



**Notes, Memoranda and letters Exchanged and Agreements signed  
between The Governments of India and China**

**WHITE PAPER IV**

**March 1960- November 1960**

**Ministry of External Affairs  
Government of India**

On 10 March 1960, the Prime Minister presented to Parliament the Third White Paper containing the notes memoranda and letters exchanged between the Government of India and the Government of the People's Republic of China since November 1959. This White Paper contains the notes, memoranda and letters exchanged between the two Governments since 5 March, 1960.

Ministry of External Affairs,  
New Delhi.  
9 November, 1960.

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**Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 8 April 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to refer to the note of the Chinese Ministry of Foreign Affairs of the 5th February. In reply the Ministry have to state that they cannot accept the version contained in the Chinese Government's note of the incident which occurred near Kongka Pass in the Ladakh region of Jammu and Kashmir State on the 21st October 1959. There is no question of an Indian detachment having intruded into the Chinese territory, much less of any Indian patrol having had any aggressive intention towards a Chinese patrol party. The entire Chang Chenmo valley upto Lanak La falls within the Indian territory as has always been shown in official maps of the Government of India. As pointed out earlier, the Government of India had in fact specifically defined the border in this sector in a note sent to the Chinese Government as recently as the 13th August 1959 and no objection was taken to this by that Government. The place where the incident occurred is approximately forty miles Indian territory.

2. The Government of India do not agree that a party of thirteen Chinese soldiers under a second lieutenant had come to this area merely on a routine patrol. It is quite apparent that a regular entrenched position had been established on the hill-top some time ago, and trucks, wireless equipment etc. were available ready at hand. Nor is it possible to believe that casualties were inflicted when the Indian party were advancing in attack towards the hill-top. Actually, the bodies of the members of the Indian party killed in the encounter were lying at the base of the hill; there was no evidence of any having rolled down the hill side and there were clear indications that the Indian party had been surprised by the Chinese armed detachment from their entrenched position.

3. The Government of India also cannot accept the contention that members of the Indian patrol party, who were taken into custody were provided with adequate food, lodging and other essential requirements to enable them to meet the climate condition conditions of this terrain. The note of the Chinese Government admits that new tents for the use of the Indian police party arrived on the 24th October. The delay, which is admitted in the note, in providing necessary food, bedding, and clothing for the Indian personnel, remains unexplained. No Indian personnel on patrol duty in these regions, including the main party which returned to camp at Hotsprings after the encounter, have suffered from frost bites. Therefore the suggestion that the afflictions were due to the inadequacy of the Indian equipment has no basis. The frost bites were clearly the consequence of the prisoners not having been provided with adequate shelter and prompt medical attention. Shri Karam Singh who was later released by the Chinese authorities had to undergo an operation and remain under treatment in a hospital for over two months to recover from the frost bites and exposure which he had suffered during his detention.

4. The Government of India cannot accept that the statements given by the Shri Karam Singh and other members of the Indian party to their captors were voluntarily made. On the contrary, it should be self-evident from the details contained in the Chinese Government's note that these statements were either made under pressure or were written out by somebody else and subsequently the prisoners were made to append their signatures to them. For example, the statements, as recorded, constantly refer to 'Indian soldiers'. The prisoners were all members of the civil police. A member of the police force in India refers to his colleagues not as 'soldiers' but only as 'constables'. It is also surprising that Shri Karam Singh is alleged to have stated that he was unaware of the hill-features in Chang Chenmo valley and that the valley had been controlled by China for a long tie. Actually, Karam Singh was fully aware that several Indian expeditions had patrolled the Chang Chenmo valley

upto Lanak La in the previous years and that an Indian patrol party had been to this area as late as June 1959. He could not therefore have made a statement attributed to him to the effect that the places to the east, north and south of Kongka Pass had always been Chinese territory. The manner in which the statements from the Indian party were secured and the certificates which have been appended thereto confirm the suspicion that these statements were either spurious or secured under threats or pressure.

5. The Government of India must again express their concern that the body of constable Makhan Lal still remains unaccounted for. He was carried by the Indian police party for two miles and left by the reversed in the custody of two Chinese soldiers. It is clearly the responsibility of the Chinese Government to explain his disappearance or to arrange for the return of the dead body.

6. The Government of India on their part do not find it pleasant to continue the exchange of notes on this unfortunate but serious incident. They share the hope that no such incident causing loss of life on either side would recur. At the same time they cannot but regret the manner in which the Indian party was attacked within Indian territory and the treatment which was meted out to the Indian prisoners during their detention under Chinese custody for over a period of three weeks.

The Ministry of External Affairs take this opportunity to renew to the Embassy of the People's Republic of China the assurances of their consideration.

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**Note given by the Ministry of External Affairs, New Delhi, to the  
Embassy of China in India, 29 July 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to state that on 3rd June 1960 at about 1200 hours, more than 25 armed Chinese soldiers intruded into Indian territory in the Kameng Frontier Division of NEFA. These armed soldiers moved into Taktsang Gompa (91-15'E & 27-43'N) which is about 4 1/2 miles inside Indian territory. A little later, when the soldiers attracted the attention of the local people, they returned towards Karsungla Gompa.

2. The Government of India are surprised by this armed Chinese intrusion into Indian territory particularly in the context of the decision reached by the two Prime Minister that both sides would exercise every care to avoid border incidents. The Government of India take a serious view of this intrusion into their territory and urge the Government of the People's Republic of China to take all necessary measures to avoid a repetition of such incidents.

3. The Ministry of External Affairs avail themselves of the opportunity to renew to the Embassy of the People's Republic of China the assurances of their highest consideration.

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**Memorandum of the Government of India to the Government of  
China,  
27 September 1960**

The Government of India have received a report that at 0830 hours on the 22nd September, 1960, a Chinese armed patrol consisting of one officer and 10 soldiers crossed and intruded several hundred yards into

Sikkimese territory near Jelep Pass. The Party withdrew after some time on being detected by border administrative personnel in the region.

2. The Government of India strongly protests against this incursion into Sikkimese territory. This is yet another case of a further violation of the understanding reached between the two Prime Ministers that during the pendency of the Sino-Indian official level talks, both sides will avoid action which may result in friction or border clashes. Such an intrusion could well precipitate a serious incident.

3. The Government of India, therefore, urge that clear and unambiguous instructions may be given to ensure that no violation of this nature occurs in future.

4. The Government of India avail themselves of this opportunity to renew to the Government of the People's Republic of China the assurances of their highest consideration.

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**Note given by the Ministry of Foreign Affairs, Peking  
to the Embassy of India in China, 20 October 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Indian Embassy in China and has the honour to state as follows: The Chinese Government has seen the Note delivered by the Indian Ministry of External Affairs to the Chinese Embassy in India on 27th September, 1960 in which the Government of India alleges that at 0830 hours on 22nd September 1960 an armed Chinese patrol consisting of one officer and ten soldiers crossed and intruded into Sikkimese

territory near Jelepla Pass. Detailed investigations by the Chinese Government have now shown that at the above mentioned time and place no armed Chinese personnel crossed the Jelepla Pass therefore the Chinese Government cannot accept the Government of India's protest. According to report of the local authorities in China's Tibet on 22nd September eight inhabitants of the border area concerned while gathering medicinal herbs near the Jelepla Pass according to their usual practice reached a spot not far to the South of the Jelepla Pass and returned from there soon afterwards. It seems that the Government of India has protested with the Chinese Government on the basis of incorrect information mistaking these border inhabitants for Chinese armed force. This is regrettable.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Indian Embassy the assurances of its highest consideration.

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**Letter from the Prime Minister of China to the Prime Minister of  
India,  
19 March 1960**

Peking, March 19, 1960.

Dear Prime Minister,

The Indian Ambassador to China, Mr. Parthasarathi , forwarded your letter on March 5. You suggested that the time for my visit to might be about April 20. This time is suitable to me and I entirely agree to it. If it suits your convenience and that of the Indian Government, I am prepared to visit Delhi for seven days, from April 19 to 25.

I am eagerly looking forward to meeting you again and visiting your great country.

With cordial regards,

(Signed) Chou En-lai

Premier of the State Council of the People's Republic of China

His Excellency Prime Minister Jawaharlal Nehru, Government of India,  
New Delhi.

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**Letter from the Prime Minister to the Prime Minister of China,**

New Delhi, March 19, 1960

Dear Mr. Prime Minister,

Thank you for your message of the 19th March. The date you have suggested, that is, April 19th, for your arrival here will be convenient to us and we shall be glad to welcome you here then.

With warm regards.

I am

Yours sincerely

Jawaharlal Nehru

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**Note given by the Ministry of Foreign Affairs, Peking,  
to the Embassy of India in China, 3 April 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of Republic of India in China and has the honour to state as follow:

The Chinese Government has received the Embassy's note of February 12, 1960 and has made a careful study of it. The Indian Government has indicated in the note that in the interest of the two countries and of world peace, active steps must be taken to remove the causes of the present tension and to establish a firm foundation of friendship between the two countries, and held that the two Governments must agree on an arrangement without delay, which would completely eliminate the risk of border clashes and facilitate a friendly settlement of the disputes. This accords with the long-cherished desire of the Chinese Government, and the Chinese Government heartily welcomes it.

The Chinese Government, in its note of December 26, 1959 already gave a detailed and comprehensive account of the facts about the Sino-Indian boundary and its stand on this issue. The Indian Government has, in its note, stated many differing views. But the objections raised by the Indian Government in its note cannot dispute the facts presented in the above-mentioned Chinese note or shake the stand of the Chinese Government. Moreover, the Premiers of our two countries will soon meet in New Delhi. Therefore, the Chinese Government does not propose to answer the Indian Government's above-mentioned note point by point. The present note will only give some necessary explanations about present note will only give some of the facts on which the Indian Government expressed disagreement, as a supplement to the Chinese Government's note of December 26, 1959. Now as before, the Chinese Government clarifies these questions and facts, not for arguing purposes, but in hopes of promoting the understanding of the Indian Government and narrowing

down the differences between the two sides, so as to facilitate the forthcoming meeting of the two Premiers.

For convenience' sake, the terms of the western, middle and eastern sectors of the Sino-Indian boundary, as defined in the note of December 26, 1959, will be used in this note.

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### **I. Has the Sino-Indian Boundary been delimited and is there any need to delimit it formally?**

(1) The Indian Government does not accept the conclusion that the entire Sino-Indian boundary has never been formally delimited and that there is no boundary treaty or agreement between China and India. Yet it is unable to cite any fact to refute this conclusion. The Indian Government admits that the 1842 Treaty did not delimit the boundary in the western sector, yet it argues that this sector of the boundary was fixed from the 17th century onwards. However, it is still unable to cite any treaty basis for the delimitation of this sector of the boundary. With respect to the middle sector, the Indian Government admits that there exists no boundary treaty whatsoever. With respect to the eastern sector, the Indian Government can only cite the Simla Convention between Britain and the Tibet local authorities and the secret letters exchange between them on the so-called McMahon Line in 1914. But the Chinese Government proved long ago that these documents are illegal and null and void, and that the Simla Conference did not discuss at all the question of delimiting the boundary between China and India. Judging from what has been said in the above, there is no gainsaying the fact that no boundary treaty or agreement exists between China and India, and that the entire Sino-Indian boundary has not been formally delimited.

(2) The Indian Government claims that the entire Sino-Indian boundary, as is well-known, runs along the main watersheds, and that according to international usage, a customary boundary which follows such unchanging natural features stands defined and does not require formal definition again by the two sides. This argument is unacceptable to the Chinese Government. Firstly, the Chinese Government proved long ago that the claim that the entire Sino-Indian traditional customary boundary follows well-known main watersheds is groundless. Secondly, according to internationally accepted principles, an international boundary signifies a demarcation line up to which neighbouring states exercise their sovereignty over their respective territories, and must be jointly defined by the states concerned. Therefore, even though some sections of the Sino-Indian traditional customary line may have comparatively distinct natural features, it is still necessary for the two sides to define jointly their starting and terminal points and their specific alignments. Thirdly, even Britain never put forward the proposition that there was no need to formally define the Sino-Indian boundary. This is borne out by the following facts: In 1899 Britain proposed to define with China the boundary between Kashmir (including Ladakh) and Sinkiang. Between 1921 and 1927, it entered into talks with China for the delimitation of the boundary between Ladakh and Tibet, talks which were not merely for the purpose of settling the ownership of a few pasture grounds, as alleged by the Indian Government. In 1914 it drew surreptitiously and unlawfully, with the Tibet local authorities, a so-called McMahon Line in the eastern sector of the Sino-Indian boundary. If there had been no need at all to formally delimit the Sino-Indian boundary, as claimed by the Indian Government, why had Britain in the past asked again and again to delimit with China the various sections of the boundary between China and India? It can thus be seen that the assertion that there is no need to formally define the Sino-Indian boundary is untenable.

(3) Since the boundary between two neighbouring countries, according to internationally accepted principles, has to be jointly defined by the two sides, any unilateral announcement by either side of its boundary line or change in the delineation of the boundary on maps in any manner obviously has no legal validity and is not binding on the neighbouring country concerned. Naturally, violation of the traditional customary line and expansion of extent of occupation by unilateral action all the more cannot constitute a legal basis for acquiring territory. The Chinese Government has always persisted in this stand on the Sino-Indian boundary question. The following may be recalled : Firstly, no Chinese Government has ever recognized Britain's territorial claims on the Tibet and Sinkiang regions China; secondly, at the Simla Conference and afterwards, the Chinese Government explicitly declared its non-recognition of any treaty or similar document that might then or thereafter be signed between Britain and the Tibet local authorities; thirdly, the Chinese Government and the Tibet local authorities repeatedly lodged protests and made representations against Britain's past unlawful acts of violating the Sino-Indian traditional customary line and seizing Chinese territory; fourthly, since the founding of the People's Republic of China, the Chinese Government has also clearly stated to the Indian Government that there exists between China and India the question of undelimited boundary and that China has always taken the stand of non-recognition of the so-called McMohan Line. These facts were set forth in detail in the Chinese Government's note of December 26, 1959. The Indian Government, however, repeatedly asserts that the Chinese Government has never raised any objection to the unilateral claims regarding the Sino-Indian boundary left over by Britain, that the Chinese Government has never protested against foreign encroachment on its territory, and that it was not until September 1959 that the Chinese Government suddenly changed its stand on the Sino-Indian boundary question, and so forth. This is both surprising and incomprehensible to the Chinese Government.

(4) The Indian Government further contends that since neither side asked for a discussion of the boundary question in the 1954 Sino-Indian negotiations, it proves that no boundary question remained between them. This contention does not hold good, either. It is both illogical and inconceivable to argue that an outstanding issue will automatically cease to exist merely because it is not mentioned during certain negotiations. Moreover, the Chinese Government, from the very beginning of the negotiations, repeatedly made it clear that those negotiations were to settle those outstanding questions between the two countries that were ripe for settlement, and the Indian representative agreed to this. It can thus be seen that the 1954 negotiations did not solve, nor tried to solve, all the outstanding issues between the two countries. The assertion that, with the boundary question unsettled, normal relations between India and China's Tibet region could not have been established on a new basis meant, chiefly, that, following the liberation of China and independence of India and the establishment of diplomatic relations between them, the state of affairs with India holding privileges in Tibet left over by Britain must be changed, and that Sino-Indian relations in China's Tibet region must be regulated in accordance with the Five Principles of peaceful co-existence. As for the question of undelimited boundary between the two countries, so long as both sides are willing to maintain the *status quo* of the border pending a settlement, it need not prevent the establishment of normal relations between them. There have been quite a number of cases like this in international relations.

(5) It can be seen from what has been in the above that no boundary treaty or agreement has ever been concluded between China and India to formally delimit the boundary between the two countries. The Chinese Government is fully justified in maintaining that the two governments should conduct over-all negotiations and reach agreement on the boundary question. It is obviously incorrect to describe the Chinese

Government's proposition as asking to reach a "new" boundary agreement to replace "old" ones, or to determine "afresh" the boundary between the two countries.

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## **II. Individual Questions Concerning the Various Sectors of the Boundary**

### *The Western Sector of the Boundary*

(1) Facts about ownership and the exercise of jurisdiction. The Indian Government disagrees to the conclusion that the relevant area in the western sector of the boundary has always belonged to China and not to India, but it fails to produce any weighty piece of evidence to the contrary. In particular, the Indian Government thing that the Indian Government, which claims to have exercised jurisdiction and been sending personnel to carry out regular patrol in this area, should have for a long time been totally unaware of the fact that since 1950 Chinese personnel and supplies have been busily travelling between Sinkiang and Tibet through this area, and a road has been built across it.

(2) Regarding maps. The Indian Government asserts that Chinese maps up to twenties of the present century drew the boundary line in this sector more or less in consonance with that shown on current Indian maps, and that it is only since then that the delineation has been changed; it also asserts that Chinese maps of the 18th and 19th centuries showed clearly that Sinkaing never extended south of the Kuen Lun Mountains. These assertions are all groundless. The fact is that many Chinese maps and gazetteers published since the 18th century, particularly authoritative ones like the "TA Change Yi Tung Chih" of 1784 and the "Chia Ching Revised Edition of the Ta Ching Yi Tung Chih" of 1820, clearly show that the limits of limits of Sinkiang extend to the

mountains south-west of the source of the Karakash River, that is, the Karakoram Mountains. This is in the main consistent with the delineation of the boundary on current Chinese maps, and inconsistent with that on Indian maps. As for the "Postal Map of China" of 1917 referred to by the Indian Government, it was compiled arbitrarily by French and British imperialist elements, who then controlled China's postal service, without the consent of the Chinese authorities. The Indian people who, like the Chinese people, were subjected for a long time to colonial aggression should find it easy to understand that map did not represent the view of the Chinese people, but only that of the imperialist elements.

The Indian Government asserts that the maps and records of the British surveyors and some of the travellers who visited this area in the 19th century are in consonance with the maps currently published in India. This is also at variance with the facts. As a matter of fact, the maps and records of these persons showed great inconsistency and confusion. This precisely bears out the historical fact that for a hundred years and more Britain kept surreptitiously altering the delineation of the boundary to encroach upon Sinkiang and Tibet. Nevertheless, some of these persons still presented more or less accurately the actual state of the boundary. As the Chinese Government has pointed out, John Walker as well as G.W. Hayward and Robert Shaw mentioned in Prime Minister Nehru's letter understood the boundary in a way approximating the traditional delineation on Chinese maps. Even the Indian Government is unable to deny this. Yet it repudiates their authority and asserts that only the reports of W.H. Johnson and the Second Yarkand Mission are authoritative. But this is also untenable. Take the case of Johnson as an example. There were even obvious mistakes in the topographical survey made by him, as pointed out in the book "Abode of Snow" written by K. Mason, Superintendent of the Survey of India, and published in 1955. Furthermore, without any ground, Johnson's map marked the Sino-Indian boundary line north of Shahidulla in Sinkiang, that is, about 150

kilometers deeper northward into Chinese territory than the line shown on current Indian maps, a delineation to which perhaps even the Indian Government would not agree.

### *The Middle Sector of the Boundary*

The Indian Government has not advanced any new argument about the disputed places in this sector of the boundary. The Chinese Government would only make some additional remarks on the question of Puling-Sumdo. The Indian Government asserts that Puling-Sumdo and Poling refer to one and the same place. This does not accord with the fact. The fact is that Puling-Sumdo is the same place generally known in India as Pulamsumda. It is not hard to see that Pulamsumda is only a different pronunciation of Puling-Sumdo, whereas Poling is entirely another place and has never been called Puling-Sumdo at the same time. In the explanatory note attached to Prime Minister Nehru's letter of September 26, 1959, the Indian Government also explicitly admitted that Puling-Sumdo was none other than Pulamsumda under Indian control.

### *The Eastern Sector of the Boundary*

(1) Historical facts about jurisdiction. The Indian Government indicates that it cannot accept the viewpoint that the entire area south of the so-called MacMohan Line comprising the three component parts of Monyul, Loyul and Lower Tsayul always belonged to China and was until recently still under Chinese jurisdiction. The Indian Government tries hard to prove that the entire area always belonged to India. But the reasons newly advanced by the Indian Government are all untenable too.

(A) Firstly, in the Monyul area, the Tibet local authorities not only exercised ecclesiastical authority, which was also admitted by the Indian Government, but, what more important, they also exercised

administrative authority there. The Chinese Government has already cited many facts in this connection which are adequate proof. In addition, one can point to the fact that the British geographer Kingdom Ward, who had engaged in exploration in the eastern sector of the Sino-Indian border, in his article "The Assam Himalaya: Travels in Balipara" published in the Journal of the that the Monyul area including Tawang "was ceded to India" in 1913-14, could not but admit that not only had Monyul and particularly Tawang, been "within the Tibetan administrative system" before then, but "the Tibetan administration carries on" even in 1938 when he arrived in Monyul. Secondly, the area on Lower Tsayul including Walong not only was inhabited by Tibetans, but was always under the jurisdiction of Tibet. British troops unlawfully invaded and occupied Walong in 1944, and it was only after the Tibet local government sent a representative of the Dzong pon of Sangacho Dzong to make representations that the British troops withdrew. As to the Loyul area which is situated between Monyul and Lower Tsayul, it is a well-established fact that the Tibet local government had established extensively administrative organs of various levels and collected taxes there.

