

Government of India

WHITE PAPER

ON

JAMMU & KASHMIR

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## FOREWORD.

The purpose of this White Paper is to present factual information, backed by the relevant documents, on the Jammu and Kashmir case. The Introduction gives a brief description of the territories involved. Then follow four Parts containing material on (i) the events leading up to the accession of the Jammu and Kashmir State to India, (ii) the invasion of the State by raiders from Pakistan, (iii) Pakistan's complicity in the invasion, and (iv) India's objectives. In each Part there is a brief narrative followed by the text of connected documents.



## INTRODUCTION.

The State of Jammu and Kashmir is situated in the extreme north of the Indian sub-continent covering an area of 84,471 square miles, and is the largest of the Indian States. It consists of three Provinces—the Frontier Districts, Kashmir Province, and Jammu Province which includes the Jagirs of Poonch and Chenani. To the north-east it is bordered by Tibet, to the north by Chinese Turkestan (Sinkiang) and to the north-west by the Soviet Republic of Turkestan and Afghanistan. To the West it borders Pakistan and to the South, Pakistan and India.

The country is almost entirely mountainous, and it may be geographically divided into three areas: Tibetan and semi-Tibetan tracts in the north, containing the districts of Ladakh and Gilgit; the middle region of the "Happy Valley" of Kashmir; and the large level areas of Jammu in the South. These three regions are divided from each other by the snow-bound outer Himalayan ranges.

Srinagar is the summer, and Jammu, the winter capital of the State. The Jhelum Valley road connects Srinagar with Pakistan *via* Rawalpindi and Abbottabad. The Banihal Road provides a link between Srinagar and Jammu over the Banihal Pass. From Jammu one road leads to Sialkot in the Pakistan Province of the West Punjab, and another to Pathankot in the East Punjab (India).

According to the census of 1941, the total population of the State was 4,021,616. This was made up of Muslims 77·11 per cent.; Hindus 20·12 per cent.; Sikhs, Buddhists and others 2·77 per cent. The majority of the Hindus are found in Jammu district, and Srinagar city also has a fairly large Hindu population.

The present dynasty, represented by Maharaja Sir Hari Singh, has ruled the Jammu and Kashmir State, as at present constituted, for just over a hundred years, by virtue of the Treaty of Amritsar of 1846, concluded by Raja Gulab Singh with the British. At that time Gulab Singh held Jammu, Ladakh and Baluchistan; while Kashmir and Gilgit were under the Sikh rulers of Lahore. With the defeat of the Sikhs in the Punjab by British forces, the Kashmir and Gilgit territories held by them were transferred to the present dynasty. According to the Imperial Gazetteer. "The general and practical result, therefore, of the Treaty of Amritsar was to confirm Gulab Singh in what he already possessed, and to transfer to him the Province of Kashmir with its newly acquired authority over Gilgit."

## PART I—EVENTS LEADING UP TO THE ACCESSION OF JAMMU AND KASHMIR TO INDIA.

Jammu and Kashmir, until August 15th, 1947, was an autonomous State in treaty relations with, and subject to the Paramountcy of, the Crown of England. Like other Indian States, it had, however, no international existence. On that date, the Indian Independence Act came into force, and the new Dominions of India and Pakistan came into being. The Indian States became free to decide whether they would accede to one or the other of the two Dominions. The position of the Indian States on the transfer of power was made clear in His Majesty's Government's Declaration of June 3rd, 1947, supplemented by the Statement issued by the British Cabinet Mission on May 16th, 1946. A large number of States acceded to the Dominion of India, and copies of the Instrument of Accession, as well as of the Standstill Agreement governing the administrative arrangements between the States and the Government of India until the new Constitution should come into force in India, are appended. The State of Jammu and Kashmir announced its intention of negotiating Standstill Agreements with both India and Pakistan. In fact, however, the State signed a Standstill Agreement only with Pakistan and entered into no agreement with the Government of India, prior to its accession on October 26th, 1947.

The object of the Standstill Agreement was to provide for the continuance of economic and administrative relations between the State and Pakistan on the same basis as had existed before the creation of the new Dominions. Nevertheless, in an effort to coerce the State into accession to Pakistan, the Pakistan authorities cut off supplies to Kashmir of food, petrol and other essential commodities, and hindered the free transit of travellers between Kashmir and Pakistan. Economic pressure was thus applied simultaneously with military pressure in the form of border raids. Conditions in the State were made more difficult by the communal disturbances which broke out in the two Punjabs after the announcement of the partition. There was a large influx of refugees into the Southern districts of the State, and the State became a channel for the passage of Muslim refugees moving from East Punjab to West Punjab and for non-Muslims moving in the opposite direction.

Preliminaries to the invasion of Kashmir and Jammu, which finally decided the Maharaja and his people to accede to the Indian Dominion, began soon after the partition on August 15th. On the 29th of August, 1947, the Maharaja of Kashmir received a telegram from one Raja Yaqub Khan on behalf of the public of Hazara, alleging attacks on Muslims in Poonch, and informing him that the Hazara Muslims were "much perturbed". The telegram continued "We are ready to enter the State fully equipped to fight with your Forces. You are requested to ease the situation soon, otherwise be ready to bear the consequences". Throughout the month of September, reports of infiltration into the State territory from the border districts of Pakistan continued to come in. The State Government made representations to the authorities of those districts. The representations brought denials, but no action. On the 31st of August 1947, Major-General Scott, General Officer Commanding, Jammu and Kashmir State Forces, submitted a report regarding the situation in the State. About Poonch he said "Damaged communications. Telegraph and wireless under repair. Hostile casualties 20 to 50". He continued "Army action to be confined to maintaining order and arresting persons known or suspected of rioting, looting, murder or inciting. No reason to think that troops had acted otherwise". He also reported "situation in Hazara and Rawalpindi areas

very unsatisfactory. There is little doubt that the recent disturbances in Bagh Tehsil were led by armed gangs from Pakistan. Exaggerated reports of events in Poonch circulated in these Pakistan districts in which State troops are cited as the aggressors. Possibility, even probability, of further intervention in much greater force must be provided against". On the 4th of September, Major-General Scott reported that "500 hostile tribesmen wearing green and Khaki uniforms, and leather and web equipment" were seen. A protest in the following terms was made direct to the Pakistan Army and to General O. de T. Lovett, Officer Commanding 7th Infantry Division. "Gangs suttis armed estimated 200 to 300 from Tehsils Kahuta and Murree (both in Pakistan) raiding State territory for loot, murder, and crossing Jehlum river in area Panjar and seven miles north and south of Owen Ferry. Please take immediate action to prevent and recall". On the 12th of September, Major-General Scott reported that "Quiet and confidence was being restored in Poonch Jagir". However, early in October, activities by armed men in uniform in various districts of Poonch were again reported. On the 4th of October, raiders armed with Tommy-guns were reported in the Chirala area, and more raiders were seen passing to the Jhelum river. Fighting was also reported between the raiders and States Forces from Bagh in the Rawalkot area.

Similar activity was observed in Mirpur. Fort Owen was besieged and was evacuated by State troops on the 15th of October. Four to five thousand raiders in green uniforms were observed. On the 18th October, the Kotli-Poonch road was breached and heavy fighting took place. From Bhimbhar, large scale offensive preparation across the border in Pakistan, including movement of lorries, was seen. On the 20th of October, the Wazir of Mirpur sent a message that armed men were gathering opposite Chechiam and Mangla. On the 22nd, he reported that raids on Owen were being methodically carried out. On the 23rd of October, heavy fighting was reported from Kotli which had, by now, been completely cut off from Poonch by road blocks put up by the "raiders".

On the 24th of October, 1947, the Government of India received the first request for military aid from the Government of the Jammu and Kashmir State. At that time the Government of India had no agreement, military or political, with the State. A document signed by the British Chiefs of Staff of the Indian Armed Forces states that on the 24th of October information of the capture of Muzaffarabad was received by the Commander-in-Chief in India. No plans for sending troops to Kashmir had up to that time been considered by the Indian Army. On the 25th the Government of India directed the preparation of plans for sending troops to Kashmir by air and road. Indian troops were sent to Kashmir by air on the 27th, following the signing of the Instrument of Accession on the previous night.

The accession was legally made by the Maharaja of Kashmir, and this step was taken on the advice of Sheikh Abdullah, leader of the All-Jammu and Kashmir National Conference, the political party commanding the widest popular support in the State. Nevertheless, in accepting the accession, the Government of India made it clear that they would regard it as purely provisional until such time as the will of the people of the State could be ascertained.

## DOCUMENTS. PART I.

(1)

Karachi, December 7th.—Major Khurshid Anver, the 42 year-old Naib-Salar-e-Aala, Muslim League National Guards, who led the Frontier tribesmen in the attack on Srinagar, in an exclusive interview to *Dawn* on Saturday gave a graphic description of how the attack was conducted and the reasons for the withdrawal of the tribesmen from Srinagar.

Major Khurshid Anver was very bitter against the Pakistan Government for not having rendered any assistance to the tribesmen in their heroic bid to capture Srinagar.

He was of the opinion that given the necessary arms and ammunition, the tribesmen would sweep the whole State within a few days.

Major Anver said he was organising the tribesmen and that he hoped to have a standing army of 200,000 within a period of six months.

Giving a resumé of the Kashmir campaign, Major Anver said that the attack on Kashmir was originally planned from two sides—one from the regions adjoining Kashmir State in the tribal belt\* and the other from the Pakistan border. While the frontier tribesmen's attack materialized the other one did not, owing to various obstructions placed by the Pakistan Government in the way of the attackers.

The "D" day was actually fixed for October 21st, but the attack could not be launched till the next day. The disposition of the 4,000 men at the disposal of Major Anver was arranged by him in the following manner:—from Garhi Habibullah one detachment of 500 men and another of 450 men were moved in parallel columns towards Garhi, a place east of Domel and Bhatika respectively. The main column of 2,000 men moved with Major Anver on the road to Muzaffarabad. Three detachments of 200 men each were deputed to attack from the Western side, after crossing the river Jhelum on the northern side of the Kohala bridge. The remaining few hundreds were to cross the river on the southern side of the Kohala bridge and contact the three detachments attacking from the West. The main column met with slight opposition at Ramkot on the road to Muzaffarabad.

The first stiff opposition they met was at Muzaffarabad where there was a full battalion of Dogra troops stationed between Muzaffarabad and Domel. The bridge between Muzaffarabad and Domel was an important link, which if blown up would have been the end of the offensive. The tribesmen cleverly captured the bridge and then set up a picket on the Muzaffarabad side of the bridge from where they attacked the Domel garrison with gunfire.

After a daylong fight they captured Domel on the evening of October 23rd. Some of the Kashmir State troops escaped up the hills. The next two days witnessed the fall of Garhi, a place about 25 miles south-east of Domel, and Chinari, another 25 miles down the road to Srinagar.

On November 26th, the main column had moved up from Chinari towards Uri. It was at Uri that they encountered the first Sikh Regiment of Patiala State. The tribesmen routed these Sikh soldiers also, who on their retreat blew up the bridge controlling the roads to Poonch as well as Srinagar. The next two days were spent in diversion from the bridge towards Mahoora, where there was a big power house.

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\*(also in Pakistan).



It was at Mahoora that the *Daily Express* correspondent, Sydney Smith, and another Englishman were captured by the tribesmen. Major Anver arranged for them a safe return to Abbottabad. Major Anver had been leaving behind some of his men at the various places to hold the conquered positions.

The detachments which he had sent got stuck up near Garhi and could not contact the main column. The result was that the main column was being depleted every day.

It was with a few hundred veterans that the attack on Pattan was made on October 31st. Here they encountered air bombing by Indian Union planes and machine-gunning by fighters. The tribesmen lost heavily in transport, vehicles and ammunition. Pattan was, however, captured, but it was considered absolutely impossible to proceed on the straight road to Srinagar.

Leaving behind Major Aslam at Pattan, Major Anver with a small force of 250 men took a circuitous route to Srinagar via Achhgam. He had to leave behind 230 men on the way and with only 20 men he reached Achhgam, a village about a mile from Srinagar airfield and about six miles from the city. At Achhgam, there were three battalions of the Kumaon Regiment and Major Anver and his men, acting on the principle "discretion is the better part of valour", hid themselves in the adjoining fields. The Indian Union troops had got scent of their presence and they arranged six pickets on the top of the hill overlooking Achhgam and Birgaum, another adjoining village. The valiant 20 managed to get into a double-storeyed house in Birgaum. Six were deputed to shoot at those manning the machine-guns on the top of the hill, the moment any gunner showed up. A party of 11 men with Major Anver went up the hill during the dark hours of the night and threw hand-grenades on the pickets blowing up three of the pickets.

Flushed with this unexpected victory, the Major now thought of an immediate dash to the airfield. But his forces at Pattan having failed to come up, he thought it would be dangerous to stay long in Birgaum as the enemy could at any moment return with reinforcements from the airfield. So Major Anver returned to Pattan only to find that it was in the hands of the enemy and that his forces had withdrawn.

He went to Baramula, got reinforcements and re-attacked Pattan and recaptured it on November 5th. By this time he had about 2,000 men again under his command. On November 5th and 6th there were indecisive skirmishes on the outskirts of Srinagar. But, in the meantime armoured car units of the Indian Union had arrived and air offensive was launched in full strength. The tribesmen suffered casualties and they could not even pick up their dead. The Mountain Battery of the Indian Union had reached Srinagar and the tribesmen had to retreat. As the stretch of territory from Baramula to Pattan was open country, they withdrew to Uri destroying a bridge near Rampur, thus cutting off the enemy from Uri. Baramula was now the operational base of the State and Indian Union Forces.

It was on November 10th that Major Anver was hit in the calf by a splinter from a bomb dropped by the Indian bombers. While his driver was saved, his orderly, who was also in the same vehicle, died. He was later removed to Abbottabad for an operation and Colonel Akbar took over the command.

Thereafter, the Major said with a heavy sigh, a new chapter started. All the tribesmen were withdrawn. Some tribesmen returned home while others were still engaged in fighting on the Poonch front.

Major Anver is in Karachi for treatment. (*Dawn*).

(2)

COPY OF A REPORT SUBMITTED BY THE CHIEF OF THE STAFF, JAMMU AND KASHMIR STATE FORCES, MAJOR-GENERAL SCOTT, ON 4TH SEPTEMBER 1947, TO THE DEPUTY PRIME MINISTER OF THE STATE.

Reliable reports state that on the 2nd and 3rd September 1947 a band of up to 400 armed Sattis—Muslim residents mainly in Kahuta Tehsil of Rawalpindi District—were infiltrating into the State over the river Jhelum from Pakistan in the area of Owen (map reference sheet 43/G./10—649508) eleven miles east of Kahuta. Their purpose is looting and attacking minority communities in the State.

Could the Government of Pakistan be asked by urgent telegram to take action to force return of these raiders to the west bank Jhelum river and to prevent further incursions into the State from the Rawalpindi and Hazara Districts.

(3)

TELEGRAM, DATED 4TH SEPTEMBER 1947, SENT BY THE PRIME MINISTER, KASHMIR, TO PRIME MINISTER, WEST PUNJAB, LAHORE.

Nearly 400 armed Sattis Muslims residents mainly of Kahuta Tehsil, Rawalpindi District, reliably reported infiltrating fully armed into the State over river Jhelum eleven miles east of Kahuta. Ostentatiously their purpose is to loot and attack minority communities in the State. His Highness' Government consider this encroachment highly detrimental to maintenance of peaceful relations unless prompt action is taken to force these people back and to prevent further encroachments of this nature. His Highness' Government think that these people are probably unaware of the equal treatment being accorded to all State subjects and of actual help, protection and guarantee of safe passage through the State being extended at the moment to countless Muslim refugees coming over from Shakargarh on their way to West Punjab. Grateful if the above is also brought home to the people of the tract to which intruders belong. Immediate action essential. Intimation of action taken may kindly be given.

A copy of the above telegram was also repeated to the Deputy Commissioner, Rawalpindi.

(4)

TELEGRAM, DATED 6TH SEPTEMBER 1947. FROM THE DEPUTY COMMISSIONER, RAWALPINDI, TO THE PRIME MINISTER, SRINAGAR.

Reference your telegram concerning infiltration of armed persons into your territory from Rawalpindi District. I have personally visited Kahuta and have made enquiries from officials of Gujarkhan Tehsil. Your information completely wrong. No infiltration has been seen by any of my officers or village officials anywhere at various points. I do not expect any trouble of any kind. I shall be glad to take action if you are able to furnish anything specific at any time.

(5)

TELEGRAM, DATED 9TH SEPTEMBER 1947, FROM THE PRIME MINISTER, KASHMIR, TO THE DEPUTY COMMISSIONER, RAWALPINDI.

Your telegram of 6th. Grateful for prompt reply and assurance given. Hope you would agree infiltration is effected more by secret movement than openly and people concerned could only be detected in the territory in which they have infiltrated for operation by officers specially deputed to find them out. Information given to you was based on the observation of responsible military officers.

(6)

Jammu, September 23rd.—The Government of Jammu and Kashmir in a communiqué says that the report published in a section of the Press that Kashmir State had decided to join the Indian Union is "unauthentic".

The communiqué adds: The position conveyed in a Press Communiqué issued on August 12th that standstill agreements with both Dominions will be entered into holds good."—A.P.I.

(7)

COPY OF A TELEGRAM, DATED 2ND OCTOBER 1947, FROM FOREIGN MINISTER, KARACHI, TO THE PRIME MINISTER, SRINAGAR.

We are willing to do everything we can and are indeed taking steps to see that Kashmir is supplied with essential commodities of which it is in need. It must however be appreciated that certain difficulties stand in our way. Drivers of lorries are for instance, reluctant to carry supplies between Rawalpindi and Kohala and it is impossible for us to spare troops for this escort. The Government of Pakistan are seriously concerned about reports reaching them to the effect that armed Sikhs are infiltrating into Kashmir State. We would once again impress upon you the need for representatives of Governments of Pakistan and Kashmir to meet and consider the question of supplies, the infiltration of these armed Sikhs, and other outstanding questions, we leave it to you to suggest the venue of this meeting.

(8)

TELEGRAM, DATED 3RD OCTOBER 1947, FROM THE MINISTER, EXTERNAL AFFAIRS, JAMMU AND KASHMIR, SRINAGAR, TO FOREIGN, KARACHI.

Your telegram. Grateful for information supplied. Hope you would agree that guarantee to let commodities come in undisturbed will really mean nothing if not accompanied by measures to enable goods to get through. Visitors anxious to return to their homes in the plains suffering mostly for want of petrol. Military escort for taking European families now here could have escorted petrol supply if local authorities had so desired. Government emphatically contradicts news of Sikhs infiltrating in Kashmir State. As already intimated armed people from Rawalpindi, Jhelum and Sialkot raiding State territory. Hundreds of armed people from Murree Hills are operating in Poonch. Government shall be grateful if this effectively put a stop to immediately. Government considers essential that its complaints be removed at once while being equally willing as Pakistan to settle outstanding problems at the earliest.

(9)

DETAILS OF THE SUPPLIES WITHHELD.

- (1) Rice April-May, July-August quota total price ... Rs. 6,01,000  
Only out of April quota 400 tons received.  
Rest withheld.
  - (2) Supplies for Gram withheld as also 17,000 maunds wheat, two months' quota.
  - (3) Cloth 189 bales lying at Rawalpindi not allowed to be brought in.
  - (4) Salt—ten waggons at Rawalpindi not allowed. Some of these goods were stopped at the Octroi Post.
  - (5) Petrol one tanker returned from the Customs Post, Kohala. Almost entire quota of 384,100 gallons withheld.
- (Facts supplied by Jammu and Kashmir State Government.)

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(10)

COPY OF A TELEGRAM, DATED 6TH OCTOBER 1947, FROM FOREIGN, KARACHI, TO PRIME MINISTER, SRINAGAR.

Reference correspondence resting with your telegram No. 73/C.C. of 3rd October, we are sending Major Shah, Joint Secretary, Ministry of Foreign Affairs, to Srinagar, immediately to discuss the whole question with a view to arriving at satisfactory solution. Major Shah leaving for Lahore by air on Wednesday.

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(11)

TELEGRAM 76/C.C., DATED 8TH OCTOBER 1947, FROM THE PRIME MINISTER, SRINAGAR, TO (1) FOREIGN, PAKISTAN, CAMP LAHORE, AND (2) MAJOR SHAH, UNDER SECRETARY, PAKISTAN, CARE PREMIER, LAHORE.

Grateful for telegram, dated 6th October, intimating Major Shah's deputation. Kindly refer to the concluding portion of my telegram of 3rd to which yours is a reply. Government extremely busy in dealing with disturbances caused by armed people infiltrating unchecked from Pakistan Dominion portion of Hazara and Murree into Poonch. Shall gladly discuss matters when this trouble is controlled. Your Government can keep your people in cheek if so desired. This Government will appreciate if this is done. Telegraphed to Foreign, Pakistan Camp, Lahore, and repeated to Major Shah, Under Secretary, Pakistan, Care Premier, Lahore.

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(12)

CABLEGRAM, DATED 15TH OCTOBER 1947, FROM THE PRIME MINISTER, JAMMU AND KASHMIR, DELHI, TO THE RIGHT HON'BLE THE PRIME MINISTER, UNITED KINGDOM, LONDON (ENGLAND).

His Highness' Government of Jammu and Kashmir (India) desires to bring to the notice of His Majesty's Government the attitude of the Pakistan Dominion. From the fifteenth August 1947 the Jammu and Kashmir Government intimated to the Pakistan Dominion that pending execution of formal Standstill Agreements the arrangements existing with the British

Indian Government may continue. The Pakistan Dominion agreed to this. Under these arrangements amongst other things supplies of petrol, essential articles of food and generally, commerce, trade and banking facilities were to continue unaltered. Immediately after this consent supplies began to decrease leading eventually to almost a discontinuance of the same. As the requirements decreased, the virulence of the Pakistan controlled press and radio increased, not only giving to the world false and malicious news but even allowing threats of invasion from its own people with a view to coerce the State to decide in favour of joining the Pakistan Dominion. To surpass all it is actually conniving at the influx of its armed people into Poonch Jagir area of the State. People all along the border from one end of the common boundary to the other have been licensed and armed with modern weapons under the pretext of general policy which does not appear to have been followed in the case of internal districts of West Punjab. There was still lesser reason for apprehending any danger from Kashmir as the policy of this Government has been to afford protection to the Muslim refugees about one hundred thousand of whom have been given safe conduct to their new abodes in Pakistan. On the other hand a party of over two hundred 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 fifteenth without any reason as there has never been any impediment caused in its running by the people of the State. Whereas Military escorts are made available for several other purposes none is provided for safe transit of petrol and other essentials of life. Protests merely elicit promises which are never implemented. As a result of obvious connivance of the 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 and 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. As message if sent from Srinagar not likely reach through Pakistan it is being cabled from Delhi.

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(13)

TELEGRAM, DATED 18TH OCTOBER, SENT TO (1) PREMIER, PAKISTAN DOMINION, KARACHI, AND (2) HIS EXCELLENCY THE GOVERNOR-GENERAL, PAKISTAN, KARACHI.

Ever since August fifteenth even in spite of agreement to observe Standstill Agreements on matters on which agreements existed on August 14th with British India increasing difficulties have been felt not only with regard to supplies from West Punjab of petrol, oils, food, salt, sugar and cloth. Working of postal system has been most detrimental to people as well as the administration. Saving Bank Accounts refused to be operated. Postal Certificates not cashed. Cheques by Branches here of West Punjab Banks not honoured even Imperial Bank Branch put hard to meet obligations owing failure of remittances from Lahore currency office. Motor vehicles registered in the State have been held up at Rawalpindi. Railway traffic from Sialkot to Jammu has been discontinued. While the State has afforded safe passage to about one lakh Muslim refugees from Pathankot to Sialkot the Rawalpindi people have murdered and wounded in cold blood over 180 out of party of 220 Kashmiri nationals being conveyed to Kohala at State's request. People armed with modern long range firearms have infiltrated in thousands in Poonch and committed horrors on non-Muslims murdering

maiming looting them and burning their houses as well as kidnapping women. Instead co-operation asked for through every possible local as well as Provincial authorities and Central authority paper promises made have not been actually followed by more rigorous action than before. Press and Radio of Pakistan appear actually to have been licensed to pour volumes of fallacious libellous and false propaganda. Smaller feudatory States have been prompted to threaten even armed interference into the State. Even private people in Pakistan are allowed to wire unbearable threats without any check by the Pakistan Dominion Post Offices. To crown all the State is being blamed for acts which actually are being committed by Pakistan people. Villages are being raided from Sialkot end in addition to actual infiltration in Poonch. The Government cannot but conclude that all is being done with the knowledge and connivance of local authorities. The Government also trusts that it would be admitted that these acts are extremely unfriendly if not actually bordering on inimical. Finally the Government wish to make it plain that it is not possible to tolerate this attitude longer without grave consequences to the life, property of the people which it is sacredly 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 trespass on its fundamental rights. Telegraphed to His Excellency the Governor-General, Pakistan, and repeated to Premier, Pakistan Dominion.

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(14)

COPY OF A TELEGRAM, DATED 19TH OCTOBER 1947, FROM FOREIGN MINISTER, KARACHI, TO THE PRIME MINISTER, KASHMIR AND JAMMU STATE, SRINAGAR.

We are surprised at the contents and tone of your telegram, dated 18th October 1947. Instead of taking immediate and effective action in regard to specific complaints made by us in our telegrams, dated 12th October, you have put forward vague allegations of infiltrating by people of Pakistan into Kashmir and have accused the border people of manufacturing bad relations. We emphatically and categorically deny the allegations and accusations. People travel to and from between Kashmir and Pakistan in the normal course of business but the allegations regarding the free distribution of arms and ammunitions to Pakistan area adjoining the State borders and the infiltration of armed men into State territory are incorrect. On the other hand there is mounting evidence of ruthless oppression of Muslims in Kashmir State and of raids into Pakistan territory by armed Dogra gangs and non-Muslim refugees from the Punjab. The most recent report is that of an attack on Chamna Khurd village by Dogra army personnel where they exchanged fire with the Police killing the Head Constable. Large numbers of armed Sikhs as well as Hindus belonging to the Rashtriya Sevak Sangh have gone to Kashmir with the object of repeating the tactics they followed in East Punjab to kill terrorise and drive out Muslims. In fact exodus of Muslims from the State has already started. The Pakistan Government must take a most serious view of a state of affairs in which the Muslims in Kashmir are suppressed and forcibly driven out.

We are astonished to hear your threat to ask for assistance. Presumably meaning thereby assistance from an outside power. The only object of this intervention by an outside power secured by you would be to complete the process of suppressing the Muslims to enable you to join the Indian

**Domination as *coup d'etat* against the declared and well-known will of the Mussalmans and others who form 85% of the population of your State. We must earnestly draw your attention to the fact that if this policy is not changed and the preparations and the measures that you are now taking in implementing this policy are not stopped the gravest consequences will follow for which you alone will be held responsible.**

As regards the alleged action of the West Punjab Government in blocking the passage of petrol cloth and food and in stoppage of transport we have already informed you that the West Punjab Government have been asked to provide you with all reasonable assistance in these matters. It is entirely wrong to attribute difficulties in transport which have risen owing to circumstances beyond the control of the West Punjab Government to the unfriendly intentions of that Government or to regard it as an act of coercion on your Government in taking a decision about the accession of the State. We have already sent a Special Officer to discuss with you the problems arising in respect of these matters and to settle ways and means of adjusting the difficulties.

