

14th December, 2022, were taken into consideration and agreed to by Lok Sabha at its sitting held on the 21st December, 2022:-

FIRST SCHEDULE

1. That at page 3, lines 5 and 6, *for* the words "Sant Ravidas Nagar", the word "Bhadohi" be *substituted*.

SECOND SCHEDULE

2. That at page 4, line 5, *for* the words "Sant Ravidas Nagar", the word "Bhadohi" be *substituted*."

Sir, I lay a copy of the Bill on the Table.

GOVERNMENT BILLS - *Contd.*

The Maritime Anti-Piracy Bill, 2022 - *Contd.*

SHRI AYODHYA RAMI REDDY ALLA (Andhra Pradesh): Thank you, Mr. Deputy Chairman, Sir, for giving me the opportunity to speak on the Maritime Anti Piracy Bill, 2022. Let me give a little background to the Bill. Since the Indian authorities under IPC are allowed to take action only till 12 nautical miles from the coasts, piracy actions committed outside the territorial waters do not fall under the jurisdiction of the Indian courts. Therefore, this Bill is essential to prosecute people who commit acts of piracy within the maritime region of the country beyond the EEZ, which is 200 nautical miles, beyond the Indian territorial waters. The Bill will help us protect our vessels, its crew members and Indian trade. With growing influence of India in the world, it has never been more important to have a Bill like this. There are some positive points of this Bill. Piracy attacks that are going on all over the world have been a problem. In 2021, there were 132 pirate attacks. The number was even higher at 195 in 2020 globally. In 2018-19, India had stopped 44 piracy attempts and apprehended 120 pirates. We have a vast coastline that stretches about 7,500 kilometres. Our country has lacked a legislation to address maritime security concerns. Since the country lacked a domestic legislation, piracy acts by foreigners outside the Indian waters had no jurisdiction in Indian courts. Hence, this Bill will help us address the issue which had been neglected in the past.

Sir, now, I come to India's growing need for maritime security. The maritime trade occupies a large part of Indian economy -- 95 per cent of Indian exports are being shipped. The Committee to which this Bill was referred noted that there has been a significant growth in piracy incidents since 2008. While we have lagged behind in protecting our maritime region, recent developments such as the appointment of National Maritime Security Coordinator are a significant progress. India has also set up its first Maritime Theatre Command for better planning and military response with an aim to have unified approach to fight any future wars. With the expanding maritime role of India and its growing influence, this Bill will ensure that India has an effective maritime security strategy.

Sir, I have a few suggestions. Maritime borders in India still remain less guarded compared to land borders. All border forces have a clear mandate of serving for land border security of the country whereas the primary duty of the Indian Coast Guards is not to serve State Coastal Boards but to serve through the stretch of territorial waters to EEZ. About 95 per cent of India's trade by volume and 75 per cent by value is done through maritime transport. Many offshore energy assets and key world trading ports are also located along the coast of India. We must extend security in a manner that protects Indian coast from all vulnerabilities and makes State Coastal Police more effective. Therefore, I urge upon the Government to focus more on coastal security to protect our vast coastline and prioritize them equally as land borders. Then, there is the point of 'one border one force'. The Group of Ministers set up in 2000 was tasked to review the national security system in India. It had recommended to enforce accountability and cooperation by adopting the principle of 'one border one force' for maritime security. Currently, the Navy is in charge of the overall maritime security. The Coast Guards are responsible for overall coordination between the States and the Central agencies for coastal border security. It has jurisdictions over the territorial borders, contiguous zones and EEZ. State Coastal Police has jurisdiction only over Indian territorial waters. But both the Navy and the Coast Guards are under the purview of the Ministry of Defence and not the Ministry of Home Affairs, the Ministry that is responsible for border management. This has caused a problem of overlapping jurisdiction between the three authorities and a lack of unity and coordination. I suggest to the Government to ensure better maritime security by combining these forces under one Ministry for effective coordination between them. Sir, the Coastal Security Scheme in India was implemented as a joint effort by Indian Navy, India Coastal Guard and the State Coastal Police of States. In the maritime domain, assigning responsibility for patrolling and surveillance of coastal areas has been assigned to the States. Coastal States have large fishermen

population that venture out into the sea to make their daily living and, hence, the implementation of Coastal Security Scheme effectively would also safeguard their interests and livelihood as well. Therefore, I request the Government to extend more financial support to States under this Scheme to ensure better coastal security measures. I believe that maritime security is intrinsic to our country's security and geopolitical influence within the world order. I urge the Government to consider these suggestions and implement a well formulated maritime security strategy that helps strengthen the geopolitical situation of India. Therefore, with these suggestions, I support the Bill. Thank you, Sir.

DR. M. THAMBIDURAI (Tamil Nadu): Sir, I support the Bill introduced by hon. External Affairs Minister, namely, the Anti-Maritime Piracy Bill, 2019. Just now, before the Minister introduced the Bill, our Finance Minister spoke about the international trade. Nearly, 80 per cent of our international trade, we are doing only by sea. Therefore, in these circumstances, this kind of Bill is very essential. This should have been done earlier but anyhow having been introduced now, we are supporting the Bill. Sir, why has this Bill been introduced? The Minister has said that the problems are being faced in prosecution of pirates. India is a party to United Nations Convention on the Law of Sea, 1982, ratified in 1995. It requires States to cooperate in repression of Piracy on high seas or any other places outside the jurisdiction. This is well-defined and I appreciate but, at the same time, the law says, "Notification by the Central Government to confer powers of arrest, investigation and prosecution exercisable by a police officer, Gazetted officer, State Government officer; arrest of pirates and seizure of their ships and property on the high seas or in any other place outside jurisdiction of India." At the time, when they drafted the Bill, the Minister stated that they had consulted with various countries like Australia and Sri Lanka. When Sri Lanka was consulted -- I want to bring it to the notice of the hon. Minister -- at that time, action was taken on pirates, and I appreciate. But when Tamil Nadu fishermen take their ships to the fishing, the Sri Lankan navy sometimes come and attack our fishermen. Also, it is some kind of *goondas*, we do not know, not a part of that navy but other people come. In our territory also when we ship, that maritime incursion takes place. They attack and take their ships but what is the Sri Lanka Government doing? When they seize the boats of our Indian fishermen for these kinds of acts, they are put into prison and they are punished as pirates. Therefore, many Tamil Nadu fishermen have been killed and there are so many things. I do not know what sort of action are we going to take to safeguard our Tamil Nadu fisherman? Whether they are pirates or others, we do not know. In the same way,

the law, that we are talking about, the other countries are using that law to attack our fishermen. That is why I am asking this. Many of our trade ships, when these go to international waters, especially, at Egypt, when you go to Suez Canal, at that time, our ships are attacked. I know, Sir, we have received a lot of complaints; when our fishermen are attacked or killed there, to rescue them and to get compensation for them also, their families are facing great difficulties. ...(*Time Bell rings.*)... Therefore, I would request the hon. Minister to consider whatever past incidents took place, those have to be taken up and compensation given. And also, the Tamil Nadu fishermen's safety must be taken into consideration. Thank you very much, Sir.

SHRI G.K. VASAN (Tamil Nadu): Sir, this Bill relates to piracy, hijack, good sailors and seamen in highseas. The majority trade of our country is going through sea. This has been discussed in the UN Security Council that in high seas, in Special Economic Zone, piracy should be curbed. Nigeria and Somalia coasts are mostly responsible for piracy. From 2010, 2011 & 2012, we have seen worst incidents in our country itself. As a Minister for Shipping, I would like to kindly tell our Minister that I am not dwelling upon the subjects which our eminent lawyers told you. That is a separate subject legally which I am sure the Minister is capable of handling. I only want to tell you on sailors, their families, the persons who are caught in this piracy, how they are arrested, ill-treated and are being kept in an inhuman way. The pirates even ask for ransom to their families and the families suffer. Anybody who is caught in this is the breadwinner of the poor family. Sometimes, it takes months and years for the members to come out of this menace. In 2011-12, we have seen that for months together families from all parts of India who were subjected to those piracy were staying in tents for months in cold in Delhi to get justice. This kind of harassment for the families should be stopped. It is because the need of the hour is this Bill. The Bill is well-drafted. I am sure the coastal security needs more tightened enhancement. I think the Minister will definitely...

श्री उपसभापति : मैं माननीय सदस्यों से आग्रह करूँगा कि वे कृपया आपस में बात न करें।

SHRI G.K. VASAN: Sir, at the same time, being from Tamil Nadu, I would like to tell the hon. Minister about coastal security, coastal guards and naval force. Tamil Nadu is a special State where fishermen are affected by the Sri Lankan Coast Guard and are arrested in the name of crossing international waters. It is very unfortunate that this is continuously happening. The fishermen are losing their livelihoods. The Central Government and the Minister, though they are taking constant action, from the Tamil

Nadu side, we request the Central Government to have a permanent solution for this to save our fishermen who go to the sea for their livelihoods. Fishermen are not pirates. They are poor people who go for their livelihoods. Our neighbouring country, Sri Lanka should see them in a humanly way. Instead, they think that our fishermen are pirates. It is not so. Our fishermen should be helped by the Central Government. They have to talk to the Sri Lankan Government and see to it that the coast guards do not threaten our fishermen. ...(*Time Bell rings.*)...

Finally, Sir, this Bill is the need of the hour. It is well-drafted. I thank the hon. Minister for bringing this Bill. Thank you, Sir.

