ORAL ANSWERS TO STARRED QUESTIONS AND SUPPLEMENTARY QUESTIONS AND ANSWERS THEREON

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS
RAJYA SABHA
STARRED QUESTION NO. 91
ANSWERED ON 13.02.2025

RELEASE OF NIMISHA PRIYA FROM YEMEN JAIL

*91. DR. JOHN BRITTAS:

Will the Minister of External Affairs be pleased to state:

(a) whether it is a fact that Government has been making efforts to ensure that Nimisha Priya, who has been sentenced to death in Yemen, gets pardoned;

(b) if so, the details and the progress thereof;

(c) whether Government sought the good office of any other country in ensuring clemency for Nimisha Priya; and

(d) if so, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
(SHRI KIRTI VARDHAN SINGH)

(a) to (d): A statement is laid on the Table of the House.

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STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (D) IN RESPECT OF RAJYA SABHA STARRED QUESTION NO. 91 FOR REPLY ON 13.02.2025 REGARDING RELEASE OF NIMISHA PRIYA FROM YEMEN JAIL ASKED BY DR. JOHN BRITTAS.

(a to d) The Supreme Court of Yemen in Sana'a had pronounced death sentence to Ms. Nimisha Priya, an Indian nurse, on charges of murdering a Yemeni national. Government has received some representations, including from civil society, regarding the case of Ms. Nimisha Priya. Government accords the highest priority for the welfare of Indians abroad and provides all possible support to those who fall in distress including in the instant case. Government of India is providing all possible assistance in the case. The matter regarding any consideration towards the release of Ms. Nimisha Priya is between the family of the deceased and Ms. Nimisha Priya's family.

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भारत सरकार
विदेश मंत्रालय
राज्य सभा
तारांकित प्रश्न संख्या-91
दिनांक 13.02.2025 को उत्तर दिए जाने के लिए

यमन की जेल से निमिषा प्रिया की रिहाई

91. डा. जाँन ब्रिटासः

क्या **विदेश** मंत्री यह बताने की कृपा करेंगे किः

(क) क्या यह सच है कि सरकार निमिषा प्रिया, जिसे यमन में मौत की सजा सुनाई गई है, को क्षमादान दिलाने का प्रयास कर रही है;
(ख) यदि हाँ, तो तत्संबंधी ब्यौरा क्या है और इसमें क्या प्रगति हुई है;
(ग) क्या सरकार ने निमिषा प्रिया को क्षमादान दिलाने के लिए किसी अन्य देश से सहायता हेतु अनुरोध किया है; और
(घ) यदि हाँ, तो तत्संबंधी ब्यौरा क्या है?

उत्तर
विदेश राज्य मंत्री
(श्री कीर्तवर्धन सिंह)

(क) से (घ): विवरण सदन के पटल पर रख दिया गया है।

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यमन जेल से निमिषा प्रिया की रिहाई के संबंध में डा. जॉन ब्रिटास द्वारा पूछे गए राज्य सभा के दिनांक 13.02.2025 के तारांकित प्रश्न संख्या 91 के भाग (क) से (घ) के उत्तर में उल्लिखित विवरण ।

(क से घ) सना स्थित यमन के सर्वोच्च न्यायालय ने एक यमन नागरिक की हत्या के आरोप में भारतीय नर्स सुश्री निमिषा प्रिया को मृत्युदंड की सजा सुनाई है। सरकार को सुश्री निमिषा प्रिया के मामले के संबंध में सिविल सोसाइटी सहित कुछ वर्गों से अभ्यावेदन प्राप्त हुए हैं। सरकार विदेशों में मौजूद भारतीयों की सलामती को सर्वोच्च प्राथमिकता देती है तथा इस मामले सहित संकट में फंसे लोगों को हर संभव सहायता प्रदान करती है। भारत सरकार इस मामले में हर संभव सहायता प्रदान कर रही है। सुश्री निमिषा प्रिया की रिहाई से संबंधित मामले पर विचार मृतक के परिवार तथा सुश्री निमिषा प्रिया के परिवार के बीच जारी है।

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(MR. CHAIRMAN *in the Chair.)*

DR. JOHN BRITTAS: Sir, I am literally shocked and taken aback by the answer given by the hon. Minister. ...(*Interruptions*)... Sir, the Minister has said that the matter regarding the consideration of release of Nimisha Priya is a matter between the family of the deceased and Nimisha Priya's family. ...(*Interruptions*)...

