

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

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Extracts

Ministry of External Affairs  
Government of India

**Letter from Premier Chou En-lai  
to Prime Minister of India, 24 October 1962**

Your Excellency Respected Prime Minister,

It is most distressing that border clashes as serious as the present ones should have occurred between our two countries. Fierce fighting is still going on. At this critical moment, I do not propose to trace the origin of this conflict. I think we should look ahead we should take measures to turn the tide. In order to seek a way to stop the border clashes, reopen peaceful negotiations and settle the Sino-Indian boundary question, the Chinese Government has already issued a statement, proposing the following:

- (1) Both parties affirm that the Sino-Indian boundary question must be settled peacefully through negotiations. Pending a peaceful settlement, the Chinese Government hopes that the Indian Government agree that both parties respect the line of actual control between the two sides along the entire Sino-Indian border, and the armed forces of each side withdraw 20 kilometres from this line and disengage.
  - (2) Provided that the Indian Government agrees to the above proposal, the Chinese Government is willing, through consultation between the two parties, to withdraw its frontier guards in the eastern sector of the border to the north of the line of actual control; at the same time, both China and India undertake not to cross the line of actual control, i.e., the traditional, customary line, in the middle and western sectors of the border.
- Matters relating to the disengagement of the armed forces of the two parties and the cessation of armed conflict shall be negotiated

by officials designated by the Chinese and Indian Governments respectively.

- (3) In order to seek a friendly settlement of the Sino-Indian boundary question, talks should be held once again by the Prime Ministers of China and India at a time considered appropriate by both parties, the Chinese Government would welcome the Indian Prime Minister to Peking; if this should be inconvenient to the Indian Government, the Chinese Premier would be ready to go to Delhi for talks.

For thousands of years, the peoples of China and India have been friendly to each other, and they should remain so from generation to generation;. Our two countries jointly initiated the Five Principles of Peaceful Co-existence and took part in the Bandung Conference of historic significance. Our two peoples common interests in their struggle against imperialism outweigh by far all the differences between our two countries. We have a major responsibility for Sino-Indian friendship, Asian-African solidarity and Asian peace.

Driven by a deep sense of this responsibility I sincerely appeal to you that you may respond positively to the above three proposals.

Please accept, Your Excellency, the assurances of my highest consideration.

(Sd.) CHOU EN-LAI,  
Premier of the State Council of

## **Statement of the Chinese Government, 24 October 1962,**

Serious armed clashes have recently taken place on the Sino-Indian border. This occurrence is most unfortunate. The Chinese and Indian people have always been friendly to each other and should remain so from generation to generation. That China and India should cross words on account of the boundary question is something the Chinese Government and people are unwilling to see, it is also what the peace-loving countries and people of the whole world are unwilling to see.

The Sino-Indian boundary question is a question left over by history. There is a traditional customary boundary between the two countries, but the boundary between the two countries has never been formally delimited. The so-called McMahon Line in the eastern sector is a line which the British imperialists attempted to force upon China by taking advantage of the powerlessness of the Chinese and the Indian peoples. It is illegal and has never been recognized by the Chinese Government. After the independence of India, and especially around the time of the peaceful liberation of the Tibet region of China, the Indian side gradually extended its scope of actual control in the eastern sector northward from the traditional customary line to the vicinity of the so-called McMahon Line. In the middle and western sectors, up to 1959 the extent of actual control by China and India in the main conformed to the traditional customary line, except at individual places. Although India occupied more than 90,000 square kilometres of Chinese territory in the eastern sector, provoked two border clashes in 1959 and made claim to large tracts of Chinese territory, the Chinese Government has always stood for a peaceful settlement of the Sino-Indian boundary question through negotiations and held that, pending, a peaceful settlement, the extent of actual control by each side should be respected and neither side should alter the state of the boundary by unilateral action.

Seeking a peaceful settlement of the Sino-Indian boundary question, Premier Chou En-lai went to New Delhi in April, 1960 to hold talks with Prime Minister Nehru, and tried hard to reach a preliminary agreement conducive to a settlement of the boundary question.

Regrettably, the sincere effort of the Chinese side did not evoke a response from the Indian side. Following that, the meeting of the officials of China and India likewise failed to yield results as it should.

The Chinese Government has always held that, even though China and India cannot for a time reach agreed opinions on the boundary question, this should not lead to border clashes. As early as 1959, the Chinese Government repeatedly proposed that the armed forces of each side withdraw 20 kilometres all along the border and stop frontier patrols so as to disengage the armed forces of the two sides and avoid conflict. After the Indian side rejected these proposals, China unilaterally stopped patrols on its side of the boundary in the hope that this might help ease the border situation.

Contrary to our expectations the Indian side, taking advantage of... steadily and penetrated deep into Chinese territory, first in the middle and western, and then in the eastern sectors of the Sino-Indian boundary, set up scores of military strong-points and continually caused armed clashes, thus making the border situation increasingly tense.

In the past year and more, the Chinese Government has again and again asked India to stop changing the status quo of the boundary by force and return to the table of negotiations. In the last three months, the Chinese Government three times proposed negotiating the Sino-Indian boundary question without any preconditions but all three' times met with the refusal of the Indian Government. The Indian Government insisted that negotiations cannot start until China has withdrawn from vast tracts of China's own territory.

Especially shocking to China is the fact that the Indian Government, after rejecting China's peaceful proposal, on October 12 ordered the Indian forces to "free" Chinese frontiers of Chinese troops. Then, on October 20, Indian forces started a massive general offensive in both the eastern and western sectors of the Sino-Indian border. In these serious circumstances, the Chinese frontier guards had no choice but to strike back in self-defence. Fierce fighting is now going on. The occurrence of this grave situation pains the Chinese Government and people and disturbs the Asian and African countries and people. After all, what issue is there between China and India that cannot be settled peacefully? What reason is there for bloody clashes to occur between China and India? China does not want a single inch of India's territory. In no circumstances is it conceivable for the Sino-Indian boundary question to be settled by force. China and India are both big countries of Asia having a major responsibility for peace in Asia and the world. They are initiators of the Five Principles of Peaceful Co-existence and participants of the Bandung Conference. Although the relations between China and India are presently very tense, there is no reason to abandon the Five Principles of Peaceful Co-existence and the spirit of the Bandung Conference. The Chinese Government holds that both the Chinese and Indian Governments should take to heart the fundamental interests of the 1,100 million people of China and India, the common interests of the people of the two countries in their struggle against imperialism and the interests of Asian peace and Asian-African solidarity, and try their best to seek a way to stop the border conflict, reopen peaceful negotiations and settle the Sino-Indian boundary question.

In line with its consistent stand for a peaceful settlement of the Sino-Indian boundary question, the Chinese Government now solemnly puts forward the following three proposals:

- (1) Both parties affirm that the Sino-Indian boundary question must be settled peacefully through negotiations. Pending a peaceful settlement, the Chinese Government hopes that the Indian Government will agree that both parties respect the line of actual control between the two sides along the entire Sino-Indian border, and the armed forces of each side withdraw 20 kilometres from this line and disengage.
- (2) Provided that the Indian Government agrees to the above proposal, the Chinese Government is willing, through consultations between the two parties, to withdraw its frontier guard<sup>6</sup> in the eastern sector of the border to the north of the line of actual control; at the same time, both China and India undertake not to cross the line of actual control, i.e., the traditional customary line, in the middle and western sectors of the border.  
Matters relating to the disengagement of the armed forces of the two parties and the cessation of armed conflict shall be negotiated by officials designated by the Chinese and Indian Governments respectively.
- (3) The Chinese Government considers that, in order to seek a friendly settlement of the Sino-Indian boundary question, talks should be held once again by the Prime Ministers of China and India. At a time considered to be appropriate by both parties, the Chinese Government would welcome the Indian Prime Minister to Peking; if this should be inconvenient to the Indian Government, the Chinese Premier would be ready to go to Delhi for talk.

The Chinese Government appeals to the Indian Government for a positive response to the above three proposals. The Chinese Government appeals to the governments of Asian and African countries for an effort to bring about the materialization of these three proposals. The Chinese Government

appeals to all the peace-loving countries and people to do their part in promoting Sino-Indian friendship, Asian-African solidarity and world peace.

**Letter from the Prime Minister of India,  
to Premier Chou En-lai. 27 October 1962**

Dear Mr. Prime Minister,

Thank you for the copy of your message of 24th October which was delivered to the Ministry of External Affairs by your Charge d'Affaires in Delhi on the evening of 24th October along with a copy of the statement issued by the Government of the People's Republic of China on the morning of the 24th.

Nothing in my long political career has hurt and grieved me more than the fact that the hopes and aspirations for peaceful and friendly neighbourly relations which we entertained, and to promote which my colleagues in the Government of India and myself worked so hard, ever since the establishment of the People's Republic of China, should have been shattered by the hostile and unfriendly twist given in India-China relations during the past few years. The current clashes on the India-China border arising out of what is in effect a Chinese invasion of India, which you have described as "most distressing", are the final culmination of the deterioration in relations between India and China.

I would not, in this letter, go into the long history of this deterioration in India-China relations or argue as to where the fault lies because you are quite familiar with our views on this subject.

I would say that the long preamble to the statement of the Government of the People's Republic of China of 24th October, enclosed with your letter, gives a distorted picture of the history of India-China relations. I agree with you, however, that we should look ahead and consider what can be done not merely to turn the tide as you suggest, but to reverse it and make a serious attempt to restore the relations between India and China to the

warm and friendly pattern of earlier days and even to improve on that pattern.

As regards the three points mentioned in your letter which were put out in the statement of 24th October, the Government of India have already indicated their official reactions to the proposals in these three points. I enclose a copy of this official reaction for ready reference.

My colleagues and I have carefully considered the appeal made in your letter. We are not able to understand the niceties of the Chinese three-point proposals which talk about 'lines of actual control', etc. I believe several other Governments interested in peaceful settlement of our differences have also not been able to understand or appreciate what these proposals actually mean.

We are of the considered view that a clear straightforward way of reversing the deteriorating trend in India-China relations would be for Your Excellency to accept the suggestion made in point (V) of the official reaction of the Government of India and to revert to the position as it prevailed all along the India-China boundary prior to 8th September, 1962. If this is agreed to, it can be implemented by both sides. We will, thereafter, be glad to welcome you or a delegation from your country at any level that is mutually acceptable to discuss and arrive at further agreed measures which can facilitate a peaceful settlement of our differences on this border question, in one stage or in more than one stage as may be necessary.

There have been repeated declarations by the Government of the People's Republic of China that they want to settle the differences on the border question with India by peaceful means, though what is happening today is in violent contradiction with these declarations would, however, presume that your letter is a reaffirmation of the earlier declarations and indicates a desire to revert to the paths of peace and peaceful settlement. On this common basis of eschewing war and violence in the settlement of border

differences, our proposal to revert to the status quo along the entire boundary as it prevailed before 8th September, 1962, should be acceptable to you. We could, after this is implemented, discuss our differences and see whether we can arrive at agreed measures and settle the differences either in one stage or in several stages. If we fail, we can consider what other agreed peaceful method of settling our differences should be adopted. Please accept, Your Excellency, the assurances of my highest consideration.

Yours sincerely,  
(Sd.) JAWAHARLAL NEHRU.

**Annexure to letter from the Prime Minister of India  
to Premier Chou En-lai, 27 October 1962**

The Government of India have seen Press Agency reports of the three-point statement issued by the People's Republic of China which the New China News Agency has put out this morning. There has been no official communication from the Chinese Government on this matter so far.

The Government of India have in previous notes and in statements made by the Prime Minister clearly indicated their attitude in this matter.

Government of India's position is:

- i. The Government of India wedded to peace and peaceful methods have always sought to resolve differences by talks and discussions in this case of border differences with the Government of China.
- ii. On the 16th October, 1962, in a note sent to the Government of China they proposed the restoration of the status quo of the boundary as it prevailed before the Chinese aggression in the eastern sector on 8th September, 1962, prior to talks and discussions for easing of tension and for creating the appropriate climate for purposeful talks and discussions to resolve the differences between the Governments of India and China on the boundary question.
- iii. Since then, it is the Government of China which on the morning of the 20th October, 1962, hurled its vast armies at various points on all sectors of the India-China boundary and enlarged the conflict. These Chinese forces have advanced in all sectors into Indian territory and are still advancing. India cannot and will not accept a position under which Chinese forces continue to commit aggression into Indian territory, occupy substantial Indian territories and use these as a bargaining counter to force a settlement on their terms.