SHRI KANAKAMEDALA RAVINDRA KUMAR (Andhra Pradesh): Thank you, Mr. Deputy Chairman, Sir, for giving me this opportunity. Sir, it is a neglected area that has been given a serious thought and a suitable legislation has been brought before this august House. I appreciate the Hon. Minister for bringing forward this Bill. Sir, I am, directly going into the provisions with regard to Clause 3 of the Maritime Anti-Piracy Bill. Clause 3 deals with death punishment, if such a person is committing that act. Death is a capital punishment which may not be accepted by the respective courts, including our Supreme Court. It is to be looked into. It may not stand the test for legal scrutiny. Now, Sir, coming to Clause 3, it says, "In addition shall also be restitution or forfeiture." Both are contradictory. It cannot be both; it shall either be restitution or forfeiture. Restitution cannot take place because restitution means to restore it. That word has to be deleted. It is a major hurdle for us as far as future legislations are concerned.

Now, Sir, coming to Clause 8, Designated Court, the designated court is already a district court as specified. It is the original jurisdiction conferred on the district court that is the Sessions Judge but the Magistrate has no role to consider it. Likewise, the perusal of Clause 6 clearly shows that there is an ambiguity with regard to investigation and prosecution of any person exercisable by a Police Officer. There is absence of the designation of the Police Officer. It is a special enactment enacted after a gap of 70 years. The hon. Minister has to give a thought to it. With regard to the rank of this specific Police Officer, it has to be investigated by certain designated Police Officer and not by the State House Officer or an Inspector. That is an important aspect. It is not an ordinary matter. Under Clause 7 arrest and seizure of property power has been entrusted to warships. Clause 7 deals with arrest and seizure and it has to be entrusted. There is also an ambiguity in that also. It has to be clarified. Now, under Clause 7, a necessity has been felt to strengthen and enhance the presence of security forces, particularly, coast guard and aircraft. Clause 8 deals

with designating with the Sessions Court to deal with such offences. If existing courts are already designated for the purpose, they would face many problems. Instead of this, it would be proper for the Government to set-up a separate Sessions Court for the purpose of each State. Now, Clause 11 is presumption. It is against the criminal jurisprudence. It is nothing but the burden of proof. The burden of proof has to be decided. It is conferred on the accused and not on the prosecution. It is against the criminal jurisprudence. It has to be looked into. Clause 9 deals with jurisdiction. The jurisdiction is on two aspects. One is the territorial jurisdiction and another is the persons accused. With regard to the identity of the accused as an Indian citizen or... *...(Time Bell rings.)...*

Sir, there is no clarity with regard to Clause 12. Another issue and an important aspect is that in order to resolve the issues which were not specifically in this Act, the rule-making power is necessary. That was not mentioned in the enactment. In the absence of rule-making power, in any ambiguity during the course of the execution or implementation of the Act, that has to be resolved only by the rule-making power or to make an amendment to the existing Act. The amendment to the existing act is not possible. Rule-making can be done. It is better to incorporate the rule-making power in this clause. Coming to the other aspects on...

MR. DEPUTY CHAIRMAN: Please. Please. *...(Time Bell rings.)...*

SHRI KANAKAMEDALA RAVINDRA KUMAR : Sir, finally, my suggestion is that the hon. Minister and the Government should have a comprehensive legislation so as to determine the jurisdiction in case of international waters according to the norms and guidelines of the international conventions. If any Indian citizen is attacked by a foreigner, then it has to be dealt with the Indian Penal Code and not by this law. *...(Time Bell rings.)...* In that case, it has to be dealt with by a separate law. So, a comprehensive law is required.

MR. DEPUTY CHAIRMAN: Please conclude. You have taken more time. Now, Dr. Amee Yajnik.

DR. AMEE YAJNIK (Gujarat): Sir, the Bill is quite exhaustive but the important points that I would like to make are not on the procedures. Once the offence comes to the notice and the authorized personnel go to the high seas, find the pirates, bring them to the designated court and try them. That all becomes procedure within the domestic arena. This is a law which we have brought right now. It is a resultant of

the signing of the treaty, that is, Convention on the Law of the Sea. If I would point out one statistics, for example, in order to make my point is that in 2010, 26 per cent of piracy victims were taken hostage representing 1,181 out of a total of 4,185 victims and 50 per cent of hostages faced increased levels of violence. Sir, the economic cost for piracy acts are estimated huge beyond millions and then the insurance cost of the vessels and what the private owners have to pay. Sir, this is one aspect of this Act. Maritime piracy is a major concern today because 85 per cent of our trade is in all these waters. We forget when we talk about piracy we are talking only of the high seas. There are four more zones which are having sovereign right on that. So, we can take any action on that. But, on the high seas, when you are trying to find pirates and piracy is taking place, it is a unique way of conducting these kinds of offences, and to catch these people who, sometimes have no national citizenship and to bring them, this will require a very highly equipped personnel. So, I would request the hon. Minister to look at these nuances because this Act is very, very different from the other Acts, because here, once you catch the offence and the pirate people who you carve them as offenders, once they come on the soil of India, then all these provisions start. But, how do you use the extradition facilities and all that, the last Clause which is mentioned here, that also comes once the pirates or the piracy offence being detected and your personnel has gone and found these pirates and brought them to the shore. So, Sir, these are the other things on which, I would think international cooperation and continuous effort on the part of every nation and harmonising legal systems of different countries, I think would go a long way to bring this particular law into action or into fructifying the provisions of this Act. Yes, it is a little belated but not that belated. We signed it in 1982. India ratified this United Nation's Convention. We brought this in 2012 and then it went to the Standing Committee. But, it looks like that it is like another Act which we have in our country. But the piracy happens on the high seas which is much beyond the territorial waters. So, I think, it will become a very unique kind of an offence. So, you will have to look into it as to what kind of an offence will describe it as piracy because we are not looking at the piracy that happened in ancient times or even a century back. The pirates today operate from sitting on the shores. That is the data which I have seen, and these operations that take place, sometimes, they have a mother ship and they take small ships to these private people, and these private people's ships are raided and that is how the ransom money is sought for and the goods are taken. Now, the trader cannot afford to let his goods being taken away by the pirates; insurance is involved, there are other agencies involved, regulatory mechanism is involved. So, I think more institutions will

have to come into place internationally in order to see that this particular Act comes into action and becomes successful.

Sir, I congratulate the hon. Minister that it is a very, very detailed drafting of the Bill and all the Clauses here have taken care of everything, except that I would really look at sub-Clause (k) of Clause 2(l) which says that a 'stateless person' means a person who is not considered as a national by any country by virtue of its laws. Now, when these definitions come to the designated courts, I think we also have to see that these judicial courts are manned by experts who understand what the Maritime Law is, what is piracy as an offence is and what is involved by a country when you are talking about trade and trade facilities and trade goods which involved huge sums of money. This will also bring the definition of sovereignty again into this. So, the international law is embedded in a way in this particular Act. So, I would like the hon. Minister to look at these issues when there is a further drafting of some rules on these particular issues when the personnel are being inducted; who are these personnels who will be going to the ships or crossing these waters which are beyond the economic zones, where I think, they would not venture to come. This happens only with private ships which are on the high seas. So, I would request the hon. Minister to look into these minor details. But, they are very, very practical because these will be the issues that will come internationally, and that particular person will take all these defences in the court that I am not a national of any country. So, what happens to that person who is a stateless person, which is mentioned here and what would be the facilities available to such a person because he will also claim human rights and also international rights issue as far as international territorial waters are concerned, high seas are concerned. So, Sir, I would like the hon. Minister to look at all these points when once the rules are drafted. Thank you very much, Sir.

SHRI MAHESH JETHMALANI (Nominated): Thank you, Mr. Deputy Chairman, Sir, for giving me this opportunity to speak on this most important and long overdue Bill. There are three reasons as to why this Bill has been introduced and why it is a dire necessity. First of all, it is as a part of our international obligations to the U.N.. The U.N. passed the convention on the law of the seas as far back as 1982, as the hon. Minister pointed out. We ratified it in 1995. The time has come now. It is almost 27 years since our ratification, since we have a Bill. Firstly, the time is overdue.

Secondly, we need it for the protection of a very vital segment of our population, for their protection. Both are concerned with the maritime activities. We have a very thriving merchant navy. Indian crews not only serve on the Indian ships but they also serve on the ships of many other countries. They are exposed to serious

risks. These risks not only include capture by pirates, but our crews are also then subjected to torture, to solitary confinement and, as a result of this, they suffer from extreme post-traumatic stress.

Sir, apart from our merchant navy, we also have to protect our shipping industry. Because of piracy, the shipping industry faces soaring costs. The first is the rising insurance payments, the second is employing private security personnel for onboard protection, and the third is payment of ransom demands. For all these reasons, we require a strong law which both deters and punishes piracy.

Sir, there is another reason why this Bill is so important. That is, increasingly, India is now most likely to be a future victim of acts of piracy. Piracy used to be extremely prominent in the Malacca straits. The countries who were affected by it namely Indonesia, Singapore, Thailand, Malaysia; these countries banded together and they prevented it from happening in the Malacca straits. Then, it went to the Gulf of Aden where Somalian piracy became rampant. It was almost a monthly occurrence where you had piracy by the Somalian pirates. The Gulf states and some North African states got together. The problem in the Gulf of Aden has now declined. Now, Sir, the threat is that piracy will move eastwards and southwards in the Indian Ocean. Therefore, India is most prone to piracy, to pirate attacks. Particularly, we should be mindful of the fact that we have isolated areas like the Andaman & Nicobar Islands which are prone to piracy. Secondly, we have a very large Exclusive Economic Zone. There is a serious threat that pirates may combine with terrorists from Al Qaeda and from ISIS to threaten the country.

Sir, there is a dire need for this legislation and these are the three main reasons--international obligations; our shipping industry and our merchant navy; and, the possible threat from pirates in the Indian Ocean coming closer and closer to our Exclusive Economic Zone.