REGARDING DISORDER IN THE HOUSE AND POSITION OF DISSENT NOTES IN REPORTS OF SELECT COMMMITTEES- *Contd.*

श्री मल्लिकार्जुन खरगे: सभापति महोदय, हम लोग वाक-आउट करते हैं। ...(**व्यवधान**)...

(At this stage, some hon. Members left the Chamber.)

MR. CHAIRMAN: I know you would still walk out. ...(*Interruptions*)... I know this. ...(*Interruptions*)... Yes, Jairam Ramesh*ji*, you know it more than I do. Dr. John Brittas, one minute. Hon. Members, what really hurts me is that I made full opportunity available to the Opposition to put their stand. Am I right, Bhupender*ji*? Full opportunities were given to them and there is no reason for them to walk away from their constitutional obligation. They are now walking out from the House. And, the entire nation is looking up to the Parliament to find a resolution to this issue. Dr. John Brittas, supplementary number one.

DR. JOHN BRITTAS: Sir, thank you very much. ...(*Interruptions*)...

MR. CHAIRMAN: The Leader of the House wants to say something. Dr. John Brittas, yield as per directive.

सभा के नेता (श्री जगत प्रकाश नड्डा): सभापति महोदय, अभी विपक्ष ने वॉकआउट किया, तो मैं यह कहना चाहता हूं कि आज प्रात: से आपने पूरी तत्परता के साथ विपक्ष को पूरा मौका दिया। आपने यह भी चाहा कि जो उनके बिंदु हैं या जो उनकी कन्सर्न्स हैं, वे सारे कन्सर्न्स चर्चा में आएं। कुछ सदस्यों ने नियमों को भी तोड़ा, उस पर भी आपने बहुत दिरयादिली दिखाते हुए यह प्रयास किया कि उन पर कोई एक्शन न हो और उनको आपने वॉर्न किया। सारी चर्चा में एक बात ध्यान में आई कि विपक्ष का उद्देश्य चर्चा करना नहीं था, विपक्ष का उद्देश्य राजनीतिक दृष्टि से अपना प्वाइंट स्कोर करने का था, यह बात स्पष्ट दिखती है। यह दुर्भाग्य की बात है, दुख की बात है कि जिसके बारे में पार्लियमेंटरी अफेयर्स मिनिस्टर ने बड़े स्पष्ट शब्दों में कहा कि किसी भी चीज़ का

deletion नहीं हुआ है, किसी भी चीज़ को डिलीट नहीं किया गया है और अनेक्सचर में सब कुछ as it is रखा गया है। हमारे एक मंत्री ने स्पष्ट किया कि चेयरमैन को यह अधिकार है कि वह कुछ भी डिलीट कर सकता है। वह नियम बताते हुए कि किसी भी चीज़ का deletion हो सकता है, फिर भी कुछ डिलीट नहीं किया गया। विपक्ष ने बहुत गैर-जिम्मेदाराना व्यवहार किया है और इसकी निंदा होनी चाहिए। यह तुष्टीकरण की राजनीति है। This is a politics of appeasement. यह देश को कमजोर करने के लिए है। ...(**व्यवधान**)...

DR. JOHN BRITTAS: Sir, this is the Question Hour.

