RAJA SAJJAD LATIF KHAN

HISTORICAL DOCUMENTS ON JAMMU AND KASHMIR



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DEDICATION

Dedicted to all family members

PREFACE

The state of Jammu and Kashmir is located in the heart of Asia. The history and culture of the state are very old and it is a multi-ethnic, multi-culture area. The *Kashmiriat* is a common identity. Due to strategic importance, natural resources, and beauty, it was the focus of many nations and counties. The people of the state are peace-loving but they always resisted against oppression and suppression. In recent history, they resisted against Sikh rulers, the Dogra regime, and now against Indian occupation.

The infamous treaty of Amritsar was signed between the East India Company and Gulab Singh. It was a sale deed of Kashmir in 75 Lakh Nanak Shahi. The state was given in the possession of Dogras. Their main interest was to collect rupees through taxes. The tax ratio is different for Muslims and non –Muslims, Muslims have to pay more. The people of Kashmir have started agitations and rebellion against Dogra rulers.

In 1947, the British Government has decided to handover India to Indians. At that time Kashmir was a princely state, having an overwhelming majority of Muslims, but the ruler was Hindu. According to the Partition Plan and Indian independence Act, they have the right to decide about their destiny. This Partition gave happiness and peace to newly independent states India and Pakistan but increased the miseries of Kashmiris.

This book is the arrangement of historical events in chronological order and a compilation of the historical record on Kashmir from the treaty of Amritsar to 2020. Any suggestions and corrections will be highly appreciated.

(Raja Sajjad Latif Khan)

ACKNOWLEDGMENTS

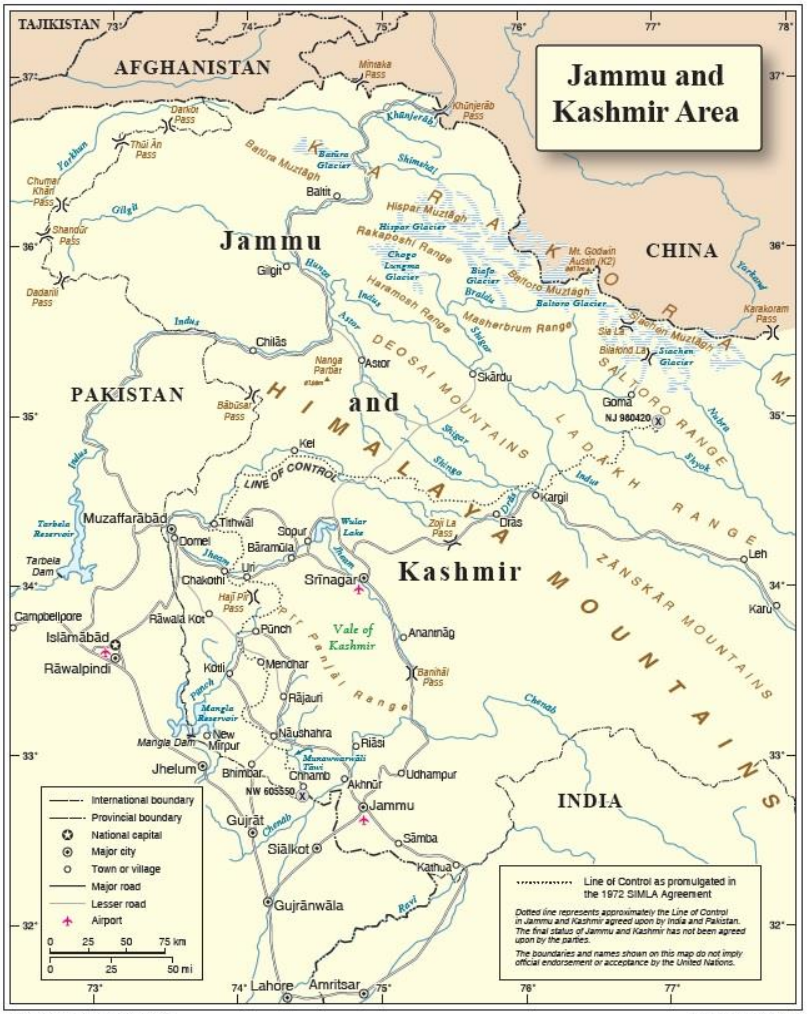
In the Name of Allah, the Merciful, the Beneficent. Praise be to the Lord of all worlds. Prayers and peace be upon our Prophet, Muhammad (SAW), his family, and all of his companions.

I gratefully acknowledge the contributions of writers, columnists, and researchers that had books and articles and provided me an opportunity to learn and collect documents from their work. Their list is long so I can not mention the name of all persons but I would like to pay my tribute to the two eminent personalities Justice Yusuf Saraf (late) and Justice Syed Manzoor Hussain Gillani, without reading their books no one can understand the real context of Kashmir.

Thank you my father and mother for helping me to shape my life with positivity and passion. Without you, I'd never been the person I am today. Thank you for everything!

Special thanks to my all teachers, brothers, and sisters. I would like to thank my life partner Fahmida, My kids Hasnain, Kainat, Hafsa, and Ayyan, they all are always cooperative and helpful to me.

Thanks my colleagues Abbas, Matloob, Majid, Saghir, and Nazir for their assistance in my work.



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POPULATION STATISTICS OF JAMMU AND KASHMIR STATE, CENSUS REPORT OF 1941.

#	District or Province		Area (Sq.miles)	Muslims	Non-Muslims	Total Population
1	Jammu Province		12,378	1,215,676	765,757	1,981,433
	(a)	Jammu District	1,147	170,789	260,573	431,362
	(b)	Kathua District	1,023	45,214	132,458	177,672
	©	Udhampur District	5,070	128,327	165,890	294,217
	(d)	Reasi District	1,789	175,539	82,364	257,903
	(e)	Mirpur District	1,627	310,880	75,775	386,655
	(f)	Chenani Jagir	95	2,205	9,591	11,796
	(g)	Poonch Jagir	1,627	382,722	39,106	421,828
2	**Kashmir Province**		8,539	1,615,478	113,227	1,728,705
	(a)	Baramual District	3,317	590,936	21,492	612,428
	(b)	Anantnag District	2,814	778,684	72,922	851,606
	©	Muzaffarabad District	2,408	245,858	18,813	264,671
3	**Frontier Districts**		63,554	270,093	41,385	311,478
	(a)	Ladakh District	45,762	154,492	40,939	195,431
	(b)	Gilgit (Leased Area)	1,480	22,296	199	22,495
	©	Gilgit Agency	14,680	76,427	99	76,526
	Jammu and Kashmir State		**84,471**	**3,101,247**	**920,369**	**4,021,616**

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In 1941 Muslims constituted 77.11 percent of the total population of Jammu and Kashmir. Hindus were 20.12 percent, Sikhs 1.64 per cent., Buddhists 1.01 percent and others 0.12 percent. The increase in population since 1941 has been estimated at 1 percent per annum.

Non-Muslims include approximately 807,000 Hindus and 66,000 Sikhs. Hindus are concentrated in and around Jammu.

ETHNIC CLEANSING OF MUSLIMS OF JAMMU IN 1947

"237,000 Muslims were systematically exterminated unless they escaped to Pakistan along the border by all the forces of the Dogra State, headed by Maharaja in person and aided by Hindus and Sikhs, this happened in October 1947, five days before the first Pathan invasion and nine days before the Maharaja's accession to India."

The Times London August 10, 1948

"In 1952 Pakistan was caring for more than 600,000 Muslim refugees from J&K."

(M.A Gurmani, Kashmir: A Survey (Rawalpindi: Public Relations Directorate Ministry of Kashmir Government of Pakistan, 1952), 38.

CHAPTER: 1

A CHRONICLE OF IMPORTANT EVENTS IN POLITICAL HISTORY OF STATE OF JAMMU & KASHMIR

(1827 to September 2020)

This chapter will consist of an overview of the political history of the State of Jammu and Kashmir. For this purpose, I had studied different books, historical records and newspapers record.

Date /Year	Event
1827	A fierce battle was fought near Uri between Muslims and Sikhs, Muslims were defeated. Among the prisoners taken were Sardar Ghulam Ali Khan (the *Khakha* chief) and Raja Sarfraz Khan (Raja of Uri). Sometimes later Sardar Ghulam Ali Khan was butchered to death by Hari Singh Nalva in Shergarhi while the Raja of Uri was sent to Lahore where he remained intended for several years.
1827	Zabardast Khan, who had succeeded his father Hassan Ali Khan as the sultan of Muzaffarabad, collected a sizeable force and declared his independence. He eliminated Sikhs garrisons at Baramula, Handwara, and in certain parts of Hazara adjoining Muzaffarabad.
1832	In 1832 there was a rebellion in Punch by the local tribes and Ghulab Singh was sent to deal with it. This

	rebellion was headed by Sardar Shamas Khan and two of his close accomplices Sardar Sabaz Ali Khan and Sardar Mali Khan. Gulab Singh first marched to Pindi Jhelum and then entered Punch. His other camps were established at the village of Mang and Bagh. He flayed alive Malli and Sabz Ali and stuffed their skins with straw at Mang. Even innocent young children he flayed alive. Sardar Shamas Khan with his nephew Rajwali was killed by Ottam Singh. Their heads were later exhibited in two iron cages at the top of the *Adha Dek* pass above Punch.
March 16, 1846	Jammu and Kashmir (J&K) State is created under the Treaty of Amritsar between the East India company and Raja Gulab Singh of Jammu who buys Kashmir Valley from the East India Company for Rs. 75, 00,000 / *Nanak Shahi* (The currency of that time) and adds it to Jammu and Ladakh already under his rule.
1847	Sultan Hussain Khan (successor of Zabardast Khan) captured Kahori and expelled its ruler, Najaf Khan (Yusuf Saraf,Kashmiris Fight for Freedom, Vol.1, P-234)
1867	A grave epidemic has broken out in the valley

	resulting in the death of thousands of people.
1891	Dogra forces were succeeded to get the control of Gilgit, after the 45 years-long resistance from local people.
December 31, 1892	Dogra Government had issued a decree, which said that any person abjuring the religion of his forefathers was to be deprived of inheritance of the property of his father
July 21, 1924.	"*Resham Khana"* (Silk factory) was an industrial unit in the Srinagar having 5000 workers. The workers protested against low wages given to them out of which corrupt Hindu officers took a substantial scheme of their bribe. This uprising was crushed by Dogra Cavalry, who killed Muslims with both bayonets and bullets, trampling upon their dead bodies, to have the satisfaction of complete job. Police had arrested 21 leading workers. This was the first public awakening.
April 20, 1927	No.I-L/84.-The definition of the term "State Subject" has been sanctioned by the Maharaja was promulgated for general information.
March 26, 1928	High Court of Jammu and Kashmir was established.
April 29,	A police official *Stops the Khutba* or sermon at a

1931.	congregational religious service of Muslims in Jammu on the ground that it aloud with the Quranic passage about Moses and the Pharaoh and thus indirectly advocates seditions. Protest by worshipers in Jammu was led by Ch.Ghulam Abbas. Expressions of vehement disapproval of police action in Srinagar and major towns.
June 04, 1931.	Police constable Fazal Dad was reciting a part of the Holy Quran *(Punj Surha),* was accosted by the head warder of central jail Jammu for being late to attend his duties. The constable put away the holy book under his pillow and rolled his bedding. Labu Ram sub-inspector who was accompanying the warder threw away his bedding. The Muslim constable protested that this was a deliberate desecration of the Holy Book *"Quran"*. The sub-inspector was devilish enough to kick it.
June 20, 1931	Leaves of the Holy Quran were found in a public latrine in Srinagar.
June 21, 1931	A public meeting convened on 21st June 1931 in the compound of Khanqa-i- Mulla to choose the representatives of Kashmiri Muslims. Seven representatives were elected, Khwaja Said-ud-Din Shawl, Mir Waiz Yousuf Shah, Mir Waiz Hamdani,

	Agha Syed Hussain Shah Jilani, Khwaja Ghulam Ahmed Ashai, Sheikh Muhammad Abdullah & Munshi Shahb-ud –Deen. At the end of the meeting, Abdul Qadeer delivered a speech against the ruler Maharaja.
June 25, 1931	Abdul Qadeer was arrested for this speech.
July 13, 1931 (Martyr's Day)	On July 13, 1931, a large number of Kashmiris gathered in front of the Srinagar central jail, at a time when the trial of a youth Abdul Qadeer accused of involvement in a case of agitation, was in progress inside the jail. The aim was to show solidarity with the young man. As the time for obligatory prayer approached a young Kashmiri stood for Azan (Call for the prayer) and the Dogra police opened fire on him, and he got martyred. Thereby, another youth took the place of the martyred young man and started the Azan. He too was shot dead. In this way, 22 Kashmiris embraced martyrdom in their efforts to complete the Azan.
July 27, 1931	The Muslim women took out a procession in Srinagar, participated by about 5000, carrying black flags. It was Lathi charged; 10 women received injuries.

August 18-19,1931	In Jammu, Mr.A .R Saghar and Sheikh Ghulam Qadir were arrested on 18 August. The next day Chaudary Nawab Khan, father of Chaudary Ghulam Abbas, and Chaudary Hakim Den father of Allah Rakha Saghar were also taken into custody.
September 22, 1931	People gathered in the Jamia Masjid Srinagar and came out in procession. The army fired certain rounds on the peaceful procession. Three People Naisr-ud-Din of Chakral Muhalla, Ghulam Rasool Kakroo of Chinar agh and Assadullah Gilkar of Nar Paristan embraced martyrdom, and more than a dozen were injured.
September 23, 1931	The Muslims of Islamabad observed a complete strike on 23rd September. A huge procession was taken out. The army fired on the mob. 25 Muslims, including a child aged 13 years, lay dead on the spot and about 150 were wounded.
September 24, 1931	Thousands of Kashmir People marched and demonstrated against the Dogra Rulers with their weapons in the streets of Srinagar peacefully.
September 24, 1931	Ordinance No.19-L of 1988 was promulgated. The city was handed over to the military control and the civil administration was suspended.
September	Hindu students of the local high school of

1931	Muzaffarabad took out a procession raising anti-Muslim and pro-Mahraja slogans. This was presented by the Muslim students, resulting in a mutual clash. The Government sent Salam Shah from Srinagar, who ordered the arrest of two dozen Muslims including, Master Abdul Aziz, Khwaja Fateh Joo, Pir Hasam-ud-Deen Gillani, Khwaja Abdul Qadir, Chaduary Wali Joo, Faqeer Joo Kada, and Peer Qalandar Shah. They were removed to Srinagar, summary tried, and sentenced to various terms of imprisonment.
November 12, 1931	Maharaja appointed the "Glancy Commission" to look into grievances of various sections of people especially the Muslims.
January 11, 1932	No Tax Campaign was launched in Mirpur district. Ghazi Elhi Buksh and Haji Wahab Deen addressed on a funeral prayer of Gulab Deen Shaheed at Bahrmut Mirpur. Police arrested Mulvi Muhamamd Abdullah Siakhvi, Haji Wahab Deen, Ghazi Elhai Buksh, Doctor Imam Deen Quershi, Haji Allah Buksh, and Chaudry Sahab Deen.
January 1932	"No Tax Campaign" and processions against Dogra forces were started in Poonch, Rajouri, Kotli, and Bhimber. Thakiala Parwa (Tehsil Mendhar) was

	declared as the head quarter of this movement and Sardar Fateh Muhammad Kralvi was the leader. They have put on fire all custom posts. The ruler of Punch, Jugat Singh Dev had taken refuge in the fort. Sardar Feroz Khan, father of Sardar Fateh Muhammad Krelvi and Sardar Mansoor Khan, Maternal Grandfather of Sardar Fateh Muhammad Kralvi was arrested and sentenced for 10 years. 80 other persons including Sardar Hameed Ullah Khan and Ali Bahdar Khan were also arrested.
January 21, 1932	In Rajouri, a procession against the occupation of Dogra forces on Jama Masjid and Eid Gah, lead by Mirza Muhamamd Hussain Khan, Malik Niamt Ullah, and Mirza Akrama Ullah was organized. The Dogra forces open fire on the procession, resulting in the martyrdom of 25 Muslims.
February 05, 1932	Police opened fire on a procession in Uri. Eleven people had embraced martyrdom, they were Sardar Fateh Baig(Uri), Faqir Abbasi and Mir Ahmed Meer (Barian), Chaudary Ghulam Muhamamd (Gohalan), Niaz Ali (Dachi),Said Shah (Dahni Cholan), Jumma and Syed Hasan Shah (Cholan), Gama (Khalana), Rajwali (Kalki) and Ghulam Muhammad (Jabla).

February 1932.	Muslims had organized rallies and processions against the Uri incident. The Police had arrested Peer Hasam Deen Gillani, Mulana Ghazi Abdul Rehman, Master Abdul Aziz Quershi, Khwaja Fateh Joo, Faqeer Joo, Maulvi Abdul Ghafoor Quershi, Karm Ullah Quershi (Muzaffarabad city), Peer Qalandar Shah, Peer Abdullah Shah (Rwani), Sardar Ushar Singh, Muhammad Zaman Abbasi (Gahri Dupppata), Rehman Shah, Khwaja Abdul Ghani(Islamabad), Hakeem Muhamamd Ishaq (Rajkot), Raja Bahdar Khan(Rara), Mulvi Khalil ur Rehman (Akhriala),Munshi Ghulam Hussain (Drang Chinnari), Muhamamd Akbar Khan (Khun Bandi), Abdullah Mir(Saran), Munshi Abdul Aziz Khan (Nagni Chikar), Hayyat Ullah Mir (Bahgsar), Safdar Ali Khan(Dahni), Syed Ghulam Haider Shah (Gohalan), Syed Muhammad Akbar Shah(Miani Bandi) and Molivi Muhmmad Saeed Masoodi.
1932 The Glancy Commission	The Glancy Commission was appointed by the Maharaja under the chairmanship of Mr.Glancy. It had three official members and four unofficial members i.e Khwaja Ghulam Ahmed Ashai and Pandit Prem Nath Bazaz from the valley and Chaudary Ghulam Abbas & Mr. Lok Nuth Sharma

	from Jammu. It has started its work in November 1931 and completed its report on 22 March 1932. The report was published in April 1932, confirming the existence of the grievances of the State's subjects and suggests recommendations providing for adequate representation of Muslims in the State's services; Maharaja accepts these recommendations on April 10, 1932, but delays implementation
May 31, 1932	Franchise Committee was appointed under the chairmanship of Chief Justice Barijour Dalal.
August 14, 1932 Kashmir Day	All India Kashmir Committee announced 14th August 1932 to observe as "Kashmir Day". Processions and meetings were organized in all over India. Resolutions were passed and was signed by, Allama Iqbal, H.S. Suhrawardy, Mulana Abu Zaffar Waji-ud-Din, Mulana Hasrat Mohani, Mian Jafar Shah, Shafat Ahmed Khan and many others.
October 14-16, 1932	The first political party of Kashmir "All Jammu & Kashmir Muslim Conference" was established in a meeting of prominent Muslim leaders of Kashmir in Pathar Masjid Srinagar. Sheikh Abdullah was elected as President and Chaduary Ghulam Abbas as Secretary-General.

February 03, 1934	Muslim of Pulwama held a meeting at *Eidgah* which was addressed by local leaders. The Tehsildar, as a magistrate on duty, ordered the troops to open fire which resulted in 12 deaths and more than three dozen injured.
February 10, 1934	A meeting of the working committee of All Jammu and Kashmir Muslim Conference was convened in Sialkot. It was convened outside the state to facilitate the participation of exiled members. Chaudary Ghulam Abbas was designated as "dictator" (the term current at the time for leader) of the campaign. Abdullah distances himself from the gathering protest.
1934	Regulation 1 of Samwat 1991(1934) was issued by Maharaja comprising 46 sections about the establishment of *Praja Sabha* and its powers.
September 3, 1934	Elections of State legislative Assembly(*Praja Sabha*) Muslims constitute 77 percent of the population were allotted 21 seats through direct elections in a house of 75, which was 28%. Muslims Conference captured 16 seats.
November 11-13 1934	The third annual session of the Muslim Conference was held at Sopore. Mian Ahmed Yar Khan, the elected leader of the Parliamentary group was

	elected president for the ensuing year. The session had adopted many resolutions including demand for a wider franchise and large powers for Assembly.
March 29, 1935 Gilgit Leased	The Lease Agreement of Gilgit to British Govt. for 60 years was executed between the Government of British India and the Maharaja of Jammu and Kashmir.
October 25-27, 1935	The fourth annual session of the Muslim Conference was held in Srinagar. Chaudry Ghulam Abbas Khan who had been released from jail after serving a sentence of one year was elected ad President for the next year.
May 1936	Muhammad Ali Jinnah visited Srinagar. Though the visit was private, both factions of the Muslims Conference, led by Sheikh Abdullah and Mirwaiz Yusuf Shah, invited him to address large public meetings organized in his honor. Jinnah counseled the promotion of harmony between the Muslim majority and the Hindu minority
March 25-27,1938	Sheikh Muhammad Abdullah was elected as President, urged “a common platform” of Muslims and non-Muslims. A resolution was introduced by Molvi Muhammad Saeed that the name of Muslim Conference be changed to “ All Jammu and Kashmir

	Political Conference" which was supported by Raja Muhammad Akbar Khan and was opposed by A.R. Saghar, Sheikh M. Amin and Abdul Majid Quershi who said that the " Millat came first while politics came later".
May 31, 1938	Elections of Assembly were held Muslim Conference captured nineteen seats out of 21. Two (Pir Zia-ud-Dinm Budgam and Ch. Abdul Karim Mirpur) were elected as independent but they also joined the Muslim Conference Parliamentary Group.
June 28, 1938	In a meeting of the Working Committee of the Muslim Conference, a resolution for change in the name and constitution of the party was presented for voting. Ch. Ghulam Abbas, Abdul Majeed Quershi, Sheikh Ahmed Din Banihali, Master Abdul Aziz Muzaffarabadi, Qazi Abdul Ghani Dalna, and Sufi Muhammad Akbar opposed the move.
August 5, 1938	Responsible Government Day was observed. Processions were taken out, public meetings were held and resolutions adopted repudiating the existing system of irresponsible Government and expressing full faith in the establishment of a completely responsible Government.
June 10-11,	A special session of the Muslim Conference was held

1939	at Srinagar under the Presidentship of Khwaja Ghulam Muhammad Sadiq. Mulana Saeed Masudi introduced the resolution to change the name of the Muslim Conference into National Conference. Chaudary Ghulam Abbas endorses the move on the condition that inter alia, (a) it will not mean affiliating with the Indian National Congress against the Muslim League; (b) non-Muslims will participate in the campaign for representative government, and (c) the Conference will continue to seek end of discrimination against Muslims. Some prominent Hindu leaders, including Prem Nath Bazaz, joined the National Conference but Hindu masses keep aloof.
September 7, 1939	The Maharaja had promulgated "The Jammu and Kashmir Constitution Act, 1939" (Act XIV of Samawat 1996). Consists of 78 sections and 5 Schedules.
1939	In Punch, the Muslims were not happy with the policies of the National Conference. They had established "Anjuman Azadi Poonch". Molvi Ghulam Haider Jandalvi was the president and Munshi Gul Ahmed Khan was its Secretary.
1939	All India States Muslim League was established, Nawab Bahadur Yar Jang was elected as President. Branches of "All Jammu and Kashmir Muslim

	League" were established in Srinagar and Jammu. In Srinagar M.A.Aziz was President and M.A.Hafeez was General Secretary and in Jammu Syed Ghulam Haider Shah was President and Muhamamd Ishaq Quershi was General Secretary.
March 23, 1940	On the occasion of the historical meeting of All India Muslim League, a special session of All India States Muslim League was held at the same venue.M.A.Hafeez, Muhamamd Ismaeel Saghir, Peer Zia ud Deen Andrabi, Syed Hassan Shah Gardezi, Sardar Fateh Muhammad Kralvi, Sheik Abdul Rehman, Professor Ishaq, Munshi Gul Ahmed Khan, Professor M.A. Aziz and Molvi Ghulam Haider Jandalvi had attended this session of the All India Muslim League from State of Jammu & Kashmir. Molvi Ghulam Haider Jandalvi also addressed there. Professor Aziz was nominated as a W.C. member of the All India States Muslim League.
May 30, 1940	Jawaharlal Nehru visited Kashmir on 30 May 1940 and appeals to the Hindus to support the National Conference and its struggle for responsible government. The enthusiastic welcome accorded to Nehru by Abdullah and his followers is marred by hostile demonstrations by others. A handbill widely

	circulated by students ask 'where were you, Mr. Nehru in 1931? You claim to be a Kashmiri; how come you have been silent all through our testing struggle?'
October 10, 1940	12 political workers met in Srinagar and decided for the revival of the Muslim Conference. These were Sardar Gauhar Rehman (Jammu), Sardar Fateh Muhammad Khan Kralvi M.L.A. (Poonch), Mirza Attullaha Khan, M.L.A.(Rajouri), Qazi Abdul Ghani Delinah, M.L.A (Baramula), Pir Zia-ud-Din, M.L.A (Badgam), Babu Muhammad Abdullah, M.L.A (Jammu),ChaudaryAbdul Kareem, M.L.A. (Mirpur), Chaudary Hameed Ullah Khan, M.L.A (Jammu), Munshi Muhammad Deen Fauq (Baramulha), Syed Hassan Shah Jalali (Srinagar), Khwaja Muhammad Yousuf Quershi(Srinagar), Mr.M.I.Saghar (Srinagar), Mr. Ghulam Haider Gauri (Jammu), Syed Mirak Shah (Srinagar).
January 26, 1941	Chaudry Ghulam Abbas in a press statement announced the revival of All Jammu & Kashmir Muslim Conference.
February 05, 1942	A special meeting was held at Jammu at the residence of Chaudary Ghulam Abbas. It was decided to convene a special session within two

	months to revive the All Jammu & Kashmir Muslim Conference.
April 03, 1942	A special meeting was held in the residence of Sardar Gohar Rehman Khan; presided by Chaudary Ghulam Abbas. The meeting formally announced the revival of the All Jammu & Kashmir Muslim Conference.
April 17-19,1942	After the revival of the Muslim Conference, the first annual session was held in Ghazi camp Jammu. Maulana Zafar Ali Khan editor *Zimidar* Lahore especially attended the session and presided the opening session. The conference has passed many important resolutions.Ch. Ghulam Abbas was elected as president and Allah Rakha Saghir as General Secretary.
August 1942	Mirwaiz Mulan Yousuf Shah joined the Muslim Conference.
September 19-21,1942	The first session of All Jammu and Kashmir Muslim Conference's working committee was held after 1939.
1942	"Jamat-e- Islami" (JEI J&K) was established in 1942 by Pir Said-ud-din.
April 09, 1943	Gopalaswamy Ayyangar, Prime Minster since 1937, quits on 9 April 1943. 'Deliverance Day' was

	observed by dissident sections of the National Conference. Bazaz, the co-founder of the National Conference with Abdullah, also resigned, expressing disillusionment.
July 14, 1943	Maharaja appointed a committee known as "The Royal Commission of Inquiry". Which was headed by chief justice Ganga Nath, it had twenty members, six of whom were Muslim.
August 13-14,1943	The annual session of All Jammu and Kashmir Muslim Conference was held in Srinagar, under the presidentship of Chaudary Ghulam Abbas.
1943	Pandit Prem Nath Bzaz floated the "Kashmir Socialist Party".
May 10, 1944	Quaid-e-Azam Muhammad Ali Jinnah reached Srinagar. He visited Kashmir on the joint invitation of the Muslim Conference and the National Conference. He attempts reconciliation between the two parties advising a single Muslim representative organization which, on the basis of full safeguards for the rights of non-Muslims minorities should arrive at an "honorable" settlement regarding the ongoing campaign for responsible government. Abdullah rejects Jinnah's advice publicly and criticizes him.

June 16-17,1944	The annual session of All Jammu and Kashmir Muslim Conference was addressed by Quaid-e-Azam Muhammad Ali Jinnah, in the compound of Jamia Masjid Srinagar.It was estimated that over one lac of Muslims turned up to hear Quaid-e-Azam.
September 29-30, 1944	National Conference issues a radical manifesto called "New Kashmir" contemplating drastic social and economic measures. At the same as against the Muslim Conference position of non-cooperation with the Maharaja's government agrees to the inclusion of one nominee of the National Conference in the Maharaja's cabinet.
July 19, 1945	Jawaharlal Nehru, accompanied by two Muslim leaders of the Indian Congress, Maulana Abul Kalam Azad, and Khan Abdul Ghaffar Khan reached Srinagar. Faces hostile demonstrations when taken out in a boat procession up the Jehlum river, These demonstrations are larger and more vehement than on his earlier visit in 1940.
July 19, 1945	"The All Jammu & Kashmir Kisan Mazdoor Conference" was established by Pandit Prem Nath Bzaz, Kanhaya Lal Kaul, Habibulla Naz, Khwaja Abdus Salam yatu and Mir Noor Muhammad. Abdul Salam Yatoo was nominated as President.

August 05, 1945	The annual session of the National Conference was held in Sopor, Pandit Jawar Lal Nehru and Khan Abdul Ghaffar Khan participated in this session.
February 15, 1946	In Jammu, Muslims were observing Eid-e-Milad-e-Nabi. The procession was attacked by Hindus. Twenty-eight persons were hospitalized. Twenty four persons mostly Muslims were arrested.
April 19, 1946	Cabinet's mission reached Srinagar. The mission consisted of Sir Pathic Lawrence, Mr. Alexander and Sir Stafford Cripps.
May,1946	National, Conference makes a declaration called 'Quit Kashmir' against the Maharaja drawing the attention of the British government to Kashmir's claim to freedom on the withdrawal of British power. Sheikh Abdullah launched the movement on 15 May 1946.
June 08-09,1946	The Muslims Conference adopts the "Azad Kashmir Resolution" on its working committee meeting held in Srinagar, calling for the end of autocratic government and claims the right of the people to elect their own constituent assembly
July 27, 1946	A meeting of General Counsel of the Muslim Conference was held in Mirwaiz Manzil Srinagar, presided by Chaudary Ghulam Abbas. This meeting

	approved the decisions of the working committee of the Muslim Conference and rejected the claim of Maharaja that the majority of Muslims are with him and his Government and decided for "Direct Action", to reject the claim of Maharaja. This resolution was presented by Allah Rakha Saghir, during his address, he said that they have received jails, violation of civic right and defense rules from Kak, we are deprived of Justice, we shall fight for Azad Kashmir, Our Maki Period is now ended we are in Madni Period, we shall fight for the liberation of every inch of the state.
October 19, 1946	Chaudary Ghulam Abbas was arrested.
January 1947	The leader of R.S.S. Master Tara Singh and Leader of Akali Dal Doctor Harnam Singh addressed a public meeting under the auspices of the Singh Sabha. They made highly inflammatory anti-Muslim speeches.
January 04, 1947	Elections were held in Kashmir. Muslim Conference captured 16 Muslim seats out of 21.
February 20, 1947	British Prime Minister Ateli announced in the House of Commons that according to the cabinet mission plan, the British Government will hand over the Government of India to Indians by June 1948.

April 21, 1947	The Maharaja of Jammu & Kashmir, Hari Singh visited Rawlakot, Ex-servicemen of the area turned up in large numbers to accord the ruler a befitting reception. Maharaja was surprised to see the former British Indian army in such a large number and wrongly considered it a threatening show of force. He did not address the gathering and even did not acknowledged their greetings.
April 1947	Maharaja Hari Singh visited the border areas of Punch and Mirpur, on return to Srinagar, he chaired a meeting of senior army officers and decided to raise the strength of state forces to 30,000 and import of arms.
May 24,1947	Kriplani, now President of the Indian National Congress, visits Kashmir and confers with the Maharaja on 24 May.
June 3, 1947	Partition Plan of Subcontinent was announced.
June 22, 1947	Sardar Muhammad Ibraheem Khan (MLA) and Chaudary Hameed Ullah Khan acting President All Jammu & Kashmir Muslim Conference arrived from Srinagar to visit Rawlakot. It was decided to organize the ex-servicemen into Home Guards, for local protection of their area and later to start an armed struggle for the accession of the state with Pakistan.

July 19, 1947	On 19 July, a convention of Muslim Conference urges accession to Pakistan.
July 1947	The Maharaja orders Muslims to deposit their arms with the police. The Muslims in Punch organized themselves in guerilla groups.
August 1947	Hari Singh with high ranking military officers toured Jammu province. Arms were distributed by the State to Hindus and the Sikh population at Jammu, Mirpur, Raisi, Bhimber, Punch, and Muzaffarabad. Retired Hindu army officers Lt. Col. Dirak Ram, Ajaib Singh, Jaswant Singh, Dinatar Singh, and others were called for a conference in Srinagar and later employed to distribute arms and ammunition to retired Hindu soldiers from J&K army depots.
August 1, 1947	On 1 August, Mahatma Gandhi visits the Maharaja and suggests the removal of R.C. Kak. Gandhi is assured by a lieutenant of Abdullah that if Kak is ousted, a plebiscite will return a vote in favor of India.
	Administrative control of Gilgit Agency was handed over to Maharaja of Jammu and Kashmir by the Govt. of British India. The rest of the Northern areas including Gilgit Wizarat east of river Indus, Skardu,

	and areas up to Leh were under the administration of Maharaja of Kashmir. Brig. Ghansra Singh was appointed as a new Governor.
August 12, 1947	Maharaja offered a standstill agreement to both India and Pakistan.
August 14, 1947	Pakistan Day celebrations were banned in Kashmir. Muslims in Kashmir celebrated "Pakistan Day" with flags enthusiastically displayed throughout the state. Pakistan flags were pulled down and burnt by state police and Dogra troops.
August 15, 1947	Pakistan accepted a standstill agreement with Maharaja.
August 15, 1947	A public meeting was held at Rawlakot, addressed by Sardar Mukhtar Khan, Sardar Suleman Khan, and some others. The participants were decided to start the armed struggle against the Dogra regime.
August 17, 1947	Red Cliff Award is published. (Cyril Red Cliff, a London barrister, headed Boundary Commission to establish partition lines between Pakistan and India in divided provinces of Punjab and Bengal.) By splitting Gurdaspur district – a Muslim-majority area allotted to Pakistan in 'notional division', the Award provided India with a road link to Kashmir and made it practicable for Maharaja to accede to India or

	establish a military alliance with it. Maharaja, having excluded the option of joining Pakistan, adopts a three-point strategy (i) to make the road to India serviceable – all existing roads lead to Pakistan; (ii) to concentrate his troops in areas bordering Pakistan to deter insurgencies and seal frontier against incursions; (iii) to establish a close working relationship with the Indian government without formal accession, if possible and with it, if necessary.
August 17, 1947	A Public rally was organized in Rawlakot, soon after the prayer of Eid-Ul-Fiter. Sardar Mukhtar Khan Advocate, Sardar Muhammad Hussain Khan, Nambardar Sardar Khan, Sardar and Muhammad Ameer Khan had delivered speeches. They criticized the Government. The public rally was followed by the parade of Muslin National Guards. Participants were hosting the Pakistani flag and chanting slogans in favor of Pakistan and against Dogras.
August 23, 1947	A public meeting was held at Neela But, it was addressed among others by Sardar Muhammad Abdul Qayyum Khan, Syed Muzaffar Hussain Nadvi, Peer Sadiq Hussain Shah, Syed Shamshad Shah, Molvi Muhammad Ismaeel, and Naik Molvi

	Muhammad Bakhsh. They strongly condemned the state army repression and demanded accession of the state to Pakistan.
August 24, 1947	Sardar Muhammad Ibraheem Khan reached Abbottabad from Srinagar. Raja Abdul Hameed Khan and Sultan Husan Ali Khan of Boi (Hazara) assisted him in this journey.
August 25, 1947	Muslims of Northern and Eastern Bagh under the leadership of Syed Ali Asghar Shah and Sardar Gul Ahmed joined the Sardar Muhammad Abdul Qayyum Khan at Bani Pasari.
August 26, 1947	A public meeting was held at *"Hudda Barhi"*(Bagh). The local leaders demanded accession of the state with Pakistan. Dogra forces fired at the meeting, killing and wounding 24 unarmed Muslims.
August 28, 1947	A detachment of four Dogra signal men while moving from Rawlakot to Bagh on foot was ambushed in area Navli by a party of four freedom fighters lead by Nike Molvi Muhammad Buksh, three Dogra signal men became casualties with their rifles.
August 29,1947	Sardar Muhammad Abdul Qayyum Khan with a small band of freedom fighters had an exchange of fire with Dogra troops in Arja gorge.
August	A clash between the Mujahideen and State troops

29,1947	took place at Dothan (Punch).
August 1947	In Punch, 9 J&K infantry battalion was moved from Srinagar to Rawlakot under the command of Lt. Col.Ram Lal. Marching from Punch to Hajira and Rawlakot looted shops and houses of Muslims and molested women. Forced labor of Muslim civilians was employed by state force. Large bodies of Rashtriya Swayam Sewak Sangh (RSS) armed volunteers were imported into the state. The number of Dogra troops was raised by another three thousand.
September 05, 1947	All Jammu & Kashmir Muslim Conference observed Punch Day, against the killings, arson, and arrests by Dogra Forces in Punch.
September 06, 1947	Dogra forces arrested Syed Khadim Hussain Shah from Hular Bagh and martyred him.
September 14, 1947	Sardar Muhmmad Ibrahim Khan held an important eeting at Dahlkot.
September 16, 1947	Kisan Mazdoor Conference has approved a resolution and demanded Maharaja that Kashmir should accede with Pakistan.
September 18, 1947	Kashmir Socialist Party had demanded the accession of state with Pakistan, in the interest of Kashmiri

	workers.
September 25, 1947	Sardar Muhammad Ibrahim Khan held a meeting at Muree attended by Muhmmad Afsar Khan of Mong, Bostan Khan of Rehara, Bostan Khan Nar, Mujahid Muhmmad Shafi, Sardar Muhmmad Abdul Qayyum Khan, Capt. Hussain Khan, Molvi Ghulam Haider Jandalvi, Mujahid Justice Sardar M. Sharif Khan and many others. To accelerate command and control of the war of liberation in district Punch, three sectors Kotli-Sudhnuti, Rawalkot, and Bagh were established with commanders. Sudhnuti-Kotli sector commander was Col Khan Muhmmad Khan of Pallandri assisted by capt. Hussain Khan of Gorah and Lt. Chanun Khan, Sudhnuti- Punch sector commander was Capt. Hussain Khan of Kalakot assisted by Capt. Rehmat Ullah Khan of Lunjgirian and Sub. Bostan Khan of Rehara and in Bagh sector commander was Sardar Muhammad Abdul Qayyum Khan assisted by Pir Syed Ali Asghar Shah.
October 1947	Muslim refugees from the Jammu area were attacked by non-Muslim *jathas*, mostly from RSS, 2400 Muslims had embraced martyrdom.
October 01,	Deheerkot Police Station was burnt by Mujahid

1947	(Later col.) Raja Muhammad Sadique Khan and his companions.
October 02, 1947	Khan Sahib, Khan Muhammad Khan held a meeting to organize Mujahid force at Las Rati, attended by Capt. Muhammad Hussain Khan of Kahala, Capt. M. Ismail KhanBostan Khan, Jallal Khan and Abdullah Khan of Nandi Chhanni, Sub. Shan Khan and Capt. Burhan Ali Khan of Chhehhan Raja Sakhi Daler Khan with his party of volunteers attacked the bridge of Lachhman (Azad) Patan and captured the area.
October 03, 1947	Raja Latif Khan of Kotli Deheerkot embraced martyrdom in a clash with Dogra force in the forest near Neelabut.
October 3-4,1947	A major clash between the Mujahedeen and State troops took place at Thorar (Punch) on the night of 3-4 October 1947
October 06, 1947	Battle of Mang was continued two days Subaidar Afsar Khan and 08 Mujahedeen had embraced martyrdom.
October10-11,1947	Dogra platoon attacked on School at Dothan, 04 Mujahedeen and three women Hussain BB , Jabara Begum and Hussan BB , who were providing food to Mujahedeen embraced martyrdom. On the counter-

	attack, 400 Dogra soldiers were killed.
October 13, 1947	The Government of Pakistan strongly protested to the Govt. of Kashmir against the state of affairs in Punch.
October14-15,1947	Subedar Baru Khan and Hav.Karim Haider had embraced martyrdom in an attack by Dogra Forces at Sarsawa Kotli
October 16, 1947	Maharaja Hari Singh visited Bhimber and personally instructed his troops to shoot any Muslim having pro-Pakistan sentiments or who was a security risk. Muslim villages around Bhimber were set on fire in which many Muslim families perished. A large number of Muslim families took refuge in the adjoining areas of Gujarat and Jhelum in Pakistan.
October 17, 1947	A battalion of Patiala State forces – was brought in to Kashmir on October 17; it takes up positions guarding Srinagar airfield and reinforces Maharaja's garrison in Jammu.
October 21, 1947	Muslims in the state troops in Muzaffarabad mutinied. Four thousand Muslims were killed by Dogra forces in Ranbirsinghpura tehsil of Jammu and hundred of Muslim villages set on fire from Kathua to Suchetgarh.