Sir, a word on the Bill, I have absolutely no doubt that this Bill has been extremely well drafted. The punishment section as far as the sentence is concerned, the death sentences are not mandatory. The death sentence is an option. Depending on the gravity of the crime, suppose pirates board a ship, rape and murder women, then certainly there will be a death sentence. They are liable for a death sentence. The death sentence provision is necessary. It will be used infrequently in the rarest of rare cases, but it must be on the statute books. Then, Sir, Clause 9 is important because many of our previous prosecutions were failing on the ground that the Indian courts had no jurisdiction. As per Clause 9, any person who is apprehended by or is in the custody of Indian Navy or Indian Coast Guard can be triable in India. Now, jurisdiction has been extended to any person who commits an act of piracy anywhere

in the world, but is arrested by the Indian Navy. So jurisdiction has increased. The sentence is all right. I have only two queries which the hon. Minister may kindly have a look at. First is the Definition Clause, which I think, my hon. friend, Mr. Tankha pointed out that if this is an Anti-Maritime Piracy Bill, then, why bring in an aircraft into 2(1)(f). I am trying to conceive of a situation and the only situation I can conceive of is where an aircraft is brought down and still floats on the ocean and then it is subject to piracy. Alternatively, we are talking about sea planes. These are only two conceivable situations as to why the Definition Clause includes aircraft in what is really an Anti-Maritime Piracy Bill. Secondly, and the last point is, please see Clause 3; whoever commits any act of piracy. Clause 3 punishes anybody who commits an act of piracy. That is fair enough; sentence is prescribed. But let us see Clause 5 now. It says, "Whoever participates or organises or directs other persons to participate in an act of piracy..." Sir, whoever participates in an act of piracy also commits an act of piracy within the meaning of Clause 3. So Clause 5 is redundant. Secondly, somebody who organises or directs other persons to participate in an act of piracy is probably a worse offender than somebody who commits an act of piracy because he is the mastermind. Clause 5 needs a relook, revisit and I respectfully submit that Clause 5 ought to be done away with altogether; otherwise, it will create acute confusion in the minds of both the investigator and the prosecutor of the offences under this Act. Sir, I strongly recommend this Bill and I heartily congratulate the hon. External Affairs Minister for introducing this Bill.

MR. DEPUTY CHAIRMAN: Shri Bikash Ranjan Bhattacharyya.

SHRI BIKASH RANJAN BHATTACHARYYA (West Bengal): Sir, this Bill is really the obligation of Indian Government to be a part of the global participant in the maritime business. It is welcome. If it is an outcome of international convention, universal human rights is more prominent and we being in the human rights regime, then how could this definition of stateless person be there? Do we accept that anybody in the world could be stateless? We do not visualise this conception. No one can be stateless under the human rights regime which is against the human rights policies. Therefore, this stateless person definition in my humble submission should be removed. Otherwise, we will be recognising the situation which will have impact otherwise in the other field of society. Then the question comes about the penalty. Now the definition of piracy is very wide. I am not going to waste time reading this. But what is the offence? It is, whoever commits any act of piracy. The act of piracy is very wide. It says, "Shall be punished with the imprisonment which may extend to

imprisonment for life or with fine or both." I can accept. Then, this is a statutory provision is being made in 2022 by the Government of India, with death or with imprisonment for life. If such person is committing the act of piracy causes death or an attempt thereof; even if, somebody alleges that he has attempted to commit death, then, he will suffer death penalty! Death penalty is an obnoxious concept which should be removed from the Statute. I would invite the hon. Minister to reconsider this. Other punishments are quite harsh and sufficient. That can be definitely inflicted upon the person who has committed an offence. And then, I am one with Mr. Jethmalani that Clause 5 is absolutely redundant. It should be removed from this. Otherwise, it will contradict both Clauses 3 and 4. Clause 4 says, "Whoever attempts to commit the offence of piracy or aids or abets or conspires...". That includes everything. It further says, "Whoever participates...". If somebody abets and commits an offence, he is a participant. Then Clause 5 is absolutely unnecessarily given in this Statute Book. It does not reflect the proper wisdom. It should be removed. The third one, which has also been discussed is that this will be referred to the Designated Courts. Our Courts are already heavily burdened. They cannot even discharge their regular function. Every day we are shouting of the arrear of cases. Therefore, we have to find out a mechanism or we have to constitute an independent forum for the purpose of deciding these issues, and that should be manned by equipped judicial officers, not by the administrative officers. Why I am saying so is because the presumption which they are saying is dangerous. Now the presumption is on the accused. The burden of proof goes to the accused which is against the basic principles of natural justice. The Supreme Court, in many judgments, in many cases says that this shifting of presumption of the accused is not healthy and is against the principle of natural justice. With these amendments, I think, the Bill is a welcome proposition since it is part of the United Nations commitment and we are participatory to that. With this, I support this Bill.

DR. FAUZIA KHAN (Maharashtra): Sir, Alfred Mahan has said, "Whoever controls the Indian Ocean dominates Asia. This ocean is the key to seven seas'. In the 21st century, the destiny of the world will be decided on its waters. Hence, this is a very important Bill and I heartily welcome it. It fulfils the U.N. Convention on the Law of the Sea. The legislation is good. It has been elaborately discussed in the Standing Committee. There have been ministerial discussions on it. So, there is nothing that I would like to comment on the legislation as such. Execution is the issue. India has a very large coastline. It has the largest coastline than many countries. If you imagine the high seas and the crime taking place on it, I was wondering how we would go if

we wanted to rescue, how we would go to rescue the people who are actually committing the crime and, after the crime is committed, evidence is needed. So, for that, we need a very robust mechanism so that we are able to actually execute this. My colleague here, Shri Sircar, was saying that we are extending our arm, but actually the executive arm is much more important here. As far as the Maritime Security Management is concerned, there is multiplicity of maritime stakeholders who often work at cross purposes. We need to have adequate training of marine police. We have to have adequate manpower for it. So, are we prepared with all this? This is my question here. Punishment is not the aim of the law. Law should help us to save lives from the aggressor. It should also help us to gather evidence for investigation. Since every life is precious, these vessels on the sea may be small fisherman's boats, they may be cargo ships, they may be yachts of big tycoons, but every life is important and the responsibility of security should also be on the citizens. We have got a lot of safeguards on land and in air; for cars we have got seatbelts, we have air bags, etc. So, the onus or responsibility lies with person driving the car that you should keep yourself safe. In the same way, we should have some safeguards, whether it is a small boat or a big ship. They should have a dash camera. They should have radios or some kind of GPS where there is network. I feel, all these things should go as guidelines. These will be very important and hence they should be made mandatory, because these will help, both in rescue and in gathering evidence.

Sir, I would not like to comment more on this, because it is a very good Bill and a needed one. I will end with the words of Sahir Ludhianvi.

*"जंग तो खुद ही एक मसला है,
जंग क्या मसलों का हल हो गई!"*

This is the world today. We have to have a world where there is no war. Thank you.

श्री उपसभापति : माननीय डा. सुधांशु त्रिवेदी जी।

डा. सुधांशु त्रिवेदी (उत्तर प्रदेश) : माननीय उपसभापति महोदय, आज का यह विधेयक जिस विषय के ऊपर है, वह विश्व के लिए इतना महत्वपूर्ण है कि विश्व का लगभग 80 प्रतिशत से अधिक व्यापार समुद्री मार्ग से होता है। इसलिए मानी हुई बात है कि वहाँ की सुरक्षा सुनिश्चित करना विश्व और भारत के व्यापार की सुगमता और विकास के लिए अत्यंत आवश्यक है। उसमें जो पाइरेसी होती है, यानी जलदस्युता के द्वारा उस व्यापार को कितना नुकसान होता है, इस संदर्भ में अमेरिका के कोलोराडो के अर्थ फाउंडेशन ने एक असेसमेंट किया था, जिसके अनुसार जलदस्युओं के द्वारा, यानी मैरीटाइम पाइरेसी के द्वारा औसतन दुनिया में अर्थव्यवस्था में 7 से 12

