

2. Extradition Framework – Economy

Union Home Minister and Minister of Cooperation, Shri Amit Shah addresses the conference organized by the CBI on “Extradition of Fugitives – Challenges and Strategies” in New Delhi. At the national conference on “Extradition of Fugitives – Challenges and Strategies”, organised by the Central Bureau of Investigation (CBI), the Union Home Minister urged States to construct special prisons in line with international standards to house extradited fugitives. This move aims to address international objections about the condition of Indian prisons, which often delay or derail extradition processes in foreign courts.

Need for Special Prisons

1. Extradition Obstacles – Several fugitives wanted by Indian authorities resist extradition, claiming that Indian jails violate international human rights norms. Foreign courts, particularly in the UK and European Union, have denied or delayed extradition on humanitarian grounds, citing –

1. Overcrowding,
2. Poor sanitation and ventilation,
3. Limited medical care and safety concerns.

High-profile cases such as Vijay Mallya and Nirav Modi have faced such legal hurdles due to alleged poor detention conditions in India.

2. Compliance with Global Standards

India seeks to build detention facilities that align with the UN Standard Minimum Rules for the Treatment of Prisoners, known as the Nelson Mandela Rules (2015). These rules emphasize –

1. Humane treatment,
2. Adequate space, nutrition, sanitation,
3. Access to healthcare and legal counsel.

Creating model prisons will counter allegations of human rights violations, strengthening India's legal credibility before foreign courts.

3. Enhancing Global Legal Standing

Establishing special jails for fugitives would –

1. Demonstrate India's commitment to international legal norms,
2. Improve its reputation in global justice systems, and
3. Enable faster extradition of fugitives accused of terrorism, financial fraud, and corruption.

Existing Issues in Indian Prisons

1. Overcrowding

According to Prison Statistics India 2023 (NCRB) –

1. National average occupancy rate – 120.8%.
2. In some states, overcrowding exceeds 150%.

Such overpopulation raises health and safety concerns and violates the right to life and dignity under Article 21.

2. Poor Infrastructure and Hygiene – Many prisons suffer from inadequate ventilation, poor sanitation, and substandard healthcare. These conditions fall short of international standards, giving foreign courts grounds to deny extradition requests.

3. Lack of Classification and Segregation – No dedicated detention system exists for –

1. Economic offenders,
2. Foreign nationals, or
3. High-risk fugitives.

This lack of segregation creates security and administrative challenges.

4. Human Rights Concerns

Reports by the National Human Rights Commission (NHRC) and civil society have highlighted –

1. Custodial violence,
2. Delayed medical treatment,
3. Restricted legal access.

These concerns weaken India's credibility in extradition proceedings.

Reforming the Extradition Mechanism

1. Passport Coordination System

The home minister proposed real-time coordination between passport authorities and law enforcement agencies. Steps include -

1. Red-flagging, seizing, or cancelling passports immediately after Interpol's Red Corner Notice (RCN) is issued.
2. Preventing fugitives from escaping abroad using valid travel documents.

2. Blue Corner to Red Corner Notice Conversion

A national campaign will accelerate the conversion of Blue Corner Notices (information request) into Red Corner Notices (arrest and extradition requests). Each State will have a dedicated cell to monitor fugitives and coordinate with CBI for Interpol notices.

3. Multi-Agency Coordination

A joint task force under the Multi Agency Centre (MAC), including the CBI and Intelligence Bureau (IB), will ensure -

1. Unified tracking,
2. Information sharing,
3. Speedy execution of extradition procedures.

Related Developments and Achievements

1. CBI Global Operation Centre - The CBI has set up a Global Operation Centre to coordinate in real time with Interpol and foreign law enforcement agencies. Till September 2025, over 190 Red Corner Notices were issued — the highest ever in CBI's history.

2. Asset Recovery - Under the Fugitive Economic Offenders Act (FEOA), 2018, nearly \$2 billion worth of assets have been recovered in the last four years. Under the Prevention of Money Laundering Act (PMLA), assets worth \$12 billion were attached between 2014 and 2023. These demonstrate India's progress in financial accountability and transnational crime control.

Way Ahead

Focus Area	Recommended Action
Infrastructure Upgrade	Develop model detention facilities meeting UN norms and international human rights standards.
Legal Reforms	Streamline extradition processes under the Extradition Act, 1962 and related bilateral treaties.
Diplomatic Engagement	Strengthen Mutual Legal Assistance Treaties (MLATs) with partner countries for evidence sharing.
Capacity Building	Train police, CBI, and legal officers in international legal cooperation and human rights compliance.
Transparency & Accountability	Publish regular data on extradition progress and fugitive tracking to build public and global trust.

Significance of the Move

1. **Restoring Global Trust** - Demonstrates India's adherence to human rights and justice system reforms.
2. **Facilitating Extradition** - Removes legal hurdles raised by foreign courts on prison conditions.
3. **Strengthening National Security** - Enables faster return of offenders involved in terrorism, money laundering, and cybercrime.
4. **Enhancing Rule of Law** - Reinforces India's position as a responsible democratic nation committed to fair and humane treatment.

Conclusion

The proposal to build special prisons for fugitives marks a pragmatic reform to address global concerns about India's detention standards. By aligning with Nelson Mandela Rules and modernizing its extradition and legal coordination mechanisms, India can significantly enhance its global legal standing, improve justice delivery, and ensure that economic offenders and terrorists cannot evade accountability abroad.

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