

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

RAJYA SABHA
STARRED QUESTION NO.198
TO BE ANSWERED ON 12.05.2016

INHUMANE TREATMENT TO INDIANS IN PAKISTANI JAILS

†*198. SHRI VISHAMBHAR PRASAD NISHAD:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) the number of Indians in Pakistani prisons at present and for which crimes;
- (b) the number of such prisoners who have been extended legal help by Government of India during the last three years;
- (c) whether Government is aware that Indian nationals are subjected to inhumane treatment in Pakistani jails and by investigating agencies; and
- (d) the number of dead bodies of Indian nationals handed over by Pakistan during the last three years and whether any incident of inhumane treatment given to these Indian nationals has surfaced in the post mortem report?

ANSWER
THE MINISTER FOR EXTERNAL AFFAIRS
(SHRIMATI SUSHMA SWARAJ)

- (a) to (d) A statement is laid on the table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (d) OF THE RAJYA SABHA STARRED QUESTION NO. 198 REGARDING “INHUMANE TREATMENT TO INDIANS IN PAKISTANI JAILS” FOR ANSWER ON 12.05.2016

As per information available with the Government, there are 516 fishermen who are Indian or believed to be Indian currently in the custody of Pakistani authorities. Formal confirmation from the Government of Pakistan of the presence of 296 of these fishermen in the custody of Pakistani authorities, apprehended in the past few months by Pakistani authorities, is yet to be received.

There are 49 civil prisoners in Pakistani Jails who are Indian or believed to be Indian.

Government of Pakistan does not acknowledge the presence of 74 Missing Defence Personnel in Pakistan.

Indian prisoners in Pakistani jails have been variously charged under relevant sections of Pakistan’s domestic penal and criminal laws. The fishermen are generally charged with transgressing into Pakistan’s territorial waters.

Government has taken up on several occasions with the Government of Pakistan the matter of early release & repatriation of all the Indian prisoners, including fishermen, who have completed their sentences. The High Commission of India in Islamabad (HCI), from time-to-time provides humanitarian and legal assistance to Indian nationals imprisoned in Pakistan. This includes over a dozen occasions in the last three years when Indian prisoners in Pakistan were provided items of daily use by the visiting officials of HCI. During the last three years, HCI has provided legal assistance in case of three prisoners – Pankaj, Mubarak Hussain Shah and Md. Waqar. Furthermore, HCI is in regular touch with the lawyer of Mr. Hamid Nehal Ahmed Ansari.

In the last three years, 9 Indian fishermen and 4 Indian civil prisoners died in the custody of Pakistani authorities. Their mortal remains were brought back to India, except in the case of a civil prisoner, Shri Abu Bakar Nohri, who was buried in Pakistan as per the wishes of his family, as per Islamic rules.

In the case of Indian prisoner Sarabjit Singh (died on May 02, 2013), the report of post-mortem conducted in Pakistan mentioned “ante-mortem wounds”. His viscera were sent to forensic experts by Pakistani authorities to establish the cause of death. Sarabjit was attacked by fellow inmates in Lahore jail.

Government has consistently and strongly stressed on several occasions, to the Government of Pakistan the latter’s responsibility to ensure safety, security and well being of all prisoners and fishermen, who are in the custody of Pakistan and are Indian or believed to be Indian.