बिलियन डॉलर का नुकसान होता है। इसका अर्थ यह हुआ कि इस चीज का सभी देशों के विकास पर बहुत प्रभाव पड़ता है। जहाँ तक भारत का प्रश्न है, तो हम जानते हैं कि दुनिया में मैरीटाइम पाइरेसी की दृष्टि से जो 10 सबसे संवेदनशील स्थान अंकित किए गए हैं, उनमें से कई स्थान हिन्द महासागर में हैं। खास कर इंडोनेशिया और अदन की खाड़ी के क्षेत्र इस दृष्टि से अत्यंत संवेदनशील माने जाते हैं। भारत के लिए तो एक और उल्लेखनीय बात है कि हम दुनिया में इकलौते राष्ट्र हैं, जिसके नाम पर एक महासागर है - हिन्द महासागर या इंडियन ओशन। यह एक ऐसा क्षेत्र है, जहाँ दुनिया का 70 प्रतिशत से अधिक व्यापार कवर्ड होता है और जहाँ भारत के सामरिक हित भी जुड़े हुए हैं और आर्थिक हित भी जुड़े हुए हैं। स्थिति कभी-कभी यह भी हो जाती है कि पिछले दिनों में इस तरह के समाचार आए थे कि अदन की खाड़ी के पास जलदस्युओं के आतंक के चलते भारत के मालवाहक जहाजों को नौसेना के द्वारा एस्कॉर्ट करना पड़ा, यानी नेवल एस्कॉर्ट की जरूरत पड़ती थी। इस कारण से मुझे लगता है कि इस विषय पर बहुत गंभीरता की आवश्यकता है। यह इतना बड़ा क्षेत्र है कि इसमें लगभग 66,000 किलोमीटर से अधिक की दुनिया के भिन्न-भिन्न देशों की कोस्टलाइन आती है। वर्ल्ड का मेजॉरिटी ऑयल प्रोडक्शन का एरिया हिन्द महासागर के क्षेत्र से गुजरता है। भारत के संदर्भ में कहा जाए, तो 90-95 प्रतिशत का हमारे ऑयल का ट्रेड इसी क्षेत्र से जाता है। हमारा टोटल 68 प्रतिशत वॉल्यूम इसी क्षेत्र से ट्रांसपोर्ट होता है। एक अन्य दृष्टि से भारत के लिए बहुत महत्वपूर्ण यह हो जाता है कि जो शिप ब्रेकिंग इंडस्ट्री है, इसमें हमारा ग्लोबल शेयर 30 परसेंट है, जो बहुत महत्वपूर्ण है और कहीं न कहीं उसका भी ट्रांसपोर्टेशन इसी क्षेत्र से होता है। अतः जहाजों की सुरक्षा हमारे लिए एक बहुत इम्पोर्टेंट इश्यू बन जाता है। इसके अतिरिक्त इस क्षेत्र में बड़ी व्यापक खनिज संपदा इत्यादि भी पाई जाती है। हम यह कहना चाहेंगे कि सिर्फ पेट्रोलियम प्रोडक्ट्स ही नहीं, बल्कि हम लिक्विफाइड नैचुरल गैस के सबसे बड़े इम्पोर्टर्स में से एक हैं, हम इसमें फोर्थ लार्जस्ट इम्पोर्टर हैं और हमारा 45 प्रतिशत एरिया इसी क्षेत्र से होकर आता है। वर्ल्ड का जो मैरीटाइम ट्रांसपोर्टेशन है, उसका 11 परसेंट कू भारत से आता है। इससे यह समझ में आता है कि भारत और भारत से जुड़े हमारे सामुद्रिक व्यापार के हित कितने अधिक महत्वपूर्ण हो जाते हैं। इसमें कानूनी रक्षा कवच की बहुत आवश्यकता थी, जो यह बिल प्रोवाइड करने का प्रयास करता है। महोदय, वैसे तो कानून के जानकार हमारे प्रतिपक्ष में भी हैं और सत्ता पक्ष में भी बहुत सारे लोग बैठे हैं। इस संदर्भ में मुझे एक पुरानी घटना स्मरण में आती है, जिसकी वजह से समझ में आता है कि यदि इस विषय में कानून मजबूत न हो, तो क्या समस्या होती है। आपको 2005 का एम.वी. एलोन्ड्रा रेनबो केस का ध्यान होगा कि पनामा से जापान की तरफ एक जहाज जा रहा था। अंतरराष्ट्रीय एजेंसीज़ से पता चला कि यह जहाज भारत के समुद्री क्षेत्र के पास है और इसके ऊपर जलदस्युओं ने कब्जा कर लिया है। भारत के कोस्टगार्ड्स ने उनको हिरासत में ले लिया और उन पर मुकदमा चला। 2003 में लोअर कोर्ट से उनको सज़ा हुई, परन्तु 2005 में मुम्बई उच्च न्यायालय से वे टेक्निकल ग्राउंड्स पर छूट गए। उन टेक्निकल ग्राउंड्स में से एक यह भी था कि हमारा जो टेरिटोरियल वॉटर है, जिस जगह से वे पकड़े गए हैं, वह भारत की जूरिस्टिक्शन में, यानी भारतीय लॉ के परव्यू में आता भी है या नहीं आता है। इससे यह समझ में आता है कि कई बार बड़ी-बड़ी घटनाओं के कारण पैदा हुई असुरक्षा के कारण, अगर कानूनी रक्षा कवच बेहतर न हो, तो समस्या आती है। मैं कहना चाहूंगा कि इस बिल ने इसी को ठीक करने का प्रयास किया है।

हम सभी जानते हैं और मेरे पूर्ववर्ती वक्ता भी बता चुके हैं कि 2012 में यह बिल ड्राफ्ट हुआ था, जिसके बाद यह स्टैंडिंग कमिटी के पास गया। 2019 में यह बिल आया, परन्तु इस बीच अनेक ऐसी घटनाएं हुईं, जिन्होंने इस विषय की आवश्यकता को और भी अधिक बढ़ा दिया है। 3 दिसम्बर, 2019 को जब नाइजीरियन कोस्टगार्ड से 18 लोग किडनैप किए गए थे, उसी बीच में 18 इंडियंस भी किडनैप हुए थे। जब इस तरह की किडनैपिंग की घटनाएं उत्तरोत्तर बढ़ती चली गईं तो आवश्यकता महसूस हुई कि इस प्रकार का एक बिल होना चाहिए। चूंकि यह समस्या व्यापक थी, तो उस पर सरकार की दृष्टि भी व्यापक थी।

प्रधान मंत्री श्री नरेन्द्र मोदी जी ने इस विषय को गम्भीरता से लिया और मैरीटाइम इंडिया विज़न, 2030 को उन्होंने आइडेंटिफाई किया। In this, 150 initiatives were launched to boost the maritime Indian sector. The hon. Prime Minister launched it in March 2021. It has drafted the other significant consultation with over 350 public-private stakeholders, comprising of ports, shipyards, inland waterways, State bodies. And, the Vision serves as a blueprint to achieve the accelerated and coordinated target of the development in the India's diverse maritime sector comprehensively, including 150 initiatives. इस प्रकार से यह सरकार की गम्भीरता का प्रतीक था। मैं यह भी बताना चाहता हूं कि हमने सागरमाला प्रोजेक्ट पर जो मैरीटाइम इंडिया प्रोजेक्ट लिया है, उसमें आगे जाकर 20,000 करोड़ रुपये का इन्वेस्टमेंट होना है, जिससे कई लाख नई जॉब्स भी क्रिएट होंगी। यह मानी हुई बात है कि भारत के औद्योगिक विकास के लिए इसमें बहुत महत्वपूर्ण सम्भावनाएं हैं। यह बात भी बताई जा चुकी है कि 1982 में यह विषय आया था और 1995 में हमने उसको साइन किया था। 2021 में जब प्रधान मंत्री जी ने यू.एन. सिक्योरिटी काउंसिल के सेशन को चेयर किया था, जिसका उल्लेख माननीय मंत्री जी ने अपने प्रारम्भिक उद्बोधन में भी किया था, उसमें भी उन्होंने इस बिल और इसकी आवश्यकता पर काफी बल दिया था। उन्होंने उस समय जो विषय प्रतिपादित किया था, मैं मानता हूं कि यह बिल उसी दिशा में आगे बढ़ रहा है। विगत पांच-सात वर्षों में 500 से भी अधिक भारतीयों का जलदस्युओं के द्वारा अपहरण किया गया है, इसलिए उनकी सुरक्षा को सुनिश्चित करना हमारे लिए और भी अधिक महत्वपूर्ण हो जाता है। इंटरनेशनल मैरीटाइम ब्यूरो के अनुसार पिछले कुछ वर्षों में पूरी दुनिया में पाइरेसी पर अटैक की घटनाएं 20 प्रतिशत से भी अधिक बढ़ी हैं, जिसके कारण इस तरह के रक्षा कवच की और भी अधिक आवश्यकता है।

महोदय, इस बिल में एक महत्वपूर्ण बात यह भी की गई है कि जो बहुत सारे टेक्निकल ग्रे एरियाज़ थे, उनको क्लीयरली डिफाइन करके, ब्लैक एंड व्हाइट में डिटरमाइन करने का प्रयास किया गया। उदाहरण के लिए टेरिटोरियल वॉटर में आर्म्ड रॉबरी और पाइरेसी क्या होगी, इन दोनों को क्लीयरली डिफाइन किया गया है कि जो हमारे नॉटिकल माइल्स के एरिया में होगी, उसमें कौन सी आर्म्ड रॉबरी मानी जाएगी और किसके लिए हम यह मानेंगे कि यह मैरीटाइम पाइरेसी है। इतना ही नहीं, इस चीज़ के लिए जो डेफिनेशन तय की गई है, वह यू.एन. क्लॉज़ के आर्टिकल 101 के तहत तय की गई है। आर्म्ड रॉबरी को सप्रेसन ऑफ अनलॉफुल ऐक्ट, 2002 के तहत डील करने का प्रयास किया जाएगा। जलदस्युता, यानी मैरीटाइम पाइरेसी पर इफेक्टिव कंट्रोल के लिए जेल या कारवास की भी सज़ा है, साथ ही सम्पत्ति के अधिग्रहण, यानी

कॉन्फिस्केशन ऑफ दि प्रॉपर्टीज की सज़ा भी है। इसके साथ इसमें लाइफटाइम इम्प्रिज़नमेंट की सज़ा और डेथ पेनल्टी जैसे कठोर प्रावधानों के बारे में भी विचार किया गया है। जहाजों को पकड़ने का अधिकार सिर्फ भारतीय नौसेना और तटरक्षक बल अथवा सरकार के द्वारा अधिकृत किसी जहाज़ को देने का भी प्रयास किया गया है। यहां पर मैं एक क्लॉज़ का उल्लेख करना चाहूंगा, जो 2.1 में कहा गया है। For committing an act of piracy, one could have the life imprisonment. But, if someone attempts to commit the offence of the piracy or aids or abets or conspire then the person shall be punished with an imprisonment for the term which may be up to 10 year.