	The Prime Minister of Pakistan Mr. Liqat Ali Khan warns Kashmir Govt. against the oppression of Muslims in Kashmir.
October 22, 1947	About 3,000 Pathan tribesmen, volunteers from NWFP & Tribal areas with small arms and driving in civilian lorries, commanded by Khurshid Anwar, enter State. Muzaffarabad was librated.
October 24, 1947	Sardar Muhammad Abdul Qayyum Khan with 400 Mujahideen and Swati Lashker attacked Nanga and captured the area. Qayyum Force also took 1500 armed civilians into custody and evacuated to Neelabutt. The Bhimber was liberated under the leadership of Col.Habib-ur-Rehman Khan with his companions Lieut. Raja Annyat Khan, Captain Nawaz, Captain Ghulam Mauhiudin, and Raja Jamroz Khan.
October 24, 1947	Azad Kashmir Government was established. Sardar Ibraheem Khan was selected as President Azad Jammu & Kashmir.
October 26, 1947	Mujahadeen captured Baramula.
October 27, 1947	According to the Indian account, the Maharaja of Kashmir had signed the Contravesial Instrument of Accession with India.

	Neutral researchers found that it was not signed before 27th October. Indian troops landed in Srinagar airport Kashmir
October 30, 1947	Maharaja Hari Singh appointed Sheikh Abdullah as the Emergency Administrator for the State. The Govt. of Pakistan refused to recognize Kashmir's accession to India.
November 01, 1947	Lt. Ghulam Haider with a platoon of Gilgit Scouts forced the Dogra Governor, Brig. Ghansara Singh, to surrender. Gilgit Baltistan was liberated by local persons. Col.Mirza Hassan Khan and Major Raja Babur Khan were leading these Mujahedeen.
November 02, 1947	A provisional Government of Gilgit Baltistan was established. Raja Shah Raees Khan of Gilgit was selected as the head of Government, whereas Mirza Hassan Khan was Chief of the Gilgit army. After two weeks Sardar Muhammad Alim Khan was appointed as the political agent from the Government of Pakistan.
	Doctor Faqir Muhammad raised a field hospital in Kakuta with the help of Jem. Imam Deen with their own and community contribution. Doc. Faqir Muhammad was commissioned Major in Azad

	Kashmir Army Medical Corps from December 01, 1947, and his hospital was designated 1 Azad Kashmir field hospital Kakuta from the same day.
November 03, 1947	Indian Interior Minister Sardar Patel and Defense Minister Baldev Singh visited Jammu.
November 05, 1947	Gora , Pail, and Kamotra (Mirpur) were liberated by Brig. Dilawar Khan and volunteers.
November 06, 1947	Kashmiri Observe this day as "Yum-e-Shuhda-e-Jammu" to pay tribute to martyrs of Jammu. The genocide of Muslims in Jammu was started in April 1947, by Dogra forces, RSS, *Akali Dal*, Patiala State forces and local Sikhs and Hindus. Out of the total 8 *lakhs* who tried to migrate more than 2,37,000 Muslims were systematically exterminated by all the forces of Dogra State and aided by Hindus and Sikhs.
November 09-10,1947	On the night of 09 and 10 November 1947 Captain Rehmat Ullah Khan and Raja Sakhi Dler Khan attacked Rajouri and liberated it. It was re-occupied by Dogra forces.
November 10, 1947	Indian Air force attacked on Rawlakot, 90 Mujahedeen were embraced martyrdom. The Dogra forces withdrew from Rawlakot having fought with freedom fighters. The Mujahedeen gain victory under the leadership of captain Hussain Khan,

	Subaidar Bostan Khan, Subaidar Muhamamd Hussain, and Sub.Kalo Khan.
November 11, 1947	Captain Hussain Khan embraced martyrdom.
November 15, 1947	Indian troops pushed back Azad forces from Baramula to Uri.
November 21, 1947	Nehru in a statement in the Indian Parliament stated that he promised the people of Kashmir to give them a chance of deciding their future under the supervision of an impartial tribunal such as the UN.
November 23, 1947	Mirpur was liberated after a long fight. The Mujahideen were fighting under the leadership of Col.Khan Muhammad Khan. The local Mujaheedn leaders were Captain Raja Afzal Khan, Captain Raja Azam Khan, N.Sub, Rehmat Khan, N. Sub. Ismaeel, N.Sub.Kafiat Ali, Sub.Manga Khan and Sardar Abdullah Khan. They were also supported by Col.Ali Ahmed Shah, Ghazi Elahi Buksh, Ghazi Abdul Rehman, Chaudary Noor Hussain and Raja Dilwar Khan.
November 26, 1947	Kotli was librated. The Mujahadeen leaders were Raja Sakhi Dler Khan, Sub. Muhammad Hussin, Major Muhammad Hussain, Lieut.Afrasiab and Abdul Rasheed

December 01, 1947	Maj. Gen Muhammad Zaman Kiani was appointed as commander-in-chief and Brig. Habib Ur Rehman Khan ad Chief of the Staff of Azad Kashmir Regular Forces (AKRF)
January 1, 1948	India filed a complaint in the UN Security Council.
January 17, 1948	India and Pakistan called upon to take measures to improve the situation and to inform about any significant change in it.
January 20, 1948	U.N. Commission for India and Pakistan (UNCIP) was established.
February 04, 1948	Mujahideen captured Handwara
March 5, 1948	The Maharaja issued a proclamation replacing the Emergency Administration by a popular interim government headed by Sheikh Abdullah.
March 23, 1948	Handwara was recaptured by Indian forces.
April 10, 1948	Rajouri was captured by Indian troops and a large number of the Muslim population was massacred. Many were fled towards AJK and Pakistan.
April 21 ,1948	The Security Council passed a resolution providing for mediation by a 5-member UN Commission for India and Pakistan. (UNCIP)

May 21, 1948	Azad Jammu and Kashmir High Court was established. Khan Bahadur Sheikh Abdul Hameed was the first Chief Justice.
May 25, 1948	Indian forces reached up to Chakothi.
May 1948	Azad forces captured Kargil, Dras and a larger portion of Leh valley.
July 22, 1948	Pakistan and Azad troops captured Pandu after 72 hours struggle.
July 24, 1948	Chota Kazinag was liberated from Indian forces.
August 14, 1948	Azad troops attacked Skardu. Lt. Col. Thappa , 2 captains, 3 Lts, 4 Jemadars and 106 IORs made prisoners.
July-August 1948	Chitral force commanded by Col. Burhan- ud –Den, Gilgit Scouts under Sub.Akbar Hussain and force under major Sadiq Quershi defended Kel , Kanzalwan and captured Taobut
August 13, 1948	The UNCIP passed a resolution providing the Right of Self Determination to Kashmiris.
November 22, 1948	India captured Kargil.
December 11, 1948	UNCIP appointed Plebiscite Administrator.
January 1, 1949	Ceasefire proclaimed under the UN auspices.

January 05, 1949	The UNCIP is called by Pakistan to pass a resolution providing a Plebiscite Administrator for J&K. Adm. Nimitz nominated as Plebiscite Administrator. However, he could not succeed in getting the UN resolution implemented particularly resolution No.2 viz. withdrawal of Pak troops.
February 08, 1949	Azad Kashmir Government shifted its capital from Junjal Hill (Pallandri) to Muzaffarabad.
April 28, 1949	"Karachi agreement" signed between Govt. of Pakistan, Azad Kashmir, and the Muslim Conference for the provisional administration of Northern Areas (G&B).
May 27, 1949	The original draft of Article 370 was drawn up by the Government of Jammu & Kashmir. A modified version of the draft was passed in the Constituent Assembly of India on 27.05.1949 (as Article 306A, later modified as Article 370).
June 20, 1949	Maharaja Hari Singh issued a proclamation abdicating in favor of his son, Yuvraj Karan Singh.
October 17, 1949	Article 370 was included in the Indian Constitution by the Constituent Assembly. Article 370, in effect, mirrored the terms of the Instrument of Accession, in particular, clauses (4) and (8).

January 26, 1950	The Constitution of India comes into effect - Article 1, under which the entire state of J&K was a part of the territory of India and Article 370, giving special status to the State were applied to J&K.
January 26, 1950	The Constitution (Application to J&K) order 1950 was issued under Article 370. This order applied 39 entries of the Union list to J&K corresponding to the terms of the 'Instrument of Accession' and enumerated the related provisions of the Constitution which would apply to J&K with or without modifications.
May-June 1950	Sir Owen Dixon appointed as the first UN Representative, visited India and Pakistan in May-June 1950. He suggested a process of de-militarization popularly known as the 'Dixon Plan'.
October 27, 1950	All J&K National Conference passed a resolution for convening a Constituent Assembly based on adult suffrage for the purpose, inter alia, of determining the future shape and & affiliation of the state of J&K including the issue of accession to India and & to frame a Constitution for the State.
1950	Rules of Business 1950 was issued to run the Govt. of AJK. The supreme head AJK was empowered to nominate the President and ministers.

April 1951	The Security Council appoints another representative (Dr. Graham) to resolve the issue within 3 months.
July 2, 1952	Leaders of IOJK (NC) discussed Centre/State relations with the Central Government and arrived at an arrangement known as the 'Delhi Agreement'.
November 1952	The election for the Constituent Assembly held for framing the Constitution of J&K. All 75 seats won by the NC.
1952	Rules of Business 1952 was issued to run the Govt. of AJK. The most of the powers of AJK Govt. were shifted to the Joint Secretary Ministry of Kashmir Affairs GoP.
June 19, 1953	Formation of Kashmir Political Conference (now defunct) by Ghulam Mohi-ud-Din Karra, who resigned from the NC.
May 14, 1954	A presidential order, the same being 'The Constitution (Application to Jammu and Kashmir) Order, 1954', was passed, applying the terms of the Delhi Agreement. It introduced Article 35A, which protects laws passed by the state legislature regarding permanent residents from any challenge on the ground that they are in violation of Fundamental Rights.

March, 14 - April 11,1957	Gunnar Jarring of Sweden was appointed as the UN mediator on the 'Kashmir issue'. He visited India and Pakistan.
June 1958	Chaudry Ghulam Abbas launched Kashmir Liberation Movement(KLM) and announced the central committee for the arrangement of this movement. The committee was consist of Chaudary Ghulam Abbas(Supreme Head), Khawaja Muhammad Yousuf (General Secretary), members were: Raja Haider Khan, Sardar Abdul Qayyum Khan, Col.Sher Ahmed Khan, Ghazi Elahi Buksh, Dr.Muzaffar Hussain and Qazi Sher Alam
June 15, 1958	Meeting of heads of liberation committees was held under the presidentship of Chaudary Ghulam Abbas and it was decided to cross Ceasefire Line on 29th June 1958. All leadership was arrested.
1958	Rules of Business 1958 was issued to run the Govt. of AJK. Joint Secretary MoFKA was replaced by Chief Adviser.
1960	Basic Democracies System (BDS) was introduced in AJK
April 1962	Maulvi Mohd. Farooq took over as the Mirwaiz of J&K.
October 20,	Sino-Indian War. The cause of the war was a dispute

1962	over the sovereignty of the widely separated Aksai Chin and Arunachal Pradesh border regions. Aksai Chin, claimed by India to belong to Kashmir and China to be part of Xinjiang, contains an important road link that connects the Chinese regions of Tibet and Xinjiang. China's construction of this road was one of the triggers of the conflict. The war was ended on November 21, 1962.
March 02, 1963	Trans-Karakoram Tract agreement. Negotiations between China and Pakistan officially began on October 13, 1962, and resulted in an agreement being signed on 2 March 1963 by foreign ministers Chen Yi of China and Zulfikar Ali Bhutto of Pakistan. The agreement resulted in China withdrawing from about 750 square miles of territory, and Pakistan withdrawing its claim to about 2,050 square miles of territory that, in practice, it neither occupied nor administered.
December 27, 1963	The Holy relic is stolen from the Hazratbal shrine, Srinagar. Massive anti-India agitation started by an Action Committee under the leadership of Maulvi Farooq.
June 22, 1964	Maulvi Farooq announced the formation of the Awami Action Committee.

1964	Azad Kashmir Govt Act 1964 was promulgated and the state council was introduced which was amended in 1965 and 1968.
March 30, 1965	Legislative Assembly of Indian Occupied Kashmir passed the constitution (amendment) Bill, which brought about more significant changes. The designation of *Sadar-e-Riasat* (head of State) was changed into Governor, appointed by the president of India instead of the legislative assembly. The Prime Minister of the State would be known as Chief Minister.
January 10, 1966	India and Pakistan signed the *'Tashkent Declaration'*.
December 18, 1967.	Chaudary Ghulam Abbas died and was buried at Faiz Abad Rawalpindi.
January 1970	'Al Fateh' organization was launched in IOJK.
1970	In Azad Jammu and Kashmir Azad Kashmir Govt Act, 1970 was promulgated. Through this Act Presidential form of Govt was introduced.
30 January 1971	The hijacking of the Indian Airlines plane by Kashmiri Muslims.
July 3, 1972	*'Simla Agreement'* was signed by the Prime Ministers of India and Pakistan. Ceasefire line converted into the Line of Control (LOC).

Nov.13, 1974	Kashmir accord was signed between Mirza Afzal Beg and G.Parthasarthy about IOJK.
1974	Azad Kashmir Interim Constitution Act, 1974 was promulgated. Parliamentary form of Govt. and Kashmir council was introduced.
September 12, 1976	Delhi-Jaipur bound Indian Airlines aircraft hijacked to Lahore by JKLF activists, Hamid Diwani, Mohd. Rafiq, Abdul Rashid Malik, Mohd. Ahsan Pathan, Gh. Nabi Bhatt and Gh. Rasool Shaheen.
May 1977	J&K Mahaz-e-Azadi, a pro-independence organization, formed by Sofi Mohd Akbar.
Sep.1977	J&K Islamic Jamiat-e-Tulba was formed.
June 1979	J&K People's Conference was formed by Abdul Ghani Lone.
Nov. 1981	J&K Panther's Party was formed by Bhim Singh.
Sep. 8, 1982	Sheikh Abdullah dies and Dr. Farooq Abdullah was sworn in as the new CM.
February 11, 1984	Execution of Mohd. Maqbool Butt, JKLF founder in Tahr Jail.
March 11, 1988	A prominent Kashmiri Leader, Kh. Khursheed was died in a road accident on March 11, 1988, while traveling in a public transport vehicle as an ordinary passenger. He is buried in the heart of Muzaffarabad.

Jan. 16 , 1989	Formation of J&K Muslim Conference.
January-March,1989	Protests against Salman Rushdie's book, The Satanic Verses, lead to massive demonstrations in Srinagar. 50 people are injured in a clash with police. Protests and clashes with police continue
March 14,1989	Formation of the J&K-Democratic Movement Forum by AR Kabuli.
May 11-14, 1989	Quit Kashmir Movement launched by JKLF.
December 8,1989	Abduction of Rubaiya Sayeed, D /O Mufti Mohd Sayeed, the then Union Home Minister, in Srinagar.
December 13, 1989	Release of Dr. Rubaiya Sayeed in exchange for 5 hardcore JKLF leaders.
January 1990	Jagmohan takes over as the Governor.
February 5,1990	An attempt by a mob of Kashmiri nationals to cross the LoC at Suchetgarh, Jammu.
March 4,1990	The liberation organization's advocating Kashmiris' accession with Pakistan form a forum, Tehreek-e-Hurriyat Kashmir in Srinagar. Advocate Mian Abdul Qayoom heads the forum.
February-April 1990	Syed Ali Gillani, Abdul Ghani, Prof. Abdul Ghani Baht, Maulvi Abbas Ansari, Qazi Nissar arrested.
May 21, 1990	The assassination of Mirwaiz Maulvi Farooq by Indian Forces. His funeral procession is fired on by

	security forces killing 50.
May 25, 1990	Jagmohan resigns as Governor, G.C. Saxena takes over.
July 18-19,1990	The first round of Secretary level Indo-Pak talks in Pakistan.
July 19,1990	The imposition of President's rule in J&K State.
August 9-10,1990	The second round of Indo-Pak talks in New Delhi.
Dec. 18-20, 1990	The third round of Indo-Pak talks.
Aug.19 , 1991	5th round of Indo-Pak Secretary-level talks.
August 1992	6th round of Indo-Pak Secretary-level talks.
March 7,1993	Nearly 30 parties and groups including JKLF, join together to form All-Parties Hurriyat Conference in Srinagar, headed by Mirwaiz Omar Farooq, son of the slain Mirwaiz Maulvi Mohammad Farooq.
March 12,1993	Gen. K.V. Krishna Rao took over as the Governor of J&K.
April 1, 1993	Dr. Abdul Ahad Guru, senior JKLF leader kidnapped and killed by Indian Forces.
September 21-22 ,1993	Maqdoomi Sahib mosque is set ablaze by Indian forces.
January 1-3,1994	7th round of Indo-Pak Secretary-level talks.

May 8-9 , 1995	Burning of over 250 houses in Charar-e- Sharief town by Indian forces.
May 10-11 , 1995	Burning of Charar-e-Sharief shrine and the complete township by Indian forces.
February 1996	Ban on the JKLF under the Unlawful Activities (Prevention) Act.
September 18,1996	Ban on Harkat-ul-Ansar (HUA) and Hizbul-Mujahideen (HuM) under Section 3(IIIA) J&K Criminal Law Amendment Act.
Oct. 9, 1996	Farooq Abdullah's government formed.
March 30,1997	The eighth round of Indo-Pak Secretary-level talks in Delhi.
June 19-23,1997	The ninth round of Indo-Pak Secretary-level talks in Islamabad.
August 1997	Formation of J&K Solidarity Forum in Azad Kashmir.
September 15-18, 1997	10th round of Indo-Pak Foreign Secretary-level talks in Delhi.
December 9-11,1997	OIC Contact group meeting in Tehran.
Feb. 17, 1998	Ban on JKLF extended.
April 24,1998	Syed Ali Gillani Geelani takes over as the Chairman of APHC.
July 29,1998.	Indo-Pak talks on the eve of the Colombo summit.
May 8, 1999.	Kargil war started

December 24,1999	Five Kashmiri Freedom Fighters hijacked an Indian Airlines Airbus carrying 189 passengers and 11 crew members en route from Katmandu to New Delhi. The plane is diverted to Dubai, United Arab Emirates, where the hijackers release 27 hostages.
December 25,1999	The hijacked Indian Airlines plane lands at an airport in southern Afghanistan after a flight from Dubai. The hijackers demand the release of 36 mujahedeen languishing in Indian jails.
December 31,1999	The Indian Government agrees to release three imprisoned mujahedeen in exchange for the hostages' safe return. The plane and remaining hostages are released unharmed.
February 28, 2000	Kashmiris on both sides of the Line of Control and abroad observe protest day against the collective massacre of 14 Kashmiris at village Lonjot, in the Nakial sector by Indian troops.
June 06, 2000	A prominent liberation activist, Javed Ahmad Zargar has released after 11 years of illegal detention in Indian jails.
August 3,2000	Chief of Kashmir Mass Movement, Farida Behanji, is released after 5 years of illegal detention.
January 12,2002	Pakistan President Pervez Musharraf, in a televised address to the nation, calls for a peaceful end to the

	dispute over Kashmir and for a renewed spirit of national unity. He says, "Kashmir runs in our blood. No Pakistani can afford to sever links with Kashmir. We will continue to extend our moral, political and diplomatic support to Kashmiris. We will never budge from our principle stand on Kashmir issue, which must be resolved through dialogue in accordance with the wishes of the people of Pakistan and in accordance with the UN resolutions."
May 21,2002	APHC leader Abdul Ghani Lone along with his bodyguard was murders while attending a ceremony commemorating the assassination of prominent Kashmiri leader, Mir Waiz Maulvi Farooq.
June 28,2002	India's interior ministry bans Kashmiri women's group Dukhtaran-e-Millat
October 16,2002	India's apex Cabinet Committee on Security headed by Prime Minister Atal Behari Vajpayee decides to order a phased withdrawal of troops massed on Pakistan's borders. Announcing the cabinet decision, Indian Defence Minister George Fernandes says, the armed forces would take their time to implement the process of withdrawal.
October	Jammu and Kashmir are put under Governor's rule

17,2002	after caretaker puppet Chief Minister Farooq Abdullah refuses to take charge of the regime.
November 2,2002	Mufti Mohammed Sayeed is sworn-in as the puppet chief minister of Jammu and Kashmir.
December 18, 2002	A Delhi court awards death sentence under draconian law POTA to three Kashmiris, Muhammad Afzal, Showkat Hassan Guru and a university lecturer, Syed Abdul Rehman Gilani, falsely charged for attack on the Indian parliament on December 13 last year. Showkat's wife Afshan Guru was charged with what was described as concealing the so-called plot. She is sentenced to five years of rigorous imprisonment. The All Parties Hurriyet Conference has strongly denounced the verdict.
July 11,2003	India and Pakistan resume bus service after 18 months. The All Parties Hurriyet Conference welcomes the resumption of the Delhi-Lahore bus service and says that the alliance would not raise any heckles, if New Delhi and Islamabad start with trade, cultural and other ties before discussing the Kashmir issue. Mirwaiz Umar Farooq says, "Nobody can deny the fact that sooner or later Kashmir issue has to be resolved."
July 31,2003	Ghazi–e-Millat Sardar Muhammad Ibraheem Khan

	died.
November 25,2003	A ceasefire between India and Pakistan on the Line of Control, Working Boundary, and Line of Actual Contact in Siachen becomes effective. Modalities for giving effect to the truce are worked out after a hotline contact between the Director General Military Operations (DGMOs) of Pakistan and India.
November 29,2003	President General Pervez Musharraf announces Pakistan's readiness to go beyond its stated position in disputes with India, as he declares to unilaterally remove the ban on the Indian overflights. India welcomes Pakistan President Pervez Musharraf's announcement that his country will lift the ban on Indian flights over its airspace and grant them landing rights and hoped that the two-day talks on the resumption of civil aviation links would be fruitful.
December 18,2003	President Pervez Musharraf says Pakistan is ready to put aside its demand for a referendum in occupied Kashmir. Pakistan's long-standing position has been that a referendum should decide if the divided territory becomes part of Pakistan or India.
January 05,2004	Meeting between President Pervez Musharraf and Indian Prime Minister Atal Bihari Vajpayee held in

	Aiwan-e-Sadr in Islamabad. This is the first formal meeting between the two leaders after the Agra Summit, two years back.
February 17,2004	Pakistan and India agree to start a dialogue on Kashmir in May-June.
March 25,2004	Indian army sources say a substantial portion of the multi-layered fences has been erected in 360 kilometers out of a total of 580 kilometers on the LoC.
June 24,2004	In a televised address to the Nation, Indian Prime Minister Manmohan Singh says, we will actively pursue the composite dialogue with Pakistan. We are sincere about discussing and resolving all issues, including Jammu and Kashmir.
October 13,2004	Pakistan President Pervez Musharraf sees a 'simple' solution to the Kashmir dispute saying India should pull troops out of the Himalayan territory and agree to a compromise over its status. In an interview to Indian newspaper, President Pervez Musharraf says both sides need to step back from these 'maximalist' positions after which, he added; they could find a solution in just a day if they really wanted to. "It is simple – identify the region, demilitarize it, and change its status."

October 25,2004	In a new formulation to resolve the vexed Kashmir issue, Pakistan President Pervez Musharraf suggests India and Pakistan consider the option of identifying some 'regions' of Kashmir on both sides of the Line of Control, demilitarize them and grant them the status of independence or joint control or under UN mandate. "I will leave food for thought for you. Take Kashmir in its entirety. It has seven regions. Two of the regions are in Pakistan and five are in India. In my view, identify a region, whether it is the whole or seven or part, I do not know." "Identify the region, demilitarize the region forever and change its status," Musharraf said this at an *iftar* dinner attended by diplomats, government officials and media persons in Islamabad.
December 07,2004	A crucial round of talks between India and Pakistan begins in New Delhi to discuss a proposed bus service between the divided parts of Kashmir. The proposed service will link Srinagar and Muzaffarabad.
February 16,2005	Significant steps enhancing people-to-people contacts, India and Pakistan agree to start the Srinagar-Muzaffarabad bus service from April 7 and decide on a series of confidence-building measures

	that include reducing the risk of use of nuclear weapons.
April 7,2005	In a path-breaking step, the divide that has kept apart the people of Jammu and Kashmir is bridged with the start of bus services across the Line of Control after 57 years. At 1.45 p.m., 30 passengers of the bus from Muzaffarabad, capital of Azad Jammu and Kashmir, take what Indian Prime Minister Manmohan Singh describes as a "small but significant step" by crossing a "Peace Bridge" straddling the LoC into Jammu and Kashmir on the Indian side.
June 02,2005	Nine leaders of the All Parties Hurriyet Conference (APHC) and some other groups cross into Azad Jammu and Kashmir from the Chakothi checkpoint on the Line of Control. Chairman of the APHC Mirwaiz Umar Farooq and two other visiting leaders in a press conference in Muzaffarabad say that they have come to consult the Kashmiri leadership in Azad Kashmir and the Pakistan government about participation in the dialogue between Islamabad and New Delhi to settle the 57-year-old Kashmir dispute. They emphasize that while supporting the India-Pakistan peace process and seeking their vital

	participation in it, they would not countenance a "sell-out of the blood of 80,000 people killed in 15 years of the uprising in occupied Kashmir".
September 04, 2005	Pakistan and India agree on the reunion of divided Kashmiri families at designated places along the Line of Control (LoC) in Jammu and Kashmir, a move which they believe would address the grave problems of the Kashmiri people. According to the proposal, the divided Kashmiri families will be allowed to meet at five places including Mundhar, Poonch, Suchetgarh, Uri and Tangdhar.
September 15,2005	After a marathon four-hour long meeting that spilled past midnight, Prime Minister Manmohan Singh and President Pervez Musharraf agree to pursue all possible options for a peaceful negotiated settlement of the Jammu and Kashmir issue while pledging not to allow terrorism to impede the peace process. Meeting on the sidelines of the UN General Assembly after sending out clear messages on what they want to be done in regard to resolving bilateral problems, the two leaders issued a four-para joint statement, which is read out by President Pervez Musharraf after the dinner hosted by Singh at his hotel.

Oct. 08, 2005	A devasting earthquake in Kashmir
January 18,2006	India and Pakistan agree to start a second bus service linking both sides of divided Kashmir. A joint statement after two days of talks between the foreign secretaries of both countries held in Islamabad says Pakistan and India are committed to starting a bus service between Punch and Rawalakot and truck service on the Muzaffarabad-Srinagar route for trade as soon as infrastructure damaged by the October earthquake is restored. Indian Foreign Secretary Shyam Saran says arrangements for the Poonch-Rawalakot route can be finalized by March-April. He says India's proposal for Jammu-Sialkot and Kargil- Skardu bus routes are pending.
June 20,2006	Intra Kashmir, Poonch-Rawalakot bus service started.
October 11,2006	Pakistan's President Pervez Musharraf says discussions are underway between Pakistan and India for an agreement on the Kashmir issue. He expresses the hope that 'something' could be announced during Prime Minister Manmohan Singh's proposed visit to Pakistan.
June 27,2008	Hundreds of thousands of people converge on Lal Chowk in Srinagar chanting '*Jeeve Jeeve* Pakistan'

	and 'We want Freedom'. People wave the Pakistani flag on Ghanta Ghar in Lal Chowk and in Front of Radio Kashmir in Srinagar. Dozens of people are injured in clashes between the protesters and Indian troops in Srinagar, Baramulla, Sopore, Budgam, Islamabad, Pulwama, Shopian, Kupwara and other cities.
August 11, 2008 Martyrdom of Shaikh Abdul Aziz	Hundreds of thousands of Kashmiris march to the line of control, amidst large-scale arrests, indiscriminate firing and use of brute force by Indian troops. The APHC Chairman, Mirwaiz Umar Farooq, Syed Ali Glani, Syed Agha Hassan- Al-Mosoovi and Main Abdul Qayoom are placed under house arrest to prevent them from leading the march. During the whole day, people in thousands sprang from various places to march towards the LoC. Despite strict restrictions by the troops, people in large numbers march from different corners towards the Line of Control. Thousands of people led by APHC leaders, Shabbir Ahmad Shah, Sheikh Abdul Aziz and Nayeem Ahmad Khan reach near Rampur, 15 kilometers away from the LoC. Thousands of fruit growers with fruit-laden trucks also include in the

	march. Senior APHC leader, Shaikh Abdul Aziz is martyred after he is shot at by Indian Army personnel at Zahal-Boniyar in Uri. He receives bullets in his abdomen and breathes his last in a Srinagar hospital. The news creates widespread panic in the entire occupied territory. While leading the march, he was seen holding in his hands a big portrait of Quaid-e-Azam, Muhammad Ali Jinnah. The occupation authorities impose a curfew in Srinagar city.
May 27,2010	The Canadian government refuses a visa to a retired Lieutenant General of the Indian army, Amrik Bahia on the ground that the Indian army personnel is involved in human rights violations in occupied Kashmir.
June 07,2010	The International People's Tribunal on Human Rights and Justice in Kashmir in a statement in Srinagar reiterate its demand of an impartial probe into the presence of 2700 unmarked mass graves found in Bandipore, Baramulla and Kupwara districts.
April 08,2011	In occupied Kashmir, a leading Kashmiri religious scholar and the President of Jamiat-e-Ahl-e-Hadith, Maulana Showkat Ahmad Shah dies in a blast at Maisuma in Srinagar. A civilian, Munir Ahmad Mir, is

	critically injured in the incident. Maulana Showkat Ahmad Shah has been actively involved in the liberation struggle for the last 22 years. The blast rocks the locality, minutes after the Maulana and other people arrive at a mosque to offer Juma prayers.
July 29,2011	The Association of Parents of Disappeared Persons says that the estimated 1,500 Kashmiri half widows whose husbands have disappeared in custody during the last 22 years are facing immense socio-economic insecurities and their children are traumatized. The Association in its report released in Srinagar says that the civil society groups addressing the problems of half widows are hampered by prevalent laws and the dearth of resources. The report urges India to pass immediately a special legislation on enforced disappearances in line with the international convention for the protection of all persons from enforced disappearances.
August 08,2011	In occupied Kashmir, the Public Commission on Human Rights says that 173 cases of custodial killings and fake encounters have occurred in the territory from November 2002 till date. The Commission in a report says that from November 2,

	2002, to November 2, 2005, 122 cases of custodial killings and fake encounters are reported. “From November 23, 2005 to June 6, 2008, 42 cases are reported and since January 2009 to date 9 cases of custodial killings and fake encounters take place in the territory,”itsays.
August 21,2011	An official inquiry reveals that there are as many as 2156 unidentified bodies buried in unmarked graves at 38 sites in the Kashmir Valley. A report released after a probe by the investigative wing of the Human Rights Commission of occupied Kashmir says that there are 1277 unidentified bodies in Kupwara, 851 in Baramulla, and 14 each in Bandipore and Handwara. The report says that of the bodies, a few are defaced, 20 are charred, 5 only have skulls remaining, and there are at least 18 graves with more than one body each.
February 09,2013 Martyrdom of Muhammad Afzal Guru	India secretly hanged the 43-year-old Kashmiri, Muhammad Afzal Guru at Tihar Jail New Delhi in 2001, Indian Parliament attack case. The authorities imposed a curfew in Occupied Kashmir to prevent people from holding demonstrations against the judicial murder of Muhammad Afzal Guru.

September 12, 2013	The body of Jammu and Kashmir Peoples League leader, Abdul Rasheed Sofi, was found at Kandi in Baramulla.
March 2015	First time BJP and PDP formed a collation Govt. in IOJK
April 4, 2016	Mehbooba Mufti is sworn in as the first female chief minister of Jammu and Kashmir.
July 08, 2016	Indian army martyred the young leader Burhan Wani Bumdoora, Kokemag along with Sartaj Ahmad Sheikh and Pervaiz Ahmad Lashkari.
September 14, 2016	Khurram Parvez, a prominent Kashmiri human rights activist, was first stopped by Indian authorities at New Delhi airport on 14 September to prevent him from attending the UN Human Rights Council session in Geneva.[Parvez was later arrested on 15 September by Indian officials from his home in Srinagar
September 18, 2016	Indian army camp attacked at Uri, 18 soldiers were killed.
September 30, 2016	Kashmir Reader, a prominent English newspaper that is published in Srinagar, was indefinitely banned by the state authorities on 30 September. It was asked to stop publication on the evening of Sunday, 2 October.

October 2016	India relocates more than 10,000 people from around the disputed border area as tensions continue to escalate with Pakistan.
July 2017	Operation All Out an offensive against the protests across the Valley was launched by Indian forces.
June 02, 2018	Azad Jammu and Kashmir Assembly had passed the 13th amendment in AJK Interim Act 1974.
June 14, 2018	UNOHCHR published its first report on the human rights situation on Kashmir.
July 08, 2019	UNOHCHR published a second report on the human rights situation in Kashmir.
August 5, 2019	Tensions between India and Pakistan increase after Indian Prime Minister Narendra Modi announces that India will revoke a constitutional provision giving the state of Jammu and Kashmir autonomy to set its own laws. In the wake of the announcement, widespread communications blackouts are reported in the Muslim majority region.
August 6, 2019	India's parliament votes to approve the status change for the state of Jammu and Kashmir. The reorganization bill increases New Delhi's authority over the region, changing it from an autonomous state into a union territory.
August 7,	Pakistan announces that diplomatic relations and

2019	bilateral trade with India are being suspended.
August 16, 2019	UN Security Council holds a closed-door session to discuss Kashmir tensions, at the request of China and Pakistan.
August 21, 2019	US President Donald Trump offers to mediate Kashmir where an "explosive" situation persists.
September 24, 2019	A team of five Indian women who visited Kashmir from September 17 until 21 release a fact-finding report saying Indian police and military are taking Kashmir teens away and torturing them. The report says 13,000 teenagers are detained.
October 1, 2019	Malaysia joins Turkey and China in raising the Kashmir issue at the 74th United Nations General Assembly, with its Prime Minister Mahathir Mohamad accusing India of "invading and occupying the country" of Jammu and Kashmir.
October 22, 2019	Malaysian Prime Minister Mahathir Mohamad says he would not retract his criticism of New Delhi's actions in disputed Kashmir despite Indian traders calling for an unprecedented boycott of Malaysian palm oil.
October 31, 2019	Jammu and Kashmir officially lose statehood status and become two union territories.
May 2020	In May 2020 the Indian Govt. issued the Jammu and

	Kashmir Grant of Domicile Certificate (Procedure) Rules 2020 to give permanent Kashmiri citizenship status to non-Kashmiris. These rules state that the Indian citizens who have resided for 15 years or who have studied for 7 years in J&K, children whose parents have served the Indian government in J&K for 10 years, refugees from West Pakistan in J&K, members of the Valmiki community, and women residents who married a non-resident of J&K are eligible for domicile.
July 17, 2020,	The administrative council of IOJK had approved an amendment to the Control of Building Operations Act, 1988, and the J&K Development Act, 1970 to allow notifying any areas in the territory as "strategic areas". This means that the land on which existing camps/ cantonments of the Indian armed forces are located in various areas or where new camps/ cantonments they think is important would be acquired. This construction will be permanent and having residential blocks for families of occupational forces.
July 25, 2020	The administrative council of IOJK has approved the creation of 37 new industrial areas and the transfer of 9,654 kanals of land to the commerce department

KASHMIR ISSUE IN UNITED NATIONS

A. CHRONOLOGY OF EVENTS

January 01, 1948	India referred the Kashmir case to the UN under Article 35 of Charter
Jan. 15, 1948	Pakistan files reply to Indian complaint
January 15-April 21, 1948	The debate in UNSC on Kashmir
January 17, 1948	UNSC passed 1st resolution No 38, calling both countries to refrain from aggravating the situation
Jan. 20, 1948	2nd Resolution (39) UNCIP established
April 21, 1948	3rd Resolution (47) recommending the question of accession with Pakistan or India should be decided through a plebiscite, continuation of dispute endanger international peace and security.
June 3, 1948	4th Resolution (51) UNCIP should proceed without delay according to Res. No. 47.
August 13, 1948	UNCIP adopted the resolution calling for a ceasefire, and resolution through a plebiscite
December 1948	Chairman UNCIP Dr. Lozano had discussed with both countries about UNCIP proposals and both showed their willingness.
January 1, 1949	Ceasefire ordered in Kashmir

January 05, 1949	UNCIP adopted a supplementary resolution to the August 13th resolution, provided appointment of plebiscite administrator, and holding plebiscite under UN auspices.
July 27, 1949	An agreement about the demarcation of the ceasefire line between Pakistan, India, and UNCIP signed.
August 1949	President Truman and Prime Minister Attlee publicly appealed to both Pakistan and India to submit to the arbitration of Admiral Nimitz, the designated Plebsicte Administrator, any difference in the interpretation of the Resolution of 13th August 1948 relating to the manner of the sequence of the withdrawal of their forces. Pakistan accepted the proposal, India rejected it.
December 1949	General McNaughton of Canada, then President of UNSC, formulated a proposal to the effect that the withdrawal should be so conducted as not to cause fear to either side at any point in time. Pakistan accepted it, India rejected it.
February 3, 1950	Report submitted by General McNaughton (A/1453) conveying the failure of negotiation with India and Pakistan.
March 14, 1950	UNSC adopted 5th resolution (80), appointed a UN

	representative to assist and supervise the program of demilitarization, and to interpret the agreement in this context and to place before the government's suggestions for permanent settlement.
April 12, 1950	Sir Owen Dixon of Australia was appointed as UN representative for India and Pakistan.
September 15, 1950	Sir Owen Dixon of Australia, UN representative submitted detailed proposals about the exact sequence of the withdrawals. Pakistan accepted them India rejected them. (S/1791).
December 14, 1950	Pakistan's complaint to the UNSC that India was taking steps to prejudice the holding of a plebiscite in Kashmir by convening a puppet constituent assembly.
January 1951	The Prime Ministers of the Commonwealth suggested that before and during the plebiscite both Indian and Pakistani troops in Kashmir be replaced by neutral troops from Austria and New Zeland. Pakistan accepted India rejected. After the above rejection by India, these Prime Ministers suggested that the Kashmir be policed by a single joint force of both India and Pakistan which would be collectively impartial and would

	ensure the fairness of plebiscite. Pakistan accepted India rejected.Then the Prime Ministers made a third proposal to the effect that the force of India and Pakistan be replaced by a local force raised by the plebiscite administrator. Pakistan accepted the proposal India rejected it.
March 1951	Ambassador Muniz of Brazil, then President of UNSC suggested that all points of difference regarding the interpretation of the resolutions be submitted to arbitration. Pakistan accepted India rejected
March 30, 1951	UNSC adopted 6th resolution (91), appointing a UN Rep. to succeed Sir Owen Dixon and instructing him to effect demilitarization in accordance with the UNCIP resolutions of 13th August 1948 and 5th January 1949 or in the alternative, to report to the council about points of difference. The resolution also called upon the parties to accept arbitration and declared that actions by the constituent assembly in Srinagar would not constitute a disposition of the State in accordance with the agreed principle of settlement.
April 30, 1951	Dr. Frank B. Graham appointed UN

	representative for India and Pakistan.
September 7, 1951	Twelve proposals forwarded by Dr. Graham, for demilitarization to be effected in a single, continuous process and preparatory to the plebiscite.
October 15, 1951	The first report was submitted by Dr. Graham (S/2375) on the result of his efforts. The report stated the failure of agreement on Dr. Graham's specific proposals for demilitarization to be effected in a single, continuous process and also on the proposal for the plebiscite.
November 10, 1951	UNSC adopted 7th Resolution (96), instructing Dr. Graham to continue his efforts toward demilitarization.
December 19, 1951	Second report submitted by Dr. Frank Graham(S/2448) reporting unaltered points of difference on the issue regarding the interpretation and execution of UNCIP resolutions of 13th August 1948 and 5th January 1949.
January 31, 1952	The situation was considered by UNSC. The president stated that it was the sense of the council that Dr. Graham should continue his efforts to obtain agreement from the parties

	about the quantum of the force to be allowed at the end of militarization and the date for the induction into office of the Plebiscite Administrator.
April 22, 1952	The third report was submitted by Dr. Graham (S/2611) stating acceptance of the report by Pakistan and objections from India.
August 25, 1952	Meeting of the representatives of two governments at the Ministerial level under Dr. Graham's auspices in Geneva.
September 16, 1952	Fourth report submitted by Dr. Graham (S/2783) enclosing a draft proposal and suggesting 6000 forces of Pakistan and 18000 of the Indian side of the ceasefire line.
December 23, 1952	UNSC adopted the 8th Resolution (98) urging continued negotiation regarding demilitarization within the framework of 3000-6000 armed forces remaining on the Pakistani side of CFL and 12,000-18,000 remaining on the Indian Side of CFL.
January 24, 1957	UNSC adopted 9th Resolution (122). Reaffirms the affirmation in its resolution 91 (1951) and declares that the convening of a Constituent Assembly as recommended by the General

	Council of the "All Jammu and Kashmir National Conference" and any action that Assembly may have taken or might attempt to take to determine the future shape and affiliation of the entire State or any part thereof, or action by the parties concerned in support of any such action by the Assembly, would not constitute a disposition of the State in accordance with the principle that the final disposition of the State of Jammu and Kashmir will be fecided through plebiscite.
February 21, 1957	UNSC adopted 10th Resolution (123). Requests the President of the Security Council, the representative of Sweden, to examine with the Govts of India and Pakistan any proposals which, in his opinion, are likely to contribute towards the settlement of the dispute, having regard to the previous resolutions of the Security Council and of the UNCIP; to visit the sub-continent for this purpose; and to report to the Security Council not later than 15 April 1957.
December 2, 1957	UNSC adopted 11th Resolution (126). Observed that the governments of India and Pakistan recognize and accept the provisions of its

	resolution 38(1948) of 17 January 1948 and of the resolutions of the UNCIP dated 13 August 1948 and 5 January 1949, which envisage in accordance with their terms the determination of the future status of the State of Jammu and Kashmir in accordance with the will of the people through the democratic method of a free and impartial plebiscite.
September 4, 1965	UNSC adopted 12th Resolution (209). Showed Concern at the deteriorating situation along the cease-fire line in Kashmir,Calls upon the Governments of India and Pakistan to take forthwith all steps for an immediate cease-fire, respect the cease-fire line and have all armed personnel of each party withdrawn to its own side of the line and the two Governments to co-operate fully with the UNMOGIP in its task of supervising the observance of the cease-fire.
September 6, 1965	UNSC adopted 13thResolution (210). Noting the report of the Secretary-General on developments in the situation in Kashmir since the adoption of Security Council resolution 209 (1965) of 4 September 1965 calling for a cease-fire.
September 20,	UNSC adopted 14th Resolution (211), *Convinced*

1965	that early cessation of hostilities is essential as the first step toward a peaceful settlement of the outstanding differences between the two countries on Kashmir and other related matters.
December 21, 1971	UNSC adopted 15th Resolution (307), *Demands* that a durable cease-fire and cessation of all hostilities in all areas of conflict be strictly observed and remain in effect until withdrawals take place, as soon as practicable, of all armed forces to their respective territories and to positions which fully respect the cease-fire line in Jammu and Kashmir supervised by the UNMOGIP.
March 31, 1958	UN Representative for India and Pakistan Frank P. Graham submitted a report (S/3984) to UNSC, besides other proposals about demilitarization and plebiscite a new suggestion was put forward by him that the feasibility of placing a UN force on the Pakistani side of the Jammu and Kashmir border should be explored. Pakistan showed agreement on all proposals but India rejected all.
June 06, 1998	UNSC adopted resolution No.1172 para 5 urges Pakistan and India to address the root causes of tensions including Kashmir.

