

Seventeenth Lok Sabha

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Title: Discussion on the motion for consideration of the Weapons of Mass Destruction and The Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022 (Discussion Concluded and Bill passed).

HON. CHAIRPERSON: Item No. 17 – Minister of External Affairs.

THE MINISTER OF EXTERNAL AFFAIRS (DR. SUBRAHMANYAM JAISHANKAR)

Sir, I beg to move:

“That the Bill to amend the Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Act, 2005, be taken into consideration.”

Sir, the House is aware that India implements its international obligations responsibly and this is recognised by the international community. Weapons of Mass Destruction and Delivery Systems Act, 2005 prohibits unlawful activities in respect of biological, chemical, and nuclear weapons, and their delivery systems. The initial focus was on export controls because we thought at that time in 2005 mainly in terms of trade of goods and technologies.

In recent years, however, international regulations relating to weapons of mass destruction have been strengthened. In particular, the recommendations of the UN Security Council and the Financial Action Task Force (FATF) have mandated provisions against financing in relation to these weapons. Presently, there are no specific provisions in the 2005 legislation relating to prohibition or prevention of financing. So, there is a need to amend the WMD Act to do so.

The proposed Bill is intended to prohibit financing of prohibited activities under the Act or any relevant Act in relation to weapons of mass destruction. It also proposes empowering the Central Government to freeze, seize or attach funds or financial assets or economic resources for preventing such financing or prohibit making available such funds and resources. This Bill is in our national interest. It is in our global interest. It strengthens our credentials and image. I commend it for consideration.

HON. CHAIRPERSON: Motion moved:

“That the Bill to amend the Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Act, 2005, be taken into consideration.”

SHRI UTTAM KUMAR REDDY (NALGONDA): Chairman, Sir, thank you for giving me an opportunity to speak on the Bill to amend the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005. As the Minister just stated, the new legislation prohibits the financing of weapons of mass destruction and their delivery systems. We cannot disagree with the Minister on the Bill. But however, I want to make a few observations and suggestions.

The entire Bill speaks about a person, an individual who finances weapons of mass destruction. Probably, you have only amended the original Act and not had a look at that. But I would like to suggest that more than individuals who finance weapons of mass destruction and their delivery systems, it is organisations; it is countries. Also, the original Act envisaged large fines for Indian citizens and extra-territorial applications. But you should now consider that this Act applies to foreigners, foreign citizens where we have extradition agreements with the foreign countries. We all know who is financing the terror operations against India. There is specific information about them regarding financing weapons of mass destruction. I think, FATF has also put Pakistan on the grey list. The Government of India needs to do more about countries financing weapons of mass destruction against India.

I would like to bring to the notice of the Minister, through you, that as far as weapons of mass destruction are concerned, I have personal knowledge. I have served in the Armed Forces of India. I have served on both China and Pakistan borders as a fighter pilot. It should be alarming that all of the Pakistani aircraft and the modern Chinese aircraft now are delivery systems for all of the weapons of mass destruction. They can deliver tactical nuclear weapons; they can deliver chemical weapons. So, on the one hand, you have the modern acquisitions by Pakistan and China and the present aircraft being able to deliver weapons of mass destruction and on the other hand the Indian Air force with a sanctioned strength of 42 fighter squadrons has now come down to 28. I think, the Government should take a very, very serious note of this.

I would like to also bring to the notice of the Government, through you, that weapons of mass destruction were seriously used last in World War II when the cities of Hiroshima and Nagasaki were totally destroyed by an atomic bomb.

After that, for many decades, countries were afraid to use weapons of mass destruction. But of late, countries are becoming more brazen in using these weapons whether it is in Syria or in the present Russia-Ukraine conflict where the Russian President himself in his statement asked his nuclear forces to be alert.

I think, the Government of India must take note of this disturbing trend. The Government of India must also take note of the fact that the weapons of mass destruction -- whether they are nuclear, chemical, or biological -- are now becoming far more potent and powerful. I would also

like to caution the Government of India that drones are now being manufactured to carry weapons of mass destruction. This is an alarming situation. Now, we also have a situation where we have instability in our neighbouring country. Actually, anything is possible now.

Hon. Chairperson, Sir, I would like to mention a few points about proliferation financing which this Bill talks about. Most countries use existing mechanisms against terrorism and money laundering to achieve non-proliferation financing. The FATF report on 'proliferation financing' suggests that countries must also raise awareness and help clarify the obligations on individual firms, and financial institutions to be vigilant to proliferation and proliferation financing as well ; provide a basis within the country's legal framework to report suspicious financial activity. The present Bill does not mention either.

In order to fully achieve deterrence against proliferation financing, a level of international cooperation is required with respect to extradition. This is to avoid creating safe havens for violators of the law, and to ensure mutual legal assistance for investigation and prosecution against proliferation financing and against those who are financing weapons of mass destruction. However, at present, India has only around sixty extradition treaties or agreements with other nations.

Once again, I would like to mention about delivery systems. Please do not go by an earlier definition of delivery systems. Today, all fighter aircraft, in Pakistan and China, are capable of delivering weapons of mass destruction. The Government of India must take appropriate measures on that.

Sir, before I conclude, since you were speaking about ... (*Interruptions*)

SHRI N. K. PREMACHANDRAN (KOLLAM): the Indian aircraft are not capable of that ... (*Interruptions*)

SHRI UTTAM KUMAR REDDY: I cannot say that. ... (*Interruptions*). Before I conclude ... (*Interruptions*)

SHRI N. K. PREMACHANDRAN: A doubt is being raised that the Indian aircraft are not capable of that. ... (*Interruptions*)

SHRI UTTAM KUMAR REDDY: At present, India's nuclear policy does not permit tactical nuclear weapons.

We are talking about weapons of mass destruction. We are talking about financing of weapons of mass destruction. From its inception, the institution of the National Security Advisor and the Deputy National Security Advisor is being somehow restricted to the Indian Foreign

Service or Indian Police Service. It would be very appropriate if a military expert will also be the NSA or, at least, the Deputy NSA of this country. Thank you very much.

कर्नल (सेवानिवृत्त) राज्यवर्धन राठौर (जयपुर ग्रामीण): सभापति जी, आपने मुझे 'दि वेपन्स ऑफ मा डिस्ट्रक्शन एंड दियर डिलीवरी सिस्टम्स' (प्रोहिबिशन ऑफ अनलॉफुल एक्टीविटीज) अमेंडमेंट बिल प बोलने का अवसर दिया, इसके लिए आपका धन्यवाद।

महोदय, आप इमेजिन कीजिए कि एक थका हुआ इंसान पूरे दिन काम करके घर जा रहा हो और अचानक बिना किसी धमाके से, बिना किसी आग के 11 लोग मर जाएं और साढ़े पांच हजार लोग गंभीर रूप से घायल हो जाएं। ऐसा हुआ, टोक्यो के सब-वे के अंदर सरिन गैस केमिकल एजेंट लीक होने से ऐसा वा हुआ। It was a terrorist attack. यह संभव है और भारत में भी हो सकता है। यह शुक्र की बात है कि वहां के केमिकल एजेंट इस्तेमाल हुआ था, वह पुअर क्वालिटी का था। यदि वह बहुत पोटेंट क्वालिटी का होता, तो बहुत तबाही मच जाती। उसी तरह 9/11 को अमरीका पर अटैक हुआ और उसके बाद अमरीका उस उभर रहा था, उसके बाद लोगों के घरों में चिट्टियां आनी शुरू हुईं। जो भी चिट्ठी खोलता था, वह मर जाता था। उसके अंदर एन्थ्रेक्स लेसड लैटर था। ऐसा भारत में भी हो सकता है। देश की सरकार की जिम्मेदारी देश के नागरिकों को सुरक्षित रखने की होती है।

इसीलिए यह जो अमेंडमेंट बिल आया है, यह इस देश को सुरक्षित करने के लिए आया है। छोटा रोग रोग नेशन या कोई इंटरनेशनल टेररिस्ट ग्रुप, वे यह सब करने की संभावना रखते हैं और यह जो कैमिक एजेंट्स, बायोलॉजिकल वेपन्स होते हैं, इनकी मैन्युफैक्चरिंग बहुत साधारण तरीके से होती है। आप कि भी रिटेल स्टोर पर जाइए, वहां से अलग-अलग चीजों को खरीदकर और उनको जोड़कर आप कैमिक एजेंट बना सकते हैं। इसीलिए इस बिल को लाया गया है, ताकि इसे रोका जा सके। यह जो वेपन्स ऑफ मा डिस्ट्रक्शन है, इसका इस्तेमाल भी अनप्रेडिक्टेबल होता है। यह कहां तक, किस दूरी तक नष्ट करेगा, कितना तबाही मचाएगा, इसका पहले से कोई एनालिसिस नहीं किया जा सकता है। आप तुलना करें कि यदि आ गोली चलाते हैं तो वह सही निशाने पर एक जगह जाकर लगती है, लेकिन वेपन्स ऑफ मास डिस्ट्रक्शन कॉन्टेनेंट्स और सिविलियन्स में कोई फर्क नहीं करते हैं। ये बड़े पैमाने पर तबाही मचाते हैं, उसके बाद इको सिस्टम को बर्बाद कर देते हैं। प्लांट्स, एनिमल्स से लेकर पूरे इको सिस्टम को ये बर्बाद कर देते हैं।

सर, ये कैमिकल वेपन्स हो सकते हैं, बायोलॉजिकल वेपन्स हो सकते हैं, रेडियोलॉजिकल वेपन्स हो सकते हैं और न्यूक्लियर वेपन्स भी हो सकते हैं। इन सबके डेवलपमेंट पर निगाह रखी जा सके, इनका फाइनेंसिंग कैसे हो रही है, उन लोगों पर भी निगाह रखी जा सके, इसलिए यह बिल लाया गया है। मैं अभी की बात नहीं करता हूं, मैं वर्ष 2014 की बात करता हूं, जब हमारी नई सरकार बनी थी। उस समय एक लोक नीति सर्वे हुआ, जिसमें यह पूछा गया कि वह कौन सी पार्टी है, जो देश की सुरक्षा को सर्वोपरि मानती है। Who are you most confident in national security? 31 परसेंट लोगों ने बीजेपी को मोस्ट ट्रस्टेड पार्टी कहा, जो देश की सुरक्षा को सर्वोपरि मानती है।

यह केवल वर्ष 2014 की बात है। इसके बाद तो अनेक ऐसे काम हुए हैं, जो सरकार ने किए हैं, जिन देश की सुरक्षा हुई है। मोदी जी का प्रधान मंत्री बनने से पहले एक इंटरव्यू हुआ था, जिसमें उनसे पूछा गया कि जब कोई आतंकी ग्रुप या रोग नेशन हमला करता है, तो आप किस तरह से जवाब देंगे? उन्होंने कहा कि मैं उन्हीं की भाषा में जवाब दूंगा। आज जब सर्जिकल स्ट्राइक्स या एयर स्ट्राइक्स हो रही हैं, ये भारत का उनके तरीके से जवाब देने का एक उदाहरण है। आज देश सिक्थोर हो रहा है और टेररिज्म के ऊपर जी टॉलरेंस है। प्रधान मंत्री जी द्वारा इंटरनेशनल एंटी टेरर अलायंस बनाया जा रहा है। जो वर्ल्ड ऑर्डर है, उस भारत अपने-आप में उभर रहा है। बदलती वैश्विक व्यवस्था के अंतर्गत भारत बदल रहा है।

DR. FAROOQ ABDULLAH (SRINAGAR): I want to remind that when Shri Vajpayee Ji was the Prime Minister, Kargil war took place. It was he who ordered the Air Force to strike with whatever weapons they have so that the war could be ended and he succeeded. I think, as you were in the Army, you knew how many casualties you would have had. It was his decision, his decision, to use whatever you have and destroy the enemy in those very bunkers, that were on the bunkers, that they were sitting in. You must be clear about it. He did it and he did it with firm determination.

कर्नल (सेवानिवृत्त) राज्यवर्धन राठौर: सर, बदलती वैश्विक व्यवस्था के अंतर्गत आज भारत का स्थान और मजबूत होता जा रहा है। There are possibilities for India to emerge even stronger. भारत का मानव हेतु हमेशा एक बड़ा रोल रहा है। केवल अभी ही नहीं, बल्कि सदियों से ऐसा रोल भारत का रहा है। 'वसुधै कुटुम्बकम्' महाउपनिषद् में ऋग्वेद के अंदर लिखा हुआ है। इसे हम अपने सिद्धांत मानते हैं और अगर हम पूरी दुनिया को एक परिवार मानते हैं, तो पूरी दुनिया को साथ लेकर चलना भी बहुत जरूरी है। उसी व ध्यान में रखते हुए प्रधान मंत्री जी ने न केवल देश की सुरक्षा को मजबूत किया, बल्कि दूसरे देशों से बा करके इस तरह के नियम भी बनाने शुरू किए, ताकि एक एंटी टेरर अलायंस तैयार हो सके। ब्रिक्स देशों पूरी दुनिया की 41 प्रतिशत आबादी रहती है। वहां पूरी दुनिया की 24 परसेंट जीडीपी है। उनके साथ एक काउंटर टेररिज्म प्लान अडॉप्ट किया गया है। माननीय प्रधान मंत्री जी ने उन्हें यह अडॉप्ट करने के लिए प्रेरि किया। उसी तरह से जी-20 समिट के अंदर Comprehensive global strategy to combat terrorism and greater role for United Nations. इसके लिए प्रधान मंत्री जी ने जोर दिया। यूएस के प्रेसिडेंट के सा बायलेट्रल वार्ता, दूसरे देशों के राष्ट्रपति और प्रधान मंत्रियों के साथ उन्होंने बात की। पूरी दुनिया के अलग अलग राष्ट्रों से इस संबंध में बातचीत हुई कि किस तरह से सारे देश एकत्र होकर एक एंटी टेरर प्लेटफार्म ब सकते हैं?

उसी का नतीजा है, जब प्रधानमंत्री जी ने कहा कि यूनाइटेड नेशंस को और मजबूत करना चाहिए। आज जो बिल आ रहा है, वह यूनाइटेड नेशंस की विचारधारा से आ रहा है, उनकी सोच के हिसाब से आ रहा है।

प्रधानमंत्री जी ने 75वीं यूनाइटेड नेशंस जनरल असेम्बली के अंदर आतंकवाद के ऊपर अपनी आवा उठाई। स्मगलिंग ऑफ इल्लिगल वेपन्स के ऊपर आवाज उठाई, ड्रग्स और मनी लॉन्ड्रिंग के ऊपर उन्होंने अपनी बात रखी। अभी हाल ही में इंडिया के जो डिप्टी, यूनाइटेड नेशन के जो परमानेंट रिप्रेजेन्टेटिव हैं, उन्होंने बायोलॉजिकल और टॉक्सिन वेपन्स के ऊपर जो कन्वेंशन है, उसको और मजबूत करने की बात रख

है। भारत लगातार दुनिया की ताकतों को प्रेरित कर रहा है कि इस तरह के कानून बनें ताकि आतंकवादी व कहीं छिपने की जगह न मिले। ये जो weapons of mass destruction हैं, ये non-State actors, terrorist outfits के पास ये पहुँच सकते हैं और उससे बड़े पैमाने पर तबाही मच सकती है। जिस तरह से मैंने कहा कि अभी तक जो वर्ष 2005 का कानून था, वह सीमित था। उस कानून को और मजबूत किया गया है। अ सरकार ऐसे व्यक्ति, जो weapons of mass destruction के अंदर शामिल हैं, उनकी फंडिंग के लिए, उनके ट्रांसपोर्टेशन के लिए, किसी भी तरह जो उसमें सम्मिलित हैं, उनके अकाउन्ट्स, उनकी सम्पत्ति को फ्री करने की ताकत रखता है। वर्ष 2005 का जो कानून था, वह बहुत सीमित था। वह सिर्फ मैनुफैक्चरिंग के ऊपर फोकस था कि जो मैनुफैक्चर करेगा, उसके ऊपर कानून लगाया जा सकता है। क्या सरकार इंतज करेगी कि जब तक पूरा का पूरा weapon of mass destruction मैनुफैक्चर हो तभी वह उस व्यक्ति के ऊपर कार्रवाई कर सके? उसमें तो बहुत देर हो जाएगी। प्रोलिफरेशन की बड़ी संभावनायें रहती हैं और इसी कार से आज यह अमेंडमेंट इस बिल के अंदर लाया गया है। जैसे मैंने पहले कहा कि Zero Tolerance towards terrorism; Zero tolerance towards State aggressors और यह जो weapons of mass destruction हैं, बड़े साधारण तरीके से बनाए जा सकते हैं। अमेरिका के अंदर एक टेस्ट केस किया गया कि एक सिविलिय किस तरह से रिटेल शॉप्स पर जाकर इन केमिकल्स को इकट्ठा करके एक वेपन बना सकता है और यह व तरह से संभावना है कि ऐसा संभव है और इसीलिए इसको रोकने के लिए यह कानून लाया जा रहा है। शै कंपनीज हैं, छोटी-छोटी चीजें तैयार करेंगी, वह अपने आपमें विनाश का पूरा वेपन नहीं होगा, लेकिन उसका एक हिस्सा हो सकता है और जब ऐसे कई हिस्सों को जोड़ा जाए तो एक वेपन, पूरा का पूरा हथियार तैयार हो सकता है। इसी कारण से जितनी भी कंपनीज हैं, चाहे छोटी कंपनी हो, बड़ी कंपनी हो, जो भी इन केमिकल्स को, बायोलॉजिकल वेपन्स को तैयार कर रही है, उसको रोका जा सके। Money laundering and funding of weapons of mass destruction, ये दोनों एक दूसरे से जुड़े हुए हैं और इसीलिए फाइनेंस के ऊपर भी फाइनेंस का रूट क्या है, रास्ता क्या है, जहाँ से फाइनेंस आ रहा है, कौन व्यक्ति इसको फाइनेंस कर रहा है, उसके ऊपर फोकस करना बहुत जरूरी है। यह एक जीता जागता उदाहरण है कि 9/11 के बाद अमेरिका बहुत कम आतंकी हमले हुए हैं और उसका कारण यही था कि उन्होंने रूट कॉज को पकड़ा।

जहाँ पर फाइनेन्सिंग हो रही है, उसको पकड़ा और उस कारण से इसको रोका जा सका। इसीलिए आज यह वर्ष 2005 के एक्ट का जो अमेंडमेंट आ रहा है, इसके अंदर मुख्य बात यही है कि जो फाइनेंस कर रहा है, अब उसको गिरफ्तार किया जा सकता है, अब उसको सजा मिल सकती है। अब इसके जितने भी फाइनेन्सियर्स होंगे, वे उतने ही शामिल होंगे, जितने इसके मैनुफैक्चरर्स हैं। यूनाइटेड नेशन रेजोल्यूशन यह बिल्कुल मिलता हुआ है, उसी विचारधारा का है। The proposed amendment aligns with the United Nations Resolution 1540 of 2004.