- iv. There is no sense or meaning in the Chinese offer to withdraw 20 kilometres from what they call 'line of actual control'. What is this 'line of actual control'? Is this the line they have created by aggression since the beginning of September? Advancing 40 or 60 kilometres by blatant military aggression and offering to withdraw 20 kilometres provided both sides do this is a deceptive device which can fool nobody.
- v. If the Chinese professions of peace and peaceful settlement of differences are really genuine, let them go back at least to the position where they were all along the boundary prior to 8th September, 1962. India will then be prepared to undertake talks and discussions, at any level mutually agreed, to arrive at agreed measures which should be taken for the easing of tension and correction of the situation created by unilateral forcible alteration of the status quo along the India-China boundary.
- vi. India is always prepared to resolve differences by talks and discussions but only on the basis of decency, dignity and self-respect and not under threat of military might of any country however strong it may be.
- vii. India would be prepared to welcome the Chinese Prime Minister or any suitable representative of the Chinese Government on a mutually agreed date if China is sincere in its professions of peaceful settlement and accepts the constructive proposal made in point (v) above which is fully consistent with dignity and self-respect both of India and China.

**Letter from Premier Chou En-lai,  
to the Prime Minister of India, 4 November 1962**

Respected Mr. Prime Minister,

I thank you for your letter dated October 27. I have also received the enclosed copy of the Indian Government's statement dated October 24.

It is indeed most painful to the Chinese Government and people that the current unfortunate border clashes should have eventually broken out and should have not yet ceased. The major enemy of China, as well as of the other Asian and African countries, is imperialism. The Chinese Government and people are by no means willing to see the two largest Asian countries crossing swords on account of differences between them, while they are confronted with the major enemy.

Though we interpret the cause of the current grave situation between China and India differently, I am glad that Your Excellency agrees that we should look ahead and should not merely turn the present tide but restore Sino-Indian relations to the warm and friendly pattern of earlier days and even improve on that pattern.

I believe that if we really cherish such a common desire we shall certainly be able, through our joint efforts, to find a way to settle the Sino-Indian boundary question peacefully that is acceptable to both sides.

The three proposals of the Chinese Government of October 24 were advanced exactly in the spirit of resuming the friendly relations between the two countries prior to 1959. Your Excellency said that you and your colleagues were not so clear about the precise meaning of the Chinese Government's proposals. Although the Chinese Government already pointed out in its statement the origin and meaning of its proposals, I am still willing here to make some further explanations.

As pointed out in the October 24 statement of the Chinese Government, the proposals for the armed forces of China and India to withdraw 20 kilometres each from the line of actual control and to disengage was first put forward by the Chinese Government back in 1959, to put it more specifically, in my letter to you dated November 7, 1959. Now, the Chinese Government has reiterated this proposal. The 'line of actual control' mentioned in the proposal is basically still the line of actual control as existed between the Chinese and Indian sides on November 7, 1959. To put it concretely in the eastern sector it coincides in the main with the so called McMahon Line and in the western and middle sectors it coincides in the main' with the traditional customary line which has consistently been pointed out by China. The reason why the Chinese Government put forward this proposal again emphatically is that we have deeply realized from the bitter experience of the past three years that it is very hard to avoid clashes in border areas under dispute if the armed forces of the two sides are not disengaged. The fact that the Chinese Government's proposal has taken as its basis the 1959 line of actual control and not the present line of actual contact between the armed forces of the two sides is full proof that the Chinese side has not tried to force any unilateral demand on the Indian side on account of the advances gained in the recent counter-attack in self-defence. According to this proposal of the Chinese Government, the undertakings of both sides are equal. Moreover as Your Excellency is surely aware, in concretely implementing this proposal the Chinese armed forces will have to withdraw much more than 20 kilometres from their present position in the eastern sector. The Chinese Government greatly regrets that the Indian Government in its statement of October 24 should describe this fair proposal of the Chinese Government as a deceptive device to fool anybody. As Your Excellency is dearly aware, implementation of this proposal of the Chinese Government is not tantamount to the settlement

of the boundary question, and so it will in no way prejudice the position of either side in maintaining its claims with regard to the boundary. No matter how differently our two sides view the Sino-Indian boundary question, the question has in fact been in existence for a long time.

Yet this situation did not prevent our two countries from living together on friendly terms before 1959, then how is it that they can no longer do so after 1959? Of course, we both wish to see the boundary question settled speedily in a friendly way, yet why is it that our two countries must resort to arms before the boundary question is settled? The proposal of the Chinese Government for the armed forces of the two sides to withdraw 20 kilometres each from the line of actual control along the entire boundary and to disengage is precisely designed to create an atmosphere for the peaceful settlement of the boundary question; and even if the boundary question cannot be settled for the time being, avoidance of clashes along the border can be ensured.

The Indian Government said in its statement that India can enter into talks "only on the basis of decency, dignity and self-respect." I deem that the three proposals of the Chinese Government have precisely provided such a basis. Should the Indian Government agree to the Chinese Government's proposals, China and India can quickly designate officials to negotiate matters relating to the disengagement of the armed forces of the two sides and the cessation of their armed conflict. When these negotiations have yielded results and the results have been put into effect the Prime Ministers of the two countries can then hold talks to proceed further to seek a friendly settlement of the Sino-Indian boundary question.

You have said in your letter that "a dear straight-forward way of reversing the deteriorating trend in India-China relations is for the Chinese side to accept the suggestion made in point V of the Indian Government's statement, that is, to revert to the position as it prevailed all along the

India-China boundary prior to September 8 1962." I cannot but state with regret, however, that this Indian suggestion is contrary to the aim of turning the present tide and resulting Sino-Indian friendly relations. I do not wish to reopen the old argument. But since the state of the Sino-Indian boundary prior to September 8, 1962 has been referred to I cannot but point out that that state was unfair and pregnant with the danger of border conflict and hence should not be restored. So far as the eastern sector is concerned, I believe the Indian Government must be in possession of the 1914 original map of the so-called McMahon Line. According to the original map, the western end of the so-called McMahon Line clearly starts from 27 ° 44.6'N. Yet the Indian Government arbitrarily said that it started from 27°48'N and, on this pretext, it not only refused to withdraw the Indian troops from the Kechilang River area north of the Line but made active dispositions for a massive military attack, attempting to clear the area of Chinese frontier guards defending it. Such was the position in the eastern sector of the Sino-Indian boundary prior to September 8, 1962. How can the Chinese Government agree to revert to such a position? As for the western sector, the Aksai Chin area has always been' under China's jurisdiction. It was through this area that back in 1950 the Chinese People's Liberation Army entered the Ari district of Tibet from Sinkiang. Again, it was through this area that, from 1956 to 1957, the Chinese Government constructed the Sinkiang Tibet Highway involving gigantic engineering work. Yet the Indian Government arbitrarily said that it was not until 1957 that the Chinese side came to this area and on this pretext, unilaterally altered the state of the boundary in the western sector by force from 1961 onwards, occupied large tracts of Chinese territory east of the 1959 line of actual control and set up over 40 military strong points. Such was the position in the western sector of the Sino Indian boundary prior to

September 8, 1962. How can the Chinese Government agree to revert to such a position?

The Chinese Government holds that the present border clashes should not have occurred at all and that, in order quickly to stop the border clashes, reopen peaceful negotiations and settle the Sino-Indian boundary question, neither side should assume the attitude of a victor, no matter how the clashes may develop. It was precisely in this spirit that the Chinese Government put forward its three proposals of October 24. The three proposals are reciprocal and not one-sided, they are equitable and not asking submission of one side, they are based on mutual accommodation and not imposed on others, they are based on mutual respect and not bullying one side, and they are in the spirit of friendly negotiation and not arbitrary or dogmatic. However, the Indian Government has put to the Chinese Government humiliating conditions such as forced on a vanquished party. Your Excellency, Mr. Prime Minister, both our countries are sovereign states and neither can force its unilateral demands on the other. India has its self-respect, so has China. It was for the upholding of the self-respect, of both China and India that the Chinese Government put forward its three proposals of October 24. I sincerely appeal, to your Excellency once again to consider these three proposals and make a positive response. Respected Mr. Prime Minister, since the unfortunate Sino-Indian border clashes began, many Asian and African countries have appealed to our two countries, expressing the hope that we may stop the clashes and resume negotiations. They say that imperialism and colonialism are the chief enemies of us newly independent Asian and African countries, and that the Asian and African countries should settle their mutual disputes peacefully on the basis of mutual understanding and mutual accommodation. I am convinced that their intentions are good and their viewpoint is correct. We should not disappoint their eager expectations.

Please accept, Your Excellency, the assurances of my highest consideration.

(Sd.) CHOU EN-LAI,  
Premier of the State Council  
of the People's Republic of China.

**Letter from the Prime Minister of India, to Premier Chou En-lai,  
14 November 1962**

Dear Mr. Prime Minister,

Thank you for your letter of 4th November. Our Charge d'Affaires in Peking to whom it was handed over sent us a copy by telegram.

My colleagues and I have carefully considered the elaboration of the three proposals of the Chinese Government of October 24, given in your letter. Apart from the Chinese claims regarding the territorial boundary in various sectors of the India-China boundary, one fact stands out quite clearly. This is the basic fact that till the 8th September, 1962, no Chinese forces had crossed the frontier between India and China to the Eastern sector as defined by India, that is, along the highest watershed in the region, in accordance with the Agreement of 1914. It was on 8th September, 1962, that your forces crossed this frontier and threatened the Dhola frontier post of India. We took limited defensive measures to reinforce this post and at the same time made repeated approaches to the Chinese Government to withdraw their forces beyond the Thag La ridge which is the frontier in this region. Your forces not only did not withdraw to the position they occupied before 8th September, 1962, but, after some probing attacks, mounted a massive attack and are now in occupation of large areas of Indian territory in this region and also in various other frontier areas of NEFA. That the attack was premeditated and carefully planned is clear from the fact that this attack at the Thag La ridge frontier which commenced on the morning of the 20th October, 1962, was not an isolated move; similar attacks against Indian defence posts started simultaneously along other parts not only of the eastern sector of the frontier, but also of the western sector of the frontier.

As I said in my letter of 27th October, I do not want to go into the history of the last five years and the forcible, unilateral alteration of the status quo of the boundary by the Chinese forces in the western sector, on which a mass of notes and memoranda have been exchanged between our two Governments. The events since 8th September, 1962, however, have completely shattered any hope that that anyone could have entertained about settling India-China differences peacefully in accordance with normal international principles observed by all civilized governments. This invasion, coming after 12 years of constant and consistent endeavour on our part to maintain and develop friendly relations with China, can only point to one and only one conclusion, namely, that the Government of China have taken a deliberate cold-blooded decision, in total disregard of all principles, which govern normal neighbourly relations between sovereign governments, to enforce their alleged boundary claims by military invasion of India. It is this crisis of confidence which has to be dealt with. I must state frankly, that we find no attempt, either in the three proposals as elaborated now or in the other parts of your letter, to deal with this main problem created by the massive Chinese aggression on India which began on 8th September, 1962, namely, the complete loss of confidence in the bona fides of the professions for a peaceful settlement repeatedly made in public Statements of the Government of China. On the other hand, your letter proceeds on the unilateral assumption that the line of actual control created by the latest Chinese invasion of India should be accepted as a part of the cease-fire arrangements and implemented on the ground, the boundary differences being negotiated thereafter between the two Prime Ministers. In brief, China will keep what it has secured by this further invasion and is prepared to negotiate on the rest. India can never agree to this position. The three proposals of the Chinese Government of October 24, 1962, have been examined carefully and in detail. The result of the examination is

given in the memorandum that I am attaching to this letter. The memorandum speaks for itself.

You have mentioned in your letter that according to the Chinese proposals, the Chinese armed forces will have to withdraw by more than 20 kilometres from their present positions and that the fact that the Chinese Government have taken as its basis the 1959 "line of actual control" and not the present "line of actual control" between the armed forces of the two sides, is full proof that the Chinese side has not 'tried to force any unilateral demand on the Indian side on account of the advances gained in what you still choose to each "recent counter-attacks in self-defence". What you call the 1959 "line of actual control" was no line but a series of positions of Chinese forces on Indian territory in Ladakh progressively established since 1957, which forcibly and unilaterally altered the status quo of the boundary. This was done even while assuring us since 1954 that China had no territorial claims against India. So far as the Central sector is concerned, the Chinese forces were always to the north of the Himalayan watershed ridge which is the traditional and customary boundary in this area.

The analysis given in the attached note will, however, show that even this 7th November, 1959, line of actual control is projected three years ahead to be identical with the line of actual control established by your forces since the massive attack on 20th October, 1962. Surely this must be clear to all concerned. To advance a few hundred kilometres and then offer to withdraw 20 kilometres is, as anybody can see, hardly a constructive proposal based on mutual accommodation. Your present proposal in brief amounts in broad terms to this because India had been pressing China to remedy the forcible alteration of the status quo, since 1957 in the Western sector China has undertaken since 8th September, deliberately and in cold blood, a further massive aggression and occupied larger areas of Indian territory and is now making the magnanimous offer of retaining the gains of

the earlier aggression plus such other gains as it can secure by negotiations from the latest aggression on the basis of the Chinese three point proposals. If this is not the assumption of the attitude of a victor, I do not know what else it can be. This is a demand to which India will never submit whatever the consequences and however long and hard the struggle may be. We cannot do less than this if we are going to maintain the principles we cherish, namely, peace, good neighbourliness and peaceful co-existence with all our neighbours including China. To do otherwise would mean mere existence at the mercy of an aggressive, arrogant and expansionist, neighbour.