B. UN RESOLUTIONS ON JAMMU AND KASHMIR

Resolution 38 (1948)

(Document No. S 1651, dated the 17th of January 1948).

THE SECURITY COUNCIL

Having heard statements on the situation in Kashmir from representatives of the Governments of India and Pakistan, Recognising the urgency of the situation. Taking note of the telegram addressed on 6 January by its President to each of the parties and of their replies thereto; and in which they affirmed their intention to conform to the Charter of the United Nations.

1. Calls upon both the Government of India and the Government of Pakistan to take immediately all measures within their power (including public appeals to their people) calculated to improve the situation, and to refrain from making any statements and from doing or causing to be done or permitting any acts which might aggravate the situation;

2. Further requests each of those Governments to inform the Council immediately of any material change in the situation which occurs or appears to either of them to be about to occur while the matter is under consideration by the Council, and consult with the Council thereon.

The Security Council voted on this Resolution on 17-1-48 with the following result:In favour: Argentina, Belgium, Canada, China, Colombia, France, Syria, U.K. and U.S.A. Against: NoneAbstaining: Ukrainian S.S.R. and U.S.S.R.

Resolution 39 (1948)

(Document No. S/654, dated the 20th of January, 1948).

THE SECURITY COUNCIL

Considering that it may investigate any dispute or any situation which might, by its continuance, endanger the maintenance of international peace and security, and that, in the existing state of affairs between India and Pakistan, such an investigation is a matter of urgency. Adopts the following resolution:

[A] A Commission of the Security Council is hereby established, composed of representatives of three Members of the United Nations, one to be selected by India, one to be selected by Pakistan, and the third to be designated by the two so selected. Each representative on the Commission shall be entitled to select his alternates and assistants.

[B] The Commission shall proceed to the spot as quickly as possible. It shall act under the authority of the Security Council and in accordance with the directions it may receive from it. It shall keep theSecurity Council currently informed of its activities and of the development of the situation. It shall report to the Security Council regularly, submitting its conclusions and proposals.

[C] The Commission is invested with a dual function;
(1) to investigate the facts pursuant to Article 34 of the Charter of the United Nations;

(2) to exercise, without interrupting the work of the Security Council, any mediatory influence likely to smooth away difficulties, to carry out the directions given to it by the SecurityCouncil; and to report how far

the advice and directions, if any, of the Security Council, have been carried out.

[D] The Commission shall perform the functions described in Clause C:

(1) in regard to the situation in the Jammu and Kashmir State set out in the letter of the representative of India addressed to the President of the Security Council, dated 1 January 1948, and in the letter from the Minister of Foreign Affairs of Pakistan addressed to the Secretary-General, dated 15 January 1948; and

(2) in regard to other situations set out in the letter from the Minister of Foreign Affairs of Pakistan addressed to the Secretary-General, dated 15 January 1948, when she Security Council so directs.

[E] The Commission shall take its decision by majority vote. It shall determine its own procedure. It may allocate among its members, alternate members, their assistants, and its personnel such duties as may have to be fulfilled for the realization of its mission and the reaching of its conclusions.

[F] The Commission, its members, alternate members, their assistants, and its personnel, shall be entitled to journey, separately or together, wherever the necessities of their task may require, and, in particular within those territories which are the theatre of the events of which the Security Council is seized.

[G] The Secretary-General shall furnish the Commission with such personnel and assistance as it may consider necessary.

The Security Council voted on this Resolution on 20-1-1948 with the following result:
In favor: Argentina, Belgium, Canada, China, Colombia, France, Syria, U.K., and U.S.A. Against:None

Abstaining: Ukrainian S.S.R. and U.S.S.R.

Resolution 47 (1948)

(Document No. 5/726, dated the 21st April, 1948)

THE SECURITY COUNCIL

Having considered the complaint of the Government of India concerning the dispute over the State of Jammu and Kashmir, having heard the representative of India in support of that complaint and the reply and counter complaints of the representative of Pakistan. Being strongly of opinion that the early restoration of peace and order in Jammu and Kashmir is essential and that India and Pakistan should do their utmost to bring about the cessation of all fighting. Noting with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite, Considering that the continuation of the dispute is likely to endanger international peace and security, Reaffirms its resolution 38 (1948) of 17 January 1948;

Resolves that the membership of the Commission established by its resolution 39 (1948) of 20 January 1948, shall be increased to five and shall include, in addition to the members mentioned that Resolution, representatives of... and ... and that if the membership of the Commission has not been completed within ten days from the date the adoption of this resolution the President of the council may designate such other Member or Members of the United Nations as are required to complete the membership of five;

Instructs the Commission to proceed at once to the Indian subcontinent and there place its good offices and mediation at the disposal of the Governments of India and Pakistan with a view to facilitating the taking of the necessary measures, both with respect to the restoration of peace and order and to the holding of a plebiscite by the two

(Governments, acting in co-operation with one another and with the Commission, and further instructs the Commission to keep the Council informed of the action taken under the resolution; and, to this end.

Recommends to the Governments of India and Pakistan the following measures as those which in the opinion of the Council and appropriate to bring about a cessation of the lighting and to create proper conditions for a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan.

A - RESTORATION OF PEACE AND ORDER

1. **The Government of Pakistan** should undertake to use its best endeavors:

(a) To secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident therein who have entered the State for the purposes of fighting, and to prevent any intrusion into the State of such elements and any furnishing of material aid to those fighting in the State;

(b) To make known to all concerned that the measures indicated in this and the following paragraphs provide full freedom to all subjects of the State, regardless of creed, caste, or party, to express their views and to vote on the question of the accession of the State, and that, therefore, they should co-operate in the maintenance of peace and order.

2. The Government of India should:

(a) When it is established to the satisfaction of the Commission set up in accordance with the council's Resolution 39 (1948) that the tribesmen are withdrawing and that arrangements for the cessation of the fighting

have become effective, put into operation in consultation with the commission a plan for withdrawing their own forces from Jammu and Kashmir and reducing them progressively to the minimum strength required for the support of the civil power in the maintenance of law and order;

(b) Make known that the withdrawal is taking place in stages and announce the completion of each stage; When the Indian forces shall have been reduced to the minimum strength mentioned in (a) above, arrange in consultation with the Commission for the stationing of the remaining forces to be carried out in accordance with the following principles:

(i) That the presence of troops should not afford any intimidation or appearance of intimidation to the inhabitants of the State;

(ii) That as small a number as possible should be retained in forwarding areas;

(iii) That any reserve of troops that may be included in the total strength should be located within their present base area.

3. The Government of India should agree that until such time as the plebiscite administration referred to below finds it necessary to exercise the powers of direction and supervision over the State forces and policy provided for in paragraph 8, they will be held in areas to be agreed upon with the Plebiscite Administrator.

4. After the plan referred to in paragraph 2 (a) above has been put into operation, personnel recruited locally in each district should so far as possible be utilized for the re-establishment and maintenance of law

and order with due regard to protection) minorities, subject to such additional requirements as may be specified by the Plebiscite Administration referred to in paragraph 7.

5. If these local forces should be found to be inadequate, the Commission, subject to the agreement of both the Government of India and the Government of Pakistan, should arrange for the use of such forces of either Dominion as it deems (effective for the purpose of pacification.

B – PLEBISCITE

6. The Government of India should undertake to ensure that the Government of the State invites the major political groups to designate responsible representatives to share equitably and fully in the conduct of the administration at the ministerial level, while the plebiscite is being prepared and carried out.

7. The Government of India should undertake that there will be established in Jammu and Kashmir a plebiscite Administration to hold a Plebiscite as soon as possible on the question of the accession of the State to India or Pakistan.

8. The Government of India should undertake that there will be delegated by the State to the plebiscite Administration such powers as the latter considers necessary for holding a fair and impartial plebiscite including, for that purpose only, the direction and supervision of the State forces and police.

9. The Government of India should at the request of the Plebiscite Administration, make available from the Indian forces such assistance as

the Plebiscite Administration may require for the performance of its functions.

10. (a) The Government of India should agree that a nominee of the Secretary-General of the UnitedNations will be appointed to be the Plebiscite Administrator. The Plebiscite Administrator, acting as an officer of the State of Jammu and Kashmir, should have the authority to nominate the assistants and other subordinates and to draft regulations governing the Plebiscite. Such nominees should be formally appointed and such draft regulations should be formally promulgated by the State of Jammu and Kashmir.

The Government of India should undertake that the Government of Jammu and Kashmir will appoint fully qualified persons nominated by the Plebiscite Administrator to act as special magistrates within the State judicial system to hear cases which in the opinion of the Plebiscite Administrator have a serious bearing on the preparation and the conduct of a free and impartial plebiscite. The terms of service of the Administrator should form the subject of a separate negotiation between the Secretary-General of the United Nations and the Government of India. The Administrator should fix the terms of service for his assistants and subordinates.

The Administrator should have the right to communicate directly, with the Government of the State and with the Commission of the Security Council and, through the Commission, with the Security Council, with the Governments of India and Pakistan and with their representatives with theCommission. It would be his duty to bring to the notice of any

or all of the foregoing (as he in his discretion may decide) any circumstances arising which may tend, in his opinion, to interfere with the freedom of the Plebiscite.

11. The Government of India should undertake to prevent to give full support to the Administrator and his staff in preventing any threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite, and the Government of India should publicly announce and should cause the government of the State to announce this undertaking as an international obligation binding on all public authorities and officials in Jammu and Kashmir.

12. The Government of India should themselves and through the Government of the State declared make known that all subjects of the State of Jammu and Kashmir, regardless of creed, caste or party, will be safe and free in expressing their views and in voting on the question of the accession of the State and that there will be freedom of the Press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit.

13. The Government of India should use and should ensure that the Government of the State also use their best endeavor to effect the withdrawal from the State of all Indian nationals other than those who are normally resident therein or who on or since 15th August 1947 have entered it for a lawful purpose.

14. The Government of India should ensure that the Government of the State releases all political prisoners and take all possible steps so that:

(a) all citizens of the State who have left it on account of disturbances are invited and are free to return to their homes and to exercise their rights as such citizens;

(b) there is no victimization; minorities in all parts of the State are accorded adequate protection.

15. The Commission of the Security Council should at the end of the plebiscite certify to the Council whether the plebiscite has or has not been really free and impartial.

C - GENERAL PROVISIONS

16. The Governments of India and Pakistan should each be invited to nominate a representative to be attached to the Commission for such assistance as it may require in the performance of its task.

17. The Commission should establish in Jammu and Kashmir such observers as it may require of any of the proceedings in pursuance of the measures indicated in the foregoing paragraphs.

18. The Security Council Commission should carry out the tasks assigned to it herein.

The Security Council voted on this Resolution on 21-41948 with the following result: In favour: Argentina, Belgium, Canada, China, France, Syria, U.K. and U.S.A. Against: None Abstaining: Belgium, Colombia, Ukrainian S.S.R. and U.S.S.R.

Resolution 51 (1948)

(Document No. 51819, dated the 3rd June, 1948**).**

THE SECURITY COUNCIL,

1. Reaffirms its resolutions 38(1948) of 17 January, 39(1948) of 20 January, and 47(1948) of 21 April 1948;

2. Directs the United Nations Commission for India and Pakistan to proceed without delay to the areas of a dispute with a view to accomplishing in priority the duties assigned to it by the resolution 47(1948);

3. Directs the Commission further to study and report to the Security Council when it considers appropriate on the matters raised in the letter of the Foreign Minister of Pakistan, dated 15th January 1948, in the order outlined in paragraph D of Council resolution 39 (1948).

The Security Council voted on this Resolution on 3-6-1948 with the following result:

In favour: Argentina, Belgium, Canada, Colombia, France, Syria, U.K. and U.S.A.

Against: None

Abstaining: China, Ukrainian S.S.R. and U.S.S.R.

RESOLUTION ADOPTED BY THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN ON 13 AUGUST 1948.

(Document No.1100, Para. 75, dated the 9th of November, 1948).

THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN

Having given careful consideration to the points of view expressed by the Representatives, of India and Pakistan regarding the situation in the State of Jammu and Kashmir, and

Being of the opinion that the prompt cessation of hostilities and the correction of conditions the continuance of which is likely to endanger international peace and security are essential to the implementation of its endeavors to assist the Governments of India and Pakistan in effecting a final settlement of the situation,

Resolves to submit simultaneously to the Governments of India and Pakistan the following proposal:

PART I

CEASE-FIRE ORDER

[A] The Governments of India and Pakistan agree that their respective High Commands will issue separately and simultaneously a cease-fire order to apply to all forces under their control in the State of Jammu and Kashmir as of the earliest practicable date or dates to be mutually agreed upon within four days after these proposals have been accepted by both Governments.

[B] The High Commands of Indian and Pakistan forces agree to refrain from taking any measures that might augment the military potential of

the forces under their control in the State of Jammu and Kashmir. (For the purpose of these proposals '-forces under their control" shall be considered to include all forces, organized and unorganized, fighting or participating in hostilities on their respective sides).

[C] The Commanders-in-Chief of the Forces of India and Pakistan shall promptly confer regarding any necessary local changes in present dispositions which may facilitate the cease-fire.

[D] In its discretion, and as the Commission may find practicable, the Commission will appoint military observers who under the authority of the Commission and with the co-operation of both commands will supervise the observance of the cease-fire order.

[E] The Government of India and the Government of Pakistan agree to appeal to their respective peoples to assist in creating and maintaining an atmosphere favorable to the promotion of further negotiations.

PART II

TRUCE AGREEMENT

Simultaneously with the acceptance of the proposal for the immediate cessation of hostilities as outlined in Part I, both Governments accept the following principles as a basis for the formulation ofa truce agreement, the details of which shall be worked out in discussion between their representatives and the Commission.

A.

(1) As the presence of troops of Pakistan in the territory of the State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan before the Security

Council, the Government of Pakistan agrees to withdraw its troops from that State.

(2) The Government of Pakistan will use its best endeavor to secure the withdrawal from the state of Jammu and Kashmir of tribesmen and Pakistan nationals not normally resident therein who have entered the State for the purpose of fighting.

(3) Pending a final solution the territory evacuated by the Pakistan troops will be administered by the local authorities under the surveillance of the Commission.

B.

(1) When the Commission shall have notified the Government of India that the tribesmen and Pakistan nationals referred to in Part II A2 hereof have withdrawn, thereby terminating the situation which was represented by the Government of India to the Security Council as having occasioned the presence of Indian forces in the State of Jammu and Kashmir, and further, that the Pakistan forces are being withdrawn from the State of Jammu and Kashmir, theGovernment of India agrees to begin to withdraw the bulk of their forces from the State in stages to be agreed upon with the Commission.

(2) Pending the acceptance of the conditions for a final settlement of the situation in the State of Jammu and Kashmir, the Indian Government will maintain within the lines existing at the moment of cease-fire the minimum strength of its forces which in agreement with the commission are considered necessary to assist local authorities in

the observance of law and order. The Commission will have observers stationed where it deems necessary.

(3) The Government of India will undertake to ensure that the Government of the State of Jammu and Kashmir will take all measures within their power to make it publicly known that peace, law and order will be safeguarded and that all human and political rights will be guaranteed.

C.

(1) Upon signature, the full text of the Truce Agreement or communiqué containing the principles thereof as agreed upon between the two Governments and the Commission will be made public.

PART III

The Government of India and the Government of Pakistan reaffirm their wish that the future status of the State of Jammu and Kashmir shall be determined in accordance with the will of the people and to that end, upon acceptance of the Truce Agreement both Governments agree to enter into consultations with the Commission to determine fair and equitable conditions whereby such free expression will be assured.

The UNCIP unanimously adopted this Resolution on 13-8-1948. Members of the Commission: Argentina, Belgium, Colombia, Czechoslovakia and U.S.A.

RESOLUTION ADOPTED AT THE MEETING OF THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN ON 5 JANUARY 1949.

(Document No. 5/1196 para. 15, dated the 10th January 1949).

THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN Having received from the Governments of India and Pakistan in Communications, dated December 23 and December 25, 1948, respectively their acceptance of the following principles which are supplementary to the Commission's Resolution of August 13, 1948;

1. The question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite;

2. A plebiscite will be held when it shall be found by the Commission that the cease-fire and truce arrangements set forth in Parts I and II of the Commission's resolution of 13 August 1948, have been carried out and arrangements for the plebiscite have been completed;

3.

(a) The Secretary-General of the United Nations will, in agreement with the Commission, nominate a Plebiscite Administrator who shall be a personality of high international standing and commanding general confidence. He will be formally appointed to office by theGovernment of Jammu and Kashmir.

(b) The Plebiscite Administrator shall derive from the State of Jammu and Kashmir the powers he considers necessary for organizing and

conducting the plebiscite and for ensuring the freedom and impartiality of the plebiscite.

(c) The Plebiscite Administrator shall have the authority to appoint such staff or assistants and observers as he may require.

4.

(a) After the implementation of Parts I and II of the Commission's resolution of 13 August 1948,and when the Commission is satisfied that peaceful conditions have been restored in the State,the Commission and the Plebiscite Administrator will determine, in consultation with theGovernment of India, the final disposal of Indian and State armed forces, such disposal to bewith due to regard to the security of the State and the freedom of the plebiscite.

(b) As regards the territory referred to in A 2 of Part II of the resolution of 13 August, final disposal of the armed forces in that territory will be determined by the Commission and the plebiscite Administrator in consultation with the local authorities.

5. All civil and military authorities within the State and the principal political elements of the State will be required to co-operate with the Plebiscite Administrator in the preparation for and the holding of the plebiscite.

6.

(a) All citizens of the State who have left it on account of the disturbances will be invited and be free to return and to exercise all their rights as such citizens. For the purpose of facilitating repatriation,

there shall be appointed two Commissions, one composed of nominees of India and the other of nominees of Pakistan.

The Commissions shall operate under the direction of the Plebiscite Administrator. the governments of India and Pakistan and all authorities within the State of Jammu and Kashmir will collaborate with the Plebiscite Administrator in putting this provision to effect.

(b) All persons (other than citizens of the State) who on or since 15 August 1947, have entered it for other than lawful purpose, shall be required to leave the State.

7. All authorities within the State of Jammu and Kashmir will undertake to ensure in collaboration with the Plebiscite Administrator that:

(a) There is no threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite;

(b) No restrictions are placed on legitimate political activity throughout the State. All subjects of the State, regardless of creed, caste or party, shall be safe and free in expressing their views and in voting on the question of the accession of the State to India or Pakistan. There shall be freedom of the Press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit;

(c) All political prisoners are released;

(d) Minorities in all parts of the State are accorded adequate protection; and

(e) There is no victimization.

8. The Plebiscite Administrator may refer to the United Nations Commission for India and Pakistan problems on which he may require

assistance, and !he Commission may in its discretion call upon the Plebiscite Administrator 1o carry out on its behalf any of the responsibilities with which it has been entrusted;

9. At the conclusion of the plebiscite, the Plebiscite Administrator shall report the result thereof to the Commission and to the Government of Jammu and Kashmir. The Commission shall then certify to the Security Council whether the plebiscite has or has not been free and impartial;

10. Upon the signature of the truce agreement the details of the foregoing proposals will be elaborated in the consultation envisaged in Part III of the Commission's resolution of 13 August 1948. The Plebiscite Administrator will be fully associated in these consultations;

Commends the Governments of India and Pakistan for their prompt action in ordering a cease-fire to take effect from one minute before midnight of first January 1949, pursuant to the agreement arrived at as provided for by the Commission's resolution of 13 August 1948; and Resolves to return in the immediate future to the sub-continent to discharge the responsibilities imposed upon it by the resolution of 13 August 1948, and by the foregoing principles.

The UNCIP unanimously adopted this Resolution on 5-1-1949. Members of the Commission: Argentina, Belgium, Colombia, Czechoslovakia and U.S.A.

RESOLUTION 80 (1950)

Adopted by the Security Council on March 14, 1950.

(Document No. S/1469), dated the 14th March, 1950).

THE SECURITY COUNCIL,

Having received and noted the reports of the United Nations Commission for India and Pakistanestablishing its resolutions 39 (1948) of 20 January and 47 (1948) of 21 April 1948.

Having also received and noted the report of General A. G. L. McNaughton on the outcome of his discussions with the representatives of India and Pakistan which were initiated in pursuance of the decision taken by the Security Council on December 17, 1949,

Commending the Governments of India and Pakistan for their statesmanlike action in reaching the agreements embodied in the United Nations Commission's resolutions of August 13, 1948 and January 5, 1949 for a cease-fire, for the demilitarization of the State of Jammu and Kashmir, and for the determination of its final disposition in accordance with the will of the people through the democratic method of a free and impartial plebiscite, and commending the parties in particular for their action in partially implementing these Resolutions by

(1) The cessation of hostilities effected January 1, 1949,

(2) The establishment of a cease-fire line on July 27, 1949, and

(3) The agreement that Fleet Admiral Chester W. Nimitz shall be Plebiscite Administrator,

Considering that the resolution of the outstanding difficulties should be based upon the substantial measure of agreement of fundamental principles already reached and that steps should be taken forthwith for the demilitarization of the State and for the expeditious determination of its future in accordance with the freely expressed will of the inhabitants,

1. Calls upon the Governments of India and Pakistan to make immediate arrangements, without prejudice to their rights or claims and with due regard to the requirements of law and order, to prepare and execute within a period of five months from the date of this resolution a program of demilitarization on the basis of the principles of paragraph 2 of General McNaughton proposal or of such modifications of those principles as may be mutually agreed;

2. Decides to appoint a United Nations Representative for the following purposes who shall have authority to perform his functions in such place or places as he may deem appropriate;

(a) to assist in the preparation and to supervise the implementation of the program of demilitarization referred to above and' to interpret the agreements reached by the parties for demilitarisation;

(b) to place himself at the disposal of the Governments of India and Pakistan and to place before those Governments or the Security Council any suggestions which, in his opinion, are likely to contribute to the expeditious and enduring solution of the dispute which has arisen between the two Governments in regard to the State of Jammu and Kashmir; to exercise all of the powers and responsibilities devolving

upon the United Nations Commission for India and Pakistan by reason of existing resolutions of the Security Council and by reason of the agreement of the parties embodied in the Resolutions of the United Nations Commission of August 13, 1948, and January 5, 1949;

to arrange at the appropriate stage of demilitarization for the assumption by the Plebiscite Administrator of the functions assigned to the latter under agreements made between the parties; to report to the Security Council as he may consider necessary, submitting his conclusions and any recommendations which he may desire to make;

3. Requests the two Governments to take all necessary precautions to ensure that (heir agreements regarding the cease-fire shall continue to be faithfully observed, and "calls upon them to take all possible measures to ensure the creation and maintenance of 'in atmosphere favorable to the promotion of further negotiations;

4. Extends its best thanks to the members of the United Nations Commission for India and Pakistan and to General A. G. L. McNaughton for their arduous and fruitful labors;

5. Agrees that the United Nations Commission for India and Pakistan shall be (terminated, and decides that this shall take place one month after both parties have informed the United Nations.A representative of their acceptance of the transfer to him the powers and responsibilities of theUnited Nations Commission referred to in paragraph 2 (c) above.

The Security Council voted on this Resolution on 14-3-50 with the following result: In favor: China, Cuba, Ecuador, Egypt, France, Norway, U.K. and U.S.A.

Against: None Abstaining: India and YugoslaviaAbsent. U.S.S.R.

Resolution 91 (1951)

Concerning the India-Pakistan question adopted by the Security Council on March 30, 1951.

(Document No. S/2017/Rev. 1, dated the 30th March, 1951).

THE SECURITY COUNCIL,

Having received and noted the report of Sir Owen Dixon, the United Nations Representative for India and Pakistan on his mission initiated by the Security Council resolution 80 (1950) of March 14, 1950.

Observing that the Governments of India and Pakistan have accepted the provisions of the UnitedNations Commission for India and Pakistan resolutions of 13 August 1948, and 5 January 1949,and have re-affirmed their desire that the future of the State of Jammu and Kashmir shall be decided through the democratic method of a free and impartial plebiscite conducted under the auspices of theUnited Nations.

Observing that on 27 October 1950, the General Council of the "All Jammu and Kashmir NationalConference" adopted a resolution recommending the convening of a Constituent Assembly for the purpose of determining the "future shape and affiliations of the State of Jammu and Kashmir";

observing further from statements of responsible authorities that action is proposed to convene such a Constituent Assembly and that the area from which such a Constituent Assembly would be elected only a part of the whole territory of Jammu and Kashmir.

Reminding the Governments and authorities concerned of the principle embodied in its resolutions 47(1948) of 21 April 1948, 51(1948) of 3 June 1948 and 80 (1950) of 14 March 1950 and theUnited Nations Commission for India and Pakistan resolutions of 13 August 1948, and 5 January 1949, that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations.

Affirming that the convening of a Constituent Assembly as recommended by the General Council of the "All Jammu and Kashmir National Conference" and any action that the Assembly might attempt to take to determine the future shape and affiliation of the entire State or any part thereof would not constitute a disposition of the State in accordance with the above principle.

Declaring its belief that it is the duty of the Security Council in carrying out its primary responsibility for the maintenance of international peace and security to aid the parties to reach an amicable solution of the Kashmir dispute and that a prompt settlement of this dispute is of vital importance to the maintenance of international peace and security.

Observing from Sir Owen Dixon's report that the main points of difference preventing agreement between the parties were:

(a) The procedure for and the extent of demilitarization of the State preparatory to the holding of a plebiscite, and

(b) The degree of control over the exercise of the functions of Government in the State necessary to ensure a free and fair plebiscite.

(1) Accepts, in compliance with his request, Sir Owen Dixon's resignation and expresses its gratitude to Sir Owen Dixon's resignation and expresses its gratitude to Sir Owen for the great ability and devotion with which he carried out his mission;

(2) Decides to appoint a United Nations Representative for India and Pakistan in succession to SirOwen Dixon;

(3) Instructs the United Nations Representative to proceed to the sub-continent and, after consultation with the Governments of India and Pakistan, to effect the demilitarization of the State of Jammu and Kashmir on the basis of the United Nations Commission for India and Pakistan resolutions of 13 August 1948, and, 5 January 1949;

(4) Calls upon the parties to co-operate with the United Nations Representative to the fullest degree effecting the demilitarisation of the State of Jammu and Kashmir;

(5) Instructs the United Nations Representatives to report to the Security Council within three months from the date of his arrival on the sub-continent; if at the time of this report, he has not effected demilitarisation in accordance with paragraph three above, or obtained the agreement of the parties to a plan for effecting such demilitarisation, the United Nations Representative shall report to the Security Council those points of difference between the parties in regard to the interpretation and execution of the agreed resolutions of 13 August 1948, and 5 January 1949, which he considers must be resolved to enable such demilitarisation to be carried out;

(6) Calls upon the parties, in the event of their discussions with the United Nations Representativefailing in his opinion to result in full agreement, to accept arbitration upon all outstanding points of difference reported by the United Nations representative in accordance with paragraph five above. Such arbitration to be carried 'out by an arbitrator, or a panel of arbitrators, to be appointed by the president of the International Court of Justice after consultation with the parties;

(7) Decides that the Military Observer Group shall continue to supervise the cease-fire in the State;

(8) Requests the Governments of India and Pakistan to ensure that their cement regarding the cease-fire shall continue to be faithfully observed and calls them to take all possible measures to ensure the creation and maintenance of an atmosphere favorable to the promotion of further negotiations and to refrain from any likely to prejudice a just and peaceful settlement;

(9) Requests the Secretary-General to provide the United Nations Representative for India and Pakistan with such services and facilities as may be necessary for carrying out the terms of this resolution.

The Security Council voted on this Resolution on 30-3-51 with the following result:

In favour: Brazil, China, Ecuador, France, Netherlands, Turkey, U.K. and U.S.A

Against: None

Abstaining: India, U.S.S.R. and Yugoslavia.

Resolution 96 (1951)

(Document No. 5/2392, dated the 10th November 1951).

THE SECURITY COUNCIL,

Having received and noted the report of Dr. Frank Graham, the United Nations Representative for India and Pakistan, on his mission initiated by the Security Council resolution 91(1951) of 30 March, 1951, and having heard Dr. Graham's address to the Council of 18 October 1951.

Noting with approval the basis for a program of demilitarisation which could be carried out in conformity with the previous undertakings of the parties, put forward by the United NationsRepresentative in his communication of 7 September 1951, to the Prime Ministers of India and Pakistan,

Notes with gratification the declared agreement of the two parties to those parties of Dr. Graham'sproposals which reaffirm their determination to work for a peaceful settlement, their will to observe the cease-fire agreement and their acceptance i)f the principle that the accession of the State of Jammu and Kashmir should be determined by a free and impartial plebiscite under the auspices of the United Nations;

2. instructs the United Nations Representative to continue his efforts to obtain the agreement of the parties on a plan for effecting the demilitarisation of the State of Jammu and Kashmir;

3. Calls upon the parties to co-operate with the United Nations Representative to lie the fullest degree in his efforts to resolve the outstanding points of difference between them;

4. Instructs the United Nations Representative to report to the Security Council his efforts, together with these views concerning the problems confided to him, not later than six weeks after this resolution comes into effect.

The Security Council voted on this Resolution on 10-11-51 with the following result:
In favour: Brazil, China, Ecuador, France, Netherlands, Turkey, U.K.,U.S.A.andYugoslavia
Against, NoneAbstaining: India and U.S.S.R.

Resolution 98 (1952)

(Document No. 5/2883, dated the 24th December 1952).

THE SECURITY COUNCIL,

Recalling its resolutions, 91(1951) of 30 March 1951, its decision of 30 April 1951 and its resolutions 96 (1951) of 10 November 1951, Further Recalling the provisions of the United Nations Commission for India and Pakistan resolutions of 13 August 1948, and 5 January 1949, which were accepted by the Governments of India and Pakistan and which provided that the question of the accession of the State of Jammu and Kashmir to India or Pakistan would be decided through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations.

Having received the third report, dated 22 April 1952, and the fourth report, dated 16 September1952, of the United Nations Representative for India and Pakistan;

1. Endorses the general principles on which the United Nations Representative has sought to bring about agreement between the Governments of India and Pakistan;

2. Notes with gratification that the United Nations Representative has reported that the Governments of India and Pakistan have accepted all but two of the paragraphs of his twelve-point proposals;

3. Notes that agreement on a plan of demilitarization of the State of Jammu and Kashmir has not been reached because the Governments of India and Pakistan have not agreed on the whole of paragraph 7 of the twelve-point proposals;

4. Urges the Governments of India and Pakistan to enter into immediate negotiations under the auspices of the United Nations Representative for India and Pakistan in order to reach an agreement on the specific number of forces to remain on each side of the cease-fire line at the end of the period of demilitarization, this number to be between 3,000 and 6,000 armed forces remaining on the Pakistan side of the cease-fire line and between 12,000 and 18,000 armed forces remaining on the India side of the cease-line, as suggested by the United Nations Representative in his proposals of 16 July 1952, such specific numbers to be arrived at bearing in mind the principles or criteria contained in paragraph 7 of the United Nations Representative's proposal of 4 September 1952;

5. Records its gratitude to the United Nations Representative for India and Pakistan for the great efforts which he has made to achieve a settlement and requests him to continue to make his services available to the Governments of India and Pakistan to this end;

5. Requests the Governments of India and Pakistan to report to the Security Council not later than thirty days from the date of the adoption of this resolution;

6. Requests the United Nations Representative for India and Pakistan to keep the Security Council informed of any progress.

The Security Council voted on this Resolution on 23-12-52 with the following result:

In favour: Brazil, China, France, Greece, Netherlands, Turkey, U.K. and U.S.A. Against: None Abstaining: U.S.S.R.

Resolution 122 (1957)

Adopted by the Security Council on 24 January 1957.

THE SECURITY COUNCIL,

Having heard statements from representatives of the Governments of India and Pakistan concerning the dispute over the State of Jammu and Kashmir.

Reminding the Governments and authorities concerned of the principle embodied in its resolutions 47(1948) of 21 April 1948, 51(1948) of 3 June 1948, 80 (1950) of 14 March 1950 and 91(1951)of 30 March 1951, and the United Nations Commission for India and Pakistan resolutions of 13 August 1948, and 5 January 1949, that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations,

1. Reaffirms the affirmation in its resolution 91 (1951) and declares that the convening of a constituent Assembly as recommended by the General Council of the "All Jammu and KashmirNational Conference" and any action that the Assembly may have taken or might attempt to take to determine the future shape and affiliation of the entire State or any part thereof, or action by the parties concerned in support of any such action by the Assembly, would not constitute a disposition of the State in accordance with the above principle; Decides to continue its consideration of the dispute.

The Security Council voted on this Resolution on 24-1-57 with the following result:

In favor: Australia, China, Colombia, Cuba, France, Iraq, Philippines, Sweden, U.K. andU.S.A.

Against: None Abstaining: U.S.S.R.

Resolution 123 (1957)
(Document No. 5/3793, dated the 21st February 1957).

THE SECURITY COUNCIL,

Recalling its resolution 122 (1957) of 24 January 1957, its previous resolutions and the resolutions of the United Nations Commission for India and Pakistan on the India-Pakistan question,

1. Requests the President of the Security Council, the representative of Sweden, to examine with the government of India and Pakistan any proposals which, in his opinion, are likely to contribute towards the settlement of the dispute, having regard to the previous resolutions of the security council and of the United Nations Commission for India and Pakistan; to visit the sub-continent for this purpose, and to report to the Security Council not later than 15 April 1957;

2. Invites the Governments of India and Pakistan to co-operate with him in the performance of these functions;

3. Requests the Secretary-General and the United Nations Representative for India and Pakistan to render such assistance as he may request.

The Security Council voted on this Resolution on 21-2-57 with the following result:
In favour: Australia, China, Colombia, Cuba, France, Iraq, Philippines, Sweden, U.K. andU.S.A.
Against: None
Abstaining: U.S.S.R.

Resolution 126 (1957)

Adopted by the Security Council on 2 December 1957.

THE SECURITY COUNCIL,

Having received and noted with appreciation of the report of Mr. GunnerV. Jarring, the representative of Sweden, on the mission undertaken by him pursuant to its resolution 123 (1957)of 21 February 1957,

Expressing its thanks to Mr. Jarring for the care and ability with which he has carried out his mission,

Observing with appreciation the expressions made by both parties of sincere willingness to co-operate with the United Nations in finding a peaceful solution,

Observing further that the governments of India and Pakistan recognize and accept the provisions of its resolution 38(1948) of 17 January 1948 and of the resolutions of the United NationsCommission for India and Pakistan dated 13 August 1948 and 5 January 1949, which envisage in accordance with their terms the determination of the future status of the State of Jammu and Kashmir in accordance with the will of the people through the democratic method of a free and impartial plebiscite, and that Mr. Jarring felt it appropriate to explore what was impeding their full implementation,

Concerned over the lack of progress towards a settlement of the dispute which his report manifests,

Considering the importance which it has attached to the demilitarization of the State of Jammu and Kashmir as one of the steps towards settlement,

Recalling its previous resolutions and the resolutions of the United Nations Commission for India and Pakistan on the India-Pakistan question,

1. Requests the United Nations Representative for India and Pakistan to make any recommendations to the parties for further appropriate action, with a view to making progress towards the implementation of the resolutions of the United Nations Commission for India and Pakistan of 13 August 1948 and 5 January 1949, and towards a peaceful settlement;

3. *authorize*s the United Nations Representative to visit the sub-continent for these purposes;

4. *Instructs* the United Nations Representative to report to the Security Council on his efforts as soon as possible.

