



MAD/551/01/2013

Dear Shri Mansoor Ahmad,

Reference your RTI application dated 22 January 2016 seeking the following information:

Three Indian Marines were detained in Malaga, Spain on 28th June, 2015 on charges of drug trafficking when the ship, they were joined 55 days ahead of incident, was searched and seized by Spanish Authorities.

It has been seven months, they are in detention of Spanish Authorities. We request you to provide following information under RTI ACT, 2005 in soft and hard copies

1) What are the constitutional rights of three Indian Marines detained in Spain on charges of drug trafficking since 28th June, 2015 Request you to mail soft copies and hard copies of all related documents.

2) As the manpower agents had sent them on forged letterhead of another company, who would afford the cost of legal adviser in Spain, MEA, MoS, Gol or Guardian Request you to mail all rules/GOs related with such type of cases.

3) What efforts have been done by MEA in this regard so far What is the case/file/reference number for future inquiries

4) Who is the concerned authority taking care of this case in MEA What is the standard procedure to meet in person with concerned

5) As Investigation has been concluded long time ago and defense attorneys have submitted their denials and are ready for oral hearing, What could be done to expedite the process How long would we wait for a date for oral hearing What Indian embassy/MEA or GOI could do to expedite this process Is there no way except to wait and watch What conventions have been signed with Spain for such type of cases Request you to mail all copies of such documents.

6) As their so long detention is clear violation of their civil and political rights,

could we not involve International Human Rights commission for early closure of their case and repatriation If not, then why.

7) What is the time limit for scheduling of oral hearing in Spain Why could Indian Embassy/MEA and GOI not intervene to expedite the process Is there no treaty and convention made for such type of cases.

8) Why Indian embassy does not respond to our queries What are Indian embassys duties for Indians trapped in foreign lands. What is the standard procedure in such type of cases. What Indian embassy has observed till date. Request you to mail all related communications made with counterparts in this regard.

9) What are the legal liabilities of MEA in this case. we expect from MEA to help us in early closing of case through any possible channel.

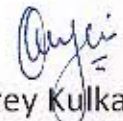
10) Isnt there any provision to inform the complainant about the status/progress of his complaint. How would he know about progress of his complaint. If yes ,why are we not informed despite writing so many letters.

11) What is rule regarding meeting EAM/Joint Secretary MEA I made request for an appointment on date 31st, August,2015 ,then in October and on 11th November, 2015 after Officers refusal but didnt get any reply till date.Why is it so. On what ground EAM and or Joint secretary MEA could refuse to meet any complainant.

The responses to the request as forwarded to this Embassy are as follows:

1. No such information is available in this office.
2. Already replied by e-mail (copies attached). No rules/GOs related with cases of such nature are available in this office.
3. No such information is available in this office.
4. No such information is available in this office.
5. Date of hearing has been scheduled on 22-24th February, 2016 and the information has been conveyed to the applicant. (Copies of e-mails enclosed).

6. Applicant may wish to take decision in this regard.
7. Date of hearing has been scheduled on 22-24th February, 2016. Since the case is sub-judice, law of the land will follow.
8. All queries have been replied by e-mail (Copies attached) on 30.07.2015, 14.08.2015, 25.08.2015, 31.08.2015, 28.10.2015, 08.02. 2016 and also on other forums. Mission/Post may seek consular access and extend assistance to the extent possible and permissible under bilateral and multilateral instruments. Indian Embassy Madrid coordinated and solicited cooperation of Spanish authorities through diplomatic channels in this case on 14.07.2015, 18.08. 2015 and 05.10.2015.
9. No information is available in this office.
10. Information related with this case has been updated on MADAD portal which is available on public domain.
11. No such information is available in this office.