(B) The Indian Government claims that far back in the period before the 8th century, the area south of the so-called McMahon Line was under the rule of the Varman, the Salastambha and the Pala dynasties and not under that of Tibet. But it fails to produce any factual basis. The allegation that the Ahom dynasty gained control over this area from the 13th century onwards is also not true. The rule of the Ahom dynasty extended only to the plains on the northern bank of the Brahmaputra River, and never to the southern foot of the Himalayas. It can be seen clearly from the first chapter and the attached map of the book "Anglo-Assamese Relations" published in 1949 by the Department of Historical and Antiquarian Studies under the Government of Assam of India that the Himalayas and the areas at their foot inhabited by the Akas, Duflas, Abors

and Mishmis were to the north of the bounds of Assam and not within them. As for the agreements concluded since the 19th century by Britain with certain tribes living in these areas, which were repeatedly referred to by the Indian Government, it is not difficult to see from their provisions that they were merely agreements on mutual non-aggression or the acceptance of British economic aid, and cannot be regarded as proof that these tribes were British or Indian subjects.

(2) Whether the so-called McMahon Line is legal. The Indian Government no longer stresses the assertion that the Simla Convention was binding on the Chinese Central Government. This is because the fact that the Chinese Central Government did not sign the Convention in the first place, and much less ratified it, can in no way be denied (although the Chinese representative Ivan Chen initialled the draft Convention, he stated that it was not a formal signature and that formal signing would have to be approved of by the Chinese Government, and the Chinese Government immediately declared the initialling to be invalid). The Indian Government, however, emphatically contends: (A) that the Simla Conference did discuss the so-called McMahon Line; and (B) that the Tibet local government had the right to conclude treaties on its own. The Chinese Government would like to further clarify these two questions.

(A) Article 9 of the Simla Convention did not touch on the Sino-Indian boundary, nor was the Sino-Indian boundary marked on the map attached to the Convention. This is all the more understandable when seen in relation to the following facts. Firstly, the Indian Government has all along been unable to point to any particular date of the Simla Conference when and where the question of the Sino-Indian boundary, and in particular that of the so-called McMahon Line, was discussed. It is obviously inconceivable that ownership of territory involving such a vast area could have been determined in a treaty and its attached map without any previous discussions. Secondly, the boundary line between China and

India was not marked on the map attached to the Simla Convention. All the documents of the conference contained nothing in writing which could be used as a basis for interpreting a particular section of the red line shown on the (which actually shows the boundary between Tibet and the rest of China) as a section of the Sino-Indian boundary.

(B) It is absolutely indisputable that the Tibet local authorities had no right to enter to talks and conclude treaties, on its own, with foreign countries. Tibet is part of Chinese territory. China has full sovereignty over Tibet. Without the authorization and consent of the Chinese Central Government, the Tibet local authorities had no right to hold talks and conclude treaties with foreign countries; even the British Government of the past dared not ignore this. A case in point is the British-Tibetan Convention of 1904 referred to by the Indian Government, which was imposed on the Tibet local authorities by Britain as the result of war. It may be recalled that, after compelling Tibet to sign this Convention, Britain still asked time and again the Chinese Government to sign and approve it. The question became a subject of repeated negotiations, and it was not until 1906 that it came to a close when another Convention was concluded between China and Britain and the above-mentioned British-Tibetan Convention was annexed to it. As for the secret letters regarding the so-called McMahon Line exchanged between the British representative and the representative of the Tibet local authorities at the time of the 1914 Simla Conference, they were exchanged behind the back of the Chinese Central Government and kept secret for a long time. Moreover, during the Simla Conference, the Chinese Government already made a general statement on its non-recognition of any treaty or similar document that might be signed between Britain and the Tibet local authorities. Those letters exchanged, therefore, are all the more illegal and null and void.

The Chinese Government hopes that the foregoing statement will help further clarify the following facts concerning the boundary, that is, the entire Sino-Indian boundary has never been formally belonged to China, not to India, with a considerable part of them remaining up to now under the effective control of the Chinese Government. Nevertheless, the Chinese Government would like to reiterate that it has always hoped to achieve a reasonable settlement of the boundary question through friendly consultation with the Indian Government, so that there will be no more dispute between the two sides of the boundary question. Some people seem to think that differences between China and India are almost impossible to solve. The Chinese Government disagrees to this view. The Chinese Government feels that, no matter how great the present difference between China and India on this particular question, it is after all an issue of limited and temporary nature compared with the fundamental need of the two peoples to maintain friendly co-operation for thousands and tens of thousands of years to come. Provided the two sides value the fundamental interests of friendship between the two countries and world peace, display good faith, adhere to friendly consultations and the Five Principles, and adopt an attitude of mutual understanding and mutual accommodation, it is certainly possible to overcome all difficulties and bring about a settlement of the boundary question satisfactory to both sides. Although the Chinese Government has repeatedly set forth the facts about the boundary and its own stand, yet it has never set any pre-condition for the discussions between the two sides. The Chinese Government is willing, in the discussions, to explore together with the Indian Government various avenues to a resolution of the differences with a conciliatory and reasonable attitude, and try its best to promote the success of the discussions.

The Chinese Government has always advocated that, pending the settlement of the boundary question, both sides should maintain the present state of the border and preserve tranquility along it, and see to it

that this temporarily unsettled question do not affect the consolidation and development of friendly relations between the two countries. The Chinese Government has always been extremely careful on the Sino-Indian boundary question, and has never taken any step which might lead to clashes or tension on the border. For China the occurrence some time last year of tension and unfortunate incidents on the border of the two countries was totally unexpected, and China was utterly unprepared for it. After that, the Chinese Government promptly took measures and put forward proposals designed to ensure the tranquility of the border and prevent the use of force or the occurrence of clashes. In its note of February 12, 1960, the Indian Government likewise expressed the hope that the two Governments agree on an arrangement without delay to eliminate the risk of border clashes and facilitate a friendly settlement of the disputes. This is worthy of welcome. The Chinese Government hopes that the proposals put forward by Premier Chou En-lai in his letter of December 17, 1959 will be accepted by the Indian Government as the basis for such an agreement, because the above-mentioned proposals were worked out on the basis of full consideration of the previous proposals of the two sides. The Chinese Government further hopes that both sides will not stop at this step, but will jointly make further efforts to arrange for the overall settlement of the boundary question so that the peoples of the two countries will no longer be troubled and worried about the boundary question.

Thanks to the efforts of the Chinese and Indian Governments and peoples, the once strained relations between China and India have improved. This is reassuring and encouraging. Now, the eyes of the whole world are turning toward the forthcoming meeting of the Premiers of our two countries. The Chinese people, the Indian people as well as other people of the world who love peace and are concerned for Sino-Indian friendship all cherish fervent hopes for this meeting of historic significance. Indeed, the importance of this meeting and the weight of

responsibility on the Governments of the two countries can in no way be overestimated. The Chinese Government hopes that both the Chinese and the Indian sides will be fully aware of this, and will do their utmost so as not to disappoint the hopes of our two peoples and of all those who are concerned for friendship between our two countries. Of course, the Chinese Government has by no means overlooked the fact that there remain difficulties on the way ahead, and that there are still some people in the world who, harbouring ulterior motives are trying by all means to split and undermine the relations of our two countries and to prevent the success of the talks. The Chinese Government, however, firmly believes that so long as the two Governments display good faith toward each other and endeavour to create conditions, they will certainly be able to bring about a speedy settlement of the boundary issue between the two countries, and the great friendship between the two countries not only will not be shaken, but will be further consolidated and developed.

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

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**Text of Message sent by the leaders of the Chinese and the Indian official teams to the Prime Ministers of China and India, 24 September, 1960**

The teams of officials of the Chinese and the Indian Governments have been meeting since June in accordance with the decision of the Prime Ministers of China and India as contained in the Joint Communiqué issued in Delhi at the conclusion of their meeting on April 25 this year. The teams met at first in Peking for six weeks, and have been meeting in Delhi for the last five weeks. Considering the size and scope of the assignment given to them, the two teams in mutual co-operation have

covered a very substantial amount of ground towards the completion of the assignment.

2. The Joint Communiqué stated that the two teams should submit their report to the two Prime Ministers by the end of September. Despite our most determined efforts, we feel it may not be possible to complete the assignment in the prescribed time-limit. We hope, however, to finish or nearly finish the substantive work by the end of September.

3. In the circumstances, we, the leaders of the two teams, request that the two Prime Ministers may be pleased to extend the prescribed time limit to enable the teams to complete the work and submit their report in the shortest possible time after the end of September. We would urge that in case the substantive work is not finished, we may be authorised to continue to meet in Delhi for a short while until we have done so; thereafter the teams may adjourn and re-assemble after a break to complete their work and finalise the report for submission to the two Prime Ministers.

4. The exact date and the venue of the subsequent meeting may be decided by the two governments in consultation with each other.

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**Letter from the Ambassador of India in China to the Prime  
Minister of China,  
26 September 1960.**

I have the honour to refer to the joint message addressed to the Prime Ministers of India and China by the leaders of the teams of officials on 24th September, 1960.

I have been directed by my Prime Minister to inform Your Excellency that he agrees to the extension of the time-limit sought by the leaders of the two teams. The Government of India will of course be glad to have the Chinese team stay on in Delhi for the period necessary to complete the substantive work. The teams should reassemble as soon as possible and the Government of India would suggest that the teams should aim at the finalisation of their report by the first week of November. As regards venue of the third session the Governments through diplomatic channels and with the concurrence of the third Government concerned.

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**Note given by the Ministry of Foreign Affairs, Peking, to the Embassy of India in China, 29 September, 1960.**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of the Republic of India in China and, referring to the joint message dated September 24, 1960, to the Prime Ministers of the two countries from the leaders of the official teams of China and India and the letter of His Excellency the Ambassador of India to Premier Chou En-lai on September 26, 1960, has the honour to state as follows:

The Ministry of Foreign Affairs is instructed by Premier Chou En-lai to inform the Embassy and ask the Embassy to convey to His Excellency Prime Minister Nehru, Premier Chou En-lai also consents to the request of the leaders of the official teams of the two countries to extend the time-limit of their meetings.

The Indian Government has agreed that the officials continue their meetings in Delhi to complete the substantive work and proposed that the

official teams of the two countries should try to finalise in the first week of November their report to be submitted to the Government of the two countries. The Chinese Government is pleased to concur with this. As to the site of the third session, the Chinese Government, in accordance with the spirit of the Joint Communiqué issued by the two Prime Ministers in Delhi on April 25, 1960, would like to invite and welcome the team of Indian officials to come to Peking for the session. The Chinese Government hopes that the Indian Government will kindly agree to this proposal. The Ministry of Foreign Affairs will be most grateful for an early reply.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Indian Embassy the assurances of its highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 4 April 1960.**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to state that further instances of a large number of aircraft coming from the Tibet region of China and flying over Indian territory during the last three months have come to the notice of the Government of India. A statement giving the places and time of such violations is appended.

The Ministry of External Affairs have had occasion to draw the attention of the Chinese Embassy before to Chinese aircraft violating Indian air space and to request that strict instructions be issued to Chinese aircraft to respect Indian territory. The Government of India regret that instructions by Chinese aircraft into the air space over Indian territory are still continuing. They protest against these repeated

violations and request that immediate steps be taken to ensure that further violation of India's air space is stopped.

The Ministry of External Affairs avail themselves of this opportunity to renew to the Embassy of the People's Republic of China the assurances of their highest consideration.

Statement showing details of recent air violations of our air space.

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Sl.	Date and time Approximate.	Hrs.	Area	Longitude & Latitude
1.	06-12-1959 79.10E	1730	Ukhimath(Uttar Pradesh State)	30.30 N
2.	08-12-1959 93.50 E	0850	Ziro (Subansiri Frontier Division)	27.35 N
3.	Do. 79.10 E	1730	Ukhimath (Uttar Pradesh State)	30.30 N
4.	09-10-1959	1300	Do	Do
5.	10-12-1959 93.15 N	0900 1200	Huri(Subansiri Frontier Division)	28.15 N

6.	11-12-1959	1015	Do.	Do
		1345		
7.	06-02-1960	2000	Walong(Lohit Frontier Division)	28.10 N
	97.00 E			
8.	Do.	2010	Anini (Do.)	28.45 N
	96.00 E			
9.	Do.	2130	Tuting (Saing Frontier Division)	29.00 N
	94.50 E			
10.	Do.	2130	Along (Do.)	28.15 N
	94.45 E			
11.	Do.	2140	Yinkiong (Do.)	28.30 N
	95.00 E			
12.	Do.	2150	Changlang (Tirap Frontier Division)	27.00 N
	95.45 E			
13.	08-02-1960	1820	Mipi Area (Lohit Frontier Division)	28.45 N
	95.45 E			
14.	Do.	1945	Hayuliang (Do.)	28.00 N
	96.30 E			
15.	Do.	2130	Namong (Tirap Frontier Division)	27.15 N
	96.15 E			

16.	Do.	2140	Yinkiong (Siang Frontier Division)	28.30 N
	95.00 E			
17.	Do.	2150	Bardumisa (Tirap Frontier Division)	27.30 N
	96.00 E			
18.	Do	2200	Chukam Area (Lohit Frontier Div.)	27.45 N
	96.00 E			
19.09-02-1960			Sunpura (Do.)	27.45 N
	96.00 E			
20.10-02-1960		2000	Bardumisa (Tirap Frontier Division)	27.30 N
	96.00 E			
		2300		
21.	Do.	2000	Changlang (Do.)	27.00 N
	95.45 E			
		2230	Miao, Jairampur, Nampong	
22.	Do.	2015	Hunli Area (Lohit Frontier Division)	28.15 N
	96.00 E			
		2045		
23. 10.02.1960			Nampong(Tirap Frontier Division)	27.15 N
	96.15 E			
24.	Do.	2015	Chukam (Lohit Frontier Division)	27.45 N
	96.00 E			
		2035		
25.	Do.	2020	Anini (Lohit Frontier Division)	28.45 N
	96.00 E			
		2045		

26.	Do. 96.00 E	2000	Namsai	27.30 N
		2220	(Do.)	
27.	Do. 95.45 E	2000	Changlang (Tirap Frontier Division)	27.00 N
28.	Do. 94.25 E	2150	Passighat (Siang Frontier Division)	28.00 N
29.	Do. 96.45 E	2355	Celling (Lohit Frontier Division)	28.15 N
30.	11.02.1960 95.15 E	2200	Damroh (Siang Frontier Division)	28.30 N
		2230		
31.	12-02-1960 96.00 E	2015	Namsai (Lohit Frontier Division)	27.30 N
		2230		
32.	Do. 96.30 E	2000	Hayuliang (Do.)	28.00 N
33.	Do.	2130	(Siang Frontier Division)	
		2220		
34.	Do. 96.00 E	2030	Anini (Lohit Frontier Division)	28.45 N
		2100		

35.	Do. 95.45 E	2020	Roing (Do.)	28.05 N
36.	Do. 95.45 E	2030	Changlang (Tirap Frontier Division)	27.00 N
37.	Do. 96.15 E	2015	Hampong (Do.)	27.15 N
			Jairampur (Do.)	
			Bardumisa (Do.)	27.30 N
	96.00 E			
38.	16-02-1960	0200	Lungbatinga	
39.	Do. 96.30 E	2205	Metiliang (Lohit Frontier Division)	28.15 N
		2220		
40.	Do. 96.00 E	Midnight	Sunpura (Do.)	27.45 N
41.	Do. 96.30 E	2215	Hayuliang (Do.)	28.00 N
		2245		
42.	17-02-1960 96.00 E	0130	Chukum (Do.)	27.45 N
43.	Do. 94.45 E	0200	Along (Siang Frontier Division)	28.15 N
44.	Do. 95.45 E	0250	Changlang (Tirap Frontier Division)	27.00 N

Namong, Jairampur, Miao, Bardumisa

45.17-02-1960 95.30 E	0205	K numbari (Tirap Frontier Division)	27.00 N
	0215	Khonsa, Lazu, Wakka	
46.16-02-1960 95.30 E	2000	Wakka (Tirap Frontier Division)	26.45 N
47.17-02-1960 94.30 E	0315	Basur (Siang Frontier Division)	27.45 N
48.23-02-1960 96.45 E	0330	Gelling (Do.)	28.15 N
49.09-03-1960 94.45 E	2240	Along (Do.)	28.15 N

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**Note given by the Ministry of Foreign Affairs, Peking,  
to the Embassy of India in China, 26 April 1960.**

This Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Indian Embassy in China and with reference to the note delivered by the Indian Ministry of External Affairs to the Chinese Embassy in India on April 4, 1960 concerning the alleged flight of a large number of aircraft from the Tibet region of China over Indian territory, has to reply as follows:

The Chinese Government has enjoined the authorities concerned to investigate into the matter on the basis of the data regarding time and place provided by the Indian Ministry of External Affairs in the annexe to its note. It is satisfied that no flight of Chinese aircraft over Indian territory ever occurred at all. Therefore, the Chinese Government cannot accept the protest of the Indian Government. The Chinese Government expresses its regret at the fact that the Indian Government rashly protested with the Chinese Government with ascertaining the facts. The Chinese Governments always adhere faithfully to the Five Principles of Peaceful co-existence and definitely would not permit its aircraft to fly into the air space of other countries without the consent of the states concerned.

The Chinese Government wishes to point out at the same time that, since the end of 1959, the Chinese Government repeatedly received reports to the effect that unidentified foreign aircraft were discovered intruding into Chinese air space over the southwestern border area of China. The Chinese Government is clearly aware that there exist a present certain forces who are bent on splitting by various means the relationship between China and its south-western neighbours. Particularly at a time when the Prime Ministers of China and India are trying to seek a peaceful solution to the Sino-Indian boundary question, it is most likely that these forces would try to attain their aims of disrupting the Sino-Indian relations by means of air intrusions into India or China. It is hoped that the Indian Government as well as the Chinese Government would maintain common vigilance against this.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Indian Embassy in China the assurance of its highest consideration.

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**Note given by the Ministry of Foreign Affairs, Peking,  
to the Embassy of India in China, 2 July 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of India in China and states as follows: According to the reports of the Chinese frontier guards, Indian aircraft have recently on many occasions intruded into China's air space above the southern part of Sinkiang and the Tibet region, circling and carrying out reconnoitering activities within Chinese territory, and there have also been cases of trespassing of the boundary by Indian military personnel. The main facts are as follows:

1. Something past 11.00 hours on May 30, 1960, two Indian military aircraft intruded into Chinese air space from the direction of southwest of the Kongka Pass; at 11.15 hours they intruded to the point  $79^{\circ} 06' E, 34^{\circ} 20' N$  at the altitude of 2,000 metres, then flew northwestward to penetrate to the point  $78^{\circ} 56' E, 34^{\circ} 23' N$ , from which they turned toward the southwest at a point about four kilometers of the east side of the Kongka Pass. At 11.50 hours on the same day two Indian military aircraft again intruded into China's air space over the same area in the same direction and at the same altitude, and at 12.05 hours they made their return flight westward to Indian territory by the same route.

2. At 11.10 and 12.00 hours respectively on May 30, 1960, two Indian aircraft intruded southward into China's air space from the direction of the Kongka Pass up to the point  $78^{\circ} 54' E, 33^{\circ} 57' N$ , and then turned westward to return to Indian territory.

3. At 11.00 hours on May 30, 1960, two Indian aircraft, flying from west to east, intruded into China's air space over the Lake of Pangong area ( $78^{\circ} 48' E, 33' N$ ) in the western part of China's Tibet region at the

altitude of 1,000 metres, where they circled and carried out territory reconnaissance. It was not till 12.00 hours that they left Chinese territory by the same route of their intrusion. At 10.02 hours on May 31, an Indian aircraft intruded again into China's air space over the same area.

4. At 11.25 hours on May 31, 1960, four Indian military personnel carried out reconnoitering activities in the Chinese border area to the west of Spanggur in the western part of Tibet. One of them crossed into Chinese territory at 12.17 hours and penetrated to the point 78° 47' 20" E, 33° 33' 35" N where he stayed for four minutes before returning by the same route.

5. Indian military personnel on many occasions intruded into Chinese territory at the Nathu-la in the southern part of China's Tibet region. At 10.35 hours on May 21, 1960, nine Indian military personnel trespassed over the border and stayed in Chinese territory for more than forty minutes. At 13.01 hours on May 29, nine Indian military personnel again trespassed over the border and stayed in Chinese territory for over 20 minutes. At 11.30 hours on June 9 eight Indian military personnel trespassed over the border and stayed for more than 40 minutes in Chinese territory where they lit two fires.

The Chinese Government is very much surprised at the Indian aircraft's repeated intrusions into China's air space and Indian military personnel's trespassing over the border. The Chinese and Indian Premiers have not long ago stated explicitly in Delhi that during the period of further examination of factual material relevant to the Sino-Indian boundary by officials of the two countries every effort should be made by the both parties to avoid friction and clashes in the border areas. The above-mentioned intrusions of Chinese air space by Indian aircraft and border crossings by Indian military personnel not only to violate the agreement between the Premiers, but also contain a serious danger

threatening the peace of the border areas. The Chinese Government cannot but take a serious view of these incidents, lodge a protest with the Indian Government, and demand that it immediately take necessary measures to prevent the recurrence of similar incidents.