Despite the crisis of confidence created by the earlier Chinese aggression, we are, as I said in my letter of 27th October, prepared to consider entering into talks and discussions to deal with our differences and to re-establish good neighbourly relations on the basis of peaceful co-existence between our two countries, each following its own way of life, provided it was agreed that the status quo along the entire boundary as it prevailed before 8th September, 1962, should be restored. This is the minimum corrective action necessary. The damage to the very principles of good neighbourliness and peaceful co-existence done by the further aggression since 8th September, 1962, must be corrected before any other constructive step can be taken.

You have referred to the peaceful friendly relations between our two countries till 1959 despite the differences on the boundary question and asked why we could not have these relations after 1959, despite the differences on the boundary question. The reason I feel should be clear to you. It was in January, 1959, that you put forward a claim for 50,000 square miles of Indian territory under the guise of a boundary dispute. This was not a small adjustment of the boundary here or there involving a few hundred square miles but a demand for surrender of large areas of Indian

territory. You did not stop at this preposterous demand. Though we agreed to talks and discussions at various levels to examine the relevant historical, cartographic and other data on the subject, your forces continued to forcibly occupy substantial areas of Indian territory even while these talks and discussions were going on. This process continued throughout the subsequent years and, on 8th September, 1962, your forces started the further aggression in the Eastern sector which had been quiet and peaceful all these twelve years except for the minor differences over Longju.

In your letter as well as in the official note of your Government,' there are references to the line of actual control as on 7th November, 1959, as the basis of the three-point proposals. If the Chinese Government really mean what they say regarding the restoration of 7th November, 1959, positions of their forces in all sectors of the boundary, their withdrawal to those positions and the restoration of the positions of the Indian forces as they were prior to 8th September 1962, would, by and large, meet the problem of disengagement as there will be enough distances between the position of the forces of the two sides to prevent any risk of a clash. To put it concretely, in the Eastern sector the Chinese forces will go back to the positions they held on 7th November, 1959, that is, they will be on the other side of the boundary along the Himalayan watershed which they first crossed on 8th September, 1962. In the Central sector the position will be the same, that is, they will be to the north of the highest watershed ridge. In the Western sector the Chinese forces will go back to the positions they held on 7th November, 1959, as given in the attached note, that is, along the line connecting their Spanggur post, Khurnak Fort and Kongka La and then northwards to join the main Aksai Chin Road. The Indian forces will go back to the various defence posts they occupied in all the three sectors prior to 8th September, 1962. This arrangement will secure not only adequate disengagement of forces of both sides but will not in any way

prejudge either the alignment of the customary and traditional boundary in the Western and the Central sectors as claimed by the two sides or the alignment of the McMahon Line boundary in the Eastern sector.

You have, Mr. Prime Minister, referred in your letter to the appeal made by Asian-African countries. I agree that this appeal should evoke a constructive response. You must have seen in this connection the four-point suggestion made by the President of the U.A.R. mentioned in the U.A.R. Presidential communique of 31<sup>st</sup> October and my message to the President of the U.A.R. dated 27<sup>th</sup> October.

Please accept, Your Excellency, the assurances of my highest consideration.

Yours sincerely,  
(Sd.) JAWAHARLAL NEHRU.

**Annexure to letter dated 14 November 1962, from the Prime  
Minister of India**

The implications of the three-point proposal of the Chinese Government presented on the 24th of October and further elaborated upon in Prime Minister Chou En-lai's letter, dated 4th November 1962, are given below:

*Western Sector.*

The line of actual control in November 1959 was no line but a series of positions of Chinese forces on Indian territory. These positions had been progressively established since 1957 by forcibly and unilaterally altering the traditional status quo of the boundary, even while the Government of China were assuring the Government of India that they had no territorial claims against India. In November 1959, Chinese posts in the Western sector were at Spanggur, Khurnak Fort, Kongka La and along the main Aksai Chin Road. Within three years, i.e., by September 1962, the Chinese had constructed a large network of military roads and posts, beginning with posts opposite Daulat Beg Oldi in the north, along the Chip Chap river valley and across the Galwan river to the Pangpog and Spanggur lake areas. At certain points the network of military posts was more than one hundred miles to the west of Chinese positions in 1959.

The Chinese three-point proposal, taken with its clarifications, is that, in the Western sector, both parties agree to respect the 'line of actual control' between the two sides. In his clarificatory letter Premier Chou En-lai states that 'the line of actual control' "is basically still the line of actual control as existed between the 'Chinese and the Indian sides in November 1959". The normal deduction would be that this line of control would, therefore, be a line connecting Spanggur, Khurnak Fort, Kongka La and proceeding northwards to join the main Aksai Chin Road. However, Premier Chou En-

lai's letter states that "in the Western and Middle Sectors it (the line of actual control) coincides in the main with the traditional customary line". In short, while referring to the line of control as it existed in 1959, the Chinese actually project it 1.0 the line they claimed in the meeting between the officials of the two sides in 1960 and the line they physically hold now since their massive attack which commenced in this region on 20th October 1962. This line not only includes all the Chinese posts established in the three years since 1959, but also includes all the Indian posts in the territory that existed till 20th October 1962, and extends even farther westwards, thus taking in an additional 5,000 to 6,000 square miles since their 7th November 1959 position.

According to the Chinese proposal, after this "line of actual .control" is determined, India would have to further withdraw yet another 20 kilometres inside territory accepted by the Chinese as undoubtedly Indian, while the Chinese withdrawal of 20 kilometres would be only 20 kilometres inside Indian territory claimed DY them leaving the Chinese forces well over a hundred kilometres deep into' territory belonging' to India. .The total effect of this would be that the entire network of Chinese aggressive posts which existed on 20th October 1962, and some more would remain intact poised for a further attack. while all Indian defence posts in Indian territory claimed by China will be eliminated and even posts in territory accepted as Indian including such key posts as Daulat Beg Oldi, Chushul and Hanle would be dismantled and eliminated.

### *Middle Sector*

In the middle sector, the suggestion that the 'line of actual control', whether on 7th November 1959 or now, coincides only "in the main" with the traditional and customary boundary is absolutely without foundation. The Chinese Government have never had any authority south of the main

Himalayan watershed ridge, which is the traditional boundary in this sector. Some Tibetan officials along with some Chinese troops did intrude into Barahoti on various occasions since 1954; and, in 1958, the two Governments agreed to withdraw their armed personnel from the locality. But Indian civilian personnel have throughout been functioning in the area. A conference held in 1958 to discuss the question made clear that the Chinese Government had not even precise knowledge of the area they were claiming.

#### *Eastern Sector.*

In the Eastern sector the Chinese Government are willing to withdraw their troops to the north of the "line of actual control". This 'line of actual control' has been clarified in Premier Chou En-lai's letter as coinciding "in the main" with the McMahon Line. The Chinese Government by this ambiguous statement indicates that there are portions of the 'line of actual control' as envisaged by them which do not coincide with the McMahon Line. These divergences have not, however, been revealed. The fact remains, however, that Chinese positions have always remained to the north of the highest Himalayan ridge in the Eastern sector of the India-China border and the alignment of the McMahon Line has never been questioned by China. The Chinese were nowhere in the vicinity of this watershed boundary either in November 1959 or later till 8th September 1962, when they started their aggression into Indian territory in this region.

Premier Chou En-lai has in his letter referred to the 1914 original map of the McMahon Line and the coordinates given in this map. The Agreement of 1914 only formalised what was the traditional and customary boundary in the area which lies along the highest Himalayan watershed ridges. The maps attached to the Agreement were of small scale of 1 inch to 8 miles. They were sketch maps and intended to be only illustrative. All that they

made clear was that the boundary ran along the main watershed ridges of the area. The parallels and meridians were shown only approximately in accordance with the progress achieved at that time in the sphere of scientific surveys. This is a common cartographic feature and the Chinese Government have themselves recognised this in Article 43 of their 1960 Treaty with Burma. If the maps and the coordinates given therein were taken literally it is impossible to explain the discrepancy between the existing distances and those given in the map between various villages in the area. Also Migyitun according to the maps is at latitude  $28^{\circ} 38'$  north while its actual position as ascertained by the latest surveys is much further north. Tulung La has been shown on the 1914 maps at  $27^{\circ} 47'$  N while its position on the ground is further north of this point. Strict adherence to the co-ordinates shown on the McMahon Line maps would result in advancing the Indian boundary in both the areas of Migyitun and Tulung La further north thereby including both these places inside Indian territory. In the area east of Tsari Sarpa, strict adherence to the coordinates of Lola in the McMahon Line maps would result in advancing the boundary of India into this area by at least 7 miles to the north. This would mean including at least 70 square miles of Tibetan territory within India. The Government of India recognising the principle underlying the McMahon Line agreement that the boundaries lie along the highest watershed ridges actually confined their jurisdiction to the area south of this boundary and did not try to take over Tibetan territory beyond the highest watershed ridge on the basis of the inaccurate coordinates given in the 1914 maps.

This must be known to the Chinese authorities and yet they ignore this and seek to use the inaccurate coordinates given in the maps where they are favourable to their fanciful claims made to support their latest aggression. The Chinese authorities cannot have it both ways. They cannot accept the highest watershed as the boundary in parts of the Eastern sector where it

suits them though this is not consistent with the coordinates given in the 1914 maps and quote the coordinates in these very maps in their favour in other parts of the sector to make demands for territorial concessions from India.

The Chinese proposal envisages a further withdrawal of 20 kilometres on either side of the McMahon Line as understood by them. This would leave Chinese forces in command of the passes leading into India while Indian forces would be 20 kilometres to the south leaving the entire Indian frontier defenceless and at the mercy of any fresh invasion. The present Chinese invasion which commenced on 8th September, 1962, was known because there was a defence post near the border. If there are no border posts at or near the passes, Chinese aggression could recur without India knowing about it for quite some time.

The objective of the Chinese three-point proposal is to secure for the Chinese side guaranteed occupation of the Indian areas in the Western and Central sectors which they claim while they retain their right to negotiate, and negotiations failing, to enforce, whatever territorial adjustments they want in the Eastern sector.

#### *Western Sector*

India should not dispute on the ground, though it will be allowed to talk about its juridical claim, the Chinese occupation of 14,000 square miles of Indian territory including 2,000 square miles forcibly occupied since 20th October 1962. India has to agree not only to respect this so-called line of actual control but must also dismantle and withdraw its defenses in the region a further 20 kilometres into admittedly Indian territory involving withdrawal from points like Chushul, etc.

#### *Middle Sector*

The Chinese claims must be fully satisfied so far as physical occupation is concerned.

### *Eastern Sector*

The principles of the highest watershed which is the boundary and which had been respected till 8<sup>th</sup> September 1962, should be given up in favour of whatever interpretation of the Government of China decide to put on the McMahon Line. There should be a further withdrawal of 20 kilometres. Thus, India must give up control of the passes in the highest watershed ridges in the areas, with no guarantee that the Chinese side will not cross the actual line of control whichever it may be.

In short, the Chinese three-point proposal, despite the manner in which it is put forth, is a demand for surrender on terms which have to be accepted while the Chinese forces in great strength are occupying large areas of Indian territory which they have acquired since their further aggression which commenced on 8th September, 1962, and the massive attack which they started On 20th October, 1962.

## **Statement given by the Chinese Government, 21 November 1962**

In the past two years, first in the western and then in the eastern sector of the Sino-Indian border, Indian troops crossed the line of actual control between China and India, nibbled Chinese territory, set up strongpoints for aggression and provoked a number of border clashes. Relying on the advantageous military positions they had occupied and having made full preparations, the Indian troops eventually launched massive armed attacks all along the line on the Chinese frontier guards on October 20, 1962. This border conflict deliberately provoked by India has been going on for a month.

The Chinese Government served repeated warnings in regard to the increasingly serious Indian encroachments and provocations, and pointed out the gravity of their consequences. The Chinese frontier guards all along maintained maximum self-restraint and forbearance in order to avert any border conflict. However, all these efforts by China proved of no avail, and the Indian acts of aggression steadily increased. Pressed beyond the limits of endurance and left with no room for retreat, the Chinese frontier guards finally had no choice but to strike back resolutely in self-defence. After the present large scale border conflict broke out, the Chinese Government quickly took initiative measures in an effort to extinguish the flames of conflict that had been kindled. On October 24, that is, four days after the outbreak of the current border clashes, the Chinese Government put forward three reasonable proposals for stopping the border clashes, reopening peaceful negotiations and settling the Sino-Indian boundary question. The three proposals are as follows:

1. Both parties affirm that the Sino-Indian boundary question must be settled peacefully through negotiations. Pending a peaceful settlement, the Chinese Government hopes that the Indian

Government will agree that both parties respect the line of actual control between the two sides along the entire Sino-Indian border, and the armed forces of each side withdraw 20 kilometres from this line and disengage.