महोदय, हम हर तरह से भारत को मजबूत करने के लिए, देश-दुनिया की जो ताकतें हैं, उनके साथ मिलकर, यूनाइटेड नेशन की विचारधारा के साथ मिलते हुए ऐसे कानून बना रहे हैं, जिससे देश के अंदर सभ्य नागरिक सुरक्षित रह सकें और कहीं इस तरह का हमला न हो, जैसे Nerve gas agents, जैसे टोक्यो में हुआ या Anthrax हुआ या और कोई नए तरीके से, कोई क्रिएटिव तरीके से कोई weapons of mass destruction लेकर आए। एफएटीएफ स्टैंडर्ड्स को ध्यान में रखते हुए यह अमेंडमेंट लाया जा रहा है। हमारी निकट कुछ ऐसे देशों के साथ है, जो weapons of mass destruction के विचारों के साथ चलते हैं और कई बार weapons of mass destruction या केमिकल वेपन्स या बायोलॉजिकल वेपन्स इस्तेमाल कर चुके हैं।

इस्तेमाल करने की संभावना रखते हैं। इसीलिए हमारे देश को पूरी तरह से तैयार रहने की जरूरत है कि हर हद तक अपने नागरिकों को सुरक्षित रख सकें। आज जो यह अमेंड विदेश मंत्रालय लेकर आया है, उन्हें इसके लिए बधाई देता हूँ और इसका समर्थन करता हूँ।

SHRI A. RAJA (NILGIRIS): Mr. Chairman Sir, I thank you for the opportunity that has been given to me to comment upon Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Amendment Bill, 2022.

Sir, I am happy that the Government has brought the Bill to strengthen the earlier legislation which was brought during the UPA Government in 2004 and 2005.

I recall India's role in the domain of disarmament. Ever since Independence, India Foreign Policy has been in pursuit of global nuclear disarmament. In 1998, at the Special Session of the United General Assembly on Disarmament at New York, the then Prime Minister, Shri Rajiv Gandhi, gave a proposal to the United Nations for a phased elimination of nuclear weapons in a time bound framework. But that attempt did not succeed since some of the countries were not cooperating at that time. Since then, time and again, we proved India's status, though we got the status as nuclear weapons State, and we did not mitigate our stand that our objective is nuclear weapon free world.

Sir, India all along advocated International Non-Proliferation Agreement under which countries would agree to stop production of fissile material to be used as weapons but all the attempts including the proposal that was made by the then Prime Minister, Shri Rajiv Gandhi were futile since the States which were declared as nuclear weapon power States were not willing to accept some of the terms which were proposed by Shri Rajiv Gandhi at that time.

In 1972 and 1998, we have come across some exercises like that of Pokhran but that do not give any impression about us that we are not against disarmament. We proved that all our efforts in this nuclear domain is only for our security and integrity.

Sir, the Bill is aimed to fulfil a limited purpose, namely, to prohibit financing of any activity in relation to weapons of mass destruction and freeze such accounts if any. That is the provision available in the Bill. As such, it is completely consequential to the earlier legislation. Everybody in the House has welcomed it. There is no deviation in that stand.

On the other hand, using this occasion, I want to touch some information on the Non-Proliferation Treaty. Though we are not party to that, in letter and spirit, off the record, we are

abiding by the NPT. Even when we are not a member of the NPT, we are strictly following the Treaty. I want to recall some memories, as such.

What type of tangible achievements are going to be made by these legislations passed by India or any other country under the NPT or non-NPT? That is the apprehension in the mind of everyone. What is the mechanism available to holistically implement a legislation passed by the respective Parliament of the State which really wants to have peace, irrespective of the political entity of the State? That is the question.

My friend from the National Indian Congress says that we are not having adequate mechanism in terms of aircraft and other mechanisms to curb this menace. But when we are making a legislation like this, to implement such a legislation, what type of a Treaty are we going to enter into with other countries? If other countries would not be in line with this legislation, what will be the purpose or solution of this legislation? I have my own doubt about it.

Sir, what did America do in Iran in the name of proliferation? In the name of proliferation, America entered into Iran and did all the inhumane activities. Mass destruction was done in the name of proliferation. Nobody could stop it. Now, what is happening in Ukraine? Russia cannot be stopped by America. America did a wrong thing in Iran and the same wrong thing is being done by Russia. But both the countries are silent. The entire humanity is in peril.

That is why, I want to submit my own apprehension before this House. I want to invite the attention of the hon. Minister through you, Sir, that just making legislations, I think, cannot be a holistic approach to curb the menace. Let some international treaties be initiated by the United Nations.

My learned friend, the hon. Minister, is having a rich experience through his service in various countries. He might have met with many Ministers, many political heads of countries across the world. He must have witnessed many incidents in respective countries where I worked. Yes, State-wise legislation is essentially needed. But what is needed more is a collective and holistic mechanism through the United Nations or any other forum not only to curb the menace but to implement this type of legislation in a proper manner irrespective of State boundaries. That has to be addressed properly.

Sir, what type of hypocrisy is being perpetuated in North Korea by America? There are many incidents in the world. What is happening in Ukraine? Countries including America have become helpless to address these issues. There are hundreds of incidents of pilferage in the black market by the underworld of passing nuclear knowledge, materials and equipment. The hon. Minister might be aware of all these things. Sir, as reported, there are about 34,500 nuclear weapons at present in 50 countries excluding the weapons with the terrorists. As the House

aware, a few years back, a Pakistani nuclear scientist had stirred the issue of transfer of technology of nuclear weapons by proliferating them to the other countries. The world has witnessed this. What happened after that? A new emerging situation and an emerging challenge about the proliferation has arisen as a scientist of a neighbouring country has violated the commitment given to us by Lahore Declaration. The hon. Minister must be aware of what Lahore Declaration says. That was signed by the then Prime Minister Shri Atal Bihari Vajpayee and Shri Musharraf. I am quoting from the Lahore Declaration: “The two sides will engage bilateral consultation on nuclear doctrines to development confidence building and to avoid conflict between us”.

This Declaration was signed by the then Prime Minister Shri Vajpayee and Shri Musharraf. Was it abided by Pakistan? Bilateral talks, agreements, treaties, diplomatic relations at the Minister level or at the Ambassador level or the Secretary level – all these have become mockery now-a-days. That is why, the Government has to think what type of mechanism we can put forth before the United Nations to address these issues in a holistic manner.

Sir, there is a big market of nuclear trafficking as the United Nations report says. The report suspects that there are underworld operations behind it. But still, there is no holistic approach. A few years back, the United Nations Security Council requested all the States to adopt measures to criminalise the assistance of acquiring weapons of mass destruction. I think that this Bill has been brought to fulfil this obligation of United Nations Security Council. I wish I am correct in this regard. For this reason, I welcome the efforts of the hon. Minister and the Government.

Sir, I conclude with the words of the former Prime Minister Dr. Manmohan Singh. In his first address to the nation, he said:

“India is a responsible nuclear power. We will continue to work to prevent proliferation of weapons of mass destruction. At the same time, we remain committed to the goal of universal nuclear disarmament.”

Sir, I am happy this Government is keeping the commitment which was given by Dr. Manmohan Singh without any reservation and criticism.

PROF. SOUGATA RAY (DUM DUM): Mr. Chairman, Sir, I rise to speak on the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022. This Bill has been brought forward in the interest of national security and national interest. So, we support the Bill.

Sir, this Bill is formed out of the recommendations of the Financial Action Task Force (FATF) to prohibit financing of terrorist activities. It empowers the Central Government to freeze or attach funds or other financial assets or economic resources for preventing such financing, prohibit making available funds, financial assets or economic resources for any prohibited activity in relation to weapons of mass destruction and their delivery systems.

This Bill has been brought forward in a hurry because only on 4th April, the United Nations meeting at Geneva, expressed deep concern over proliferation of weapons of mass destruction. Our Permanent Representative Dr. Pankaj Sharma said that India has been drawing the attention of the world towards these threats and the need to strengthen international cooperation to address them through its annual consensus. He said: "We are deeply concerned about the proliferation of weapons of mass destruction and their delivery systems, which endangers international peace and security".

Sir, the whole theory is about a terrorist getting his hands on weapons of mass destruction. What are weapons of mass destruction? They are, nuclear, radiological, biological or chemical weapons. The weapon of mass destruction was last used in Hiroshima and Nagasaki in 1945. Since then, though the world has seen many small wars, weapons of mass destruction, which kill millions of people in minutes, have not been used. This is called Mutually Assured Destruction (MAD) and, that is why, nobody goes for it. But now, there are eight countries in the world—China, Russia, North Korea, Pakistan, India, France, UK and USA which have got weapons of mass destruction. This includes India and Pakistan and five of these countries are signatories to the Non-Proliferation Treaty (NPT). India has not been a signatory to it. We have always cited our own security concern and, that is why, we have not signed the NPT, though we are for disarmament. Mr. Raja spoke at length about Shri Rajiv Gandhi's initiative in the matter.

Now, the important thing is to ensure the safety of our country in future. We may notice that in the 9/11 terrorist attack America had their twin towers destroyed. Since then, they set up a new department called, Department of Homeland Security and since that time, no major terrorist incident has happened in the United States of America.

If you go to USA, not as a Minister but as an ordinary person, you would realise that they have really tightened their homeland security. The main point is to tighten our own homeland security so that this does not happen.

Now, having said that ... (*Interruptions*)

THE MINISTER OF JAL SHAKTI (SHRI GAJENDRA SINGH SHEKHAWAT): What is happening in West Bengal? ... (*Interruptions*)

PROF. SOUGATA RAY: That is not very important. You went to Bengal and lost all the seats. That is why, that place is always in your mind. Why do you forget your defeat? You were going around in those villages and you lost all the seats ... (*Interruptions*) Why are you talking about it? You are now a Minister of the Government of India. You forget about your defeat in Bengal ... (*Interruptions*)

HON. CHAIRPERSON: Prof. Sougata Ray, kindly address to the Chair.

PROF. SOUGATA RAY: Yes, Sir.

We have gone through this process long ago. We remember Pokhran, 1998. We remember just to get out of US sanctions, Jaswant Singh-ji and Strobe Talbot talked for hours together, day together to bring the Americans to understand our position with regard to vis-à-vis Nuclear Proliferation.

Now, the External Affairs Minister, who as I said, is a diplomat and taciturn, does not use a single word, does not make a single wrong comment, made a comment today that the world order is changing. He said that he will be on the right side of the world order. I would like to know from the hon. Minister, what world order is he talking of, and which side will we be on? Yesterday, I raised some questions. He was busy and I instigated him. He did not reply. I asked "Why has India gone into passive diplomacy where our diplomacy consists only of the Prime Minister ringing up Putin and Zelensky, and the External Affairs Minister meeting the British Foreign Secretary or the Russian Foreign Minister?

Do we not have anything else?" Tanks of one country are pummeling another country. Leave aside whether Zelensky is pro-American or Putin is right. We do not ask. But look at the courage that the Ukrainians have shown. Everybody thought that Russian tanks would cut through Ukraine like a knife through butter. But the people in Ukraine have resisted which proves that nationalism is still a force in this world.

डॉ. निशिकांत दुबे (गोड्डा) : सर, क्या यह कोई तरीका है? ... (व्यवधान)

प्रो. सौगत राय : रूस अटैक करेगा, क्या यह अच्छा है?... (व्यवधान)

माननीय सभापति : आप अपनी बात रखिए।

... (व्यवधान)

प्रो. सौगत राय : सर, इस ...* को रोकिए।

Sir, I am saying that we should not take sides. But I say that when a country is being attacked even in today's day and age, we should sit up and take notice. Jawaharlal Nehru would not have been a silent spectator. India's Panchsheel does not advise being a silent spectator in the aforesaid genocide. India must be proactive considering her size, her importance.

Our diplomacy ... (*Interruptions*) आप लोगों में से जो भी बोलेगा, मैं भी जयशंकर जी को बोल नहीं दूँगा आप बड़ा ... * बने हैं।... (व्यवधान) आप लोग कुछ नहीं करते हैं।... (व्यवधान) यह जगह चें करके इधर बैठता है। यह रोज यहाँ पर ... * करता है। क्या ऐसा ही होता है? ... * ... (व्यवधान)

माननीय सभापति: आप अपनी आवाज को थोड़ा कम रखिए।

... (व्यवधान)

HON. CHAIRPERSON: You are speaking on an international relations.

PROF. SOUGATA RAY: Why should a Minister disturb me? ... (*Interruptions*)

माननीय सभापति: आप ऐसी बात नहीं बोलिए कि इंटरनेशनल रिलेशन में कुछ कड़वाहट हो। अभी आप अपनी बात रखिए।

... (व्यवधान)

PROF. SOUGATA RAY: I shall not be cowed down by any threat. I am addressing you.

माननीय सभापति: आप ऐसी बात नहीं बोलिए कि इंटरनेशनल रिलेशन में कुछ कड़वाहट आए। आप अपनी बात रखिए।

PROF. SOUGATA RAY: Sir, I am slowly in a process of concluding my speech. I started my speech by supporting this Bill. I started by praising Mr. Jaishankar. I said that the Foreign Minister must persuade the Government to take a more pro-active role in the matter of conflict between Ukraine and Russia.

16.00 hrs

What is wrong in that? I am again urging him to take a more proactive role in bringing the world from the brink of Mutually Assured Destruction (MAD) to having a better nuclear controlled regime. India is totally silent on this issue. Only some officers go here and there. We have not heard a single statement by the Prime Minister on the problem of nuclear proliferation. We have not had any major statement from the Prime Minister on the matter of one country invading another country. Yes, it is said that Foreign Policy is 'enlightened self-interest'. I know that. We have read what Machiavelli said but Foreign Policy is not Machiavelli alone. Foreign Policy is also Panchsheel and Gautam Buddha's teaching. We are a 5000-year-old country. We must have a proper Foreign Policy. That is why, Sir, again, I am assuring the Minister our fu

support in any further efforts he may take towards the activities of rogue states, rogue individual and criminals who tend to use weapons of mass destruction. But, let me tell you, Sir, that on the internet they are showing a method in which a college boy can assemble together a small nuclear device. The point is not that but the point is to have vigilance. Abraham Lincoln said that eternal vigilance is the price of liberty. Are you vigilant enough? Do we keep track of who is doing what in the country? That is the important thing. We must defend ourselves.

