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NOTES, MEMORANDA AND LETTERS EXCHANGED
AND AGREEMENTS SIGNED BETWEEN
THE GOVERNMENTS OF INDIA AND CHINA
1954-1959

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Note given by the Foreign Office of China to the Indian Counsellor in Peking, 23 June 1959

The Ministry of Foreign Affairs of the People's Republic of China present their compliments to the Embassy of India in China and have the honour to state the following regarding the Indian troops' intrusion and occupation of Migyitun, Samgar Sanpo and other places in the Tibetan region of China and their collusion with the Tibetan rebel bandits.

According to well-founded report received by the Chinese Government, the Migyitun area in the south eastern part of the Tibetan region of China was intruded, shelled (and) occupied by over 200 Indian troops. These Indian troops, equipped with radio stations and weapons of various types, were building military work around Migyitun. What is particularly serious, they even went to the length of entering into collusion with the Tibetan rebel bandits to carry out illegal activities.

At the same time the Chinese Government received the report that the area of Samgar Sanpo north east of Migyitun, and nearby Molo and Gyala, which are likewise part of the territory of the Tibetan region of China, were also intruded and occupied by Indian troops. The Indian troops who intruded into and occupied this area numbered several hundreds and they also entered into collusion with the local Tibetan rebel bandits to carry out illegal activities.

The Chinese Government must point out solemnly that the above-mentioned Migyitun, Samgar Sanpo and other places are indisputably territories always belonging to China. And the brazen intrusion and occupation of Chinese territory by batches of Indian troops numbering hundreds and their unscrupulous collusion with the traitorous Tibetan rebel bandits entrenched in those places in carrying out illegal activities hostile to the People's Republic of China, constitute grave encroachments on China's sovereignty and flagrant interference in China's internal affairs and are completely against the Five Principles of Peaceful Co-existence jointly initiated by China and India and Sino-Indian friendly and good neighbourly relations. The Chinese Government solemnly express to the Indian Government the hope that the Indian Government may order immediate withdrawal from the above-mentioned places of all Indian armed forces intruding into and occupying Chinese territories so as to prevent further complications and aggravation of the situation. In view of Sino-Indian friendly relations, it is the belief of the Chinese Government that the Indian Government will appreciate the grave situation created by the above said illegal actions taken by the Indian troops and will adopt at once effective corresponding measures.

The Ministry of Foreign Affairs would appreciate very much if the Embassy should speedily communicate the above to the Indian Government and give an early reply.

The Ministry of Foreign Affairs of the People's Republic of China take this opportunity to renew to the Embassy of India the assurances of its highest consideration.

Note of the Government of India, 26 June 1959

The Embassy of India present their compliments to the Ministry of Foreign Affairs of the People's Republic of China and have the honour to state that they communicated to the Government of India the text of the Ministry's note of the 23rd June 1959 immediately on receipt. They are now instructed by the Government of India to transmit the following reply.

1. The Government of India received with surprise the allegations in the Ministry's note that Indian troops had violated territory in the Tibet region of China near Migyitun and shelled and occupied this place. The Government of India made immediate enquiries into these allegations and are satisfied that there is no truth in them. These allegations must have been based on wrong information received by the Government of the People's Republic of China.

2. The Government of India have scrupulously observed the traditional border between India and the Tibet region of China along the entire Indo Chinese frontier. This traditional international frontier coincides with the so-called MacMahon Line. According to this line Migyitun is within Chinese territory in Tibet and so are Samgar Sanpo, Molo and Gyala. The Government of India emphatically repudiate any suggestion that their forces violated the international frontier and occupied these places which are admittedly part of Chinese territory. The Government of India regret that the Government of the People's Republic of China should have believed the allegations that their forces could in any way be in collusion with Tibetan rebels. The Chinese Government are aware of the circumstances in which a large number of people from Tibet have sought refuge in Indian territory. The Government of India while giving refuge to these people in accordance with accepted international usage, made it clear to them that they could not use Indian territory for hostile action against China. The refugees were disarmed as soon as they entered Indian territory and those who wished to stay in India were moved south away from the frontier. The Government of India have scrupulously enforced these measures and there could be no question of their encouraging, far less acting in collusion with, the refugees in violating Chinese territory. The Government of India have no information about any rebel activities in this area, and if there are any, they are in no way responsible for them.

3. The nearest outpost which the Government of India have in this area is at Long Ju. This is south of Migyitun and within the Indian side of the traditional international border. There is another outpost at Tamadem which is some miles south of Samgar Sanpo. Tamadem is locally recognised as the limit of the Indian territory. Both these outposts were established peacefully and there was no question of shelling or using force in establishing these outposts. The Government of India have respected and will always respect the

Note given by the Ministry of External Affairs to the Counsellor of China in India, 30 July 1959

The Government of India have just received a report indicating the presence of a Chinese armed detachment in Indian territory in the region of Western Pangong Lake in the Ladakh area of the Jammu and Kashmir State.

On the 28th July at about 10-45 A.M. (IST) an Indian Police party engaged on reconnaissance within Indian territory came across a Chinese armed detachment of nearly 25 persons at a point approximately 33-39 N and 78-46 E. The Officer commanding of the Indian party along with five constables approached the Chinese party with a view to explain that the Chinese detachment had transgressed into Indian territory and that it should withdraw immediately beyond the international frontier. The Indian patrol party of six persons had still not reported to its headquarters by the evening of 29th July, 1959, and there is reason to believe that the Indian party has been taken into custody by the Chinese detachment. It is also reported that the Chinese detachment has established a camp at Spanggur 33-34 N and 78-48 E.

