

monds so that the demand for satisfying the assets in which they can have a head against inflation can be satisfied? Unless you do it, you cannot stop the demand for gold in this country. Secondly, on the supply side, you could have taken steps because the difference is so big, you can have the biggest profit possible if you have imported gold and sold it here after putting whatever ceiling you wanted to put. If you take action on both demand and supply side, then alone your gold policy will be successful. Do you contemplate to take steps on demand side as well as supply side, as suggested by me?

SHRI SATISH AGARWAL: Sir, this is a very novel suggestion and a good suggestion made by the hon. Member. We shall definitely look into it. But I must admit, and I must inform the House that the price differential is one of the main reasons which leads to smuggling. But then in the year 1978 the differential in January and February 1978 was 53 per cent in January and 50 per cent in February. After the announcement of the gold sales by the Government, by the Finance Minister, on the 28th February 1978, this differential came down to 29 per cent in March 1978, and it continued in April, May, June, July, August and September. It was below 40 per cent. After the sales were stopped in October 1978, the differential has again gone up by 50 per cent to 55 per cent.

श्री सचिवीर सिंह : क्या यंत्री मशीन बतलायेगे कि कोई ऐसी मशीन बन गई है जिसे कारिगारों को खान कर देकर लिया जाय कि उ इन्होंने सोना कहाँ छिपा रखा है? 30 कारों में मशीन बोलत बूढ़ कर इन्होंने कहाँ रखा है, पता नहीं किस काम में छिपा रखा है। इस विषय विचार करके से विचार कर मशीन बना कर हम ई-0 सी-0 की 0 करते हैं और दिन को इकट्ठन से बीमारी का पता चल जाता है, क्या ऐसी ही कोई मशीन जिससे यह पता चल जाय कि इन्होंने सोना कहाँ छिपा रखा है? अगर यह सोना बाहर निकल जाये तो तारे देत की कल्पना हम हों कल्पनी।

MR. SPEAKER: You have no answer. That.

Special Law for Trying Hijackers

+

*347. SHRI RUDOLPH RODRIGUES:

SHRI S. K. REDDY:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government propose to enact a special law to provide for deterrent punishment to hijackers, for establishment of Special Courts on the lines of those to try 'emergency' offences, in view of their activities in India; and

(b) whether the views of the International Authorities have also been sought in this regard and if so, the details thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION SHRI PURUSHOTTAM KAUSHIK: (a) and (b). A proposal for enacting Legislation to provide deterrent punishment to hijackers is under consideration of Government as part of the proposal to give effect to the International Convention known as the Hague Convention for the suppression of un-lawful seizure of aircraft. The question of consulting international authorities, therefore, does not arise. The point whether Special Courts would be necessary to try offence of hijacking would be examined at the time of drafting the Bill.

SHRI RUDOLPH RODRIGUES: I would like to first say that the question that I have submitted had a slightly different thrust, but it has been clubbed. I had no intention to ask about the Special Courts because it is not relevant in this situation and there is no question of consulting an International Authority. But nevertheless for the privilege of asking a supplementary, I am thankful. My first supplementary is, in connection with this, the measures to prevent skyjacking or hijacking can be both preventive and deterrent. In so far as the preventive measures are concerned, is it not a fact that besides the passengers who go on the aircraft, easy access is available to a number of people who work in

various categories of staff other than the crew and there have been instances in other countries where staff members other than the crew have been involved either through bribery or blackmail in helping to get arms on to the planes. What specific measures do you contemplate for preventing such things?

With regard to the second part of the supplementary, I would say deterrent laws are already on the statute book in the Indian Penal Code. We could cover this very well by our laws with regard to abduction, criminal intimidation, wrongful confinement and so on. Do you, therefore, contemplate a mere amendment of the Indian Penal Code to take care of this skyjacking or do you contemplate something more drastic like they have done in some countries. For example, in Pakistan, the last hijacking was in the first week of January 1978 and on the 4th of March 1978 the man who hijacked the plane was hanged. A severe punishment is there. In the United States, twenty years ago they enacted a law, according to which, twenty years of imprisonment can be given. Do you have something like this in mind?