Lastly, Sir, I will stop by quoting two lines by John Donne, the famous poet, quoted by Ernest Hemingway's 'For Whom the Bell Tolls'. He said:

*Any man's death diminishes me,
because I am involved in mankind;
and, therefore, never send to know for whom the bell tolls;
it tolls for thee.*

When somebody else is attacked, I feel the bell is tolling for me. We also have to defend our heights in Galwan or in Pangong Lake. We have to defend our areas in Arunachal. We have to find out friends who defend us in this difficult situation and that should be the crux of our Foreign Policy.

With that, Sir, I support the Bill and thank you for allowing me to speak.

HON. CHAIRPERSON: Thank you very much.

Shri Sanjeev Kumar ji.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Sir, this word ...* is unparliamentary or not ... (Interruptions)

HON. CHAIRPERSON: It should be removed from the record.

डॉ. निशिकांत दुबे : सर, ये बार-बार अपने भाषण में कहते हैं कि मैं बार-बार अपनी सीट चेंज करता हूँ। (व्यवधान) ये इतने सीनियर हैं, इनको पता ही नहीं है कि किसी मेंबर ऑफ पार्लियामेंट की कोई सीट, केवल कैबिनेट मिनिस्टर को छोड़कर और अपोजीशन के कुछ... (व्यवधान)

प्रो. सौगत राय : कभी उधर बैठते हैं, कभी इधर बैठते हैं।... (व्यवधान)

डॉ. निशिकांत दुबे : वह मेरी इच्छा है। वह चेयर तय करेगा।... (व्यवधान)

माननीय सभापति : श्री संजीव कुमार जी।

DR. SANJEEV KUMAR SINGARI (KURNOOL): Thank you hon. Chairperson for giving me this opportunity to speak on the Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Amendment Bill, 2022, on behalf of YSRCP.

Sir, this Bill seeks to amend the principal Act of 2005. The proposed amendment states that no person shall finance any activity which is prohibited under this Act, or under the United Nations (Security Council) Act, 1947 or any other relevant Act and the Government of India shall have powers to freeze or attach the assets of such person or organisation, indulging directly or indirectly in such unlawful activities.

Sir, the main objective of the Bill is to prevent unlawful activities relating to biological, chemical and nuclear weapons including export of weapons or transfer of technology to anti-social elements.

Sir, YSRCP supports the proposed amendments because they are related to national security and the security of mankind.

Sir, I would like to speak in Telugu.

While thanking our Honourable leader Shri YS Jagan Mohan Reddy and people of Kurnool for giving a person like me from ordinary family, this opportunity to speak in Parliament which is a Temple of the democracy. On behalf of YSRCP, I would like to express my views. Recently the United Nations Security Council (UNSC) has come out with guidelines against use of Weapons of Mass destruction. Through resolution no. 1540, UNSC has placed responsibility on Member Nations. We need to amend our laws in line with International Society. This is our international responsibility. Therefore, I feel that today we have this need to amend our law. As per the resolution of UNSC, there will be financial sanctions on countries which violate law.

The objectives of this amendment is to punish those who manufacture weapons of mass destruction, to seize financial sources of those persons or organisations which support such unlawful activities, and to see that funds are not collected to support such activities. It is commendable that this act which was passed in 2005, is being amended now after 17 years.

Our enemy nations which are not capable of fighting with us are sowing seeds of hatred in the minds of disoriented youth of our country and thus indulging in indirect war. For such nations this law should serve as a warning.

Our country is moving ahead in disarmament. Because we believe that whole world is our family. We want everyone to prosper. We want that nuclear weapons are wiped out from the

world. This amendment is an effort in that direction. India is committed to 'No first use' policy when it comes to use of Nuclear weapons. Even though we are capable of retaliation against hostile countries which may attack us. We still wish peace. Our country is fighting terrorism for many decades. If terrorists get hold of weapons of mass destruction, we all know the consequences. We should respect the resolution of United Nations and also make other countries to honour this resolution.

Sir, we should talk about biological weapons in this context. COVID pandemic should be considered as a biological warfare. Before a virus infects a human being, it should first infect an animal. After multiple mutations in animals, that virus would infect human beings. No one could prove that Covid was infected through animals. It is believed by intelligentsia that American Scientists and Chinese Lab were conducting some experiments, which accidentally resulted in Corona pandemic throughout the world. We witnessed how humanity suffered during Corona pandemic. Due to scarcity of oxygen, we lost lakhs of lives. I would like to inform the House that Corona is known to mankind for the last 60 years. There were many diseases which were treated successfully. But there are many diseases which are far more dangerous than Corona. Whether we are prepared for any such biological warfare in future? Only due to lack of oxygen, we lost lakhs of lives. We need to have an aim and strategy in place, to face any such crisis in future. In that direction, we need to strengthen our basic health infrastructure, by having adequate quantity of oxygen, ventilators and medicines at village level as well. This should be our plan.

By mere passage of these bills, we should not assume that we are capable of handling any crisis. Like a knee jerk reflex, we witnessed intense suffering due to Corona pandemic, therefore we should be prepared for such unforeseen perils in future so that we can manage them efficiently.

I have a question in my mind for the last 40 years and I would like to seek an answer from the respectable members of the House. India was a slave for more than 1000 years, under foreign rule. The main reasons were, we do not have modern weapons then. There was no unity among 750 kings in India. But now the situation is different. We are an united country. We have powerful weapons with us. Therefore, many countries fear our capabilities. I thank Union government for making efforts in strengthening our country's capabilities.

I thank, hope of weaker sections and trendsetter Shri YS Jagan Mohan Reddy for giving me this opportunity. I also thank honourable Chairman for giving me opportunity to speak on an issue of national security.*

Jai Hind.

श्री विनायक भाउराव राऊत (रत्नागिरी-सिंधुदुर्ग): माननीय सभापति जी, आज माननीय मंत्री जी ने वेपन्स ऑफ मास डिस्ट्रिक्शन एंड देअर डिलीवरी सिस्टम्स (प्रोहिबिशन एंड अनलॉफुल एक्टिविटीज़ अमेंडमेंट बिल, 2022 लाए हैं, मैं इसका समर्थन करने के लिए खड़ा हुआ हूँ।

महोदय, आप जानते हैं कि हमारे देश में जिस तरह से आतंकवादी गतिविधियां बढ़ती जा रही हैं, ऐसी गतिविधियों में कई भारतीयों की जानें चली जाती हैं। सिर्फ हमारे देश में ही नहीं पूरे विश्व में आतंकवादी गतिविधियां हो रही हैं। इससे देश में जो हलचल मच जाती है, इस पर काबू करने की आवश्यकता है। वेपन्स के इस्तेमाल से पूरी दुनिया को परेशान करने की कोशिश हो रही है, इस पर काबू करने की आवश्यकता है।

महोदय, मैं मंत्री महोदय का आभार व्यक्त करता हूँ कि आपने भारत सरकार की तरफ इनीशिएटिव लेकर बिल पेश किया है। मैं चाहता हूँ कि दुनिया में शांति और सुरक्षा का निर्माण करने के लिए भारत ऐसे ही आगे बढ़ता रहे। इस विधेयक के माध्यम से वर्ष 2005 के 17 साल पुराने कानून में पहली बार संशोधन किया गया है। इस विधेयक के माध्यम से सामूहिक विनाश यानी मास डिस्ट्रिक्शन हथियार, जैव परमाणु, रेडियोलॉजिकल, रसायनिक, जैविक और अन्य उपकरणों के गैर-कानूनी उपयोग पर अंकुश लगा का काम होने वाला है।

महोदय, संयुक्त राष्ट्र परिषद् में नेशनल सिक्योरिटी काउंसिल की ओर से अहम निर्णय लिया गया कि 17 साल पुराने कानून में संशोधन करें और नए सुझाव लाकर नई दिशा की ओर बढ़ें। अब इसकी आवश्यकता का निर्माण हो चुका है। जैसे सौगत दा ने कहा कि सामूहिक विनाश यानी मास डिस्ट्रिक्शन हथियार जिनके पास हैं, वे आठ देश हैं। उन्होंने खुद डिक्लेयर किया है कि उनके पास ऐसे वेपन्स हैं। इन्होंने आठ देशों में चीन, भारत, फ्रांस, उत्तर कोरिया, पाकिस्तान, रूस, युनाइटेड किंगडम और अमेरिका हैं। इन्होंने खुद डिक्लेयर किया है कि जब विश्व में शांति बनाए रखने की आवश्यकता पैदा होगी तो विनाशकारी अस्त्रों का नाश करने को तैयार रहेंगे। इसमें भारत देश भी है, यह हमारे लिए गर्व की बात है।

महोदय, विधेयक में जैविक, रसायनिक और परमाणु हथियारों की विवरण प्रणाली से संबंधित गैर-कानून गतिविधियों को शामिल किया गया है। सामूहिक विनाश के हथियारों और उनकी वितरण प्रणालियों की रोकथाम के लिए सामग्री, उपकरण और प्रौद्योगिकीकरण निर्यात पर नियंत्रण रखने के लिए एकीकृत कानूनी प्रावधान करने की आवश्यकता है। सब देशों को खुद पर कंट्रोल करना चाहिए, गैर-कानूनी कार्रवाई नहीं करनी चाहिए, आतंकवादी कार्रवाई नहीं करनी चाहिए, ऐसे में सपोर्ट नहीं करना चाहिए, प्रोत्साहन न देना चाहिए और पाबंदी लगानी चाहिए। सब देशों को यह निश्चय करना चाहिए। इस दिशा में भारत देश आगे जा रहा है, यह सबसे बड़ी बात है। अंतर्राष्ट्रीय संगठन और युनाइटेड नेशन्स सिक्योरिटी काउंसिल के अनुसार सामूहिक विनाश के हथियार कम समय में बड़ी संख्या में लोगों को मार सकते हैं।

यह अभी दिख रहा है। रूस और यूक्रेन का युद्ध शुरू होने के बाद ऐसे हथियारों का उपयोग करने की कितनी संख्या में मानव जाति का संहार हो रहा है, वह पूरी दुनिया जान रही है। इसलिए, मास डिस्ट्रिक्शन करने वाले जो वेपन्स हैं, उनको विनाश करने की आवश्यकता का निर्माण हो चुका है।

‘परमाणु हथियार मुक्त दुनिया का पक्षधर है’, इस पर हाल ही में भारत के विदेश सचिव ने जो प्रतिनिधित्व किया, तो उन्होंने कहा कि भारत देश परमाणु हथियार मुक्त दुनिया का पक्षधर है और भारत परमाणु हथियारों के पूर्ण उन्मूलन के लक्ष्य में हमेशा आगे रहेगा। इसके लिए मैं उनको बधाई देता हूँ।

आतंकवादियों के हाथ में कैमिकल हथियार पहुंचने से अलग-अलग देशों में कितना नुकसान होता है, वरुस और यूक्रेन के युद्ध में दिख रहा है।

सभापति महोदय, मैं इस विधेयक के माध्यम से कहना चाहता हूं, इसके पहले कई वक्ताओं ने कहा है। 26/11 के हमले में अमेरिका में आतंकवादियों ने ऐसे ही विनाशकारी वेपन्स से उस पर हमला किया था। लेकिन, अपने देश में मुम्बई ने भी वर्ष 1992-93 में बम ब्लास्ट देखे। मुम्बई बम ब्लास्ट में सैंकड़ों लोगों की जानें गई थीं। उसके बाद, 26/11 बहुत बड़ा आतंकवादी हमला था। लेकिन, इस संसद के बाहर भी व 2001 में आतंकवादियों ने हमला किया था। आतंकवादियों के हाथ में वेपन्स आते हैं, वे उस वेपन्स व दुरुपयोग करके भारत में, चाहे वह संसद हो या मुम्बई, कई जगहों पर आतंकवादियों द्वारा हमला करने के बाद लोगों की जानें गई हैं। उसका अनुभव हम सभी मुम्बई वासियों ने और पूरे सांसदों ने लिया है।

इसलिए, अब ऐसे वेपन्स को डिस्ट्रॉय करने और पूरे विश्व में शांति स्थापित करने की आवश्यकता व निर्माण हो चुका है। हमारे गौतम बुद्ध ने जो शिक्षा दी है, उन्होंने उसमें भी यही कहा है। महाराष्ट्र के संज्ञानेश्वर ने कहा है कि – ‘सर्वे भवन्तु सुखिनः, सर्वे सन्तु निरामयाः।’

सबकी भलाई होनी चाहिए और सबको शांति से जीने के लिए जागरण होना चाहिए। इसलिए, ऐ वेपन्स को नष्ट करना आज का एकमात्र संदेश भारत देश के माध्यम से जा रहा है।

मैं माननीय मंत्री जी का आभार और अभिनन्दन करते हुए अपनी बात समाप्त करता हूं। धन्यवाद।

SHRI CHANDRA SEKHAR SAHU (BEHRAMPUR): Thank you, Sir. I rise to speak on the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022 brought by our hon. External Affairs Minister. This is a very old Act. In 2005 when this Act was passed, it banned only manufacturing of Weapons of Mass Destruction

Sir, the Bill seeks to provide for provisions against financing of proliferation of Weapons of Mass Destruction and their delivery systems so as to fulfil our international obligations. The United Nations Security Council's targeted financial sanctions and recommendations of the Financial Action Task Force have mandated against financing of proliferation of Weapons of Mass Destructions and their delivery systems, and this Bill has been brought in this background.

Sir, when it comes to preventing Weapons of Mass Destructions and proliferation, we need to be conscious of both State and non-State actors. Money laundering, terrorist financing and financing for proliferation of weapons of mass destruction can have negative effects on a country which may include increase in violent and organised crime and corruption. From an international perspective, it can result in loss of reputation in the international market, loss of donor functioning, loss of foreign direct investment and loss of credibility for the financial sector.

Therefore, identifying, assessing and understanding proliferation financing risks on a regular basis is very much essential.

Sir, India has always made its position clear on this issue. India opposed signing the NP and CTBT for valid reasons. India had campaigned for imposing a ban on nuclear weapon testing for a long period. In 1954, India initiated a global call at the UN Disarmament Commission for putting an end to nuclear testing and a freeze on fissile material production. In 1978 and 1980 at the Special Sessions on Disarmament, India proposed banning nuclear testing. In 1988, India introduced an action plan for the time-bound elimination of nuclear weapons. However, in 1996 India took a different course and opposed the treaty on the ground that it is silent on destruction of existing nuclear stockpiles.

The treaty also does not contain any time-bound programme for destruction of nuclear weapons, thereby leaving nuclear disarmament solely to the discretion of nuclear weapon States.

Sir, India underlined the importance of the Chemical Weapons Convention and the Biological Weapons Convention as examples of non-discriminatory treaties in the field of disarmament for the total elimination of specific types of nuclear weapons of mass destruction. India reaffirms that disarmament is a primary goal of Chemical Weapons Convention and should remain a priority till the complete destruction of all chemical weapons is achieved.

India is a responsible nuclear weapon State and is committed, as per its nuclear doctrine, to maintain a credible, minimum deterrence with the posture of no-first-use and non-use against non-nuclear weapon States. At the UN, India supports the full and effective implementation of the Chemical Weapons Convention and emphasises the strengthening of the OPCW to fulfil its important mandate.

The present Bill is in our national interest and in accordance with our international obligations. I, on behalf of my party Biju Janata Dal, support this Bill. We always support any step in the direction of our national security and global peace.

In fact, our hon. Chief Minister, Shri Naveen Patnaikji has advocated for inclusion of *ahimsa*, that is, non-violence in the Preamble to our Constitution. That will strengthen India's position as a leader of peace.

With these words, I support the Bill and conclude. Thank you.

SHRI RITESH PANDEY (AMBEDKAR NAGAR): Sir, I rise to support the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022.

16.24 hrs

(Shri Kodikunnil Suresh *in the Chair*)

The Bill, under clause 2, seeks to insert a new section, section 12A which reads out that a person shall finance or provide financial services for any activity which is prohibited under the Act, or under the United Nations (Security Council) Act, 1947 or any other relevant Act for the time being in force, or by an order issued under any such Act, in relation to weapons of mass destruction and their delivery systems.

Sir, I have two small apprehensions on this Bill, and I am sure that through my discussion over here, those points would be addressed. In Resolution 1540 (2004), the Security Council decided that all States shall refrain from providing any form of support to actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biologic weapons and their means of delivery, in particular for terrorist purposes. The Resolution requires all States to adopt and enforce appropriate laws to this effect as well as other effective measures to prevent the proliferation of these weapons and their means of delivery to actors, in particular for terrorist purposes.

