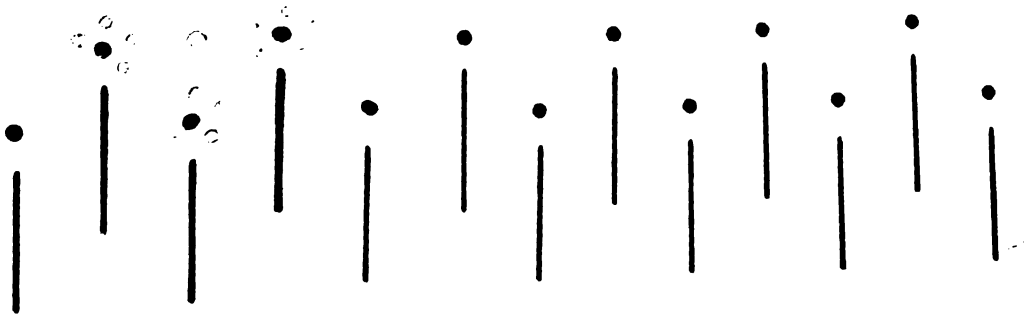


# KASHMIR CENTRE OF NEW ALIGNMENTS



Prof. Balraj Madhok

Kashmir, the name by which the vast and varied territories stretching from the plains of the Punjab to the Pamirs constituting the erstwhile Indian princely State of Jammu & Kashmir are popularly known, has been the focus of world attention since October, 1947, when Pakistan's attempt to annex it by force through Tribal invasion forced the hands of its ruler to accede to India which brought the Indian Army on the scene. But before the Indian Army could clear the State of the Pakistani invaders, the Government of India, which had referred the matter to the U.N.O. to prevent the war in Kashmir developing into a general war between India and Pakistan, ordered a cease fire on January 1, 1949, which virtually partitioned the State by leaving more than one third of it in the forcible occupation of Pakistan.

The strategic location and importance of the territories involved soon brought the Kashmir issue into the vortex of cold war resulting in Pakistan's alignment with the West and India's steady drift towards the Russian bloc. With the recent entry of Communist China into the Kashmir arena and the unfolding of her aggressive expansionist plans, the old pattern of East-West cold War with relation to Kashmir has undergone a radical change. While the West has come to the support of India in her struggle against Communist China, Pakistan whose alignment with U.S.A. morally bound her to stand by India in arresting the Communist advance, has started changing sides giving rise to a new alignment of forces in Asia with world-wide repercussions. This has given a new complexion to the Kashmir problem.

*(Continued on next flap)*



KASHMIR:

CENTRE OF NEW ALIGNMENTS

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**KASHMIR**  
**Centre Of New Alignments**

**BALRAJ MADHOK**

**DEEPAK PRAKASHAN, NEW DELHI**



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## AUTHOR'S PREFACE

The inspiration to write this book came to me from the late Dr. Raghuvira, the great savant, statesman and patriot who did more than any other Indian to create in this country an awareness of the role that India had played in not too distant a past in the life, literature, culture and spiritual aspirations of Asia, East and West, North and south. His sudden and tragic death on May 13, 1963 has deprived me and the readers of this book of some very keen insights on a problem towards the solution of which he had made a determined effort, albeit behind the scenes, during 1960-61. It was my fond hope that I might be able to persuade Dr. Raghuvira to spare some of his precious time for writing a foreword to this book.

I am deeply indebted to Prof. Gopal Krishana, Shri Prakash C. Jain and Shri Sita Ram Goel for going through the typescript and making some valuable suggestions. I am also grateful to Shri Yogendra Dutt of Bharati Sahitya Sadan for seeing the book through the Press.

It would be an empty formality to thank Pandit Prem Nath Dogra for writing the foreword which this book carries. His name has become one with the name of Jammu and Kashmir in the political mind of India and the world, due to his indefatigable efforts to defeat every conspiracy to keep the people of his State divided from the rest of the Indian people.

New Delhi  
1.8.63

**Balraj Madhok**





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## FOREWORD

Kashmir, we are told, contributed the letter "K" to the eight-lettered name of Pakistan when that name was coined by some Indian Muslim students in Cambridge, back in the twenties. The students had hardly ever hoped that a Mohammed Ali Jinnah would one day turn this wild dream of theirs into a living reality. But when Pakistan came into existence it had to make a start without the much coveted Kashmir. Jinnah tried to fill the gap by means of force. He met more than his equal in Sardar Patel who frustrated his design by accepting the accession of the Jammu and Kashmir State and rushing Indian Troops for its defence.

Since those days, when the Indian army heroically rescued Kashmir from the tribal head-hunters of Pakistan, Kashmir has become an issue in the international cold war. India depending on the Soviet veto in the United Nations and Pakistan becoming ever more sure of Western support for her case. The recent reverses of the Indian army in NEFA and Ladakh have whetted Pakistan's appetite and weakened India's strong stand due to her dependence on western armament supplies in the face of a continuing Chinese menace. In spite of assurance given by Prime Minister Nehru that a further partition of Kashmir will not be accepted by India, the nation at large is not sure that its untold sacrifices in blood and money will not go down the drain.

How did it happen that India which had gone into Kashmir to fight against a wanton aggression, today looks like an aggressor herself to most of her friends who wish her well in the face of communist aggression? How did it come about that India which had appeared as a complainant before the United Nations has become a culprit in the eyes of a

majority of the members of that organisation? Why did this experiment in secular democracy get dissolved into a veritable cesspool of the most mendacious brand of communalism? Why did Kashmir, for which the whole of India has bled and sacrificed, become a close preserve and a personal empire, first of Sheikh Abdullah and now of the Bakshi Brothers?

An answer to these various riddles was long overdue. It has now come forward in the form of Prof. Balraj Madhok's masterpiece. A flood of light has been thrown on the complexities of the Kashmir problem, for the first time since its inception in the winter of 1947-48.

There are very few people in India who understand Jammu and Kashmir so deeply as Prof. Balraj Madhok. Himself a resident of the State, he was present and active in Srinagar when Pakistan's perfidious invasion came in October, 1947. His knowledge of politics and personalities that have dominated the scene in the State since the thirties is personal and intimate. And, as an academician, he goes into history, geography, ethnology and cultural complexities in order to provide a proper perspective to the problem which he analyses from every relevant angle.

Many people say it in so many words, though privately, that it is Prime Minister Nehru who has made mess of an excellent case. But few people have had the courage to point out the culprit in public. Prof. Madhok not only possesses that courage without which nations have sold themselves into slavery, he has also displayed it in this book in an exemplary way. And it adds to his credit that he has done a difficult job without a trace of malice which has, not unoften, clouded this very controversial issue of current party politics.

As one contemplates the contours of the Kashmir problem which has grown curiouser and curiouser from year to year, one is struck by the contradictions into which the Government of India has involved itself. They have asserted time and again, and very rightly, that India has never accepted the two-nations theory propounded by the sponsors of Pakistan and that the division of the country was never undertaken

along communal lines. But whenever it comes to the question of Kashmir they have behaved as if they were the most devoted adherents of two-nations theory. But for this psychological subterfuge, there was no earthly reason for not integrating Jammu and Kashmir with the Indian Union, fully and irrevocably, for the greater good of the people of this State who would have been spared that excruciating sense of insecurity and uncertainty which has marred their lives all along, for the greater good of the people of India who would have been spared the most irrational sacrifices they are even now being asked to make in order to maintain the special status of Jammu and Kashmir, and, if I may say so, for the greater good of the people of Pakistan who prove all along the worst victims of the most mendacious type of demagogy on the score of Kashmir.

This half-heartedness on the part of the Government of India has been further vitiated by Pandit Nehru's incurable inclination to swallow the international communist party line on the issue of Kashmir as on any other issue, domestic or foreign. He made most irresponsible promise for plebiscite without consulting his cabinet colleagues or other leaders of the nation simply because, in those days, the communist party of India as well as its mentors in Moscow were advocating an independent Kashmir and denouncing the Indian army in Kashmir as "an army of imperialist occupation." Later on, when the communist line changed due to Pakistan joining the system of Western alliance, Pandit Nehru tried to wriggle out of his commitment before the bar of world opinion under cover of a barrage of casuistries instead of adopting the straight and honest course of confessing that he had made a mistake and rectifying the wrong he had done earlier. Personal prestige, I am told, never carries any weight with the communists engaged in the service of a world-wide conspiracy. But in the case of Pandit Nehru, his "feudal" and "bourgeois" weakness for personal prestige has complicated his "proletarian" proclivities, all to the disadvantage of India. The tragedy of Jammu and Kashmir

can hardly be understood without an understanding of this complex in the mental make-up of India's Prime Minister.

Even now it is not late to right the wrong and take up a truly national stand on Kashmir, although much damage has been done by our agreeing to hold talks with Pakistan under duress of the Chinese communist aggression. I know that there are people in India, although a small minority, who believe that the friendship of Pakistan can be won by surrendering Kashmir to her. There can be no more mistaken belief than this. If these people have not cared to read the recent pronouncements of responsible Pakistani politicians, I invite them to review the record of Pakistan vis-a-vis her pledges to India.

It is a shame that no one in India has so far tried to compile and present before the bar of world opinion Pakistan's record of deliberately driving away whole masses of Hindu population under threat of riot, murder, rape and governmental intimidation. The distorted image of an "aggressive" India that has become an obsession with certain sections of Western public opinion, thanks to the astute propaganda of Sri Mohammed Zafarullah Khan and other Pakistan spokesmen at the U.N.O., will be put straight only when someone comes forward with facts and figures to show that it is not India but Pakistan which has been guilty of genocide. The absence of any Hindu population in West Pakistan and the plight of those still left in East Pakistan while India has fully protected its crores of Muslims and given them an equality of opportunity along with the rest of her people, should provide an ample proof, if proof was needed, as to who has sinned against whom. It is my fond hope that Prof. Madhok will soon devote his scholarship to fill this gap also.

Jammu  
25.7.63

Prem Nath Dogra

## THE HOUSE THAT GULAB SINGH BUILT

The State of Jammu & Kashmir as it existed in 1947 before the Pakistani invasion, was the handiwork of Maharaja Gulab Singh, one of the most remarkable soldier-statesmen that India produced in the nineteenth century. At a time when Indian principalities and kingdoms, some of which had a hoary past, were falling flat like a house of cards before the fast-moving British steam roller he carved out for himself a virtually independent kingdom stretching from the plains of the Punjab to the Pamirs and including such areas as Ladakh, Baltistan and Gilgit which had been politically cut off from India for many centuries.

Born in 1792, Gulab Singh was a scion of the ruling family of Jammu which was one of the 22 petty Rajput States in which the sub-mountainous "Kandi" area to the north of the Punjab was then divided. He left his home at the age of seventeen in search of a soldierly fortune. He intended to go to Kabul and join the army of Shah Shuja but his attendants refused to go beyond the Indus. Then, he decided to join the service of Maharaja Ranjit Singh who was at that time just making his mark in the Punjab. He joined the army of Ranjit Singh in 1809, the year in which the latter signed the famous treaty of Amritsar with the British which gave him a free hand to expand his kingdom to the West of the Sutlej.

Gulab Singh soon distinguished himself as an intrepid soldier with a high sense of duty and devotion to Ranjit Singh. He made his mark in many a campaign which Ranjit Singh undertook to conquer Kangra, Multan and Hazara. He also introduced his two younger brothers, Dhian Singh and Suchet



Singh, in the court of Ranjit Singh. Both of them later played a very important role in the making and moulding of the kingdom of Lahore.

Ranjit Singh rewarded Gulab Singh by appointing him Raja of his ancestral principality of Jammu and put the "*Tilak*" on his forehead with his own hand in 1822. Thus, after thirteen years of his absence from Jammu, he returned to it as its ruler under Maharaja Ranjit Singh. Having thus secured a foothold in his ancestral home, he assiduously tried to expand his influence in the surrounding areas while serving Ranjit Singh whenever and wherever required. His interests at the court of the Lahore Kingdom were well looked after by his younger brother, Raja Dhian Singh, who rose to be its Prime Minister.

As Raja of Jammu, Gulab Singh raised an army of his own which included such notable soldiers as Wazir Zorawar Singh who distinguished himself as the conquerer of Ladakh, Baltistan and Western Tibet. He successfully conquered the principalities of Bhimber, Rajouri, Bhadarwah and Kishtwar which extended the limits of his state to Rawalpindi in the west and Tibet border in the north. The valley of Kashmir which had been annexed by Ranjit Singh earlier was, however, ruled by a separate governor as a province of the Lahore Kingdom and Gulab Singh had nothing to do with it.

In 1834, Gulab Singh decided to extend his sway to Ladakh and Baltistan. He entrusted this job to Wazir Zorawar Singh who successfully led six expeditions to Ladakh between 1834 and 1841. Since Kashmir valley was not under Gulab Singh at that time, the route followed by Zorawar Singh was through Kishtwar, Padar and Zanskar. It was more difficult but much shorter than the route passing through Kashmir valley via Yojila pass.

After having conquered and added the kingdoms of Baltistan and Ladakh to the territories of Gulab Singh, Zorawar Singh decided to go forward and conquer Tibet. It was a most adventurous move. He left Leh with an army of about 5000 Dogras and Ladakhis in May 1841 with a pledge not to

return to Leh till he had conquered Lhasa. After overcoming the Tibetan resistance at Rudok and Tashigong, he reached Minsar near lake Mansarovar and the holy Kailash mountain. From there he advanced to Taklakot which is just about 15 miles from the borders of Nepal and Kumaon and built a fort there. Here he met two emissaries—one from the Maharaja of Nepal and the other from the British Governor of U.P., then called North-West Province. The British were not happy over Zorawar Singh's advance because they dreaded a direct link up of Lahore Kingdom with the kingdom of Nepal. They had in fact been putting pressure on Lahore Durbar to press Gulab Singh for recalling Zorawar Singh and vacating the Tibetan territory already occupied by him. Zorawar Singh was, however, blissfully ignorant of these moves. But an intense cold weather and the long distance from his base at Leh forced him to stop further advance and encamp at Taklakot for the winter.

In the meantime, the Lhasa authorities sent large reinforcements to meet him. On learning the approach of this new army from Lhasa, Zorawar Singh, intrepid and dashing as he was, decided to take the offensive against the advancing army instead of waiting for it to attack him. It was not a very correct decision. His supply position had become extremely bad and his Dogra soldiers had been reduced to sore straits by the intense cold. Many of them were frost-bitten and incapable of moving about. As a result the battle of Toyu, which was fought on the 11th and 12th of December, 1841 at a height of about sixteen thousand feet above sea level, proved disastrous for Zorawar Singh who died fighting and his Dogra army like Napoleon's army in Russia, was destroyed more by cold than by the Tibetans.

The death of Zorawar Singh was a grave blow to Gulab Singh's prestige in Ladakh where people rose in rebellion aided and abetted by the advancing Tibetan army. A new army was then sent from Jammu under the command of Dewan Hari Chand which suppressed the rebellion and threw back the Tibetan army after inflicting a crushing defeat on it which

convincingly avenged the defeat of Toyu. Thereupon the Tibetan Government approached for peace and a peace treaty was signed on the 2nd of Asuj, 1889 Vikrami (September, 1842) by Diwan Hari Chand and Wazir Ratnu on behalf of Gulab Singh and Kalon Surkhan and Depon Pishy on behalf of Dalai Lama. By this treaty, the traditional boundry between Ladakh and Tibet 'as recognised by both sides since olden times,' was accepted as boundry between Jammu and Tibet. The village and area around Minsar near Mansarovar which was held by the Rajas of Ladakh since 1583 was, however, retained by the Jammu Government. The revenue from Minsar which lies hundreds of miles indside Tibet was being received by the Jammu & Kashmir Government regularly till 1948. This treaty of 1842 settled the boundry between Ladakh and Tibet in most unequivocal terms leaving no cause for any kind of border dispute in this region.

While Zorawar Singh was making history in Ladakh and Tibet, the kingdom that Maharaja Ranjit Singh had built had fallen on evil days. Ranjit Singh died in 1839. His death was a signal for the worst kind of anarchy and mutual killings in the history of the Punjab. The Sikh nobles who had been jealous of the ascendancy of the Dorga brothers in the Lahore kingdom, now began to conspire against them with the help of Sher Singh who succeeded to the *gaddi* of Ranjit Singh after the death of Kharag Singh and his son Naunihal Singh in rapid succession. The situation was made much more difficult by the presence of British troops in Peshawar in terms of the Tripartite Treaty of 1838 by which Ranjit Singh had agreed to help the British to put Shah Shuja on the throne of Afghanistan. Gulab Singh was then at Peshawar to assist the British on behalf of the Lahore Darbar. The Muslim battalions of the Punjab army had refused to fight against the Muslim Afghans and had mutinied. The party in power at the Lahore court was, if not actually hostile, at least indifferent to the fate of the British troops still stranded in Afghanistan. Gulab Singh well understood the situation and proved very helpful to the British in terms of the Tripartite Treaty in getting

them out of a difficult situation. The British felt gratified and at one stage actually proposed that he might be given possession of Peshawar and the valley of Jalalabad in return for Ladakh for the timely help rendered by him. But he refused the offer both on moral as well as practical grounds. Ladakh had been conquered by him through his own armies and was contiguous to Jammu while Peshawar and Jalalabad would be too far removed from his ancestral base at Jammu. But the assistance he rendered created a high respect in the minds of the British for him and his Dogra armies.

Things moved rapidly in Lahore after 1841. Both Dhian Singh, the ablest leader and Prime Minister of the Lahore Kingdom, and Suchet Singh were brutally murdered. Maharaja Sher Singh too was murdered and the infant Dalip Singh was put on the throne with a council of regency dominated by his mother Rani Chand Kaur. Gulab Singh escaped because he kept away from Lahore most of the time. These murders of his brothers naturally left him cold towards the affairs of the Punjab and he began to concentrate on building his own power in Jammu. He took no part in the first Anglo-Sikh war which began in 1845. The Lahore Darbar wanted him to come down to Lahore and lead its armies. Had he agreed, it would have made a world of difference for both sides. His advice to the Council of Regency at Lahore to avoid war with the British was, in the circumstances, not heeded.

After the defeat of the Sikh army at Subraon in February 1846, peace negotiations were opened. Raja Gulab Singh was given full powers to negotiate on behalf of the Lahore Darbar. The British Government were well aware of the resourcefulness of Gulab Singh who was reported to have advised the Lahore Darbar to avoid pitched battles with the British and instead cross the Sutlej and attack Delhi with the help of some picked cavalry regiments. The British were, therefore, very anxious to secure his friendship. He was offered a bait that he would be recognised as an independent ruler of Jammu & Kashmir if he withdrew his support from the Lahore Darbar and made a separate deal with the British.

Gulab Singh replied that he could not negotiate with the British about his own possessions while he was acting as an envoy for Dalip Singh, the king of Lahore. He continued the negotiations on behalf of the Lahore Darbar which culminated in the Treaty of Lahore signed on March 9, 1846.

According to this Treaty of Lahore it was agreed to by the Lahore Darbar to cede the territory between the Beas and the Sutlej to the British and pay £15 lakh (*Rs. one crore Nanak Shahi*) as war indemnity. Lal Singh, the then Prime Minister of the Lahore Kingdom, had no love lost for Gulab Singh. In order to strike a blow at Gulab Singh he offered to the British the hill territories of the Lahore Kingdom including Jammu & Kashmir in lieu of the indemnity. His idea was "to deprive Gulab Singh of his territory and give the British the option either of holding Kashmir which would have been impossible at that time because of the long distance and intervening independent State of Punjab or to accept a reduced indemnity."<sup>1</sup> This offer, however, suited Gulab Singh and the original offer of making him an independent ruler of Jammu & Kashmir was revived. But now it was conditioned by his taking the responsibility of paying the indemnity which had been made a charge on this territory by the cleverness of Lal Singh.

Gulab Singh agreed to pay the money to the British and they recognised him as an independent sovereign. Accordingly, a stipulation was made in the Treaty of Lahore by which Maharaja Dalip Singh of Lahore agreed to 'recognise the independent sovereignty of Raja Gulab Singh in such territories and districts in the hills as may be made over to the said Raja Gulab Singh by a separate agreement between him and the British Government'.

Seven days later, on the sixteenth of March, 1846, the Treaty of Amritsar was signed between Maharaja Gulab Singh and the British according to which Gulab Singh was recognised as an independent ruler of all the territories already in his

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1. "Founding of Kashmir State" by K.M. Pannikar, Pp. 98.

possession together with the valley of Kashmir which till then formed a separate province of the Lahore kingdom.

According to the Treaty of Amritsar, the British transferred for safe independent possession to Maharaja Gulab Singh and his heirs all the hilly and mountainous portions with its dependencies situated to the east of the river Indus and west of the river Ravi including Chamba and excluding Lahaul—being part of the territories ceded to the British Government by the Lahore kingdom. In consideration for this transfer Maharaja Gulab Singh was to pay to the British Rs. 75 lakhs in cash.

There was no stipulation in this Treaty about the British keeping a Resident or an army in Jammu & Kashmir. The Maharaja, however, recognised the 'Supremacy of the British Government' in token of which he was to present annually to the British Government one horse, 12 hill goats and 3 pairs of Kashmiri shawls.

The amount to be paid was reduced to Rs. 75 lakhs from one crore because the British decided to retain in their own hands the territory between the Beas and the Ravi which includes the Kangra district of the Punjab because of the strategic value of Nurpur and Kangra forts. The territories of which Gulab Singh was thus recognised as an almost independent ruler also included the area between the Jhelum and the Indus in which Rawalpindi, the new capital of Pakistan, is situated. Since this area was too far removed from Jammu, he approached the British to exchange it for certain areas near Jammu. Thus the Jhelum instead of the Indus became the western border of his kingdom.

Kashmir valley was then controlled by Shaikh Imam-uddin as Governor appointed by the Lahore Darbar. He was secretly instructed by Lal Singh not to hand over the possession of the valley to Gulab Singh. As a result he put up stiff resistance to the vanguard of Gulab Singh's army when it reached Kashmir to occupy the valley in terms of the Treaty of Amritsar. Wazir Lakhpat, one of his ablest generals, lost his life in this campaign. It was only after the British had put

pressure on Lahore Darbar and a new army was despatched to Kashmir that Gulab Singh could occupy the valley. Thus he had to make the possession of Kashmir valley obtained by him by the Treaty of Amritsar effective by force of arms.

After he occupied Kashmir, Col. Nathu Shah who controlled Gilgit on behalf of the Lahore Darbar transferred his allegiance to Gulab Singh who thus became master of Gilgit as well. Thus by 1850, Gulab Singh had become both *de facto* and *de jure* master of the whole of Jammu & Kashmir State including Jammu, Kashmir valley, Ladakh, Baltistan and Gilgit. The States of Hunza, Nagar and Ishkuman adjoining Sinkiang were added to the State by his son Ranbir Singh some years later.

It is clear from the above account that Jammu & Kashmir State as at present constituted is purely the creation of Gulab Singh who welded together such diverse and far-flung areas as Jammu bordering on the Punjab, Ladakh bordering on Tibet and Gilgit bordering on Sinkiang, Afghanistan and U.S.S.R. across the Pamirs.

It is wrong to describe the British grant of *de-jure* recognition to him as master of Jammu & Kashmir as a sale deed. He was already in possession of most of this territory and would have fought for it if the British had tried to dispossess him. Actually the British had earlier offered him this territory even without payment of any money. He was forced to pay this money simply because of his own loyalty to the Lahore Darbar and the chicanery of Lal Singh.

#### A HETEROGENEOUS CONGLOMERATION

The events and circumstances leading to the creation of Jammu & Kashmir State as detailed above naturally made it a heterogeneous conglomeration of diverse and distinct areas devoid of any basic unity, geographical, social or cultural except obedience to a common over lord. Geographically it presented a delightful panorama of alluvial plains to the south of Jammu obtained in return for the territory

lying between the Jhelum and the Indus, melting into hills, hills melting into snowy mountains and mountains into high arid and wind swept plateaus of Ladakh and Baltistan with the vale of Kashmir as an emerald set in the centre inviting the wistful glances of all Asian neighbours.

Broadly speaking geography divides this State into the basin and catchment areas of three major rivers of the Punjab—the Chenab, the Jhelum and the Indus. The entire area from the plains to Pir Panchal range is drained by the Chenab. The valley of Kashmir and western districts of Mazaffarabad, Poonch and Mirpur form the basin of the Jhelum. The Indus drains the waters of Ladakh, Baltistan and Gilgit before turning south and cutting through the Himalyas to reach the Punjab plains.

From the linguistic and cultural point of view, this vast and varied state of 84471 sq. miles, bigger than many of the modern European States, whose only unity lay in a uniform and unified administrative system, could be divided into six distinct people with a distinct past. A clear understanding of the historical and cultural background of these different peoples and regions and a proper appreciation of their economic social and cultural ties and political aspirations is essential for a proper understanding and appraisal of the Kashmir problem as it has developed of late.

### 1. DUGAR (JAMMU)

The first and the foremost part or region is Dugar, the homeland of the founder of the State, as also of the Dogra people. It is directly contiguous to East Punjab and Himachal Pradesh in India and includes the entire districts of Jammu, Kathua, Udhampur including Bhadorwah and Kishtwar and the eastern parts of the erstwhile districts of Riasi and Mirpur of the administrative province of Jammu. It stretches from the Ravi in the east to roughly the cease-fire line in the west and from Suchetgarh in the south to the Banihal Pass in the



Pir Panchal range in the north. Its total area is about 12,000 sq. miles.

The inhabitants of this region are Dogras. A few thousand Kashmiris have also infiltrated into the Ramban and Kishtwar Tehsils of Udhampur District. The Gujars, who speak a Pahari dialect, inhabit the western part of Riasi District. The total population of this region is about 12 lakh of which about 10 lakh are Hindus. The spoken language of this region is Dogri which includes a number of Pahari dialects and is written in the Devnagari script.

The whole of this region is mountainous except for a narrow belt bordering on the Punjab. A few beautiful valleys like that of Bhadarwah, which is known as "miniature Kashmir" lie in its interior. The Chenab flows right through this region draining its waters and carrying its valuable timber wealth to Akhnur near Jammu where it enters the Punjab. The chief occupation of the people is agriculture and soldiering. Thousands of hardy Dogras from this region serve in the Indian army. Maize and rice are the main agricultural crops. Lower Himalayan ranges traversing this zone are covered with rich fir and deodar forests. Lumbering, therefore, is an important industry. Forest produce, lime, rosin, honey, '*anardana*' and medicinal herbs besides timber form the chief exports of this area. It is also the richest part of the state in respect of mineral wealth. Extensive deposits of coal, iron and aluminium are known to exist in it.

Bhadarwah which is now linked up with Chamba in the Himachal Pradesh by a jeepable road and with Batote on the Jammu-Srinagar road by a motorable road, is perhaps the most beautiful part of this region. Its fruits are superior even to those of Kashmir valley and the natural scenery is no less charming. Kishtwar, which lies just to the north of Bhadarwah, is famous like Kashmir for its saffron fields. It forms a direct link between Dugar and Ladakh which lies to its north.

Politically, this area had remained divided into a number of small principalities ruled over by Hindu Rajas owing occasional and doubtful allegiance to the powerful empires rising

in the plains till their unification into one compact whole by Raja Gulab Singh. He himself came from the ruling family of Jammu, which principality occupied, according to tradition, the leading place among the twenty two principalities of this hill area. Jammu is still the chief town of this region and the winter capital of the whole state.

Socially, culturally, and economically the people of this region are indissolubly linked with the Dogras of East Punjab. In fact, the Dogra belt spread over Gurdaspur, Kangra and Hoshiarpur districts of East Punjab, Chamba and Mandi districts of Himachal Pradesh, and the Dugar zone of the Jammu & Kashmir State forms one compact homeland of the Dogras. Naturally, therefore, the people of this region aspire to remain connected with East Punjab and India, irrespective of what happens to other parts of the State.

From the Indian point of view this is the most important part of Jammu & Kashmir State. It forms the only direct and feasible link between India and the rest of the State. The Pathankot-Jammu road and the Jammu-Banihal road that connect India with the Kashmir valley pass entirely through this zone. The choice of its inhabitants on the question of accession is beyond doubt. Its mineral and power resources are immense. With its warlike man-power and mountainous terrain, this region together with the adjoining hill districts of the Punjab and Himachal Pradesh can form an ideal frontier province for India after Partition.

#### L A D A K H

To the north of Dugar and to the north-east of the Kashmir valley lies the extensive plateau of Ladakh. It is directly contiguous to East Punjab as well as Himachal Pradesh. It was being ruled over by a local Buddhist Raja, Tandup Namgyal, when it was conquered by Wazir Zorawar Singh between 1834 and 1840 for his master Maharaja Gulab Singh. He entered Ladakh through Kishtwar in Dugar and not through Kashmir. Its total area is about 32,000 sq. miles and total

population is just about a lakh, majority of which are Buddhists.

This is a very backward area. The inhabitants eke out a bare existence by rearing yaks and cultivating '*Girm*', a kind of barley, in the few high and dry valleys of the Indus. Their chief pre-occupation is their religion. They give their best in men and material to the numerous monasteries that act as oases in a veritable desert. The wealth, art and learning of the people is concentrated in these monasteries. Some of them contain rich collections of ancient Buddhist literature in Sanskrit or its translations in Tibetan. The population is kept down by social customs like polyandry and dedication of girls and boys to the monasteries and is being further reduced by slow conversion to Islam through inter-marriages with Balti and Kashmiri Muslims. The offsprings of these mixed marriages are known as "Arghuns". They form the trading community.

Leh, the chief town of this zone, is situated at a height of more than 11,000 feet above sea level and is one of the highest towns in the world. It used to be the seat of the Raja of Ladakh before the Dogra conquest. After the conquest and formation of the Ladakh district, it became the summer headquarters of a District Officer appointed by the State Government. It is connected with Srinagar by a well-kept highway known as the Leh Treaty Road. It crosses the high mountains dividing Ladakh from Kashmir through the Yojila pass. Leh used to be, till a few years back, a great mart for Central Asian trade. Caravans laden with silks, rugs and tea used to pour into Leh from distant Tashkand, Kashghar and Yarkand. These goods were exchanged here for sugar, cloth and other general merchandise from India. But since the absorption of these Central Asian states into Communist empires of Russia and China, this trade has virtually stopped. But the strategic importance of Leh as a connecting link with Central Asia has in no way suffered a setback.

A part of Ladakh was over run by the Pakistanis in 1947-48 when, after capturing Askardu and Kargil, they began their

advance on Leh. Several hundreds of innocent Buddhists were murdered and many monasteries were looted, despoiled and desecrated by the invaders. But the epoch-making landings of the R.I.A.F. dakotas carrying the sinews of war on to the improvised airfield of Leh at more than 11,000 ft. above sea level and the brilliant winter offensive of the Indian army leading to the capture to the Yojila Pass and Kargil saved Leh and the rest of Ladakh from going the way of Gilgit and Baltistan.

### BALTISTAN

The third distinct zone of the State is Baltistan inhabited by the Balti people. It lies to the north of Kashmir and to the west of Ladakh. For administrative purposes, it was grouped with Ladakh to form the district of that name: Its total area is about 14,000 sq. miles and total population about 1,30,000 according to the 1941 census. Almost all of them are Muslims by religion.

Baltistan was conquered by Wazir Zorawar Singh along with Ladakh between 1834 and 1840. Before that it was being ruled over by petty Muslim Rajas of Ladakhi descent. The chief town of this zone is Askardu which used to be the winter headquarters of the Ladakh district. Situated on the Indus like Leh it has a fort of great natural strength.

Baltistan was overrun by Pakistan troops and Gilgit Scouts during the winter of 1947-48. The State garrison in the Askardu fort held on gallantly for some months. But no effective help could be sent to them from Kashmir because the Yojila pass had passed into the control of Pakistan and aid by air was made difficult by the enemy occupation of all possible airstrips.

The winter offensive of the Indian Army in 1948 succeeded in the recapture of the Yojila Pass and the town of Kargil beyond it, which commands the road to Leh and Askardu. Thus a part of Baltistan came back into Indian hands but its major portion including the town of Askardu still lies on the

Pakistan side of the cease-fire line.

Baltistan is not of much economic or strategic importance. It is sandwiched between Ladakh and Gilgit. But it has provided Pakistan with a convenient route for advance towards Yojila Pass and Leh from its base in Gilgit. Its main produce are barley and fruits specially apricots. Some of the Valleys of the Indus in this zone are quite fertile. The people of this part of the State are very backward and till the time of invasion were quite indifferent to political developments in Kashmir or Jammu. But now they have been infected by Pakistani propaganda. Pakistan is known to have linked Askardu with Gilgit by a motorable road and has also built a big air base there.

### GILGIT

The fourth distinct zone of the State is Gilgit. It includes the Gilgit district which used to be administered directly by the State Government and the tributary states of Hunza, Nagar, Chillas, Puniyal, Ishkuman, Kuh and Ghizar. The total area of this region is about 16,000 sq. miles and the total population about 1,16,000. Almost all of them are Shia Muslims. Most of them are followers of the Agha Khan. They belong to the Dardic race and are closely connected with the Chitralis in race, culture and language. Shina and Chitrali are the two languages spoken.

This region was conquered with great difficulty by Maharaja Gulab Singh and his son Maharaja Ranbir Singh between 1846 and 1860. Thousands of Dogra soldiers lost their lives in the campaigns that led to the conquest of this inhospitable but strategically very important region. It is here that the three Empires, British, Chinese and Russian, met. The independent kingdom of Afghanistan also touches its boundaries.

The strategic importance of this region has increased very much since the advent of air force and the expansion of the U.S.S.R. and Communist China towards the Central Asian regions adjoining Gilgit and Baltistan. Though very mountain-

ous, this zone contains the fine valley of Gilgit, a tributary of the Indus, which can serve as an excellent military and air base.

Gilgit is divided from Kashmir by the same high Himalayan range which divides Kashmir from Ladakh and Baltistan. But the direct and the shortest link between Gilgit and Kashmir is provided by another Pass, the Burzila. It is more than 13,000 feet above the sea level and, therefore, remains closed for many months in the year. The access to Gilgit from Pakistan via Peshawar is comparatively easy.

The whole of Gilgit including the Burzila Pass now lies on the Pakistan side of the cease-fire line. The State garrison as also the military governor appointed by the State were overpowered by Pakistan troops with the aid of the local militia, the Gilgit Scouts, during the winter of 1947. Gilgit has since been developed as a major military base by Pakistan.

From the economic point of view Gilgit is not rich though it has vast potentialities. Its climate is bracing and temperate. Temperate fruits like apple, apricot, and almonds grow in abundance. 'Zira', a valuable spice, however, is the most valuable produce of this area and is exported in large quantities. The People are healthy and fair-coloured. Polo is their national game in which they excel. They had come under Hindu and Buddhist cultural influence quite early. Gilgit probably formed a part of the Khotan Province in Ashoka's empire. A recent find of Buddhist and Sanskrit books near Gilgit confirms this view. A class of people among them is held in high esteem. They are expected not to eat beef and to remain clean. They were perhaps the Gilgiti Brahmins before their conversion to Islam.

Till recently, these people were very much devoted to the Maharaja and his Government. They protested against the lease of Gilgit to the British. But after the partition, they, especially the Rajas of Hunza and Nagar, were incited by the Pakistanis and the British Political Agent to press the Maharaja for accession to Pakistan. They later became collabora-

tors of the Pakistan is and revolted against the Maharaja's government in Gilgit.

### PUNJABI SPEAKING BELT

The Punjabi speaking districts of Mirpur, Poonch and Muzaffarabad lying along the river Jhelum which forms the western boundry of the State, constitute the fifth distinct region of the State. Mirpur formed a part of the Jammu province, Muzaffarabad of Kashmir and Poonch was a big Jagir in the State ruled over by a descendant of Raja Dhian Singh, younger brother of Gulab Singh, who rose to be the Prime Minister of Maharaja Ranjit Singh. The total area of the belt is about 6,000 sq. miles and total population about 11 lakh. Nearly a lakh of them were Hindus. They have been either killed or squeezed out by the local Muslims with the help of Pakistani invaders. The chief towns of this area are Mirpur, Poonch, which is still in Indian hands, and Muzaffarabad on the confluence of the Jhelum and the Krishna Ganga. This last town is now the headquarters of the so-called Azad Kashmir Government. Mirpur and Poonch were conquered by Gulab Singh for Maharaja Ranjit Singh from the local Muslim Rajas. Muzaffarabad was acquired by him after he had occupied Kashmir by defeating its Muslim Sultan in a bloody battle.

Parts of this zone are quite fertile. But the real importance of this region lies in its warlike manpower. Poonch area alone gave about sixty thousand recruits to the Indian army during the Second World War. The Sudhans, the Jarals and the Chibs who inhabit this area are all Rajput converts to Islam. This area has an additional importance for Pakistan because the river Jhelum which carries the rich timber wealth of Kashmir and Karen forests flows through it. The head-works of the Upper Jhelum Canal at Mangla are situated near Mirpur in this zone. This zone also links the West Punjab and the North-western Frontier Province with the valley of Kashmir.

The people of this region are bound in bonds of common

religion with those of Hazara, Rawalpindi and Jhelum districts of West Punjab. They actively sided with the Pakistani raiders when the latter invaded the State from that side. Sardar Ibrahim and other leaders of the so-called Azad Kashmir Government hail from this area. At present most of this zone except the towns of Poonch and Mendhar lies on the Pakistan side of the cease-fire line which runs just three miles from the town of Poonch.

## KASHMIR

In the centre of the State, surrounded by diverse regions and peoples mentioned above and cut off from them by high Himalayan walls, lies the beautiful valley of Kashmir, the '*Nandan Vana*' of India and the playground of Asia. This home of the sage Kashyap who, according to tradition made a breach near Baramula and thus converted a lake into a spacious valley, is essentially a beauty spot. It includes the valley of the river Jhelum and many smaller valleys especially those of the Lidar and the Sindh, the two tributaries of the Jhelum. Its total area is about 3,000 sq. miles and the total population about 15 lakh.

Once a seat of Sanskrit learning and cradle of Aryan culture, it is now a predominantly Muslim area. The Kashmiris were forcibly converted to Islam by Sultan Sikandar towards the end of fourteenth century. They wanted to come back to their ancestral faith during the reign of Maharaja Ranbir Singh but the orthodox Kashmiri Pandits refused to receive them in the Hindu fold.

Racially, the Kashmiris belong to the Aryan stock. The Kashmiri language originally written in Sharda, a form of the Devnagri script, has a rich literature. But under the influence of Islam this ancient script has been discarded and the Persian script now rules supreme.