SHRI PURUSHOTTAM KAUSHIK: So far as the staff Members are concerned, they are issued passes. Unless we believe the staff Members—they are the persons working—it will be very difficult to carry on the normal operations. The passes are issued to them and a strict vigilance and supervision is kept about their conduct and movements. So far as the other point raised by the hon. Member regarding the already existing provisions in the IPC is concerned, there are provisions for taking adequate steps to punish the persons who indulge in hijacking. We have to take recourse to many of the sections, as has been done in the case of Lucknow hijacking, we can take action under IPC 392 and 393 for dacoity, 341 for wrongful restraint, 427 for mischief and also 364 for kidnapping and such other offences. But there is no specific provision in the Indian Penal

Code to punish the persons making an attempt to hijack an aircraft and for that we are proposing to bring forward a legislation in this House so that there is no escape from punishment.

SHRI DINEN BHATTACHARYA: What will happen to those who have already hijacked?

SHRI PURUSHOTTAM KAUSHIK: Under the existing provisions of the Indian Penal Code, they are being secured.

SHRI RUDOLPH RODRIGUES: In view of what the Minister has just said, I would like to seek a clarification on two points. One is this, whether the laws being framed will be framed only for aerial skyjacking. The possibility of hijacking trains should not be excluded. There are all kinds of hijacking. The law should be comprehensive. Therefore the law should not be only for hijacking of planes, it should be something more comprehensive. With regard to the setting up of special courts, my suggestion is that instead of setting up a special court, a special judge could do the same job. Will he consider this?

श्री श्रीमत् प्रकाश स्वामी : अध्यक्ष महोदय, मैं यह जानना चाहता हूँ कि क्या यह समाचार सत्य है कि इन्टरनेशनल एयरवेज ने यह कहा है कि भारत बर्ष के इन्टरनेशनल एयरपोर्ट्स पर हाइजैकिंग की पॉलि-ब्लिटीज ज्यादा है ? क्या उन्होंने इस प्रकार की कोई जांच कर के यह कहा है कि भारत के इन्टरनेशनल एयरपोर्ट्स पर इन्टरनेशनल फ्लाइट्स को रोकने में और लेण्ड करने में पूरी सुरक्षा की व्यवस्था नहीं है या हाइजैकिंग से बचने के पूरे प्रोसेजमेंट्स नहीं हैं ? क्या सरकार ने इस बात को ध्यान में रख कर अपने इन्टर-नेशनल एयरपोर्ट्स पर हाइजैकिंग को रोकने के लिए कोई विशेष सुरक्षा की व्यवस्था की है ?

श्री पुष्पोत्तम कौशिक : अध्यक्ष महोदय, इस तरह के किसी एतराज की जानकारी सरकार को प्राप्त नहीं धायी है। इस के बावजूद भी, बिना उनके एतराज के भी हम कोशिश कर रहे हैं कि हमारे एयरपोर्ट्स पर किसी तरह की हाइजैकिंग न हो और हमारी अह्राज सुरक्षा के साथ चले।

श्री किरंती प्रसाद श्यामीनी मंत्री जी से आश्चर्य चाहता हूँ कि जब ऐसी घटनाएँ बराबर हुआ करती हैं और मंत्री जी ने भी अपने उत्तर में बताया है कि अब विशेष तैयारी होने लगेवा तब इस विषय में हम विचार करेंगे, तो क्या मंत्री जी इस बात की जावबदारी नहीं

समझते हैं कि ऐसी घटनाओं की रोकथाम के लिए जो कि हमारे देश के अन्दर और बाहर भी हुआ करती हैं, जल्दी से जल्दी विधेयक को लाया जाए ? माननीय मंत्री जी कब तक ऐसे विधेयक को लाने के पक्ष में हैं ? क्या मंत्री जी को यह भी भाव्य है कि बहुत से मुकदमे न्यायालयों में बहुत बहुत देर तक पेंडिंग पड़े रहते हैं ? क्या मंत्री जी इस बात को देखते हुए और ऐसी घटनाओं के महत्व को देखते हुए, इस प्रकार की व्यवस्था करते ऐसे मामलों में तत्कालिक न्याय ही ?