So, it is a lesser offence; the punishment envisaged will be lesser. अब यहां एक चीज़ यह आती है कि प्रिज़मप्शन में किसी प्रकार का कंप्यूजन न हो, तो उसको भी क्लैरिफाई करने के लिए there were very specific conditions relating to presumptions. The condition number one was that the arms, ammunition, explosives and equipment must be recovered. फिर इसमें सेकेंड condition डाला गया है 'There is an evidence of use of force.' Then, third is, 'there is an evidence of the intended threat.' यानी किसी प्रकार का आतंक उत्पन्न करने की या कब्जा करने की कोशिश की जाएगी। Unless these conditions which prima facie show some act of piracy that happened, even there, the presumption, 'unless the contrary is proved.... इस प्रकार से जो प्रिज़मप्शन है, उसके अंदर भी ग्रे एरिया नहीं छोड़ा गया है, ताकि उस बात को बहुत स्पष्ट रूप से आगे किया जा सके।

मैं एक बात सदन के ध्यान में और डालना चाहूंगा कि अगर देखा जाए, तो हमारी सरकार ने इस विषय को मॉडर्न हाई टेक्नोलॉजी के हिसाब से कंट्रोल करने के लिए एक मैरीटाइम डोमेन अवेयरनेस सिस्टम बनाया है और उसका एक फ्यूजन सेंटर गुरुग्राम में बनाया है, जिससे हमारी मैरीटाइम एक्टिविटीज के ऊपर एक प्रॉपर टेलिकम्युनिकेशन एंड रिमोट सेंसिंग के थ्रू पूरे तरीके से नज़र रखी जा सके। दुरुपयोग की संभावना नहीं हो सकती है, इसलिए एविडेंस वर्ड का प्रयोग कई बार किया गया है कि पर्याप्त तथ्य और सबूत के बाद ही उसके ऊपर कोई कार्य किया जा सके।...(समय की घंटी)...

महोदय, अधिक समय न लेते हुए, अंत में, मैं यह कहना चाहूंगा कि विषय की परिधि में रहते हुए ही थोड़ा सा विषयांतर में जाते हुए जब हम समुद्र में सुरक्षा की बात करते हैं, तो भारतीय नौसेना का जो चिह्न, एम्ब्लम है, उस पर लिखा हुआ वाक्य है - शं नो वरुणः, यानी वरुण देवता हमारी रक्षा करें, जो वेदों से लिया गया है। इसलिए मैं थोड़ा सा विषयांतर करते हुए लेकिन विषय की परिधि में रहते हुए कहना चाहता हूं कि इस दुनिया में एक और देश है, जिसकी नौसेना के एम्ब्लम पर भी संस्कृत का आदर्श वाक्य लिखा है, वह दुनिया का सबसे बड़ा मुस्लिम देश इंडोनेशिया है, जिसकी नौसेना के एम्ब्लम पर लिखा है - "जलेष्वेव जयामहे" यानी जल में भी मेरी जय हो। मैं सिर्फ यह कहना चाहूंगा कि जैसा सामंजस्य इस बिल के ऊपर सत्ता पक्ष और प्रतिपक्ष में दिखाई पड़ रहा है, यदि इस प्रकार के जल के गमन पर हमारा ऐसा ही सांस्कृतिक सामंजस्य भी दिखे, तो मामला और सुगम होगा।

अंत में मैं कहना चाहता हूँ, जैसा डा. फौजिया खान ने एक शेर कहा था, कभी-कभी समुद्र में आप जाते हैं, तो एक बड़ा खतरा महसूस होता है और समझ में नहीं आता है किनारा कहाँ मिलेगा, जिसके लिए जौक ने एक लाइन कही थी -

*जौक दुनिया के समन्दर में यह कश्ती उम्र की
जिस जगह पर जा लगी, वही किनारा हो गया।*

परंतु अब यह बिल आने के बाद जहाँ किनारा होगा, वहाँ कानून का सहारा भी होगा, धन्यवाद।

5.00 P.M.

श्री रामजी (उत्तर प्रदेश): उपसभापति महोदय, आपने मुझे इस महत्वपूर्ण बिल पर बोलने का मौका दिया, इसके लिए मैं आपको धन्यवाद देता हूँ। इसके साथ ही मैं अपनी पार्टी की मुखिया, बहन कुमारी मायावती का भी आभार व्यक्त करता हूँ।

महोदय, एंटी मैरीटाइम पाइरेसी बिल, 2022 के संबंध में मेरा यह कहना है कि इसके पहले विदेशी मामलों के मंत्री, डा. एस. जयशंकर जी ने 9 दिसम्बर, 2019 को लोक सभा में इस विधेयक को प्रस्तुत किया था। उसके उपरांत यह विधेयक विदेश मंत्रालय से जुड़ी स्टैंडिंग कमेटी को भेज दिया गया। 11, फरवरी, 2021 को विदेशी मामलों से संबंधित स्टैंडिंग कमेटी ने अपनी रिपोर्ट सौंपी। उसके बाद यह विधेयक यहां फिर से लाया गया है।

महोदय, इस विधेयक से अंतरराष्ट्रीय कानूनों को सहयोग और बढ़ावा मिलेगा और वैश्विक स्तर पर हमारे व्यापार में बढ़ोतरी होगी। भारत अब कानूनी आधार पर पाइरेसी की गतिविधियों में लिप्त लोगों पर अभियोग चला सकेगा। यह देखा गया है कि समुद्री डकैतों की घटनाएं 2008 से बढ़ रही हैं। अदन की खाड़ी में सोमालिया से समुद्री लुटेरों द्वारा हमलों में एक बड़ी वृद्धि देखी जा रही है। एशिया यूरोप और अफ्रीका के पूर्वी तट के बीच व्यापार के लिए हर महीने दो हजार जहाज इस मार्ग से आवागमन करते हैं। अदन की खाड़ी में बढ़ी हुई अंतरराष्ट्रीय नौसैनिकों की उपस्थिति से अब समुद्री डाकुओं ने अपने संचालन के क्षेत्र को पूर्व और दक्षिण की ओर स्थानांतरित कर दिया है, जो अब चिंता का विषय है, चूंकि अब भारत के पश्चिमी तट से उनकी नजदीकी बढ़ जाती है, जो हमारे जहाजों के लिए ज्यादा खतरा दर्शाती है। अब इस विधेयक के आने के बाद से हमारी नेवी या हमारे कोस्टगार्ड उन जहाजों को अपनी सुरक्षा प्रदान कर सकेंगे।

इस तरह के कानून न होने की वजह से 15 फरवरी, 2012 को केरल के दो मछुआरे जेलेस्टीन और अजेश बंकी केरल के नींदकारा हार्बर से मछली पकड़ने के लिए गये थे, वे सेंट एंटीनी नाव से लक्षदीप की ओर गहरे समुद्र में मछली पकड़ने गये, लौटते समय उनका सामना सिंगापुर से जा रहे ऑयल टैंकर एनरिका लेक्सी से हुआ। महोदय, यह इटली का जहाज था। जहाज पर तैनात दो मरीन, सल्वेटोर गिरोन और मसीमिलियानो लतोरे ने जेलेस्टीन और अजेश की गोली मार कर हत्या कर दी। इसके बाद उन पर भारतीय सुप्रीम कोर्ट में केस चला, लेकिन

वह केस अंजाम तक नहीं पहुँच सका, क्योंकि तमाम अन्तरराष्ट्रीय कानूनों की वजह से भारत को अपने देश में इतालवी नौसैनिकों के खिलाफ मामला बन्द करना पड़ा। तमाम कानूनी प्रक्रियाओं और अन्तरराष्ट्रीय कानूनों तथा - पीसीए (परमानेंट कोर्ट ऑफ आर्बिट्रेशन) ने 21 मई, 2020 को आदेश दिया कि इतालवी मरीन पर कोई आपराधिक मुकदमा अब भारत में नहीं चल सकेगा और उन पर कार्यवाही इटली में होगी। इसलिए मैं माननीय मंत्री जी को बधाई भी देता हूँ कि आपने इस तरह का बिल लाकर, आगे होने वाली इस तरह की घटनाओं को रोकने का काम भी किया है।

माननीय उपसभापति जी, आपके माध्यम से मैं माननीय मंत्री जी से कहना चाहूँगा कि तमाम माननीय सदस्यों ने कुछ शंकाएँ जाहिर की हैं। इस बिल में, इस विधेयक में जो भी कमियाँ हैं, उन कमियों को सुधार कर लाया जाए, तो यह बेहतर होगा और हम सभी मिलकर इसका समर्थन करेंगे, जो इसे और भी मजबूती प्रदान करेगा।

इन्हीं शब्दों के साथ, मैं अपनी बात यहीं पर खत्म करता हूँ। जय भीम, जय भारत! धन्यवाद।

SHRI G.V.L. NARASIMHA RAO (Uttar Pradesh): Thank you, Mr. Deputy Chairman, Sir, for the opportunity to speak on the important Bill, Anti-Maritime Piracy Bill; and the name, as, I think, was mentioned in the House has possibly been revised, the title of the Bill has been revised as 'Maritime Anti-Piracy Bill'. Honestly, I don't think this was required. Whether you say, 'anti-maritime piracy' or 'maritime anti-piracy', it means the same thing. ...*(Interruptions)*... But in some wisdom, ...

MR. DEPUTY CHAIRMAN: Please, please.

SHRI G.V.L. NARASIMHA RAO: Let me speak. When you say, Anti-Drug Trafficking Bill, it is not anti to drugs. You have to look at the whole word, the two words together as a phrase. But in wisdom, if the Committee had recommended and it was accepted, I think, we all will go along with that.

I would like to, first of all, congratulate the hon. Prime Minister for bringing in such an important legislation into this House. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please, please. ...*(Interruptions)*...