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

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**Note given by the Ministry of External Affairs, New Delhi,  
to Embassy of China in India, 16 August 1960.**

The Ministry of External Affairs of the Government of India present their compliments to the Embassy of the People's Republic of China and with reference to the Note dated July 2, 1960, from the Ministry of Foreign Affairs of the People's Republic of China, has the honour to state as follow:-

2. The specific details given in the Note regarding the alleged violations by Indian military personnel and Indian military aircraft on 21st, 28th, 30th and 31st May, 1960, as well as on 9th June, 1960, have been inquired into thoroughly by the Government of India. The result of the inquiries does not substantiate any of the allegations made by the Government of the People's Republic of China.

3. The Ministry of External Affairs take this opportunity to renew to the Embassy of the People's Republic of China the assurance of their highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 22 August 1960.**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to bring to its notice instance of fresh violations of Indian air space by aircraft apparently coming from the Tibet region of China during the last few months. A statement giving the places and the time of such violations is appended.

2. The Government of India must once again protest against repeated violation of Indian air-space and request the Government of China to take immediate steps and issue strict instructions to stop recurrence of such incidents. The Government of India must point out that repetition of such incidents could easily result in grave consequences.

3. The Ministry of External Affairs take this opportunity to renew to the Embassy of the People's Republic of China the assurance of their highest consideration.

Statement showing details of Air violations of our Air Space

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Sl.	Date	Time of flight	Area	Approximate & Latitude
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1.	9-3-1960	2050	Bardumsa, Miao, Nampong and Jairampur	27.15/N 30	96.00E 15E
2.	Do.	2300	Sunpura	27.45 N	96.00 E
3.	Do.	2220	Manigong	28.45 N	94.00 E
4.	Do.	2045	Kibithoo	28.00 N	97.00 E
5.	Do.	2240	Along	28.15 N	94.45 E
6.	11-3-1960	2345	Bomdila	27.00 N	94.45 E
7.	Do.	2015	Walong	28.10 N	97.00 E
8.	Do.	2250	Amini	28.45 N	96.00 E
9.	Do.	2015	Kibithoo	28.00 N	97.15 E
10.	13-3-1960	0030	Chukam	27.45 N	96.00 E
11.	Do.	2300	Hayuliang	28.00 N	96.00 E
12.	14-3-1960	2218	Tezu	27.50 N	96.00 E
13.	Do.	2230	Hayuliang	28.00 N	96.00 E
14.	Do.	2215	Chukam	27.45 N	96.00 E
15.	Do.	2205	Anini	28.45 N	96.00 E

16.	15-3-1960	0110	Do.	Do.	Do.
17.	Do.	0110-0115	Bardumsa, Miao, Jairampur & Nampong	27.30 N	96.15 E
18.	16-3-1960	2000-2200	Towang	28.25 N	91.45 E
19.	Do.	2130	Tezu	27.50 N	96.00 E
20.	Do.	2200	Sunpura	27.45 N	96.00 E
21.	17-3-1960	2200-2300	Do.	Do.	Do.
22.	Do.	2105-2235	Tezu	27.50 N	96.00 E
23.	Do.	2000	Nampong	27.15 N	96.15 E
24.	Do.	2210	Passighat	28.00 N	94.25 E
25.	Do.	2225	Manigong	28.45 N	94.00 E
26.	Do.	2230	Along	28.15 N	94.45 E
27.	12-4-1960	2018	Imphal	24.40 N	93.30 E
28.	Do.	2130	Anini	28.45 N	96.00 E
29.	Do.	2230	Yongkiong	28.30 N	95.00 E
30.	Do.	2100	Kanulbari	27.00 N	95.30 E
31.	12-4-1960	2120	Changlang	27.00 N	95.45 E

32.	Do.	2110	Hayuliang	28.00 N	96.30 E
33.	12-4-1960	2000	Zunhegoto		
34.	Do.	0300	Kepangla	28.00 N	96.40 E
35.	Do.	2330	Jairampur	27.15 N	96.15 E
36.	13-4-1960	2359	Along	28.15 N	94.45 E
37.	Do.	2110	Anini	28.45 N	96.00 E
38.	Do.	0130	Karko		
39.	Do.		Gelling	28.15 N	96.45 E
40.	Do.	2100	Hayuliang	28.00 N	96.30 E
41.	Do.	2100	Sunpura	27.45 N	96.00 E
42.	Do.	1150-1155	Changliang	27.00 N	95.45 E
43.	Do.	2015-2020	Bardumsa	27.30 N	96.00 E
44.	9-3-1960	2359	Paum	28.30 N	94.25 E
45.	14-3-1960	2244-2245	Kepangla	28.00 N	96.40 E
46.	16-3-1060	2155	Gelling	28.15 N	96.45 E
47.	16-3-1960	2125	Hunli	28.15 N	96.00 E

48.	17-3-1960	0225	Manigong	28.45 N	94.00 E
49.	23-3-1960	0900	Bomdila	27.00 N	94.45 E
50.	31-5-1960	1800-1853	Spanggur	33.25 N	78.40 E
51.	6-6-1960	1458	Fotula Pass	34.10 N	76.35 E
52.	15-6-1960	1115-1120	Chilmiri	30.35 N	77.50 E

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**Note given by the Ministry of Foreign Affairs, Peking,  
to the Embassy of India in China, 27 August 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy in China and has the honour to state as follows:

1. On July 2, 1960, the Chinese Government addressed a note to the Indian Government on the repeated intrusions of China's air space and territory by Indian aircraft and armed personnel in May and June. However, the Indian Government denied all these facts in its reply note of August 16, 1960. The Chinese Government cannot but express its right at this. The Chinese Government has now received further reports that the following incidents of the intrusions of China's air space and territory by Indian aircraft and personnel also happened in June:

(1) At 10.45 hours on June 9, 1960 an Indian aircraft from the southeast entered China's air space northeast of Longju, and circled once before its flew southward.

(2) At 8.30 hours on June 23, 1960 an Indian aircraft entered China's air space from the direction of the Nathu-la Pass and flew over Assam Village in China before it headed for Bhutan.

(3) Some time past 11.00 hours on June 29, 1960, six Indian personnel entered Chinese territory through the Nathu-la Pass and stayed there for about fifty minutes before leaving.

2. The following incidents further took place after the delivery of the above-mentioned note by the Chinese Government on July 2:

(1) On July 22, 1960 eight armed Indian personnel intruded into Kechilang pasture (west of Khinzemane) and kidnapped a Chinese inhabitant of the Le Village, Tsona Jong, named Kiayang-geltsen, who is still missing.

(2) Some time past 16.00 hours on July 28, 1960, an Indian aircraft entered China's air space over the Lake Pangong area in the western part of China's Tibet region, then it turned northwestward and skirted the southern bank of Lake Spanggur before leaving China.

(3) Some time past 10.30 hours on July 29, 1960, an Indian aircraft, flying from south to north, entered China's air space over the southern bank of Lake Spanggur before leaving China.

(4) Some time past 11.00 hours on August 2, 1960, an Indian aircraft, flying from south to north, entered China's air space over the southern bank of Lake Spanggur in the western part of China's Tibet

region, and left Chinese territory in the northwest direction. At 12.00 hours on August 3, an Indian aircraft again encroached on China's air space over the same area in the same direction.

3. The Chinese Government has received a report from the local authorities to the effect that on June 10, 1960 about seventeen Indian official personnel carrying wireless sets entered into China's Wu-je and forcibly occupied the lodging of Chinese mountain-keepers.

It must be pointed out that the entry of Indian official personnel into Wu-je is another attempt to change the *status que* of this area belonging to China and being under Chinese jurisdiction, and constitutes an encroachment on China's sovereignty and territorial integrity.

4. As pointed out in the Chinese Government's note of July 2, the recent repeated trespasses of Indian aircraft and armed personnel not only constitute violations of the agreement between the Chinese and Indian Prime Ministers that every effort should be made by both parties to avoid friction and clashes in the border area, but contain a serious danger threatening peace in the border areas. What is particularly regrettable is the occurrence of the incidents in which Indian official personnel openly entered into Chinese territory Wu-je and kidnapped a Chinese citizen from Kechilang pasture. For these incidents, the Chinese Government once again protests against the Indian Government, urgently demands that it promptly take effective measures to prevent the occurrence of intrusions of Chinese territory and air space, and in particular, order the Indian official personnel at once to withdrew from Wu-je and release Chinese inhabitant Kiayang-geltsen who was carried away from Kechilang pasture.

5. The Chinese Government has read the note which the Indian Ministry of External Affairs delivered to the Chinese Embassy in India on July 30, 1960, more than 25 armed Chinese soldiers crossed over the so-

called McMahon Line. The Chinese Government has now satisfied itself after detailed investigation that, at the place and on the date furnished by the Indian Ministry of External Affairs in its note, no armed Chinese personnel crossed over the so-called McMahon Line, but nine local working personnel of Hsiao of Tsona Jong in the eastern part of China's Tibet region, who went out to fell bamboos, lost their way owing to low clouds and thick fog and stepped over the so-called McMahon Line by mistake. As soon as they perceived it, they turned back. As the Indian Government is aware, although the Chinese Government has never recognized the so-called McMahon Line, yet in order to maintain the *status quo* of the boundary, ensure the tranquility of the border and uphold the friendly relations between the two countries, Chinese military and administrative personnel are under the order not to overstep this line and this order has all along been scrupulously observed. The above-said inadvertent trespass of the so-called McMahon Line by local working personnel of Hsiao was solely due to loss of way in bad weather, and the Chinese Government has instructed the local authorities concerned to take caution in the future. The Chinese Government is surprised to note that, before the result of investigation into the facts is known and before a reply is made by the Chinese Government, the Indian Government has recently attacked the Chinese Government at the session of the Indian Parliament. This is an unfriendly act, and the Chinese Government expresses deep regret at it.

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

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**Note given by the Foreign Affairs, Peking, to the Embassy of India  
in China, 16 September 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of India in China and, with reference to the note that the Indian Ministry of External Affairs delivered to the Chinese Embassy in India on August 22, 1960, has the honour to reply as follows:

The statement attached to the note of the Indian Ministry of External Affairs lists in all 52 alleged "instance of fresh violations of Indian air space by aircraft coming from the Tibet region of China". The result of investigations undertaken by the Chinese Government on the basis of the places and times of incidents provided in the Indian note shows that there has not occurred at all any entry of Chinese aircraft into the Indian air space. Moreover, on the dates mentioned in the Indian note, no Chinese aircraft was in flight over those areas in China adjacent to the places listed in the note. Therefore, the Chinese Government cannot accept at all the protest of the Indian Government.

The Chinese Government notes that of the 52 cases of alleged violations of Indian air space by Chinese aircraft listed in the note of the Indian Ministry of External Affairs, with the exception of the three dates of May 31, June 6 and June 15 which were after Premier Chou En-lai's visit to India, the other dated mentioned were all before Premier Chou En-lai's visit to India in April this year. It should be pointed out that during the period of the talks between the Prime Ministers of the two countries in Delhi, Premier Chou En-lai told His Excellency Prime Minister Nehru on April 25 that regarding the flights of aircraft discovered in the Sino-Indian border area as informed by the Indian Government to the Chinese Government, it had been found through investigation by the Chinese Government that these were aircraft of the United States. They took off

from Bangkok, passed over Burma or China, and crossed the Sino-Indian border to penetrate deep into China's interior to parachute Chinese secret agents, weapons, supplies and wireless sets, and then flew back to Bangkok, again passing over the Sino-Indian border. Premier Chou En-lai assured His Excellency Prime Minister at that time that the Chinese Government would never allow its own aircraft to fly over the border and said that the Chinese Government had already sent a note to the Burmese Government, stating that should Burma discover any unidentified aircraft in its air space, it was fully entitled to take any counter-measure, either forcing them to land or shooting them down. Should China discover such aircraft in its air space, it would do likewise. Premier Chou En-lai then expressed his belief that India would do the same. Thereafter, in its Note of April 26 to the Indian Embassy in China, the Chinese Ministry of Foreign Affairs again emphatically pointed out: "The Chinese Government is clearly aware that there exist at present certain forces who are bent on splitting by various means the relationship between China and its southwestern neighbours. Particularly at a time when the Prime Ministers of China and India are trying to seek a peaceful solution to the Sino-Indian boundary question, it is most likely that these forces would try to attain their aims of disrupting the Sino-Indian relations by means of air intrusions into India or China. It is hoped that the Indian Government as well as the Chinese Government would maintain common vigilance against such clear explanations from Premier Chou En-lai and the Chinese Ministry of Foreign Affairs to His Excellency Prime Minister Nehru to disregard the reality and once again make groundless charges and protest against the Chinese Government. This cannot but be considered as a very unfriendly act towards the People's Republic of China. The Chinese Government expresses deep regret at it. In order to be on guard against deliberate attempts by outside forces to wreck Sino-Indian relations, the Chinese Government proposes once again that the two sides maintain vigilance with regard to the flights by unidentified aircraft over the border between the two countries and notify

each other in time, so that each side may take whatever measures deemed necessary.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Indian Embassy in China the assurances of its highest consideration.

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**Note given by the External Affairs, New Delhi,  
to the Embassy of China in India, 24 October 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China in India and have the honour to refer to the Note, dated August 27, 1960, handed over to Shri K.M. Kannampilly, Counsellor, Embassy of India, Peking, by Mr. Shen Ping, Deputy Director, First Asian Division of the Ministry of Foreign Affairs of China.

2. The Government of India have further examined the specific details contained in the note of the Chinese Government and are fully satisfied that none of the allegations of intrusion into Chinese ground or air-space has any substance. At the times mentioned in the Chinese note no Indian aircraft was flying anywhere in the neighbourhood of the specified areas either in the Eastern or Western Sectors, or along Sikkim's border with the Tibet region.

3. The Government of India repudiate the suggestion that a Chinese national was kidnapped by an Indian patrol from Chinese territory. The Chinese Government must be aware that during the last 18 months, over twenty thousand persons from the Tibet region of China have sought

refuge into Indian territory. The border posts concerned have invariably taken prompt action to disarm such persons if they carried arms and to move them away from the frontier areas thereby to ensure that there was no abuse of the right of asylum permitted to them. The particular Chinese national referred to in the Chinese Government's note has repeatedly affirmed in course of interrogation that he had come to seek refuge in India. In any case, no Indian personnel had crossed into Chinese territory either on the date mentioned or on any other date, and there could be no question of their kidnapping a Chinese national and bringing him into India.

4. The Government of India cannot but express their surprise at the assertion in the Chinese Government's note that Indian officials personnel had entered "China's Wuje and forcibly occupied the lodging of Chinese mountaineers". It is hardly necessary to recall that the Government of India have throughout maintained that Barahoti, which the Chinese Government call Wuje, lies south of the traditional boundary and is clearly within Indian territory. Many notes have been exchanged between the two Governments on the subject. In 1958 discussions lasting for nearly two months were held between the Chinese and Indian officials teams, and in course of these discussions the Government of India furnished clear and incontrovertible proofs that Barahoti was a part of the Uttar Pradesh State and has always been a part of India. However, pending the resolution of this dispute, it was agreed by the representatives of both Governments at the conference that both sides should continue to refrain from sending any armed personnel to the Barahoti area. The Indian representatives put forward a proposal that even civil administrative personnel of the two sides should not be deputed to the areas, but the Chinese Government did not accept such a suggestion. In the absence of the Chinese Government's concurrence to this proposal the Indian side pointed out that the Government of India would be free to exercise their customary revenue and administrative jurisdiction over the area. The

official personnel who were deputed to the area in 1958, 1959 and this year have been sent entirely in accordance with the traditional practice and within the confines of the understanding reached with the Chinese Government.

5. It may be further recalled that in a discussion which took place on the 24th April, 1958, between Shri K.M. Kannampilly, Counsellor of the Embassy of India, Peking, and Mr. Ho Ying, Deputy Director of the First Asian Department of the Chinese Foreign Office, Ho Ying recalled that the agreement not to send any armed personnel to the disputed area, the Indian side would continue to reciprocate and abide by this understanding. In course of the same conversation the Deputy Director informed Shri Kannampilly, in reply to an inquiry from him, that the suggested neutralisation did not affect the right to send officials. It is, therefore, a matter of extreme surprise that the Chinese Government should have ignored all these facts and alleged forcible occupation of the Barahoti area by Indian personnel. The Government of India could equally level the counter charge that the local administrative personnel of the Tibet region, who visited the area, unlawfully, intruded into Indian territory.

6. The Government of India would now deal with the Chinese Government's reply to their note of the 30th July, 1960. It has been stated by the Chinese Government that twenty-five armed Chinese soldiers had not entered India across the so-called McMahon Line, but that only nine local working personnel of Tsona Dzong who had lost their way because of inclement weather when out to fell bamboos had 'stepped across the so-called McMahon Line' by mistake. The Government of India cannot but state that this version of the incident is not in accordance with facts. The Government of India are satisfied after further enquiries that the intrusion was by no means an unintended one, that the number of personnel was twenty-five and not nine, and that the personnel carried

arms which were slung from their shoulder. Taktsang is situated at a height of 12,000 to 15,000 feet and is about seven miles south of McMahon Line and there are not trees or bamboos at this height. Indeed the information of the Government of India is that the personnel, apart from carrying arms, were in uniform and there was nothing to indicate that they were out to cut bamboos.

7. Facts being as stated above, there is no truth in the Chinese Government's allegation that the Government of India attacked them in a session of the Indian Parliament; much less could there be any question of an unfriendly act on the part of the Indian Government. Intrusion by Chinese personnel several miles within Indian territory is very serious matter. It violates the understanding reached by the two Prime Ministers that during the pendency of the official level talks, no action, which is likely to lead to friction or clashes in the border areas, should be undertaken. Any such intrusion might have very unfortunate consequences. The Government of India, therefore, hope that strict instructions will be given so that no such violation of the Indian territory occurs in the future.

8. The Ministry of External Affairs avail themselves of this opportunity to renew to the Embassy of the People's Republic of China the assurance of their highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi, to the  
Embassy of China in India, 24 October 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to refer to

the Note dated September 16, 1960, which was handed over to the Counsellor of Embassy of India, Peking by Mr. Hu Chengfang, Deputy Director of the First Asian Division of the Chinese Foreign Office.

2. The Government of India note the statement in the Chinese Government's reply that the aircraft which violated the Indian air space did not originate from China and that the Chinese Government were in no way responsible for such violations. The Government of India could not ignore as many as 52 violations of their air-space, and since the planes were noticed to enter Indian territory from China they had to bring the details to the attention of the Chinese Government. More particularly it is difficult to believe that the planes which violated the Indian air-space in the western sector of the Sino-Indian boundary were based anywhere other than on Chinese territory. The Government of India repudiate any suggestion that in sending their note of August 22, 1960, they committed an unfriendly act.

3. The Government of India must point out that even subsequent to the receipt of the Chinese Government's note of 16th September, a further instance of the violation of Indian air-space has been reported, and on this occasion by a helicopter. On 18th September, at about 1730 hours, a helicopter was reported flying over Thratsang La (7840 East Lat., 3505 North Long). The helicopter flew into Indian territory from Western Tibet and was clearly of Chinese origin.

4. It has been reported that as recently as the 13th October two armed Chinese personnel on horses intruded upto points approximately 11/2 miles east of Hot Springs in the Kongka Pass area in Ladakh. The Chinese personnel only withdrew when they were surprised by an Indian grass-cutter. The place which was being patrolled by the Chinese personnel is about two miles west of the point where the bodies of Indian

personnel killed in the Kongka Pass incident were handed over to Indian police personnel.

5. The Instances mentioned on the preceding paragraphs, viz., intrusion into Indian air-space by a helicopter and into Indian territory by Chinese personnel, are in violation of the understanding reached between the two Prime Ministers that during the pendency of the official-level talks both Governments will avoid taking steps which may precipitate border clashes or friction. The Government of India urges that the subordinate authorities concerned be instructed to take scrupulous care that such violations of the ground and air-space of India do not recur. The Government of India need hardly state that they observe the utmost vigilance about the protection of their frontiers, whether on the ground or in the air, and are determined to take action against all intruders, whatever their origin.

6. The Ministry of External Affairs take this opportunity to renew to the Embassy of People's Republic of China in India the assurances of their highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 8 April 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and with reference to their Note of the 23rd January have the honour to state that further investigation regarding the course taken by I.N.S. 'Magar' made. After careful scrutiny and check of the log-books of the ship, Government of India are satisfied that in accordance with the instructions issued by

them, I.N.S. 'Magar' took the course mentioned in the opening sentences of the second paragraph of the Chinese Government's note. The Government of India do not accept the allegation that the I.N.S. 'Magar' violated the Chinese territorial sea on 16th September.

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

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**Memoranda given by the Embassy of China in India to the Ministry of External Affairs, New Delhi, 11 July 1960**

The Embassy of the People's Republic of China in India has recently received a report from the Chinese Consulate-General at Bombay that Mr. Lin Kuo-chang, functionary of the Consulate, was prevented at the gate of the Bombay Railway Station from coming out at 12.50 hours of June 2, 1960 by an Indian policeman who intended to search the Consulate's car in which Mr. Lin was riding. This happened when Mr. Lin, who had entered the said station to check up the packing of some articles to be transported to the Chinese Embassy at 12.00 hours, was leaving the station. Mr. Lin told the policeman that the car belonged to the Chinese Consulate, but the latter should insisted that it should be searched. Mr. Lin rejected the unreasonable demand, and went to see the police officer in the duty room at the station gate and made representation to him. The police officer remarked in a very unfriendly way that no matter whose car it was, it had to be searched, with no exception for the car of the Chinese Consulate-General, and that if Mr. Lin did not agree to search, the car was to be left there. Although the car bore the Consular Corps plate and the car number and Mr. Lin made it clear to him again and again, yet the police officer

insisted that it was difficult to prove that the car belonged to the Chinese Consulate-General, and it must be searched. The officer even refused Mr. Lin to contact the Chinese Consulate-General by the telephone in the room. It was not until some time later when a senior police officer came in, and following Mr. Lin's representations, saw the Consular Corps plate and the car number, and contacted the Chinese Consulate-General at Bombay by telephone that he consented to release the car. It was already 1.35 in the afternoon.