Nonetheless, detecting proliferation-relevant illicit financing is even harder than detecting money laundering or terrorism financing. The risks posed by Weapons of Mass Destruction stem not only from ready-made bombs, nuclear, chemical, or radiological material but also from dual-use goods and technology that are traded, shipped, and used globally. Even the components for nuclear power reactors that generate electricity rely on dual-use components and technology that can be used in a nuclear weapons programme. You can find these things in laptops, transistors and in instant coffee maker also; the same technology is used, which, sort of, is related to the same matter that we are discussing here. A common perception within the private financial sector is that proliferation financing controls refer to the implementation of country-specific sanctions, for example, those designed to prevent North Korea and Iran from tapping into the global financial system for proliferation activities.

However, country-specific sanctions should be seen as integral but not the only part of proliferation financing controls. Financial institutions are aware of UN Security Council resolutions though they are not always well-equipped to implement country-specific ones. Moreover, sanctions implementation is limited by the capacity of financial institutions to distinguish proliferation activity. Financial institutions see only a small part of data related to a given transaction and they do not have the technical expertise to distinguish what is proliferation

relevant and what is not. So, that is a very difficult thing for financial institutions to figure out and that is something that has to be taken into consideration.

One of the most important areas for the Government to work upon is on informing the private sector promptly to match changes in UN designations of entities and individuals. For example, if the UN Security Council designated new entities or individuals as proliferators, but a given country failed to update its lists, what happens is that these financial institutions continue to trade with these entities because they are not made aware of these changes in time. So, that is also something that needs to be considered.

Finally, I would like to say that there are certain practicalities that come into these issues and they need to be resolved. Financial institutions use software that screens transactions against the lists of UN-designated entities and individuals. In practice, such screening systems return a high number of false positives. Basically, what that means is that because of name similarities when you update the list, a high number of names come back to this system as false positives and that percentage is around 95. So, this is a huge risk. Risk managers spend a lot of time trying to figure this out, which is very, very difficult for them. For example, they have to take such a high volume of numbers and names, and they have to get into a menial job of separating them, which they could use for some other thing.

On behalf of Bahujan Samaj Party and *behen* Kumari Mayawati ji, I would like to support this Bill. I have one more request. We have not passed a single Bill unanimously. There are many Bills that have been passed, and there have been support from the Opposition as well. I think such a Bill, when everybody is supporting it, कम से कम चेयर को भी सर्वसम्मति से हम लोगों को सुनना चाहिए, क्योंकि इसमें हमारा भी हाथ है। धन्यवाद।

DR. FAROOQ ABDULLAH (SRINAGAR): Sir, I have one request. We have hon. MLAs from Maharashtra. I think it will be nice if you could welcome them.

SHRIMATI SUPRIYA SADANAND SULE (BARAMATI): Sir, I stand here in support of the Bill that we are discussing today. I would definitely like to quote what the India's stand at the UN is. It says that "they are deeply concerned over proliferation of weapons of mass destruction and their delivery system." The earlier speaker, Professor Saugata Babu has already spoken about it at length, but in a synopsis, I would like to say that "India supports the full and effective implementation of the Chemical Weapons Convention and emphasises the strengthening of the OPCW to fulfil its important mandate."

Sir, it is very good that we have brought in this Bill and India has always had a very good and a positive image of a peace-loving and peace-making country. So, I congratulate the hon. Minister for bringing in this Bill. But I would like to bring to the notice of the House of what I said. He said that we have come to the “new world order”. It is true that the world has changed. There is a book by Mr. WS Carus, called Defining Weapons of Mass Destruction. It is one of the papers where he had said that the Centre of Study of Weapons of Mass Destruction, which is National Defence University, has recommended “why do we not expand the scope given how the world is changing?”. Even the war today globally is a hybrid war now as we call it. They have recommended that India’s definition of ‘weapons of mass destructions’ is for nuclear, biological and chemical weapons. So, can we expand it? It may not be literally in this Bill. Maybe in the next few months you could consider this. This is my request to you. There are these new challenges because of this new world order. Can we talk about radiology, talk about high explosives, talk about weapons of mass destruction or in fact potentially include CBRN weapons, other means of causing massive disruptions such as cyber-attacks, electro-magnetic attacks, munitions? If we could make it, I think we will really set a very good order, and a new precedent in the world that India is very serious and committed. That is the only suggestion that I would like to make.

Besides this, I would like to put something on the table. In the larger scheme of things, it is a very small example. In Maharashtra recently there was a small power crisis in Mumbai city for over three hours. People said it was an act of hacking. It was the electromagnetic system which collapsed.

This could be a very small trial, we do not know. But for a city like Mumbai to have no electricity is a big thing. We did not know how it stopped, how it collapsed. There was nothing wrong with the grid. Could it have been an attack? I have no evidence to prove it, but this is how the story begins. The only point I am trying to make here is, could we consider broadening the definition?

Besides this, I would like to talk about some other issue which nobody else has mentioned and that is the zoonotic diseases. It is like a pandemic. There is a story that COVID-19 was probably an attack on the globe. Could we have a broad discussion on this? This is my suggestion to the hon. Minister. What is interesting in this entire debate is this. When we brought the nuclear agreement, at that time we were sitting on that side and you were in a different role, and there were a lot of objections to the agreement. I do not want to get into a *tu tu main main* on that because it is a very serious Bill. I am so glad that the agreement that the hon. Manmohan Singh had led at that time to put India on the global map today has become a reality. In the Nuclear Suppliers Group, we are a very important part. I really want to know from the hon. Minister that with all the new friendships that you have made in the last few years, why have we not joined the Group as yet? What are we doing to excel our position? America was very positive about it. The

were a lot of nations which have supported India, but there are nations which have objected like New Zealand, Ireland, Austria, China. They have objected to us. Now. What is our position with such wonderful relations? I still remember this article. I was too tempted and I hope you indulge me with this and take it on a little lighter note or a little banter in Parliament, sometimes. There was a story which I was too tempted to talk about today. It says, "They talked, they posed, and they left." The Indian Prime Minister and the Chinese President met 18 times since 2014. I started corrected, it could be more. There were many, many meetings that they have had. I am a big one for dialogue. I am completely against any war.

But what has happened to our position by having so many meetings where they talked, they posed and they left? What really happened between these three activities when they talked, they posed and they left? Something more substantial should come out of it. I would like to ask the hon. Minister where this is.

Like my colleague, Shri Ritesh Pandey talked extensively about the financing of it, I would like to ask this from the hon. Minister. It is a very good Bill. I think that any such thing must be stopped. I think that the entire House in one voice supports your Bill. The only clarification that I would like to ask is that there is a note in the Statement of Objects and Reasons in 5 (b) (i) where it mentions 'freeze, seize or attach funds'. I appreciate it as it is a wonderful thing, but what concerns me and more so because it is something very new.

I am not a financial expert, but I hear so much about the darknet and the crypto, and these funding being done through this. This is not only our problem. It is a global problem. Right now, our country has taxed it at 30 per cent. The hon. RBI Governor -- and not just the present Governor, but several Governors -- has constantly said about this kind of digital money or 'transaction' as you called it. Right now, I am really confused because it is not legal as what the Government says, but at the same time it is taxing it at 30 per cent. There is too much confusion. So, does an investor invest in it? I am asking this because tomorrow the Government will say यह तो करना ही नहीं था। If they are bringing in this into crypto, then it could be an attack here, but somebody could be paying in some other country. How are we going to 'freeze, seize or attach funds'? This is a completely grey area, which I think we must deliberate upon. It is not only about us, but it is a global issue that we need to raise.

Another thing that happened was actually a little embarrassing for us. I respect the hon. Defence Minister. He was very gracious about -- I would call it -- the 'Brahmos experiment'. It was a mistake that happened. It was a misfire. I know that nobody did it intentionally, but the hon. Defence Minister was very kind enough and showed such humility to come and say that we will take corrective action and we are having an inquiry, but it was not intended at all. But the Philippines has objected to it as per newspaper reports. I am quoting all the data that has come

there. I have no access to any information. I am going by what the media said. If the Philippines has shown concern and if these kinds of situations happen, then how are we going to control it? I think we should make it a little more academic also.

Yes, we support this Bill completely in one voice in this entire House, but we must definitely be very careful about the new technology coming in. We all are just raising our concern even if these are just to make sure that it is a flawless Bill, and make sure that India is known for what it really is, which is about truth and it is about being a partner to everybody, with absolute no warfare and a peace-loving nation like the Mahatma would have wanted it. Thank you, Sir.

SHRI JAYADEV GALLA (GUNTUR): Thank you, Sir. I rise to support the Bill moved by the hon. External Affairs Minister. The objective of the Bill is limited. It seeks to ban funding for weapons of mass destruction and gives power to the Union Government for appropriate action against the culprits under the provisions of WMD Act.

Sir, I have a few quick points that I would like to make. Here, I would like to appreciate first the foresight of our former Prime Ministers, Shrimati Indira Gandhi and Shri Atal Bihari Vajpayee ji, in making India a nuclear State. The reason I say this is because as we see what is happening in Ukraine, which remained a non-nuclear country since it believed the assurance given to it by the West and NATO and gave up its nuclear arms. But looking at the current situation in Ukraine, a question arises. Would Russia have attacked Ukraine if Ukraine had possessed nuclear weapons? Conversely, could Russia have attacked Ukraine if Russia did not have nuclear weapons with the confidence that it would not be countered by the rest of the world?

The traditional arguments for nuclear non-proliferation have been somewhat disproven in this current case. Along with the new world order, we also need a new paradigm or a new nuclear doctrine not only to avoid mutually assured destruction between nuclear powers, which was the case in earlier days, but also how do we assure the non-nuclear countries of their sovereign rights? How do we prevent nuclear countries from misusing their nuclear threat to bully smaller non-nuclear countries? This needs to be addressed by the world at large, and India has a leading role to play in defining this going forward.

What is the future of non-proliferation really needs to be carefully examined, understood and a new paradigm needs to emerge?

One clarification I wish to seek is that the proposed insertion of Clause 12A appears to be a little vague. Here, you are saying no person shall finance any activity prohibited under this Act.

under the UN Security Council Act, 1947 or any other relevant Act for the time being in force. think, this appears to be a bit vague as we have not mentioned which are the relevant Acts and which you propose to take action.

So, I suggest for consideration of the hon. Minister to attach a schedule to this Bill and list the Acts, Agreements, Convention, etc. which come under the purview of this legislation.

The next point I wish to make is relating to India's full support and effective implementation of Chemical Weapons Convention, and strengthening the Organisation for Prohibition of Chemical Weapons, and mandate given to it. And, at the same time, we are also voicing our support for institutional strengthening of the Biological Weapons Convention, and push for legal binding protocol. But, if you look again at the ongoing Russia-Ukraine armed conflict, we have seen umpteen times statements coming from Russia about use of chemical weapons, and Ukraine claiming that Russia may use biological and chemical weapons at any time. So, does it not defeat the very convention and objective which India and other countries are pursuing. If signatories to the Convention are blatantly breaking it, then, what is the use of this Convention?

Secondly, we are going to have the Ninth Review Conference of the Biological Weapons Convention this year. So, I wish to know what would be the approach of India in this Conference in the light of ongoing Russia-Ukraine conflict. The third point I wish to make is about the effective response to a chemical or biological attack, particularly on our citizens. I wish to know what sort of mechanism we have in place, be it relating to detection or providing antidotes or decontaminate and guide people not to consume contaminated food and water. I am asking this because we have seen the vulnerability of sarin nerve gas bioterrorism attack in Tokyo, where in spite of having much better mechanism than India, which showed the vulnerability of civilian population and killed 200 people. So, I wish to know the kind of mechanism and the national strategy that is in place in the event of a chemical or biological attack.

The next point which I want to make, I think, several Members have also asked is about the Coronavirus questioning whether it is a biological attack or not. I don't think we have been able to come to any final conclusion on this because China is neither sharing any information nor allowing any inspections. There are contradicting stories which the hon. Minister is aware of more than what I could understand. If it is a biological weapon, the entire world could do nothing or even come to a conclusion that it is a biological weapon, leave alone taking action or imposing sanctions on China.

In such a scenario, I doubt that enactments like these would be of any help. I wish to have response from the hon. Minister on this as well.

Sir, I feel, today, more than chemical and biological weapons, the world is threatened and facing risks posed by cyber weapons, hypersonic missiles, drone swarms, pandemic outbreaks, be it manmade or natural. Now, drones are innovative and novel delivery of weapons of mass destruction, be it chemical or biological, and are operated through artificial intelligence. So, we need to evolve strategies and create firewalls against such attacks on India. I am sure the House would like to know what efforts are being made by the Ministry in this regard since there is nothing in this Bill.

Finally, I am fully with the hon. Minister and the Government to ruthlessly crush financing any activity, which even in any remote possible way, is trying to help any activity, to prepare or produce, or help in making weapons of mass destruction, and their delivery. But I just wish to seek one clarification. In the pursuit of India's national interest and for more benevolent use of such technologies, scientific research must have been taking place on such technologies. And, hon. Minister is aware that sort of R&D is critical for the country. So, I ask the hon. Minister to simply clarify what the Government has done to ensure that such critical research on such technologies is not impeded, even unintentionally, due to this legislation.

So, Sir, these are some of the issues I thought that I should flag and share with the hon. Minister. I request him to look into them and see how best we can strengthen this legislation from all corners to protect not only this country but also its Exclusive Economic Zone and beyond. Thank you, Sir.

SHRI MANISH TEWARI (ANANDPUR SAHIB): Mr. Chairperson, Sir, I do not think that anybody has a quibble with this Bill. As the hon. Minister Jaishankar explained that it is essentially to make us legally compliant with the mandates of the United Nations Security Council and the recommendations of the Financial Action Task Force, behind the original Bill which this Bill seeks to amend lies an incredible story of multi-partisanship that we as a country need to celebrate. It is a story of how we first of all created, then nurtured, and sustained our strategic autonomy without giving up our principled position towards a world where there is verifiable universal and comprehensive nuclear disarmament.

This is a story which started at the inception of the Indian nation itself in 1948 where the Atomic Energy Commission was established. In 1954, we had the Atomic Energy Establishment in Trombay which is now called the Bhabha Atomic Research Centre which was brought into existence in 1962. This House legislated the Atomic Energy Act and after the 1962, Sino-Indian conflict took place and the 1964 nuclear test was carried out by China at Lop Nur on the 16

October, 1964. We commenced our Nuclear Weapons Programme that culminated in the first peaceful nuclear explosion in 1974 under the leadership of the then Prime Minister, Shrimati Indira Gandhi and then in 1998, when Shri Atal Bihari Vajpayee was the Prime Minister, we decided to make the De Jure De Facto by carrying out two nuclear tests on the 11th May and 13 May, 1998.

Why I say De Facto De Jure is because some people would recall the history of Operation Brasstacks in 1986 and the Robert Gates Mission in 1990 which essentially sent out a very, very clear signal that not only did we have the capacity in the early 90's but, unfortunately, so did our western neighbour across the border. But the incredible thing, Mr. Chairperson, is that throughout this long journey, unlike Pakistan which opened a nuclear Walmart, – it had a rogue scientist called A. Q. Khan who was not only accused but finally even held *prima facie* guilty by Pakistan itself for proliferating nuclear and missile technology – India has been able to maintain an impeccable track record insofar as non-proliferation is concerned. I think that was the reason why in 2008 when India negotiated the Indo-U.S. Nuclear Agreement under the leadership of the Prime Minister, Dr. Manmohan Singh and the Minister was I think the then Joint Secretary (Americas) and had played a very important role in bringing that agreement to fruition.

Not only were we the first non-nuclear weapon State in order to be able to conceptualise an agreement which effectively smashed the entire architecture of nuclear apartheid which was created when the first peaceful nuclear explosion was carried out with the formation of the London Suppliers Group but we were able to also get a 'clean' waiver from the Nuclear Suppliers Group with regard to that Indo-U.S. Nuclear Agreement. And that brings me to a couple of questions which I have for the hon. Minister which of course may go beyond the amplitude of the Bill.

My first question is that, unfortunately, after the 2008 Indo-U.S. Nuclear Agreement and the 'clean' waiver that we got from the Nuclear Suppliers Group, we do not seem to have made much progress with regard to getting membership of that particular organisation. My colleague, hon. Member, Supriya Sulejji, had alluded to some of the obstacles that are there in certain countries which are opposing India's membership of the NSG. I would want the hon. Minister to really try and bring this House up to speed as to whether there has been any progress between 2018, when the Summit was held in Kazakhstan if I remember correctly from the top of my head, and 2022 – our efforts to get membership of the Nuclear Suppliers Group.