Having regard to gravity of the situation we have carefully considered your suggestion to have an impartial enquiry made into the whole affairs. We appreciate the suggestion and ask you immediately to nominate your representative on this Enquiry Committee. On hearing from you we shall nominate our representative without delay so that the Committee can proceed at once with a thorough enquiry into the whole matter. In the meantime we hope that every effort will be made on both sides to restore cordial relations between us.

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(15)

TELEGRAM, DATED 22ND OCTOBER 1947, FROM THE MINISTER, EXTERNAL RELATIONS, SRINAGAR, TO FOREIGN, KARACHI.

Your telegram, Kashmir Prime Minister touring area concerned. Your telegram passed on to him for necessary action.

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(16)

TELEGRAM, DATED 20TH OCTOBER 1947, FROM QAID-I-AZAM, GOVERNOR-GENERAL OF PAKISTAN, KARACHI, TO HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR, SRINAGAR.

I have received telegram of the 18th October from your Prime Minister regarding the situation in Kashmir which I regret was released to the Press before it reached me and before I could deal with it. My Government have already been in communication with your Government and I deplore that your Prime Minister should have resorted to the tone and language adopted in his telegram to me which embodies a threat to seek outside assistance and is almost in the manner of an ultimatum. This is hardly the way for any responsible and friendly Government to handle the situation that has arisen. On 15th October your Prime Minister sent a telegram to my Government making similar allegations in the same offensive manner as have been repeated in his telegram of the 18th October now addressed to me without waiting for the reply to his earlier telegram from my Government. My Government have already replied to that telegram on the 18th October and this reply shows clearly that your Government's wholly one-sided and *ex parte* allegations cannot be supported. Since your Government have released to the Press the telegram addressed to me under reply

my Government have no other course left open and have therefore decided to release to the Press their reply referred to above refuting your Government's allegations. The allegation in the telegram under reply that the standstill agreement has not been observed is entirely wrong. The difficulties that have been felt by your administration have arisen as a result of the widespread disturbances in the East Punjab and the disruption of communications caused thereby particularly by the shortage of coal. These difficulties have been felt acutely by the West Punjab Government themselves. The difficulties with regard to banking facilities were caused by lack of staff. Threat to enlist outside assistance shows clearly that the real aim of your Government's policy is to seek an opportunity to join the Indian Dominion as a *coup de'etat* by securing the intervention and assistance of that Dominion. This policy is naturally creating deep resentment and grave apprehension among your subjects 85% of whom are Muslims. The proposal made by my Government for a meeting with your accredited representative is now an urgent necessity. I would also repeat that I endorse the suggestion made in your Prime Minister's telegram of 15th October and accepted by my Government in their reply of 18th October to have an impartial enquiry made into the whole affair.

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(17)

COPY OF A TELEGRAM, DATED 21ST OCTOBER 1947, FROM FOREIGN MINISTER, PAKISTAN, KARACHI, TO THE PRIME MINISTER, KASHMIR AND JAMMU, SRINAGAR.

In our telegram, dated 12th October 1947, we drew your attention to the grave situation in Poonch. Reports since received indicate that a reign of terror has been let loose in Poonch and that terrible atrocities are being committed by Dogra troops operating in Poonch area. Large numbers of refugees are crossing from Kashmir territory into Pakistan and they relate stories of inhuman barbarity. Serious anxiety regarding safety of their families in Poonch area is being felt by Pakistan Military personnel whom it is exceedingly difficult to reassure in absence of any clear reports or assurances from you. Request immediate detailed report of conditions and assurances of security for Muslim life and property.

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(18)

TELEGRAM, DATED 22ND OCTOBER 1947, FROM THE MINISTER, EXTERNAL RELATIONS, JAMMU AND KASHMIR, SRINAGAR, TO GOVERNOR-GENERAL, PAKISTAN, KARACHI.

Your telegram of twentieth to His Highness the Maharaja Bahadur has been forwarded to him in Camp as he is on tour.

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(19)

TELEGRAM, DATED 22ND OCTOBER 1947, FROM THE MINISTER, EXTERNAL RELATIONS, JAMMU AND KASHMIR, SRINAGAR, TO FOREIGN, KARACHI.

Your telegram regarding Poonch. Facts reverse of what alleged. People from across border Rawalpindi and Hazara District causing trouble which has been extended by them from this morning to Muzaffarabad district of Kashmir Province as well. Pakistan Government can put end to feelings of resentment of Pakistan Army people belonging to this State whose



relations in consequence of disturbances created by Pakistan people are displaced and put to inconvenience. Allegations of reign of terror created by Dogras are not related to facts. On other hand copies of telegrams from minority communities suffering most at the hands of invaders are reproduced below for information.

Telegram public Poonch begins Hindus and Sikhs in danger of being completely wiped out rebels fifteen miles from city crisis increases every moment ends.

Telegram Hindus Sikhs Poonch begins situation extremely grave four Rajput families numbering thirty-six ruthlessly butchered at Baral near Palandari fate of thousands of surrounding villages unknown thick clouds of smoke visible refugees in thousands pouring every day villages fifteen miles distant ablaze raiders at gates of city pray arrange immediate aerial survey and despatch sufficient reinforcement and save ends.

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(20)

TELEGRAM, DATED 22ND OCTOBER 1947. FROM THE PRIME MINISTER, SRINAGAR, TO (1) THE PRIME MINISTER, N.-W.F.P., PESHAWAR, AND (2) THE DEPUTY COMMISSIONER, RAWALPINDI.

People armed with modern weapons reported having infiltrated from Hazara along with people from Rawalpindi Districts into tract between Kishenganga and Frontier Boundary within the State. They have started trouble shooting non-Muslims and burning their houses. They are reported to be still coming in motor vehicles. Shall be grateful if immediate steps taken to stop this infiltration and withdraw people who have already crossed over. Deputy Commissioner, Rawalpindi, telegraphed accordingly.

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(21)

New Delhi, Tuesday.—Speaking at a reception today, Sheikh Mohammed Abdullah, the Kashmir Nationalist Leader pleaded for time to consider which Dominion the State should join.

“In the meantime”, he said. “Our friends could help us to attain our freedom from autocracy”.

The Kashmir leader stated that despite the opposition of the League to the popular demand for self-government implicit in the “Quit Kashmir” agitation, the attitude of his party would not be governed by passion. He believed in facing issues unsentimentally and unemotionally and weighing consequences before taking a decision. Only the good of the people of the State would count. He asserted that he would not brook dictation from Pakistan or coercion from India. Their first concern, he repeated, was attainment of self-government, so that the people armed with authority and responsibility, could decide for themselves where their interests lay. (*Statesman*, dated 10th October 1947.)

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(22)

New Delhi, October 27th.—“Kashmir is in dire peril, and the first duty of every Kashmiri is to defend his motherland against the intruder”, declared Sheikh Abdullah, the Kashmir leader, who left for Srinagar today, in a statement.

The “invasion” of Kashmir is meant to coerce and compel the people of Kashmir to act in a particular way, namely, to accede to Pakistan. Sheikh Abdullah says. “Every Kashmiri resents this compulsion on his will.” (*Times of India*, dated 28th October 1947.)

(23)

These are the words of Sheikh Abdullah: "Kashmir to be joint Raj of all communities. Our first demand is complete transfer of power to the people in Kashmir. Representatives of the people in a democratic Kashmir will then decide whether the State should join India or Pakistan.

"If the forty lakhs of people living in Jammu and Kashmir are by-passed and the State declares its accession to India or Pakistan, I shall raise the banner of revolt and we face a struggle.

"Of course, we will naturally opt to go to that Dominion where our own demand for freedom receives recognition and support. We cannot desire to join those who say that the people must have no voice in the matter.

"We shall be cut to pieces before we allow alliance between this State and people of this type.

"At least thirty lakhs of Muslims in Jammu and Kashmir State are not going to sacrifice themselves for one Nawab of Bhopal or one Nizam of Hyderabad whose interests the Muslim League is trying to guard by the adoption of an anti-State's peoples policy.

"I assure the Hindus and the Sikhs that their life and honour will be safe and fully protected so long as I live.

"In this time of national crisis Kashmir must hold the beaconlight. All round us we see the tragedy of brother killing brother. At this time Kashmir must come forward and raise the banner of Hindu-Muslim unity.

"In Kashmir we want a people's Government. We want a government which will give equal rights and equal opportunities to all men—irrespective of caste or creed. The Kashmir Government will not be the Government of any one community. It will be a joint government of the Hindus, the Sikhs and the Muslims. That is what I am fighting for." (From the *People's Age*, dated 26th October 1947.)

(24)

London, November 7th.—"In spite of the proximity of the raiders and comparatively heavy fighting 4½ miles West of Srinagar, Srinagar remained calm and business continued as usual. The situation is quite unreal and can only be explained by the fact that the head of the administration, Sheikh Abdullah and his National Conference followers have contrived to instil confidence into the citizens."—"THE TIMES".

(25)

A STATEMENT BY GHULAM MOHAMMAD SADIQ, ACTING HEAD OF ADMINISTRATION OF THE JAMMU AND KASHMIR STATE, IN AN INTERVIEW, WHICH APPEARED IN THE PRESS ON 10TH DECEMBER 1947.

Ghulam Mohammad Sadiq said, "Before the invasion, the National Conference deputed me to approach the Pakistan Government at the highest level to recognise democratic rights of the Kashmir people for self-determination and abide by the sovereign will of a free people on the question of free association with either of the Dominions. I met Pakistan's Prime Minister and other Ministers, but it was of no use. We see finally put into operation a programme of first enslaving and then securing 'yes' in their favour from an enslaved people." Asked what the immediate problems

facing the Kashmir Administration were today, Mohammad Sadiq said: "Certainly not referendum but immediate relief to our people. In fact, we are carrying on with atomic speed the two-fold task of rehabilitation of unfortunate victims of Pakistan aggression and the procurement of food and cloth.

"Pakistan propagandists who pretend to show so much concern for their Muslim brethren in Kashmir against Dogra oppression have tried their best to starve them by blockade of all exports and imports for the past five months."

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(26)

### INDIAN INDEPENDENCE ACT.

7. CONSEQUENCES OF THE SETTING UP OF THE NEW DOMINION.—(1) As from the appointed day (August 15th, 1947.)

(b) the suzerainty of His Majesty over the Indian States lapses, and with it, all treaties and agreements in force at the date of the passing of this Act between His Majesty and the Rulers of Indian States, all functions exercisable by His Majesty at that date with respect to Indian States, all obligations of His Majesty existing at that date towards Indian States or the rulers thereof, and all powers, rights, authority or jurisdiction exercisable by His Majesty at that date in or in relation to Indian States by treaty, grant, usage, sufferance or otherwise;

(c) \* \* \* \* \*

Provided that, notwithstanding anything in paragraph (b) or paragraph (c) of this sub-section, effect shall, as nearly as may be, continue to be given to the provisions of any such agreement as is therein referred to which relate to customs, transit and communications, posts and telegraphs, or other like matters, until the provisions in question are denounced by the Ruler of the Indian State or person having authority in the tribal areas on the one hand, or by the Dominion or Province or other part thereof concerned on the other hand, or are superseded by subsequent agreements.

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(27)

*Section 14.* Before putting forward our recommendation we turn to deal with the relationship of the Indian States to British India. It is quite clear that with the attainment of independence by British India, whether inside or outside the British Commonwealth, the relationship which has hitherto existed between the Rulers of the States and the British Crown will no longer be possible. Paramountcy can neither be retained by the British Crown nor transferred to the new Government. This fact has been fully recognised by those whom we interviewed from the States. They have at the same time assured us that the States are ready and willing to co-operate in the new development of India. The precise form which their co-operation will take must be a matter for negotiation during the building up of the new constitutional structure, and it by no means follows that it will be identical for all the States. We have not therefore dealt with the States in the same detail as the Provinces of British India in the paragraphs which follow. (British Cabinet Mission Statement of May 16th, 1946.)

MEMORANDUM ON STATES' TREATIES AND PARAMOUNTCY PRESENTED BY CABINET DELEGATION TO HIS HIGHNESS THE CHANCELLOR OF THE CHAMBER OF PRINCES on *May 12, 1946*

[This is in amplification of paragraph 14 of the Statement issued on May 16th by the Cabinet Delegation and His Excellency the Viceroy.]

1. Prior to the recent statement of the British Prime Minister in the House of Commons an assurance was given to the Princes that there was no intention on the part of the Crown to initiate any change in their relationship with the Crown or the rights guaranteed by their treaties and engagements without their consent. It was at the same time stated that the Princes' consent to any changes which might emerge as a result of negotiations would not unreasonably be withheld. The Chamber of Princes has since confirmed that the Indian States fully share the general desire in the country for the immediate attainment by India of her full stature. His Majesty's Government have now declared that if the Succession Government or Governments in British India desire independence, no obstacle would be placed in their way. The effect of these announcements is that all those concerned with the future of India wish her to attain a position of independence within or without the British Commonwealth. The Delegation have come here to assist in resolving the difficulties which stand in the way of India fulfilling this wish.

2. During the interim period, which must elapse before the coming into operation of a new Constitutional structure under which British India will be independent or fully self-governing, paramountcy will remain in operation. But the British Government could not and will not in any circumstances transfer paramountcy to an Indian Government.

3. In the meanwhile, the Indian States are in a position to play an important part in the formulation of the new Constitutional structure for India, and His Majesty's Government have been informed by the Indian States that they desire, in their own interests and in the interests of India as a whole, both to make their contribution to the framing of the structure, and to take their due place in it when it is completed. In order to facilitate this they will doubtless strengthen their position by doing everything possible to ensure that their administrations conform to the highest standard. Where adequate standards cannot be achieved within the existing resources of the State they will no doubt arrange in suitable cases to form or join administrative units large enough to enable them to be fitted into the Constitutional structure. It will also strengthen the position of States during this formulative period if the various Governments which have not already done so take active steps to place themselves in close and constant touch with public opinion in their State by means of representative institutions.

4. During the Interim period it will be necessary for the States to conduct negotiations with British India in regard to the future regulation of matters of common concern, especially in the economic and financial field. Such negotiations, which will be necessary whether the States desire to participate in the new Indian Constitutional structure or not, will occupy a considerable period of time, and since some of these negotiations may well be incomplete when the new structure comes into being, it will, in order to avoid administrative difficulties, be necessary to arrive at an understanding between the States and those likely to control the Succession Government or Governments that for a period of time the then existing arrangements as to these matters of common concern should continue until the new agreements are completed. In this matter, the British Government and the

Crown Representative will lend such assistance as they can, should it be so desired.

5. When a new fully self-governing or independent Government or Governments come into being in British India, His Majesty's Government's influence with these Governments will not be such as to enable them to carry out the obligations of paramountcy. Moreover, they cannot contemplate that British troops would be retained in India for this purpose. Thus, as a logical sequence and in view of the desires expressed to them on behalf of the Indian States, His Majesty's Government will cease to exercise the powers of paramountcy. This means that the rights of the States which flow from their relationship to the Crown will no longer exist and that all the rights surrendered by the States to the paramount power will return to the States. Political arrangements between the States on the one side and the British Crown and British India on the other will thus be brought to an end. The void will have to be filled either by the States entering into a federal relationship with the Successor Government or Governments in British India, or failing this, entering into particular political arrangements with it or them.

May 22nd, 1946.

(29)

#### INSTRUMENT OF ACCESSION OF.....

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 omissions, additions, adaptations and modification 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.....

Ruler of.....  
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..... (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 hereinafter referred to as "the Act").

2. I hereby assume the obligation of ensuring that due effect is given to the 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 laws 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 of the Indian Independence Act, 1947, unless such amendment is accepted by me by an 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 purposes 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 me in any way to acceptance of any future constitution of India or to fetter my discretion to enter into arrangements 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 rights 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.....day of August, Nineteen hundred and forty seven.

.....

I do hereby accept this Instrument of Accession.

Dated this.....day of August Nineteen hundred and forty seven.

.....

(Governor-General of India.)

SCHEDULE

THE MATTERS WITH RESPECT TO WHICH THE DOMINION LEGISLATURE MAY MAKE LAWS FOR THIS STATE.

A. Defence

1. The naval, military and air forces of the Dominion and any other armed force raised or maintained by the Dominion; any armed forces, including forces raised or maintained by an Acceding State, which are attached to, or operating with, any of the armed forces of the Dominion.

2. Naval, military and air force works, administration of cantonment areas.

3. Arms; firearms; ammunition.

4. Explosives.

#### B. *External Affairs*

1. External affairs; the implementing of treaties and agreements with other countries; extradition, including the surrender of criminals and accused persons to parts of His Majesty's dominions outside India.

2. Admission into, and emigration and expulsion from, India, including in relation thereto the regulation of the movements in India of persons who are not British subjects domiciled in India or subjects of any acceding State; pilgrimages to places beyond India.

3. Naturalisation.

#### C. *Communications*

1. Posts and telegraphs, including telephones, wireless, broadcasting, and other like forms of communication.

2. Federal railways; the regulation of all railways, other than minor railways in respect of safety, maximum and minimum rates and fares, station and service terminal charges, interchange of traffic and the responsibility of railway administrations as carriers of goods and passengers; the regulation of minor railways in respect of safety and the responsibility of the administrations of such railways as carriers of goods and passengers.

3. Maritime shipping and navigation, including shipping and navigation on tidal waters; Admiralty jurisdiction.

4. Port quarantine.

5. Major ports, that is to say, the declaration and delimitation of such ports, and the constitution and powers of Port Authorities therein.

6. Aircraft and air navigation; the provision of aerodromes; regulation and organisation of air traffic and of aerodromes.

7. Lighthouses, including lightships, beacons and other provisions for the safety of shipping and aircraft.

8. Carriage of passengers and goods by sea or by air.

9. Extension of the powers and jurisdiction of members of the police force belonging to any unit to railway area outside that unit.

#### D. *Ancillary*

1. Elections to the Dominion Legislature, subject to the provisions of the Act and of any Order made thereunder.

2. Offences against laws with respect to any of the aforesaid matters.

3. Inquiries and statistics for the purposes of any of the aforesaid matters.

4. Jurisdiction and powers of all courts with respect to any of the aforesaid matters but, except with the consent of the Ruler of the Acceding State, not so as to confer any jurisdiction or powers upon any courts other than courts ordinarily exercising jurisdiction in or in relation to that State.

## STANDSTILL AGREEMENT BETWEEN DOMINION AND STATES.

Agreement between the State of.....And the Dominion of India.

Whereas it is to the benefit and advantage of the Dominion of India as well as of the Indian States that existing agreements and administrative arrangements in the matters of common concern, should continue for the time being, between the Dominion of India or any part thereof and the Indian States—

Now therefore it is agreed between the.....State and the Dominion of India that:—

1. (1) Until new agreements in this behalf are made, all agreements and administrative arrangements as to matters of common concern now existing between the Crown and any Indian State shall, in so far as may be appropriate, continue as between the Dominion of India or, as the case may be, the part thereof, and the State.
- (2) In particular, and without derogation from the generality of sub-clause (1) of this clause the matters referred to above shall include the matters specified in the Schedule to this Agreement.

2. Any dispute arising out of this Agreement, or out of the agreements or agreements hereby continued, shall, unless any provision is made therein for arbitration by an authority other than the Governor-General or Governor, be settled by arbitration according, as far as may be, to the procedure of the Indian Arbitration Act, 1899.

3. Nothing in this Agreement includes the exercise of any paramountcy functions.

.....State,

.....

*Secretary to the Government of India.*

## SCHEDULE.

1. Air Communications.
2. Arms and equipment.
3. Control of commodities.
4. Currency and coinage.
5. Customs.
6. Indian States Forces.
7. External Affairs.
8. Extradition.
9. Import and Export Control.
10. Irrigation and Electric Power.
11. Motor vehicles.
12. National Highways.
13. Opium.
14. Posts, Telegraphs and Telephones.
15. Railways (including police and other arrangements in Railway lands).
16. Salt.
17. Central Excises, relief from double income-tax and other arrangements relating to taxation.
18. Wireless.



LIST OF VILLAGES OF JAMMU AND KASHMIR STATE UP TO MANAWAR ON  
BORDER BURNT AND LOOTED BY RAIDERS UP TO 24TH OCTOBER 1947.

<i>Map Sheet 43/P/7.</i>	<i>43/L/15.</i>	<i>43/L/9.</i>	
Chak -Kahhan.	Nanga.	Nikowal.	
Kunda Chak.	Chhaoni.	Jamana Bela.	
Lachhanpura.	Bammu Chak.	Najwal.	
Mandala.	Samdu Chak.	Chak Phagwari.	
Nao Chak.	Chak Jassa.	Rajpura.	
Rathua Thogli.	Dohali.	Malpur.	
Manhiyari.	Kotha.	Tagawal.	
Kadyala.	Govind Garh.		
Gujar Chak.	Ram Garh.		
Debu Chak.	Chak Nazir.		
Tawabar Chak.	Kotli Mulkhalian.		
Desa Chak.	Sajwan.		
Changi.	Chak Dontal.		
Gaiyu Chak.	Gudwal.		
Chak Bhagwana.	Rari.		
	Shamyadapur.		
<i>43/L/10.</i>	<i>43/P/3.</i>	<i>43/L/14.</i>	
Waddi Sei.	Panj Garrain.	Khoju Chak.	} 2nd raid night 14/15th October
Chakori.	Bobiya.	Chat Grain.	
Gharaua.	Sherpur.	Kotli.	
Gulab Garh.	Chak Sada.	Chhattaka Chak.	
Phlora.	Muthai Jatiaru.	Ala (severe casualties).	
Satowali.	Mangu Chak.	Kotha (severe casualties).	
Bakarpur.	Desah Chak.	Joian.	
Badolian.	Chbechwal.	Kotla.	
Kotli Qannogoyan.	Regal.	Kirial.	
Khat Marrian.	Mudwal.	Pindi.	
Asu Chak.	Bhelora.	Panjgrain.	
Bhikharwan.	Harkha.	Biaspur Parla (severe casualties).	
	Batar.	Kalyana.	
	Bain Glar.	Pindi Charkan.	
		Pindi Sarachan.	
		Tarapur.	
		Changia.	
		Chanana.	
		Tariva.	
		Molo Chuk.	
		Wakopur.	
<i>43/L/5.</i>	<i>43/L/10.</i>		
Manawar and surrounding villages (severe casualties).	Sangihal.		
	Chanor (heavy casualties).		
	Trangot.		
	Gakhrial.		
	Golpatah.		
	Subagani.		
	Chakrali.		
	Thuli.		
	Mukwal.		

## PART II.—THE INVASION.

The main attack on State territory began in the third week of October. Major Khurshid Anver, who led the frontier tribesmen in the attack on Srinagar, describes the strategy of this attack. In an interview to the *Dawn* newspaper (Karachi) reported on December 7th, he said that the attack on Kashmir was originally planned from two sides—one from the regions adjoining Kashmir State and the tribal belt that is on the West, and the other from the border districts to the Southern Pakistan. 'D' day was actually fixed for October 21st, but the attack could not be launched till the next day. Major Anver then describes the progress towards Srinagar along the Kohala-Baramula road. The main column made considerable progress on the Kohala-Baramula road, fanning out and devastating the villages and towns on either side. Uri fell to the raiders, and on October 27th or 28th they captured Baramula, and indulged in an orgy of rape, arson and looting. Women were abducted, and a large number are held in a concentration camp at Alibeg in terrible conditions. Alibeg is in Kashmir State territory and is run by the "Azad Kashmir Government". Originally it had over a thousand Kashmiri women of all religions. Of these only a couple of hundred have survived. The road to Srinagar now lay open before the raiders.

Faced with this threat, the Maharaja of Kashmir approached the Government of India for assistance on the 24th of October. On the 26th, the State formally acceded to India. On October 27th, the first contingent of Indian airborne troops landed in Srinagar in the morning. However, it is not until reinforcements had arrived that the Indian troops could attack the raiders who had advanced to Pattan, only 17 miles from Srinagar. On November 8th, assisted by armoured vehicles and planes of the Royal Indian Air Force, Indian troops recaptured Baramula. They found the town completely ruined. An account of the raiders' activities in Baramula will be found in the Documents appended. Continuing their advance along the difficult road from Baramula to Uri, Indian troops found the Mahoora Power House, which supplied the whole of the Srinagar valley with electricity, efficiently wrecked by the raiders. Indian troops captured Uri on November 15th, and removed any serious threat to Srinagar and the surrounding valley. This can be regarded as the end of the first stage of the Kashmir operations.

The second task of the Indian troops was to free large areas in Jammu Province which had been overrun by the tribesmen. The latter had surrounded the towns of Mirpur, Kotli, Poonch, Jhanger, Newshehra and Bhimbar. Within the towns small State garrison were holding out. Winter having set in, Indian troops could advance only slowly on the narrow, fair-weather roads connecting Jammu City with these areas. Newshehra, Jhanger and Kotli were relieved but the Mirpur garrison could not be helped, and finally part of the garrison managed to fight its way out with some of the civilian refugees. In the third week of December, over 5,000 raiders stormed Jhanger which was held by about 200 Indian troops. Encouraged by this local success, the raiders attacked Newshehra in force, but were beaten back. Since then, Indian troops have been clearing the surrounding area of the raiders. They have succeeded in widening their perimeter of operations and are carrying out offensive patrols to clear the countryside of raiders and protect their own lines of communication. Recent operations around Newshehra have shown that the composition of the attacking force is approximately as follows:—

- 70 per cent. Pathans and Muslims from Dir and Swat States;
- 20 per cent. deserters from State Forces;
- 5 per cent. from Poonch and 5 per cent. Sundas.

These figures have been calculated from dead bodies counted by the Indian Army. At present some 86,000 to 88,000 Pathans are engaged in the "Jihad". Of these ~~73,000 to 75,000~~ are concentrated in various centres in Pakistan and ~~approximately 13,000~~ are engaged in Kashmir.

Concentrations of Pathans in Pakistan are reliably understood to be as follows:—

Abbottabad	...	...	...	...	6,000 - 8,000
Kohat Pass	...	...	...	...	10,000
Rawalpindi	...	...	...	...	5,000
Sargodha ...	...	...	...	...	7,500
Gujjarkhana	...	...	...	...	4,000
Jhelum ...	...	...	...	...	5,000
Gujerat ...	...	...	...	...	10,000
Wazirabad...	...	...	...	...	8,000
Chak Avnru	...	...	...	...	2,200
Sialkot ...	...	...	...	...	3,500
Nirala Head	...	...	...	...	2,000
Shakergarh	...	...	...	...	700
Chak Sukho	...	...	...	...	200
Wagah ...	...	...	...	...	200
Lahore ...	...	...	...	...	3,000
Chak Pundara-Sahoti ...	...	...	...	...	8,000
<b>APPROXIMATE TOTAL</b>				...	<b>73,000 - 75,000</b>

Indian troops in Kashmir are not, as is believed in some quarters, composed only or mainly of Sikh troops. There are a certain number of them, as the Indian Army includes men from all religions and castes, including Muslims. Among the Indian troops operating in Kashmir are men drawn from the Mahratta, Madrasi, Kumaoni, Mahar, Rajput, Garhwali, Dogra, Jat, Ahir and other regiments. One of our most successful officers in the campaign has been a Moslem, Brigadier Osman. Since Indian troops arrived in Kashmir and Jammu, they have carried out their instructions of promoting and maintaining communal harmony. The Indian Air Force has played a notable part in reconnaissance, the supply and transport and in offensive support of our troops.

As has been stated by the Prime Minister of India on numerous occasions, the task of Indian troops is to clear the raiders from, and restore peace to Kashmir, as this is necessary to the holding of a plebiscite or a referendum by the people of Kashmir to decide finally as to which dominion they will accede. Indian troops are continuing to fulfil this task.

