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Title: Discussion on the motion for consideration of the Anti-Hijacking Bill, 2016 (As passed by Rajya Sabha).

THE MINISTER OF CIVIL AVIATION (SHRI ASHOK GAJAPATHI RAJU): Hon. Chairman, Sir, I beg to move:

"That the Bill to give effect to the Convention of the Suppression of Unlawful Seizure of Aircraft and for matters connected therewith, as passed by Rajya Sabha, be taken into consideration."

Sir, there is a slight difference from the previous Bill in the sense that the definitions have changed. Now it is becoming in-flight from closure of a door to opening of the door. Definitions have been expanded. This Bill had been introduced in the Rajya Sabha and was referred to the Standing Committee. The Standing Committee examined it, returned it with recommendations and these were brought before both the Houses of Parliament. There were four recommendations. Out of the four, three were basically agreed by the Government. The one which was not accepted was with regard to compensation. It is because that has been left in the realm of the Executive. It has been done so because some of them could be policemen, some of them could be covered by insurance. So, it was thought that this compensation angle should be kept with the Executive and not in the ambit of the Legislature. This was the only difference after the Standing Committee had come out with its report. But the basic thing is that the definitions have changed and they have been enlarged. The death penalty also has been brought in where if a death occurs, it could be a policeman, it could be a passenger, it could be anyone, then the people who perpetrate this nefarious act ought to be sentenced to death. So, this is the basic thing. I would like to request the hon. Members of the House to support the Government and allow aviation to be, particularly the hijacking aspect, in tune with world definitions.

HON. CHAIRPERSON: Motion moved:

"That the Bill to give effect to the Convention of the Suppression of Unlawful Seizure of Aircraft and for matters connected therewith, as passed by Rajya Sabha, be taken into consideration."

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Sir, thank you for giving me this opportunity to participate in the debate on the legislation under the nomenclature, the Anti-hijacking Bill, 2016 which aims to give effect to the Convention for the suppression of unlawful seizure of aircraft and for matters connected therewith.

There is no question of opposing this kind of legislation. This legislation was first brought by the UPA regime headed by Dr. Manmohan Singh in the year 2010 and thereafter it was scrutinized, vetted and widely discussed.

Sir, to begin with, I would like to pay my tribute and obeisance to a great soul of our country, the late Neerja Bhanot who had laid her life for securing the lives of the passengers of a hijacked aircraft. This aspect of hijacking still looms large and is a frightening reality even today. Since Independence we have experienced seven nerve-wrecking hijacking incidents, which all happened in India. The first hijack took place in the year 1971; the second hijack that took place was of an Indian Airlines flight on 29<sup>th</sup> September, 1981.

The third hijack took place on 22<sup>nd</sup> August, 1982. A single militant hijacked Boeing 737 on its way to New Delhi from Mumbai carrying 69 passengers. Again, on 6<sup>th</sup> July, 1984, Indian Airlines jet flying from Srinagar to New Delhi was hijacked and forced to land in Lahore, Pakistan. In the same year, on 24<sup>th</sup> August, a domestic flight from Chandigarh to Srinagar was hijacked by seven young hijackers who demanded an Indian Airlines jetliner. In 1993, an Indian Airlines aircraft was hijacked on 24<sup>th</sup> April bound for Srinagar via Jammu from Delhi. The sole hijacker wanted to take the plane to Lahore but was refused by Pakistan authorities. The plane landed at Amritsar where the hijacker was killed thus freeing the passengers.

The memory is still haunting us, namely, the hijacking of IC 814 flying from Kathmandu. It was hijacked and diverted to Kandahar, Afghanistan which at that time was controlled by the Taliban. Before reaching Afghanistan, the plane was flown to various locations including Amritsar, Lahore and Dubai. During the bargain with the Indian Government, the hijackers released 27 of 176 passengers in Dubai but fatally stabbed one and wounded several others. Harkat-ul-Mujahideen, a Pakistan-based Islamic extremist group, was accused of the hijacking. After a week long stand-off, India agreed to release three Kashmiri militants who were jailed in exchange for the hostages.

Again, in 2011, the Twin Tower demolition was carried out by the terrorists while using an aircraft as a missile – a new phenomenon which had still been bearing the sordid episode, the pathetic and exquisite episode of human history.

Sir, it is true that the civil aviation industry in our country has been growing exponentially since the new millennium. There is no doubt about it. You will be astonished to note that even in this year, the total aircraft movement at all Indian Airports is amounting to 1,56,048. It is 15.9 per cent increase in comparison to the corresponding year of 2015.

India is expected to become the third largest aviation market by 2020. It is not only that. We are poised to be the largest by 2030. But, when opportunities are growing by leaps and bounds, it has brought in its stride great vulnerabilities also. That is why, we need to be very vigilant and

more holistic in our approach towards the security of our passengers.

Even today also, we have witnessed that one Russian jetliner was bombed by ISIS on the sky of Egypt. So, there is no let-up of hijacking or bombing of passenger aircraft which seem to be a very soft target for those nefarious elements and terrorists. Given this situation across the world, and in our country also, how much are we prepared to deal with exigencies arising out of the hijacking? We have already failed miserably in dealing with the hijacking of the Indian Airlines flight IC 814.

I would like to draw the attention of the hon. Minister by quoting former Research and Analysis Wing (RAW) Chief, A.S. Dulat, who made more revelation on the 1999 Kandahar hijacking, which has even shown how the Centre failed to stop IC 814 from taking off from Amritsar Airport where Punjab commandoes trained in anti-terrorism operations were deployed to face the extremists. Dulat said, and I quote: " That instead of passing on the instruction to the Punjab police to foil the hijack, both Centre and Crisis Management Group were worried about the collateral damage and thus goofed up their chance to stop the plane from flying to Kandahar, Afghanistan on 24 December. No one was willing to take a decision and in that confusion no instructions were passed on to the Punjab police which had moved in its personnel."

Dulat, the chief of RAW at that time further said, and I quote: "As the Centre failed to take any decision, the flight took off, and thus began the blame game in Crisis Management Group. The CMG degenerated into a blame game with various senior officials trying to lay the blame for allowing the aircraft to leave Indian soil on one another; the Cabinet Secretary, being the head of the CMG was one target, and the NSG chief unfortunately became another.", according to the Indian Express.

We have already witnessed the hijacking scenario of our country and the response that our Government had displayed during that crucial time. May I know from the hon. Minister the existing crisis management infrastructure in the country in order to deal with any exigencies? I know that today's legislation pertains to another aspect of hijacking, especially the anti-hijacking legislation. However, these issues which I am raising are very much concomitant with the legislative document on which we are all dealing with.

The first anti-hijacking legislative document was explored in 1963 by the Japanese Government and the same is called the Tokyo Convention. That was the first legislative document to punish the offender involved in hijacking crime. There is a sequence of various Conventions and Protocols which had been culminated in this legislation. First in 1963, it was the Tokyo Convention.

Sir, in 1963, there was Tokyo Convention, in 1970 there was the Hague Convention, in 1971 there was Montreal Convention, in 1988 there were Airport Protocol, Suppression of Unlawful Act, Fixed Platform Protocol, in 1991 there was Plastic Explosive Convention, in 2005 Suppression of Unlawful Act Convention and also there was Fixed Platform Protocol, in 2010 there was Beijing Convention and also Beijing Protocol based upon which we are going to pass this Bill. The 2014 Protocol proposed to amend that Convention and certain other acts committed on-board aircraft.

There are various gaps and inadequacies which were observed by experts and various Governments across the world. The Diplomatic Conference held in Beijing, comprising representatives from 77 States adopted two new air law instruments, namely the Convention on the Suppression of Unlawful Act relating to International Civil Aviation and the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft. These new legal instruments criminalize the act of using civil aircraft as a weapon and using dangerous materials to attack aircraft or other targets on the ground.

There is an urgent need to update the existing air law instruments which this Government has been pursuing and I must support this step. The provisions of Clause 7 of this new Bill will enable India to register a case against hijackers if any Indian is hijacked in any aircraft anywhere across the world. Earlier, the offender has to be an Indian citizen or the aircraft has to land in India for a case to be registered. Here, the Beijing Protocol affirms the principles of fair treatment and non-discrimination.

The Bill also broadens the definition of hijacking by introducing an 'in-service' clause. Hijacking is currently limited by an 'in-flight' definition which the Minister has mentioned in his speech. Another important area that the Bill proposes to change is the trial of offenders. The proposed law would also give teeth to concerned agencies or security forces to immobilize an aircraft or prevent its take-off and also allow the Indian Air Force to scramble its fighters to intercept a hijacked aircraft and force it to land. The other proposed amendments include powers to the agencies and forces to take stern action against those making hoax threats also.

Sir, I would like to draw the attention of the hon. Minister that all the security architectures are not being provided by his Ministry because security in airports in India is being provided by various agencies and various Ministries. I would simply like to warn this Government that USA was boasting that their security arrangement was impregnable. In spite of that, two aircraft were used as missiles to demolish the twin towers of the World Trade Centre at New York.

The screening machines used at all Indian airports are not foolproof. The perimeter walls of various airports in our country are porous. Even the Mumbai Airport is said to be sitting on a powder keg. It is like a sitting duck in view of its vulnerability. A few months earlier, we had faced the Pathankot airbase raid by Pakistani elements. I would like to give some suggestions. If the Minister wants, I can give him some suggestions; nothing else. It is because, it is a foregone conclusion that the Bill will be passed. It has already been passed in the Rajya Sabha. Compensation is one issue. Second thing which needs to be considered by all of us is that those hijackers are all motivated personnel. They cannot be deterred by simple legislation of death penalty; that I can say. It is because, those are indoctrinated suicide bombers. How can you prevent them to take aircraft? How can you secure the aircraft from the onslaught of those suicide bombers?

