Yes, Sir. The National Human Rights Commission receives complaints of excesses by members of the Army and Para-military forces from Jammu & Kashmir and the North-East. On receipt of complaints of excesses pertaining to the Army they are referred to the Defence Ministry by the National Human Rights Commission. These are promptly investigated and a report is forwarded to the Commission. The outcome of the investigations by the Defence Ministry, on such alleged complaints, as on 31st March, 1998 is in enclosed Statement.

(d) The Government is not presently considering any amendment in the protection of Human Rights Act, 1993 as there is already a provision under section 19 of the said Act, which provides a procedure for dealing with complaints of violation of human rights by the members of the Armed Forces.

### Statement

The outcome of the investigations by the Defence Ministry on alleged complaints of Human Rights Violations as on 31st March, 1998

	Pertaining to		
	J&K	NE	Total
(a) No. of cases referred by the NHRC	61	60	121
(b) No. of cases investigated	58	57	115
(c) Under investigation	3	3	6
(d) No. of cases where allegations were found false	56	56	112
(e) No. of cases where allegation were found true	2	1	3
(f) No. of persons punished for cases at (e) above by Army on its own.	6	2	8

### Silicosys Diseases

5995. SHRI ANANT KUMAR HEGDE : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether the Government have found out the reasons for Silicosys disease;

(b) if so, the details thereof;

(c) whether the Government have taken any study on the rising number of silicosys affected person working in foundaries, mines and stone crushers;

(d) if so, the details thereof;

(e) if not, the reasons therefor;

(f) the details of silicosys affected persons in the country, State-wise; and

(g) the steps taken by the Government to eradicate this disease?

THE MINISTER OF STATE OF THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI DALIT EZHILMALAI) : (a) to (e) Silicosis is the commonest of all occupational diseases. It is caused by long term inhalation of silica or as silicon dioxide (SiO<sub>2</sub>). Several studies have been carried out by National Institute of Occupational Health of ICMR, is underground and open cast mines, small scale and unorganised sectors, cottage industries and also organised sector. The details of the studies are given in the statement enclosed.

(f) There are about 3 million workers reportedly engaged in mining of various minerals, iron and steel industries, cement industry, quarries etc. All these industries involve potential risk of exposure to siliceous dust and subsequent development of silicosis.

(g) Silicosis is a compensable and notifiable disease. Under the Factories (Amendment 1987, Act and Mines Act, there are several provisions for prevention of all occupational diseases including silicosis.

### Statement

In India several studies have been conducted in underground and open cast mines, small-scale, unorganised sector, cottage industries, and the organised sector. These studies can be categorised as per various occupations for better understanding.

**Gold mines :** The studies in Kolar Goldfields have been reported since 1947. The prevalence rate varied from 8.8% to 13.9%. In Indian mines, Watson attributed the low prevalence of silicosis to higher calcium content (11-20%) as compared to gold mines of other countries (0.6-4.8%). From the histopathological point of view, silicosis in Indian mines may be defined as non-collagenous form of pneumoconiosis. The study by Caplan and Burdon and Shenoy confirmed the absence of silicotic hyaline concentric fibrosis inspite of heavy dust deposition.

**Mica mines and processing units :** The Chief advisor of factories (CAF), Gupta, was the pioneer in the study of mica mines. The prevalence rate of silicosis reported by him varied from 34% to 45% and tuberculosis 6.45% to 18.4%, (8.9,). It was also observed that the hand drillers in mica mines were at higher risk of developing silicosis than pneumatic drillers and muckers. The National Institute of Occupational Health (NIOH) Ahmedabad, India, reported the prevalence rate of 6.2% in mica processing units.

**Coal mines :** Silicosis in coal mines is also known as "Coal Workers's Pneumoconiosis" (CWP) or anthrocosilicosis. The prevalence rate of CWP varied from 1.3 to 18.8%. Dust surveys reported high concentrations in machine drilling (44-126mppcf) and machine cutting (34-110mppcf), moderate concentrations in coal cutting, dressing and loading (11-56mppcf) and lower concentrations (2-23mppcf) during other operations. Moisture free coal dust in two mines contained 3.36% and 4.3% free silica content, respectively.

**Other cutters :** The prevalence rate of silicosis in manganese, lead and zinc mines was found to be