## DOCUMENTS PART II.

## (1)

“Baramula, India, 10th November.—The city had been stripped of its wealth and young women before the tribesmen fled in terror, at midnight Friday, before the advanced Indian Army. Surviving residents estimate that 3,000 of their fellow townsmen, including four Europeans and a retired ~~British Army~~ Officer, known only as Colonel Dykes, and his pregnant wife, were slain. When the raiders rushed into town on 26th October, witnesses said: ‘One party of Masud tribesmen immediately scaled the walls of Saint Joseph’s Franciscan Convent compound, and stormed the Convent Hospital and the little church. Four nuns and Colonel Dykes and his wife were shot immediately. The raiders’ greed triumphed over their blood lust.’ A former town official said: ‘The raiders forced 350 local Hindus into a house, with the intention of burning it down. The group of 100 raiders is said to be holding another five, as hostages, on a high mountain, barely visible from the town. Today, twenty-four hours after the Indian Army entered Baramula, only 1,000 were left of a normal population of about 14,000.’”  
(*New York Times*. Despatch by Robert Trumbull.)

## (2)

“Max Desfor, an Associated Press photographer, said today he saw more than twenty villages in flames while flying over a section of Kashmir Valley extending within twenty miles of the capital. The villages, in an area of ten miles long and ten miles wide, apparently had been set fire to by the Muslim invaders who are scouring the valley and moving in the direction of Srinagar.” (*Chicago Daily Tribune*. Despatch of November 3rd.)

## (3)

Abbottabad, Sunday.—For ten days I have lived in a Baramula hospital ward, 50 feet by 20, with 77 refugees—23 of them children.

The hospital is attached to St. Joseph’s Convent, where tribesmen killed four Europeans, including Colonel Douglas Dykes and his wife.

There is a hero among the refugees—Father George Shanks, born in Newcastle-on-Tyne.

I saw him hiding Sikh and Hindu girls defying loot-mad Pathans to carry out their threats to take all women off to the bazar.

He raged at tribal chiefs for using the Convent grounds as headquarters. He rolled up his shirt sleeves and dug air raid shelters.

When the raiders came he stayed alone in a ward with bed-ridden, 75-year-old Mrs. Winifred O’Sullivan, protecting her with mattresses and joking her fears.

The faces of his nuns—they represent seven European countries—never lost their smiles, or showed any trace of weariness as they tended the dying and the wounded, hysterical women, and frightened children.

(6)

London, November 11th.—“Indian Progress in Kashmir; Baramula A Major Success,” is the *Times* headline of its correspondent's despatch from Srinagar.

All Baramula residents, he says, seem delighted to welcome the Indian troops. He also bears testimony to the fact that the Convent and hospital were not shot up by the Indian aerial attacks alleged by Pakistan wireless statements. (*Times*, London.)

(7)

Srinagar, December 12th.—“Mohammad Akram Khan, Salar-i-Ala of the Muslim National Guards (of Poonch) has resigned from the Muslim National Guards.....Disassociating himself from these organisations, he says in a statement, ‘I had imagined that my leaders of the Muslim Conference were fighting against autocracy, against oppression of all sorts and for an Azad Kashmir based on Islamic conceptions of justice and equality. But these four months and a half have fully opened my eyes to the reality. Today I am ashamed to own my connections with these organisations.’ He adds, ‘I know these organisations and their patrons from Pakistan have brought misfortune to the peaceful freedom-loving people of my homeland. Having seen with my own eyes the devastation in Baramula, I know these traders in Islam are only petty thieves, cut-throats and ruffians.’ Concluding, he says, ‘We know the brave fight which our freedom-loving people are putting up under the leadership of Sheikh Mohamed Abdullah and Pandit Nehru. Their hands we shall strengthen, for thus alone can we get the free India of our dreams. Thus alone shall we build the new Kashmir of peace and plenty.’ ” (*United Press of India*.)

(8)

EXTRACTS FROM THE STATEMENT OF MR. INDER SINGH BALI, SON OF SARDAR TEHL SINGH, STATE JAGIRDAR, AND CHIEF OF THE PUNJAB, AGED 24 YEARS; OF MIRPUR PROPER.

“On 25th November 1947 our town (Mirpur) was bombarded and what looked like canon and mortar fire was opened on the town resulting in the complete blowing up of the roofs of the houses and causing lots of casualties among the civilians. The State troops did not put tough fight and the ~~raiders entered the town at 2 p.m. and set the entire town on fire. There~~ had placed

(4)

STATEMENT OF MR. ABDUL RAHMAN OF BARAMULA REGARDING THE ATROCITIES THAT WERE COMMITTED ON THE CIVILIANS THERE BY THE RAIDERS.

The raiders with all their ferocity looted the Hindus to begin with, burnt the houses of the Sikhs and also killed them. As a result of this arson and loot, the Sikhs and the Hindus fled from Baramula leaving their houses burning, and most of their women raped and kidnapped. The raiders did

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There is a hero among the refugees—Father George Shanks, born in Newcastle-on-Tyne.

I saw him hiding Sikh and Hindu girls defying loot-mad Pathans to carry out their threats to take all women off to India with Father Shanks, ~~at St. Joseph’s College, probably on the 1st November.~~ I came to know Sydney Smith through Father Shanks, whom I gave some blankets for the inmates of the Convent.

The raiders left Baramula on the night of 7th November. There was not a single house left that was not looted by the raiders. The inhabitants suffered terrible hardships in meeting the demands of the raiders. All Muslims had to give an oath that they were not protecting non-Muslims or hiding their property. It was a great relief to the local inhabitants when the Indian Army re-captured Baramula.

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“On 25th November 1947 our town (Mirpur) was bombarded and what looked like canon and mortar fire was opened on the town resulting in the complete blowing up of the roofs of the houses and causing lots of casualties among the civilians. The State troops did not put tough fight and the raiders occupied the town at 2 p.m. and set the entire town on fire. There were about 350 men of the State troops in the town itself and had placed pickets around the town and about 200 men were in the Cantonment. When the position became hopeless the troops in the town decided to surrender and run away and placed themselves in touch with the Officer Commanding in the Cantonment, and with the concerted action of troops both in the town and the Cantonment, the civilians from the town managed to reach the Cantonment.”

\* \* \* \* \*

"Out of our party about 300 girls were forcibly taken away and when we reached Thatala camp we heard from the Hindus that had already reached there that their 500 girls had also been taken away. At Thatala we found that not less than 2,000 Pathans all with 303 rifles were present."

\* \* \* \* \*

"The concentration at Thatala swelled up to about 5,000. Here again the pathans sorted out young girls and carried them away. Thatala is about 15 miles from Jhelum city. Here a number of officers of Pakistan army visited the camp. Among these officers there were one Lieut.-Colonel, one Captain and a few V.C.Os. and men in all numbering 50. These officers and men were not wearing Regimental signs. All these officers and men were wearing black caps and from their uniform I could see that they belonged to the Punjab Regiment. We spent two nights at this Camp. Out of the raiders three men who belonged to my town and were very well-known to me took pity on me and managed to deliver me at Jhelum Camp (at the house of L. Avtar Narain) after they had relieved me of all my belongings. I am the only survivor from Mirpur."

(9)

EXTRACTS FROM THE TRANSLATION OF A DIARY CAPTURED AT URI BY 161 BDE.  
AND FORWARDED BY H.Q., DELHI, AND EASTERN PUNJAB COMMAND  
SECRETARIAT, FEBRUARY, 1948.

"My name is Aziz Lon Bacha, Lambardar.

"1. On Monday the 8th Zu' Haj 2004—time afternoon prayers. From the Punjab, and from Waziristan military has arrived in Uri Bazar. They first put fire to Tehsil office and Bungalow and then broke the bazar with axes, etc. At least six thousand military men looted the bazar. On 8th Zu-Haj no shopkeeper was present. On 7th Zul Haj all the shopkeepers, residents and labourers ran away leaving all their belongings. The military, six thousand strong, looted Uri and left not a single article. In the evening the public returned. The loss in Uri Bazar and village is estimated at six lacs."

\* \* \* \* \*

"2. Uptil afternoon prayer time firing continued. From that day up to 14th Zul Haj no body was seen in Uri bazar or village and most of the people left in aeroplanes. Only God and six thousand military remained in Uri.

"3. In Uri Bazar the military cooked its meals up to 12. At bed time at 12 midnight, one military man set half the bazar on fire and it at once got ablaze and all turned to ashes. Up to 9th Zul Haj mid-day it went on burning. Military went into the neighbouring villages for refuge. People looted the bazar. The Maharaja's military seeing its precarious position took to their heels at midnight. On 8th Zul Haj in the evening the Pathans slaughtered cows. They first slaughtered cows, goats, sheep and hens belonging to Hindus, cooked half of the meat and threw the remaining on the road. On 9th Zul Haj in the morning they caught every cow, ox, goat, sheep and hen and slaughtered them. Cannot say whether they cooked it or not, and ate meat or bread. Believe that about 1,500 cows, etc., were slaughtered.



"4. On 9th Zul Haj the condition was very bad. Id was not celebrated with joy in Uri. No one was aware whether there was Id on that day or not. There was great danger. The Muslim women slipped away due to the danger. The military looted the houses of both Hindus and Muslims and put to them fire. When Muslims left the houses the public considered they were Hindus. Had they been Muslims why did they run away? All the Hindus ran away, one day before. On Id day 1,500 Hindus were captured and confined in the Uri school with slogan "Nurai-Takbir". Beef was given to Sikhs and Hindus to eat. In one day beef was prepared and given to 1,500 Hindus to eat.

"5. On Id-ul-Zuha day at 10 A.M. when the sacrifice was being given we and other fellows took a little tea mixed with salt without milk. This was the Id celebrated in Uri. After an hour 10 or 15 military men used to come to the doors for looting, etc. They demanded, each and everything, including loaves. We used to give them roasted loaves. If a Mohammadan brought insufficient flour we had to give him loaves. I have seen several stout men but there were none such in Kashmir. Besides it was very difficult that those people did not listen to others, whether anyone was put to trouble. May God save us from such cruel men.

"A Pathan Military Captain came and stayed in the Dak Bungalow. On the next day he announced that none should be sent to Punjab except children and old women and men. Only young ladies and boys may be kept and the remaining Sikhs be killed and so in one minute the Sikhs were killed.

"6. I did not see but heard that a Hindu or Sikh was put to death by 13 shots. Up to the last breathing he said "Hindustan" and not "Pakistan". The Sikh belonged to Salamabad in Tehsil Uri. Seven Sikhs and Hindus were shot dead. A man's head was wounded with a sword. The bleeding remained for several days. Their wives were captured. There were two young ladies who were married with 2 Pathans and the latter took them. On the 14th Zul Haj 1,000 Hindus were collected. The Sikhs were persuaded to say "Kalma". Their beards were shaved. They were persuaded to take meals with Mohammadans and to say "Nurai-Takbir". They were given beef. The ears of the women were cut off. The Muslim Captain ordered that they might be released now and when they do such evils we are alive! It was at their discretion to accept "Islam" or to remain as Hindus. We had to kill Sikhs first of all.

"7. It was not known whether there was any Id or not. On the Kohala road up to Baramula and in the neighbourhood no one was aware of Id. On both sides of the road there were 500 villages. The inhabitants of these villages thought nothing about Id-ul-Zuha, sacrifice, preparing meals or meeting their relatives but spent the day weeping and crying. For nearly 5 days no one lit a fire in Uri. Some people were in their houses, others were all hidden in the forest, in the hills or in Nullahs. If and when any Hindu came out from a Muslim house the Muslim's house was put to fire along with his family members.

"On the 11th Zul Haj the military went to the house of Raja of Nimbai. He gave them a feast. After the meal it came to notice there was a Hindu in the house, though he was not seen. They abused the Raja. Meanwhile the Raja ordered his servant to bring some money from the Treasury.

"8. He gave them a gift. They handed over the money to the labourers and the military put the bungalow, etc., to fire and killed that Hindu and smashed the Raja. By this time all the inhabitants of the village were captured and brought to the Uri Bazar School. The military looted all the

houses and when all the Hindus were brought out from the village the Muslims were ordered to loot their houses. On the third day when all the property was looted they were sent back to their houses. When they reached their houses they preferred death to life. Fathers were unaware of their children and mothers of their daughters. Up to what extent should I write what I have seen. Death is better than such life.

On Id day 50 lorries reached Uri. Each lorry contained 150 men and they were armed with 303 rifles, spears, swords, axes and daggers, etc. By the 10th Zul Haj nearly 300 lorries reached Kashmir and Srinagar. It appeared that it was doom's-day. May God save us! Death was better than living. On the 14th Zul Haj a Sikh told the Muslim captain that he had accepted Islam and so after great conversation that Muslim captain ordered that all his relatives be put to end and that Sikh was saved. On the 10th Zul Haj two Sikhs appeared in front of the office of the Captain as being enemies. A pathan enquired from them if they were Hindus or Muslims and they replied "they were travellers". That Pathan became suspicious. He removed their pyjamas. They were found without **circumcision**. He fired at them. One Sikh was shot dead and the other **made good** his escape. He was pursued by 12 Pathans and was **shot dead near the river banks**.

All commodities including drinking water were being brought in lorries for the military from Punjab. It was heard that from 10th Zul Haj to 14th Zul Haj several dozens of riflemen were killed by guns and were taken to Punjab in lorries the next day in the dark. From Kotli to Srinagar they succeeded in putting all the bungalows, houses, and shops *en route* to fire.

Up to 15th Zul Haj about 26,000 Pathan military men reached Srinagar from Pakistan. Since 16 Zul Haj at least 30 lorries each transporting 150 military men and other war materials and equipment reached Srinagar. God save! Death is preferred to life!

From the 14th Zul Haj the people began to return to their houses. After a day they heard about fresh trouble and began to run away, leaving all the belongings earned by them during their life. When the Hindus saw Pathans they began to say "Kalma". A platoon of Pathans came first. They laid wire fence first of all and made other arrangements. On the last Friday the aeroplanes bombed the Pakistan lorries damaging two of them, killing 4 men and wounding 3. A lorry removed the 4 dead and the other went to Uri. The Indian aeroplanes carrying machine guns appeared 4 times. These gave too much trouble. The Pakistan Army brought several dozens machine guns and other guns and made picquets on certain places for attacks on the aeroplanes. The Pathans started war on such an inauspicious date that they had begun to retire.

Mohd. Abdullah Khan cheated the Pathan military. The military had been smashed by machine guns. All the trouble that the Pathan military had confronted was due to evil deeds done by Mohd. Abdullah Khan. On Thursday, Maqbool Sherwani, a leader of Baramula, was killed.

Whenever any Pathan came he became cheat afterwards and went back to his home with booty on false pretenses. The Pathans had looted Kashmir and smashed it all round.

The Pakistan Government considered that if 2 fighter planes were supplied the Hindustan Government would supply 4 and so whole Kashmir would be smashed, and thus where would one rule? The Pakistan military were smashed in Kashmir by the fighter planes. I saw nothing except this.

The Muslims cheated the Pathans in Chhata Bal, saying that they would make picquets against the Maharaja's Army, and the Pathans should go on the other road. Some guns were hidden under the ground and when the lorries of Pathans passed they were attacked as a result of which dozens of Pathans were smashed and hundreds of Pathans were killed in minutes. There was no clue left of the Pathans except dead bodies.

Those who remained alive were defeated and ran away leaving 100 lorries there which have been taken possession of by the Maharaja.

A great quantity of war equipment, rifles, machine guns, Lewis guns, etc., and several others of which I did not know the nomenclature, were left behind. Food commodities sufficient for 80,000 Pathans, gur, flour, maida, oil, petrol, mobile oil, ghee, sugar, musical instruments, ambulances, stores, cooking utensils, barbers, doctors, Imam were left around Srinagar.

The Pathans were smashed in great number. Don't think all were Pathans. There were Punjabis and Hindustanis. At least they were 80,000 approximately. Of this number 10,000 came from Punjab. They were true Muslims and came to sacrifice for religion. What to say, they were crying and weeping when they returned. They were tired off and had no practice of running on foot. If they used roads they were attacked by bombs. They used to retire through forests, hills, and nullahs, etc., and hardly reached Kohala and Garhi Sultan on foot. Even after having been defeated they did not give up their actions. They took with them horses, looted property and abducted Hindu women.

It is a fact that nearly 22,000 Hindus and Sikhs were killed in villages *en route* from Kohala to Uri. I came to know that when Hindus were running the Sub-Inspector, Uri, was killing them. When Pathans reached Kohala there was no Hindu there. When the Sub-Inspector in charge of Uri counted there were 2,000 Hindus left in the village. The population of Hindus in that village was 24,000 and only 2,000 saved their lives and returned to their houses. Nothing can be counted from Uri to Srinagar. What to be explained—death is preferred to life. Alas! we people have been slaves to Maharaja for centuries. We are just made free from slavery. We do not know what is Pakistan and what is Hindustan. Communal tension has been created between Hindus and Muslims. The Maharaja committed no cruelty on us as was being done by the ruler in the past.

It is disgraceful. Our children were thrown in the river. The weak men gave their lives as their hearts failed them. Those who gave no ornaments or money were made targets of the rifles. On Kohala-Uri road 500 Muslims were killed with rifle shots. Seeing such tragedy young children, old men and women gave their lives as a result of palpitation of hearts. A Pathan selected a Sikh lady and abducted her. When he reached the river bank he asked her to sit on the boat but the Sikh lady jumped into the river instead and gave her life. Thus the Pathan remained there rubbing his hands.

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(10)

TELEGRAM, DATED 2ND DECEMBER 1947, FROM FOREIGN, NEW DELHI, TO PUNSG, LAHORE.

For Mr. Liaquat Ali Khan from Jawaharlal Nehru.

I have received information that Mirpur town has been completely destroyed and out of 13,000 (half of 26,000) non-Muslim only 2,000 (half of 4,000) have reached within 15 miles of Jhelum. The fate of these refugees

as well as of about 3,000 (half of 6,000) from the rest of Mirpur area is not known, but there are reports that large numbers of abducted Hindu women have been brought into Jhelum district by Pathans. The Pathans are causing panic among non-Muslim refugee pockets in that district, are firing indiscriminately and shot dead a Mahratta soldier the other day.

I am gravely concerned about the fate of the non-Muslim pockets in Jhelum district and of the Hindu refugees in particular the abducted women who have been brought from Jammu by the raiders. I shall be grateful if you will give all facilities to our M.E.O. organisation to evacuate them to India.

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(11)

EXTRACT FROM A LETTER, DATED, NEW DELHI, 12TH FEBRUARY, 1948, FROM G. LESLIE CROSS, ESQUIRE, SECTION LEADER, FRIENDS SERVICE UNIT, TO PANDIT JAWAHARLAL NEHRU, PRIME MINISTER OF THE INDIAN UNION, NEW DELHI.

\* \* \* \* \*

“The Pakistan authorities have decided that this evacuation must be postponed, because conditions around Gujrat have deteriorated. Tribesmen have made several attempts recently to raid trains and it would not be safe to try to move non-Muslims either by road or by rail. This decision was made by the Pakistan M.E.O. authorities and was confirmed by the Chief of Staff at Rawalpindi. We left it at that and are going up to Jhelum tomorrow to take in relief supplies and a doctor, because conditions in Alibeg camp are getting worse.”

“After we have looked to the immediate needs of the people in Alibeg, we plan to move in further to some of the other concentrations of refugees, so that their friends and relations may at least have news of their conditions.”

### PART III.—COMPLICITY OF PAKISTAN IN THE INVASION OF KASHMIR.

There is abundant circumstantial evidence to show that Pakistan has aided and abetted the "Tribal" invasion of Kashmir and Jammu. Both official and un-official organisations are implicated, though the Pakistan Government has officially disowned the invaders operating from bases in its territory. Pakistan's Foreign Minister, Sir Mohd. Zaffrullah Khan, has expressed before the Security Council the inability of his Government to prevent attacks on Kashmir and Jammu, legally part of the Indian Union.

2. This evidence of complicity is based on moral and material aid, on assistance both active and passive given to raiders, in Pakistan.

3. There are some 13,000 Pathans operating in Kashmir today, and they include Waziris, Mahsuds and Mohmands. In Pakistan there are approximately 75,000 tribesmen, concentrated in Punjab districts, many of them bordering on Kashmir or Jammu.

4. Many of the invading tribesmen were recruited by officials of the North-West Frontier Province Government and incited to "Jehad" by the Premier of the Province, ably assisted by the Pirs of Manki Sharif and of Wana, and various Maliks. Tribesmen are collected and harangued with tales of Dogra atrocities on the Muslim inhabitants of Kashmir. The Pir of Wana, for example, one of the most successful recruiting agents, after addressing tribesmen feasts them, and then sends them to meet the Deputy Commissioner of Dera Ismail Khan. Having been addressed by the Deputy Commissioner, the tribesmen visit the Superintendent of Police, Dera Ismail Khan and pick up rifles and ammunition. Thus armed they return to the Pir who again speaks to them. Next day, incited to war and tempted by promises of loot in Kashmir, they leave in lorries for their bases.

5. In addition to these acts of official connivance, leaders of the Muslim League party openly canvass aid for the raiders. Meetings are held in the main towns, and addressed by the local leaders as well as members of the "Provincial Government" of Kashmir and Jammu. These facts are based on information gathered from independent news reports by British and American correspondents as well as from other reliable sources. Some of these press reports are appended to these papers.

6. At a press conference at Peshawar on the 1st of November, the Premier of the N.-W.F.P., Khan Abdul Qayum Khan, appealed to the Arab League to call a Pan-Islamic Conference to meet the common danger to Islam which had arisen with the Indian Dominion's "Invasion of Kashmir". He continued that Muslims did not recognise that there was any difference between the Muslims of Pakistan and those of Afghanistan, Iran or any other Muslim country of the world. He added that the time had come when they should rise or fall together. Referring to Kashmir, he said that the Muslim nation had been outraged by the action taken by the Maharaja of Kashmir in acceding to the Indian Dominion. He urged the Pakistan Government to recognise the Provincial Azad Government. In a press statement issued two days earlier, the Premier of the N.-W.F.P. had declared that the Pathans were determined to die to the last man for Kashmir, which was a Muslim majority State and "belonged to Pakistan as a matter of right". He appealed to every Muslim in Pakistan "to get ready to face the situation". He said that the Pathans would not allow that "invasion" of Kashmir by India. "I can give this assurance with confidence because I have got my hands on the pulse of the Pathans of the tribal areas and the N.-W.F.P."

7. Communiqués of the "Provisional Kashmir Government" are broadcast by the Pakistan radio, which is a Government organisation, and inflammatory statements designed to assist the raiders are also used. The Pakistan Press publishes communiqués of the Indian Government under the headline "Enemy Version".

8. A large proportion of the raiders comes from the Frontier Province and tribal areas. They do not come in driplets but travel hundreds of miles through Pakistan in large groups along the main roads, and over bridges guarded by Pakistan troops.

9. The daily attacks on Kashmir and Jammu are launched from bases which are without question in Pakistan. Rawalpindi is one of the main centres and the head of the Azad Provisional Government has offices there. Many of these raiders are concentrated in various towns in Pakistan: Sargodha with about 7,500, Abbottabad with 6,000 to 8,000, Wazirabad with 8,000 and Jhelum with 5,000. These serve as supply depôts and training centres. Here the raiders rest and recuperate, replenish their supplies and sell women and other loot captured in the raids. Wounded raiders are also treated in hospitals and dispensaries in these towns. It is not without significance that some of these towns are important Cantonments of the Pakistan Army.

10. In transit through Pakistan the raiders are assisted with the supply of transport and petrol. Neither the lorries nor the fuel could possibly be available to the tribesmen except through the knowledge and assistance of officials of the Pakistan Government. Petrol is a rationed commodity, and has to be supplied against coupons issued by district officials. While civilians in Pakistan find it difficult to obtain petrol, there is no difficulty so far as the tribesmen are concerned. In the N.-W.F.P., the export and movement of motor vehicles is regulated under Section 3 of the N.-W.F.P. Essential Articles Control (Temporary Powers) Act of 1947. Transportation of motor vehicles, other than those used by the Military, is not allowed except on permits issued by the Director of Civil Supplies. Vehicles belonging to the raiders have been found to have Pakistan number plates; those damaged in action have been observed under repair in workshops in Rawalpindi.

11. Much of the modern equipment used by the raiders cannot be of tribal manufacture and must come from Military stores of the Pakistan Government. The raiders' armoury includes light machine-guns, mortars, mines, signal equipment and wireless sets with batteries. These have been used in quantities far exceeding those lost by the Indian and Kashmir State Forces. As the fighting in Kashmir has progressed, the number of raiders has increased and the quality of their equipment has improved. Radio messages from the raiders' advanced bases asking for supplies of food and ammunition have been intercepted. The codes employed in these messages are among those used by the Indian Army before partition. These codes are in the possession of the Pakistan Army and were never published. Furthermore, tribesmen and peasants would not have the necessary technical skill to operate wireless transmitters.

12. From the tactics employed in the fighting it is evident that the raiders have received training in modern methods of warfare. Soldiers of the Indian Army have identified former comrades, now serving in the Pakistan Forces, among the raiders. It is known that Pakistan Army personnel, ostensibly on leave, are fighting with the raiders.

## DOCUMENTS PART III.

(1)

Peshawar, September 16th.—The "Jamait-e-Aha of Mujadhidin" in a message to the Chief Minister, North-West Frontier Province, Khan Abdul Qayyum Khan, issued from their stronghold in the Hills of Buner, says: "The independent tribes warn the neighbouring State of Kashmir that if she decides to join the Indian Union even in the teeth of opposition of the 80 per cent. of its Muslim population, then such a step will be taken as a challenge and an invitation for a *Jihad* (holy war)."

The message reminds the Maharaja of Kashmir that he is the "nearest neighbour of the tribal territories". (*Times of India*, 17th September 1947.)

(2)

Lahore, 24th October 1947.—The Provisional Government of Jammu and Kashmir, which was set up a few weeks ago, has made a claim that it has now established its rule over a major portion of the State territory. In a statement issued to the press today, the Provisional Government adds that the Maharaja of Kashmir and his Prime Minister have fled from Kashmir proper and will soon perhaps flee from Jammu as well. In view of these changed circumstances, the statement says, the Provisional Government has been constituted with Sardar Mohammad Ibrahim of Poonch as its head. The headquarters of the government has been moved to Palandari in Poonch. (Pakistan Radio.)

(3)

Lahore, 29th October 1947.—~~Khan Abdul Qayyum Khan, Premier of~~ the North-West Frontier Province, has strongly condemned the decision taken by the Maharaja of Kashmir to accede to the Indian Dominion. In a statement, Khan Abdul Qayyum Khan has declared that the Pathans are determined to die to the last man rather than allow the invasion of Kashmir which is a Muslim majority state and belongs to Pakistan as a matter of right. He adds that the fact that Indian troops have set foot on the Muslim Kashmir is not only a challenge to Pakistan but the entire Muslim world. He appeals to every Muslim in Pakistan to get ready to face the situation. The Frontier Premier goes on to say that the present attempt is aimed at encircling and strangulating Muslims. This attempt, he adds, will no doubt be resisted by Muslims of Kashmir at all costs. He also appeals to the Governments of Afghanistan, Iran, Turkey and the Governments associated with the Arab League to get ready in order to face this new danger to the existence of Islam. In conclusion, Khan Abdul Qayyum Khan gives the assurance to the Muslims of Pakistan and Muslims all over the world that the Pathans will not allow the invasion of Kashmir. He adds: "I can give this assurance with confidence because I have got my hands on the pulse of the Pathans in the tribal areas and the North-West Frontier Province." (Pakistan Radio.)

