

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2100
ANSWERED ON:16.12.2003
PAK NATIONALS IN INDIAN JAILS
VARKALA RADHAKRISHNAN

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that many Pakistani nationals continued to be under detention in the Indian jails even after serving their sentences;
- (b) if so, the details alongwith the number of such cases;
- (c) whether it is also a fact that the Attorney General has written to the Government citing the legal untenability of the continued detention;
- (d) if so, whether it is in violation of the constitutional provision guaranteed under Article 21; and
- (e) if so, the reasons for the continued detention of these prisoners in Indian Jails?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D.SWAMI)

(a) & (b): As per available; information, as on November 30, 2003, 47 prisoner continue to be under detention in Indian jails even after serving their sentences. The State-wise break-up of these prisoners is as under:

State	No. of prisoners
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Andhra Pradesh	02
Punjab	30
Rajasthan	15

(c) & (d): The Attorney General has written to the Government citing the protection available to foreigners also under Article 21 of the constitution of India.

(e): Repatriation of the prisoners is done after Pak High Commission confirms that the prisoners are their nationals and provides travel documents for their travel to Pakistan.