The Security Council voted on this Resolution on 2-12-57 with the following result:

In favour: Australia, China, Colombia, Cuba, France, Iraq, Philippines, Sweden, U.K. andU.S.A.

Against: None

Abstaining: U.S.S.R.

Resolution 209

The India-Pakistan Question

Resolution 209 (1965) of 4 September 1965

The Security Council,

Noting the report of the Secretary-General of 3 September 1965,

Having heard the statements of the representatives of India and Pakistan,

Concerned at the deteriorating situation along the cease-fire line in Kashmir,

1. Calls upon the Governments of India and Pakistan to take forthwith all steps for an immediate cease-fire

2. Calls upon the two Governments to respect the cease-fire line and have all armed personnel of each party withdrawn to its own side of the line;

3. Calls upon the two Governments to co-operate fully with the United Nations Military Observer Group in India and Pakistan (UNMOGIP) in its task of supervising the observance of the cease-fire;

4. Requests the Secretary-General to report to the Council within three days on the implementation of the present resolution.

Adopted unanimously at the 1237th meeting.

Resolution 210

The India-Pakistan Question

Resolution 210 1965) of 6 September 1965

The Security Council,

Noting the report of the Secretary-General on developments in the situation in Kashmir since the adoption of Security Council resolution 209 (1965) of 4 September 1965 calling for a cease-fire,

Noting with deep concern the extension of the fighting which adds immeasurably to the seriousness of the situation,

1. Calls upon the parties to cease hostilities in the entire area of conflict immediately, and promptly withdraw all armed personnel to the positions held by them before 5 August 1965;

2. Requests the Secretary-General to exert every possible effort to give effect to the present resolution and to resolution 209 (1965), to take all measures possible to strengthen the United Nations Military Observer Group in **India** and **Pakistan**, and to keep the Council promptly and currently informed on the implementation of the resolutions and on the situation in the area;

3. Decides to keep this issue under urgent and continuous review so that the Council may determine what further steps may be necessary to secure peace and security in the area.

Adopted unanimously at the 1238th meeting.

RESOLUTION 211 (1965) OF UN SECURITY COUNCIL

(SEPTEMBER 20, 1965)

The Security Council,

Having considered the reports of the Secretary-General on his consultations with the Governments of India and Pakistan.

Commending the Secretary-General for his unrelenting efforts in furtherance of the objectives of the Security Council's Resolutions of 4 and 6 September, respectively,

Having heard the statements of the Representatives of India and Pakistan,

Noting the differing replies by the parties to an appeal for a cease-fire as set out in the report of Secretary-General (S/6683), but nothing further with concern that no cease-fire has yet come into being,

Convinced that early cessation of hostilities is essential as the first step toward a peaceful settlement of the outstanding differences between the two countries on Kashmir and other related matters,

1. *Demands* that cease-fire should take effect on Wednesday, 22 September 1965, at 0700 hours GMT and calls upon both governments to issue orders for a cease-fire at that moment and a subsequent withdrawal of all armed personnel back to the positions held by them before 5 August 1965;

2. *Requests* the Secretary-General to provide the necessary assistance to ensure supervision of the cease-fire and withdrawal of all armed personnel;

3. *Calls on* all States to refrain from any action which might aggravate the situation in the area;

4. *Decides* to consider as soon as operative Paragraph I of Council's Resolution 210 (1965) of 6 September has been implemented, what steps could be taken to assist towards a settlement of the political problem (Kashmir) underlying the present conflict, and in the meantime calls on the two Governments to utilize all peaceful means, including those listed in Article 33 of the Charter, to this end;

5. *Requests* the Secretary-General to exert every possible effort to give effect to this resolution, to seek a peaceful solution, and to report to the Security Council thereon.

Resolution 214

The India-Pakistan Question

Resolution 214(1965) of 27 September 1965

The Security Council,

Noting the reports of the Secretary-General, Reaffirming its resolutions 209 (1965) of 4 September, 210(1965) of 6 September and 211 (1965) of 20 September 1965,

Expressing its grave concern that the cease-fire agreed to unconditionally by the Governments of India and Pakistan is not holding,

Recalling that the cease-fire demand in the Council's resolutions was unanimously endorsed by the Council and agreed to by the Governments of both **India** and **Pakistan**,

Demands that the parties urgently honor their commitments to the Council to observe the cease-fire and further calls upon the parties promptly to withdraw all armed personnel as necessary steps in the full implementation of resolution 211(1965).

Adopted at the 1245th meeting.

Resolution 215

Resolution 215 (1965) of 5 November 1965

The Security Council,

Regretting the delay in the full achievement of a complete and effective cease-fire and a prompt withdrawal of armed personnel to the positions held by them before 5 August 1965, as called for in its resolutions 209 (1965) of 4 September, 210(1965) of 6 September, 211(1965) of 20 September and 214(1965) of 27 September 1965,

1. Reaffirms its resolution211 (1965) in all its parts;

2. Requests the Governments of India and Pakistan to co-operate towards full implementation of paragraph 1 of resolution 211(1965); calls upon them to instruct their armed personnel to co-operate with the United Nations and cease all military activity, and insists that there be an end to violations of the cease-fire;

3. Demands the prompt and unconditional execution of the proposal already agreed to in principle by the Governments of **India** and **Pakistan** that their representatives meet with a suitable representative of the Secretary-General, to be appointed without delay after consultation with both parties, for the purpose of formulating an agreed plan and schedule for the withdrawals by both parties; urges that such a meeting take place as soon as possible and that such a plan contain a time-limit on its implementation; and requests the Secretary-General to report on the progress achieved in this respect within three weeks of the adoption of the present resolution;

4. Requests the Secretary-General to submit for its consideration as soon as possible a report on compliance with the present resolution.

Resolution 303

The Situation in the India/Pakistan Subcontinent

Resolution 303 (1971) of 6 December 1971

The Security Council,

Having considered the item on the agenda of its 1606th meeting, as contained in document S/Agenda/ 1606,

Taking into account that the lack of unanimity of its permanent members at the 1606th and 1607th meetings of the Security Council has prevented it from exercising its primary responsibility for the maintenance of international peace and security,

Decides to refer the question contained in document S/Agenda/1606 to the General Assembly at its twenty-sixth session, as provided for in Assembly resolution 377 A (V) of 3 November 1950.

Adopted at the 1608th meeting by 11 votes to none, with 4 abstentions (France. Poland, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland).

RESOLUTION 307 (1971) OF UN SECURITY COUNCIL

(DECEMBER 21, 1971)

The Security Council,

Having discussed the grave situation in the sub-continent, which remains a threat to international peace and security,

Noting General Assembly Resolution 2793 (XXVI) of 7 December 1971,

Noting the reply of the Government of Pakistan on 9 December 1971,

Noting the reply of the Government of India on 12 December 1971,

Having heard the statement of the Deputy Prime Minister of Pakistan and the Foreign Minister of India,

Noting further the statement made at the 1616th meeting of the Security Council by the Foreign Minister of India containing a unilateral declaration of a cease-fire in the western theatre,

Noting Pakistan's agreement to the cease-fire in the western theatre with effect from 17 December 1971,

Noting that consequently a cease-fire and a cessation of hostilities prevail,

1. *Demands* that a durable cease-fire and cessation of all hostilities in all areas of conflict be strictly observed and remain in effect until withdrawals take place, as soon as practicable, of all armed forces to their respective territories and to positions which fully respect the cease-fire line in Jammu and Kashmir supervised by the United Nations Military Observer Group in India and Pakistan;

2. *Calls upon* all Member States to refrain from any action which may aggravate the situation in the sub-continent or endanger international peace;

3. *Calls upon* all those concerned to take all measures necessary to preserve human life and for the observance of the Geneva Conventions of 1949 and to apply in full their provisions as regards the protection of the wounded and sick prisoners of war and civilian population;

4. *Calls for* international assistance in the relief of suffering and the rehabilitation of refugees and their return in safety and dignity to their homes, and for full cooperation with the Secretary-General to that effect;

5. *Authorizes* the Secretary-General to appoint if necessary a special representative to lend his good offices for the solution of humanitarian problems;

6. *Requests* the Secretary-General to keep the Council informed without delay on developments relating to the implementation of the present resolutions;

7. *Decides* to remain seized of the matter and to keep it under active consideration.

RESOLUTION 1172 (1998) OF UN SECURITY COUNCIL

(JUNE 6, 1998)

The Security Council,

Reaffirming the statements of its President of 14 May 1998 (S/PRST/1998/12) and of 29 May 1998 (S/PRST/1998/l7),

Reiterating the statement of its President of 31 January 1992 (S/23500), which stated, *inter alia*, that the proliferation of all weapons of mass destruction constitutes a threat to international peace and security,

Gravely concerned at the challenge that the nuclear tests conducted by India and then by Pakistan constitute to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons, and also gravely concerned at the danger to peace and stability in the region,

Deeply concerned at the risk of a nuclear arms race in South Asia, and determined to prevent such a race,

Reaffirming the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons and the Comprehensive Nuclear Test Ban Treaty for global efforts towards nuclear non-proliferation and nuclear disarmament,

Recalling the Principles and Objectives for Nuclear Non-Proliferation and Disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and the successful outcome of that Conference,

Affirming the need to continue to move with determination towards the full realization and effective implementation of all the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons, and welcoming the determination of the five nuclear-weapon States to fulfill their commitments relating to nuclear disarmament under Article VI of that Treaty,

Mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

1. *Condemns* the nuclear tests conducted by India on 11 and 13 May 1998 and by Pakistan on 28 and 30 May 1998;

2. *Endorses* the Joint Communiqué issued by the Foreign Ministers of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America at their meeting in Geneva on 4 June 1998 (S/1998/473);

3. *Demands* that India and Pakistan refrain from further nuclear tests and in this context calls upon all States not to carry out any nuclear weapon test explosion or any other nuclear explosion in accordance with the provisions of the Comprehensive Nuclear Test Ban Treaty;

4. *Urges* India and Pakistan to exercise maximum restraint and to avoid threatening military movements, cross-border violations, or other provocations in order to prevent an aggravation of the situation;

5. *Urges* India and Pakistan to resume the dialogue between them on all outstanding issues, particularly on all matters pertaining to peace and security, in order to remove the tensions between them, and

encourages them to find mutually acceptable solutions that address the root causes of those tensions, including Kashmir;

6. *Welcomes* the efforts of the Secretary-General to encourage India and Pakistan to enter into dialogue;

7. *Calls* upon India and Pakistan immediately to stop their nuclear weapon development programmes, to refrain from weaponisation or from the deployment of nuclear weapons, to cease development of ballistic missiles capable of delivering nuclear weapons and any further production of fissile material for nuclear weapons, to confirm their policies not to export equipment, materials or technology that could contribute to weapons of mass destruction or missiles capable of delivering them and to undertake appropriate commitments in that regard;

8. *Encourages* all States to prevent the export of equipment, materials or technology that could in any way assist programmes in India or Pakistan for nuclear weapons or for ballistic missiles capable of delivering such weapons, and welcomes national policies adopted and declared in this respect;

9. *Expresses* its grave concern at the negative effect of the nuclear tests conducted by India and Pakistan on peace and stability in South Asia and beyond;

10. *Reaffirms* its full commitment to and the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons and the Comprehensive Nuclear Test Ban Treaty as the cornerstones of the

international regime on the non-proliferation of nuclear weapons and as essential foundations for the pursuit of nuclear disarmament;

11. *Expresses* its firm conviction that the international regime on the non-proliferation of nuclear weapons should be maintained and consolidated and recalls that in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons India or Pakistan cannot have the status of a nuclear-weapon State;

12. *Recognizes* that the tests conducted by India and Pakistan constitute a serious threat to global efforts towards nuclear non-proliferation and disarmament;

13. *Urges* India and Pakistan, and all other States that have not yet done so, to become Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and to the Comprehensive Nuclear Test Ban Treaty without delay and without conditions;

14. *Urges* India and Pakistan to participate, in a positive spirit and on the basis of the agreed mandate, in negotiations at the Conference on Disarmament in Geneva on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, with a view to reaching early agreement;

15. *Requests* the Secretary-General to report urgently to the Council on the steps taken by India and Pakistan to implement the present resolution;

16. *Expresses* its readiness to consider further how best to ensure the implementation of the present resolution;

17. *Decides* to remain actively seized of the matter.

The proposal in respect of Jammu and Kashmir made by General A.G.L. McNaughton, President of the UN Security Council, pursuant to the decision of the Security Council taken at its 457th meeting, on 22 December 1949

The principal considerations underlying the following proposals of the President of the security council of the United Nations are:

(a) To determine the future of Jammu and Kashmir by the democratic method of the free and impartial plebiscite, to take place as early as possible; Thus to settle this issue between the governments of India and Pakistan in accordance with the freely expressed will of the inhabitants, as is desired by both Governments;

(b) To preserve the substantial measure of agreement of fundamental principles which has already been reached between the two Governments under the auspices of the United Nations.

(c) To avoid unprofitable discussion of disputed issues of the past and to look forward into the future towards the good-neighborly and constructive co-operation of the two great nations.

DEMILITARISATION PREPARATORY TO THE PLEBISCITE

2. There should be an agreed programme of progressive demilitarization, the basic principle of which should be the reduction of armed forces on either side of the Cease-Fire Line by withdrawal, disbandment and disarmament in such stages as not to cause fear at

any point of time to the people on either side of the Cease-Fire Line. The aim should be to reduce the armed personnel in the State of Jammu and Kashmir on both sides of the Cease-Fire Line to the minimum compatible with the maintenance of security and of local law and order and to a level sufficiently low and with the forces so disposed of that they will not constitute a restriction on the free expression of opinion for the purposes of the plebiscite.

The program of demilitarization should include the withdrawal from the State of Jammu and Kashmir of the regular forces of Pakistan, and the withdrawal of the regular forces of India not required for purposes of security or for the maintenance of local law and order on the Indian side of the Cease-Fire Line; also the reduction, by disbanding and disarming, of local forces, including on the one side the Armed Forces and Militia of the State of Kashmir and on the other, the AzadForces.

The "Northern Area" should also be included in the above programme of demilitarization, and its administration should, subject to United Nations supervision, be continued by the existing local authorities.

SUGGESTED BASIS OF AGREEMENT

3. The Governments of India and Pakistan should reach an agreement not later than 31 January 1950, in New York on the following points;

(a) The Government of Pakistan should give unconditional assurance to the Government of India that they will deal effectively within their own borders with any possibility of tribal incursion into Jammu and Kashmir to the end that, under no circumstances, will tribesmen beable unlawfully to enter the State of Jammu and Kashmir from or through

the territory of Pakistan. The Government of Pakistan should undertake to keep the senior United Nations military observer informed and to satisfy him that the arrangements to this end are and continue to be adequate.

(b) The Governments of India and Pakistan should confirm the continued and unconditional inviolability of the "Cease-Fire Line".

(c) Agreement should be reached on the basic principles of demilitarization outlined in paragraph 2 above.

(d) Agreement should be reached on the minimum forces required for the maintenance of security and of local law and order, and on their general disposition.

(e) Agreement should be reached on a date by which the reduction of forces, to the level envisaged in paragraph 2 above, is to be accomplished. Agreement should be reached on the progressive steps to be taken in reducing and redistributing the forces to the level envisaged in paragraph 2 above.

4. In respect to the foregoing matters, the Governments of India and Pakistan should further agree that a United Nations representative, to be appointed by the Secretary-General of the UnitedNations in agreement with the two Governments, should supervise the execution of the progressive steps in reduction and redistribution of armed forces and that it should be the responsibility of this united Nations representative to give assurance to the people on both sides of the Cease-Fire Line that they have no cause for fear at any stage throughout the process.

The United Nations representative should have the duty and authority(a) of interpreting the agreements reached between the parties pursuant to paragraph 3, sub-paragraphs (c), (d), (e) and (f) above, and(b) of determining, in consultation with the Governments of India and Pakistan respectively, the implementation of the plan for the reduction and redistribution of armed forces referred to in paragraph 3 (f) above.

5. When the agreed programme of demilitarization preparatory to the plebiscite been accomplished to the satisfaction of the United Nations representative, the Plebiscite Administrator should proceed forthwith to exercise the functions assigned to him under the terms of UNCIP resolution of 5 January 1949, which, together with UNCIP resolution of 13 August 1948, was accepted by the governments of India and Pakistan and which are now reaffirmed by these Governments except insofar as the provisions therein contained as modified by the relevant provisions of this document. The functions and powers of the Plebiscite Administrator remain as set forth in UNCIP resolution of 5 January 1949.

6. The United Nations representative should be authorized to make any suggestions to the Governments of India and Pakistan which, in his opinion are likely to contribute to the expeditious and enduring solution of the Kashmir question and to place his good offices at their disposal.

SIR OWEN DİXON PLAN

The choice for a single mediator fell on Sir Owen Dixon, a Judge of the Australian High Court and a Jurist of repute. Appointed in April 1950, he left Australia a few days later and spent some time at the United Nations Headquarter to acquaint himself with various aspects of the problem. On reaching the Sub-continent, he first went to Delhi on 27th May 1950 and after having several meetings with Pandit Nehru and other Indian leaders, came to Karachi on 1st June and met Sir Muhammad Zafrullah Khan. On 7th June, he went to Srinagar and remained there till 12th July when he returned to the two capitals to resume the parleys. In Srinagar, he had several meetings with Sheikh Muhammad Abdullah and other Government leaders. Pandit Nehru had meanwhile gone to Indonesia and returned On 24th June while the Prime Minister of Pakistan who was then touring the United States, returned to Karachi on 13th July. The two Premiers met in Delhi in the presence of Sir Dixon on Thursday, the 20th of July and the meetings continued from day today until Monday, the 24th of July when by common consent, it was brought to an end. His first proposal was that Pakistan Regular Forces start withdrawing from a named date and after a significant number of days, the other operations on each side of the Cease-fire line, aiming at demilitarization, should take place, as far as practicable, concurrently. He, however, did not specify the interval for completion of demilitarization or a time table for the various steps that were to take place in the process.

Sir Dixon's proposal also visualized the withdrawal or disarming and disbanding of the Jammu and Kashmir State forces and the Militia, though on the Pakistan side also he visualized the disbanding of Azad Kashmir Forces and the Northern Scouts. The proposals were accepted by Pakistan but rejected by lndia. The lame excuse advanced by India was that the possibility of an attack by Pakistan still existed and that the Militia, though commanded by Indian officers, was organized and paid by the State and India could not ask the State government to disband it. It needs no argument to expose the hollowness of the claim. It was simply a subterfuge to frustrate an agreement.

lndia also contended that the local authority mentioned in paragraph A (3) Part-ll of the UNClP resolution of 13th August 1948 meant the 'Maharaja's government' and as such she demanded that even the liberated territory should be administered by Sheikh Abdullah's government. It was a wholly destructive interpretation because the term *'local authority'* was nowhere used for the Government in the lndian occupied part of the State, but only for the liberated territory which clearly meant the authority having de facto jurisdiction in the area. Under the resolution, this 'local authority' was to function under the surveillance of the Plebiscite Administrator.

The word *'surveillance'* is itself very unfortunate but its use clearly shows that the local authority meant the authority having de facto power in the area; the term 'surveillance' was used with regard to it so as to treat it at an inferior level than the government across the Cease-fire line in order to meet the Indian claim, of the so-called validity

of the Srinagar regime. However, Sir Dixon sought to meet the Indian objection by proposing that in the Azad territory.The District Magistrates carry on the administration but that an officer of the United Nations would be attached with each DM to supervise his work and report to the UN Representative. This again was not accepted by lndia. With regard to the liberated territory in the Northern area, Sir Dixon proposed that instead of the existing Political Agents,new Political Agents be appointed by or under the authority of the Security Council after consultations with the two countries and both here as well as in Azad Kashmir, the laws and customs having the force of law were to remain the same as they were before revolution broke out. Again, India did not agree. It wanted to place its own Garrisons or set up its military posts in certain places on the Northern side the Cease-fire line. On the Indian side of the Cease-fire line, Sir Owen Dixon felt:

> "lt appeared to me that some provision was necessary to ensure that arbitrary powers which at present exist were not exercised so as to interfere with the freedom of the plebiscite and that Police powers were not so used. As I have already said, the Government of the State would be vitally interested in the result of the plebiscite."

He, therefore, proposed:

a) A United Nations Officer be posted with or attached to each District Magistrate;

b) He should be entitled to see the administrative records and proceedings of the District Magistrates and all officers subordinate to him;

c) The duties of the United Nations officer would include observation, inspection, remonstrance and report;

d) without the prior consent in writing of the United Nations officer,no warrant or order for the arrest of any person should be granted or made under emergency powers or any powers of detention or imprisonment ever used and all prisoners held under the authority of any like warrant or order to be set free within seven days, except prisoners to whose further detention the United Nations officer consented in writing or criminals.

This plan was also rejected by the Prime Minister of India.

Sir Dixon then proposed a single government for the entire State and the first possibility mooted was a coalition government to be formed by Sheikh Muhammad Abdullah and Chaudhry Ghulam Abbas or by placing certain portfolios at the disposal of the respective parties. The second plan was for the formation of an administration composed of trusted persons outside politics holding high judicial or administrative offices and commanding general confidence. It was to be chaired by a nominee of the United Nations and other members were to be equally divided between Muslims and Hindus. It was to assume office six months before actual polls.

The third plan was to have an administration at the top, entirely of U.N.representatives. Again, the proposals were rejected by India.Sir Dixon could not help but condemn India in the following words:

> " In the end I am convinced that India's agreement be obtained to demilitarization in any such form, or to provisions governing the period of the plebiscite of any character as would, in my opinion, permit of the plebiscite being conducted in conditions sufficiently guarding against intimidation and other forms of influence and abuse by which the freedom and fairness of the plebiscite might be imperiled."

Sir Dixon must have naturally lost patience and finding that there was no chance of an overall plebiscite in view of Indian obstructionism, asked the two Prime Ministers in their final meeting on 24th July as to whether it was not possible to dispose of the State on the following basis:

1) Such areas about which there was apparently no doubt, may without a plebiscite go to one country or the other, and

2) A plebiscite to be held only in other areas.

The Pakistan Prime Minister naturally protested because the entire State had to join one or the other country through a plebiscite. Mr. Nehru sought an adjournment to consult his colleagues and later informed Mr. Dixon that his government was prepared to accept the proposal on the following conditions:

1) That part of Jammu province which was already under Indian occupation may directly go to lndia; also the tehsil of Ladakh and the tehsil of Kargil except the area above Suru river.

2) The territory constituting Azad Kashmir except the Muzaffarabad district, and the northern region, already liberated, may directly go to Pakistan.

3) A plebiscite be held not only in Kashmir valley but also in the district of Muzaffarabad up to the natural boundary formed by river Kishanganga.

4) The valley above Suru river should go to the country which emerges victorious in the plebiscite to be held in the Kashmir province.

lndia also demanded straightening of the Cease-fire line near Gulmarg by which she meant to lay claim to the Haji-Pir pass.

lndia was prepared to guarantee the flow of the Chenab river. Mr.Nehru was prepared to sit in another conference with the Prime Minister of Pakistan to discuss the plan. According to Mr. Dixon:

"The territorial demands which the foregoing information disclosed appeared to me to go much beyond what according to my conception of the situation was reasonable and I so stated to the Indian authorities."

Pakistan was not prepared to sit in a conference for a discussion on the said plan but was willing to consider an outright partition which gave her Kashmir valley. lndia was not ready for it. Sir Dixon then envisaged a plan of his own for a partial plebiscite in a limited area

including or consisting of the valley of Kashmir and for partitioning the remainder of the State, of course, according to his own concept *of* what was just for purposes of allocating areas to the two countries. After certain initial objections, the Pakistan government was prepared to accept the proposal provided lndia gave an advance assurance that she would agree to the neutralization of administration. It was consistent with the views already held by Sir Dixon and he, therefore, enquired from the Prime Minister of lndia about his reactions but as usual, he declined to accept it. The objections taken by Delhi are given below:

(1) Pakistan is an aggressor and it would be a surrender to aggression to allow her to take any part in the plebiscite. For the same reason and because of the danger involved, Pakistan troops can never be allowed to enter the plebiscite area and therefore it was impossible to countenance the proposal to enable the administrative body to request the parties to provide troops if it thinks them necessary.

(2) The provision would mean the supersession of the State Government.

(3) Only, people belonging to the State of Jammu **and** Kashmir should be allowed any part in the "campaign" over the plebiscite. There can be no equality between lndia and Pakistan in this or other relevant respects.

(4) The security of the State would be endangered.

That a plebiscite under Indian bayonets would have been a fruitless exercise, has been very clearly brought out by the eminent jurist himself when he reported to the Council:

"These arguments appeared to me to overlook the real nature of a proposal for partition and a partial plebiscite or else to make it completely impossible. The question whether Pakistan had or had not been an aggressor had, to my mind, nothing to do with the results of a partition and the fairness and freedom of a partial plebiscite. To agree that Pakistan should take, under a partition, part of the State must be to agree that, independently of any such question, she took not merely an interest in but sovereignty of the territory. Again, as I saw smatter,to agree that the territory not immediately divided between India and Pakistan should pass to one Or the other according to the will of the inhabitants at a plebiscite conducted by the United Nations must be to agree to a test involving an equal interest in both countries in the result. Further, it is to agree to the ascertainment of the will of the people by an independent authority because that authority will see that the plebiscite is freely and fairly conducted.

I had formed the opinion that it was not easy to exclude the danger that the inhabitants of the Valley of Kashmir would vote under fear or apprehension of consequences and other improper influences. They are not high-spirited people of an independent or resolute temper. For the most part they are illiterate. There were large numbers of regular soldiers of the Indian army as well as of the State Militia and police and more often than not, they were underarms. TheState

Government was exercising wide powers of arbitrary arrest. These are not matters that the Kashmiris inhabiting the Valley could **be** expected to disregard in choosing between voting as the Government of Kashmir asked them and voting for accession to Pakistan.

It appeared to me that the danger to the freedom and fairness of the plebiscite could not be removed unless in the administrative hierarchy of the State so far as it controlled the plebiscite, United Nations Officers were interposed temporarily. The authority of the Ministry over the rest of the State would not be affected. The ordinary working of the machinery of government in the plebiscite area would go on without change, but for the limited area, the United Nations Administrators would for the time being be responsible for the working of the machinery in order to see that it was not used **to** influence the voters. The presence of numbers of troops, armed militia and police in the Valley did not appear to me to be favorable to a free expression of the people's will and I considered that the administrative body might **be** safely given powers to decide what was necessary to ensure the maintenance of order and to protect the area from external danger if they found that any existed. I did not suppose that they would invoke Pakistan troops without good cause, but I saw no reason why both countries should not be under an obligation to provide troops if requested. I saw no reason to change the opinion I had formed or to depart from the provision I had intended to include. I could not expose **a** plebiscite conducted under the authority of the United Nations to the dangers which I believed certainly do exist. Indeed I came to the

conclusion that it would be impossible to give effect to the doctrines formulated by India in objection to my plan and at the same time frame a plan for partition and a limited plebiscite which I could ask Pakistan to accept."

Mr. Dixon left Karachi on 23rd August 1950. It was unfortunates at in the final analysis, he recommended that the initiative be passed back to the parties by the Security Council though he also recommended that the U.N. military Observers be retained on the Cease-fire line for the time being lt is really sad that merely On account of the failure of his patience and sustained work, the great Jurist should have thought it fit to ask the Security Council to wash off its own hands and leave the parties to do what they. Liked such a course, apart from being negative and bound to be fruitless **as** was proved by subsequent events, meant also to prove the futility of the United Nations, brought into being to extinguish fires and bring about a world of peace and understanding. Fortunately for the United Nations and the posterity, the Security Council did not accept this line of approach.

DR. GRAHAM'S PROPOSALS

The Security Council appointed Dr. Frank P. Graham as its representative on 30th April 1951. At the time of his appointment, the ex-American Senator was working as Defence Manpower Administrator in the Labour Department of the United States. He arrived in the sub-continent on 30th June. His staff of 11 members included, as Military Adviser, General Jacob J. Devers who commanded the 6th Allied Army that invaded Germany and who was a former Commander-in-Chief of the American ground forces. He spent 11 weeks in the sub-continent and returned to Geneva on 12th September to prepare his report. On 7th September, he dispatched a letter to the two Prime Ministers containing the text of a draft agreement and invited their comments, suggestions, and detailed plans for demilitarization.

Most of these proposals were not of a substantive nature. While India accepted most of them including proposal No. 4 which reaffirmed her acceptance of the principle that the question of the State's accession to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite under the auspices of the United Nations, she proposed that on its side of the Cease-fire line, the minimum number of troops, she would like to keep was one line of communication area-Headquarter, andone Infantry division of four Brigades of four battalions each, plus the State Militia Comprising a force of six thousand, all totaling about 33.500 soldiers On the Pakistan side of the cease-fire line, she insisted that the Azad Forces should be disbanded and disarmed and at the end of demilitarization, there

should be not more than a Force of four thousand men consisting of persons normally resident in Azad Kashmir territory half of whom to be followers of Azad Kashmir and the other half, of persons who are not followers of Azad Kashmir. it Was to be commanded by U-N Offices Or locals and not by Pakistan officers. The Indian government also stated that demilitarization was not possible within ninety days and also declined to give any definite commitment about the date on which the Plebiscite Administrator was to be inducted into office. On the other hand, the Pakistan government wanted immediate induction into office of the Plebiscite Administrator; it also accepted the period of ninety days for demilitarization. The Pakistan Government also stated that the forces to be maintained on both sides for the period of plebiscite should be of the status of civil armed forces and that a force of not more than four Infantry Battalions should remain on each side of the cease-fire line. However, the Pakistan Government expressed its willingness to a slight increase in the forces on the Indian side, should an agreement be arrived at. At this stage, para **4** of Mr. Nehru's reply to Mr. Graham regarding the Indian commitment to the plebiscite is quoted below verbatim:

"4. As regards paragraph 4, the Government of lndia not only reaffirm their acceptance of the principle that the question of the continuing accession of the State of Jammu and Kashmir to India shall be decided through the democratic method of a free and impartial plebiscite under the auspices of the United Nations but are anxious that the conditions necessary for such a plebiscite should be created as quickly as possible.

It is with this object, and this object alone, in view, that they have examined your proposals."

The Indian proposal about the stationing of four thousand men in Azad Kashmir, half of whom were not to be the followers of Azad Kashmir and all of whom were to be the residents of the area, was a mischievous proposal and it seems that ground was being laid for creating a row on this issue later on so as to defeat the plan because if negotiations had reached that stage, she would have definitely interpreted this provision as meaning the enlistment of non-Muslim refugees from the area living outside Azad Kashmir.

Dr. Frank Graham, therefore, reported his progress to the Security Council. He made a statesmanlike statement before the Council in its 564th meeting held in New York on October 18, 1951, in which he said:

> "With respect to the value of a settlement to the people of the State of Jammu and Kashmir, the first significant result which would proceed from an agreement would be the exercise by the people of Jammu and Kashmir of the promised right of self-determination for which they have been anxiously waiting for three years it would recognize the enduring idea that, in the long run, the sovereignty which proceeds from princes is subject to the sovereignty of the people who, after all, under God, are the highest sovereignty. Any status based on the compulsions of force by either nation or on the attrition of long delay in settlement would not be permanently accepted by the people of

the State or of either nation, would not be in accordance with the principles and spirit of the United Nations, would not have the support of the moral opinion of mankind, and therefore not long endure. As a practical matter, without fulfillment of the promised right of self-determination through the democratic method of a free and impartial plebiscite to be conducted under the auspices of the United Nations, the continuing dispute, as has been well said, would become a running sore, which would tend to drain away resources and energies to the damage of the State and the peoples of both nations.

As a key part of this forward movement of freedom, an agreement of the provisions for the actual demilitarization of the State of Jammu and Kashmir by preparing the way for a free and impartial plebiscite and the self-determination of the people would prepare the way for the settlement of other disputes and the larger cooperation of the Governments and peoples of India and Pakistan; would strengthen the democratic and moral values of the Indonesian, Southern Asian, North African, South-Eastern European and Mediterranean world, not as a bloc but as a spiritual force for freedom and peace, and might bring about a reorientation of the relations of East and West for a decisively human turn in the Tragic history of our times.

The great leadership of the peoples of India and Pakistan by the settlement of this crucial dispute might set in motion a spiritual chain reaction which, we pray, would encompass the

earth with the moral power of mankind in behalf of human freedom, the self determination of people and the co-operation of nations for the peace of the world.

May lndia and Pakistan be nations in which, in the larger fulfillment of their own ancient heritage and youthful hopes, in response to their own great leaders, the people more and more become brothers in the sight of God and in the human heart; where the lowest and the highest and all the people equally together have the freedom to struggle for higher freedom and where life is made richer by the vigor and variety of the differences of the people; where the answer to error is not terror, and the response to **a** difference in religion, race, colour, economic condition or social status is not discrimination, exploitation Or intimidation; where and when men are free, the way of progress is not sub-version the respect for the past is not reaction, and the hope of future is no, revolution; where the majority is without tyranny, the minority without fear and all people have hope for freedom, peace and brotherhood in the long human pilgrimage. under God. towards one world neighborhood of human brotherhood."

On 10th November 1951, the Council requested Mr. Graham to continue his mission. It will be recalled that the two fundamental points of difference between the two countries were:

1. the minimum number of forces to be left on each side of the cease-fire line at the end of the period of demilitarization and;

2. the day on which the Government of India would call the Plebiscite Administrator to be formally appointed to office.

Mr. Graham wrote to the parties on 7th December 1951 that "the number of armed forces to remain at the end of the period of demilitarization should be decisively reduced to the smallest number possible for the final disposal by the Plebiscite Administrator".

This time the Indian Government made one improvement only, namely, that they offered to reduce their troops at the end of the period of demilitarization by seven thousand. No agreement was possible on proposals 3,6,7 and 10, initially advanced by Mr. Graham.

Mr. Graham also proposed that the demilitarization should be completed by 15th July 1952 and that the Plebiscite Administrator should be formally appointed to office not later than the final day of the demilitarization period. The following demilitarization plan was drafted by General Devers on 29th November 1951 and sent to the parties:

"1. D-Day to be 30 days after the principal Agreements have been signed.

2. D to D plus 30.

(a) The United Nations Observer force be increased to approximately 80 officers and 600 men with necessary Jeeps, helicopters and communication equipment to assure that there is no violation of the cease-fire agreements and to assist in demobilization of forces and give stability and backing to local Governments in maintaining order.

(b) Pakistan to close the western border of the Azad Kashmir sector against unauthorized ingress from the west. This to be done by selected regular troops.

(c) All regular forces to be withdrawn to Pakistan except three Battalions.

(d) The Azad Kashmir armed forces to be reduced to 4 Battalions.

(e) The regular Indian forces to be reduced to one Division and one Line of Communications Area Headquarters.

(f) A police force of 4,000 civilians armed civilians to be created in the Azad territory of Kashmir as follows:

a. 1,200 carefully selected armed civilians who were formerly members of the disbanded Azad forces.

b. 1,200 carefully selected armed civilians who at no time have served as members of the disbanded Azad forces. None will be Pakistan nationals or former members of the Pakistan armed forces.

c. 800 carefully selected unarmed civilians who were formerly members of the disbanded Azad forces.

d. 800 carefully selected unarmed civilians who at no time have served as members of the disbanded Azad forces. None will be Pakistan Nationals or former members of the Pakistan forces."

The Government of India apart from taking several objections to the plan, giving its own distorted interpretation to previous agreements,

rejected the suggestion of bringing in a U.N. force. It demanded that the border between Pakistan and Azad Kashmir be closed, that all regular Pakistan forces be withdrawn, that all Azad Kashmir forces be disarmed and disbanded; with regard to the police force of four thousand civilians, she demanded that only half of them be armed but their recruitment and composition was to be the same as was demanded by her earlier.

Dr. Graham, therefore, submitted his second report to the Security Council. This time he did not visit the sub-continent but conducted negotiations with representatives of the two Governments at New York. In his statement before the Security Council at Paris on January 17, 1952, Dr. Graham made an impassioned appeal for a settlement and stated:

> "The plebiscite would keep the promise made to the people of Jammu and Kashmir, who are worthy of the right of their own self-determination through a free, secure, and impartial plebiscite. They are people of legend, song and story, associated with snowcapped mountains, beautiful valleys, and life-giving waters. The valleys are set like gems in the midst of mountains which surround the land and the people and which look down upon them from untold ages of history and from the highest majesty of this earth. These people, Moslems, Hindus, Sikhs, and Christian, as farmers, craftsmen and artists, small shopkeepers, boatmen, bearers other workers in areas now On both sides of the Cease-fire

line have through the centuries, been the victims of exploitation and conflict.

The recognition of the rights and dignity, the security and the self determination of these historic people, under the auspices of the United Nations, might well become a challenging example of the progressive values of self-determination to the dependent peoples of the earth. The people of Jammu and Kashmir through a free and impartial plebiscite would signal through the darkness of these times a ray of hope that not by bullets but by ballots, not through conflict of armies but through co-operation of peoples, is the enduring way for people to determine their own destiny and way of life.

The agreement of two sovereign nations on a plan of demilitarization of the State of Jammu and Kashmir, as the basis of self-determination, peace and cooperation in the great humane programmes on the sub-continent, might help to contribute its bit to the hopes of the people for an eventual agreement of all the nations through the United Nations for universal disarmament as a basis for freedom, peace and cooperation in great human programmes across the earth.

The people of the earth who do the work of the world and carry the loads of these desperate days still look for some signs of better times for themselves and their children. Without flinching from the privations of self-defence or the burdens of their daily toil, they look east and west for the intelligent and spiritual

leadership which would guide the ways of the world from self-destruction to self-realization of the cooperative and creative capacities of the sons of God and the brothers of men.

On the sub-continent of India and Pakistan today, the place,the time the opportunity and the leadership have met in one of the great junctures of human history for the possible weal or woe of the peoples of the world. The place is where meet the three largest nations and perhaps the five largest nations in the world.

The time is past when society can safely take slow decades and centuries to muddle through adjustments to scientific and technological revolutions. Social drift and unsettled disputes such as the Kashmir issue, heavily charged with high potentials, did not then as now possibly involve mankind in the swift and total tragedy of global war and the scientific destruction of civilization. A human society with an atomic bomb in its bosom cannot lag inhumane and creative adjustments to its potentially suicidal power.

The opportunity in time and place is for the leadership on the sub-continent, tested in the struggles and sufferings for the human liberty of four hundred million human beings, to help prevent the destruction of human freedom and the self-destruction of civilization by challenging examples of demilitarization, self-determination, and reconstruction in a fearful and broken world,"

Alas, this eloquent appeal by a great visionary indirectly aimed at the so-called visionary Nehru to rise above petty nationalism and peep into the broad of tomorrow, had no sympathetic response. He refused to act as a Statesman. *(Justice Yusuf Saraf, Kashmiris Fight for Freedom, Vol.II, Pages 349-53)*

THE UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN 1948-49

Letter of The President of The Azad Kashmir Govt. addressed to The Chairman of The UNCIP, 8 July 1948 (S/Ac.12/Info.3)

Trarkhel, 8 July 1948

1. The Azad Kashmir Government have followed with interest the proceedings of the Security Council and of its Commission with regard to the State of Jammu and Kashmir. They welcome and are in sympathy with all efforts to find a peaceful and honorable settlement of this problem. It is, however, a matter of surprise and regret to them that, while the Security Council gave a very full hearing to the representatives of India and Pakistan and listened to a long statement from Sheikh Mohammad Abdullah, the Head of the Emergency Administration set up by the Maharaja of Kashmir, no opportunity was afforded to the representative of the Azad Kashmir Government to place their point of view before the United Nations, As the Government of Azad Kashmir were, and still are, in control of more than half the areas of Jammu and Kashmir, the failure of the Security Council to grant a hearing to the representative of Azad Kashmir Government was a serious injustice to the people of Jammu and Kashmir. We earnestly hope that you and the members of the Commission will not repeat the mistake of the Security Council and that you will take the earliest opportunity to visit Azad Kashmir to see with your own eyes the havoc wrought by the Indian Army and the heroic struggle of our people, and to

discuss with our representative ways and means to bring to a speedy end this tragic state of affairs.