Here I can give you one suggestion that a method and system for preventing airplane hijacking provides for isolating the pilot and the cockpit from the passenger cabin of the airplane while nevertheless maintaining the necessary communication therebetween for assuring safety of the passengers and the airplane. Physical access between the cabin and the passenger compartment is restricted by a door which can be opened only from the cockpit, both the door and the associated bulkhead being of fire resistant, bullet-proof material. An audio system provides verbal communication only from the cockpit to the cabin, and not in the reverse direction. Communication from the cabin to the cockpit is afforded exclusively by an electrical signalling system affording communication only of predetermined messages, specifically excluding any indication of

hijacking attempts. The pilot's primary response to any emergency signalling indication is to land at the nearest airport. By assuring that all passengers are warned in advance of the installation in a plane of the system of the invention, potential hijackers are discouraged from even attempting to hijack a plane, since any effort to that end would be totally fruitless.

**माननीय सभापति:** कृपया आप अपनी बात को समाप्त करें।

â€¦(व्यवधान)

**माननीय सभापति :** श्री राजेश पाण्डेय जी।

â€¦(व्यवधान)

SHRI ADHIR RANJAN CHOWDHURY: Sir, let me conclude.

**माननीय सभापति :** मैं आपसे आग्रह कर रहा था कि आप अपनी बात को समाप्त करें तो आपको अपनी बात समाप्त करनी चाहिए थी। आप अपनी बात को एक मिनट में खत्म करें।

...(व्यवधान)

SHRI ADHIR RANJAN CHOWDHURY: Okay, hon. Minister, if you think more suggestions are required from other Members, I would request you to call up us over a cup of tea and we will have a threadbare discussion on it.

I am supporting the legislation and I would like to insert more legal teeth into this legislation. That will also be supported by us. Thank you.

**श्री राजेश पाण्डेय (कुशीनगर):** आदरणीय सभापति जी, मैं आपका हृदय से धन्यवाद करना चाहता हूँ कि आपने मुझे इस गंभीर और अतिमहत्वपूर्ण विषय पर बोलने का मौका दिया। मैं अपने सिविल मिनस्टर को बधाई देते हुए इस बिल के समर्थन में बोलने के लिए खड़ा हुआ हूँ।

सभापति जी, मैं अभी कांग्रेस के कतिग अथि रजन जी की बातों को सुन रहा था। उन्होंने इस बिल का समर्थन किया है, इसलिए मैं उनको भी धन्यवाद देना चाहता हूँ। इसके साथ ही साथ, मैं यह भी कहना चाहता हूँ कि सिविल एविएशन के इतिहास में जो हाईजैकिंग्स हुई हैं, उनकी इंसिडेंट्स की जो फेडरिस्टा गिनार्ड, उसमें उन्होंने वर्ष 1971, 1981, 1982, 1984 और वर्ष 1993 जिक्र किया, लेकिन मुझे लगता है कि my colleague is a patient of selective amnesia, I can say, Sir. जो चाहते हैं, वह उतना याद रखते हैं और जो भूलना चाहते हैं, उसे वह जानबूझ कर याद नहीं रखते हैं। 20 दिसम्बर, 1978 में एक हवाई जहाज की हाईजैकिंग हुई थी, जो हवाई जहाज दिल्ली से लखनऊ आ रहा था। उसे बलिया और आजमगढ़ के कांग्रेस के दो वरिष्ठ कार्यकर्ताओं ने हाईजैक कर लिया। उसके बाद उसे वाराणसी ले गए। वाराणसी ले जाने के बाद उनके समक्ष अपनी मांगें रखीं। उस समय के तत्कालीन मुख्य मंत्री वहां पहुंचे। यह एपिसोड पूरे देश को मालूम है, मुझे दोबारा रिपीट करने की आवश्यकता नहीं है। लेकिन मैं यह जरूर कहना चाहता हूँ कि पोलिटिकल लाभ के लिए पहली बार अगर इस देश में कोई हवाई जहाज हाईजैक किया गया था, अभी हमारे जो माननीय सदस्य बोल रहे थे, उनकी पार्टी के ही कार्यकर्ताओं द्वारा हाईजैक किया गया था। इसे करने में सबसे ऑब्जेक्शनेबल बात यह थी कि उसके बाद उन्हें न सिर्फ महामामंडित किया गया बल्कि पार्टी का बाकायदा चार बार टिकट दिया गया और इस सम्मानित सदन का सदस्य भी बनाया गया जो एक बहुत ही शर्मनाक बात है। ... (व्यवधान) मुझे लगता है कि यह सिविल एविएशन की एक बहुत ही खराब चुग की शुरुआत हाईजैकिंग की हिस्ट्री में हुई थी।

मान्यवर, हाईजैकिंग अपने आप में एक बहुत गंभीर अपराध है। आज के ज़ीरो आवर में ओडिशा के एक मित्र बोल रहे थे। उनका कन्सर्न यह था कि जब वे हवाई जहाज में बैठे तो काफी देर बाद उन्हें बताया गया कि हवाई जहाज में टैक्नीकल स्नैंग है। उसे ठीक करने के बाद वापस भेजा गया तो उनका अनुरोध था कि जब तक पूरी तरह हवाई जहाज की वॉकिंग न हो जाए तब तक पैसेंजर्स को उसमें बैठने नहीं दिया जाना चाहिए। आदमी एक मानसिक यंत्रणा से गुजरता है जब उसे पता लगता है कि हमारा हवाई जहाज हाईजैक कर लिया गया है या इसमें कोई टैक्नीकल स्नैंग है या इस तरह की कोई बात है। आम तौर से एक हवाई जहाज में डेढ़ सौ से दो सौ लोग होते हैं। हम 35-36 हजार फीट की ऊंचाई पर उड़ रहे हों और उस समय हमें पता लगे कि हमारा हवाई जहाज हाईजैक कर लिया गया है तो उन दो सौ लोगों के मन में क्या गुजरती होगी, हम इसकी कल्पना तभी कर सकते हैं जब हम स्वयं उस हवाई जहाज में हों।

20 दिसम्बर, 1978 को जब कांग्रेस के दो मित्रों ने हवाई जहाज हाईजैक किया था और उसे जब इस सदन में शील्ड करने की कोशिश की गई थी, अगर मैंने वह डिसकशन सही पढ़ा है तो मुझे अभी भी याद है, उस समय आदरणीय सौगत दादा जी मैम्बर थे। उस प्लाइट में जैन साहब, मैम्बर ऑफ पार्लियामेंट भी थे। हमारे कांग्रेस के जो मित्र डिफेंड कर रहे थे, उनसे कहा था कि फॉर्नुनेटली आप उस हवाई जहाज में नहीं थे जो हाईजैक हुआ वर्ना शायद आप इतना न बोल रहे होते। कहने का अर्थ है कि यह बहुत ही गंभीर अपराध है और इसके प्रिवेंशन के लिए हमारी सरकार, माननीय मंत्री जी, वहां दोनों मंत्री आदरणीय गजपति राजू जी, आदरणीय महेश शर्मा जी बैठे हुए हैं। मैं इन दोनों को बधाई देना चाहता हूँ कि इन्होंने अब ऐसे लैजिस्लेटिव इन्फोर्मेंट्स दिए हैं जिसकी वजह से हाईजैकिंग के इंसिडेंट्स, मैं यह नहीं कहता कि सौ प्रतिशत रुक जाएंगे, फिर भी इसमें बहुत इफेक्टिवली कंट्रोल किया जा सकता है।

हाईजैकिंग का प्रोब्लेम जो टैरिस्ट्रस या एविलिस्ट्रस एडोप्ट करते हैं, मैं कहना चाहता हूँ कि इसमें prevention is better than cure वाली थ्योरी पूरी तरह एप्लाइ होती है। एक बार हाईजैक हो जाने के बाद हमारे हाथ में बहुत कुछ नहीं रह जाता, लेकिन हवाई जहाज हाईजैक न हो, इसके प्रिवेंशन के लिए हम बहुत सारे प्रोजेक्ट्स कर सकते हैं। उदाहरण के तौर पर मैं उस एयरपोर्ट का नाम नहीं लूंगा, लेकिन एक कन्सर्न के तौर पर आदरणीय मंत्री जी के समक्ष एक सुझाव रखना चाहता हूँ। हमारे देश में एक इंटरनेशनल एयरपोर्ट है। हम एक मीटिंग में थे। वहां यह बात आई कि इसकी पेरिफेरी 25 किलोमीटर की है और हर एक किलोमीटर पर हमारा सीआईएसएफ का एक जवान खड़ा है जो उसे गार्ड करता है। मैंने उससे एक सवाल पूछा कि एक किलोमीटर का मतलब हुआ कि अगर एक किलोमीटर की पोस्ट पर एक जवान खड़ा है तो पांच सौ मीटर तक इधर वाला जवान गार्ड करता है, पांच सौ मीटर उधर वाला जवान गार्ड करता है। यह दिन में चल जाता है लेकिन रात में एक जवान के लिए 500 मीटर की दूरी तक देख पाना, 500 मीटर की दूरी में कोई इन्फ्रामेन्ट न हो, कोई इन्फ्लिक्शन न हो, इसको इफेक्टिवली कंट्रोल कर पाना बहुत आसान काम नहीं है। जब मैंने उनसे पूछा कि क्या वह अपनी सिक्युरिटी सिस्टम से स्वयं सेटिसफाइड हैं तो उन्होंने दिक्कियाते हुए कहा कि नहीं हम सेटिसफाइड नहीं हैं। इसके लिए हमें नए किस्म के एडवांसड सिस्टम लाने पड़ेंगे जिससे हम एयरपोर्ट की सुरक्षा को बेहतर कर सकें।