The Embassy would like to point out that, according to general practice, cars of consulates are not subject to search. In the past, cars of the Chinese Consulate-General entering or leaving the Railway Station, have always been allowed to pass so long as it is informed that they belong to the Consular mission. Yet, this time, in spite of the fact that the identity of the car was well shown by the Consular Corps plate on it and that Mr. Lin made it clear time and again, the Indian police officer still persisted in searching the Chinese Consulate-General's car, and did not allow Mr. Lin to inform the Chinese Consulate-General of the incident by telephone, thus resulting in a detention for as long as long forty-five minutes. This was extraordinary, and can only be regarded as deliberate obstruction. The Embassy expresses deep regret at this, and requests that the Government of India take measures to ensure against recurrence of similar incident in the future.

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**Note given by the Embassy of China in India to the Ministry of  
External Affairs, New Delhi, 1 August 1960**

The Embassy of the People's Republic of China in India presents its compliments to the Indian Ministry of External Affairs, and, with reference

to the Indian Government's refusal to permit Kao Liang, correspondent of China's Hsin Hua News Agency in New Delhi, to continue his stay in India and its request for the "withdrawal" of the New Delhi Branch Office of the Hsin Hua News Agency, expresses the following to the Indian Ministry of External Affairs:

The Chinese Embassy in India has learned that the Indian Government has informed Kao Liang, correspondent of China's Hsin Hua News Agency in New Delhi, that his period of stay in India will expire on August 2, 1960, that he is not permitted to continue to stay in India, and that the New Delhi Branch Office of the Hsin Hua News Agency is requested to "withdraw". In the conversations during the several interviews he had with Kao Liang, Mr. P.N. Menon, Director of External Publicity Division, Ministry of External Affairs of the Government of India, attacked without any justification the dispatches of the Hsin Hua News Agency concerning India, slandering the dispatches of Hsin Hua News Agency as "distorted, cooked up", "harmful to Sino-Indian friendship", "Interfering in the internal affairs of India", etc. The Chinese Embassy expresses its regret at this measure taken by the Indian Government, which harms the friendly relations between China and India, ignore international practice and the principle of freedom of press, and discriminates against the correspondent of the Hsin Hue News Agency.

Dispatches of the Hsin Hue News Agency are factual, objective and fair. This has won universal recognition throughout the world, as well as enjoyed great popularity and fame. The reports about India sent by the correspondent of the Hsin Hua News Agency in New Delhi have always made according to facts, based on the true happenings in India and on Indian news agencies, news-papers and statements issued by Indian official quarters. Each and every item of the news and report sent by the correspondent concerning India is founded on facts and has its source. Even when Mr. Menon was accusing the reports of the Hsin Hua News

Agency about India as “distorted, garbled and cooked up”, he failed to give a single fact to support his allegation. Thus, it can only be regarded as an unfounded accusation against the correspondent of the Hsin Hua News Agency.

It is always in the spirit of enhancing mutual understanding between the peoples of China and India and of promoting their friendly relations that the Hsin Hua News Agency has made its report on India. In spite of the fact that many newspapers and newspapers and news agencies of India (including those representing official circles) have for a long period of time been attacking and slandering China by using all sorts of venomous terms, the Hsin Hua News Agency has never adopted similar tactics in its news and reports about India. If the reports of the Hsin Hua News Agency are accused as being “harmful to Sino-Indian friendship” merely because their viewpoints and stand are different from those of the Indian Government, and under such a pretext the New Delhi Branch Office of the Hsin Hua News Agency is formed to “withdraw”, the Chinese Embassy cannot but point out with regret that it is precisely this unwarranted act on the part of the Indian Government that has done harm to the friendship between China and India.

It is proper right of the correspondent of the Hsin Hua News Agency in New Delhi to report on what has happened in India, as any correspondent of a news agency reports on the various happenings in a country in which he resides; otherwise, he would have nothing to do. This is international practice as well as common sense. That the correspondent of the Hsin Hua News Agency in New Delhi reports on the happenings in India has, therefore, nothing to do with “interfering in the internal affairs of India” as alleged by Mr. Menon. As regards the dispatches about the strike waged by the Indian Government employees, not only the official Indian Information Service of the Indian Government, the Press Trust of India, the major newspapers in India, but also the correspondents of the

various Western countries in India have all made a great many reports, and the Hsin Hua News Agency has only made objective, true and fair reports based on the above-mentioned sources, which is not at all connected with the so-called "interference in internal affairs of India", and no one is in any way entitled to interfere in the reports of the Hsin Hua News Agency, using "interference in internal affairs" as a pretext. As to what news the Chinese newspapers and radio are to report and what headlines are to be used by them, it is a matter of their own right, and, similarly, no one whatsoever has the right to interfere in it.

The Government of India further used "reciprocity" as a pretext, alleging that Indian correspondent could not enter China, so the correspondent of the Hsin Hua News Agency should not stay in India either, As a matter of fact, for a long period of time in the past there has never occurred that any Indian news agency has made any request to the Chinese Government for sending permanent correspondent to China under the principle of reciprocity.

The Chinese Embassy considers, therefore, that it is obviously discrimination against the correspondent of the Hsin Hua News Agency that the Indian Government has baselessly refused to permit the correspondent of the Hsin Hua News Agency to continue his stay in India, and asked the New Delhi Branch Office of the Agency to "withdraw". Such an action of the Indian Government has not only crudely violated international practice, but also made one bound to suspect the principle of "freedom of press" claimed by the Indian Government. The result of this action taken by the Indian Government following the anti-Chinese campaign for more than one year in India, will certainly further undermine the friendly relations between the two countries, and aggravate the tension between them. The Chinese Embassy cannot but express its regret at this.

In the interest of maintaining the friendly relations between China and India and upholding the Five Principles of peaceful co-existence, and in order to preserve the principles of peaceful co-existence, and in order to preserve the principle of freedom of press, the Chinese Embassy requests that the Indian Government restore the legitimate right of the correspondent of the Hsin Hua News Agency in New Delhi to continue to stay, and cancel the decision of asking the Agency to "withdraw". It is hoped that the Indian Government will give serious consideration to and accept this request.

The Embassy avails itself of this opportunity to renew to the Ministry the assurances of its highest consideration.

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**Note given by the Ministry Affairs, New Delhi,  
to the Embassy of China in India, 20 August 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China, and with reference to its note No. M/291/60, dated August 1, 1950, which was handed by His Excellency the Ambassador of the People's Republic of China to the Foreign Secretary to the Government of India, have the honour to state as follows:

As the Foreign Secretary informed His Excellency the Ambassador, the Government of India were satisfied from a study of the dispatches and reports of the Hsin Hua correspondent during the last few months that his further stay in India would be detrimental to good relation between India and the People's Republic of China. This Hsin Hua

correspondent had made it a regular practice to select critical comments and highlight adverse opinions against the Government of India, picked from newspapers which are either not of any standing or are opposed to Government. The picture which these despatches presented of India was entirely one sided if not false, and the only object of the despatches appeared to be to bring down the credit of India in foreign countries. Public opinion in India was greatly agitated by the fact that a foreign news agency was allowed the liberty of maligning India on the pretence that the news agency's despatches merely quoted comments and writing from Indian newspapers. The activities of the Hsin Hua correspondent in India, were creating bitterness in the minds of the Indian people, and the People's Republic of China.

2. The Government of India cherish and uphold the principle of the freedom of the press. Even a cursory survey of the Indian and world press would convince an unprejudiced observer of the freedom of comments allowed to Indian and accredited foreign correspondents in India. The correspondent of the Hsin Hua news agency was abusing this freedom for the purpose of lowering the credit of India. The action taken against him had no element of discrimination; it was entirely reasonable and justified. Far from the action being a violation of international practice, the latitude allowed and the patience shown Hsin Hua correspondent was more than what would be allowed under much less provocation in most countries of the world, including the People's Republic of China.

3. The Embassy of the People's Republic of China has stated in its note that "no one is any way entitled to interfere in the reports of the Hsin Hua news agency". The Government of India must point out to the Embassy that it has no right to question the wisdom or the propriety of the action which a sovereign government have taken against a foreigner who is in their view had been indulging in mischievous propaganda while resident in India. The Government of India cannot allow the Embassy to

interfere in the exercise of their sovereign right to decide whether a foreigner, who has abused the hospitality extended to him, should not be allowed continued residence in India.

4. The Ministry of External Affairs take this opportunity to renew to the Embassy of the People's Republic of China in India in India the assurance of their highest consideration.

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**Memorandum given by the Embassy of China in India  
to the Ministry of External Affairs, New Delhi, 2 September 1960**

The Chinese Embassy has received a report that Mr. Chiang Wen-kuei, manager of the Bank of China, Calcutta, and the Chinese nationals who have long been residing in Calcutta or Kalimpong, Mr. Chang Ching, principal of the Hsing Hua Middle School, Mr. Peng Wei-hsia, principal of the Chinese Review, Mr. Liang Tzu-chih, head of the Board of Directors of the Chung Hwa School, Hou Hsing-fu, Liu Wei-tai, Wei Chien-wu, and a number of others, have received orders from the local authorities of India to leave the country within a limited period of time, thus, causing difficulties in their stay in India.

The Chinese Embassy would like to point out that the Bank of China, Calcutta, has been playing a positive role in promoting trade between China and India and has made beneficial contributions to promoting Sino-Indian friendship, and that this is inseparable from the efforts of Manager Chiang Wen-kuei, who further more, has always abided by Indian laws and regulations and maintained good cooperation with the authorities concerned. At the same time, the Chinese Embassy would also like to point out that the Chinese nationals who have been ordered by the local authorities of India to leave the country within a

limited period of time have been living in India for a long time, some of whom were born in India, and they all have proper occupations, always respect local laws and regulations, uphold Sino-Indian friendship, and live in amity with the local people, and most of them are responsible persons taking care of the cultural and welfare undertakings of the Chinese nationals. That they are ordered to leave India within a limited period of time not only causes difficulties to them and affects the cultural and welfare undertakings of the Chinese nationals, but also is detrimental to the maintenance and development of friendly relations between the two countries.

In consideration of the friendly relations China and India and the actual difficulties encountered by these Chinese nationals who have been ordered to leave India within a limited period of time, the Embassy hopes that the Indian Government will permit these Chinese nationals who have been ordered to leave India within a limited period of time, the Embassy hopes that the Indian Government will permit these Chinese nationals to continue their long-term stay in India.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 27 September 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to refer to the Memorandum presented by Mr. Ma Mu-Ming to Shri S. Sinha on July 11, 1960, regarding the detention of the car of the Carnac Bandar Goods Depot.

2. It is the normal practice for all vehicle leaving the Railway Goods Depot to be checked for contraband and the stopping of the car was in

accordance with this precaution. When Lin Kuo-Chang informed the sentry that it was a Chinese Consulate car, the matter was reported to the Sub-Inspector-in-charge who took steps to ascertain whether in fact the car belonged to the Consulate was using the number plate. The Consulate General when first addressed on the telephone, informed the Sub-Inspector that no car of the Consulate was deputed to the Carnac Bandar Goods Depot. It was only on a subsequent call made by Mr. Lin Kuo-chang that the identity of the car and the occupant as belonging to the Consulate General was fully established and thereafter the car was promptly released.

3. While the Government of India regret the unintended inconvenience caused, it may be mentioned that the detention could have been avoided altogether if, as is expected, Mr. Lin Kuo-chang had carried his personal identity card which would have promptly established that he was a member of the Consulate staff and the vehicle, in which he was travelling, were entitled to a privileged position.

4. The Ministry of External Affairs avail themselves of this opportunity to renew to the Embassy of the People's Republic of China the assurance of their highest consideration.

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**Memorandum given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 17 October 1960**

On September 2, 1960, Mr. Yeh Chang-chung, counsellor of the Chinese Embassy, presented a memorandum to Shri J.S. Mehta, Director, China Division, regarding the orders issued to some Chinese nationals to

leave India within a specified period. In the memorandum the Government of India were requested to permit these Chinese nationals to continue to stay in India. It was asserted in the memorandum that the Chinese nationals had contributed to the promotion of Sino-Indian friendship and that their departure from India would be detrimental to the maintenance and development of friendly relations between the two countries.

2. The Government of India's attitude with regard to the residence of foreigners in India is extremely liberal by any standards: so are the freedom and facilities given to foreigners to work and trade in a *bona fide* manner within the country. But such facilities to all foreigners in India, as indeed in China and elsewhere, are subject to the condition that they do not partake, directly or indirectly, in political activity and particularly associate with any activity against the national policies and interest of India. The residence of foreigners in India is all times specifically subject to the Foreigners Act, 1946, and the regulations made in pursuance of this Act.

3. There are several thousand persons of Chinese origin who have been residing in India for a long time without any curbs or disabilities being placed on them. Many have been living in India since before Independence and some have come subsequently. In accordance with their democratic policies and liberal principles the Government of India have continued to afford them full facilities of work and also of remittance of their earnings to China. The handful of persons against whom notices to leave India have been given are persons who for over a period of time have been reported to be associating and participating in activities which are prejudicial to Indian national interests. The Government of India, after further investigations, cannot accept the Embassy's contention that continued stay of those persons in India is beneficial to the maintenance of Sino-Indian friendship; in fact their activities have not only been an

abuse of the hospitality and freedom permitted to foreigners but have been prejudicial to the development of Sino-Indian friendly relations. It was with reluctance, therefore, that the Government of India, in exercise of its sovereign discretion in this respect, have been compelled to authorise action to terminate the stay of some those persons. It is regretted the decision in principle cannot be modified in those cases. In the case of genuine individual hardship in view of Embassy's representation, Government of India may be agreeable to extend the time limit prescribed in the individual case by another month or six weeks.

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**Statement made by the Vice Minister of China  
to the Ambassador of India in China, 21 October 1960**

We have received reports from our Embassy in India to the effect that, in the morning of September 26 this year, the Police Commissioner in Kalimpong called on Mr. Ma Chu-Tsai an old Chinese national and on pretext of wanting him for inquiry at the Police Office took him there under custody. Then Ma was arrested sent under guard to the court and imprisoned on the pretext that he was allegedly involved in the murder of an old Lama. On September 27 the Police Office further searched Ma's house and took away his tonic medicine and other belongings.

For this case Mr. Hsu Jen our Deputy Trade Agent in Kalimpong several times made representation with the local District Head and yet the Indian local authorities have hitherto failed to provide any reason and evidence warranting to arrest of Mr. Ma. Mr. Ma has been residing in Kalimpong for 40 years; he has always abided by the laws and is on good terms with the Chinese nations both Han and Tibetans and enjoys a good reputation there. Mr. Ma is 71 years of age and weak and sickly. After being imprisoned without warrants no bail is allowed nor visit or delivery

of food and medicines by his family. This is totally against the humanitarian spirit.

As for the allegation that Mr. Ma is involved in the murder of an old Lama this is a sheer fabrication. In fact Mr. Ma has never been acquainted nor had any contact with the murderer. There is obviously something else behind the scene when an old man who has always abided by the laws should have been charged with involvement in a murder case. The local authorities of Kalimpong have repeatedly refused to see our Deputy Trade Agent and even denied him access to Mr. Ma in accordance with provisions relating to the 1954 Sino-Indian Agreement. All these acts are obviously not in the interest of the friendly relations between China and India.

It is also necessary to recall that since June this year the Indian local authorities in Calcutta and Kalimpong have successively given order without any justification for Mr. Chiang Wen-Kuel, Manager of the Bank of China, Calcutta, and other responsible persons in charge of cultural and welfare undertakings of the Chinese nationals in the localities totalling over 30 to leave India within a limited period of time. Our Embassy in India on September 2nd and again on October 17th made representations with the Ministry of External Affairs of your country explaining that these persons have been lawfully living in India for a long time and they all have proper occupations, have always abided by local laws and regulations, actively upheld Sino-Indian friendship and living in amity with the local people and expressing the hope that the Government of India would permit them to continue their stay. However this question has up to now failed to be settled reasonably; on the contrary an ever increasing number of Chinese nationals have been ordered to leave Indian within a set of time limit. Moreover in its reply dated October 17 the Ministry of External Affairs of your country even asserted that these Chinese nationals told to leave India are "persons who for over a period of time

have been reported to be associating and participating in activities which are prejudicial to Indian national interests". We cannot agree at all to this reply. It must be pointed out that it is the consistent policy pursued by our Government to instruct the Chinese nationals to live in amity with the local people to abide by laws and regulations of the country they reside in and not to participate in the political activities of the locality of the locality. It is inconceivable that the charge of "associating and participating in activities which are prejudicial to Indian national interests" should be made without any grounds against these law abiding Chinese nationals. It is indeed difficult to understand why Indian local authorities should have given such unreasonable treatment to the nationals of a friendly country in such a great hurry.

The above mentioned events have already impaired the proper rights and interests as well as the rights of lawful residents of the Chinese nationals whose life and human rights are endangered. The continuous occurrence of these events in India have aroused the extreme uneasiness of the broad masses of Chinese nationals and our Government express serious concern over this situation. Proceeding from its desire to safeguard the traditional friendly relations between the Chinese and Indian people and truly ensure the life and property of the Chinese nationals the Government of your country is requested immediately to adopt effective measures to release the innocent and falsely accused Mr. Ma Chu-Tsai to give the broad masses of Chinese nationals who abide by the laws including those who were informed of leaving India within a set of time-limit the rights of lawful residents to stop the various unreasonable measures adopted by the local authorities to order Chinese nationals to leave India and to prevent disruptive activities of Tibetan rebels and elements of the Generalissimo Chiang Kai Shek clique.

I also hope that your Excellency Mr. Ambassador will convey to your Government the serious concern and requests of our Government.

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**Note given by the Consulate General of India, Lhasa,  
to the Chinese Bureau of Foreign Affairs in Tibet, 1 April 1960**

The Consulate General of India in Lhasa presents its compliments to the Bureau of Foreign Affairs in Tibet and have the honour to refer to Foreign Bureau's note of 21st January, 1960. In reply the Consulate General has to state that the version of the two incidents of trespass into the premise of the Indian Trade Agency at Gyantse, given in the Note, are at variance with what the Consul General was told by Mr. CHAING SU MIN, vice Director of the Foreign Bureau on the 8th December, 1959. For example, the Vice Director told the Consul General on 8th December that two women went to the hut of the maid-servant of the Indian Trade Agent and that their purpose was to register the material which the said maid-servant had borrowed from a rebel named NISHU. In the Bureau's note of 21st January, however, it has been stated that a local resident was entrusted by the wife of NISHU, a local resident, to fetch from CHOMO, a woman attendant of Indian Trade Agent at Gyantse, the articles which she had borrowed from NISHU. At the discussion on the 8th December also it was stated that on 24th November cadres of Chinese Peasants' Association went to the said maid servant's compound with a view to taking away material which the mid-servant had borrowed from rebel NISHU.

Apart from such contradictions, even the Chinese authorities have not denied the fact that some unauthorised persons did trespass into the Trade Agency compound. This would hardly be an appropriate method of recovering debts even from a local national of a Foreign Trade Agency residing within the premises of the Trade Agent. The entry of the two women and eight peasants into the residential premises of the Trade

Agent without prior notice to the Trade Agent can only be regarded as contrary to the rights and courtesies which are customarily due to the representatives of another country. The Consulate General of India is, therefore, instructed to urge the Foreign Affairs Bureau to instruct the local authorities to ensure that such unwarranted instructions do not occur again and the sanctity of Indian Trade Agency is duly respected.

The Consulate General of India takes this opportunity to renew to the Bureau of Foreign Affairs its assurances of highest consideration.

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**Note given by the Ministry of the Foreign Affairs, Peking,  
to the Embassy of India in China, 8 April 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Indian Embassy in China and has the honour to acknowledge receipt of the note handed over on February 19, 1960 by Mr. J.S. Mehta, Deputy Secretary of the Ministry of External Affairs of India to Mr. Ma-Mu-ming, Secretary of the Chinese Embassy in India, concerning the question of lease of land by the Indian Trade Agency at Gyantse.

The Chinese Government notes with regard that the Indian Government, in its note, still claims that old lease concluded in 1943 at the time of the former British colonial government to be valid. This statement which is hard to comprehend obviously cannot be deemed consistent with the spirit of the 1954 Sino-Indian Agreement and exchange of notes. In its note of February 19, 1960, the Indian Government also clearly admits that it "agreed to conclude a new lease". Agreement to conclude a new lease signifies that the old one has ceased

to be in force. The Chinese Government cannot understand why the Indian Government, while agreeing to conclude a new lease, maintains, in disregard of the fact, that the old one has ceased to be in force. The Chinese Government cannot understand why the Indian Government, while agreeing to conclude a new lease, maintains, in disregard of the fact, that the old lease remains valid, thus procrastinating for a long time a simple question which should have been settled long ago, and even complicating it. Such a way of dealing with the question is actually of no help to the settlement of the question of reconstruction of the Indian Trade Agency at Gyantse.