I would like, meanwhile, to draw your attention to some of the basic points with regard to Jammu and Kashmir which must be kept in view if a peaceful and lasting settlement is to be achieved.

8. During the four months that the Kashmir question was debated in die Security Council, from January to April 1948, the Security Council had most elaborate accounts of the manner in which the Maharaja of Jammu and Kashmir acceded to India, of the uprising of his Muslim subjects throughout the state, and of the attempt of the Kashmir Government to suppress them With the help of the Armed Forces of India. There are certain facts, however, which are of sufficient importance to merit repetition.

Under section 9 of the Indian Independence Act 1947, which brought into being the Dominions of India and Pakistan, British paramountcy over the Indian States lapsed and they became free to accede to either Dominion. Being a Hindu, the Maharaja of Jammu and Kashmir was inclined to accede to India and carried on secret negotiations with the Hindu Leaders of India. The majority of the Maharaja’s subjects, however, being Muslims, was naturally in sympathy with Pakistan, and favored accession to that Dominion. Pakistan Day was celebrated in several places, and public demonstrations were held demanding accession to Pakistan. The Maharaja's Government attempted at first to crush the pro-Pakistan movement with the help of their police and military, but when

these proved insufficient, Indian soldiers in plain-clothes and trained Sikh and Rashtriya Swayarn Sewak Sangh assassins began to pour into the Jammu province and Poonch. These developments took place in August 1937, (SIC), long before the so-called invasion of the Kashmir valley by tribesmen. The oppressed people of Jammu and Kashmir fought back with great tenacity and heroism and received a limited amount of assistance from their relatives and friends from across the borders of Pakistan. The Maharaja of Kashmir thereupon came out into the open, declared his accession to India against the expressed wishes of the majority of his subjects' and so paved the way for the forcible occupation of the State by the Indian Army.

11. We will be glad to discuss with the Commission the conditions on which the Azad Kashmir Government could agree to participate in the plebiscite and be bound by its results. Some of these have already been mentioned in the statements made from time to time by the Quaid—Millat Chowdhury Ghulam Abbas myself and my colleague. Others would have to be worked out in the light of the conditions now obtaining and future developments. The principal conditions are, however, enumerated below:-

(a) The Indian Armed Forces, and the Sikh and Rashtriya Swayam Sewak Sangh assassins must be completely withdrawn;

(b) Military and Police forces should be raised locally, and be under the control of the Plebiscite Administrator until the Plebiscite is over;

(c) A provisional government should be set up which would reflect the will of the majority of the people. As the Muslim Conference enjoys the confidence of the vast majority of Muslims of Jammu and Kashmir, who constitute nearly 78 percent of the state's population, it should assume the main responsibility for forming the provisional government and should provide the Prime minister, We would welcome the cooperation of other political parties, but I would like to make it perfectly clear that, under no circumstances, would the representatives of the Muslim Conference and the Azad Kashmir Government agree to the continuance as Prime Minister of Sheikh Abdullah, who has been playing the role of a quisling and is a traitor to his own country;

(d) If a popular government cannot be immediately established, we would agree to the setting up of a completely neutral administration under the supervision and control of the United Nations Commission until the plebiscite is over;

(e) All political prisoners must be released, and all political parties granted the fullest freedom to propagate their views ideas;

(f) All-State employees who have been dismissed since in 15 August 1947 because of their alleged sympathies for Pakistan should be re-instated;

(g) The commission should ensure the restoration and rehabilitation of all residents of Jammu and Kashmir who have left, or who have been compelled to leave the state since August 1947;

(h) The Plebiscite Administration should have under its full and effective control not only the Armed Forces and the police stationed but also the administrative and judicial machinery, and should thus be in a position to ensure a free and impartial plebiscite;

(i) The future constitution of the State should be decided by its own people, in accordance with recognized democratic methods.

The Azad Kashmir Government feels that these are the minimum conditions which must be satisfied before they could commit themselves and their people to the solution proposed by the Security Council. The conditions suggested are, in our view, eminently reasonable and are in conformity with the statements of almost all the members of the Security Council in the early stages of its debate. I must emphasize that the Azad Kashmir Government will not accept any settlement to which they are not a party, and that Pakistan, though keenly interested in the future of Jammu and Kashmir, cannot bind the Azad Kashmir Government or commit them to a course of action without their previous approval.

(K. Sarwar Hassan, The Kashmir Question Pakistan institute of international, affairs Karachi. (page # 177 to180)

LOCAL AUTHORITIES SOVEREIGNTY

In a meeting held in New Delhi on 17 August 1948, between representatives of the Commission and the Prime Minister of India, the Prime Minister inquired of the wording of A. 3 of Part II of the 13 August 1948, resolution.

“…..envisaged any change in the status of the territory, or whether it recognized the jurisdiction of the Government of Jammu and Kashmir over that territory. Mr. Korbel remarked that that point incorporated the suggestion which the Prime Minister himself had advanced and that the phrase ' pending final solution ' was intended to recognize the temporary nature of the administration by local authorities. Sovereignty over the territory was not to be changed ".

(S/1100. Annex. 12, page 105.)

In the letter, previously referred to, dated 20 August 1948, from the Prime Minister of India to the Chairman of the Commission the Prime Minister maintained [paragraph 3 (1)] :

"That, paragraph A, 3 of Part II of the resolution should not be interpreted or applied in practice, so as

To bring into question the sovereignty of the Jammu and Kashmir government over the portion of their territory evacuated by Pakistan troops ;

To afford any recognition of the so-called Azad Kashmir Government; or"

To enable this territory to be consolidated in any way during the period of truce to the disadvantage of the State".

In the same letter the Prime Minister said (paragraph 4):

"If I understand you correctly, A, 3 of Part II of the resolution does not envisage the creation of any of the conditions to which we have objected in paragraph 3(1) of this letter. In fact, you made it clear that the Commission was not competent to recognize the sovereignty of any authority over the evacuated areas other than that of Jammu and Kashmir Government."

[S/1100, paragraph 78, sub-paragraphs 3 (1) and 4.}

In the reply of the Chairman of the Commission to the Prime Minister of India on 23 August 1948, it was said:

"The Commission requests me to convey to Your Excellency its view that the interpretation of the resolution as expressed in paragraph 4 of your letter coincides with its own interpretation, it being understood that as regards point (1) (c) the local people of the evacuated territory will have freedom of legitimate political activity. In this connection, the term of evacuated territory refers to those territories in the State of Jammu and Kashmir which are at present under the effective control of the Pakistan High Command." (S/1100, paragraph 79.)

(Report on Kashmir by United Nations Representative) Govt. of Pakistan (Page #264)Printed by the Manager, Govt. of Pakistan Press, Karachi 1962)

UNCIP Clarification of Pakistan

(4) “The existence of the Azad Kashmir movement has not been ignored by the Commission, consideration thereof appearing in part II A3 of its Resolution of 13th August.

(Paragraph 2(a) of Commission's letter dated 19th September 1948)

(5) "The Resolution does not contemplate disarming or disbanding of the Azad Kashmir forces"

(Paragraph 2 (c) of Commission's letter dated 19th September 1948)

Orally

The term "evacuated territory "Means the area which is under the control of the Pakistan High Command including for this purpose the Pakistan Army the Azad Kashmir Forces, and tribesmen.

(Mr. Korbel at a meeting held on 2nd September 1948)

"By 'local authorities" we mean the Azad Kashmir people; though we cannot grant recognition to the Azad Kashmir Government"

(Mr. Korbel at a meeting held on 2nd September 1948)

"Subject to the Commissions 'surveillance', the 'local authorities' will have full political and administrative control and will be responsible for the maintenance of law and order and Security. Neither the Indian Government nor the Maharaja's Government at Srinagar will be permitted to send any military or civil officials to the evacuated area.

(Mr. Korbel at a meeting held on 31st August 1948)

"As regards the term 'surveillance,' we have used it deliberately in the absence of a better word. It does not mean actual control or supervision. All that we are anxious for is to appoint neutral observers to see that the local authorities carry out the truce agreement. If the local authorities do anything against the spirit of the truce proposal, the observers will report the matter to the Commission, which will then

endeavor to have it set right. No interference with the local administration is intended."

(Mr. Korbel at a meeting held on 2nd September 1948)

"We agree that there will be no change in the existing administration of Gilgit."

(Mr. Korbel at a meeting held on 2nd September 1948).

"The Commission does not contemplate "surveillance" of the Gilgit Administration. The Commission has mainly in viewpoints of contact between the two parts of the State, i. e, the places where the truce might be broken. Especially areas where fighting is taking place. The Commission's intention is that neutral observer should be located at such sensitive points."

(Mr. Korbel at a meeting held on 2nd September 1948)

We have gone as far as we could to meet the point of view of the Azad Kashmir people. We have tried to deal with the de facto situation cannot but we cannot lose sight of the fact that the State of Jammu and Kashmir still exist as a legal entity. We have to respect its sovereignty."

(Mr. Korbel at a meeting held on 2nd September 1948)

"The commission has made no demand either for the disarming or the withdrawal of the Azad forces."

(P.L.Lakhnpal, Essential Documents and Notes on Kashmir (Delhi: International Books,1958)181.

COMMITMENTS OF INDIAN LEADERSHIP ABOUT PLEBISCITE IN KASHMIR

MAHATMA GANDHI

"The People of Kashmir should be asked whether they want to join Pakistan or India. Let them do as they want. The ruler is nothing. People are everything."

(Speech at Prayer Meeting July 29, 1947)

"The princes being the creation of British imperialism and the British having quitted India, the people in the States were their own masters and Kashmiris must, therefore, decide without any coercion or show of it from within and without to which dominion they should belong."

(During a visit to Srinagar)

"I want to repeat the Government of India will stand by that pledge, whatever happens. That pledge itself stated that it is for the people of Kashmir to decide their fate without external interference."

(August 1947)

"If the people of Kashmir are in favour of opting for Pakistan, no power on earth can stop them from doing so. They should be left free to decide for themselves."

(Speech at Prayer Meeting October 26, 1947)

"The accession was provisional upon an impartial plebiscite being taken by the Kashmiris."

(Speech at Prayer Meeting, 26th October 1947. Complete Works of Mahatama Gandhi)

LORD MOUNTBATTEN, GOVERNOR GENERAL OF INDIA

"The question of the State's accession should be settled by a reference to the people."

(Letter to Maharaja of Jammu & Kashmir October 27, 1947)

JAWAHARLAL NEHRU, PRIME MINISTER OF INDIA

"I should like to make it clear that the 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 people and we adhere to this view."

(Telegram to the British and the Pakistani Prime Ministers October 27, 1947)

"In regard to accession also, it has been made clear that this is subject to reference to people of State and their decision."

(Telegram to Prime Minister of Pakistan October 28, 1947)

"Our assurance that we shall withdraw our troops from Kashmir as soon as peace and order is restored and leave the decision regarding the future of this State to the people of the state is not merely a promise to your Government but also to the people of Kashmir and to the world."

(Telegram to the Prime Minister of Pakistan October 31, 1947)

"We are anxious not to finalize anything in a moment of crisis and without the fullest opportunity to be given to the people of Kashmir to have their say. It is for them ultimately to decide.

"And let me make it 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 accession must be made by the people of the State".

(Address to the nation: All India Radio (November 2, 1947)

"We have declared that the fate of Kashmir is ultimately to be decided by the people. The pledge we have given not only to the people of Kashmir but to the world. We will not and can not back out of it."

(Statement in New Delhi: All India Radio November 3, 1947)

"…….Where the State has not acceded to that dominion whose majority community is the same as states, the question whether a state has finally acceded to one or other dominion should be ascertained by reference to the will of people."

(Telegram to the Prime Minister of Pakistan November 8, 1947)

"Kashmir should decide the question of accession by plebiscite or referendum under international auspices, such as those of the United Nations."

(Letter to the Prime Minister of Pakistan November 21, 1947)

"In order to establish our bonafide, 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."

(Statement in the Indian Constituent Assembly November 25, 1947)

"…. I confess, however, that I find myself unable to suggest anything beyond what I have offered already, namely, to ask the UNO to send impartial observers to advise us regarding the plebiscite."

(Telegram to the Prime Minister of Pakistan December 12, 1947)

"Even at the moment of accession, we went out of our way to make a unilateral declaration that we would abide by the will of the people of Kashmir as declared in a plebiscite or referendum. We insisted further that the government of Kashmir must immediately become a popular government. We have adhered to that position throughout and we are prepared to have a plebiscite, with every protection for fair voting and to abide by the decision of the people of Kashmir.

"……Ultimately there is no doubt in my mind that, in Kashmir as elsewhere, the people of Kashmir will decide finally, and all that we wish is that they should have freedom of decision without any external compulsion."

(Statement in the Constituent Assembly of India March 5, 1948)

"It has always been our view that, in the event of a plebiscite, the people of Kashmir should decide their future for themselves."

(Telegram to the UN Representative for India and Pakistan August 16, 1950)

"We have always right from the beginning accepted the idea of the Kashmiri people deciding their fate by referendum or plebiscite."

(September 7, 1948)

".....We all agreed that it is the people of Kashmir who must decide for themselves about their future. It is an obvious fact that, even without our agreement, no country is going to hold on to Kashmir against the will of the Kashmiris."

(Press Conference in London, January 16, 1951)

"We had given our pledge to the people of Kashmir and subsequently to the United Nations; we stood by it and we stand by it today. Let the people of Kashmir decide."

(Statement in the Indian Parliament February 12, 1951)

"First of all, I would like to remind you of the fateful days of 1947 when I came to Srinagar and gave the solemn assurance that the people of India would stand by Kashmir in her struggle. On that assurance, I shook Sheikh Abdullah's hand before the vast multitude that had gathered there. I want to repeat that the Government of India will stand by that pledge, whatever happens. That pledge itself stated that it is for the people of Kashmir to decide their fate without external interference. That assurance also remains and will continue."

(Address at a public meeting in Srinagar June 4, 1951)

"People seem to forget that Kashmir is not a commodity for sale or to be bartered. It has an individual existence and its people must be the final arbiters of their future."

(All-India Congress Committee Daily Statesman, New Delhi July 9, 1951)

"We have taken the issue to the United Nations and given our word for a peaceful solution …….. As a great nation, we can not go back on it. We have left the question for the final solution to the people of Kashmir and we are determined to abide by their decision."

(Daily Amrita Bazar Patrika, Calcutta January 2, 1952)

"India is a great country and Kashmir is almost in the heart of Asia. There is an enormous difference not only geographical but in all kinds of facts there. Do you think (in dealing with Kashmir) you are dealing with a part of U.P or Bihar or Gujrat?"

(Statement in Indian Parliament June 26, 1952)

"I want to stress that it is only the people of Kashmir who can decide the future of Kashmir. It is not that we have merely said that to the United Nations and to the people of Kashmir; it is our conviction and one that is borne out by the policy that we have pursued, not only in Kashmir but everywhere. Though these five years have meant a lot of trouble and expense and in spite of all we have done we would willingly leave Kashmir if it was made clear to us that the people of Kashmir wanted us to go. However sad we may feel about leaving, we are not going to stay

against the wishes of the people. We are not going to impose ourselves on them at the point of the bayonet.

"I started with the presumption that it is for the people of Kashmir to decide their own future. We will not compel them. In that sense, the people of Kashmir are sovereign."

(Statement in Indian Parliament August 7, 1952)

"From the beginning, we have stressed the fact that it is for the people of Kashmir to decide their future, we have held by that and we have to hold by it still. They must decide in the proper way and in the proper context."

(August 15, 1953)

"The most feasible method of ascertaining the wishes of the people was by fair and impartial plebiscite."

(Joint communiqué of the Prime Ministers of India and Pakistan, Delhi – August 20, 1953)

"As a result of the plebiscite over the entire State, we would be in a position to consider the matter, so that the final decision should cause the least disturbance and should take into consideration geographical, economic and other important factors.

"I should like to make it clear that there is no intention on my part to exclude the UN from this question of Kashmir."

(Letter to the Prime Minister of Pakistan September 3, 1953)

"Our object is to give freedom to the people of Kashmir to decide their future in a peaceful way so as to create no upset, as we said in our joint statement."

(Letter to the Prime Minister of Pakistan November 10, 1953)

"India will stand by her international commitments on the Kashmir issue and implement them at appropriate time."

"The repudiation of international commitments would lower India's prestige abroad."

(Daily Time of India – May 16, 1954)

"But so far as the Government of India is concerned, every assurance and international commitment in regard to Kashmir stands."

(Statement in Indian Council of States May 18, 1954)

"Kashmir is not a thing to be bandied about between India and Pakistan but it has a soul of its own and an individuality of its own. Nothing can be done without the goodwill and consent of the people of Kashmir."

(Statement in the Indian Parliament March 31, 1955)

"The question of aiding Kashmir in this emergency is not designed in any way to influence the State to accede to India."

(Cable to the British Prime Minister)

"The people of Kashmir would be free to decide their future by the recognized democratic method of plebiscite or referendum, which in order to ensure complete impartiality may be held under international

auspices.This was also in accordance with Mahatama Gandhi's view, since he had stated that the India Government sent troops by air to Kashmir telling the Maharaja that the accession was provisional upon an impartial plebiscite being taken of Kashmir irrespective of religion."

(Letter from Government of India to UN December 31, 1947)

"In accepting the accession they [the Government of India] refused to take advantage of the immediate peril in which the State found itself and informed the Ruler that the accession should finally be settled by plebiscite as soon as peace had been restored. They have subsequently made it quite clear that they are agreeable to the plebiscite being conducted if necessary under international auspices.

"On the question of accession, the Government of India has always enunciated the policy that in all cases of dispute the people of the State concerned should make the decision.

"We have no further interest, and we have agreed that a plebiscite in Kashmir might take place under international auspices after peace and order have been established.

"We desire only to see peace restored in Kashmir and ensure that the people of Kashmir are left free to decide in an orderly and peaceful manner the future of their State. We have no further interest, and we have agreed that a plebiscite in Kashmir might take place under international auspices after peace and order have been established."

GopalaswamiAyangar

(Chairman of the Armed Forces Nationalization Committee and Minister in Interim Government in India, Statement at the Security Council January 15, 1948)

"The question of accession is to be decided finally in a free plebiscite, on this there is no dispute."

(White Paper on Kashmir issued by Government of India, 1948)

"No doubt we have offered to have a plebiscite taken when the conditions are created for the holding of a proper, fair and impartial plebiscite. But if the plebiscite produces a verdict which is against the continuation of accession to India of the Kashmir State, then what we are committed to is simply that we shall not stand in the way of Kashmir separating itself from India."

Gopalaswami Ayangar

(Address at the Indian Constituent Assembly May 27, 1949)

My government has always taken the view that resolutions if they are passed, must be implemented."

Krishna MenonDefence Minister of India Statement at the UN General Assembly on April 5, 1951)

We adhere strictly to our pledge of plebiscite in Kashmir – a pledge made to the people because they believe in democratic government …… We don't regard Kashmir as a commodity to be trafficked in."

Krishna Menon

(Daily Statesman, New Delhi August 2, 1951)

"The Government of India not only reaffirms its acceptance of the principle that the question of the continuing accession of the State of Jammu and Kashmir to India shall be decided through the democratic method of a free and impartial plebiscite under the auspices of the United Nations, but is anxious that the conditions necessary for such a plebiscite should be created as quickly as possible."

(Letter from Govt. of India to the UN Representative for India and Pakistan September 11, 1951)

"We do not seek to go behind the UNCIP resolutions or to ignore the vital elements of principle contained in them. …… We have always adhered to the UNCIP resolutions… ….. We cannot be a party to the reversal of previous decisions taken by the United Nations Commission with the agreement of the parties."

Vijay Lakshmi PanditPermanent Representative of India in UN(Statement at the Security Council December 8, 1952)

"I want to say for the purpose of the record that there is nothing that has been said on behalf of the Government of India which in the slightest degree indicates that the Government of India or the Union of India will dishonor any international obligations it has undertaken."

Krishna Menon

(Statement at UN Security Council, January 24, 1957)

"If, as a result of a plebiscite, the people decided that they did not want to stay with India, then our duty at that time would be to adopt those

constitutional procedures which would enable us to separate that territory."

Krishna Menon

(Statement at UN Security Council February 8, 1957)

"The resolutions of January 17, 1948, and the resolutions of the UNICP, the assurances given, these are all resolutions which carry a greater weight – that is because we have accepted them, we are parties to them, whether we like them or not."

Krishna Menon

(Statement at UN Security Council February 20, 1957)

"These documents (UNCIP reports) and declarations and the resolutions of the Security Council are decisions; they are resolutions, there has been some resolving of a question of one character or another, there has been a meeting of minds on this question where we have committed ourselves to it."

Krishna Menon

(Statement at the Security Council on October 9, 1957)

"India believes that sovereignty rests with the people and should return to them."

Krishna Menon

(Daily Statesman, Delhi January 19, 1962

Ch: III

HISTORICAL DOCUMENTS

TREATY BETWEEN THE BRITISH GOVERNMENT AND THE STATE OF LAHORE, 1846.

Whereas the treaty of amity and concord, which was concluded between the British government and the late Maharajah Runjeet Sing, the ruler of Lahore, in 1809, was broken by the unprovoked aggression, on the British Provinces, of the Sikh army, in December last; and whereas, on that occasion, by the proclamation, dated 13th December, the territories then in the occupation of the Maharajah of Lahore, on the left or British bank of the river Sutlej, were confiscated and annexed to the British Provinces; and since that time hostile operations have been prosecuted by the two Governments; the one against the other, which have resulted in the occupation of Lahore by the British troops; and whereas it has been determined that, upon certain conditions, peace shall be re-established between the two Governments, the following treaty of peace between the Honourable East India Company and Maharajah Dhuleep Sing Bahadoor, and his children, heirs and successors, has been concluded on the part of the Honourable Company by Frederick Currie, Esquire, and Brevet-Major Henry Montgomery Lawrence, by virtue of full powers to that effect vested in them by the Right Hon'ble Sir Henry Hardinge, G.C.B., one of her Britannic Majesty's Most Hon'ble Privy Council, Governor-General, appointed by the

Honourable Company to direct and control all their affairs in the East Indies, and on the part of His Highness Maharajah Dhuleep Sing by Bhaee Ram Sing, Rajah Lal Sing, SirdarTej Sing, SirdarChuttur Sing Attareewalla, SirdarRunjore Sing Majeethia, Dewan Deena Nath and FakeerNooroodden, vested with full powers and authority on the part of His Highness.

I. There shall be perpetual peace and friendship between the British Government on the one part and Maharajah Dhuleep Sing, his heirs and successors on the other.

II. The Maharajah of Lahore renounces for himself, his heirs and successors, all claim to, or connection with, the territories lying to the south of the River Sutlej, and engages never to have any concern with those territories or the inhabitants thereof.

III. The Maharajah cedes to the Hon'ble Company, in perpetual sovereignty, all his forts, territories and rights in the Doab or country, hill and plain, situated between the Rivers Beas and Sutlej.

IV. The British Government having demanded from the Lahore State, as indemnification for the expenses of the war, in addition to the cession of the territory described in Article 3, payment of one and a half crore of Rupees, and the Lahore Government being unable to pay the whole of this sum at this time, or to give security satisfactory to the British Government for its eventual payment, the Maharajah cedes to the Honourable Company, in perpetual sovereignty, as an equivalent for one crore of Rupees, all his forts, territories, rights and interests in the hill countries, which are

situated between the Rivers Beas and Indus, including the Provinces of Cashmere and Hazarah.

V. The Maharajah will pay to the British Government the sum of 60 lakhs of Rupees on or before the ratification of this Treaty.

VI. The Maharajah engages to disband the mutinous troops of the Lahore Army, taking from them their arms and His Highness agrees to reorganize the Regular or Aeen Regiments of Infantry upon the system, and according to the Regulations as to pay and allowances, observed in the time of the late Maharajah Runjeet Sing. The Maharajah further engages to pay up all arrears to the soldiers that are discharged, under the provisions of this Article.

VII. The Regular Army of the Lahore State shall henceforth be limited to 25 Battalions of Infantry, consisting of 800 bayonets each with twelve thousand Cavalry - this number at no time to be exceeded without the concurrence of the British Government. Should it be necessary at any time - for any special cause - that this force should be increased, the cause shall be fully explained to the British Government, and when the special necessity shall have passed, the regular troops shall be again reduced to the standard specified in the former Clause of this Article.

VIII. The Maharajah will surrender to the British Government all the guns - thirty-six in number - which have been pointed against the British troops and which, having been placed on the right Bank of the River Sutlej, were not captured at the battle of Subraon.

IX. The control of the Rivers Beas and Sutlej, with the continuations of the latter river, commonly called the Gharrah and the Punjnud, to the confluence of the Indus at Mithunkote and the control of the Indus from Mithunkote to the borders of Beloochistan, shall, in respect to tolls and ferries, rest with the British Government. The provisions of this Article shall not interfere with the passage of boats belonging to the Lahore Government on the said rivers, for the purpose of traffic or the conveyance of passengers up and down their course. Regarding the ferries between the two countries respectively, at the several ghats of the said rivers, it is agreed that the British Government, after defraying all the expenses of management and establishments, shall account to the Lahore Government for one-half the net profits of the ferry collections. The provisions of this Article have no reference to the ferries on that part of the River Sutlej which forms the boundary of Bhawulpore and Lahore respectively.

X. If the British Government should, at any time, desire to pass troops through the territories of His Highness the Maharajah, for the protection of the British territories, or those of their Allies, the British troops shall, on such special occasion, due notice being given, be allowed to pass through the Lahore territories. In such case the officers of the Lahore State will afford facilities in providing supplies and boats for the passage of rivers, and the British Government will pay the full price of all such provisions and boats, and will make fair compensation for all private property that

may be damaged. The British Government will, moreover, observe all due consideration to the religious feelings of the inhabitants of those tracts through which the army may pass.

XI. The Maharajah engages never to take or to retain in his service any British subject - nor the subject of any European or American State - without the consent of the British Government.

XII. In consideration of the services rendered by Rajah Golab Sing of Jummoo, to the Lahore State, towards procuring the restoration of the relations of amity between the Lahore and British Governments, the Maharajah hereby agrees to recognize the Independent sovereignty of Rajah Golab Sing in such territories and districts in the hills as may be made over to the said Rajah Golab Sing, by separate Agreement between himself and the British Government, with the dependencies thereof, which may have been in the Rajah's possession since the time of the late Maharajah Khurruck Sing, and the British Government, in consideration of the good conduct of Rajah Golab Sing, also agrees to recognize his independence in such territories and to admit him to the privileges of a separate Treaty with the British Government.

XIII. In the event of any dispute or difference arising between the Lahore State and Rajah Golab Sing, the same shall be referred to the arbitration of the British Government, and by its decision, the Maharajah engages to abide.

XIV. The limits of the Lahore territories shall not be, at any time, changed without the concurrence of the British Government.

XV. The British Government will not exercise any interference in the internal administration of the Lahore State, but in all cases or questions which may be referred to the British Government, the Governor-General will give the aid of his advice and good offices for the furtherance of the interests of the Lahore Government.

XVI. The subjects of either State shall, on visiting the territories of the other, be on the footing of the subjects of the most favoured nation.

This Treaty consisting of sixteen articles, has been this day settled by Frederick Currie, Esquire, and Brevet-Major Henry Montgomery Lawrence acting under the directions of the Right Hon'ble Sir Henry Hardinge, G.C.B., Governor-General, on the part of the British Government, and by Bhaee Ram Sing, Rajah Lal Sing, SirdarTej Sing, SirdarChuttur Sing Attareewalla, SirdarRunjore Sing Majeethia, Dewan Deena Nath, and FaqueerNoorooddeen, on the part of the Maharajah Dhuleep Sing, and the said Treaty has been this day ratified by the seal of the Right Hon'ble Sir Henry Hardinge, G.C.B., Governor-General, and by that of His Highness Maharajah Dhuleep Sing.

Done at Lahore, this ninth day of March, in the year of Our Lord one thousand eight hundred and forty-six; corresponding with the the tenth day of Rubbee-ool-awul, 1262 Hijree, and ratified on the same date.

(Sd.) (Sd.)

H. Hardinge (L.S.) Maharajah Dhuleep Sing (L.S.)

Bhaee Ram Sing (L.S.) Rajah Lal Sing (L.S.)

SirdarTej Sing (L.S.)

Sirdar Chuttur Sing Attareewalla (L.S.)

Sirdar Runjore Sing Majeethia (L.S.)Dewan Deena Nath (L.S.)

Faqueer Noorooddeen (L.S.)

TREATY OF AMRITSAR

(March 16, 1846)

The treaty between the British Government on the one part and Maharajah Gulab Singh of Jammu on the other concluded on the part of the British Government by Frederick Currie, Esq. and Brevet-Major Henry Montgomery Lawrence, acting under the orders of the Right Hon. Sir Henry Hardinge, G.C.B., one of her Britannic Majesty's most Honorable Privy Councillors, Governor-General appointed by the Honourable Company to direct and control all the affairs in the East Indies, and by Maharajah Gulab Singh in person.

ARTICLE 1

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

ARTICLE 2

The eastern boundary of the tract transferred by the foregoing article to Maharajah Gulab Singh shall be laid down by the Commissioners appointed by the British Government and Maharajah Gulab Singh respectively for that purpose and shall be defined in a separate engagement after survey.

ARTICLE 3

In consideration of the transfer made to him and his heirs by the provisions of the foregoing articles, Maharajah Gulab Singh will pay to the British Government the sum of seventy-five lacs of rupees (Nanakshahee), fifty lacs to be paid on ratification of the treaty and 25 lacs on or before the 1st October of the current year, A.D., 1846.

ARTICLE 4

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

ARTICLE 5

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

ARTICLE 6

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

ARTICLE 7

Maharajah Gulab Singh engages never to take to retain in his service any British subject nor the subject of any European or American State without the consent of the British Government.

ARTICLE 8

Maharajah Gulab Singh engages to respect, in regard to the territory transferred to him, the provisions of Article V, VI and VII of the separate

Engagement between the British Government and the Lahore Durbar, dated 11th March 1846.

ARTICLE 9

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

ARTICLE 10

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

(Note: In 1893 it was agreed to drop the gift of "Twelve perfect shawl Goats)".

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

(Done at Amritsar, the sixteenth day of March, in the year of our Lord 1846 AD One thousand eight hundred and forty-six, corresponding with the seventeenth day of Rubee-ul-Awal, 1262 Hijree).

(Signed) H. Hardinge (Seal) (Signed) F. Currie

(Signed) H. M. Lawrence

By order of the Right Honourable the Governor-General of India

Signed F. Currie

Secretary of the Government of India with the Governor-General

Signed Gulab Singh

"THE STATE SUBJECT DEFINITION NOTIFICATIONS"

DATED, THE 20TH APRIL, 1927.

No.I-L/84.---The following definition of the term "State Subject" has been sanctioned by His Highness the Maharaja Bahadur (vide Private Secretary's letter No.2354, dated the 31st January 1927, to the Revenue Member of Council) and is hereby promulgated for general information:

The term "State Subject" means and includes:

CLASS I.---All persons born and residing within the State before the commencement of reign of His Highness the late Maharaja Gulab Singh Sahib Bahadur, and also persons who settled therein before the commencement of Samvat year 1942, and have since been permanently residing therein.

CLASS II.---All persons other than those belonging to Class I who settled within the State before the close of Samvat year 1968, and have since permanently resided and acquired immovable property therein.

CLASS III.---All persons, other than those belonging to Classes. I and II permanently residing within the State, who have acquired under a rayatnama any immovable property therein or who may hereafter acquire such property under an *ijazatnama* and may execute a *rayatnama* after ten years' continuous residence therein.

CLASS IV.---Companies which have been registered as such within the State and which, being companies in which the Government are financially interested or as to the economic benefit to the State or to

the financial stability of which the Government are satisfied, have by a special order of His Highness been declared to the State Subjects.

NOTE I.---In matter of grants of State Scholarships, State lands for agricultural and house buildings purposes and recruitment to State Service, State Subject Class I should receive preference over other classes and those of Class II over Class III, subject, however, to the order dated 31st January 1927, of His Highness the Maharaja Bahdur regarding employment of hereditary State Subjects in Government service.

NOTE II.---The descendants of the persons who have secured the status of any Class of the State Subjects will be entitled to become the State Subjects of the same class. For example if A is declared a State Subject of Class II his sons and grandsons will ipso facto acquire the status of the same Class (II) and not of ClassI.

NOTE III.---The wife or a widow of a State Subject of any Class shall acquire the status of her husband as State Subject of the same Class as her husband, so long as she resides in the State and does not leave the State for permanent residence outside the State.

NOTE IV.---For the purposes of the interpretation of the term 'State Subject' either with reference to any law for the time being in force or otherwise, the definition given in this Notification as amended upto date shall be read as if such amended definition existed in this Notification as originally issued."

It is evident form the aforesaid definition of the term "State Subject" that all persons who were born within the State before the regin of Maharaja Gulab Singh and those who settled therein before 1942 and resided permanently, were State Subjects of Class I. those who settled in the State before the close of 1968-Bikrami and resided permanently, on the acquisition of immovable property, enjoyed the status of State Subjects of Class II. All those who acquired immovable property under a *rayatnama* or *ijazatnama* and resided in the State continuously were placed in Class III as State Subjects. Class IV pertains to registered companies in the State.

NOTIFICATION OF STATE SUBJECTS

(Issued by his Highness the Maharaja Bahadur dated Srinagar, the 27th June 1932/14th Har, 1989 and Publishes in Government Gazette dated 24th Har, 1989).

NOTIFICATION:

"No. 13-L/19893. Whereas it is necessary to determine the Status of Jammu and Kashmir State Subjects in foreign territories and to inform the Governments of Foreign States as to the position of their nationals in this State; it is hereby commanded and notified for public information as follows:-

That all emigrants from the Jammu and Kashmir State to foreign territories shall be considered State Subjects and also the descendants of these emigrants born abroad for two generations:

Provided that, these nationals of the Jammu and Kashmir State shall not be entitled to claim the internal rights they fulfill the conditions laid granted to subjects of this State by the laws unless they fulfill the conditions laid down by those laws and rules for the specific purposes mentioned therein.

2 The foreign nationals residing in the State of Jammu and Kashmir shall not acquire the nationality of the Jammu and Kashmir State until after the age of 18 on purchasing immovable property under permission of an ljazatnama and on obtaining a Raiyatnama after ten years continuous residence in the Jammu and Kashmir State as laid down in Notification No. 1-L of 1984 dated 20th April 1927.

3. Certificates of the nationality of the Jammu and Kashmir State may, on the application, be granted by the Minister In charge of the Political Department in accordance with the provisions of section 1 of this Notification.

(Justice Syed Manzoor Hussain Gillani, The Constitution of Azad Jammu & Kashmir:Page # 837)

GILGIT LEASE TREATY 1935

"The treaty of Jammu signed between the Government or British India and Maharaja of Jammu and Kashmir, at Jammu, on March 26, 1935 provides as follows:

Clause I. That the Victory of India is authorized after the ratification of the treaty, to take over the Military and Civil administration of that part of the district (Wazarat) Gilgit of the State of Jammu and Kashmir, which is situated on the right bank of river Indus, subject to the condition that the area mentioned above shall remain included within the territorial boundaries of the State of Jammu and Kashmir under the Maharaja of Kashmir.

Clause II. In proof of the fact that the leased area continues to be a part of His Highness territories of Jammu and Kashmir,on the occasion of His Highness Birthday, Baisakhi, Dosehra, Basant and on other occasions to be decided between the parties, administration of the leased area shall pay formal tributes to the sovereignty of His Highness the Maharaja of Kashmir. The flag of His Highness shall always fly at the official headquarters of the Agency.

Clause III. The British armed forces shall not pass in ordinary circumstances through the part of Wazarat Gilgit situated on left bank of river Indus.

Clause IV. All rights regarding minerals in the leased area stand reserved in favour of His Highness.

Clause V. This lease shall be in operations for a period of sixty years after which it shall terminate."

The terms of the lease explicitly reflect the sovereignty in respect of the Leased area retained by the Maharaja. The British Indian Government accepted its position as a lessee.

APPOINTMENT ORDER OF BRIG. GHANSARA SINGH.

"CHIEF SECRETARIAT

POLITICAL ORDER NO. 13, 480/47-P.B., 17Th JULY 1947.

His Highness the Maharaja Bahadur has been pleased to command that:-

The administration of the entire Gilgit territory i.e. Gilgit Wazarat north of the Indus and all Political Districts be taken over on 1st August.

The above together with Bunji will form the Gilgit Frontier Province.

A post of Governor in the grade of Rs. 700-40-900 with the usual Frontier Allowance and a sumptuary allowance of Rs.200 p.m. is sanctioned.

Brigadier Ghansara Singh is appointed Governor. He will draw his personal pay Rs. 1,000 together with Frontier and sumptuary allowances.

For Revenue and general administration work 3 officers — one Revenue Assistant and two Naib Tehsildars are sanctioned. These officers will draw Frontier Allowances according to rules. Brigadier Ghansara Singh will personally select the above officers.

Services of two British Officers — one as Assistant Governor Chilas and one as Commandant Gilgit Scouts are taken over for a period of one year each. The emoluments of these officers will be sanctioned later when we know the class of officers we are getting.

The Company stationed at Bunji may be reinforced by one more Company.

The Budget for the Gilgit Frontier Province will be sanctioned when full details are known and have been scrutinized.

By command

(Sd.) R.C. KAK

Prime Minister."

(Justice Syed Manzoor Hussain Gillani, The Constitution of Azad Jammu & Kashmir, Page # 664)

"THE AZAD KASHMIR RESOLUTION"

A convention of Muslim Conference was held on 27-28 July 1946 at Mirwaiz Manzil Srinagar under the Presidentship of Chaudry Ghulam Abbass. The Convention ratified the following resolution known as "The Azad Kashmir Resolution" which had been earlier Committee in its June session:-

"Whereas a new Constitution is about to be framed for India and a Constituent Assembly is being brought into being to bring about a Union with restricted powers of British India and the Indian States the Cabinet Mission proposals for providing representation to ten crore inhabitants of Princely States are very vague and the State people have fears that they will be left to the mercy of their autocratic Princes. The Working Committee is of the opinion that the inhabitants of Indian States should be given the right to elect their representatives for the Constituent Assembly in the same manner as has been the case with British India; especially with regard to Jammu and Kashmir State, the Working Committee demands that the representatives that may represent the State in the Constituent Assembly in the Centre, should be elected by members of the Kashmir Assembly and their ratio and mode of election should be the same as has been made imperative in British India.

The Working Committee also demands that in the near future when it is intended for the Indian States to join the Central grouping, this right should be exercised only by the inhabitants of the State.

Again, whereas personal rule and democracy cannot exist side by side and the proposed Constituent Assembly is to prepare a constitution for

different parts of India, on free democratic principles, it is, therefore essential for the Jammu and Kashmir State (which by way of population and area is bigger than N.W.F.P. and equal to Sind), that its Constitution should also be framed on the basis of the same principles. Therefore, it is necessary that the unrepresentative and autocratic Government should be immediately brought to an end and the people granted the right to frame a Constitution of their own liking by a Constituent Assembly of their own which will in the light of its special requirements frame a Constitution for Azad Kashmir as it deems fit. In order to achieve this purpose, it is necessary to bring into being immediately a Constituent Assembly for the Jammu and Kashmir State.

