



# Standing Committee Report Summary

## The Anti-Hijacking (Amendment) Bill, 2010

- The Department-Related Parliamentary Standing Committee on Transport, Tourism & Culture submitted its 161<sup>st</sup> Report on 'The Anti-Hijacking (Amendment) Bill, 2010' on October 8, 2010. The Chairperson was Shri Sitaram Yechury.
- The Bill seeks to amend the Anti-Hijacking Act, 1982, to cover various types of hijacking, and to make the law more stringent by awarding the death penalty for such offences.
- The Committee endorsed the provision to award capital punishment to abettors and conspirators committing any act that is defined as hijacking. However, it added that the Bill was unclear as to whether death penalty will be awarded only to those hijackers who kill hostages or security personnel, or to all hijackers regardless of fatalities.
- The Committee opined that if the death penalty was ensured for all hijacking offences, then the opportunity for negotiation or settlement to save the lives of passengers would be closed. The Committee raised the question of whether the death penalty would serve as deterrence to hijackers on suicide missions.
- The Committee recommended that death penalty should be applicable to those offenders whose action results in the death of hostages or security personnel during the act of hijacking.
- The definition of the act of hijacking in the Act is based on the provisions of the Hague Convention, 1970, wherein it was defined as "any seizure of aircraft in flight." The Committee suggested that the definition of hijacking needs to be widened to include situations where the aircraft is on the taxiway at the airport with or without passengers or when pre-flight checking of the aircraft is in progress.
- Currently, the issue of compensation to victims of hijacking for injury or loss of life is dealt with through civil law in the same manner as compensation for victims of other illegal acts. The Committee felt that since there is stand-alone legislation for hijacking, it would be appropriate to include all aspects related to the act of hijacking (including compensation for victims), within the law itself.
- The Committee noted that hijacking of other modes of transport (such as buses, cars, and trains) is prevalent in the country and that provision for compensation to these victims is not provided in any law. The Committee therefore recommended that the government should consider enacting legislation dealing with such incidents, providing for punishment to offenders and compensation to victims.

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