

**GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2192

ANSWERED ON:09.03.2011

COMMITTEE FOR PRISONERS

Choudhary Shri Harish;Majhi Shri Pradeep Kumar;Patel Shri Kishanbhai Vestabhai;Singh Shri Ijyaraj

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether India and Pakistan have formed a Judicial Committee to ensure expeditious release and humane treatment of prisoners and fishermen in either country;
- (b) if so, the details thereof alongwith the terms of reference of the said committee alongwith its members;
- (c) whether the said committee has visited various jails in both the countries and met prisoners and fishermen in custody;
- (d) if so, the details thereof, jail-wise;
- (e) the details of the meetings held and recommendations made by the said committee; and
- (f) the extent to which both countries have implemented the recommendations of the said committee and the number of prisoners released after the constitution of the committee?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SMT. PRENEET KAUR)

(a) to (f) During the visit of the External Affairs Minister to Pakistan on 13-14 January 2007, it was decided to establish a Committee on prisoners comprising retired judges of the superior judiciary to visit jails in the two countries and propose steps to ensure humane treatment and expedite release of prisoners who have completed their prison terms. The members of the Committee for the three meetings held were Justice (Retd) Mr. Nagendra Rai, Justice (Retd) Mr. Amarjeet Choudhary, Justice (Retd) Mr. A.S. Gill and Justice (Retd) Mr. M.A. Khan from the Indian side and Justice (Retd) Mr. Abdul Qadeer Chaudhary, Justice (Retd) Mr. Fazal Karim, Justice (Retd) Mr. Nasir Aslam Zahid, and Justice (Retd) Mr. Mian Muhammad Ajmal from the Pakistan side. The Committee has to-date met thrice on 26-27 February 2008, 9-14 June 2008 and 18-23 August 2008.

These meetings were combined with visits to jails. Some of the recommendations of the Committee include prompt notification of arrests/ deaths; expeditious provision of consular access (within a month of arrest); regular and timely exchange of consolidated lists with full particulars and present status of nationals in each other's jails; provision of immediate release of those whose nationality status has been confirmed and who have completed their sentences; special consideration on compassionate and humanitarian basis to women, juvenile and disabled prisoners and those convicted for minor crimes, for their expeditious repatriation and need for both the countries to follow the commitments made in the Agreement on the Consular Access. The fifth round of Home/Interior Secretary level talks commended the work of the Committee and expressed agreement on the need for the continuation of its work. On 27 January 2010, we requested Pakistan to suggest dates for the next meeting of the Judicial Committee. A response is awaited from the Pakistan side.