The Working Committee demands of His Highness the Maharaja of Kashmir that in order to achieve this objective, he should dissolve the existing outlived Assembly and bring into being in its place a Constituent Assembly as demanded in the Resolution which should be elected on the basis of an extended franchise and all whose members should be elected and wherein every Nation and community should enjoy representation on the basis of its population and through the separate electorate. Such an assembly should be empowered to frame a Constitution for the Jammu and Kashmir State. the working Committee hopes that in view of the Changed situation, the interests of the whole of India and for the betterment of the people of the State his Highness the Maharaja of Kashmir will recognize the legitimate rights of the State People to determine their own future. The working committee would like to make it clear that if the Kashmir Government adopts some other course than the one suggested by the Working Committee, it will not be acceptable to the Muslim Conference.

(Kashmiris fight for freedom by Muhammad Yusuf Saraf Vol.1 (1819-1946) page 663 to 664)

GOVERNMENT OF INDIA ACT, 1935

PART II

THE FEDERATION OF INDIA

CHAPTER I

ESTABLISHMENT OF FEDERATION AND ACCESSION OF INDIAN STATES

5. (1) It shall be lawful for His Majesty, if an address in that behalf has been presented to him by each House of Parliament and if the condition herein-after mentioned is satisfied, to declare by Proclamation that as from the day therein appointed there shall be united in a Federation under the Crown, by the name of the Federation of India,-

(a) the Provinces hereinafter called Governors' Provinces; and

(b) the Indian States which have acceded or may thereafter accede to the Federation; and in the Federation so established there shall be included the Provinces hereinafter called Chief Commissioners' Provinces.

(2) The condition referred to is that States-

(a) the Rulers whereof will, in accordance with the provisions contained in Part II of the First Schedule to this Act, be entitled to choose not less than fifty-two members of the Council of State; and

(b) the aggregate population whereof, as ascertained in accordance with the said provisions, amounts to at least one-half of the total population of the States as so ascertained, have acceded to the Federation.

6. (1) A State shall be deemed to have acceded to the Federation if His Majesty has signified his acceptance of an Instrument of Accession executed by the Ruler thereof, whereby the Ruler for himself, his heirs and successors-

(a) declares that he accedes to the Federation as established under this Act, with the intent that His Majesty the King, the Governor-General of India, the Federal Legislature, the Federal Court and any other Federal authority established for the purposes of the Federation shall, by virtue of his Instrument of Accession, but subject always to the terms thereof, and for the purposes only of the Federation, exercise in relation to his State such functions as may be vested in them by or under this Act ; and

(b) assumes the obligation of ensuring that due effect is given within his State to the provisions of this Act so far as they are applicable therein by virtue of his Instrument of Accession :

Provided that an Instrument of Accession may be executed conditionally on the establishment of the Federation on or before a specified date, and in that case the State shall not be deemed to have acceded to the Federation if the Federation is not established until after that date.

(2) An Instrument of Accession shall specify the matters which the Ruler accepts as matters with respect to which the Federal Legislature may make laws for his State, and the limitations, if any, to which the power of the Federal Legislature to make laws for his State, and the exercise of the executive authority of the Federation in his State, are respectively to be subject.

(3) A Ruler may, by a supplementary Instrument executed by him and accepted by His Majesty, vary the Instrument of Accession of his State by extending the functions which by virtue of that Instrument are exercisable by His Majesty or any Federal Authority in relation to his State.

(4) Nothing in this section shall be construed as requiring His Majesty to accept any Instrument of Accession or supplementary Instrument unless he considers it proper so to do, or as empowering His Majesty to accept any such Instrument if it appears to him that the terms thereof are inconsistent with the scheme of Federation embodied in this Act :

Provided that after the establishment of the Federation, if any Instrument has in fact been accepted by His Majesty, the validity of that Instrument or of any of its provisions shall not be called in question and the provisions of this Act shall, in relation to the State, have effect subject to the provisions of the Instrument.

(5) It shall be a term of every Instrument of Accession that the provisions of this Act mentioned in the Second Schedule thereto may, without affecting the accession of the State, be amended by or by the authority of Parliament, but no such amendment shall, unless it is accepted by the Ruler in a supplementary Instrument, be construed as extending the functions which by virtue of the Instrument are exercisable by His Majesty or any Federal Authority in relation to the State.

(6) An Instrument of Accession or supplementary Instrument shall not be valid unless it is executed by the Ruler himself, but, subject as

aforesaid, references in this Act to the Ruler of a State include references to any persons for the time being exercising the powers of the Ruler of the State, whether by reason of the Ruler's minority or for any other reason.

(7) After the establishment of the Federation the request of a Ruler that his State may be admitted to the Federation shall be transmitted to His Majesty through the Governor-General, and after the expiration of twenty years from the establishment of the Federation the Governor-General shall not transmit to His Majesty any such request until there has been presented to him by each Chamber of the Federal Legislature, for submission to His Majesty, an address praying that His Majesty may be pleased to admit the State into the Federation.

(8) In this Act a State which has acceded to the Federation is referred to as a Federated State, and the Instrument by virtue of which a State has so acceded, construed together with any supplementary Instrument as executed under this section, is referred to the Instrument of Accession of that State.

(9) As soon as may be after any Instrument of Accession or supplementary Instrument has been accepted by His Majesty under this section, copies of the Instrument and of His Majesty's Acceptance thereof shall be laid before Parliament, and all courts shall take judicial notice of every such Instrument and Acceptance.

INDIAN INDEPENDENCE ACT, 1947.

An Act to make provision for the setting up in India of two independent Dominions, to substitute other provisions for certain provisions of the Government of India Act, 1935, which apply outside those Dominions, and to provide for, other matters consequential on or connected with the setting up of those Dominions. -.[18th July 1947]

1.-The New Dominion

(i) As from the fifteenth day of August, nineteen and forty-seven, two independent Dominions shall be set up in India, to be known respectively as India and Pakistan.

(2) the said Dominions are hereafter in this Act referred to as the new Dominions ", and the said fifteenth day of August hereafter in this Act referred to as “the appointed day ".

2. -Territories of the New Dominion

(1) Subject to the provisions of subsections (3) and (4) of this section, the territories of India shall be the territories under the new the sovereignty of His Majesty which, immediately before the Dominions. Appointed day, were. Included in British India except the territories which, under subsection. (2) of this section, are to be the territories of Pakistan.

(2) Subject to the provisions of subsections (3) and (4) of this section, the territories of Pakistan shall be-

(a) The territories which, on the appointed day, are included in the Provinces of East Bengal and West Punjab,as constituted under the two following sections ;

(b) the territories which, at the date of the passing of this act, are included in the Province of Sind and the ChiefCommissioner's Province of British Baluchistan; and

(c) if, whether before or after the passing of this Act but before the appointed day, the Governor-General declares that the majority of the valid votes cast in the referendum which, at the date of the passing of this Act, is being or has recently been held in that behalf under his authority in the Northwest Frontier Province are in favor of representatives of that Province taking part in the Constituent Assembly of Pakistan, the territories which, at the date of the passing of this Act, are included in that Province.

(3) Nothing in this section shall prevent any area being at any time included in or excluded from either of the new Dominions, so, however, that-

(a) no area not forming part of the territories specified in subsection (1) or, as the case may be, subsection (2), of this section shall be included in either Dominion without the consent of that Dominion; and

(b) no area which forms part of the territories specified in the said subsection (1) or, as the case may be, the said subsection (2), or which has after the appointed day been included in either Dominion, shall be excluded from that Dominion without the consent of thatDominion.

(4) Without prejudice to the generality of the provisions of subsection (3) of this section, nothing in this section shall be construed as preventing the accession of Indian States to either of the new Dominions.

7. **Consequences of the setting up of the new Dominions.**

(1) As from the appointed day-

(a) His Majesty's Government in the United Kingdom have no responsibility as respects the government of any of the territories which, immediately before that day, were included in British India;

(b) the suzerainty of His Majesty over the Indian Stateslapses, and with it, all treaties and agreements in forceat the date of the passing of this Act between HisMajesty and the rulers of Indian States, all functionsexercisable by His Majesty at that date with respectto Indian States, all obligations of His Majesty existingat that date towards Indian States or the rulers thereof, and all powers, rights, authority or jurisdictionexercisable by His Majesty at that date in or in relationto Indian States by treaty, grant, usage, sufferance orotherwise , and(c) there lapse also any treaties or agreements in force atthe date of the passing of this Act between His Majestyand any persons having authority in the tribal areas,any obligations of His Majesty existing at that dateto any such persons or with respect to the tribal areas,and all powers, rights, authority or jurisdiction exercisable at that date by His Majesty in or in relation tothe tribal areas by treaty, grant, usage, sufferance orotherwiseProvided that, notwithstanding anything in paragraph (b) orparagraph (c) of this subsection, effect shall, as nearly

as may be,continue to be given to the provisions of any such agreement asis therein referred to which relate to customs, transit andcommunications, -posts and telegraphs, or other like matters,until the provisions in question are denounced by the Ruler ofthe Indian State or person having authority in the tribal areason the one hand, or by the Dominion or Province or other partthereof concerned on the other hand, or are superseded bysubsequent agreements.

(2) The assent of the Parliament of the United Kingdom is hereby given to the omission from the Royal Style and Titles of the words " Indian Imperator " and the words " Emperor of India " and to the issue by His Majesty for that purpose of HisRoyal Proclamation under the Great Seal of the Realm.

ACCESSION TO PAKISTAN RESOLUTION

In 1947, the British Government announced its plan for the future of the Indo-Pak Sub-Continent. Paramountcy over the States was to cease on the appointed day, the 15th August 1947, and the States were to be left free to decide to which dominion they should accede. But the Maharaja of Jammu and Kashmir was not able to decide on the issue of States accession.

On Pakistan Day, the Muslim Conference demonstrated, unequivocally, in favour of accession to Pakistan. On the 19th July, 1947, it formally decided to accede to Pakistan by a resolution in the following words:- -

(1) This meeting of All Jammu and Kashmir MuslimConference Convention expresses its satisfaction and congratulates the Quaid-i-Azam for his achievement.

(2) The people of the Indian States expected that they would walk shoulder to shoulder with the people of British India in the attainment of freedom. On the partition of India, the people of British India have obtained independence but the announcement of June(3)1947, has strengthened the hands of the Indian Princes and unless the Princes respond to the all of the times, the future of the people of Indian states is very dark. There are only three ways open to people of Jammu and Kashmir State:¬

1.To accede to India or 2.To accede to Pakistan, or 3 To remain independent.

"The Convention of the Muslim Conference has arrived at the conclusion that keeping in view the geographical conditions, 80 percent Muslim majority out of the total population, the passage of important rivers of the Punjab through the State, the language, cultural and racial, the economic connection of the people and the proximity of the borders of the State with Pakistan, are all facts which make it necessary that the Jammu and Kashmir State should accede to Pakistan".

This resolution further emphatically demanded of the Maharaja that he should declare internal independence, accept the position of a Constitution head of the State and form a Constituent Assembly. It also demanded that the departments of Defence, Communication and Foreign Affairs should be acceded to Pakistan Constituent Assembly. This Convention, the resolution continued, makes it clear that, if the Kashmir Government ignores this demand and advice of the Muslim Conference under some internal or external influence, and decides In

favor of accession to the Indian Constituent Assembly, the Muslims of Jammu and Kashmir shall oppose this move tooth and nail.

This convention of all Jammu and Kashmir Muslim Conference was held on the 19th of July, 1947 at the residence of the author. This fact has a background of its own. When the leaders of the Muslim Conference wanted to hold this convention they tried to get a place for its venue but failed. The reason for it was that forceful organization of the National Conference, in the valley itself, and, particularly in Srinagar city was opposed to it. So much so that, even a houseboat could not be secured (or holding the convention of Muslim Conference. Therefore, this author had to evacuate his family from his house, in Aab-e-guzzer part of the city, for holding this convention.

(Sardar Muhammad Ibrahim Khan, Kashmir Saga)

RESOLUTION KISAN MAZDOOR CONFERENCE
September 5, 1947

The most important national problem facing the people of Jammu and Kashmir at the present moment is whether the State should accede to India or to Pakistan. The future of the country depends on the solution of this problem. If it is solved in a right way the four million State people can live peacefully and comfortably in future; they will then also make sound progress. Otherwise, the State shall have to face civil war and ruin. Five months ago meetings of the Working Committee and the General Council of the Kisan Mazdoor Conference were held at Achhabal on 6th and 7th April. A resolution was adopted in these meetings advising the Maharaja of Kashmir that after establishing

friendly relations with both the Congress and the Muslim League he should declare the independence of the State and that simultaneously he should introduce complete responsible Government in the country. Things have moved with lightning rapidity during past five months. On 3rd June the British Government announce a plan of India's independence which has been accepted by both the Congress and the Muslim League. According to the plan the subcontinent has been partitioned on the very day of independence. Today the two dominions of India and Pakistan are in existence. The basic principle which guided the partition of the country according to 3rd June plan was that all the provinces and districts where Hindus are in majority have been included in the Indian Union and all those regions where Muslims are is a majority have been put together to form Pakistan. The provinces of the Punjab and Bengal have been divided into two parts each under the operation of the same principle. The district of Sylhet in Assam has also been included in the province of East Pakistan according to it.

British statesmen and the Indian politicians particularly the Congress leaders have advised the native rulers that they should join either of the two dominions and should in no case remain independent. Lord Mountbatten in his capacity as Viceroy made an important pronouncement that while deciding to accede to either dominion, the Princes should take into consideration the geographical position of their respective States, that is, tile right decision for a State will be to accede to the dominion which is adjacent to it.

The Working Committee of the Kisan Mazdoor Conference has fully and carefully considered the developments of the last five months. It has also consulted the majority of the members of the General Council of the Conference. The Committee is of the opinion that there is now no alternative before the State but to join Pakistan. If she does not do so, the country and its people shall have to face immense trials and tribulations.

Hundreds of the States have already acceded to either the Indian Union or Pakistan in accordance with the principle on the basis of which the subcontinent was partitioned. At present only two of the States...Kashmir and Hyderabad...remain which have taken no decision yet. Recent developments show that these two states also cannot remain aloof for a long time and soon they shall have to decide about their future.

The overwhelming majority of Kashmir's population is Muslim. The State is contiguous with Pakistan territories. All the three big highways and all the rivers of the State go into Pakistan. For these reasons, the Working Committee is of the opinion that the State should cede to Pakistan. This alone will be the natural and the right course to adopt. The state cannot remain independent; nor can it, owing to its overwhelmingly Muslim population and being adjacent to the Pakistan territories, accede to India. The Working Committee holds the view that the majority of the population desire to accede to Pakistan and the welfare of the 39 Lakhs of peasants and workers also lies in this.

The Working Committee appeals to all the people of the State in general, to whatever section, caste or creed they belong, and the working classes in particular that they should unanimously request the Maharaja to declare the State's accession to Pakistan.

If the Maharaja entertains any doubts about the obvious public opinion that the State should accede to Pakistan then he should order a referendum in which all adults should have the right to vote on the issue whether the State should accede to India or to Pakistan.

The Working Committee hopes that the people from all parts of the State will support this democratic method of the solution so that peace is maintained and the country can progress.

RESOLUTION OF KASHMIR SOCIALIST PARTY

September 18, 1947

The Kashmir Socialist party has given their best and closest consideration to the question of whether the State of Jammu and Kashmir should accede to India or to Pakistan or it should remain independent. The Party is of the opinion that in view of the developments during the last few months the natural and the best course for the State to adopt would be to join Pakistan and not India. For obvious and substantial reasons the Party believes that the State cannot remain independent. After mature consideration, the Party has arrived at the decision that in the best interests of the poor and backward people accession to Pakistan is desirable. The Party impresses upon the Maharaja that without any further unnecessary delay he should make an announcement accordingly.

STANDSTILL AGREEMENT 1947

1. **Telegram from Prime Minister of Jammu and Kashmir, Srinagr to Govt. of Pakistan**

   "Jammu and Kashmir Government would welcome Standstill Agreement with Pakistan on all matters on which these exist at present moment with British India Government, It is suggested that existing arrangements should continue pending settlement of details and formal execution of fresh agreement.

2. **Telegram from Foreign Secretary to the Govt. of Pakistan Karachi to Prime Minister of Jammu and Kashmir Srinagar, August 15, 1947.**

   " Your telegram, of the 12th August. The Govt. of Pakistan agree to have a standstill agreement with the Government of Jammu and Kashmir for the continuance of existing arrangements pending settlement of details for formal execution of fresh agreements.

   (JC Aggarwal and SP Aggrawal ,Modern History of Jammu and Kashmir Vol. I page 28).

DECLARATION OF AZAD KASHMIR GOVERNMENT

"The Provisional Azad Government, which the people of Jammu and Kashmir have set up a few weeks ago with the object of ending intolerable Dogra tyrannies and securing to the people of the State, including Muslims, Hindus and Sikhs. The right of free self-government has now established its rule over a major portion of the State territory and hopes to liberate the remaining pockets of Dogra rule very soon. In view of these circumstances, it has been reconstituted with Mr. Ibrahim. Bar-at-Law, of Poonch as its provisional head, and its headquarters have been moved to Pallandri in Poonch.

The new Government represents the united will of Jammu and Kashmir State to be free from the rule of the Dogra dynasty which has long suppressed and oppressed the people.

The movement of liberty which has culminated in the formation of the present provisional government has a long history dating from 1929. Thousands of Jammu and Kashmir people, including members of all communities, have suffered death and imprisonment in the cause of this movement. One of its forms was the Quit Kashmir Movement launched in the Kashmir Valley last year.

It will be recalled that Pundit Jawaharlal Nehru as a friend of the suffering people of Indian States went to help this movement at the time but was not allowed to enter the States territory under the order of the Ex-Ruler Hari Singh. The tyrannies perpetrated by the Raja and his officials and his troops on the people increased with the increase in the desire of the people for freedom and self-government.

Recently a prominent Hindu patriot, who wanted to proceed to Karachi and New Delhi to represent the intolerable conditions in the State to our neighboring Dominions of Pakistan and India was arrested by the Ex-Ruler's officials.

The united will of the people has, however, overcome the organized violence of the Ruler's armies. He and his so called Prime Minister have fled from Kashmir and will perhaps soon flee from Jammu as well.

The Provisional Government, which is assuming the administration of the State, is most emphatically not a communal Government. It will include Muslims as well as non-Muslims in the provisional Cabinet which will serve the people, the temporary purpose of restoring law and order in the State and enable the people to elect by their free vote a popular legislature and a popular Government.

The Provisional Government entertains sentiments of the utmost friendliness and goodwill towards its neighboring Dominions of India and Pakistan and hopes. That both the Dominions will sympathize with the people of Jammu and Kashmir in their efforts to exercise their birthright of political freedom. The Provisional Government is further anxious to safeguard the identity of Jammu and Kashmir as a political entity.

The question of accession of Jammu and Kashmir to either Dominion can only be decided by the free vote of the people in the form of a referendum. The Provisional Government will make prompt arrangements for this and hopes to invite independent observers to see that the question is decided by the free will of the people." *(Kashmir Saga Pages 117 to 119)*

MAHARAJA HARI SINGH'S LETTER TO MOUNTBATTEN

Text of Letter Dated October 26, 1947 From Hari Singh, The Maharaja Of Jammu & Kashmir to Lord Mountbatten, Governor-General of India.

Dated: 26 October 1947

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

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

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

Though we have got a Standstill Agreement with the Pakistan Government that Government permitted steady and increasing strangulation of supplies like food, salt and petrol to my State.

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

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

Government had been set up in Kashmir. The people of my State both the Muslims and non-Muslims generally have taken no part at all.

With the conditions obtaining at present in my State and the great emergency of the situation as it exists, I have no option but to ask for help from the Indian Dominion. Naturally they cannot send the help asked for by me without my State acceding to the Dominion of India. I have accordingly decided to do so and I attach the Instrument of Accession for acceptance by your Government. The other alternative is to leave my State and my people to free-booters. On this basis no civilized Government can exist or be maintained. This alternative I will never allow to happen as long as I am Ruler of the State and I have life to defend my country.

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

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

In haste and with kind regards,

The Palace, Jammu *Your sincerely,*

26th October, 1947 *Hari Singh*

INSTRUMENT OF ACCESSION EXECUTED BY MAHARAJAH HARI SINGH ON OCTOBER 26, 1947

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

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

Now, therefore, I

ShrimanInder Mahinder Rajrajeswar Maharaja dhiraj ShriHari Singh ji, Jammu & Kashmir Naresh TathaTibbet adi Deshadhi pati, Ruler of Jammu & Kashmir State, in the exercise of my Sovereignty in and over my said State do hereby execute this my Instrument of Accession and

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

under the Government of India Act, 1935, as in force in the Dominion of India, on the 15th day of August 1947, (which Act as so in force is hereafter referred to as "the Act').

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

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

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

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

6. Nothing in this Instrument shall empower the Dominion Legislature to make any law for this State authorizing the compulsory acquisition of land for any purpose, but I hereby undertake that should the Dominion for the purpose of a Dominion law which applies in this State deem it necessary to acquire any

land, I will at their request acquire the land at their expense, or, if the land belongs to me transfer it to them on such terms as may be agreed or, in default of agreement, determined by an arbitrator to be appointed by the Chief Justice of India.

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

8. Nothing in this Instrument affects the continuance of my Sovereignty in and over this State, or, save as provided by or under this Instrument, the exercise of any powers, authority and 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 26th day of October, nineteen hundred and forty-seven.

Hari Singh Maharajadhiraja of Jammu and Kashmir State.

ACCEPTANCE OF ACCESSION BY THE GOVERNOR GENERAL OF INDIA

I do hereby accept this Instrument of Accession. Dated this twenty-seventh day of October, nineteen hundred and forty-seven.

Mountbatten of Burma

Governor General of India.

REPLY FROM LORD MOUNTBATTEN TO MAHARAJAH HARI SINGH

27 October 1947

My dear Maharajah Sahib,

Your Highness's letter dated the 26th Octobers 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 honor of your people.

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

Yours sincerely,

(Sd/-) Mountbatten of Burma

AGREEMENT BETWEEN MILITARY REPRESENTATIVES OF INDIA AND PAKISTAN REGARDING THE ESTABLISHMENT OF CEASE-FIRE LINE IN THE STATE OF JAMMU AND KASHMIR

Karachi, 27 July 1949

I

INTRODUCTION

A. The military representatives of India and Pakistan met together in Karachi from 18 July to 27 JULY 1949 under the auspices of the Truce Sub-committee of the United Nations Commission for India and Pakistan.

B. The members of the Indian Delegation were: Lt.-Gen. S.M. Shrinagesh , Maj.-Gen. K.S. Thimaya, Brig. S.H.F.J. Manekshaw, As observers:Mr. H.M. Patel and Mr. V. Sahay C.

C. The members of the Pakistan Delegation were: Maj.-Gen. W.J. Cawthorn, Maj.-Gen. Nazir Ahmad , Brig. M. Sher Khan , As observers: Mr. M. Ayub, Mr. A. A. Khan.

D. The members of the Truce Sub-committee of the United Nations Commission for India and Pakistan were: Chairman, Mr. Hernando Samper (Colombia), Mr. William L.S. Williams (United States), Lt.-Gen. Maurice Delvoie (Military Adviser), Mr. Miguel A. Marin (Legal Adviser).

II

AGREEMENT

A. Considering:

1. That the United Nations Commission for India and Pakistan, in its letter dated 2 July 1949, invited the Governments of India and Pakistan

to send fully authorized military representatives to meet jointly in Karachi under the auspices of the Commission's Truce Sub-committee to establish a cease-fire line in the State of Jammu and Kashmir, mutually agreed upon by the Governments of India and Pakistan;

2. That the United Nations Commission for India and Pakistan in its letter stated that "The meetings will be for military purposes; political issues will not be considered", and that "They will be conducted without prejudice to negotiations concerning the Truce Agreement'

3. That in the same letter the United Nations Commission for India and Pakistan further stated that: "The cease-fire line is a complement of the suspension of hostilities, which falls within the provisions of Part I of the Resolution of 13 August 1948, and can be considered separately from the questions relating to Part II of the same Resolution";

4. That the Governments of India and Pakistan, in their letters dated 7 July 1949 to the Chairman of the Commission, accepted the Commission's invitation to the military conference in Karachi;

B. The Delegations of India and Pakistan, duly authorized, have reached the following agreement:

1. Under the provisions of Part I of the Resolution of 13 August 1948, and as a complement of the suspension of hostilities in the State of Jammu and Kashmir on 1 January 1949, a cease-fire line is established.

2. The cease-fire line runs from MANAWAR in the south, north to KERAN and from KE RAN east to the glacier area, as follows:

(a) The line from MANAWAR to the south bank of the JHELUM River at URUSA (inclusive to India) is the fine now defined by the factual

positions about which there is agreement between both parties. Where there has hitherto not been agreement, the line shall be as follows:

(i) In PATRANA area: KOEL (inclusive to Pakistan) north along the KHUWALA KAS Nullah up to point 2276 (inclusive to India), thence to KlRNI (inclusive to India).

(ii) KHAMBHA, PIR SATWAN, point 3150 and Point 3606 are inclusive to India, thence the line runs to the factual position at BAGLA GALA, thence to the factual position at Point 3300.

(iii) In the area south of URI the positions of PIR KANTHI and LED! GAL! are inclusive to Pakistan.

(b) From the north bank of the JHELUM River the line runs from a point opposite the village of URUSA (NL 972109), thence north following the BALLASETH DA NAR Nullah (inclusive to Pakistan), up to NL 973140, thence northeast to CHOTA KAZINAG (Point 10657, inclusive to India), thence to NM 010180, thence to NM 037210, thence to Point 11825 (NM 025354, inclusive to Pakistan), thence to TUTUMARI GALI (to be shared by both sides, posts to be established 500 yds. on either side of the GALI), thence to the northwest through the first "R" of BURST NAR to north of GABDORI, thence straight west to just north of Point 9870, thence along the black line north of BIJILDHAR to north of BATARASI, thence to just sourth of SUDPURA, thence due north to the KATHAKAZINAG Nullah, thence along the Nullah to its junction with the GRANGNAR Nullah, thence along the latter Nullah to KAJNWALA PATHRA (inclusive to India), thence across the DHANNA ridge (following the factual positions) to RICHMAR GALI (inclusive to India), thence north

to THANDA KATHA Nullah, thence north to the KISHANGANGA River. The line then follows the KISHANGANGA River up to a point situated between JARGT and TARBAN, thence (all inclusive to Pakistan) to BANKORAN, thence northeast to KHORI, thence to the hill feature 8930 (in Square 9053), thence straight north to Point 10164 (in Square 9057), thence to Poirit 10323 (in Square 9161), thence northeast straight to GUTHUR, thence to BHUTPATHRA, thence to NL 980707, thence following the BUGINA Nullah to the junction with the KISHANGANGA River at Point 4739. Thereafter the line follows the KISHANGANGA to KERAN and onwards to Point 4996 (NL 975818).

(c) From Point 4996 the line follows (all inclusive to Pakistan) the JAMGAR Nullah eastward to Point 12124, to KATWARE, to Point 6678, thence to the northeast to SARIAN (Point 11279), to Point 11837, to Point 13090, to Point 12641, thence east again to Point 11142, thence to DHAKKI, thence to Point 11415, thence to Point 10301, thence to Point 7507, thence to Point 10685, thence to Point 8388, thence southeast to Point 11812. Thence the line runs (all inclusive to India) to Point 13220, thence across the River to the east to Point 13449 (DURMAT), thence to Point 14586 (ANZBARI), thence to Point 13554, thence to Milestone 45 on the BURZIL Nullah, thence to the east to ZIANKAL (Point 12909), thence to the southeast to Point 11114, thence to Point 12216, thence to Point 12867, thence to the east to Point 11264, thence to KARO (P,oint 14985), thence to Point 14014, thence to Point 12089, thence following the track to Point 12879. From there the line runs to Point 13647 (KAROBAL GALI, to be shared by both sides).

The cease-fire line runs thence through RETAGAH CHHISH (Point 15316), thence through Point 15889, thence through Point 17392, thence through Point 16458, thence to MARIOLA (to be shared by both sides), thence through Point 17561, thence through Point 17352, thence through Point 18400, thence through Point 16760, thence to (inclusive to India), DALUNANG

(d) From DALUNANG eastwards the cease-fire line will follow the general line Point 15495, ISHMAN, MANUS, GANGAM, GUNDERMAN, Point 13620, JUNKAR (Point 17628), MARMAK, NATSARA, SHANGRUTH (Point 17531), CHORBAT LA (Point 15700), CHALUNKA (on the SHYOK River), KHOR, thence north to the glaciers. This portion of the cease-fire line shall be demarcated in detail on the basis of the factual position as of 27 July 1949 by the local commanders, assisted by United Nations Military Observers.

C. The cease-fire line described above shall be drawn on a one inch map (where available) and then be verified mutually on the ground by local commanders on each side with the assistance of the United Nations Military Observers, so as to eliminate any no-man's land. In the event that the local commanders are unable to reach agreement, the matter shall be referred to the Commission's Military Adviser, whose decision shall be final. After this verification, the Military Adviser will issue to each High Command a map on which will be marked the definitive cease-fire line.

D. No troops shall be stationed or operate in the area of the BURZIL Nullah from south of MINIMARG to the cease-fire line. This area is

bounded on the west by the Ridge leading northeast from DUDGAI KAL to Point 13071, to Point 9447, to Point 13466, to Point 13463, and on the east by the Ridge running from Point 12470, to Point 11608, to Point 13004, to Point 13976, to Point 13450. Pakistan may, however, post troops on the western of the above ridges to cover the approaches to KHAMBRI Baipass.

E. In any dispositions that may be adopted in consequence of the present agreement troops will remain ,at least 500 yards from the cease-fire line except where the KTSHANGANGA River constitutes the line. Points which have been shown as inclusive to one party may be occupied by that party, but the troops of the other party shall remain at a distance of 500 yards.

F. Both sides shall be free to adjust their defensive positions behind the cease-fire line as determined in paragraphs A to E inclusive above, subject to no wire or mines being used when new bunkers and defenses are constructed. There shall be no increase of forces or strengthening of defenses in areas where no major adjustments are involved by the determination of the cease-fire line.

G. The action permitted by paragraph F above shall not be accompanied or accomplished by the introduction of additional military potential by either side into the State of Jammu and Kashmir.

H. Except as modified by Paragraphs II-A to II-G, inclusive, above, the military agreements between the two High Commands relating to the cease-fire of 1 January 1949 shall continue to remain operative.

I. The United Nations Commission for India and Pakistan will station Observers where it deems necessary.

J. The Delegations shall refer this Agreement to their respective Governments for ratification. The documents of ratification shall be deposited with the United Nations Commission for India and Pakistan not later than 31 July 1949.

K. A period of 30 days from the date of ratification shall be allowed to each side to vacate the areas at present occupied by them beyond the cease-fire line as now determined. Before the expiration of this 30-day period their shall be no forward movement into areas to be taken over by either side pursuant to this agreement, except by mutual agreement between local commanders.

IN FAITH WHEREOF the undersigned sign this document in three original copies.

DONE in Karachi on 27 July 1949

For the Government of India: (Signed) S.M. SHRINAGESH

For the Government of Pakistan:

(Signed) W.J. CAWTHORN

For the United Nations Commission for India and Pakistan:

(Signed) HERNANDO SAMPER

(Signed) MAURICE DELVOIE.

KARACHI AGREEMENT

Heads of Agreement between Hon'ble Minister without Portfolio, the President of All Jammu and Kashmir Muslim Conference, and the President of Azad Kashmir Government

1. **CIVIL ADMINISTRATION OF THE AZAD KASHMIR AREA**

(i) The Azad Kashmir Cabinet shall formulate policy and generally supervise administration in Azad Kashmir area. Day to day administration shall, however, be entrusted to executive officers viz the Heads of Departments who shall also be secretaries to Government for their respective Departments.

(ii) Besides the Heads of Departments the Azad Kashmir Government will have only the following two Secretaries:

I. Secretary, Finance Department; and

II. Cabinet Secretary.

The Cabinet Secretary besides maintaining a record of Cabinet proceedings will be directly responsible to keep the Cabinet well-posted with all matters connected with the plebiscite and for all correspondence with the Plebiscite Administrator.

(iii) The details of the set up will be as follows:

	Subject	**Head of Department- cum Secretary**	**Minister- in-charge**
1.	Law and Order including jails and Police	Commissioner-cum-Chief Secretary	Hon'ble President
2.	Food and Civil	Director of Food and Civil Supplies and Secretary to Government Civil Supplies Departments	Minister for Civil Supplies

3.	Revenues (including Forests, Customs) and Public Works.	Commissioner –Cum-Chief Secretary	Revenue and Fiancé Minister
4.	Finance	Finance Secretary	Revenue and Finance Minister
5.	Rehabilitation	Director of Rehabilitation Secretary Rehabilitation Department	Minister of Rehabilitation
6.	Medical and health`	Director of Health Services and Secretary Health Department	Minister of Health and Education
7.	Education	Director of Education and Secretary Education Department	Minister of Health and Education
8.	Cabinet and Plebiscite work	Cabinet Secretary	Hon'ble President

No one below the rank of Head of Department/ Secretary shall have access to the Ministers and orders to lower staff shall always be communicated through the Head of Department/ Secretary.

Heads of Departments / Secretaries shall submit all important cases to their Ministers and shall generally keep them fully informed of developments in their respective Departments.

Heads of Departments/ Secretaries who are at present located outside Azad Kashmir area may continue to be so located. But they would / meet their Ministers once or twice a week and put up cases on which orders of Ministers have to be obtained.

Whenever Heads of Department feels that an order passed by an Hon'ble Minister needs revision, he would bring the case to the notice of the Commissioner who in his capacity as Chief Secretary to the

Azad Kashmir Government, will endeavor to have the matter satisfactorily settled, if necessary, in consultation with the Chief Plebiscite Advisor to the Pakistan Government, who will also be notified by the Azad Kashmir government as the Chief Advisor.

Officers loaned to Azad Kashmir Government will be formally appointed as Officers-on-Special Duty with the Chief Plebiscite Advisor and their Services will informally be placed at the disposal of Azad Kashmir Government who would formally appoint them to office by notification in their own Gazette. All correspondence of the Azad Kashmir government with the Secretariat of the Minister without Portfolio, Government of Pakistan, will be through the Chief Plebiscite Advisor.

Pending the appointment of a Public Service Commission for Azad Kashmir an ad-hoc Committee consisting of the following may be appointed to recommend future recruitment and promotions in services in the Azad Kashmir Government.

(i) Commissioner (Chairman). (ii) Judge of Azad Kashmir High Court.

(iii) The Head of the Department Concerned. (iv) Cabinet Secretary as member- Secretary.

II. FINANCIAL ARRANGEMENTS.

Monies advanced to the A.K Government for specific purposes shall be spent for those projects and no other. The Pakistan Government shall satisfy them that they have been properly spent.

Moneys advanced to the A.K Government as general Grants-in-aid shall be given only after the A.K Government has produced a budget

statement for the government as whole. In the case of these funds, the Government of Pakistan shall satisfy themselves that the A.K Government spend according to the budget proposals. For the purpose, they may ask for a periodical statement of accounts from that Government.

The Pakistan Government shall loan the services of an Accounts Officer for employment as Accountant General of the Azad Jammu and Kashmir Government.

III. Division of functions between the Governments of Pakistan, the Azad Kashmir Government and the Muslim Conference.

MATTERS WITHIN THE PURVIEW OF PAKISTAN GOVERNMENT

i. Defense. (Complete control over. A.K. forces).
ii. Negotiation with U.N.C.I.P.
iii. Foreign Policy of A.K. Government.
iv. Publicity in Pakistan and foreign countries.
v. Coordination of arrangements for relief and rehabilitation of refugees.
vi. Coordination of publicity and all arrangements in connection with the plebiscite.
vii. All activities within Pakistan itself with regard to Kashmir such as procurement of food and civil supplies transport, running of refugee camps, medical arrangements etc.
viii. All affairs of the Gilgit and Ladakh areas under the control of the Political Agent at Gilgit.

MATTERS WITHIN THE PURVIEW OF A.K. GOVERNMENT

i. Policy with regard to administration in Azad Kashmir.
ii. General Supervision of administration in the Azad Kashmir area.
iii. Publicity with regard to activities of the A.K. Government and its administration.
iv. Advise to H. M without portfolio with regard to negotiations with U.N.C.I.P.
v. Development or economic resources of A.K. area.

MATTERS WITHIN THE PURVIEW OF MUSLIM CONFERENCE

i. Publicity with regard to plebiscite in A.K. area.
ii. Fieldwork and publicity in the Indian occupied areaof the State.
iii. Organization of political activities in the A.K and the Indian occupied area of the State.
iv. Preliminary arrangements in connection with plebiscite.
v. Organization for contesting the plebiscite.
vi. Political work and publicity among Kashmir refugees in Pakistan.
vii. General guidance of the A.K. Government.
viii. Advice to H. M without portfolio with regard to Negotiations with U.N.C.I.P

-Sd- **(Muhammad Ibrahim)** **President Azad Kashmir Govt.**	**Note:-** I agree to this so far as this concerns with the part regarding the Muslim Conference - Sd- (**Ghulam Abbas)** **President All Jammu and Kashmir**	- Sd- **(M.A. Gurmani)** **Minister without Portfolio, Government of Pakistan**

DEHLI AGREEMENT OF 1952

The Government of Jammu & Kashmir and the Government of India came out with a comprehensive agreement titled 'Delhi Agreement, 1952', to further the relationship of the state with the union. By way of the Agreement, it was agreed inter alia that:

(i) Sovereignty in all matters other than those specified in the Instrument of Accession would continue to reside in the State. It was agreed by the Government of India that while the residuary powers of legislature vested in the Centre in respect of all states other than Jammu & Kashmir, in the case of the latter they vested in the State itself.

(ii) While persons having domicile in Jammu & Kashmir were to be regarded as citizens of India, the State Legislature was given the power to make laws to confer special rights and privileges on 'state subjects' in view of the State Subject Notifications of 1927 and 1932.

(iii) Though the Sadr-i-Riyasat was to be elected by the State Legislature, he had to be recognized by the President of India before his installation as such; in the other Indian States, the Head of the State was appointed by the President and was as such his nominee. However, the person to be appointed as the Head had to be a person acceptable to the Government of that State. No person not acceptable to the State Government could be thrust on the State as the Head.

(iv) It was accepted that the people of the State were to have fundamental rights. But in the view of the peculiar position in which the State was placed, the whole chapter relating to the 'Fundamental Rights' of the Indian Constitution could not be made applicable to the State. The question which remained to be determined was whether the chapter on fundamental rights should form a part of the State Constitution or the Constitution of India as applicable to the State.

(v) Both parties agreed that the application of Article 356, dealing with the suspension of the State Constitution and Article 360, dealing with a financial emergency, was not necessary.

This was signed and ratified by both parties and also passed by both the Parliament as well as the Constituent Assembly of Jammu & Kashmir.

THE INDUS WATERS TREATY I960 BETWEEN THE GOVERNMENT OF INDIA, THE GOVERNMENT OF PAKISTAN AND THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT. SIGNED AT KARACHI, ON 19 SEPTEMBER 1960

Extract

The Government of India: Shri Jawaharlal Nehru, Prime Minister of India, and

The Government of Pakistan: Field Marshal Mohammad Ayub Khan, H.P., H.J., President of Pakistan

Article I DEFINITIONS

(5) The term **"Eastern Rivers"** means The Sutlej, The Beas and The Ravi taken together.

(6) The term **"Western Rivers"** means The Indus, The Jhelum and The Chenab taken together.

(7) The term **"the Rivers"** means all the rivers, The Sutlej, The Beas, The Ravi, The Indus, The Jhelum and The Chenab.

(8) The term **"Connecting Lake"** means any lake which receives water from, or yields water to, any of the Rivers ; but any lake which occasionally and irregularly receives only the spill of any of the Rivers and returns only the whole or part of that spill is not a Connecting Lake.

(9) The term **"Agricultural Use"** means the use of water for irrigation, except for the irrigation of household gardens and public recreational gardens.