मेरा अनुरोध है कि इस तरह के सिस्टम लगाए जाने चाहिए जिससे इसको कंट्रोल किया जा सके। चूँकि ग्राऊंड हैंडलिंग स्टाफ की संख्या बहुत ज्यादा होती है, उनका आवागमन भी बहुत रहता है। हर बार उनके आई-कार्ड से चेकुरा मिलाकर अंदर-बाहर आने जाने दें यह प्रॉब्लेम बहुत संभव नहीं हो पाता क्योंकि उनकी तादाद बहुत ज्यादा होती है। इस विषय के कुछ ऐसे उपाय किए जाने चाहिए एक बार वह गहरी छानबीन और चेकिंग के बाद आ गए तो कोई बहुत विशेष आवश्यकता न हो तो उनके बाहर जाने पर रोक होनी चाहिए या अगर आते जाते हैं तो इफेक्टिव कंट्रोल और आइडेंटिफिकेशन के लिए कोई न कोई व्यवस्था जरूर की जानी चाहिए। इसके साथ इसमें डिफिनेशन वेंज की गई, स्पीडी कोर्ट ट्रायल का जो प्रोजेक्ट किया गया है उसके लिए मैं हृदय से माननीय मंत्री और सरकार को बधाई देना चाहता हूँ। इस अवसर पर दोनों मंत्रियों को कुशीनगर में इंटरनेशनल एयरपोर्ट स्थापित करने के लिए अपनी इच्छा व्यक्त की है और डिक्लैरेशन किया है उसके लिए भी हृदय से बहुत-बहुत आभार व्यक्त करते हुए इस बिल का समर्थन करते हुए अपना निवेदन समाप्त करता हूँ। आपको अवसर देने के लिए बहुत-बहुत धन्यवाद देता हूँ।

PROF. SAUGATA ROY (DUM DUM): Hon. Chairperson, Sir, I rise to support the Anti Hijacking Bill, 2016. This Bill has been earlier passed by the Rajya Sabha. So, it is almost compulsory for us to pass this legislation in the interest of the country.

Sir, hijacking is one of the heinous crimes to humanity that one can think of. This was first used as a political weapon by the Palestinian terrorists in the late 1960s. Sir, you must have heard of the famous hijacker, Leila Khaled who hijacked planes several times. They were only foiled by the Israelis when they took an aircraft to Entebbe in Uganda during the Idi Amin's regime, and the Israelis brought their own commandos by plane and were able to disarm all those people.

The earlier speakers have mentioned about several cases of hijacking that had taken place in the country. Of course, the most shameful case of hijacking was IC-814 during the NDA regime. When an aircraft from Kathmandu landed in Amritsar but still could not be taken over by the Indian security people, and ultimately it flew to Kandahar and we saw the spectacular thing for our Foreign Minister escorting the dreaded terrorist Massod Azhar to freedom in exchange of the lives of hostages.

Sir, an aircraft is the most vulnerable vehicle, up 30,000 feet in the sky in a pressurized cabin, and any small explosion can cause damage to the aircraft, bring it down causing the death of a large number of people. That is why, after this hijacking thing surfaced, the world stood up and took note, and in 1970, the Hague Convention was first passed. We passed our Anti Hijacking law in 1982. But it always remains a question in my mind when international conventions were adopted, why did India take such a long time to enact its own law – from the Hague Convention in 1970 to the Anti Hijacking Bill in 1982; then again from the Beijing Convention in 2010 to the Anti Hijacking Bill by Shri Ashok Gajapati Raju in 2016. The huge time lag between passing of an international convention of an offence, which is essentially international in nature, and the actual legislation in the country is something that we should take care of.

Sir, the new Bill defines various important things. Firstly, it defines what hostages are. Secondly, it designates a special agency, the National Investigative Agency (NIA) to investigate all hijacking related crimes. Thirdly, it calls for designated courts to have trials for cases of hijacking. Most importantly, in Section 3, the legislation states specifically what hijacking is; and the new sort of hijacking is the electronic hijacking.

Sir, you would be surprised to know that the Chinese have demonstrated this that by sitting in Beijing, they can immobilise an aircraft flying anywhere, with electronic jamming. We have not been able to develop our cybernetics to the extent that we can counter this. As an aircraft is a fully computer-dependent vehicle, and if somebody immobilises our aircraft to electronic jamming, there is little we can do. The aircraft is also dependent on its communication with the control tower. If that is put out of action, then also the aircraft becomes helpless.

I am happy that the Bill includes this matter – 'whoever unlawfully and intentionally seizes or exercise control of an aircraft in service by force or threat thereof, or by coercion, or by any other form of intimidation, or by any technological means, commits the offence of hijacking.' For the first time, in this Bill, this technological means of electronic warfare has been mentioned. So, the man need not even be on the plane itself. This is the point, I want to mention.

A mention has been made of the courageous efforts of Neerja Bhanot on whom a very popular current film has been made....(*Interruptions*) The film is called *Neerja*; you have not seen it. You must see the Hindi films. They represent mainstream India.

So, all I want to say, Sir, is that the problem is very intricate. Section 3 and Section 5 are defining the offence of hijacking. The special designated court denotes which are the places where the courts can decide on issues of hijacking. So, the law has been made much better. Though in a hijack situation, it is mostly death for one or the other, it is seldom that you capture the hijacker. Normally, you kill the hijacker or the hijacker kills or he blows up the plane and blows up himself.

**माननीय सभापति:** प्रो. सौगत राय जी, अब आप अपना भाषण समाप्त कीजिए।

**प्रो. सौगत राय:** सर, खत्म कर रहा हूँ। आप सुनिए। आपको इंटरैक्टिंग लगेगा। आप तो पक्के सोशलिस्ट हैं।

**माननीय सभापति:** समय का दबाव है।

**प्रो. सौगत राय:** ठीक है। समय का दबाव है, लेकिन डॉ. राम मनोहर लोहिया जी कहते थे कि इस हाउस को इंकलाब की रंगभूमि बनाना चाहिए। इसलिए कुछ भी बात है, तो यहां ही बोलना चाहिए। चूंकि आप पक्के लोहियावादी हैं, इसलिए मुझे विश्वास है कि आप मुझे हाउस में बोलने के लिए ज्यादा टाइम देंगे।

**माननीय सभापति:** डॉ. राम मनोहर लोहिया जी भी यहां समय की सीमा में ही बात रखते थे। वे कभी भी आसन के आदेश का उल्लंघन नहीं करते थे।

**प्रो. सौगत राय:** डॉ. राम मनोहर लोहिया जी ने श्री राज नारायण जी को ट्रेंड किया कि हाउस को कैसे डिसरूट किया जाए। वे खुद नहीं करते थे।

**श्री महिलकाजुन खड़गे (गुलबर्गा) :** आप वेयरमैन साहब को डॉ. राम मनोहर लोहिया जी की पुरानी बातें याद दिला रहे हैं। वे अब जाकर गुरु गोलवलकर और भागवत जी के साथ आ गए हैं। उनको वे बातें कैसे याद आयेगी? ...(व्यवधान) आपको अन्याय नहीं करना चाहिए। ...(व्यवधान)

**प्रो. सौगत राय:** मैं हुवमदेव नारायण यादव जी को वर्ष 1977 से जानता हूँ, जब वे जनता दल के सांसद थे। उस समय वे भाजपा के साथ नहीं मिले थे। आज वे जरूर दूसरी जगह हैं, लेकिन वे लोहियावादी ही रह गये। ...(व्यवधान) मैं अपनी बात समाप्त कर रहा हूँ। ...(व्यवधान)

**माननीय सभापति:** सौगत राय जी, आप विषय पर आकर अपनी बात समाप्त कीजिए।

â€¦(व्यवधान)

**प्रो. सौगत राय:** सभापति महोदय, मैं अपनी बात समाप्त कर रहा हूँ। ...(व्यवधान)

**सूक्ष्म, लघु और मध्यम उद्यम मंत्री (श्री कलराज मिश्र) :** सौगत राय जी, लोहिया जी हमारे काफी नजदीक आ गये थे। ...(व्यवधान) हमारे साथ मिलकर उन्होंने कहा था कि अलग से...(व्यवधान) उन्होंने गैर कांग्रेसवाद को आगे बढ़ाने की दृष्टि से जगह-जगह सरकारें बनवायी थीं। ...(व्यवधान)

**प्रो. सौगत राय:** कलराज जी, आप यू.पी. के वरिष्ठ नेता हैं, लेकिन लोहिया जी का बेसिक थिसिस वलास स्ट्रगल न होकर कास्ट स्ट्रगल था। ...(व्यवधान) कास्ट स्ट्रगल में वह हिन्दू समाज में बंटवारा देखते थे। ...(व्यवधान) लोहिया जी का नाम आया, तो हमने दो-चार बातें बोल दीं। ...(व्यवधान)

**माननीय सभापति :** माननीय सदस्य, आप विषय पर आकर अपनी बात समाप्त कीजिए।

â€¦(व्यवधान)

माननीय सभापति : सौगत राय जी, आप अपनी बात समाप्त कीजिए।

â€¦(व्यवधान)

पू. सौगत राय: अम्बेडकर और लोहिया जी आर.एस.एस. को पसंद नहीं करते थे। ... (व्यवधान) अल्टीमेटली मेरे तीन ही सजेशन हैं। ... (व्यवधान)

माननीय सभापति : अब आप अपनी बात समाप्त कीजिए।

â€¦(व्यवधान)

पू. सौगत राय: मैं एक मिनट में अपनी बात समाप्त कर रहा हूँ। ... (व्यवधान) Airport security is in the hands of the CISF. The Central Industrial Security Force is under the Home Ministry. I would like to know how much control your Ministry has on the CISF who are totally in-charge of frisking, checking and everything.