Kashmir has a continuous recorded history of more than two thousand years. The great Kashmiri historians, Kalhan and Ratnakar, have written beautiful stories about Kashmir



which, apart from their historical value, are recognised as great pieces of Sanskrit literature. Some kings of Kashmir like Lalitaditya and Avantivarman extended their sway far beyond the mountains that surround Kashmir and into the plains of the Indus and the Ganga. They enriched Kashmir with beautiful temples and buildings, the magnificent ruins of which still remind the visitors to Avantipur and Martand of the glory that was Kashmir. Every beautiful spot and spring in Kashmir is a holy place of the Hindus. Hindu shrines and temples are found in the remotest corners and on the highest peaks of Kashmir. Shri Amarnathji, Gangabal, Khir Bhawani and Matan are some of the most important holy places in Kashmir that have an all-India fame and importance. The temple of Shankaracharya in the heart of the valley and overlooking the city of Srinagar is an outstanding pointer of pre-Muslim Kashmir's unity with the rest of India.

Islam entered Kashmir through a Balti adventurer, Renchen Shah, and a devout missionary, Shah Hamdan. The work they began was soon completed by Sikandar, the Pathan iconoclast who converted the whole of Kashmir to Islam by force and destroyed all shrines built by Hindu rulers. A few families managed to escape to safety. Their progeny now forms the Kashmiri Pandit community of Kashmir, about 70,000 people in all.

The Pathans were followed by the Mughals in the 16th century, who enriched Kashmir by building the beautiful Mughal gardens. They were succeeded by Sikhs who in turn were supplanted by the Dogras in 1846.

These linguistic, cultural and geographical divisions of the State provide the physical and historical background of the Kashmir problem which has been hanging fire all these years. The attitudes of the people inhabiting these distinct regions towards the partition of India and the developments that have taken place since then, together with the legacies of the past with particular reference to a hundred years of Dogra rule and the political and legal implications of the accession of the State to India under Maharaja Hari Singh in 1947, are essential

elements of the Kashmir problem. Their proper understanding and assessment is a necessary pre-requisite for arriving at any logical and lasting solution.

## HUNDRED YEARS OF DOGRA RULE

The Dogra rule which lasted for exactly one hundred and one years from November, 1846 to October, 1947 marks in a way the most peaceful and progressive period in the hoary history of the Kashmir valley and other constituent parts of the Jammu & Kashmir State. The credit for opening much of this far flung mountainous territory of snow covered peaks, deep ravines, extensive valleys and arid plateaus to modern civilization and social and political influences of which the present Kashmir problem is a direct result goes to its Dogra rulers. The Kashmir valley which is the most celebrated and coveted part of the State is particularly indebted to them. They lavished their attention and resources on it even at the cost of their homeland in order to make it an attractive holiday resort.

The first task of Gulab Singh after having obtained *de jure* possession of Kashmir and its surrounding territories was to consolidate them and give them an effective and efficient administration.

From the point of view of consolidation, Gilgit was the only area over which his grip was still not very firm. There took place a serious uprising in Gilgit in 1851 with the help of the Rajas of Yasin, Hunza and Nagar as a result of which the entire Dogra garrison there was cut to pieces. Only a Gurkha woman swam across the Indus to tell the story of this disaster. It was a great blow to the prestige of Gulab Singh who was then in failing health. For the time being he had to accept the Indus as a frontier between his kingdom and Gilgit proper.

Even though he could not recapture Gilgit in his lifetime,

he laid the foundations of a sound and stable administration in the rest of his territories which enabled his son, Ranbir Singh, to reconquer Gilgit and the adjoining areas. He divided the State into two provinces, each under a Governor and two frontier areas each under a 'Thanedar'.

**Jammu Province** covered the entire territory from the Ravi to the Jhelum lying south of the Pir Panchal range. It included the whole of Dugar region together with Mirpur area of the western punjabi speaking belt.

**Kashmir Province** included the whole of Kashmir valley and the western district of Muzaffarabad. The valley was divided into two districts—Anantnag which included the city of Srinagar and the strategic roads linking the valley with Jammu and Ladakh and Baramula which covered north-western parts of the valley adjoining Muzaffarabad and Poonch. The cities of Jammu and Srinagar were made the winter and summer capitals of the State.

The frontier region of Ladakh was put under the charge of a Thanedar. A number of efficient and capable Thanedars like Magna, Mehta Basti Ram and Mehta Mangal gave modern administration to Ladakh for the first time. They built the fort and bazar of Leh, laid plantations for a perennial supply of fuel, built and repaired bridle roads linking Leh with Srinagar, Lahaul, Yarkand and Gartok, surveyed the traditional Ladakh-Tibet frontier and made a land settlement for the first time. Baltistan with its main town of Askardu was put under the charge of another Thanedar. Later, both Ladakh and Baltistan were joined together and put under the charge of one administrator who had his headquarters at Leh in summer and Askardu in winter.

The Gilgit area when reconquered in 1860 was made a separate administrative unit with its headquarters in the town of Gilgit. This administrative set up continued right till the end of Dogra rule in 1947.

As a compromise settlement with the Raja of Chamba who claimed Bhadarwah as a part of his possessions, he was allowed to transfer his allegiance to the British instead of the Dogra

King in return for renunciation of any claim on Bhadarwah. No wonder that the people of Bhadarwah continue to yearn for reunion with Chamba through a merger of Himachal Pradesh with Jammu.

The British, as has been said above, handed over Kashmir to Gulab Singh in 1846 because they had no alternative at that time. But after the annexation of Punjab, a number of British officials began to have second thoughts regarding the Treaty of Amritsar. Pressure began to be put on Gulab Singh to accept a British Resident like all other Indian States and give some other concessions to the British. But Gulab Singh took a firm stand on the Treaty of 1846 and refused to yield in the matter. The British though frustrated in their first attempt continued to look for an opportunity to bring down Jammu and Kashmir to the level of other Indian States.

Maharaja Gulab Singh died in 1858 and was succeeded by Ranbir Singh whom he had installed on the throne with his own hands in 1856. He had himself functioned as Governor of Kashmir province during the last two years of his life.

The most outstanding achievement of Ranbir Singh who is considered to be the greatest of the Dogra rulers was the reconquest of Gilgit and subjugation of the frontier states of Hunza and Nagar. He organised a big expedition to which almost every Dogra family contributed a soldier in 1860 under the command of Colonel Devi Singh. It inflicted a crushing defeat on the recalcitrant Rajas and thus avenged the earlier Dogra defeat.

After having thus re-established the prestige of the Dogra army, he turned his attention to internal reforms. The Ranbir '*Dand-Vidhi*', the Code of laws, both civil and criminal, which he got prepared, established his reputation as a law-giver. He reorganised his army on the European model but with Sanskrit terms of Command.

His spirit of independence and the originality and initiative he displayed in the reorganisation of his civil and military administration were not to the liking of the British. They, therefore, made another attempt to force a British Resident on

Jammu & Kashmir in 1873. But like Gulab Singh, Ranbir Singh too refused to yield in the matter on the plea that there was no provision in the Treaty of 1846 giving authority to the British Government to appoint a Resident.

The British felt very much chagrined and took resort to other methods for achieving their object. Taking advantage of mutual bickerings between Pratap Singh, the eldest son of Ranbir Singh, and his two younger brothers, Ram Singh and Amar Singh, they made acceptance of a British Resident a pre-condition for giving recognition to his succession to the throne in 1885 after the death of Maharaja Ranbir Singh.

Having got a Resident thus appointed which eventually brought down Jammu & Kashmir to the level of other Indian States like Hyderabad and Gwalior, the British now made a determined bid to have a more direct control over the State. The Maharaja was charged with conspiring with Russia against the British and was forced to hand over all his powers to a five member State Council which ran the administration under the guidance of the British Resident for many years. In the meantime, the British interest in the Pamirs and the frontier states of Chitral, Hunza and Nagar was aroused by the continued advance of Czarist Russia in Central Asia. As a result, the British decided to have a more effective control over the Mehtar of Chitral. The military campaign launched for the purpose between 1889 and 1895 was conducted by the State forces but under the command of British officers. After the successful termination of the campaign, Chitral passed under direct control of the British.

This campaign brought the strategic importance of Gilgit region to the notice of the British. The publication of Mr. White's book "WHERE THREE EMPIRES MEET" which gave a graphic account of the campaign and the valour of Dogra troops put Gilgit on the map of the world. The result was a more concerted effort on the part of the British Government to bring the whole of Gilgit area more directly under its control. For the moment a British political agent was stationed

at Gilgit to watch British interests though administrative control remained in the hands of the State officials.

Maharaja Pratap Singh got back full powers in 1905 after an attempt to completely oust him had been foiled by the timely revelation of the machinations by the Political Department of the British Government of India in the "AMRIT BAZAR PATRIKA" of Calcutta and the raising of the issue in the British House of Commons by some opposition members. He ruled for twenty years more till his death in 1925.

The modernisation of Jammu & Kashmir State began during the reign of Pratap Singh. Kashmir was linked to Rawalpindi, Abbotabad and Sialkot by motorable roads, first rate Arts and Science colleges were opened in Jammu and Srinagar, forest administration was streamlined with the help of British experts, a hydro-electric plant, among the first few of its kind in India, was set up at Mahura near Baramula and new holiday resorts like Gulmarg and Pahalgam were developed in the Valley.

This process of modernisation of the State was accelerated by the succession to the throne of his young, intelligent but impulsive nephew, Maharaja Hari Singh, in 1925. He had spent many years of his early life in England which had created in him a strong urge to develop and modernise his State, particularly the Kashmir valley. This urge was partly the result of a new awareness in his mind about the importance of his State and a distrust of the British whose bullying attitude had created a strong reaction in his young and self-conscious mind.

His misunderstanding with the British Resident began from the very day of his coronation and continued to grow in the succeeding years due to his spirit of independence. The breaking point, however, was brought by his speech at the first Round Table Conference in London in 1930 in the course of which he said that while Indian princes valued British connection, they had full sympathy for the aspirations of their motherland for an equal and honourable place in the comity of nations. This outspoken support to the "seditious" demand

for independence by the foremost representative of Princely India which had been given a disproportionately high representation at the Round Table Conference to counter-balance the popular representatives from British India, came as a bomb shell to the British diehards in England and the Political Department in India. The strategic importance of Jammu & Kashmir State and the British plan to have a more direct control over Gilgit made this spirit of independence and defiance in Hari Singh all the more galling to them. So they decided to break him for which purpose they had recourse to the convenient method of building up popular 'Muslim' pressure on a communal basis. This led to the beginning of a socio-religious movement in the State which provided the religio-political background of the events which culminated in the emergence of the Kashmir problem in its present form.

The British aim, however, was achieved. The Gilgit region was ceded to the British by the Maharaja on a sixty years' lease in 1935. This brought the whole of Gilgit including the frontier States of Hunza and Nagar directly under the control of the British Political Agent stationed at Gilgit.

These political developments, which will be discussed in detail in the next chapter, did not deter the Maharaja from pursuing his plans for the modernisation of Kashmir valley in which he took a special pride. Apart from the meagre resources of the State, he spent huge sums from his accumulated family treasures as well as his own privy purse to beautify the valley and equip it with modern amenities for Indian and foreign tourists. It would be no exaggeration to say that modern embellishments which have made Kashmir valley such a rage with foreign tourists are mainly his contribution to this 'Paradise on earth'. Had he bestowed even a fraction of the interest and money he lavished on Kashmir valley on his own homeland in Jammu which also abounds in places of great natural beauty and is the richest part of the State from the point of view of human, forest and mineral resources, the present lop-sided importance of the valley



which has diverted the attention of both India and the U.N.O. from the more important aspects of the Kashmir situation could have been avoided.

Maharaja Hari Singh abdicated in favour of his son Karan Singh, the present elected Sadar-i-Riayasat (President of the State), in 1949 and left the State under pressure from the Government of India. He died as an exile in Bombay in 1961.

Maharaja Hari Singh's life and career is a poignant reminder of the circuitous and sometimes contradictory and illogical course of history. Hari Singh was one of the most patriotic and progressive of the Indian princes and yet he had to suffer the most at the hands of the Government of a free India.

With Hari Singh ended the Dogra ruling dynasty, as also the 'House' that Gulab Singh had built. Jammu & Kashmir State as it existed till 1947, exists no longer. It has been divided in two and may be further disintegrated in the days to come. Such a disintegration is inherent in the geo-political background of the Kashmir problem.

## THE POLITICAL BACKGROUND

The forces and circumstances which ended the Dogra rule over Jammu & Kashmir and gave rise to the "Kashmir Problem" can be directly traced to the socio-political revolution that began to take shape in British India from the early years of the 20th century. The British rulers of India foresaw quite early the birth of national awakening of a different type than the one which had manifested itself in 1857 and formulated a set policy to checkmate it. It was thus enunciated by Sir John Stratchey, one of the ablest British administrators in India. in 1874. "The existence side by side of these (Hindu and Muslim) hostile creeds is one of the strong points in our political position in India. The better classes of Mohamadens are a source of strength to us and not of weakness. They constitute a comparatively small but an energetic minority of the population whose political interests are identical with ours".

In pursuit of this policy, the British began to use the Muslims to further their own political ends and to counteract the national upsurge which had always been essentially Hindu in inspiration. The partition of Bengal in 1905, the command performance of Aga Khan deputation in 1906 and the subsequent formation of the Muslim League in Dacca and the introduction of separate electorates in 1909 were calculated steps in the pursuit of this set policy.

This British Policy got a momentary setback during the short-lived honeymoon between Khilafat movement which aroused religious consciousness and extra-territorial loyalties of the Indian Muslims under the leadership of fanatic Mullahs

like Maulana Mohammad Ali, and the Indian National Congress under the mystical leadership of Mahatma Gandhi. But this marriage of convenience of the two incompatibles could not last long. The abolition in 1921 of both Sultanate and Khilafat by the Turks themselves enabled the British to divert against the infidel Hindus the religious frenzy aroused by the Khilafat Movement amongst the Muslims against the infidel Britishers. The bloody communal riots that followed in Malabar, Kohat, Multan, Saharanpur and many other places marked a convincing failure of the Gandhian experiment in communal harmony and a complete success of the British policy.

The growth of aggressively communal Muslim separatism in Indian politics that followed, had its reverberations in the princely states as well. But as in British India, it needed support from British Political Department to find its feet there. Since Jammu & Kashmir State was a Muslim majority State under a Hindu Maharaja who was proving to be inconveniently independent and patriotic, the British decided to raise the Muslim bogey in his State to chastise him and bring him to his knees.

This marked the extension of religio-political awakening and sectarian political organisations of British India into the Jammu & Kashmir State. A clear grasp of the religio-political awakening in the State which took different shape and colour in its different regions according to the socio-religious complexion in each case is essential for any scientific study of the Kashmir problem.

Geographical barriers and socio-economic backwardness precluded the frontier area of Ladakh, Baltistan and Gilgit from being affected by the religio-political influences which began to enter the State from 1921 onwards till they were violently shaken out of their blissful ignorance or indifference to developments in the rest of the State by shots and shells of Pakistani invaders in 1947-48.

Of the remaining three regions, Kashmir valley was the first to experience political activity. Mirpur and Poonch area

followed the lead of Kashmir. The Dogra area of Jammu remained steeped in its sectional and factional politics till the revolutionary changes in the State's administrative and constitutional set up following the Pakistani invasion of Kashmir in 1947 forced its people to organise themselves politically and adjust themselves to the new order.

Broadly speaking, the political life in the Jammu & Kashmir State has been revolving all these years around three organisations—the Muslim Conference, the National Conference and the Praja Parishad. They have provided the State with all the political figures that dominate the stage on both sides of the cease-fire line.

#### THE JAMMU & KASHMIR MUSLIM CONFERENCE

The first of these in order of age and the influence it has exerted on the State politics is the Jammu & Kashmir Muslim Conference. It began as a religio-political movement of the Muslims aimed particularly against the Hindu Maharaja. The inspiration and guidance for it came in the beginning directly from the British officers of the Political Department who had become irritated by the anti-British attitude and progressive and patriotic views and sympathies of Maharaja Hari Singh. This has been conclusively proved by the correspondence between Sheikh Abdullah and the Political Department which came to light at the time of winding up of British Residency in Srinagar in 1947. Their imperialist designs to get complete control of Gilgit also pointed to the same course.

Certain grievances of the Muslims who constituted an overwhelming majority of the population in Kashmir and Mirpur—Poonch areas provided the starting point. Sheikh Mohd. Abdullah who had returned from Aligarh after passing his M.Sc. and imbibing the Aligarh spirit became a convenient stooge. He had just been dismissed from the post of a teacher in a Government High School at Srinagar on grounds of disobedience. He along with some other disgruntled educated

Muslims laid the foundation of the Muslim Conference at Srinagar in 1930.

The anti-Maharaja and anti-Hindu propoganda of the Muslim Conference with the help of mullahs had immediate results. The religious fanaticism of the illiterate Muslim masses thus roused resulted in widespread anti-Hindu riots in Kashmir as also in Mirpur and Poonch Districts. Thousands of Hindus were killed or rendered homeless. The Maharaja had to request the British Indian Government for troops to quell the riots and rebellion. His spirit was thus broken. He had to appoint an inquiry commission under the chairmanship of Mr. Glancy and accept many British officers.

The report of the Glancy Commission which the Maharaja accepted in toto brought many privileges to the Muslims. An under-matriculate Muslim was now to be preferred to a graduate Hindu for recruitment to the State services. The State was to have a Legislative Assembly called the Praja Sabha. It was to have 75 members in all of which 33 were to be elected. The Muslims were given 21 elected seats.

The agitation and its success raised the prestige of Sheikh Abdullah very high among the Muslims. The Muslim Conference, therefore, soon became the most representative organisation of all the Muslims of Kashmir, Jammu and Mirpur—Poonch areas. Sheikh Abdullah now began to be hailed as *Sher-i-Kashmir*, Tiger of Kashmir.

But a split arose in the Muslim Conference in the year 1939 when Sheikh Abdullah decided to convert the Muslim Conference into National Conference. He was able to carry a large majority of his Kashmiri followers with him. But the Muslims of Jammu and Mirpur-Poonch regions refused to follow his lead.

Jammu, Mirpur, Poonch and Muzaffarabad then became the main centres of activity of the Muslim Conference. It continued its work in Kashmir as well under the leadership of Maulvi Mohd. Yusuf, the chief Mullah of Srinagar. His party came to be known as '*bakra*' (goat) party as against the '*sher*' (tiger) party of Sheikh Abdullah. But the central leader,

ship of the Muslim Conference now passed into the hands of Punjabi speaking Muslims like Chaudhary Ghulam Abbas and Sardar Mohd. Ibrahim.

Ch. Gulam Abbas is the ablest of the Muslim Conference leaders and has been dominating it since the split. He was a practising lawyer at Jammu before he joined the Muslim Conference. Being a strong man of firm convictions, he courted arrest several times. He had been arrested before the Pakistani invasion began but was released by Sheikh Abdullah's Government and allowed a safe passage to Pakistan. He is now the guiding figure behind the Muslim Conference which continues to be the most representative organisation of the Muslims of the Pakistan-held areas of the State.

Sardar Mohd. Ibrahim who was appointed President of the so-called Azad Kashmir Government after the cease-fire, hails from Poonch. The state had paid for his higher education. He was sent to England from where he returned as a barrister. He was then appointed public prosecutor at Srinagar. But he found the salary too meagre and the lure of politics too attractive. So he gave up the job and entered the Muslim Conference. He organised the rebellion in Poonch with the collaboration of Pakistani raiders. He was then boosted up by Pakistan as leader of the Muslims in the State as against Sheikh Abdullah.

Under the new leadership the Muslim Conference became a branch of the All India Muslim League. It began to support the demand for Pakistan openly and wanted the whole of Jammu & Kashmir State to be a part of Pakistan. Finding the chances of accession of the State to Pakistan by pressure tactics from within fading away due to the resolute stand taken by Mr. Mehar Chand Mahajan who became Prime Minister of the Jammu & Kashmir State early in October 1947 the Muslim Conference leaders, in collaboration with the Pakistan government, began to plan for a massive invasion of the State from Pakistan to grab it by force.

The failure of the Pakistani invasion to achieve its main objective of occupying Kashmir valley and Jammu and pre-

senting the world with a *fait accompli* sealed the fate of the Muslim Conference in the State for the time being. Most of its top leaders either fled to Pakistan or changed their loyalty overnight like their counterparts of the Muslim League in the rest of India. Most of the Pakistani officials of the State in spite of their known anti-India activities were, however, not only retained in service but were also given lifts by Sheikh Abdullah's Government.

These elements have since formed new organisations like the Political Conference and the Plebiscite Front to carry out the objective of the Muslim Conference. Of late, a new organisation, Jamaat-i-Islami, which stands for establishing Islamic rule over the whole of India has become very active in the State. Hundreds of its whole-time workers have spread themselves in the valley and adjoining areas and have made every mosque in the State a centre of their anti-India and anti-Hindu activities.

Those of the Muslim Conference leaders who fled to Pakistan became, for a time, the main pillars of the so-called Azad Kashmir Government with Muzaffarabad as their headquarters. But they were soon disillusioned by the dictatorial attitude of Pakistan Government which wanted to treat the so-called Azad Kashmir Government as just a puppet Government. In course of time they were chucked off one by one. With the coming of the coup which established the military dictatorship of General Ayub in Pakistan, the last semblance of popular basis for the so-called Azad Kashmir Government was dropped and a military regime headed by Mr. Khurshid was installed at Muzaffarabad as well.

#### THE NATIONAL CONFERENCE

The National Conference, the present ruling party in the Jammu & Kashmir State, was born in 1939 when the Muslim Conference in its annual session at Sopore on the Wular lake decided by a majority vote to change its name from 'Muslim' to "National" and admit non-Muslims also into it.

The decision was taken on the initiative of Sh. Abdullah who now became the President of the National Conference.

This sudden change in the name of the organisation was motivated mainly by the desire of Sh. Abdullah to secure the moral and material support of the Indian National Congress and of the Indian Nationalist Press in his fight against the Dogra Raj. He had been thinking in this direction since 1937 when Congress was returned to power in 8 out of 11 British Indian Provinces including the overwhelmingly Muslim North Western Frontier Province. The Muslim League had been badly trounced in the Punjab where it could secure only one out of nearly 90 Muslim seats in the Punjab legislature. Khan Abdul Gaffar Khan who visited Kashmir soon after also influenced him. He realised that power in whatever way it came into popular hands would mean power for Muslims who constituted above 90% of the population of the valley. It, therefore, did not matter very much if their organisation was called Muslim Conference or National Conference so long as the objective remained the same. The only change it meant in practice was a greater stress on the denunciation of the Dogra Maharaja's rule in political and economic rather than communal terms. Anti-Dogra and anti-feudal slogans replaced the anti-Hindu slogans.

A number of leading Indian Communists, who had fled to Kashmir in the wake of anti-Communist steps taken by the Government of India after the declaration of War against Nazi Germany in 1939, also helped in bringing about this change in nomenclature. They came to occupy important places in the counsels of this party from its very inception.

The strong anti-communist feeling that grew in the rest of India after the sudden *volte face* of the Communist Party of India in the wake of Hitler's invasion of Russia in 1941, and the treacherous role played by the Indian Communists during the Quit India Movement of 1942 did not affect the communists working through the National Conference in Kashmir because Quit India Movement was never extended to that State. Furthermore, their advocacy of the right of self-



determination to the point of secession for the various linguistic regions of India and their stress on a Congress-League compromise on that basis ideally suited Sh. Abdullah's aspiration to become the *de-facto* Sultan of Kashmir Valley. So he began to place more and more reliance on the Communists for providing a progressive ideological basis for the achievement of his personal ambition. The subsequent absence of the Congress leaders from the Indian political scene because of their arrest and imprisonment made the Communist task very easy. They began to play the role of friends, philosophers and guides of Sheikh Abdullah and his National Conference.

The New Kashmir manifesto which was adopted by the National Conference as a statement of its political and economic goals in 1945, is known to have been master-minded by leading Communists like B.P.L. Bedi and Dhanwantri who later became the centre of Communist activities in Jammu under the aegis of the National Conference. *Apart from its Communist overtones*, Sh. Abdullah in an introduction to it paid rich tribute to Soviet Russia for demonstrating "before our eyes, not merely theoretically but in the actual day to day life and development, that real freedom takes birth only from economic emancipation".

With the change of Government in Britain and the arrival in 1946, of the British Cabinet Mission for a final round of talks with Indian leaders regarding British withdrawal from India, Sh. Abdullah, on the advice of his Communist friends, decided to make a direct approach to the British Government for handing over power in Kashmir to him on the plea that the Treaty of Amritsar by which the Dogra rulers had obtained *de jure* control over Kashmir, would have no validity after the British had left. The Quit Kashmir Movement that he launched was, therefore, hailed by the C.P.I. as "the biggest, the largest, the most bloody and the most glorious struggle". It considered it as a model for the rest of India.

The Congress leadership, which had not been consulted at all before this Movement was launched, was put in a very

embarrassing position. It could not support it. Only Pt. Jawahar Lal Nehru who claimed to be an expert on the Kashmir situation rushed to the rescue of Sh. Abdullah whose sympathy and support he wanted to retain at any cost. But the State Government did not permit him to enter the State and arrested him at Kohala bridge when he tried to force his way. The arrest of Pt. Nehru at Kohala on the eve of his appointment as Vice-President of the Interim Government gave world wide publicity and respectability to the Quit Kashmir Movement which had virtually fizzled out by then.

Incidentally this Kohala incident made Pt. Nehru an inveterate enemy of Maharaja Hari Singh who had the audacity to order his arrest when he was shortly going to be the head of the Indian Government. He began to nurse a personal grouse towards him which fact has contributed more than anything else to complicate the Kashmir Problem from its very inception. This personal vendetta of Pt. Nehru against the Maharaja was systematically exploited by Sh. Abdullah to lead the Government of India from one wrong step to another till it made a complete mess of the Kashmir problem.

The real gainers from the Quit Kashmir Movement were the Communists as a party and Bakshi Ghulam Mohammed as an individual. While Sh. Abdullah and other leading members of the National Conference were in jail, Bakshi Ghulam Mohammed, who had escaped to India acted as the contact-man of the National Conference there. An under-matriculate lorry agent by profession who later joined Kashmir branch of Gandhi Charkha Sangh as a petty employee, Bakshi Ghulam Mohammed was little known outside till then. But he had made his mark in the National Conference as the ring leader of the rowdies of Srinagar who acted as storm troopers of Sh. Abdullah in the numerous orgies of violence that formed an essential part of his political campaigns. The services he rendered to Sh. Abdullah and the National Conference in this capacity raised his stock and made him No. 2 in Sh. Abdullah's Government after the latter gained power. The contacts that he developed with

Indian Press and personalities during that period have stood him in good stead particularly since the downfall of Sh. Abdullah. Within the State, the vacuum created by the arrest of Sh. Abdullah and his top lieutenants was filled by the Communists. Mr. G.M. Qarra assumed the leadership of the underground movement and Mr. G.M. Sadiq stayed at Lahore presumably to maintain liaison with the Indian party. Since all the funds were at the disposal of Mr. Qarra he could push up like-minded workers who organised indoctrination cells inside jails as well.

The announcement of Mountbatten Plan on June third, 1947, about Partition and British withdrawal from India by August 15, gave a further fillip to Communists working through the National Conference. The C.P.I. stand about the right of self-determination to each linguistic "nationality" fitted very well with Sh. Abdullah's stand for freedom before accession. As a result thereof he was further drawn towards the Communists. The fact that he chose Mr. Sadiq in September, 1947 to negotiate with the Pakistan leaders the terms on which he might have preferred accession of Kashmir to Pakistan, showed the reliance he put on his Communist or pro-Communist colleagues and his aversion to outright accession of the State to India.

This line-up of Sheikh Abdullah with Communists during the Quit Kashmir Movement and after, set the pattern of his thinking and action before and after he was put in power by Pakistani invasion of the State in 1947. The idea of an independent Kashmir which he later tried to give effect to had been planted and nursed in his mind by his Communist mentors.

Sh. Abdullah was particularly dependent on the Communists in the Jammu region. He had lost all Muslim following in Jammu since his conversion of the Kashmir Muslim Conference into National Conference in 1939. The Hindus of Jammu were scared by the anti-Dogra basis of his National Conference and his Quit Kashmir Movement which was mainly directed against the Dogra Hindus of Jammu.

Naturally, therefore, he had no followers worth the name in Jammu at the time of partition excepting Comrade Dhanwantri and his small Communist cell which included G.L. Dogra, who later became the only Dogra Minister in Sh. Abdullah's cabinet, and a few others. But they had no popular backing at all in Jammu which had little of political awakening or activity till it was rudely shaken out of its medieval stupor by the developments of 1947, which put Sh. Abdullah and his much hated National Conference in power in Jammu as well.

The efforts to extend the activities of the National Conference in Jammu through Comrade Dhanwantri and his comrades, did not prove very successful. Its genesis, growth and ideological and emotional moorings made it suspect in the eyes of the people of Jammu who looked upon it as something alien and abominable. Its equivocal stand about accession to and integration with the rest of India even after the Government of India had accepted the lawful accession of the State and Indian army had landed in Kashmir to save it from Pakistani marauders further doomed the chances of National Conference gaining acceptance in Jammu whose people ardently stood for full integration with the rest of India like other acceding states. They needed a political organisation of their own which could reflect their aspirations and represent their view point in the changed situation.

#### JAMMU & KASHMIR PRAJA PARISHAD

This need was met by the birth of the Praja Parishad in Jammu in November 1947. Since there was no tradition of broad-based political activity on democratic basis and since most of the known political figures were mortally afraid of doing anything that might displease Pt. Nehru, who had put implicit faith in Sh. Abdullah, it fell to the lot of a few ardent young men to bell the cat by launching the new organisation.

Mr. Hari Wazir, who later joined the Indian army as a Commissioned officer and died as a martyr in defence of his

homeland against Pakistani invaders, became the first President of the organisation. The main object of the new organisation was to achieve full integration of Jammu & Kashmir State with the rest of India like other acceding States and safeguard the legitimate democratic rights of the people of Jammu from the Communist dominated anti-Dogra Government of Sh. Abdullah.

The formation of Praja Parishad was welcomed by the masses of Jammu and it began to spread very fast. Soon after a number of older people like Pt. Prem Nath Dogra who had been watching the situation and had become thoroughly disillusioned about National Conference joined the Praja Parishad which became the most powerful and popular democratic force in Jammu comparable to the National Conference in Kashmir Valley.

*Gilgit, Baltistan and Ladakh, sparsely populated and cut off from the rest of the State by high mountain walls as they are, remained blissfully ignorant of and indifferent to these socio-political rumblings in Kashmir and Jammu till they were awakened to the changed situation by the onrush of Pakistani invaders. With the establishment of Pakistani control over Gilgit and Baltistan, the momentary excitement thus created came to an end. Pakistan Government has seen to it that they remain unaffected by political rumblings in the rest of the Pakistan.*

The state of affairs in Ladakh has been different. The people of Ladakh being predominantly Buddhist, the Pakistani invaders treated them as 'Kafirs' like the Hindus and indiscriminately destroyed and desecrated their monasteries. No wonder, therefore, that they actively co-operated with the Indian Army to throw the Pakistani invaders out. But they were soon disillusioned by Sh. Abdullah's Government with its open pro-Muslim bias. The result was a pathetic outcry among the people of Ladakh who represented to the Government of India through the Ladakh Buddhist Association that they had nothing in common with Kashmir except the common crown which was no more. They, therefore, requested the Govern-

of India to take Ladakh under its direct control.

This drew the attention of the Government of India to Ladakh and Sh. Abdullah's Government also began to take greater care of the susceptibilities of the people there. Kushak Bakula, the incarnate Head Lama of Spituk Gumpa and its affiliated monasteries was persuaded to join the National Conference and was put in charge of Ladakh affairs as a Minister of State in the Jammu & Kashmir Government.

The emotional background, ideological affiliations and political developments in the different regions of the State as discussed above have been the determining factors in the Kashmir situation since 1930 when organised political activity began in the State in the name of Muslim Conference. They provide a background to the Maharaja's prolonged indecision about accession and the circumstances that ultimately forced his hands to accede to India. These have to be constantly kept in mind while searching for a lasting settlement of the Kashmir problem which has since got more and more complicated by the internal and external developments during the last fifteen years.

## THE MAHARAJA'S DILEMMA

The growing political consciousness in the different linguistic and cultural groups of the population of the State and the resultant separatist tendencies coupled with the extent and diversity of its territories would have led, sooner or later, to the dissolution of this medieval creation of Maharaja Gulab Singh. But that might have been a slow and peaceful process as in the case of Hyderabad State. The pace of events in Jammu & Kashmir State, however, was hastened by the circumstances leading to and following the partition of India.

The Mountbatten plan which propounded the principle of partition and laid down the procedure to give effect to it, placed the Jammu & Kashmir State in a very difficult position. Though theoretically it conceded an independent status to all the states after the lapse of British paramouncy, it advised them in their own interest as also in the interest of the new dominions of India and Pakistan to join one or the other of them before 15th of August, the dead line for British withdrawal. The geographical contiguity was laid down as the main factor guiding their choice of the dominion for accession. For most of the states except those few which were directly or indirectly in league with Pakistan, the choice was obvious. But that was not the case with Jammu & Kashmir State which was geographically contiguous to both. Some of its parts had close social and cultural ties with India while others had closer ties with Pakistan. The majority of its population taken as a whole was Muslim while the ruler was a Dogra Hindu. Its position, therefore, was very unenviable.

There were three courses open to the State. It could

accede to India or to Pakistan or remain independent. Mr. Jinnah claimed Kashmir for Pakistan on the ground of its being a Muslim majority unit contiguous to Pakistan. In fact he was so confident about it that he told a deputation of the Jammu & Kashmir Muslim Conference that "Kashmir is in my pocket".

Indian leaders were naturally interested in retaining Kashmir in India. But instead of basing their claim on the natural ground of its being an integral part of India which could not be affected by the partition agreement which concerned only British India, they banked on the support of the Kashmiri Muslim followers of Sheikh Abdullah who held the balance between the Hindus who wanted the state to accede to India and the supporters and followers of the Muslim Conference who preferred Pakistan. Therefore, they, especially Pt. Jawaharlal Nehru, wanted to appease Sheikh Abdullah by putting him in power before accepting the accession of Kashmir so that India could be sure of the support of Sheikh Abdullah and his Muslim followers. This stand of the Indian leaders was in keeping with their declared policy that the decision about accession should ultimately rest with the people and not with the rulers of the States.

This put the Maharaja on the horns of a dilemma. He did not want to accede to Pakistan and his preference was definitely for India. But the condition of putting Sheikh Abdullah in power before accession of his State to India could be accepted was unpalatable to him. Sheikh Abdullah had made no secret of his hostility to the person and Government of the Maharaja. He and his National Conference wanted him to quit Kashmir bag and baggage before they could give their opinion about accession authoritatively. Accession to India, therefore, meant to him a sort of voluntary abdication of his authority over Kashmir without any definite guarantee that Sheikh Abdullah and his followers would decide to accede to India even after obtaining full power. On the other hand, the Pakistan Government began to offer him alluring terms if he joined Pakistan. The Maharaja was, therefore, between the



devil and the deep sea. Accession to India meant immediate transfer of power to Sheikh Abdullah without any definite guarantee about the future of the State. His sentiments and patriotism stood in the way of accession to Pakistan. So he deferred decision.

The fact that under notional division, the district of Gurdaspur including the rail head of Pathankot which provided the only road link between Jammu and East Punjab, had been included in West Pakistan added to Maharaja's difficulties in making up his mind. By delaying the announcement of the Radcliff Award, which awarded Gurdaspur to India, by two days—the Award was made public on 16th instead of 14th of August—Lord Mountbatten too contributed to Maharaja's indecision.

Actually Lord Mountbatten far from being neutral in the matter of accession of Jammu & Kashmir State to India or Pakistan wanted the Maharaja to accede to Pakistan. The Maharaja lacked courage to resist his pressure. This added to his indecision.

As time passed the third course of remaining independent began to appeal to him. His Prime Minister, Pt. Ram Chandar Kak, was an enthusiastic supporter of this idea. The author discussed the question at length with him. He argued that Jammu & Kashmir being a Muslim majority state, Pakistan had a logical claim to it on the basis on which India had been partitioned. Accession to India, he said, would be resented by Pakistan and there would be trouble in Muslim majority parts of the State. Accession to India would mean putting Sheikh Abdullah in power. He doubted Sheikh Abdullah's bonafides and sincerity. On his assertion being challenged he warmed up and said, "I too am a Kashmiri. I know Sheikh Abdullah too well. His past antecedents and present politics if studied realistically cannot warrant any other conclusion."

All this sounded quite plausible. But what he could not explain convincingly was the way the independent status of Kashmir was to be maintained in face of a hostile Pakistan and an indifferent India. His plea was that Kashmir should

remain independent for some years till India became strong and her leaders more realistic in their policies. That, he thought would be the time to accede to India. But the weight of these arguments was taken away by his close association with enemies of India like Nawab of Bhopal whose Home Minister, Mr. Shoaib Qureshi, frequently visited Srinagar as his guest in those days. The author pointed out to him that the example of independent Kashmir would strengthen the separatist and Pakistani elements in Bhopal and Hyderabad. But his personal ambition and distrust of Pt. Nehru stood in the way of his appreciating this point of view. He was, however, not able to get much support from the Hindus of the State for this policy of independence. But the Muslim conference, strangely enough, supported this move. May be, it wanted to prevent Kashmir from acceding to India till Pakistan became free from internal problems created by partition and could turn her attention to Kashmir.

The net result of this conflict and confusion in the mind of the Maharaja and his Prime Minister was that Kashmir State had not decided about accession till the eve of partition day. The dismissal of Pt. Ram Chandra Kak on August 10, did create some hope of immediate accession to India. But it remained unfulfilled. The Maharaja and his advisers failed to take the decision even then. At the eleventh hour they decided to send telegraphic requests to Mr. Jinnah and Lord Mountbatten for Stand-Still agreements. Jinnah at once accepted the request and a Stand Still agreement with Pakistan was signed. But the Indian Government started protracted negotiations which remained incomplete till the date of Pakistani invasion.

Pakistan could not remain content with a Stand-Still agreement. She wanted to grab the whole State. The Stand-Still agreement, however, removed her anxiety about immediate accession of the State to India for she was not in a position just then to exert her full pressure. It gave her time to stragulate Kashmir economically and militarily before delivering the final blow.