My second point, which was alluded to by some Members of this House, is this. We have had this impeccable track record of nuclear non-proliferation. Coupled with that we have maintained a very high degree of exactitude insofar as our delivery systems are concerned. Given that the recent inadvertent launch of the Brahmos missile which landed in Mian Channu

Pakistan which, if you go by reports in the public domain, could have not only endangered civilian aircraft which were in the vicinity of the trajectory of this missile but also may have invited retaliatory launch given that unlike us our western neighbour actually has a first-use posture could the Minister actually throw light as to what steps the Government has taken after this inadvertent incident to ensure that something of this sort does not get repeated in future?

My penultimate question is with regard to something strange that I discovered while I was researching for this Bill. In the year 2018, in the Bodh Gaya blast case, the Weapons of Mass Destruction Act was invoked by the National Investigation Agency.

In fact, they invoked Sections 14, 17 and 19 of the Act. The public reports which are there or whatever is there in the public domain is completely ambiguous about really what happened after these Sections were invoked.

Could the Minister enlighten us whether chargesheets were filed in terms of these relevant Sections of the WMD Act? As I understand it, the Weapons of Mass Destruction Act is essential to ensure that there is no proliferation of chemical, biological, radiological or nuclear weapons. Since this was the first time that our National Investigation Agency had actually invoked provisions of this Act, could the Minister enlighten the House as to what has been the progress of those investigations?

My last point would relate to our no-first-use posture. On the 17th of August, 1999, after our nuclear test, India had put a draft nuclear doctrine in place, which was then formalised on the 4th of January, 2003 by the Cabinet Committee on Security Affairs. Since then, we have had a posture of recessed deterrence and no-first-use.

In the year 2014, just before the elections, in the manifesto which was brought out by the Bharatiya Janata Party, if I recall correctly at page 39 in subparagraph, there was a certain amount of ambiguity with regard to this no-first-use posture. Subsequently, former Defence Minister M. P. Manohar, when he was releasing a book, had actually gone a little further and really suggested that the no-first-use posture possibly could be under consideration. Even the current Defence Minister, Mr. Rajnath Singh, on the 16th of August, 2019, had alluded to some ambiguity in it after his visit to Pokhran. The reason why I am posing these questions is because all this has created consternation. Given the fact that our neighbourhood is extremely becoming difficult, it would be enlightening to hear from the Minister as to whether we continue to maintain a no-first-use posture or is there any rethink in Government which he would like to share with the House?

Thank you very much, Mr. Chairperson.

DR. FAROOQ ABDULLAH: Sir, when Pokhran test took place, Prime Minister Atal Bihari Vajpayee took me also along. I would like to say one thing.

HON. CHAIRPERSON: If you want to speak on this, you can.

DR. FAROOQ ABDULLAH: We are proud of our scientists. With all the information they have America had no information that India was going to do this test. I think we should take note of that and congratulate our scientists that no one in the world came to know that we had done these tests ... *(Interruptions)*

DR. SATYA PAL SINGH (BAGHPAT): Thank you, Chairman, Sir. I rise here in defence and support of this new amendment Bill, namely the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022. As we know, it was an old Act in the same name which was enacted in 2005, as many of our esteemed Members have mentioned. As the hon. Minister mentioned yesterday and today also that we are compliant and conforming to the United Nations Security Council's targeted financial sanctions and the recommendations of the Financial Action Task Force which have mandated against financing and proliferation of weapons of mass destruction and their delivery systems. In view of the above there is a need to amend the said Act to provide against the financing of proliferation of weapons of mass destruction and their delivery systems so as to fulfil our international obligations.

The Bill seeks to insert a new Section 12A – there is not much an amendment in that way in the existing law which states that no person shall finance any activity which is prohibited under this Act, or under the United Nations (Security Council) Act, 1947, or any other relevant Act for the time being in force, or by an order issued under any such Act, in relation to weapons of mass destruction and their delivery systems. The Bill would give the Government of India powers to freeze, seize or attach funds or other financial assets or economic resources owned or controlled wholly or jointly, directly or indirectly, by such person, or held by or on behalf of, or at the direction of, such person, or derived or generated from the funds or other assets owned or controlled, directly or indirectly, by such person.

I would like to say that this amendment Bill shows the deep commitment of the Government of India to our counter-terrorism measures. I would like to congratulate our hon. Prime Minister for the way he has taken the leadership when he took over as the Prime Minister of this country, appealing to the world leaders to define the word 'terrorism' and to devise an international counter-terrorism strategy. This amendment also shows our commitment to build strong internal security infrastructure in this country. This Bill also shows our deep commitment

to international obligations and conventions. The Bill also shows our commitment to international peace, security and welfare of humanity.

That is why I would like to congratulate the hon. Minister and the Prime Minister of India.

We all know, as has been mentioned earlier, about the devastation and destruction that the weapons of mass destruction carry. We all know the cases of Hiroshima and Nagasaki in Japan. In Hiroshima, it killed 1,40,000 people. In Nagasaki, it killed 74,000 people, and the survivors suffered from cancer and other ailments in their lives. Even otherwise also, as some of my friends mentioned earlier, there have been some recent incidents. Col. Rathore was telling us about what happened in Tokyo subway in Japan in 1995 and in America in 2001. Similarly, one Chechen terrorist threatened that he had buried a dirty bomb in a Moscow park and he will turn Moscow city into an eternal desert. Similarly, recently, one American counter-terrorism official testified before the United States House Permanent Select Committee on Intelligence that Al-Qaeda in the Arabian Peninsula has high intention to procure chemical weapons and biological devices particularly in Pakistan and Yemen. So, we cannot say that the threat or the risk is over. We have to be much more vigilant than ever before.

17.00 hrs

Hon. Chairperson, Sir, I would also like to share the views of the hon. Member Shri Uttam Kumar Reddy. The present Bill mentions about a person. Perhaps, I would also like to request the hon. Minister one thing. Now, there are such firms and companies. There are also rogue States. Sometimes they try to fund the terrorist activities. Smt. Supriya Sule was talking about it.

The United Nations Security Council Resolution 1540 talks about the chemical, biological, radiological, or nuclear (CBRN) weapons. I would like to ask the hon. Minister whether the Government will include it because there is no clarification on this issue. Similarly, I would also like to request one thing though it is not directly related with his Ministry. It comes under the National Disaster Management Authority, which ultimately comes under the Ministry of Home Affairs. I have attended many conferences and workshops on CBRN. Basically, those conferences or workshops focussed on how to defend ourselves. But unfortunately, even our Disaster Management Manual is not very clear. Who will be the first responder? Let us suppose that there is a biological attack or a chemical attack. Generally, or traditionally, it is the police, which is the first responder for such kinds of emergencies.

Is our police prepared for such kind of emergencies? Is our police trained or equipped to face such a situation? Shri Manish Tewari Ji was also talking about it. The Bhabha Atomic Research Centre is a nodal agency of the disaster management mechanism. I would like to know whether the Bhabha Atomic Research Centre will respond to such a situation. What will really happen? CBRN weapons-related disasters are a matter of grave concern for all of us. The who

country is vulnerable to such kinds of attacks. How do we prepare ourselves? How do we train our forces to tackle such a situation? How do we equip ourselves? Nowadays, we say that the NDR or SDRF will take care of it. But NDRF is not present everywhere. I think, it will take a lot of time. I think, this is an issue which should be addressed urgently. There should be facilities so as to isolate and decontaminate our patients and victims. There is no clarity on that also in our Disaster Management Manual.

Hon. Chairperson, Sir, I would like to tell you a story from a book namely 'Anti-Gravitational Handbook'. In fact, this story had not come to our notice. In 1985, this book was published. In the said book, there is a wonderful story as to what really happened. In 1965, while Chinese were in the occupation of Tibet and Lhasa, they got some Sanskrit manuscripts and those Sanskrit manuscripts were sent to Dr. Ruth Reyna, an American professor, and a Sanskrit scholar and an Indologist. At that time, she was on sabbatical at the University of Punjab in Ludhiana. Those manuscripts were sent to her for translation. That Professor translated those manuscripts. The translation was sent to the Indian Institute of Science, Bangalore and to the Chinese as well. On the Indian Institute of Science, Bangalore said that 'that manuscript was not of much use and it could not be used. It is not part of the book that we claim, that is, Young Servers'. But after a few years in the year 1975, the Chinese spoke at a press conference that that manuscript was very important and that they were going to use it for building interstellar spaceships. Years later, one Prof. A. S. Krishnamurthy, from the same Indian Institute of Science, Bangalore said that they believed that some of our texts, especially Vedas and Sanskrit texts, have the references of our spacecraft, aeronautics, and all these things.

I would like to ask the hon. Minister whether we can have a study on this in order to defend our country and to protect our citizens. Can we study these Sanskrit texts so as to find out some defensive mechanisms? Thank you very much.

SHRI E.T. MOHAMMED BASHEER (PONNANI): Thank you very much, Sir, for giving me an opportunity to speak on 'The Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Amendment Bill, 2022.

Sir, of course, this is a good move. The scope of this Bill is very limited. This is a modification of the parent Act to the effect of including funding also within the ambit of the parent Act.

Sir, India's stand was very clear always, now and then. India should stand for protecting the national interests, common goodness, and peace of the entire world.

Coming to this particular topic, we have always advocated for total disarmament. Our desire and ambition was to become a model to the entire world. We have done our level best in this direction. India took the initiative for the International Convention to Prohibit the Use of Nuclear Weapon.

Sir, in 1988, at the special Session of the United Nations General Assembly on disarmament at New York, the then Prime Minister Rajiv Gandhi Ji put forward a comprehensive action plan based on this subject.

Sir, the original Bill in 2005 was moved by the then External Affairs Minister Shri Natwar Singh. Our stand was very clear. Nuclear power can be used for security of the nation and development of the nation but at the same time, we were deadly against the misuse of it – whether it is chemical weapon, biological or toxic weapon. That was our clear stand.

Sir, we should be proud of our leaders. Our country should be really grateful to our former leaders. They always took a bold step. We have to appreciate them for their farsightedness.

Rajiv Gandhi Ji's Ministry has shown farsightedness, commitment for peaceful coexistence and world peace.

Sir, my tributes to such great leaders on this occasion. It may be noted that India has also an institutionalised mechanism to prevent unlawful access to such weapons and their delivery system.

Use of nuclear energy is a useful thing and at the same time, we have to handle the misuse of it and we must treat it with high-handedness.

Many learned friends were speaking about the consequences. If nuclear power is used in a negative manner, we cannot imagine the havoc it is going to make. It will lead to destruction of life and organisms.

Sir, there are many International Conventions such as Chemical Convention, Biological Convention, Toxic Convention and we are all committed to go according to that.

There are many things. I do not want to say much. UN Security Council Resolution 1540 requires all States to adopt measures to criminalise assistance to non-State actors or to acquire weapons of mass destruction and to put in place domestic control to prevent it. Sir, we were taking such an initiative in the past also.

I would like to say one more thing. Misuse of legislation also is a problem. Last time also when we were discussing about that, we were warning about that. This legislation is very good and everybody will support it. I have no doubt about it.

Sir, I am concluding by quoting the then External Affairs Minister. 'I would once again reiterate that India is committed to safeguard its security as a nuclear weapon State and to deepen its autonomous scientific and technical capability for meeting our security imperatives as well as our developmental goals'.

Finally, he said: 'We are committed to ensure that these do not fall into the wrong hands especially the terrorists and non-State actors. India has an impeccable record in this regard and India will continue to work to prevent proliferation of weapons of mass destruction'.

Sir, I would like to conclude by saying that this is a legislation which has to be passed unanimously. Let us hope for the best. Let us pass the legislation unanimously.

With these few words, I conclude.

SHRI N. K. PREMACHANDRAN (KOLLAM): Hon. Chairperson Sir, thank you very much for giving me this opportunity to take part in the discussion on the very important Bill, namely, the Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities (Amendment) Bill of 2022.

Sir, the original Act of 2005 has to be amended. Section 12A has to be incorporated by the means of which the financing of all these activities -- financing also is becoming an unlawful activity in respect of weapons of mass destruction -- can be stopped. I fully support the amendment Bill, subject to certain specific clarifications from the hon. Minister.

Sir, it is well accepted that the weapons of mass destruction are always a threat to international peace and security. Nuclear weapons, chemical weapons, biological weapons have already been described as weapons of mass destruction by the Resolution 1540 of 2004 of the United Nations Security Council. On the basis of that we enacted a legislation in 2005 and the Bill was piloted by the then External Affairs Minister, Shri Natwar Singh. That original Act now has to be amended through this Bill.

Sir, we have had the bitter experience of Hiroshima and Nagasaki. On August 06 and August 09, 1945, around 66,000 people died instantly and around 1,60,000 people died because of radiation related diseases by the end of that year. This was the level of devastation caused by the weapons of mass destruction. That is why, in my opening remarks itself I have stated that the weapons are against international peace and security. Under these circumstances, the

Disarmament Policy of the Government of India has to be highlighted at all the international forums.

These were first invented by Germany during the First World War. Weapons like poison gas and pressurised tanks which spread deadly toxins over the battle field were used by Germany for the first time. Such weapons killed and wounded thousands of people during the First World War. All these bitter experiences convinced the United Nations to incorporate and adopt this Resolution of 1540 in the United Security Council on 28th April, 2004 in Chapter VII. It is still in existence and India is a strong votary of the Disarmament Policy. Our policy is also very specific with regard to CTBT and NPT.

We have to protect and safeguard the interests of the country and at the same time, we will not use this weapon at first. Such a policy had been framed and is in place since Independence. Just a while ago, Shri Basheer Saheb said we have to salute our forefathers for devising consistent policies in respect of nuclear disarmament.

Sir, coming to the provisions of this amending Bill, I would like to seek a few clarifications from the External Affairs Minister. This is meant to stop financing for proliferation as well as its delivery. Now, here it says, 'if any person', any person may include a company and the definition of a company is according to Section 20 of the original Act. So, it is very clear. Section 20 says, 'company includes a group of individuals also'. There is no fault in the definition and there is also no harm in using the phrase 'if any person'. I agree with it. My reservation is this. I would like to know whether the provisions of the original Act were not sufficient to deal with this subject also. I would like to quote Section 15 of the original Act. It says, 'Punishment for aiding non-State actor or terrorist: Any person, who with an intent to aid any non-State actor or terrorist contravenes the provisions of Section 9 of this Act shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life and also be liable to fine.' Any person, 'with an intent to aid', 'Aid' here means with an intent to finance. So 'financing' would then mean and include involvement in proliferation and delivery of these weapons of mass destruction and will come within the purview of Section 15 of the Act.

This is an amendment to the original Act. My question to the hon. Minister is, whether or not the amendment is highly required or essential. There is no doubt that I fully support the amendment. Already the existing provision in the original Act itself is very clear but there is no provision to seize the property to which I agree.

Sir, let me come to section 17. It says:

“17. Punishment for violation of other provisions of the Act. -

1. Where any person contravenes, or abets or attempts to contravene,...

‘Abets’ or ‘attempts to contravene’ means a person or a company who is financing the proliferation of the weapons of mass destruction and their delivery also. Here, section 17 will be attracted.

I would like to seek these clarifications from the hon. Minister. Also, section 3, sub-clause 4 is very clear. The applicability of the Act is also very clear. There is no ambiguity in this. I am only seeking a clarification.

Hence, I fully support the Bill. With these words, I conclude.

SHRI P. RAVINDHRANATH (THENI): Sir, I would like to support the Bill.

Sir, let me first of all take the opportunity to appreciate our hon. Prime Minister, Shri Narendra Modi for transforming our nation as a global leader through several significant strategic initiatives. Thanks to the vision and leadership of our hon. Prime Minister, India is now playing an active role in being a constructive contributor in the efforts to create an international order through reformed multilateralism and human centric globalisation.

I also wish to appreciate our hon. Minister of External Affairs, Shri Jaishankar whose guidance and efforts are helping India secure improved bilateral relations and regional stability.

Sir, the influence of online media was not that rampant in 2005 when this Bill was adopted. Now, on YouTube or dark web, even a teenager can manufacture a WMD sitting at the convenience of their homes, instructed by an insane terrorist or even a hostile nation and financed by another in a different nation. The web of terror financing has expanded manifold and it is important that we protect our nation from such insane terror or militant attacks.