As to the extend of the lease, it is clearly provided in the notes exchanged in 1954 that "The Government of China agrees that all buildings within the compound walls of the Trade Agencies of the Government of India at Yatung and Gyantse in Tibet region of China may be retained by the Government of India. The Government of India may continue to lease the land within its agency compound walls from the Chinese side." It should be pointed out that both the premises of the Indian Trade Agencies at Yatung and Gyantse had compound walls, and that during the 1954 negotiations for the Sino-Indian Agreement, the Indian representative Mr. Ragavan repeatedly stated to the Chinese representative Mr. Chang Han-fu that the Indian Trade Agencies at Yatung and Gyantse did have compound walls. In its note of February 19, 1960, however, the Indian Government asserts that "the fact is that there were no compound walls right along the perimeter of the Trade Agency either in Yatung or in Gyantse; and therefore the phrase 'compound walls' only signifies the boundary of the areas in question....." This assertion is wholly inconsistent with the fact. Such a strange interpretation of the Agreement and the notes exchanged is lacking in seriousness and is unfavourable to the development of friendly relations between China and India. The Chinese Government, therefore, is firmly against accepting such an interpretation.

In its note January 27, 1960, the Chinese Government has again explained patiently to the Indian Government the facts about the question of reconstruction of the Indian Trade Agency at Gyantse. With respect to the extend of the lease, although the notes exchanged in 1954 only provide that the Indian Government may continue to lease the land within its agency compound walls, yet the Chinese local authorities in Tibet, in the spirit of Sino-Indian friendship, have still been willing to discuss and determine a reasonable extend for the lease, as permitted by local conditions and having regard for the actual needs of the Indian Trade Agency at Gyantse. Unfortunately, the Indian Government fails to appreciate this consistently friendly and helpful attitude taken by the Chinese Government. The Chinese Government cannot deem this a cooperative attitude.

It should be pointed out that the Indian Government at various places in its note of February 19, 1960, used discourteous and inappropriate language. This can by no means be considered as in conformity with diplomatic usage and the courtesy due to be shown between two friendly countries. The Chinese Government expresses its deep regret at this.

Nevertheless, the Chinese Government will still deal with the questions concerned with a goodwill, according to its consistent desire to uphold Sino-Indian friendly relations and in the spirit of the solemn Agreement and exchange of notes between China and India in 1954. The Chinese Government would like to state once again that it will still instruct the local authorities to continue to render assistance in the reconstruction of the Indian Trade Agency at Gyantse. The Chinese Government has noted that, in its note of February 19, 1960, the Indian Government indicated the desire of leasing 19-12 acres of land for the reconstruction of the premises of the Indian Trade Agency at Gyantse. The Chinese local

authorities, in the spirit of friendly assistance, are willing to give consideration to this request. It must be pointed out, however that the concrete extend of the lease has to be negotiated and determined by the two sides, and that this has nothing to do with the old lease.

In conclusion, it is hoped that the Indian Government will instruct the Indian Trade Agency at Gyantse to take a cooperative and practical attitude and no longer persist in its unreasonable demands. The Chinese Government fully believes that the various concrete questions encountered in the reconstruction of the basis of mutual cooperation, mutual confidence and mutual understanding between the two sides.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Indian Embassy the assurances of its highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 13 April 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and, with reference to the Note of 31st December, 1959, presented by the Ministry of Foreign Affairs of the People's Republic of China to the Embassy of India in Peking, have the honour to state once again the following position regarding the nationality of persons of Indian origin residing in the Tibet region of China.

2. The Government of India have stated clearly that, in terms of the relevant clauses of the Indian Constitution and the citizenship and, that

under the Indian nationalities with the diplomatic and consular missions for Indian nationalities is a matter of option without any time limit. No general grounds can, therefore, be advanced by which Indian nationals can be deemed to have lost their claim to Indian citizenship. It is an accepted canon of international law, which was specifically upheld in a declaration by the Permanent Court of International Justice in 1923, that the question of nationality law lie solely within domestic jurisdiction of a state. The Government of India are therefore under no obligation to accept any law of nationality or executive decree promulgated in the People's Republic of China, which, in effect, would amount to depriving the persons, so entitled, of their rights to Indian citizenship. Further, the Convention on Certain Questions Relating to the Conflict on Nationality, concluded at the Hague Conference in 1930, stated that the law of each State on nationality shall be recognised by the other States in so far as it is consistent with international conventions, international custom and the principles of law generally recognised with regard to nationality. The Government of India and the then Government of China subscribed to this convention. The Indian laws on the subject are fully consistent with well accepted international principles of nationality. On the other hand, the Government of India were not aware of any law on nationality promulgated by the Government of the People's Republic of China. The traditional practice of the Government of China in regard to nationality was apparently based on the principles of *jus sanguinis*, that is, every descendent of Chinese nationals, irrespective of residence, was considered to be of Chinese nationals, irrespective of residence, was considered to be of Chinese nationality. The Chinese note under reference admits that the Kashmiri Muslims and the Ladakhi Lamas resident in Tibet are of Indian origin. The Government of India, are, therefore, all the more surprised that the Chinese Government should endeavour to challenge the right to Indian citizenship of the persons of Indian origin. This right is based on a principle to which the Chinese Central authorities have

traditionally and specifically subscribed, and even now continue to subscribe.

3. It may be added that the considerations which the Chinese Government have adduced are totally irrelevant to the legal right to Indian nationality of this group of persons who came from India. For example, the fact that these persons did not hold Indian nationality of this group of persons did not hold Indian nationality certificates has no relevance since, as pointed out earlier, there is no limit prescribed under Indian laws, within which they must register with Indian Missions abroad. Such registration abroad is a matter of option. Actually, as far as these persons residing in the Tibet region are concerned, they did endeavour to approach the Indian Consulate General for the necessary papers and it was the Chinese authorities which obstructed them from doing so. The Government of India immediately drew the attention of the Chinese authorities to this in the letter sent by the Consul General on 13th May, 1959 to the Chinese Foreign Bureau in Lhasa. Indeed, the local authorities went as far as to forcibly confiscate the registration forms and papers if Indian nationals who had succeeded in obtaining them from the Consulate-General.

4. It is equally irrelevant that the Tibetan local authorities treated these persons as Chinese Tibetans. Under International practice the treatment meted by any local Government cannot unilaterally be deemed to confer or determine the question of nationality of foreign citizens.

5. The Chinese Government in their note have also contended that many of the Indian nationals had been abroad with Chinese travel papers. Although some Indian nationals might have, for the sake of convenience and out of ignorance, taken Chinese papers, the Government of India believe that such assertion does not apply to the bulk of Kashmiri Muslims. In this connection it would not be inappropriate to recall, as was

pointed out in the Indian note of 24th September, that as soon as these persons reached India, they claimed the benefits which were reserved for Indian citizenship even though they might be holding Chinese papers. They proceeded to the Haj as Indian nationals in pilgrim-ships which were intended for Indian citizens only. In any case, the possession of Chinese passports and certificates does not necessary result in their losses of Indian nationality.

6. From such information and representations as have been received by the Government of India, they must categorically reject the Chinese Government's assertion that the Indian nationals were satisfied at being treated as Chinese nationals. Apart from the fact that Chinese nationality as such was never conferred to them, from all evidence these people appears to be waiting impatiently to return to the places in India from where they originated, whatever their economic losses.

7. The basic facts remain that these persons are of Indian origin and by tradition, common to both China and India and under Indian laws, they are fully entitled to be treated as foreign nationals in Ladakhi Lama went to the Tibet region for the theological studies during their life time. The Kashmiri Muslims, even though they may have been in Tibet for more than a generation, have retained their separate identity and their traditional connection with their homeland. There is no evidence that these persons have expressly renounced their right to Indian citizenship and, as such, any unilateral attempt to treat them as Chinese nationals is contrary to international law and practice, apart from being a variance with the spirit of friendship between the two countries.

8. It is therefore unfair and illegal to insist that these persons should renounce their Chinese nationality when in fact there is nothing to suggest that they had acquired Chinese nationality much less that they had surrendered their Indian nationality.

9. Even if these Indians, by virtue of their residence, are deemed to have fulfilled the conditions which would qualify them for Chinese citizenship, they would be entitled to the benefit of dual nationality. According to the international conventions and the application of China's own practice *mutatis mutandis*, in another context, Indian nationals retain the right title to Indian citizenship. The Government of the People's Republic of China have the sovereign right to confer its own citizenship on foreigners, but they cannot claim right to deprive foreigners of their nationality.

10. In this connection, it may be expedient to recall the Treaty between the People's Republic of China and the Republic of Indonesia on the question of dual nationality. Article I of the Treaty upholds the principle that all persons who simultaneously hold the nationality of the two signatory countries have the right to choose according to their own will which nationality they would wish to adopt. Further, an authoritative comment on this treaty made by Mr. Wang Chi Yuan, Member of the Standing Committee of Peking -returned Overseas Chinese Association, published in 'People's China' of June 16, 1995, may be recalled in this connection. It referred to the notable features which can be found in the Treaty. Among them he stated, is the principle of the choice of nationality at one's own free will for men and women alike..... He went on to say that the "signing of this Treaty has set a precedent for the settlement of the dual nationality question between China and other countries in South East Asia. The Chinese Government is ready to settle it with other Governments concerned." The Government of India seek nothing more than the application of these same principles to persons of Indian origin.

11. Moreover the same principle of choice was in the Agreement conclude between the People's Republic of China and the Royal Nepal Government in 1956 in respect of the persons of mixed parentage

residing in the Tibet region of China. In fact, only recently, a decree issued in Lhasa has reiterated the terms of the agreement.

12. The Government of India finds it patently illogical that the Chinese Government should affirm the right of persons of Chinese origin living for generations in foreign countries to Chinese nationality, regardless of their residence and birth, pledge themselves to the principle of option implicit in dual nationality, and at the same time persistently refuse to give the freedom to exercise the same option to the persons of India origin residing in the People's Republic of China. Such an attitude is inconsistent as it is unfair from the humanitarian point of view.

13. To summarise the Government of India wish to reaffirm that persons of Indian origin are fully entitled to Indian nationality. The Chinese Government have so far failed to give any proof of such persons having expressly acquired Chinese nationality under any recognised procedure or law and consequently it is presumed they do not enjoy dual citizenship. Even if it is established that these persons have simultaneously acquired Chinese nationality, the only fair course would be to give them option of choice of nationality. The Government of India are gratified at the arrival of some Ladakhi Lamas but at the same time the Government of India continue to receive reports of hardships suffered by a large community of Kashmiri Muslims and Ladakhi Lamas who are still in Tibet. A full list of the Kashmiri Muslims families in the Lhasa Shigatse areas has already been furnished with the Indian note of 24th September. The Government of India trust that in the spirit of friendship between India and China and in accordance with International law and customs the Chinese Government will facilitate the return to India of persons of Indian origin should they so desire and that local authorities in Tibet will be instructed to remove obstruction in the way of their doing so.

The Ministry of External Affairs take this opportunity to renew to the Embassy of the People's Republic of China the assurance of their highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 17 May 1960**

The Ministry of External Affairs of the Government of India present their compliments to the Embassy of the People's Republic of China and have the honour to invite their attention to the note regarding currency and exchange difficulties, experienced by Indian traders in Tibet, which was handed over to the Ministry of Foreign Affairs of the People's Republic of China by the Counsellor of the Indian Embassy in Peking on September 17, 1959.

2. The Government of India regret to point out that although four months have since elapsed, no steps appear to have been taken to ease the difficulties faced by the Indian nationals who are engaged, in accordance with the provisions of the 1954 Agreement, in the customary trade between India and the Tibet region of China. In fact, it would seem that these difficulties have recently increased because of fresh restrictions placed by the Chinese authorities in Tibet. As has been mentioned previously, the traders feel that the authorities in the Tibet region are hampering the normal exchange or sale of goods which was the traditional basis of this trade. In the interest of preserving the traditional trade connections and removing the hardships which are being inflicted on individual traders, the Government of India would request the Chinese authorities might take urgent steps to remove the difficulties to which their attention has previously been drawn.

3. In the following paragraph, the Government of India would like to mention some of the more specific difficulties which have come to their attention. All these appear to be of recent origin:

(i) It is learnt the local authorities in Tibet continue to refuse to issue rupee drafts to all Indian traders in lieu of the Chinese currency held by them, except when the trader proposes to close down his business and terminate his trading connections with Tibet. Such drafts are necessary in view of the regulations passed by the Chinese authorities in July last year. In the absence of some method of repatriation of the earnings and profits, these trading connections can obviously not continue. The Government of India fail to understand what objection there could be to the grant of rupee drafts against the legal currency of China.

(ii) It has been brought to the notice of the Government of India that even when such drafts are issued, the commission charged by the Bank of China is exorbitantly high. The commission which was two percent in the past was in itself excessive. The decision to raise it hundred percent cannot but be construed as a deliberately restrictive measure intended to deprive the trader of his legitimate profit from the trade. Such a measure acts as a deterrent to the continuance of trade.

(iii) The question of the recovery of debts owed to Indian traders by the officials and other Chinese nationals in the Tibet region has been the subject of many previous representations. It is report that no significant effort seems to have been made to help the nationals in the realization of their bona fide claims.

The difficulty is particularly unfortunate for the small Indian traders who, according to traditional practice, were trading with western Tibet where Indian traders habitually supplied goods on credit and even made cash loans to Tibetan inhabitants and officials. This was done in good faith

because, in the past, no difficulty was experienced in securing repayments. At present, however, because of certain recent measures taken by the Chinese authorities the Indian nationals cannot contact most of their debtors and trading partners. It is true that the paragraph (15) of the notes exchanged provides that disputes between traders of both countries over debts and claims shall be handled in accordance with local laws and regulations. But for the reasons mentioned in the preceding paragraphs the Government of India urge intervention by the Chinese authorities so that, where the claims of Indian traders are bona fide the local authorities may help in the realisation of old debts. The total value of these loans outstanding in Western Tibet is approximately Rs. 11 lakhs. Since the Indian nationals concerned are petty traders, the loss of such a vast amount is causing serious hardship. The Government of India hope that some concrete steps for the realisation of these debts will be taken during the coming session in discussion with the Indian Trade Agent for western Tibet.

Similarly, in Central Tibet, a large amount of debt is due to Indian traders. As the Government of India have already pointed out in their note of 26th October, 1959, the main difficulty in recovering the debts in this area has been that many of the Tibetan traders have moved to Shigatse and Lhasa, which are inaccessible to the Indian traders in the absence of travel permits. The Indian traders cannot even contact those Tibetans to recover their debts. The Government of India would, therefore, urge the Chinese Government either to afford necessary facilities on an *ad hoc* basis to Indian traders to visit Shigatse and Lhasa for expeditious realisation of their debts or to devise some measure whereby local authorities might help in the realisation of these debts.

The Ministry of External Affairs avail themselves of this opportunity to renew to the Embassy of the People's Republic of China the assurances of their highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 30 June 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to refer to the correspondence resting with the Ministry's note dated April 13, 1960, on the question of the national status of persons of Indian origin residing in the Tibet region of China. The Ministry would further draw the attention of the Embassy to the informal note on the subject handed by the Foreign Secretary to the Government of India to H.E. Mr. Chiao Kuan-hun, Assistant Minister of Foreign Affairs of the People's Republic of China on April 25, 1960, and to the discussion which the Prime Minister of India had with H.E. the Chinese Premier on the same subject on the morning of April 25, 1960.

2. Even before the presentation of these notes there was much correspondence between the two Governments on the subject. The Government of India are aware of the arguments advanced by the Government of the People's Republic of China as embodied in the Embassy's note dated December 31, 1959. That note did not deny the Indian origin of Ladakhi Muslim families and Ladakhi Lamas, although it argued that these persons had by long stay become a part of the Tibet region of China, and that there was evidence to show that they had been treated as such by the local Government of the Tibet region of China. The legal implications of the issues raised in the Embassy's note were examined and answered in the Ministry's note dated April 13, 1960, wherein it was also pointed out that the basic fact remained that these persons were of Indian origin, and that by tradition common to both China and India, as well as under the Indian laws, they were the right to

return to the country of their origin. The Ladakhi Lamas went to the Tibet region for theological studies during their life time. The Kashmiri Muslims, even though they might have been in Tibet for more than a generation, had retained their separate identity and their traditional connections with their homeland. There was no evidence that these persons had expressly renounced their right to Indian citizenship, so that any unilateral attempt to treat them as Chinese nationals was contrary to international law and practice, apart from being at variance with the spirit of friendship existing between India and China. It was further argued that even of these Indians by virtue of their long residence were deemed to have fulfilled the conditions which would qualify them for Chinese citizenship, they would be entitled to the benefit dual nationality, and in accordance with international usage governing dual nationality, they should be given the option to return to India if they so wished. According to international conventions and the applications of China's own practice *mutatis mutandis* in other context.

(Cf. A) Agreement with the Republic of Indonesia on the question of nationality of persons of Chinese origin resident in Indonesia;

(Cf. B) Agreement with the Royal Nepal Government in 1956 in respect of persons of mixed parentage resident in the Tibet region of China; these persons of Indian origin would retain the title to Indian citizenship.

3. The Ministry of External Affairs regret that, while no reply has been vouchsafed to their representations referred to above, they have from time to time received disquieting reports of the increasingly harsh treatment to which the members of the Ladakhi Muslim community in the Tibet region have been subjected. More than once the Consul General of India in Lhasa was asked to express to the Foreign Bureau in Lhasa the Government of India's concern over the plight of these helpless people.

He was asked to plead for them with the Chinese authorities in Lhasa and obtain for them treatment generally accorded to the nationals of a friendly country. Nevertheless, by all accounts it is clear that the condition of these persons deteriorated sharply as measure after measure was taken by the authorities in the Tibet region against the community. It has been reported that several persons of this community are under arrest, that the property and cash of some have been confiscated and that the entire community has been debarred from drawing rations. These and other disabilities have been imposed on the community on the ground that they have refused to register themselves as Chinese.

4. Recently there has been a report of a mass gathering summoned by the local authorities on the morning of June 20 in the new Athletic Stadium in Lhasa. Kashmiri Muslims were instructed to attend this meeting and it was given out to them that the meeting would be of interest and concern to them. Kashmiri Muslims, therefore, attended the meeting in a body. When they were ordered to break up into area-wise groups, they pleaded that they were Indian Cashmeres, and upon this they were told they were not wanted at the meeting and should leave forthwith.

5. Thereafter some prisoners, both Chinese and Ladakhi Muslims, were brought in a prison van to the meeting. They were made to face the crowd hand-cuffed and with heads bent. The Chinese prisoners were first disposed of with sentences ranging from death to long-term imprisonment. The Kashmiri Muslims prisoners were then brought before the gathering. There were four of them hand-cuffed, and with heads bent, they heard the sentences passed on them. Three of them were given prison terms varying from 15 to 11 years. Their crime, according to the indictment, was 'incitement of Ladakhi Muslims to claim a foreign nationality'. One of them was additionally charged with 'continuing the

movement for foreign nationality among his people and authorship of certain anonymous poster.'

6. The Government of India have for some time been perturbed by reports of the worsening situation of the Ladakhi Muslims in the Tibet region. They were, however, patiently hoping that the many amicable and legal representations made on behalf given due consideration by the Government of the People's Republic of China. The report of the incidents of June 20 in Lhasa has belied this hope. The Government of India regard it as extraordinary that, while the subject of the two countries, a public meeting should have been held to announce extreme punishments on some of the leaders of the community on the ground that they had claimed Indian nationality. The Government of India are not aware what trail, if any, was held before the sentences were pronounced. They are also unaware whether the prisoners in question were given adequate facilities to defend themselves. They are, however, aware that their representative in Lhasa had no access to these prisoners, and was given no facility to provide for their adequate defence. The Government of India, in these circumstances, are left in Little doubt that the events that took place at the meeting in the Lhasa Athletic Stadium on June 20 were calculated to victimize certain leading Ladakhi Muslims and to intimidate the rest of the community, as well as to display publicly the disrespect in which responsible authorities in the Tibet region of China seem to hold the representations made by the Government of India. In the light of these facts the Government of India must register their grave and emphatic protest at the unprecedented methods resorted to by the responsible authorities in Lhasa, and must ask in all earnestness that prompt steps be taken to prevent further punitive measures against persons of India origin residing in the Tibet region.

The Ministry of External Affairs avail themselves of this opportunity to renew to the Embassy of the People's Republic of China the assurance of their highest consideration.

