

Standing Committee Report Summary

The Anti-Hijacking Bill, 2014

- The Standing Committee on Transport, Tourism & Culture (Chairperson: Mr. Kanwar Deep Singh) submitted its report on the Anti-Hijacking Bill, 2014 on March 11, 2015. The Bill was introduced in Rajya Sabha on December 17, 2014. It was referred to the Standing Committee on December 29, 2014.
- The Bill seeks to give effect to the Beijing Protocol, 2010 which supplements the Hague Convention, 1970. It repeals the Anti-Hijacking Act, 1982.
- Key aspects of the Bill include: (i) expands definition of aircraft hijacking (for example, by covering hijacking by technological means); (ii) includes related offences (like, threatening/ organising a hijacking) within the definition of hijacking; (iii) provides capital punishment for hijackers and conspirators/ abettors in cases where the offence results in death of a hostage or security personnel; (iv) widens provisions related to jurisdiction; (v) enables the conferment of powers of investigation, arrest and prosecution on any officer of the central government or the National Investigation Agency; and (vi) confers power to attach or seize property on the investigating officers and courts designated to deal with hijacking cases.
- The Standing Committee recommended enacting the Bill after incorporating some amendments. The amendments recommended by the Standing Committee are listed below.
- **Acts to be included under hijacking:** The Bill includes several acts within the definition of hijacking including: (i) attempt and abetment of hijacking; (ii) making a credible threat to commit hijacking; (iii) organising or directing others to commit hijacking; (iv) agreeing with another to commit the offence, and acting on the agreement; etc. The Standing Committee recommended including preparing for hijacking within this list.
- The Standing Committee also recommended adding a new provision to cover hoax calls, and providing appropriate punishment for it. Hoax calls refers to an act of reporting a hijacking which one knows to be false so as to create panic.
- **Punishment:** The Bill provides for: (i) death penalty, where the hijacking results in death of hostage or security personnel; and (ii) life imprisonment in all other cases. The Standing Committee recommended amending this provision to mandate death penalty in cases where death of *any* person is caused as a direct consequence of the offence of hijacking.
- The Bill also states that any person who commits any other act of violence, along with the hijacking, against any passenger or crew member shall be punished according to the applicable laws in India. The Standing Committee recommended extending this provision to cover acts of violence against any ground staff or security personnel at the airport.
- **Compensation:** The Bill does not provide for compensation to victims of hijacking or their dependents. The Standing Committee recommended including necessary provisions to provide for compensation.
- **Definitions:** The Standing Committee also recommended that definitions of “hostage” and “security personnel” be included within the Bill. The Bill does not define these terms.

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