(4)

Lahore, October 31st.—Mr. Liaquat Ali Khan said: "The Government of Pakistan only with the greatest difficulty prevented a Pathan incursion into West Punjab to take revenge for what happened in East Punjab.

"The attack on Poonch and the massacres in Jammu further added to and inflamed all the more Pathan feeling, and made the raid on Kashmir

inevitable, unless the Government of Pakistan, by use of troops, were prepared to create a situation in the North-West Frontier Province which might have incalculable results on the peace of the border.

“The sending of India troops to Kashmir under cover of accession has further intensified and inflamed the feelings of the tribes.

“In these circumstances it is clear to the Government of Pakistan that the Pathan raid was provoked by the use of Kashmir troops to attack and kill Muslims in Kashmir and Jammu and for this the policy of the Kashmir Government was solely responsible. The Kashmir Government must have been fully aware of the inevitability of the Pathan reaction. Their deliberate refusal to consider every suggestion of the Pakistan Government for a meeting of representatives of both to handle the situation jointly and in friendly co-operation and at the same time their conspiring with the India Government enabled them to use this raid as the excuse for the putting into effect of the pre-planned scheme for the accession of Kashmir as a *coup d’etat* and for the occupation of Kashmir by Indian troops with the object of holding down the people of Kashmir who have been driven to rebellion by this well calculated and carefully planned oppression. (Pakistan Government Press Communiqué.)

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(5)

Karachi, November 1st.—Sind’s Minister of Health, Pir Ilahi Bux, said in a statement that—“It is not only the Pathans who have to carry on the struggle. It is becoming the concern of all Muslims of Pakistan, nay of the whole world, to save the Muslims of Kashmir from destruction”. He appealed “to all trained and demobilized soldiers to proceed as volunteers to the Kashmir front.” (*Times of India* Special Correspondent.)

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(6)

Srinagar, November 2nd.—Mr. Jinnah’s Private Secretary, Khurshid Ahmed, was arrested here this morning by the State police. Maps and other documents were recovered from him.

Khurshid Ahmed who came to Kashmir some days ago had gone underground for organising agitation against the administration. He was arrested in Jama Masjid, centre of the Muslim Conference. National Conference volunteers brought Khurshid out of the hide-out. (*Hindustan Times*.)

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(7)

Lahore, November 5th, 1947. In a Press Conference the Premier of North-West Frontier Province Khan Abdul Quayyum Khan, said that Kashmir was a Muslim majority State and “by right belongs to Muslims. We are not claiming an inch of soil which belongs to the Hindus. We only demand what is rightfully ours”.

He went on to say that the large-scale exchange of population had created a demand for more living space.

Continuing he said, “If the Indian Army makes headway in Kashmir we will be faced straightaway with the problem of accommodating three million more Muslims in Pakistan and there is no room for them”.



He said that while they were making every effort to prevent Pathans from crossing into Kashmir territory, this task was made difficult as the tribal belt adjoined Kashmir State territory. (*Associated Press of India.*)

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## (8)

Rawalpindi, November 10th.—Mr. Ghazanfar Ali Khan referred to the situation in Kashmir and said: "Today the leaders of the Indian Union and erstwhile staunch champions of human rights and freedom are employing every wanton method to crush the Muslims. While the Prime Minister, Mr. Liaquat Ali Khan, was busy trying to clarify the Kashmir confusion, the Indian Union landed troops in the State before the official announcement of the State's accession to the Indian Union." (*Hindustan Times.*)

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## (9)

Peshawar, December 24th.—Resolutions condemning the partition of Palestine and upholding the struggle of Azad Kashmir Government against the "Dogra's autocracy" were passed at the meeting of the Working Committee of the North-West Frontier Province Jamiat-ul-Ulema-i-Islam, held yesterday under the presidentship of Maulana Shakirullah. The meeting also decided to convene a meeting of the All-Pakistan Jamiat-ul-Ulema-i-Islam in the near future. In all six resolutions were passed.

The second resolution strongly condemned "the inhuman atrocities perpetrated by the Dogra hordes and Indian troops on innocent men, women and children in Kashmir and supported the Azad Kashmir Government in its struggle against "strangling Dogra rule". The resolution called upon all the able-bodied Muslims to join their brethren in Kashmir. (*Pakistan Times*, 25th December 1947.)

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## (10)

Karachi. The Pakistan Government have issued a communiqué on reports about Pakistan soldiers taking part in the Kashmir campaign.

The communiqué says: "The attention of the Army authorities has been drawn to a report published in certain Delhi newspaper alleging that two battalions of Pakistan Army deserted and were fighting in Kashmir. This report is absolutely baseless and malicious. No units of the Pakistan Army have deserted.

"Numerous such reports hinting at the Pakistan Army's complicity in the Kashmir fighting have been appearing in the Indian Press for some time past despite categorical denials from Pakistan Army Headquarters."

"It is well known that thousands of soldiers were released from the Indian Army and large numbers of them belong to Jammu and Kashmir areas. These soldiers on release were provided with suits of Army uniform with their regimental badges on them. If any such persons have been seen captured or killed they are not and cannot be called Pakistan soldiers.

"The only Pakistan Army soldiers permitted to go to Kashmir are serving soldiers on normal annual leave. Such soldiers are not permitted to carry their arms with them."—A.P.I. (*Hindustan Times*, 6th January 1948.)

(11)

LONDON.

An indirect admission of Pakistan's complicity in the Kashmir invasion was made by Mr. Zafrullah Khan, leader of the Pakistan Delegation to the U.N. Security Council and Pakistan's Foreign Minister. In an interview with *Reuter* in London on Sunday, Mr. Zafrullah Khan said that it would be utterly impossible for Pakistan to guarantee that no Pakistan nationals or others passing through Pakistan should be able to cross the border between Pakistan and Kashmir and participate in the struggle for freedom going on there unless Pakistan was prepared, as it were, to build a wall all along the frontier. (*The Hindustan Times*, 13th January 1948.)

(12)

London, 27th October, 1947.—In a despatch from its Delhi Correspondent, says that the tribesmen are accompanied by men in civilian dress with obvious military training. The invading forces are well-equipped with rifles and mortars and scores of army trucks and ample petrol supplies. "There is every evidence that their expedition had strong support and is being conducted with tactical skill." (*The News Chronicle*, London.)

(13)

London November 2nd.—"They look on this as a holy Muslim War. Some of them, I have seen, talk wildly of going to Delhi."

Moorehead motored to Peshawar and the Khyber Pass from where this crusade began. "Everywhere recruiting is going on and there is much excitement and enthusiasm at the success of the Muslims. This is happening not only in the tribal territory where Pakistan has no control but inside Pakistan itself." (*The Observer*, from its Correspondent in Pakistan, Alan Moorehead.)

(14)

EXTRACTS FROM A LETTER ADDRESSED TO CAPTAIN H. STRINGER, LONDON, AND FRANKED ON THE ENVELOPE BY A COLONEL WHOSE SIGNATURE IS INDECIPHERABLE, DATED NOVEMBER 2ND, 1947, PAKISTAN.

"This Kashmir show was I think unsafe, and in my opinion amounts to an unofficial war on Pakistan's side. Of course the population are 90% Muslim, and the Hindu Ruler should not have been allowed to accede to India. These tribesmen from the Frontier who have poured up past here during the last fortnight, and are now fighting, killing, looting and burning in Kashmir—some thousands of them—did not arrive by themselves though. Quite obviously the whole business was well organised by a central hand for supply, for transport (all M.T.) and for direction.

A very dangerous machine has however been let loose, one which I doubt Pakistan can control generally, and certainly cannot control locally. The wretched European residents of Kashmir, people on leave, Convents, etc., have not escaped the general fury which is going on a bare hundred miles from here. And of course this road to Kashmir is not the only place, all along the border of and inside Kashmir, Poonch, and Jammu the same scenes are going on."

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"I see also I have not explained how this tribal show in Kashmir is worked. Side by side with the civil administration of Pakistan you have the Muslim League organisation. This latter works much the same way as Hitler's Gestapo, brown shirts, S.S. Men or whatever they went in for. Jinnah is also head of the Muslim League, as well as head of the State. Some officials down the scale are trusted members of the League, some are not so trusted members and some don't belong. Also of course a quite junior Government official may be quite high in the Muslim League Command. This show is run by the Muslim League High Command, working through its trusted officers down the scale. A fair number of them *must* hold positions as Government officials. I say "must" because obviously ordinary civil rations, petrol, etc., could only be diverted to the Tribal army by Government officials who control them. It is impossible for instance for the ordinary citizen of this district holding a ration card or petrol coupons to get any rations for his card or petrol for his coupons. If he asks then he is told none is available. All the time, however, lorries loaded with bags of food from the local civil supply pass up the road to the tribal force, and anything up to 1,000 gallons of petrol daily passes from the retailers pumps in Abbottabad into their lorries. Just before the show started we got a new Deputy Commissioner in Abbottabad promoted from Assistant Commissioner elsewhere. Without this change the show would have slumped, as the old one was not a Muslim League member and Abbottabad is a most important base for the supply of the odd ten thousand tribesmen now operating beyond here.

Large numbers of these tribesmen have been transported from up to 300 miles away by M.T. crossing Indus Bridges strongly guarded by armed police; so you will realise that Muslim League organisation is good."

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(15)

London, November 10th, 1947.—"The first onrush of invaders has been checked but I have just watched bus-loads of howling Pathans and Afghans cross the Kashmir border at Domel to continue the fight from the mountains". Smith counted 45 bus-loads of them, fifty to a bus, on their way to Kashmir. Revenge on Sikhs fires their zeal and every evening their leader Colonel Shah Pasand Khan, "hands raised, palm upwards, chants a prayer to Allah for blessings on their holy war for the extermination of Sikhs". Fifty thousand more tribal Pathans are ready to join the invaders. They are crossing into Kashmir by the Jhelum River Bridge at Domel—much bombed but still unhit by the Indian Air Force.

Their fighting leader is Major Khurshid Anwar, formerly of I.N.A., who has been leading his men for weeks in desperate night sorties against the Srinagar airfield. His second in command is Major Aslam Khan, whose accurate handling of captured mortars, according to Smith, broke the Sikhs' first stand at Baramula. Aslam Khan told Smith: "You can describe me as a deserter from Pakistan Army". One month before the Kashmir invasion, says Smith, 250 fifth columnists were sent to Srinagar for sabotage and espionage. Anwar also brought in with invading forces a staff of R.A.F. radio operators with war experience and equipment. He confessed to Smith: "The Srinagar airfield is our first objective. If only we had been able to prevent our men stopping to loot, we would have been in Srinagar before the Indians, within 48 hours of crossing the border".

"Every tribal leader agrees on war aims. They are to wipe out Hari Singh's minority rule in Kashmir; to march on and exterminate the chief Sikh State, Patiala; to capture Amritsar and try one day to reach New

Delhi", Smith concludes. (Extracts from a despatch by Sydney Smith in the *Daily Express*, London, on November 10th. This despatch is from Abbottabad. Smith was a captive in Baramula under the raiders.)

## (16)

"Palandari, a primitive mountain town is today headquarters of an organised Muslim military and political rebellion aimed at driving Kashmir to Pakistan.

"Many here resent the Indian Government's action in sending troops to support the Maharaja. A young captain said: "If we are left alone without any outside help on their side, we will finish the Maharaja within a few weeks. There is no alternative but to fight or die."

"I am an officer of the Pakistan Army but I know Pakistan cannot help and I won't return to the Army until my people are free.

"The rebels claim that they have in the field two complete brigades of about 3,000 men each, armed with local-made single shot rifles supplemented by captured Bren guns and mortars.

"There is no shortage of trained officers. Besides retired King's Commissioned Officers, the rebels have several young Muslim Officers who deserted the Maharaja's forces and a few Pakistan Army Officers who have taken leave to fight with their people" (*Hindustan Times*, 11th November 1947. By a correspondent of the *United Press of America*.)

## (17)

Jammu, December 16th.—While King Zahir Shah of Afghanistan wanted his subjects to remain aloof and not to visit India this year as there was trouble, Pakistan officials have tried hard to persuade Afghans to join the raiders invading Jammu and Kashmir.

This was revealed by Lal Mir, an Afghan from Ghazni, in a statement before Mr. G. C. Bali, of the Kashmir Government, C.I.D. Lal Mir was among the party of raiders taken prisoner last week by Indian troops operating on the Pakistan-Jammu border.

Lal Mir said that he left his home a month ago along with 1,000 Afghans for India *via* Khust. Before leaving, Chief Maliks were sent for by the King of Afghanistan to visit Kabul where a meeting was held. The King advised them not to visit India this year as there was trouble and he wanted his subjects to remain aloof. The Maliks on return from Kabul conveyed the King's message, but because of snowfall and cold they decided to leave for India.

The Afghan said: "From Ghazni we marched in a caravan to Khust and thereafter reached Miran Shah, the headquarters of the Political Officer, North Waziristan. There the Political Officer called on us and made some purchases. He talked to the Maliks for a considerable time about happenings in India and informed us about the fight between Kafirs and Muslims and said that Muslim women were being molested and abducted by the Hindus while men, young and old, were being killed.

"From Miran Shah, we proceeded to Drey Gundari (a town on the border-line of the tribal territory). At the fort here, it was a common practice that whenever we used to come to India, we were disarmed and all arms used to be kept in the fort till our return. This year we were allowed to enter with arms."

Recalling his party's first direct contact with the raiders' agents, Lal Mir said: "Muslim League leaders and officials told us that atrocities were being committed on Muslims and we were taken to Khoshah (West Punjab). Pir of Wana and others visited us and appealed in the name of Islam to fight the "Kafirs".

"We were brought to Wazirabad. Pakistan Army, police as well as Frontier Constabulary officials were present. Here arms and ammunition were issued to those who had none and good ones were given to those who had old rifles. There were different types of arms and we were asked to choose as we liked."

Stating that all able-bodied men who were selected from the party joined the raiders at the Jammu border, Lal Mir further disclosed that supply of arms, ammunition and food, and conveyance were arranged by Pakistan Government officials in camps at Wazirabad.—(*United Press of India.*)

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(18)

Lahore.—"For the first time since the tribes erupted into Kashmir and West Punjab, an armed band has reached Lahore, nearly 300 miles from the entrance to the Khyber Pass. It is quartered within 100 yards of the West Punjab Assembly, in an old hotel originally requisitioned by the Provincial Government for a refugees' relief headquarters.

"The men, who are of the Suleiman Khel and Shinwari tribes are behaving with their usual abandon and disregard for conventions. Tribal dances are now being held on the lawn of the hotel and drum-beats throb down the Mall. In spite of a recent local ordinance prohibiting the bearing of arms, every man is carrying a rifle, the firing of which appears to express his appreciation of the dances. So far these "joy-shots" have not reminded the police of their duty.

"Later today many of them danced through the streets to bid farewell to some of their comrades who were leaving for Jammu. Before Queen Victoria's statue in Charing Cross they paused, still dancing. They appeared to be in happy mood, but as the procession proceeded down the Mall the tempo of the drum quickened and a fusillade of rifle shots stampeded some horses and a small camel caravan. The Mullah who was leading the procession waved oncoming traffic to a standstill and the tribesmen, wildly gesticulating with their rifles danced in ever decreasing circles around the stationary vehicles.

"Later they turned off the Mall for an embussing point and passed by the office of the Inspector-General of Police. Policemen standing outside watched impassively. In fact during the time your Correspondent accompanied them the only police action taken was by three constables on point duty who obligingly held up the traffic.

"The leaders of the men, some of whom were at Gujrat at the time of the recent train massacre there, have expressed a desire to meet members of the United Nations Commission but their chief interests appear to be anti-communal." (*London Times*, dated 22nd January, 1948.)

(19)

TELEGRAM, DATED 1ST DECEMBER 1947, FROM FOREIGN, NEW DELHI, TO PUNSG, LAHORE.

For Prime Minister, Pakistan, from Prime Minister, India.

I have also been informed that 3,000 abducted Hindu women have been brought to Gujrat from the Bhimbar area and they are being sold like cattle at Rs. 150 each. I am asking an officer on the staff of the Deputy High Commissioner at Lahore to go personally to make enquiries to Gujrat district and I hope you will ask West Punjab Government to give him all facilities.

(20)

London, February 20th.—“There is no possible doubt that if India had not intervened last October, Srinagar and the lovely Valley of Kashmir would now be a devastated and blackened ruin. Nor can there be any question that encouragement and aid have been given to the tribesmen in Pakistan”, says Mr. Kingsley Martin in a despatch from Jammu to the *New Statesman and Nation*.

“A short visit to Kashmir”, he writes, “has given me the opportunity of judging India’s case at first hand. The basic fact.....is that Britain defended the North-West Frontier of India, not only with several brigades of troops but more effectively by subsidy of several million pounds a year to the tribesmen.

“Pakistan has not paid any subsidy and has endeavoured to kill two birds at one stroke by permitting the tribes to loot Kashmir.”

Referring to the treatment of India’s case at Lake Success, Mr. Martin remarks: “India deserved to have its appeal honestly considered and not side-tracked..... The Security Council’s refusal to face the straight issue put to it has convinced almost every one in India that the case has not been considered on its merits but subordinated to uses of power politics. In particular, it is said that one of the underlying factors has been the Anglo-American concern about bases in Pakistan.

“The result is a very rapid change in India’s feeling towards Britain..... A few weeks ago it was confidently expected that India would decide to remain part of the Commonwealth. This, I believe, is still undecided, but certainly no one should be surprised if India now prefers a completely separate status.”

Explaining how he came to the conclusion that Pakistan was helping the raiders after questioning Pathan prisoners, seeing up-to-date weapons, uniforms and army pay-books captured by the Indian Army, Mr. Martin says: “Evidence of this kind can be multiplied indefinitely; and having sat in the operation room of Jammu headquarters, I can also testify that the Indian Command takes the utmost care in using its aircraft against raiding parties until it is completely assured that they are hostile groups and well within the Kashmir frontier. The devastation caused by these raiders can be seen any day as one proceeds by jeep on the rough and precarious road which is the only link between India and Kashmir.

“As long as Pakistan cares to allow these raids to proceed, they cannot be stopped, for nature never meant there to be a frontier between

Jammu and the Punjab. You might as well talk of a frontier between Norfolk and Suffolk..... According to the India view, which on this point seemed irrefutable, these raids constitute invasion of Indian territory. Legally, there is no doubt that the Maharaja of Kashmir after long hesitation and after vainly asking for Pakistan's protection against the tribesmen acceded to India and that the Indian troops did not enter Kashmir until he invited them.

"It is said that India acted illegally in the case of Junagadh. A decisive reply is that in the case of Junagadh, Pakistan itself laid it down that the head of the State alone had a right to decide on the question of accession. Moreover, India strengthened her case on both occasions by making accession provisional pending the results of plebiscite.

"In the case of Kashmir, India also insisted on the abolition of the Maharaja's oppressive régime and the recognition of Sheikh Abdullah as the popular Head of the Emergency Administration. Certainly one factor which has played an important part in the minds of the Indian leaders is that Sheikh Abdullah's administration provides an outstanding proof that India is not Hindustan, that there are Muslims who have voluntarily chosen to come into an India which, as Pandit Nehru emphasised, should be a democracy in which minorities can live safely and freely.

"In this short cable I am concerned only to summarize the legal and moral case as India sees it because I know that the failure by the British delegates at U.N. and by a large part of the British Press to appreciate it, is doing great damage to Anglo-Indian relations. I believe India might have been ready to make concessions on the question of substituting an outside force for the Indian Army in Jammu and the Valley of Kashmir if the honesty and strength of their case against Pakistan had been recognised at Lake Success.

"Responsible Indian leaders, who are now engaged in suppressing the more fanatical communal Hindu bodies, fully realise the utterly disastrous consequences of war between India and Pakistan. That would mean victory in India of semi-fascist elements..... It would mean the end of hopes of social change which have animated the progressive side of the Congress..... It would probably involve international complications which would create in India and Pakistan conditions resembling those of the Spanish Civil War. In the Indian and Pakistan Armies the possibility of war is viewed with incredulous horror..... But the question remains of Pakistan's desire for peace and of how to rid Kashmir and India of tribal raids. This once more means joint defence and large subsidies."

Evidence of the character of the tribesmen who were allowed free transit through Pakistan to Kashmir, and of the failure of the Pakistan authorities to exercise any form of control over them, is provided by the tragic incident which occurred at the Gujrat railway station in West Punjab (Pakistan) on the night of the 11th January 1948. A train carrying approximately 3,200 non-Muslim refugees from Bannu in the North-West Frontier Province, which was on its way to India, was diverted to Gujrat instead of taking the normal route *via* Lyallpur, after a conference between Pakistan police and railway officials at intermediate station. The train was not supposed to stop at Gujrat but was halted there at about midnight,

ostensibly to have a tail-lamp attended to. The train was left on an unprotective siding and the engine was detached. There was on the train an Indian military escort numbering 60. In the small hours of the morning two members of the escort were deprived of their rifles in a scuffle with some persons, believed to be tribesmen, who were making their way to the train. Several hundred armed men, including both tribesmen and Muslim National Guards, are then reported to have attacked the train. Fighting continued until after day-break when the escort ran out of ammunition and was wiped out. The attackers then entered the train, killing and seizing the passengers and robbing them of their belongings. The casualties were extremely heavy, about half the passengers being killed, abducted or missing. Of the survivors hundreds were wounded, many of them bearing evidence of extreme brutality.

Commenting on this incident the *Pakistan Times*, a newspaper published at Lahore, wrote:

"It is difficult to believe that in the many hours that elapsed between the commencement of the trouble and its culmination nothing more could have been done to stop it than actually was done. Apart from the mad men who committed the crime, some official agency, we do not know who, must also share the blame for what has happened. There must have been either indifference or lethargy or a lurking unwillingness to act that held back the hand of law from dealing with the foul deed was done."



## PART IV.—INDIA'S OBJECTIVES.

In Kashmir, as in other similar cases, the view of the Government of India has been that in the matter of disputed accession the will of the people must prevail. It was for this reason that they accepted only on a provisional basis the offer of the Ruler to accede to India, backed though it was by the most important political organization in the State.

2. The question of accession is to be decided finally in a free plebiscite; on this point there is no dispute. It is, however, impossible to hold a plebiscite so long as the State is infested by freebooters from outside. The only purpose for which Indian troops are operating in Kashmir is to ensure that the vote of the people will not be subject to coercion by tribesmen and others from across the border who have no right to be in Kashmir. Since the State is now part of India, these troops have a legal and a moral obligation to defend it. Nevertheless they will be progressively reduced after the raiders have left State territory, normal conditions have been restored and the risk of recurrence of aggression from outside has ceased. As the Government of India have repeatedly made clear, there is to be no victimization of any native of the State, whatever his political views or affiliations may be, and no Kashmiri will be deprived of the right to vote.

3. From the first, the Government of India have been concerned to emphasise these objectives, and it was to this end that they repeatedly invited representatives of Pakistan to discuss the matter with them. When efforts to secure a satisfactory settlement by direct negotiation with Pakistan had failed and the activities of large numbers of tribesmen in Pakistan, aided and abetted by Pakistan, intensified the military pressure on Jammu and Kashmir State and became a threat to India itself, the Government of India, as a last resort, appealed to the Security Council of the United Nations to call upon Pakistan to cease its unneutral action in the interests of peace between the two countries.

## DOCUMENTS PART IV.

(1)

TELEGRAM, DATED 25TH OCTOBER 1947. FROM FOREIGN, NEW DELHI, TO PRIME MINISTER, U.K., LONDON. REPEATED TO PRIME MINISTER, PAKISTAN, ON 26TH OCTOBER.

From Prime Minister, India.

1. A grave situation has developed in the State of Kashmir. Large numbers of Afridis and other tribesmen from the Frontier have invaded State territory, occupied several towns and massacred large numbers of non-Muslims. According to our information, tribesmen have been equipped with motor transport and also with automatic weapons and have passed through Pakistan territory. Latest news is that the invaders are proceeding up the Jhelum valley road towards the valley of Kashmir.

2. We have received urgent appeal for assistance from the Kashmir Government. We would be disposed to give favourable consideration to such request from any friendly State. Kashmir's northern frontiers, as you are aware, run in common with those of three countries, Afghanistan, the U.S.S.R. and China. Security of Kashmir, which must depend upon its internal tranquillity and existence of stable Government is vital to security of India, especially since part of southern boundary of Kashmir

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1. A grave situation has developed in the State of Kashmir. Large numbers of Afridis and other tribesmen from the Frontier have invaded State territory, occupied several towns and massacred large numbers of non-Muslims. According to our information, tribesmen have been equipped with motor transport and also with automatic weapons and have passed through Pakistan territory. Latest news is that the invaders are proceeding up the Jhelum valley road towards the valley of Kashmir.

2. We have received urgent appeal for assistance from the Kashmir Government. We would be disposed to give favourable consideration to such request from any friendly State. Kashmir's northern frontiers, as you are aware, run in common with those of three countries, Afghanistan, the U.S.S.R. and China. Security of Kashmir, which must depend upon its internal tranquillity and existence of stable Government is vital to security of India, especially since part of southern boundary of Kashmir

and India are common. Helping Kashmir, therefore, is an obligation of national interest to India. We are giving urgent consideration to the question as to what assistance we can give to the State to defend itself.

3. I should like to make it clear that question of aiding Kashmir in this emergency is not designed in any way to influence the State to accede to India. Our view which we have repeatedly made public is that the question of accession in any disputed territory or State must be decided in accordance with wishes of the people and we adhere to this view. It is quite clear, however, that no free expression of the will of the people of Kashmir is possible if external aggression succeeds in imperilling the integrity of its territory.

4. I have thought it desirable to inform you of the situation because of its threat of international complications.

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(2)

Following is text of letters that were exchanged between His Excellency the Governor-General and His Highness the Maharaja of Jammu and Kashmir.

26th October 1947.

*Begins:*

MY DEAR LORD 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 and Kashmir has not acceded to either 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 Dominion of India and Pakistan cannot ignore this fact.

I wanted to take time to decide to which Dominion I should accede, whether it is not in the best interest 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 a standstill agreement with my State. The Pakistan Government accepted this arrangement. The Dominion of India desired further discussion with representatives of my Government. I could not arrange this in view of the developments indicated below. In fact the Pakistan Government under the standstill agreement 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 petrol 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 area, then in Sialkot and finally in mass in the area adjoining Hazara district on the Ramkote side. The result has been that the limited number troops at the disposal of the State had to be dispersed and thus had to face the enemy at several points simultaneously that it has become difficult to stop the wanton destruction of life and property and looting.

The Mahoorā 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 a first step to overrunning the whole State.

The mass infiltration of tribesmen drawn from the distant areas of the N.-W.F. Province 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 N.-W.F. Province and the Government of Pakistan. In spite of repeated appeals made by my Government no attempt has been made to check these raiders or stop them from coming to my State. In fact both the Pakistan Radio and Press have reported these occurrences. 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 freebooters. On this basis no civilised Government can exist or be maintained. This alternative I will never allow to happen so long as I am the Ruler of the State and I 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 Abdulla 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.

(Sd.) HARI SINGH.

Ends.

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(3)

REPLY FROM GOVERNOR-GENERAL, INDIA, NEW DELHI, DATED THE 27TH  
OCTOBER 1947.

*Begins:*

MY DEAR MAHARAJA SAHIB,

Your Highness's letter, dated the 26th October has been delivered to me by Mr. V. P. Menon. In the special circumstances mentioned by Your Highness, my Government have decided to accept the accession of Kashmir State to the Dominion of India. Consistently with their policy that, in the case of any State where the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the State, it is my Government's wish that, as soon as law and order have been restored in Kashmir and her soil cleared of the invader, the question of the State's accession should be settled by a reference to the people. Meanwhile, in response to Your Highness's

appeal for military aid; action has been taken today to send troops of the Indian Army to Kashmir to help your own forces to defend your territory and to protect the lives, property and honour of your people.