There is a Bureau of Civil Aviation Security. How is it functioning?

Lastly, I would like to remind you of perimeter fencing.

माननीय सभापति : इस बिल के लिए समय निर्धारित है, इसलिए उसी सीमा में उसे पास करना है।

â€¦(व्यवधान)

SHRI TATHAGATA SATPATHY (DHENKANAL): I will rush through this Anti-Hijacking Bill, 2014. The Bill is good and I support it except for a few clarifications that are required. This Bill was considered by the Standing Committee on Tourism, and *prima facie*, it seems okay.

I would like to mention two or three points. There is this point about compensation. It is not mentioned exactly how compensation will be fixed. It has not been left to the judiciary but to the executive as the hon. Minister said. So, in a way, it is good because then with the rising cost and with the rupee falling because of your governance system, they can give more money. The sad part is that nobody wants that money. Nobody wants to be compensated. No family of any air traveller would like to receive any compensation. Everybody wants their family members to be brought home safe and, therefore, I hope and pray *inshallah* that this is never used.

Death penalty has been stressed upon in this amended Bill. I do not know if death penalty was a successful method. Then we would not have had so many rapes and so many murders in this country. It is becoming a horrific social problem. So, I do not know whether death penalty alone will be a proper deterrent. I am not doubting this but death penalty should also be chosen for a very few specific crimes and in my opinion, rape is one such crime that definitely deserves death penalty, through a speedy trial.

The next thing is about what the hon. senior Member mentioned earlier. The CISF is a force that is guarding all our airports. Unfortunately, they are all very well meaning *jawans*, *sepoys* and *havildar* level people who are guarding the airports. The airports are very hi-tech establishments and the CISF is not trained or not equipped to handle the exigencies that might arise at any time.

We saw that during the first NDA Government when that aircraft from Kathmandu to Delhi was hijacked. When after it even landed in one airport in Punjab, our Forces were incapable of stopping that aircraft. All that they had to do is, park a tanker in front. That would have been the end of the matter. We could not react on time. And, the NSA today is like the NSA of those days. So, that is something that should be thought about. The CISF is not the proper Force. I believe that it is time we developed a special force exclusively meant for airport security, which is trained in the latest technologies and its personnel are well behaved.

The behaviour is a major part. If they see a Minister coming with two black cats, they salute them and they let them pass through the line. Sir, since you would have travelled abroad a lot, it is no matter who comes, no matter who the passenger is, everybody goes through the same scrutiny. So, that list should be removed. No judges, no Ministers and nobody should be allowed because once we are in the air, it is our lives. It is not the lives of those people. When a judge or a Minister or some VIP comes, earlier you had to deal with their family members, कोई पोता है, कोई पोती है, कोई दोता है, कोई दोती है। So, in those situations, you have other people going along with them, who are definitely security threats and that should be taken care of.

The third point I would like to mention is that there are these hoax calls and fake hijacking like it happened in Egypt where a man wanted to meet his estranged wife. His wife had actually rejected him. His wife did not want to live with him for reasons unknown to the society and the world at large. But this man was so desperate for his wife that he hijacked a plane and forced it to land at Cyprus. You would have watched the video on the television the way he calmly and very coolly walked out of the aircraft. He just walked away. He was simply imprisoned whereas one of the crew members actually jumped out of the cockpit window and broke his leg. So, this was seen all over the world.

What I am trying to say is that, apart from commenting on the ability of our crew members and our cabin crew about which I do not wish to comment, I am also saying what special regulations you wish to put into place to control....(Interruptions)

Sir, just because I am from Odisha, you are punishing me.

माननीय सभापति : समय कम है, आप जल्दी अपनी बात समाप्त करें।

**श्री तथागत सत्पथी:** एक घंटा समय दिया गया था।

**माननीय सभापति :** एक घंटे में इस बिल को पास करना था।

SHRI TATHAGATA SATPATHY: Sir, all that I am saying is that, before I wind up, this is a Bill that the Biju Janata Dal supports but this is not stringent enough in the sense that it is not the punishment that matters. We must not allow hijacking to happen, and to stop that, at the security level and at the airport level you have to make things better which you are not doing. You must have no VIP treatment for anybody. Everybody must be the same. This VIP culture must end in India. Thank you.

SHRI M. MURLI MOHAN (RAJAHMUNDRY): Sir, I welcome this Bill and the TDP Party fully supports the Bill. I understand that in the backdrop of the recommendations made in the Beijing Conference in 2010, the Union Government has thought it appropriate to bring this Bill. India has been a signatory to the Protocol Supplementary to the Convention at Beijing on the 10<sup>th</sup> day of September, 2010, which deals with unlawful acts against civil aviation by new types of threats which require comprehensive amendments to the said Act. This Bill will replace the Anti-Hijacking Act, 1982. This is defining hijacking, and it awards death penalty for hijacking in certain cases.

The Anti-Hijacking Bill, 2014, introduced in Rajya Sabha in December, 2014, was referred to the Parliamentary Standing Committee on Transport, Tourism and Culture and the panel submitted its report in March 2015 suggesting various changes including making hoax calls a punishable offence and providing just and adequate compensation for victims of hijacking.

### **15.00 hours**

Chapter - 1 of this Bill says that the National Investigation Agency (NIA) is constituted under Section 3 of the National Investigation Agency Act, 2008. My suggestion to the Government is that NIA should be further strengthened. Similarly, more manpower should be inducted in the CISF. Chapter – 2 of the Bill deals with death penalty. The perpetrators of hijacking should be punished with death penalty where such an act results in the death of any person.

### **15.0 ½ hours** (Shri Arjun Charan Sethi *in the Chair*)

However, the Bill does not provide compensation for the affected persons in hijacking. In case of untoward incident of grievous injury or death of Indian victims of hijacking on foreign carriers, I propose that a compensation package not be less than Rs.4 crore should be provided to the nearest relative of the deceased. I would earnestly request the Government to accept my suggestion.

Finally, I would request the Union Government to initiate a process with all developed and developing countries for setting up an international organisation on anti-hijacking for safety and security of the passengers. With these words, I fully support this Bill. Thank you.

HON. CHAIRPERSON: Before I call the next hon. Member to speak, I request all the hon. Members, who will deliver their speeches hereafter, to take only 5 minutes time. The time available for this discussion is very limited. So, I request the hon. Members to complete their speeches in five minutes.

DR. BOORA NARSAIAH GOUD (BHONGIR): Thank you, Sir, for giving me this opportunity. I would not take much time of the House, but please do not hijack my time. I will only speak on a few points.

The background of this Bill is the Convention for the Suppression of Unlawful Seizure of Aircraft, which was earlier signed in Hague and recently in Beijing.

I would like to speak about the two points mentioned in clause 11 of the Bill. It provides that hijacking and related offences shall be extractible and that the accused can be transferred to the country of their legal jurisdiction. Further, these offences shall not be treated as political offences.

In respect of first point I would like to say that extradition in every case would create a risk of inadequate trial of the accused. To illustrate this, I would mention the incident of the infamous Kandahar Hijack in December, 1999. The CBI had named 10 accused, which included seven Pakistanis, one Nepali and two Indians. They were all tried in the Indian courts and served sentences. Suppose extradition clause is accepted in every case, they would be tried in Pakistan and no justice would be done. So, we have to be very cautious about this point.

Secondly, the accused who were tried in the court for Kandahar hijack, were the same people who were again responsible for 9/11 Attack in America as well as attack in hotels in Mumbai. The second point is that these offences shall not be treated as political offences. Most of these accused are involved in political activities in Kashmir. Suppose you do not treat it as a political related issue, it is going to have serious ramifications – national as well as international.

I seek a clarification from the hon. Minister whether this extradition clause is applicable to only those countries which have signed the Beijing protocol or it is for all other countries. I also want to ask as to what measures are being taken to ensure that after extradition these accused would be given appropriate punishment in the court even of an enemy or inimical country.

Then, this Bill does not speak about the compensation. Recently, a Bollywood movie 'Neerja' has been released. It was an Pan Am flight, an American flight, which was hijacked wherein Indians as well as Americans were killed. After this incident the Americans were compensated whereas the Indians were not.

So, until and unless we make the compensation clause also very clear, irrespective of the country of origin of the people, there will be a fair amount of loss to the people. Especially if the advanced countries of Europe and America refuse to pay compensation stating that law of their land does not allow compensation, we would be at a loss.

With these few suggestions, I would like to support the Bill. Thank you very much.

SHRI SANKAR PRASAD DATTA (TRIPURA WEST): Hon. Chairman, Sir, the Anti-Hijacking Bill, which had been adopted in the Rajya Sabha in the year 2014, is now before this House as the Anti-Hijacking Bill, 2016.

The Bill seeks to repeal the Anti-Hijacking Act of 1982 to give effect to the Hague Convention for the Suppression of Unlawful Seizure of Aircraft, 1970 and the Beijing Convention of 2010 to which the Government of India is a signatory. The Bill defines hijacking as seizing control of an aircraft in service unlawfully and intentionally. Related offence, they have maintained in the Bill, is the attempt and abetment of hijacking; making a credible threat to commit hijacking; and organizing or directing others to commit this act.