2. Provided that the Indian Government agrees to the above proposal, the Chinese Government is willing, through consultation between the two parties, to withdraw its frontier guards in the eastern sector of the border to the north of the line of actual control; at the same time, both China and India undertake not to cross the line of actual control, i.e., the traditional customary line, in the middle and western sectors of the border.

Matters relating to the disengagement of the armed forces of the two parties and the cessation of armed conflict shall be negotiated by officials designated by the Chinese and Indian Government respectively.

3. The Chinese Government considers that, in order to seek a friendly settlement of the Sino-Indian boundary question, talks should be held once again by the Prime Ministers of China and India. At a time considered to be appropriate by both parties, the Chinese Government would welcome the Indian Prime Minister to Peking; if this should be inconvenient to the Indian Government the Chinese Premier would be ready to go to Delhi for talks.

On the very day it received them, the Indian Government hastily rejected the Chinese Government's three proposals and insisted that the Chinese Government should agree to restore the state of the boundary as it prevailed prior to September 8, 1962, that is to say, India wanted to reoccupy large tracts of Chinese territory so that the Indian troops might regain the position from which they could launch massive armed attacks on the Chinese frontier guards at any time. In

his reply to Premier Chou En-lai dated November 14, Prime Minister Nehru put forward even more unreasonable demands, which, on the one hand, required the Chinese Government to agree to the Indian troops reverting to their positions prior to September 8, and, on the other hand, required the Chinese frontier guards not only to withdraw to their positions as on September 8, but to retreat farther in the western sector to the so-called positions of November 7, 1959, as defined for them by India unilaterally, that is, requiring, China to cede five to six thousand square miles (thirteen to fifteen thousand square kilometres) more of Chinese territory. In the meantime, the Indian Government, relying on large amounts of U.S. military aid, again launched powerful attacks in the eastern and western sectors of the Sino-Indian border in an obstinate attempt to expand the border conflict.

It is by no means accidental that the Indian Government has taken such an extremely unreasonable attitude. To meet the needs of its internal and external politics, the Indian Government has long pursued the policy of deliberately keeping the Sino-Indian boundary question unsettled, keeping the armed forces of the two countries engaged and maintaining tension along the Sino-Indian border.

Whenever it considered the time favourable, the Indian Government made use of this situation to carry out armed invasion and provocation on the Sino-Indian border, and even went to the length of provoking an armed clash. Or else, it made use of the situation to conduct cold war against China. The experience of many years shows that the Indian Government has invariably tried by hook or by crook to block the path which was opened up by the Chinese Government for a peaceful settlement of the Sino-Indian boundary question.

This policy of the Indian Government runs diametrically counter to the fundamental interests of the Chinese and Indian peoples and the common desires of all the peoples of the world, and serves only the interests of imperialism.

The Chinese Government's three proposals are most fair and reasonable; they are the only proposals capable of averting border clashes, ensuring border tranquility and bringing about a peaceful settlement of the Sino-Indian boundary question. The Chinese Government perseveres in these three proposals. However, the Indian Government has so far rejected these three proposals and continued to expand the border conflict, thus daily aggravating the Sino-Indian border situation. In order to reverse this trend, the Chinese Government has decided to take initiative measures in order to promote the realization of these three proposals.

The Chinese Government hereby declares the following:

1. Beginning from the day following that of the issuance of the present statement, i.e. from 00: 00 hours on November 22, 1962, the Chinese frontier guards will cease fire along the entire Sino-Indian border.

2. Beginning from December 1, 1962, the Chinese frontier guards will withdraw to positions 20 kilometers behind the line of actual control which existed between China and India on November 7, 1959.

In the eastern sector, although the Chinese frontier guards have so far been fighting back in self-defence on Chinese territory north of the traditional customary line, they are prepared to withdraw from their present positions to the north of the line of actual control, that is, north of the illegal McMahon line, and to withdraw 20 kilometers farther back from that line.

In the middle and western sectors, the Chinese frontier guards will withdraw 20 kilometers from the line of actual control.

In order to ensure the normal movement of the inhabitants in the Sino-Indian border area forestall the activities of saboteurs and maintain order there, China will set up checkpoints at a number of places on its side of the line of actual control with a certain number of civil police assigned to each checkpoint. The Chinese Government will notify the Indian Government of the location of these checkpoints through diplomatic channels.

These measures taken by the Chinese Government on its own initiative demonstrate its great sincerity for stopping the border conflict and settling the Sino-Indian boundary question peacefully. It should be pointed out, in particular, that after withdrawing. The Chinese frontier guards will be far behind their positions prior to September 8, 1962. The Chinese Government hope that, as a result of the abovementioned initiative measures taken by China, the Indian Government will take into consideration the desires of the Indian people and peoples of the world, make a new start and give a positive response. Provided that the Indian Government agrees to take corresponding measures, the Chinese and Indian Government can immediately appoint officials to meet at places agreed upon by both parties in the various sectors of the Sino-Indian border to discuss matters relating to the 20 kilometres withdrawal of the armed-forces of each party to fix a demilitarized zone, the establishment of check posts by each party on its side of the line of actual control as well as the return of captured personnel. When the talks between the officials of the two parties have yielded results and the results have been put into effect, talks can be held by the Prime Ministers of the two countries for further seeking an amicable settlement of the Sino-Indian boundary question. The Chinese Government would welcome the Indian Prime Minister to Peking; if this should be inconvenient to the Indian Government, the Chinese Premier would be ready to go to Delhi for the talks.

The Chinese Government sincerely hopes that the Indian Government will make a positive response. Even if the Indian Government fails to make such a response in good time, the Chinese Government will take the initiative to carry out the above-mentioned measures as scheduled. However, the Chinese Government cannot but take into account the following possible eventualities: (1) that the Indian troops should continue their attack after the Chinese frontier guards have ceased fire and when they are withdrawing; (2) that, after the Chinese frontier guards have withdrawn 20 kilometres from the entire line of actual control, the Indian troops should again advance to the 'line of actual control in the eastern sector, i.e., the illegal McMahon Line and/or refuse to withdraw but remain on the line of actual control in the middle and western sectors; and (3) that, after the Chinese frontier guards have withdrawn 20 kilometres from the entire line of actual control, the Indian troops should cross the line of actual control and recover their positions prior to September 8, that is to say, again cross the illegal McMahon line and reoccupy the Kechilang River area north of the line in the eastern sector, reoccupy Wuje in the Middle sector, and restore their 43 strongpoints for aggression in the Chip Chap River Valley, the Galwan River Valley, the Pangong Lake area, and the Demchok area or set up more strongpoints for aggression on Chinese territory in the western sector. The Chinese Government solemnly declares 'that, should the above eventualities occur, China reserves the right to strike back in self-defence, and the Indian Government will be held completely responsible for all the grave consequences arising therefrom. The people of the world will then see even more clearly who is Peace-loving and who, is bellicose, who upholds friendship between the Chinese and Indian peoples and Asian-African solidarity and who is undermining them who is protecting the common interests of the Asian and African peoples in

their struggle against imperialism and colonialism and who is violating and damaging these common interests.

The Sino-Indian boundary question is an issue between two Asian countries. China and India should settle this issue peacefully; they should not cross swords on account of this issue and even less allow U.S. imperialism to poke in its hand and develop the present unfortunate border conflict into a war in which Asians are made to fight Asians. It is from its consistent stand of protecting fundamental interests of the Chinese and Indian peoples, strengthening Asian-African solidarity and preserving world peace that the Chinese Government has, after considering the matter over and over, decided to take these important measures. The Chinese Government calls upon all Asian and African countries and all peace-loving countries and people to exert efforts to urge the Indian Government to take corresponding measures so as to stop the border conflict reopen peaceful negotiations and settle the Sino-Indian boundary question.

**Memorandum given by the Ministry of Foreign Affairs, Peking,  
to the Embassy of India in China, 26 November 1962**

On November 23, 1962, the Indian Foreign Secretary met the Charge d'Affaires a.i. of the Chinese Embassy in India by appointment and orally asked for clarification on five points relating to the Chinese Government's Statement of November .21. The Chinese Government gives its answers as follows:

Question: It is stated in point 2 of the Chinese Government's Statement that Chinese troops will withdraw to positions 20 kilometres behind the line of actual control. Does this refer to the western sector only?

Answer: It is clearly stated in the Chinese Government's Statement that Chinese frontier guards will withdraw along the entire Sino-Indian border to positions 20 kilometres behind the line of actual control which existed on November 7, 1959. In other words, this applies, without exception, to the western as well as the eastern and middle sectors of the Sino-Indian border.

Question: It is stated in point 2 of the Chinese Government's Statement that Chinese troops will withdraw 20 kilometres north of the so-called McMahon Line. Where will that be? Will that be behind the positions of September 8, 1962, as suggested by the Indian Government?

Answer: It is clearly stated in the Chinese Government's Statement that, after withdrawing, the Chinese frontier guards will be far behind their positions prior to September 8, 1962. In the eastern sector the Chinese frontier guards will withdraw to positions 20 kilometres north of the illegal

McMahon Line, that is, they will withdraw not only from the Kechilang River and Che Dong area, but also from Le village, Migyitun and Tsayul. China will, of course, continue to exercise administrative jurisdiction in the above mentioned areas.

Question: The Chinese Government's decision to cease fire and take these measures is China's unilateral action. Where, according to the interpretation of the Chinese side, should the Indian troops be in order not to go against the three measures and to evoke China's reaction?

Answer: It is clearly stated in the Chinese Government's Statement that it is out of its great sincerity for stopping the border conflict and settling the Sino-Indian boundary question peacefully that the Chinese Government is taking these three measures on its own initiative. The Chinese Government sincerely hopes that the Indian Government will give a positive response and take corresponding measures. In other words, it hopes that the Indian armed forces will similarly withdraw 20 kilometres on its side from the line of the actual control along the entire Sino-Indian border. When this is done, the armed forces of the two sides will disengage on an equitable basis, tranquility along the border will be effectively ensured and recurrence of border clashes will be prevented. It goes without saying that respect by both China and India of the line of actual control up to which each side exercised administrative jurisdiction on November 7, 1959 and an equitable withdrawal of their respective armed forces from this line will in no way prejudice each side's adherence to its claims with regard to the boundary. However, as pointed out in the Chinese Government's Statement, China reserves the right to strike back in self-defence in case, after the Chinese frontier guards have ceased fire and withdrawn, Indian troops should continue to attack the Chinese frontier guards, or again advance to the line

of actual control, or refuse to withdraw but remain on the line of actual control or against cross it.

Question: Will China's checkpoints be set up only in the areas within 20 kilometres of what China considers to be the boundary, or in other areas as well? In the middle and western sectors China will probably set up checkpoints within 20 kilometres on its side of the customary line, but in the eastern sector will it set up checkpoints within 20 kilometres north of the McMahon Line or, for a period of time, south of the line too?

Answer: It is clearly stated in the Chinese Government's Statement that China will set up checkpoints at a number of places on its side of the entire line of actual control which existed on November 7, 1959. Therefore, the question of China setting up checkpoints south of the line of actual control in the eastern sector does not arise at all. As for the concrete location of the line of actual control of November 7, 1959, reference is made to maps 3 and 5 attached to Premier Chou En-lai's letter of November 15, 1962 addressed to the leaders of Asian and African countries.

Question: The McMahon Line was mentioned in Premier Chou's letters of November 4. India has always held that this line should follow the highest ridge. The map of the McMahon Line is merely a sketch map. If, as China says, one should go by the co-ordinates on the map, 140 square miles of territory would be included into India, which territory, however, is now under the jurisdiction of Tibet. The Indian side hopes that China will clarify as to which delineation it supports.

Answer: The so-called McMahon Line is illegal and the Chinese Government has never recognized it. The reason why the Chinese Government pointed

out the coordinates of the western extremity of the so-called McMahon Line was to show that Indian troops had crossed this line and intruded into the Kechilang River area. The Indian Government asserts that the so-called McMahon Line should follow the highest ridge. But this is an entirely groundless assertion.

The Chinese Government considers that at present both sides should first adopt measures to disengage their armed forces, with the line of actual control of November 7, 1959 as the basic line, and prevent the recurrence of clashes so as to create an atmosphere conducive to boundary negotiations. Both sides should defer the differences on the 'boundary question for settlement by future negotiations, and refrain from haggling over them now endlessly.

**Memorandum given by the Embassy of China in India  
to the Ministry of. External Affairs, 26 November 1962**

On November 21, 1962 Mr. A. P. Venkateswaran, Deputy Secretary of the Indian Ministry of External Affairs, orally asked Mr. Yin Shang-chih, First Secretary of the Chinese Embassy, for clarification on three points relating to the Chinese Government's statement of November 21. The Chinese Embassy replies as follows:

Question: Beginning from December 1, the Chinese frontier guards will withdraw 20 kilometres from the line of actual control as on November 7, 1959. Is this line of actual control the one which was interpreted in the People's Daily of November 8?