The United Nations Secretary-General, Antonio Guterres in April, 2020 had warned that the pandemic has revived the spectre of bio-terrorism. He has said:

“The weaknesses and lack of preparedness exposed by this pandemic provide a window of opportunity for how a bio-terrorist attack might unfold.”

Preparation is the key. We cannot be complacent and we cannot be preparing alone. Misuse of WMD leading to incidents like bio-terrorism is a global issue.

India, under the leadership of Prime Minister, Shri Narendra Modi, certainly has reasons to be proud of its achievements. However, in the regional context, India’s pride, unfortunately, is also neighbour’s envy.

In 2008, when the UPA Government was in power, we saw a massive and coordinated terror attack in Mumbai. This was not an attack carried at the borders. This happened well within

our boundaries, at the heart of our commercial capital. Of course, some attackers were neutralized and some were put behind bars. But what about those who financed them? Should we believe that they came within our boundaries without the support of insiders? It means that there is a well-oiled financial network functioning within our nation and across as well.

I support this Bill in anticipation that these terror financing networks will be wiped off from our country as well as across the borders.

I suggest to the hon. Minister that we must encourage the use of technological innovation and policies to improve our counter-proliferation efforts. We must be prepared to combat the use of new mechanisms of financing these weapons, like the use of blockchain technology which supports cryptocurrencies like bitcoin or online crowdfunding websites.

Sir, our Government should ensure that periodic assessment of this enactment should be done there so that we can ensure proper functioning of our multiple agencies engaged in this work.

Sir, I support this Bill on behalf of our Party.

श्री हनुमान बेनीवाल (नागौर): सभापति महोदय, सदन में आज सामूहिक संहार के आयुध और उनका परिदान प्रणाली (विधि विरुद्ध क्रियाकलापों का प्रतिषेध) संशोधन विधेयक 2022 पर चर्चा हो रही है। मेरे पूर्व माननीय सदस्यों ने भी चिंता जाहिर की। विश्व का हर व्यक्ति यह चिंता जाहिर करता है। अभी रूस-यूक्रेन का मामला था तो भारत में भी सभी लोग इस बात की चिंता कर रहे थे कि कहीं परमाणु युद्ध न हो जाए, कि एक देश दूसरे देश पर परमाणु बम न फेंक दे क्योंकि द्वितीय विश्व युद्ध के समय नागासाकी और हिरोशिमा पर जब अमेरिका ने बम फेंके, उस समय वहां 1,40,000 लोग मरे थे। आज भी इतने सालों के बाद भी जहां बच्चे पैदा होते हैं, तो वे कहीं न कहीं गम्भीर आनुवांशिक बीमारियों का शिकार होते हैं। पूरा विश्व इसका चिंता करता है कि परमाणु हथियार का उपयोग न हो। मैं माननीय मंत्री जी को इसके लिए धन्यवाद दूंगा।

महोदय, इस विधेयक के 'उद्देश्य और कारणों का कथन' में आपने बताया कि अंतर्राष्ट्रीय संगठन द्वारा सामूहिक संहार के आयुधों और उनकी परिदान प्रणालियों के प्रसार से संबंधित विनियमों का विस्तार किया गया है, इसके अतिरिक्त संयुक्त राष्ट्र सुरक्षा परिषद की लक्षित वित्तीय शास्तियां और वित्तीय एक्जैक्शन्स फोर्स की सिफारिशों को सामूहिक संहार के आयुधों और उनकी परिदान प्रणालियों के प्रसार से संबंधित विरुद्ध अधिदेशित किया गया है। उपरोक्त को ध्यान में रखते हुए उक्त अधिनियम को संशोधित करने की आवश्यकता है ताकि सामूहिक संहार के आयुधों और उनकी परिदान प्रणालियों के प्रसार को वित्तपोषण करने के विरुद्ध किया जा सके जिससे हम अपनी अंतर्राष्ट्रीय बाध्यताओं को पूरा कर सकें।

सभापति महोदय, यह विधेयक व्यक्तियों को सामूहिक विनाश के हथियारों और उनके वितरण प्रणालियों से संबंधित किसी भी निषिद्ध गतिविधि के वित्तपोषण से रोकता है और व्यक्तियों को ऐसी

गतिविधियों के वित्तपोषण से रोकने के लिए केन्द्र सरकार उनके धन, वित्तीय सम्पति या आर्थिक संसाधन व फ्रीज, जब्त या संलग्न कर सकती है। यह व्यक्तियों को किसी भी निषिद्ध गतिविधि के संबंध में अन्य व्यक्तियों के लाभ के लिए वित्त या संबंधित सेवाएं उपलब्ध कराने से रोकता है। मैं इस बिल का समर्थन करता हूँ।

महोदय, मैं एक आलेख पढ़ रहा था, उसमें जो लिखा था, उस बात को मैं सदन में पढ़ना चाहूंगा कि परमाणु अप्रसार छः दशकों से अधिक समय से दुनिया के लिए बड़ी चुनौती बना हुआ है, लेकिन इस दौर इस समस्या के रूप बदलते गए हैं। खासतौर पर शीत युद्ध के खत्म होने के बाद से इसमें काफी बदला आया है। ग्लोबल न्युक्लियर ऑर्डर के स्थापित होने के बाद से संभावित खतरों और सत्ता के संतुलन व्यापक परिवर्तन हुआ और इस वजह से पहले की तुलना में परमाणु अप्रसार आज कहीं अधिक चुनौतीपूर्ण बन गया है। हमें इस सच्चाई को स्वीकार करना होगा कि ज्यादातर देशों के लिए परमाणु हथियार अंततः उनकी सुरक्षा से जुड़े हैं और परमाणु अप्रसार व्यवस्था की पेशकश को कमियों के बावजूद इसलिए स्वीकृत किया गया क्योंकि इससे दुनिया खुद को अधिक सुरक्षित महसूस करती है।

इसके साथ इस पर भी गौर करना होगा कि परमाणु अप्रसार के बारगेन का असर कम होने के साथ-साथ ऐसे देशों की संख्या बढ़ी है, जो परमाणु हथियार की क्षमता हासिल करने की कोशिश कर रहे हैं। शीत युद्ध के दौर में इस मामले में सिर्फ अमेरिका और सोवियत संघ की होड़ को लेकर आशंका रहती थी और लगाया था कि इस वजह से वैश्विक परमाणु युद्ध शुरू हो जाएगा। हालांकि, आज इस खतरे में वेपंस ऑफ मास डिस्ट्रक्शन (WMD) यानी सामूहिक विनाश के हथियार, उनके डिलीवरी मैकेनिज्म यानी उन्हें छोड़ने वाली व्यवस्था-तकनीक और परमाणु आतंकवाद भी शामिल हो गए हैं। इस संदर्भ में चीन और पाकिस्तान के बीच परमाणु और मिसाइल के क्षेत्र में सहयोग और उत्तर कोरिया व ईरान में मिसाइल से जुड़ी गतिविधियों व ज़िक्र करना भी ज़रूरी है। इनमें से हर एक का असर एशिया में सैन्य संतुलन पर पड़ा है।

सभापति महोदय, ताकत के इस खेल से मौजूदा परमाणु प्रसार व्यवस्था प्रभावित हो रही है। इस मुख्य चुनौती यह है कि इस खेल में नए देशों के पावर हासिल करने के साथ परमाणु अप्रसार से जुड़ी बहक कहीं अधिक चुनौतीपूर्ण हो जाती है। नई वैश्विक व्यवस्था में होड़, प्रतिद्वंद्विता, अराजकता और संघर्ष बढ़ रहे हैं। अभी तक हम जिस वैश्विक राजनीतिक और सामरिक व्यवस्था को देखते आए हैं, उसकी खास बात कि देशों के बीच गठजोड़, नियम आधारित एंगेजमेंट और अंतरराष्ट्रीय कानून का सम्मान रहा है, लेकिन अब इस पर दबाव बढ़ रहा है। दुनिया समझती थी कि अंतरराष्ट्रीय उदार व्यवस्था उसका अधिकार है, जो कि सच नहीं है। जब तक इसे मौजूदा सिद्धांतों और व्यवस्था के आधार पर मज़बूत नहीं बनाया जाता और बरकरार रखने की कोशिश नहीं होती, तब तक इसके खत्म होने की आशंका से इनकार नहीं किया जा सकता।

सभापति महोदय, मैं अपनी अंतिम बात कहकर खत्म करूंगा। चूंकि यह विषय इस बिल का मामला नहीं है, लेकिन आज लोग अवैध लाइसेंस ले लेते हैं और अवैध हथियारों के मामले दिनों दिन बढ़ रहे हैं। राजस्थान की बात करूं तो इसमें राजस्थान बहुत बदनाम राज्य रहा है।... (व्यवधान)

अभी हमारे एम.पी. साहब बहुत चिंतित हो रहे थे। मैं इनके क्षेत्र को अभी छोड़ देता हूँ। मैं गंगानगर व छोड़ देता हूँ। गंगानगर जिले में करोड़ों रुपये लेकर जिम्मेदार प्रशासनिक अधिकारियों ने हथियारों के फालाइसेंस जारी कर दिए। अलवर के अंदर कलेक्टर के फर्जी हस्ताक्षर और मुहर लगा कर जिला मजिस्ट्रेट कार्यालय में डीएम की नाक के नीचे फर्जी हथियार का लाइसेंस बनाने का मामला सामने आया था। मैं इस एक सुझाव देना चाहूंगा। मैं आपको एक उदाहरण देना चाहूंगा कि राजस्थान के एटीएस ने वर्ष 2017

ऑपरेशन जुबैदा के तहत दलाल ग़ोवर को गिरफ्तार किया। दलाल ग़ोवर जम्मू-कश्मीर के जिलाधिकारी और हथियार बेचने वालों के बीच दलाल का काम करता था। उस समय एटीएस ने उससे 565 लाइसेंस जवाब दिए थे, जिनमें से 93 लोग ऐसे थे, जिन्होंने कभी जम्मू में नौकरी नहीं की। वहाँ उनके नौकरी-पेशा बताकर लाइसेंस दिए गए। जिला कलेक्टर के अलावा केन्द्र का अपना एक प्रतिनिधि भी होना चाहिए। मेरा यह कहना था कि जिला कलेक्टर लाइसेंस बनाता है, लेकिन उसमें हमारा कोई हस्तक्षेप नहीं रहता है। मैं चाहता हूँ कि जिन लोगों को वास्तव में लाइसेंस की जरूरत है, वे सालों से कलेक्टरिएट में चक्कर लगाते रहते हैं, उनका बीस-बीस साल हो गए। लेकिन, जिनको आवश्यकता नहीं है, वे तीन-तीन हथियार लेकर बैठे हैं। मेरा निवेदन रहेगा कि इसमें केन्द्र सरकार भी हस्तक्षेप करे और केन्द्र का प्रतिनिधि भी लाइसेंस बनाने की उस कमेटी में अंदर रहे।

SHRIMATI APARUPA PODDAR (ARAMBAGH): Mr. Chairman, Sir, I thank you for giving me an opportunity to speak on the Weapons of Mass Destruction and their Delivery System (Prohibition of Unlawful Activities) Amendment Bill, 2022.

This Bill is in line with our international obligation under the UN Charter of promoting international peace and development. The existing law covers unlawful activities relating to biological, chemical, and nuclear weapons and their delivery systems, and provides for integrated legal measures to exercise control over the export of materials, equipment, and technologies in relation to weapons of mass destruction and their delivery systems, and for prevention of the transfer to non-State actors or terrorists.

Sir, India is a responsible nuclear weapon State and is committed, as per its nuclear doctrine, to maintain credible, minimum deterrence with the posture of no-first use and non-use against non-nuclear weapon States. The parent Act provides overarching and integrated legislative provisions prohibiting unlawful activities in relation to weapons of mass destruction and their delivery systems. While reiterating India's firm commitment to safeguard its security as a Nuclear Weapon State and its undiminished commitment to global nuclear disarmament, the Act seeks to effectively translate, at the operational level, India's commitment to prevent proliferation of weapons of mass destruction.

Sir, the Indian Government must view nuclear weapons as part of a comprehensive national security strategy that includes diplomacy, arms control initiatives, and conventional forces to maximise stability and peace in the region.

Cyber warfare technology is another trans-domain capability that is spreading rapidly. India's nuclear weapons-related systems should be ready to respond to cyber threats. As India remains particularly vulnerable to biological threats and has a history of hostile political conflict

India needs to take a lead in ensuring the Biological Weapons Convention is effective in its aim curbing use of biological agents or toxins. The primary focus of India at the Biological Weapons Convention should be to instil and participate in a scientific advisory board on the same lines as the one attached to the Chemical Weapons Convention. The board should have scientists representing various participating countries, industry, societies, and academics.

HON. CHAIRPERSON: Please conclude now.

SHRIMATI APARUPA PODDAR: Sir, I am just concluding.

Sir, there should be an immediate reform of DRDO whose top laboratory is the Defence Research and Development Establishment located at Gwalior in Madhya Pradesh. Since DRDO massive failures of its indigenous weapons programmes do not paint an inspiring picture, I would want the Minister to clarify how the Government plans to revamp production at DRDO.

SHRI KURUVA GORANTLA MADHAV (HINDUPUR): Mr. Chairman, Sir, I thank you for giving me this opportunity.

Sir, the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022 seeks to prohibit financing of any activity in relation to weapons of mass destruction and their delivery systems. The Bill also aims to prohibit making available funds, financial assets or economic resources for any prohibited activity in connection with weapons of mass destruction and their delivery systems.

The Bill seeks to modify the 2005 law – Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005. The 2005 Act prohibits unlawful activities including manufacturing, transport, or transfer and delivery of weapons of mass destruction.

The Bill bars people from financing any prohibited activity related to weapons of mass destruction and their delivery systems. To prevent such financing, the Bill empowers the Centre to freeze, seize or attach funds, financial assets, or economic resources held, owned or controlled directly or indirectly.

The Bill also prohibits people from making finances or related services available for the benefit of other persons connected to any prohibited activity.

It is in accordance with the recommendations of the Financial Action Task Force that has mandated against financing of proliferation of weapons of mass destruction and their delivery systems as well as the United Nations Security Council's targeted financial sanctions.

The need of the Weapons of Mass Destruction Bill, 2022 was felt to fulfil India's international obligations.

Sir, I congratulate the Government for bringing this Bill and convey our party's support for this Bill. With these few words, I conclude. Thank you.

KUNWAR DANISH ALI (AMROHA): Mr. Chairman, Sir, I rise here to support the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022.