This failure of the Kashmir State to accede before the 15th of August is responsible for much of the tragic drama that has been enacted there since then. There can be no doubt that accession of the State to India before that fateful date would have simplified the issue. Most of the pro-Pakistan Muslims of the State would have surely gone over to Pakistan and their place might have been taken by the Hindu refugees from the adjoining areas of West Punjab and North Western frontier Province. Such a development, whatever its merits or demerits, would have been in line with what had happened in the princely States of Punjab and Rajasthan and would have been taken as the natural result of the unnatural partition of the country. Actually lakhs of Hindus passed through Jammu & Kashmir territories during their forced exodus from West Pakistan to East Punjab. Many of them, particularly those from the districts of Hazara, Rawalpindi and Peshawar, were keen on settling in the Kashmir valley because of the climatic affinity.

That would have been the seal of finality on the resultant alignment and there would have been no Kashmir problem such as has been plaguing Indo-Pak relations ever since. But that was not to be.

It has become customary to put the blame for the failure of Jammu & Kashmir State to accede to India in time on the Maharaja and his Kashmiri Prime Minister, Pt. Kak. That is partly true. But it must be realised that the Maharaja was after all an ill-informed prince who was pampered and misguided by his foolish advisers one of whom was a senile and opium eating Sadhu, Sant Dev by name. He came to have a strong hold on the Maharaja during those decisive days.

Pt. Kak had his own ambitions and fears. He was convinced that accession to India so long as Pt. Nehru, his Kashmiri compatriot, was Prime Minister at New Delhi would mean transfer of power to Sheikh Abdullah and his own exile into wilderness. Furthermore, he was under planned pressure from British die-hards and the rulers and premiers of States like Bhopal and Travancore which were then toying with the

idea of independence. The unique geo-political situation of Jammu & Kashmir made it an ideal state to give the lead to other princely states in asserting their independence which would have led to Balkanisation of India as desired by the hostile British officials and politicians. His British wife and her British relations who then occupied high civil and military posts in the State might also have exerted their influence in the same direction.

But it would be wrong to give too much importance to Pt. Kak in the matter. He was after all a servant and not the master of the Maharaja. His influence and advice proved effective only because the Maharaja's own mind was also conditioned that way. He had a strong feeling that the Indian Prime Minister, Pt. Nehru, wanted to humiliate him by forcing him to submit to Sheikh Abdullah about whose bonafides he had strong and valid doubts. Sh. Abdullah on his part banked on Pt. Nehru to secure power for himself. He, therefore, did not feel the necessity of winning the confidence of the Maharaja.

Pt. Jawahar Lal Nehru, as it was well known, was deeply interested in securing Kashmir's accession to India because of his emotional attachment with it as his ancestral homeland.

But he had pinned his hopes on Sh. Abdullah for whom he had developed a strange infatuation rather than on the Maharaja and his Government. He had nothing but contempt and hatred for the Maharaja and his Prime Minister, Pt. Kak, who had the temerity to order his arrest on the eve of his appointment as head of the Interim Government in 1946. Vindictive by nature, he was more keen on humiliating the Maharaja than on understanding his point of view, giving him friendly and sympathetic guidance and helping him in arriving at a different decision.

Actually on the basis of the policy announced by the Government of India, the acceding princes had to accede only in respect of three subjects—defence, foreign affairs and communications—without interference in their sovereignty in other respects. Had Sardar Patel, who as States Minister had persuaded hundreds of princess to accede to India before 15th

August inspite of the machinations of the Political Department and subtle pressure from Mr. Jinnah through his declaration that the Muslim League would respect the independence of the states falling in Pakistan, got a free hand in regard to Jammu & Kashmir he could have surely allayed the fears of the Maharaja and persuaded him to accede in time. But since Pt. Nehru claimed to be a specialist on Kashmir and did not like anybody else in his party to interfere with it, the Sardar never took that personal interest which marked his handling of other princely states. Perhaps the Maharaja too was obsessed by the fear that in respect of Jammu & Kashmir only Pt. Nehru's will would prevail. So he too did not turn to Sardar Patel for guidance and help even though he was known to have tremendous respect for the latter. Thus the issue of accession of Jammu & Kashmir to India was made more difficult and complicated by the inter-play of personal factors.

The excessive and exclusive interest of Pt. Nehru in Kashmir and Sh. Abdullah, which was more subjective than objective, contributed more than any other factor in the creation and shaping of the Kashmir problem which in more sense than one has become a truly Nehru problem. And it is very doubtful whether it will be solved so long as he continues to have his paternal interest in it.

## PAKISTAN'S AGGRESSION

The dismissal of Prime Minister Kak on the 10th of August had sent a wave of consternation in the Pakistani circles in Kashmir. But they felt reassured when they found that the dismissal of Pt. Kak was not followed, as expected, by accession to India. The Stand-Still agreement with Pakistan, which followed, gave them great relief. They thought that the worst was over and that the State would fall into the lap of Pakistan in due course.

But their hopes vanished when the Maharaja's Government vigorously protested to the Pakistan Government against the hoisting of Pakistan flag on post offices in the State, which Pakistan thought had come under her control according to the Stand-Still agreement, because Jammu & Kashmir State was included in Sialkot Postal circle in undivided India. The Maharaja's Government even went a step further. It requested the Government of India to take charge of the Post and Telegraph administration in the State. This showed the bent of mind of the Maharaja.

Pakistan Government and the Pakistani elements in the State now began to devise other methods for bringing the state into Pakistan. The pressing internal problems that came in the wake of the partition and the situation in the North Western Frontier Province, where the Congress party was still in power, did not permit the Pakistan Government to put direct pressure on state just then. So steps were taken to put indirect pressure. It took three forms—economic blockade, Pakistani propaganda among the Muslim population and officials in the State to prepare them for a rising from within and

organised raids into the western districts of the State from without. Side by side, preparations began to be made in the tribal areas as also in the districts adjoining the Kashmir State for a direct assault at the opportune moment which it was thought, could come in winter when the main lines of communication between Jammu and Srinagar would get blocked due to heavy snow fall on the Banihal pass.

Economic blockade was quite easy. Though contiguous to both the dominions, all the main arteries of trade between the State and outside world passed into Pakistan. Jammu was linked by rail and road with Sialkot and Srinagar was linked with Rawalpindi and Abbotabad by all-weather motorable roads. Most of the import and export trade of the State passed through these channels. All the necessities of life like salt, soap, sugar, cloth, food-grains, petrol and kerosene oil meant for Kashmir State used to be stocked in the markets of Rawalpindi and Sialkot from where they were sent to Jammu and Kashmir in motor lorries. The Pakistan Government stopped the movement of these goods into the State. The rail link with Jammu was cut-off. All the engines, bogies and the Muslim staff on the intermediary stations were removed one night to Pakistan leaving the Hindu staff to fend for itself. This naturally caused great hardship to the public and the State Government. Even the supplies for which payment had already been made were not delivered. Stoppage of the supply of petrol affected internal transport as well as military movement. The State Government protested against this breach of the Stand-Still agreement but to no avail. Even the motor lorries sent from Srinagar to fetch the supplies were confiscated by the Pakistani authorities.

Along with this economic blockade a virulent Pakistani propaganda was set on foot in the State. Parties of students of Islamia College Lahore and Aligarh Muslim University began to tour villages in the interior. The Muslim officials of the State and the Muslim personnel of the State police and armed forces were completely won over. Some of the high ranking Muslim military officers led by col. Adalat Khan, began

to work actively for insurrection from within. Others like Mian Abdul Rashid, senior Superintendent of Police in Jammu, Ch. Faiz Ullah, District Officer of Baramula, and many others began to incite the civil population. Arms and ammunition began to be smuggled in large quantities from Pakistan into the State. Regular training in the use of fire arms began to be given in the mosques at Jammu, Srinagar and elsewhere.

To divert the attention of the authorities and disperse the State troops over large areas, raids were organised all along the western border especially in the Poonch area. The local Muslims were also incited to rise in rebellion in Poonch and Bagh areas.

These developments at last aroused the Maharaja out of his slumber and self-complacency. But it was too late. Thakur Janak Singh, on whom premiership had been thrust after Pt. Kak's dismissal, was too old and timid to initiate and carry out any policy at all. No Indian statesman wanted to risk his reputation by taking over the charge of the State as its Prime Minister at such a critical time. Continued absence of the National Conference leaders, then in jail, had left the field free for the Muslim Conference whose followers were aggressively pro-Pakistan.

The change in the policy of the State took two forms. In the first place Sheikh Abdullah and his associates were released from jail so that they might counteract the growing influence of the Muslim Conference. In the second place Mr. Justice Mehar Chand Mahajan who happened to be an old subject of the State was persuaded with great difficulty to become the head of the State administration and help it in weathering the storm that had already gathered.

The release of Sheikh Abdullah and the appointment of Mr. Mehar Chand Mahajan to the premiership early in October came as a shock to the Pakistanis, inside and outside the State. The leaders of Pakistan knew Mr. Mehar Chand Mahajan too well to under-estimate his strength and capacity. He was known to enjoy the support of the Indian Government as well. Further, being a subject of the State he knew its people



and territories too well to be easily hood-winked by Pakistani officers or selfish advisers of the Maharaja.

The first thing he did was to speed up negotiations with the Indian Government whom he requested for a liberal supply of arms and ammunition for the State troops. The Indian Government too had been forced to think realistically by reports about preparations in the tribal areas for an invasion of Kashmir. So they agreed to supply the necessary arms etc.

### THE PLAN OF INVASION

The Pakistan Government too, now free from other immediate and pressing problems created by the partition, became alert. They did not want to give Mr. Mahajan time to re-organise and strengthen the State's administration and defence. So they changed the programme of invasion. It was decided to begin the invasion in October. The plan as revealed by a senior Muslim officer of the 4th Jammu & Kashmir Infantry to a young Hindu friend of the author, who had been mixing up with him and other Muslim conspirators in the guise of a Muslim, was as follows :

1. Invasion of the State territories was to begin from Muzaffarabad and Jammu sides simultaneously between the 20th and 22nd of October so as to capture the cities of Jammu and Srinagar by Id-ul-Zuha which fell on the 25th of October in 1947.
2. Attempt was to be made on the life of the Maharaja at Srinagar on the 24th when he was to go in a procession to attend the Dasahara Darbar.
3. The Muslim personnel of the State army on the frontiers was to join the invaders and that of the garrisons at Jammu and Srinagar was to strike after the panic had spread.
4. The local Muslims at Srinagar and Jammu were to keep quiet till the invasion had well advanced to lull the authorities into a sense of security. They were to pre-

pare the ground for the victorious entry of the Mujahids, the warriors for religion.

5. In order to prevent any help from India from reaching the State the aerodrome at Srinagar was to be captured first. A column of invaders was to move along the foot of the Pir-Panchal range to secure the Shupian and Banihal passes leaving it to the other column to enter Srinagar.

Maps and charts were ready and everything was to be done according to plan. The news about the immediate invasion was confirmed by whispering talk among Muslim officials to remember October, 22. Some of them even advised their Hindu friends to pack off to India if they wanted to save their lives.

The Jammu & Kashmir Government had no knowledge of this planned massive invasion from Abbotabad side. Its hands were full with Pakistani raids in the Poonch area which had become a major threat to the security of the State. The stoppage of all supplies including petrol by Pakistan had created a very serious situation in regard to internal mobility of the limited defence forces which were dispersed over a long frontier.

While trying to cope with the situation as best as it could, the State Government tried to persuade Pakistan through diplomatic channels to honour its commitments under the Stand-Still Agreement. Failing to get a positive response to its numerous communications the Prime Minister of Kashmir sent a rather strongly worded telegram to the Governor General of Pakistan, Mr. Jinnah, on October 18, 1947. In the course of this telegram Mr. Mahajan said:

“Finally, the Kashmir Government wish to make it plain that it is not possible to tolerate this attitude longer without grave consequences to life and property of the people which it is bound to defend at all costs. The Government even now hopes that you would personally look into the matter and put a stop to all the iniquities which are being perpetrated. If unfortunately this request is not heeded the Government fully

hope that you would agree that it would be justified in asking for friendly assistance and oppose tresspass on its fundamental rights.”

A cable was sent on the same day to the Prime Minister of U.K. apprising him of the situation, created by the influx of armed Pakistanis into Poonch area of the State and stoppage of all supplies. It added : “The policy of the Government has been to afford protection to the Muslim refugees about 100,000 of whom have been given safe conduct to their new abodes in Pakistan. On the other hand, a party of 200 State subjects sent from Rawalpindi at the request of the State has practically been wiped out and no non-Muslim from the State can pass through Pakistan. Railway service from Sialkot to Jammu has been stopped since August 15 without any reason. Protests only elicit promises which are never implemented. As a result of the obvious connivance of Pakistan Government the whole of the border from Gurdaspur side up to Gilgit is threatened with invasion which has actually begun in Poonch. It is requested that the Dominion of Pakistan may be advised to deal fairly with Jammu & Kashmir State and adopt a course of conduct which may be consistent with the good name and prestige of the Commonwealth of which it claims to be a member.”

The Governor General of Pakistan in a reply sent to the Maharaja of Kashmir on October 20, took no notice of the allegations made by Kashmir Government and instead made counter charges of repression by Dogra troops. But to lull the State Government into complacency it repeated an earlier suggestion made by it about a meeting of the representatives of the two governments to settle outstanding questions at an early date. Mr. Khurshid, then private secretary of Mr. Jinnah and now President of the so-called Azad Kashmir Government, was sent to Srinagar for the purpose.

While this exchange of telegrams was going on preparations were afoot at Abbotabad for a large scale invasion of Kashmir. A large number of soldiers and officers of the Pakistan army ‘on leave’ were deputed to organise and assist about

five thousand tribals that had been assembled there in the name of Jihad—holy war. The invasion was to be led by Major General Akbar Khan of the Pakistan army who was given the name General Tariq after the name of the Arab conqueror of Egypt.

As if to create an excuse for the personnel of regular Pakistan army taking part in the invasion a telegram was sent by the Foreign Minister of Pakistan to the Prime Minister of Jammu & Kashmir on the October 21, which said, "Serious anxiety regarding the safety of their families is being felt by Pakistan military personnel whom it is exceedingly difficult to reassure in absence of any clear reports or assurances by you."

Before a reply to this telegram sent by the Prime Minister of Kashmir on October 22, reached the Pakistan Foreign office, the massive Pakistani invasion of Kashmir had begun.

### THE INVASION

The tribal horde, armed and supported by the Pakistan Government and led by officers of the Pakistan army that entered the State from Hazara district in the N. W. F. P. along the Abbotabad-Muzaffarabad—Domel-Srinagar road on October 22, formed the spearhead of the final and the biggest blow of Pakistan against the State. Its objective was Kashmir valley and the capital city of Srinagar. Almost simultaneously new thrusts were made all along the Kashmir-Pakistan border including Gilgit. These other thrusts did not get much publicity because they were directed against comparatively little known though strategically equally important parts of the State. They ultimately succeeded in gaining their objectives in Gilgit, and the Western districts of the State. But their master plan to occupy Srinagar and Jammu simultaneously and present the world with a *fait-accomplis* before any outside help could come to the State was foiled by the timely arrival of air-borne Indian troops in Srinagar and by the popular resistance put up by the people of Jammu.

In order to appreciate the magnitude of the threat and the success it achieved, one should have a clear picture of the circumstances which made it possible. The Kashmir-Pakistan frontier is about 500 miles long, a major portion of which is quite unnatural or ill-defined. Beginning from near Pathankot it runs along the districts of Sialkot, Gujerat and Jehlam of the West Punjab; then turning North it runs along the Jehlam up to Kohala at which point that river leaves the State to form its western boundary. From Kohala onwards this frontier runs along the Hazara district of the North Western Frontier Province, and then touches the tribal area of Yagistan and the frontier state of Chitral, which had already acceded to Pakistan.

During the British regime the State had not to worry about this long frontier. The prestige of Dogra arms established by Maharaja Gulab Singh coupled with British protection was enough to keep in check the turbulent elements within and without the State. The defence of the Northern frontier of the State used to be a joint responsibility of the British and the State troops stationed in the Gilgit cantonment. The ruler of Chitral owed allegiance to the Maharaja of Kashmir as well. But with the disappearance of the protecting hand of the British and the establishment of a hostile and aggressive state like Pakistan along this long frontier, the problem of defence was bound to become difficult for Jammu & Kashmir.

The problem was made all the more difficult by the nature and affinities of the people inhabiting both sides of the Western frontier. The people of Mirpur-Poonch area belong to the warlike Rajput and Jat tribes. They have close social, economic and religious ties with the inhabitants of the adjoining districts of Jehlam, Rawalpindi and Hazara in Pakistan. They had been converted to Islam during the Mughal times. Many of them wanted to be reconverted to Hinduism during the twenties of the present century. But the conservatism of Brahmins and Hindu Rajputs did not allow such efforts to succeed. During the thirties they came under the influence of

the Muslim Conference. The politics of the adjoining districts of Jehlam and Rawalpindi also began to influence them. The result was that most of them became supporters of Pakistan after its establishment. Many of them being ex-service men possessed fire arms and were adept in their use. It was, therefore, easy for the Pakistani agents to instigate them to rebel against the authority of the State.

The armed forces of the State which had to defend this long frontier, as also to meet the threat of internal uprisings were quite inadequate to meet the situation. The strength of the State Army was nine infantry battalions, two mountain batteries and one cavalry squadron. The two mountain batteries were retained by the British Indian Government after the end of the Second World War because they had given a very good account of themselves during the war. Of the infantry battalions three, the 2nd, 4th, and 6th J. & K. infantries, were mixed—half Hindu Dogras and half Muslims from Mirpur and Poonch areas. These battalions had been spread all long the frontier. At the time of invasion the mixed 4th battalion was in charge of the Muzaffarabad—Kohala sector, the 2nd of a part of Mirpur-Poonch sector and the 6th had been ordered to proceed to Gilgit to assist Brigadier Ghansara Singh who was appointed military governor of that region after the withdrawal of the British. Srinagar cantonment at the time of invasion had only one company of the 4th infantry battalion besides the Maharaja's personal guards.

The State troops were efficient and brave. But they were ill-equipped. Even the quota of arms and ammunitions allotted to the State had not been obtained in full for the last two years prior to the invasion. The Pakistan Government had withheld all supplies meant for the State forces after the partition. The Indian Government which had been approached for arms and ammunitions had agreed to supply them, but none had been sent till the fateful day of invasion. To crown it all, the loyalty of the Muslim personnel of the armed forces was doubtful. Information had reached the State authorities about plans of sabotage and desertion prepared by Muslim

officers of the State army in collaboration with Pakistan authorities. Their names had been submitted to the Maharaja and he had been requested to disarm and disband them in the interests of security of the State. But the State Government did not, and perhaps could not, do this because they had no reserves and they feared mutiny. Colonel Narain Singh who commanded the 4th battalion in charge of Kohala-Muzaffarabad sector was, however, warned to remain alert and careful about the Muslim personnel. But Narain Singh, who had commanded that battalion in the Burma campaign, expressed his full faith in his Muslim soldiers and officers. He had to pay a heavy price for this self-complacency.

In view of these circumstances the rapid advance of Pakistani hordes after they had once broken through the outer defences should cause to surprise. Their main column entered the State at the dead of night between 22nd and 23rd of October, 1947. The Muslim personnel of the State pickets joined hands with them. They killed their Hindu comrades in their own tents and began to lead the convoy of motor lorries supplied by the Pakistan Government for carrying the invaders. They occupied the strategic Krishanganga bridge without much difficulty and entered the town of Muzaffarabad without firing a shot. The district officer was taken by surprise in his own house and shot dead in the presence of his wife and children for refusing to shout 'Pakistan Zindabad'. A few of them simultaneously crossed over to Domel, the confluence of the Jehlam and the Krishanganga, through a suspension bridge. The Muslim pickets there joined hands with them and Colonel Narain Singh was shot dead in his own tent by his own Muslim sentinel in the early hours of the 23rd morning. The occupation of Domel brought both the roads leading to Srinagar from Rawalpindi and Abottabad under the control of the invaders. Thus their supply lines became secure.

The road to Srinagar now lay open. The garrison guarding the Kohala bridge finding itself sandwiched between the hostile forces from across the bridge and those coming from Domel side made a hasty retreat towards Poonch. It succeed-

ed, however, in taking with it about ten thousand Hindus and Sikhs living in the Bagh area, to Poonch town in safety.

### THE GALLANT BRIGADIER

The raiders occupied Garhi the same day and started their advance towards Uri on the 24th. The few retreating Dogra troops resisted them at every step. But the odds against the defenders were heavy. Brigadier Rajendra Singh, the Chief of the staff of the state army, then came forward to command the troops in person. He had orders from the Maharaja to fight till the last man to defend a bridge near Uri and stop the advance of the enemy.

Brigadier Rajendra Singh rose to the occasion and maintained the prestige of Dogra troops. He stemmed the tide of enemy advance near Uri for two days. But some of the raiders led by Muslim soldiers of the State army managed to out-flank the Dogra troops. They were able to put the Mahura powerhouse, which supplies electricity to Srinagar, out of order on the night of the 24th, and then attacked the State troops led by Rajendra Singh from behind. Rajendra Singh, like a gallant soldier that he was, fought the enemy to the bitter end. He and all his 150 men were cut to pieces in this action. But he and his colleagues will live in history like the gallant Leonides and his 300 men who held the Persian invader at Thermopylae.

### THE MAHARAJA'S S.O.S.

The reports from the front, particularly the capture of Mahura Power House which plunged Srinagar into darkness, sent a wave of consternation in the people and government at Srinagar. The Maharaja who held the Dassehra Durbar and parade as usual on the 24th afternoon sent an urgent appeal for help to the Government of India. At the same time steps were taken to disarm the Muslim personnel of the garrison at Srinagar and mobilise patriotic youth to act as a second line



of defence till reinforcement from India arrived.

The leaders of the National Conference including Sheikh Abdullah were even more scared. They could not depend on their followers, once the Pakistani invaders moved in. They could turn Muslim Leaguers overnight. The Sheikh had already sent his family to Indore for safety. He himself slipped away to Delhi.

Before taking any action on the Maharaja's requests for help the Government of India decided to send Mr. V.P. Menon to get first hand information. He flew to Srinagar on the 25th of October. He soon realized the desperateness of the situation. The invaders after overcoming the gallant resistance of Brigadier Rajendra Singh had reached Baramula, the district headquarters at the entrance of the valley, where they were welcomed by Ch. Faiz Ullah, the Deputy Commissioner of the district, who was in turn appointed governor of the area by the invaders. Had they continued their advance they would have reached Srinagar in a day's time. Mr. Menon, therefore, advised the Maharaja to leave immediately for Jammu with all his valuable possessions to be out of reach of the Pakistani invaders. This was a timely and correct advice because the aid could be sent from India only after the Maharaja had acceded to India by signing the instrument of accession. That he could not have done, if he had fallen in the hands of Pakistani invaders.

The Maharaja left Srinagar for Jammu that very night and Mr. Menon and the Kashmir Premier, Mr. Mahajan, flew to New Delhi early next morning. The Maharaja's departure for Jammu on the advice of Mr. Menon, who spoke for the Government of India, was later exploited by Sheikh Abdullah who declared that the Maharaja had run away and that he had 'Picked the crown of Kashmir from dust.' What was worse, Pt. Nehru who was supposed to know the true facts also repeated the same allegation against the Maharaja to lower him in the estimation of his own people and add grist to the anti-Maharaja campaign of Sh. Abdullah. That also proved his personal vendetta against the Maharaja.

## ACCESSION TO INDIA

On receiving a report from Mr. Menon the Government of India felt inclined to go to the rescue of the State. But it was felt that formal accession of the State must take place before any help could be sent. So Mr. Menon flew back to Jammu with the Instrument of Accession. He woke up the Maharaja who was fast asleep after a night-long drive from Srinagar. Mr. Menon has recorded in his famous book *Integration of States* that before going to sleep the Maharaja left instructions with his A.D.C. that "if I (Menon) came back from Delhi, he was not to be disturbed as it would mean that the Government of India had decided to come to his rescue and he should therefore be allowed to sleep in peace ; but that if I failed to return, that meant everything was lost, in that case his A.D.C. was to shoot him in his sleep".

The Maharaja at once signed the Instrument of Accession and also handed over a letter for Lord Mountbatten, the Governor General of India, informing him that it was his intention to set up an interim government at once and to ask Sheikh Abdullah to carry the responsibilities in the emergency with Mr. Mehar Chand Mahajan, his Prime Minister. It was out of sheer patriotism and solicitude for the safety of his people that the Maharaja agreed to submit to this pre-condition of the Indian Prime Minister.

Sardar Patel who in his anxiety for the State had been waiting at the aerodrome for Mr. Menon to return, was now prepared to go all out to save the State. But Pt. Nehru and Lord Mountbatten were hesitant. It was not before Mr. Mahajan, who knew that every minute counted if about a lakh of Hindus in Srinagar were to be saved from total annihilation, threatened to proceed to Karachi and surrender Kashmir to Mr. Jinnah to secure safety of its people, that Pt. Nehru's reluctance could be overcome. But before doing so he accepted Lord Mountbatten's suggestion to make the accession conditional on a plebiscite to be held in the State when the Law and order situation allowed.

While these hurried discussions were going on in Delhi on that fateful Sunday, the people of Srinagar were hanging between life and death. The report of Maharaja's departure for Jammu and the invader's occupation of Baramula spread like wild fire in the whole city casting gloom of death on all Hindus and an air of Jubilant expectation on pro-Pakistan circles. All ears were turned to the radios and all eyes towards the sky to hear the news of acceptance of accession and see the arrival of aid which could only come by air. But instead of news of help from Delhi reports began to spread that tribal raiders had been seen on the outskirts of the city. That was a signal for pro-Pakistan elements to come out in the streets. They started raising pro-Pakistan slogans. Stray looting of Hindu shops also began.

Just then news reached that accession had been accepted and that the Indian help will not take long in coming. Mr. G.C. Bali, the Police Chief, immediately made this fact known to the people of Srinagar by the beat of drum and warned the pro-Pakistan elements of dire consequences if they started trouble. It had quite a salutary effect and the 26th of October passed off peacefully.

Had Pakistani invaders marched into the city that Sunday everything would have been lost. Not a single Hindu would have survived. The author himself was in Srinagar that day. The problem might have taken quite a different turn. But fate conspired otherwise. The tribal hordes which had come more out of lure for loot and women than for anything else found the autumn atmosphere and beautiful landscape of Baramula together with rich prospects of loot and rape too absorbing to remember Mr. Jinnah's resolve to celebrate Id, which fell on October 25, in Srinagar. They converted every mosque and house in Baramula into a brothel and entertained themselves to their hearts content. Even the European nuns of the local mission hospital could not escape their bestiality.

As a result the Indian air borne troops when they flew into the valley in the morning of October 27 found that the Srinagar aerodrome was still safe. It was not to fall in the

hands of the invaders and Kashmir was to be saved. It was saved.

### KASHMIR SAVED

The "Operation Kashmir" and the lightening speed and efficiency with which it was conducted to save Kashmir from the ruthless Pakistani tribal-cum-regular army marauders, will ever remain a glorious chapter in the annals of the Indian army. The role of the Indian Air Force which air lifted Indian troops to Srinagar on October 27, was even more creditable. It was in a way unprecedented in the history of warfare. Lord Mountbatten who had been Chief of Combined Operations and Supreme Allied Commander South East Asia in the Second World War testified that in all his war experience he had never heard of an air lift of this nature being put into operation at such a short notice.

But the success of this air lift and the subsequent action in Kashmir was made possible by one basic fact of the failure of the invading hordes to capture the Srinagar aerodrome. This was mainly due to the dogged resistance of the Dogra troops who had been fighting against very heavy odds. Deserted and betrayed by their own Muslim comrades in arms, who acted as vanguard of the invading army, the Dogra troops had literally to fight for every inch to gain time for the expected succour to reach Srinagar before everything was lost. The example set by Brigadier Rajender Singh who will go down in the history of India as a great military hero, inspired every-one of them. They were still holding the main enemy column at Pattan, seventeen miles from Srinagar, when the first Indian troops landed at Srinagar. They, therefore, in a way played the most decisive role in saving Kashmir and checkmating the Pakistani design of presenting the world with a *fait accompli*.

The Dogras thus vindicated themselves and their ruler in the eyes of history. Those who had ruled the valley for one hundred years did not leave it to the vultures as a dead corpse. They defended it with their own blood. But for their dogged

resistence, Sh. Abdullah and his patron Pt. Nehru who have said so much to malign the Dogra rule over the valley would have been nowhere in the picture as it has emerged during the last fifteen years. So the highest honours for saving Kashmir must go to these gallant Dogra troops.

It is, however, equally true that but for the timely arrival of Indian troops and the immediate relief they provided to the Dogra troops, the enemy would have entered Srinagar in the course of the day and achieved his objective.

The first Indian troops to land at Srinagar came from a Sikh unit commanded by Colonel Ranjit Rai. The people of Srinagar who had been gazing at the sky for hours in expectation of the air lift planes were thrilled by the sight of Dakota after Dakota suddenly emerging from behind the snow covered Banihal range. It was comparable to the thrill created in French hearts by the emergence of Allied planes from the horizon over the French sky on the D-day in 1944.

No sooner did the first Dakota land than the troops jumped into the trucks that were standing by and moved on to the front line. The author wanted to stop these troops near his residence for small refreshments. His request was met by a loud and heart warming cry of "Sat Siri Akal" and the curt reply : "Do not detain us. We will quench our thirst with the blood of the enemy."

Within hours they went into action and before the day was out Colonel Ranjit Rai lay dead in defence of Kashmir which had by now become an integral part of India, legally and constitutionally too, as a result of acceptance of accession of the State by the Government of India. The next important casualty was Major Sharma who died defending the aerodrome against an enemy column which was approaching it from behind along the foot-hills of Gulmarg.

Mr. Jinnah who had come down to Lahore to proceed to Srinagar as a victor was terribly upset by the report that India had accepted the accession of Jammu and Kashmir and that Indian troops had landed at Srinagar. He immediately summoned General Gracey, the C.-in-C. of Pakistan army, and

ordered him to rush regular troops to Kashmir. But General Gracey expressed his inability to carry out his instructions without the approval of the supreme commander, Field Marshal Auchinlek, who was supervising the partition of the army and its stores between the two Dominions. Field Marshal Auchinlek who reached Lahore on the 28th of October, informed Mr. Jinnah that in view of Jammu & Kashmir State having legally acceded to India the British officers of the Pakistan army will have to withdraw if he ordered a regular invasion of Kashmir. This forced Mr. Jinnah to relent. Thus the immediate danger of a full scale war between India and Pakistan which would not have remained confined to Jammu & Kashmir was averted.

But short of throwing regular Pakistan Army into action everything possible was done to strengthen and reinforce the invading hordes who were well equipped with arms and stores supplied by the Pakistan Government. Therefore, the Indian troops had quite a tough job to do in the beginning. The enemy was able to get local support wherever it reached. The only notable exception was Maqbool Sherwani of Baramula who refused to line up with the invaders and was therefore shot dead.

But the tide turned with the arrival of more troops and armoured cars. Baramula was recaptured on the 8th of November. This removed the threat of further incursions into the valley because Baramula commanded the entrance to it. A few days later Uri was recaptured and a column was sent from there to relieve Poonch which had been besieged by the enemy. But this column could not reach Poonch because of destruction of a strategic bridge by the Dogra troops who thought that the enemy and not friendly troops were advancing from Uri.

The recapture of Baramula and Uri demoralised the stray detachments of the invaders still in the valley. They withdrew from Gulmarg and Tanmarga without firing a shot. Thus by the middle of November, 1947, the valley proper was cleared of Pakistani invaders.

Baramula, Sopore and the Western fringe of the valley along the Gulmarg sector of Pir Panchal range were the only

parts of the valley which came under the effective control of Pakistan for a few days. The rest of the valley, particularly its southern and south eastern part which is directly contiguous to Jammu and Ladakh regions of the State, remained absolutely untouched by the invaders. An attempt was later made by them to break into the valley through the old Mughal route which would have brought them to Shupian and enabled them to cut the Banihal road. That would have proved a grievous blow because Banihal road is the only motor link between Shrinagar and Jammu. But they were intercepted and pushed back by the Indian troops after bitter fighting near Nandi-marga, over 10,000 feet above sea level.

Indian army thus supplemented the legal right of India over Kashmir valley attained through the lawful accession of the State to her by one established by the force of arms. In doing so it had to undergo a lot of suffering and make heavy sacrifices in the blood of Jawans drawn from all over India. This fact needs to be kept in mind when looking at the Kashmir problem which mainly revolves round the valley.

#### ROLE OF SHEIKH ABDULLAH

A word may be said about the role of Sh. Abdullah and his National Conference during those critical days because much propaganda about it has been made by the interested parties. It is a fact that Sh. Abdullah supported Kashmir's accession to India. The reasons were obvious. He had struggled for twenty years to secure power to become the virtual Sultan of the valley. He was not interested in any other part of the State. He had aligned himself with the Indian National Congress, particularly with Pt. Nehru, because he felt that that would save his movement, which was essentially communal in inspiration, from the charge of communalism and provide him with the much needed material and moral support from the rest of India. But he had never bound himself to the decisions and directives of the Congress. He had only one ambition—power for himself—and was prepared to use all means to

achieve it.

At first he tried to by-pass both the Congress and the Muslim League by appealing directly to the Cabinet Mission. He wanted to establish his position in Kashmir valley through the 'Quit Kashmir' movement aimed against the Dogras before the British withdrew from India so that he might get some kind of a recognition from the British in the over-all settlement. The complete failure of the 'Quit Kashmir' movement landed him in the Maharaja's jail instead of the royal palace. There was little sympathy in India for his blatantly communal and parochial misadventure. But for the support lent to him by Pt. Nehru in spite of the fact that he had launched his movement without even the knowledge of the Congress or the State Peoples Conference, its wing for dealing with Indian States, the 'Quit Kashmir' fiasco would have ended his political career altogether. He, therefore, naturally developed a special regard for Pt. Nehru.

The more he drew nearer to Pt. Nehru the more suspect he became in the eyes of Mr. Jinnah. Imperious and vindictive as he was, Mr. Jinnah was not the man who could inspire confidence in Sh. Abdullah even about his personal safety. But in Pakistan he alone counted. Morally too it would have been difficult for Mr. Jinnah, even if Sh. Abdullah had recanted and supported accession to Pakistan, to overlook the claims of those Muslim Conference leaders of Kashmir who had stood by him and Pakistan all through.

Even then Sh. Abdullah made an attempt to secure some kind of assurance from Mr. Jinnah which might enable him to throw his lot with Pakistan. To that end, he sent a deputation of some of his leading lieutenants to wait on Mr. Jinnah early in October, 1947. But being confident of Kashmir falling in his lap like a ripe apple, Mr. Jinnah refused to give any assurance which might restrict in any way his freedom of action in Kashmir after it had fallen in his hands.

Having thus lost all hope of reconciliation with Mr. Jinnah on his own terms, Sh. Abdullah decided to sit on the fence and watch the course of events. Finding that the Maha-



raja was veering round to the idea of independence for the whole state he made a serious bid for reconciliation with him. Along with his Begum he actually waited on him and assured him of his allegiance to his throne. His pride had been humbled and he was prepared to share power with others under the Maharaja.

But Pakistani invasion and its rapid progress precipitated a situation for which neither the Maharaja nor Sh. Abdullah was prepared. To begin with, the Maharaja tried to stem the Pakistani tide with his own resources. But as situation became critical and he was forced to appeal to the Government of India for help, Sh. Abdullah's opportunity came. He had already left the valley and was with Pt. Nehru in Delhi when final discussions about accepting the accession of and sending troops to Kashmir were going on there. As a realist he realised that the success of Pakistani invaders would mean an end not only of the Maharaja's rule but of his own future as well. He, therefore, put his weight in favour of accepting accession to India as a result of which he was installed in power.

In the circumstances it was naturally expected of him and his followers to demonstrate their opposition to Pakistani invaders. No wonder, therefore, that on the fateful October 26, National Conference leaders particularly the communists among them came out on the streets of Srinagar shouting slogans : "This is our country, we will defend it. We will rule over it." The stress was on the last slogan.

But the real test for them to demonstrate their loyalty to India and their professions about Hindu-Muslim unity never came because Indian troops reached the next day, before the invaders could enter Srinagar. It is, however, significant that wherever the invaders came the National Conference supporters and volunteers with the single exception of Maqbool Sherwani of Baramula joined hands with them. There was no question of their fighting against the invaders.

It is, therefore, all right to say for the sake of propaganda that Sheikh Abdullah and his followers demonstrated their love of secularism and defended Kashmir against Pakistani

invaders. But it bears little relationship with actual facts. Sh. Abdulla's followers, he himself having fled, would have been put to a real test only if Pakistani invaders had been able to enter Srinagar before the entry of Indian troops. There is no doubt in the author's mind that no Hindu would have been left alive to testify whether the National Conference succeeded or failed in the test.

Kashmir valley was saved from Pakistani marauders by the gallantry of a handful of Dogra troops and the swift action of the Indian Army and Air Force. They are the real saviours of Kashmir valley and they still are the only guarantee of its safety which is now being threatened by the Pakistanis from the West and the Chinese communists from North East.

### THE TRAGEDY OF JAMMU

Simultaneously with the invasion of Kashmir from the Abbotabad side, the Pakistanis put the Jammu part of their plan also in operation. The plan, as told above, was to capture the cities of Srinagar and Jammu at about the same time and present the world with a *fait accompli* in regard to the whole state. They considered their task in Jammu to be comparatively easy because of the close proximity of this part of the State to Pakistan and the complete allegiance of all local Muslims to the Pakistan ideology.

But there was one difficulty. The Eastern, that is, the Dogra part of the Jammu province including the districts of Jammu, Riasi, Udhampur and Kathua being Hindu majority area, was expected to put up a stiff resistance and fight to the last against those who wanted their home land to merge with Pakistan. So two different plans were devised—one for the Eastern part and the other for the predominantly Muslim Western districts of Mirpur and Poonch.

The plan in regard to the Eastern part including the city of Jammu which had a large Muslim population was to foment trouble from within and then rush organised raiders from outside at the opportune moment. Jammu city being only

about 20 miles from Sialkot Cantonment the plan was considered to be quite workable. In pursuance of this plan, arms and ammunitions were smuggled into Jammu in large quantities to equip the local Muslims. Trouble from within was to be started approximately at the same time as the invasion of Kashmir. The signal was to be given by Pakistani raids on the border villages.