Sir, I have an objection in the case of punishment clause. In the punishment clause, there are three major things – death penalty, life imprisonment and confiscation of all properties. Here, I have an objection to the death penalty because of many of the stalwarts of our country as well as from other parts of the world have told that death penalty puts innocent lives at risk. We saw that. We, the people of India, cannot take that risk. Why shall we take that risk to catch the lives of others? Secondly, in case of death penalty, we have seen that race and place determine who lives and who dies. There are so many instances which stand as example in our country and elsewhere in the world also which show that it is determined on the basis of caste, creed, race, religion and other things. So, this death penalty should not be here in the Bill. Thirdly, for imposing death penalty, we have to pay millions of rupees. Instead of giving death penalty, if we accommodate the victims, the processing of the case takes so many years. In this process, the family members of the victims face a great deal of trouble. So, instead of giving death penalty, if we spend that money for the purpose of safety and security of the family members of the victim, I think, it would be better.

We have seen that poor quality of defence could result in death sentence to one while relieving the other of death sentence. In so many cases, we have so many examples. I would like to give an example from one advanced country. In USA, in 68 per cent cases the matter has been reversed where death penalty has been proclaimed in the name of strong defence. So, my request is that it should not be there inside the Bill. Capital punishment does not deter crime.

Now, I quote a matter and I think that all will appreciate it. The Father of our Nation, Mahatma Gandhi, said that : "An eye for an eye makes the whole world blind.". Could we make it possible to stop crime by giving death penalty? The father of our Constitution, Dr. Baba Saheb Ambedkar also said in the case of death penalty. The architect of the Constitution, Dr. Baba Saheb Ambedkar said : "They certainly adhere to the principle of non-violence as a moral mandate which they ought to observe as far as they possibly can.". He further said that : "The proper thing for this country to do is to abolish the death sentence altogether.".

So, it is my request and I urge upon the Minister that death penalty should not be there and other stringent actions should be there for people who are involved in cases of hijacking.

With these words, I conclude my speech.

SHRI Y.V. SUBBA REDDY (ONGOLE): Sir, I thank you for allowing me to speak on this piece of legislation.

Aircraft hijacking is also known as skyjacking and sky- controlling is an unlawful seizure of an aircraft by an individual or a group of individuals. We know that in majority of cases pilot is forced to fly as directed by the hijackers. But there are very few occasions like the twin-tower attack where hijackers themselves flew the aircraft. The motive behind skyjacking differs - sometimes hijackers demand release of terrorists like in the IC 814 incident; to highlighting grievance of a particular community like in AF 8969; or to use the aircraft as a weapon / missile to target a particular location as we have seen in the 9/11 incident. So, it is very important to look at the motive behind hijacking.

Looking at the increasing gravity of the situation in the international community, we first had the Tokyo Convention in 1963; then, we had the Hague Convention in 1970; then, we had the Montreal Convention in 1982; and the latest Convention is the Beijing Protocol in 2010. The objective of all these Conventions is to take care of hijacking. Now, the Bill is on the lines of the Beijing Protocol and we welcome this move.

The Bill is laying more emphasis on punishing culprits and not on prevention of crime. There is no doubt that we have the Aviation Security Force, Quick Response Team, Committee of Secretaries on Aircraft Hijacking, Central Committee, Aerodrome Committee, etc. But none of the above was able to stop the IC 814 incident. So, I strongly feel that instead of dealing with hijackers and hijack, the Government has to lay emphasis on preventing hijacking itself.

Sir, the next point is that the hon. Minister may be aware that in August, 2005 we had unveiled our Anti-hijacking Policy. It came into force after the Cabinet Committee on Security approved it. This policy may be one of the basis for bringing this new Bill by repealing the 1982 Act. It is because one of the objectives of the policy is to give death sentence if a person or group of persons is found guilty of hijacking.

But, there is another initiative in the policy, which says that the plane will be shot down if it is deemed to become a missile heading for strategic targets. It is not that it is there only in India. The US fighter pilots have been trained to shoot down hijacked commercial aircraft. Poland has this provision and even Russia has this provision.

So, I would like to know this from the hon. Minister. When he has come before this House with a new Bill, what prevented him from including a provision in the Bill to shoot down aircraft if it becomes missile heading towards strategic targets or civilian pockets or other important destinations?

Finally, Sir, compensation to victims cannot be ignored; rather it has to be given priority. This Bill is silent on this. Secondly, you cannot distinguish compensation on the basis of victims. You cannot have one kind of compensation if one is a security personnel and another kind of compensation if one is a passenger. There is no doubt that insurance will be there for passengers. But this is in normal circumstances. In extraordinary circumstances like hijacking and then killing, what kind of compensation is going to be given to passengers? The Bill is silent on that. So, I want the hon. Minister to reply to this point also.

With these observations, I support the Bill. Thank you.

**श्री गोपाल श्रेष्ठ (मुम्बई उत्तर) :** सभापति महोदय, मैं आपका आभारी हूँ कि आपने मुझे इस बिल पर बोलने का अवसर दिया।

महोदय, एंटी-हाईजैकिंग बिल, 2016 के समर्थन में मैं खड़ा हुआ हूँ। यह बिल राज्य सभा से अंतर्देशीय पास हो चुका है और लोक सभा में भी लगभग सभी पार्टी के लोगों ने इसे समर्थन दिया है। यह बिल देश हित और मानव हित में है इसलिए सभी लोगों का सपोर्ट इसे मिला है। इसके लिए मैं सभी लोगों का स्वागत करना चाहता हूँ।

महोदय, भारत देश ने जो प्रोटोकॉल सप्लीमेंटरी वीजिंग कन्वेंशन में वर्ष 2010 में साइन किया था, उसके मुताबिक इस बिल में अमेंडमेंट होकर आ रहा है। जो अमेंडमेंट हुआ है उसमें आजीवन कारावास से लेकर मृत्युदण्ड तक की सजा का प्रावधान है। मैं मानता हूँ कि यह बहुत ही अच्छा प्रावधान मंत्री महोदय जी ने किया है, इसके लिए मैं उनका धन्यवाद करना चाहूँगा लेकिन साथ ही साथ वर्तमान और भविष्य में जो आतंकवादी गतिविधियाँ और चुनौतियाँ देश और दुनिया के सामने हैं, ऐसे समय पर इस बिल में इस तरह का परिवर्तन करना बहुत ही अनिवार्य था।

महोदय, आतंकवादी गतिविधियों से तो अमेरिका जैसा देश भी बच नहीं पाया है। वर्ल्ड ट्रेड सेंटर की घटना हमारे सामने है। कितनी बड़ी और भयानक घटना पूरी दुनिया ने देखी है। लेकिन उसके बाद पूरी दुनिया के देश जो बदलाव कर रहे हैं, इसका स्वागत हम सभी लोगों को करना चाहिए और आने वाले दिनों में आतंकवादी जिस प्रकार की गतिविधियाँ करते हैं, उससे भी आगे जाकर सोचने की आवश्यकता है, ऐसा मुझे लगता है।

महोदय, सौगत राय जी ने एक बहुत ही अच्छी बात बतायी कि इलेक्ट्रॉनिक टेक्नोलॉजी के माध्यम से भी प्लेन को हाईजैक करने की सम्भावना हो सकती है। इसलिए इस बात को हमें ध्यान में रखते हुए और फ्लाईंग पैसेंजर्स का सपोर्ट लेते हुए, वयों न हम जितने भी फ्लाईंग पैसेंजर हैं, उनका डाटा रखें, जिसमें उनके परिवारजन, उनकी एक्टिविटी लेवल इत्यादि की जानकारी हो। इससे सुरक्षा की दृष्टि से हम बहुत कुछ लाभ पा सकते हैं, ऐसा मुझे लगता है।

मैं मंत्री जी से जानना चाहूँगा कि जितने भी हाईजैक हुए हैं, उसमें फ्लाईंग पैसेंजर्स के माध्यम से कितने हुए हैं और अन्य माध्यम से कितने प्लेन हाईजैक हुए हैं? वीआईपी पैसेज के माध्यम से कितने हाईजैक हुए हैं? इससे आगे वाले दिनों में हमारी सिविलिटी एजेंसीज ध्यान दे पाएंगी।

महोदय, कम्पनयेशन के बारे में बहुत से माननीय सदस्यों ने यहाँ अपनी बात रखी है। मेरी समझ में नहीं आता है कि जब वर्ल्ड कन्वेंशन में डिसकस होता है और वर्ल्ड कन्वेंशन में डिसकस होने के बाद यह तो हो ही नहीं सकता है कि विदेश के लोगों को कम्पनयेशन मिले और भारत देश के लोगों को न मिले या छोटे देश के लोगों को न मिले। यह सम्भव नहीं हो सकता है क्योंकि जब इतने बड़े फोरम पर डिसकस करके कोई नियम-कायदा बनता है तो कम्पनयेशन सभी को एक जैसा मिलना चाहिए। मुझे लगता है कि इसकी व्यवस्था इसमें होगी। अगर नहीं है तो आगे वाले दिनों में उसकी व्यवस्था किस तरह से करेंगे, इस बारे में मंत्री महोदय बताएँगे तो देश के लोगों का मार्गदर्शन होगा।

महोदय, एक अच्छे बिल पर बोलने का आपने मुझे मौका दिया, इसके लिए मैं आपका आभार मानता हूँ, बहुत-बहुत धन्यवाद।

**श्री अरुण कुमार (जहानाबाद) :** महोदय, आपने मुझे यान हथकड़ा विधेयक, 2016 पर बोलने की अनुमति दी, मैं इसके लिए आपका आभार व्यक्त करता हूँ।

महोदय, समय का अभाव है, मैं केवल दो-तीन बातें माननीय मंत्री जी के ध्यान में लाना चाहूँगा। इसके इतिहास और भूगोल पर काफी चर्चा हो चुकी है। आज के वैश्विक वातावरण में निश्चित तौर पर आतंकवादी गतिविधि बढ़ गयी है। यह ट्रांसपोर्ट का एक ऐसा माध्यम है जो फास्ट तो है, लेकिन इसमें यात्रा करने वाले यात्री बिलकुल पंगु हो जाते हैं, क्योंकि उनका कोई प्रोटेक्शन नहीं हो पाता है, जबकि रेल व अन्य यातायात के साधनों में यह सम्भव है।

