

### India's reply in 1949

The Government of India was fully occupied with the Kashmir problem. The U.N. proposal for a ceasefire in Jammu and Kashmir was made on August 13, 1948. The ceasefire came into effect on January 1, 1949, and the marking of ceasefire line was completed on August 30, 1949. The Indian Government took up the Kutch question during these days when its mind was somewhat free. The High Commissioner for India in Pakistan replied to the Pakistan letter on August 10, 1949. He concluded by saying: "The Government of India do not agree, therefore, that there is any dispute as regard the boundary between Sind and Cutch or that there is any necessity for the appointment of a Joint Boundary Commission as suggested by the Government of Pakistan."<sup>40</sup>

### Pakistan's rejoinder in 1954

Pakistan took five years to reply to India's letter. Pakistan was obviously waiting for an opportune time, when it could dictate to India from a position of strength. On May 19, 1954, Pakistan signed the military pact with the United States. Under this treaty the United States bound herself to arm, equip and train Pakistan Army free of cost and to raise it to a first class army in Asia. The United States also seems to have formed a secret pact to render all possible diplomatic and political support to Pakistan against India in acquiring the whole of Jammu and Kashmir from India either peacefully or by force. Pakistan joined the United States sponsored South-East Asia Treaty Organisation (SEATO) on September 8, 1954. With these two plumes in its turban, it felt sure that Pakistan would easily eclipse the Indian Khadi cap. Pakistan replied to the Indian Note of August 10, 1949 on September 22, 1954. It put forward its case in detail, and in conclusion said that from these facts "it is abundantly clear that the boundary between Sind and Cutch from the top of Sir Creek onwards has always been in dispute." It suggested (a) demarcation of the boundary according to its claim, or (b) a conference between representatives of the two Governments to come to a decision, or (c) failing that arbitration.<sup>41</sup>

### Pakistan occupies Chhad Bet and vacates it, 1956

The Government of India replied to Pakistan's letter of September 22, 1954, in May 1955 repudiating Pakistan's claim. In the beginning of 1956, Pakistan surreptitiously occupied Chhad Bet situated in the northern half of the Rann. Pakistani forces took up dug-in positions. On February 19, 1956, a routine Indian patrol approaching Chhad Bet was fired upon by the Pakistan troops. Indian troops were immediately ordered to deal with the situation. They moved into the area on 25 February. To their surprise, the Pakistanis were nowhere to be seen. They had already withdrawn across the border into their own territory. Pakistan sent a protest note which was rejected by India. A permanent police post was set up there, and parties of Rajkot Rangers patrolled the border twice a month.<sup>42</sup>

Pakistani version of this incident is as follows:

"In 1956, for the first time, the Government of India established its presence in the territory by forcibly dislodging a police post maintained by Pakistan in Chhad Bet. This small post was overwhelmed by regular troops operating under air cover provided by the Indian Air Force. The Government of Pakistan protested to the Government of India against this flagrant act of aggression, called for the withdrawal of Indian forces from Chhad Bet and suggested a meeting between the officials of the two countries as provided under the 1948 Inter-Dominion Agreement relating to border incidents.

"13. In its reply, the Government of India took up the extraordinary position that the incident was a matter 'involving questions of policy' and hence was excluded from the purview of the Agreement of 1948. Conscious of the obvious absurdity of this argument, the Indian Government's note also stated that 'in any case the 1948 Agreement could not apply to the Chhad Bet incident which was a deliberate violation by Pakistani armed personnel involving an unprovoked attack on an Indian military patrol on Indian soil'.

"14. The contradiction is self-evident. If the incident was, as alleged by India, a case of border violation, then it could not be a 'question of policy' and was clearly the sort of problem which the Inter-Dominion Agreement of 1948 was

designed to deal with. The refusal of the Indian Government to submit to the procedures laid down in the Agreement plainly indicated the culpability of the Indian Government.

"15. It is important to recall these events because India has attempted to put forward the existence of its police post in Chhad Bet since 1956 as giving it a prescriptive right to maintain a presence in the disputed territory. The fact is that Indian occupation of Chhad Bet was carried out as an act of force and has been maintained as an act of force. That it has continued since 1956 confers no legitimacy on India's presence in Chhad Bet, or anywhere else in the northern half of the Rann."<sup>43</sup>

#### **Nehru-Noon Accord, 1958**

Pakistan raised its claim to the Rann in April 1956. This was refuted by the Government of India in June 1956. Two years later there was a thorough discussion of the border problems between the two Governments. A joint communique by the Prime Ministers of India and Pakistan, also known as Nehru-Noon accord, was issued on September 12, 1958. It made no mention of Sind-Kutch sector. Speaking on these issues in Parliament Jawaharlal Nehru said: "Then there are three other disputes. The first relates to a small area of three villages in the Lahore-Amritsar border. The second is a matter which we had not thought was in dispute at all. This concerns Chak Ladheke, a small tongue of land in the Punjab area. The third is about Chhad Bet in Kutch. Pakistan raised this question two or three years ago. We thought that there was no dispute about it, and we sent them a rather lengthy reply to which their answer came after two years, only about ten days ago."<sup>44</sup>

#### **Swaran Singh commits India to arbitration, 1959**

In October 1959, Swaran Singh, Indian Minister for Steel, Mines and Fuel held a series of meetings with Lt. General K.M. Sheikh, Pakistan Interior Minister, first in Dacca and then in Karachi. At the end of the talks, a joint communique was issued on October 24, 1959. It dealt mainly with the border issues of East Pakistan. In paragraph 6 of the joint communique, it was stated: