GOVERNMENT OF INDIA
OVERSEAS INDIAN AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2495
ANSWERED ON:28.03.2012
LEGAL ASSISTANCE TO NRIS
Kurup Shri N.Peethambara;Rajendran Shri C.;Shankar Alias Kushal Tiwari Shri Bhisma;Toppo Shri Joseph

Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether the Government has conducted any study on the number of Indians including workers who are languishing in foreign jails/facing trial;

(b) if so, the details thereof, country-wise and if not, the reasons therefor;

(c) whether it is a fact that most of these Indians are not getting justice as they could not prove their innocence during trial due to language problems,lack of funds, etc.;

(d) if so, the details thereof; and

(e) the steps taken by the Government to provide relief to them by way of legal service, financial assistance, etc.?

Answer

MINISTER OF OVERSEAS INDIAN AFFAIRS(SHRI VAYALAR RAVI)

(a) & (b) The information in this regard as received by the Ministry from the respective Missions is as at Annexure.

(c) & (d) Trials of accused persons are conducted as per laws of the host countries.

(e) As and when cases of the arrest of Indian nationals are brought to the notice of the Missions, action is taken as prescribed in The Consular Manual and in consultation with this Ministry, if necessary. Missions provide consular assistance by issuing Emergency Certificates to the Indians in jail who were arrested for working illegally for their early deportation. The concerned Missions/Posts take up cases of Indian nationals imprisoned in jails through the concerned Ministry of the foreign countries from time −to- time for getting justice in the event of cases of injustice being brought to their notice. The Government of India has established an Indian Community Welfare Fund(ICWF) and has extended it to all the Missions abroad for providing, inter-alia, initial legal assistance to the Overseas Indians including workers on a means-tested basis. The Indian Missions are also authorised to provide relief and assistance as and when required.