सर, सदन का यह इतिहास रहा है कि जब भी इस तरीके का कोई बिल लाया जाता है तो सर्वसम्मति हम लोग ऐसे किसी भी बिल को पास करते हैं। मुझे इस बात का फख्र है कि गौतम बुद्ध की लैंड से, महात्मा गांधी की धरती से हम पूरी दुनिया को अमन-शांति का पैगाम देते हैं। यह हमारे देश का इतिहास रहा है कि हमने हमेशा ऐसी चीजों के खिलाफ अंतर्राष्ट्रीय प्लेटफॉर्म पर बात रखी है। मुझे इस बात की खुशी है कि हमारे जो आज के विदेश मंत्री हैं, वे कैरियर डिप्लोमैट रहे हैं। उन्होंने भी लगातार इसे इंटरनेशनल प्लेटफॉर्म पर रखा है। पूरी दुनिया जानती है कि इस तरीके के जो वैपन्स ऑफ मास डिस्ट्रिक्शन होते हैं, दुनिया ने देखा है कि हिरोशिमा और नागासाकी में क्या हुआ? वैपन्स ऑफ मास डिस्ट्रिक्शन के नाम पर इराक के अंदर इतने दिन क्या हुआ? वहां कुछ नहीं निकला। मैं कांफ्लिमेंट करना चाहूंगा, हमारे देश के पहले प्रधान मंत्री पंडित जवाहर लाल नेहरू से लेकर श्री नरेन्द्र मोदी जी तक, जितने भी देश के प्रधान मंत्री रहे हैं, उनके समय में हमने न्यूक्लियर हासिल किया। श्रीमती इंदिरा गांधी के जमाने में न्यूक्लियर टेस्ट हुआ। वाजपेयी जी के जमाने में भी न्यूक्लियर टेस्ट हुआ। शायद उससे पहले वह हो सकता था, जो मेरी जानकारी है, वह काफी पहले तैयार था, लेकिन उस वक्त के प्रधान मंत्रियों की आफ्टर लिबरलाइजेशन प्रायोरिटीज़ कुछ और थीं। हमारे पड़ोसी मुल्क के साथ शांति बहाल करने की बात थी, इसलिए शायद उसको डिले किया गया। वाजपेयी जी के टाइम पर पोखरन टेस्ट हुआ। सर, इसमें सीक्रेसी की जरूरत है। मैं अपने देश के साइंटिस्ट्स को कांफ्लिमेंट करना चाहूंगा कि उनका यह असली कंट्रीब्यूशन है। हम पॉलिटिशियंस लोग अपनी पीठ भी नहीं थपथपायें, लेकिन सीक्रेसी का भी महत्व है। ऐसी सीक्रेसी, पूरी दुनिया में किसी को पता नहीं था, देश के अंदर भी सिर्फ तीन लोगों को पहले मालूम था, ऑनरेबल प्राइम मिनिस्टर वाजपेयी जी, उस वक्त के डिफेंस मिनिस्टर जार्ज फर्नांडीज साहब और प्रधान मंत्री के साइंटिफिक एडवाइजर थे, डॉ. ए. पी. जे. अब्दुल कलाम साहब, सिर्फ तीन लोगों को मालूम था। वहीं हम देखते हैं कि हमारे पड़ोसी मुल्क के जो न्यूक्लियर साइंटिस्ट्स थे, उन्होंने इसे लीक किया, वहां की टेक्नोलॉजी ट्रांसफर की और वह ऐसे लोगों के हाथ में लगी गई, जो दुनिया के लिए खतरा बन सकती है। लेकिन, हमारे यहां सीक्रेसी रही। पाकिस्तान ने खुद माना कि

ک्यू. خان نے گالٹی کی ہے اور اینفارمیشنس لیک کی ہیں۔ سभापति महोदय, यहां न्यूक्लियर सप्लाय ग्रुप व बात आई और क्लीन वेवर की बात कही गई।

जब माननीय मंत्री जी अपना जवाब देंगे तो उस समय इस पर रोशनी डालेंगे। ऐसे हर मामले में ह लोग सर्वसम्मत रहते हैं। वर्ष 2008 में जब हम न्यूक्लियर वैवर लेने जा रहे थे, उस समय मनमोहन सिंह की सरकार थी, लेकिन उस वक्त न्यूक्लियर वैवर के खिलाफ आज के सत्तापक्ष के लोग विरोध कर रहे हैं। इस सदन के अंदर ऐसी चीज इस पटल पर रखी गई जो इस सदन के नाम पर काला धब्बा साबित हुई है। हम इस बिल के समर्थन में हैं और इस बिल को सर्वसम्मति से पास करना चाहते हैं।

जब मंत्री जी अपना जवाब देंगे तो न्यूक्लियर प्लांट्स वगैरह में जो लीक होता है, जापान में सुनामी के समय और चर्नोबिल में प्लांट्स में लीक हुआ, हमें इसका भी ध्यान रखना चाहिए। मैं इसके साथ ही अपना बात समाप्त करता हूँ। बहुत-बहुत धन्यवाद।

کنور دانش علی(امروہ): Mr. Chairman, Sir, I rise to support the Weapons of

Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022.

جناب، اس ایوان کی یہ تاریخ رہی ہے کہ جب بھی اس طریقے کا کوئی بل لایا جاتا ہے تو ہم سب ملکر ایسے کسی بھی بل کو پاس کرتے ہیں۔ مجھے اس بات کا فخر ہے کہ گوتم بُدھ کی زمین سے، مہاتما گاندھی کی زمین سے پوری دنیا کو امن و شانتی کا پیغام دیتے ہیں۔ یہ ہمارے ملک کی تاریخ رہی ہے کہ ہم نے ہمیشہ ایسی چیزوں کے خلاف بین الاقوامی پلیٹ فارم پر بات رکھی ہے۔ مجھے اس بات کی خوشی ہے کہ ہمارے جو آج کے وزیر خارجہ ہیں، وہ کیر ڈپلومیٹ رہے ہیں۔ انہوں نے بھی لگاتار اسے انٹرنیشنل پلیٹ فارم پر رکھا ہے۔ پوری دنیا جانتی ہے کہ اس طرح کے جو ویپنس آف ماس ڈیسٹرکشن ہوتے ہیں، دنیا نے دیکھا کہ بیروشیما اور ناگا ساکی میں کیا ہوا؟ ویپنس آف ماس ڈیسٹرکشن کے نام پر عراق کے اندر اتنے دن کیا ہوا؟ وہاں کچھ نہیں ملا۔ میں کومپلیمینٹ کرنا چاہوں گا ہمارے ملک کے پہلے وزیر اعظم پنڈت جواہر لال نہرو سے لیکر جناب نریندر مودی جی تک، جتنے بھی ملک کے وزیر اعظم رہے ہیں ان کے وقت میں ہم نے نیوکلیئر حاصل کیا۔ محترمہ اندرا گاندھی جی کے زمانے میں نیوکلیئر ٹیسٹ ہوا۔ واجپنی جی کے زمانے میں بھی نیو کلیئر ٹیسٹ ہوا۔ شاید اس سے پہلے وہ ہو سکتا تھا، جو میری جانکاری میں ہے، وہ کافی پہلے ہی تھا، لیکن اس وقت کے جتنے بھی وزیر اعظم تھے ان کی آفٹر لبرلائزیشن ترجیح کچھ اور تھی یا ہمارے پڑوسی ملک کے ساتھ شانتی بحال کرنے کی بات تھی، اس لئے شاید اس کو ڈیلے کیا گیا۔ واجپنی جی کے ٹائم پر پوکھرن ٹیسٹ ہو سر اس میں سیکریسی کی ضرورت ہے۔ میں اپنے ملک کے سائنس دانوں کو کومپلیمینٹ کرنا چاہوں گا کہ ان کا یہ اصلاً کثرتی بیوشن ہے۔ ہم سیاسی لوگ بھلے ہی اپنی پیٹھ تھپ تھپائیں، لیکن سیکریسی کی اپنی امپورٹنس ہیں۔ ایسے سیکریسی، پوری دنیا میں کسی کو پتہ نہیں تھا، ملک میں بھی صرف تین لوگوں کو پہلے معلوم تھا، عزت مآب وزیر اعظم واجپنی صاحب، اس وقت کے وزیر دفاع جناب جارج فرنانڈز صاحب اور وزیر اعظم کے سائنٹفک ایڈوائزر تھے ڈاکٹر اے پی جے۔ عبدالکلا صاحب صاحب، صرف تین لوگوں کو معلوم تھا۔ وہی ہم دیکھتے ہیں کہ ہمارے پڑوسی ملک کے جو نیو کلیئر سائنس دان تھے، انہوں نے اسے لیک کیا، وہاں کی ٹیکنالوجی ٹرانسفر کی اور وہ ایسے لوگوں کے ہاتھ میں لگ گئی، جو دنیا کے لئے خطرہ بن سکتی ہے۔ لیکن ہمارے یہاں سیکریسی رہی۔ پاکستان نے خود مانا کہ اس

کیو-خان نے غلطی کی ہے اور انفارمیشنس لیک کی ہے۔ چیرمین صاحب، یہاں نیو کلیئر سپلائی گروپ کی بات آئی اور کلین ویور کی بات کہی گئی۔

جب عزت مآب منتری جی اپنا جواب دیں گے تو اس وقت اس پر روشنی ڈالیں گے۔ ایسے ہر معاملے میں ہم لو منفقہ طور پر ساتھ رہتے ہیں۔ سال 2008 میں جب ہم نیو کلیئر ویور لینے جا رہے تھے، اس وقت منموہن سنگھ جی سرکار تھے، لیکن اس وقت نیو کلیئر ویور کے خلاف آج کے رولنگ پارٹی کے لوگ مخالفت کر رہے تھے۔ اس ایوان کے اندر ایسی چیز سبھا پٹل پر رکھی گئی جو اس ایوان کے نام پر کالا دھبہ ثابت ہوئی۔ ہم اس بل کے سپورٹ میں ہیں اور کو منفقہ طور پر پاس کرانا چاہتے ہیں۔

جب منتری جی اپنا جواب دیں گے تو نیو کلیئر پلانٹس وغیر میں جو لیک ہوتا ہے، جاپان میں سُنّامی کے وقت اور چرنوبل میں پلانٹس میں لیک ہوا، ہمیں اس کا بھی دھیان رکھنا چاہیے۔ میں اس کے ساتھ ہی اپنی بات مکمل کر ہوں۔ بہت بہت شکریہ۔۔ (ختم شد)

ڈॉ. निशिकांत दुबे (गोड्डा): सभापति महोदय, मैं माननीय प्रधानमंत्री जी के नेतृत्व में The Weapon of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendme Bill, 2022 के समर्थन में बोलने के लिए खड़ा हुआ हूँ। गीता में 18वें अध्याय में कृष्ण ने पूरा सार कहा है, स यह था कि

सर्वधर्मान् परित्यज्य, मामेकम् शरणम् व्रज

अहं त्वां सर्व पापेभ्यो, मोक्षयिष्यामि मा शुचः ॥

आज दुनिया पूरी ग्लोबल वर्ल्ड हो गई है। आज जितना खतरा आम जनमानस को है, उतना खत कभी नहीं था। कोविड के बाद पूरी दुनिया बड़ी परेशान है। क्या हुआ, चीन में यह बायॉलाजिकल वेपन तौर पर यूज हुआ या नहीं हुआ, अमेरिका और चीन एक-दूसरे से लड़ रहे हैं। लेकिन दुनिया में कभी किसी सोचा नहीं होगा। इस पार्लियामेंट में वसुधैव कुटुंबकम की बहुत चर्चा होती है, हम भी बात करते हैं। लेकिन पिछले दो सालों में वसुधैव कुटुंबकम हो पाया? आज लोग अपने लिए परेशान हैं। हमने कोविड में देखा, बे पिता के लाश की जलाने के लिए तैयार नहीं था या पिता बेटे का लाश लेने के लिए तैयार नहीं था।

आज जब माननीय विदेश मंत्री जी कह रहे थे, जिसके ऊपर सभी सदस्यों ने समर्थन करते हुए बर् चर्चा की। क्या विदेश मंत्री जी ने ठीक नहीं कहा कि कोई भी विदेश नीति है, आज की डेट में भारत का खड़ा है, हमको कहां सुविधा है, हमको कहां फायदा है, क्या कोरोना के बाद भी हम यह नहीं समझे? आ भी हम पूरी दुनिया का ठेका लेकर बैठे हुए हैं। ईरान में क्या हो रहा है, यू.के में क्या हो रहा है, यूक्रेन में क हो रहा है, रूस में क्या हो रहा है? जहां जो हो रहा है, यदि हमको कोई बुलाएगा तो हम अपनी व्यवस्था दें मान न मान मैं तेरा मेहमान। इस तरह से आप टांग अड़ाने की बात करते हैं। आपके साथ कौन है?

फारूख साहब आप जहां से आते हैं, चीन पाकिस्तान ऑक्यूपाइड में आ गया, वह पहले हमारा हिस्सा था। वर्ष 1947-48 से पाकिस्तान ने उस पर अवैध रूप से कब्जा कर लिया है, वे हमारे नागरिक हैं। लेकिन क्या वर्ष 1947-48 से कोई भी ऐसा कंट्री खड़ा हुआ जो पाकिस्तान ऑक्यूपाइड कश्मीर दे रहा है। चीन अक्सर चीन ले लिया, वहां पूरा रास्ता बना लिया। क्या हालत है? आपके साथ पूरी दुनिया नहीं खड़ी है और आपको उतना ताकतवर नहीं मान रही है। आप चाहते हैं कि पूरी दुनिया को ठीक कर दें।

आज भी चर्चा चल रही है। मैं बड़े सभ्य तरीके से सभी का बड़ा सम्मान करते हुए कहता हूँ कि पहल अपने बारे में सोचिए। मैं आपको कह रहा था, माननीय प्रधानमंत्री जी पंचामृत के सिद्धांत पर चले। केवल हंसने से नहीं होता है, केवल मजाक उड़ाने से नहीं होता है, केवल यह कहने से नहीं होता है कि भारतीय जनता पार्टी अपने आप को बढ़ा चढ़ाकर पेश करती है। भारतीय जनता पार्टी काम कर रही है। आज आप अपने प्रधानमंत्री पर इतनी ताकत नजर आ रही है तभी आप कह रहे हैं। आज यह बिल क्या है?

ग्लोबल वर्ल्ड में आज अलग-अलग एक्टिविटीज़ में किसी के पास पैसा है, किसी के पास बैंक है, किसी के पास कोकीन है तो कोई ड्रग्स दे रहा है। भारत में पुरुलिया में एक कांड हुआ। मेरे बगल में हुआ। पुरुलिया में हथियार गिरा दिए गए। किस कंट्री ने किस इंटेंशन से किया, हम इसकी जांच आधी-अधूरी ही कर पाए क्योंकि हमारे पास कोई कानून नहीं था कि हम किसी की संपत्ति जब्त कर सकें, बैंक एकाउंट फ्रीज कर पाए या किसी को धक्का पहुंचा सकें। वर्ष 1993 बम ब्लास्ट की बात कर रहे थे।

HON. CHAIRPERSON: Please conclude. We are short of time. The hon. Minister is ready for reply.

डॉ. निशिकांत दुबे: वर्ष 1993 में दाऊद इब्राहिम चले गए। क्या हम उनकी संपत्ति जब्त कर पा रहे हैं दुनिया में उनकी संपत्ति गलत तरीके से अर्जित की गई है। हमारे देश को तोड़ने के लिए उनकी संपत्ति है सलाउद्दीन साहब हैं मफ के, वर्ष 1987-88 के बाद चले गए। हम उनका क्या कुछ कर पा रहे हैं? आज हम सबको इस बिल की आवश्यकता है। यूएन का रिजॉल्यूशन आया। एफएटीएफ का रिजॉल्यूशन आया जिसका सिग्रेटरी होना है। चाहे केमिकल वेपन्स हों, बायोलॉजिकल वेपन्स हों, एटॉमिक वेपन्स हों, साइबर सिक्योरिटी का मामला हो या क्रिप्टो का मामला हो, हम सबको दुनिया के साथ मिलकर इस तरह की चीजों को रोकने के लिए एफएटीएफ रिजॉल्यूशन में मदद करने की आवश्यकता थी और यूएन का साथ देने की आवश्यकता थी। इसी कारण से माननीय विदेश मंत्री बिल लेकर आए हैं। हम इनके समर्थन में खड़े हैं। मुझे लगता है कि विश्वगुरु बनने और भारत को ताकतवार बनाने में माननीय प्रधान मंत्री जी के योगदान के लिए पूरे सदन को धन्यवाद देना चाहिए।

इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ। जय हिंद, जय भारत।

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Sir, I rise to support the Bill under the nomenclature 'Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022' as it intends to amend the Weapons of Mass

Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005. S without having any reservation or without having any quarrel, all of us are extending our support to this Bill.

Since yesterday, the House has been reverberating and ruminating over the mission, vision, thought, and philosophy of our predecessors such as Jawaharlal Nehruji, Indiraji, Rajivji, and At Bihari Vajpayeeji. Ours is a great country; so, it is the bounden duty entrusted upon us to defend and protect the country.

In the year 1988, on the 9th June, at the United Nations Special Session on Disarmament, Shri Rajiv Gandhi presented a time-bound action plan for nuclear weapon free world. So, it was enunciated by our country long back about what needs to be done for the people across the world to stem the rot arising out of the nuclear proliferation.

Here, we are all talking about Hiroshima and Nagasaki catastrophic destruction. It is alarming to note that still, the world possesses more than 13,400 nuclear weapons. There have been over 2,000 nuclear tests conducted till date. So, disarmament is the best protection against such dangers. It was first conceived and enunciated by our country.

Jawaharlal Nehru conceived the Atomic Commission. In 1974, the project, Buddha came. In 1998, we had the project, Shanti. We had, at least, made ourselves as a force to be reckoned with.

So, now the point is that we are trying to resist the threat of weapons of mass destruction by adopting some measures that have been depicted here in this Bill.

मैं जयशंकर जी से एक बात पूछना चाहता हूँ कि जब हिन्दुस्तान से एक नहीं, एक के बाद एक भागना तादाद में लोग हिन्दुस्तान के सारे बैंकों को लूटकर देश से भाग रहे हैं, लेकिन हम कुछ नहीं कर पा रहे हैं। कैरिबियन सी के किनारे बैठकर वे लोग मस्ती मार रहे हैं और हम उनको यहां फेसबुक और वाट्सएप पर देख रहे हैं। हमारे देश के सारे धन को लूटकर और हमारे देश को छोड़कर जो आराम से बाहर घूमते हैं, उन लोगों के लिए अब हम कुछ नहीं कर सकते हैं।

इस बिल में है कि अगर कोई व्यक्ति इसमें शामिल होगा, तो उसकी संपत्ति जब्त करने के लिए आपको एक कानून चाहिए। आप कानून लीजिए, हम तो आपको कानून देना चाहते हैं। मैं लार्जर प्रॉस्पेक्ट दो-चार बातें जरूर कहना चाहता हूँ। ... (व्यवधान)

HON. CHAIRPERSON: Do not disturb.

