



(Reg. No. 0409/2011)

PRAVASI LEGAL CELL

Empowering People on Legal Front

Ref.No.LA/03/2025

New Delhi,

10.03.2025.

To,

The Secretary,

Ministry of External Affairs,

74B, South Block, New Delhi

Sir,

Subject: Need for intervention in the formulation of an appropriate mechanism or guidelines to ensure that proper and competent legal aid is extended to the Indian Citizens staying abroad.

Pravasi Legal Cell is a Non-Governmental Organization primarily working for the welfare of migrants, securing justice for the victims, and fighting for policy changes that affect migrants globally. This representation is made to address a concern of lack of proper and competent legal aid extended to the Indian citizens abroad and the same requires immediate attention from the Ministry of External Affairs in view of the following facts and circumstances mentioned hereunder:-

1. That the recent news of the execution of 3 Indian Nationals in the UAE during last week has shocked the entire nation. In the aforesaid instance, the father of one of the Indian nationals executed last week had filed a writ petition before the High Court of Delhi wherein the Government on 03.03.2025 informed that the execution of the said individual was done on 15.02.2025 only. Such instances further question the mechanism placed to



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ensure proper and competent legal aid to Indian prisoners abroad and adducing information on the Indian Nationals imprisoned abroad.

2. That Article 39-A of the Constitution of India bestows the duty on the State to see that the legal system promotes justice on the basis of equal opportunity for all its citizens. In furtherance of the mandate of Article 39-A, the Legal Services Authorities Act, 1987 was enacted to provide free legal aid and competent legal services to all less privileged citizens of this nation. The Legal Services Authority Act outlines the right of legal aid to all citizens and does not differentiate between the Indians staying abroad and the Indians herein. Hence, the Act and the Constitution of India cast a legal mandate and duty on the government of India to ensure that legal aid is also extended to the Indian abroad also.
3. The Right to free legal aid has been recognized as being part of the Right to Life and Personal Liberty under Article 21 of the Constitution by the Hon'ble Supreme Court of India in various cases, hence, the Government of India has to take necessary steps to protect the fundamental rights of the citizens by ensuring free competent legal aid.
4. That from all the recent news, including the recent execution of 3 India Nationals in UAE last week, and the 101 Indians executed in 2024 in Saudi Arabia ascertains the need for proper and competent legal aid getting extended to Indian nationals, especially uneducated laborers and blue-collar workers who are lodged in jails in foreign countries.
5. That as per the reply of the Minister of State in the Ministry of External Affairs in Rajya Sabha, 9728 Indian prisoners are lodged in jails abroad, with the highest number of 2594 Indian Nationals in prison in Saudi Arabia. Such a distressing number reflects the actual need for the Indian government to ensure that proper legal aid is extended to all the Indian Nationals so that their fundamental as well as legal rights are protected therein.
6. That the number of Indian Citizens migrating abroad for education as well as employment has seen a steady rise since the 1970s and has extended to a sizeable number of 35.42 million people. Out of the said number of Indians, a majority of the population are labourers who have moved out of India for survival, doing blue-collar jobs, hence it is most humbly requested that necessary actions may be taken to extend the legal aid to the Indian Nationals abroad. It is relevant to mention herein that some of the reports states that incidents of



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Indian students involved with legal proceedings in abroad are on the rise which again demand for strengthening legal aid support to Indians in abroad meaningfully other than the existing ICWF scheme which is grossly inadequate to meet the present day challenges.

7. In light of the above-mentioned, it is the need of the hour to introduce mechanisms or guidelines to ensure that proper and competent legal aid is extended to all the Indian Nationals abroad in addition to the existing ICWF, so that their fundamental rights and legal rights are protected and that proper representation is guaranteed without fail.
8. Therefore, urge to your good self to intervene in this matter and take necessary steps to ensure that the Indian Nationals abroad are guaranteed the proper and competent legal aid, especially to the uneducated laborers and blue-collar workers. It is also prayed that necessary mandates be instituted to keep a check on the status of the Indian prisoners abroad so that necessary actions may be taken on the right time, so that no one Indian citizen is left astray in a foreign country.

Thanking you,

Yours truly,

Advocate Jose Abraham,

President, Pravasi Legal Cell.