(10) The term "**Domestic Use"** means the use of water for (a) drinking, washing, bathing, recreation, sanitation (including the conveyance and

dilution of sewage and of industrial and other wastes), stock and poultry, and other like purposes ;

(b) **household and municipal purposes** (including use for household gardens and public recreational gardens) ; and (c) industrial purposes (including mining, milling and other like purposes); but the term does not include Agricultural Use or use for the generation of hydroelectric power.

11) The term **"Non-Consumptive Use"** means any control or use of water for navigation, floating of timber or other property, flood protection or flood control, fishing or fish culture, wildlife or other like beneficial purposes, provided that, exclusive of seepage and evaporation of water incidental to the control or use, the water (undiminished in volume within the practical range of measurement) remains in, or is returned to, the same river or its Tributaries; but the term does not include Agricultural Use or use for the generation of hydro-electric power.

Article II

PROVISIONS REGARDING EASTERN RIVERS

(1) All the waters of the Eastern Rivers shall be available for the unrestricted use of India, except as otherwise expressly provided in this Article.

(2) Except for Domestic Use and Non-Consumptive Use, Pakistan shall be under an obligation to let flow, and shall not permit any interference with, the waters of the Sutlej Main and the Ravi Main in the reaches where these rivers flow in Pakistan and have not yet finally crossed into

Pakistan. The points of final crossing are the following : (a) near the new Hasta Bund upstream of Suleimanke in the case of the Sutlej Main, and (6) about one and a half miles upstream of the syphon for the B-RB-D Link in the case of the Ravi Main.

(3) Except for Domestic Use, Non-Consumptive Use and Agricultural (as specified in Annexure B), 1 Pakistan shall be under an obligation to let flow, and shall not permit any interference with, the waters (while flowing in Pakistan) of any Tributary which in its natural course joins the Sutlej Main or the Ravi Main before these rivers have finally crossed into Pakistan.

(4) All the waters, while flowing in Pakistan, of any Tributary which, in its natural course, joins the Sutlej Main or the Ravi Main after these rivers have finally crossed into Pakistan shall be available for the unrestricted use of Pakistan: Provided however that this provision shall not be construed as giving Pakistan any claim or right to any releases by India in any such Tributary. If Pakistan should deliver any of the waters of any such Tributary, which on the Effective Date joins the Ravi Main after this river has finally crossed into Pakistan, into a reach of the Ravi Main upstream of this crossing, India shall not make use of these waters; each Party agrees to establish such discharge observation stations and make such observations as may be necessary for the determination of the component of water available for the use of Pakistan on account of the aforesaid deliveries by Pakistan, and Pakistan agrees ta meet the cost of establishing the aforesaid discharge observation stations and making the aforesaid observations.

(5) There shall be a Transition Period during which, to the extent specified in Annexure H, 2 India shall (i) limit its withdrawals for Agricultural Use, (ii) limit abstractions for storages, and (iii) make deliveries to Pakistan from the Eastern Rivers.

6) The Transition Period shall begin on 1st April 1960 and it shall end on 31st March 1970, or, if extended under the provisions of Part 8 of Annexure H, on the date up to which it has been extended. In any event, whether or not the replacement referred to in Article IV (1) has been accomplished, the Transition Period shall end not later than 31st March 1973.

(7) If the Transition Period is extended beyond 31st March 1970, the provisions of Article V (5) shall apply.

(8) If the Transition Period is extended beyond 31st March 1970, the provisions of Paragraph (5) shall apply during the period of extension beyond 31st March 1970. (9) During the Transition Period, Pakistan shall receive for unrestricted use the waters of the Eastern Rivers which are to be released by India in accordance with the provisions of Annexure H. After the end of the Transition Period, Pakistan shall have no claim or right to releases by India of any of the waters of the Eastern Rivers. In case there are any releases, Pakistan shall enjoy the unrestricted use of the waters so released after they have finally crossed into Pakistan: Provided that in the event that Pakistan makes any use of these waters, Pakistan shall not acquire any right whatsoever, by prescription or otherwise, to a continuance of such releases or such use.

Article III

PROVISIONS REGARDING WESTERN RIVERS

(1) Pakistan shall receive for unrestricted use all those waters of the Western Rivers which India is under obligation to let flow under the provisions of Paragraph (2).

(2) India shall be under an obligation to let flow all the waters of the Western Rivers, and shall not permit any interference with these waters, except for the following uses, restricted (except as provided in item (c) (ii) of Paragraph 5 of Annexure C) 1 in the case of each of the rivers, The Indus, The Jhelum and The Chenab, to the drainage basin thereof : (a) Domestic Use ; (b) Non-Consumptive Use ; (c) Agricultural Use, as set out in Annexure C ; and (d) Generation of hydro-electric power, as set out in Annexure D. 2

(3) Pakistan shall have the unrestricted use of all waters originating from sources other than the Eastern Rivers which are delivered by Pakistan into The Ravi or The Sutlej, and India shall not make use of these waters. Each Party agrees to establish such discharge observation stations and make such observations as may be considered necessary by the Commission for the determination of the component of water available for the use of Pakistan on account of the aforesaid deliveries by Pakistan (4) Except as provided in Annexures D and E, 1 India shall not store any water of, or construct any storage works on, the Western Rivers.

Article IV

PROVISIONS REGARDING EASTERN RIVERS AND WESTERN RIVERS

(1) Pakistan shall use its best endeavours to construct and bring into operation, with due regard to expedition and economy, that part of a system of works which will accomplish the replacement, from the Western Rivers and other sources, of water supplies for irrigation canals in Pakistan which, on 15th August 1947, were dependent on water supplies from the Eastern Rivers.

(2) Each Party agrees that any Non-Consumptive Use made by it shall be so made as not to materially change, on account of such use, the flow in any channel to the prejudice of the uses on that channel by the other Party under the provisions of this Treaty. In executing any scheme of flood protection or flood control each Party will avoid, as far as practicable, any material damage to the other Party, and any such scheme carried out by India on the Western Rivers shall not involve any use of water or any storage in addition to that provided under Article III.

(3) Nothing in this Treaty shall be construed as having the effect of preventing either Party from undertaking schemes of drainage, river training, conservation of soil against erosion and dredging, or from removal of stones, gravel or sand from the beds of the Rivers :

Provided that (a) in executing any of the schemes mentioned above, each Party will avoid, as far as practicable, any material damage to the other Party ; (b) any such scheme carried out by India on the Western Rivers shall not involve any use of water or any storage in addition to that provided under Article III ; (cj except as provided in Paragraph (5)

and Article VII (1) (b), India shall not take any action to increase the catchment area, beyond the area on the Effective Date, of any natural or artificial drainage or drain which crosses into Pakistan, and shall not undertake such construction or remodelling of any drainage or drain which so crosses or falls into a drainage or drain which so crosses as might cause material damage in Pakistan or entail the construction of a new drain or enlargement of an existing drainage or drain in Pakistan ; and (d) should Pakistan desire to increase the catchment area, beyond the area on the Effective Date, of any natural or artificial drainage or drain, which receives drainage waters from India, or, except in an emergency, to pour any waters into it in excess of the quantities received by it as on the Effective Date, Pakistan shall, before undertaking any work for these purposes, increase the capacity of that drainage or drain to the extent necessary so as not to impair its efficacy for dealing with drainage waters received from India as on the Effective Date.

(4) Pakistan shall maintain in good order its portions of the drainages mentioned below with capacities not less than the capacities as on the Effective Date : (i) Hudiara Drain (ii) Kasur Nala (iii) Salimshah Drain (iv) Fazilka Drain.

(5) If India finds it necessary that any of the drainages mentioned in Paragraph (4) should be deepened or widened in Pakistan, Pakistan agrees to undertake to do so as a work of public interest, provided India agrees to pay the cost of the deepening or widening.

(6) Each Party will use its best endeavours to maintain the natural channels of the Rivers, as on the Effective Date, in such condition as will avoid, as far as practicable, any obstruction to the flow in these channels likely to cause material damage to the other Party.

(7) Neither Party will take any action which would have the effect of diverting the Ravi Main between Madhopur and Lahore, or the Sutlej Main between Harike and Suleimanke, from its natural channel between high banks.

(8) The use of the natural channels of the Rivers for the discharge of flood or other excess waters shall be free and not subject to limitation by either Party, and neither Party shall have any claim against the other in respect of any damage caused by such use. Each Party agrees to communicate to the other Party, as far in advance as practicable, any information it may have in regard to such extraordinary discharges of water from reservoirs and flood flows as may affect the other Party.

(9) Each Party declares its intention to operate its storage dams, barrages and irrigation canals in such manner, consistent with the normal operations of its hydraulic systems, as to avoid, as far as feasible, material damage to the other Party.

(10) Each Party declares its intention to prevent, as far as practicable, undue pollution of the waters of the Rivers which might affect adversely uses similar in nature to those to which the waters were put on the Effective Date, and agrees to take all reasonable measures to ensure that, before any sewage or industrial waste is allowed to flow into the Rivers, it will be treated, where necessary, in such manner as not

materially to affect those uses : Provided that the criterion of reasonableness shall be the customary practice in similar situations on the Rivers.

(11) The Parties agree to adopt, as far as feasible, appropriate measures for the recovery, and restoration to owners, of timber and other property, floated or floating down the Rivers, subject to appropriate charges being paid by the owners.

(12) The use of water for industrial purposes under Articles II (2), II (3) and III (2) shall not exceed : (a) in the case of an industrial process known on the Effective Date, such quantum of use as was customary in that process on the Effective Date ; (b) in the case of an industrial process not known on the Effective Date : (i) such quantum of use as was customary on the Effective Date in similar or in any way comparable industrial processes; or (ii) if there was no industrial process on the Effective Date similar or in any way comparable to the new process, such quantum of use as would not have a substantial adverse effect on the other Party.

(13) Such part of any water withdrawn for Domestic Use under the provisions of Articles II (3) and III (2) as is subsequently applied to Agricultural Use shall be accounted for as part of the Agricultural Use specified in Annexure B and Annexure C respectively; each Party will use its best endeavours to return to the same river (directly or through one of its Tributaries) all water withdrawn therefrom for industrial purposes and not consumed either in the industrial processes for which it was withdrawn or in some other Domestic Use.

(14) In the event that either Party should develop a use of the waters of the Rivers which is not in accordance with the provisions of this Treaty, that Party shall not acquire by reason of such use any right, by prescription or otherwise, to a continuance of such use.

(15) Except as otherwise required by the express provisions of this Treaty, nothing in this Treaty shall be construed as affecting existing territorial rights over the waters of any of the Rivers or the beds or banks thereof, or as affecting existing property rights under municipal law over such waters or beds or banks.

THE BOUNDARY AGREEMENT BETWEEN CHINA AND PAKISTAN, 1963

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

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

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

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

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

For the Government of Pakistan; Mr. Zulfikar Ali Bhutto, Minister of external affairs;

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

Article 1

In view of the fact that the boundary between China's Sinkiang and contiguous areas the defense of which is under the actual control of Pakistan has never been formally delimited, two parties agree to delimit it on the basis of the traditional customary boundary line including natural features and in a spirit of equality,mutual benefit and friendly co-operation.

Article 2

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

(1) Commencing from its north-western extremity at height 5630 meters (apeak, the reference coordinates of which are approximately longitude 74degrees 34 minutes east and latitude 37 degrees 03 minutes north), the boundary line runs generally eastward and then southeastward strictly along the main watershed between the tributaries of the Tashkurgan river of the Tarim river system on the one hand and tributaries of the Hunza river of the Indus river system on the other hand, passing through the KalikDaban(Dawan), the MintakeDaban (pass), the KharchanaiDaban (named on the Chinese map only), the MutsjilgaDaban (named on the Chinese map only),and the Parpik Pass (named on the Pakistan map only), and reaches theKhunjerab (Yutr) Daban (Pass).

(2) After passing through the Khunjerab (Yutr) Daban (pass), the boundary line runs generally southward along the above mentioned main watershed up toa the mountain-top south of this Daban (pass), where it leaves the main watershed to follow the crest of a spur lying generally in a southeasterly direction, which is the watershed between the Akijilga river (a nameless corresponding river on the Pakistan map)

on the one hand, and theTaghumbash (Oprang) river and the Koliman Su (OprangJilga) on the other hand.

According to the map of the Chinese side, the boundary line, after leaving the southeastern extremity of this spur, runs along a small section of the middle line of the bed of the Keliman Su to reach its confluence with the Kelechinriver. According to the map of the Pakistan side, the boundary line, after leaving the southeastern extremity of the spur, reaches the sharp bend of the Shaksgam or Muztagh River.

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

(4) From the confluence of the aforesaid two rivers, the boundary line, according to the map of the Chinese side, ascends the crest of a spur and runs along it to join the Karakoram range main watershed at a mountain-top(reference co-ordinates approximately longitude 75 degrees 54 minutes east and latitude 36 degrees 15 minutes north) which on this map is shown as belonging to the Shorgulak mountain. According to the map of the Pakistan side, the boundary line from the confluence of the above-mentioned two rivers ascends the crest of a corresponding spur and runs along with it, passing through height 6520 meters (21,390 feet) till it joins the Karakoram range main watershed at a peak (reference co-ordinates approximately longitude75 degrees 57 minutes east and latitude 36 degrees 03 minutes north).

(5) Thence, the boundary line, running generally southward and then eastward,strictly follows the Karakoram range main watershed which separates the Tarim river drainage system from the Indus river drainage system, passing through the east Mustagh pass (Mustagh pass), the top of the Chogri peak(K-2), the top of the broad peak, the top of the Gasherbrum mountain 8068,the Indirakoli pass (names on the Chinese maps only) and the top of theTeramKankri peak, and reaches its southeastern extremity at the Karakoram pass.

(Two) The alignment of the entire boundary line as described in section one of this article has been drawn on the one million scale map of the Chinese side in Chinese and the one million scale map of the Pakistan side in English which are signed and attached to the present agreement. (Not attached in this book)

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

Article 3

The two parties have agreed that:

Wherever the boundary follows a river, the middle line of the river, the middle line of the river bed shall be the boundary line; and that wherever the boundary passes through Daban (pass), the water-parting line there of shall be the boundary line.

Article 4

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

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

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

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

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

Article 5

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

Article 6

The two Parties have agreed that after the settlement of the Kashmir dispute between Pakistan and India, the sovereign authority concerned will reopen negotiations with the Government of the People's Republic of China, on the boundary as described in Article Two of the present Agreement, so as to sign a formal Boundary Treaty to replace the present agreement:

Provided that in the event of that sovereign authority being Pakistan, the provisions of this agreement and the aforesaid Protocol shall be maintained in the formal Boundary Treaty to be signed between the Peoples Republic of China and Pakistan.

Article 7

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

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

Marshal Chen Yi,
Plenipotentiary of the Govt.of the Republic of China

Zulfikar Ali Bhutoo,
Government of the People's Pakistan

TASHKENT AGREEMENT

(FEBRUARY 10, 1966)

The Prime Minister of India and the President of Pakistan, having met at Tashkent and having discussed the existing relations between India and Pakistan, hereby declare their firm resolve to restore normal and peaceful relations between their countries and to promote understanding and friendly relations between their peoples. They consider the attainment of these objectives of vital importance for the welfare of the 600 million people of India and Pakistan.

(i) The Prime Minister of India and the President of Pakistan agree that both sides will exert all efforts to create good neighborly relations between India and Pakistan in accordance with the United Nations Charter. They reaffirm their obligation under the Charter not to have recourse to force and to settle their disputes through peaceful means. They considered that the interests of peace in their region and particularly in the Indo-Pakistan subcontinent and, indeed, the interests of the peoples of India ad Pakistan were not served by the continuance of tension between the two countries. It was against this background that *Jammu & Kashmir* was discussed, and each of the sides set forth its respective position.

(ii) The Prime Minister of India and the President of Pakistan have agreed that all armed personnel of the two countries shall be withdrawn not later than 25 February 1966 to the positions they held

prior to 5 August 1965, and both sides shall observe the cease-fire terms on the cease-fire line.

(iii) The Prime Minister of India and the President of Pakistan have agreed that relations between India and Pakistan shall be based on the principle of non-interference in the internal affairs of each other.

(iv) The Prime Minister of India and the President of Pakistan have agreed that both sides will discourage any propaganda directed against the other country and will encourage propaganda which promotes the development of friendly relations between the two countries.

(v) The Prime Minister of India and the President of Pakistan have agreed that the High Commissioner of India to Pakistan and the High Commissioner of Pakistan to India will return to their posts and that the normal functioning of diplomatic missions of both countries will be restored. Both Governments shall observe the Vienna Convention of 1961 on Diplomatic Intercourse.

(vi) The Prime Minister of India and the President of Pakistan have agreed to consider measures towards the restoration of economic and trade relations, communications, as well as cultural exchanges between India and Pakistan, and to take measures to implement the existing agreement between India and Pakistan.

(vii) The Prime Minister of India and the President of Pakistan have agreed that they will give instructions to their respective authorities to carry out the repatriation of the prisoners of war.

(viii) The Prime Minister of India and the President of Pakistan have agreed that both the two sides will continue the discussions of

questions relating to the problems of refugees and eviction of illegal immigrants. They also agreed that both sides will create conditions which will prevent the exodus of people. They further agree to discuss the return of the property and assets taken over by either side in connection with the conflict.

(ix) The Prime Minister of India and the President of Pakistan have agreed that the two sides will continue meetings both at highest and at other levels on matters of direct concern to both countries. Both sides have recognized the need to set up joint Indian-Pakistani bodies which will report to their Governments in order to decide what further steps should be taken.

The Prime Minister of India and the President of Pakistan record their feelings, deep appreciation and gratitude to the leaders of the Soviet Union, the Soviet Government and personally to the Chairman of the Council of Ministers of the USSR for their constructive, friendly and noble part in bringing about the present meeting, which has resulted in mutually satisfactory results. They also express to the Government and friendly people of Uzbekistan their sincere thankfulness for their overwhelming reception and generous hospitality.

They invite the Chairman of the Council of Ministers of the USSR to witness this declaration.

-sd-	***-sd-***
Lal Bahdur Shastri	**M. Ayub Khan**
Prime Minister of India	**President of Pakistan**

SIMLA ACCORD

(JULY 2, 1972)

The Government of Pakistan and Government of India are resolved that the two countries put an end to the conflict and confrontation that have hitherto marred their relations and work for the promotion of a friendly and harmonious relationship and the establishment of durable peace in the sub-continent, so the both countries may henceforth devote their resources and energies to the pressing task of advancing the welfare of their people.

In order to achieve this objective, the Government of Pakistan and the Government of India have agreed as follows:

1. That the principles and purposes of the Charter of the United Nations shall govern the relations between the two countries;
2. That the two countries are resolved to settle their differences by peaceful means through bilateral negotiations or by any other peaceful means mutually agreed upon between them. Pending the final settlement of any of the problems between the two countries, neither side shall unilaterally alter the situation and both shall prevent the organization, assistance and encouragement of any acts detrimental to the maintenance of peaceful and harmonious relations;
3. That the pre-requisite for reconciliation, good neighborliness and durable peace between them is a commitment by both the countries to peaceful co-existence, respect for each other's

territorial integrity; and sovereignty and non-interference in each other internal affairs, on the basis of equality and mutual benefit;

4. That the basic issues and causes (Kashmir, etc) of conflict which have bedeviled the relations between the two countries for the last 25 years shall be resolved by peaceful means;
5. That they shall always respect each other's national unity, territorial integrity, political independence and sovereign equality;
6. That in accordance with the Charter of the United Nations they will refrain from the threat or use of force against the territorial integrity or political independence of each other. Both the Governments will take all steps within their powers to prevent hostile propaganda directed against each other. Both countries will encourage the dissemination of such information as would promote the development of friendly relations between them. In order progressively to restore and normalize relations between the two countries step by step, it was agreed that:

i. Steps shall be taken to resume communications, postal, telephographic, sea, land including border posts and air links including over flights.

ii. Appropriate steps shall be taken to promote travel facilities for the nationals of the other countries.

iii. Trade and co-operation in economic and other agreed fields will be resumed as far as possible.

iv. Exchange in the fields of science and culture will be promoted. In this connection delegations from the two countries will meet from time to time to work out the necessary details.

In order to initiate the process of the establishment of durable peace, both the Governments agree that:

i. Pakistani and Indian forces shall be withdrawn to their side of the international border.

ii. In Jammu and Kashmir, the Line of Control resulting from the cease-fire of December 17, 1971 shall be respected by both sides without prejudice to the recognized position of either side. Neither side shall seek to alter it unilaterally, irrespective of mutual differences and legal interpretations. Both sides further undertake to refrain from threat or the use of force in violation of this Line.

iii. The withdrawals shall commence upon entry into force of this agreement and shall be completed within a period of 30 days thereof.

This Agreement will be subject to ratification by both countries in accordance will their respective constitutional procedures and will come into force with effect from the date on which the Instruments of Ratification are exchanged.

Both Governments agree that their respective Heads will meet again at a mutually convenient time in the future and that, in the meanwhile, the representatives of the two sides will meet to discuss further the modalities and arrangements for the establishment of durable peace and normalization of relations, including the questions of repatriation of prisoners of war and civilian internees, a final settlement of Jammu and Kashmir and the resumption of diplomatic relations.

-sd-	***-sd-***
Zulfikar Ali Bhutto	**Indra Gandhi**
President of Pakistan	**Prime Minister of India**

THE KASHMIR ACCORD
November 13, 1974

Agreed conclusions which led to Sheikh Mohammad Abdullah's accord with Mrs. Indira Gandhi, Prime Minister, and his subsequent assumption of office as Chief Minister in February 1975:

1 . The State of Jammu and Kashmir which is a constituent unit of the Union of India, shall, in its relation with the Union, continue to be governed by Article 370 of the Constitution of India.

2. The residuary powers of legislation shall remain with the State; however, Parliament will continue to have power to make laws relating to the prevention of activities directed towards disclaiming, questioning or disrupting the sovereignty and territorial integrity of India or bringing about secession of a part of the territory of India from the Union or causing insult to the Indian National Flag, the Indian National Anthem and the Constitution.

3. Where any provision of the Constitution of India had been applied to the State of Jammu and Kashmir with adaptations and modifications, such adaptations and modifications can be altered or repealed by an order of the President under Article 370, each individual proposal in this behalf being considered on its merits; but provisions of the Constitution of India already applied to the State of Jammu and Kashmir without adaptation or modification are unalterable.

4. With a view to assuring freedom to the State of Jammu and Kashmir to have its own legislation on matters like welfare measures cultural

matters, social security, personal law and procedural laws, in a manner suited to the special conditions in the State, it is agreed that the State Government can review the laws made by Parliament or extended to the State after 1953 on any matter relatable to the Concurrent List and may decide which of them, in its opinion, needs amendment or repeal. Thereafter, appropriate steps may be taken under Article 254 of the Constitution of India. The grant of President's assent to such legislation would be sympathetically considered. The same approach would be adopted in regard to laws to be made by Parliament in future under the Proviso to clause 2 of the Article. The State Government shall be consulted regarding the application of any such law to the State and the views of the State Government shall receive the fullest consideration

5. As an arrangement reciprocal to what has been provided under Article 368, a suitable modification of that Article as applied to the State should be made by Presidential order to the effect that no law made by the Legislature of the State of Jammu and Kashmir, seeking to make any change in or in the effect of any provision of Constitution of the State of Jammu and Kashmir relating to any of the under mentioned matters, shall take effect unless the Bill, having been reserved for the consideration of the President, receives his assent; the matters are:

(a) the appointment, powers, functions, duties, privileges and immunities of the Governor, and

(b) the following matters relating to Elections namely, the superintendence, direction and control of Elections by the Election Commission of India, eligibility for inclusion in the electoral rolls without

discrimination, adult suffrage and composition of the Legislative Council, being matters specified in sections 138, 139 140 and 50 of the Constitution of the State of Jammu and Kashmir.

6. No agreement was possible on the question of nomenclature of the Governor and the Chief Minister and the matter is therefore, remitted to the Principals.

Sd/- **Sd/-**

G. Parthasarathi ***Mirza Mohammad Afzal Beg***

New Delhi, November 13, 1974

ISLAMABAD AGREEMENT

(JUNE 23, 1997)

The Foreign Secretaries of Pakistan and India, Mr. Shamshad Ahmad and Shri Salman Haidar met in Islamabad on 19 – 23 June, 1997.

2. As decided at their meeting in New Delhi in March 1997 and as directed by their respective Prime Ministers, the Foreign Secretaries of India and Pakistan continued their wide-ranging and comprehensive dialogue on all outstanding issues between the two countries with each side elaborating its respective position. The discussions were held in a cordial and constructive atmosphere. It was also agreed that both sides would take all possible steps to prevent hostile propaganda and provocative actions against other.

3. With the objective of promoting a friendly and harmonious relationship between Pakistan and India, the Foreign Secretaries have agreed as follows:-

to address all outstanding issues of concern to both sides including, inter alia:

Peace and security, including CBMs

Jammu and Kashmir

Siachen

Wullar Barrage Project/Tulbul Navigation Project

Sir Creek

Terrorism and drug-trafficking

Economic and commercial cooperation

Promotion of friendly exchanges in various fields.

ii. to setup a mechanism, including working groups at appropriate levels, to address all these issues in an integrated manner. The issues at (a) and (b) above will be dealt with at the level of Foreign Secretaries who will also coordinate and monitor the progress of work of all the working groups.

4. The two Foreign Secretaries also had a preliminary exchange of views on the composition of the working groups and their methodology. It was decided to continue the consideration of this matter through diplomatic channels.

LAHORE DECLARATION

(FEBRUARY 21, 1999)

The Prime Ministers of the Islamic Republic of Pakistan and the Republic of India:-

Sharing a vision of peace and stability between their countries, and of progress and prosperity for their peoples;

Convinced that durable peace and development of harmonious relations and friendly cooperation will serve the vital interests of the peoples of the two countries, enabling them to devote their energies for a better future;

Recognizing that the nuclear dimension of the security environment of the two countries adds to their responsibility for avoidance of conflict between the two countries;

Committed to the principles and purpose of the Charter of the United Nations, and the universally accepted principles of peaceful co-existence;

Reiterating the determination of both countries to implementing the Simla Agreement in letter and spirit;

Committed to the objectives of universal nuclear disarmament and nonproliferation;

Convinced of the importance of mutually agreed confidence-building measures for improving the security environment;

Recalling their agreement of 23 September 1998, that an environment of peace and security is in the supreme national interest of both sides and that the resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose;

Have agreed that their respective governments:-

shall intensify their efforts to resolve all issues, including the issue of Jammu and Kashmir.

shall refrain from intervention and interference in each other's internal affairs.

shall intensify their composite and integrated dialogue process for an early and positive outcome of the agreed bilateral agenda.

shall take immediate steps for reducing the risk of accidental or unauthorized use of nuclear weapons and discuss concepts and doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict.

reaffirm their commitment to the goals and objectives of SAARC and to concert their efforts towards the realization of the SAARC vision for the year 2000 and beyond with a view to promoting the welfare of the peoples of South Asia and to improve their quality of life through accelerated economic growth, social progress and cultural development.

reaffirm their condemnation of terrorism in all its forms and manifestations and their determination to combat this menace.

shall promote and protect all human rights and fundamental freedoms.

ISLAMABAD DECLARATION

(JANUARY 6, 2004)

The President of Pakistan and the Prime Minister of India met during the SAARC Summit in Islamabad.

The Indian Prime Minister while expressing satisfaction over the successful conclusion of the SAARC Summit appreciated the excellent arrangements made by the host country.

Both leaders welcomed the recent steps towards normalization of relations between the two countries and expressed the hope that the positive trends set by the CBMs would be consolidated.

Prime Minister Vajpayee said that in order to take forward and sustain the dialogue process, violence, hostility and terrorism must be prevented. President Musharraf reassured Prime Minister Vajpayee that he will not permit any territory under Pakistan's control to be used to support terrorism in any manner. President Musharraf emphasized that

a sustained and productive dialogue addressing all issues would lead to positive results.

To carry the process of normalization forward the President of Pakistan and the Prime Minister of India agreed to commence the process of the Composite Dialogue in February 2004. The two leaders are confident that the resumption of the Composite Dialogue will lead to peaceful settlement of all bilateral issues, including Jammu and Kashmir, to the satisfaction of both sides.

The two leaders agreed that constructive dialogue would promote progress towards the common objective of peace, security and economic development for our peoples and for future generations.

PRESIDENT MUSHARRAF'S PROPOSAL FOR DEMILITARIZATION OF SEVEN ZONES

Addressing a group of newspaper editors at an Iftar dinner in Islamabad on October 25, 2004, President General Pervez Musharraf called for a national debate on new options for the Kashmir dispute. The necessity for this debate stemmed from the fact that demands for the conversion of LoC into an international border and plebiscite were not acceptable to Pakistan and India respectively. To break the deadlock he suggested that identification of various zones of the disputed territory needs to be carried out followed by their demilitarization and a determination of their status. He identified the following seven regions for this purpose. Two regions—Azad Kashmir and Northern areas—are under the control of Pakistan whereas five regions are under Indian control. The first part

comprises Jammu, Sambha, and Katwa where Hindus are in majority. The second part also comprises Jammu but the areas include Dodha, Phirkuch, and Rajawri where the Muslim population is in majority. The third part is the area of Kashmir Valley which also has a Muslim majority. The fourth part is Kargil which has Shia and Balti population in majority and the fifth area is Ladakh and adjoining areas where Buddhists live. President Musharraf further said that it was imperative that the linguistic, ethnic,religious, geographic, political and other aspects of these seven regions should be reviewed and a peaceful solution to the problem found. President Musharraf's call for open discussion on Kashmir was termed by the Pakistani Opposition parties as a "rollback" and it was dismissed by India as unacceptable as it envisaged redrawing of the territorial map in J & K. President Musharraf's proposal for the creation of seven demilitarized zones in J & K was consistent with his earlier attempts to help create the much needed negotiating space for India and Pakistan that would allow them to move beyond their stated positions on Kashmir. In this context, it is worth recalling that in are markable reversal of Islamabad's verbal strategy on Kashmir, President Pervez Musharraf publicly stated on December 17, 2003, that even though "we are for UnitedNations Security resolutions…now we have left that aside." To mollify New Delhi'sconcerns relating to the issue of alleged "cross-border" infiltration from Pakistan,President Musharraf categorically pledged in a joint statement issued in Islamabadfollowing his meeting with the Indian Prime Minister, Atal Behari Vajpayee on January 6, 2004 that "he

will not permit any territory under Pakistan's control to be used to support terrorism in any manner." By dropping its longstanding demand for a UNmandated plebiscite over divided Kashmir and by assuring New Delhi that Islamabad would not encourage violent activity in the Indian-held Kashmir, President Musharraf went a long way to help create much needed political space for New Delhi to have a substantive engagement with Islamabad on the Kashmir dispute.

JULY 13, 1931: A HISTORY OF MARTYRS' DAY

Dr Ashraf Zain ul Abideen

Martyrs' Day commemorates the 22 Kashmiris killed by forces of the Dogra king of Jammu and Kashmir on July 13, 1931. Since then, it has remained a reference point for the Kashmiri freedom struggle. The 1931 uprising was preceded by many agitations. The deep resentment of the masses was building up before it exploded on July 13, 1931.

The Sequence of Events

Banning of the Friday sermon in Jammu: The weekly Kashmiri Musalmaan, published in Lahore, reported on 10 May 1931, that on 29 April 1931, while Muslims at Jammu were offering Eid prayers, the Dogra DIG Chowdhary Ram Chand and another police officer, Babu Khem Chand, told the Imam, Atta Ullah Shah Bukhari (or Mufti Muhammad Ishaque) to stop the mandatory Friday khutbah in which he spoke of the cruel king of ancient Egypt, the Pharoah. The Imam was also accused of making political speeches against the Dogra king. A young man, Mir Hussain Bakhsh, stood up to defy the ban and addressing the people told them that the government had been guilty of interference in their religion. The cry was taken up by the congregation; they marched in a procession to the city's main masjid where a brief meeting was held condemning the incident. Chowdhary Gowhar Rehman, secretary of the newly established Young Men's Muslim Association, took a serious exception to this religious interference and held a protest meeting. The meeting was addressed by

Chaudhary Ghulam Abbas Khan, Sardar Gauhar Rehman Khan, and Mistri Yakub Ali.

Desecration of the Quran in Mirpur: According to the daily Inquilab dated July 1, 1931, and Khan, Freedom Movement in Kashmir, p.126 , one Fazal Dad Khan, a police constable from Mirpur, was sitting on a cot when a Head Warder, Balak Ram, reprimanded him for being late on duty. In the meantime came one Labhaya Ram, a Sub-Inspector, who threw away Fazal Dad's bedding in a fit of recklessness. The bedding contained a copy of Panj Surah (five chapters from Holy Quran). Fazal Dad approached the Young Men's Muslim Association. The association at once issued a poster, calling upon all Muslims of the state to hold protest meetings. The valley's Muslims responded to the call, and started peaceful protests.

Probe into the Quran desecration: According to the Resident Political Secretary, Government of India, July 11, 1931 (Rough Note on Political Situation, pp.2-3), on 6th June, G.E.C. Wakefield, Political Minister for Kashmir, was deputed to go to Mirpur and investigate the matter. Wakefield met representatives of all the eight Islamia Anjuman of Jammu on 9th June. He asked them to choose two members, and, along with them, investigated the whole matter the next day. In a press communiqué, the Maharaja deplored the incident and, on the recommendation of the Enquiry Committee, retired Labhaya Ram from service.

Another incident in Srinagar on 20th June 1931: Leaves of the Holy Quran were found in a public latrine. No Muslim could ever dare do

that. Mirwaiz Muhammad Yousuf Shah at a public meeting held at Hazratbal said: "If we are arrested there is nothing for you to fear. If ten of us are arrested, other ten must be prepared to take our places."

Hari Singh calls for a meeting: Concerned at these ominous developments, Maharaja Hari Singh invited a deputation of Muslims from both Jammu and Kashmir to meet him for talks. The Young Men's Muslim Association of Jammu chose four members, namely, Mistri Yaqub Ali, Sardar Gohar Rahman, Chowdhry Ghulam Abbas, and Sheikh Abdul Majid. In Srinagar, according to Shah Hafiz Mohammad Ismail, "A list of representation was already formulated on June 20, 1931, at the office of Anjummi-i-Nusrat-ul-Islam under the leadership of Mirwaiz Yousuf Shah." These representatives were expected to submit the grievances and demands of the community to the Maharaja at the suggestion of G.E.C. Wakefield, Political Minister for Kashmir. The Muslim representatives from the Valley were Saad-ud-Din Shawl, Mirwaiz Moulvi Yusuf Shah, Mirwaiz Ahmadullah Hamdani, Aga Syed Hasan Jalali, Khawaja Ghulam Ahmad Ashai, Sheikh Muhammad Abdullah and Munshi Shahab-ud-Din.Mirwaiz Yousuf introduces Sheikh Abdullah to Kashmir: According to G.H. Khan, "On June 8, 1931, a protest demonstration was organised at Jamia Masjid. It was at this time that Sheikh Abdullah, who was afterwards to become an undisputed leader of the people, was introduced to the audience by Molvi Mohammad Yusuf Shah, recently succeeded to the position after his uncle's death in early 1931."According to Sadat, Rozana Diary, p. 694-95, "Now encouraged by the enormous mass support and fully

backed by the Mirwaiz Mohammad Yusuf, who extended the Jamia Masjid as the organisational centre for his political activities, Sheikh Abdullah organised public meetings in different parts of Srinagar city which used to be attended by thousands of people."

Kashmir representatives call for gathering at Khanqah: This gathering, in the words of the Sheikh (Aatish-i-Chinar, p. 142), "should be considered the formal inauguration of the freedom movement of Kashmir." It was at this historical gathering that a body of the Muslim representatives was ratified.

Gazi Abdul Qadir Khan's Speech: According to Sheikh Abdullah (Aatish-i-Chinar, p. 61), "When the leaders dispersed, a young man appeared on the podium and started chanting slogans against Hindus. He said: "Listen. Time has come when we have to act. Requests and memoranda will serve no purpose at this point. It will not end tyranny and it will not end desecration of Quran. Stand up upon your legs and fight the tyrant rulers." He pointed towards Raj Mahal (Palace) and said: "Raze it to the ground."'Although most historians believe that Qadir Khan was not a Kashmiri and some believe him to be an agent of the British, but Zahir-Ud-Din, a valley-based journalist and historian, brings up another anecdote and claims he was from Gutli Bagh in Ganderbal.

Case of treason against Abdul Qadir Khan: Under Section 124-A (Treason) and 153 of the Ranbir Penal Code, Qadir was arrested and put on trial for his fiery speech. His speech was recorded by the CID and when he returned to Naseem Bagh in the dead of night, he was arrested on June 25 from the house-boat of his employer.

Defence Council for Abdul Qadir Khan: Polymath Molvi Abdullah Vakil, an Ahmadi scholar, took over as defence lawyer along with a team comprising Pir Qamal ud Din and Ghulam Mohammad.

Hearing of the case: During the four hearings held on the 4th, 6th, 7th and 9th of July, a large number of Muslims would assemble in the compound of the court to witness the trial and to express their solidarity with their hero. Finding the atmosphere quite volatile, the session judge shifted the venue of the trial from the court to central jail, which was more secure from the crowd. But the masses insisted on an open trial.

13 July 1931: According to Fida Hassnain, on the 13th of July 1931, the trial of Abdul Qadir Khan Ghazi was held in the Srinagar Jail premises. The Deputy Inspector of Police came to the site of the trial with one Inspector, two Sub Inspectors, five Head Constables, and 44 policemen. Out of this force, 22 policemen were armed with rifles and the rest with clubs, while the Inspectors had revolvers. In addition to the above reinforcement, the Jail forces comprised 119 policemen armed with bamboo canes and 19 policemen with rifles.Before the arrival of the Session Judge, a large number of Muslims had gathered on the road leading to the Jail compound. When the Judge arrived in his car, escorted by the police, they shouted these slogans: 'Our brother from Rai Bareli! Release Abdul Qadir! Our brother from Rawalpindi! We will go to jail. Imprison us instead.'In the meantime, a jail official informed the governor, Raizada Trilok Chand, about the matter.

Azaan that consumed 17 people: By 12:45 pm, the muezzin gave the call to prayer and the people began lining up for their noon prayers. The police arrested five men and this incensed the people further. One of them, named Khawaja Abdul Khaliq Shora, stood up and recited the Azaan loudly. A policeman promptly shot him dead. Such was the euphoria that he was quickly replaced by another person who continued with the call to prayer. He, too, was shot dead. In this way, 17 daredevils were martyred and 5 more among the hundreds injured succumbed to injuries later. This was the first Azaan of the world which took 22 lives to be completed. Protesters made a flag of the soaked shirt of the martyrs, lifted them on charpoys, and proceeded towards Jamia Masjid. The first agitator to be arrested was at Central Jail, Khawaja Mohammad Yayha Rafiqui.One of the martyrs who had not as yet breathed his last had reportedly told Sheikh Abdullah, "*I have done my duty and now you proceed ahead."*

Newspapers The Hindu and Daily Tribune reported the loss of 21 Muslims in the firing by police. There was widespread condemnation of this state-led massacre.

Barjor Dalal Commission: On 14th July, Maharaja Hari Singh appointed an inquiry commission under Chief Justice of J&K High Court, Barjour Dalal. The Commission of Inquiry also had two judges of the High Court, BR Sawhney and Abdul Qaiyum, as official members, and two non-official members, one a Muslim and the other a Hindu. Later, the number of non-official members was raised to four, two from each of the Hindu and Muslim communities, one each from the Jammu and the

Kashmir province. The non-official Muslim member, Khwaja Saad-ud-Din Shawl, submitted his resignation from the commission on 19th July. The Maharaja appointed Khwaja Ghulam Ahmad Ashai in his place. He, too, tendered his resignation.