महोदय, मैं एक चीज कहना चाहूँगा कि किसी ओरिजन के हिसाब से कम्पनयेशन तय नहीं होना चाहिए। कई माननीय सदस्यों ने भी इस बात को रखा है। दूसरी बात यह है कि माननीय सत्पथी जी ने जो कहा कि सीआईएसएफ एक बेस्ट ऑर्गेनाइजेशन है और इसके लोग बड़े अच्छे ढंग से काम कर रहे हैं। लेकिन विशेष इमरजेंसी के काल खंड में एनएसए के तौर पर कोई ऐसी जमात खड़ी की जानी चाहिए और उसे इतना ट्रेन्ड करना चाहिए कि हम इसका मुकाबला कर सकें।

तीसरी बात यह है कि जहाज में सफर करने वाले चाहे कितने बड़े वीआईपी हों, राष्ट्र की कीमत पर समझौता नहीं होना चाहिए। चाहे हम वैल्युएबल लाइफ खो दें, वृद्धि देश का स्वाभिमान, सॉफ्टवेरटी उसमें जुड़ी होती है। इसलिए आगे के घटनाक्रम में कभी भी टैरिस्ट्स के सामने आत्मसमर्पण न करें। मैं समझता हूँ कि इसमें इसका भी प्रावधान होना चाहिए।

इन्हीं शब्दों के साथ मैं इस बिल का समर्थन करते हुए अपनी बात समाप्त करता हूँ।

**श्री दुर्गाचंद्र चौटाला (हिसार) :** सभापति महोदय, आपने मुझे एंटी-हाईजैकिंग बिल, 2016 पर बोलने का मौका दिया, इसके लिए मैं आपको धन्यवाद देता हूँ। आज मैं यहाँ सरकार के समर्थन में खड़ा हुआ हूँ। जहाँ हम एंटी-हाईजैकिंग बिल की बात करते हैं, आज ही एंटी-हाईजैकिंग एक्ट, 1982 का एक अमेंडमेंट है और जैसे हमारे देश ने बहुत अच्छी तरह जाना, सीखा और उसके बाद इम्प्लीमेंट किया। मगर आज हमें कंधार के बाद इस बिल को यहाँ लाने में 17 साल लग गये। मुझे लगता है कि अगर हमारी सरकार इसे जल्दी ले आती तो कहीं न कहीं दुनिया के अंदर और जिन देशों में आज ये वीजिंग कन्वेंशन वाले लॉ इम्प्लीमेंट नहीं हो पा रहे हैं, वे लोग भी हमें देखकर कुछ सीखने का काम करते। यहाँ मेरे से पूर्व सभी सांसदों ने एक चीज कही। आज हमारे एयरपोर्ट्स की सिविलिटी सीआईएसएफ को दी हुई है। यह बहुत अच्छी बात है कि हमारी सेंट्रल इंडस्ट्रियल फोर्सेज के हाथों में एयरपोर्ट की सिविलिटी है। परंतु उसमें एक लेकुना यह है कि सीआईएसएफ का जवान किसी फैक्टरी में भी ड्यूटी करता है, वही एयरपोर्ट पर भी ड्यूटी करता है और कहीं दंगे हो जाएं तो वहाँ भी उसकी तैनाती कर दी जाती है। हमें एक स्पेशलाइज्ड फोर्स बनानी चाहिए, जो एक तीस्ट प्लेन के लिए ट्रेन्ड हो कि प्लेन के अंदर घुसना कैसे है। पूरी दुनिया में आज हम यूएस और यूके को देखते हैं, वहाँ एयरपोर्ट्स पर ऐसे ट्रेन्ड जवान हैं, जो एयरोप्लेन के केबिन के नीचे से घुसकर यात्रियों की जान बचा सकते हैं। हमने अपने यहाँ फेल्चोर देखा, जब अमृतसर में प्लेन उतरा, हम उसका टायर पंचर भी नहीं कर पाये, वह प्लेन यहाँ से उड़ गया और यूएस में हमारी एजेंसीज बैठी थीं, वे भी वहाँ उसे लैंड नहीं करवा पाई और लास्ट में कंधार में जाकर हमें मौताना अजहर मसूद जैसे आतंकवादी को छोड़ना पड़ा। लेकिन वयों छोड़ना पड़ा, क्योंकि दो सौ से ऊपर भारतीय नागरिकों की जान खतरे में थी।

महोदय, आज मैं मंत्री जी से आग्रह करूँगा कि आगे वाले समय में अमेंडमेंट लाकर इस बिल के तहत ऐसी स्पेशल फोर्सेज बनाइये, जो हमारे एयरपोर्ट्स को प्रोफेशनल तौर पर सिविलिटी दे पायें।



इसके अलावा मेरे से पूर्व सभी सांसद कह रहे थे कि जो प्रोटोकॉल है कि कुछ लोगों की कोई वैकिंग नहीं होती। हमने खुद पिछले समय में देखा है कि **ईए/ए** को स्पेशल प्रिफरेंस दे दी जाती है तथा अन्य कुछ बड़े लोगों को छोड़ दिया जाता है। हम जानना चाहते हैं कि जजेज को क्यों छोड़ा जाता है, मिनिस्टर्स को क्यों छोड़ा जाता है, क्या हम भारत के नागरिक नहीं हैं। हमें सबको सिक्योरिटी कवर के अंदर लेना चाहिए। आज हर एक की सिक्योरिटी वैक होनी चाहिए। अगर हमें अपने सिक्योरिटी फोर्सेज पर विश्वास है तो हर एक की सिक्योरिटी वैक होकर हमें एयरपोर्ट में जाना चाहिए।

अंत में मैं एक चीज मंत्री जी को उदाहरण के तौर पर बताना चाहूंगा कि प्राइवेटाइजेशन का जमाना है। पीपीपी मॉडल की सरकार बात करती है। आज किसी एयरपोर्ट को देख लीजिए। दिल्ली एयरपोर्ट जीएमआर को दे दिया। उसका ग्रांड स्टॉफ अलग प्राइवेट कंपनी को दे दिया गया। मैं समझता हूँ कि यदि हम ऐसे बिल्स लायेंगे तो भी हम अपने देश की सुरक्षा नहीं कर पायेंगे। क्योंकि मल्टीपल प्राइवेट एजेंसीज आने वाले समय में हमारे देश की सुरक्षा में बाधा डालने का काम करेंगी। मैं आग्रह करूंगा क्योंकि यह एयरपोर्ट्स एविएशन इंडस्ट्रीज से संबंधित है, इसलिए टार्जट स्केल ऑफ डेंजर हमें यहाँ देखने को मिलता है। इसलिए प्राइवेटाइजेशन ऑफ एविएशन इंडस्ट्री नहीं होना चाहिए। हमें प्राथमिक तौर पर देश की सुरक्षा के लिए हमारी गवर्नमेंट एजेंसीज प्रोपर सिक्योरिटी वैक के बाद एयरपोर्ट्स पर डिप्लॉय करनी चाहिए।

इसके साथ ही मैं इस बिल का समर्थन करते हुए अपनी बात समाप्त करता हूँ। धन्यवाद।

**श्री राजेश रेज (मधेपुरा) :** सभापति महोदय, देश ही नहीं विश्व की आर्थिक, ग्लोबल, भौगोलिक, सामाजिक, सांस्कृतिक सभी तरह से संरचनाओं से हम सब लोग जुड़े हुए हैं। यदि तेल की कीमत बाहर घटती है तो हम परेशान हो जाते हैं। यदि कहीं ग्लोबल वार्मिंग होती है तो हम भी परेशान होते हैं। यदि आर्थिक रूप से कोई अन्य देश दिवालिया होता है तो पूरी दुनिया परेशान होती है। इसीलिए यह देश के लिए नहीं, यह भौगोलिक, सामाजिक, आर्थिक और राजनीतिक दृष्टिकोण से आप देखेंगे तो संपूर्ण विश्व एक है और हम एक-दूसरे से कहीं न कहीं लिंक्ड हैं। जिस तरीके की चीजें आ रही हैं, आप सुरक्षा की बात कहते हैं, हमें एक बात कभी-कभी समझ में नहीं आती है, सामाजिक, आर्थिक, राजनीतिक, सांस्कृतिक विचारों को केंद्र बिंदु क्यों नहीं बनाया गया है। आप उगवादी किसी कौम और धर्म के आधार पर तय कर देते हैं। दलित है, कमजोर और वंचित वर्ग है, समाज में भ्रूया है, कोई आदमी पेट के खाने के लिए भ्रूया होता है, तो उसको चोरी हो जाती है, वहीं दुनिया तूट कर चली जाती है तो वह चोर नहीं कहलाती है और गरीब आदमी को सजा हो जाती है। उगवादी कहीं दलित हो जाते हैं, आतंकवादी कहीं मुसलमान या कहीं कोई हो जाता है। आतंकवादी के खिलाफ पूरा का पूरा सदन आपके समर्थन में है। लेकिन इसके राजनीतिक दृष्टिकोण को भी ध्यान रखना चाहिए कि हमारी जो सामाजिक व्यवस्था, जिनके कारण से पूरे देश और दुनिया में आज इस तरह की स्थिति बदली है, उस पर हमें ध्यान देना चाहिए। मेरा दूसरा आग्रह है कि टैक्नोलॉजी के रूप में पूरी दुनिया में हमारा तीसरा स्थान है, नीचे से तीसरा स्थान है। आपके इंटरनेट पर है। आप टैक्नोलॉजी को कैसे डेवलप करेंगे? यह बहुत ही महत्वपूर्ण है। चौथा है कि जैसे सीआइएसएफ का मामला हो या आईटीबीपी बॉर्डर पर सिक्योरिटी कर रही है। आज आईटीबीपी बॉर्डर पर सिक्योरिटी कर रही है, लेकिन आईटीबीपी के प्रमोशन के मामले आज 20 सालों से रुके हुए हैं, उसकी स्थिति इतनी बुरी है, आर्थिक सामाजिक रूप से बुरी है। मैं कहना चाहता हूँ कि किस तरीके से आप उन जवानों को टैक्नोलॉजी से ले कर आर्थिक रूप से ले कर आगे बढ़ायेंगे। यह बहुत ही महत्वपूर्ण है।