My Government and I note with satisfaction that your Highness has decided to invite Sheikh Abdulla to form an Interim Government to work with your Prime Minister.

MOUNTBATTEN OF BURMA. *Ends.*

(4)

TELEGRAM, DATED 28TH OCTOBER 1947, FROM FOREIGN, NEW DELHI, TO PRIME MINISTER, PAKISTAN, LAHORE, (FOREIGN, KARACHI).

For Mr. Liaquat Ali Khan from Jawaharlal Nehru.

I have communicated to you text of telegram I sent to Prime Minister, United Kingdom, regarding Kashmir situation. I have also sent you text of correspondence between Governor-General, India, and Maharaja, Kashmir, regarding accession of Kashmir State to Indian Union. I have sent a further message to Prime Minister, U.K., informing him of imminent peril of Srinagar and Kashmir from raiders and of action we have taken to give protection to people there.

I want to invite your Government's co-operation in stopping these raiders entering Kashmir territory from Pakistan. These raids have already resulted in large scale death and destruction and if they are not stopped immediately will lead to ruin of Kashmir. The consequence of success of such irresponsible raiders anywhere will be far-reaching all over India. Therefore in interest of both Pakistan and India such raids must be stopped. As raiders come across Pakistan territory it should be possible to stop them there.

I wish to assure you that action Government of India has taken has been forced upon them by circumstances and imminent and grave danger to Srinagar. They have no desire to intervene in affairs of Kashmir State after raiders have been driven away and law and order established.

In regard to accession also it has been made clear that this is subject to reference to people of State and their decision. Government of India have no desire to impose any decision and will abide by people's wishes. But these cannot be ascertained till peace and law and order prevail. Protection of Kashmir from armed raids thus becomes first objective and in this we trust we shall have your co-operation.

(5)

EXTRACT FROM TELEGRAM, DATED 28TH OCTOBER 1947, FROM FOREIGN, NEW DELHI, TO PRIME MINISTER, PAKISTAN, LAHORE.

I would welcome an early opportunity of meeting you and discussing various problems that have arisen, more specially developments in Kashmir about which I have informed you. I earnestly hope that there will be co-operation between Pakistan and India in stopping raids and putting down disorder and then leaving choice about future to people of Kashmir. I am glad to learn that you are likely to visit Delhi for Joint Defence Council meeting soon.

(6)

TELEGRAM, DATED 30TH OCTOBER 1947, FROM PUNSG, LAHORE, TO FOREIGN, NEW DELHI.

~~For Pandit Nehru from Liaquat Ali Khan.~~ I have received your telegrams including that of 28th October to which I reply. The position is that Sikh attacks on Muslims in East Punjab in August greatly inflamed feeling throughout Pakistan and it was only with greatest difficulty that Pathan tribes were prevented from entering West Punjab to take revenge on Hindus, and Sikhs. Muslims in Poonch were attacked and those in Jammu massacred by mobs led by Kashmir State Forces and when it was evident that there was to be a repetition in Kashmir of that in East Punjab it became impossible wholly to prevent tribes from entering that State without using troops which would have created a situation on frontier that might well have got out of control.

Your recent action of sending troops to Kashmir on pretext of accession ~~has made things infinitely worse.~~ The whole of the frontier is ~~souring and~~ feeling of resentment among tribes is intense. The responsibility for what is happening is entirely yours. There was no trouble in Poonch or Jammu till State troops started killing Muslims. All along Kashmir Government has been in close touch with you. At the same time they ignored or refused our offers of friendly discussion. On 2nd October I suggested that both Pakistan and Kashmir should appoint representatives to discuss supplies to Kashmir and mutual allegations of border raids. The Prime Minister, Kashmir, replied that he was too busy. When in spite of this we sent Shah, Joint Secretary, Ministry of Foreign Affairs, and States to Kashmir the Prime Minister refused to discuss with him. - On 15th October Prime Minister, Kashmir, threatened that unless we agreed to an impartial enquiry into what was happening he would ask for assistance to withstand aggression on his borders. We immediately agreed to an impartial enquiry since when no more has been heard from Kashmir of this proposal.

The Pathan raid on Kashmir did not start till 22nd October. It is quite clear therefore that Kashmir's plan of asking for Indian troops—and it could hardly have been unilateral—was formed quite independently of this raid and all evidence and action taken shows it was pre-arranged. It would seem rather to have been made after failure of their troops to suppress people of Poonch and in anticipation of reaction which they expected to their massacre of Moslems in Jammu.

I in my turn appeal to you to stop the Jammu killings which still continue. Yesterday West Punjab was again invaded by a well armed mob who after a fight with villagers retreated leaving two Gurkha soldiers in uniform dead behind them. As long as this sort of thing continues passions are bound to become further inflamed.

(7)

TELEGRAM, DATED 31ST OCTOBER 1947, FROM FOREIGN, NEW DELHI, TO PUNSG, LAHORE, ~~FOREIGN,~~ KARACHI.

From Jawaharlal Nehru for Mr. Liaquat Ali Khan. Your Telegram dated 30th October. I have repeatedly expressed to you my sentiments regarding the cycle of retaliation which has plunged West and East Punjab in tragedy. Both in public and private I have condemned atrocities irrespective of community of the perpetrators Sikh, Hindu or Muslim. If Hindus and Sikhs have killed or driven out Muslims in any part

of Kashmir I condemn their action without reserve. I find it impossible, however, to accept either your version of the causes and course of attack on Kashmir or the baseless suggestion that we have sent troops to Kashmir on pretext of "accession". We are perfectly willing to have all events investigated during last 15 months to find out what have been basic causes and on whom blame rests. What has happened in Kashmir stands apart and must be judged as such more specially in view of imminent danger of widespread disaster which Kashmir valley has had to face which would have the most far-reaching consequences in regard to relations between India and Pakistan.

2. The Government of India entirely agree that no raids from one territory to another should take place and they must be stopped by all means at our disposal. It is patent that they have had nothing to do even remotely with occurrences in or near Kashmir State till they sent their troops to Srinagar on 27th October. Before accession Kashmir was not our responsibility even though we were greatly interested in its future. We were not consulted by the Kashmir Government about any steps they may have taken or any correspondence with you. Our knowledge of what occurred then was derived largely from statements appearing in the press. From these statements it appears that the Kashmir Government's account is materially different from what you have given and according to them many raids have taken place from West Punjab into Jammu Province. As a matter of fact today a considerable part of Jammu Province has been occupied by raiders from West Punjab. These raiders are provided, according to reports, with the most modern weapons including flame-throwers. In these circumstances it is curious to state that aggression was from Kashmir State.

3. No impartial person could regard the military operations which for some weeks have been in progress against Kashmir as other than well-organised, well-planned and the result of most careful preparation. These operations certainly did not start on 22nd October. What started on the 22nd October was raid from North-West Frontier Province. Its timing, mobility and speed are more suggestive of a concerted link between this operation and the operation which has been in progress on Kashmir's western borders than of a sudden tribal eruption inspired by communal happenings in the Punjab. In addition to this we have reliable information that regular Pakistan troops in large numbers were concentrated near the Kashmir border at Kohala as well as on the Jammu border and that they were prepared to enter Kashmir in the wake of the raiders.

4. You say that all along the Kashmir Government has been in close touch with us. You also say that Kashmir's plan of asking for Indian troops was formed quite independently of the recent raids. Indeed you even suggest that the request for Indian troops was inspired by us. I repudiate both the statement of alleged fact and the insinuation. Until the Pathan raid started we had no request from Kashmir State for military aid and the question was never considered by us. Some weeks ago we were told by the Kashmir Government that essential supplies had been stopped by the Pakistan Government and we were requested to send some of these essential supplies. A request was also made for arms which was referred, in common with requests from other States, to our States and Defence Ministries. This was sanctioned but as a matter of fact no arms were sent to them at all as this matter was not considered very urgent. It was at 11 p.m. on the 24th October that an urgent and specific request was made to us for the first time for troops to be sent. We considered this on the 25th in our Defence Committee and again on the 26th morning. In view of the imminent peril to the valley and the possibility of large-scale massacres,



a decision was arrived at regarding accession and to send airborne troops the next day, the 27th October. You will appreciate that it would have been easy for us to send these troops earlier if we had intended doing so and thus stop the raiders at an early stage of their career along the Jhelum Valley road. Both military and other competent opinion has criticised us for being dilatory. At no time did we consider the question of sending troops to Kashmir previous to the 25th October. The earlier visits of the Kashmir officials were concerned with supplies and no question of giving military help arose.

5. Kashmir's accession to India was accepted by us at the request of the Maharaja's Government and the most numerous representative popular organisation in the State which is predominantly Muslim. Even then it was accepted on the condition that as soon as the invader has been driven from Kashmir soil, and law and order restored, the people of Kashmir would decide the question of accession. It is open to them to accede to either Dominion then. Had we desired a pretext either for Kashmir's accession or for sending our troops there we should not have waited to accomplish our purpose until half of the valley of Kashmir and parts of Jammu Province had been given to fire and sword and Srinagar itself was in peril of capture by the raiders with all its horrors.

6. I have no doubt that you realise that the raiders from the Frontier Province or along the Murree road come from Pakistan territory and it is the easiest thing in the world to stop them at the two bridges which connect Pakistan territory to Kashmir. They were not so prevented and their equipment and arms including artillery and automatic weapons bear witness to every help being given to them. We are credibly informed that regular officers of the Pakistan Army are advising the raiders. Even now it should be easy for your Government to stop the passage of these raiders or their supplies to Kashmir territory completely.

7. Our assurance that we ~~shall withdraw our troops from Kashmir as soon as peace and order are restored and leave the decision about the future of the State to the people of the State is not merely a pledge to your Government but also to the people of Kashmir and to the world.~~ You lay on us the responsibility for what is happening. I should have thought that this could more appropriately and fairly be placed on those who have been attacking and invading Kashmir. To accuse us of provocation and aggression when all that we have done is to go to the rescue of a people threatened with loss of life, property and honour, is a singular perversion of truth and reason. It gives me no pleasure to write to you in this strain. I am convinced that if Pakistan and India are to live in peace, leaders on both sides must have trust in one another and act with understanding and restraint. Mutual mistrust and recrimination can only lead to consequences which would be to the advantage of neither India nor Pakistan. I have done everything possible to think and act in this spirit. It was not possible for us to refuse the request of the Kashmir Government to help them prevent raiding bands from committing massacre, arson and loot and ruining Kashmir. I should have thought that it was equally to your advantage to prevent this and hence my appeal to you to stop these raiders at the source.

8. I have no knowledge of the raid you refer to in Jammu in your last paragraph. I am inquiring about it. We shall certainly do our utmost to stop all raids and I appeal to you to do the same. I understand, however, that there is concentration of Pakistan troops on the Jammu border.

(8)

Pandit Jawaharlal Nehru, Prime Minister, in a broadcast from New Delhi on November 2nd said:—

I want to speak to you tonight about Kashmir, not about the beauty of that famous valley, but about the horror which it has had to face recently. We have passed through very critical days and the burden of taking vital and far-reaching decisions has fallen upon us. We have taken those decisions and I want to tell you about them.

The neighbouring Government, using language which is not the language of Governments or even of responsible people, has accused the Government of India of fraud in regard to the accession of Kashmir to the Indian Union. I cannot emulate that language nor have I any desire to do so, for, I speak for a responsible Government and a responsible people. I agree that there has been fraud and violence in Kashmir but the question is: 'who is responsible for it?' Already considerable parts of the Jammu and Kashmir State have been overrun by raiders from outside, well-armed and well-equipped, and they have sacked and looted the towns and villages and put many of the inhabitants to the sword. Frightfulness suddenly descended upon this lovely and peaceful country and the beautiful city of Srinagar was on the verge of destruction.

I want to say at once that every step that we have taken in regard to Kashmir has been taken after the fullest thought and consideration of the consequences and I am convinced that what we have done was the right thing. Not to have taken those steps would have been a betrayal of a trust and cowardly submission to the law of the sword with its accompaniment of arson, raping and slaughter.

For some weeks past we had received reports of infiltration of raiding bands into the State territory of Jammu Province. Also of a concentration of armed men near the border of Kashmir with the North-West Frontier Province. We were naturally concerned about this not only because of our close ties with Kashmir and her people but also because Kashmir is a frontier territory adjoining great nations and therefore we were bound to take interest in the developments there. But we were anxious not to interfere and we took no step whatever to intervene even though a part of Jammu Province was overrun by these raiders.

It has been stated that there were raids from the Jammu side across the Pakistan border and that there was communal trouble in Jammu and Muslims were killed and driven away. In the past we have not hesitated to condemn evil, however might have committed it, whether Hindu or Sikh or Muslim, and so if Hindus or Sikhs or any functionaries of the State misbehaved in Jammu Province, certainly we condemn them and regret their deeds.

But I have before me a detailed list of 95 villages in the Jammu Province which have been destroyed by the raiders from Pakistan. Bhimbar, a considerable town, had also been sacked and destroyed. Other towns are besieged and a considerable part of Poonch and Mirpur areas is in possession of the raiders. Does this indicate that aggression took place from the Kashmir side on to West Punjab or does it not show that there has been continuous organised aggression from West Punjab into Kashmir State? These raiders possess the latest type of modern arms. It is reported that they have used flame-throwers and a disabled tank has been discovered with them.

About this time we were asked by the Kashmir State to provide them with arms. We took no urgent steps about it, and although sanction was given by our States and Defence Ministries, ~~actually no arms were sent.~~

On the night of the 24th October I learnt of another raid, this time from the Abbottabad-Mansara Road which enters Kashmir near Muzaffarabad. We were told that armed and well-equipped persons in over one hundred lorries had broken in, had sacked Muzaffarabad and killed many persons there, including the District Magistrate, and were proceeding along the Jhelum Valley road towards Srinagar. The State forces were spread out in small numbers all over the State and they could not stop this armed and well-organised raid. The civil population, Hindu and Muslim, fled before the raiders.

It was on the 24th night that for the first time a request was made to us on behalf of the Kashmir State for accession and military help. On the 25th morning we considered this in the Defence Committee but no decision was taken about sending troops in view of the obvious difficulties of the undertaking. On the 26th morning we again considered this matter. The situation was even more critical then. The raiders had sacked several towns and had destroyed the great Power House at Mahoora which supplies electricity to the whole of Kashmir. They were on the point of entering the valley. The fate of Srinagar and the whole of Kashmir hung in the balance.

We received urgent messages for aid not only from the Maharaja's Government ~~but from representatives of the people~~, notably that great leader of Kashmir, Sheikh Mohammed Abdullah, the President of the National Conference. Both the Kashmir Government and the National Conference ~~pressed us to accept the accession of Kashmir to the Indian Union.~~ We decided to accept this accession and to send troops by air, but we made a condition that the accession would have to be considered by the people of Kashmir later when peace and order were established. We were anxious not to finalise anything in a moment of crisis, and without the fullest opportunity to the people of Kashmir to have their say. It was for them ultimately to decide.

~~And here let me make clear that it has been our policy all along that where there is a dispute about the accession of a State to either Dominion, the decision must be made by the people of that State. It was in accordance with this policy that we added a proviso to the Instrument of Accession of Kashmir.~~

We decided to send troops on the afternoon of 26th October. Srinagar was in peril and the situation was urgent and critical. Our staff worked hard that day and night, and at day-break on the 27th our troops went by air. They were small in numbers to begin with, but immediately on arrival they rushed into action to stop the invader. Their gallant Commander, a brave officer of our Army, was killed the next day.

Since then, troops and equipment have been flown over daily, and I should like to express my high appreciation and the appreciation of my Government for the fine work which our staff have done, as well as the pilots and the air crews who have thrown themselves into this adventure with heart and soul. The air lines have co-operated with us fully and to them also I am grateful. Our youngmen have shown how they can rise to the occasion in a moment of crisis to serve their country.

Srinagar was in peril and the invader was almost on its door step. There was no administration left there, no troops, no police. Light and power had failed and there were a vast number of refugees there, and yet

Srinagar functioned without obvious panic and the shops were opened and people went about the streets. To what was this miracle due? Sheikh Abdullah and his colleagues of the National Conference and their unarmed volunteers, Muslim and Hindu and Sikh, took charge of the situation, kept order and prevented panic. It was a wonderful piece of work that they did at a moment when the nerves of most people might have failed them. They did so because of the strength of their organisation, but even more so because they were determined to protect their country from the ruthless invader who was destroying their country and trying to compel them by terrorism to join Pakistan. Whatever the future may hold, the people of the Valley of Kashmir have exhibited during these past few days remarkable courage, capacity for organisation and unity.

It would be well if this lesson was understood by the whole of India which has been poisoned by communal strife. Under the inspiration of a great leader, Sheikh Abdullah, the people of the Valley, Muslim and Hindu and Sikh, were together for the defence of their common country against the invader. Our troops could have done little without this popular support and co-operation.

The Maharaja of Kashmir deserves to be congratulated on his decision to make Sheikh Abdullah the head of the administration at this critical juncture. That was a wise step which other rulers might well follow, making their people trustees and defenders of freedom.

It must be remembered, therefore, that the struggle in Kashmir is a struggle of the people of Kashmir under popular leadership against the invader. Our troops are there to help in this struggle, and as soon as Kashmir is free from the invader, our troops will have no further necessity to remain there and the fate of Kashmir will be left in the hands of the people of Kashmir.

We have passed through days of peril not only for Kashmir but for the whole of India. That peril is less now, but it is by no means over and many dangers confront us. We have to be very vigilant and well prepared for whatever may happen. The first step in this preparation is to put an end completely to every manner of communal strife in India, and to stand up as a united nation to face every danger which might threaten our freedom. External danger can only be faced effectively when there is internal peace and order, and an organised nation.

We talk about the invaders and raiders in Kashmir, and yet these men are fully-armed and well-trained and have competent leadership. All of these have come across and from Pakistan territory. We have a right to ask the Pakistan Government how and why these people could come across the Frontier Province or West Punjab, and how they have been armed so effectively. Is this not a violation of International Law and an unfriendly act towards a neighbour country? Is the Pakistan Government too weak to prevent armies marching across its territory to invade another country, or is it willing that this should happen? There is no third alternative.

We have asked the Pakistan Government repeatedly to stop these raiders from coming, and to withdraw those who have come. It should be easy for them to stop them for the roads into Kashmir are very few and have to pass over bridges. We on our part have no intention of using our troops in Kashmir when danger of invasion is passed.

We have declared that ~~the fate of Kashmir is ultimately to be decided~~ by the people. That pledge we have given, and the Maharaja has supported it, not only to the people of Kashmir but to the world. We will not, and cannot back out of it. We are prepared when peace and law and order have been established to have a referendum held under international auspices like the United Nations. We want it to be a fair and just reference to the people, and we shall accept their verdict. I can imagine no fairer and juster offer.

Meanwhile we have given our word to the people of Kashmir to protect them against the invader and we shall keep our pledge.

(9)

TELEGRAM, DATED 3RD NOVEMBER 1947, FROM FOREIGN, NEW DELHI, TO PUNSG, LAHORE.

Following for Liaquat Ali Khan from Jawaharlal Nehru.

I have received no reply yet from you to my telegram, dated 31st October, regarding Kashmir.

Reference to last paragraph of your telegram, dated 30th October. I have enquired from Prime Minister, Kashmir, about alleged raid. His reply sent after investigation is that there was no raid from Kashmir side to West Punjab but there was a raid from West Punjab side into Jammu Province. This was resisted by villagers and State troops and two Gurkha soldiers were killed in Kashmir territory. Apparently their bodies were dragged away by the raiders into West Punjab.

I am informed that in Jammu Province situation is well in hand except in areas under the occupation of raiders who are continuing their depredations. Kashmir Government is protecting Muslims in Jammu and the border would be quite safe but for raids from West Punjab.

I have repeatedly requested you to stop raiders from entering Kashmir territory from Pakistan both in Jammu Province and along the Jhelum valley road. Our information is that these raiders are being helped by high Pakistan officials. Indeed Prime Minister of North-West Frontier Province has openly declared that these raiders should be helped. We have definite information of senior officials of the Frontier Province giving every assistance to these raiders. We put it to you that this is not only against your own declaration but also is a breach of International Law. We trust that you will take immediate steps not only to stop further raiders from coming into Kashmir State territory but order withdrawal of all those who are already in Kashmir State.

We are anxious to restore peaceful conditions in Kashmir and we invite your co-operation again to this end. This can only be done after the withdrawal of the raiders who have inflicted tremendous damage in the State territory. As soon as raiders are withdrawn there would be no necessity for our keeping our troops there.

I wish to draw your attention to the broadcast on Kashmir which I made last evening. I have stated our Government's policy and made it clear that we have no desire to impose our will on Kashmir but to leave final decision to the people of Kashmir. I further stated that we have agreed to an impartial international agency like the United Nations supervising any referendum. ~~This principle we are prepared to apply to any State where there is a dispute about accession.~~ If these principles are accepted by your Government there should be no difficulty in giving effect to them.

(10)

TELEGRAM, DATED THE 4TH NOVEMBER 1947, FROM FOREIGN, NEW DELHI, TO PUNSG, LAHORE.

Personal for Mr. Liaquat Ali Khan from Prime Minister, India.

Governor-General, India, has told me of his conversation with you in Lahore and I am happy that you will be fit enough to come to Delhi for the Joint Defence Council meeting on Saturday. That will give us an opportunity of personal discussion which is desirable. I hope you will be quite well soon.

(11)

TELEGRAM, DATED THE 4TH NOVEMBER 1947, FROM FOREIGN, NEW DELHI, TO PRIME MINISTER, PAKISTAN, LAHORE.

For Prime Minister, Pakistan from Prime Minister, India.

Kashmir. Continuation my telegram, dated 3rd November. Further reports state that raids continue to be made from the Pakistan side into Jammu Province. On first November following villages within five miles of the border were sacked and burnt colon Chak Palango, Shibo Chak, Bahadurpur, Swankha, Abtal, Raika, and Majua. It is stated that armoured cars and three inch mortars were used by the raiders. On second November there was raid on Hiranagar across the border from West Punjab. I have already informed you of the sack and burning of Bhimbar town. Further particulars of this have reached us. Raiders came in military formation and were well-equipped with automatic weapons and mortars. They had also armoured cars. After the destruction of the town there was large-scale massacre of men, women and children. According to report a thousand persons were killed and over hundred women were kidnapped. The town was looted and many lorry loads of loot were taken away to West Punjab.

(12)

TELEGRAM FROM PUNSG, LAHORE, TO FOREIGN, NEW DELHI, DATED THE 5TH AND RECEIVED 6TH NOVEMBER 1947.

Following for Pandit Nehru from Liaquat Ali Khan:—

Your telegram, November 5th.

When Governor-General, India, saw me on November 5th I informed him that I would attend meeting of Joint Defence Council on November 8th if I am fit enough to do so by then. Unfortunately I am still running a temperature and am in the same condition as when Lord Mountbatten saw me. If I am fit to travel I shall attend Joint Defence Council meeting on November 8th and also have a personal discussion with you.

(13)

The following is the text of Mr. Liaquat Ali Khan's broadcast on November 4th, from Lahore:—

"I am speaking to you tonight from my sick-bed. I wish to talk to you about Kashmir, because the affairs of Kashmir have reached a critical

phase and have now assumed international importance, and because I know that Kashmir is uppermost in your mind as it is in mine.

- "In the exhilaration of self-styled gallantry and valour some erst-while sympathisers of the oppressed people of Kashmir seem to have forgotten the history of this beautiful land. Let us, therefore, briefly recall it for their benefit.

"This piece of God's earth along with the human beings inhabiting its hills and valleys was, under the infamous Amritsar Treaty, sold by the British to a Dogra chieftain for the paltry sum of Rs. 75 lakhs.

"The present Maharaja inherits the people of Kashmir from his forefathers as though they were so many cattle. It is this immoral and illegal ownership that the gallantry and valour of Indian troops is defending today by spilling the blood of the suppressed slaves who had been bartered away by the British.

"During the past 100 years of Dogra rule, this highly gifted and most attractive race of Kashmiris has been dragged down to the lowest depths of misery. In recent years they have made many attempts to fight for their freedom. Time and again they had been thwarted but time and again they have risen to defy tyranny.

"The fight is not yet at an end. But I would like my listeners to know that today the people of Kashmir are fighting not only for their freedom, but also for their very existence. For their misfortunes have, in recent months, taken on a darker side. They have been caught in the meshes of a widespread plan for the extermination of Muslims. This plan has succeeded in Alwar, in Bharatpur, in Patiala, in Faridkot, and in Kapurthala. And all these you will note are States that have acceded to the Indian Union.

"Only yesterday Muslims formed the majority of the population in Kapurthala. There are hardly any left there now. When we asked the India Government to protect the Muslims in these States, we were told that these events were the States' internal affairs and the India Government could not interfere. After the massacre of Muslims in East Punjab and the East Punjab States, the forces of annihilation turned to Jammu and Kashmir.

"Towards the end of September, the I.N.A. and the Rashtriya Sewak Sangh shifted their headquarters from Amritsar to Jammu, and thousands of Sikh refugees, so called, began to infiltrate into Kashmir. These so-called Sikh refugees came from East and not West Punjab. They came armed with modern weapons and were provided with more weapons by the State authorities. They set about their foul business in Jammu and Poonch repeating the horrible drama that they had enacted in East Punjab and with the same type of characters playing the leading rôles.

"In the beginning of October, news of the bestial deeds perpetrated on the innocent people of Kashmir began to trickle through. In a short time the trickle became a torrent. Burning villages could be seen from the Murree Hills. Thousands of terror-stricken refugees poured into Pakistan.

"It was at this stage that the people of Kashmir, in sheer desperation, turned on their oppressors. Kashmiris, and specially the inhabitants of Poonch, have many relatives in Hazara and in West Punjab. Consequently feelings in certain parts of Pakistan rose very high and some people from the North-West Frontier Province and the tribal area, stirred by the atrocities in Kashmir, rushed to the aid of their brethren. It is the oppressed, enslaved and entrapped people of Kashmir struggling for their freedom and now for their lives and their sympathisers, whom the Indian Government

...ing to wipe out. The declared object of the India Government is to strengthen the Maharaja's hands. How bloodstained these hands are is quite well-known to the leaders of India, even though they may choose to forget this fact now.

"The stress has deliberately been shifted to the so-called raiders, as if the people of Kashmir themselves had suddenly slipped off their minds the memory of the century-old oppression, and had overnight become enamoured of their tyrannical oppressors. To present the rebellion of an enslaved people to the world as an invasion from outside simply because some outsiders have shown active sympathy with it, is a dishonest rewriting of history.

"Much has been made of modern arms that are alleged to have been used against the Army and a tall structure of insinuation and innuendo has been built on this detail. It is, however, forgotten that many of those who are fighting the invading troops of India come from the 60,000 *ex-Army* men of Poonch who are not incapable of capturing the arms of their enemy.

"Let us, therefore, not be misled by the laboured picture, so elaborately drawn, of the 'gallant' Indian Army saving the beautiful land of Kashmir and its people from invading hordes. It is not invading hordes but the patriots of Kashmir that the Indian Army is shooting and bombing. It is not Kashmir but a tottering despot that the Indian Government and their camp-followers are trying to save.

"In his broadcast, the Prime Minister of India has been tilting at windmills. The armies of Pakistan have not marched into Kashmir as the armies of India, in one guise or another, marched into Junagadh and Manavadar when these States acceded to Pakistan. The India Government regarded the accession of Junagadh to Pakistan as a threat to their security.