Answer: Beginning from December 1, the Chinese frontier guards will withdraw 20 kilometres from the line of actual control as on November 7, 1959. This line of actual control is described in detail in the letter from Premier Chou En-lai to Prime Minister Nehru dated November 4, and in the letter and attached maps from Premier Chou En-laid to the leaders of Asian and African countries dated November 15; the People's Daily of November 8 can also a serve as a reference.

Question: According to the Statement, the Chinese frontier guards, after withdrawing 20 kilometres from the line of actual control, will be ' far behind their positions prior to September 8.

How would you define this? Because even according to the so-called line of actual control claimed by China, Chinese troops, after withdrawing 20 kilometres, would still have crossed the line of September 8 at certain places.

Answer: The Chinese frontier guards, after withdrawing 20 kilometres from the line of actual control, will be far behind their positions prior to September 8 (reference documents mentioned above). In the eastern sector, China will even have to withdraw its frontier guards in Tsayul and Le Village; in the western sector many Chinese posts in the Chip Chap River Valley, the Galwan River Valley the Kongka Pass, the Pangong lake and the Spanggur lake areas will be withdrawn.

Question: Please clarify point (2) of the "possible eventualities" in the Statement.

Answer: It means that should the Indian side, taking advantage of the withdrawal by the Chinese side, again advance to the line of actual control or remain on it, this cannot but be regarded as the Indian side deliberately maintaining border tension, preparing for new intrusion at any moment and provoking clashes. The Chinese side hopes that such a situation will not arise.

**Letter from Premier Chou En-lai  
to the Prime Minister of India. 28 November, 1962**

Respected Mr. Prime Minister,

As a result of the cease-fire by the Chinese frontier guards on their own initiative along the entire Sino-Indian border from 00:00 hour November 22, 1962, the unfortunate border conflict between our two countries has come to a halt, and the situation has been eased somewhat. Beginning from December 1, 1962, the Chinese 'frontier guards, in pursuance of the Chinese Government's decision, will withdraw on its own initiative all the way to positions on the Chinese side 20 kilometres behind the line of actual control as of November 7, 1959. The moment when the situation takes a turn, I consider it necessary to write to you in directly appealing to the Indian Government to take corresponding measures in good time so that our two sides may jointly move the present situation towards further relaxation.

Your Excellency must have taken note of the Chinese Government's Statement of November 21. This Statement is very clear in itself. Earlier, on November 19 and 20, I had explained in detail the spirit and substance on this Statement to Mr. Banerjee, the Indian Charge d'Affaires in China. I believe he must have reported back to you. It is regrettable that so far I have failed to get a due response from Your Excellency.

Both our sides are well aware of the differences between us on the boundary question. It is not necessary to repeat them at present.

The Chinese Government holds that the present task before our two sides is to terminate the border conflict, separate the armed forces of the two parties and create a proper atmosphere so as to settle our boundary differences through negotiations; and we should be confident that these differences can be settled in a friendly way through peaceful negotiations.

We should not get these differences entangled with the present task, lest the border conflict could not be terminated and negotiations could not be started at all. It was precisely out of these considerations that the Chinese Government decided to take the lead in ceasing fire and withdrawing its frontier guards.

In taking its decision, the Chinese Government had given full consideration to the decency, dignity and self-respect of both sides. The initiative measures which the Chinese Government has decided to take are not conditional on simultaneous corresponding measures to be taken by the Indian side. According to the Chinese Government's decision, the Chinese frontier guards will withdraw 20 kilometers from the line of actual control of November 7, 1959. That is to say, they will not only evacuate the areas they reached in their recent fight in self-defence but will withdraw to positions far behind those they held on September 5 or October 20, 1962. The line of actual control of November 7, 1959 had to take shape on the basis of the extent of administration by each side at the time; it existed objectively and cannot be defined or interpreted according to the free will of either side. In withdrawing 20 kilometres from this line, the armed forces of each side would be evacuating areas under its own administration; hence the question of one side achieving gains and the other suffering losses does not arise. Moreover, this would not prevent either side from continuing to administer the area evacuated by its armed forces on its side of the line nor will this prejudice either side's position in regard to the boundary alignment.

I would like to stress that withdrawal by China alone of its frontier guards beyond 20 kilometres on its side of the 1959 line of actual control cannot ensure the disengagement of the armed forces of the two sides, nor can it prevent the recurrence of border clashes. On the contrary, in case the Indian side should refuse to co-operate, even the cease-fire which has been

effected is liable to be up-set. Therefore, the Chinese Government sincerely hopes that the Indian Government will take corresponding measures. If the Indian Government agrees to do so, I specifically propose that the Governments of our two countries appoint officials to meet at places agreed upon by both parties in the various sectors of the Sino-Indian border to discuss matters relating to the 20-kilometres withdrawal of the armed forces of each party to form a demilitarized zone, the establishment of checkpoints by each party on its own side of the line of actual control, and the return of captured personnel.

The meeting of the officials of the two countries will itself be of great positive significance because it will signify the return of our two sides from the battlefield to the conference table. If the meeting of the officials of the two countries achieves results and the results are put into effect, the Prime Ministers of our two countries can then hold talks and proceed further to seek a friendly settlement of the Sino-Indian boundary question.

The border conflict in the past month has greatly strained the relations between our two countries. China's Embassy, Consulates, bank establishments and nationals in India have been subjected to treatment which is rarely seen even when war has been formally declared between two states. In my view, such an abnormal state of affairs unnecessarily poisons the atmosphere between our two countries and obviously should not continue any longer.

Your Excellency Mr. Prime Minister, only a handful of ill-intentioned people in the world want our two countries to keep on fighting. The common friends of our two countries are all heartened by the realization of cease-fire between us. They ardently hope that we will make joint efforts to transform the cease-fire which has been effected into the starting point of a peaceful settlement of the boundary question. The Chinese Government has taken the first steps, i.e., cease-fire, and is going to take the second step, i.e.,

withdrawal I hope the Indian Government will give a positive response and make efforts in the 'same direction. I am awaiting your reply.

Please accept, Your Excellency, the assurances of my highest consideration.

(Sd.) CHOU EN-LAI,  
Premier of the State Council  
of the People's Republic of China

**Memorandum given by the Ministry of External Affairs, New Delhi  
to the Embassy of China in India, 30 November 1962**

The clarifications of the Government of China, delivered on the 26th November 1962, are, in several respects, vague and would require further elaboration before the Chinese ceasefire proposals can be fully considered by the Government of India.

Maps 3 and 5 while correctly indicating Demchok area as within the line of actual control of India in the Western sector show large areas of Ladakh including Qiziljilga, Shinglung, Dehra, Samzungling and areas to the west of these locations as within the Chinese line of actual control as on 7th November 1959. A reference to the notes exchanged between the Governments of India and China during the last three years would establish clearly that none of these areas were under Chinese control in November 1959. Some of these areas were occupied by Chinese forces later in 1959 and in 1960 while exchange of notes and discussions at various levels were going on some other areas were subsequently occupied in 1961 and 1962 upto the beginning of September but about 2,000 square miles more were taken by the Chinese after they mounted their massive attack on 20<sup>th</sup> October 1962 and after stiff fighting with numerous small Indian existing in this area. In view of this factual background the Government of India would be grateful for an objective and factual clarification of the Chinese line of actual control in the Western sector based on the position on the ground as on 7th November 1959 and not on the basis of any theoretical claims or surreptitious or forcible advances made by Chinese forces since then.

Maps 3 and 5 while correctly indicating Khinzemane as within the line of actual control of India have shown the Dhola area (Tse Dong), Longju and Bara Hoti as lying outside it. This is an evident violation of the line of actual control in regard to all these locations.

There is a specific understanding with the Chinese Government that Indian police personnel would exercise control in Bara Hoti.

In Longju both Governments agreed that neither Chinese nor Indian personnel should occupy the village. However, it is known that Longju lies within the Indian side of the line of control, whereas Migyitun is on the Chinese side. As regards the Dholu area (Tse Dong) this has always been under Indian control till the further Chinese aggression in this area on 8th September 1962. This has been indisputably established in the numerous notes sent by the Government of India to the Government of China since 8th September 1962.

Clarifications were sought on clause 3 of the Chinese ceasefire proposals which referred to the establishment of Chinese civilian checkpoints. While vague reference has been made in the original proposal to the possibility of the establishment of checkpoints by each party on its side of the line of actual control, no indication has been given in the clarifications on Indian civilian checkpoints to be established on the line of actual control. It is presumed that the arrangements for the checkpoints are reciprocal and that Indian civilian checkpoints may be established up to the line of actual control.

No indication has been given in the clarifications of the manner in which civilian checkpoints would function to ensure normal movement of the inhabitants or forestall activities of the saboteurs or maintain order. For these purposes, it is presumed that personnel of these civilian checkpoints would carry such small arms as are necessary and that there would be a parity both in the number of posts and the number of personnel between Indian and Chinese checkpoints.

The memorandum handed over to the Director of the China Division at the Ministry of External Affairs and to the Indian Charge d'Affaires in Peking, stated that "China reserves the right to strike back in self-defence in case,

after the Chinese frontier guards have ceased fire and withdrawn, Indian troops should continue to attack the Chinese frontier guards, or again advance to the line of actual control or refuse to withdraw but remain on the line of actual control, or again cross it". This is in fact a reproduction of the relevant portion of the Chinese statement of 21st November on unilateral ceasefire and withdrawals. Yet in a further Memorandum sent at 11:00 p.m. on the night of 26th November, a clarification to the same question has been given by the Chinese Embassy as follows: "It means that should the Indian side, taking advantage of the withdrawal by the Chinese side, again advance to the line of actual control or remain on it, this cannot but be regarded as the Indian side deliberately maintaining border tension, preparing for new intrusion at any moment and provoking clashes. The Chinese side hopes that such a situation will not arise". As this is a substantial modification and not a mere clarification, it is imperative that the attitude of the Chinese Government to a question that has considerable relevance to effective operation of the unilateral Chinese ceasefire proposals is clearly indicated.

The Memorandum of the Government of China has brushed aside as being mere haggling an extremely relevant query of the Government of India in regard to the alignment of the McMahon Line. It must be clearly understood that since the Chinese Government has defined "the line of actual control" as coinciding in the main with the McMahon Line, no clear interpretation of the ceasefire proposals is possible, when the very alignment of the line of control is vague and unclear. The Chinese clarifications state that the Chinese Government had never recognised the McMahon Line; but surely if the ceasefire proposals are to have any meaning at all, since they are based upon the McMahon Line as the line of actual control, a precise definition of the alignment of the McMahon Line is imperative. If both sides are, as the Chinese clarifications suggest, to defer the differences on the

boundary question for settlement by further negotiations and to refrain from haggling over them now, surely the Chinese side should not haggle over Longju and the Kechilang River area which have always been within Indian control till displaced by force by the Chinese in August 1959 and on 8th September, 1962.

**Letter from the Prime Minister of India  
to Premier Chou En-lai, 1 December, 1962**

Dear Mr. Prime Minister,

Thank you for your message of 28th November, which was delivered by your Charge d'Affaires to our Foreign Office at midnight, on 28th/29th November, 1962.

In the letters that have been exchanged between UG since the further aggression by your forces commenced on 8th September, 1962, the following principles, on the basis of which our differences can be resolved peacefully, have emerged:

- i. We should create a proper atmosphere for peaceful settlement of our differences. (This has also been mentioned in your message of 28th November).
- ii. We should settle our differences in a friendly way through peaceful talks and discussions. (This has also been reiterated in your message of 28th November). If we fail, we can consider what other agreed peaceful method of settling our differences should be adopted (my letter of 27th October, 1962).
- iii. There should be no attempt to force any unilateral demand on either side on account of the advances gained in the recent clashes. (Your letter of 4th November, 1962).
- iv. The necessary preliminaries for talks and discussions suggested should be consistent with the decency, dignity and self-respect of both sides. (Your message of 28th November).
- v. The implementation of these proposed arrangements will not in any way prejudice either side's position in regard to the correct boundary alignment. (Your message of 4<sup>th</sup> November and your message of 28th November, 1962).

The withdrawal arrangements, however, that you propose, behind what you refer to as "the line of actual control as of November 7, 1959", are inconsistent with the principles mentioned in the preceding paragraph.

In spite of the clarifications given, I cannot understand How "the line of actual control as of November 7, 1959" can be as delineated in your maps a and 5 which were sent as accompaniments to your letter of 15th November to Heads of States/Governments of some Asian-African countries and to which reference was made in the clarifications given regarding "the line of actual control as of November 7, 1959". I would in this connection refer you to the last but one paragraph of my letter of 14th November, 1962, which gives, what we regard, as the line of actual Chinese control as it existed on the ground on 7th November, 1959.

You have mentioned in your letter that this line cannot be defined or interpreted according to the free will of either side. This is .exactly, however, what your Government have done in the clarification given to the Indian Government regarding "the line of actual control as of November 7, 1959".