SHRI G.V.L. NARASIMHA RAO: No, I think, the inspiration for the Bills clearly comes from hon. Prime Minister. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please, please. ...*(Interruptions)*...

SHRI G.V.L. NARASIMHA RAO: I know you have a problem with our Leader, but the whole nation, the whole world is saluting him. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please, please. ...*(Interruptions)*...

SHRI G.V.L. NARASIMHA RAO: I mentioned the name of hon. Prime Minister ...
...*(Interruptions)*...

श्री उपसभापति : प्लीज़, सीट पर बैठ कर आपस में बात न करें। ...*(Interruptions)*... Mr. G.V.L. Narasimha Rao, you address the Chair. ...*(Interruptions)*...

SHRI G.V.L. NARASIMHA RAO: Certainly. Sir, as the Minister for External Affairs, Dr. Jaishankar, has piloted the Bill, he has brought the Bill into this House, but clearly, the inspiration comes from the Prime Minister because I would like you to know why I took the name of Prime Minister, Mr. Modi. He has become Prime Minister in 2014. But in 2011, on 26.11.2011, when he was the Chief Minister of Gujarat, he addressed a 'Global Maritime Security and Anti-Piracy Conference' in Gandhi Nagar, and he articulated vision for it. So, this Bill predates his even assumption of office as Prime Minister. Therefore, I took his name. And, it is the Prime Minister who in 2011, as Chief Minister of Gujarat, said a couple of things which I will read out, which is very important, 'Both piracy and sea-bound terrorism have become more common in the last few decades. This has further gone up due to global proliferation of small arms. All this has added to maritime vulnerabilities.' This is a vision that predates even his assumption of office. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Jhaji, please. ...*(Interruptions)*...

SHRI G.V.L. NARASIMHA RAO: Also, as the President, when he recalled, the hon. Prime Minister, when he spoke at a UN Conference at UN Security Council meeting during India's Presidency of the Council, in August 2021, which is a first for this country, for the Prime Minister of this country, he articulated, he made five proposals for global maritime security. And what are these five points? These are, one, to remove barriers to legitimize maritime trade -- certainly this is one such barrier and we are trying to remove that barrier through this legislation -- second, peaceful resolution of maritime disputes in accordance with international law, third, jointly fight maritime threats from natural disasters and non-State actors, four, conserve maritime environment and marine resources and five, promote responsible maritime

connectivity. I would let them feel a little more jealous because the outcome of this meeting was a presidential statement on maritime security that was piloted by India. ...*(Interruptions)*.. This was the first such UNSC product adopted by fifteen member States unanimously with a holistic view of maritime security. So, today, with this legislation, we are not only putting in place a domestic legislation, we are also accepting some leadership of the comity of nations which have such a legislation in place.

As the hon. Minister, Shri Jaishankar, mentioned at the outset, we are also doing this as a part of our international obligation of UN Convention on Law of the Sea. I was looking at the original document of the Convention. It has article 101 which defines piracy and also identifies who a stateless person is. I have seen some of the Members getting quite rattled about the definition of a 'stateless person'. You are quite rattled. ...*(Interruptions)*... In this legislation, a stateless person is recognized, is listed as a person who is not considered as a national by any country by virtue of its laws. And if somebody who is residing in this country, who does not belong to this country or any other country, commits an act in violation of this particular legislation, do you want to let him off? If a person living in this country indulges in piracy and claims that since he is not a citizen of India or any other country this law does not apply to him, will you let him off? This is what such criminals can do. This is certainly a provision that is required to make such people also accountable to this particular law.

श्री प्रमोद तिवारी (राजस्थान) : सर, मेरा एक प्वाइंट ऑफ ऑर्डर है।

MR. DEPUTY CHAIRMAN: No point of order, please. You have not quoted the rules. ...*(Interruptions)*...

SHRI G.V.L. NARASIMHA RAO: Sir, I do not know if it was intended or unintended; some Members referred to this as 'Anti-Privacy Bill'. This is an 'Anti-Piracy Bill'. I hope it was a slip of tongue, but if it was meant in a derogatory way or to raise questions at some people outside this House, let them not be misinformed. This is the 'Anti-Piracy Bill', not 'Anti-Privacy Bill'. If it has not gone on record, I would request that the document be corrected, though it may be a mistake.

Sir, this legislation is very important. As I said, it is a thought process. We have repealed a number of laws in this country because many of them have become completely archaic and irrelevant. I would like to certainly congratulate the Government for bringing in a Bill that is more required to ensure that there is no piracy

and piracy does not go unpunished. I would like to seek a clarification though from the hon. Minister because I think he is a very erudite person. ...*(Interruptions)*... Article 102 of this UN Convention is possibly not a part of this legislation. If it was so, why was it not considered? I would like to really understand that. I would read out that particular article. Article 102 says, "Piracy by a warship, Government ship or Government aircraft whose crew has mutinied and taken control of the ship or aircraft are assimilated to acts committed by a private ship or aircraft." There are some instances of neighbouring countries possibly using their warships or possibly using their Government ships for activities that can be categorized as piracy. So, would this legislation enable us to punish even such acts of piracy or would that be out of the framework?

Sir, thank you for the opportunity.

SHRI SANDOSH KUMAR P (Kerala): Thank you, Sir, for allowing me to speak. The Maritime Anti-Piracy Bill, 2022 is a welcome step initiated by the hon. Foreign Minister. I support the Bill. Since it is a part of our international obligations, there is no point in giving a detailed lecture on the relevance or the importance of the Bill.

I take this opportunity to point out three things. Number one is related to F.I.R. Section 154 of Cr.P.C. speaks about F.I.R. As you all know, all proceedings begin with registration of F.I.R. So, there must be a provision for online registration of F.I.R. At present, we don't have this facility in India. Except in cities like Mumbai, we don't have this facility. This is not applicable to maritime crimes also. So, online F.I.R. must be incorporated either in the Cr.P.C. or in this Act.

My second point is on the definition of piracy. Clause 2 speaks about what piracy is. A lot of things are there. I would like to draw your attention to Clause 7. Some of the fellow speakers have also pointed it out. It says, 'the person may generally or on suspicion...'. And Clause 15 (2) says, 'no suit or other legal proceedings shall lie against the Central Government or any State Government for any damage caused or likely to be caused.' This area is ambiguous. What I suggest is that a lot of fishermen are there in the sea. So, it may not be misused. Hence, there must be clarity on this. While preparing the rules and regulations, what is not piracy should be clearly explained. This is what I would like to suggest.

My final point is regarding Clause 3 (ii), which is related to punishment. It says, 'with death'. As pointed out by some of my fellow speakers, it may not be legally correct. But my point is something different. Do we actually need capital punishment? One hundred or more countries have already abolished the system of capital punishment. So, when we are initiating this kind of legislation, that too in 75th

anniversary of India's independence, can you re-think about capital punishment? Most of the countries have already abolished it. I think most of the progressive legislations stand against capital punishment. So, I request the hon. Minister to think about this also.

This is all what I want to say. I don't want to make any political comments on this Bill. It is a welcome initiative taken by the hon. Minister. I support this. Thank you.

श्री उपसभापति : श्री सैयद नासिर हुसैन जी, मैं आपके बोलने से पहले दो चीज़ें बताना चाहता हूँ। जब बहस कन्क्लूड हो रही थी, तब आपका नाम आया, जब कि नाम आधे घंटे पहले आना चाहिए था। आपके पास एक मिनट का समय है। आप एक मिनट में अपनी बात खत्म करें।

श्री सैयद नासिर हुसैन (कर्नाटक) : सर, मुझे तीन मिनट दे दीजिए।

श्री उपसभापति : नहीं।...(व्यवधान)... एक मिनट ...(व्यवधान)...

SHRI SYED NASIR HUSSAIN: Thank you so much, Sir, for giving me this opportunity. I would like to congratulate the hon. Minister on bringing this Bill. India has already ratified the United Nations Convention on the Law of the Sea. I would just like to make two or three points.

One is that the Bill applies to all parts of the sea adjacent to and beyond the limits of India's EEZ. Therefore, it will apply to high seas which is the area beyond 200 nautical miles from India's coastline but not in our exclusive economic zone. Piracy and attack on our fishermen happen mostly within the exclusive economic zone, so excluding the zone would be against the interests of our fishermen. I request the hon. Minister to include a clarification with respect to the inclusion of EEZ.

Two, the entire law involves a lot of Ministries. It involves the Ministry of Home Affairs, the Ministry of External Affairs, the Ministry of Defence, The Ministry of Shipping and the Ministry of Law and Justice. There should be some mechanism for speedy coordination, so that the law can be implemented in a proper way.

Three, we need to have Standard Operating Procedure, so that immediately after the Bill is passed, it can be implemented immediately.

Finally, I would like to make a request to the hon. Minister. In Sri Lanka and Pakistan, it has been a habit to arrest and harass our fishermen. Many of them are still being harassed by them. We should develop a proper mechanism to see that our fishermen are protected in our seas. This is what I would like to recommend and submit on behalf of the Congress Party. Thank you, Sir.

LT.GEN. (DR.) D.P. VATS (RETD.) (Haryana): Thank you, Mr. Deputy Chairman, Sir, for granting me an opportunity to speak on a Bill where legal luminaries have given their opinion.

I would like to highlight the points from users' point of view. And that point of view is: Who's to deliver? An hon. Member cast a doubt what happens if you arrest somebody under suspicion. Second, death penalty should be abolished. Basically, piracy is also an act of terrorism. When a terrorist is about to take on you, it is a matter of seconds, and you have to take the decision whether to fire or not to fire. In such a scenario, collateral damage is likely to be there. I am grateful to the hon. External Affairs Minister that he has granted some immunity to the people in uniform.