This signal was given by the middle of October when the border villages of Alla and Charwah were raided, many persons killed and many Dogra women kidnapped. The Dogras of Jammu who had come to know of Pakistani plans became alert by these raids on their border villages. They, therefore, forestalled the Pakistanis inside the city as well as outside it. Taken aback by this sudden turn of events the Muslims vacated the city and made a hurried retreat to Pakistan. Some of them were killed in the encounters that took place in the city as also in other parts of the province. Huge quantities of arms and ammunitions as also wireless transmitters found from the houses of Muslim evacuees in Jammu left little doubt that any slackness on the part of the people of Jammu at that critical moment would have spelled disaster for them.

This failure of Pakistan's plan in regard to Jammu contributed a good deal towards the defence of Kashmir. The Dogra part of Jammu forms the only direct link between India on the one side and Kashmir valley and other parts of the State on the other. The vital Pathankot-Jammu-Srinagar road passes through this region up to the Banihal Pass. Had the Pakistanis succeeded in capturing Jammu, the only supply line to Kashmir would have been cut off and military aid to save Kashmir would have become impossible.

The situation in the Punjabi-speaking Western districts of Mirpur and Poonch including Bhimber and Rajauri was different. This is a predominantly Muslim area. About a lakh of Hindus, who were less than 10 per cent of the total population of this region, constituted the business community though some of them tilled the soil as well. They were spread over the whole of this area. But the main centres of their concen-

tration were the towns of Poonch, Kotli, Mirpur, Bhimber and Rajauri. The Muslim inhabitants of this area, who are mostly illiterate but warlike, economically depended on the Hindu population to a large extent. The relations with the Hindus were, therefore, generally good. But being closely connected with the Muslims of the adjoining districts of Gujarat, Jehlam and Rawalpindi in the West Punjab, they had come under the influence of Pakistan ideology. It appealed especially to the upper and military classes among them who had economic interests in Pakistan or depended for their living on service in the Pakistani part of the armed forces of undivided India.

The State Government was aware of the dangerous potentialities of this area if its people, of whom about a lakh were demobilised ex-soldiers, ever took it into their heads to rebel against their king. So a large part of the state forces was concentrated in this area as also along its border adjoining Pakistan. The State also depended upon the loyalty of elderly Muslim Rajput chiefs and Jagirdars of this area who had still close social relations with the Hindu Rajputs of their respective tribes and looked upon the Rajput Maharaja as their natural leader.

Pakistanis, therefore, knew that it was not easy to instigate rebellion from within. Therefore the plan adopted by them for this area was to send a large number of Pakistani nationals, soldiers and tribals to rouse the local population in the name of Islam. This plan was put in operation in the Poonch area to start with. Large numbers of armed Pakistanis began to cross the Jehlam by barges to enter into the State. The State Government protested repeatedly to Pakistan and West Punjab Governments, as also to the Deputy Commissioner of Rawalpindi during September and October, 1947 against this violation of the State territory by Pakistan nationals. But the protests were of no avail.

When the invasion of Kashmir began, the trouble in the Poonch area had already become wide spread with the collaboration of the local Muslims under the guidance of Sardar

Mohd. Ibrahim Khan, who later became the President of the so-called Azad Kashmir Government. Simultaneously with the invasion of the valley fresh raids on other parts of this area began. The Muslim personnel of the 2nd Jammu and Kashmir Infantry which had been posted in this sector, now deserted to the enemy. The Dogra troops hard-pressed from all sides could not stand the strain. They realised that it was impossible to defend the whole area against Pakistani invaders and local rebels unaided. So they concentrated themselves in the few towns to which the Hindu population from the surrounding areas had thronged for safety. Very soon all these towns were cut off from one another as also from Jammu. The history of the war in this region after the 22nd of October, therefore, is the history of the defence of these besieged towns by the civil population with the help of the State troops who had managed to reach them. Their only hope of safety was reinforcements of Indian troops from Jammu or Srinagar. Unfortunately this expected relief failed to reach them in time, except in the case of Kotli and Poonch. They fell to the enemy one by one. Their history is one of tragic destruction at the hands of the barbarous enemy in spite of the most heroic defence and sacrifices by civil population that remind one of 'Jauhar'. We will take them one by one in chronological order.

**1. Bhimber :—**This town, with a normal population of three thousand which had swelled to about five thousand because of some refugees from Pakistan and Hindus from surrounding villages, lies just two miles within the State border. It was a tehsil headquarter within the Mirpur district. It fell to the armed Pakistani raiders who began shelling the town with armoured cars and heavy guns. Just at this time, the Indian dakotas were carrying the first consignment of airborne troops to Srinagar. The people of the town who had assembled in the courtyard of the fort-like tehsil building found all their roads of escape blocked. Still some of them rushed out with the few State troops. But most of them could not. Finding that no hope was left, hundreds of Hindu ladies took poison

which they had taken with them as a precaution and thus revived the practice of '*Jauhar*'. Many others were kidnapped along with their children. The male population was put to the sword. Thus Bhimber was the first town of the Jammu province to fall into the hands of Pakistan.

Perhaps the fall of this town, though it was very tragic, could not be avoided because there were no troops in Jammu which could have been rushed to save it. But that was not the case with the other towns which fell soon after one by one.

**2. Rajauri :—**This town with a normal population of about six thousand which had swelled to about 11 thousand at the time of its fall because of the arrival of Hindus from the surrounding villages, lies in the interior of Jammu Province on the old Mughal road to Kashmir. It was a tehsil headquarter within the Riasi district before its fall.

This town was considered to be comparatively safe because of its being out of the direct reach of the Pakistani raiders for some time at least. But the local Muslims, aided by the deserters from State troops did not wait for the raiders. The urgent calls of the besieged population for help went in vain because the gravity of the situation in these areas was not appreciated by Sheikh Abdullah who continued to divert all available Indian troops to Kashmir. The result was that the town fell on the 10th of November before the local Muslims who proved to be more cruel and barbarous than the tribal raiders. The story of Bhimber was repeated with the difference that the number of the persons who could escape to Jammu safely from here did not exceed a hundred. Most of the ladies performed '*Jauhar*' by taking poison while many of the youth, died fighting. Many of those who managed to escape were killed on the way by local Muslims. The number of ladies abducted from this town ran into several hundreds.

**3. Kotli :—**This town with a normal population of 3 to 4 thousand was a tehsil headquarter within the Mirpur district. It lies on the Jehlam-Mirpur-Poonch road. The small detachments of the State troops spread between Mirpur and Poonch had concentrated themselves in this town when their position

in the interior became untenable. Colonel Baldev Singh Pathania, the Revenue Minister of the State, who had been sent to guide the operations of the State troops in this area as also Brigadier Chatar Singh, the officer in-charge, had also taken shelter in this town. It was surrounded on all sides by the well armed local and Pakistani raiders and so no contact could be made with Jammu or Mirpur.

The ammunition with the troops in Kotli ran out early in November. It would have therefore, fallen to the enemy and suffered the same fate as Bhimber but for the heroism and gallantry of a few local youngmen. An Indian army plane dropped about 20 chests of ammunition in the town. But per chance instead of falling at a safe place they fell on a deep slope outside the town within the reach of the enemy fire from the adjoining hill. To bring the chests into the town was a problem. It looked like sure death. No volunteers were coming forth even from among the troops. Thereupon about 20 members of the local branch of the R.S.S., a youth organisation, volunteered themselves. They succeeded in salvaging about 17 chests of ammunition. Their heroism and sacrifice enabled the town to defend itself till it was relieved a few days later by an advance party of the Parachute Brigade of the Indian army stationed at Jhangar.

Though saved from the enemy at that time, this town of the heroes was abandoned by the Indian army voluntarily. It withdrew from Kotli to Jhangar after evacuating all the civil population and the troops who had been defending it for over a month. This proved to be a military blunder. It made the position of the beseiged population and garrison at Poonch precarious. It also relieved many hundreds of raiders beseiging this town who now joined hands with the beseigers of Mirpur. That ill-fated town was next to fall.

**4. Mirpur :—**This strategic town of a normal population of about 10 thousand which had swelled to about 25 thousand at the time of its fall was the headquarters of the Mirpur district. It lies at a distance of about 20 miles from the town and cantonment of Jehlam. Mangla headworks from where

the Upper Jehlam canal is taken out of the Jehlam and where Mangla Dam is now being constructed by Pakistan is only about nine miles from there, It was connected with Jehlam, Bhimber, Jammu and Poonch by motorable roads.

This town was cut off from Jammu after the fall of Bhimber. It had a garrison of State troops some hundreds strong. But they had little ammunition with them. They had also lost complete touch with Jammu because their wireless sets had developed trouble which they could not set right. After the fall of Bhimber and Rajauri it was feared that Mirpur might also suffer the same fate. Therefore, the people of Jammu who had their relatives in Mirpur waited upon Pt. Jawaharlal Nehru when he visited Jammu in the middle of November and pathetically impressed upon him the need of sending immediate reinforcement to Mirpur. But he angrily referred them to Sheikh Abdullah who was expected to guide the military authorities about the disposal of the Indian troops. Instead of paying any heed to their requests, he diverted even the 40 lorries carrying troops which had been sent towards Mirpur to Srinagar where the need was not so urgent after the 8th of November when Baramula was recaptured. The Indian troops stationed at Jhangar on the junction of Jammu-Mirpur and Jammu-Kotli-Poonch roads did not make any effort to relieve Mirpur even though it lay only at a distance of 30 miles because they had no orders to proceed there.

The town fell on the 25th of November, 1947 when the enemy broke open the back door of the town by heavy gunfire. The state troops and local officers then lost heart and retreated even before the town could be evacuated by the civilians. The people therefore, began to run in terror. The fight soon became a rout and the rout a massacre. Hardly two thousand people out of about 25 thousand living at that time in the ill-fated town managed to reach Jhangar in safety. The rest were ruthlessly butchered. The number of women abducted from here ran into thousands. Most of them were paraded and then sold in the bazars of Jehlam, Rawalpindi and Peshawar. The barbarities of the Pakistan troops and



civilians on these hapless women who were kept for some time in Alibeg camp before their dispersal to different towns put to shame the worst orgies of rape and violence associated with the hordes of Chengiz Khan and Nadir Shah.

The loot obtained by the Pakistanis from these towns, especially from Mirpur, went into crores. The floor of every house in Mirpur was dug by raiders in search of hoarded treasures. Then they set fire to the town.

**5. Deva Vatala :—**Next to fall along the Jammu-Pakistan border in Bhimber Tehsil was the cluster of Hindu villages inhabited by Chib Rajputs and known by the name of Deva-Vatala. The warlike people of these villages kept the Pakistanis at bay for two months with their crude weapons. But when Pakistanis began to attack them with modern firearms supplied by the Pakistan Government they approached Bakshi Ghulam Mohammed, then Chief Emergency Officer for Jammu Province, to supply them with arms and ammunition. But no heed was paid to their requests. Towards the end of December 1947, thousands of Chibs of the area retreated to Jammu with what little they could bring on their heads as refugees. The occupation of Deva-Vatala by the enemy brought him within 30 miles of the city of Jammu from the West.

**6. Poonch :—**The only town of this area which did not succumb to the enemy pressure was Poonch. The small garrison of the State troops supported by the Indian troops who managed to reach there from Uri, kept the enemy at bay for one long year. Their task would have become impossible but for the daring landings of the R. I. A. F. dakotas on an improvised air strip in the town, which lay within firing range of the enemy who commanded the surrounding hills. This town was later relieved by the Indian forces advancing from Rajauri.

The story of the war in the Jammu sector in the early months is thus a continuous tragedy occasionally relieved by episodes of glory provided by the heroes of Kotli, or the defenders of Poonch. But the most unfortunate part of it is

that little is known to the people in India and outside about this side, of the Kashmir story.

The sense of tragedy about happenings in Jammu area is heightened by the fact that most of this area fell in the enemy hands and massacres took place there after the State had acceded to India and the Indian troops had taken charge of the defence of the State.

Kashmir valley having been cleared of the enemy by the 10th of November, Indian troops could have conveniently turned their attention to this strategic area. They could have at least relieved the beleaguered towns of Rajauri and Mirpur and prevented the worst massacre of Indian history after Timur's massacre of Delhi in 1398 from taking place at Mirpur.

That they could not do so was not the fault of army commanders. The men responsible for these massacres were Pt. Nehru and Sh. Abdullah. Pt. Nehru would not allow anybody else in India to advise him in his handling of the Kashmir situation. He in his turn was solely guided by Sh. Abdullah, who had no interest in any other part of the State except the Kashmir valley. His critics even go to the length of charging him with deliberate indifference towards the fate of beleaguered Hindus. That may or may not be correct, but the fact remains that he refused to send troops for the relief of Mirpur even when they were not so urgently needed in the Kashmir Valley.

#### GENOCIDE

A more painful aspect of this unmitigated tragedy of Jammu is that till now very little about it is known in India or outside world. Even though the number of Hindu men and women killed and abducted in Jammu area is at least three times that of the Muslim casualties, not a word of sympathy about them was said in India or at the U.N.O. On the other hand both Sh. Abdullah and his Indian patrons made so much noise about killings of Muslims in Jammu that Ch. Zaflarullah, Pakistan's representative at the U. N. O., could indict the

Government of India of genocide of Muslims in Jammu with telling effect.

If the ruthless killings in Jammu area could be called genocide, it was a genocide of the Hindus and not of the Muslims. While most of the Muslims in the Hindu Majority parts of Jammu province migrated to Pakistan, only a few thousands out of over a lakh of Hindus including refugees from adjoining district of West Punjab could escape to safety from Mirpur-Poonch-Muzaffarabad region.

The External Affairs Ministry of the Government of India did a singular disservice to India and the world by not bringing true facts of the Jammu story to the notice of the U.N. in time. Pt. Nehru has thus not only been unjust to the Maharaja and the heroic people of Jammu who fought the Pakistani invaders and saboteurs on their own and thus saved the vital link between Kashmir Valley and East Punjab from falling into Pakistan's hands, which would have made Kashmir operation infructuous, but has also been responsible for weakening India's position vis a vis Pakistan which could take the posture of injured innocence at the U.N.O. and give a communal colour to an issue which was essentially military and political.

#### FALL OF GILGIT

Foiled in their attempt to capture Srinagar and occupy Kashmir valley which would have automatically cut off all the northern parts of the State from India and brought them under Pakistan's control without much effort, the Pakistani strategists now decided to capture those parts first both for their own strategic importance and also for encircling the valley from the North. The closure of Burzila and Yojila passes which provided the only link between Kashmir valley and Gilgit, Baltistan and Ladakh due to the onset of winter made the chances of any timely help from Indian army to small detachments of the Kashmir state forces in these parts extremely difficult if not impossible. This was an additional temptation for Pakistan to lay her hand on them just then.

Gilgit, the western most part of this frontier region of the State being directly contiguous to and approachable from N.W.F.P. was the first to be attacked and occupied.

The Dogra rulers of Kashmir had a special sentimental attachment with Gilgit because of the great sacrifices made by the Dogra people in conquering it. The '*Samadhis*' of thousands of Dogra soldiers who had laid down their lives in the various Gilgit campaigns between 1859 and 1895 which finally brought the entire Gilgit area including the Gilgit states like Hunza, Nagar, Ishkuman, Koh and Gizar under Dogra rule, are still a grim reminder of their adventurous spirit and patriotic fervour. They had, therefore, resisted British pressure to surrender the control of this area to them as long as they could.

After obtaining a lease of the Gilgit area for sixty years from Maharaja Hari Singh in 1935, the British had set about building it as a strategic outpost in the chain of their North Western defences. It had been linked with Peshawar by a new road. A local force called "Gilgit Scouts" on the model of Frontier Guides, led by British officers had been raised and a British Political Agent was posted at Gilgit to control the administered area and the States of Gilgit Agency whose rulers continued to owe allegiance to the Maharaja of Jammu and Kashmir as well. The State forces stationed at Gilgit had been withdrawn to Bunji on the left bank of the Indus about 35 miles South of Gilgit cantonement.

Soon after the announcement about transfer of power the Gilgit Agency had been retroceded to the Maharaja who celebrated the occasion with great joy. He had then appointed Brigadier Ghansar Singh as military Governor of the area. He had reached Gilgit along with Major General Scotts, then Chief of Staff of the State army, on July 20, 1947. On arrival there they found that all British officers in Gilgit had opted for service in Pakistan and that Gilgit Scouts also wanted to go over to Pakistan. The only force available to the Governor was the 6th J. & K Infantry stationed at Bunji which too was half muslim and half sikh. It was commanded by a Muslim

officer of doubtful loyalty, Lt. Colonel Majid Khan.

In the circumstances it was clear that British officers on the spot were strongly pro-Pakistan. What was worse they had also poisoned the minds of the Rajas of Gilgit States, who so far had a deep feeling of personal loyalty to the Maharaja. It was also clear that the Maharaja's Government at that time was in no position to hold Gilgit militarily against the combined strength of Chitral and Swat levies backed by Pakistan Government and Gilgit Scouts, particularly when the loyalty of the Muslim officers and other ranks of its own army had become doubtful.

It was suggested to the Maharaja by some people who knew about the difficult situation in Gilgit that he might lease out the area to Afghanistan on the same terms on which it was held by the British. But the suggestions were never taken up seriously. Afghanistan might have welcomed such a move if it had been seriously mooted.

The things began to move fast after the launching of the full-scale Pakistani invasion of Kashmir on the 22nd of October, 1947. The Muslim personnel of the State army deserted. On the night of October 31, the Gilgit scouts together with these deserters surrounded the residence of the Governor who was forced to surrender. He was put under arrest and a provisional Government was established by the rebels. Most of the non-Muslims in the State army and town population were liquidated and a few made prisoners. Three days later, Major Brown, the British Commandant of Gilgit Scouts formally raised the flag of Pakistan in the Scouts lines. Soon after a political Agent from Pakistan established himself in Gilgit.

The fall of Gilgit into the hands of Pakistan and the role played by British Officers in the whole affair throws a flood of light on the British attitude towards the Kashmir question from its very inception. Their imperial interests demanded that Jammu & Kashmir State as a whole or at least its northern parts including the Kashmir valley should go to Pakistan which they considered to be more dependable of the two new Dominions.

After consolidating their position in Gilgit the Pakistan militarists hurried to control the approaches to the valley before the winter had run out. One of their columns advanced towards the Burzila pass, occupied it, and began to infiltrate into Gurais area of Kashmir from that side. Another column advanced west, bypassed Askardu, the capital own of Baltistan, for it had a Dogra garrison in its fort, and occupied Kargil without much difficulty. Kargil lies on the road connecting Srinagar with Leh and Askardu through the Yojila Pass. From Kargil one of their columns began to advance towards Leh and the other advanced south and occupied the Yojila pass. Some of them even succeeded in infiltrating into the Sindh valley in Kashmir proper.

Thus before the winter was over and before any reinforcements to Askardu, Kargil or Leh could be sent the Pakistanis with the help of the Gilgit Scouts and local recruits, for whom winter weather was no hindrance, had occupied both the passes linking these areas with Kashmir valley. Leh too would have fallen before the Pakistanis, who despoiled many monasteries and killed about five hundred Buddhists, but for the adventurous and hazardous dash of a Lahauli officer of the Indian Army, Captain Prithvi Chand, with a few companions towards Leh through Lahaul in Mid-winter. He succeeded in reaching Leh, organised a local militia and improvised an air strip at the height of about 11500 feet above sea level, where an equally adventurous Indian Pilot, Sardar Mehar Singh, landed his dakota carrying sinews of war and thus saved Leh from meeting the fate of Kargil and Gilgit.

The besieged garrison and Hindu population of Askardu was soon reduced to sore straits by the besieging Pakistani forces. The R.I.A.F. did drop some supplies to them but due to bad weather and giddy heights that had to be crossed, they fell far short of the minimum needs of the besieged. At last Colonel Sher Jang Thapa of the State forces surrendered to the Pakistanis after a gallant resistance of many a month on August 15, 1948. The entire Hindu population as also most of the surviving troops were put to the sword.

Thus by August 1948, the Pakistanis had occupied most of the Northern part of the State including Gilgit, Baltistan and a part of Ladakh. The Burzila and Yojila passes too had passed under their control. Thus they had well nigh succeeded in encircling the valley from three sides.

The only hurdle in the way of their further advance to East Punjab through Lahaul and Kulu and to Jammu through Padar and Kishtwar was the town of Leh. Had that town fallen, not only the task of Indian troops in Kashmir would have become very difficult but also a new and more difficult front would have opened in the North.

The problem before the Indian army now was how to regain control over the Burzila and Yojila passes. The heights in these passes were commanded by Pakistanis who now had a fine base at Gilgit well supplied through air and land transport by the Pakistan Government. The whole summer of 1948 was passed in efforts to check the infiltration of the enemy into the valley through these passes.

That alone could not have saved Kashmir or Ladakh. But by the beginning of winter when the passes had been blocked by snow and the Pakistanis felt quite secure in their commanding positions, General Thimayya who commanded Indian forces in Kashmir planned an offensive which has made history. Light tanks were carried to Srinagar and from there to the Yojila pass at a height of 13,000 feet, all unnoticed by the Indian public and unknown to the Pakistani spies. As these tanks rumbled along the Yojila Pass, the enemy began to fly like rabbits from their hideouts. Before the year had run out, the Indian troops were in complete control of the Yojila Pass and had also occupied the strategic town of Kargil beyond the pass on the road to Leh. A column now advanced towards Leh from Kargil and made a short work of the Pakistani pickets in this sector. Leh was thus relieved, Ladakh saved and encirclement of the valley prevented.

The initiative had now come in the hands of the Indian army in this as also in other sectors of war. The Pakistani invaders who had since been reinforced by regular troops of

Pakistan army were on the run all along the four hundred mile-long battle front. The Indian army would have completed the job entrusted to it by clearing the whole State of the Pakistan forces, both regular and irregular, in course of time had it not been halted by the unilateral cease fire ordered by the Government of India on the first of January, 1949. That brought the political aspect of the question, which has ever since eclipsed and overshadowed its military aspect, to the forefront.



## U.N. IMBROGLIO

The acceptance of the accession of Jammu & Kashmir State by the Government of India and the consequent assumption by India of the responsibility to defend the territories of the State coupled with cancellation of his order to regular Pakistan army to march into Kashmir under compulsion of the threat of withdrawal of all British officers from Pakistan Army, impelled Mr. Jinnah, the astute politician and realist as he was, to open a diplomatic front to retrieve his position and gain by other means what he thought he might not be able to achieve by force of arms. Fortunately for him, the Indian Governor-General, Lord Mountbatten, and the Prime Minister, Pt. Nehru, readily fell into his trap. They in fact had already provided him the base to mount his diplomatic offensive by unilaterally making the accession of Kashmir to India provisional and conditional.

## NEHRU'S FOLLIES

The offer of plebiscite to determine the will of the people of Kashmir regarding accession after the invading hordes had been thrown out and law and order restored in the State was uncalled for, irrelevant to the situation and illegal. There was no provision in the Instrument of Accession about it. It was outside the ambit of the Act of Independence and was never accepted by the Maharaja who had the absolute choice in the matter. Nor was it demanded by Sheikh Abdullah or any other leader of the State. The rulers of Pakistan had explicitly declared through the resolution of the All India Muslim League in 1946

that the rulers should have the final authority to decide the question of accession of their States. Furthermore, they had forfeited any right to object to legal and constitutional accession of the State to India by their blatant aggression to secure the control of the State by force.

The argument that Indian leaders were guided by the situation in Junagarh and Hyderabad in making their offer is untenable because there was no analogy between those states and the situation obtaining in Kashmir. Both Junagarh and Hyderabad were not only overwhelmingly Hindu in population but also completely surrounded on all sides by Indian territory. Therefore under the Mountbatten Plan they had no other choice but to accede to India sooner or later. The only plausible explanation therefore is that Lord Mountbatten made the suggestion about plebiscite merely to placate Pakistan and Pt. Nehru accepted it for the same reason. It was in keeping with his policy of appeasement of Muslim League and Pakistan. Later, however, other explanations such as refutation of the two-nation theory by showing that a Muslim majority area was prepared to remain in India of its own free will and thereby strengthening of secularism in India have also been offered. But they are clearly after thoughts.

Whatever the reasons and motives behind this offer may have been, the fact remains that this offer of plebiscite lies at the root of the complications that have made a purely military question one of the most difficult political questions which has been plaguing Indo-Pak relations with international ramifications ever since.

At the moment it provided Mr. Jinnah with an immediate diversion to save his position which had been made untenable and ridiculous in the eyes of his own people by his inability to back up the so-called Tribal invasion by the full might of regular Pakistan Army without which its collapse before the Indian Army was a foregone conclusion. He sent a message to Lord Mountbatten through Field Marshal Auchinleck on the 29th October, 1947 to meet him in conference at Lahore. It was a clever and astute move to make the issue political

while the invasion was still on and the possible military decision could not be in his favour. .

Sardar Patel, a realist and a practical man as he was, saw through Mr. Jinnah's game. He opposed any Indian leader going to Lahore and warned against appeasing Mr. Jinnah who was clearly the aggressor in Kashmir. He suggested that if Mr. Jinnah wanted to discuss anything, he could come down to Delhi. But his wise counsel was not heeded and Lord Mountbatten and Pt. Nehru got ready to fly to Lahore on the 1st of November. Pt. Nehru, however, had to drop out at the last moment due to indisposition.

At the Conference Table Mr. Jinnah proposed that both sides should withdraw from Kashmir. When Lord Mountbatten asked him to explain how the tribesmen could be induced to remove themselves, Mr. Jinnah replied : "If you do this, I will call the whole thing off". This made it absolutely clear that the so-called tribal invasion was fully organised and controlled by the Pakistan Government.

Lord Mountbatten formally made the offer of plebiscite to Mr. Jinnah at this Conference. Mr. Jinnah objected that with Indian troops in their midst and with Sh. Abdullah in power, the people of Kashmir would be far too frightened to vote for Pakistan. Therefore Lord Mountbatten suggested a plebiscite under the auspices of the U.N.O. This was a clear victory for Mr. Jinnah. He had virtually got the effect of legal accession of the State to India nullified and got Lord Mountbatten committed to a course of action which could only internationalise an issue in which strictly speaking Pakistan had no *locus standi* after the Maharaja had signed the Instrument of Accession and the Government of India had accepted it.

Pt. Nehru ratified the offer verbally made by Lord Mountbatten at Lahore in his broadcast speech of November 2, 1947 in which he declared his readiness, after peace and rule of law had been established, to have a *referendum* held under some international auspices such as that of the United Nations.

The commitment on the part of the Government of India had, besides throwing the accession of Kashmir to India open

to question, two other important implications. On the one hand, it provided Pakistan with a second string to its bow. Conscious of the strength of the appeal of religion to Muslims, it could now hope to secure by the peaceful method of plebiscite what it failed to achieve by force. On the other hand, it made the Government of India dependent for the ratification of the accession through plebiscite on the goodwill of Sheikh Abdullah whose position was changed from that of a suppliant to that of the master who must be kept in good humour at all costs. These in their turn set in motion a chain of events and created a psychological atmosphere in Kashmir which suited Pakistan.

Even this major concession to a communal approach to the problem which has since given Pakistan a whip hand in Kashmir, did not soften the attitude of Mr. Jinnah and his Government who kept up their military pressure through tribal hordes supported by regular Pakistani troops at a high pitch. Even though the invaders had been thrown out of the valley, they maintained, as described earlier, their advance in Jammu and the northern areas of the State. The right and honourable course for India in the circumstances was to discontinue all negotiations with Pakistan and concentrate on securing a military decision. India, at that time, was definitely in a position to secure a favourable military decision had it decided to attack the bases of the invaders in Pakistan. But Pt. Nehru in his anxiety to keep the conflict confined to Jammu & Kashmir State would not permit that. In this he had the full support of the Governor General, Lord Mountbatten. Therefore, the negotiations were continued even when Pakistani invaders were wantonly attacking and occupying more and more territory.

Direct talks between Pt. Nehru and Mr. Liaqat Ali Khan, the Prime Minister of Pakistan, were held for the first time since Pakistani invasion began, on December 8, 1947 when the former visited Lahore along with Lord Mountbatten to attend a meeting of the Joint Defence Council. But they proved abortive. Therefore Lord Mountbatten who was growing

apprehensive of the fighting in Kashmir degenerating into full scale war between the two Dominions, a contingency which he wanted to avoid at all costs, pressed Pt. Nehru to refer the matter to the U.N.O. and invoke its good offices for a peaceful settlement of the problem.

#### APPEAL TO U.N.O.

Most of Pt. Nehru's Cabinet colleagues were opposed to this suggestion for obvious reasons. It amounted to inviting outside interference into a purely internal and domestic problem and a tacit admission on the part of India of its inability and incapacity to meet the situation created by the invaders. But ultimately he had his way.

As a necessary preliminary, he personally handed over a letter of complaint to Mr. Liaqat Ali Khan on December 22, 1947 when the latter visited Delhi in connection with another meeting of the Joint Defence Council. It demanded that Pakistan should deny to the invaders (*i*) all access to and use of Pakistan territory for operations against Kashmir (*ii*) all military and other supplies and (*iii*) all other kinds of aid that might tend to prolong the struggle.

Liaqat Ali Khan promised to send an early reply. But instead of doing that a fresh invasion was launched in Jammu which forced an Indian Brigade to fall back to Nowshera from Jhanger, an important road junction in the western part of Jammu. The pressure on areas still nearer to Jammu city was also stepped up. This made an attack on the enemy bases in Pakistan an imperative necessity to save Jammu and the supply line to Srinagar. But Pt. Nehru was unwilling to do that. So, without waiting for a reply from Pakistan which was being deliberately delayed, the Government of India formally appealed to the U.N.O. under Chapter 35 of the U.N. Charter on December 31, 1947 and nominated Shri Gopalaswamy Iyengar to lead the Indian Delegation which was to include Sh. Abdullah also.

That very day, but after the application to the U.N. Secu-

rity Council had been despatched, Liaqat Ali Khan's reply was received by the Government of India. It was a lengthy catalogue of counter-charges. It contained fantastic allegations that the Government of India were out to destroy Pakistan and wanted the intervention of U. N. O. to extend from the question of Junagadh to that of genocide. It gave clear indication of the line Pakistan was going to take at the U.N.O. From the timing of the reply, it was evident that Pakistan Government had its informers in the Indian Foreign Office who kept it posted with the exact details of the Indian complaint and the time of its despatch. This presence of Pakistani agents and informers in the Indian Foreign Office is an advantage that continues to give Pakistan an edge over India in diplomacy.

This appeal to the U. N. O. by India was the second major blunder on her part in handling of the Kashmir question and was a clear diplomatic victory for Pakistan which had succeeded in politicalising and internationalising an issue in which she had no *locus standi*. It came as a surprise not only to the Indian public but also to all those countries which had been looking upon the Kashmir question as an internal affair of India. No self-respecting country would have voluntarily invited the interference of foreign powers through the U.N.O. in an essentially domestic affair like this. In doing so, the Government of India simply played into the hands of Pakistan whose leaders found in it a god-sent opportunity to malign India before the bar of world opinion by levelling all kinds of fantastic and baseless charges against her.

The Security Council immediately put the issue on its agenda and discussion on it began on January 15, 1948. But to the great disappointment of the Government of India, instead of giving precedence to the Indian complaint about Pakistan's hand in the invasion and putting pressure on Pakistan to stop aiding the invaders, the Security Council from the very beginning put India and Pakistan, the victim of aggression and the aggressor, on the same footing and began to consider Pakistan's counter-charges, which were quite unrelated to the issue, along with the question of Jammu & Kashmir. This

was clear from the resolution moved by the Council President Dr. Von Langenhare of Belgium on January 20, 1948. The resolution provided that (i) a Commission of the Security Council be established composed of the representatives of three members of the United Nations, one to be elected by India, one by Pakistan and the third to be designated by the two so elected ; (ii) the Commission shall proceed to Jammu & Kashmir as soon as possible to investigate the facts and secondly to exercise any mediatory influence likely to smoothen the difficulties and (iii) the Commission shall perform functions in regard to the situation in Jammu & Kashmir and secondly in regard to other situations set out by Pakistan Foreign Minister in the Security Council.

In spite of the objections of the Indian delegation that by bringing other extraneous issues raised by Pakistan within the purview of the Commission, the Security Council was relegating the real issue to the background, the resolution was passed with nine in favour and two, U.S.S.R. and Ukraine, abstaining.

As the debate proceeded, the President suggested that the Security Council might concentrate its attention on the question of holding a plebiscite. This was fully in accordance with Pakistan's line and was therefore duly supported by her Foreign Minister and chief delegate, Mr. Zaffarullah Khan. Thereafter resolutions and proposals began to be framed with that end in view.

This provoked the Chief Indian delegate, Mr. N. Gopalswamy Ayyengar, to declare that the Security Council was "putting the cart before the horse." The real issue, he said, was to get the fighting in Jammu & Kashmir stopped by pressing Pakistan to withdraw her support from the invaders. The question of a plebiscite, he added, could be taken up only when peace and normal conditions had been restored. He further requested for adjournment of the debate so that he might go back to India for further consultations. Even this request for adjournment was opposed by most of the members of the Security Council.

This hostile attitude of the Security Council came as a

rude shock to the Government of India and disillusioned even Pt. Nehru who had insisted on reference being made to the U. N. O. against the advice of his colleagues. Speaking at Jammu on February 15, 1941, he said, "Instead of discussing and deciding our references in a straight forward manner, the nations of the world sitting in that body got lost in power politics."

The pattern of voting in the Security Council which has remained unchanged ever since, began to influence India's foreign policy in favour of the bloc headed by the U. S. S. R. which further prejudiced the Western countries against India in regard to the Kashmir question.

#### CAUSES OF INDIA'S FAILURE AT U.N.

But it would be wrong to put the whole blame for this near unanimous disregard of Indian complaint on the power politics of the two blocs which is reflected in their attitude and voting at the U.N. on invariably all issues. India's handling and presentation of the Kashmir issue has been so faulty, unrealistic and incoherent from the very beginning that it could not evoke any better response even from well meaning and really impartial delegates. This bungling on the part of India in handling a straightforward issue because of the mental cobwebs of Pt. Nehru must be clearly understood for appreciation of the Kashmir problem as it has since developed inside and outside the U.N.O.

From the purely Indian point of view it was, as said above, wrong to refer the Kashmir issue to the U. N. O. It was a domestic issue. Pakistan had committed unprovoked aggression. India was in a position to handle the situation militarily. It should have been left to Pakistan to invoke the interference of the U.N.O. to escape the thrashing it deserved. But instead of putting Pakistan in a tight position, India decided to put her own head in the noose. It was an utter bankruptcy of leadership as well as statesmanship.

Having taken the decision to go to the U.N.O., the issue



should have been put before that body in its true perspective emphasising the fact of Pakistan's aggression in Jammu and Kashmir State which had become an integral part of India after accession in terms of the Mountbatten Plan. India should have specifically charged Pakistan of unprovoked aggression and not of mere abetment of aggression by giving passage to tribal raiders through her territory. There was an overwhelming evidence that the aggression had been committed by Pakistan itself. By avoiding the specific charge of aggression in her complaint, the Government of India compromised its own position before the Security Council from the very beginning. Such a complaint could not create that sense of urgency about the problem and the real issue of aggression in the minds of Security Council members who were not supposed to know the real situation and had, therefore, to be guided by the memoranda submitted by the respective parties and their elucidation through the speeches in the Council.

If the Indian plaint was wrong in so far as it underplayed Pakistan's hand behind the invasion, its advocacy was worse. The man chosen to lead the Indian delegation, Shri N. Gopalswamy Ayyengar, was a good old man who had been Prime Minister of Jammu and Kashmir for some years before 1944. But he was a novice to the ways of U. N. diplomacy which is conducted more at informal meetings and late night dinners and drinking parties than at the Council table. He was an honest gentleman who believed in the Indian concept of "early to bed and early to rise, makes a man healthy, wealthy and wise." He was too honest and simple hearted to be a match for Pakistan's Zaffarullah Khan who, apart from being a leading jurist, was a man of few scruples, wide contacts and great eloquence. It is really surprising why Mr. Mehar Chand Mahajan who as a jurist and a debater was more than a match for Pakistan's Zafarullah, was not chosen for the job. Being the Prime Minister of the State during the days of Pakistani invasion, he was best suited to rebutt the baseless charges and lies of Pakistan. The only explanation for this lapse is that he was a *persona non grata* with Pt. Nehru who has often

given preference to his own likes and dislikes over the interests of his country.

To make things worse, the Indian delegation included Sh. Abdullah, "a flamboyant personality" about whom Campbell Johnson, the gifted Press Attache of Lord Mountbatten, had predicted that he would "swamp the boat of India." He was more interested in projecting himself and running down the Maharaja, who was the real legal sanction behind Kashmir's accession to India, and Dogra Hindus than in pleading the cause of India.

No wonder therefore that the statements and speeches made by him on different occasions as also the statements and speeches of Pt. Nehru provided Zafarullah with the stick to beat India with.

Even more inexplicable was the failure of the Indian spokesmen to lay proper stress on the fact of accession by the Maharaja which in itself was full, final and irrevocable and from which all the rights of the Government of India flowed. They harped on the "will of the people of Kashmir" and India's offer to them to give their verdict about the accession through a plebiscite after peace had been restored there.

The members of the Security Council as also world opinion in general had not been properly educated regarding the true facts of the Kashmir situation. The external publicity of the Government of India in this as in other matters was halting and hesitating. The Government of India itself appeared to be apologetic about the acceptance of Kashmir's accession. It felt shy of telling to the world the atrocities committed by Pakistani and local Muslims on the Hindus of the State. It was as anxious to run down the Maharaja as Sh. Abdullah or Pakistan and wanted to build its case entirely on the popular support of the people of Kashmir regarding the question of accession rather than on the fact of accession itself.

The Pakistan Government and its delegates at the U.N.O. on the other hand were aggressively assertive about their baseless and unrelated charges against India and blatantly emphatic in their denial of the Indian charge about aiding the Tribal

invaders. In the face of Pakistan's categorical denial and Government of India's apologetic and hesitating approach the first impression on world opinion as also on the U.N. circles was distinctly pro-Pakistan and anti-India.

Pakistan had the added advantage of Gilgit on her side. The strategic importance of Gilgit in the overall Western strategy to contain communism was immense and the British were fully conscious of it. Pakistan could treat it as a bargaining counter to win the support of the Western bloc for Pakistan.