श्री जगत प्रकाश नड्डा: जॉन ब्रिटास यह क्वेश्चन ऑवर जरूर है, लेकिन क्वेश्चन ऑवर में सबसे बड़ा क्वेश्चन यह है कि कुछ लोग देश को तोड़ने की कोशिश कर रहे हैं। Some people are trying to fight against the Indian State. भारत देश के खिलाफ लड़ रहे हैं। इसलिए आज के दिन विपक्ष का वॉक आउट होना ऑन रिकॉर्ड आना चाहिए कि यह ऐसी देशविरोधी गतिविधियों को प्रोत्साहन देने का एक माध्यम है और उसका एक्सप्रेशन है। महोदय, कांग्रेस पार्टी और विपक्ष के अन्य और लोग, जो देश को खंडित करना चाहते हैं, देश को कमज़ोर करना चाहते हैं, अगर उनके हाथ मजबूत करने का काम कोई कर रहा है, तो वह विपक्ष कर रहा है।

DR. JOHN BRITTAS: Sir, I have my question. ...*(Interruptions)*...

श्री सभापतिः माननीय सदस्य, सुन लीजिए ...(**व्यवधान**)... One minute. I will call you. माननीय सदस्य, देश में जब भी कोई बड़ा बदलाव आता है, जनता बदलाव चाहती है, एक समस्या का समाधान चाहती है, तो इस प्रकार का घटनाक्रम देखने को मिलता है। मैं ऐसे प्रकरण का साक्षी रहा हूं। मैं जब 9TH लोक सभा का सदस्य था, तब सामाजिक न्याय का एक बहुत बड़ा बदलाव आया था। वह बदलाव यह आया कि मंडल कमीशन की रिपोर्ट को एक तरीके से लागू किया गया था। उस समय उपद्रव हुए थे और आश्रम चौक पर भी उपद्रव हुआ था। समय कितना बदला! आज उससे ज्यादा आंदोलन यह है कि हमें इसका लाभ मिलना चाहिए। उस समय विरोध था, लेकिन वह विरोध आधारित नहीं हो पाया। वक़्फ़ भी उसी तरीके का एक अध्याय बन रहा है। लंबे समय से इस विषय पर सदन की नज़र होनी चाहिए थी, सदन क्या निर्णय करता है, यह सदन का विवेक है, पर जनता के मन में यह मुद्दा हर स्तर पर बहुत व्यापक है और इसीलिए कमेटी का गठन किया गया था। माननीय भूपेन्द्र यादव जी ने तार्किक बात कही कि जिस तरीके से मुझे अधिकार है, इस कुर्सी पर बैठने वाले को अधिकार है, लोक सभा के अध्यक्ष को अधिकार है कि कोई बात ऐसी कही जाए, जो रिकॉर्ड पर नहीं आनी चाहिए, वही अधिकार - और उसी की ओर आपने संकेत दिया था कि वह अधिकार ज्वाइंट पार्लियामेंटरी कमेटी के सभापति को भी है। यदि इस सदन में हम संयम से काम नहीं करेंगे, सार्थकता से काम नहीं करेंगे, देश के हित को सामने रखकर काम नहीं करेंगे और राजनीतिक तरीके से अपने दर्शन को पारिभाषित करेंगे, तो मेरे हिसाब से राष्ट्र हित खतरे में पड़ेगा। मेरा सदन के नेता से आग्रह है कि जो लोग वैल में आए हैं, मैंने इस प्रवृत्ति को गंभीरता से लिया है, मैंने आज भी इसको नजरअंदाज़ नहीं किया है, क्योंकि

आपने कहा –दरियादिली, लेकिन इस विषय पर दरियादिली दिखाने का मतलब संविधान के निर्माताओं का अनादर करना है। भारत की जनता का इससे बड़ा अपमान नहीं हो सकता है कि जिनको भेजा गया, उन्होंने सभापति के कहने के बावजूद - और विशेषकर तीन सदस्यों ने जो आचरण किया है, यदि उस आचरण पर आज सदन समय समाप्ति से पहले कोई निर्णय नहीं लेता है, तो इसके दूरगामी परिणाम होंगे। यह फर्क नहीं पड़ता है कि संख्या क्या है। फर्क यह पड़ता है कि राष्ट्र हित के खिलाफ, सदन की मर्यादा के खिलाफ संख्या कुछ भी हो, कदम न उठाना एक ऐसा कमजोर व्यक्तित्व पारिभाषित करता है, जो व्यक्ति को खुद ही शर्म में डाल देता है। इसलिए मैंने दरियादिली नहीं दिखाई है। ...(**व्यवधान**)...