(Maitrey Kulkarni)
Second Secretary & CPIO
February 19, 2016

To:
Shri Mansoor Ahmad
(response through RTI Online Portal)
Mahmad.noori@gmail.com

Copies to:

1. US (RTI), MEA, JNB, New Delhi-110001.
2. US(EW1), MEA, New Delhi - 110001

SSCONS Embassy India

From: FSCONS [fscons@embassyindia.es]
Sent: lunes, 08 de febrero de 2016 15:58
To: 'saif ahmad'; 'Neeraj Gaawer'; 'Dr. Mansoor Ahmad'; 'Adityasudhir688'
Cc: jsew@mea.gov.in; dircpv@mea.gov.in; diream@mea.gov.in; usew1@mea.gov.in; 'Mr. Nair'; 'Dshetty-dgs'; 'Amol B. Kirtane'; jsfs@moia.nic.in; tsvp@embassyindia.es
Subject: RE: Regular Monitoring and Supervision of Indian detainees' case in Madrid, Spain

Dear Parents,

The Embassy has got information from the lawyer that the next hearings in the case have been scheduled for February 22-24. The lawyer will meet the clients this week and keep us informed of the developments in the case. He also stated that he has kept you informed of this. We will also keep you informed of further developments.

Regards,

(C.P. Gandhi)
First Secretary (Cons)
Embassy of India,
Madrid
www.embassyindia.es

From: FSCONS [mailto:fscons@embassyindia.es]
Sent: Tuesday, August 25, 2015 4:58 PM
To: 'saif ahmad'
Cc: 'jsew@mea.gov.in'; 'dircpv@mea.gov.in'; 'diream@mea.gov.in'; 'usew1@mea.gov.in'; 'Mr. Nair'; 'Dshetty-dgs'; 'Amol B. Kirtane'; 'Neeraj Gaawer'; 'Dr. Mansoor Ahmad'; 'Adityasudhir688'; jsfs@moia.nic.in
Subject: RE: Regular Monitoring and Supervision of Indian detainees' case in Madrid, Spain

Dear Mr. Saif Ahmad,

The lawyer met the undersigned on 21st August, afternoon. Based on the statement made by the First Officer of the seized ship to the effect that he alone was responsible for the loading of the narcotics, as also on the plea that there are no signs of involvement of Indian crew, the lawyer has filed on August 20, 2015, an appeal to the court to drop the charges against the Indian crew and release them. The months of July and August being vacation period for Spanish people, he expects a reply to come between 15-30 September. Embassy will keep informed all concerned of the developments in the case.

Regards,

(C.P. Gandhi)
First Secretary (Cons)
Embassy of India,
Madrid
www.embassyindia.es

From: FSCONS [mailto:fscons@embassyindia.es]
Sent: Friday, August 14, 2015 12:10 PM
To: 'saif ahmad'
Cc: 'jsew@mea.gov.in'; 'dircpv@mea.gov.in'; 'diream@mea.gov.in'; 'usew1@mea.gov.in'; 'Mr. Nair'; 'Dshetty-dgs'; 'Amol B. Kirtane'; 'Neeraj Gaawer'; 'Dr. Mansoor Ahmad'; 'Adityasudhir688'
Subject: Regular Monitoring and Supervision of Indian detainees' case in Madrid, Spain

Dear Mr. Saif Ahmad,

We asked for the information relating to points mentioned in your trailing email from the lawyer. He will meet us next week but keeping in view the strict privacy law in Spain, he will share information only after the parents

Maitrey Kulkarni

From: FSCONS [fscons@embassyindia.es]
Sent: 25 August 2015 16:58
To: 'saif ahmad'
Cc: jsew@mea.gov.in; dircpv@mea.gov.in; diream@mea.gov.in; usew1@mea.gov.in; 'Mr. Nair'; 'Dshetty-dgs'; 'Amol B. Kirtane'; 'Neeraj Gaawer'; 'Dr. Mansoor Ahmad'; 'Adityasudhir688'; jsfs@moia.nic.in
Subject: RE: Regular Monitoring and Supervision of Indian detainees' case in Madrid, Spain

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Regards,

(C.P. Gandhi)
First Secretary (Cons)
Embassy of India,
Madrid
www.embassyindia.es