The Comparatively favourable attitude of the Communist delegates towards India from the very beginning had also something to do with Gilgit. Control of Gilgit and Kashmir Valley by the Western Bloc through Pakistan was then as now considered by Russia a major threat to her armament industries which had been shifted during the World War II to the east of the Ural mountains. They were within easy reach of Gilgit based bombers. This fact, coupled with the dominant position of pro-Communist elements in Sh. Abdullah's Government who wanted to use Kashmir as a spring-board for Communist revolution in India, influenced Communist Russia to take the side she did. This in its turn helped Pakistan to get further ingratiated with the Western Bloc which had the upper hand in the Security Council.

The pattern that was set in the early debates in the Security Council was reflected in the composition of the United Nations Commission for India and Pakistan—UNCIP. India chose Czechoslovakia from the Communist bloc and Pakistan chose Argentina, and when Pakistan and India failed to agree about their common nominee, the Council President named the U.S.A. The Security Council further decided to raise the strength of the UNCIP to five by nominating two more members—Belgium and Columbia—to it.

Pakistan insisted that the Commission should also go into the question of Junagadh, genocide and certain other problems arising out of the partition of India. The U. S. A. and Britain helped Pakistan to get these issues discussed in

the Security Council. On June 3, 1948, the Council President submitted a resolution which proposed that the Commission be directed to proceed without delay to the area of dispute and besides the question of Jammu and Kashmir, "study and report to the Security Council when it considers appropriate, on the matters raised in the letter of the Foreign Minister of Pakistan dated January 15, 1948."

This resolution was passed by the Security Council with U.S.S.R. Ukraine and Nationalist China (Formosa) abstaining:

This widening of the scope of the UNCIP evoked strong protests from the Indian delegation and the Indian Government. It was even suggested that India should withdraw its complaint from the UN and walk out of it. But, ultimately, the Government of India agreed to receive the Commission and co-operate with it.

The UNCIP arrived in India on July 10, 1948 and began discussions with representatives of India and Pakistan. The Pakistan Government which had so far denied any complicity whatsoever in the invasion of Kashmir now found it impossible to hide the facts any longer. Therefore her Foreign Minister, Zafarullah Khan, informed the Commission that regular Pakistan troops had moved "into certain defensive positions" in the State of Jammu & Kashmir. It created an entirely new situation. It more than substantiated the original complaint of India and clearly brought out Pakistan as an aggressor. It necessitated a review of the situation *de novo*. It put the question of plebiscite which had been projected to the forefront by Pakistan in the Security Council in the background for the time being and brought home to the Commission the urgency of getting the hostilities stopped first—a point which India had been stressing all along.

On August 13, 1948, the Commission, therefore, formulated and presented to the Government of India and Pakistan a resolution which called upon both sides to stop fighting which was to be followed by a Truce Agreement after which plebiscite was to be conducted in the State under the auspices of a

Plebiscite Administrator to be appointed by the UN to determine the will of the people about the accession of the State. It asked Pakistan to withdraw her troops as a first step towards the creation of conditions in which plebiscite could be held.

India accepted this resolution after obtaining certain clarifications as it vindicated her stand that Pakistan being the aggressor must withdraw her troops first. She particularly stressed the need of early withdrawal of Pakistani troops from the Northern areas where a garrison of State troops in the fort of Askardu was still holding out against heavy odds.

Pakistan too wanted certain clarifications particularly in regard to the position of the so called "Azad Kashmir" Government which it had set up in the occupied areas of the State. She also wanted to know the clarifications furnished by the Commission to India and India accepting the clarifications given by the Commission to her before she could accept the said resolution.

While Pakistan was thus procrastinating, the Commission returned to Geneva in September 1948 where it drew up its report which was submitted to the Security Council in November 1948. It admitted in its report that admission by Pakistan about the presence of her troops in Kashmir and her overall control of all Pakistani troops and Tribals fighting there had "confronted the Commission with an unforeseen and entirely new situation." It therefore recommended that as a first step towards the final solution of the dispute, the Pakistan Government should be asked to withdraw its forces from the State.

This has not been done by Pakistan up to the time of writing these lines.

The Security Council resumed its debate on Kashmir on November 25, 1948. It unanimously appealed to India and Pakistan to stop fighting in Kashmir and do nothing to aggravate the situation or endanger the current negotiations.

Following this resolution Dr. Alfred Lozano, a member of the UNCIP, and Dr. Erik Colban, personal representative of the UN Secretary General again Visited New Delhi and

Karachi to discuss with the two Governments certain proposals supplementary to the resolution of August 13, 1948. They dealt with appointment of a Plebiscite Administrator and certain principles which were to govern the holding of a plebiscite in Jammu and Kashmir after normal conditions had been restored.

Another round of Conferences between them and the prime ministers of India and Pakistan followed, Pt. Nehru asked and obtained certain clarifications from Dr. Lozano which were later published by India in the form of an *aide memoire* setting out the Indian point of view in a greater detail. Dr. Lozano returned to New York on December 26 to report to the Security Council.

### THE CEASE FIRE

Soon after he left, the Government of India without waiting for any further initiative from the UNCIP or the Security Council ordered a Cease-fire to be operative from the midnight of January, 1949. Pakistan reciprocated. This brought to an abrupt end the undeclared war between the two Dominions which had continued for nearly 15 months.

The Cease Fire came as a pleasant surprise to the world, especially to the UN circles. What the UNCIP had failed to achieve in spite of its best efforts was made a reality by an 'act of faith' on the part of Pt. Jawahar Lal Nehru. In India it was received with a mixed feeling of relief and dismay because it came all of a sudden at a time when initiative had passed into the hands of the Indian army which was fast recapturing the areas occupied by the enemy. The Pakistan and the so-called Azad Kashmir circles, however, felt relieved at this move of the Indian Government. Their fast waning prestige with the people of the occupied areas was restored and they got a much needed breathing space to put their house in order.

The reasons for this sudden move on the part of the Indian Government are best known to them. But apparently it was the desire of India's self-righteous Prime Minister to call

a conference of the Eastern Nations at Delhi to discuss the situation arising out of the Dutch aggression against the Indonesian Republic which actuated him to take this step. How could he talk of peace elsewhere when his own country was engaged in a war in Kashmir? That this war was not of India's own seeking, but had been forced on her by a perfidious neighbour did not seem to bother him. Was not the applause that he won for this act of self-abnegation on behalf of his country a compensation enough for the harm it might have done to the interests of India in Kashmir?

### DE-FACTO PARTITION

Whatever may be said about the advisability of Cease Fire at the time it came, there is no denying the fact that it, in a way, simplified the problem of Kashmir. The Cease Fire line which was finalised at a joint military conference of India and Pakistan held at Karachi from July 18 to July 28, 1949, divided the Jammu & Kashmir State roughly into two equal parts. Beginning from near the Karakoram pass in the North this line runs close to the Srinagar-Leh road near Kargil and then runs along the great Himalayan range dividing Kashmir from Baltistan; then turning South a little it passes near the mouth of the Burzila pass on the Kashmir side. From there it runs along the Western mountains, dividing Kashmir from Chilas and Karen upto Uri from where it goes South-West parallel to the river Jehlum and touches the Southern boundary of the state near Bhimber. A major portion of Baltistan excepting the town of Kargil, the whole of Gilgit and a major portion of the Punjabi speaking area of Muzaffarabad Poonch and Mirpur fell on the Pakistan side of the Cease Fire line. The strategic Burzila pass the only direct link between Kashmir valley and Gilgit, also fell on the Pakistan side.

Thus out of the six distinct linguistic and cultural regions of the State, three came into the hands of Pakistan. All of them are predominantly Muslim. All Hindus including Sikhs who never exceeded a lakh in these parts have either been killed

ed or driven out.

The remaining three, Jammu, Ladakh and Kashmir valley lie on the Indian side of the Cease Fire Line. Of these, Kashmir Valley alone has a Muslim majority. The remaining two are Hindu and Buddhist majority areas of the State.

Thus by proposing the Cease Fire and allowing the Pakistani forces to remain in occupation of the Pakistan held areas of the State, the Indian Government virtually accepted a partition of the State. The Cease Fire Agreement did not mention the right of the State Government to administer the areas held by Pakistan or the so-called Azad Kashmir Government. Those areas were left to be administered by the "Local Authorities" which practically meant the "Azad Kashmir Government" or any other authority sponsored and supported by the Pakistan Government.

Had the Cease Fire been brought about after a serious consideration of the military and political situation with a view to effect a planned partition of the territory involved as in the case of Korea and Indo-China, it might have well nigh put an end to the problem of Jammu & Kashmir which, unlike Korea, never possessed any intrinsic geographical, cultural, economic or religious unity. But in this case the Cease Fire was the result of just another sudden flash in the impulsive mind of Pt. Jawaharlal Nehru who has the rare quality of thinking at leisure after he has spoken or acted in haste.

As a result the Cease Fire line did not follow any set geographical, topographical or demographical pattern. Even strategic considerations, which should have been kept in mind when drawing the line which has since become more or less an international frontier, could not be given due attention because the Cease Fire had been ordered at a time when the Indian army had left its defensive positions but had not yet fully dislodged Pakistan forces from the strategic and defensive positions which they commanded.

It was just the line of actual control of the armies of India and Pakistan on the first of January 1949. Consequently while the strategic Yojila pass which links Kashmir Valley with



Ladakh remained in Indian hands, Pakistan retained the control of Burzila pass which links Kashmir Valley with Gilgit. Her control over this pass gave her a strategic advantage in as far as her armies could descend at will into Kashmir valley from Gilgit side in the case of resumption of hostilities. Further South, the Krishan Ganga which could have formed a natural frontier fell for some distance entirely on the Indian side of the Cease Fire Line before passing into the Pakistan held area. As a result, the rich timber resources of Titwal and Karen forests cannot be utilised either by Pakistan or by India. On the west, the Cease Fire Line passed near the town of Uri, which remained in Indian hands, at a distance of about thirty miles from Baramula, the entrance to Kashmir Valley. Again while a major part of the erstwhile Poonch Jagir including outskirts of Poonch town fell on the Pakistan side the town itself remained in Indian hands.

Had minor rectifications of the Cease Fire Line been done on a political basis, it could have become a much more scientific line of partition. But even as it is, it is not more unnatural than the one which partitioned the neighbouring province of Punjab in two in August, 1947.

## THE BALANCE SHEET

The virtual division of Jammu & Kashmir State between India and Pakistan as a result of the Cease Fire diverted for some time the attention of both India and Pakistan from the discussions at the U.N. to the task of consolidating their position in their respective parts. Pakistan had made valuable gains at the cost of India. But what still remained with India was of no less importance to her. A realistic appraisal of what Pakistan gained and what India still retained and the internal developments in the two parts of the state since then is an essential pre-requisite for proper appreciation of the developments which have made Kashmir a centre of international alignments of tremendous import for Asia and the World.

## PAKISTAN'S GAINS

The gains made by Pakistan from her undeclared War against India were considerable and significant from every point of view. Militarily, she could claim to have scored a victory over a much bigger and stronger India. At a much less cost in men and materials she was able to add to her dominions a territory roughly equal in size to East Punjab. It was quite a rich dividend for her unprovoked aggression and naturally confirmed the impression created in the minds of her leaders by the past policy of appeasement and surrender on the part of Congress leadership, that India could be bullied and bluffed into acquiescence in aggression and acceptance of any demand however unreasonable it might be if it was backed by adequate force. This created a new confidence and

psychology of aggression in Pakistan which has marked her dealings with India on all questions ever since.

Politically, Pakistan had made a mockery of the lawful accession of the Jammu & Kashmir State by Maharaja Hari Singh and asserted her claim to have a say in the future of that state. While she had obtained control over nearly half of the State by force, she had got the way cleared for getting the rest of it, or, at least Kashmir valley, through other means by getting India committed to a plebiscite under the supervision of the U.N.O. Knowing the Muslim mind, as she did, she was reasonably confident of the out-come of a plebiscite whenever it was held.

Diplomatically, she had scored a resounding victory over India. Taking advantage of Pt. Nehru's bunglings and indiscrete statements, she had succeeded in putting India, the aggressed and the complainant, on the defensive at the U.N.O. and at the bar of world opinion and had won valuable friends and allies. Having foolishly minimised and under played the fact of accession by the Maharaja, which was the only real and legal claim of India to be in Jammu & Kashmir, for reasons which would have made the architect of India's Kashmir policy liable to impeachment in any other country, India was reduced to the pitiable position in which she depended more on the good graces of Sheikh Abdullah and votes of the Communist Bloc rather than on the unassailable right derived from accession and the heroic defence of Kashmir by her armed forces.

This, as we will presently see, had the effect of swelling Sheikh Abdullah's head on the one hand and throwing India more and more into the lap of the Communist Bloc to the chagrin of the Western countries, on the other. The dangerous shift that this situation gave to India's foreign policy directly led to her virtual isolation and the Chinese aggression in 1962 which has humiliated India in the eyes of the whole world.

Pakistan's gains in terms of territory, human and economic resources and, above all, achievement of important strategic objectives too have been immense.

The area of the State territories now held by Pakistan comes to about 34,000 square miles out of the total area of 84,471 square miles for the whole State. It includes about 17,000 sq. miles of Gilgit, about 12,000 sq. miles of Baltistan and about five thousand square miles of the Mirpur-Poonch-Muzaffarabad zone. The total population of this Pakistan occupied part of the State was about  $11\frac{1}{2}$  lakhs out of a total of 40 lakhs for the whole State according to the 1941 census. It included the population of Gilgit which stood at 1,16,000 in that year.

Though these population figures are not very imposing yet they were important to Pakistan. The Poonchis, Mirpuris and Gilgitis provide fine fighting material. They make good soldiers and seamen. In fact, military service is the main occupation of these people. There were at that time a lakh of demobilised or ex-soldiers in Mirpur and Poonch area. Thousands of them are still employed in the Indian navy and mercantile marine as naval ratings or stokers. Being comparatively backward educationally and politically, they were considered to be more amenable to army discipline. This war-like manpower has since been an asset to Pakistan.

Apart from this manpower, Pakistan was able to achieve a major part of its objectives in the State by the occupation of these territories. Pakistan's main contention about the State was that, being a Muslim majority unit, it should accede to Pakistan. But the more realistic Pakistani leaders realised the difficulty in obtaining for Pakistan the Hindu or Buddhist majority parts of the State which are directly contiguous to the Indian Union. They, therefore, favoured a division of the State on the same basis on which India had been partitioned. Such offers in fact were made by the Muslim Conference leaders to the Dogra leaders of Jammu long before the troubles started there. But the division of the State on the basis of religion was disapproved by the Dogra people of Jammu for that would have meant loss of the Kashmir Valley to them. The Kashmiri leaders like Sheikh Abdullah were also opposed to partition of the State on the basis of religion

because that would have led to ascendancy of the Muslim Conference and the Punjabi Muslims in the Kashmir valley as well.

Pakistan had now virtually brought about a division of the State. Three Muslim majority zones of the State were held by her. The only Muslim majority part of the State that still remained out of her control was the Kashmir valley.

From the strategic point of view she had obtained all that she could reasonably hope to get. The first objective of Pakistan in this regard was to cut off the State (which she feared might accede to India any day) from the N.W.F.P., the tribal area and Afghanistan so that no link up of Pathan home-land with India might be possible. The anxiety of Pakistan to prevent this link up was great because of the growing demand for Pakhtoonistan and the keen interest that was being evinced by Afghanistan in it. Though the Indian leadership had let down the Khan brothers—Khan Abdul Guffar Khan better known as Frontier Gandhi, who is rotting in Pakistan's jails since the creation of Pakistan and his brother, late Dr. Khan Sahib, who headed the congress Ministry of N.W.F.P. at the time of partition—the sympathies of the Indian Public were with the Pathans who had worked shoulder to shoulder with the Indians in their fight against the foreign rule. A direct link between India and Pakhtoonistan and Afghanistan, therefore, would have become a headache for Pakistan. That possibility was removed by the *de facto* control of Gilgit and the Krishan Ganga basin by her.

Pakistan's control over Gilgit besides preventing a direct contact between India on the one side and Afghanistan and U.S.S.R. on the other, provided Pakistan with a bargaining counter to secure the sympathy and support of the U.S.A. and Britain for herself. Because of its strategic location, Gilgit is of vital importance to the U.S.A. in her world wide strategy of containing international communism. That explains the deep interest of U.S.A. and Britain in favour of Pakistan retaining control of Gilgit and securing control over Kashmir valley, which also could develop into a major supply

base for the advance bases in Gilgit. For the same reasons, the U.S.S.R. is determined to prevent Kashmir valley passing into Pakistan's hands. Her support to India over Kashmir in the Security Council has been actuated more by her self interest than by sympathy for the Indian point of view.

Control over Gilgit and Baltistan also brought Pakistan in direct touch with Sinkiang province of the expanding Communist Chinese empire. Communist China became interested in securing control over Ladakh after her forcible occupation of Tibet. This has since created a community of interests between Pakistan and Communist China in the dismemberment of Jammu and Kashmir State in such a way as may give Ladakh to China and Kashmir Valley to Pakistan. That explains the Communist Chinese attitude to the Kashmir questions ever since its inception and the present hobnobbing between her and Pakistan. Thus strategically the territories acquired by Pakistan have proved to be of immense importance to her.

From the economic point of view too these territories have proved to be of great importance to Pakistan. The Mangala headworks of the Upper Jehlam canal which irrigates a large part of the West Punjab lie near Mirpur. It flows for about 20 miles within the State territory before entering West Punjab, The economic life of a good portion of West Punjab could be strangulated by the destruction of these headworks. Even a breach in the right bank of the canal which flows parallel to the river could render the canal useless to Pakistan. Now, the headworks and the area through which the canal flows came under the direct control of Pakistan. Therefore, the real or imaginary fear of Pakistan about economic strangulation by India was removed.

The economic importance of Mangala, a name derived from goddess Mangla whose temple stands on top of a cliff surmounted by a fort, has since been further enhanced. The site has been chosen for the construction of a high altitude dam on the Jehlam with U.S. help. When completed it will become the greatest single power-cum-irrigation project in

Pakistan.

Besides the Mangala Project on the Jehlam, the waters of the Krishan Ganga and the Poonch rivers, the major tributaries of the Jehlam flowing through Jammu and Kashmir State, can also be harnessed for producing hydro-electric power at a number of sites.

Furthermore, these territories brought Pakistan in possession of rich source of timber as well as the means of bringing it to the plains. All the rich forest wealth of Kashmir and Karen is carried to the plains by the Jehlam. This was an important gain in view of the fact that Pakistan has few forests for good timber. The control of these forest areas assured Pakistan of a regular supply of raw material for her Rosin Factory at Jallo near Lahore, and of other kinds of forests produce. Pakistan, in fact, obtained almost a monopoly of "Kuth", a fragrant medicinal herb, which grows in the forests of Karen and Chilas.

As far as minerals are concerned, little is known so far about this area. But a geological survey is bound to reveal the rich mineral potentialities of these thirty four thousand square miles of mountainous territory. The surveys so far made have revealed the existence of mineral oils in the Poonch area. Lime stone suitable for cement and different types of valuable clays are also known to exist in abundance in these parts.

These gains of Pakistan have proved to be sure and permanent. The people of the occupied areas, who have close linguistic, social and cultural ties with the people of the adjoining districts of West Pakistan, have been fully indoctrinated with Pakistan's ideology. They are, therefore, sure to stand by Pakistan in peace or war. The question of plebiscite, which has since lost all relevance to the situation has, therefore, never been a headache for Pakistan.

Pakistan's military build up in these areas with the help of warlike and well-trained local population coupled with favourable geographical factors has made the possibility of the reconquest of these areas by India very remote. No local

action confined to Jammu and Kashmir State can possibly succeed in dislodging Pakistan from Gilgit which she has since linked with Peshawar by a motorable road. Control of Burzila Pass by Pakistan has made the task of the Indian army in this respect doubly difficult.

Pakistan was not at all bothered by any U.N. reactions. She had, in fact, from the beginning used that forum to malign India with total impunity. The fact that she had violated the U.N. Charter by crossing into the territories of Jammu & Kashmir State did not in any way compromise her position at the U.N. She was not bothered about her own legal position or world opinion, so long as she was in firm possession of the territories concerned. As later events have proved, world opinion or legal quibblings matter only for the weak. The strong who can present the world with a *fait accompli* can always get away with it unless the victim of aggression can mobilise a bigger strength to undo the wrong.

Therefore, she went ahead with consolidating these gains untrammelled by any extraneous considerations or inhibitions. She established her direct control over the northern strategic areas of Gilgit and Baltistan which have since continued to be centrally administered units of Pakistan. In the Western districts of Mirpur-Poonch and Muzaffarabad she had already set up a puppet regime for the purpose of tactical manoeuvrability at the U.N. She gave this area the name of "Azad" (Independent) Kashmir even though it had nothing to do with the Kashmir region of the State which is cut off from the rest of the State by high Himalayan ranges. She raised over thirty fully trained and equipped new battalions from among the local people which constitute the real striking force of Pakistan in the State.

Having thus acquired and consolidated her position in three out of the four Muslim majority regions of the State, Pakistan began to prepare for the control of the rest of the State. The cessation of hostilities and restoration of normal conditions in the valley enabled her to start a propaganda offensive inside the valley through her numerous agents in



the State administration and the Mullah class to rouse communal feelings in the people there.

. The state of affairs in the India-held part of the State, inspite of the sound legal and constitutional position of the Government of India, has been just the opposite. The developments there and the policy of the Government of India regarding them tended to further compromise and weaken the position of India both internally and externally.

### THE INDIAN SIDE

Even though the gains of aggression to Pakistan at the cost of India were valuable and important, the territory still left with India was of much greater extent, value and importance. It included Kashmir Valley and parts of Uri and Titwal sub-divisions of Muzaffarabad district in Kashmir province, four eastern districts comprising the Dugar region of Jammu province together with the town of Poonch and some neighbouring territory along the Cease Fire Line which belonged to the Punjabi speaking Western Zone, most of which had been occupied by Pakistan, and the whole of Ladakh including Kargil lying between Ladakh and Baltistan proper across the Yojila Pass.

The total area of this territory was about 50,000 sq. miles including about 33000 sq. miles of Ladakh, about 12000 sq. miles of Jammu, about 3000 sq. miles of Kashmir Valley and about 2000 sq. miles of Uri and Titwal area.

From the population point of view the Kashmir Valley with its 15 lakh population of which about 14 lakhs are Muslim is the most populous. Next comes Jammu with a population of about 12 lakhs of which about ten lakhs are Hindus. The Muslim population of Jammu is mainly concentrated on the West along the Cease Fire Line. Ladakh with a population of just about a lakh of which Buddhists form a large majority is the most sparsely populated.

Jammu and Ladakh being directly contiguous to each other as also to East Punjab and Himachal Pradesh form a

compact bloc of about 45,000 sq. miles with a predominantly Hindu or Buddhist population. Kashmir Valley and the adjoining areas of Uri and Poonch form the only compact Muslim majority area on the Indian side of the Cease Fire Line.

Strategically though not comparable to Gilgit because of its being the meeting ground of international frontiers of Afghanistan, U.S.S.R., Communist China and India, the territory held by India is yet of immense importance to her. Being the only link between India and the rest of the State including the Kashmir Valley, the Jammu region has the greatest strategic importance for India. Its warlike Dogra population and hilly terrain make it an ideal frontier area separating East Punjab from North Western parts of West Pakistan and Pakistan held territories of the State.

Gilgit and Baltistan having been lost to Pakistan, Ladakh remained the only window in Indian hands opening into Central Asia. Though the town of Leh had ceased to be the nerve centre of central Asian trade since the incorporation of the central Asian Khanates by U.S.S.R. and China, yet its importance as a political and military outpost can not be minimised. The strategic importance of this area has since been enhanced manifold by the Communist Chinese occupation of Tibet and its expansionist designs and aggression against India.

The strategic importance of Kashmir which is essentially a place of beauty lies in its being a vast stretch of plain land surrounded by the high Himalayan ranges which make it an ideal supply and air base for the defence of India's Northern frontiers. The fact that the only motorable road linking Leh with Jammu and the rest of India passes through the Valley has made it indispensable for Indian defence against Communist Chinese expansionism.

The economic potentiality of this territory is much greater. The magnificent fir and deodar forests of Jammu region whose valuable timber flows down the Chenab to Akhnoor near Jammu are among the best of their kind in the Himalayas.

Saffron is produced in Kashmir Valley and Kishtwar in Jammu. This area also abounds in rare medicinal herbs and other kinds of forest produce. Silk and wool of high quality are also produced in large quantities and processed in the wool and silk factories at Srinagar and Jammu.

The Jammu region, particularly its Reasi area, is very rich in minerals. Large deposits of coal of good quality, bauxite, iron ore and copper and many other minerals have been found in this area. There are rich sapphire mines at Padar near Kishtwar. Lime stone and other clays suitable for cement and ceramics are found in large quantities in the Kandi areas. Ladakh too is known to be rich in minerals though exact assessment must await a detailed geological survey of the area.

Cheap hydro-electric power can be generated to exploit this rich mineral wealth by harnessing the waters of the Chenab and the Ravi and their numerous tributaries. In fact the scope for generating power is immense in the Jammu region. The Salal Scheme on the Chenab near Reasi which had long been under consideration of the Governments of Punjab and Kashmir before partition and which has recently been taken up by the Government of India will produce, when completed, enough power to transform the economy of the entire area.

The economic potential of the Kashmir Valley as a tourist resort and as home of deft artisans whose handicrafts have a world wide market is equally great. Jammu region also abounds in places like Sannasar and Bhadarwah which can excel the best beauty spots in Kashmir Valley and can be developed into great tourist centres. They have remained neglected because of the indifference of both the Dogra and the present regimes.

Further more all the famous shrines and places of pilgrimage like the holy caves of Shri Amar Nath and Vaishnu Devi, the holy springs of Mattan and Khir Bhawani and great temples of Shankracharya and Martand which provide a base for the emotional attachment of the people of India with the Jammu & Kashmir State remain in Indian hands.

Statesmanship and realism demanded that India, while

maintaining its legal claim over the whole state, took steps to consolidate her position in these territories. Had she done that, the Cease Fire might have simplified the issue by providing the basis of a *de facto* partition of the State which while providing valuable spoils to Pakistan would have given to India control over those parts of the State which for well known reasons abhorred to be annexed by Pakistan.

But India's handling of the Kashmir issue in its internal aspect has been as unrealistic and impolitic as that of its external aspect in relation to Pakistan and U.N.O. The story of India's bungling in this respect makes a sickening reading from the very beginning.

As discussed in an earlier chapter, one major reason for Maharaja Hari Singh's hesitation in acceding to India was his fear about insistence to hand over power to Sheikh Abdullah whose bonafides and motives were thoroughly suspect in his eyes. But the circumstances which forced him to request the Government of India to accept his state's accession left him with no choice but to obey the dictates of the Government of India in this respect. He had to hand over full powers to Sheikh Abdullah and his National Conference as a pre-condition for the acceptance of his State's accession so that Indian troops could be flown to Srinagar to save it and the rest of the Kashmir Valley from going the Baramula way. Sheikh Abdullah became the Chief Emergency Officer to start with and then Prime Minister of the entire State and not of the Kashmir Valley alone.

This was a great blunder and a grave injustice to the people of Jammu and Ladakh. National Conference in its genesis and growth had remained a purely Kashmiri Organisation which depended for its following mainly on anti-Hindu, anti-Dogra and anti-Maharaja feeling which it had steadily built up ever since 1930. It had no adherents in Jammu except the small communist cell of comrade Dhanwantri. The Quit Kashmir movement as discussed earlier was mainly aimed against the people of Jammu. That movement had made it absolutely clear that Sheikh Abdullah was interested in secur-

ing control over Kashmir Valley alone and was not the least interested in other parts of the State. He never aspired nor expected to be put in charge of the Government of the whole State.

He, in fact, was reluctant to come to Jammu and had to be persuaded to come there by Pt. Prem Nath Dogra and other dignitaries of Jammu many days after he had taken charge of the Government at Srinagar. The proper course, therefore, would have been to entrust him with power in Kashmir Valley and give charge of Jammu and Ladakh to popular representatives from these regions.

To make things worse the Government of India began to treat him as a *de facto* Sultan of the whole state from the very beginning. Instead of having a more tighter central control over his administration because of the State being a theatre of war, the Indian Prime Minister Pt. Jawaharlal Nehru, poor judge of men as he is, decided to give him such a long rope as would have prompted even a better man and a patriot to hang himself with it. The Agent General to the Government of India, Kanwar Dalip Singh, who was supposed to watch the interests of India and guide Sheikh Abdullah accordingly was quick to notice the dangerously independent and even anti-Indian attitude of Sheikh Abdullah and warned the Government of India to exercise a check over him. But instead of heeding his report he was asked not to interfere with Sheikh Abdullah's administration and be guided by him. He resigned in disgust and went back to Delhi.

Sh. Abdullah never had any need for Indian guidance. He had enough communists around him to guide him towards "Independent Kashmir" which suited their overall strategy for a communist revolution in India. With the appointment of Sheikh Abdullah as Chief Emergency officer for the whole State pending the formation of a regular Government they became the real masters of Kashmir for some time at least. They took charge of all available military stores, commandeered private arms and organised a Militia of which such well known Communist leaders as Rajbans and Ch. Sher Jung

become Brigadier and Colonel commandant respectively. They named the main square of Srinagar as Lal Chowk—red square—and filled all the key administrative posts with their own nominees. With the departure of Sh. Abdullah for New York as a member of the Indian Delegation to the U.N.O. Mr. G.M. Sadiq became the virtual head of the Government in Kashmir which further gave a free hand to communists.

It was a time when Communist terrorism miscalled revolution was in full swing in Telengana. To avoid arrest many leading communists had come to Kashmir. Most prominent among them was Mr. B.P.L. Bedi, who became a close confidant of Sh. Abdullah. He was reported to have said in 1948 that “with Soviet Russia at our back we can turn Kashmir into an arsenal for revolutionary movements in India and Pakistan”.

This Communist strategy demanded that Sh. Abdullah must repudiate authority of India and work for an independent Kashmir. Even otherwise Sh. Abdullah was inclined to take this line because that suited his ambition to become the Sultan of Kashmir.

As a result Sh. Abdullah began to display from the very beginning an arrogant disregard for India and stress his own role in the revolutionary changes that had brought him into power. In his first public speech at the “Red Square” at Srinagar on October 27, 1947 he said “we have picked up the crown of Kashmir from dust. Whether we should join India or Pakistan is a secondary question, First we have to complete our Independence”. There was no reference in this speech to the role of the Indian army, not to speak of any word of appreciation for it.

Such utterances created scare in Jammu whose people wanted accession of the State to India to be a real fact rather than a farce. The anti Dogra tirades of Sh. Abdullah and the repressive and discriminatory policies of his Government coupled with and reckless enforcement of the New Kashmir Plan created a lot of discontent against his administration in Jammu within a few months of the transfer of power to his

hands. The arrest of Pt. Prem Nath Dogra and other Praja Parishad leaders further aggravated the situation.

The discontent in Ladakh was no less. The Buddhists there found the new regime not only repressive but also communal in its out look and approach. As a result, while the Kashmiri Muslim, who were quite enthusiastic about accession to India in the beginning, began to get dis-illusioned; the feeling began to grow in Jammu and Ladakh that they must be freed from the appressive rule of Sh. Abdullah and his communist-communalist agents even if it meant their separation from Kashmir Valley.

Such a situation was not very conducive to the furtherance of the stand that India had taken regarding a popular backing to the accession of the State as a whole to India. The U.N. circles with their already marked pro-Pakistan sympathies could not fail to take notice of this internal situation on the Indian side of the Cease Fire Line. This was reflected in the report of Sir Owen Dixon and subsequent discussions in the Security Council.

## AFTER THE CEASE FIRE

The Cease Fire eased the situation in so far as it put a stop to the actual fighting. It also removed the fear of the fighting in Kashmir developing into a general Indo-Pak War. But it did not bring the solution of the problem as visualised by the UNCIP in its resolution of August 13, 1948 any nearer. Nothing had been settled about the Truce Agreement and plebiscite which were to follow the Cease Fire in terms of that resolution before India took the initiative to end the shooting War. This put the U.N. Commission in a difficult position. While it appreciated India's self-abnegation in stopping the actual fighting it could not allow the matters to rest there. It, therefore, after waiting for a few months passed a new resolution on January 5, 1949 which detailed the steps to be taken for the implementation of the provisions of its earlier resolution about the Truce Agreement and the plebiscite. To expedite the work it decided to move down to India and Pakistan to carry on its mediatory efforts to that end.

But neither Pakistan nor India was in a hurry to oblige the U.N. Commission. Pakistan wanted to consolidate her position in the territories acquired by her and was in no mood to take any risk by withdrawing the 30 battalions of local troops raised from among the people of these territories and allowing the writ of the lawful Government of Jammu & Kashmir to run, even nominally, over the whole state on which India insisted. The divergence between the views of the two sides regarding demilitarisation and administrative control over the territories occupied by Pakistan was so great that it took them seven months even to finalise the Cease Fire Line.



The UNCIP therefore began to veer round to the idea of arbitration by a third party regarding the disputed points about demilitarisation which stood in the way of signing of the Truce Agreement and induction of a plebiscite Administrator for which post the security council had nominated Admiral Chester Nimitz of the U.S.A. Accordingly, it presented to the Governments of India and Pakistan on August 29, 1949, its proposal about submitting to arbitration their differences regarding the implementation of Part II of the resolution of August 13, 1948. As if by prior arrangement, President Truman of the U.S.A. and Premier Attlee of the U.K. wrote to the Prime Ministers of India and Pakistan about the same time to accept this suggestion about arbitration.

The Government of Pakistan accepted the suggestion but the Government of India rejected it on the plea that the outstanding issue of disbanding and disarming of "Azad" Kashmir forces was a matter not for arbitration but "for affirmative and immediate decision".

Though the arbitration proposals thus fell through, it hardened the attitude of the U.S.A. and the U.K. against India.

The U.N. Commission therefore felt that any further efforts at mediation would be useless and decided to return to New York and report its failure to the Security Council. This it did on December 12, 1949. The majority report was signed by four of the five members. While admitting the Commission's failure in the task entrusted to it, it suggested that the "Security Council should designate as its representative, a single individual who should proceed to the subcontinent with the broad authority from the Council to endeavour to bring the two Governments together on all un-resolved issues".

Dr. Chyde, the representative of Czechoslovakia, submitted a separate minority report in which he charged the U.N. Secretariat, the U.S.A. and the U.K. with interference in the work of the UNCIP, suggested that a new mediation organ really independent and untrammelled by outside interference should be created and asserted that Security Council as a whole

alone could be such an organ.

The presentation of these reports and the charges levelled by Dr. Chyde about interference by the U.S.A. and the U.K. in the working of the UNCIP made the division of the Security Council between the Western and Eastern Blocs on the question of Kashmir absolutely clear. It was now evident that the Kashmir issue had got caught up in the cold war and that a dispassionate study and solution of the problem on its own merits was going to become more and more difficult. This fact began to further influence the foreign policy of the Government of India in favour of the Communist bloc which in its turn made the attitude of the Western bloc more and more sympathetic to Pakistan's point of view.

The Security Council, after debating these reports for many weeks, decided by a majority vote on March 14, 1950, to send a single U.N. representative to assist in the demilitarisation Programme and subsequent steps for organising a plebiscite. Sir Owen Dixon, a retired Judge of the Australian High Court, was chosen for the purpose. Earlier, the names of Admiral Chester Nimitz and Mr. Ralph Bunche were proposed but had to be dropped because of India's opposition.

Sir Owen Dixon arrived in India on May 27, 1950. He immediately undertook a comprehensive tour of Jammu & Kashmir State on both sides of the Cease-fire Line and held discussions with local leaders besides the Prime Ministers of India and Pakistan. On August 22, 1950 he announced that he had come to the conclusion that there was no immediate prospect of India and Pakistan composing their differences and that he would shortly report to the Security Council. This he did on September 15, 1950.

### THE DIXON PROPOSALS

Sir Owen Dixon's report was the first judicial report on the state of Affairs in Jammu and Kashmir as it had developed since the beginning of Pakistani invasion in October, 1947. He made some practical suggestions about the solution of the

problem in the light of the actual realities of the situation on both sides of the Cease-fire Line.

He was the first U.N. representative to state in unequivocal terms that the crossing of the frontier of Jammu & Kashmir State by Pakistani invaders on October 22, 1947, and the entry of regular Pakistan Army into Kashmir in May, 1948 were contrary to international law.

He was again the first U.N. representative to clearly grasp the fact that Jammu & Kashmir State is just a heterogeneous conglomeration of territories under the political power of one Maharaja and that it was not really a unit geographically, demographically or economically. He, therefore, concluded that "if as a result of one overall plebiscite the state in its entirety passed to India, there would be a large movement of Muslims and another refugee problem would arise for Pakistan. If the result favoured Pakistan a refugee problem, although not of such dimensions, would arise for India. Almost all this would be avoided by partition. Great areas of the State are unequivocally Muslim. Other areas are predominantly Hindu. There is a further area which is Buddhist. No one doubts the sentiments of the great majority of the inhabitants of these areas. The interests of the people, the justice as well as avoiding another refugee problem all point to the wisdom of adopting partition as the principle of settlement and of abandoning that of an overall plebiscite".

In the light of above conclusions he suggested the following two alternatives to an overall plebiscite :

(1) A plebiscite be taken "by sections or areas" and the allocation of each section or area be made according to the result of the vote.

(2) Without holding a plebiscite, areas certain to vote for India and those certain to vote for Pakistan "be allotted accordingly and the plebiscite be confined only to the uncertain area". The "uncertain area" according to Sir Dixon appeared to be the "Vale of Kashmir and perhaps some adjacent country".

This plan of holding a partial plebiscite in a limited area

consisting of the valley of Kashmir and partitioning the remainder of the State was according to Sir Dixon "a last possibility of saving the situation". He wanted to set up an administrative body in this limited plebiscite area consisting of United Nations officers headed by the Plebiscite Administrator with powers to "exclude troops of any description. If, however, they decided that for any purpose troops were necessary, they could request the parties to provide them".

He further suggested that the Security Council should pull itself out of the dispute and let the initiative pass to the parties concerned. He, however, stressed the necessity for the reduction in armed forces holding the Cease-fire Line to the normal needs of a peace time frontier.

Keeping in view the actual state of affairs on both sides of the Cease-fire Line and the Indian commitment about plebiscite to determine the will of the people about accession, Dixon's proposals appeared to be eminently reasonable and practical even though they militated against the legal and constitutional right of India over the whole of the State. They left the gains of aggression which included three out of the four Muslim majority regions of the State in the hands of Pakistan and gave her a fair opportunity to secure control over the fourth—the Valley of Kashmir—if the people of that region really wanted to put their lot with her. They gave India an un-disputed control over Jammu and Ladakh and provided her an opportunity to put the loyalty of Sheikh Abdullah and Kashmiri Muslims for whom she had done so much to a fair test. To confine the plebiscite to the Valley with its small and compact area was definitely to be preferred to an overall-plebiscite in the whole of the State from every point of view.