What you call "the line of actual control as on November 7, 1959" in the western sector was only a series of isolated military posts.

You are aware that in November 1959 there were no Chinese posts of any kind either at Qiziljilga, Shinglung, Dehra, Samzangling or any areas to the west of these locations nor did the Chinese have any posts to the south or west of Spanggur. De-spite this, "the line of actual control as on November 7, 1959, as your Government now claim in Ladakh, is along the line of control established by your forces after the massive attacks mounted since 20th October, 1962. This is a definite attempt to retain under cover of preliminary ceasefire arrangements, physical possession over the area which China claims and to se cure which the massive attack since 20th October, 1962, was mounted by your forces. This we cannot agree to. This

also violates principles (i), (iii), (iv) and (v) mentioned in paragraph 2 above, which you have been reiterating in all your communications. The same remarks apply to "the line of actual control as of November 7, 1959" defined by your Government in the central and the eastern sectors. Barahoti, which your Government call Wuje, had never been under Chinese control. As a matter of fact, if you will refer to the past communications on this subject, you would find that there is an understanding that the administrative control of Barahoti will remain with the Indian side, only unarmed civil administrative personnel being in charge of the area. As regards the eastern sector, Longju was under Indian administrative control till August 1959 when Chinese forces attacked the Indian garrison there. Since then it has not been under the administrative control of either side. Again various communications exchanged between our two Governments would show clearly that Khinzemane and the Dhola region to the south of the Thagla ridge, which the Chinese clarification describe as the Kechilang river and Chedong area, have always been under Indian administrative control till Chinese forces started their further aggression on 8th September, 1962, in this region.

The three-point proposals of October 24, 1962 and the statement on cease-fire and withdrawals of 21st November, 1962, clearly aim at securing physical control of areas which were never under Chinese administrative control either on 7th November, 1959 or at any time prior to 8th September, 1962. These proposals not only violate principles (iii) and (iv) mentioned in para 2 above, but are a definite attempt to prejudice India's position in maintaining its stand as regards the boundary.

You have mentioned in your message of 28th November that "the initiative measures which the Chinese Government have decided to take are not conditional on simultaneous corresponding measures to be taken by the Indian side". And yet, later on in your message you state "that withdrawal

by China alone of its frontier guards beyond 20 kilometres on its side of the 1959 line of actual control cannot ensure the disengagement of the armed forces of the two sides, nor can it prevent the recurrence of border clashes. On the contrary, in case the Indian side should refuse to co-operate, even the cease-fire which has been effected is liable to be upset." These observations appear to be contradictory. In any case, if the Government of India are to take any attitude to the so-called unilateral measures of cease-fire and withdrawals announced by the Chinese Government, they must clearly know what the "line of actual control as of November 7, 1959" is, nor can that line be unilaterally determined by the Chinese Government either on the basis of their alleged claims or on the basis of the position reached as a result of their further aggression.

In the light of the above, I would once again commend for your acceptance the clear and straightforward proposal made by us, namely, at least the status quo prior to 8th September, 1962, should be restored so that the necessary atmosphere for reverting to peaceful processes may be created. There is no danger of any clashes under this arrangement if both sides are genuinely sincere in their desire to revert to paths of peace. As you know, the earlier minor clashes occurred because your forces attacked the small Indian patrols of posts guarding against surreptitious aggressive intrusions in Indian territory which had been going on since 1957, and the major clashes started since 8th September, 1962, when your forces started an unprovoked wanton invasion of Indian territory.

Our Foreign Office has presented a written note to your Charge d'Affaires in Delhi on 30th November for further clarification of "the line of actual control as on November 7, 1959". I hope that the written memorandum presented by our Foreign Office and my present letter will result in positive clarifications on this rather confusing and complicated question of what you call "the line of actual control as of November 7, 1959".

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

(Sd.) JAWAHARLAL NEHRU.

**Memorandum given by the Ministry of Foreign Affairs, Peking,  
to the Embassy of India in China, 8 December 1962**

1. In compliance with the request of the Indian Government, the Government of China has twice made clarifications concerning its statement of November 21, 1962, which is itself very clear. But the Indian Government alleged in its memorandum delivered on November 30 that the Chinese clarifications are "vague and would require further elaboration before the Chinese ceasefire proposals can be fully considered by the Government of India". While failing so far to make a positive response to the three measures taken by the Chinese Government on its own initiative, the Indian Government has created side issues and time and again raised meaningless and trouble-making questions, asking for clarifications from the Chinese Government. The Government of China cannot but express deep regret at this line of action taken by the Indian Government out unrevealed motives.
2. In its memorandum, the Indian Government distorted the November 7, 1959 line of actual control in an attempt to deny the Chinese Government's exercise of administrative jurisdiction over large tracts of Chinese territory. The Chinese Government resolutely refutes such a groundless argument.
  - A. The Chinese Government has already set forth in detail in its many previous documents facts about the Chinese Government's exercise of administrative jurisdiction over the vast areas on the Chinese side of the traditional customary line in the western sector of the Sino-Indian border. Chinese administrative jurisdiction has extended right up to the traditional customary line, the areas including Qiziljilga, Shinglung, Dehra, Samzungling and places to the west of these locations have without

exception been under the effective jurisdiction of China. By intentionally confusing the extent of China's administrative jurisdiction and the location of China's frontier posts, the Indian Government attempts to prove that China's jurisdiction has not reached these areas. The very premise of this argument is wrong. But, even speaking of frontier posts, China had set up before November 7, 1959 seven posts close by the traditional customary line, with the northernmost one near the Karakoram Pass and the southernmost one near Spanggur Lake and with close ground contact maintained among these posts and between them and the rear. It is precisely because of the effective jurisdiction exercised by the Chinese Government that when armed Indian personnel on two occasions in September 1958 and July 1959 sneaked into these areas they were promptly detained by Chinese frontier guards, and that when armed Indian personnel intruded into Kongka Pass and provoked a border conflict in October 1959, they were immediately repulsed. Apart from these three occasions, not a single Indian personnel had entered these areas before 1961. What the Indian side had been able to do since then was confined to the establishment of 43 strongpoints of aggression within 20 kilometres on the Chinese side of the line of actual control, and the Indian side was able to do this surreptitiously only by taking advantage of China's unilateral cessation of border patrols. In order to resist Indian intrusions, beginning from May 1962 the Chinese side restored its patrols in these desolate border areas and set up a number of new frontier posts. Thus there had arisen prior to September 8, 1962 a situation of the posts of the two sides confronting each other in a manner of interlocked jigsaw puzzle within 20 kilometres on the Chinese side of the line of actual control in the western sector of the Sino-Indian border.

B. In the eastern and middle sectors of the Sino-Indian border, India tried to describe the Che Dong area, Longju and Wuje as situated on the Indian side of the line of actual control. This is wholly groundless.

Regarding the Che Dong area, China has in its previous notes and statements repeatedly given in contestable proof that this area is to the north of the illegal McMahon Line and under China's effective jurisdiction. There is no need to repeat it here.

Longju is a village in the Migyitun area, and India itself has admitted that Migyitun is situated to the north of the illegal McMahon Line. This village was invaded and occupied by Indian troops in June 1959, but was recovered by China after the armed conflict instigated by Indian troops in August 1959. Following that, China not only restored its administrative control over Longju, but also maintained a post there for a period of time. The Indian memorandum alleges that both sides agreed that neither Chinese nor Indian personnel should occupy the village. This is pure fabrication. It is appropriate to ask: When and in what manner did the two Governments agree to refrain from "occupying" Longju? It is impossible for the Indian Government to produce any definite evidence on this question. As for Wuje, the Indian Government is clearly aware that, owing to the intrusion of Indian troops into this area after 1954, an agreement of non-stationing of either side's troops there was reached between China and India on the initiative of China. However there has never been any interruption in China's administrative control over the place. The Indian memorandum asserts that "there was a specific understanding with the Chinese Government that Indian police personnel would exercise control in Bara Hoti (Wuje) ". This is also pure fabrication. It is appropriate to ask when and in what manner did the Chinese Government agree to the "control" of Wuje by Indian police personnel. On this question too, it is impossible for the Indian Government to produce any definite evidence.

The line of actual control of November 7, 1959 was a result of India's forcible violation of the traditional customary line and its seizure of large tracts of Chinese territory. China has already shown great forbearance and accommodation by renewing the proposal of taking this line as the base line for the withdrawal and separation of the armed forces of the two sides. It goes without saying that this line is not the final boundary line between China and India. Yet now India is not satisfied with this, but attempts to describe the Chinese territory which India has never occupied or has failed in its attempt to occupy as situated on the Indian side of the line of actual control of November 7, 1959. This is most unreasonable.

3. Regarding the question of checkpoints, the Chinese Government's statement of November 21 made it quite clear that after the withdrawal of the Chinese frontier guards, China will establish checkpoints on its own side of the line of actual control. Of course, China will have no objection to India's establishing checkpoints on the Indian side of the line and manning them with an appropriate number of civil police equipped with weapons for self-defence. The memorandum, however, poses the so-called question of establishing check posts on the line. If this is not deliberate trouble-making, it shows that India intends to edge into the Chinese side of the line of actual control on the pretext of establishing checkpoints. This is absolutely impermissible. As for details relating to the establishment of checkpoints, it has also been clearly explained in the Chinese Government's statement that they can be discussed and settled by the officials to be designated by the Governments of the two countries. While avoiding saying whether it is prepared to make a positive response to the three measures taken by China on China's own initiative, the Indian side unwarrantedly asked China to clarify the details. This was obviously deliberate haggling and evading an answer to the substantive question.

4. It is clearly stated in the Chinese Government's statement in what eventualities China reserves the right to strike back in self-defence after the cease-fire and withdrawal of the Chinese frontier guards. This stand of China's was further explained in the Chinese memorandum of November 25. The hope was expressed in the Chinese memorandum of November 26 that the possible eventualities mentioned in the statement of the Chinese Government might not occur. The stand of the Chinese Government is consistent. But the Indian Government asserted that China's clarification on November 26 was "a substantial modification and not a mere clarification". It may be asked: What is the substantial difference between China's reservation of the right to strike back in self-defence under certain circumstances and its simultaneously expressed hope that such circumstances might not occur? The Indian Government has been either deliberately refusing to understand China's statement and clarifications, or intentionally making trouble. Should the Indian side further try to seek loopholes in China's clarification in order to make new provocations, the Chinese Government must point out here that this is dangerous and will never bring India any good.

5. By means of oral and written explanations and of maps, China has made it clear in detail the location of the line of actual control as of November 7, 1959 in the eastern sector and its relation with the illegal McMahon Line. Since the Indian side advanced to the illegal McMahon Line, both sides have been clearly aware of the extent of each other's administrative control. In other words, there objectively existed between the two sides a line of actual control formed by the extent of each side's administrative control. This was the line of actual control of November 7, 1959 as pointed out by China. Since November 7, 1959, the only dispute between the two sides has

concerned the Che Dong area. This also proves that both sides are clear about and have no differences over the location of this line of actual control. There is nothing vague about the Chinese Government's proposal to take this perfectly clear line of actual control as the base line for separating the armed forces of the two sides, and no clarification whatsoever is needed.

The Che Dong area has always been under China's administrative jurisdiction. If India takes exception to this fact, the only thing it can go by is the original 1914 map, and cannot be any so-called geographical principle laid down by India unilaterally. While the so-called Thagla ridge on which India bases itself in unilaterally defining the alignment of the illegal McMahon Line in this area is not to be found on the original 1914 map, the coordinates which are clearly there indisputably show that the Che Dong area is to the north of the illegal McMahon Line. The Indian side has been haggling about this question and held that it has the right to define unilaterally the specific location of the illegal McMahon Line. This is clearly an attempt to create confusion about the 1959 line of actual control, which is very clear itself.

6. The November 21 statement of the Chinese Government is explicit and contains nothing vague. Many of the points raised by India for clarification were no questions at all, some of them were even deliberately raised to confuse right and wrong, and the object was nothing but putting off any response to the measures which China has taken on its own initiative. It should be pointed out that what is really vague is the attitude of the Indian Government. The Indian Government faces a series of questions to which it cannot long avoid giving a frontal answer. These questions are:

1. Does the Indian Government agree, or does it not agree, to a cease-fire? In the western and eastern sectors of the Sino-Indian border,

Indian troops and aircraft have taken advantage of the fact that the Chinese frontier troops have ceased fire and began to withdraw on China's own initiative ... This is a strong signal. It is now for the Indian Government to clarify whether the Indian troops intend to continue their provocations against the Chinese frontier troops.