मेरा अंतिम मुद्दा डेथ पेनल्टी से है। पूरी दुनिया में विकसित देश डेथ पेनल्टी के सवाल को नकारती है। जो सामाजिक और सांस्कृतिक लोग हैं, साक्षर्यकार हैं, एतिहासिक लोग हैं, जो ऊँचे मूल्य और नैतिक में जीने वाले लोग हैं, हाई मोरल वाले लोग हैं, वे डेथ पेनल्टी के खिलाफ हैं। हम चाहते हैं कि डेथ पेनल्टी सॉल्यूशन नहीं है। सॉल्यूशन है राजनीति, सामाजिक, सांस्कृतिक एवं आर्थिक रूप को कैसे दृष्टिकोण को लाया जाए। कैसे हम उस ओर प्रगति कर विकास करें। यह सबसे बड़ा सॉल्यूशन है। मेरा आग्रह है कि इन चीजों को जरूर ध्यान में रखा जाए।

**श्री कौशलेन्द्र कुमार (नालंदा) :** सभापति महोदय, आपने मुझे एंटी हाइजैकिंग (यान-हरण) विधेयक 2016 पर बोलने की अनुमति दी है, इसके लिए आपका धन्यवाद करता हूँ।

सरकार, 2010 में अंतर्राष्ट्रीय प्रस्तावों के अनुसार बीजिंग प्रोटोकॉल ऑफ दि इंटरनेशनल सिविल एविएशन ऑर्गनाइजेशन के अनुरूप एक सशक्त यान-हरण कानून का प्रस्ताव ले कर आई है। यह स्वागत योग्य कदम है। इस कानून की जरूरत सन् 999 में इंडियन एयरलाइंस के विमान संख्या - 814 के अपहरण के बाद महसूस किया गया है। इस विमान को अपहरण कर कंधार ले जाया गया था और अपहरणकर्ताओं ने तत्कालीन बीजेपी की सरकार को घुटने टेकने पर मजबूर कर दिया और सरकार द्वारा खूंखार आतंकवादियों को छोड़ना पड़ा। फिर 11 सितंबर, 2001 को अमरीका में अंतर्कियों द्वारा वहाँ के नागरिक विमानों का अपहरण कर उसे मिसाइल के रूप में प्रयोग किया एवं पूरे विश्व को सदम में ला दिया। वहाँ हजारों नागरिक मारे गए। अमरीका की शान वर्ल्ड ट्रेड टावर्स को नेस्तनाबूत कर दिया। इन घटनाओं के बाद पूरा विश्व इस बात से सहमत हुआ कि विमान अपहरणकर्ताओं एवं उसके साजिशकर्ताओं व परीक्ष और अपरीक्ष रूप से शामिल सहयोगियों को कठोर से कठोर दण्ड देने का प्रावधान हो। इसी क्रम में विश्व में कई देशों में कठोरतम कानून तो बन गए, किंतु अपने देश में इस तरह का कानून बनने में 5 वर्षों का समय लग गया। यह अच्छी बात है कि कानून में मृत्यु दण्ड का प्रावधान है। इस तरह से कठोर कानून से अपहरणकर्ता निश्चित रूप से सोचने पर मजबूर होंगे। आज कल देखा गया है कि जिसके पास कम बुद्धि है, वैसे लोग भी इस तरीके के काम करने के लिए उतारू होते हैं। फिर मालूम होता है कि वे व्यक्ति अपनी व्यक्तिगत परेशानियों के कारण इस तरह की घटनाओं को अंजाम दे रहे हैं। ऐसी परिस्थिति में दण्ड या सजा इसी के अनुकूल होनी चाहिए साथ ही इस कानून में प्रावधान है कि कठोर दण्ड के साथ-साथ अपराधियों की सम्पत्ति भी जब्त कर ली जाएगी।

महोदय, आप जानते हैं कि ज्यादातर घटनाओं में अपहरणकर्ता व साजिशकर्ता उस देश के नागरिक नहीं होते हैं, जिस देश का विमान होता है। इस परिस्थिति में दूसरे देश के नागरिक की सम्पत्ति कैसे जब्त की जाए, इसके लिए भी कानून का प्रावधान रखना चाहिए। बहुत-बहुत धन्यवाद।

**श्री जय प्रकाश नारायण यादव (बाँका) :** महोदय, यह जो कानून आया है, यह बहुत पढते आना चाहिए था। इसीलिए कि जब विमान अपहरण हुआ था और कंधार की घटना घटी थी तो देश हिल गया था। इसमें मैं कोई ज्यादा उधर इंगित नहीं करना चाहता हूँ, लेकिन जो विमान अपहरणकर्ता थे, आदरणीय अटल बिहारी वाजपेयी जी की हुकूमत थी। उस हुकूमत के समय में कंधार में जाकर के छोड़ना पड़ा, समझौता करना पड़ा और एक से एक देश में, दुनिया में ऐसी अपहरण की घटनाएं घटती आई हैं। आतंकवादी ताकतों, साजिश करने वाली ताकतों और देश के अमन और शान्ति को भंग करने वाली ताकतों भारत के अन्दर भी और दुनिया के अन्दर भी विमान अपहरण की घटनाओं को अंजाम देने का काम करती रही हैं। आज हमें सोचने के लिए बाध्य किया गया है कि आज हमारा राष्ट्रीय सुरक्षित रहे, यात्रा हमारी सुरक्षित रहे और इसके लिए कठोर से कठोर सुरक्षा का, संरक्षा का हमें कानून बनाना है। इस खतरनाक स्थिति से, जिससे भारी बदनामी देश की होती है व दुनिया में आतंकवादी ताकतें सरकार से लोहा लेने के लिए अपनी शक्ति लगाती हैं। आज की तारीख में जो यह बिल आया है, यान अपहरण करने वाले के खिलाफ इसमें कठोर से कठोर प्रोविजन किया गया है। मैं इस बिल का स्वागत करता हूँ और जो पूर्व की घटनाएं घटीं, उन घटनाओं को याद करते हुए हमें कठोर से कठोर कानून बनाना है। हम इस बिल का स्वागत करते हैं।

SHRI GEORGE BAKER (NOMINATED): People have come forward with suggestions regarding Anti-Hijacking Bill. All I want is that if proper electronic equipment is used at airports, it would not only prevent hijackers from being able to enter with certain equipment on their body. It would also prevent incidents like one that happened yesterday at Kolkata airport. There was tremendous smuggling of gold that came to light.

People are questioning death penalty. I don't. There is no doubt that one death will not serve the purpose. What I want is questioning the number of people who have been saved. Whatever compensations are laid down may be given to those people.

The next thing is that Congress people criticized the first NDA Government for escorting the culprits to freedom, as one may say. I want to ask what action they would have taken to save those 232 lives on that plane. I have nothing more to say. Thank you.

SHRI ASHOK GAJAPATHI RAJU: I am grateful to the House, in fact to all sections of the House, for supporting this Bill.

**15.35 hours** (Hon. Speaker *in the Chair*)

Of course in the course of the debate, many issues have been raised but, through you, I would like to bring one thing to the notice of this House. Indian security is by and large good. No doubt the Home Department might have more to do with it than the Civil Aviation Department but departments are administrative convenience and everything is in a totality. So, we need to look at it in totality. Change being a continuous process and security being a mix of manpower and technology, these things will keep changing. We are at it.

The history of hijacking within India has not been very good. It is not confined to a single government as such. It has been going on. We have a total of 19 incidents within the country. We have learnt not only from these 19 incidents but we have learnt from incidents outside the country also.

A lot of little, little things have been said: "Should we not have a specialised aviation security force?" Of course, these things are being looked into and constantly monitored and upgraded as and when they are required. As far as civil aviation is concerned, the Bureau of Civil Aviation Security set the patterns and those patterns are followed by whichever agency mans and manages those airports. We have multiple agencies manning airports but by and large CISF is managing a large number of airports.

We have a Hijacking Contingency Plan in place. I think, that should not be discussed here at all. If you have any suggestions, please give it to us; we will keep that in mind when we work.

Of course, people have talked about one kilometre distance within the perimeter walls and all that. But modern science looks at all these things. As I told you, it is a mixture between science and technology. Of course, during the night time when it is dark, there is the issue of what is called 'night vision binoculars'. A lot of things are there.

I am happy that the whole House is together in supporting this Bill. Probably one question that was asked was about the delay in bringing these Bills. We agree that there is a delay. Two International Conventions took place and we missed them out. But that is how we work. If we as Parliamentarians decide to work as Parliamentarians ought to, I think, India could be second to none as far as speed of legislation is concerned. It is for us to decide. We decide everything together. Individually, if there are any doubts, I can address those doubts of hon. Members. I am grateful to the whole House for having supported this Bill. ...(*Interruptions*)

SHRI TATHAGATA SATPATHY: Are you condemning Parliament? ...(*Interruptions*)

SHRI ASHOK GAJAPATHI RAJU: Good Lord, I do not have the guts to condemn anybody, much less the Parliament! None of us can condemn anybody. For instance, scope for improvement exists everywhere. Even in us, a scope for improvement exists. We should try to harness it and go ahead. One should take a positive attitude and go ahead. We need not condemn anybody but we need to identify weaknesses and devise strategies to overcome those weaknesses. We are working at it.

