

Bill No. 109 of 2019

THE DESIGNATION OF ISLAMIC REPUBLIC OF PAKISTAN AS
STATE SPONSOR OF TERRORISM BILL, 2019

By

DR. SANJAY JAISWAL, M.P.

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BILL

*to designate Islamic Republic of Pakistan as State sponsor of terrorism
and for matters connected therewith.*

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Designation of Islamic Republic of Pakistan as State Sponsor of Terrorism Act, 2019. Short title, and commencement.

5 (2) It shall come into force immediately.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "terrorist act" means doing of any act with intent to threaten or likely to threaten the unity, integrity, security or sovereignty of India or with the intent to strike terror in the people or any section of the people in India, or in any foreign country, or with the intent to influence by threat or likely to influence by the threat the Government of India or an international Government organisation—
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- (i) by using bombs, dynamites or other explosive substances or inflammable substances or firearms or other lethal weapons or poisonous or noxious gases or other chemicals or by any other substances (whether biological, radioactive, nuclear or otherwise) of a hazardous nature or by any other means or whatever nature to cause— 5
- (a) death of, or injuries to any person or persons; or
- (b) loss of, or damage to or destruction of property; or
- (c) disruption of any supplies or services essential to the life of the community in India or in any foreign country; or
- (d) damage or destruction of any property in India or in a foreign country used or intended to be used for the defence of India or in connection with any other purposes of the Government of India, any State Government or any of their agencies; or 10
- (ii) by overawing by means of criminal force or the show of criminal force attempt to do so or cause death of any public functionary; or 15
- (iii) by designing to seriously interfere with or seriously disrupt an electronic system, computer system or network or to attempt to do so; or
- (iv) by providing support by means of sponsoring or making provisions, including by non-enforcement of any law to prevent the same for the training of any militia, paramilitary or guerrilla forces to wage proxy war against the Government of India; or 20
- (v) by detaining, kidnapping or abducting any person and threatens to kill or injure such person or does any other act in order to compel the Government of India, any State Government or the Government of a foreign country or any other person to do or abstain from doing any act. 25
- (b) "State Sponsor of Terrorism" means the Islamic Republic of Pakistan and the Government of any country which has provided support to terrorist acts, directly or indirectly, including through its instrumentalities or retired officials or through negligence in taking effective steps to curtail or prevent the use of its territory for commission of terrorist acts against India. 30

Declaration of Islamic Republic of Pakistan as State Sponsor of Terrorism.

3. The Central Government shall, by notification in the Official gazette, declare Islamic Republic of Pakistan as State Sponsor of Terrorism and cease all bilateral relations with it including diplomatic, economic and political.

Temporary suspension of nationals of Islamic Republic of Pakistan.

4. Notwithstanding anything contained in any other law for the time being in force, the Central Government shall order temporary suspension, for a period of one hundred eighty days, of entry of nationals of Islamic Republic of Pakistan into India for all purposes except for matters connected with the security of India. 35

Central Government to submit a report on determining Islamic Republic of Pakistan a State Sponsor of Terrorism.

5. (1) The Central Government shall, as soon as may be, but after one hundred eighty days after the date of enactment of this Act, through the Foreign Secretary and in consultation with the heads of other appropriate departments and agencies, submit to both the Houses of the Parliament a report describing whether the Government of Islamic Republic of Pakistan continues to be a State Sponsor of Terrorism and if not, a detailed justification as to why the conduct described in the report does not meet the legal criteria for determination in the affirmative. 40

(2) The Central Government shall, as soon as may be, but not later than sixty days, after receipt of report under sub-section (1), cause it to be laid before each House of Parliament:

5 Provided that for calculation of period of sixty days, the intervening periods during which the House(s) has been adjourned for more than three days shall not be taken into consideration.

STATEMENT OF OBJECTS AND REASONS

The Islamic Republic of Pakistan continues to provide safe heaven to dreaded terrorists like Hafeez Saeed and terrorist organizations like the Taliban, Al-Qaeda, Jama'at-ud-Da'wah, Jaish-e-Mohammad, the Haqqani Network, Lashkare-e-Taiba among many others.

Despite clear evidences of involvement of perpetrators from Islamic Republic of Pakistan, India continues to engage diplomatically and otherwise with the country. The Bill intends to act as a strong condemnation of Pakistan's continued sponsoring of nefarious activities against India and hopes to set in place a process that redeems the loss of countless Indian lives lost in these activities.

Hence this Bill.

NEW DELHI;
June 10, 2019.

SANJAY JAISWAL

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(Dr. Sanjay Jaiswal, M.P.)