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Title: The Minister of State for Personnel, Public Grievances and Pensions and Parliamentary Affairs laid a statement regarding preventive detention of Ottavio Quattrocchi in Argentina.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI SURESH PACHOURI): Sir, with your permission, I beg to lay the statement on the Table of the House.

Hon'ble Speaker Sir, according to information received from CBI, a message was received on 7.2.2007 from IP Buenos Aires that Ottavio Quattrocchi was detained on 6.2.2007 at Iguazu International Airport, Province of Misiones, Argentina.

On 7.2.2007 itself IP New Delhi, sent a message to IP Buenos Aires, requesting for confirmation of the veracity of its message regarding the preventive detention of Ottavio Quattrocchi and sought information about the flight details of Ottavio Quattrocchi i.e. place from where Ottavio Quattrocchi had arrived and his destination etc.

IP Buenos Aires vide its message dated 8.2.2007, confirmed the detention of Ottavio Quattrocchi and wanted to know whether the Indian authorities were interested in the arrest of Ottavio Quattrocchi and whether India will send a formal request for his extradition through diplomatic channels. IP Buenos Aires also mentioned that the Extradition Request along with Spanish translation must be in accordance with the Argentinian Extradition Act and must reach the Government of Argentina within 30 days from the date of Ottavio Quattrocchi's detention.

Immediately, on the same day, CBI responded confirming the same. CBI also requested IP Buenos Aires to indicate the legal requirements for extradition in the absence of a formal Extradition Treaty between India and Argentina.

* Laid on the Table and also placed on the Library. See No. LT -5801/07.

Thereafter, CBI diligently started preparing the extradition request. CBI availed of the services of translators, including that of the School of Foreign Languages, JNU, New Delhi, for the translation of statement/documents required for extradition request.

On 12.2.2007, the detention of Ottavio Quattrocchi in Argentina was confirmed through diplomatic channels.

On 13.2.2007, CBI wrote to MEA for a copy of Argentinian Extradition Act with English translation and list of documents to be incorporated in the extradition request. As there is no Extradition Treaty between India and Argentina, CBI also sought MEA's advice as to how to overcome this problem in the legal framework of Argentinian extradition law. CBI also requested MEA to ascertain the convenience of Argentinian authorities for the visit of CBI team in this connection.

On 13.2.2007, CBI sent a communication to IP Buenos Aires asking for certain informations/documents, namely, a copy of the Argentinian Extradition Act with English translation; list of documents to be incorporated in the extradition request; the procedure to be followed in the absence of Extradition Treaty between India and Argentina. CBI also asked IP Buenos Aires whether it should send its team to Argentina and, if yes, the date thereof.

On 13.2.2007, IP Buenos Aires informed CBI that Ottavio Quattrocchi had been detained in the Province of Misiones and indicated the requirements of Argentinian extradition law.

On 16.2.2007, CBI received a communication through diplomatic channels, inter alia, indicating that even though India and Argentina did not have an Extradition Treaty, yet India could make a request for extradition of Ottavio Quattrocchi under the Argentinian law; that the matter was presently pending in the court of Misiones province; that court had appointed Dr. Carlos Guilleremo Daneri, Public Prosecutor, on behalf of Government of India and that India would have to give an offer of reciprocity for seeking extradition of Ottavio Quattrocchi etc. After the preparation of extradition request, CBI held a meeting with the officers of Legal and Treaty Division of MEA on 22.2.2007, and got the draft extradition request vetted.

It may be mentioned that Non Bailable Warrant against Ottavio Quattrocchi dated 6.2.1997 was issued by the Court of Special Judge, Delhi under various provisions of law, including that of the Prevention of Corruption Act. However, in view of the orders dated 4.2.2004 and 31.5.2005, passed by the Hon'ble Delhi High court, the proceedings against public servants and certain other accused

persons had been quashed. To effect the extradition of Ottavio Quattrocchi and to fulfill the requirements of Argentinian Extradition Law, it was felt necessary to seek a fresh warrant of arrest against Ottavio Quattrocchi which was obtained from CMM, Delhi on 24.2.2007.

CBI sent the extradition request to the Government on 24.2.2007 for completing required diplomatic and legal formalities.

Mr. Speaker Sir, from the above information made available by the CBI, it would be evident that CBI has been diligently preparing for making an extradition request in accordance with the provisions of Argentinian law and within the stipulated time of 30 days for making the request. The fact that the extradition request prepared by the CBI in accordance with the procedure and substantive provisions of Argentinian extradition law, comprising about 300 pages, itself indicates that this voluminous documentation has been prepared within the quickest possible time frame. Further, as according to Argentinian law, the extradition request and accompanying documents have to be in Spanish language, the Spanish translators available in Delhi, including those from one of our leading Universities, were pooled. The translation work, being technical in nature, was time consuming. Even so, the translation work has been completed at the earliest.

We have been informed on 26.2.2007 at 7.43 pm that Ottavio Quattrocchi has been released on bail from preventive detention by the Federal Court in Argentina, with the condition that he will not leave Argentina. This will have no bearing on the extradition proceedings being initiated by our Government.

The Government is processing the request of extradition with utmost urgency and a CBI team is scheduled to reach Buenos Aires well before the expiry of the stipulated 30 days time.

UPA Government is fully committed to the autonomy of CBI and will render all possible assistance for the performance of its functions.

â€¦(Interruptions)

MR. SPEAKER: The House stands adjourned to meet tomorrow, the 28th February, 2007 at 11 a.m.

12.02 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on
Wednesday, February 28, 2007/Phalguna 9, 1928 (Saka)*