The accession of Kashmir to India is a much greater threat to the security of Pakistan. We do not recognise this accession. The accession of Kashmir to India is a fraud, perpetrated on the people of Kashmir by its cowardly Ruler with the aggressive help of the India Government.

"The release of Sheikh Abdulla who had been convicted of his treason, and the continued imprisonment of Muslim Conference leaders who had been convicted of mere technical offences, is only a part of the conspiracy. When the history of this tragic episode comes to be written, it will reveal the treachery of many self-styled patriots and lovers of justice. But the patriots of Kashmir will sooner or later prick this bubble, no matter how strong the forces arrayed against them. Our heart goes out to them—our brethren in this mortal struggle, for the choice before them now is freedom or death. If the plans of their enemies succeed, they will be exterminated as Muslims in various other parts of India have been exterminated. It is presumably after such extermination that the India Government propose that a referendum should be held. What use is a referendum after the voters have been driven away from their homes, or silenced in death?

"The world knows how we have consistently and repeatedly tried to reach a better understanding with the Kashmir Government. The Kashmir Government have ignored or rejected all these approaches. On October 2nd I suggested to the Prime Minister of Kashmir that all questions outstanding between the two States, including that of supplies under the standstill agreement and mutual accusations of border raids, should be discussed by representatives of the two Governments. The Prime Minister of Kashmir replied that at the moment he was too busy to discuss these matters. Nevertheless we sent a representative to Srinagar to discuss these matters with the State. The Prime Minister, however, refused to hold discussions with him and he had to return.



On October 14th the Prime Minister of Kashmir in a telegram to me threatened that unless Pakistan agreed to an impartial inquiry he would be compelled to ask for outside assistance to withstand the unfriendly acts of Pakistan people on his border. I at once accepted the proposal for an impartial inquiry, and asked the Prime Minister of Kashmir to nominate a representative for this purpose.

"The Government of Kashmir have since made no further reference to this matter. On October 20th Mr. Jinnah in reply to a telegram from the Kashmir Government, called attention to the repeated attempts of Pakistan to improve its relations with Kashmir and asked the Prime Minister of Kashmir to come to Karachi and talk things over. No reply was sent to this request.

"Mr. Jinnah also pointed out that the threat to call in outside help amounted almost to an ultimatum, and showed that the real aim of the Kashmir Government's policy was to seek an opportunity to join the Indian Union by means of a *coup d'etat*.

"The refusal of the Kashmir Government to send a representative to discuss things and to nominate a representative for an impartial inquiry and their failure to reply to Mr. Jinnah's invitation to the Prime Minister to come to Karachi, their deliberate causing of disturbances in their State by employing their troops to attack Muslims, the fact that by 9 a.m. on the morning of the day on which Kashmir's accession was accepted Indian airborne troops had landed in Srinagar clearly show the existence of a plan for accession against the will of the people, possible only by occupation of the country by Indian troops.

"Even though all sorts of accusations were made against Pakistan by the Kashmir Government (and it was to redress these alleged wrongs that the India Government claims to have sent military aid to the Kashmir Government) yet at no stage did the Indian Dominion ask the Pakistan Government about these accusations and allegations or try to find a solution of this problem by joint consultation. It was only after India had accepted Kashmir's accession and sent forces into Kashmir that the Pakistan Government was informed of the action.

"After the unwarranted occupation of Kashmir by the India Government, Mr. Jinnah proposed that an immediate conference should be held in Lahore. It was to be attended by the Governors-General and the Prime Ministers of the two Dominions and the Maharaja and his Prime Minister. This invitation was accepted and the conference was to be held on October 29th. At the last minute the conference was postponed as Pandit Nehru fell ill. It was arranged then that the conference should be held on November 1st and attended by the Governors-General and the two Prime Ministers. This conference also did not take place because on the morning of November 1st again at the last minute we were informed that Pandit Nehru was not well enough to come to Lahore.

"In this way the idea of the conference receded into the background, so far as the Indian Dominion is concerned. If the India Government really wanted to discuss this most vital and urgent matter, surely the Deputy Prime Minister could have come in place of Pandit Nehru.

"On November 1st, Lord Mountbatten came to Lahore alone to attend the meeting of the Joint Defence Council and took the opportunity to see Mr. Jinnah. At this meeting certain suggestions were made to Lord Mountbatten, but no further communication has been received by me or Mr. Jinnah from the India Government. Instead, Pandit Nehru has chosen

to hurl across the world reckless accusations against the Pakistan Government, regardless of true facts. His broadcast was arranged after Lord Mountbatten's return to Delhi, and what the validity of his accusations is I have already told you. That is where the matter stands today. The issues are for you and the world to judge."

(14)

TELEGRAM, DATED THE 6TH (RECEIVED 7TH) NOVEMBER 1947, FROM PUNSG, LAHORE, TO FOREIGN, NEW DELHI.

Following for Pandit Nehru from Liaquat Ali Khan:—

Your telegrams, dated October 31st, and November 4th, regarding Kashmir.

In broadcast I made on evening of November 4th I gave a review of Kashmir situation and of events leading up to it. It is hardly necessary for me to go over the whole ground again or reply to your allegations in detail. But I must say that you are singularly misinformed about position in Jammu and Kashmir. In particular, your account of border incidents in Jammu and of conditions in Jammu is so contrary to facts that I can only conclude that Jammu and Kashmir Government are sedulously keeping truth away from you. Let me repeat that it is the Muslims in Jammu who are being massacred by the thousand every day with active assistance of State Police and military, who are also organising raids into West Punjab. When Kashmir Government made an offer of an impartial enquiry into these border incidents we accepted it at once. The Kashmir Government never broached the subject again. Your other allegations and insinuations are equally devoid of foundation and I emphatically repudiate them.

A day before your broadcast indicating policy of your Government a long discussion took place between Lord Mountbatten and the Qaid-e-Azam as a result of which the following proposals were put before Lord Mountbatten for communication to you and your Government:—

1. To put an immediate stop to fighting; the two Governors-General should be authorised and vested with full powers by both the Dominion Governments to issue a proclamation forthwith giving 48 hours notice to two opposing forces to cease fire. We have no control over forces of Provisional Government of Kashmir or tribesmen engaged in fighting but we will warn them in clearest terms that if they do not obey order to cease fire immediately the forces of both Dominions will make war on them.

2. Both the forces of Indian Dominion and tribesmen to withdraw simultaneously and with utmost expedition from Jammu and Kashmir State territory.

3. With sanction of two Dominions Governments the two Governors-General to be given full power to restore peace, undertake administration of Jammu and Kashmir State and arrange for plebiscite, without delay, under their joint control and supervision.

Lord Mountbatten promised to let me know your Government's reply to these proposals but we have heard no more about them. Your Government's policy is vague. I still ask your Government to let me have your reply to our definite proposals.

(15)

TELEGRAM, DATED THE 8TH NOVEMBER 1947. FROM FOREIGN, NEW DELHI, TO  
PRIME MINISTER, PAKISTAN, LAHORE.

For Prime Minister, Pakistan, from Prime Minister, India. Your telegram, dated 6th November, about Kashmir was received today.

2. I regret that I have to disagree completely with your account of what has happened or is happening in Jammu and Kashmir State. We have received and are receiving full information from our own representatives in both Jammu and Srinagar, and this convinces us that your information is wholly wrong.

3. I regret also the tone and content of your broadcast of 4th November regarding Kashmir which indicated no desire to find method of settlement. It was merely an indictment which has no relation to fact.

4. In the last paragraph of your telegram you say that Lord Mountbatten promised to let you know the views of the Indian Government to the proposals discussed between the two Governors-General but that you have heard no more about them. On this point there seems to have been a misunderstanding.

5. Lord Mountbatten on his return from Lahore gave me a full account of his talk with Mr. Jinnah and in particular of two important suggestions which had been discussed namely (one) the withdrawal of Indian Dominion troops and tribesmen from Kashmir, and (two), the holding of a plebiscite at the earliest possible date.

6. As regards the first proposal Lord Mountbatten told me that Mr. Jinnah desired that the withdrawal of the Indian Dominion troops and tribesmen should be simultaneous but that he, (Lord Mountbatten), had pointed out that it was clearly impossible for the Indian troops to withdraw from Kashmir Valley until the raiders had left Kashmir soil and law and order had been restored in Kashmir. Lord Mountbatten had also made it quite clear to Mr. Jinnah that the Government of India had no desire to retain troops in Kashmir for a moment longer than was necessary.

7. As regards the second point Lord Mountbatten reported that Mr. Jinnah had expressed the view that there was no hope of a fair plebiscite under the present Kashmir authorities. To meet this point Lord Mountbatten had suggested that it should be conducted under the auspices of U.N.O. Mr. Jinnah had put forward the counter-proposal that the two Governors-General should be given plenary powers to settle the matter. Lord Mountbatten had pointed out that it would be constitutionally improper for him to undertake this duty.

8. On the very day that I had this talk with Lord Mountbatten I made a broadcast in which the views of the Government of India on both these proposals were stated plainly and sincerely and I followed it up with a telegram to you indicating that they might form the basis of discussion at our next talk.

9. It is thus clear beyond any shadow of doubt that we did in fact put forward definite proposals as a basis for discussion between us, as soon as possible after Lord Mountbatten's return from Lahore.

10. I would have been glad to explain to you personally, at the meeting that had been arranged for tomorrow, the proposals we had put forward and the reasons for our inability to accept the proposals made to

Lord Mountbatten by Mr. Jinnah. But since, unfortunately, you are unable to come, I must let you have my views upon them. They are as follows.

11. As regards your proposals one and two:—a number of well-armed raiders have entered Kashmir to the accompaniment of massacre, arson and loot. Our troops have been sent there to drive out these raiders and protect Kashmir. So long as these raiders remain there, and law and order have not been established, our troops must discharge their duty. Afterwards they will be withdrawn, as I have already undertaken.

12. The raiders are either under your control, or they are not. If they are under your control you should withdraw them and, in any event, stop them coming through Pakistan territory into Kashmir. If they are not under your control and you can do nothing to stop them, then surely we are entitled to deal with them as we think best.

13. As regards proposal number three in your telegram of 6th October, we entirely endorse Lord Mountbatten's view (*vide* paragraph seven above).

14. It will thus be seen that our proposals which we have repeatedly stated are:—(one) that the Government of Pakistan should publicly undertake to do their utmost to compel the raiders to withdraw from Kashmir; (two) that the Government of India should repeat their declaration that they will withdraw their troops from Kashmir soil as soon as the raiders have withdrawn and law and order are restored; (three) that the Governments of India and Pakistan should make a joint request to U.N.O. to undertake a plebiscite in Kashmir at the earliest possible date.

15. The above conclusions relate only to Kashmir, but it is essential, in order to restore good relations between the two Dominions that there should be acceptance of the principle that, where the ruler of a State does not belong to the community to which the majority of his subjects belong, and where the State has not acceded to that Dominion whose majority community is the same as the State's, the question whether the State should finally accede to one or the other of the Dominions should be ascertained by reference to the will of the people.

16. The Major-General commanding our forces in Jammu and Kashmir has been given the most explicit orders to do everything in his power to ensure that no victimisation of any community is permitted.

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(16)

Mr. Liaquat Ali Khan, Prime Minister of Pakistan, on November 16th, issued the following Statement:—

"I have seen the press report of the speech made by the Deputy Prime Minister of India at a public meeting at Rajkot on November 12th and his subsequent speech at Junagadh, in the course of which he made various unfounded allegations against Pakistan, tried to justify the acts of aggression committed by the Indian Government in Manavadar, Junagadh and Kashmir, and threatened Hyderabad with similar aggression.

"I do not propose to emulate Mr. Patel by indulging in vituperative invectives or boastful threats. My firm and undeviating objective, as also the objective of the Pakistan Government, is to eliminate by peaceful and

honourable means all existing causes of friction between the two Dominions and to establish conditions which would enable ourselves and our Indian neighbours to live in friendliness and amity.

"I believe that a true understanding between the two countries can be based only on a clear and dispassionate appreciation of the facts of the present situation. It is with a view to promoting such an understanding that I propose to restate the position of the Pakistan Government in respect of the States over which the present disputes have arisen.

"Hundreds of States, including States such as Kapurthala, had a Muslim majority in the population, acceded to the Indian Union, but in no case did the Pakistan Government interfere in any way. Junagadh was the first State to accede to Pakistan and at once the India Government started on a campaign of vilification, threats and economic blockade. When these weapons did not succeed in intimidating the Junagadh State, a 'Provisional Government' for Junagadh was set up on Indian soil and its first act was to occupy the Junagadh State property in Rajkot, which is the seat of the India Government's Regional Commissioner.

"By infiltration tactics and other aggressive means, the 'Provisional Government', proceeded to violate the territory of Junagadh with the help of troops, many of whom were drawn from the Indian Army. Conditions were created in which it became impossible for the Junagadh Administration to function. Finally, on the alleged request of the Dewan, the administration was taken over and Junagadh was occupied by the armed forces of India.

"The indisputable legal position is that, in view of the State's accession to Pakistan, the Dewan had no right to proffer and the India Government had no right to accept the so-called invitation to the India Government to take over the administration of the State.

"In spite of the gravest provocation, we have refrained from any action which should result in armed conflict. We could with full justification and legal right, have sent our forces to Junagadh, but at no time since the accession of the State was a single soldier sent by us to Junagadh and our advice throughout to the State authorities was to exercise the greatest restraint.

"Manavadar, another State which had acceded to Pakistan, and Mangrol and Babariawad, have also been occupied by Indian troops.

"In the Kashmir dispute, too, we have repeatedly urged a peaceful settlement by negotiation. The Muslims of Jammu and Kashmir have suffered grievously under the Maharaja's Government. Thousands have been killed, Muslim women have been abducted in large numbers and over 100,000 Muslims have been driven out of their homes into Pakistan in a cruel and inhuman manner.

"This destruction of Muslim life, honour and property, is still continuing by armed mobs with the help of the State and India Union forces, with the set purpose of eliminating the Muslim population from the State, and thousands of refugees are pouring into Pakistan. Dogra troops and gangsters from the State have made numerous incursions into our territory in West Punjab.

"We made repeated attempts to persuade the Kashmir Government to discuss these questions with us, but they were determined to join the Union of India against the will of the people of Kashmir by a *coup d'etat*.

"The India Government, in direct and clear repudiation of the principles on which they had questioned the accession of Junagadh to Pakistan, and without any reference to, or consultation with the Pakistan Dominion, whose

security is vitally affected by events in Kashmir, occupied Kashmir by military force and have, since the very first day of their entry into Kashmir, been endeavouring in putting down the Muslims there by force.

“Pakistan territory itself has been twice violated by the Indian forces. Bombs have been dropped in our territory in the vicinity of the Kohala bridge and our police post at Ghari-Habibullah, in the Hazara district, has been machine-gunned by the Indian Air Force.

“Immediately after the unwarranted occupation of Kashmir by the India Government, a conference between the two Governors-General and the Prime Ministers of the two Dominions and the Maharaja and his Prime Minister was arranged at the instance of the Qaid-e-Azam on October 29th. At the last minute this conference was postponed as Pandit Jawaharlal Nehru fell ill. Another conference was then arranged for November 1st, but this also did not take place because Pandit Jawaharlal Nehru could not attend it.

“On November 1st the Qaid-e-Azam met Lord Mountbatten and put forward the following proposals for the consideration of the Government of India:

“First, to put an immediate stop to fighting, the two respective Governments to issue a proclamation forthwith, giving 48 hours' notice to the opposing forces to cease fire.

“We made it clear that we had no control over the forces of the ‘Provisional Government of Kashmir’ or the tribesmen engaged in fighting, but we were prepared to warn them in the clearest terms that if they did not obey the order to cease fire immediately, the forces of both Dominions would make war on them.

Secondly, both the forces of the Indian Dominion and the tribesmen should withdraw simultaneously and with the utmost expedition from the State territory.

“Thirdly, the two Governors-General should be vested with full powers by the two Dominion Governments to restore peace, undertake the administration of Jammu and Kashmir States and arrange for a plebiscite without delay, under their joint control and supervision.

“These were eminently reasonable proposals. We made them at the risk of incurring the hostility of the Frontier tribes, whose feelings had been intensely aroused over the atrocities committed on their brethren in Kashmir.

“The day after these proposals reached India Government the Prime Minister of India, instead of sending a reply officially, gave a vague and evasive idea of his solution of the Kashmir question in a broad, merely harping on the slogan of plebiscite, but disregarding everything else.

“After waiting for some days, I sent a reminder. The India Government's official reply showed that they were not prepared to accept any of our suggestions. On the contrary, it was categorically stated that they would first drive out all the so-called raiders by force of arms, and as a recent telegram shows, they are not even prepared to have a discussion until this has been done.

“We have made repeated efforts to have a conference with the India Dominion to bring about a peaceful settlement, but, on one pretext or another, the India Government, with the might of military power behind them, have flouted the idea. The attitude of the India Government indicates that they are determined to force a military decision on Kashmir and to reduce the plebiscite to a farce by eliminating the Muslim population by the cruel methods which are now in operation.

"Indeed, it now seems extremely doubtful if there will be any attempt at all to ascertain the wishes of the people of Kashmir. Speaking to pressmen at Srinagar on November 10th, during Pandit Jawaharlal Nehru's visit to that place, Sheikh Abdullah was reported to have observed that there may not be a referendum at all.

"While this Quisling, who has been an agent of the Congress for many years, struts about the stage bartering away the life, honour and freedom of his people for the sake of personal profit and power, the true leaders of the Muslims of Kashmir are rotting in jail. His statement reveals an uneasy realisation that, despite all the repression, the verdict of the people of Kashmir will go in favour of accession to Pakistan.

"There is not the slightest doubt that the whole plot of the accession of Kashmir to India was preplanned. It cannot be justified on any constitutional or moral grounds. It is quite clear now that what the India Government are after is permanent occupation of Kashmir. They can maintain this unjust occupation only by liquidation of the Muslim population of Jammu and Kashmir, who are now suffering military repression in its worst form and who are struggling for their freedom and indeed, for their very existence against heavy odds.

"The India Government's whole conduct is based on 'might is right', and on the belief that Pakistan is unable to fight them. If the India Government are allowed to follow their imperialist land-grabbing policy, this will have repercussions not only in Asia, but throughout the world.

"The fundamental principle of the Charter of the United Nations is to prevent might prevailing over right. The whole dispute should, therefore, be brought before the bar of international opinion."

"We are ready to request U.N.O. immediately to appoint its representatives in Jammu and Kashmir State in order to put a stop to fighting and to the repression of Muslims in the State, to arrange the programme of withdrawal of outside forces, to set up an impartial administration of the State till a plebiscite is held and to undertake the plebiscite under its direction and control for the purpose of ascertaining the free and unfettered will of the people of the State on the question of accession.

"We are prepared to accept a similar solution of the dispute regarding Manavadar and Junagadh."

(17)

TELEGRAM, DATED 21ST NOVEMBER 1947, FROM FOREIGN, NEW DELHI, TO PUNSG, LARE.

From Prime Minister, India, for Prime Minister, Pakistan.

Your telegram, dated 19th November. I have nothing to add to what I have already said regarding the so-called agreement in my telegram, dated 13th November. I have been assured by parties concerned that this was no agreement at all but points noted down for discussion.

2. Immediately after the accession of Kashmir State to India we were entirely occupied, militarily and otherwise, in the Kashmir Valley and we were not in touch with the Jammu situation. We came to learn later that two convoys of Muslims had been brutally attacked in Jammu. We took immediate steps to prevent evacuation of Muslims from Jammu and to protect them there. Another convoy had started already but this was guarded by our troops and when this was attacked our troops inflicted very heavy

casualties on the attackers, killing 150 of them, wounding nearly a hundred and capturing 500 of them. Since then there has been no evacuation, no convoys and no attacks. We have issued strictest possible instructions to Commander of our forces that they should do everything possible to protect Muslims in Jammu and these orders have been carried out with success during the last fortnight. We deeply regret the attacks on Muslim convoys early in November and heavy casualties suffered by them. We should like to point out, however, that no troops of the Indian Union have been guilty of offences that you attribute to them. They have effectively protected Muslims. It appears that attacks on Muslim convoys were made chiefly by non-Muslim refugees.

3. Sheikh Abdullah has visited Jammu recently and has taken effective steps there to afford safety and security to the residents.

4. The Poonch area, according to the information available to us, has been overrun by raiders, and garrisons of State troops are mostly isolated and besieged. It is difficult to understand, therefore, how local Muslim population in this area could be victimized by non-Muslims.

5. We are quite sure that soldiers of Indian Union forces in Kashmir have afforded protection to Muslims according to strict directions, or have been engaged in fighting raiders.

6. As regards troops of States that have acceded to the Indian Union, some of these were sent to Kashmir State but they arrived after the attacks on Muslim convoys referred to above. There has been no allegation to our knowledge that they have participated in attacks on Muslims and indeed they have not been physically in a position to do so.

7. I should like to draw your attention to certain resolutions passed recently by All-India Congress Committee in Delhi defining the policy to be pursued in regard to migration of population, refugees, etc. These resolutions represent generally the policy of our Government.

8. Your statement that we are not prepared to have discussion until raiders have been driven out of Kashmir must be based on some misunderstanding. We are ready for a discussion at any time. All that I have said, and would repeat, is that a settlement of the Kashmir issue cannot take place unless the raiders are made to leave Kashmir State territory.

9. I must express my great regret at the remarks you have made in your press statement about Sheikh Abdullah. I regard him as a man of high integrity and patriotism. You know well his great influence in Kashmir. All communities ~~took up~~ to him but more specially and naturally the Muslims of Kashmir. He has faced a very difficult situation with remarkable courage and ability. He is now head of the Kashmir Administration and undoubtedly represents in a very large measure the popular will of Kashmir. It would be improper in every way for us not to consult him in any matter relating to Kashmir State.

10. The specific suggestions regarding reference to the United Nations in your press statement are:

(i) "That U.N.O. should immediately appoint representatives in Jammu and Kashmir in order to put a stop to fighting, and to repression of Muslims in the State." ~~Since United Nations have no~~ (repeat no) forces at their disposal, we do not see how they can put a stop to the fighting or to the alleged repression of Muslims. This can only be done by an organised military force, and is being done by our troops. The fighting would also stop as soon as the raiders were made to withdraw and I have repeatedly asked your co-operation in stopping transit and supplies to raiders through Pakistan territory.



(ii) "To set up an impartial administration of the State." It is not clear to me what U.N.O. can do in the present circumstances in Kashmir till peace and order have been established. We are convinced that Sheikh Abdullah's administration is based on the will of the people and is impartial. Anyone who goes to Kashmir and sees things for himself can appreciate this. Moreover, we have pledged that, so long as our forces are in Kashmir, protection of all sections of the community will be their first and sacred duty. This duty will be discharged without fear or favour.

(iii) "To undertake the plebiscite under its direction and control for the purpose of ascertaining the free and unfettered will of the people of the State on the question of accession." I have repeatedly stated that as soon as the raiders have been driven out of Kashmir or have withdrawn and peace and order have been established, the people of Kashmir should decide the question of accession by plebiscite or referendum under international auspices such as those of the United Nations. It is clear that no such reference to the people can be made when large bodies of raiders are despoiling the country and military operations against them are being carried on. By this declaration I stand.

11. I have said enough to reassure you regarding our resolve to protect the Muslim population of Kashmir and of our desire to have the people of Kashmir themselves decide their own future under fair and equitable conditions. I would repeat that we are ready for a discussion at any time. But if a discussion is to lead to a settlement the raiders must be out of Kashmir State. We cannot leave the people of Kashmir unguarded and in danger of attack. We have pledged our word to protect them.

12. In your press statement you have said that you have no control of the tribesmen engaged in fighting in Kashmir. Even so it should be possible for you to deny them access to Kashmir through your territory, and also to stop supplies of commodities like petrol which, *prima facie*, they could not obtain from any source outside Pakistan. If you have no control over the raiders and we do not stop and drive them out, then indeed we are reduced to a state of affairs when all governments cease to function and the raider, and looter and the killer become masters of the situation. That surely cannot be tolerated by our government or yours.

13. I did not suggest that the Pakistan Army was participating officially in the raid. We possess, however, incontrovertible evidence that members of the Pakistan Army, whether on leave or deserters, have joined the raiders, and that the military equipment which can only have come from the Pakistan Army has been in possession of the raiders.

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(18)

TELEGRAM, DATED (AND RECEIVED) THE 25TH NOVEMBER 1947, FROM PUNSO, LAHORE, TO FOREIGN, NEW DELHI.

From Foreign, Camp, Lahore.

Following for Prime Minister, India, from Prime Minister, Pakistan.

Your telegram, dated November 21st. I regret to say that your telegram is full of evasion and contradictions and it is difficult to get a concrete plan of action out of it. I am extremely sorry that you still support Sheikh Abdullah who you know is a Quisling and a paid agent to disrupt the Mussulmans of Kashmir.

(19)

PANDIT NEHRU'S STATEMENT ON KASHMIR IN THE CONSTITUENT ASSEMBLY  
(LEGISLATIVE) ON 25TH NOVEMBER 1947.

I am glad to have this opportunity of explaining to the House the course of events that have led to our intervention in Kashmir with the aid of armed forces, and the attitude of the Government of India to the grave problems that have arisen in that State.

The House is aware that on the lapse of Crown Paramountcy on the 15th August, this year, Kashmir did not accede to either Dominion. We were of course vitally interested in the decision that the State would take. Kashmir, because of her geographical position with her frontiers marching with three countries, namely, the Soviet Union, China and Afghanistan, is ~~intimately~~ connected with the security and international contacts of India. Economically also Kashmir is intimately related to India. The caravan trade routes from Central Asia to India pass through Kashmir State.

Nevertheless we did not put the slightest pressure on the State to accede to the Indian Dominion because we realised that Kashmir was in a very difficult position. We did not want a mere accession from the top but an association in accordance with the will of her people. Indeed we did not encourage any rapid decision. Even in regard to a standstill agreement no speedy steps were taken by us although the matter was under consideration, even though Kashmir had entered into a standstill agreement with Pakistan soon after the 15th August.

We learnt later that serious external pressure was being applied on Kashmir by the Pakistan authorities refusing to send to Kashmir supplies vital to the needs of the people, such as foodgrains, salt, sugar and petrol. Thus an attempt was being made to strangle Kashmir economically and thus force her to accede to Pakistan. This pressure was serious because it was not easy for Kashmir to obtain these essential supplies from India on account of the difficulty of communications.

In September news reached us that tribesmen of the North-West Frontier Province were being collected and sent to the Kashmir border. In the beginning of October events took a grave turn. Armed bands moved into Jammu Province from the neighbouring districts of West Punjab, committed serious acts of depredation on the local inhabitants, burnt villages and towns and put a large number of people to death. Refugees from these areas poured into Jammu.

On the Jammu side of the border the local inhabitants, who are chiefly Hindu and Rajput in that area, took retaliatory measures and drove out the Muslims living in those border villages. In these border conflicts a very large number of villages were destroyed or burnt by both parties on either side of the frontier.

The raiders from West Punjab into Jammu Province were increased in numbers and spread out over that province. The Kashmir State Army which had to meet these raids at numerous points soon found itself broken into small fragments and gradually ceased to be a fighting force. The raiders were highly organised, had competent officers and modern arms. They succeeded in occupying a considerable part of Jammu Province, more especially in the Poonch Area. Poonch Town, Mirpur, Kotli and some other places held out.

About this time the State authorities asked us to supply them with arms and ammunition. We agreed to do so in the normal course. But in fact no supply was made till events took a more serious turn. Even at this stage no mention was made of accession to India.