The inquiry commission report: The inquiry commission under Barjor Dalal submitted a report on the events of 13 July 1931. Muslim leaders in Kashmir had already rejected the commission, alleging it to be biased. Dalal termed Hindu leaders as representatives but Muslim leaders as so-called representatives. He didn't entertain reports of the plunder of Muslim shops, and much more. Dalal's report (Srinagar riot inquiry committee – 1931) concluded that the riots were the outcome of intrigues that the British had indulged in since 1847.

Burial of the martyrs: At the suggestion of Khawaja Noor Shah, all the martyrs were buried in the compound of Ziarat Naqshbandi Sahib, Khanyar.About one lakh Muslims were said to have gathered by this time and the Sheikh, then, one by one announced the names of seven men and got the approval of the gathering for their inclusion in the deputation which was to meet the Maharaja.

On 14 August 1931, a call was given by the All Indian Kashmir Committee for a gathering in Kashmir to protest against the July 13 killings. Kashmiris who had been forced to leave Kashmir by the Dogra regime started pouring in voluntarily in jathas and one Punjab-based Kashmiri, Ellahi Bakshi, was killed by Dogra police while entering the Kashmir border. His slogan was "Kashmir Chalo". He was the first Muslim martyr from India to lay down his life for Kashmir. All this

worried British so much that they started communication with Hari Singh.

Changes in the administration: When Hari Singh failed to curb this upsurge, he appointed Pandit Hari Kishan Koul as the new Prime Minister of the State and his brother Daya Kishen Koul in the administration. He issued orders for the release of all political prisoners except Abdul Qadir Khan.

Murder of Abdul Qadir Khan in Jail: Khan, who was given five years' rigorous imprisonment, was murdered in jail, according to Fida Hussain.

All India Kashmir Committee: Sir Mohammad Iqbal called for an inquiry by the Government of India into the incidents of 13 July. He announced the observance of 14 August as 'Kashmir Day' and went so far as to suggest a review by the British Parliament of the 1846 Amritsar Treaty (Bazaz, Inside Kashmir, pp. 141-142.)

Moulana Azad as mediator: Hari Singh organised the visit of Maulana Abul Kalam Azad and Pandit Tej Bahadur Sapru. They tried to dissuade Muslims of Kashmir from their struggle, campaigned in the valley to ask people to cooperate with the Maharaja's government.

Mehr Shah: Through the intervention of a liberal Muslim politician from British India, Meher Shah, an agreement was achieved between Muslim leaders of Kashmir and the government. The agreement is known as a temporary truce. When terms of this truce were announced to people at the Jamia Masjid on August 28, 1931, they were angered. The people wanted to take the struggle to its logical end and get rid of the tyrannical ruler.

Meerak Shah Kashani's Narchu Paltan movement: Narchu is a long spear, usually with five prongs of blades, used for fishing, and Paltan means battalion. Mirwaiz Yusuf Shah, on whom the mantle of leadership had fallen after the arrest of Sheikh Abdullah, proclaimed a Jihad against the feudal autocratic "Hindu Raj". The Mirwaiz apparently gave two choices to the Maharaja: either use democratic ways to settle the issues or declare open war on Kashmiri Muslims.Hence, there was a mass protest on the same day, i.e. 24th Sept, led by Meerak Shah, a show of strength of the Kashmiri Muslims. It was known as Narchu or Narichh demonstration. All the able-bodied Muslims armed with spears, axes, lances and even a few matchlock guns formed a paltan which was called Narchu Paltan. The Dogra forces used force against the protestors in what they called as suppression of riots. The events came to be known as the September riots.

Nawab Khusro Jung: The Kashmiris' combined rural-urban demonstration was countered by the Maharaja with great tact. On one side he engaged the leaders to hold talks with his representative Nawab Khusro Jung and on the other hand prevailed upon his army and police to remain in barracks on the day. A ferocious critic of the Maharaja, Md Yusuf Saraf, appreciates this restrained action of the Maharaja, as any counter-attack by the army could have left hundreds in pools of blood.

Anjuman e Sarfaroshaan: The entry of Ahrars into the state territory had shifted the scene of the resistance from Srinagar to Jammu. On October 30, 1931, Allah Rakha Sagar, calling himself as the first Dictator

of the Anjuman-e-Sarfaroshan, gave an ultimatum to the state government to accept all their demands within 24 hours.

Allah Rakha Sagar: On 1st November 1931, Sagar started a Civil Disobedience Movement and started defying the law of the state by leading a band of 30 volunteers who carried proscribed copies of the Inquilab newspaper in a procession and sold them in public, while shouting slogans against the Maharaja, the state administration, and Hindus.According to H.L. Saxena (p. 239), Allah Rakha Sagar delivered short speeches at street corners at frequent intervals, in the course of which he declared that the power of the Dogra house had been broken and that its funeral had been held.

Middleton Commission: By 10th November, the Maharaja was ready to fulfil the long pending wish of the Britishers by suggesting the name of L. Middleton, ICS, Punjab, who had requisite judicial experience and advantage of previous acquaintance of Kashmir, to inquire into the alleged excesses by state forces and police during September.The Middleton Commission blamed Pandit Hari Kishen Koul for use of excessive force against protestors. Middleton, who had started the business of recording the evidence of witnesses on 15th November 1931, and had concluded his job on 24th December 1931, submitted his report to the Maharaja in January 1932. He held the state administration responsible for having used excessive force in suppressing the September 1931 riots, thus giving a new dimension to the Muslim agitation.

Glancy Commission: On 20 October 1931, the Dogra Maharaja announced the appointment of a commission of inquiry headed by Bertrand J. Glancy to inquire into the grievances of people and to make such recommendations as it deemed necessary. The Maharaja also ordered the constitution of a Constitutional Reforms Conference to examine the feasibility of political reforms in the state.The inquiry commission was presided over by B.J. Glancy of the Indian Political Department. He included two Muslim and two Hindu leaders in his investigating team, but within one month of its constitution, both the Hindu members were asked by their community to resign from the Commission. However, Hindu member Pandit P.N. Bazaz refused to resign. Instead, he continued to participate in the deliberations of the commission against the wishes of his community, for which he incurred great displeasure and opposition.

According to Anwar Ashai, Prem Nath Bazaz was allegedly attacked by cadres of Sanathan Dharm Youngmen's Association at his Kawadara residence, so he had to run for his life and finally took refuge in Khatri Colony, Abiguzar. (source: Dr Ashraf Kashmiri's personal Interview with Anwar Ashai).

Hartal in Jammu against Glancy Commission: When the first session of the Glancy Commission was held at Ajaib Ghar, a complete hartal was observed by the Hindus of Jammu. Soon after, Lok Nath Sharma resigned from the commission and on 12th January, 1932, a formal boycott of the Glancy Commission was declared. Now the commission had P.N. Bazaz, G.A. Ashai, and Chowdary Ghulam Abbas as its

members.The Commission submitted its report on 22nd March 1932. Pandits were furious because as per them the commission had chosen to completely ignore the 141-page document of their demands.

The Roti (Bread Agitation), May 1932: The Roti Agitation was a natural outcome of the disappointment caused among the Pandits by the publication of the Glancy Commission Report. They deplored the report with regard to the lowering of educational qualifications for government services in favour of Muslim subjects. They were perplexed by the fact that the Muslim majority had, after all, asserted itself even under Hindu rule.

All Jammu and Kashmir Muslim Conference: According to Chowdhry Ghulam Abbas, (Kashmakash, p. 118), carrying forward their political advantage and capitalising on the recommendations of the Glancy Commission, the Muslim leaders set about giving their movement an organisational shape. Accordingly, a committee was set up which drafted a constitution of the proposed organisation and decided to name it the All Jammu and Kashmir Muslim Conference. The All India Kashmir Committee dispatched Moulana Abdullah Rahim Dard, Molvi Ismail Ghaznavi, Sayd Habib Shah (Editor, Siyasat daily) and Mir Zahur Ahmad to Srinagar to assist Sheikh Abdullah in making necessary arrangements.In October 1932, the Muslim leadership called a general convention of the Muslims of the state. On 15th October 1932, the All Jammu and Kashmir Muslim Conference was formed. Sheikh Abdullah was unanimously elected its first president. The inaugural session of the conference was held on October 14-16, 1932, at the historic Pathar

Masjid Srinagar. Advocate Sheikh Abdul Majid was elected as its Deputy President, while Ghulam Abbas became the General Secretary and Maulvi Sheikh Abdullah Vakil the Secretary. A constitution was drafted and a party flag similar to that of the All India Muslim League adopted. The flag-hoisting ceremony was performed by Walli Ullah Jani-ud-Abidin, a representative of All India Kashmir Committee, on 17th October 1932

https://kashmirreader.com/2020/07/17/july-13-1931-a-history-of-martyrs-day/

QUAID –E- AZAM IN KASHMIR

Quaid-e- Azam visited Kashmir with his wife in the late twenties probably between 1925-1928. The second visit came in 1936 with Fatima Jinnah and appeared before Srinagar High Court in the Hanifa Begum case. The third last visit was political and it was in May 1944. He entered the state on 8th May through the Suchetgarh border. He addressed the annual session of the Muslim Conference on June 17, 1944, in the compound of Jamia Masjid Srinagar. He left Srinagar on 25th July.

QUAID-E-AZAM'S ADDRESS AT MUSLIM CONFERENCE SESSION

The annual session of the Muslim Conference was held under the presidentship of Chaudhry Ghulam Abbas Khan in the compound of Jamia Masjid on 17th June, 1944. It is estimated that over a Lac of Muslims turned up to hear the Father of the Nation.

The Quaid-e-Azam rose to speak at 10 Pm. For about fifteen minutes he was unable to begin his speech on account of the cries of jubilation that rose from the audience. Caps and turbans were seen flying in the air. Given below is an English translation of the speech delivered in Urdu:-

"Mr. President, brothers in Islam. I have words to thank you for the honor accorded to me. I see that about one Lac Muslims are present in this meeting and among them are people from all sections, old, young, traders, laborers and even women. Gentlemen, the condition of Muslims of Jammu and Kashmir has deteriorated so much that tears come in my eyes. From every angle, there is a sad plight.

But when I look at this public meeting. I feel happy and confident that Muslims have now awakened and are united under the flag of the Muslim Conference. You have been trying since 1931 and it is because of these efforts that Muslims of all classes and schools of thought are present here today. Don't think that it, by itself, is enough; you have to work hard. You know that I have been staying here since a month and during this period; men of every school of thought came to me. Whoever wished to see me, I met him readily and had discussions with him. From them, I have heard of among the people who met me, 99% supported the Muslim Conference. Mr. President, I have come to this conclusion after meeting then people here and now it is your duty to take care of them and train them properly.

Of course, some Muslims who came to see me were of the view that Muslims should join the National Conference. They gave certain arguments in support of their view which I heard and considered. You know that I have not come here for the purpose of strengthening someone or weakening someone else. I have also said that your problems are different from the problems of British India but just as you have treated me as a Mussalman, it is my duty as a Muslim to advise you correctly as to which course would be proper and ensure your success.

So far as the National Conference is concerned. I do not know how it can succeed in its aim. Consequently, I asked the supporters of the National Conference as to how much time has elapsed since it was brought into being and as to whether Hindus, Sikhs and others have also

joined it? I was told that it had been set up six years back and a few Hindus and Sikhs had joined it. I told them that if in a long period of six years. Hindus and Sikhs have, as a whole, kept aloof from the National Conference, who else remains there except Muslims? I was then told that even if Hindus and Sikhs are not there, the Conference doors should remain open for them. I told them that if after remaining open for six years, it has served no purpose, what was the necessity of keeping it open again? In my view, it was a mistake, the result of which would be that the Muslims would be divided into two camps which would bring tension between them.

I did my best to make them understand the logic of the arguments but it was told that we want to tell the world that there was no communalism in the State and behind the curtain of nationalism we will pursue the programmed of the Muslims Conference and that they were supported of Pakistan. I say that the Indian National Congress had adopted the same method in British India. It claimed to represent all Indians and did a lot of false propaganda all over the world. This, however, is not a fact as Congress was in reality a Hindu organization. The result was that slowly the few Muslims, Christians, Sikhs, and *Achhuts* who had joined it separated themselves. Whenever the question of the rights of these backward minorities came before the Congress, the Hindu majority rejected it so much so that for forty years, Congress continued with this deceptive policy. Do you also want to practice this deception? When congress deception could not succeed, how can yours? Therefore, I will advise you in the light of these facts

that the conditions prevalent in the State are not different from those obtaining in British India. Therefore, you will also face difficulties by adopting this course of action and will never be able to secure the confidence of Hindu and Sikhs. I would go even to the extent of saying that if in this State you adopt the policy and deception practiced by the Indian National Congress, it is you who will suffer in the long run. I say with absolute confidence that after forty years of continuous efforts. Muslims, Sikhs, Scheduled Castes and Christians are out of Congress. Please do not think that we bear any enmity towards Hindus and Sikhs or those we do not respect their religion, culture, or philosophy. We only want justice. We tell every nation to organize itself separately so that all of us would then join our heads together to arrive at some honorable solution. There is no other way that can lead us to our ultimate goal. I, therefore, advise you that you should declare very clearly and openly that you represent all. We are always ready for an honorable agreement while maintaining our separate entity.

Gentlemen, some weeks ago, a Hindu Conference was held here. The Speech made by Kanwar Chand Kiran Sharda showed clearly that Hindus and Sikhs do not, as claimed, demand responsible Government, it would be a matter of happiness and I would advise you that through an agreement with them you may set up such a Government. You must remember that you will have to work very hard for the attainment of the responsible Government and will have to undergo sacrifices. Responsible Government is not a cake that the Maharaja Bahadur will present to you so that you may eat it. You must

first organize your nation; you have to improve the educational, economic and social conditions of Muslims. The Condition obtaining now is that a poor laborer, after working for a full month, is not able to earn more than rupees twelve, or six annas a day. You have first to attend to these things. God has given you everything. Kashmir, which known as a paradise, the gem in the ring as the world is, and an unparalleled country, what such a country does not possess? But what have you done? Oh, Muslims! Awake, stand up, and work hard and bring life to this dead nation. Improve your condition in every sphere of life. There is only one way to do it and that is unity, solidarity, a single flag, a sing platform and an ideal. If you are able to achieve them, you must succeed.

Mr. President, there is everything in your hands. As soon as you discover yourself, I am sure, the Maharaja will gladly grant you the responsible Government. Times are changing fast. The earth is squeezing. It is only an effort that is needed on your part. If you do that, other nations will treat you with respect. The position of British India is different and that of the State is also different. Even then I assure you that despite the Muslim league policy of nonintervention in the affairs of the Indian States, the Services. In British India, our goal is Pakistan which we shall achieve. We are thankful for the support extended in the matter. Although we are determined to achieve our goal by sheer dint of our strength, still I assure you that the moral sympathies of the entire Muslim world are with us. Egypt, Afghanistan, Iran, Turkey and the Muslims of the Arab countries support Pakistan.

Mr. President, we also pray that God may give your success in the achievement of your goal. You also kindly pray for our success. I am sure that you are treading on the right path. The destination is before you all that is needed is unity a common platform and a common flag; also needed is an honest and sincere spirit of service. I have no doubt that you will succeed".

The Muslims Conference session passed a resolution moved by Mr. A.R Sagar demanding the setting up of responsible Government. Among other resolutions passed at the session, some related to the demand for the abolition of restriction on cow-slaughter, the withdrawal of Hindi script, amendment of the Arms Act, due representation in Government services and restoration of religious places.

(Muhammad Yusuf Saraf, Kashmiris Fight For Freedom, Vol-1 Page,592-612)

مشترکہ اعلامیہ 1968

آزاد کشمیر کی تین بڑی سیاسی جماعتوں آل جموں و کشمیر مسلم کانفرنس، آزاد مسلم کانفرنس اور جموں و کشمیر لبریشن لیگ نے اتحاد کا اعلان سلور گرل ہوٹل راولپنڈی میں کیا۔ آل جموں و کشمیر مسلم کانفرنس کی سربراہی سردار محمد عبدالقیوم خان، آزاد مسلم کانفرنس کی سربراہی سردار محمد ابراہیم خان اور جموں و کشمیر لبریشن لیگ کی سربراہی خورشید حسن خورشید کر رہے تھے۔

مشترکہ اعلامیہ

"مشترکہ اعلامیہ"جو 5اگست 1968کو تین بڑی سیاسی جماعتوں مسلم کانفرنس، آزاد مسلم کانفرنس اور لبریشن لیگ نے جاری کیا اس کی عبارت یوں ہے۔

"ہم تین سیاسی جماعتوں، مسلم کانفرنس، آزاد مسلم کانفرنس اور لبریشن لیگ کے صدور نے راولپنڈی میں ملاقاتیں کیں او ر مقبوضہ کشمیر کی آزادی اور حدِ متارکہ سے اس کی تمام سیاسی صورت حال کا جائزہ لیا ہے۔ ہم نے اس بات پر اتفاق کیا ہے کہ ہم ریاست میں تحریک آزادی کو مضبوط کرنے اور حکومت پاکستان کا جس نے ریاستی عوام کے لیے حق خود اختیاری حاصل کرنے کے لیے بڑی کوشیش کیں ہاتھ بٹانے کے لیے ایک پروگرام پر عمل کریں یہ پروگرام مندرجہ ذیل اصولوں پر مبنی ہو گا جن پر ہماری پارٹیوں کے درمیان اتفاق رائے ہے۔

1۔ یہ کہ ریاست جموں و کشمیر ایک ناقابل تقسیم وحدت ہے او کشمیر کے بارے میں کوئی بھی حال قابل غور نہ ہو گا جو اس بنیادی حقیقت کے خلاف ہو۔

2۔ یہ کہ انصاف کے تما م اصولوں کے مطابق ریاست جموں و کشمیرکی سرداری عوام کے حق ہے اور وہی اس کے مستقبل کے بارے میں کوئی سسٹم یا طریقہ عمل اختیار کر سکتے ہیں۔ ہم ریاستی عوام کوئی ایسا فیصلہ قبو ل نہیں کریں گے جو ہم پر اوپر سے ٹھونسا جائے۔ قابل عمل حل صرف وہی ہو گا جو اقوام متحدہ کی قراردادوں کے مطابق عوام آزادانہ طور پر ظاہر کریں۔

3۔ لوگوں کی رائے کے آزادانہ اظہار تک آزاد حکومت جموں و کشمیرجو لوگو ں کی قربانیوں کے نتیجہ کے طور پر قائم کی گئی تھی اس کی اس طرح تشکیل نو کی جائے کہ وہ

ریاست کے تمام عناصر کی نمائندہ ہو اور اس کے ساتھ مہاراجہ ہری سنگھ کی حکومت کی جانشین اور ساری ریاست کے لیے مکمل خود مختار حکومت کا سا سلوک کیا جائے۔

(ب) آزاد حکومت کی تشکیل نو کے سلسلے میں کم سے کم ضرورت یہ ہے کہ فی الحال پاکستان کی طرز پر بنیادی جمہورتیوں کے ذریعے ایک ذمہ دارا ور منتخب حکومت قائم کی جائے جس سے آزاد حکومت کا نظریاتی کردار قائم کر سکے۔

(ج) ایسی حکومت ایک منتخب صدر کے علاوہ ایک مکمل نمائندہ ادارہ پر مشتمل ہو جس کو قانون سازی اور بجٹ سازی کے اختیارات حاصل ہوئے۔

4۔ یہ کہ اگر شیخ محمد عبداللہ، مولوی فاروق اور دوسرے لوگ مقبوضہ کشمیر کو بھارتی تسلط سے آزاد کرانے اور حق خود اختیاری کے لیے کوئی تحریک جاری کریں تو حدِ متارکہ سے اس طرف کی پارٹیاں ان کی مکمل حمایت کرنے کی کوشش کریں گی۔ ہم اللہ تعالی سے دعا کرتے ہیں کہ ہمیں اس پروگرام پر عملدرآمد کی توفیق دے"

(جسٹس (ر) محمد اکرم خان، جو ہم گزارچکے، صفحات 205-206)

آل پارٹیز کشمیر کانفرنس کراچی کا انعقاد

اگست1955 ء میں قائدِ ملت مسلم کانفرنس کے چوبیسویں سالانہ اجلاس منعقدہ راولپنڈی میں تقریر کرتے ہوئے فرمایا:

"میں آزادکشمیر کے عوام اور کشمیری مہاجرین سے اپیل کرتا ہوں کہ وہ1931 کا ساعزم پیدا کریں۔

ہم پاکستان کے عوام کے ساتھ مل کر حکومت کو موثر اقدام اٹھانے پر مجبور کر سکتے ہیں۔ پاکستان قائد اعظمؒ کی محبوب ترینیادگار ہے۔ ہم ہر قیمت پر اس کو مکمل کر کے رہیں گے"۔

آپ نے حکومتِ پاکستان پر زور دیا کہ کشمیر کی آزادی کے سلسلہ میں کوئی ٹھوس لائحہ عمل مرتب کر ے اور حکومت کی بے حسی اور بے عملی پر افسوس کا اظہار کیا۔

آپ نے چوہدری محمد علی وزیر اعظم پاکستان(جن کے ساتھ قائد ملت کے ابتداء ہی سے اچھے مراسم تھے اور ایک دوسرے پر اعتماد بھی تھا کیونکہ چوہدری محمد علی

صاحب کو بحیثیت سیکرٹری جنرل ان ملاقاتوں اور فیصلوں کا علم تھا جو پہلے قائد اعظم اور ان کے بعد شہیدِ ملت لیاقت علی خان وزیر اعظم اور قائدِ ملت کے درمیان ہوئے تھے)کو مجبور کیا کہ کشمیر کے سلسلے میں کچھ نہ کچھ ضرورکیا جائے۔ لہذا اس مسئلہ پر غور کرنے کے لئے وزیر اعظم نے کراچی میں جو اس وقت پاکستان کا دار الخلافہ تھا۔ نومبر 1955میں "کشمیر کانفرنس" بلائی۔ جس میں قائدِ ملت، میر واعظ کشمیر، مجاہد اول سردار عبدالقیوم خان، جناب ساغرؔ، غازیِ ملت سردار محمد ابراہیم خان، کیپٹن جنرل سید علی احمد شاہ، صد ر آزاد کشمیر کرنل شیر احمدخان، آغا عاشق حسین سیمیت تقریباً ڈیڑھ درجن کشمیری لیڈر بھی بلائے گئے۔ پاکستان کے چیدہ چیدہ لیڈروں اور حکومت کے نمائندوں نے بھی اس کانفرنس میں شرکت کی۔ افتتاحی اجلاس سے وزیر اعظم چوہدری محمد علی نے خطاب کیا اور مسئلہ کشمیر کے سلسلے میں وہ تمام قراردادیں اور تجاویز جو سلامتی کونسل نے پاس کی تھیں دُہرائیں۔ اس کے علاوہ کشمیر کے سلسلہ میں تمام حالات و واقعات بھی پیش کئے۔ انہوں نے کہا کہ پاکستان نے تمام پیش کئے ہوئے حل منظورکئے لیکن ہندوستان ہمیشہ انکار کرتا رہا۔ اس کے بعد جناب حسین شہید سہروردی اور جسٹس شیخ دین محمد پر مشتمل ایک کمیٹی قرارداد مرتب کرنے کے لئے بنائی جناب حسین شہید سہروردی نے یہ قرارداد کانفرنس میں پیش کی۔ میاں ممتاز محمد خان دولتانہ نے اس کی تائید کی۔ پورے ہاؤس نے اس قرارداد کو متفقہ طورپر منظور کیا اس قرارداد میں:

۱۔ آزاد کشمیر میں ایک نمائندہ اور باعمل حکومت کا قیام۔

۲۔ مسلم کانفرنس کے مختلف دھڑوں میں اتحاد کا انتظام۔

۳۔ حکومت پاکستان کی مدد سے آزاد کشمیر کے علاقہ میں تعمیر و ترقی۔

۴۔ مہاجرین کشمیر کی آبادکاری اور مسائل کا فوری حل۔

۵۔ کشمیر کے عوام کو جہاد کے لئے تیار کرنا۔

(بشیر احمد قریشی، قائد کشمیر صفحہ 137-39)

جمیز پال ہرے سے ملاقات

آزاد کشمیر ریڈیو کے ڈائریکٹرجناب محمدسعید نقشبندی فرماتے ہیں کہ"قائدِ ملت سے پاکستان میں امریکہ کے قونصل جرنل جمیز پال ہرے 1958ء میں اس وقت ملنے گئے جب کے، ایل کی تحریک شروع ہونے والی تھی۔ میں اور خواجہ محمد یوسف صراف بھی وہاں بیٹھے رہے۔ کافی دیر کشمیر کے متعلق باتیں ہو تی رہیں۔ آخر چوہدری صاحب نے اس کہا:

"TELL MR EISONHOWR ON MY BEHALF THAT THE GAME OF ASIA IS BETWEEN CHINA AND PAKISTAN. IT IS NOT BETWEEN INDIA AND CHINA AS THE FOREIGN POLICY MAKERS OF THE U.S CONSIDER. THEY SHOULD NOT IGNORE THIS POINT"

بشیر احمد قریشی " قائد کشمیر " صفحہ144

AJ&K INTERIM CONSTITUTION, 1974

[31st August 1974]

ACT VIII OF 1974

Preamble

An Act to repeal and, with certain modifications, re-enact the Azad Jammu and Kashmir Government Act, 1970

WHEREAS the future status of the State of Jammu and Kashmir is yet to be determined in accordance with the freely expressed will of the people of the State through the democratic method of free and fair plebiscite under the auspices of the United Nations as envisaged in the UNCIP Resolutions adopted from time to time;

AND WHEREAS a part of the territories of the State of Jammu and Kashmir already liberated by the people are known for the time being as Azad Jammu and Kashmir;

[AND WHEREAS the Muslims shall be enabled to order their lives in the individual and collective spheres in accordance with the teachings and requirements of Islam as set out in the Holy Quran and Sunnah;]

[AND WHEREAS it is necessary to cause further empowerment of the Legislative Assembly of Azad Jammu and Kashmir and AzadGovernment of the State of Jammu and Kashmir as being chosen representatives of the people of Azad Jammu and Kashmir to exhaustively exercise their legislative powers and executive authority, as the case may be, for the better governance, socio-economic development and in particular for the general welfare of people of Azad Jammu and Kashmir in the sustained manner and other matters ancillary thereto besides pursuing

and fostering our cause of securing self-determination under the UNCharter and according to the UNCIP Resolutions through the democratic method of free and fair plebiscite under the auspices of the UnitedNations;]

AND WHEREAS it is necessary to provide for the better government and administration of Azad Jammu and Kashmir until such time as the status of Jammu and Kashmir is determined as aforesaid and for that purpose to repeal and reenact the Azad Jammu and Kashmir Government Act, 1970, with certain modifications;

AND WHEREAS, in the discharge of its responsibilities under the UNCIP Resolutions, the Government of Pakistan has approved of the proposed repeal and re-enactment of the said Azad Jammu and Kashmir Government Act, 1970, and authorized the President of Azad Jammu and Kashmir to introduce the present Bill in the legislative assembly of Azad Jammu and Kashmir for consideration and passage.

NATIONAL DAYS IN THE HISTORY OF KASHMIR

05th January	Right of Self Determination Day. The UNCIP has passed a resolution in 1949, which provides right to Kashmiris either to accede India or Pakistan, through a fair and free Plebiscite.
26th January	Indian Republic Day: Kashmiris observe this day as "Black Day
05th February	Kashmir Solidarity Day
13 July	Yum -e-Shuhda-e-Kashmir (Martyrdom Day of Kashmiris), In 1931 Dogra forces had fired on a peaceful gathering of Kashmiri Muslims in Srinagar. Twenty two people have embraced martyrdom, many were injured.
19 July	Yum —Illhaq —e- Pakistan (Accession to Pakistan Day),In 1947, All Jammu and Kashmir Muslim Conference passed a resolution in a meeting, demanding Mahraja that Kashmiris want to accede with Pakistan and Mahraja should keep in mind the wishes of Kashmiris.
31 July	Death anniversary of Prominent Kashmir leader and founder President of Azad Kashmir Ghazi Millat Sardar Muhammad Ibraheem Khan. He was died on 31st July 2003.
14 August	Independence day of Pakistan in 1947.
15 August	Independence Day of India, Kashmiris observe as “Black Day".
24 October	The Provisional Government of Azad Jammu & Kashmir was established in 1947.(یوم تاسیس آزاد حکومت ریاست جموں و کشمیر)
27 October	India lunched his forces at Srinagar Airport and forcefully occupied Kashmir in 1947, against the wishes and will of Kashmiri People. Kashmiri observe this day as "Black Day".
06 November	In Jammu Indian forces, Patiala State Forces, RSS, Akali Dil and Dogra Forces killed more than 2, 50,000 Muslims in 1947. Kashmiris observes this day as "Yum -e- Shuhda-e-Jammu".

11 November	Martyrdom Day of Captain Hussain Khan Shaheed, who had embraced martyrdom in 1947.
11 November	Death anniversary of Member State Assembly, Baba-e--Poonch, Ghazi-e- Kashmir Col. Khan Muhammad Khan. He died in 1961.
18 December	Death anniversary of Raees-Ul-Ahrar Chaudary Ghulam Abbas Khan. He was the leader of Kashmiri Muslims. He was died in 1967 and buried in Faiz Abad Rawalpindi.

SOME IMPORTANT DAYS IN THE HISTORY OF KASHMIR

09th February	Martyrdom Day of Afzal Guru Shaheed. He was hanged in Tahar Jail (New Delhi) in 2013.
11th February	Martyrdom Day of Maqbool Butt Shaheed. He was hanged in Tahar Jail (New Delhi) in 1984.
11 March	Death anniversary Kashmir leader and former President of Azad Jammu Kashmir Khursheed Hassan Khursheed. He was died in a road accident on March 11, 1988, while travelling in a public transport vehicle as an ordinary passenger. He is buried in the heart of Muzaffarabad.
15 March	Death anniversary of prominent Kashmiri Leader and Member State Assembly Ghazi Kashmir SardarFateh Muhammad Kralvi was died on 1989.
27 March	Human rights activist, Jalil Ahmed Andrabi Advocate, Embraced martyrdom in 1996.
30 March	Commander in Chief of Liberation Front Shaheed Ishfaq Majeed Wani embraced martyrdom in 1990.
01 April	Dr. Abdul Ahad Guru was kidnapped and killed by Indian forces in 1993.
20 April	Death anniversary of Kashmir leader Ghazi -e- Millat Raja Muhammad Haider Khan died on 1967.
21 May	Martyrdom Day of Mirwaiz Farooq Shaheed (assassinated by Indian Forces in 1990) and Abdul Ghani Lone Shaheed (was assassinated on May 21, 2002).
8 July	Burhan Muzaffar Wani was the commander of a Hizbul Mujahideen. He became popular and appealing among

	Kashmiris due to his activity on social media He embraced martyrdom on 8 July 2016
10 July	Death anniversary of Sardar Muhammad Abdul Qayyum Khan. He was leader of Kashmir Freedom Struggle of 1947and also served as the President and the Prime Minister of Azad Jammu and Kashmir. He also remained President of All Jammu and Kashmir Muslim Conference for over 20 years. He was died in 2015.
11 August	Sheikh Abdul Aziz was killed by Indian Forces in 2008,when he was leading a march
1st November	Liberation Day of Gilgit Baltistan 1947
23 November	"Yum-e-Shuhda –e- Neelum". A passenger bus was targeted by the Indian army in the LoC area Nagdar Kunari Lawat District Neelum, 10 passengers were killed. (November 23,2016)

SOME MASSACRES AND MASS RAPE INCIDENT

JANUARY

Sopore massacre, 6 January 1993	The Sopore massacre refers to the killing of 55 Kashmiri civilians by the Indian Border Security Force (BSF) after they tried to break the restrictions imposed in the town of Sopore in Kashmir on 6 January 1993.
Handwara Massacre: January 15. 1990	17 civilians were shot dead in Handwara by Indian forces, including one woman
K.upwara Massacre: January 27, 1994	Kupwara massacre refers to an in incident that took place in Kupwara on January 27, 1994. The incident took place at 11 am on that day. The Indian army killed 27 civilians and injured 38 persons by open firing randomly in all directions

FEBRUARY

Kunan Poshpora Masscare : February 23, 1991	On February 23, 1991, a unit of the Indian army launched a search and interrogation operation in the twin villages of Kunan Poshpora, in the Valley's Kupwara district. Soldiers repeatedly gang-raped many women, with estimates of the number of victims was more than hundred.

MARCH

Chhanpora Mass Rape : March 7, 1990	On March 7. CRPF raided several houses in the Chhanpora locality of Srinagar. During the raids a number of women were raped. The 'Committee for Initiative in Kashmir' which visited the Valley between March 12 to 16, 1990 interviewed the victims. Rape victim Noora (24) was forcefully dragged out of her kitchen by 20 men from the CRPF and raped, along with her sister-in-law Zaina. The rape victims also witnessed two minor girls being molested

APRIL

Wavoosa Mass Rape : April 22, 1997	Several Indian armed forces personnel entered the house of a 32-year-old woman in the village of Wavoosa. They molested her 12-year-old daughter and raped three other daughters, aged 14, 16 and 18. Another woman was beaten for preventing the rape of her daughters by soldiers

MAY

Massacre of of Pir Dastgeer: 8 May 1991	In Pir Dastgeer, Khanyar, at downtown Srinagar, on 8 May 1991, 18 civilians including an infant aged 2 years and his father were killed
Bandi Pora Killings, 10 May 1994	In Bandipora, on 10 May 1994, 9 persons were arrested and killed in a military camp

Massacre of Islamia College Srinagar: May 21, 1990	70 persons were killed by Indian forces, while carrying the dead body of MirwaizMolvi Muhammad Farooq, of which there were five women, including a pregnant lady

JUNE

Chotabazar Massacre: I 1 June 1991	In Chota bazar, Srinagar, on 11 June 1991,32civilians including shopkeepers, passers-by, old persons, women and children were killed
Hyhama Mass Rape: June 17 ,1994	Seven women were raped by troops of Rashtriya Rifles, including two officers Major Ramesh and Raj Kumar in the village Hyhama

AUGUST

Pazipora Massacre: 10 August 1990	In Pazipora locality of Kupwara, on 10 August 1990, 25 civilians who tried to rescue their women from being raped by the Indian Security personnel were shot dead on the spot.
Pazipora-Ballipora Mass rape: 20 August 1991	On 20 August 1991, soldiers carried out mass rape in this hamlet, which is only a few kilometers away from Kunan Poshpora. The number of rape victims in this case varied between eight and fifteen or more

SEPTEMBER

Passenger Bus ablaze: 11 September 1990	On 11 September 1990, a civil passenger bus in Kashmir was intercepted and fired upon which resulted in the death of 22 civilians. Thereafter, the bus was set on fire which resulted in the burning of eight persons alive.

OCTOBER

Doda Mass Rapes: October 5, 1998	A fifty year old resident of the village Ludna in Doda district told Human Rights Watch that on October 5, 1998 the Eighth Rashtriya Rifles came to her house, took her and beat her. She was then raped by a captain who was a Hindu and said to her: *"You are*

	Muslims, and you will all be treated like this."
Chak Saidpora Mass Rape: October 10, 1992	On October 10, 1992, an army unit of the 22nd Grenadiers entered the village of Chak Saidapora. Several army soldiers gang-raped more than nine women, including an 11-year-old girl and a 60-year-old woman
Bijbehara Massacre: October 22, 1993	The Bijbehara Massacre refers to an incident that took place between protesters and the 74th Battalion Border Security Force (BSF) in the Occupied Jammu & Kashmir on October 22, 1993. The BSF was accused of arbitrarily firing on a crowd and killing 51 civilians in Bijbehara after protests erupted over the siege of the mosque in Hazratbal.

DECEMBER

Pulwama Killings, December 15,2018	Indian troops martyred eleven Kashmiri youth in Pulwama district, today.

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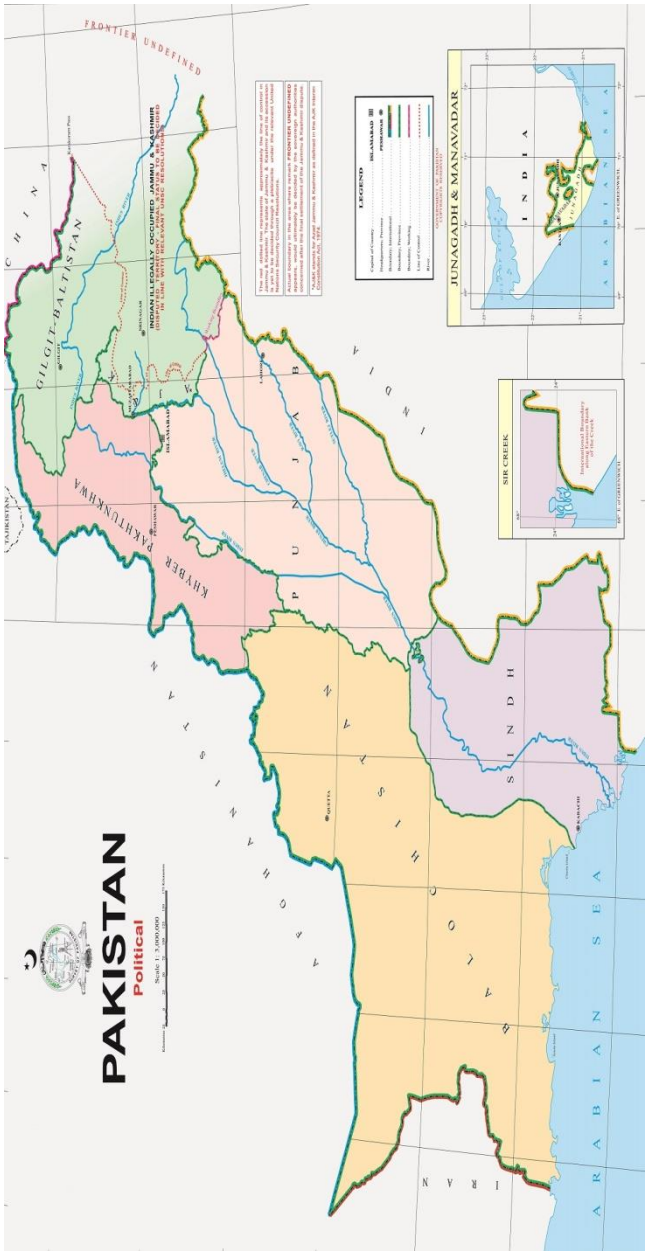
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NEW POLITICAL MAP OF PAKISTAN



Historical Documents on Jammu and Kashmir

Raja Sajjad Latif Khan

IN KASHMIR: WRITING UNDER OCCUPATION

they want us to write. in blood.

and only write. of peace.

they capture our land. make us sow rice that is not seed. kill us. rape. They tell us we are ungrateful. like children who do not see what is good for them. holding us with many kinds of guns; they grimace at the world calling our blood on their faces

vermillion

they sell pens.

we buy with blood.

many of them, from their mythical land come to us, with clean hands, softened in the Ganges. they meet our eyes. that gaze, which through you goes elsewhere. behind their orange irises you see wheels turning. like the innards of a Swiss-watch. precise. surgical.

they sell paper.

so much paper. we buy with blood.

they put the kettle on boil. it whistles. the seduction of tea.

there is no better heaven. our pens poised. the next word will liberate.

an orgasmic lull prevails.

that next sentence. always in arrival. like that justice thing.

meanwhile Ashfaq is no more. Maqbool has gone. Asiya and Neelofar, raped then killed. Afzal hanged. Tufail, buried in two graves. the Ittar seller in Lal chowk disappeared. they found his bones with empty bottles; the kettle whistles.

the tea never comes.

our bones are made tired. waiting.

before the door of law from that over-used Kafka tale. the only thing that grows after this wait, are their swords. looming mightier. and this too, we write.

they exhort us to write. and write. in blood.

of peace. of tulip gardens they grew on soils made fertile with our flesh, and bones.

and write. when they, are at war with us. (Ather Zia)

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