From: FSCONS [mailto:fscons@embassyindia.es]
Sent: Friday, August 14, 2015 12:10 PM
To: 'saif ahmad'
Cc: 'jsew@mea.gov.in'; 'dircpv@mea.gov.in'; 'diream@mea.gov.in'; 'usew1@mea.gov.in'; 'Mr. Nair'; 'Dshetty-dgs'; 'Amol B. Kirtane'; 'Neeraj Gaawer'; 'Dr. Mansoor Ahmad'; 'Adityasudhir688'
Subject: Regular Monitoring and Supervision of Indian detainees' case in Madrid, Spain

Dear Mr. Saif Ahmad,

We asked for the information relating to points mentioned in your trailing email from the lawyer. He will meet us next week but keeping in view the strict privacy law in Spain, he will share information only after the parents expressly authorize him to do so. Please give him suitable instructions to share the relevant information. The lawyer has said that he will be defending all the three persons.

The Embassy is also trying to obtain the information, specifically, points 7-10 of your email, through official channels.

Regards,

(C.P. Gandhi)
First Secretary (Cons)
Embassy of India,
Madrid
www.embassyindia.es

From: saif ahmad [mailto:saif_iet@yahoo.co.in]
Sent: Thursday, August 13, 2015 11:05 AM
To: eam@mea.gov.in
Cc: jsew@mea.gov.in; dircpv@mea.gov.in; usew1@mea.gov.in; fscons@embassyindia.es; Mr. Nair; Dshetty-dgs; Amol B.

Maitrey Kulkarni

From: FSCONS [fscons@embassyindia.es]
Sent: 28 October 2015 13:17
To: 'saif ahmad'
Cc: eam@mea.gov.in; dircpv@mea.gov.in; jsew@mea.gov.in; jsfs@moia.nic.in; diream@mea.gov.in; 'Mr. Nair'; usew1@mea.gov.in; 'Dshetty-dgs'; 'Amol B. Kirtane'; 'Neeraj Gaawer'; 'Dr. Mansoor Ahmad'
Subject: RE: INQUIRY_CONCLUDED_IN_THREE_INDIAN_CADET_CASE_REQUEST_FOR_EARLY_CLOSURE

Dear Mr. Saif,

Embassy is in touch with the lawyer who has said that the investigations have since been completed and now there will be a hearing. The date of hearing has not yet been fixed. The hearing when fixed is communicated to him and he will let us know the date of hearing. You will appreciate that the case is sub judice and all depends on the Spanish judicial system. However, Embassy will continue to do all that is possible to speed up the process as far as possible by taking up the case through the diplomatic channel.

Regards,

(C.P. Gandhi)
First Secretary (Cons)
Embassy of India,
Madrid
www.embassyindia.es

From: saif ahmad [mailto:saif_iet@yahoo.co.in]
Sent: Monday, October 26, 2015 7:05 PM
To: FSCONS
Cc: eam@mea.gov.in; dircpv@mea.gov.in; jsew@mea.gov.in; jsfs@moia.nic.in; diream@mea.gov.in; 'Mr. Nair'; usew1@mea.gov.in; 'Dshetty-dgs'; 'Amol B. Kirtane'; Neeraj Gaawer; Dr. Mansoor Ahmad
Subject: INQUIRY_CONCLUDED_IN_THREE_INDIAN_CADET_CASE_REQUEST_FOR_EARLY_CLOSURE

Respected Sirs/Mams;

Good Morning!

This mail is to bring your kind attention to the latest status of case of Three Indian detainees in Spain.

Investigation has been concluded one week ago. And notices have been served to defense attorneys in this regard.

We will appreciate and will be highly grateful If embassy follow up the lawyer at least now to drop the charges and closure of the case.

As court and prosecution already have the reports/evidences, a final decision must be made based on the reports.

Please help us and do the needful in this regard. We will be very grateful for your kind support and help.

With Best regards,
MOHD. SAIF AHMAD
SENIOR ENGINEER III (CONTROLS)