The leader of the popular organisation in Kashmir, Shaikh Mohammad Abdullah, President of the Kashmir National Conference, was released from prison during this period and we discussed the situation in Kashmir with him as well as with representatives of the Maharaja of Kashmir. We made it clear to both of them that while we would welcome the accession of Kashmir we did not want any hurried or forced accession and we would rather wait for the people to decide. Shaikh Abdullah was himself of this opinion.

On the 24th October we heard that large armed bands consisting both of tribesmen from the Frontier and ex-servicemen had broken through Muzaffarabad and were marching to Srinagar. These raiders had crossed Pakistan territory and they were equipped with Bren Guns, Machine Guns, mortars and flame-throwers, and had at their disposal a large number of transport vehicles. They moved rapidly down the Valley, sacking and burning and looting all along the way. We gave earnest consideration to this situation in our Defence Committee on the 25th and 26th October. The position on the 26th morning was that the raiders were marching towards Srinagar and there was no military detachment capable of stopping them. They had been stopped for two days near Uri by the State forces under a gallant commander who resisted this advance to the point of death. These two days thus gained were very valuable.

We were asked at this stage both on behalf of the Maharaja and Sheikh Abdullah to accept the accession of the State to the Indian Union and to intervene with the armed forces of the Union. An immediate decision was necessary, and in fact it is now clear that if we had delayed the decision even by 24 hours Srinagar would have fallen and would have suffered the tragic fate that befell Muzaffarabad, Baramulla and other places. It was clear to us that we could not possibly accept under any circumstances this ruin of Kashmir by brutal and irresponsible raiders. This would have been a surrender to frightfulness and fanaticism of the worst type and it would have had the most serious consequences all over India. To intervene at that stage was no easy matter and was full of risks and danger. Yet we decided to face this risk and intervene because any other course would have meant ruin to Kashmir and danger to India.

In accepting the accession, however, we made it perfectly clear to the Maharaja that his Government must be carried on in future according to the popular will and that Shaikh Abdullah should be charged with the formation of an interim government on the new model adopted in Mysore. Shaikh Abdullah, in our opinion, had undoubtedly the support of the large majority of the people of Kashmir, Muslims, Hindus and Sikhs. Further, we made it clear that as soon as law and order had been restored in Kashmir and her soil cleared of the invaders, the question of the State's accession should be settled by reference to the people.

I shall not detain the House by dealing with the course of the military campaign that followed. The facts are well-known and redound to the credit of our military organisation, our troops and our airmen. It must be remembered also that our operations have been very largely based on air transport in difficult circumstances. Our civil air-lines and their air-crews functioned with remarkable success.

One fact, however, which contributed to our success at least as much as the military operations was the maintenance, under the leadership of Sheikh Abdullah, of the civil administration and the morale of the civil population. The civil population, completely unarmed, with the enemy within a few miles of the city, behaved in a manner which showed extraordinary courage and coolness. They did so because they had a great leader and because

Hindus, Muslims and Sikhs all joined together under him to throw back the enemy and to save Kashmir, their common heritage. This fact is one of the most remarkable events of recent times in India and one from which the rest of the country may take a profitable lesson. It was certainly a factor of the most vital importance in the saving of Srinagar.

The present position is that our troops have relieved Poonch and are within 8 miles of Kotli. The terrain in which they are functioning is difficult and mountainous and the roads and approaches have been destroyed by the raiders. Progress is therefore slow. In this Poonch area occupied by the raiders, several massacres of the non-Muslim inhabitants have taken place involving large numbers of persons.

I should like to say here that certain events happened near Jammu early in November which I regret very deeply. The Muslim convoys of evacuees were being taken away from Jammu when they were attacked by non-Muslim refugees and others and a large number of casualties were inflicted. The troops escorting them did not play a creditable rôle. I might add that none of our troops were present or had anything to do with this. We have issued the most stringent orders to our troops to protect the people, to function with impartiality and indeed to make friends with the local population. I am glad to say that they have carried out these instructions.

The House is aware that the Pakistan Government has protested emphatically against our action in Kashmir. In doing so they have used language which is not becoming in any government and have alleged fraud and conspiracy on our part. I need only say that I am completely convinced that every action that the Government of India have taken in regard to Kashmir has been straight and above board and I can defend it at any time before the world. We have indeed been over-scrupulous in this matter so that nothing may be done in the passion of the moment which might be wrong. The behaviour of our army has all along been good and worthy of our traditions.

I cannot say this of the Pakistan Government. Their case is that the genesis of the trouble was extensive killing of Muslims in Eastern Punjab and Kashmir and that the raid on Kashmir was a spontaneous reaction to this on the part of the tribesmen. I think this is completely untrue. I regret deeply that in parts of Jammu province Muslims were killed and driven out. This of course has had nothing to do with our government or our forces. But this mutualkilling has been a very tragic feature during these past months in the Punjab, and Jammu was powerfully affected by this. We have sufficient evidence in our possession to demonstrate that the whole business of the Kashmir raids both in Jammu province and in Kashmir proper was deliberately organised by high officials of the Pakistan Government. They helped the tribesmen and *ex-servicemen* to collect, they supplied them with implements of war, with lorries, with petrol and with officers. They are continuing to do so. Indeed their high officials openly declare so. It is obvious that no large body of men could cross Pakistan territory in armed groups without the goodwill, connivance and active help of the authorities there. It is impossible to escape the conclusion that the raids on Kashmir were carefully planned and well-organised by the Pakistan authorities with the deliberate object of seizing the State by force and then declaring accession to Pakistan. This was an act of hostility not only to Kashmir but to the Indian Union. It is only necessary to see the semi-official organs of the Muslim League and the Pakistan Government to find out the attitude of that government. If we had allowed this scheme to succeed, we would have been guilty of betrayal of the people of Kashmir

and a grave dereliction of duty to India. The results of these on the communal and political situation all over India would have been disastrous.

The Pakistan Government have proposed a simultaneous withdrawal of our forces and the raiders from Kashmir. This was a strange proposal and could only mean that the raiders were there at the instance of the Pakistan Government. We cannot treat with free-booters who have murdered large numbers of people and tried to ruin Kashmir. They are not a State, although a state may be behind them. We have gone to Kashmir to protect the people and as soon as this duty is discharged our forces need not remain there and we shall withdraw our forces. We cannot desert the people of Kashmir till danger is passed. If the Pakistan Government is sincere they can stop the entry of these raiders and thus accelerate the return of peace and order. After that let the people of Kashmir decide and we shall accept their decision. But if this armed conflict continues no opportunity is given for the people to decide by peaceful means and the decision gradually takes shape by the sacrifice and power of the people in this conflict.

In order to establish our *bona fides* we have suggested that when the people are given the chance to decide their future this should be done under the supervision of an impartial tribunal such as the United Nations Organisation.

The issue in Kashmir is whether violence and naked force should decide the future or the will of the people. The raiders, encouraged by Pakistan, have sought to enforce by the sword accession to Pakistan against the obvious wishes of large numbers of the people in Kashmir. We cannot permit a success of this method to achieve political ends. It is a tragedy that Pakistan should ally itself to such methods instead of devoting herself to the urgent tasks of economic and social reconstruction.

Kashmir has gone through fire and I am sure that the House would like me to communicate their sympathy to the people of Kashmir for the tribulations they have been going through in recent weeks. This fair land which nature has made so lovely has been desecrated by people who have indulged in murder, arson, loot and foul attacks on women and children. The people have suffered greatly from shortage of the most vital necessities of life and yet, under the inspiring lead of Sheikh Abdullah, they have stood together in the hour of calamity and showed to the rest of India an example of what communal unity can achieve. Whatever the future may hold, this chapter in the history of Kashmir will be worth reading and we shall never regret that in their hour of distress we have been able to be of assistance to this gallant people. Kashmir and India have been bound together in many ways from ages past. These last few weeks have forged a new link which none can sunder.

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(20)

TELEGRAM, DATED THE 2<sup>ND</sup> DECEMBER 1947, FROM FOREIGN, NEW DELHI, TO PUNSG, LAHORE.

For Mr. Liaquat Ali Khan from Jawaharlal Nehru.

Please see my immediately preceding telegram. I have received information that there are in Gujarat District some 2,000 Hindu women abducted from Bhimbar area and that they are being sold like cattle at about Rs. 150 each. This traffic is, I am sure, as revolting to you as it is to me and I would earnestly ask you to take all possible steps to see that these unfortunate women are rescued and evacuated to India. I understand that our Deputy High Commissioner in Lahore is contacting the Inspector-General of Police, West Punjab, in the matter.

(21)

TELEGRAM, DATED THE 3RD DECEMBER 1947, FROM FOREIGN, NEW DELHI, TO  
PRIME MINISTER, PAKISTAN, LAHORE.

For Mr. Liaquat Ali Khan from Jawaharlal Nehru.

I have been drawing your attention to large concentrations of tribesmen and others in West Punjab near the border of Kashmir State and to the abduction of large numbers of women from Kashmir who are being offered for sale in West Punjab. During the last few days while we were supposed to be discussing possible terms for a settlement, these concentrations have been encouraged and additional raiders have been sent into Kashmir who have massacred thousands of persons there. We have reliable evidence about the part that officials of the Pakistan Government are taking in organising this invasion of Kashmir territory. I feel I must inform you that this is creating a very grave situation in regard to India—Pakistan relations. The Government of India cannot tolerate the continuance of the use of Pakistan territory for organising murderous raids into a part of Indian Dominion territory and must consider it as an act of hostility. This you will appreciate might involve far-reaching consequences. It is hardly possible to conduct any negotiations while this state of affairs lasts. In spite of repeated requests from us to you there has been no attempt on the part of the Pakistan Government to withdraw raiders or to express its disapproval of their action.

(22)

TELEGRAM, DATED THE 4TH (RECEIVED 5TH) DECEMBER 1947, FROM PUNSG,  
LAHORE, TO FOREIGN, NEW DELHI.

From Foreign Camp, Lahore, addressed Foreign, New Delhi.

For Pandit Jawaharlal Nehru from Liaquat Ali Khan.

I have received your telegram, dated December 2nd, on return from Rawalpindi today. I am greatly distressed to read their contents and am taking immediate steps to have an investigation into matter. I have issued orders that any non-Muslims moving from Jammu, Kashmir State into Pakistan territory should be collected in camps and given adequate protection until they are evacuated. I am at one with you in my abhorrence of all crimes against women.

2. When I was in Sialkot on November 30th and December 1st and in Rawalpindi on 3rd and 4th December I was told most harrowing stories about Muslims in Jammu, Kashmir State. According to all reports I received Muslim population of large number of towns and villages in Jammu has been massacred and total of killed runs into six figures. The abduction of Muslim women has taken place on a very large-scale and women from respectable families have been specially attacked but apart from abduction there are other aspects of treatment of Muslim women which are too shameful to put in writing. Until I had visited Sialkot and Rawalpindi and received first-hand evidence I had not realised full gravity of situation. The two Governments must as a matter of highest urgency concert measures to put a stop to this state of affairs.

(23)

TELEGRAM, DATED THE 12TH DECEMBER 1947, FROM FOREIGN, NEW DELHI,  
TO FOREIGN, KARACHI.

From Prime Minister, India, for Prime Minister, Pakistan.

Ever since my return from Lahore I have given the most earnest thought to the settlement of all outstanding matters in dispute between India and Pakistan. My colleagues share my desire for such a settlement which is essential for the well-being of both India and Pakistan. It is our good fortune that agreements have already been arrived at in regard for many matters in controversy. But you will appreciate that it is difficult to make any progress if conflict and suspicion continue between the two countries. Such conflict is likely to affect all our other relations and may lead to a deterioration of the situation.

2. The major cause of this conflict at present is Kashmir. We have discussed this matter with you at great length without resolving our differences or finding a way out of the impasse. I need not reiterate the arguments which have been repeatedly advanced in support of our position. You are fully seized of them.

3. We have given further thought, in the light of our discussion in Lahore, to the question of inviting the United Nations to advise us in this matter. While we are prepared to invite U.N.O. observers to come here and advise us as ~~to the proposed plebiscite~~, it is not clear in what other capacity the United Nations' help can be sought. According to your own declaration to us you are not parties to the present struggle in Kashmir. We cannot treat with irregular invaders as a State. No Government can deal with such raids which have brought death and destruction to Kashmir, except through military means. We owe an obligation to the people of Kashmir to restore peaceful and normal conditions and we have pledged ourselves to this end. We would gladly co-operate in an attempt to restore peace by settlement.

4. I trust that you will appreciate the logic and reasonableness of our position and our earnest desire to find a solution which is honourable to all concerned. I hope to meet you when you visit Delhi on the 22nd December to attend the next meeting of the Joint Defence Council and to discuss this matter further with you. I confess, however, that I find myself unable to suggest anything beyond what I have offered already, namely, to ask the U.N.O. to send impartial observers to advise us regarding the plebiscite.

I hope that your health continues to improve.

(24)

TELEGRAM, DATED THE 16TH AND RECEIVED 17TH DECEMBER 1947, FOREIGN,  
KARACHI, TO FOREIGN, NEW DELHI.

For Prime Minister, India, from Prime Minister, Pakistan. Your telegram, dated December 1st.

As you know I am most desirous for a settlement of all matters in dispute between India and Pakistan. So are my colleagues. And I agree with you that major issue outstanding between the two Dominions is Kashmir and as I pointed out before also Jungadh. During our discussions

in Delhi and Lahore I explained to you how vital a place Kashmir occupies in relation to Pakistan. The security of Pakistan is bound up with that of Kashmir, and ties of religion, cultural affinity and economic interdependence bind the two together still closer. The security and well-being of people of Kashmir is of highest importance to people of Pakistan. We are therefore vitally interested in peaceful and honourable conditions for people of Kashmir so that freed from all pressure, external or internal, they might of their own free-will decide to which Dominion they wish to accede. The test of any course of action would therefore be whether it leads to creation of conditions in which a really free plebiscite can be held. To my mind, the problem can only be solved by an act of statesmanship in the light of basic realities of situation and not by legal disputations as to how Pakistan is party to dispute or how U.N.O. can be brought in. I hope when we meet on December 22nd we shall be able to discuss matter in this spirit.

Many thanks for your enquiry about my health. I am feeling better now.

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(25)

THE PRIME MINISTER OF INDIA PERSONALLY HANDED OVER TO THE PRIME MINISTER OF PAKISTAN, THE FOLLOWING LETTER IN NEW DELHI, ON DECEMBER 22ND, 1947.

DEAR MR. LIAQUAT ALI KHAN,

1. On various occasions, I have drawn your attention to the aid which the raiders into Kashmir State are deriving from Pakistan. They have free transit through Pakistan territory. They are operating against Kashmir from bases in Pakistan. Their modern military equipment could only have been obtained from Pakistan sources; mortars, artillery and Mark V-mines are not normally the kind of armament which tribesmen possess. Motor transport, which the raiders have been using, and the petrol required for it, could also be obtained in Pakistan only. Food and other supplies are also secured from Pakistan; indeed, we have reliable reports that the raiders get their rations from military messes in Pakistan. According to our information, large numbers of these raiders are receiving military training in Pakistan, which could only be under officers of the Pakistan Army.

2. The forms of aid, enumerated in the preceding paragraph, which the raiders are receiving, constitute an act of aggression against India because they are being used against a State which has acceded to the Indian Dominion. The Government of India, while protesting against the action of the Pakistan Government in furnishing or allowing such assistance to be furnished, and urging that the Pakistan Government should stop such help and at least urge the raiders to withdraw, has so far taken no action itself which might involve entry by Indian forces into Pakistan territory. They have been hoping, all these weeks, though with diminishing hope, that the Pakistan Government themselves would put a stop to aid to the raiders which is of the nature of help to India's enemies. Since protests have failed to bear fruit, the Government of India now formally ask the Government of Pakistan to deny to the raiders:—

- (1) All access to and use of Pakistan territory for operations against Kashmir;
- (2) all military and other supplies;



(3) all other kinds of aid that might tend to prolong the present struggle.

3. The Government of India have always desired and still earnestly desire to live on terms of friendship with Pakistan. They sincerely hope that the request which they have now formally made will be acceded to promptly and without reserve. Failing such response, they will be compelled to take such action, consistently with the provisions of the United Nations Charter, as they may consider necessary to protect their interests, and to discharge their obligations to the Government and people of Kashmir.

Yours sincerely,  
JAWAHARLAL NEHRU.

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(26)

EXTRACT FROM TELEGRAM, DATED 26TH DECEMBER 1947, FROM FOREIGN, NEW DELHI, TO FOREIGN, KARACHI.

For Prime Minister, Pakistan, from Prime Minister, India.

I would draw your attention to the letter I gave to you personally on Monday, the 22nd, evening and would request a very early reply to it.

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(27)

TELEGRAM, DATED THE 31ST DECEMBER 1947, FROM PRIME MINISTER, NEW DELHI, TO PRIME MINISTER, PAKISTAN, KARACHI.

You will remember that, on 22nd December, I handed personally to you a letter regarding Kashmir. In my telegram to you (dated 26th December), I reminded you of the letter and repeated request for an early reply.

I regret to say that I have heard nothing from you so far, and, as we cannot afford to wait any longer, we are making a reference to the Security Council in terms of my immediately following telegram.

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(28)

TELEGRAM, DATED THE 31ST DECEMBER 1947, FROM FOREIGN, NEW DELHI, TO INDEMBASSY, WASHINGTON.

Please convey following message to the Chairman, Security Council of the United Nations, Lake Success, New York, immediately:—

*Begin.* 1. Under Article 35 of the Charter of the United Nations, any member may bring any situation, whose continuance is likely to endanger the maintenance of international peace and security, to the attention of the Security Council. Such a situation now exists between India and Pakistan owing to the aid which invaders, consisting of nationals of Pakistan and of tribesmen from the territory immediately adjoining Pakistan on the North-West, are drawing from Pakistan for operations against Jammu and Kashmir, a State which has acceded to the Dominion of India and is part of India. The circumstances of the accession, the activities of the invaders which led the Government of India to take military action against them, and the assistance which the attackers have

received and are still receiving from Pakistan are explained later in this memorandum. The Government of India request the Security Council to call upon Pakistan to put an end immediately to the giving of such assistance which is an act of aggression against India. If Pakistan does not do so, the Government of India may be compelled, in self-defence, to enter Pakistan territory, in order to take military action against the invaders. The matter is therefore one of extreme urgency and calls for immediate action by the Security Council for avoiding a breach of international peace.

2. From the middle of September, 1947, the Government of India had received reports of infiltration of armed raiders into the western parts of the Jammu Province of the Jammu and Kashmir State; Jammu adjoins West Punjab which is a part of the Dominion of Pakistan. These raiders had done a great deal of damage in that area and taken possession of part of the territory of the State. On the 24th of October the Government of India heard of a major raid from the Frontier Province of the Dominion of Pakistan into the Valley of Kashmir. Some 2,000 or more fully-armed and equipped men came in motor transport, crossed over to the territory of the State of Jammu and Kashmir, sacked the town of Muzaffarabad, killing many people, and proceeded along the Jhelum Valley Road towards Srinagar, the summer capital of the Jammu and Kashmir State. Intermediate towns and villages were sacked and burnt, and many people killed. These raiders were stopped by Kashmir State troops near Uri, a town some 50 miles from Srinagar, for some time, but the invaders got round them and burnt the power house at Mahoora, which supplies electricity to the whole of Kashmir.

3. The position on the morning of the 26th of October was that these raiders had been held by Kashmir State troops and part of the civil population who had been armed, at a town called Baramula. Beyond Baramula there was no major obstruction up to Srinagar. There was immediate danger of these raiders reaching Srinagar, destroying and sacking the capital and massacring large numbers of people, both Hindus and Muslims. The State troops were spread out all over the State and most of them were deployed along the western border of Jammu Province. They had been split up into small isolated groups and were incapable of offering effective resistance to the raiders. Most of the State officials had left the threatened area and civil administration had ceased to function. All that stood between Srinagar and the fate which had overtaken places on the route followed by the raiders was the determination of the inhabitants of Srinagar, of all communities, practically without arms, to defend themselves. At this time, Srinagar had also a large population of Hindu and Sikh refugees who had fled there from West Punjab, owing to communal disturbances in that area. There was little doubt that the refugees would be massacred if the raiders reached Srinagar.

4. Immediately after the raids into Jammu and Kashmir State commenced, approaches were informally made to the Government of India for the acceptance of the accession of the State to the Indian Dominion. (It might be explained, in parenthesis, that Jammu and Kashmir form a State whose Ruler, prior to the transfer of power by Britain to the Dominions of India and Pakistan, had been in Treaty relations with the British Crown which controlled its foreign relations and was responsible for its defence. The Treaty relations ceased with the transfer of power on August 15th last, and Jammu and Kashmir like other States, acquired the right to accede to either Dominion.)

5. Events moved with great rapidity and the threat to the Valley of Kashmir became grave. On the 26th of October, the Ruler of the State, His Highness Maharaja Sir Hari Singh, appealed urgently to the Government of India for military help. He also requested that the Jammu and Kashmir State should be allowed to accede to the Indian Dominion. An appeal for help was also simultaneously received by the Government of India from the largest popular organisation in Kashmir, the National Conference, headed by Sheikh Abdullah. The Conference further strongly supported the request for the State's accession to the Indian Dominion. The Government of India were, thus, approached not only officially by the State authorities, but also on behalf of the people of Kashmir, both for military aid and for the accession of the State to India.

6. The grave threat to the life and property of innocent people in the Kashmir Valley and the security of the State of Jammu and Kashmir that had developed as a result of the invasion of the Valley demanded immediate decisions by the Government of India on both requests. It was imperative, on account of the emergency, that the responsibility for the defence of the Jammu and Kashmir State should be taken over by a Government capable of discharging it. But, in order to avoid any possible suggestion that India had taken advantage of the State's immediate peril for her own political advantage, the Dominion Government made it clear that, once the soil of the State had been cleared of the invader and normal conditions restored, its people would be free to decide their future by the recognised democratic method of a plebiscite or referendum, which, in order to ensure complete impartiality, might be held under international auspices.

7. The Government of India felt it their duty to respond to the appeal for armed resistance because:—

- (1) they could not allow a neighbouring and friendly State to be compelled by force to determine either its internal affairs or its external relations;
- (2) the accession of Jammu and Kashmir State to the Dominion of India made India legally responsible for the defence of the State.

8. The intervention of the Government of India resulted in saving Srinagar. The raiders were driven back from Baramulla to Uri and are held there by Indian troops. Nearly 19,000 raiders face the Dominion Forces in this area. Since the operations in the Valley of Kashmir started, pressure by the raiders against the western and south-western border of the Jammu and Kashmir State has been intensified. Exact figures are not available. It is understood however, that nearly 15,000 raiders are operating against this part of the State. State troops are besieged in certain areas. Incursions by the raiders into the State territory involving murder, arson, loot and the abduction of women continue. The booty is collected and carried over to the tribal areas to serve as an inducement to the further recruitment of tribesmen to the ranks of the raiders. In addition to those actively participating in the raids, a large number of tribesmen and others, estimated at 100,000 have been collected in different places in the districts of West Punjab bordering the Jammu and Kashmir State and many of them are receiving military training under Pakistan nationals, including officers of the Pakistan Army. They are looked after in Pakistan territory, fed, clothed, armed and otherwise equipped, and transported to the territory of the Jammu and Kashmir State with the help, direct and indirect, of Pakistan officials, both military and civil.

9. As already stated, raiders who entered the Kashmir Valley in October came mainly from the Tribal Areas to the North-West of Pakistan and, in order to reach Kashmir, passed through Pakistan territory. The raids along the south-west border of the State, which had preceded the invasion of the Valley proper, had actually been conducted from Pakistan territory and Pakistan nationals had taken part in them. This process of transit across Pakistan territory and the utilisation of that territory as a base of operations against the Jammu and Kashmir State continues. Recently, military operations against the western and south-western borders of the State have been intensified and the attackers consist of nationals of Pakistan as well as tribesmen. These invaders are armed with modern weapons, including mortars and medium machine-guns, wear the battle dress of regular soldiers and, in recent engagements, have fought in regular battle-formation and are using the tactics of modern warfare. Man-pack wireless sets are in regular use and even Mark V.-mines have been employed. For their transport, the invaders have all along used motor vehicles. They are undoubtedly being trained and, to some extent, led by regular officers of the Pakistan Army. Their rations and other supplies are obtained from Pakistan territory.

10. These facts point indisputably to the conclusions:—

- (a) that the invaders are allowed transit across Pakistan territory;
- (b) that they are allowed to use Pakistan territory as a base of operations;
- (c) that they include Pakistan nationals;
- (d) that they draw much of their military equipment, transport and supplies (including petrol) from Pakistan; and
- (e) that Pakistan officers are training, guiding and otherwise actively helping them.

There is no source other than Pakistan from which they could obtain such quantities of modern military equipment, training or guidance. More than once, the Government of India had asked the Pakistan Government to deny to the invaders facilities which constitute an act of aggression and hostility against India, but without any response. The last occasion on which this request was made was on the 22nd December, when the Prime Minister of India handed over personally to the Prime Minister of Pakistan a letter in which the various forms of aid given by Pakistan to the invaders were briefly recounted and the Government of Pakistan were asked to put an end to such aid promptly and without reserve. No reply to this letter has yet been received, in spite of a telegraphic reminder sent on the 26th.

11. It should be clear from the foregoing recital that the Government of Pakistan are unwilling to stop the assistance in material and men which the invaders are receiving from their territory and from their nationals including Pakistan Government personnel, both military and civil. This attitude is not only unneutral, but constitutes active aggression against India, of which the State of Jammu and Kashmir forms a part.

12. The Government of India have exerted both persuasion and exercised patience to bring about a change in the attitude of Pakistan. But they have failed, and are, in consequence, confronted with a situation in which their defence of the Jammu and Kashmir State is hampered and their measures to drive the invaders from the territory of the State are gravely impeded by the support which the raiders derive from Pakistan. The invaders are still on the soil of Jammu and Kashmir, and the inhabitants of the State are exposed to all the atrocities of which a barbarous foe

is capable. The presence, in large numbers, of the invaders in those portions of Pakistan territory which adjoin parts of Indian territory other than the Jammu and Kashmir State, is a menace to the rest of India. The Government of India have no option, therefore, but to take more effective military action in order to rid Jammu and Kashmir State of the invader. Indefinite continuance of the present operations prolongs the agony of the people of Jammu and Kashmir, is a drain on India's resources and a constant threat to the maintenance of peace between India and Pakistan.

13. In order that the objective of expelling the invader from Indian territory and preventing him from launching fresh attacks should be quickly achieved, Indian troops would have to enter Pakistan territory; only thus could the invaders be denied the use of bases and cut off from their sources of supplies, and reinforcements, in Pakistan. Since the aid which the invaders are receiving from Pakistan is an act of aggression against India, the Government of India are entitled, in international law, to send their armed forces across Pakistan territory for dealing effectively with the invaders. However, as such action might involve armed conflict with Pakistan, the Government of India, ever anxious to proceed according to the spirit of the Charter of the United Nations, desire to report the situation to the Security Council in accordance with the provisions of Article 35 of the Charter. They feel justified in requesting the Council to ask the Government of Pakistan:—

- (1) to prevent Pakistan Government personnel, military and civil, participating in or assisting the invasion of Jammu and Kashmir State;
- (2) to call upon other Pakistan nationals to desist from taking any part in the fighting in Jammu and Kashmir State;
- (3) to deny to the invaders:
  - (a) access to and use of its territory for operations against Kashmir;
  - (b) military and other supplies;
  - (c) all other kinds of aid that might tend to prolong the present struggle.