श्री पुढोत्तम कौशिक : अध्यक्ष महोदय, माननीय सदस्य ने जो सुझाव दिये हैं, जब बिल तैयार किया जाएगा तब इन सभी बातों पर ध्यान रखा जाएगा।

MR. SPEAKER: These are suggestions for your consideration, Mr. Minister. Q. No. 348 Absent.

Proposal for Interest-free Islamic Bank

*349. SHRIMATI MRINAL GORE: Will the DEPUTY PRIME MINISTER AND MINISTER OF FINANCE be pleased to state:

(a) whether Government have received any proposal for interest-free Islamic Bank as reported in *Indian Express* (Bombay Edition) dated the 5th January, 1970; and

(b) if so, the action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI ZULFIQUARULLAH): (a) and (b). Proposals are made from time to time to the effect that an Islamic Bank which would give interest-free loans be established or be permitted to be established. Government has no such proposal under consideration. The Reserve Bank's policy is not in favour of allowing new banks to be established in the private sector.

श्रीमती मुनाल गोरे : प्रपोज़लस आर वेड फ़ोन टाइन टू टाइन। इस का अर्थ क्या है ? मैं पूछना चाहती कि क्या इस के पहले भी आपने पास इस प्रकार का प्रपोज़ल आया था या सरकार के पास आया था ?

SHRI ZULFIQUARULLAH: Shri Syed Hamid Hosain, Secretary, Jamaat-e-Islami Hind, forwarded to the Finance Minister on 20th December 1978 a resolution passed in a seminar

organised by the Jamaat-e-Islami Hind urging the establishment at the Government level of an interest free bank. A copy of this resolution is at Annexure-I. Shri Hosain also wrote that if the establishment of such a bank at the Government level was not feasible, Government may extend facilities and co-operation to other persons and voluntary institutions who are striving for the establishment of interest free banks or societies.

श्रीमती मुनाल गोरे : इस बारे में आपने कहा है कि एक सेविनार में रिजोयूसन पास किया गया है जिसमें यह कहा गया है कि एक इन्स्टीट्यूट शी बैंक यहाँ कायम किया जाए। इस्लाम के प्रिंसिपल्स और होली कुरान के मुनाबिक इन्स्टीट्यूट लेना या इन्स्टीट्यूट देना दोनों ही प्रोहिबिटेड हैं। जब इस संस्था से यह रिजोयूसन आया है तो क्या सरकार इसके बारे में सोचेंगी ? क्या बैंक एक्टबिलिस करने के बारे में रिजर्व बैंक और फाइनेंस डिपार्टमेंट न जो क्लज बनाए हैं उनके मुनाबिक यह बैंक चलेगा या किसी अन्य रूप से यह बैंक चलेगा ? क्या इसके बारे में सरकार ने कुछ सोचा है ?

श्री ज़ुल्फ़िकार उल्लाह : रिजर्व बैंक आफ इंडिया से लाइसेंस लिए बगैर कोई बैंक नहीं खोला जा सकता है बैंकिंग कम्पनीज रेग्युलेशन एक्ट के मातहत। रिजर्व बैंक का यह क्वाल है कि इस तरीके से बगैर इंटरेस्ट डिपॉजिट्स के किसी बैंक को नहीं मिलेंगे और अगर डिपॉजिट्स नहीं मिलेंगे तो बैंक चल नहीं सकता है। यही बजह है कि रिजर्व बैंक यह समझता है कि इस किन्ड का बैंक हिन्दुस्तान में नहीं खोला जा सकता है।

श्रीमती मुनाल गोरे : डिपॉजिट्स नहीं मिलेंगे यह अलग बात है। हो सकता है कोई धार्मिक हेड जवदस्ती पैसा ले ले और ले सकता है। नहीं मिलेंगे यह अलग बात है। लेकिन क्या आप समझते हैं कि यह क्लज के मुनाबिक होगा इस तरह का बैंक खोलना अगर वह खुल सकता है ?

MR. SPEAKER: She has put a supplementary. Is there any additional answer?

SHRI ZULFIQUARULLAH: No.

SHRI F. H. MOHSIN: A proposal has come to the Government to establish an interest free bank. I do not know what are the exact reasons given by the Reserve Bank of India against establishing a bank in the private sector collecting their own deposits. Will the Reserve Bank reconsider the proposal if the deposits are received instead of thinking that the deposits will not