2. Does the Indian Government agree, or does it not agree, that the armed forces of the two sides should disengage and withdraw 20 kilometres each from the November 7, 1959 line of actual control? The Indian Minister of State in the Ministry of External Affairs Mrs. Menon openly declared in Colombo on December 4 that India would move its troops right up to the so-called McMahon Line and that India must gain control of the passes in the "Northeast frontier Agency". It must be stressed that the Chinese frontier guards are withdrawing from the nearly 20,000 square kilometre of Chinese territory north of the traditional customary line in the eastern sector of the Sino-Indian border in order to urge the Indian Government to make a positive response and seek a peaceful settlement of the Sino-Indian boundary question. Now it is for the Indian Government to clarify whether the above statement made by the Indian Minister of State in the Ministry of External Affairs represents the official reply of the Indian Government to the fact that the Chinese frontier guards have ceased fire and begun to withdraw on China's own initiatives.
3. Does the Indian Government agree, or does it not agree, that officials of the two sides should meet and discuss matters relating to the 20 kilometre withdrawal of the armed forces of each party from the line of actual control of November 7, 1959 to form a demilitarized zone, the establishment of checkpoints by each party on its side of the line of actual control as well as the return of captured personnel. The Chinese side is prepared, in the officials' meeting, to discuss with

the Indian side any specific details relating to the above-mentioned matters.

It is hoped that the Indian Government will give a clear and definite reply.

**Memorandum given by the Ministry of External Affairs New Delhi, to  
the Embassy of China in India, 19 December, 1962.**

The Memorandum handed over to the Indian Embassy at Peking by the Chinese Foreign Office on 9th December, 1962, apart from containing three questions couched in a peremptory and dictatorial tone, is replete with factual distortions.

It is utterly fallacious to state that the Chinese Government have already set forth in detail in their many previous documents facts, about their exercise of administrative jurisdiction over vast areas on the Chinese side of what they refer to as the traditional and customary line in the Western sector ...

During the talks of the Officials of the two Governments in 1960, the Chinese side brought forward no evidence at all of having administered even the Aksai Chin area, let alone regions further west stretching up to their so-called line of actual control. The Indian side, on the other hand, produced considerable evidence of tax collection, revenue assessment, maintenance of law and order and construction of public works in this area. All that Chinese officials were able to show were unsubstantiated claims to have collected taxes in the Aksai Chin. The only document they could produce which they claimed referred to the Aksai Chin and Lingzi Tang areas was a petition from the Governor of Sinkiang in 1927 and an order passed the next year by the Chinese Government in that connection. A careful study of the document would indicate that it did not refer at all to the Aksai Chin, but to an area north of the Kuen Lun range. Despite the Chinese claim that the Aksai Chin and Lingzi Tang areas since the 18th century had been extensively used for salt mining, pasturing and grazing, not a single document from either the archives of the Sinkiang Administration or from contemporary records or accounts was produced by

them to establish the prevalence of this practice. To state brazenly that documents are available establishing the fact of Chinese administration upto their so-called traditional and customary line is patently fallacious when they are unable to produce evidence of administrative control even in the Aksai Chin region.

The Chinese Memorandum in referring to three incidents in 1958 and 1959 between Indian and Chinese forces states that "apart from these three occasions not a single Indian personnel had entered these areas before 1961". The facts are that Indian official survey parties and patrols have constantly visited this area even after 1950, the year when the Chinese Government falsely claimed that they were present in the Aksai Chin area. In 1951, a group went from Leh to Lingzi Tang and Aksai Chin. In 1952, a party went upto Lanak La via Kongka Pass. In 1954 and 1956, patrols went to Lanak La. In September 1957, a party went to the Qara Tagh pass via Shamallungpa. In the summer of 1958, another party went to SarighJilganang and Amtoghar lake regions. The entire area was constantly being patrolled by Indian officials. These facts were very clearly brought to the notice of the Chinese side during the discussion of the officials in 1960, though the Chinese Government now choose to ignore all knowledge of these facts.

The Chinese Memorandum states that beginning from May 1962, in order to resist Indian intrusions, "the Chinese side restored Hs patrols in these desolate areas and set up a number of new frontier posts." The patent falsehood of this assertion is established by the fact that, well before May 1962, the Indian Government had protested on numerous occasions on aggressive Chinese forward patrolling, on harassment of Indian personnel proceeding on normal duties and on establishment of military posts in the Western sector. The Government of India's notes of 2nd July 1958, 8th November 1958, 30th July 1959, 4th November 1959, 31st October 1961

provide ample evidence of aggressive forward patrolling and establishment of military posts by Chinese forces throughout this earlier period.

While the Chinese Government has continued to make statements that the "Che Dong" area is north of the McMahon Line and with its effective jurisdiction, it has in no way substantiated it with what the Chinese Memorandum refers to as "incontestable proof that was under China's effective jurisdiction". On the contrary, the Government of India have, time and again, given detailed facts prove that this area has been under the direct administrative control the Government apart from the substantive fact of its being south of the highest watershed ridge which forms the McMahon Line in this area. There is evidence in writing even as recently as August 1953 by the Chinese official at Tsona in Tibet to the effect that taxes collected should be deposited with the Government of India. The baseless character of the Chinese assertion has been very clearly indicated in the Indian Government note of 16th October, 1962.

Reference in this connection is invited to the comments under "'Eastern Sector" in the Memorandum attached to the Prime Minister of India's letter of 14th November to Prime Minister Chou-En-lai. The Chinese authorities should state clearly whether they accept the highest watershed principle or want to follow strictly the coordinates given in the 1914 maps. If they follow the latter for the purpose of supporting their so-called claim to the "Che Dong area" they should be prepared to accept on the same analogy - that the areas of Migyitun and Tu Lung La should form part of Indian territory. In referring to Longju, the Memorandum very boldly asserts: "The Indian Memorandum alleges that both sides agreed that neither Chinese nor Indian personnel should occupy the village. This is pure fabrication. It is appropriate to ask: When and in what manner did the two Governments agree to refrain from 'occupying' Longju? It is impossible for the Indian Government to produce any definite evidence on this question". The

Chinese Government is requested to refer to para 3 of the letter dated 17th December, 1959, of Premier Chou En-lai to the Prime Minister of India, in which it has been stated as follows:

"Pending the above-mentioned agreement, the Chinese Government, in a conciliatory spirit and out of the desire to move towards the withdrawal of armed forces along the entire border, is prepared to agree first to reach a partial solution by applying the proposal you have made in your letter for the non-stationing of the armed forces of both sides at Longju to the other disputed

In regard to Wuje, the Chinese Government will recollect that in their Note of 13th September, 1959, the Government of India had mentioned that: "if the Government of China are not agreeable to this suggestion the Government of India will continue as in previous years to send its civil personnel to exercise jurisdiction over an area which the Government of India have always considered as part of Indian territory. Such personnel, however, will not carry any arms". No reply was received to this communication and the Government of India have been sending Indian police personnel to Bara Hoti during the summer season.

The attitude of the Government of India to the three questions posed by the Government of China has been indicated by the Prime Minister of India in his statement in the Indian Parliament on 10th December, 1962:

- (1) The cease-fire and withdrawal declaration by the Government of China was a unilateral one. But in so far as the cease-fire is concerned, nothing has been done by the Indian side to impede the implementation of the cease-fire declaration.
- (2) India is in favour of the disengagement of the forces of the two sides on the basis of a commonly agreed arrangement. Such an arrangement, however, can only be on the basis of undoing the further aggression committed by the Government of China on

Indian territory on the 8th September, 1962. If the Government of China dispute that a particular areas is Indian territory, this is a matter for juridical or the like decision. The fact, however, is that the areas in which aggression had been committed by China had long been in Indian occupation and this is something which cannot be disputed. The Government of India have given their understanding of the so-called line of actual control of November 7, 1959. They do not agree with the Chinese interpretation which is not in accordance with the facts. These facts can, as evidenced by the instances given in the earlier part of this Memorandum, be determined from the correspondence between the two Governments during the last five years. The Government of China cannot expect India to agree to the so-called line of actual control of November 7, 1959, which is manifestly not in accordance with facts.

- (3) It is obvious that if the officials of the two sides are to meet, they must have clear and precise instructions as to the cease-fire and withdrawal arrangements which they are supposed to implement, Unless they receive these instructions, which must be the result of an agreement between the two Governments of India and China, they will be unable to function. Therefore, it has to be determined previously which line is to be implemented. Between the line of actual control immediately prior to the 8th September, 1962, and that on the 7th November, 1959, as defined by Chinese Government, there is a difference of about 2,500 square miles of Indian territory which China has occupied as a result of invasion and massive attacks during the last three months. The Government of India cannot agree to the Chinese authorities

retaining the advantages secured by this latest invasion of Indian territory.

The Government of India regret that the Chinese authorities are deliberately confusing the line of actual control as on 7th November, 1959, with their so-called territorial claims, particularly in the Western sector, and holding out threats of counter-attack if this arbitrary line of actual control is not accepted by the Government of India. This is clearly inconsistent with the Chinese Government's professions of their desire for disengagement of the forces of the two sides based on line of actual control prior to the invasion and the clashes with a view to reverting to the processes of peaceful talks and discussions to resolve the differences between the two Governments on the question of the India-China boundary.

**Note given by the Ministry of Foreign Affairs, Peking, to the  
Embassy of India in China, 27 December 1962**

The 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 of the Ministry of External Affairs of the Indian Government, dated May 31, 1962, has the honour to state as follows:

In a number of its previous notes the Chinese Government has repeatedly and patiently made it clear to the Indian Government that, in view of the fact that the Sino-Indian boundary has not yet been formally delimited, no specific provisions have been made in the Sino-Burmese Boundary Treaty regarding the tri-junction of China, Burma and India. However, the Indian Government has all along persisted in its subjective and one-sided assertion that this tri-junction has already been defined in the Sino-Burmese Boundary Treaty. Furthermore, it wants to impose such a distorted interpretation on the signatories. The Chinese Government cannot but express once again its deep regret at the Indian Government's repeated and unreasonable haggling over the matter.

It is not difficult to see from the five Indian notes, and particularly from its note of May 31, that the Indian Government has been so endlessly harping on the subject simply because the conclusion of the Sino-Burmese Boundary Treaty has provided a powerful circumstantial evidence which once again refutes the Indian contention that the Sino-Indian boundary has long been delimited, thus leaving the Indian side with no tenable ground in the Sino-Indian boundary dispute. But that the Sino-Indian boundary has never been formally delimited is a fact which can by no means be altered. The Chinese Government hopes that the Indian Government will face up to

this objective fact and not keep haggling over the question of the tri junction of China, Burma and India. To continue the present Indian practice will be of no avail and deserve no further reply from the Chinese Government.

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

**Memorandum given by the Ministry of Foreign Affairs, Peking,  
to the Embassy of India in China, 29 December, 1962.**

The Chinese Ministry of Foreign Affairs has received the memorandum of the Indian Ministry of External Affairs dated December 19, 1962. This memorandum once again shows that the Indian Government is deliberately creating side issues, reversing right and wrong, insisting on a reversion to the state of the boundary of September 8, 1962 and seeking pretexts for refusing to respond positively to China's proposed measures of cease-fire, withdrawal and holding of officials' meeting. This unreasonable position of the Indian Government runs completely counter to the five principles for a peaceful settlement of the differences between China and India as summed up in Prime Minister Nehru's letter to Premier Chou En-lai dated December, 1, 1962.

*1. Concerning the western sector of the Sino-Indian border.*

The whole vast area on the Chinese side of the traditional customary line in the western sector of the Sino-Indian border is part of Chinese territory; it has always been under China's effective jurisdiction and has never been administered by India. This is an immovable fact which the Indian Government can by no means overthrow by sheer fabrications. The Indian Government cannot deny that up till 1958 it had never disputed the fact of the Chinese Government's exercise of effective jurisdiction over this area. But later it fished out some spurious historical evidence and tried in a farfetched way to describe this area as belonging to India. During the meeting of the officials of both countries in 1960, the Indian side argued in the following way. First, it groundlessly claimed that the area of 27,000 square kilometres including Aksai Chin and Linghithang was administered by a small village called Tanktse. Then it produced some evidence to show

that Tanktse was under India's jurisdiction. Accordingly, it concluded that Aksai Chin and Linghithang belonged to India. Such an absurd and ridiculous way of argument certainly cannot be regarded as serious. In contrast, the evidence cited by the Chinese side proved indisputably that the Chinese Government exercised effective jurisdiction over the whole area in the western sector, including the maintenance of administrative organs, patrolling, control of the passes, check on travellers, collection of taxes, extensive exploration and surveys, and the building of public works.' The 1927 document referred to in the Indian memorandum is one of the many convincing documents cited by the Chinese side. This document proves clearly and unmistakably that the Aksai Chin and Linghithang area was under the jurisdiction of Hotien of Sinkiang. China had exercised effective jurisdiction over this area for hundreds of years. The Government of the People's Republic of China took over this area from the Government of old China in 1950 and has continued to exercise effective jurisdiction there. The Indian side, on the other hand, had had no' knowledge of the actual state of affairs in this area up till 1958. No wonder by September 10, 1959 Prime Minister Nehru still stated in the Indian Rajya Sabha that the said area in the western sector "has not been under any kind of administration." That was of course true so far as the Indian Government was concerned. That statement of Prime Minister Nehru completely overthrows all the so-called evidence the Indian side has produced to prove past Indian administration in this area.