श्री जगत प्रकाश नड्डाः सभापति जी, मेरा आग्रह है कि इन पर एक्शन हो और ये आज के लिए सदन से सस्पेंड हों।

श्री सभापतिः माननीय सदस्यगण, मैं यह मानकर चलता हूं कि इस विषय के ऊपर, during the course of the day, जो कदम विधिवत् उठाने चाहिए, वे उसी तरीके से संपादित हो। इसकी शुरुआत कैसे होती है, यह जानकारी सभी को है। I, now, allow Dr.John Brittas to ask his supplementary number one.

DR. JOHN BRITTAS: Thank you, Sir. I have returned after my walkout. Let me register that here. Sir, I need your protection. You told me that you will compensate. Please compensate in the form of ...*(Interruptions)*...

MR. CHAIRMAN: Dr. John, you are one of the most learned Members. You are seeking the protection of the Chair. I am leaving, and Mr. Deputy Chairman will preside over the House now.

DR. JOHN BRITTAS: Sir, I hope Mr. Deputy Chairman will also protect me and compensate. ...*(Interruptions)*...

(MR. DEPUTY CHAIRMAN *in the Chair*.)

ORAL ANSWERS TO QUESTIONS- *Contd*.

Release of Nimisha Priya from Yemen Jail- *Contd*.

MR. DEPUTY CHAIRMAN: Please put your question, Dr. John. ...*(Interruptions)*...

DR. JOHN BRITTAS: You will have to protect me, Sir. I am shocked by the Minister of State's response, which clearly contradicts the Cabinet Minister's stance. Can a

Minister of State override a Cabinet Minister's statement? That's my first concern. Moving on to the supplementary question, I would like to address the death sentence handed to Nimisha Priya, a Malayali woman in Yemen. This has sparked widespread outrage among Keralites. An Action Committee was formed after the Government of Kerala reached out to the Government of India. On 27th February, the hon. Cabinet Minister assured me that the Government of India prioritizes the welfare of Indians and will give Nimisha Priya's case their full attention. However, the Minister of State's response suggests that the Government of India has washed its hands off the matter, leaving it to the families of the deceased and Nimisha Priya to resolve. Can the Government of India really be so insensitive to an issue that has agitated Keralites?*...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Please put your question. *...(Interruptions)...*

DR. JOHN BRITTAS: Sir, my supplementary question is this. Is it not a fact that the Action Committee had approached the Government of India and arranged for $40,000 through the MEA so that negotiators could be roped in to ensure Nimisha Priya's release? If so, how can the Government of India, through the answer given by the Minister of State, wash its hands off the matter?

SHRI KIRTIVARDHAN SINGH: Sir, I would like to say that this question has come in an Unstarred Question form thrice in the Lok Sabha and twice in this House. The reply from the Government of India has consistently been on these lines. The hon. Minister has also been persistently following up on this case, which is understandable given its sensitive nature. It relates to a person from his State. I would like to point out that when the hon. Member said that I contradicted the Cabinet Minister, he had only read a part of the answer. With your permission, may I continue with the rest of the answer, which the hon. Member did not read, whether knowingly or unknowingly?

MR. DEPUTY CHAIRMAN: Please.

SHRI KIRTIVARDHAN SINGH: Sir, the answer given to the House by the Ministry clearly states in its second part that the Government accords the highest priority to the welfare of Indians abroad and provides all possible support to those who fall into distress, including in the instant case. The Government of India is providing all possible assistance in this case. And, the hon. Member just mentioned. *...(Interruptions)...*

MR. DEPUTY CHAIRMAN: Please let him reply.

SHRI KIRTIVARDHAN SINGH: Let me read, Sir. It says, "The matter regarding any consideration towards the release of Miss Nimisha Priya is between the family of the deceased and Miss Nimisha Priya's family." Now, as the facts of the case go, this lady, in question, had already been sentenced to death by the Supreme Court of Sana'a. She had already received her sentence. Her family approached us. As the statement goes, we provided all possible assistance. We arranged for the mother of Miss Nimisha Priya to travel to Yemen, although there was a travel ban in place.