The places mentioned lie well within the Indian frontier as notified in official maps. In fact, on an earlier occasion, when information had been received of a Chinese patrol having visited Khurnak Fort, latitude 33-47 N longitude 79 E the Ministry had drawn attention of the Chinese Embassy to the violation of the Indian frontier in a note presented on the 2nd July 1958. In the same note, advance intimation of the intention of the Government of India to send a reconnaissance party to the Khurnak Fort had been conveyed to the Chinese Government.

The Government of India take a serious view of the violation of the Indian frontier and the establishment of a camp by the Chinese armed detachment on Indian territory. They also take serious exception to the Chinese action in arresting an Indian police party engaged on duties within the Indian frontier particularly after advance intimation had been given of their intention to send such a reconnaissance party. The Government of India lodge a strong protest against the violation of the Indian border and the arrest of the Indian party engaged in bonafide duties within Indian territory. The authorities of the Chinese People's Republic are requested to order immediate steps for the release of the six Indian police personnel so apprehended and the complete vacation of the Indian territory by the Chinese armed detachment. They are also requested to take necessary action to prevent repetition of similar incidents in future.

Note given by the Foreign Office of China to the Counsellor of India, 6 August 1959

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of India in China and has the honour to acknowledge receipt of the latest Note handed over on 28th July 1959 to Counsellor Yeh Cheng-Chang of the Chinese Embassy in India by Mr. K. L. Mehta of the Ministry of External Affairs of India and states in reply as follows:

According to reports received by the Chinese Government at 100 hours Peking time on 28th July 1959, 6 Indian armed personnel were suddenly discovered to have intruded into Chinese territory without any permission from the Chinese authorities by Chinese frontier guard patrolling on Chinese soil west of Digra and south of Pangong Tso in the western part of the Tibetan region of China. In view of friendly relations between China and India the Chinese frontier guards thereupon advised in a friendly manner the above mentioned intruding Indian armed personnel to withdraw at once from Chinese territory. But the said Indian armed personnel did not heed to the above mentioned warning of the Chinese frontier guards and persisted in armed violation of the Chinese frontier. Under these circumstances the Chinese frontier guards in order to safeguard their territory against infiltration could not but deal with them as a case of unlawful intrusion and have the Indian personnel detained and disarmed.

The Chinese Government wishes to point out solemnly that the area intruded by the above mentioned Indian armed personnel is undoubtedly Chinese territory. The Chinese frontier guards stationed and patrolling in that area have not overstepped the Sino-Indian boundary line there. In its Note however the Government of India described the above mentioned area and Spanggur and Khurnak Fort as its east both within the Chinese borders as Indian territory and reported that Chinese armed forces had violated the Indian frontier. The Chinese Government cannot but be greatly surprised and express its regret at these assertions which are inconsistent with the facts and of course it cannot accept the protest lodged by the Government of India.

The Chinese Government must point out that the unlawful intrusion of the above mentioned Indian armed personnel into Chinese territory is in serious contravention of Sino-Indian friendship and the five principles of peaceful co-existence. Regarding this the Chinese Government cannot but lodge a protest with the Government of India and demand that it immediately takes effective measures to prevent recurrence of similar incidents.

Out of friendly considerations the Chinese Government has instructed its frontier guards to deport the above mentioned Indian

armed personnel who had unlawfully intruded into Chinese territory together with their weapons and other equipments at the original spot in the immediate future.

The Ministry of External Affairs of People's Republic of China avails itself of this opportunity to renew to the Embassy the assurances of its highest consideration.

Note given by the Embassy of India to the Foreign Office of China
13 August 1959

The Embassy of India presents its compliments to the Ministry of Foreign Affairs of the People's Republic of China and with reference to the note given to the Foreign Office of China by the Ambassador of India, 11 August 1959.

Note given to the Foreign Office of China by the Ambassador of India,
11 August 1959

On 7th August armed Chinese patrol strength approximately 200 committed violation of our border at Khinzemane longitude 91°46' E latitude 27°46' N. When encountered by our own patrol who requested the Chinese patrol to withdraw to their territory, our patrol was pushed back to the bridge at Drokung Samba longitude 91°47' E latitude 27°46' N. These places are admittedly within Indian territory and we have been in continuous possession of it. Traditionally as well as according to Treaty Map the boundary runs along Mankha Ridge north of Mankha Chuthangmu valley and this position has been accepted in the past.

Our security forces have instructions to resist trespassers and minimum force necessary for this purpose if warning given remains unheeded. Request that if any Chinese troops are within Indian territory, they should be immediately withdrawn otherwise this may lead to avoidable clash.

2. When the Chinese armed personnel intruded in this area in the region of the Khinzemane Fort the Government of India lodged a note with the Chinese Embassy in New Delhi on 7th August 1959. The Government of India requested that the Chinese territory should not be crossed over into Indian territory and the party concerned was asked to refrain from further intrusions.

3. The Government of India further requested that the Chinese party should refrain from further intrusions in the area of the Khinzemane Fort. The Government of India also requested that the Chinese party should refrain from further intrusions in the area of the Khinzemane Fort. The Government of India also requested that the Chinese party should refrain from further intrusions in the area of the Khinzemane Fort.

4. The Embassy of India wishes to state that the Government of India is prepared to discuss the boundary question with the Chinese Government on a mutually convenient basis.