SHRI ADHIR RANJAN CHOWDHURY: Jaishankar Ji, what is the unequivocal definition of weapons of mass destruction? ... (*Interruptions*)

HON. CHAIRPERSON: Let him complete, please.

SHRI ADHIR RANJAN CHOWDHURY: I do not have any idea. What is the unequivocal definition of weapons of mass destruction? I think it depends upon the creativity of the enemy. Before 9/11 in America, when the twin tower was demolished, had we, at that time, imagined that an aircraft could be turned into a flying missile? So, it depends upon the creativity of the enemy. So, we have to prepare ourselves for any eventuality. That should be done right at this situation because rogue States are there. A.Q Khan laboratory, I think, is still existing somewhere in the world. So, how will India be dealing with this kind of unforeseen situation?

Here you are talking about a person. A person cannot do anything on his own capacity. On the one hand, you are talking about State-sponsored terrorism. The implication of it indicates that some States must be behind the terrorist activity. So, we know, and even knowing everything, our hands are tied. We have to plead in the international fora. Besides that, we can do nothing more.

I would even suggest one thing to the hon. Minister and the Government of India. Till date from 1925 to 2017, 10 International Treaties on Weapons of Mass Destruction have been signed. They are Geneva Protocol, Partial Nuclear Test Ban Treaty, Outer Space Treaty, Non-Proliferation Treaty, Seabed Arms Control Treaty, Comprehensive Nuclear Test Ban Treaty, Biological and Toxin Weapons Convention, Chemical Weapons Convention and Treaty on Prohibition of Nuclear Weapons. जो सबसे ज्यादा महत्वपूर्ण है, Comprehensive Nuclear Test Ban Treaty. अब तक ये not in force है। अब वर्ष 2022 आ गया है। अब तक entry into force का जो डेट है, वह डेट अभी तक नहीं पहुंचा है। एक जो सबसे बड़ा Comprehensive Nuclear Test Ban Treaty होना चाहिए, वह अभी तक नहीं हुआ है। कैमिकल और बायोलॉजिकल वेपन क्या होता है? This is poor man's atom bomb। Conventional asymmetric को offset करने के लिए स्मॉलर कंट्री का इस्तेमाल कर सकते हैं। हमने देखा कि वेपन्स ऑफ मास डिस्ट्रिक्शन के नाम पर इराक को डिस्ट्रॉय कर दिया गया।

वेपन्स ऑफ मास डिस्ट्रिक्शन आज से नहीं है, बल्कि यह बात बहुत पुराने जमाने से चली आ रही है। कैमिकल वेपन, बायोलॉजिकल वेपन, ये आज की तारीख के नहीं हैं, लेकिन हमारे पास इन सबसे जूझने के लिए फायरवॉल क्या है? कॉम्प्रिहेन्सिव इमरजेन्सी मैकेनिज्म क्या है? हमारे पास उतना इंटेलीजेन्स है या नहीं क्योंकि सबसे ज्यादा इंटेलीजेन्स की जरूरत होती है। अमेरिका पर हमला होने के बाद सारी दुनिया सचेत बन गई थी।

उसके बाद हम भी सचेत होने लगे, लेकिन क्या हमारे पास साधन हैं? हम सिर्फ कानून पारित करके इससे मुकाबला नहीं कर सकते हैं। आप मेजरमेंट लीजिए, उस पर हमें कोई आपत्ति नहीं है। कम से कम हमारे देश को सुरक्षित रखने के लिए आप जो-जो कदम उठाएंगे, हम बिना हिचकिचाहट उसको समर्थन दे रहेंगे। चाहे नेहरू जी को अच्छा लगे या बुरा लगे, इंदिरा जी को अच्छा लगे या बुरा लगे, राजीव गांधी जी को अच्छा लगे या बुरा लगे, लेकिन यह देश हम सबका है, हम देश के निर्माण में सबसे आगे रहे थे, आगे हैं और आगे ही रहेंगे।

THE MINISTER OF EXTERNAL AFFAIRS (DR. SUBRAHMANYAM JAISHANKAR)

Mr. Chairman, Sir, I have the privilege of speaking to this august House for a second time today and I would say that it is a particularly satisfying day in Parliament because twice I have seen there is unanimity in the House on a foreign policy matter. Earlier in the day I said that foreign policy should be a subject for maximum consensus. I am so glad that people are moving in that direction, and the support that I have had from every Member who has participated – there were totally 21 Members, who spoke on this Bill – is indeed something which is very heartening.

It is also natural that there will be questions, there will be concerns, clarifications sought and naturally when any Bill is tabled, it is the obligation of the Minister moving it to provide it.

17.52 hrs

(Hon. Speaker *in the Chair*)

Mr. Speaker, Sir, what is it today that we are trying to do through this Bill? We are upgrading a law, which is 17 years old, which like many other legislations clearly needs updating and updating laws and ending terminating antiquated rules are both part of good governance. So today is an exercise in one way of good governance.

Now, to understand this particular Bill, I would take you back to a legislation which was passed by this House in 1947, which is called the United Nations Security Council Act. The Act essentially obligates us that the Central Government will apply any measures, not involving the use of Armed Forces, which will give effect to any decision of the Security Council. So, we have made a commitment as a part of our foreign policy at the very start of our Independence. We are good members of the UN, and therefore, if there is a UN Security Council Resolution, which requires action, we will implement it.

What they did not do at that time in Resolution 1540 was to specifically refer to finance. So when we moved this legislation in 2005, we took our provisions from the Security Council Resolution. Since then, the importance of finance has increased. Some Members have raised the issue whether finance was implicit in it. I will address that particular issue. This has been the subject of a comment of the FATF.

Now, all hon. Members will understand the importance of FATF. Today, the FATF evaluates whether countries are responsible in terms of their financial policy. We have seen countries, which have done things, who have followed policies and actions which are not right, brought to account. There are very significant consequences of that. I think, most Members are familiar with the countries involved. Some of them are very close to us.

The FATF has a recommendation number 7 which says that countries should implement targeted financial action to comply with Security Council Resolution and that they should freeze without delay funds and assets and ensure no funds and assets are made available, directly or indirectly, to any person or entity dealing with WMD. So, it is this process – our initial obligation under the 1540 Resolution, the 2005 legislation we passed which today in the light of FATF deliberations and our own security and our international obligation and the importance of financing to this – which is causing us to come to you with this amendment.

Now, some specific issues were raised. I will deal with them very quickly. I think, Uttam Reddyji, who was the first speaker, brought up the issue that we are referring to persons; we are not referring to entities. Now, I would like to inform him, through you Sir, that under the General Clauses Act, 1897, ‘persons’ is defined to include any company or association or body of individuals, whether incorporated or not, and it covers entities, companies and organisations, and that the original Act, which we are amending today, also uses ‘persons’ in view of this. I think Premchandranji, later on in his remarks, recognised this.

The second issue which came up was this. What is the necessity for this? Can it not be done under the current legislation? Why do we have to take the trouble of amending it? Many other countries have specific legislation. Switzerland has Switzerland War Material Act. Germany has Germany’s Foreign Trade and Payments Act. So, there are many examples because FATF and the current requirements need a very specific reference to financing.

What were we doing till now? Till now, we were issuing notifications under the United Nations (Security Council) Act, 1947. What would we do? This would relate to financial measures. Our notifications are implemented by the Reserve Bank of India and other involve government bodies.

They would advise banks and they would do the monitoring, following the order which MEA would regularly bring out. Our effort today is to give legislative backing so that this is not one-by-one *ad hoc* measure, but there is a legal statutory way of dealing with what is a continuous problem.

Sir, there was an issue, which was raised, why this is so limited. It is limited. Many hon. Members have raised many other concerns. People have debated disarmament. They have debated world order. They have referred to other issues also.

माननीय अध्यक्ष : माननीय सदस्यगण, अगर सभा की सहमति हो तो सभा की कार्यवाही बिल पारित हो तक बढ़ा दी जाए?

अनेक माननीय सदस्य: जी हाँ। ... (व्यवधान)

18.00 hrs

DR. SUBRAHMANYAM JAISHANKAR: The issue is whether the proposal is very narrow or not. It is meant to be an amendment for a shortcoming or for something which is missing in the current law. It is not meant to be a new law. It is not meant to be a broad policy directive. So, I acknowledge hon. Members who appreciated it. I appreciate and understand a lot of what they have said on different issues. Many of them are not directly relevant to what we are discussing. For example, there was a reference to BrahMos missile. I think Raksha Mantri ji has made a statement already on this issue. There were some other issues which came up. I do not want to address all the issues. We are already at 6 o'clock. But I want to emphasise that the whole purpose of this exercise is to make a very specific change in additionality in law so that this country's record, this country's reputation, and this country's security is ensured by financial measures which the Government is in a position to take.

There was also a concern expressed by Ritesh Pandey ji. He mentioned whether businesses by mistake will get caught in this situation that they did not know or something wrong was done or no one told them. Again, in the past, we have experience of this. We have outreach with industry. There is a way of communicating this. There is a long list of individuals and entities which are already sanctioned.

I think anybody who is dealing with this business, who is looking at anything which involves weapons of mass destruction, their technology, their equipment, their reach out, and the nature of the business would alert them to it. So, I think the possibility that somebody would by mistake get caught in a financial law is something which is not realistic. He was also concerned about another issue. He said sometimes you get false positives. You put one name, somebody else's name comes. A sanctions list is not just about names. I have it in front of me. It has a lot of particulars. It has a person's name; it has aliases; it has date of birth; it has place of birth; it has nationality; it has passport number; identification number; address; etc. So, the possibility that somebody would get mistakenly caught in a financial situation, and therefore, will be wrongly harmed is something for which I would say the experience since 2005 has not borne out. If it had not happened in the last 17 years, I think Members should be confident that that is something which would not take place.

There was also an issue whether this would affect legitimate research and development. I think Jayadev Galla ji raised this issue. That is again not the case. This is a very specialised area. I think the country's scientists and Government are very aware of what they are doing.

Manish Tewari ji raised one particular case. This was relating to Bodhgaya. He wanted to know whether NIA had filed a chargesheet referring to the WMD Act in the case of the Bodhgaya incident in 2018. I would like to confirm to him – he is not in the House – that this was not the

case. The FIR had mentioned it. But this was not a decision of the NIA, and when NIA took charge of the case, there was no reference to the WMD Act.

Premachandran ji raised one very specific issue saying that there was a reference to aid and abet, and if there is aid and abet in the existing law, why should you have a specific reference to finance. The judgement of the Finance Ministry, the Law Ministry, and even the Foreign Ministry is that aid and abet were not sufficient, that it required something very specific on finance. FAT required it. Section 15 only refers to punishment for contravening section 9. He wanted that clarification and he said if I give that clarification, he would be prepared to support the Bill. So, I hope he will support the Bill.

Sir, over and above this, I will very quickly run through some notable points which hon. Members raised. There were references to extradition agreement. It is a very different matter. What extradition agreements we have, what is our success, who have we been able to bring, what did what crime under which regime, is a different subject. We will have, I suspect, different opinions. We will not have the consensus that we have on foreign policy.

The second issue, I think, is the relevance of this. I think Rajyavardhan Rathore Ji made a very good point. We think of this like something happening in a movie - हो सकता है, को न्यूक्लियर अटैक हो सकता है। These things have happened in real life. In Japan, you had a sarin attack. You had the anthrax letters that he referred to. So, they are not far-fetched scenarios. So, we are dealing with the security of the nation. I referred to the broad purposes.

Saugata Roy Ji today and yesterday made a set of observations, again not specific to this issue. He felt that I was very taciturn. I spoke very little. I think perhaps I am reflective of the Government which does more and speaks less. Maybe he is comfortable with that period, and he noted the remarks of Nishikant Ji. In fact, yesterday, he referred to Krishna Menon. Krishna Menon is known for a record of giving the world's longest speech in the United Nations. Yes, I assure you, I can say the same in six minutes. So, my point is that today, we should be less concerned about giving *gyan* to the world over foreign policy. We should play our role. We should make our contributions. We should look at our national interest. I wish you do that effectively. I am, hon. Speaker Sir, with your permission, referring to this because he made a very specific observation saying that our diplomacy is passive. At the same time, he said, the Prime Minister had spoken to Ukraine and Russia only. अब झगड़ा रशिया और यूक्रेन के बीच में है, what else will he speak to? So, he is speaking to the relevant parties. Maybe doing the relevant thing may look irrelevant to other people, I do not know. But the point I want to make is that we are today in diplomacy very, very focussed. In the morning, we had discussed one aspect of our diplomacy. Today, we are looking at a policy and legal issue which is very pointedly aimed at something else.

Beyond this, I would make the point that today there are big challenges. A lot of challenges are there in disarmament, in arms control, and in the proliferation domains. There are regimes and laws which we are part of. One thing which many hon. Members expressed interest in, where are we in the Nuclear Suppliers Group. The Nuclear Suppliers Group requires consensus. There is a reason, and many of you are aware of why that consensus is not there. There are countries which genuinely have concerns which they are willing to debate; there are countries which seem to have another agenda and are creating blocks to the consensus. So, it is something that we are working on. But again, the House will appreciate that since 2014, we have become Member of the MTCR, we have become a member of the Wassenaar Arrangement, and we have become a member of the Australia Group. So, our role in global arms control, disarmament, proliferation regimes, and initiatives is very strong today. Our reputation is very good, and I believe that the passage of this Bill will strengthen both our national security and our global reputation.

With your permission, this was my response to the queries of the hon. Members.

माननीय अध्यक्ष: प्रश्न यह है:

“कि सामूहिक संहार के आयुध और उनकी परिदान प्रणाली (विधिविरुद्ध क्रियाकलापों का प्रतिषेध अधिनियम, 2005 का संशोधन करने वाले विधेयक पर विचार किया जाए।”

प्रस्ताव स्वीकृत हुआ।

माननीय अध्यक्ष: अब सभा विधेयक पर खण्डवार विचार करेगी।

माननीय अध्यक्ष: प्रश्न यह है:

“कि खंड 2 विधेयक का अंग बने।”

प्रस्ताव स्वीकृत हुआ

खंड 2 विधेयक में जोड़ दिया गया।

Clause 1

Short title and commencement

माननीय अध्यक्ष : श्री विनायक राऊत जी, संशोधन संख्या -1.

श्री विनायक भाउराव राऊत (रत्नागिरी-सिंधुदुर्ग): अध्यक्ष महोदय, मैंने विधेयक के अमेंडमेंट में य अमेंडमेंट दिया है। आज इस संसद में मंत्री महोदय ने हिस्टोरिकल विधेयक पेश किया है। मेरी विनती है कि इस विधेयक को आज लोक सभा में और कल राज्य सभा से पास होने के बाद तथा महामहिम राष्ट्रपति जी के सिग्नेचर होने के तुरंत बाद इसका अमल होना चाहिए। इससे एक आदर्श परंपरा का इस संसद में निर्माण जाएगा। यह मेरी विनती है।

माननीय अध्यक्ष : क्या आप संशोधन को विद्‌डा कर रहे हैं?

श्री विनायक भाउराव राऊत: मैं विद्‌डा करता हूँ।

माननीय अध्यक्ष : क्या सभा की यह इच्छा है कि श्री विनायक भाउराव राऊत द्वारा प्रस्तुत संशोधन व वापस लिया जाए?

संशोधन को सभा की अनुमति से वापस लिया गया।

माननीय अध्यक्ष : प्रश्न यह है:

“कि खंड 1 विधेयक का अंग बने।”

प्रस्ताव स्वीकृत हुआ।

खंड 1, विधेयक में जोड़ दिया गया।

अधिनियमन सूत्र और विधेयक का पूरा नाम विधेयक में जोड़ दिए गए।

माननीय अध्यक्ष : माननीय मंत्री जी, अब आप प्रस्ताव करें कि विधेयक पारित किया जाए।

DR. SUBRAHMANYAM JAISHANKAR : Sir, I beg to move :

“That the Bill be passed.”

माननीय अध्यक्ष : प्रश्न यह है:

“कि विधेयक पारित किया जाए।”

प्रस्ताव स्वीकृत हुआ।