

**GOVERNMENT OF INDIA
EXTERNAL AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1117

ANSWERED ON:11.12.2013

INDIANS LANGUISHING IN PRISON ABROAD

Karunakaran Shri P.;Mandal Shri Mangani Lal;Mohan Shri P. C.;Naranbhai Shri Kachhadia;Pandey Saroj

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether a number of persons of Indian origin are languishing in jails in various countries across the world, including Pakistan;
- (b) if so, the details thereof, country-wise;
- (c) the number of Indians who died while in foreign prisons along with the details of those who are languishing in jails even after completing their sentence;
- (d) whether the Government has taken up the matter with the respective countries to secure the release of such prisoners; and
- (e) if so, the details thereof and if not, the reasons therefor?

Answer

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

(a) to (c) As per records available, there are about 6101 (this figure keeps changing) Indian prisoners in foreign jails for crimes like violation of immigration/visa rules, overstay, illegal entry, robbery, non-possession of valid travel document, valid visa/ permit, etc. However, some Indians have also been jailed for grave offences like drug trafficking, murder, rape, etc. A list of Indian citizens in foreign jails, country-wise, is attached as Annexure-A. 25 Indian nationals have died in foreign jails and 162 Indian nationals are detained in foreign jails after completion of their sentence.

(d) & (e) Indian Missions/Posts abroad always strive to respond promptly to the requests /appeals by Indian citizens who are in distress. As soon as the information about detention/ arrest of an Indian national is received by the Indian Mission/Post, it immediately gets in touch with the local Foreign Office and other concerned local authorities to get consular access to the detained/arrested Indian national to confirm his Indian nationality and ensure his welfare. In some countries where pro bono lawyers are available, the Mission arranges such legal assistance to the Indian prisoners. Government of India also provides initial legal assistance to distressed Indian nationals in deserving cases.

Steps taken by our Missions include requesting local authorities for speedy trials, seeking remission of sentence, providing advice and guidance in legal and other matters, ensuring fair and humane treatment in foreign jails, issue of emergency certificates and repatriation to India of those who are released. In some countries, our Mission also requests the local government for grant of amnesty to the arrested Indians and if any mercy petition for remission of sentences is received from the family members of the Indian prisoners, the Mission forwards them to the local authorities for consideration. India has signed Treaties for Transfer of Sentenced Persons with 15 countries, under which Indian prisoners have been brought back to India (e.g. Mauritius, Sri Lanka and U.K.).

With respect to Pakistan, an India-Pakistan Judicial Committee on Prisoners has been set up consisting of retired Judges of superior judiciary from the two countries, to ensure humane treatment and expeditious release of prisoners who have completed their prison terms. As a result of consistent efforts of the Government, 37 civil prisoners have been released from Pakistani jails since 2012.