Hon. Member Tankha ji had cast doubt on India's potential to man the high seas. We should not forget that we are making indigenous aircraft carriers, indigenous nuclear-propelled submarines and Agni-V. "मोदी है तो मुमकिन है।" India is a maritime nation and, as has been mentioned, the Indian Ocean is spread over 7,36,00,000 sq km with 7,000 km coastline. We are located in such a way that 80 per cent of the world trade passes through the Indian Ocean. We, as a trading nation, also depend more than 90 per cent on sea whether it is for oil or petroleum or even minerals in sea bed. Therefore, this Bill has been brought forward. What is maritime piracy is defined in accordance with UNCLOS Article 101 as any illegal act of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship. It may also be the intention. I would like to make a comment when piracy takes place at high seas beyond India's EEZ. Up to 12 nautical miles, it is the responsibility of the Coast Guards. Up to EEZ, again, there are Coast Guards and the Navy, which overlap. Beyond EEZ, it is the responsibility of the Navy. Here again, there was a doubt of overlapping. In operations, unity of command comes. For all practical purposes, the Coast Guards is also a military unit. BSF is manning the borders but BSF comes under the command of the Army during war. So, there should be no doubt about it.

Then, I would talk about our naval history, certainly of Chhatrapati Shivaji or Rajaraja Chola. Our Chairman has just been to Bali. We have a very rich naval history. In the same way, we have the potential to grow. Whether it is under Quad, we have been doing combined exercises with 60 nations under the directions of UNCLOS. We have manned the seas with the help of our friendly nations also. That way, our responsibility is likely to increase with Sagarmala. As a counter to String of Pearls, we are developing our capabilities by involving our neighbours and this potential has to increase. In fact, the search for sea routes to India by Europeans changed the course of history for mankind. Today, most of the external trade is

through sea routes. Therefore, it is a little surprising that we have not been able to pass a legislation. Enough has been spoken on it. We have made a commitment. In 1982, we signed it and then in 1995, we ratified it. So, it has been delayed. I am thankful to the hon. External Affairs Minister that he has brought forward a very exhaustive Bill.

Here again, I would talk about death sentence. Delivery of justice should be quick and it should be just and deterrent. I am very much in favour of death sentence because wherever the punishment is deterrent, crime rate is less like Saudi Arabia and wherever laws are lax, crime rate increases. The people who are firing on you and who are pirates do not follow democratic rules. Therefore, you have to react in such a way. It should be exemplary so that others do not commit. Now, I would not like to cast aspersions but there are so many amenities in jail. There have been reports that people are enjoying it. We have to give a deterrent and exemplary punishment. Need of signing this Convention has already been spoken out. As the hon. External Affairs Minister said, the Bill and the Official Amendments as passed by Lok Sabha were prepared after extensive consultations with other concerned Ministries including the Ministry of Defence, the Ministry of Home Affairs, the Ministry of Shipping, Indian Navy and Coast Guards. The amendments introduced by the Government and approved by the Lok Sabha have incorporated the recommendations that the Standing Committee has made after examining the draft Bill.

MR. DEPUTY CHAIRMAN: Please conclude, Dr. Vats.

LT. GEN. (DR.) D.P. VATS (RETD.): SOPs stand and the External Affairs Ministry would be coordinating with them very smoothly. Sir, I support the Bill.

MR. DEPUTY CHAIRMAN: Now, hon. Minister's reply.

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S. JAISHANKAR): Mr. Deputy Chairman, Sir, first of all, let me welcome all the views of 19 hon. Members who have spoken today on the Bill and each one of them has expressed support for it. I welcome that and, I think, it underlines really how much this Bill is in our national interest. The main concerns have been shared by everybody that today there are more Indian ships in waters, more Indian trade being done, more Indian crews, not only in our own ships but in other people's ships. As Sudhanshu Trivediji pointed out, we had the case of M.V. Alondra Rainbow where we could not successfully prosecute a case of piracy because we did not have a law. I think, all hon. Members also

recognize that we have an obligation under UNCLOS and that this has taken us 27 years to do, but better late than never. So, this Bill is timely, and that is widely recognized.

With your permission, Sir, I would very quickly run through certain individual points which Members had raised. I know some of them, for various reasons, are not with us right now. Vivek Tankhaji, first of all, brought up the issue that a reference to aircraft is not necessary. I just want to highlight that actually in Clause 2(j)(ii), there is a reference to seaplane and other aircraft because ships do carry planes and you can also have seaplane piracy. So, the idea of an aircraft -- I think, Mahesh Jethmalaniji also raised that issue -- is not entirely fanciful. I think, that is a provision that we had to make. The second issue which he raised was, what is the procedure for restitution and forfeiture? It is very clear under Clause 7(ii) of the Bill that this is by court order. The third issue he raised was, how would you align possible death penalty, rarest of rare cases, with countries where death penalty is outlawed? Now, typically, what happens is, in such cases, if there is an extradition issue and the country, where death penalty is outlawed, seeks from us an assurance that we will not impose death penalty, we will give such an assurance. So, what we have done is, we have kept the provision. There could be occasions -- none of us want it -- where the rarest of rare penalty may be invoked. Therefore, we have to make provision for it but we have given the flexibility to the court and we have also created both an extradition provision and a reciprocity provision so that if that is a condition for extradition, we would naturally go with that. Then, there was his concern about Article 7, whether it involves planning. Actually, Article 7 deals with suspicions where there is somebody engaged in piracy. So, that is, perhaps, a slight misunderstanding there. Regarding Designated Courts, there are already Designated Courts in certain other cases like the Prevention of Money Laundering Act and the National Investigating Agency Act. These have been constituted in consultation with the Chief Justice. So, we have followed exactly those precedents in this case. His final point, which is, he said if a ship is carrying ammunition, would you then assume that it is going to do a *mala fide* act? It is not just a question of carrying ammunition. In fact, the provision here in Article 11 (a) also says 'there is reasonable grounds.' So, just carriage of ammunition is not a crime. There has to be reasonable grounds. As well as, there are two other provisions about evidence being there on the basis of which there is a presumption of an offence likely to be committed.

Sir, if I could move to Shri Prakash Javadekarji's views, one he explained very well that as to why we need the law. He, I think, rightly highlighted the importance of the Standing Committee and its contribution here. I also appreciate that very deeply.

Then, Shri Jawhar Sircar asked whether this is applicable only to Indian ships. No; it is not. It is applicable to any ship in the jurisdiction where piracy is committed and where the authorized personnel from India have taken action. Now, as to who is authorized? I think the Bill is very, very clear. Clause 2 (1) (a) makes that very clear. He asked about other aircraft. I think sea crafts and there could be other aircraft also there. Now, who executes the provisions? I think, again the Bill is very clear that only the authorized personnel can execute the provisions of the Bill. So, there is no concern out there. The jurisdiction, I think, has been laid out very clearly. And, where the presumption issue, Clause 11 is concerned, I want to highlight that the presumption is not an open-ended presumption. The presumption says very clearly that there should be arms, ammunitions, explosives and other equipments recovered where there is reasonable ground to presume *mala fide* intent. There is evidence of use of force, threat of force and there is an evidence of an intended threat of using bombs, arms, firearms, etc. So, the presumption is backed up by two sets of evidence and as also the fact that there are reasonable grounds to presume. He also asked as to how many cases of piracy there have been so far involving India. I have two sets of statistics. Between 2008 and 2011, there have been 27 incidents in which Indian crew members were involved. Sir, 288 Indian nationals were involved in these 27 incidents. Between 2014 and 2022, 155 Indian crew members were involved in 19 cases. The most serious case, of course, we had was in 2017 when we had an Indian Ship called 'Al-Kausar' which had been pirated off the Island of Socotra. This was, particularly, a difficult case for us but this is to show, the numbers show as to why we need this Bill so badly at this point of time. If I could move then to Shri Elango, he again enquired as to what is the procedure for forfeiture of property. I think, again, the answer is very clear that this is done under court orders. Then, there were a number of Members who raised this issue of Clause 3, Clause 4 & Clause 5 that somewhere there is overlapping and somewhere there is confusion. This will create problems possibly in courts. People said that there is a grey area and even the lawyers will benefit by this grey area. I think a lot of thought has been given, both by the Standing Committee and by the Government, by the lawyers of the Government, by the practioners of prosecution and people who deal with shipping. We have in each of these cases, clearly identified the key action and graded a punishment accordingly. So, Clause 3 is whoever commits an act of piracy, Clause 4 is whoever attempts to commit an offence and Clause 5 is whoever participates, organizes and directs. Hon. Mr. Deputy Chairman, Sir, I would submit to you that commits, attempts to commit and participates or organizes or directs are all three different types of actions with a different level of gravity and therefore, a different level of punishment, if found guilty.