But there was one snag in these proposals. The suggestion to replace the lawfully constituted authority in the Valley by the U.N. administrators with the right to invite troops of both India and Pakistan if necessary for the purpose of maintenance of law and order could not be justified on any ground. It amounted to absolute repudiation of India's special position

emanating from the lawful accession of the State to her and bestowal upon Pakistan, the aggressor who had already obtained rich spoils, an equal status and right over Kashmir.

The Pakistan Government rejected the Dixon proposals on the plea that they "meant a breach on India's part of the agreement that the destinies of Jammu & Kashmir State as a whole should be decided by a plebiscite taken over the entire State". But this rejection was more tactical than genuine because there could not have been a better proposal from the Pakistan point of view.

But it was not so easy for India to accept these proposals. It would have amounted to an implicit acceptance by her that accession of the State to India had no legal and constitutional validity and that the State should be partitioned on the same basis on which British India had been partitioned earlier. Further, doubts had begun to assail the mind of Pt. Nehru as well about the advisability of putting the Kashmiri Muslims into the ordeal of a plebiscite in which, whenever held, religious and communal considerations would outweigh all other considerations. Taya Zinkin, the representative of "*Manchester Guardian*" of London, has reported Pt. Nehru as having told her on the June 30, 1950, in answer to her question whether he would accept the *status quo* with plebiscite confined to the Valley of Kashmir, that he would not agree to a plebiscite so long as Pakistan held a part of the State because the people of Kashmir were "timorous". Pakistan had agreed that it would not canvass in Kashmir on religious grounds but he could not run the risk of their breaking this understanding. Compared with the risk of communal conflagration he did not care about world opinion, but added that "of course if the Kashmiris want a plebiscite to be fought on economic and not, mind you, religious grounds they can have it. But I shall never allow so long as I live a plebiscite over cow's urine and all that. It would undo the whole of communal harmony".<sup>1</sup>

However, according to Sir Owen Dixon, the Prime Minister of India was in agreement with the general principles

1. "Reporting India" by Taya Zin Kin P.P. 206

underlying his proposals, viz., area where there was no doubt as to the wishes of the people going to India or Pakistan and plebiscite being confined to the areas where there was doubt about the result of voting provided the demarcation line was drawn with due regard to geographical features and requirements of an international boundry. But he was strongly opposed to Dixon's proposal about supersession of the existing Kashmir Government and bringing in of Pakistan troops in the Valley if the Plebiscite Administration felt keeping of such troops there necessary.

There are reasons to believe that had Sir Dixon and afterwards the Security Council adopted a flexible approach in regard to the suggestion about supersession of lawful Kashmir Government and admission of Pakistan's troops into the valley if the plebiscite Administrator so desired, his proposals might have proved a workable basis for a final settlement in spite of the immediate adverse reactions of India and Pakistan to it.

But the Security Council which met on February 21, 1951 to consider the report of Sir Owen Dixon instead of finding out ways and means of making the Dixon proposals acceptable to the two parties, decided by a resolution sponsored jointly by the U.K. and the U.S.A. to send another U.N. representative to India and Pakistan in succession to Sir Owen Dixon "to effect the demilitarisation of the State of Jammu and Kashmir on the basis of the demilitarisation proposals made by Sir Dixon in his report with any modifications which the U.N. representative deems advisable, and to present to the Governments of India and Pakistan detailed plans for carrying out plebiscite in the State of Jammu and Kashmir". This resolution was passed with slight modification in spite of the opposition of India by a majority vote on March 30, 1951. None voted against it but the U.S.S.R. and Yugoslavia abstained.

## DIRECT NEGOTIATIONS

In accordance with this resolution the Security Council appointed Dr. Frank Graham of the U.S.A. as its new representative for India and Pakistan. Dr. Graham who first came to India and Pakistan in June, 1951 carried on endless discussions with the Prime Ministers of both countries about the quantum of armed forces to be retained by the two sides in Kashmir after a demilitarisation in terms of the resolution of August 13, 1948 had been brought about. Having failed to make any head-way, he suggested direct negotiations between the two Governments. They began at a joint conference of the two countries at ministerial level at Geneva in August, 1952, and were later, after a change of Government in Pakistan following the assassination of Prime Minister Liaqat Ali Khan, continued at Karachi and New Delhi at the Prime Minister's level.

The joint communique issued on August 20, 1953, after the conclusion of the talks between the two prime Ministers at New Delhi gave the impression that some head-way had been made towards a negotiated settlement. According to the communique the Prime Ministers agreed to consider directly the preliminary issued like the quantum of forces to be kept by both sides in Kashmir and to that end decided to appoint military and other experts to advise them in regard to these issues. A provisional time-table for implementation of their decisions was also drawn up according to which the Plebiscite Administrator was to be inducted into office by April, 1954.

But before any concrete steps could be taken to implement the decisions announced in the joint communique, a new turn was given to the whole problem by the military pact between Pakistan and U.S.A. under which Pakistan began to receive massive military aid from the U.S.A. and the internal developments in Kashmir which culminated in the over throw of Sh. Abdullah and installation of a new Government headed by Bakhshi Gulam Mohammed and ratification of accession by the Kashmir Constituent Assembly.

## SHADOW OF COLD WAR

The developments leading to the dismissal and arrest of Sh. Abdullah in August 1953 and the signing of U.S.A-Pak Military Pact early in 1954 were closely linked up with the cold war politics of the two Power blocs. They in their turn contributed to a further intensification of the cold war in regard to Kashmir which made an objective approach and a negotiated settlement of the problem inside or outside the U.N.O. all the more difficult.

Internally, these developments were closely linked up with Sh. Abdullah's personal ambition to secure absolute power for himself in the Kashmir valley for which he leaned first on the Communists who gave him the idea of independent Kashmir but later moved towards the West, particularly the USA, to achieve the same end to the great chagrin of the Communists.

The opportunity to cultivate the friendship of the Western statesmen and secure their sympathy for his pet plan was provided to him by his successive visits to Europe and the U.S.A. as a member of the Indian delegation to the United Nations. The ruling circles in the USA had already veered round to the idea of a partition of Jammu & Kashmir between India and Pakistan more or less on the basis of *status quo* with freedom for Kashmir valley to decide about its own future through a plebiscite under U.N. auspices. This fitted in well with Sh. Abdullah's own ambition. He therefore felt encouraged to give out his mind in an interview to Michael Davidson of *Sunday Observer and New Scotsman* in May 1949. He was reported to have said, "Accession to



either side cannot bring peace. We want to live in friendship with both Dominions. Perhaps a middle path between them with economic co-operation with each will be the only way of doing it”.

The Government of India was taken aback by this statement of Sh. Abdullah. Sardar Patel who had by that time integrated over 500 princely States but had scrupulously refrained from taking interest in the handling of Kashmir problem because of Pt. Nehru's insistence upon treating it as his close preserve, for once thought it necessary to put his foot down on Sh. Abdullah's ambition. His one frown made Sh. Abdullah realise that he had over-stepped. He, therefore, beat a hasty retreat.

The death of Sardar Patel towards the end of 1950 removed from the Indian scene the one man who could have kept Sh. Abdullah's ambition in check and cleared the mess that Pt. Nehru had made in Kashmir by his unrealistic and erratic handling of the problem from the very beginning. Sardar Patel, in fact, told the present writer when the latter requested him to do something about Kashmir as well, that he would set things right there in one month, but he was not prepared to take the initiative unless Pt. Nehru specifically requested him to do so. Whether it was a gentleman's agreement between the two giants of the Indian politics not to interfere with each other's sphere of activity or deliberate self-denial on the part of Sardar Patel, it is difficult to say. But the fact remains that while Sardar Patel was able to integrate 500 and odd princely States including Hyderabad with great efficiency and success within two years, Pt. Nehru has made a mess of Kashmir in spite of the huge sacrifices in men and material and complete and unstinted support of the nation to him in the matter. With the passage of time even the worst critics of Sardar Patel have begun to admit that left to him the Kashmir issue would have been settled long ago in keeping with national honour and national interests. That will remain in the eyes of history which is no respecter of personalities, the measure of Sardar Patel's greatness as a

statesman and administrator as compared to Pt. Nehru whose handling of Kashmir issue will go down in history as an epitome of the failures of a man who with the best of opportunities and favourable circumstances made a mess of everything he handled.

Deterioration in the internal situation of the State after that was as rapid as it was disconcerting for India. To secure a free hand for himself in the State, Sh. Abdullah succeeded, thanks to Pt. Nehru's dotting support to him, in getting the temporary Article 370, which made the bulk of the Indian Constitution inapplicable to the Jammu & Kashmir State, incorporated in the Constitution itself. It visualised a separate Constituent Assembly for the State to draft its Constitution.

Elections to the Constituent Assembly were held in 1951. But they were so conducted that most of the candidates of the Praja Parishad, the only Opposition party in the State, were eliminated at the nomination stage by rejecting their nomination papers and the rest were forced to withdraw for want of assurance that elections would be fair and free. As a result, all the 75 nominees of Sh. Abdullah's National Conference got elected unopposed.

The Constituent Assembly of Jammu & Kashmir was supposed to ratify the accession of the State to India and adopt the Indian Constitution, in the making of which Sh. Abdullah and three other representatives from the State had an equal hand, for the State as well. But Sh. Abdullah tried to give it quite a different idea of its powers and scope from the very beginning. He told it that it was "one hundred percent sovereign" and that "no Parliament, be it that of India or of any other country, has authorisation here". Referring to independence as a possible solution he observed on March 25, 1952, "Suppose for the sake of argument that the people do not ratify this accession the position that will follow, would not be that as a matter of course Kashmir becomes a part of Pakistan. No, that would not happen. That cannot happen legally or constitutionally. What would happen in such an eventuality would be that the State would regain the

status which it enjoyed immediately preceding the accession. Let us be clear about it”.

Simultaneously, he began to speak in the same strain outside the Assembly. His main object thus appeared to be to put pressure on the Government of India to make some definite commitment about autonomy of Kashmir before the Constituent Assembly ratified accession. This he secured through the Delhi Agreement of July 1952 by which he secured a free hand to abolish the Dogra ruling dynasty and have a separate flag and Constitution for the State. Accordingly the hereditary Dogra ruler as the head of the State was replaced by an elected President called Sadar-i-Riyasat, the red flag of the National Conference was adopted as the State flag and machinery was set up for drafting a separate Constitution for the State while the question of ratification of accession was kept pending,

These separatist moves and utterances sent a wave of resentment in Jammu and Ladakh as also in the rest of India. The Praja Parishad launched a movement for the integration of the State with the rest of India like other acceding States with a common Constitution, a common President and a common Flag. The popular discontent against discriminatory economic and administrative policies of Sh. Abdullah's Government with regard to Jammu added strength to this movement which spread to every nook and corner of Jammu Province. Thousands of people courted arrest and about two score persons were shot dead for hoisting the Indian tricolour on the State buildings in Jammu and for raising the slogans—

*“Ek Desh Men Do Vidahn  
Ek Desh Men Do Nishan  
Ek Desh Men Do Pradhan  
Nahin Challenge-Nahin Challenge”.*

(Two Constitutions, two Presidents and two Flags in the same country will not be tolerated).

The patriotic sufferings of the people of Jammu found sympathetic response from nationalist India spearheaded by

late Dr. Shyama Prasad Mookerji who, ever since his resignation from the Nehru Cabinet in April 1950, had been unofficially acclaimed as Leader of the Opposition even though his own party, the Bharatiya Jana Singh, could return only three members to the first Parliament of free India elected in 1952. He took up the battle on behalf of the Praja Parishad inside and outside the Indian Parliament. Having failed to persuade Pt. Nehru to sit round a table with the representatives of the people of Jammu and Ladakh and meet their genuine and patriotic objections to the separatist policies of Sh. Abdullah, he decided to extend the Satyagraha started by the Praja Parishad in Jammu to the rest of India.

Sh. Abdullah, who had the full backing of Pt. Nehru, instead of relenting became more obdurate and aggressive. He intensified repression and the people in the villages began to be hunted out like rabbits. As the reports of this repression travelled out of the State, Shyama Prasad Mookerji decided to visit Jammu and see things for himself. He asserted that as a citizen of free India and a Member of the India Parliament he was free to go anywhere in the country without any kind of permit and, therefore, proceeded towards Jammu without an entry permit early in May 1953. It was expected that he would be arrested by the Government of India for this defiance. But instead he was allowed to cross the Ravi bridge at Madhopur and enter the State to be arrested by the State authorities. This was arranged deliberately to keep him out of the jurisdiction of the Indian Supreme Court which would have surely released him on a reference being made to it.

Dr. Shyama Prasad Mookerji along with Vaidya Guru Dutt, a leading physician and well known Hindi novelist, who accompanied him as his personal physician were taken as prisoners to Srinagar and detained there. After a month, on June 23, 1953, Dr Mookerji died there in mysterious circumstances. It sent a wave of resentment all over India.

In the meantime within the National Conference as also in Sh. Abdullah's Cabinet a rift was developing. The pro-Communist elements which had been the staunchest protago-

nists of the idea of independence for Kashmir had been alarmed by Sh. Abdullah's steady drift towards Anglo-Americans which had become very marked after his last visit to Paris towards the end of 1951. Sh. Abdullah, it appeared, had realised that his dream of an independent Kashmir was more likely to come true with the help of the Anglo-American bloc which dominated the U. N. O. and the Security Council than with that of the Communists. He had, therefore, begun to shift his allegiance from his Communist friends inside and outside Kashmir to the Western countries. As the Praja Parishad movement for fuller integration of the State with the rest of India gathered momentum, he began to rouse the communal sentiments in Kashmir in the name of Kashmiri nationalism and demonstrate his indifference and disdain about the susceptibilities of the people of Jammu and the Government of India in different ways. The trend became particularly evident after the visit of Mr. Adlai Stevenson to Srinagar early in May 1953. This alarmed the pro-Communist Ministers, G.M. Sadiq and G.L. Dogra, who now turned against him. Bakshi Ghulam Mohammed, the right-hand man of Sh. Abdullah, joined hands with them like a true opportunist. These internal developments coupled with the pressure from outside resulting from Dr. Mookerji's martyrdom made Sh. Abdullah desperate. But before he could show his hand by dismissing the dissident Ministers and making a formal declaration of his plan about independent Kashmir, Yuvraj Karan Singh, the only son of Maharaja Hari Singh, who had been elected 'Sadar-i-Riyasat' after the abolition of the hereditary rule of the Dogra dynasty dismissed Sh. Abdullah and commissioned Bakshi Ghulam Mohammed to form a new Cabinet. Sh. Abdullah was soon after arrested under Defence of Kashmir Rules.

This sudden turn of events took by great surprise both Pakistan and the U.S.A. which had begun to lay great hopes on Sh. Abdullah for a solution of the Kashmir problem suiting their ends. Their chagrin was clear from the hostile comments in their press.

The Communists, inside India and outside on the other hand hailed the overthrow of Sh. Abdullah as a victory for themselves and started denouncing the U.S.A. in the strongest terms. They thus successfully exploited the popular feeling roused by the Jan Sangh against Sh. Abdullah's separatist policies for creating an anti-American hysteria in India.

The pro-Communist bias of India's neutralist foreign policy and the persistent support given by the USSR and other Communist countries to India's stand on Kashmir in the Security Council coupled with the failure of Indian external publicity to properly educate the American public opinion about the justice of India's case contributed to Pakistan's success in creating a powerful anti-India lobby in the U. S. Press and Congress. Many Americans genuinely began to feel that India was moving towards the Communist bloc and that Pakistan could be an asset, particularly because of the strategic situation of Gilgit, for containing the spread of Communism in Asia if it could be persuaded to join the Baghdad Pact which has since been re-Christened a Central Treaty Organisation (CENTO).

At the same time there was a visible pro-American shift in Pakistan's foreign policy particularly after the assassination of Mr. Liaqat Ali Khan in 1952. Even otherwise, the very genesis of Pakistan demanded that her foreign policy should run counter to that of India. Having been born out of hatred for the Hindus and Hindusthan, Pakistan's very existence required that India was presented to her people as their chief enemy and everything was done to strengthen Pakistan *vis-a-vis* India.

By the end of 1953, it became evident that negotiations for a military pact between Pakistan and the U.S.A. were moving towards a successful conclusion. The signing of the pact was formally announced early in 1954.

India reacted very strongly to this pact which meant substantial augmentation of the military strength of Pakistan with free supplies of armaments from the U. S. A. Pt. Nehru referred to this new situation which had arisen out of the

decision of the U.S. Government to give military aid to Pakistan, in his letter of March 5, 1954 to Mr. Mohammed Ali, the Pakistan Premier, and added that "the U. S. decision to give this aid had changed the whole context of Kashmir issue and the long talks we have had about this matter have little relation to the new facts which flow from this aid..... It changes the whole approach to the Kashmir problem. It takes it out from the region of peaceful approach for a friendly settlement by bringing in the pressure of arms."

Pakistan on the other hand strongly resented the declarations of Bakshi Ghulam Mohammed after his assumption of power as head of the Kashmir Government that accession of Jammu & Kashmir State to India was full, final and irrevocable. The actual ratification of accession by the Kashmir Constituent Assembly soon after further irritated her.

As a result, the area of disagreement about the quantum of forces to be retained by either side which appeared to have been considerably narrowed by the direct talks of the two Premiers became wider than ever before. Pt. Nehru insisted that in the new situation created by the abundant supply of military aid to Pakistan from the U.S.A., "what we said at a previous stage about the quantum of force had little relevance. We can take no risks now as we were prepared to take previously and we must retain full liberty to keep such forces and military equipment in the Kashmir State as we may consider necessary in view of this new threat to us."

Direct negotiations having thus foundered on the rock of U.S.-Pak Military Pact, Pakistan Premier, Mr. Mohammed Ali, informed Pt. Nehru in his letter of September 21, 1954 that "in the circumstances I am bound to conclude that there is no scope left for further direct negotiations between you and me for the settlement of this dispute. This case, therefore, must revert to the Security Council."

Pakistan, however, took two and a half years after the failure of direct negotiations to request the Security Council to take up the Kashmir issue once again. The request was made by Malik Feroz Khan Noon, the Pakistan Foreign

Minister, on January 2, 1957 and the Security Council resumed debate on Kashmir after an interval of nearly five years on the 16th of the same month.

Meanwhile, the situation inside the State as also the attitude and approach of both the countries to the problem had undergone a lot of change. Within the State, the most significant development was the unanimous decision of the Constituent Assembly to ratify the accession and the specific declaration in the Constitution adopted by it on November 17, 1956 that "the State of Jammu & Kashmir is and shall be an integral part of the Union of India." This strengthened the hands of the Government of India which could assert with justification that the people of the State had given their democratic verdict in favour of accession to India.

While the unanimous decision of the Constituent Assembly strengthened the Indian position, the re-organisation of a Plebiscite Front and a Political Conference by pro-Abdullah elements in Kashmir valley and their open demand for a plebiscite and accession to Pakistan strengthened the hands of Pakistan politically. Militarily, her position had vastly improved because of the massive flow of the latest armaments of all types together with military experts from the U.S.A. As a result, the attitude of the rulers of Pakistan became more aggressive. Apart from carrying on a diplomatic offensive against India all over the world, they began to actively organise and encourage acts of sabotage through their agents within the State.

As a reaction, India began to lean more and more upon the USSR and her satellites which gave a further pro-Communist tilt to her foreign policy. The visit to India of Marshal Bulganin, the USSR Premier, and Mr. Khrushchev, the First Secretary of the Russian Communist Party at that time, towards the end of 1955 and their open declaration at Srinagar on December 10, 1955 "that the question of Kashmir as one of the States of the Republic of India had already been decided by the people of Kashmir" made the alignment of the USSR with India on the question of Kashmir as explicit as that of



the USA with Pakistan. The cold war had now entered Kashmir itself. It began to be looked upon as one of the storm centres of the world like West Berlin where the interests of the two giants clashed directly.

The situation forced Pt. Nehru to do some re-thinking about the stand he had taken regarding Kashmir so far. Doubts, as said earlier, had already begun to assail him about the wisdom of the offer about plebiscite which was bound to be influenced by religious considerations whenever and however it was held. The behaviour of Sh. Abdullah also gave him some kind of a shake up. The tone of his utterances about Kashmir therefore changed. He began to voice his opposition to plebiscite openly and the Indian Home Minister, the late Pt. Pant, declared that Kashmir was an integral and irrevocable part of India.

This change of attitude was reflected in the stand taken by the Chief Indian delegate, Sri Krishna Menon, when the Security Council resumed debate on Kashmir. India for the first time explicitly charged Pakistan of direct aggression and declared that she had no obligation to discharge till the aggression was vacated. India's voluntary offer to consult the people, he said, had been redeemed through elections to the Constituent Assembly of Jammu & Kashmir whose actions were "declaratory and not creative." The legal right of India over the whole of Jammu & Kashmir State, he asserted flowed from the lawful accession of the State by Maharaja Hari Singh which was full, final and irrevocable.

Some hope of a negotiated settlement outside the UN rose once again after the Military *coup* in Pakistan which brought Marshal Ayub Khan to the helm of affairs in Pakistan in 1959. As a soldier he had a greater consciousness of the indivisibility of the Indo-Pak defence against possible aggression from Communist China for which Indo-Pak amity was essential. He needed it to stabilise his own position as well. Furthermore, he was in a position in the early days of his new found power to take a decision even against the popular sentiments of the Pakistani people. He was naturally more keen for the

settlement of the Canal Waters dispute in which India had a whip hand over Pakistan. Had Indian diplomacy shown any grasp of realities, it would have insisted upon a package deal embracing all Indo-Pak disputes such as the Canal Waters, Kashmir, evacuee property, partition debt and treatment of the Hindu minority in East Pakistan. But Pt. Nehru bungled once again. A Canal Water Treaty was signed at Karachi in 1960 which gave Pakistan much more favourable terms than suggested by the World Bank Award.

With that ended the short lived Indo-Pak detente brought about more by personal relations between Mr. Rajeshwar Dayal, the Indian High Commissioner at Karachi, and Marshal Ayub who happened to know each other well since pre-partition days than by a real change of heart on both sides. The old game of mutual accusation began once again. Communist Russia saw in the military regime of Marshal Ayub a greater threat to her position in Asia and, therefore, became more vociferous in her support to India over Kashmir. She began to use her veto to prevent any resolution to which India was opposed, being passed by the Security Council.

This reduced the discussions in the Security Council to just debating bouts between uтриolic Krishna Menon of India and suave and shifty Zaffarullah Khan of Pakistan who began to exploit that world forum to malign India by repeating baseless charges against her which were given wide publicity all over the world. Personal unpopularity and pro-Communist leanings of Krishna Menon made his able rebuttals of Pakistan's charges ineffective.

As a result, world opinion began to be influenced in favour of Pakistan. There can be no greater condemnation of the Indian Foreign policy and its exponents that the people all over the world have a greater understanding and appreciation of Pakistan's point of view about Kashmir than that of India in spite of the truth and justice of the Indian case.

While these pointless exercises in histrionics were going on in New York, Communist China had started fishing in the troubled waters of Kashmir cutting across the cold war poli-

tics of both the USA and the USSR.

The entry of Communist China on the Kashmir stage as a third claimant to large chunks of its territories introduced a new factor in the Kashmir situation which has not only given a new turn to the Kashmir problem but has also set the ball rolling for a new alignment of forces in Asia and the world.

## TOWARDS NEW ALIGNMENTS

The Chinese interest in Jammu & Kashmir State territories swelled directly from her expansion and absorption of the Central Asian Khanates and Tibet, lying to the North and North-East of Jammu Kashmir State, in the Chinese Empire. This expansion had been going on for centuries past through the peculiar Chinese method of creating the myth of Chinese suzerainty over all the smaller States situated on China's periphery which had the misfortune of entering into any kind of relationship, voluntarily or involuntarily, with the Chinese imperial Court at Peking. The Khanates of Tashkand and Yarkand which were at one time flourishing outposts of India's Cultural Empire as is evident from the Sanskrit origin of these names, are inhabited by Uighur. Kirghiz, Tartar, Tajik and Kazakh tribes of nomadic herdsmen of Turkish origin who had been converted to Islam in the wake of Arab and Turkish expansion in the 8th and 9th centuries A.D. Ethincally they represent a mixture of Indo-Aryan and Mongol stocks. They had come under pressure of Czarist Russia which began to move fast in Central Asia after her failure to expand south because of her defeat in the Cremian War of 1854. To checkmate Russian plans of expansion and keep this area within their own sphere of influence for the protection of their imperial interetsts in India, the British deliberately encouraged China, which was then too weak and decrepit to pose a threat to British interests, to assert its suzerainty over these Khanates to prevent their absorption by Russia. Thus began that rivalry between Russia and China for controlling Mongolia and Central Asian Khanates which has continued ever since inspite

of the fact that both of them have come under Communist regimes. The Chinese in keeping with their well known method of signification re-Christened the area claimed or controlled by them as Sinkiang.

The situation in Sinkiang remained precarious for China so long as she was weak and divided. But with the establishment of a communist regime in China in 1949, the Chinese Communists extended their effective sway over Sinkiang through ruthless aggression and repression. This resulted in a lot of local discontent and violent outbursts such as that of the Kazakhs in 1949. The Russians who wanted to consolidate all these Muslim peoples under their own control are known to have actually instigated and helped these rebellions in the beginning. But Communist China consolidated her position in Sinkiang by early fifties. The Indian and British Consulates in this area were closed and a bamboo curtain was drawn between it and the rest of the world. As a result the traditional trade between India and Yarkand and Kashghar of which Leh was the main centre virtually came to an end.

The story of Sinkiang was repeated in Tibet soon after. Unlike the small and warring Khanates of Central Asia now divided between Russian Turkestan and Chinese Turkestan (Sinkiang), Tibet had been for at least two thousand years an independent State with a distinct personality and definite international boundaries though its cultural influence extended far beyond them. With the establishment of the Manchu dynasty in China in the 17th century, informal relationship between China and Tibet based on a personal relationship of a religious preceptor and a lay patron between the Dalai Lama and the Manchu emperor had began. Later, the Chinese Government tried to derive some kind of a Chinese supremacy over Tibet from this relationship which the successive Tibetan Governments went on repudiating and resistng to the best of their capacity and strength.

Early in the 20th century Czarist Russia sought to gain some influence at Lhasa through Dorjief, a Mongolian Buddhist priest. To counteract the suspected Russian influence,

the British forced their way into Tibet in 1903 through a Military Mission led by Colonel Younghusband. The Lhasa Convention of 1904 gave the British a special position in Tibet in respect of trade and other matters. But to protect themselves against the Russian charge of aggression and to keep Russian influence, which was what really mattered for the British at that time, out of Tibet the British in a way resurrected the myth of Chinese suzerainty over Tibet which in the words of Younghusband himself was just a "farce" and "a political affectation".

Even this farce of Chinese suzerainty was destroyed in 1911 when the Manchu regime was overthrown by Dr. Sun-yut Sen's revolutionary movement. The Tripartite Simla Conference of 1913-14 in which the representatives of China, Tibet and British Government of India met on equal footing to settle Tibet-China frontier finally buried the myth of Chinese suzerainty over Tibet which now began to function as a fully independent State according to known international usage and practice.

With the withdrawal of the British from India in August 1947, all treaty obligations and commitments of the British Indian Government in respect of India's neighbours devolved upon the Government of free India. Both Sinkiang and Tibet flanked India in the North from the Pamirs to Burma. Pakistan nowhere came in contact with either Sinkiang or Tibet. The interests of free India as also of the entire free world demanded that Communist influence was kept out of these strategic border States as far as possible. Sinkiang was then in a ferment. But it is difficult to say what effective help India could have extended to Nationlist Kazakhs and Uighurs in their battle for freedom against Communist Russia on the one hand and Communist China on the other.

The situation in regard to Tibet was different. India which had inherited special rights and obligations in Tibet was expected both on moral grounds as well as in the interests of national security to help Tibet to preserve her freedom so that she might continue to be a buffer between India on the one

hand and Communist China and Russia on the other. She could have achieved this end by helping Tibet to secure membership of U.N.O. or by securing guarantee of non-interference in Tibet from the Communist Government of China before she gave recognition to it in 1949.

But Pt. Nehru, the sole architect of India's foreign policy, would not allow such mundane considerations to influence his policy towards his new found friends of Communist China. Like the proverbial fools who rush in where the wise fear to tread, the great Pandit of India not only failed to get any assurance from Communist China in 1949 but, what is worse, did nothing to prevent her from committing flagrant aggression against a weak and peace loving Tibet in 1950. The argument that India was not in a position to halt Chinese aggression in Tibet in 1950 is fallacious and misleading. India with her three armed posts within Tibet and with the support of the free world could have surely and effectively checkmated the Communist Chinese designs over Tibet at that time. Any sacrifices in men and material that India might have been required to make to save Tibet then would have been much less than the sacrifices she has made and will be required to make in future for shirking her responsibility in 1950.

Pt. Nehru's bungling in regard to Tibet like his bungs in Kashmir did not end there. After having made a gift of Tibet to China with all the destruction of monasteries and genocide that followed it, in the name of peace, he started such a campaign of Hindi-Chini Bhai Bhai-ism that any objective assessment of Chinese aims in occupying Tibet, her fast sinification through genocide of Tibetans and settlement of large number of Chinese there and building of large military cantonments all along the Indian frontier began to be pooh-poohed by the Indian press and public opinion. This Nehru-Chou fraternisation culminated in the so-called "Panch-Sheel" Treaty of 1954 between India and China regarding Tibet in the preamble of which "Panch Sheel" literally meaning five norms of good conduct, *viz*, mutual respect for each other's territorial integrity and sovereignty, mutual non-aggression, mutual non-

interference in each other's internal affairs, equality and mutual benefit and peaceful co-existence, were first inscribed,

By this Treaty India gave *de jure* recognition to a *de facto* aggressive occupation of Tibet by Communist China and also surrendered all the special rights including that of running Tibet's postal, telegraph and telephone services and stationing troops at a number of places within Tibet inherited by her from the British Government of India. It was a great diplomatic victory of China and an unpardonable blunder on the part of the Indian Government. At one stroke it converted the Indo-Tibetan frontier into an India-China frontier. While signing this death warrant for Tibet and invitation to Communist China to explore fresh fields for expansion across the Himalayas, the Indian Prime Minister failed to get even an unequivocal acceptance from China of the age-old Indo-Tibet frontier the Eastern sector of which had come to be known as the McMahon Line after the British officer who first surveyed it.

The story of Chinese aggression against India begins with the signing of this Treaty which was aptly described in the Indian Parliament by Acharaya J.B. Kripalani, an erstwhile President of the ruling Congress party, as "born in sin". The Treaty was signed on April 29, 1954 and the Chinese forces crossed over into Bara Hoti early in the June of the same year.

Having thus made her position secure in Tibet which was described by Mao Tse-Tung in 1939 as the palm of a hand of which Ladakh, Nepal, Bhutan, Sikkim and India's North Eastern Frontier Agency (NEFA) were five fingers, Communist China under his leadership began to prepare for controlling these fingers to further her ultimate aim of bringing India, the only major democratic country in Asia, within the Communist Empire. To that end it was necessary to build military and air bases in Tibet and develop communications for supplying the large forces deployed there with sinews of life and war. Tibet itself being mostly barren and unproductive, the supplies could come either from the Chinese mainland in the North and the East or from Sinkiang in the North-West of Tibet.



Western Tibet bordering on Ladakh being far removed from Lhasa which itself is at a long distance from the Chinese mainland, a direct road link between Western Tibet and Sinkiang became a strategic necessity for China to carry out its plans of further expansion across the Himalayas.

Having decided to build the road, the Chinese found that the shortest and easiest route lay through the Aksai Chin region of Ladakh, an integral part of India with which she had not long ago signed the Panch-Sheel Treaty. She began with cartographic aggression. The Chinese maps showed large parts of Ladakh including Aksai Chin and a narrow belt of territory along the Baltistan and Gilgit border with Sinkiang as Chinese territory.

The internal situation in Jammu & Kashmir State and the attitude of the Government of India suited China's purpose admirably. During the Maharaja's rule an effective administrative control from the centre had been extended to the remotest parts of Ladakh, Baltistan and Gilgit. The Ladakh-Tibet border settled by tradition and usage of centuries had been confirmed by the Treaty of 1842 between Maharaja Gulab Singh and the Government of Dalai Lama after the unsuccessful bid of Wazir Zorawar Singh to conquer Lhasa. The State officials who were deputed for the frontier duty were required to go right up to the border at least once in their three years term. As a result there was no scope for confusion or uncertainty about the frontier.

But ever since power was transferred to the Kashmiri dominated National Conference, administration of Ladakh and other outlying parts of the State outside the Kashmir valley began to be neglected. The new officials who were appointed more for their political affiliations than for administrative aptitudes seldom moved out of Leh. The Government of India too did not bother itself to take adequate steps to guard or patrol the border. The intoxication of Bhai-Bhai-ism had gone so deep into its head that it could not even think of any aggression from China. Kushak Bakula, the Head Lama of Ladakh and Minister for Ladakh Affairs in the Jammu & Kashmir

Government, informed the State Assembly on the March 18, 1963 that he, had warned the Governments of Kashmir and India about the Chinese plans of aggression after his visit to lake Mansarowar and Lhasa in 1954. Similar warnings came from other quarters as well. But nothing perceptible was done either by the State Government or the Government of India to draw the people's attention to the Chinese threat or to checkmate it. May be the Communists within the Kashmir Cabinet were privy to the Chinese game. As a result the Chinese were able to follow up their cartographic aggression by actual aggression. They built the road linking Sinkiang with Gartok in Western Tibet right through Aksai Chin and also occupied a number of strategic outposts.

In the meantime, Pakistan too had started hobnobbing with Communist China. Apart from a direct link with Sinkiang provided to her by the occupied territory of Gilgit and Baltistan, she thought it worthwhile to offer the bait of Ladakh to China if the latter in return could help her to get Kashmir valley or at least remain neutral in the dispute over it. Her desire for such an understanding with Communist China had been heightened since the open and public Communist Russian support to India during the visit of Russian leaders to India in 1955. No wonder, therefore, that it was reported in a number of Indian and foreign newspapers in 1956 that Mr. S.H. Suhrawardy, the then Prime Minister of Pakistan, had during his visit to Peking suggested to his Chinese counterpart such a partition of Jammu & Kashmir State as would give Kashmir valley to Pakistan, Ladakh to China and Jammu to India.

Whatever may have actually transpired between Suhrawardy and Chou-En-Lai, the course of events as they have unfolded themselves since then coupled with the studied silence of Communist China regarding Indian claim over Kashmir even when India was going out of her way to plead for replacement of Nationalist China by Communist China in the UN to the great chagrin of the USA and other Western countries, has conclusively proved that China had become actively inte-

rested in the disintegration of the Kashmir State so that she also might share the spoils with Pakistan.

The reports about Chinese intrusion into Indian territory began to pour in through unofficial sources after that. But till as late as July 1958, the Government of India in a 'note verbale' to the Chinese counsellor in India had the temerity to say that "they would not like to believe that unilateral action has been taken by the Government of people's Republic of China with whom their relations are of the friendliest, to enforce alleged territorial claims in the region".

The Government of India woke up to the Chinese hostile intentions and aggressive occupation of Indian territory in Ladakh only when the Chinese arrested an Indian patrol party on normal routine duty in the northern part of Aksai Chin and detained and ill-treated the Indians for five weeks in September 1958.

The protest notes sent by the Indian Foreign Secretary to the Chinese on October 18 and November 3 were countered by China with the assertion that Aksai Chin area belonged to China and that Indian soldiers had intruded into Chinese territory.

China followed up the occupation of Aksai Chin by aggressive patrollings and encroachments into the region of Western Pangong Lake in Ladakh where she arrested six Indian policemen and also established a camp at Spanggur in spite of repeated Indian protests. On October 20, 1959 a Chinese military force advanced forty miles into Indian territory in the Chang Chemno valley of Southern Ladakh and opened fire on an Indian patrol near the Kong-Ka-Pass in which nine Indians were killed and ten others were taken prisoners and subjected to very harsh and inhuman treatment.

This created an explosive situation. Press and public opinion in India reacted to this outrage by the Chinese very sharply. It forced the Indian Prime Minister, Pt. Nehru, who had been systematically trying to minimise the gravity of the situation by first concealing the facts of Chinese intrusion from Indian public and parliament and then belittling the importance

of the territory occupied by China by describing it as barren and desolate "where not a blade of grass grows" to pay heed to the popular sentiment. He made a belated effort in his letter of November 18, 1959 to persuade his friend, Chou-En-Lai to ease the situation by withdrawing as an interim measure, the Chinese troops beyond the traditional boundary alignment shown on Indian maps while he on his part undertook to withdraw Indian troops to the line which China claimed as her boundary. This offer amounted to a clear surrender to the aggressor in so far as her claim that Ladakh-Tibet boundary was undefined was accepted and a 'no man's land' was sought to be created on the Indian soil itself.

But even this offer was rejected by Chou En-Lai who in his reply of December, 16, 1959 to Pt. Nehru, bluntly asserted: "This area has long been under Chinese jurisdiction and is of great importance to China. Since the Ching dynasty, this area has been the traffic artery linking up the vast regions of Sinkiang and Western Tibet. As far back as the latter half of 1950, it was along the traditional route in this area that units of the Chinese People's Liberation Army entered the Ari area of Tibet from Sinkiang to guard the frontiers. In the nine years since then, they have been making regular and busy use of this route to bring supplies. For upto eight or nine years since the peaceful liberation of Sinkiang and Tibet when the units of the Chinese People's Liberation Army began to be stationed in and patrol this area till September 1958 when intrusion of the area by the armed Indian personnel occurred, so many activities were carried out by the Chinese side in this area under its jurisdiction and yet the Indian side was utterly unaware of them."

Mr Chou en-Lai's visit to New Delhi and his direct talks with Pt. Nehru in April, 1960, failed to improve matters. Both Premiers, however, agreed to appoint teams of officials to jointly examine all relevant documents in support of the stands of the two Governments and submit a report within six months. The Government of India published the report of the officials of the two sides in February 1960. The report

made it clear on the basis of vast and indisputable evidence that the traditional boundry between India and Tibet was that shown by India and that China had made unwarranted claims to about 50,000 sq. miles of Indian territory and was in unlawful occupation of about 12,000 sq. miles of this territory in Ladakh.