I am grateful to the House for having supported this Bill but I cannot agree with certain Members who do not want the death penalty to be there. Actually, to my mind, if a person does not respect another person's life, it is not really worth respecting that person's life. I do not know this. Let us think about it. But this has come from an international conference and all those countries which are signatories to this are accepting the death penalty in such cases. I think India should be with other countries. There is no point in taking a holier than thou attitude. I think all of us have to be practical and work together to overcome this menace. I thank the whole House for supporting this Bill.

Shri Adhir Ranjan Chowdhury has given two amendments. I would request him to withdraw these amendments. I think I can request him.

HON. SPEAKER: Yes, you can request him.

SHRI ASHOK GAJAPATHI RAJU: I think it is perfectly democratic to request an hon. Member.

SHRI MALLIKARJUN KHARGE (GULBARGA): You are the only man who his speaking democratically.

SHRI ASHOK GAJAPATHI RAJU: I thank the senior Member like Khargeji for praising me. Either I am blessed or I am cursed. It cannot be anything in between. So anyway, I am thankful to him. He has talked about technological means. I would say that this legislation covers that. The Indian legislations come into force when the official Gazette is notified. If it is not notified, the Bill has to say that it will come into force immediately so that as and when Rashtrapatiiji signs it, it could become a law. These things are there.

The idea of taking time was for framing rules and putting things in place so that the legislation can be implemented at the earliest and which would be a reasonable time not like Beijing Conference to now. That happened in 2010 and we are now in 2016 but a reasonable time of three to six months in which whole thing can be done. That is why, I would request you to kindly withdraw it. I am grateful to you also for supporting the Bill.

SHRI R.K. SINGH (ARRAH): In fact, this is a clarification for the whole House. Many hon. Members raised the question as to whether we have the wherewithal, trained units and specialized units for intervening in hijacked situations. I would like to inform the House that we do have all that. We have units which are specifically trained for intervening in hijacked situations. That is one clarification for the House.

I want to give one suggestion to the hon. Minister. जो हाईजैकिंग होती है, वह एक ब्लैकमेल का प्रोसीजर है। जो लोग एयरक्राफ्ट और पैसेजर्स को सीज़ करते हैं, वे फिर कंट्री को ब्लैकमेल करते हैं। हम लोग इसके भुक्तभोगी रह चुके हैं। बहुत सारी कंट्रीज़ ने यह पॉलिसी बनाई है कि वे हाईजैकर्स के साथ निगोशिएट नहीं करेंगे, ब्लैकमेलर्स के साथ निगोशिएट नहीं करेंगे। हम

तोगों को भी ऐसी पॉलिसी बनानी चाहिए, क्योंकि यह घटना फिर हो सकती है और फिर हम लोग ब्लैकमेल के सबजैक्ट हो सकते हैं, जबकि 250-300 पैसेंजरस वहां हाईजैकर्स के कब्जे में आते हैं और किसी पैसेंजर को मारा जाता है तो जो भी सरकार रहती है, चाहे किसी की भी सरकार हो, वह प्रैशर में आ जाती है। एक पैसेंजर मारा गया, दूसरा पैसेंजर मारा गया, फिर सरकार प्रैशर में आ जाती है, इसलिए डिवलेयर्ड पॉलिसी सरकार बनाये कि हम हाईजैकर्स के साथ किसी भी परिस्थिति में निगोशिएशन, समझौता नहीं करेंगे, यह कानून का पार्ट होने की जरूरत है, बल्कि एक डिवलेयर्ड पॉलिसी लेनी चाहिए। धन्यवाद।

SHRI P.P. CHAUDHARY (PALI): Clauses 1 Subclause (2) provide that this Bill will extend to the whole of India. It also applies to the offences committed outside India by any person but the expression "any person" has not been defined. There are some judgments of the Supreme Court where the offence was committed by a company but the persons who ran the company were also held responsible under the criminal jurisprudence and criminal law. I would like to know from the hon. Minister that whether meaning of 'any person' will also include the juristic person or the expression 'any person' is only a natural person.

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Madam Speaker, I would like to first mention to the hon. Minister that I have already extended my whole-hearted support to the proposed legislation. During the discussion on the Bill I raised certain issues and an answer was expected to those issues were expected from his end but the hon. Minister resorted to some wishy-washy statements insofar as the issue of perimeter is concerned. Perimeter is a vital component of an airport security.

I am referring to a report published in today's newspaper. It says that on March 29, passengers aboard Spicejet flight 614 and Air Mauritius flight 746 deplaned and streamed out of the airport oblivious that the two aircraft had a near miss and narrowly avoided collision in the Chennai Airport. From miscommunication to wrong instruction, there have been a variety of reasons for such near misses and in Delhi, Mumbai, Chennai there have been 26 near misses. So, it is a grave situation. So, what I tried to emphasize is that on the one hand opportunities have been growing exponentially, but on the other hand, in its stride it has also brought various vulnerabilities. Those have to be corrected. We faced 26 near miss situations this year. What does it mean? It means that there is a serious lacuna which needs to be corrected.

SHRI ASHOK GAJAPATHI RAJU: I think, it is a bit over-played here. The hon. Member under plays certain and over plays certain things. Like, the hon. Member thought that there were only eight hijacks in India, while we had 18 of them. So, I cannot question the hon. Member and cannot belittle him like he has belittled me. This is not done.

SHRI ADHIR RANJAN CHOWDHURY: I have not belittled you. Please do not misinterpret my statement. I have expressed my concern...*(Interruptions)*

HON. SPEAKER: Please do not interrupt like this. Shri Adhir Ranjan Chowdhury, this is not the practice. Please take your seat.

...*(Interruptions)*

SHRI ADHIR RANJAN CHOWDHURY: You cannot make fun of me like this...*(Interruptions)*

SHRI ASHOK GAJAPATHI RAJU: I cannot make fun of anything that an hon. Member says here. I cannot do that, even if it is untrue I cannot make fun of it. I know my responsibility...*(Interruptions)*

HON. SPEAKER: Mr. Minister, you do not answer him. If you have to say anything you say, otherwise you leave it.

...*(Interruptions)*

HON. SPEAKER: This is not the way. Nothing will go on record.

...*(Interruptions)* \* \* \*

HON. SPEAKER: Shri Adhir Ranjan, this is not done. You will not say anything.

SHRI ASHOK GAJAPATHI RAJU: I do not want to be wishy-washy. I try to assist the hon. Members of Parliament. It is my duty to assist them. He has raised certain things, but we do not belittle our security. They are also doing a good job...*(Interruptions)*

HON. SPEAKER: Mr. Minister, do not listen to him.

SHRI ADHIR RANJAN CHOWDHURY: I said nothing to belittle you...*(Interruptions)*

SHRI ASHOK GAJAPATHI RAJU: Madam Speaker, I can only request, through you, to ask him to write and send it. I will read it out...*(Interruptions)* Let him write his answer, I will read it out. Now, the concerns expressed by the hon. Members...*(Interruptions)*

HON. SPEAKER: Shri Adhir Ranjan Chowdhury, if you do like this I will have to ask you to go out.

...*(Interruptions)*

HON. SPEAKER: Shri Chowdhury, if you do like this, then I will have to name you. This is not the practice. Please take your seat. This is not the practice. You please take your seat. You will not speak even a single word now. Nothing, except what the hon. Minister is saying, will go on record.

...*(Interruptions)* \* \* \*

SHRI ASHOK GAJAPATHI RAJU: Madam, on whatever points they have raised, I will personally write to them answering those questions. I would request everybody to come together to pass this Bill. Since you have supported this Bill, thanking you very much for it on behalf of the Government and myself, I request you to pass this Bill.

HON. SPEAKER: The question is:

"That the Bill to give effect to the Convention for the Suppression of Unlawful Seizure of Aircraft and for matters connected therewith, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

HON. SPEAKER: The House will now take up clause by clause consideration of the Bill.

### **Clause 2 Definitions**

HON. SPEAKER: The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

### **Clause 3 Hijacking**

SHRI ADHIR RANJAN CHOWDHURY: I beg to move:

"Page 3, *after* line 23, insertâ€œ"

"(f) takes control of or seizes the office of Air Traffic Controller of the aerodrome.." (2)

HON. SPEAKER: I shall now put Amendment No. 2 to Clause 3 moved by Shri Adhir Ranjan Chowdhury to the vote of the House.

*The amendment was put and negatived.*

HON. SPEAKER: The question is:

"That clause 3 stand part of the Bill."

*The motion was adopted.*

*Clause 3 was added to the Bill.*

*Clauses 4 to 21 were added to the Bill.*

### **Clause 1 Short title, extent application and commencement.**

SHRI ADHIR RANJAN CHOWDHURY: I beg to move:

"Page 2, *omit* lines 7 and 8." (1)

HON. SPEAKER: I shall now put Amendment No. 1 to Clause 1 moved by Shri Adhir Ranjan Chowdhury to the vote of the House.

*The amendment was put and negatived.*

HON. SPEAKER: The question is:

"That clause 1 stand part of the Bill."

*The motion was adopted.*

*Clause 1 was added to the Bill.*

*The Enacting Formula, the Preamble and the Long Title were added to the Bill.*

SHRI ASHOK GAJAPATHI RAJU: I beg to move:

"That the Bill, as passed by Rajya Sabha, be passed."

HON. SPEAKER: The question is:

"That the Bill, as passed by Rajya Sabha, be passed."

*The motion was adopted.*

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