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**Note given by the Ministry of Foreign Affairs, Peking,  
to the Embassy of India in China, 30 June 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents compliments to the Embassy of India in China and with reference to an unofficial note and an official Note dated September 24, 1959 and October 26, 1959 respectively which were handed over by Mr. Mehta, Deputy Secretary of the Indian Ministry of External Affairs regarding the question of poisonous drugs carried by Brahmachari Alam Chaitanya while going on pilgrimage to Tibet, has the honour to state as follows:

About the question of holding up the poisonous drugs carried by the said pilgrim, a reply to this effect was already furnished in the Chinese Government Note of September 11, 1959 to the Indian Government: After again studying carefully a recent report by the local authorities in Tibet, the Chinese Government is even more confident that its original viewpoint is most appropriate. A laboratory test by the authorities concerned in Tibet already proved that the so-called "frequently required drugs for self use" contained in ten odd bottles carried by the pilgrim Brahmachari Alam Chaitanya were poisonous matters comprising such highly poisonous drugs like Arsenic Alb, Merc. Cor., Aconitf Nap., Phosphorus, Nux Vom and so on. No one with a little commonsense would think that such a big variety of highly poisonous matters being in the possession of a single person can become the "frequently required drugs for self use". It is to be regretted that the Government of India in its Note

also described them in the beginning as "drugs for self use" and then described them as "drugs for similar use in treatment", and even lodged protest with the Chinese Government for examining the law-breaking pilgrim and the confiscation of the poisonous drugs for the purpose of safeguarding the security of life of the Tibetan people and for protecting, in accordance with the exchange of Notes, the security of life of those going on a pilgrimage in Tibet from India. The Chinese Government categorically rejects this kind of reasonable protest and cannot but think that this attitude of the Indian Government is an irresponsible attitude on their part towards the unfortunate incident that might take place. The Chinese Government requests the Government of India to deal strictly with the pilgrim that carried poisonous drugs with him to Tibet and expresses the hope that measures will be adopted to prevent the recurrence of similar cases.

The Ministry avails of this opportunity to convey to the Embassy the assurances of its best consideration.

**Note given by the Chinese Bureau of Foreign Affairs, Lhasa, to the  
Consulate General of India in Lhasa, 11 July 1960**

The Bureau of Foreign Affairs in Tibet presents its compliments to the Consulate General of India in Lhasa and has the honour to reply to the Consulate General's letter of 1st April 1960 as follows:

The Foreign Bureau holds that Vice-Director Chiang Su-ming's talks with Mr. Consul General P.N. Kaul on the 8th December 1959, are not at variance with the facts set in the Foreign Bureau's letter of 21st January 1960 to the Consulate General. The facts still remain: That a few local peasants were twice entrusted to fetch from Chomola, a maid servant of the Indian Trade Agency at Gyantse, the articles which she borrowed from

the rebellious bandit Nisho. These peasants had never entered anyone's living quarters, to say nothing of making the so-called "search". These peasants had, at all times, maintained a fine attitude and it is entirely reasonable of them in so doing. But Mrs. Kapoor adopted a daring and unreasonable attitude towards these peasants by hurling abuse and made statement distorting facts to Military Control Commission of Gyantse.

In view of what is said above, the Bureau of Foreign Affairs in Tibet hopes the Consulate General of India would tell the Trade Agency at Gyantse that no similar unhappy matter should reoccur in the future.

The Bureau of Foreign Affairs in Tibet takes this opportunity to renew to the Consulate General of India in Lhasa its assurances of highest consideration.

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**Record note handed over by the Ambassador of India in China to the Vice-Chairman of China, 14 July 1960**

On June 30, 1960, the Secretary-General of the Ministry of External Affairs of the Government of India handed over a Note to His Excellency the Ambassador of China regarding the treatment meted out to Kashmiri Muslims in the Tibet Region of China. In the Note the Government of India had asked in all earnestness that prompt measures be taken to prevent further punitive measures against persons of India origin residing in the Tibet region.

The Government of India have to state, much to their regret, that since the Note of June 30th was delivered they have received a stream of messages from Lhasa reporting acts of terror and intimidation and

indiscriminate arrests of Kashmiri Muslims to abandon their claim to Indian nationality.

According to our information Kashmiri are being called every day to the area offices, subjected to severe abuse and then admonished to line up with other Tibetans and attend indoctrination meetings. On July 8th and 9th, the Chinese authorities had then summoned to area offices and directed them to furnish lists of their property. They were then ordered to pay sales tax on their assessed sales of the past six months. In most cases, the Chinese assessed their sales at between JMP 8000-15000 per month where as actual sales till shops were closed down under protest on May 2, 1960, hardly exceeded between JPM 300-500 per month. Although the Kashmiri Muslims submitted to this arbitrary levy of sales tax they were summoned again by the authorities to the area offices on July 10th and there subjected to severe abuse and beating. It is reported that the beating lasted from five to six hours and was administered through the Tibetans. A leading member of the community Barkat Ullah Shahkali was beaten with fists and bled profusely. He and another Kashmiri Muslims called Ibrahim were not only beaten up badly but were threatened with rifles aimed at them that they would be shot dead. They were charged with having led the movement in the community for claiming Indian nationality. After this inhuman treatment the Kashmiri Muslims were abjured to forget about their claim to Indian nationality and to attend indoctrination meetings. They were warned that if they failed to obey the worst offenders would be shot and others sentenced to various terms of imprisonment.

The Government of India are gravely concerned over the continued persecution of persons of Indian origin residing in the Tibet Region and would urge once again that immediate instructions be issued to the responsible authorities in the Tibet Region to stop further punitive action. The Government of India would also request in all earnestness that

facilities be given to persons of Indian origin in the Tibet Region to exercise their right to return to their country and arrangements made for their repatriation to India as soon as possible.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 27 July 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China in India and, with reference to Note No. 10/3/ (1) dated the 30th June, 1960 from the Ministry of Foreign Affairs of the People's Republic of China to the Embassy of India in China, have the honour to state that the views expressed by the Ministry of Foreign Affairs in that note are not based on facts. The medicines carried by Swami Brahmachari Alam Chaitanya and found in his possession by the Chinese authorities are as follows:-

1. Aconite Napeilus
2. Arnica Montana
3. Arsenic Album
4. Belladonna
5. Bryonia Alba
6. China
7. Colocynth
8. Ipecacuanna
9. Mercurius Corresius
10. Mercurius Solubilis
11. Nux Vomica
12. Phosphorus
13. Rhus Tox
14. Silicea

## 15. Sulphur

2. These are well-known and commonly used homeopathic medicines, and although they are so diluted as to make them innocuous and absolutely safe for medicinal use. In fact such drugs are freely sold in India and other countries and no case of death or poisoning is known to have followed the administration of these medicines. The Government of the People's Republic of China must aware that whether a drug is poisonous or not to depends on its potency. In the circumstances the Government of India cannot but view the official note from the Chinese Ministry of Foreign Affairs as a casual disposal of a genuine complaint of a pilgrim who was subjected to detention, interrogation and harassment by Chinese guards on the suspicion that he was carrying poison. It is indeed interesting to know that the Chinese Government "examined the law-breaking pilgrim and confiscated the poisonous drugs to safeguard the security of life of the Tibetan people and to ensure the security of life of Indians on pilgrimage in Tibet."

3. The Government of India firmly reject this wholly unsatisfactory reply from the Chinese Government and do not accept that their protest was 'unreasonable' or that their attitude was 'irresponsible'.

4. In view of these lapses on the part of Chinese guards in the Tibet region of China which are in contravention of the notes exchanged between the two Governments on the protection to be afforded to pilgrims, the Government of India would request the Government of the People's Republic of China to take necessary measures to ensure that similar unfortunate incidents do not occur in future.

The Ministry avail themselves of this opportunity to renew to the Embassy the assurances of their highest consideration.

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**Note given by the Consulate General of India, Lhasa,  
to the Chinese Bureau of Foreign Affairs, in Tibet, 4 August 1960**

The Consulate General of India in Lhasa presents compliments to the Bureau of Foreign Affairs in Tibet Lhasa and has the honour to state that Mr. KAUL Consul General discussed at previous few occasions with Mr. CHIANG SU MING Vice Director of the Bureau of Foreign Affairs about the early disposal of cases of TROME GESHE RINPOCHE, NAMDOL ZANGPO, PHIGU driver and LOBZANGI RIGDO. Mr. CHIANG SU MING had assured of early disposal of these cases by the concerned authorities.

The above mentioned persons being Indians/India protected nationals, this Consulate is receiving constant requests from their relations for their welfare and early return to India. This Consulate General shall therefore feel grateful if it could be intimated about the welfare of these persons and assisted with early disposal of their cases. An early reply is requested.

The Consulate General of India in Lhasa takes this opportunity to renew to the Bureau of Foreign Affairs its assurances of highest consideration.

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**Note given by the Chinese Bureau of Foreign Affairs, Lhasa,  
to the Consulate General of India in Lhasa, 24 August 1960**

The Bureau of Foreign Affairs in Tibet presents its compliments to the Consulate General of India, Lhasa and has the honour to inform the

latter, with respect to the taking into employment of local staff members and servants of Chinese nationality by your Consulate and Indian Trade Agencies in Tibet, as follows:

In order that the arrangements of labor and production of the local people may not be effected, it is hoped that when the Consulate General of India, Lhasa and Indian Trade Agencies wish to employ local staff members and servants of Chinese nationality, they would inform this Bureau and Sub-Offices of Foreign Affairs concerned, in advance, to assist in introducing. The Foreign Bureau also express the hope that the Consulate General of India and Indian Trade Agencies would inform this Bureau and Sub-Offices of Foreign Affairs concerned in writing, whenever there is any increase or decrease of their personnel.

The Bureau of Foreign Affairs in Tibet avails itself of this opportunity to renew to the Consulate General of India the assurances of its highest consideration.

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**Note given by the Chinese Bureau of Foreign Affairs in Tibet  
to the Indian Trade Agency in Yatung, 30 August 1960.**

The Yatung Office of the Bureau of Foreign Affairs in Tibet presents its compliments to the Indian Trade Agency in Yatung and has the honour to acknowledge receipt of Mr. TASHI's letter to Mr. TANG dated 6th July 1960 through which the Yatung Office is aware of the disappearance of two Chinese staff members of the Indian Trade Agency in Yatung, Mr. SONAM GYATSO and Mr. TASHI, together with their families from the compound of the Indian Trade Agency in Yatung on the night of 4th July 1960. In these regards the Yatung Office of the Bureau of Foreign Affairs in Tibet would like to set forth its views as follows:

(i) The Yatung Office expresses its surprise at the disappearance of two Chinese staff members of the Indian Trade Agency in Yatung on the night of 4th July 1960.

(ii) These two staff members of Chinese nationality worked and stayed in the Indian Trade Agency in Yatung and disappeared suddenly. The Yatung local authorities are deeply concerned about it. The Indian Trade Agency in Yatung should be responsible for their safety and also has the responsibility to assist us in finding out their whereabouts by supplying the Yatung local authorities with clues, at any moment, to facilitate their searching for them.

(ii) The Yatung Office has notified the Indian Trade Agency in Yatung before that the Indian Trade in Yatung should on its own initiative inform the Yatung Office of any increase or decrease of its personnel. However the Indian Trade Agency in Yatung did not inform the Yatung Office in time after it approved. Mr. SONAM GYATSO's resignation. This is surprising and it is hoped that note is being taken in the future.

The Yatung Office of the Bureau of Foreign Affairs in Tibet avails itself of this opportunity to renew to the Indian Trade Agency the assurance of its highest consideration.

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**Note by the Ministry of Foreign Affairs, Peking,  
to the Embassy of India in China, 23 September 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of the Republic of India in China and has the honour to put the following views with reference to the

question of the nationality of Kajis in China's Tibet region and other questions referred to in the notes of the Indian Ministry of External Affairs delivered to the Embassy of the People's Republic of China in India on April 13 and June 30 respectively, and to the memorandum which H.E. Indian Ambassador to China, G. Parthasarathi, personally handed to Vice-Minister of Foreign Affairs Keng Piao on July 14, 1960:

1. In its notes of September 11 and December 31, 1959, the Ministry of Foreign Affairs cited many indisputable facts and made explanations to back the case that the Kajis in China's Tibet region are Chinese. But in its notes of April 13 and June 30, the Indian Government repeatedly ignored and distorted the theses of the Chinese Government, flagrantly rejected the proposal for a sensible and rational settlement of the question of the nationality of the Kajis, which the Ministry of Foreign Affairs, in a spirit of friendly consultation, put forward in its note of December 31, 1959, and stuck to its unilateral stand that Indian law be imposed on persons of Chinese nationality living on Chinese territory. The reasons held by the Indian Government in the above-mentioned notes and memorandum are utterly untenable and the Chinese Government resolutely expresses its disagreement to them.

2. The Chinese Government has always considered the Kajis to be Chinese and is fully entitled to deal with such questions as their nationality and exit as China's internal affairs. The Chinese Government would naturally respect the wishes of the Kajis concerned, who do not want to remain Chinese, and settle the question of their nationality in accordance with the regulations of the Chinese Government. The Chinese Government would also give facilities, in accordance with the regulations concerned, to those among them who request to leave the country. Therefore, the question has never arisen of any obstruction on the part of the Chinese Government in settling the questions of the nationality and exit of the Kajis. Hereafter, should they, out of their own will, apply to the

Chinese Government for exit or ask to settle their nationality, the Ministry of Foreign Affairs believes that the Chinese Government, view of the friendship between the Chinese and Indian peoples, will as before effect a sensible and rational settlement of their questions, and will be prepared to give whatever possible consideration to those who apply for exit.

3. The Indian Government, in its note of June 30 and memorandum of July 14 this year, also mentioned that of late these Kajis had been subjected to "increasingly harsh treatment" by the authorities in China's Tibet region. The Chinese Government made an investigation of this. The facts show that there are no grounds whatever to the allegations that the Kajis were subjected by the local authorities to "acts of terror and indiscriminate arrests," that they were "being called everyday to the area offices," and "subjected to severe abuse," and that the properties and cash of some of the Kajis were "confiscated," etc. as stated by the Indian Government in the above-mentioned note and memorandum. According to reports received by the Ministry of Foreign Affairs, the Chinese local authorities in Lhasa have never beaten and abused any Kaji, much less resorted to any intimidation against them. The unwarranted charges made by the Indian Government in its note in such an irresponsible manner against the local Government of China's Tibet region can only be considered as slanders against the authorities in China's Tibet region, and detrimental to the spirit of Sino-Indian friendship. As Vice-Minister of Foreign Affairs Keng Piao pointed out to H.E. Indian Ambassador Parthasarathi, the present local government in Tibet was a government of the people, which always stood by its own people, maintained very close ties with them and would never subject its own people to any "harsh treatment". As to the few Kajis who committed offenses against the law, it is entirely correct for the Government to deal with them in accordance with the law, and is also a matter entirely within the scope of China's sovereign rights in which the Indian Government has no right to meddle. Therefore, the Chinese Government firmly rejects the

“grave and emphatic protest” lodged by the Indian Government in its note of June 30, regarding the sentences passed by the authorities in China’s Tibet region on a few Kajis who have committed offenses against the law.

4. In its notes of April 13 and June 30, the Indian Government referred time and again to the questions of the nationality and exit of Ladakhi lamas on pilgrimage to China’s Tibet region. The Ministry of Foreign Affairs in its note, dated December 31, 1959, reiterated that the Chinese Government had never had the intention of regarding the Ladakhi lamas as Chinese. At the end of 1959 alone, more than one hundred and twenty Ladakhi lamas who remained in Lhasa and Shigatse on pilgrimage were also given permission one after another to leave China. Proceeding from the desire of upholding the traditional friendship between China and India, the authorities in China’s Tibet region, at the time of their departure, took the initiative in supplying them with means of transportation, and also helped those lamas in difficult economic straits by supplementing them with travelling expenses and food rations on the way. Such warm attentions of goodwill have won the praise of all Ladakhi lamas who left China, who before leaving China more than once expressed their heart-felt gratitude for the friendly solicitude shown by the authorities in China’s Tibet region. In its note, dated April 13, the Indian Government also stated that it was “gratified at the arrival of some Ladakhi lamas” in India. At present, the remaining small number of Ladakhi lamas are all those who stayed behind of their own accord to continue their pilgrimage. In deference to their religious desire, the Chinese Government has given them facilities to continue with their stay. The Chinese Government would like to reiterate that if anyone among them wishes to apply for exit, he will likewise be given permission and friendly attentions by the Chinese Government. Disregarding the incontrovertible facts mentioned above, the Indian Government in its note of June 30, 1960 to the Chinese Government, nonetheless raised in a self-contradictory manner the non-existent question of the nationality of

Ladakhi lamas and the question of their exit which has been smoothly settled long ago so as to pester the Chinese Government unjustifiably. The Chinese Government cannot but express its deep regret at this.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Indian Embassy the assurances of its highest consideration.

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**Note given by the Indian Trade Agency in Yatung  
to the Yatung Office of the Tibetan Bureau of Foreign Affairs, 1  
November 1960**

The Indian Trade Agency Yatung presents its compliments to the Yatung Office of the Bureau of Foreign Affairs in Tibet and has the honour to refer to its note dated August 30, 1960 regarding the disappearance of two Chinese members of the staff of the Indian Trade Agency together with their families.

In the note referred to above the Yatung office of the Bureau of Foreign Affairs in Tibet has suggested that the Indian Agency was aware and should assist in the location of these missing Chinese nationals.

The fact is that the Indian Trade Agency had no knowledge of the intention of Messrs. Gyatso and Tashi to leave the Agency premises nor are they aware of their present whereabouts or that of their families. In fact their disappearance was as much a matter of surprise to the Agency as to the Chinese authorities. Apart from their responsibilities in connection with the work assigned to them the Agency does not exercise any control over them. In difference to the Chinese Government's wishes even such facilities as schooling are not now being extended to the families of Chinese nationals serving the Agency.

Further, the Agency cannot accept the contention of the Foreign Bureau Yatung that it is any part of Agency's responsibility to assist the Yatung Office in finding out the present whereabouts of the persons who have disappeared. The suggestion that a foreign post is in any way responsible for the movement or whereabouts of local nationals of the country concerned, even though they may be employed in the foreign post concerned, is contrary to normal international practice. These Chinese nationals being the subjects of and owing allegiance to the People's Republic of China are not under the jurisdiction and control of the Agency and the Agency cannot be expected to be held responsible or be asked to render assistance in locating them. Indeed the Agency has not means of locating them.

The Agency has noted that the Yatung office would like to be informed of any increase or decrease in the Agency Personnel and would be agreeable to supply such information at periodical intervals.

The Trade Agency of India takes this opportunity to renew to the Bureau of Foreign Affairs its assurance of highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 9 November 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have to state with regret that in contravention of the provisions and principles embodied in the 1954-Agreement for trade and intercourse between India and the Tibet

Region of China, the Indian Trade Agent who has just concluded his visit to Western Tibet was subjected to various difficulties in the discharge of his normal duties.

2. The Sino-Indian Agreement of 1954 stipulated the establishment of an Indian Trade Agency in Gartok in Western Tibet and its functional throughout the year. Unfortunately, owing to the lack of any suitable accommodation and the delay in the conclusion of the lease to enable construction of a Trade Agency, the Indian Trade Agent has only been able to make seasonal visits in the summer to Western Tibet. The attention of the Chinese Government was drawn to the difficulties encountered by the Indian Trade Agent last year in the Government of India's note of the 26th of October, 1959. Even so similar difficulties were faced during the current season and the necessary co-operation from the Chinese authorities in Western Tibet was not forthcoming.

3. It will be recalled that the Embassy was informed in the Ministry's Note No. 1 (3) EAD/60, dated June 2, 1960 that the Trade Agent and his party would be entering Western Tibet *via* Lipulekh Pass in the 1st Week of July, 1960. The Embassy was also requested in this Note to provide the usual facilities of a mobile wireless set, security guard and transport. The Chinese Government were further informed on 3rd June, 1960 by the Indian Embassy, Peking, of the Trade Agent's impending visit to Western Tibet. The Indian Consul-General also wrote to the Chinese foreign Bureau at Lhasa on the 10 June, 1960 about the Trade Agent's visit. The detailed itinerary of the Indian Trade Agent was attached to the Ministry's Note No. 1(3) EAD/60, which was presented to the Secretary of the Embassy on the 10th June, 1960, with a view to enable the Embassy to give advance notice to the local authorities for making the necessary arrangements. This itinerary included the Trade Agent's proposed visit to some of the marts recognised by article II(2) of the Sino-Indian Agreement of 1954 and places of pilgrimage mentioned in article III(1) of

the said Agreement. The Embassy issued the necessary visas and the party left for their journey as planned. The Embassy also informed the Ministry in their Note No. K/308/60, dated 2nd July, 1960, that the contents of the Ministry's Note for provisions of usual facilities had been conveyed to the local authorities and that the Indian Trade Agent should contact them directly on arrival in Tibet.

4. On 29th June, 1960, the Indian Consul-General was informed by the Foreign Bureau at Lhasa that the Trade Agent and party should not enter Tibet till the 15-20th July, 1960, as local authorities were launching an offensive against the rebel elements. The Indian Trade Agent was then already on his way to Lipulekh but was instructed not to proceed further. After repeated approaches, the Chinese Foreign Bureau informed the Indian Consul-General that the Indian Trade Agent could enter Tibet only after 20th August, 1960. In the meanwhile, because of this delay, the difficulties and hazards of this journey had increased considerably owing to the arrival of the monsoon and the Trade Agent was able to reach Taklakot only on 31st August, 1960.

5. Unfortunately, the difficulties are not end there. The Trade Agent had not only co-operation from the local authorities, but he had also to face a variety of impediments in the performance of his normal duties. The following are illustrative:-

(i) The non-diplomatic staff of the Indian Trade Agency used to carry with them sporting guns and small arms for self-protection with the approval of the Chinese Government. This time, however, they were not allowed to do so. The staff accordingly complied with the instructions of the local authorities and deposited their arms with them. However, this caused much inconvenience to them and this could have been avoided if they had been notified at the time of the grant of visas.