The Government of China for long did not even acknowledge the existence of the report. Finally in May 1962, they published a garbled and truncated version of the Chinese section of this report. Simultaneously the Chinese intrusions into various sectors of the Indian frontier were stepped up. New check-posts and roads to link them with rear bases were constructed and the Chinese troops began advance patrolling from these posts.

As time passed, the Chinese actions and the tone of their replies to Indian protest notes, which were sent in abundance, became more and more curt and threatening. On April 30, 1962, the Government of China announced that they had ordered patrolling in the whole sector from the Karakoram Pass to the Kong-ka-Pass and demanded that India withdraw two of her posts which were situated well within the Indian territory and threatened that if the Government of India failed to comply with the demands, the Government of China would resume patrolling along the entire boundary.

While Indo-Chinese relations were thus getting strained to a breaking point, Pakistan also stepped up its anti-Indian campaign. The main reason for this was the growing internal discontent against the Martial Law regime in Pakistan particularly in its Eastern wing, and the consequent weakening of the position of General Ayub. He too, therefore, thought it convenient like his predecessors to divert his peoples' attention from internal difficulties by whipping up their frenzy about Kashmir by jingoistic talk and adoption of new pressure tactics. They included strengthening of the so-called Azad Kashmir Government, which began to claim an independent status and started hurling threats of armed invasion of Kashmir unshackled by the international commitments of Pakistan and

launching of a virulent campaign against India and the U.S.A. in the Pakistan press. The U.S.A was made a special target of attack for her continued economic aid to India which was getting aid from the USSR as well.

At the same time, possibilities of closer relations with Communist China whose anti-India tirade was finding quite a sympathetic echo in Pakistan's press, began to be explored so that India could be harrassed on both fronts. The possibility of such an eventuality had been hinted by the Chinese Ambassador in India in his note of May 16, 1959 to the Foreign-Secretary of India in which he had said that it would not be possible for India to fight on two fronts—China and Pakistan—and therefore she must make up with China. In the background of earlier Sino-Pak confabulations this veiled hint could not have gone unnoticed in Pakistan.

The process of Pakistan and China drawing nearer to each other that thus began culminated in the announcement of May 31 1962, about the agreement between the two Governments to enter into negotiations to locate and align the border between Sinkiang on the one hand and Baltistan and Gilgit regions of Jammu & Kashmir State, which had been illegally occupied by Pakistan, on the other. This was a clear indication that China and Pakistan were getting together to achieve their respective territorial ambitions at the cost of India.

The Indian policy makers who, inspite of the pronounced hostility and naked aggression of Communist China, were still not prepared to concede that their policy towards China had failed were flabbergasted by this *volte face* of China. As in the case of the McMahon Line, they had been banking on the verbal assurances of Chou-en-Lai to the Indian Ambassador in Peking in 1956 and to Mr R.K. Nehru, the Secretary General of the Indian External Affair Ministry, in 1961 that China considered Kashmir to be part of India. But they ignored the fact that Communist China unlike Communist Russia had never publicly supported India's stand regarding Kashmir. They were in fact living in a fool's paradise which was completely shattered by the Chinese Foreign Minister in

his note to India dated May, 31, 1962 which bluntly asked : "can you cite any document to show that we have ever said that Kashmir is a part of India?". It was a major victory for Pakistan. She had got the reward for hobnobbing with Communist China over the head of the USA which had been arming her on the understanding and in the hope that she would stand up against Communist Chinese and Russian expansion whenever required.

Pakistan's attitude towards India and China when the massive invasion of Communist China both in Ladakh and NFEA sectors of India's northern frontier began on September 8, 1962, could therefore be well anticipated. Pakistan's press systematically justified the Chinese stand and ridiculed India. Pakistan in fact was the only country of the non-Communist world which openly supported China and in that it went a step further than Albania, North Viet Nam and North Korea. The attitude and conduct of the Muslims in Tezpur and elsewhere in the affected regions clearly pointed to a tacit understanding between China and Pakistan regarding the invasion and the attitude to be adopted by the pro-Pakistan Muslims of India about it.

As the Chinese offensive mounted and India's unpreparedness became woefully exposed, the Government of India was forced to request the USA, the U.K. and other friendly countries for help to meet the Communist advance. Realising the magnitude of the threat and its dangerous implications for the entire free world, the USA and the U.K. responded magnificently. Pakistan too should have come to the help of India both because the Chinese Communist expansion was as much a threat to her as to India and also because she had been given arms aid by the USA specially on the understanding that she would use it against Communist expansion and aggression whether it came from the USSR or from China. But Pakistan not only did not make any friendly gesture to India but what was worse, she vehemently protested to the USA and the UK for having extended military aid to India.

This attitude of Pakistan must have come as a shock and

an eye-opener to the U.S.A. It only confirmed the Indian view that Pakistan had obtained military aid from the USA only for use against India and not for assisting the free world in containing Communist expansion.

By behaving as she did, Pakistan lost an excellent opportunity of reversing the trend of Indo-Pak relations since 1947. Had Pakistan openly and unreservedly come to the aid of India in her time of need, there might have been created the necessary fund of goodwill and proper atmosphere for the settlement of all Indo-Pak disputes including the one regarding Kashmir in a friendly spirit of give and take. But in view of later developments, there are reasons to believe that Pakistan stood committed to China not to go to India's help and that some secret deal about the distribution of Assam territory had been arrived at between the two before China started the invasion. That explains the refusal of Muslims in Assam to evacuate Tezpur when evacuation of its civil population was ordered by the authorities and their assertion that there was an agreement between China and Pakistan that territory to the north of the Brahmaputra would be annexed by China and that lying to its south would be annexed by Pakistan. The fact that most of the Communist workers who were active in Assam also happened to be ex-Muslim Leaguers well known for their pro-Pakistan activities, lent further support to this assumption.

The position of the USA in this situation was really difficult. She had armed Pakistan to the teeth at a huge cost. Now she was rushing pressing military supplies to India. Her aim in both cases was to checkmate Communist expansion. How could her public opinion reconcile to the fact that the aid she had already given to Pakistan was not being used for the purpose for which it had been given and that there was possibility of the arms supplied by the USA to Pakistan and India being used against each other instead of being used against Communist China. It therefore became an obsession with the American Government to bring India and Pakistan together somehow so that India may at least be able to shift



a part of its forces deployed for defence against Pakistan for fighting against China. The British Government also shared this views point which began to influence the Indian opinion as well.

Therefore, while the Chinese were fast advancing into NEFA and Laddakh, the American and British political and military missions led by Mr. Avrell Harriman, U. S. Assistant Secretary of State, and Mr. Duncan Sandays, British Commonwealth Secretary, who had specially come to India to assess the situation and the aid needed by India immediately, prevailed upon Pt. Nehru and President Ayub to affix their signatures to a joint communique which was issued simultaneously in New Delhi and Rawalpindi on November 30, 1962. The communique said :

“The President of Pakistan and the Prime Minister of India have agreed that a renewed effort should be made to resolve the outstanding differences between their two countries on Kashmir and other related matters so as to enable India and Pakistan to live side by side in peace and friendship.

In consequence they have decided to start discussions at an early date with the object of reaching an honourable and equitable settlement.

These will be conducted initially at the ministerial level. At the appropriate stage direct talks will be held between Mr. Nehru and President Ayub.”

This agreement to have direct talks between Pakistan and India on ministerial level to discuss Indo-Pak disputes particularly the one regarding Kashmir, which appeared to the Western Powers to be the main hurdle in the way of collaboration between the two countries, viewed in the background of the genesis and nature of their differences since 1947, was not a wise move. It placed India in a false and awkward situation. In effect it amounted to India agreeing to let Pakistan retain her fruits of aggression and have something more in the bargain. The circumstances leading to the agreement and the time chosen for talks made their success doubtful even before they began. They could lead to the desired result

only if there was equal realisation on both sides of the gravity of the situation and indivisibility of the Indo-Pak defence against a threat like the one posed by Communist China. But there was no evidence that there was any such realisation in Pakistan. Leading newspapers of Pakistan continued their anti-Indian tirade and denunciation of the U.S.A. for coming to the rescue of India. They acclaimed China as a friend and openly declared that there was no question of Pakistan going to the help of India against China even after getting Kashmir which they insisted must be handed over to Pakistan immediately. The Foreign Minister of Pakistan, the late Mr. Mohammed Ali of Bogra, encouraged such writings and thoughts by his own bellicose statements and speeches.

On the other hand Pt. Nehru, even though he had signed the joint communique under the stress of circumstances, had his own difficulties and doubts which were betrayed in the several statements he made before and after the signing of the communique. Apart from his personal attachment to Kashmir, the fear of national reaction to any further surrender to Pakistan and the pressure of his Communist and pro-Communist friends inside and outside the Government, who were interested in sabotaging the Western aid and maintaining the pro-Russian bias of India's foreign policy in the name of non-alignment, kept him wavering about the advisability of holding any talks and the limit to which India could go once such talks got going.

The prospects of the success of the talks were further dimmed by the unilateral cease-fire ordered by the Chinese Government on November 21, 1962. The motives of the Chinese in ordering a cease-fire in their hour of victory will remain a matter of conjecture. But surely one of them was to sabotage the possibility of closer collaboration between India and the West. They also wanted to save the Communist Party, their political vanguard in India, and also its friends and patrons inside the Indian Government from isolation and annihilation.

While China was keen to prevent an understanding bet-

ween India and Pakistan for her own reasons, the ruling circles of Pakistan were keen to take advantage of the situation to put maximum pressure on India and the U. S. A. to secure their pound of flesh in the form of Kashmir. The announcement of the decision of Pakistan to sign a border pact with China just on the eve of the first round of talks which opened at Rawalpindi on January 30, 1963 and the signing of the Sino-Pak pact at Peking by Z.A. Bhutto, the Pakistan Foreign Minister and Chief Delegate at the Indo-Pak Talks, and Marshal Chen-Yi, the Foreign Minister of China, on March 3, 1963 just a week before the opening of the fourth round of the talks at Calcutta were calculated moves to that end. These pressure tactics coupled with her fantastic demand for the whole of the State except just three thousand Sq. miles of South Eastern tip of Jammu region made the eventual failure of these talks, formally announced at New Delhi on May 16, 1963 after the conclusion of the sixth round of the talks, a foregone conclusion.

This failure of the direct talks inspite of intense behind the scene activity by the British and the American diplomatic representatives at New Delhi and Rawalpindi to save them added to the already existing bitterness between the two countries. But they helped in clearing the air and removing some of the prevailing misconceptions about the attitudes and bona-fides of two countries regarding the basic question of Indo-Pak relations in general and Kashmir issue in particular. For instance, it now became quite evident that Pakistan was interested more in extorting fresh commitments and scoring diplomatic points over India for future use against her than in fiding an honourable and equitable settlement of the dispute as such.

Rather, her glee at the Chinese aggression against India and her growing fraternisation with Communist China and the timing of the Sino-Pak border pact, for which her Foreign Minister specially went to Peking, pointed to the inescapable conclusion that she was more interested in a rapprochement with Communist China than with democratic India.

The refusal of Pakistan to make any commitment about joint action with India to fight out the Chinese menace and her persistent rejection of the Indian offer of a "no war pact", which was repeated during the talks as well, made it further clear that there was little hope of actual disengagement of their forces in the State even if India surrendered the Kashmir valley to her. This attitude of Pakistan provided the basis for the fear expressed by a number of responsible Indian leaders about the existence of certain secret Articles in the Sino-Pak pact providing for collaboration between Pakistan and Communist China to achieve their respective territorial and political objectives at the cost of India.

The developments narrated above have tended to confirm the view that Pakistan so long as it exists would continue to be hostile to India. Cut up as Pakistan is, in two widely separated parts which have nothing in common except a common faith in Islam, her very existence depends on keeping the anti-Hindu and anti-Indian frenzy among her Muslim population at a very high pitch. For the last 15 years the Kashmir issue has been her main instrument for achieving this object. She will pick up some other apple of discord to keep this frenzy on, even if this Kashmir issue is settled to her satisfaction. It is this need to keep up the tension which impels Pakistan to follow a foreign policy opposite to that of India. When India was drifting towards the Communist bloc, Pakistan joined the Western bloc to secure its diplomatic, moral and material support against India. Now that Communist China's unprovoked aggression has forced nationalist India, which needs to be distinguished from Pt. Nehru and his fellow-travelling group who refuse to see the change in the situation created by the Chinese aggression, to make a re-appraisal of her foreign policy and draw closer to the countries which came to her help in the hour of her need, Pakistan in keeping with her set policy of looking upon India as her first enemy has begun moving towards Communist China. To think that praise for Communist China and strong denunciation of India and condemnation of the USA for her military aid to India

in the Pakistan press, which is largely controlled by the Pakistan Government, are mainly meant to embarrass and put pressure on the USA Government would be taking a too charitable and superficial view of the situation. Viewed in the background of guiding motives and principles of Pakistan's foreign policy since its inception, the Sino-Pak border pact may well prove to be the beginning of a new alignment of forces in Asia and the world with far reaching results and repercussions.

The dangerous potentialities of this new situation created by the Communist China's entry into the Kashmir arena and Pakistan's move to get closer to her cannot be over estimated. China's aggressive intrusion in Ladakh might suit Pakistan for the time being. But the ultimate gainer from the new situation will be Communist China which happens to be the stronger party with a vast net work of her Communist agents spread over the whole area. It will be wrong to think that she would remain content with Ladakh. She will surely try to get a foot hold in the Kashmir Valley, which is ideally situated to serve as a potential spring board for Communist infiltration and expansion in South West Asia. The continuance of the existing stalemate together with the unsettling effect of the infructuous talks on the minds of the people of Kashmir will suit the Communist purpose admirably.

The danger of pro-Pak elements turning Communist to achieve their common objective of disrupting India has therefore, become as real in Kashmir as in Assam.

India cannot shut her eyes to these developments and remain satisfied with the fact of her actual possession of the valley. Her position has been definitely weakened by her military defeat at the hands of the Chinese and diplomatic defeat at the hands of Pakistan which, whatever India may say to the contrary, has got the Kashmir question re-opened.

Nor can the democratic world afford to be indifferent to or complacent about this new situation. The question of Kashmir has now got linked with the defence not only of India but also of the whole south Asia against Communist Chinese expansionism. The entire free world has a high stake in it.

It is therefore important and urgent that such a settlement of the dispute is arrived at as may help and not hinder India, the only effective bulwark of democracy in Asia, in her struggle for preservation of her freedom, democratic institutions and values of life against the Communist Chinese dragon. All possible solutions of the tangle, therefore, need to be objectively studied from that point of view.

## THE POSSIBLE SOLUTIONS

The entry of Communist China as a new factor in the Kashmir tangle as discussed in the last chapter, has given a new complexion to the Kashmir problem. It has ceased to be just an Indo-Pakistan dispute about the legal validity or otherwise of the accession of that State to India. Nor has it remained a question of settling some preconditions for ascertaining the wishes of the people in this regard in terms of the UNCIP resolution of August 13, 1948, which had been the basis of all direct or indirect negotiations so far. Considerations of security and defence not only of India but of entire South Asia against Communist Chinese aggression and expansion have now begun to out-weight all other considerations legal, ideological or emotional which have so far dominated the thinking and approach of all concerned regarding this problem. The situation has been aggravated by the opportunism of Pakistan which in its irrational passion to spite and harm India and blackmail the USA has thrown all canons of international morality to the winds and has openly started hobnobbing with Communist China instead of standing up against her in defence of freedom and democracy. Under the circumstances, the danger of Kashmir becoming a cock-pit of Asia wherein the warring parties may cut across the pattern of East-West power politics as it has developed since the end of the Second World War has become too real and threatening to be ignored. The greatest need of the situation therefore is to see that India which is the only bulwark of democracy in Asia is not forced to do anything which may undermine its capacity to meet effectively the

military threat of Communist China from without and the political subversion of her agents from within.

A fresh look at the problem in this perspective points to the imperative necessity of India remaining in full and unfettered control of the Kashmir Valley, particularly its South Eastern part including the capital city of Srinagar, through which the only direct road and air link between Ladakh and the rest of India passes. Any weakening of India's hold over the valley in any form or guise will amount to an open invitation to Communist China to step up her aggressive and expansionist activities all over this strategic region. Pakistan might offer her a free hand in Ladakh in return for her acquiescence in its own occupation of Kashmir Valley. But once the Communist entrench themselves in Ladakh, Kashmir valley will not remain safe. With the already existing strong Communist base in the Valley, communist China will surely make a bid to hold the valley which can serve as an ideal spring board for Communist expansion and subversion in India, Pakistan and Afghanistan.

#### PLEBISCITE

This rules out a plebiscite in the valley in any shape or form for determining whether it should go to Pakistan or continue to be a part of India. Apart from the strategic and political considerations referred to above, a plebiscite has to be ruled out on wider human and practical grounds as well.

From the human point of view it would be both impolitic and unjust to treat the people of Kashmir, who have nothing in common with the people of Pakistan except the religion, as pawns in the game of power politics particularly after India has spent crores of the tax payers and sacrificed thousands of her youth for their economic rehabilitation and defence. In spite of their having been forcibly converted centuries ago they have still maintained their pre-Islamic cultural traditions, pattern and values of life and language intact. Mild by nature, they would fare worse than the



people of East Bengal and Sindh if they are yoked with aggressively dominating Muslims of West Punjab.

Their Economic interests also are inextricably tied up with the rest of India. The tourist industry which is their single biggest industry, mainly flourishes on tourists from other parts of India and their handicrafts also find their biggest market there.

Politically the autonomy and freedom granted to the constituent units by the Indian constitution is un-thinkable in the unitary and totalitarian set-up of Pakistan.

Emotionally some of them might feel attracted towards Pakistan which is presented to them by Pakistani agents and propagandists as an Islamic heaven. But that is true of some of the forty million Muslims living in the rest of India as well. If on that account Pakistan can make any claim on Kashmir Valley which has just one and a half million Muslims, she should be equally eager and willing to accommodate forty million Muslims living in the rest of India as well. Actually, however, lakhs of Muslims from Pakistan have been migrating to India with or without legal permits in search of better living. The Pakistan Government resents their being sent back to Pakistan. Therefore, any argument in support of plebiscite on the ground that Kashmir being a Muslims majority area should have the choice to join Pakistan is as fallacious as the one advanced by some Indian confused heads that a Muslim majority unit like Kashmir must be retained in India to sustain their pseudo secularism. In both cases the approach is communal and irrational.

The appeal to past commitments or democratic principles in support of plebiscite is equally wrong and un-tenable. Any commitment of Pt Nehru can not over rule the basic fact of accession of Kashmir to India which according to the Act of Independence and Instrument of Accession could neither be provisional nor conditional. Moreover, this unilateral condition about ascertaining the wishes of the people of Kashmir was never accepted by Maharaja Hari Singh, the only party whose decision really mattered so far as the

accession of the State to India was concerned. The unilateral mention of plebiscite in the formal letter of acceptance or accession sent by Lord Mountbatten to Maharaja Hari Singh, therefore, has no legal validity.

Pakistan having taken recourse to the arbitrament of arms to secure control over the State, has lost even her moral claim to be heard in the matter. Plebiscite is essentially a peaceful method of settling territorial disputes between two countries. Apart from the fact that Pakistan had no *locus standi* in Jammu & Kashmir State once the Government of India had accepted its accession, she forfeited whatever right she might have claimed earlier when she started her wanton aggression against the State and its lawfully constituted Government.

To allow the right of secession, which plebiscite implies, to an integral part of any country does not fit in with the principles of democracy either. The U.S.A refused to grant this right to her Southern States in 1860, even though they had voluntarily joined the Northern States to form the United States of America which had no historical, geographical or cultural entity prior to 1774. Kashmir on the other hand, has been an integral part of India which, unlike U.S.A., has been a well defined geographical, historical cultural and political entity for ages past. The Partition agreement which gave birth to Pakistan pertained to British India only. The responsibility about all other States and territories which did not expressly opt for Pakistan before August 15, 1947 automatically devolved upon the Government of India which was the successor Government to the outgoing British Government in fact and in law. To allow the right of self-determination to any part of India on the basis of religion, language or any other such consideration would amount to an open invitation to disruptive forces to step up their activities for disintegration and dis-memberment of India. The Communist party of India raised this slogan in 1947 to disrupt India in the interest of International Communism, But no friend of democracy and well wisher of democratic

India, on which has fallen the responsibility to keep aloft the banner of Freedom and Democracy in this strategic region of Asia threatened by the Communist Chinese dragon, can afford to give any countenance to the idea of plebiscite in the context of the new situation. The wider interest of security not only of India but also of the entire free world, therefore, demand that the hatchet of plebiscite is buried once for all.

#### INTERNATIONALISATION OF THE VALLEY

For the same strategic and practical reasons all suggestions about internationalisation of the valley through a joint Indo-Pak condominium or U. N. trusteeship even for a limited period have become impractical. Condominium can work only if the two parties to the arrangement are in a mood to cooperate and act in unison for the achievement of a common objective which, in this case, is containment of Communist Chinese expansion. The responsible leaders of Pakistan have made it repeatedly clear that they will not fight against China even if India went to the extent of surrendering the Kashmir Valley to Pakistan. While they have persistently rejected India's offer of a no war pact, they have entered into an implicit defence pact with Communist China.

Making Kashmir Valley independent like Switzerland as suggested by some people would be the surest way of converting it from a playground to a cockpit of Asia in which ultimately the Communist cocks would push out others whether they be of Pakistani brand or any other brand. Switzerland has no major Communist Power as its immediate neighbour. Its Italian, French and German speaking neighbouring states have a vested interest in maintaining the independence and tranquillity of Switzerland because people speaking these languages inhabit the adjoining Cantons of this multi-lingual state. The situation there is thus quite different from that obtaining in Kashmir.

The suggestion about neutralisation and eventual independence for "greater Kashmir" including the valley and some ad-

joining areas of Jammu region, such as Bhadarwah, Kishtwar, Gulabgarh and Rajouri, which is being sponsored by a number of pro-Pakistan and pro-Communist individuals of Kashmir, is a clever and mischievous move to extend the area of dispute. Bhadarwah and Kishtwar are among the richest and strategically the most important parts of the Jammu region. They link it with Kashmir valley and Ladakh in the North and Himachal Pradesh in the East. They have nothing in common with the Kashmir Valley, from which they are separated by the high Pir-Panchal range. The few passes which link them with the valley remain snow bound for over four months in a year.

Apart from the absolute untenability of this suggestion from the geo-political and economic points of view, it is absolutely dangerous from the point of view of India's security, because it will cut off Kashmir Valley and Ladakh from Jammu and the rest of India, Such a plan will suit both Pakistan and Communist China, who want to exclude India from Kashmir completely. It would be very dangerous both strategically and politically to give any countenance to this suggestion.

#### PARTITION

If plebiscite in parts or over the whole state as also any kind of international control or independence for the valley are ruled out, partition remains the only feasible and practical solution of the problem.

The State in fact already stands partitioned between India and Pakistan along the Cease Fire Line. As discussed earlier, it leaves a vast territory of about thirty four thousand sq. miles with valuable human and economic resources in the possession of Pakistan as fruits of her unprovoked aggression against India. Had India been earnest and serious about her just and legal claim over the whole of the State and had she kept up the pressure for recovering the occupied territory, the existing partition might have become the basis for a compromise settlement. But that possibility has been destroyed by Pt. Nehru's

repeated and unilateral offer of accepting the status quo and its rejection by Pakistan. To expect Pakistan to accept now what she rejected when the situation, according to her thinking, was not so favourable for her, is to expect too much. The record of Indian diplomacy in this matter has been as dismal as in the case of China with regard to Ladakh. In fact, by willingly accepting the Colombo Proposals, which leave the fruits of aggression in Ladakh in the Chinese hands, the Government of India has virtually abandoned even the moral right to reclaim Pakistan's fruits of aggression from her. Pakistan cannot be blamed if she thinks them to belong to her as a matter of right.

It is, therefore, being taken for granted that the partition line to be acceptable to Pakistan now has to be more favourable to her than the existing Cease Fire Line. This is what is really meant by rationalisation or rectification of that Line. It has been suggested, for example, that Pakistan be given control over Titwal, Uri and Poonch areas by making the partition line in this sector conterminous with the outer boundaries of the Kashmir Valley itself. Under such a scheme of rationalisation, Pakistan may get the town of Poonch and territory up to Bhimber Gali range which, branching off from the Pir-Panchal range runs due West up to the Jehlum dividing its catchment area from that of the Chenab; the town of Uri and the territory along the Uri-Srinagar road up to a few miles from the entrance to the valley near Baramula and the rich forest belt of Karen along the Krishan-Ganga river. In return Pakistan may have to give some territory to India in the Chenab area of Jammu and the town of Dras near Kargil. Such a rectification of the Cease Fire Line would make the partition line more natural and scientific and give Pakistan more than two thousand square miles of rich additional territory which will put the Jehlum right from the point where it emerges out of the valley as also its major tributaries like the Krishan Ganga and the Poonch in her full control and enable her to exploit the rich forest and mineral wealth of the catchment areas of these rivers.

It will mean a big sacrifice on the part of India. She will suffer from both loss of face and loss of territory to the chagrin of the nationalists and glee of the Communists who would exploit the situation to whip up nationalist hysteria against the U.S. A. and her Western allies. But it will have the advantage of preserving the unity of the Kashmir Valley and leaving the Indian lines of communication through it undisturbed. In the prevailing circumstances it could be a workable settlement with the least unsettling effect on the population, economy and other related matters on either side.

Pakistan's ruling circles were known to be in favour of such a settlement some time back. But the Chinese invasion and the consequent weakening of India's position and the heightening of Anglo-American interest in a negotiated settlement of the problem has made them more intransigent. They have begun harping on plebiscite in the hope to get something more. Realising that they cannot hope to get the valley as a whole, they have begun to stress that Pakistan should be given control over the Wular lake and direct access to Gilgit through Burzila pass ostensibly on economic and strategic grounds. They also want a good chunk of territory in Jammu including the rich mineral belt of Reasi in the name of securing greater control over the Chenab waters.

Some Western and American enthusiasts seem to have taken a fancy to this scheme involving a partition of the Valley. While they concede the imperative necessity of Indian retaining full and unfettered control of South Eastern part of the Valley for strategic and defence reasons, they favour a partition of the Valley itself besides making some concessions to Pakistan in the Jammu region as well.

The Scheme for partitioning of the Valley has not yet been fully spelled out. But from what has appeared in the British, American and Pakistan press from time to time, the picture of the partition of the valley as envisaged by them can be drawn roughly. Out of the two districts—Anantnag, which till recently included the city of Srinagar as well, and Baramula—in which the valley had been divided by the Dogra rulers for

purposes of administration, the district of Anantnag is proposed to be left entirely to India. It includes the strategic Yojila Pass, Banihal pass, Sinthan pass and Shupian pass, the first of which links Kashmir Valley with Ladakh, and the other three with the Jammu region in the South. Most of the famous holy places like the cave of Amarnath, the springs of Mattan and Khir Bhawani and the temples of Martanda and Shankaracharya which attract pilgrims to Kashmir from all over India also fall within this district.

Out of the district of Baramula the sub-division of Badgam, which includes the Srinagar aerodrome and the town of pattan midway between Baramula and Srinagar, is also conceded to India. But it is suggested that Sopore where the Jehlum flows out of the Wular lake which, in a way, is its second source, and the entire territory to the North and West of it be handed over to Pakistan. The line suggested would roughly run from the Alla-Pathar peak of the Pir-Panchal range in the West to Burzila pass in the North through Gulmarg, Sopore and Bandipur. This arrangement, it is argued, will give Pakistan complete control of the Jehlum right up to the Wular lake and also put her in possession of the direct road to Gilgit via Burzila pass through the valley. It is argued that direct access to Gilgit through the Valley is strategically as important for Pakistan as direct access to Ladakh through the Yojila pass is indispensable for India. It has also been suggested that the U.S.A. and other Western countries would be prepared to offer economic aid for the development of both parts of the valley together with strategic roads passing through them if this scheme of partition is accepted by both sides.

Pakistan has every reason to welcome such a scheme of Partition of the valley if it gets through even partially. It would practically give her all the territory in the valley which came under the control of Pakistani invaders in 1947 though only for a day or so. The very idea of having a part of Kashmir proper included in Pakistan would give her an emotional satisfaction which it is difficult to measure in physical terms. Her gain in terms of territory and human and econo-

mic resources will also be immense. Strategically, it will give her a direct access to Gilgit through Burzila pass with part of the valley itself to serve as a rear base.

The Government of India have spent huge sums of money to improve Gulmarg, which has the finest golf grounds in Asia as also a high altitude observatory, and Baramula during the last fifteen years. From the point of view of scenic beauty, fruit production and climate, this part of the valley excels its Southern part. Being nearer to Rawalpindi with which it is linked by an all weather metalled road, and situated like Srinagar on both the banks of the Jehlum with the 'Rama-Kund' hill overlooking it, Baramula and its adjoining area has the potentiality of becoming a great tourist attraction and foreign exchange earner for Pakistan.

From the Indian point of view it would be very humiliating and frustrating. It would amount to an abject surrender to blackmail. All her sacrifices in blood and money to recover this territory from Pakistani marauders and in developing it subsequently, will go down the drain. It would be a shock to nationalist India and would provide the communists with an opportunity to pose as patriots and ride the tide of nationalism to work up a hysteria against the U. S. A. in the interests of international Communism. But it might be preferable to any scheme of condominium or independence for the valley from the point of view of security and strategy.

The plea that Pakistan needs this part of the valley to have full control over the flow of the Jehlum is unconvincing. The treaty regarding the sharing of the river waters of the Indus Basin has already laid down an elaborate machinery for supervision of the upper reaches of the Chenab and the Jehlum by joint teams of Indo-Pak engineers and has specifically laid down the quantum of water that India can draw from these rivers within its own territories. Nothing has happened since the signing of that treaty which might warrant a more direct control by Pakistan over these rivers. Furthermore, so far as the Chenab is concerned it flows through such a terrain



right from Kishtwar to Akhnoor, near Jammu, as to make a diversion of its waters for irrigation purposes both impracticable and uneconomic.

The plea about Pakistan's strategic need for a direct access to the Burzila pass through the valley is also not very convincing. It is well known that Pakistan has built a direct motorable road to Gilgit from Peshawar which is at once shorter and easier than the road through the valley. By pushing the boundary from the mountain range surrounding the valley, which makes a natural international frontier, to an arbitrarily drawn line cutting across the valley the problem of defence for both sides will become more difficult unless their relations improve of which there appears to be little prospect so long as they continue to be two separate states.

There can be no question of India making any major concessions in the Jammu region. Pakistan's demands on Jammu territory are mainly meant to serve as a bargaining counter to secure her objective in Kashmir valley. So they need not be taken seriously. Some Kashmiri leaders are known to be in favour of appeasing Pakistan at the cost of Jammu. It would be most impolitic and dangerous, both on political and strategic grounds, to give any countenance to them.

The feelings and susceptibilities of the people of Kashmir too must be taken into account while considering any scheme of partition of the valley. So far as the ruling clique in Kashmir is concerned, it has made it absolutely clear that partition of the valley in any shape or form will not be acceptable to it. Even if its opinion is not taken seriously because of its well-known vested interest in the continuation of the dispute and the resultant uncertainty in the minds of the people about their future, it can be assumed that Kashmiris in general will be opposed to any partition of the valley on emotional and sentimental grounds.

But on economic and political grounds, good many Kashmiris may welcome such a partition provided provision is made for free access from one side to the other. Economically, the

development by Pakistan of the Baramula region which is seldom visited by the tourists coming from India via Banihal would open up new opportunities for the people there. The proximity of the Mahura Power House on the Jehlum which can be further expanded and the exclusive utilisation of its power in this part of the valley can transform it into a rich industrial area. Already, a number of important industries of Kashmir are located in Baramula town. The fruits, particularly apples and walnuts, which grow in abundance in this region of the valley will get a responsive market in Rawalpindi as in the past. And if the U.S.A., as has been suggested, comes forward to underwrite the economic development of this area, it might soon out-strip the Srinagar area from the point of view of economic growth.

Politically, this area might provide the emotional heaven for those Kashmiri Muslims who have passionately clung to the ideology of Pakistan since 1930-31 when it was first planted there by Sh. Abdullah with the help of his British patrons. Their number may not be large but they are a determined group. Their emotional rehabilitation would go a long way towards stabilising political life and restoring normalcy to the rest of the valley. It would also help the Kashmiri Muslims to compare the political institutions and economic opportunities in India and Pakistan and arrive at a balanced judgement which may transcend religious considerations which have been clouding their judgement so far.

None of the above mentioned three schemes of partition, the one already existing on the basis of the Cease Fire Line, the other based on material changes in the Cease Fire Line in the name of rationalisation, which would give Pakistan a couple of thousands sq. miles of additional territory without involving the valley which will remain with India as a whole, and the third one involving the partition of the valley as well can be palatable to nationalist India which rightly considers Pakistan to be as much an aggressor as Communist China. But that is not the case with Pt. Nehru and his Government. They have reconciled themselves to a partition of the State on

the basis of the Cease Fire Line with or without certain adjustment in favour of Pakistan in the name of rationalisation of this Line.

Pakistan has everything to gain and nothing to lose in such a settlement. But if she persists in her present drift towards Communist China in her blind hostility to India, even Pt. Nehru may have to resile from the position he has so far taken in this regard.

## CONCLUSIONS

The foregoing study of the unfolding of the Kashmir problem in its geo-political setting and historical background during the last fifteen years and the impact of Chinese aggression against India on it points to certain broad facts and conclusions which need to be kept in mind not only by the powers that be in India but also by the policy makers of the U. S. A. and her western allies if a correct and lasting solution of the problem, which may help and not hinder the object they have in views, is to be found.

The first and most important of them is that the legal and political entity of the State as built by Maharaja Gulab Singh and maintained by his successors till 1947 no longer exists. The fact of its virtual partition ever since the Cease-fire was ordered by India on January 1, 1949 without clearing the State of the Pakistani invaders must be frankly admitted. What adjustments in the existing partition might have to be made is a matter of discussion and details.

Actually, the 'house that Gulab Singh built' stands divided not in two but in three parts today. Communist China has occupied a big chunk in Ladakh, nearly 14000 sq. miles in area by force of arms and 2500 sq. mile of territory in Baltistan and Gilgit with the consent of Pakistan. Even the existing unity of the areas under the control of India and Pakistan is artificial and ephemeral. Further disintegration of these two heterogeneous parts like the former Hyderabad State and their regrouping with the adjoining areas of India and Pakistan for reasons of linguistic cohesion, administrative convenience and overall defence needs of both the countries

cannot be long delayed. Therefore, the talk of the unity of Jammu Kashmir State and its 40 lakh population is nothing more than an outworn myth. Complete disintegration of Jammu & Kashmir State is going to be the finale of the drama which began with the Pakistani invasion of the State in October 1947, whether one may like it or not.

The second fact to be clearly grasped is that whatever the solution, it is not going to bring about any revolutionary change in Indo-Pak relations. Pakistan as long as it exists will continue to look upon India as its enemy Number One, Kashmir or no Kashmir, because her very existence as a separate State and unity of her two wings depends on keeping anti-Indian and anti-Hindu frenzy at the highest pitch. To that end Pakistan's foreign policy will always be opposite to that of India as far-sighted people like the late Dr Shyama Prasad Mookerjee had predicted long before Pakistan was actually born. He had told Mahatma Gandhi in August 1944 that "Pakistan, if created, was bound to have a foreign policy opposite to that of India which would endanger Indian security and create very many new and unforeseen problems." The later events have only confirmed his worst fears.

The Sino-Pak Pact, the growing state-managed demand for re-orientation of Pakistan's foreign policy in favour of Communist China, the virulent campaign of vilification against the U. S. A. and the open threat, of her official spokesmen including Foreign Minister Bhutto that Pakistan might take a "Crucial decision" with far reaching consequences to the west's network of regional Military alliances if the west did not stop giving arms aid to India—all these point to the irresistible conclusion that to spite India and keep her weak and isolated is the one and only objective of Pakistan's foreign policy. Therefore, whatever the solution may be, it is not going to make any difference in the defence potential of India vis-a-vis Communist China. Pakistan has made it amply clear that she will not fight China even if Kashmir issue is settled to her entire satisfaction. In fact it will not be at all surprising if Pakistan joins hands with

Communist China whenever she decides to launch a fresh offensive against India. It is, therefore, doubtful whether it would be possible for India to withdraw even one battalion of troops from the Western front to meet the Chinese threat from the North even after a satisfactory settlement is arrived at.

Thirdly, the developments since the massive Chinese thrust across the Himalayas since September 1962 have made absolutely clear that Pakistan cannot be relied upon for containment of Communist Chinese expansion. Her one interest is to disrupt and spite India for which she is prepared to cut her own nose even by collaborating with Communist China. In the circumstances, India has emerged as the only dependable bulwark against further Communist Chinese expansion in South Asia. Even though India may not declaredly align itself with the west, the fact remains that ideologically democratic India is and will remain aligned to the democratic world rather than to the totalitarian Communist bloc unless the Communists succeed in subverting Indian democracy on the Czechoslovakian pattern. To prevent that, it is essential that the U. S. A. does not allow herself to be blackmailed by Pakistan to coerce India to accept such a settlement as may enable the Indian Communists to masquerade as ultra-nationalists to end their own isolation and beguile the Indian people.

Another fact to be grasped is that the continuance of the existing stalemate and atmosphere of uncertainty within Kashmir will help none but the Communists who are following the policy of running with the hare and hunting with the hound. While, on the one hand, they oppose any concession to Pakistan, on the other hand, they are ingratiating themselves with Pro-Pakistan elements inside and outside Kashmir. They are getting quite an encouraging response. Pro-Pak elements have been joining the Communist Party in Assam, West Bengal, Kashmir and Rajasthan in large numbers for some time past. This alliance of the Communists and Pro-Pak elements is not new. The Communists were the biggest supporters of the demand for Pakistan before 1947 and they

had organised the Muslim League's election campaign in 1946 which paved the way for the creation of Pakistan.

While, on the one hand, they are thus getting closer to Pro-Pak Muslims, on the other hand, they are infiltrating into the ruling National Conference in Kashmir and the Indian National Congress in the rest of India in their bid to strengthen the hands of pro-communist elements in these organisations.