14. The Government of India would stress the special urgency of the Security Council taking immediate action on their request. They desire to add that the military operations in the invaded area have, in the past few days, been developing so rapidly that they must, in self-defence, reserve to themselves the freedom to take, at any time when it may become necessary, such military action as, they may consider, the situation requires.

15. The Government of India, deeply regret that a serious crisis should have been reached in their relations with Pakistan. Not only is Pakistan a neighbour but, in spite of the recent separation, India and Pakistan have many common ties and many common interests. India desires nothing more earnestly than to live with her neighbour State on terms of close and lasting friendship. Peace is to the interest of both States; indeed to the interests of the world. The Government of India's approach to the Security Council is inspired by the sincere hope that, through the prompt action of the Council, peace may be preserved.

16. The text of this reference to the Council is being telegraphed to the Government of Pakistan.

Jawaharlal Nehru, Member for External Affairs Government of India. *Ends.*

LETTER FROM PRIME MINISTER, PAKISTAN, TO PRIME MINISTER, INDIA, DATED  
30TH DECEMBER 1947.

DEAR PANDIT NEHRU,

Please refer to your demi-official letter, dated the 22nd December, in which you have brought formal charges against the Pakistan Government for aiding and abetting the so-called 'invaders' of Kashmir in their fight against the forces of the Maharaja and of the Indian Dominion.

2. Despite the ominous hint contained in paragraph three I trust I am right in assuming that your letter is not an "Ultimatum" but a fore-runner of a formal reference of the matter to the U.N.O. If so, nothing could be more welcome, for, you will recollect, this is exactly what the Pakistan Government has been suggesting throughout as the most effective method of ironing out our mutual differences. I am therefore sincerely glad to find that you propose at last to adopt this particular line of approach to our problems.

3. I must, however, confess my disappointment that your proposal apparently restricts the reference to the single issue of Kashmir. The episode of Kashmir considered by itself would look like a sentence torn out of its context. It is but an act in the unparalleled tragedy which is being enacted before our eyes ever since the announcement of the scheme of partition. A reference to the U.N.O. therefore in my opinion must cover much larger ground and embrace all the fundamentals of the differences between the two Dominions. As I see it, it is neither Kashmir alone nor Junagadh and Manavadar, nor even the terrible tragedy of wholesale massacres of Muslim men, women and children in extensive areas of the Indian Dominion, but a totality of these horrors and iniquities, indicating but one consistent, sinister pattern which should rightly form the subject matter of international investigation. If the root causes of the evil which is vitiating our relations are not determined and removed it is much to be feared that fresh incidents will continue to threaten the peace not only between the two Dominions, but in a much wider field.

4. The case of Kashmir is simple and our attitude has been explained frankly and repeatedly both in our communications to you and our official statements to the press. The Pakistan Government has not accepted and cannot accept the so-called 'accession' of the Jammu and Kashmir State to India. We have said it before and repeat that the 'accession' was fraudulent inasmuch as it was achieved by deliberately creating certain conditions, with the object of finding an excuse to stage the 'accession'. It was based on violence because it furthered the plan of the Kashmir Government to liquidate the Muslim population of the State. The accession was against the well-known will of an overwhelming majority of the population and could not be justified on any grounds whether moral or constitutional, geographical or economic, cultural or religious.

5. The sole responsibility for the disturbances which occurred in the State must squarely lie on the Maharaja and his Government who, despite the advice tendered by the Pakistan Government, persisted in their policy of repression of Muslims. Repression was followed by resistance, particularly in the area of Poonch which is inhabited by a large number of ex-soldiers. The resistance in its turn was met with more repression till the Dogra savagery supported by the brutality of Sikh and Rashtriya Sewak Sangh bands created a reign of terror in the State. This state of affairs naturally aroused strong feelings of sympathy throughout Pakistan, particularly among the Muslims living in the contiguous areas who had numerous

ties of relationship with the persecuted people of the State. Some of these people went across to assist their kinsmen in their struggle for freedom and indeed for existence itself. The stage was thus set for the pre-planned intervention by the forces of the Indian Dominion to quell this spontaneous popular rising against the culmination of the age-long tyranny of the Dogra rule. The repeated warnings of the Pakistan Government went unheeded. This hasty and ill-advised action completely changed the picture and the Frontier tribesmen, a ferociously freedom-loving people, naturally took up the challenge in support of their Kashmiri co-religionists fighting for their survival and liberation. If the Government of India had extended to the Pakistan Government the courtesy of consulting it before embarking on its enterprise and suddenly landing troops in Kashmir, or even notifying Pakistan of its proposed action, thus providing an opportunity for discussion and consultation, it might have been possible to avert the tragedy of Kashmir. The action of the Government of India served to swell the torrent of popular resentment until it became impossible for the Pakistan Government to stem it without embarking on large-scale military operations.

6. As regards the charges of aid and assistance to the 'invaders' by the Pakistan Government we emphatically repudiate them. On the contrary, and solely with the object of maintaining friendly relations between the two Dominions, the Pakistan Government have continued to do all in their power to discourage the tribal movements by all means short of war. This has caused bitter resentment throughout the country, but despite a very serious risk of large-scale internal disturbances the Pakistan Government has not deviated from the policy.

In view of this background it would not be surprising if some nationals of Pakistan were taking part in the struggle for the liberation of Kashmir along with the forces of the Azad Kashmir Government. You must have already heard of an International Brigade composed of representatives of many nations in the world who are likewise fighting on the side of the Azad Kashmir Government. In regard to the modern military equipment that you allege to be in the possession of the Azad Kashmir forces, our information is that these forces are poorly equipped and such few modern weapons as they might possess have either been captured from the Dogra and Indian troops or have been in the possession of the ex-soldiers of Poonch since the days of the British. As you know there are large numbers of Poonchis in the Pakistan Army and if some of them while on leave in their homes rendered assistance to their kith and kin in defence of their hearths and homes, it is scarcely to be wondered at.

7. On the contrary, it is the Indian Government which must answer the charge of conspiracy with the Maharaja of Kashmir in repudiation of the very principles on which it had only one month before opposed Junagadh's accession to Pakistan. The plea that the accession is only temporary pending restoration of peaceful conditions is too flimsy to stand examination, particularly in the light of recent negotiations in the course of which a perfectly fair and workable plan of withdrawal of opposing forces followed by a referendum under impartial ægis, suggested by us, was turned down by your Government. But all this, fits in with the general 'pattern' of the India Government's political attitude towards Pakistan ever since it became evident that partition was the only possible solution of our constitutional problems.

8. The story begins as early as the middle of 1946 following the demonstration of Muslim solidarity throughout the country after the last Provincial elections. It became clear that Pakistan was the unalterable goal of the Muslims. The inevitability of the partition of the country which now

became evident to all gave rise to a wave of deep resentment among the Hindu and Sikh population of the sub-continent. As a direct result of this severe communal rioting occurred in several towns and Provinces of India such as Calcutta, Noakhali, Bihar, Bombay, Garhmukteshwar, Rawalpindi, Lahore and Amritsar. Such communal strife had not been unknown previously, but what was astonishing was the unprecedented scale of killings that took place in Bihar and Garhmukteshwar, proving beyond doubt the existence of a well-settled plan of extermination of the Muslims. It was during these disturbances that the Rashtriya Sewak Sangh came to be known as the author of some of the most brutal massacres. The orgy of blood, however, died down in due course, but, as later events proved, only temporarily.

9. The political activity which took place in the early part of 1947 produced a lull, but soon after the partition plan was announced on the 3rd June 1947, clear indications began to be received that the country was going to be plunged into a blood bath by the fanatical Sikhs and the militant Hindu groups headed by the Rashtriya Sewak Sangh who had made no secret of their opposition to the partition scheme, in spite of its being accepted by the representatives of all the three major communities.

10. The process of partition itself was marked by all manner of obstructions aimed at depriving Pakistan of its rightful share of financial and other assets. Even in cases in which agreement was reached the implementation was delayed or sabotaged.

11. At this stage the main chain of events which eventually brought untold suffering to millions of people of East Punjab, Rajputana and the United Provinces was set in motion with a carefully prepared attack on a Special Train carrying Pakistan Government employees and their families from Delhi to Karachi on the 9th August 1947. As the plan unfolded itself it became clear that the Sikhs encouraged and actively assisted by the Hindus had determined to liquidate by violent and bloody means the entire Muslim population of East Punjab. The object of the plan was to kill or drive out Mussalmans in order to settle the Sikh population which was being pulled out of West Punjab under a planned scheme. The *modus operandi* was to disarm the Muslim population and then to leave it at the mercy of armed bands who were actively assisted by the army and the police. There is abundant evidence that this plan had the full support and active assistance not only of the officers of the Provincial Government but also of the Sikh States such as Patiala, Kapurthala, and Faridkot. Alwar and Bharatpur had already set the example in eliminating their entire Muslim population, but they were soon outdone. Kapurthala which like Kashmir was a Muslim majority State has today not a single Muslim left. Similarly large tracts of Muslim majority areas which under the Boundary Award had been most unjustly included in East Punjab were depopulated. The whole country was ravaged by fire and sword, vast numbers were butchered and countless women were abducted. Indeed decency forbids mention of some crimes committed against women. Millions were forcibly and ruthlessly driven out of their homes. The process went on sector by sector and culminated in the tragedy that was enacted in Delhi, the capital of India. According to the Government of India itself there was a complete breakdown of administration for a number of days. The destruction and desecration of mosques, tombs and holy places and forcible conversions on a mass scale were special features of these happenings.

12. This plan of liquidation of the Muslim population is still proceeding despite the pious professions of the Government of India. The latest example of this is provided by the happenings in the holy city of Ajmer.



The Government of Pakistan find it difficult to believe that under the circumstances the Government of India are innocent of all complicity in this vast scheme of "genocide" started by the Sikhs and Hindus and encouraged and supported by persons in authority as a means of destroying the newly created State of Pakistan. The Mussalmans of India are being subjected to calculated insults and humiliations. All sorts of tests of loyalty are being demanded from them. The one on which particular emphasis is laid is that they should denounce Pakistan and try to undo the partition and express their readiness to fight Pakistan on the side of India in the event of war between the two Dominions. It is a matter for deep regret that even today responsible members of the Government of India, including yourself, openly declare their intention or hope of bringing Pakistan back into the Indian Union, well knowing that this can be done only through conquest by arms. Such an attitude can only mean that the Hindu and Sikh leaders while giving their agreement to the partition plan did so without any intention of permitting its implementation and, further, that India is determined to undo the settlement by all means available at its disposal. In other words Pakistan's very existence is the chief 'casus belli' so far as India is concerned. It is this impossible position which manifests itself time and again in all of India's dealings with Pakistan, whether political, economic or financial and unless an effective remedy is found it is difficult to see how a direct clash can be avoided with the best will in the world.

13. The events which took place following the announcement of the accession of Junagadh and Manavadar States to Pakistan lend further support to the contention of the Pakistan Government that the Government of India intend by all possible means at their disposal to destroy Pakistan.

In accordance with the agreed scheme of partition and the Indian Independence Act, 1947, Indian States were under no compulsion to join either of the two Dominions. Notwithstanding this clear provision the Government of India by a combination of threats and cajolery forced a number of States into acceding to the Indian Union. The Rulers of Junagadh and Manavadar were similarly threatened with dire consequences but they stood firm and exercised their right of joining Pakistan in preference to India. This was the signal for India to launch with full force her attack, using every possible weapon in order to force the States against their will, to change their affiliation. Protests were made to the Pakistan Government, pointing out that a State which had a Hindu majority population could not accede to Pakistan, as the country had been divided on a communal basis. Another reason given was that Junagadh was not physically contiguous to Pakistan and that its accession to Pakistan was calculated to cause disruption in the integrity of India. Simultaneously with these protests, the Government of India put large bodies of Indian troops on the borders of Junagadh and encouraged the neighbouring Hindu States, which had acceded to India, to do likewise. In clear violation of the standstill agreement the Junagadh State was subjected to an economic blockade involving stoppage of all vital supplies, including food, cloth and coal into the State territory. Lines of communication, including railway and telegraph, were operated in such a manner that it became impossible for the State or the Muslim population of Junagadh to communicate with the outside world. A strong press campaign calculated to destroy the morale of the State administration and to create panic among the population was launched both inside and outside the State.

Another line of attack was adopted by setting up the so-called 'provisional government' with headquarters first at Bombay and later at Rajkot, which claimed the right to liberate the non-Muslim population of the

Junagadh State. The so-called 'Azad Fauj' of the 'Provisional Government' was created and armed by the officers of the Indian Dominion. The 'Provisional Government' not only proceeded to seize by force State property in Rajkot, but by methods of sheer 'gangsterism' created conditions in which it became impossible for the State Administration to function. At this point the Government of India sent its troops and occupied the State under the plea of an alleged 'invitation' by the Dewan. Since then an orgy of murder, arson, rape and loot has been let loose in Kathiawar by the Military Forces of India in exactly the same manner as in Northern India and hundreds of thousands of Muslims have had to flee from the State. According to newspaper reports Mr. Samaldas Gandhi, the head of the so-called provisional government, has openly thanked a member of your government for all the assistance received. All this was done in sheer disregard of the international code of conduct and ordinary neighbourly decency. In the interest of peace between the two Dominions Pakistan refrained from sending a single soldier to Junagadh. Occupation by force of Junagadh which is Pakistan territory is a clear act of aggression against Pakistan.

14. In the case of Manavadar even the thin camouflage of a semblance of justification was not considered necessary and the State was taken under military occupation without the slightest explanation being given. A similar fate befell the Talukdari States of Sardargarh Bantva, Sultanabad and Mangrol. The unfortunate rulers of some of these States have been kept in detention and have been subjected to considerable pressure to wean them from their affiliation to Pakistan.

15. This brief account of India's dealings with a friendly State can leave no doubt in the mind of any impartial person that the new India does not feel herself bound by any moral or international code of rules. The *Military coup d'état* by which the occupation of Junagadh and Manavadar and other States was achieved is of one piece with the general scheme of destroying the integrity and the very existence of Pakistan to which reference has been made. ~~We have formally drawn your~~ attention to the various acts of hostility culminating in actual seizure of Pakistan territory by the India Government in Junagadh, but have not received even the courtesy of a reply. Perhaps now that you propose to take the case of Kashmir to the U.N.O. you would be good enough to let us know why in spite of our clear request you have not withdrawn from the territories of Junagadh, Manavadar and Mangrol, etc.?

In this connection it is of interest to note that the arguments advanced by India for refusing to accept the accession of Junagadh to Pakistan have been conveniently and completely ignored in connection with the accession of Kashmir to the Indian Dominion. This again is fully in keeping with the general political attitude of India towards Pakistan.

16. These are not the only examples of aggression against Pakistan territory. Numerous raids by armed bands assisted by the police and military have taken place across the border into Pakistan. The Royal Indian Air Force have been made repeated attacks on Pakistan territory causing damage to life and property.

17. Another illustration of the same attitude is provided by the refusal of the India Government to implement the recent financial agreement of all outstanding cases which had been referred to the Arbitral Tribunal. The India Government is deliberately withholding the payment of rupees fifty-five crores of the cash balances which is the legal due of the Pakistan Government according to this agreement. This is the latest manifestation of their desire to strangle Pakistan financially and economically which characterised the partition proceedings. In the case of military stores there

has been a similar refusal to implement the agreement. The Supreme Commander who was appointed as a neutral authority under the Joint Defence Council to carry into effect the partition of the armed forces and military stores was forced, despite the protestations of the Pakistan Government, to leave by your government long before he could complete his task. At the time this was done the Indian representatives on the Joint Defence Council pledged the word of the India Cabinet that Pakistan would receive her due share of military shares. This pledge like other similar pledges of the India Government has not been honoured and the slight trickle of military stores to Pakistan shows signs of stopping altogether.

18. To sum up, our counter-charges against the Dominion of India are as follows:—

- (1) That India has never wholeheartedly accepted the partition scheme but her leaders paid lip service to it merely in order to get the British troops out of the country;
- (2) That India is out to destroy the State of Pakistan which her leaders persistently continue to regard as part of India itself;
- (3) That the systematic sabotage against the implementation of partition, the stoppage of such essential requirements as coal and rail transport, the deliberate withholding of Pakistan's share of funds and arms and equipment, the wholesale massacres of Muslim population are all designed towards one aim, namely, the destruction of Pakistan;
- (4) That India's forcible occupation of Junagadh, Manavadar and other States in Kathiawar which had acceded to Pakistan, as well as the fraudulent procurement of the accession of Jammu and Kashmir State are acts of hostility against Pakistan whose destruction is India's immediate objective.

19. I however note with pleasure your assurance that the Government of India have always desired and still earnestly desire to live on terms of friendship with Pakistan. On behalf of the Pakistan Government I fully and sincerely reciprocate this desire. I am constrained, however, to observe that the Government of India have at no stage afforded any practical proof of their desire to live on terms of friendship with Pakistan, more particularly in the case of Junagadh and Kashmir. On my side I can assure you that the earnest desire of the Government of Pakistan to live on terms of friendship with India has in many instances restrained the Government of Pakistan from taking action which would not only have been legally justifiable, but was in several instances urgently called for, and yet was not adopted in the hope that the attitude of the Government of India might even during these later stages be more favourably affected towards Pakistan. I find it more and more difficult to persuade myself to continue to entertain that hope. The course of events, very briefly set out above, would normally have been treated as a chain of aggression justifying extreme action on the part of the aggrieved Government. Now that your letter of the 22nd December 1947 has indicated an intention on the part of the Government of India to invite the intervention of the United Nations, a course which the Pakistan Government has so far ineffectively suggested to the Government of India, for the resolving of their differences, I have taken this opportunity to invite your attention to the main heads of the differences between the two Governments that stand in the way of an amicable adjustment of our relations. It is my most earnest hope that these differences may be speedily composed and that our relations will thereafter ever continue to be on the most cordial, co-operative and friendly basis. I trust

you will agree that the intervention of the United Nations, whatever form it is to take, should be invited in respect of all these matters, so that all pending differences may be speedily resolved.

Yours sincerely,  
LIAQUAT ALI KHAN.

To

The Honourable Pandit Jawaharlal Nehru,  
Prime Minister, India, New Delhi.

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(30)

TELEGRAM, DATED THE 3RD (RECEIVED 4TH) JANUARY 1948, FROM FOREIGN, KARACHI, TO FOREIGN, NEW DELHI.

Your telegram, January 3rd.

Your messages still unworkable. There appears to be some mistake on your side. Please check and let us know drum type setting. Meanwhile grateful if messages are repeated in another system.

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(31)

TELEGRAM, DATED THE 2ND JANUARY 1948, FROM FOREIGN, NEW DELHI, TO FOREIGN, KARACHI.

Your telegram of January 1st, following is repetition of our telegram of December 31st which has been checked and found correct. *Begins.*

From Prime Minister, India, to Prime Minister, Pakistan.

You will remember that, on 22nd December, I handed personally to you a letter regarding Kashmir. In my telegram to you, (dated 26th December), I reminded you of the letter and repeated request for an early reply.

I regret to say that I have heard nothing from you so far, and, as we cannot afford to wait any longer, we are making a reference to the Security Council in terms of my immediately following telegram. *Ends.*

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(32)

TELEGRAM, DATED THE 3RD (RECEIVED 4TH) JANUARY 1948, FROM FOREIGN, KARACHI, TO FOREIGN, NEW DELHI.

Please cancel our telegram of date. We have decyphered telegrams. Regret inconvenience.

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(33)

TELEGRAM, DATED THE 3RD JANUARY 1948, FROM PRIME MINISTER, INDIA, TO PRIME MINISTER, PAKISTAN, KARACHI.

Your Most Immediate telegram of 3rd January. Text of our communication to Security Council was transmitted to you on 31st December. In Foreign, Karachi, telegram of January 2nd we were informed that code could not be worked at your end. We have therefore telegraphed text of our telegram of 31st December 1947, today in our telegram.

(84)

TELEGRAM, DATED THE 3RD (RECEIVED 4TH) JANUARY 1948, FROM FOREIGN, KARACHI, TO FOREIGN, NEW DELHI.

From Prime Minister, Pakistan, to Prime Minister, India.

Your telegram, dated January 2nd, giving a repeat of your telegram, dated 31st December. In telegram you refer to a telegraphic reminder sent by you on 26th December. No such telegram was received by me. Message, dated December 26th, 1947, from Foreign, New Delhi, referred to Mukand Steel Works and not (repeat not) to Kashmir. You also say that you have heard nothing from me so far till the 31st December. I do not understand how you can assert this in face of my Most Immediate telegram, dated December 30th, in which I stated that I would hand over the reply to your High Commissioner on 30th December. I repeat below my telegram for your information.

*Begins.* From Liaquat Ali Khan for Pandit Jawaharlal Nehru. My reply to your letter, dated September 11th, regarding Kashmir which you gave to me at Delhi will be handed over to your High Commissioner today for transmission to you by air. *Ends.*

(85)

TELEGRAM, DATED 6TH JANUARY 1948, FROM FOREIGN, NEW DELHI, TO FOREIGN, KARACHI.

From Prime Minister, India, to Prime Minister, Pakistan. Please refer to your telegram, dated 3rd January. My telegram, dated 26th December, did not (repeat not) refer to the Mukand Steel Works. For convenient reference, I am having the text of it repeated in my immediately following telegram. The telegram regarding the Mukand Steel Works at Lahore issued from here on the 25th December and bears different number.

2. I would specially invite your attention to the second paragraph of my telegram which refers to the letter which I handed to you personally on Monday, 22nd December. The only letter that I wrote to you on that date related to Kashmir.

3. Your reply to my letter of the 22nd December, which you say was handed to our High Commissioner in Karachi on the 30th, reached Delhi only on the morning of January 1st. My statement, therefore, that I had heard nothing from you till the 31st December was quite correct.

(86)

LETTER FROM PRIME MINISTER, INDIA, TO PRIME MINISTER, PAKISTAN, DATED THE 5TH JANUARY 1948.

DEAR MR. LIAQUAT ALI KHAN,

Your letter of the 30th December was received in New Delhi on the 1st January. I had gone to Lucknow for the day and did not, therefore, get it until the 2nd. On the 3rd I had to visit Ajmer and yesterday, the 4th, was fully occupied with celebrations of Burma's Independence and other business. This will explain the delay in my sending you a reply.

2. I do not think that any useful purpose will be served by my attempting to answer, at length, the counter-charges that you have made against India in paragraph 18 of your letter. Pakistan's accusations that the accession of Jammu and Kashmir was procured by conspiracy, fraud and force has been repeatedly made by you and as frequently denied and refuted by us. So far as the cases of Junagadh and Manavadar are concerned, we maintain that there is no parallel between them and that of Kashmir.

3. Any impartial person familiar with the tragic happenings in the Punjab will recognise the complete baselessness of the suggestion that India organised the wholesale massacre of the Muslim population in any part of its territories. Massacres of non-Muslims began first in 1946 in Calcutta, and in March 1947 in the West Punjab. What happened in India against Muslims was by way of retaliation against the atrocities perpetrated on non-Muslims first in Calcutta, and, later, in territories which are now part of Pakistan, *e.g.*, Noakhali and the West Punjab. We have not only not encouraged, but openly and consistently condemned retaliation. We have also done everything in our power to protect Muslim minorities in India. We claim that we have done so more effectively than Pakistan.

4. I am not aware that there has been any stoppage of essential requirements, such as coal and rail transport, as a kind of sanction against Pakistan. Where delays have occurred these have been due entirely to other causes, *e.g.*, shortage of wagons, or, in the disturbed areas of the Punjab, to dislocation of traffic owing to the disturbances.

5. There has been no deliberate withholding of Pakistan's share of funds and arms and equipment with intent to apply pressure to Pakistan. As I have already tried to explain to you, we stand by the financial agreement that was recently reached. Payment has been deferred because we cannot, while operations against Jammu and Kashmir State are being conducted from bases in Pakistan, with Pakistan's connivance and assistance, reasonably, be expected to make available funds which might be used to intensify military operations against us.

6. The first two charges, *viz.*, that India has never wholeheartedly accepted the partition scheme, and that India is out to destroy the State of Pakistan which her leaders persistently continue to regard as part of India itself, are completely devoid of foundation, and I must emphatically repudiate them. Had we not desired to accept the partition scheme, nothing would have been simpler for us than to refuse acceptance when the scheme was first put forth. India has no responsibility for the sequence of events which you regard as evidence of India's resolve to destroy the State of Pakistan. The provocation for the events came from Pakistan. It is true that some of us have expressed the view that India and Pakistan must draw closer to each other. The facts of history and geography fully justify this conclusion. Two neighbouring States such as Pakistan and India can either be friends, or live in a state of veiled or of open hostility. No responsible Indian leader has ever thought that Friendship between India and Pakistan, which is more desirable than mistrust or enmity, should be achieved by forcible compulsion of Pakistan into political union with India.

7. In conclusion, I would add that while I fully share your hope that our approach to the United Nations Security Council will help to lay the foundation of friendlier relations between Pakistan and India, it is not possible for us to invite the intervention of the Council on all the matters

which you have mentioned. Peace between India and Pakistan is not threatened either by past events or by the entirely imaginary hostile motives that are attributed to us, but by the hostilities that are now in progress in general in Kashmir State between the Indian State Forces on the one and the invaders, tribesmen and Pakistan nationals, operating from bases in Pakistan and with assistance drawn from Pakistan, on the other. This is an issue at once clear-cut and urgent, and, unless valuable time is to be wasted on acrimonious debate, this is the issue for the settlement of which the Security Council must, in our opinion, exclusively apply itself.

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(37)

TELEGRAM, DATED THE 7TH (RECEIVED 8TH) JANUARY 1948, FROM PUNAB, LAHORE, TO FOREIGN, NEW DELHI.

Following from Liaquat Ali Khan for Jawaharlal Nehru.

Your statement that India would be completely justified in attacking Pakistan territory on plea of attacking alleged basis of so-called invaders has created situation particularly in districts adjoining Kashmir territory which makes it undesirable that Indian Liaison Officers and troops should operate in these districts. I request that instructions should please be issued withdrawing your Liaison Officers and troops within 48 hours from following districts:—

Sialkot, Gujrat, Jhelum, Rawalpindi and Campbellpore.

Government of Pakistan will make all necessary arrangements for evacuation of any non-Musims including abducted women still remaining in pockets.

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(38)

TELEGRAM, DATED THE 9TH JANUARY 1948, FROM FOREIGN, NEW DELHI, TO PRIME MINISTER, PAKISTAN, LAHORE.

For Liaquat Ali Khan from Jawaharlal Nehru.

Your telegram of 7th January. My statement that India would be justified in sending troops to Pakistan bases near Kashmir border to stop invaders from entering Kashmir was mere repetition of what I have frequently stated. If India is attacked by people coming from Pakistan or via Pakistan territory we are entitled to expect Pakistan Government to stop them and prevent invasion of India. If Pakistan Government is unwilling or unable to stop them then India is necessarily justified in taking measures to stop them herself. We have however avoided taking any such measures because of our earnest desire to prevent further conflict, involving grave consequences. We shall continue this policy unless circumstances compel us to act otherwise. Even now I would request your Government to prevent the use of your territory for purposes of invasion of Indian Dominion territory.

In view, however, of your request we are withdrawing our Liaison Officers and troops from Sialkot, Gujrat, Jhelum, Rawalpindi and Campbellpore District. We would request you also to withdraw your Liaison Officers and troops from Gurdaspur District.

We trust that your Government will make all necessary arrangements for evacuation of non-Muslims left in pockets and more specially abducted women. During last few weeks this process has slowed down very greatly on the Pakistan side while we have restored to Pakistan over 2,900 women. We propose to continue our efforts to restore abducted women and would earnestly request you to speed this process in Pakistan.