(ii) The Trade Agent's itinerary, which included visits to Gyanima and Chakra trade marts and to Kailash and Mansarowar between 6th and 20th August, 1960, was given to the Foreign Bureau's representative at Taklakot. It would be observed that the names of these places along with others had been communicated to the Embassy as early as the beginning of June. The Trade Agent was told, however, that according to the instructions of the Foreign Bureau he should first proceed to Gartok and then apply for permission to visit other places. After his arrival at Gartok, he repeated his request for visit other places. He informed the Foreign Bureau that he would like to visit Tashigong and that a member of the Trade Agency should, in accordance with custom, be allowed to go to Kailash and Gyanima. In a conversation at the Foreign Bureau, the Trade Agent was told on 21st September, 1960, that he could not visit Tashigong due to the apparent non-availability of transport. The Trade Agent's visit to any other trade mart was also not agreed to. Similarly, the visit of a member of the Trade Agency to Gyanima or Kailash was rejected on the ground that it was too late. The Trade Agent has an obligation to discharge certain responsibilities under the terms of 1954-Agreement and it is obviously contrary to the spirit of the Agreement that he should be prevented from performing these functions by the authorities concerned in Western Tibet. It may also be mentioned that the limited transport requirements of the Trade Agent had always been traditionally provided, and since animal and mechanical transport is controlled by the State authorities, it must be for the local authorities to make available such facilities for the fulfilment of his stipulated responsibilities. For want of Transport to be supplied by the local authorities, the Trade Agent was stranded at Taklakot for 10 days.

(iii) The local authorities totally stopped the Tibetans from visiting the Trade Agency even for selling the articles of daily use. A person who supplied his Yaks on hire to the Trade Agency for bringing firewood was ill-treated and told not to have any dealings with the Trade Agency.

Another person who sold some sheep to the Trade Agency occasionally was stopped from doing so and the Trade Agency was asked to approach the Foreign Bureau whenever the Agency needed a goat. The goats were supplied by the Foreign Bureau at a rate which was double the market price.

6. The above facts will show that as in 1959 the Trade Agent's stay in Western Tibet was not only curtailed but almost rendered infructuous by preventing his discharging the duties which devolve on him under the 1954-Agreement. He was not accorded the treatment which as an accredited representative of a friendly country performing his legitimate duties in accordance with a valid and binding international agreement he had the right to expect.

7. It may also be mentioned that although the agreement provides visits to Kailash and Mansarowar by Indian pilgrims, most of them could not fulfill their religious obligations as the local authorities during the last two years advised against such visits. Similarly the Indian traders again found various types of disabilities which have severely undermined the customary pattern of Indo-Tibetan trade along this border. A number of new taxes were imposed on them and they were prevented from exporting to India the traditional commodities of export taken by them in barter, like wool, salt, borax and beasts of burden. The Indian traders also could not recover the old debts from the local Tibetans owing to the ban on the export of these articles to India. They were also stopped from bringing to India their animal property which virtually amounted to confiscation by the local authorities. The unsold goods of Indian traders lying in deposit with the Bhutanese Representative were sealed by the local authorities and were not released to the owners in spite of their repeated representations. Due to non-availability of local currency, the Indian traders had to pay the local taxes in kind at low prices. The value of the articles so realised came to much more than the rate of taxes.

These articles were later sold at cheap rates in Government sponsored shops with a view to ruin the Indian traders.

8. The Embassy is aware that Indian Trade Agents in Western Tibet traditionally used to enter Tibet through one pass and leave by another of the passes mentioned in Article 4 of the Sino-Indian Agreement of 1954. This practice had the advantage of enabling the Trade Agents to perform their duties in an approximate manner and to cover many of the markets without having to perform a double journey. It has been noticed that the Chinese authorities in Western Tibet have been restricting the entry and exit of Trade Agents to only one route and permission has been withheld to return by the other routes, even though they are clearly recognised as border passes in the 1954-Agreement. Last year the Trade Agent wanted to enter Western Tibet via the Niti pass but after initially agreeing to and granting a visa for entry by this pass, the Chinese authorities suggested his entry through Lipulekh, involving a very tortuous diversion after he had virtually reached the frontier. This year the Trade Agent informed the authorities in Gartok of his desire to return to India via Shipki La, another recognised route, but the necessary arrangements were not made. It is hoped that in future the Trade Agent will be permitted to use the routes recognised in the 1954-Agreement.

9. As the Chinese Government are aware, the Chinese Trade Agencies in India function throughout the year without any impediments and Chinese pilgrims and traders enjoy freedom of movement and customary trade in India. By contrast the Indian pilgrims, traders and the Indian Trade Agency in Western Tibet suffer severe handicaps and difficulties and Government of India cannot but state that these impediments render virtually nugatory the provisions of the Sino-Indian Agreement regarding Trade and Intercourse between India and Tibet region of China. The Government of India trust that the Government of China will take suitable steps to enquire into these difficulties and issue

instructions to ensure necessary and customary facilities to the traders and pilgrims and also to render the usual facilities to the Indian Trade Agent, Gartok to enable him to discharge his normal duties in accordance with the principles of 1954-Agreement.

10. The Ministry of External Affairs take this opportunity of renewing to the Embassy of the People's Republic of China the assurances of their highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 4 April 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China in India and with reference to their note dated the 15th January, 1960, have the honour to state as follows:

On the 29th December, 1959, three telegrams addressed to the Chinese Trade Agency in Kalimpong were received by the Kalimpong Post Office at 07.35 hrs., 10.55 hrs. and 18.07 hrs., respectively. The first two telegrams were delivered to the Trade Agency by midday on the same day. When the telegraph messenger reached the premises of the Agency at about 19.30 hrs. to deliver the third telegram, he found that the inner gate of the office building was closed from within. He tried to contact the Agency's representative but having failed to in his efforts he had no option but to return to the telegraph office. The telegram was consequently delivered on the following morning. It is not true that the messenger was denied entry into the premises by the Indian police sentry at the gate of the building.

As the Embassy must be well aware, no restrictions have been imposed on the movement of any official of the Trade Agency at Kalimpong and therefore the statement that the Deputy Trade Agent was prevented by the sentry from entering the premises is unfounded and cannot be accepted.

The Ministry take this opportunity to renew to the Embassy the assurances of their highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 4 April 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China in India and with the reference to their note dated the 6th February, 1960, have the honour to state as follows:

2. As has already been clarified by the Ministry in their note dated the 6th February, 1960, it was to ensure an adequate protection for the personnel and property of the Chinese Trade Agency in Kalimpong that sentry guards were posted at the main and rear gates of the Agency. The guard, who was on duty on the 19th January, 1960, at the rear gate, did not know the Chinese traders concerned and requested him to enter the Agency premises by the front gate. Since the guard was not satisfied of the bona fides of the person he was fully justified in diverting stranger to the main gate. It has been reported to Government that some employees of the Trade Agency actually got hold of the sentry and forcibly dragged the stranger into the Trade Agency compound. Some time later, these employees appeared again and demanded from the sentry his authority

for guarding the gates of the Agency. The Government of India take serious exception to this gross interference with the sentry who was discharging his duties according to the instructions given to him. The sentries are strictly under the orders of their superior officers, and any communication, verbal or written, by the Agency officials should be addressed only to the Sub-Divisional Officers, Kalimpong, and not conveyed to the constable or any other junior official. In this case, but for the exemplary sense of calm and devotion to duty of the sentry, an ugly incident might have been precipitated. It may also be mentioned that the sentry guards posted around the Indian Consulate General in Lhasa strictly enforce the requirement that outsiders should enter the premises of the Consulate General from the main gate.

3. There is no truth in, nor indeed would there be any justification for the contention that Shri P.T. Moitra expressed apology for the so-called incident.

The Ministry take this opportunity to renew to the Embassy the assurances of their highest consideration.

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**Note given by the Embassy of China in India  
to the Ministry of External Affairs, New Delhi 6 April 1960**

The Embassy of the People's Republic of China in India presents its compliments to the Ministry of External Affairs of India. The Embassy considers that the reply, which the Ministry made in its note dated February 6, 1960 regarding the questions of the unwarranted restrictions by the Darjeeling local authorities on the normal functions of the Chinese Trade Agency at Kalimpong and of the connivance at the forcible intrusion

by Americans into the compound of the Chinese Trade Agency, is unsatisfactory.

The Indian Ministry of External Affairs stated in the note that it had become necessary to post a protective police guard outside the Chinese Trade Agency in view of the local conditions in Kalimpong. However, the many facts enumerated in the Embassy's note of December 18, 1959 and its memoranda of January 15 and February 6, 1960, have fully shown that such kind of guard has by far exceeded the scope of providing protection for a foreign official organ, and that it is obviously in violation of international practice. In the Ministry's note, it was further mentioned that "staff of the Trade Agency should be able to enter the premises freely on production of their identity cards". The Embassy is surprised at this and expresses its entire disagreement. According to international practice, staff members of foreign official organs are entitled to free entry into and exit from their own premises without being subjected to any restrictions.

The explanations made by the Ministry in its note regarding the two arbitrary intrusions by Americans with apparent ulterior motives into the Trade Agency are utterly untenable. It must be pointed out that when these Americans intruded for the first time into the compound of the Trade Agency and troubles, the staff members of the Agency protested strongly against it, which all the Indian soldiers then on the spot saw with their own eyes. In spite of this, however, these Americans were even again allowed to intrude into the Agency for the second time. For this there can be no other explanation except deliberate connivance on the part of the Indian soldiers.

The Embassy must point out that, in its previous notes sent to the Indian side on many occasions, the Chinese Government has made it clear that the Tibet local authorities of China has all along treated the official organs of India in Tibet in accordance with the Five Principles of

peaceful co-existence and the spirit of the 1954 Sino-Indian Agreement. Even though under the present circumstances of military control the Tibet local authorities of China have posted sentry guards to ensure the safety of the Indian Consulate-General at Lhasa, no restrictions have been placed on the normal functions of the Consulate-General. The personnel of the official organs of India at Lhasa, Yatung and Gyantse have all along been enjoying full freedom of movement within the city area. No restrictions have ever been placed by the Tibet local authorities of Indian citizens entering or coming out of the Indian Consulate-General at Lhasa. As to the Indian citizens mentioned in the Ministry's note, if it is referred to the Kajis, then as the Ministry of Foreign Affairs of China has pointed out in its notes of September 11 and December 31, 1959, they are not Indian nationals but Chinese citizens. The Tibet local authorities certainly have the right to exercise due administration over the citizens of their own country.

At present, various unjustified harassments are still continuing to take place against the Chinese Trade Agency at Kalimpong, to which the Embassy would like once again to draw the attention of the Indian Government, and requests that instructions be issued to the Darjeeling local authorities to stop immediately the improper measures against the Chinese Trade Agency.

The Embassy takes this opportunity to renew to the Ministry the assurances of its highest consideration.

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**Note given by the Embassy of China in India  
to the Ministry of External Affairs, New Delhi, 6 June 1960**

The Embassy of the People's Republic of China in India presents its compliments to the Ministry of External Affairs of the Republic of India, and with reference to the notes of reply of the Ministry, dated April 4, 1960 to the memoranda of the Embassy, dated January 15 and February 6, 1960, regarding the unwarranted restrictions imposed by the Darjeeling local authorities of India on the normal functioning of the Chinese Trade Agency at Kalimpong, has the honour to state as follows:

On January 19, 1960, there occurred the serious incident in which an Indian sentry guard threatened with a raised rifle an overseas Chinese trader in preventing him from entering the Chinese Trade Agency at Kalimpong. In the above-mentioned note, the Ministry stated that it was because the Indian sentry guard did not know the Chinese trader concerned. The Embassy holds that such a contention should by no means be the pretext for the Indian sentry guard threatening the overseas Chinese trader with a raised rifle. The residence of the said trader is not far from the rear gate of the Trade Agency. For the last several years, the trader has been going to the Agency to supply it with bean curd generally once every three or four days, which has remained so ever since the posting of sentry guards at the Trade Agency by the Darjeeling local authorities of India. When the Indian guards was preventing the trader from entering the Trade Agency on January 19, 1960, the personnel of the Agency came out on hearing the noise and explained to the Indian guard that the man was a trader supplying the Agency with bean curd. The Indian guard, however, still attempted to prevent him forcibly. This is an undeniable fact. The Embassy has noted that the Ministry in its note evaded making an answer with regard to the serious incident of the Indian sentry guard threatening the trader with a raised rifle in preventing him from entering the Trade Agency. This is extremely regrettable. Furthermore, the Ministry even alleged that some employees of the Trade Agency got hold of the sentry and forcibly dragged the said trader into the Agency, thereby interfering in the

discharge of duties by the sentry. This allegation not only has no factual basis whatsoever, but also cannot cover up the unwarranted behavior of the sentry, because it is hard to imagine that the furious sentry who was raising his rifle to threaten people, and it is the Agency would have forcibly dragged the trader into the Agency. The Embassy, therefore, categorically rejects the above-mentioned charge of the Ministry.

The Ministry in its note went so far as to deny the fact that Mr. Maitra had been to the Trade Agency to make apologies for the incident in which the Indian sentry guard raised his rifle threaten the above-said overseas Chinese trader. The Embassy would like to state once again that Mr. Maitra went and apologized to the Trade Agency on the same day of the above incident after it had taken place. At that time besides three functionaries of the Trade Agency, there were present, on the Indian side, five or six sentry guards and two or three plain-clothed men of unknown identity. The Embassy considers that the fact that apologies were openly made of such an occasion cannot be altered by a single denial.

The Ministry also alleged in its note that employees of the Trade Agency demanded from the sentry his authority for guarding the gates of the Agency. This is not true. It was nearly two months since the Darjeeling local authorities of India posted sentry guards at the gates of the Trade Agency. Any one could see that it would be meaningless and also unnecessary then for the personnel of the Trade Agency to make such a query. Nevertheless, the Embassy is of the view that the personnel of the Trade Agency are fully entitled to question or protest on the spot against behaviours which they deem brutal and unreasonable.

With regard to the question of the delay in delivering telegram to the Trade Agency caused by the sentry guards at the gate of the Trade Agency preventing the messenger from entering the Agency, the contention of the Ministry also does not confirm to the facts, and is

unsatisfactory. The Ministry stated in its note that the delay was caused by the failure in contacting someone in the Agency to open the inner gate. The Embassy wishes to point out that the inner gate of the Agency is installed with electric bell, and that there are people living in the Agency's building both in the day time and at night, and there is no difficulty in contacting the personnel of the Agency at any time so long as one gets to the gate. And there has never occurred in the past any delay in the delivery of telegrams due to failure in getting the inner gate opened. Just as the local telegraph office has told the Agency, the fact is that the messenger could not enter the Agency because he was prevented by the sentry guards at the gate. This is the sole cause that delayed the Trade Agency in receiving the telegram.

It should also be pointed out that in its memorandum of January 15, 1960, the Embassy has pointed out that when the messenger went to the Agency to deliver a telegram on the morning of the next day of the said incident, the Indian sentry guard again prevented him from delivering the telegram to the Agency in time under the pretext that the messenger had no "pass", hence not permitted to get in. With regard to this fact, the Ministry was also unable to deny in its note of reply.

Speaking of the question of telegram delays, the Embassy wishes to take this opportunity to draw the attention of the Ministry to the fact that telegrams which the Embassy has received from the Chinese Trade Agency at Kalimpong and other places have also time and again been delayed and there have been serious cases of omissions. On December 17, 1959, the Embassy took up this matter with the Ministry, however, the Ministry has not so far made any account for it.

It is surprising that in its note the Ministry has denied the fact that Chinese Deputy Trade Agent Lee Chih-ken and Mrs. Lee were once prevented by the sentry guard on December 27, 1959, from entering the

Trade Agency. It should be pointed out that since the posting of the sentry guards, incidents in which Deputy Trade Agent Lee Chih-ken was obstructed by the sentry guards have taken place time and again. The above-mentioned incident took place on the mid-day of December 27, 1959, when Mr. Lee and his wife were walking back to the Agency from outside. After this incident, Mr. Lee was still subjected to such obstructions. For instance, on January 21, 1960, when Mr. Lee and his interpreter were going back to the Agency in a car, they were stopped at the gate of the Agency which drew more than thirty nearby wool workers and inhabitants to look on around them. The truth of the fact can never be obliterated by denial.

The Ministry also mentioned in its note the question of sentry guard at the Indian Consulate-General at Lhasa. The fact is that the premises of the Indian Consulate-General have only one gate on the northern side, and that the personnel of the Indian Consulate-General have neither in any way been interrogated nor prevented from entry into or exit from the Consulate-General by the sentry guards, thus forming a striking contrast to the treatment received by the personnel of the Chinese Trade Agency at Kalimpong.

The Embassy would like to reiterate that the unwarranted restrictions imposed by the Darjeeling local authorities of India on the Chinese Trade Agency at Kalimpong are now not in the least reduced but, on the contrary, keeping on increasing. Regarding this, the Embassy wishes once again to draw the serious attention of the Ministry, and requests that the Government of India instruct the Darjeeling local authorities to immediately abolish the various improper measures against the Chinese Trade Agency at Kalimpong.

The Embassy avails itself of this opportunity to renew to the Ministry the assurances of its highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 14 June 1960**

The Ministry of External Affairs of the Government of India present their compliments to the Embassy of the People's Republic of China and with reference to the letter's note No. M/129/60 dated the 6th April, 1960 have the honour to state that the Government of India have viewed with surprise that notwithstanding the Ministry's note dated 6th February, 1960 and the verbal explanation given to Mr. Ma Mu-Ming by the Director of the China Division of the Ministry, the Embassy has thought it fit to return to the same unfounded allegations. The Embassy's note has charged the Darjeeling local authorities with having placed unwarranted restrictions on the Chinese Trade Agency at Kalimpong. These unwarranted restrictions apparently refer to the protective guard posted outside the Trade Agency at Kalimpong. It has been alleged that the guard has exceeded its responsibilities in violation of international practice. The Ministry of External Affairs are of the view that the Embassy's note reveals a grave mis-conception of the status and privileges attached to the Chinese Trade Agency in Kalimpong. The Trade Agency is not a diplomatic establishment and does not under international law enjoy customary diplomatic immunities and privileges. The Embassy's attention is drawn to the "Agreement between India and China on trade and intercourse between Tibet Region of China and India (1954)" wherein status and privileges of the Trade Agency have been defined on the following terms:-

"The Trade Agencies of both Parties shall be accorded the same status and same treatment. The trade agents of both Parties shall enjoy freedom from arrest while exercising their functions, and shall enjoy in respect of

themselves, their wives and children who are dependent on them for livelihood freedom from search.

The Trade Agencies of both Parties shall enjoy the privileges and immunities for couriers, mail-bags and communications in code”.

2. The above Agreement confers certain privileges and immunities on Trade Agencies of both countries, but these derive from the Agreement and not from international law and practice.

3. The Ministry of External Affairs must refer in this context to the restrictions imposed on the Indian trade posts and Consulate General in Tibet. In fact, restrictions have been imposed even on the movement of the diplomatic and non-diplomatic members of the Indian Embassy in Peking. The Chinese Government have sought to justify the various restrictions on members of the Indian Embassy by their right to the exercise of sovereign jurisdiction in their own territories. The Government of India have not imposed any reciprocal restrictions on the staff of the Chinese Embassy in New Delhi. They could not, however, agree to a privileged position for the Chinese Trade Agency in Kalimpong.

4. The Embassy is aware of the circumstances in which a guard had to be posted outside the Chinese Trade Agency, Kalimpong to afford protection to the Agency and its members. The Government of India are satisfied that despite provocations and interference from members of the Chinese Trade Agency, the guard has discharged its duty. The Embassy has not produced any evidence of “excess” by the guard.

5. It seems to the Government of India that the few incidents to which exaggerated importance have been given by the Embassy, and on which the protests of the Embassy are made, go to show that the Chinese Trade Agency are anxious to have the guard rendered ineffective or have it withdrawn. As the safety of the foreign organ in question as well as its

members is the sole responsibility of the Government of India, they must see that the measures taken in this behalf are effective. These protective measures do not impose 'unwarranted restrictions' on the Chinese official organ. The Government of China must be aware that considerable freedom is enjoyed by the members of the Chinese Trade Agency at Kalimpong.

6. The Embassy's note has referred to the "connivance" of the authorities "at the forcible instruction by Americans into the compound of the Chinese Trade Agency." The implications of this charge would have been grave, but for the fact that it is not substantiated. Firstly, the use of force by the Americans has not been proved. It was explained to the Embassy that the guard was not aware that the visitors in question who wished to call on the Chinese Trade Agency were Americans. The Americans allowed to go in were, however, not granted an interview and they withdrew from the Agency peacefully. There was no evidence that the Americans had caused any harm to the Chinese Trade Agency or its members.

7. It is strange that while the Embassy desire the Government of India to stop all Americans (and presumably other aliens) from entering the premises of the Chinese Trade Agency, they suggest that the guard posted there should not interrogate persons seeking admission into the Agency premises. To provide security, Government of India must insist that the guard check the identity of every person entering the premises of the Chinese Trade Agency. This is entirely a precautionary measure in the interests of security and safety of the Chinese Trade Agents' establishment in Kalimpong. The Government of India regret that they cannot surrender their responsibility in this regard.

8. The Government of India would take this opportunity to state again that the views of the Chinese Embassy on the treatment given to the official organs of India in the Tibet Region of China are not in accordance

with known facts. In fact, official organs of the Government of India in Tibet have been rendered virtually ineffective and the privileges and immunities assured them in the Sino-Indian Agreement of 1954 have been violated on numerous occasions. The Government of India have noted the Embassy's reference to the Kashmiri Muslims in Tibet and are constrained to state that even on a matter of this nature, the authorities in the Tibet Region of China have adopted a harsh and arbitrary attitude. Instead of taking a sympathetic attitude to the plight of these Kashmiri Muslims, they have used intimidation and persecution to force them to accept the unilateral Chinese view that they have ceased to be Indians.