The worst affected by this situation are the people of Jammu, Kashmir and Ladakh. While Pakistan even though she has not legal claim on the territories under her forcible occupation, has integrated them with the rest of Pakistan to all intents and purposes, the Government of India has so far failed to integrate the territories still retained by it with the rest of India. The so-called special status given by it to Jammu & Kashmir through the temporary and transitional article 370 of the Indian constitution actually discriminates against the people of the State. The present regime of Bakshi Gulam Mohammed as that of Sheikh Abdullah earlier has been exploiting this position to deprive the people of Jammu & Kashmir of the basic rights and liberties guaranteed by the Indian constitution to their co-patriots of the rest of India. The resultant discontent of the people is being exploited by the Communist Chinese and Pakistani Agents to suit their respective ends. It would be both impolitic and dangerous to allow this situation which has been further aggravated by the fruitless Indo-Pak talks and growing collaboration between Pakistan & Communist China, to continue any longer.

Therefore, it is of the utmost importance that the existing stalemate is ended by arriving at a solution through a realistic appraisal of the situation for its own sake without laying much store by it for Indo-Pak collaboration against Communist China.

This demands the highest statesmanship, realism, diplomatic skill and tact on the part of the USA and her Western allies who have taken upon themselves the unenviable role of mediators. Their judgment should not be clouded by the earlier

developments regarding the Kashmir question which ranged them in opposition to the Indian stand at the UN partly because of India's own bunglings and partly because of the considerations of East-West cold war. The situation has now entirely changed. Democratic India's posture of non-alignment as between Washington and Moscow might have been irksome to them. But with the emergence of Peking and Delhi as two new live poles in the international sphere, India cannot afford to remain cut off from the democratic world whatever the Communist Party and its Trojan horses in the Indian Government may say to the contrary. The danger of Communist Chinese imperialism engulfing India, Asia and the World has become too real to be ignored or neglected. India, therefore, expects that the leaders of thought and public opinion in the USA will not overlook the basic facts of the Kashmir problem which has remained clouded mainly because of the confused and unrealistic thinking of Pt. Nehru, the sole Architect of India's Kashmir policy, and the resultant failure of Indian diplomacy and foreign publicity. Kashmir has become the grave of Pt. Nehru's reputation but let it not become the grave of the way of life for which India has stood for ages and of which USA claims to be the greatest champion in the modern world. Indo-American collaboration is of much greater importance in this wider context of preservation of democratic values of life against the titanic challenge of Communist totalitarianism.

The Government of India too must do some rethinking about their approach and heart searching about their handling of the Kashmir issue from its very inception. They must be clear in their own mind first whether Jammu & Kashmir State is or is not an integral part of India. If it is a part of India, as it actually is both in law and fact, there is absolutely no justification for their apologetic attitude regarding its lawful accession to India of which the conferment on Jammu & Kashmir of a status different from other acceding states is the most glaring manifestation. By allowing the Kashmir State to have a separate constitution, flag and law of citizenship which has



enabled the ruling *junta* there to deny to the people of Kashmir some of the basic rights and liberties including fair and free elections guaranteed by the Indian constitution, the Government of India have directly stood in the way of the growth of a feeling of oneness with the rest of India in the minds of the people of Kashmir.

This confused thinking and the resultant absence of proper co-relation and co-ordination between the actual policies of the Government of India regarding Kashmir and their professions and declarations about the accession of the State to India being full, final and irrevocable have done more harm to Indian interests in Kashmir than all the machinations of Pakistan and power politics of the powers that be at the U.N.O. This confusion and contradiction in India's profession and practice must be ended. The need for clear thinking and re-orientation of her internal policies regarding Kashmir has become as imperative as that of her external policies if Kashmir is to be saved for India and the free world against the combined onslaught of Communist China and Pakistan.

## TREATY OF AMRITSAR, MARCH 16, 1846

Treaty between the British Government on the one part and Maharajah Gulab Singh of Jammu on the other concluded on the part of the British Government by Frederick Currie, Esquire, and Brevet-Major Henry Montgomery Lawrence, acting under the orders of the Right Honourable Sir Henry Hardinge, G.C.B., one of her Britannic Majesty's most Honourable Privy Council, Governor-General of the possessions of the East India Company, to direct and control all their affairs in the East Indies and by Maharajah Gulab Singh in person—1846.

## ARTICLE 1

The British Government transfers and makes over for ever in independent possession to Maharajah Gulab Singh and the heire male of his body all the hilly or mountainous country with its dependencies situated to the eastward of the River Indus and the westward of the River Ravi including Chamba and excluding Lahul, being part of the territories ceded to the British Government by the Lahore State according to the provisions of Article IV. of the Treaty of Lahore, dated 9th March, 1846.

## ARTICLE 2

The eastern boundary of the tract transferred by the foregoing article to Maharajah Gulab Singh shall be laid down by the Commissioners appointed by the British Government

and Maharajah Gulab Singh respectively for that purpose and shall be defined in a separate engagement after survey.

### ARTICLE 3

In consideration of the transfer made to him and his heirs by the provisions of the foregoing article Maharajah Gulab Singh will pay to the British Government the sum of seventy-five Lakhs of Rupees (Nanukshahee), fifty lakhs to be paid on or before the 1st October of the current year. A.D, 1846.

### ARTICLE 4

The limits of the territories of Maharajah Gulab Singh shall not be at any time changed without concurrence of the British Government.

### ARTICLE 5

Maharajah Gulab Singh will refer to the arbitration of the British Government any disputes or questions that may arise between himself and the Government of Lahore or any other neighbouring State, and will abide by the decision of the British Government.

### ARTICLE 6

Maharajah Gulab Singh engages for himself and heir to join, with the whole of his Military Forces, the British troops when employed within the hills or in the territories adjoining his possessions,

### ARTICLE 7

Maharajah Gulab Singh engages never to take to retain in his service any British subject nor the subject of any Euro-

pean or American State without the consent of the British Government.

#### ARTICLE 8

Maharajah Gulab Singh engages to respect in regard to the territory transferred to him, the provisions of Articles V., VI., and VII, of the separate Engagement between the British Government and the Lahore Durbar, dated 11th March, 1846.

#### ARTICLE 9

The British Government will give its aid to Maharaja Gulab Singh in protecting his territories from external enemies.

#### ARTICLE 10

Maharajah Gulab Singh acknowledges the supremacy of the British Government and will in token of such supremacy present annually, to the British Government one horse, twelve shawl goats of approved breed (six male and six female) and three pairs of Cashmere shawls.

This Treaty of ten articles has been this day settled by Frederick Currie, Esquire, and Brevet-Major Henry Montgomery Lawrence, acting under directions of The Right Honourable Sir Henry Hardinge, G.C.B., Governor-General, on the part of the British Government and by Maharajah Gulab Singh in person, and the said Treaty has been this day ratified by the seal of The Right Honourable Sir Henry Hardinge, G.C.B., Governor-General.

(Done at Amritsar the sixteenth day of March, in the year of our Lord one thousand eight hundred and forty-six, corresponding with the seventeenth day of Rubeel-ul-Awal 1262 Hijree).

(Signed) **H. Hardinge** (Seal).

(Signed) **F. Currie**.

(Signed) **H. M. Lawrence**.

## MAHARAJA'S ACCESSION OFFER TO INDIA

[Text of Letter Dated October 26, 1947 from Sir Hari Singh, The Maharaja of Jammu & Kashmir, to Lord Mountbatten, The Governor-General of India.]

My dear Mountbatten,

I have to inform your Excellency that a grave emergency has arisen in my State and request immediate assistance of your Government.

As your Excellency is aware the State of Jammu & Kashmir has not acceded to the Dominion of India or to Pakistan. Geographically my State is contiguous to both the Dominions. It has vital economical and cultural links with both of them. Besides my State has a common boundary with the Soviet Republic and China. In their external relations the Dominions of India and Pakistan cannot ignore this fact.

I wanted to take time to decide to which Dominion I should accede, or whether it is not in the best interests of both the Dominions and my State to stand independent, of course with friendly and cordial relations with both.

I accordingly approached the Dominions of India and Pakistan to enter into Standstill Agreement with my State. The Pakistan Government accepted this Agreement. The Dominion of India desired further discussions with representatives of my Government. I could not arrange this in view of the developments indicated below. In fact the Pakistan Government are operating Post and Telegraph system inside the State.

Though we have got a Standstill Agreement with the

Pakistan Government that Government permitted steady and increasing strangulation of supplies like food, salt and patrol to my state.

Afridis, soldiers in plain clothes, and desperadoes with modern weapons have been allowed to infiltrate into the State at first in Poonch and then in Sialkot and finally in area adjoining Hazara District on the Ramkot side. The result had been that the limited number of troops at the disposal of the State had to be dispersed and thus had to face the enemy at the several points simultaneously, that it has become difficult to stop the wanton destruction of life and property and looting. The Mahora power-house which supplies the electric current to the whole of Srinagar has been burnt. The number of women who have been kidnapped and raped makes my heart bleed. The wild forces thus let loose on the State are marching on with the aim of capturing Srinagar, the summer Capital of my Government, as first step to over-running the whole State.

The mass infiltration of tribesmen drawn from the distant areas of the North-West Frontier coming regularly in motor trucks using Mansehra-Muzaffarabad Road and fully armed with up-to-date weapons cannot possibly be done without the knowledge of the Provincial Government of the North-West Frontier Province and the Government of Pakistan. In spite of repeated requests made by my Government no attempt has been made to check these raiders or stop them from coming to my State. The Pakistan Radio even put out a story that a Provisional Government has been set up in Kashmir. The People of my State both the Muslims and non-muslims generally have taken no part at all.

With the conditions obtaining at present in my State and the great emergency of the situation as it exists, I have no option but to ask for help from the Indian Dominion. Naturally they cannot send the help asked for by me without my State acceding to the Dominion of India. I have accordingly decided to do so and I attach the instrument of Accession for acceptance by your Government. The other alternative is to

leave my State and my people to free-booters. On this basis no civilized Government can exist or be maintained. This alternative I will never allow to happen as long as I am the Ruler of the State and have life to defend my country.

I may also inform your Excellency's Government that it is my intention at once to set up an interim Government and ask Sheikh Abdullah to carry the responsibilities in this emergency with my Prime Minister.

If my State has to be saved immediate assistance must be available at Srinagar. Mr. Menon is fully aware of the situation and he will explain to you, if further explanation is needed.

In haste and with kindest regards,

Yours sincerely,  
**Hari Singh**

The Palace, Jammu  
26th October, 1947

*Instrument of Accession executed by Maharaja Hari Singh on October, 26, 1947.*

Whereas the Indian Independence Act, 1947, provides that as from the fifteenth day of August, 1947, there shall be set up an independent Dominion known as INDIA, and that the Government of India Act 1935, shall, with such omission, additions, adaptations and modifications as the Governor General may by order specify, be applicable to the Dominion of India.

And whereas the Government of India Act, 1935, as so adapted by the Governor General, provides that an Indian State may accede to the Dominion of India by an Instrument of Accession executed by the Ruler thereof.

Now, therefore, I Shriman Inder Mahander Rajrajeswar Maharajadhiraj Shri Hari Singhji., Jammu & Kashmir Naresh Tatha Tibbet adi Deshadhipathi, Ruler of Jammu & Kashmir State, in the exercise of my Sovereignty in and over my said State do hereby execute this my Instrument of Accession and

1. I hereby declare that I accede to the Dominion of India with the intent that the Governor General of India, the Dominion Legislature, the Federal Court and any other Dominion authority established for the purposes of the Dominion shall, by virtue of this my Instrument of Accession but subject always to the terms thereof, and for the purposes only of the Dominion, exercise in relation to the State of Jammu & Kashmir (hereinafter referred to as "this State") such functions as may be vested in them by or under the Government of India Act, 1935, as in force in the Dominion of India, on the 15th Day of August 1947, (which Act as so in force is



hereafter referred to as "the Act").

2. I hereby assume the obligation of ensuring that due effect is given to provisions of the Act within this State so far as they are applicable therein by virtue of this my Instrument of accession.

3. I accept the matters specified in the schedule hereto as the matters with respect to which the Dominion Legislature may make law for this State.

4 I hereby declare that I accede to the Dominion of India on the assurance that if an agreement is made between the Governor General and the Ruler of this State whereby any functions in relation to the administration in this State of any law of the Dominion Legislature shall be exercised by the Ruler of this State, then any such agreement shall be deemed to form part of this Instrument and shall be construed and have effect accordingly.

5. The terms of this my Instrument of Accession shall not be varied by any amendment of the Act or the Indian Independence Act, 1947, unless such amendment is accepted by me by Instrument supplementary to this Instrument.

6. Nothing in this Instrument shall empower the Dominion Legislature to make any law for this State authorising the compulsory acquisition of land for any purpose, but I hereby undertake that should the Dominion for the purpose of a Dominion law which applies in this State deem it necessary to acquire any land, I will at their request acquire the land at their expense, or, if the land belongs to me transfer it to them on such terms as may be agreed or, in default of agreement, determined by an arbitrator to be appointed by the chief Justice of India.

7. Nothing in this Instrument shall be deemed to commit in any way to acceptance of any future constitution of India or to fetter my discretion to enter into agreement with the Government of India under any such future constitution.

8. Nothing in this Instrument affects the continuance of my Sovereignty in and over this State, or, save as provided by or under this Instrument, the exercise of any powers,

authority and right now enjoyed by me as Ruler of this State or the validity of any law at present in force in this State.

9. I hereby declare that I execute this Instrument on behalf of this State and that any reference in this Instrument to me or to the Ruler of the State is to be construed as including a reference to my heirs and successors.

Given under my hand this 26th day of October, nineteen hundred and fortyseven.

**Hari Singh**  
Maharajadhiraj of Jammu and  
Kashmir State

**ACCEPTANCE OF ACCESSION BY THE GOVERNOR GENERAL  
OF INDIA**

I do hereby accept this Instrument of Accession.

Dated this twenty seventh day of October, nineteen hundred and forty seven.

**Mountbatten of Burma,**  
Governor General of India.

*English translation of the Persian text of the treaty signed at Leh on second of Asuj 1899 Bikrami (September 1842) between the Government of Maharaja Gulab Sing and the Government of Tibet.*

Whereas we the Officers of the Lhasa country, viz., firstly, Kalon Surkhan, and secondly, Depon Pishi, Commander of the forces of the Empire of China, on the one hand and Dewan Hari Chand and Wazir Ratanu, on behalf of Maharaja Gulab Singh, on the other, agree together and swear before God that the friendship between Maharaja Gulab Singh and the Emperor of China and the Lama Guru Sahib Lassa-walla will be kept and observed till eternity; no disregard will be shown to anything agreed upon in the presence of God; and we will respect the boundary of Ladakh and the countries bordering on it as fixed since olden times. We will carry on the trade in Shawl, Pasham, and Tea as before by way of Ladakh; and if any one of the Shri Maharaja's enemies comes to our territories and says anything against the Rajah we will not listen to him, and will not allow him to remain in our country, and whatever traders come from Ladakh shall experience no difficulty from our side. We will not act otherwise but in the same manner as it has been prescribed in this meeting regarding the fixing of the Ladakh frontier and the keeping open of the road for the traffic in Shawl, Pasham, and Tea. We will observe our pledge to God, Gaitri and Pasi. Wazir Mian Khushal Chu is witness.

Written on the second day of Asuj 1899 (September, 1842 ).

The Tibetan version of the treaty is as follows:

Kalon Surkhan and investigating officer Depon Pishi on

behalf of His Holiness the Dalai Lama and his officials, and Shri Khalsaji Absarani Shri Maharajah, Lala Golana, the representative of Khashur Shag Golam Mohammed through an interpreter Amirshah (on behalf of Gulab Singh) have arrived at Ladakh and discussed the terms of the peace treaty. In the first place the two contracting parties have decided to sink all past differences and ill-feeling and to consider the friendship and unity between the two kings re-established for ever. This peace treaty between Shri Maharaja Gulab Singh and Shri Guru Lama of Lhasa has been restored and there will be no cause for enmity in future in the two nations regarding their respective frontier. Shri Maharajah Sahib has declared, invoking God as his witness, that he will not deviate from the terms of this agreement. It is agreed that the two brothers Kings of Ladakh and the Queen shall remain peacefully in Ladakh and shall not indulge in any intrigue, besides trying to promote the friendly relations between the two nations. The Ladakis shall send the annual tribute to His Holiness the Dalai Lama and his Ministers un-faillingly as heretofore and the Shri Maharajah Sahib will not interfere with this arrangement. No restriction shall be laid on the mutual export of commodities e.g., tea, piece goods, etc.... and trading shall be allowed according to the old-established custom. The Ladakis shall supply the Tibetan Government traders with the usual transport animals and arrange for their accommodation as heretofore, and the Tibetans will also do the same to the Ladakis who come to Tibet with the annual tribute. It is agreed that no trouble will be occasioned to the Tibetan Government by the Ladakis. We invoke God to bear witness to this agreement whereby the friendly relations between the Shri Maharajah Sahib and the Lhasa Government shall continue as between members of the same family. This is signed on the second day of the month of Assuj, year 1899.

*Excerpts from the Memorandum Submitted by Shri Chhe-wang Rigzin, President Buddhist Association Ladakh to the Prime Minister of India on behalf of the People of Ladakh in 1949.*

Sir,

On the eve of the grant of responsible Government to the people of Kashmir by the Maharaja, we the Buddhists of Ladakh and adjoining areas presented to him through our representatives in the Praja Sabha a memorial, a copy of which was submitted to you for your information and consideration. This memorial, which was prompted by our apprehensions for our future, based on our bitter experience of nearly a century and a quarter, embodied the following proposals :

1. That he should govern us directly through legislative and administrative machinery, proposals for which would be submitted by us at his command.

2. That our homeland amalgamated with the Hindu majority parts of Jammu should form a separate province in which adequate safeguards should be provided for our distinctive rights and interests.

3. That we should be permitted to join East Punjab.

Proposal (1) originated in our respect for the obligation we owed to the ruler in view of the relation which bound us to him from the day of the conquest of our land by his grand-father.

Proposal (2) emanated from the fact that we desired to see nothing more of the administrators from Kashmir, who had mostly governed us during the past to our utter ruin, though our cultural kinship with the Hindus encouraged us to expect

a sympathetic regard for our interests and an assured future in a Hindu-majority province, and finally that historical causes bound us to the people of Jammu and not to those of Kashmir, for it was the Jammu Dogras who conquered Ladakh for Maharaja Gulab Singh in 1834, while Kashmir came into his possession in 1846, twelve years later.

All things considered, however, proposals No. 1 and 2 were concessions to treaty obligations imposed on us by the Dogra conquest while proposal No. 3 which would come into force on the failure of (1) and (2) was put forward because it is the only panacea for all our ills, the only guarantee for our future progress and development.

The Maharajadhiraj has so far vouchsafed to us no reply and we have taken this silence of His Highness to imply the relinquishment by him of his position as a party in respect of proposals (1) and (2), a tacit recognition of our right to choose our path independent of him. We have given most anxious thought to this grave problem and after mature deliberation arrived at the decision that we should straightway merge with India.

That we have the right to determine our own future apart from other communities and people inhabiting the state and that we cannot be affected by the result of the forthcoming plebiscite in the event of its being favourable to Pakistan is evident from the following facts—

(1) We are a separate nation by all the tests—race, language, religion, culture—determining nationality. The only link connecting us with the other people of the State being the bond of common ruler. If the Indian National Congress could persuade itself to recognise the Muslims of India as a separate nation although they had so much in common with the other elements of the Indian population the Government of India should have no hesitation in recognising what is patent and incontrovertible fact in our case.

(2) Sheikh Mohammad Abdulla built up his case on the validity of the Treaty of Amritsar. This treaty bears upon the territory of Kashmir only. So while the ruler has con-

sented to the transfer of his sovereign power in favour of all his people. Sh. Mohammad Abdulla and the people of Kashmir can, through this transference, manage the affairs of their country as they will. But they have not the power to appropriate against their will, a people, a separate nation, whom a separate treaty—the result of the war of 1834 twelve years anterior to the treaty of Amritsar—bound to the ruler in a special relationship, in which, the people of Kashmir, who came into the picture later, naturally, did not figure at all.

(3) The right of self-determination claimed by us cannot be claimed with equal force by the people of Baltistan including Skardu and parts of Kargil tehsils predominantly peopled by Muslims, as they are connected by ties of religion with the majority community in Jammu & Kashmir, nor by the people of Gilgit who came under Dogra rule through conquest after the annexation of Kashmir and whom not only identity of religion but of race as well binds to the majority community of Jammu & Kashmir. It may be added that at the time of the conquest of Ladakh by Zorawar Singh, the entire area comprised under the Tehsils of Leh and Kargil acknowledged the suzerainty of our Raja, while Baltistan had several rajas of its own.

In case the result of the plebiscite is favourable to India, we simply go a step further than other people of State in seeking a closer union with that great country and in case it is otherwise, our verdict stands clear and unchallengable. When we have decided to cut ourselves asunder from the State itself, the question of our forming part of Pakistan cannot arise at all.

We have indeed made up our minds to join India ; but what is our decision worth until India is prepared to accept it ? We certainly make the offer for our own advantage; we see in our merger with India the only hope of our salvation. But India, too, will not be loser by this arrangement. The Tehsil of Leh alone covers 23,000 Sq. miles and, if we add to it the other areas predominantly inhabited by Boudhs, viz. Zanskar, Bodhkhharbo, Mulbek, Fukar, Darcik Garcon, in

Kargil Tehsil and Padar in Kishtwar, the total acquisition of territory to India will not probably measure less than 33,000 Sq. miles. It is true that the whole of this area is undeveloped and most of it at present barren, But it must also be remembered that its economic potentialities are tremendous and in the hands of a great country like India it is bound to be transformed into a smiling garden and a source of immense wealth and power. Its strategic and commercial importance too cannot be underrated. The Tehsil of Leh has Tibet and China among its neighbours and the town of Leh is the nerve centre of Central Asian trade.

There is nothing in our offer which is in any way incompatible with the high idealism which characterises India's international policy. We might even say in positive terms that it is perfectly consistent with it, for has not India repeatedly declared that it stands for the right of self-determination for all nations, and are we not a nation whose right of self-determination it should uphold and to whom it should extend the protection it seeks ?

Tibet is a cultural daughter of India and we seek the bosom of that gracious mother to receive more nutriment for growth to our full stature in every way. She has given us what we prize above all other things—our religion and culture and it is the experience of having been the recipients of such precious gifts which encourages us to ask for more. The Asoka wheel on her flag—symbol of goodwill for all humanity and her concern for her cultural children—calls us irresistibly. Will the great mother refuse to take to her arms one of her weakest and most forlorn and distressed children—child whom filial love impels to respond to the call ?

Sir, the absence of a reply to our previous references on the subject of our future has depressed us greatly. We beseech you with all earnestness to be so kind as to vouchsafe a line in reply to this our last prayer on the subject.



*Text of the "agreement" signed by China and Pakistan in Peking on March 2, 1963.*

The Government of the People's Republic of China and the Government of Pakistan ;

Having agreed, with a view to ensuring the prevailing peace and tranquility on the border, to formally delimit and demarcate the boundary between China's Sinkiang and the contiguous areas the defence of which is under the actual control of Pakistan, in a spirit of fairness, reasonableness, mutual understanding and mutual accommodation, and on the basis of the ten principles as enunciated in the Bandung conference ;

Being convinced that this would not only give full expression to the desire of the peoples of China and Pakistan for the development of good-neighbourly and friendly relations, but also help safeguard Asian and world peace.

Have resolved for this purpose to conclude the present agreement and have appointed as their respective plenipotentiaries the following :—

For the Government of the People's Republic of China; Chen Yi, Minister of Foreign Affairs ;

For the Government of Pakistan ; Mr. Zulfikar Ali Bhutto, Minister of External Affairs;

Who, having mutually examined their full powers and found them to be in good and due form have agreed upon the following :

#### ARTICLE I

In view of the fact that the boundary between China's Sinkiang and the contiguous areas the defence of which is under

the actual control of Pakistan has never been formally delimited, two parties agree to delimit it on the basis of the traditional customary boundary line including natural features and in a spirit of equality, mutual benefit and friendly co-operation.

#### ARTICLE 2

In accordance with the principle expounded in Article 1 of the present agreement, the two parties have fixed, as follows the alignment of the entire boundary line between China's Sinkiang and the contiguous areas the defence of which is under the actual control of Pakistan.

(1) Commencing from its north-western extremity at height 5,630 metres (a peak, the reference coordinates of which are approximately longitude 74 degrees 34 minutes east and latitude 37 degrees 03 minutes north), the boundary line runs generally east-ward and then south-eastward strictly along the main watershed between the tributaries of the Tashkurgan river of the Tarim river system on the one hand and the tributaries of the Hunza river of the Indus river system on the other hand, passing through the Kilik Daban (Dawan), the Mintake Daban (pass), the Kharchanai Daban (named on the Chinese map only), the Mutsjigla Daban (named on the Chinese map only) and the Parpiik Pass (named on the Pakistan map only), and reaches the Khunjerab (Yutr) Daban (Pass).

(2) After passing through the Kunjerab (Yutr) Daban (pass) the boundary line runs generally southward along the above-mentioned main watershed upto a mountain-top south of this Daban (pass), where it leaves the main watershed to follow the crest of a spur lying generally in a south-easterly direction, which is the watershed between the Akjilga river (a nameless corresponding river on the Pakistan map) on the one hand, and the Taghumbash (Oprang) river and the Koli-man Su (Orang Jilga) on the other hand.

According to the map of the Chinese side, the boundary line, after leaving the south-eastern extremity of this spur, runs

along a small section of the middle line of the bed of the Keli-man Su to reach its confluence with the Elechin river. According to the map of the Pakistan side, the boundary line, after leaving the south-eastern extremity of this spur, reaches the sharp bend of the Shaksgam or Muztagh river.

(3) From the aforesaid point, the boundary lines runs up the Kelechin river (Shaksgam or Muztagh river) along the middle line of its bed to its confluence (reference co-ordinates approximately longitude 76 degrees 02 minutes east and latitude 36 degrees 26 minutes north) with the shorbulak Daria (Shimshal river or Braldu river).

(4) From the confluence of the aforesaid two rivers, the boundary line, according to the map of the Chinese side, ascends the crest of a spur and runs along it to join the Karakoram range main watershed at a mountain-top (reference co-ordinates approximately longitude 75 degrees 54 minutes east and latitude 36 degrees 15 minutes north) which on this map is shown as belonging to the Shorgulak mountain. According to the map of the Pakistan side, the boundary line from the confluence of the above mentioned two rivers ascends the crest of a corresponding spur and runs along it, passing through height 6.520 metres (21,390 feet) till it joins the Karakoram range main watershed at a peak (reference co-ordinates approximately longitude 75 degrees 57 minutes east and latitude 36 degrees 03 minutes north).

(5) Thence, the boundary line, running generally southward and then eastward, strictly follows the Karakoram range main watershed which separates the Tarim river drainage system from the Indus river drainage system, passing through the east Mustagh pass (Muztagh pass), the top of the Chogri peak (K-2), the top of the broad peak, the top of the Gasherbrum mountain (8,068), the Indirakoli pass (names of the Chinese maps only) and the top of the Teram Kankri peak, and reaches its south-eastern extremity at the Karakoram pass.

(Two) Then alignment of the entire boundary line as described in section one of this article, has been drawn on

the one million scale map of the Chinese side in Chinese and the one million scale map of the Pakistan side in English which are signed and attached to the present agreement.

(Three) In view of the fact that the maps of the two sides are not fully identical in their representation of topographical features the two parties have agreed that the actual features on the ground shall prevail, so far as the location and alignment of the boundary described in Section one is concerned, and that they will be determined as far as possible by joint survey on the ground.

### ARTICLE 3

The two parties have agreed that :

(1) Wherever the boundary follows a river, the middle line of the river bed shall be the boundary line ; and that

Wherever the boundary passes through a deban (pass), the water-parting line thereof shall be the boundary line.

### ARTICLE 4

One : The two parties have agreed to set up, as soon as possible, a joint boundary demarcation commission. Each side will appoint a chairman, on or more members and a certain number of advisers and technical staff. The joint boundary demarcation commission is charged with the responsibility in accordance with the provisions of the present agreement, to hold concrete discussions on and carry out the following tasks jointly.

(1) To conduct necessary surveys of the boundary area on the ground, as stated in Article 2 of the present agreement so as to set up boundary markers at places considered to be appropriate by the two parties and to delineate the boundary line of the jointly prepared accurate maps.

To draft a protocol setting forth in detail the alignment of the entire boundary line and the location of all the boundary markers and prepare and get printed detailed maps, to be attached to the protocol. with the boundary line and the

location of the boundary markers shown on them.

Two : The aforesaid protocol, upon being signed by representatives of the Governments of the two countries, shall become an annex to the present agreement, and the detailed maps shall replace the maps attached to the present agreement.

Three : Upon the conclusion of the above-mentioned protocol, the tasks of the joint boundary demarcation commission shall be terminated.

#### ARTICLE 5

The two parties have agreed that any dispute concerning the boundary which may arise after the delimitation of the boundary line actually existing between the two countries shall be settled peacefully by the two parties through friendly consultations.

#### ARTICLE 6

The two parties have agreed that after the settlement of the Kashmir dispute between Pakistan and India, the sovereign authority concerned will reopen negotiations with the Government of the People's Republic of China on the boundary, as described in Article Two of the present agreement, so as to sign a formal boundary treaty to replace the present agreement, provided that in the event of the sovereign authority being Pakistan, the provisions of the present agreement and of the aforesaid protocol shall be maintained in the formal boundary treaty to be signed between the People's Republic of China and Pakistan.

#### ARTICLE 7

The present agreement shall come into force on the date of its signature.

Done in duplicate in Peking on the second day of March 1963, in the Chinese and English languages, both sides being equally authentic.

*Statement made by India's Prime Minister. Pt. Nehru, regarding Sino-Pak agreement in the Lok Sabha of the Indian Parliament on March 5, 1963.*

As the House is aware, the representatives of the Governments of Pakistan and the People's Republic of China have signed what has been described as an agreement regarding the alignment of the boundary between Sinkiang and that part of the Indian territory in Jammu and Kashmir which is under Pakistan's illegal occupation. Details of the agreement have already appeared in the press. A copy of the agreement as released by the Government of Pakistan in Karachi is being laid on the Table of the House.

According to details released officially in Karachi, the Government of Pakistan first informally sounded China and then sent a diplomatic note on March 28, 1961, expressing the desire to negotiate demarcation of the boundary. The Chinese Government reacted formally to this offer, about a year later, that is in February, 1962. On May 3, 1962, the Governments of Pakistan and China issued a joint communique, in which they agreed to conduct negotiations on the subject. We protested against this development to both Governments. In view of these developments our representative in the Security Council stated our position, authoritatively, during the debates on Kashmir, on May 4 and June 22, 1962.

On the eve of the Indo-Pakistan talks on Kashmir and other related matters, the Governments of China and Pakistan announced an agreement, in principle, on the alignment of the border of the illegally occupied area of the Kashmir with Sinkiang. Sardar Swaran Singh, Leader of the Indian Delegation, immediately made our position clear to President

## KASHMIR : CENTRE OF NEW ALIGNMENTS

Ayub Khan and Mr. Bhutto in Rawalpindi, and again to Mr. Bhutto, later, when the talks were resumed in Delhi, in January last. On January 26, we lodged a protest with the Government of Pakistan against the decision announced in the joint communique issued by them on December 28, 1962. Another protest is being lodged with the Government of Pakistan against the signing of this Sino-Pakistan border alignment agreement in Peking.

It has been stated in Karachi that the difference between the Chinese claim line and the Pakistan claim line was 3,400 square miles. In the final agreement, Pakistan claims to have received 1,350 square miles, including 700 square miles of area which was in China's possession. The Chinese have been given 2,050 square miles under the agreement.

According to the Survey of Pakistan maps, even those published in 1962, about 11,000 square miles of Sinkiang territory formed part of Kashmir. If one goes by these maps, Pakistan has obviously surrendered over 13,000 square miles of territory.

Although, according to the agreement, the parties have agreed to delimit the boundary on the basis of the traditional customary boundary line, including natural features, the boundary, as agreed to, does not do so. The Pakistan line of actual control, according to the map, which the Government of Pakistan had supplied to our High Commission, lay, across Kilik, Mintaka, Khunjerab Passes: but, thereafter, the line left the watershed and followed neither the Aghil Range, which is the alignment claimed by the Government of China lay. In fact, the Pakistan line of actual control ran along no definite natural features, but cut across the tributaries of the Shaks-gam river and sometimes lay halfway up the slopes. It then reached the Karakoram Pass. Running south of the traditional alignment, the Pakistan line of actual control surrendered about 1,600 square miles to China. The difference between the Pakistan and Chinese alignments was about 2,100 square miles.

The agreement claims to be provisional, and yet so much

haste has been shown in concluding it. It is significant that it is not subject to ratification. Thus the National Assembly, the Press and the public of Pakistan have been given and will be given no opportunity to examine the terms of this agreement.

I have already stated in this House, that we are, naturally anxious to have a settlement with Pakistan; but I cannot help feeling that the joint announcement on December 26, the Pakistan Government's announcement on February 22, to sign the border agreement in Peking, and finally the signing of this agreement have been timed to prejudice the outcome of the joint talks on Kashmir and other related matters. However, as an earnest of our desire for an honourable settlement with Pakistan, we propose to continue with the talks in Calcutta. I have also stated that a settlement does not mean that we accept whatever is proposed by Pakistan—right or wrong. We cannot abandon the principles we have always valued.

The other party to the agreement, namely China, in spite of its professions that it has never involved itself in the dispute over Kashmir or its absurd claim that the boundary negotiations have promoted friendship between the Chinese and Pakistani peoples, and are in the interests of Asia and world peace, is directly interfering in Indo-Pakistan relations. *By doing this, China is seeking to exploit differences between India and Pakistan on the Kashmir question to further its own expansionist policy. The Government of India have made their position clear in a protest to this agreement which has been lodged with the Government of the People's Republic of China.*



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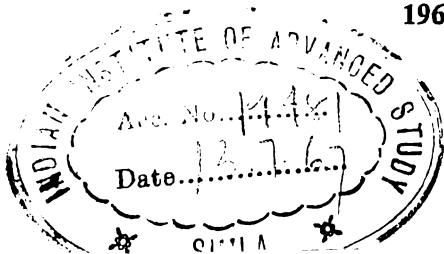
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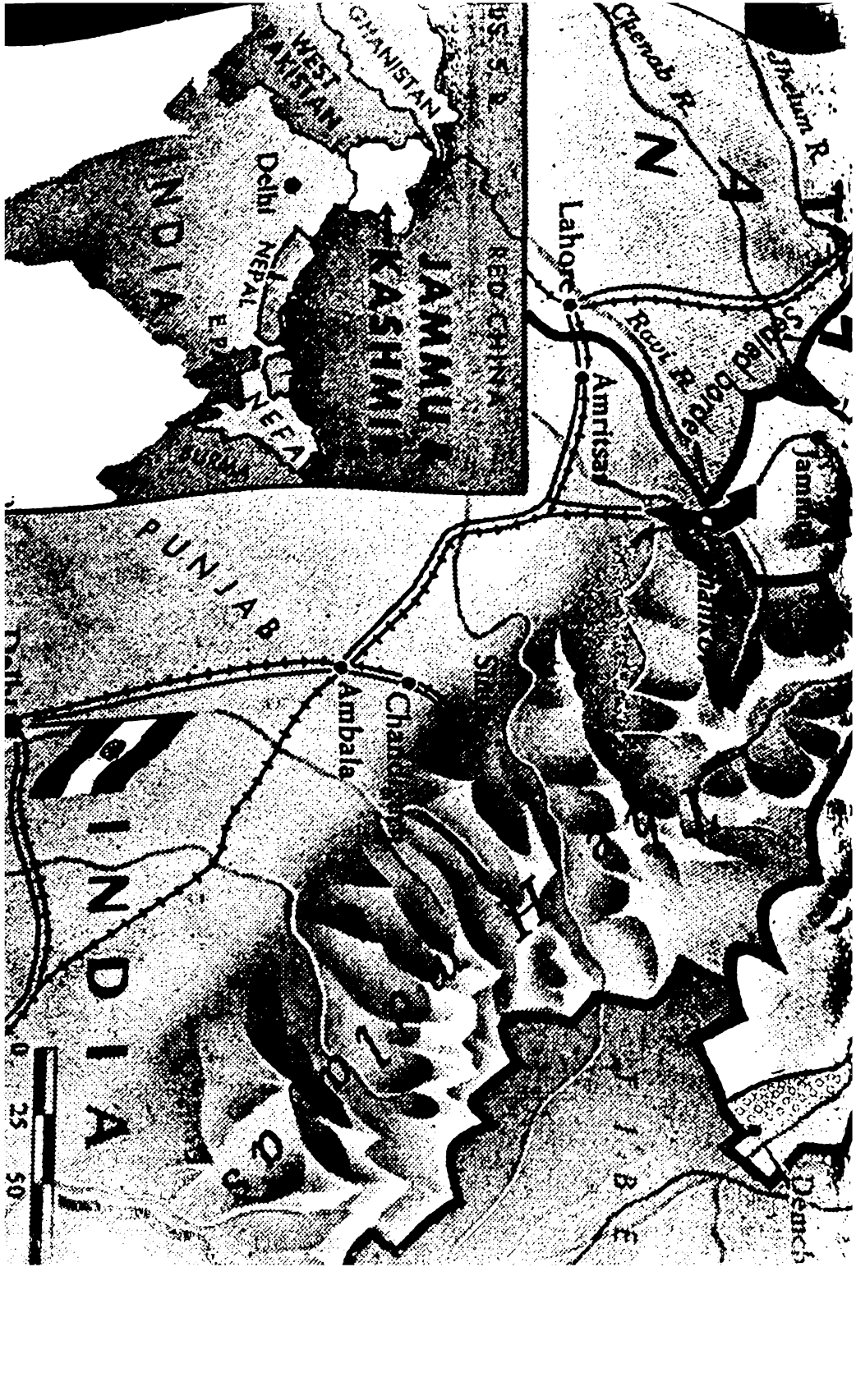
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#### THE AUTHOR

Prof. Balraj Madhok was born at Askardu, the winter capital of the Ladakh province of Kashmir State in 1920. After a distinguished academic career, he joined the D. A.V. College Srinagar (Kashmir) as Professor of History. He was an eye witness to the developments leading to and connected with Pakistan's invasion of Kashmir and played a significant role in the defence of Srinagar till the arrival of the Indian troops on the scene. He founded Jammu & Kashmir Praja Parisad in 1948, and later collaborated with late Dr. S.P. Mukherjee for the formation of "Bhartiya Jan Sangh" of which he has been a leading light since its inception in 1951. He was elected to the Indian Parliament from New Delhi in 1961.

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