

LAWYERS FOR HUMAN RIGHTS INTERNATIONAL
VERSUS
UNION OF INDIA

CM No.9917 of 2010 in/and
CWP No.7778 of 2010 (O&M)

Present: Mr.Navkiran Singh, Advocate
for the petitioner.

Mr.O.S.Batalvi, Advocate for UOI.

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The Affidavit filed on behalf of the Union of India indicates that visits to the jail in Dubai and Sharjah by the Consulate officials are being organized on weekly basis and the visits to the other Emirates are on monthly basis. The said affidavit (para 16) also indicates the stand of the Union that the Indian prisoners are free to approach the Consulate officials during such visits. In the same paragraph of the affidavit it has been mentioned that supervising the detention of every Indian national arrested/detained by the local authorities is not feasible in view of the constraints in the number of personnel of the Consulate offices that are presently available.

Keeping in view that the issue of supervision and welfare of Indian citizens detained in foreign jails all over the world has been raised the Court would like to know whether a similar policy, as has been indicated in the affidavit with regard to Emirates of Dubai, Sharjah etc, have been introduced in other countries. The Court would also like to know, as to how in the course of visits by the Consulate officials/Embassy officials to the jails, Indian prisoners can be expected to meet such officials to

highlight their grievances or problems. The affidavit in para 16 also having indicated the shortage of persons to carry out the supervision of the detention of Indian nationals abroad the said issue would also require to be addressed by the concerned authority in the Government.

In the above circumstances, we direct the Union of India in the concerned Ministry to file a further affidavit answering the above queries and also to submit before the Court a list of persons who have been interacted with by the Consulate offices in Dubai and Sharjah and the other Emirates in the past six months. Such affidavit will be filed within six weeks from today.

List on 15.03.2011.

Sd/- Ranjan Gogoi
Acting Chief Justice

18.01.2011

sd/- Augustine George Masih
Judge