There was the issue also about as to who will investigate this. I think, it is very clear from the legislation intended, the Bill proposed, that the Police Officer is the key person and we will, obviously, assume that in such cases, they have the competence to do that. In this regard, I think some Members raised this issue as to what should be the rank of a Police Officer. We have not specified it because we have gone by CrPC where even a Station House Officer can file a case in such situations. So we have left it. There is already a pre-existing code and a criminal procedure. It is not for legislation to necessarily act to that. I think, we will leave it to the general legislation. Then Dr. Sasmit Patra, of course, began by saying that this is after 75 years, too late! I cannot disagree with him. I can only say that since we have come into Government, we have tried to push this as strongly as we can and the results of it, we have seen because it is a widely recognised requirement. The four-five grey areas which he had mentioned, I think, I have answered. In terms of the Designated Courts, will there be a long process of appeals? This Bill cannot solve that problem. That is a problem which is part of a larger judicial issue. So I think what we can do is to set up a remedy in line with other similar legislation and then, we naturally keep hoping that judicial processes will move faster. Do we have jurisdiction on foreign ships? This was the question he asked. The answer is 'yes'. In our jurisdiction, if an act of piracy is committed, we have jurisdiction. And finally, the question he asked was: Is it 12 nautical miles? Is it 200 nautical miles? I will actually answer him; it is beyond that. If you look at the provisions, the provision is, actually, high seas, which includes the EEZ and all waters beyond the jurisdiction of any other State. And this is laid out in a further provision that if any of our ships, actually, find that there is an act of piracy committed and the authorised personnel have taken action there, then, it becomes a jurisdiction of India.

Now I will move on to Shri Ayodhya Rami Reddy Alla. I think he made a very important point about coordination. One other hon. Member mentioned that we have a Fusion Centre. The Fusion Centre in Gurugram is helping with coordination. But once we have our own legislation, it will help us to do more international cooperation and, I think, that is a common point which all the hon. Members raised.

Then Dr. Thambidurai raised two issues. One, he brought up the Tamil fishermen issue. I can understand his concern. It is a very legitimate concern. It is a matter to which the Government of India has given the highest priority. We have worked very hard to ensure that these incidents, which happen there, are avoided and when we have situations, where our fishermen are detained, we have worked hard to get them released. I understand the hon. Member's concern. I want to tell him that the Government of India is fully committed to ensuring that the interests of

our fishermen are protected. But I do want to clarify that they are not treated as pirates. So, there is really no relationship between the fishermen's issue in that sense and the Bill under consideration.

Then, I come to Shri G.K. Vasan. Having been the Minister of Shipping before, he brought up the issue of sailors and their family. I think that is a very legitimate issue; wherever there is a detention and sometimes, they may not be detained by pirates. For example, we have a ship right now which is detained in Nigeria and many hon. Members have taken up that case with us. We understand the plight of the people, the anxieties of the family. We have ensured full legal support in the case of that particular ship. But whether it is those instances or the Sri Lankan fishermen, I would like to assure all hon. Members that the Government of India is completely and fully committed to the interests of his citizens.

Then Shri Ravindra Kumar brought up a set of issues. One of them was whether death penalty would be accepted. I have answered that many States do accept death penalty, some States do not accept death penalty. I think we will look at that situation, but we have to make up our own mind. We cannot pass a legislation in this House because some other country had outlawed death penalty. We will pass whatever is the interest of India and the requirements of India. And in the rarest of rare cases, death penalty is applied and that is the thought that has guided us in that issue. Then the issue came up on restitution and forfeiture. There is a difference. Restitution is provided to pirates where pirates are using a ship which they have captured; forfeiture, in case, their own ship is involved in the process. But, then, I have answered the one on the rank of police then, about the designated Court which he had raised, I have given precedents where we have mentioned. On presumption, as I said, we are not looking at open-ended presumption. There have to be evidence, there has to be recoveries if that presumption is to be validated. And, on the matter of jurisdiction, I think the Bill is very, very clear. Amee Yajnikji, I think, brought up the issue of a domestic follow up which is a very valid point and, more than that, as for international cooperation, I think, she is absolutely right. Ultimately, if the numbers today have come down, if you can see from the numbers which I have given, those numbers have come down because international cooperation has got stronger and we can be more credible as an international partner if we have a law. That is why, today's consideration of this Bill will strengthen our credentials as a partner with other countries to make sure that the world is more piracy-free. She also mentioned the issue as to who will man the courts. This is left to the advice of the Chief Justice concerned. When we set up the designated courts, it will be done in consultation with the Chief Justice and we have no doubt that the Chief Justice will

make the appropriate decision in that regard. Then, Mahesh Jethmalaniji made some very valid points about it being an international obligation involvement of a large number of Indian cruise and the possibility that the piracy will shift closer to the Indian Ocean. And, regarding jurisdiction also, I think, it was important that he recognised that our jurisdiction is wherever our authorised personnel have taken action. I have clarified the point both about the aircraft as well as about the gradation of offence and, therefore, of punishment. Then, Sir, Shri Bhattacharyya brought up the issue of cause of death penalty. He was strongly against it. It is his privilege to have that view. But, there are others, including some hon. Members, who have a view that a provision for a death penalty is a deterrent and certainly is a deterrent against causing death. So, that is also a point of view. And on the Designated Courts, which he raised, again my answer is that the Chief Justice will be consulted. Fauzia Khanji raised the issue of developing the skills to enforce this Bill when it becomes law. I think that is a very valid point. It is also a point which other Members have made in the other House. So, our expectation is whether it is shipping or whether it is Navy or the Coast Guard, once this Bill is passed, they will be actually, in a sense, training their people and once the Designated Courts are set up, then, I think if there is any prosecution involved, we expect this to be addressed in a very professional manner. Then, Sir, I would particularly like to thank Sudhanshu Trivediji for some of his remarks, particularly, his highlight about the Alondra Rainbow case as well as the fact that 11 per cent of sea-farers in the world today are India. So, we are not only protecting Indian ships, but also any ship under attack anywhere in the world from pirate is, probably, going to have some Indian crew. So, it is for us, today, a global problem. It is also an interesting point he made that ships come to India for ship breaking. And, that is also an industry that we have to protect through strong anti-piracy laws. Then, Sir, Shri Ramji referred to the Italian marine ship. I think that is now behind us. But, it is precisely to have legal clarity that we need legislation of the kind that we have submitted. G. V. L. Narasimha Raoji pointed out the fact that Prime Minister chaired the Security Council Meeting on Maritime Security. It was for the first time. That sent a very strong message about our seriousness in this domain and I think that seriousness will be taken by the world at face value when we actually pass legislation like this. Otherwise, it would look as though we are saying things, but we do not have the laws to back it up. So, his connecting the two is a very important insight. Sandosh Kumarji made two points which are--with your permission, Sir, I would say--beyond the limit of this debate. Whether we should have online FIRs, whether the capital punishment is appropriate or not, that is not a subject for today's discussion. But, I don't share his view that Clause 15 is ambiguous and there is a

scope for misuse. If you look at the 'authorised personnel', they are very professional people; we are talking of the Navy, the Coast Guard, the officers of the State Government or the Central Government, who are specialised in this. I think, we should have faith in our forces, not just on this issue but generally we should have faith in our forces. I think, his apprehensions perhaps are not justified.

Nasir Hussainji asked me: Does this apply to EEZs? Yes, it applies to EEZs. It applies from the moment you leave India outwards through our waters, through EEZ, beyond EEZ and any place where our authorised personnel legitimately make a detention. His points about coordination and SOPs are very well taken. I would like to inform the hon. Members that actually there are already SOPs of the Navy, of the Coast Guard and of the Ministry of Shipping. But, the SOPs lack a legislative umbrella. So, once we give this umbrella, I think, the SOPs which they have would be strengthened. But his point is very well taken because it is finally the SOPs which will enforce these laws and make them effective.

I would like to assure the hon. Members, through you, Sir, that where fishermen are concerned, we have two broad issues of concern--Tamil fishermen who are detained often by Sri Lanka, or the fishermen from Tamil Nadu who are detained there; some times, they could be from Puducherry or other States; and those from Gujarat who tend to be detained by Pakistan. So, these are our two big concerns. But, these concerns are very much on our mind and we continuously work to avoid incidents and wherever they are detained, to get them released.

Finally, I come to Lt. Gen. D.P. Vats. I appreciate the fact that he has recognised that the authorised personnel need to be protected, need to be given immunity. That is certainly our obligation as a state in ensuring that our forces are properly equipped to their duty. So, Sir, I hope, that clarifies the issues raised by all the Members. Thank you.

MR. DEPUTY CHAIRMAN: Thank you, Mr. Minister.

The question is:

"That the Bill to make special provisions for repression of piracy on high seas and to provide for punishment for the offence of piracy and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up Clause-by-Clause consideration of the Bill.

Clauses 2 to 15 were added to the Bill.

Clause 1, the Enacting Formula, the Preamble and the Title were added to the Bill.

MR. DEPUTY CHAIRMAN: Now the Minister to move that the Bill be passed.

SHRI S. JAISHANKAR: Sir, I move:
That the Bill be passed.

The question was put and the motion was adopted.

SPECIAL MENTIONS

MR. DEPUTY CHAIRMAN: Hon. Members, we shall now take up Special Mentions.

कृपया माननीय सदस्य अपनी-अपनी सीट पर बैठें, हम लोगों ने स्पेशल मेंशंस को लिया है।...(व्यवधान)... कृपया अपनी-अपनी सीट पर बैठ जाएं।...(व्यवधान)...

श्री सुखेन्दु शेखर राय (पश्चिमी बंगाल) : सर, जिनको जाना है, जाने दीजिए।...(व्यवधान)...

श्री उपसभापति : माननीय नासिर हुसैन जी, स्पेशल मेंशंस हो रहे हैं, आप अपनी सीट पर बैठिए, प्लीज़।

[THE VICE-CHAIRMAN (SHRI BHUBANESHWAR KALITA) *in the Chair.*]

Need for restoration of public immigration service at Mahadipur, Malda District of West Bengal

SHRI SUKHENDU SEKHAR RAY (West Bengal): Sir, public immigration service at Mahadipur Immigration Check Post in Malda District of West Bengal for movement of common citizens, such as tourists, patients, exporters and importers of both India and Bangladesh was suspended in the wake of Covid-19 pandemic. While many other International Immigration Check Post bordering Bangladesh have since been