9. While always maintaining due regard for the principle of reciprocity in international relations, the Government of India cannot agree to a specially privileged position for the Chinese official organs in India. The Government of India would request the Embassy to insure that in the interest of the safety of its members the Trade Agency in Kalimpong should cooperate with the local authorities.

The Ministry avail themselves of this opportunity to renew to the Embassy the assurances of their highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 14 June 1960**

The Ministry of External Affairs of the Government of India present their compliments to the Embassy of the People's Republic of China and with reference to the letter's note No. M/209/60 have the honour to state as follows:-

1. The Government of India consider that the protective guard posted outside the Chinese Trade Agency at Kalimpong would have failed in its duty had it allowed an unknown individual to enter the Agency premises by the rear gate. The guard had appropriately asked the visitor to go by the front gate. The Ministry have no doubt that in the circumstances the guard had carried out its duty in directing a stranger whose bona fides were not known to seek admission through the main entrance gate. As to what happened thereafter, there is no reason to doubt that the bean-curd seller had raised a row, and there was swift physical intervention from 3 members of the Chinese Trade Agency. It is interesting to note that the Embassy has not denied that the stranger in fact did obtain admission into the premises of the Chinese Trade Agency through the rear door despite the guard's contrary directions. The Government of India are informed that Shri Maitra did not enter the premises of the Chinese Trade Agency nor did he offer any apology.

2. The Ministry would like to draw the attention of the Embassy to the grave consequences that might follow if there should be any further interference with the duties of the official guard posted outside the Chinese Trade Agency. Should the Trade Agency have any questions to ask or any protests to make, these should be delivered to the appropriate quarters.

3. Regarding delay in delivering of telegrams or omissions in telegrams addressed to the Chinese Trade Agency, Kalimpong, and the Embassy in New Delhi, the originals of the telegrams delayed or in which omissions occurred, should be sent to the appropriate authorities for investigation in accordance with the regulations of the Directorate of Indian Posts and telegraphs. No such case has been received from the Chinese official organs in India for investigation.

4. The allegation that the Chinese Deputy Trade Agent, Mr. Lee Chih-ken was prevented by the sentry from entering the Trade Agency on December 27, 1959, has on investigation proved unfounded. As to the incident of January 21, 1960 when it is alleged that Mr. Lee and his interpreter were stopped in a car at the gate of the Agency, the facts are not known and an enquiry is being ordered. It would seem, however, from the Embassy's note that the car was stopped probably to see whether there was any unknown stranger in it. If so, this was not objectionable, and it cannot be construed therefrom that Mr. Lee was deliberately stopped.

5. In conclusion, the Ministry of External Affairs would express the hope that the Chinese official organs resident in India would cooperate with the local authorities of the Government of India to ensure the safety of their members.

The Ministry avail themselves of this opportunity to renew to the Embassy the assurances of their highest consideration.

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**Note given by the External Affairs, New Delhi,  
to the Embassy of China in India, 16 August 1960**

The Ministry of External Affairs of the Government of India present their compliments to the Embassy of the People's Republic of China and in continuation of their Note dated June 14, 1960, have the honour to state as follows:

In its Note No. M/209/60, the Embassy of the People's Republic of China had alleged that on January 21, 1960, when Mr. Lee Chih-ken, Deputy

Trade Agent in Kalimpong, and his interpreter were going back to the Agency in a car they were stopped at the gate of the Agency. As promised in the Indian Note of June 14, enquiries were made by the Government of India and the facts are as follows:

On January 21, 1960, at about 1200 hours, the sentry on duty at the main gate of the Chinese Trade Agency noticed that a motor vehicle with two occupants besides the driver was about to enter the Agency. In the discharge of his duty the sentry signalled the car to stop in order to find out if any unauthorised Indian or foreigner was entering the Agency premises. It may be remembered that when in the first week of December, 1959, two Americans entered that Agency compound it was alleged by the Embassy that their entry was deliberately connived at by the local authorities. The sentry after satisfying himself that an official of the Agency was in car signalled it to enter the premises. There is no truth in the Embassy's statement that the above incident drew more than 30 nearby wool workers and inhabitants to the scene of the incident. The Government of India consider that the action of the sentry in requiring the driver of the car to stop was in *bona fide* discharge of his duties and in order to ensure the security of the Chinese Trade Agency, and there is no legitimate ground for objection or protest on this score.

The Ministry of External Affairs take this opportunity to renew to the Embassy of the People's Republic of China the assurance of their highest consideration.

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**Note given by the Embassy of China in India  
to the Ministry of External Affairs, New Delhi, 9 September 1960**

The Embassy of the People's Republic of China in India presents its compliments to the Ministry of External Affairs of India, and with reference to the Ministry's two notes dated June 14, 1960 and one note dated August 16, 1960, has the honour to state as follows:

Regarding the unwarranted restrictions imposed by the Darjeeling local authorities on the normal functioning of the Chinese Trade Agency at Kalimpong, the Embassy has in its three notes and two memoranda previously handed over to the Ministry enumerated not a few indisputable facts. It is highly regrettable that the Indian Government not only did not give consideration to the representations formally made by the Embassy and issue instructions to the local authorities to remove these unwarranted restrictions, but, on the contrary, tried to shirk its responsibility by various untenable arguments and made groundless assertions and charges.

In its note the Ministry mentioned that "these unwarranted restrictions apparently refer to the protective guard posted outside that Trade Agency at Kalimpong," and considered that "the Chinese Trade Agency are anxious to have the guard rendered ineffective or have it withdrawn." The Embassy would like to point out that this assertion is entirely inconsistent with the fact. The fact is that in its previous notes and memoranda to the Ministry the Embassy has never raised objection to the matter of posting guard itself, nor has it made any request for the withdrawal of the guards. The question now is whether the guards posted at the gates of the Chinese Trade Agency are really carrying out the duties they should perform. It can be seen from the facts given by the Embassy that on the one hand, Americans with ulterior motives were connived with in intruding into the compound of the Chinese Trade Agency on two successive occasions in disregard of the objection of the staff members of the Trade Agency. This gives one reason to suspect what the Indian side actually

aimed at in adopting such an attitude. Similarly, it is extraordinary to describe the request for the removal of the harassments imposed on the Chinese Trade Agency's staff entering or coming out of the Agency as a request by the Agency for enjoying privileges. As is well known, the personnel of any foreign official organ have the right to freely enter or leave their own premises without being subjected to any restriction; however, the personnel of the Chinese Trade Agency and even the Deputy Trade Agent himself, have been on many occasions subjected to obstructions and harassments. The Embassy has in its previous notes stated time and again that under the present condition on military control, the guard posted by the Tibet local authorities of China for the security of the Indian Consulate-General at Lhasa have not placed any restriction on the personnel of the Indian Consulate-General and the Indian nationals entering or leaving the Consulate.

The Chinese Government is surprised at the allegation made by the Ministry in its note that "restrictions have been imposed even on the movement of the diplomatic and non-diplomatic members of the Indian Embassy in Peking" by China. The Chinese Government does not know that there has ever been any complaint made in this connection by the Indian Embassy, which, like all the other foreign missions in China, has been enjoying an equal treatment and has never been subjected to any discrimination. Likewise, the Tibet local authorities have always taken a friendly and cooperative attitude towards the various Indian official organs in the Tibet of China. Since the Indian Government attaches importance to the principle of reciprocity, the Chinese Government hopes that the Indian Government will accord equal normal treatment to the Chinese official organs in India.

The Embassy takes this opportunity to renew to the Ministry the assurances of its highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi  
to the Embassy of China in India, 27 September 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to refer to its Note No. M/340/60, dated September 9, 1960.

2. The Government of India have examined the matter again in the light of the note from the Chinese Embassy. They are satisfied that the Guard outside the Trade Agency functions only with a view to ensure the protection of the Trade Agency. While in exercise of its functions, the Guard is obliged to take certain legitimate precautions to interrogate any person who cannot *prima facie* be recognised as belonging to the Trade Agency, the Guard carries strict instructions not to interfere in any way with the entry and exit of personnel belonging to the Trade Agency.

3. It may be added that there can be little doubt that the Chinese Embassy and Chinese posts in India enjoy far greater freedom of movement and functioning than is permitted to the Indian Missions in Peking or the Indian posts in other parts of China. From such incontrovertible information as is in their possession, Government of India cannot also accept the assertion contained in the Note that the local authorities in Tibet have taken a friendly and co-operative attitude to the various Indian officials and organs in the Tibet region of China.

4. The Ministry of External Affairs avail themselves of this opportunity to renew to the Embassy of the People's Republic of China the assurances of their highest consideration.

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**Note given by the Embassy of China in India  
to the Ministry of External Affairs, New Delhi, 29 March 1960**

The Embassy of the People's Republic of China in India presents its compliments to the Ministry of External Affairs of India, and regarding the incident in which the Tibetan rebels who have fled to India openly held a meeting in Kalimpong to "observe" the first anniversary of rebellion in Tibet, hereby lodges a serious protest with the Ministry as follows:

At 9-30 in the morning of March 10, 1960, over 500 reactionary Tibetan nobles, Tibetan rebels and Khamba rebel bandits, who have fled to India, and members of the so-called "Tibetan Association" in Kalimpong and the "Association of Tibetan India" openly held a meeting at the Tharpa Choling Monastery to observe" the first anniversary of the rebellion in Tibet. When these reactionary elements assembled for the meeting, and made demonstrations, they carried at the head of their processions, besides the Indian national flag, the so-called "Tibetan national flag" painted with lion and snow-covered mountains. At the meeting, Khemey Sonamwongdui, ring-leader of the Tibetan rebels and commander-in-chief of the former Tibetan army, and other representatives of the rebel bandits made speeches in succession, instigating the rebel bandits to continue their traitorous activities, and at the same time reactionary Tibetan songs were sung. After the meeting they demonstrated in processions along the main streets in Kalimpong, frantically shouted reactionary slogan such as "Ordure for the Hans", "Communists go back" and "Long live Indo-Tibetan cooperation", and put up many reactionary posters on the streets. They

did not disperse until 1-30 in the afternoon. Not only the local authorities of India did not try to ban such anti-China activities, but the responsible persons of the police office attended the meeting themselves, and allowed the rebel bandits to continue their activities at the Kalimpong Town Hall on the afternoon of the same day. Such activities further went on in the evenings for four successive days. Obviously such an attitude taken by the local authorities of India is in grave violation of the assurance which has been given by the Indian Government that India by no means permits any activities on its territory directed against the People's Republic of China. This is not in conformity with the Five Principles of peaceful co-existence, and seriously damages the friendly relations between China and India. The Embassy is, therefore, instructed to lodge a serious protest against the Indian local authorities' act of connivance at the Tibetan rebel bandits to carry on activities against the People's Republic of China and undermine the friendly relations between China and India, and the local officials' taking part in the above-mentioned meeting, and demands that the Govt. of India take effective measures to prevent recurrence of similar incidents in the future.

The Embassy takes this opportunity to renew to the Ministry the assurances of its highest consideration.

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**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 24th June, 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and with reference to its Note No. M/122/60, dated the 29th March, 1960, have the honour to reply as follows:

A meeting was held at the Tharpa Choling Monastery by a section of the Tibetan population of Kalimpong on the 10th March, 1960, for the purpose of offering prayers for the long life of the Dalai Lama. A substantial portion of the congregation consisted of Tibetan refugees, and during the meeting they gave expression to their feelings in a peaceful manner. The meeting was followed by a peaceful procession in the course of which some slogans were shouted. There were song and dance recitals at the Town Hall on the same afternoon, and elsewhere on the following days in order to raise money for the relief of Tibetan refugees.

Such demonstrations by sections of India's population are, as the Embassy of China must aware, quite common and the authorities do not take any action against them unless a threat to law and order develops. The suggestion in the Chinese Note that Police were posted at the site of the meeting and along the route followed by the procession in pursuance of their duty to ensure that there was no breach of public peace. This statements made in the Note of the Chinese Embassy are not in accordance with facts and the Government of India feel bound to reject it.

The Ministry take this opportunity to renew to the Embassy the assurances of its highest consideration.

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**Note given by the Embassy of China in India  
to the Ministry of External Affairs, New Delhi, 12 August 1960**

The Embassy of the People's Republic of China in India presents its compliments to the Ministry of External Affairs of India, and with reference to the Ministry's note No. F.1(4)EAD/60, dated June 25, 1960, has the honour to state as follows:-

Regarding the incident in which the Tibetan rebels, who had fled to India, openly held a meeting in Kalimpong to "observe" the first anniversary of the rebellion in Tibet, the Embassy in its note of March 29, 1960 to the Ministry gave a detailed account of the facts of the incident which took place at the time. The Ministry in its reply note did not deny the relevant facts, but attempted to shirk its responsibility under some untenable pretexts, at which the Embassy cannot but express its deep regret.

As is well known, March 10, 1959, was the day when the Tibetan rebels started their rebellion. On the same day this year, the Tibetan rebels, who had fled to India, openly held a meeting to "observe" the day at the Tharpa Choling Monastery in Kalimpong. This is by no means an ordinary meeting for "offering prayers for the long life of the Dalai Lama" as described in the Ministry's reply note, but is obviously a meeting of political character. This can be proved not only by the date of the meeting, but also by the speeches of the ringleaders of the Tibetan rebels present at the meeting as well as the slogans shouted and the poster pasted up during the demonstration following the meeting. Not only the Indian local authorities did not prevent in advance these activities carried out on Indian territory openly directed against the People's Republic of China, but the responsible persons of the Indian local police office who were then on the spot deliberately connived at them instead of taking any action against them. This cannot be a grave violation of the assurance previously made by the Indian Government that India by no means permits any activities on its territory directed against the People's Republic of China. In its reply note, however, the Indian Government considered the incident to be "quite common" and tried to shirk its

responsibility with the so-called "peaceful manner", "peaceful procession", etc. as a pretext. The Embassy considers that such an assertion is unacceptable.

Tibet is a part of China's territory. The Chinese Government cannot permit any one to interfere in China's internal affairs on questions pertaining to the Tibet region. The occurrence of the above-mentioned incident is harmful to the relations between China and India. The Chinese Government hopes that the Indian Government will attach importance to Sino-Indian friendship and adopt effective measures to carry out, in earnest, its previous assurance that India by no means permits any activities on its territory directed against the People's Republic of China.

The Embassy avails itself of this opportunity to renew to the Ministry the assurance of its highest consideration.

Informal note hand over in New Delhi by the Foreign Secretary to Mr. Chiao Kuan-Hua, Assistant Minister for Foreign Affairs of China, 25 April 1960

### **1. Bhutan and Sikkim.**

Under India's Treaties with Bhutan and Sikkim Government of India is clearly responsible for the external relations of these two States. This has been pointed out to the Government of the People's Republic of China, as also the fact that the question relating to the northern boundaries of Sikkim and Bhutan have to be considered at the same time as the boundary between India and China.

Our concern is all the greater because persistent reports have reached us over a period of months that propaganda organs as well as senior Chinese officials in the Tibet region have been saying that China intends

incorporating Sikkim and Bhutan like Ladakh into the Chinese People's Republic. On some occasions it was even stated that China might take military steps to occupy these territories. It is hoped that in the interest of restoring Sino-Indian relations and assuaging apprehensions, India's responsibility in respect of the external relations of Sikkim and Bhutan would be fully understood and respected and such propaganda would be stopped.

## 2. Difficulties in the implementation of the 1954 Agreement regarding the Tibet Region.

Indian official representatives in the Tibet region as well as Indian nationals continue to suffer unnecessary and crippling restrictions even though the privileges are guaranteed on reciprocal basis by the 1954 Agreement.

Following are some examples of such restrictions:-

### **(i) Accommodation Difficulties**

#### **(a) Gyantse**

Ever since the buildings of the Agency were washed away in 1954, we have been trying to negotiate with Chinese authorities for the reconstruction of the Agency premises. We even offered to construct protective works along the river embankment at our own expense and to send our Chief Engineer to explain that our proposals would in no way damage the public highway and bridge in the Gyantse township. Later, we even offered to surrender the area along the river bank if an equivalent area could be provided on the other side of the existing Agency site. The lease for the land on which the Agency was located is valid till 1971; but as a measure of goodwill we agreed to sign a new lease. Despite these

offers and many representations no satisfactory agreement has been reached or facilities provided to resolve the difficulties. The Government of the People's Republic of China in a recent note have suggested our resuming reconstruction of the premises; but no lease has yet been finalised. Government of India are anxious that the lease for at least 19.13 acres of land (which is the area left over from the original site) should be concluded to enable reconstructions to be started. Unless the lease is signed and this area, largely on the original site, made available, it would not be possible for the Government of India to embark on large-scale and expensive construction measures. This request is fully in accordance with the provisions of the 1954 Agreement.

We also hope that pending reconstruction, the local authorities would help in improving the temporary accommodation facilities of the Agency.

**(b) Gartok.-**

A lease deed for the area was at last signed in 1959. We request that the Chinese authorities will give us active co-operation to enable us to start the construction of the Agency buildings this season.

**(c) Functioning of the Trade Agencies.**

Very strict restrictions have been imposed on the freedom of movement and functioning of the Indian Consulate General in Lhasa and the Indian Trade Agencies in Yatung, Gyantse and in Western Tibet. In contrast with the facilities enjoyed by the Chinese posts in India our officers are afforded no opportunity to move around or to have any contact even of a cultural nature with local nationals. Despite the provisions of the Agreement, in 1959 the Indian Trade Agent in Western Tibet was not only greatly delayed, but was not even able to visit the specified trade marts.

The Agencies have also experienced a variety of small but irritating difficulties in their functioning in such matters as the hiring of transport

and communication facilities. Local servants have been discouraged from serving in the Indian posts.

**(d) Indo-Tibetan Trade.**

The traditional trade has suffered serious decline largely because the customary export of wool, salt, etc. is not being facilitated. Traders are not allowed to contact their traditional trading partners. Moreover, no remittance facilities are being provided to enable Indian traders to repatriate their legitimate profits. Either bank drafts are not provided at all or, if they are, under restrictive conditions, the rate of commission is exorbitantly high. The traders, especially in Western Tibet, are also experiencing difficulties in obtaining premises, hiring transport and in realising old debts.

It is hoped that the Government of the People's Republic of China would ease these difficulties and continue facilities for the traditional exchange in accordance with the 1954 Agreement.

**(f) Pilgrims.**

Pilgrims were discouraged from proceeding to Kailash and Mansarovar last year. In view of the sanctity attached to these places, it is hoped that necessary facilities to Indian pilgrims would be provided in accordance with the provisions of the 1954 Agreement.

**(g) Indian nationals.**

According to our information, about 125 families of Kashmiri Muslims residing in the Lhasa area and a few hundred Ladakhi Lamas now in Tibet region are extremely anxious to return to India. Under Indian laws, regardless of the period of their residence abroad, these persons of Indian origins are entitled to Indian nationality. We are not aware that they have accepted Chinese nationality under any law promulgated by the Government of the People's Republic of China. Even if they have qualified

for Chinese nationality in accordance with inter-national usage governing Dual Nationality, persons of Indian origin should be given the option to return to India if they so wish.

This is fully in accordance with the stand of the Government of the People's Republic of China in respect of persons of Chinese origin in Indonesia, and with the principles embodied in the Treaty of Dual Nationality signed after Bandung. It is also in accordance with the arrangement agreed between China and Nepal with regard to persons of mixed parentage residing in the Tibet region.

Apart from Indian wishing to leave Tibet, there are about 22 Indian nationals reported to be under arrest, According to the Agreement, they should have been treated as foreigners and in any case have been provided with opportunity to seek the help of the local Indian representatives.

In respect of all these matters pertaining to the 1954 Agreement, one or more representations have been made to the Government of the People's Republic of China, explaining the Indian requests in detail during the last year.

### **(3) Enclaves**

Apart from the above, it is also hoped that the Government of the People's Republic of China would respect the sovereign rights of the Government of Jammu and Kashmir and therefore of the Government of India over MINSAR in Western Tibet. Similarly in accordance with representation made last year, the control of Bhutan should be restored over the Bhutan enclaves near Kailash in Western Tibet.

It is also requested that Sikkimese nationals who have been residing in certain estates in the Chumbi Valley, and are traditionally treated as

distinct from Tibetans might continue to receive the treatment which has been traditionally accorded to them and allowed facilities of movement to Sikkim.

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**Memorandum given to the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 17 October 1960**

On the 4th October 1960 an I.A.F. Hunter aircraft took off from Ambala at 0932 hours on a routine training flight. It was in normal contact with its base until 0945 hours when it was reported at a bearing of 080° from Ambala. Since then the aircraft has been reported missing and despite repeated searches no trace of the aircraft has been found. There was only one occupant of the aircraft, the Pilot Flt. Lt. K.P. Singh.

2. While all Indian aircraft carry strict instructions not to violate Chinese air-space, it is considered possible that owing to navigational error or mechanical failure the aircraft may have strayed and possibly crashed in Chinese territory. The Government of India would appreciate if the Chinese Government would instruct investigations to be made in the Western Tibet region in case any information pertaining to the missing Indian aircraft or the Pilot has been reported by the local authorities concerned. .