After that, as the hon. Member pointed out, we arranged for the transfer of $40,000 upon the family's written request and facilitated the financial transfers, as requested by the family, to Sana'a. The money was transferred immediately after it was received in the Ministry's account and it was made available to the families. Now the further process that is happening is obviously between the victim's family and the family of Ms. Nimisha Priya. Sir, I would also like to impress on the august House and the hon. Members that this is a very serious and sensitive matter. It deals with the life and death of an Indian national. Again, I would like to underline this that it would not be conducive to discuss the matter further as the matter is highly sensitive, and it can also impact the outcome of the case and the efforts that are being made by Ms. Nimisha Priya's family. Then, regarding the assistance provided by the Government of India, I would also like to state that following the initial conviction of Ms. Nimisha Priya in the trial court, we arranged a lawyer through the Indian Community Welfare Fund. He was paid through the ICWF for taking up her case in the higher courts in Yemen. The appointed-lawyer contested the conviction in both the Appeals Court and the Supreme Court and has also been in touch with the family and the Power of Attorney holder by the family. Sir, as a Government, as a responsible Government, which takes care of its citizens, we have taken all possible measures, we have given all possible assistance in this matter, and any consideration, any discussion, can only happen between the family of the deceased and Ms. Nimisha Priya's family. Thank you, Sir.

MR. DEPUTY CHAIRMAN: Thank you. John Brittasji, keeping the sensitivity of the matter, please put second supplementary briefly.

DR. JOHN BRITTAS: Sir, I am quite aware about the nuances in this case.

MR. DEPUTY CHAIRMAN: I know, but put your second supplementary briefly, keeping that in mind.

DR. JOHN BRITTAS: I am afraid, Sir, the Minister of State is either misguided or rather ...

MR. DEPUTY CHAIRMAN: Please put your question.

DR. JOHN BRITTAS: Sir, my question is this. When he says that it is between these two families, deceased and Ms. Nimisha Priya's family, is it not a fact that as per Yemenis law, the deceased family and Ms. Nimisha Priya's family cannot interact directly? That is Yemenis law. You need to have a negotiator there, hon. Minister. That is the law of Yemen. And further, Sir, in these cases, blood money is important. That is the only solution to resolve this very burning issue.

MR. DEPUTY CHAIRMAN: Thank you.

DR. JOHN BRITTAS: Sir, my last question is that there have been reports, reports in the media, that Ms. Nimisha Priya is [£] Is the Government of India aware of it? Has the Government of India worked on it?

MR. DEPUTY CHAIRMAN: It is a very sensitive matter; very sensitive matter.

DR. JOHN BRITTAS: I know, Sir.

SHRI KIRTIVARDHAN SINGH: Sir, when the hon. Member is talking about other countries, I would just like to state again that we are providing all possible assistance in this case. It is a highly sensitive matter, and we have to take into account the safety and security of the person in question. So further discussions, again, I would say, can only impact the outcome. Like I said before, this question ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please. No, no; no interruptions, Dr. John Brittas.

SHRI KIRTIVARDHAN SINGH: Sir, regarding the discussion, as the hon. Member pointed out, as per the Yemeni laws, the family of Ms. Nimisha Priya has appointed a

[£]Expunged as ordered by the Chair.

Power of Attorney and they have been given a lawyer with our assistance and they are carrying out this assistance. They are carrying out the discussions.

MR. DEPUTY CHAIRMAN: Third supplementary. Shri Haris Beeran; not present. *...(Interruptions)...* Mr. Sandosh Kumar P; not present. *...(Interruptions)...* Nothing is going on record, Dr. John Brittas, please. *...(Interruptions)...* Mr. Sanjeev Arora; not present. Shri Ritabrata Banerjee; not present. Shri A.A. Rahim; not present. So, we will move to Question No. 92. *...(Interruptions)..*

DR. JOHN BRITTAS: Sir, in protest, I am walking out.

(At this stage, the hon. Member left the chamber.)

MR. DEPUTY CHAIRMAN: Question No. 92.