The Indian Government cannot deny the fact that Indian military personnel were detained or repulsed by the Chinese side on all the three occasions when they illegally intruded into this area in the western sector in September 1958, July 1959 and October 1959. Nevertheless, it tried to prove that Indian personnel had entered the area before 1961 on more occasions than those three. It pretentiously asserted that even after 1950,

in 1951, 1952, 1954, 1956 and 1957 Indian survey teams and patrol parties constantly reached this area. This assertion was entirely groundless. During the meeting of the officials of both countries, the Chinese side asked that Indian officials to their faces whether they could provide evidence to bear out their assertion, but the Indian side could not produce even a single evidence. Furthermore, anyone with common sense will ask: If indeed the Indian side had constantly patrolled this area before 1958, why should it have failed to discover that Chinese frontier guards frequented this area and that a highway involving gigantic engineering work was surveyed and built there?

The Indian memorandum has cited the Indian Government's notes dated July 2, 1958, November 8, 1958, July 30, 1959 and November .4, 1959 respectively in an attempt to prove that the Chinese side did not stop its patrols in the western sector of the Sino-Indian border.

This is ludicrous to the extreme. The Chinese side had never said that it would stop its border patrols before the Kongka Pass incident took place on October 20-21, 1959. The citing of these notes in the Indian memorandum not only is pointless, but exactly proves that Chinese border patrols reached the traditional customary line. It was only after the Kongka Pass incident that the Chinese Government ordered the Chinese frontier guards to stop patrolling along the entire Sino-Indian boundary. When the Chinese Government's proposal of November 7, 1959 for the armed forces of each side to withdraw and stop patrolling was rejected, the Chinese frontier guards further stopped patrolling within twenty kilometres on China's side of the line of actual control. In his letter to Prime Minister Nehru dated December 17, 1959, Premier Chou En-lai notified the Indian Government of the decision of the Chinese Government.

During a period of more than two years, the Chinese frontier guards strictly carried out this order. The allegation that China continued its patrols, which

was made in the Indian note dated October 31, 1962 referred to in the Indian memorandum, was a total fabrication which was already thoroughly refuted by the Chinese Government in its previous notes. As a matter of fact, it was not until May 1962 that the Chinese frontier guards were ordered to resume patrolling in the western sector in order to resist the increasing intrusions and provocations of Indian troops. This decision was also notified to the Indian Government by the Chinese Government in its note of April 30, 1962. Chinese actions, whether stopping or resuming border patrols, have always been open and above-board, and no fault can be found with them by the Indian Government.

## *2. Concerning the Che Dong area.*

Ever since the Indian side pushed up to the entire illegal McMahon Line, both sides have been clearly aware of the location of the line of actual control of November 7, 1959 in the eastern sector of the Sino Indian border. The dispute over the Che Dong area was caused by the Indian side which, taking advantage of China's cessation of patrols, crossed the illegal McMahon Line in June 1962, and in September launched armed provocation? The Indian side alleged that the Che Dong area is south of the Illegal McMahon Line. But the only so-called basis which India can rely upon is the original map of the Illegal McMahon Line in the possession of both China and India. According to the original map, the Che Dong area is clearly situated to the north of the illegal McMahon Line. And the Indian military sketch map captured by China in the recent border conflict also clearly shows the Che Dong area as north of the illegal McMahon Line. No matter how it haggles, the Indian Government cannot deny that its deliberate crossing of the illegal McMahon Line and occupation of the Che Dong area north of the Line were an undisguised act of aggression and provocation.

The question of the Che Dong area is a very simple one, and the merits of the case are quite clear. But now the Indian Government is creating side issues by entangling the specific dispute over the Che Dong area with the question of the delimitation of the entire boundary in the eastern sector. The Indian memorandum referred to the comments under "eastern sector" in the memorandum attached to the Indian Prime Minister's letter of November 14 to Premier Chou En-lai, and asked China to state whether it accepts the watershed principle or the coordinates principle. In its December 8 memorandum to the Indian Government and the text of the remarks made on the same day by the spokesman of the Chinese Ministry of Foreign Affairs which was handed over to the Indian Embassy in China on December 9, the Chinese Government has thoroughly refuted these comments and fully expounded its own viewpoint. The eastern sector of the Sino-Indian boundary has not yet been defined through negotiations, and so the question as to what principle China should accept in delimiting the boundary does not arise. The only line that exists in the eastern sector is the line of actual control marking each side's extent of administration. Both the Migyitun and Tulung Pass areas are on the Chinese side of the line, and no objections had ever been raised by the Indian Government. The Indian side now tries to create a fresh dispute over the Migyitun and Tulung Pass areas to cover up its aggression in the Che Dong area; this is completely futile.

The Indian memorandum referred to a so-called document of 1953. This document, far from substantiating India's case, is a protest to India's attempt to expand its aggression after occupying Tawang of Tibet in February 1951. It can be seen from the document that, although the Indian side tried to occupy the pasture of the inhabitants of the Le village, and exacted grazing fees (i.e., taxes, as described in the Indian memorandum) from them, they still maintained that the pasture belonged to them. India's

aggressive ambition did not succeed. In fact, the Che Dong area had been under China's effective jurisdiction through the whole period from 1951 to the recent Indian intrusion.

### *3. Concerning Longju.*

In its memorandum, the Indian Government quoted a passage from Premier Chou En-lai's letter of December 17, 1959 as proof that both sides had agreed to refrain from occupying Longju. Premier Chou En-lai's proposal, however, was very clear, namely, both sides should refrain from stationing armed personnel in other disputed places on the border as well as in Longju. And those places were specifically mentioned in Premier Chou En-lai's letter, i.e., Khinzemane, Parigas, Shipki Pass Sang, Tsungsha, Puling-sumdo, Chuva, Chuje, Sangcha and Lapthai. That proposal was an integral whole and must not be taken apart. It was not accepted by the Indian Government. How then can it be held that both sides had agreed to refrain from stationing armed personnel in Longju? The Indian Government is indeed arbitrary to the extreme in so unscrupulously and willfully distorting Premier Chou En-lai's letter in order to justify its own unreasonable stand.

### *4. Concerning Wuje.*

A similar trick was played by the Indian Government in connection with the Wuje question. The Indian Government is well aware that China has always maintained that Wuje is Chinese territory. How could the Chinese Government, which rejected as unacceptable the Indian Government's proposals for both sides to refrain from sending civil personnel to Wuje, agree to the even more unreasonable demand for the Indian side alone to control the area by sending its civil personnel there? It is inconceivable that the Chinese Government would accept such an unreasonable demand. As a

matter of fact, either before or after 1959, there has not been a single case where the Chinese Government failed to lodge a protest with India when it sent its so-called civil personnel to enter the Wujie area illegally.

*Concerning the question of cease-fire*

The Chinese Government has taken note of the indication that "nothing has been done by the Indian side to impede the implementation of the cease-fire declaration." It must be pointed out, however, that non-impediment in China's unilateral cease-fire is not the same as India's formal agreement to a cease-fire. That is why the present state of cease-fire is still unstable. Since China unilaterally effected a cease-fire, Indian troops have, in the western sector, repeatedly intruded into the Spanggur Lake area; in the eastern sector, they frequently followed on the heels of and provoked the withdrawing Chinese troops. Indian aircraft also have repeatedly violated China's air space. The previous border clashes instigated by India were all the result of gradual development of such provocative activities. The fact that the Indian side now returns to its old ways while the Chinese frontier guards are withdrawing on China's own initiative cannot but arouse the serious attention of China and those Asian and African countries that take interest in a peaceful settlement of the Sino-Indian boundary question. The first of the five principles for a peaceful settlement of the differences between China and India as enumerated by Prime Minister Nehru in his letter of December 1 to Premier Chou En-lai is: "We should create a proper atmosphere for peaceful settlement of our differences." There is no doubt that the measures of ceasefire, withdrawal and the repatriation of sick and wounded Indian military personnel taken by China on its own initiative conform to this principle. However, the Indian side has not only continued provocations along the border and stepped up its arms expansion and war preparations, but adopted a series of measures deliberately aimed at

poisoning the relations between the two countries. In unilateral violation of agreement, the Indian Government has closed, down its consulates-general in China and has compelled China to do likewise. The Indian authorities have subjected Chinese nationals in India to ruthless persecution and threw more than 2,000 of them into concentration camps. The Indian Government has even decided to censor mail and telegrams between China and India. These acts taken by the Indian Government are in complete contravention of the above-mentioned principle.

*6. Concerning the question of disengagement.*

The Chinese Government has noted that the Indian Government is in favour of the disengagement of the armed forces of the two sides on the basis of a commonly agreed arrangement. The Indian Government, however, holds that "such an arrangement can only be on the basis of undoing the further, aggression committed by the Government of China on Indian territory on the 8th September, 1962." The Chinese Government has repeatedly and exhaustively proved that the so-called state of the border of September 8 was the position in which India had further occupied large tracts of Chinese territory by armed force since November 7, 1959, and from which Indian troops launched massive armed attacks against the Chinese frontier guards. To restore that position would be against the principle that the boundary question should only be settled through negotiations and that it is impermissible to create a *fait accompli* by the use of force.

Therefore, it is absolutely unacceptable to the Chinese Government. The Indian memorandum describes the state of the border prior to September 8, 1962 as a line. This is wholly untenable. The state of the border prior to September 8 was one in which the positions of the two sides were interlocked in a jigsaw puzzle fashion and which could by no means form a common base line for separating the armed forces of the two sides.

The Indian memorandum charges that the line of actual control of November 7, 1959 put forward by China is inconsistent with the fact. The sole ground for this charge advanced by the Indian Government is the allegation made in the memorandum attached to Prime Minister Nehru's letter to Premier Chou En-lai dated November 14, 1962 to the effect that the position of the line of actual control should be the locations of the Chinese frontier posts. This allegation has been thoroughly refuted in the remarks of the spokesman of the Chinese Ministry of Foreign Affairs on December 8, 1962 and in the memorandum of the Chinese Government to the Indian Government of the same date. It was pointed out that the extent of administration should not be confused with the location of frontier posts and that, so far as the frontier posts are concerned, long before November 7, 1959 China had set up a series of posts on the Chinese side close to the line of actual control in the western sector of the Sino-Indian border. The Indian Government cannot deny these facts, no matter how it may prevaricate. It is true that there is a difference between the positions held by Indian troops prior to September 8, 1962 and the line of actual control of November 7, 1959. The difference was estimated in the Indian memorandum is about 2,500 square miles. However, this difference was precisely created by India through perfidious armed encroachments on Chinese territory in the past three years by taking advantage of the Chinese frontier guards' cessation of patrols. This difference created by India through armed aggression can neither negate nor change the line of November 7, 1959. On the contrary, it precisely proves that it is most fair and reasonable to take this 1959 line as the base line for the disengagement of the armed forces of the two sides.

The third of the five principles raised by Prime Minister Nehru is purportedly quoted from Premier Chou En-lai's letter of November 4 to Prime Minister Nehru. The following are the original words of Premier Chou En-lai: "The

fact that the Chinese Government's proposal has taken as its basis the 1959 line of actual control and not the present line of actual contact between the armed forces of the two sides is full proof that the Chinese side has not tried to force any unilateral demand on the Indian side on account of the advances gained in the recent counter-attack in self-defence." The principle contained in this sentence is perfectly clear, and that is, both sides should respect the 1959 line of actual control and neither side should alter this line by armed force and impose a fait accompli on the other side. It is precisely on this principle that the Chinese side proposed to take the 1959 line of actual control as the base line for separating the armed forces of the two sides and is withdrawing on its own initiative from the close to 20,000 square kilometres of territory south of this line in the eastern sector of the Sino-Indian border. In insisting on a reversion to the state of the border prior to September 8, 1962, the Indian side has precisely gone against this principle by demanding that China should accept India's encroachment on large tracts of Chinese territory through violating this line of actual control by armed force since 1959.

The fourth of the five principles raised by Prime Minister Nehru requires that the measures taken by both sides "should be consistent with the decency, dignity and self-respect of both sides." According to the Chinese Government's proposal for the armed forces of each side to withdraw 20 kilometres from the November 7, 1959 line of actual control the Chinese frontier guards would have to withdraw not only from vast tracts of territory south of the 1959 line of actual control in the eastern sector of the Sino-Indian border, but another 20 kilometres from the 1959 line of actual control along the entire border. Thus they will in fact withdraw to positions far behind those they held on September 8, 1962. This represents China's greatest regard for the decency, dignity and self-respect of India. India, however, insists on its unreasonable demand to restore the state of the

border prior to September 8, 1962, which is by no means consistent with China's decency, dignity and self-respect.

The last of the five principles raised by Prime Minister Nehru specifies that measures proposed by both sides "will not in any way prejudice either side's position in regard to the correct boundary alignment." This has been the consistent stand of the Chinese Government. But India has insisted on a reversion to the state of the border prior to September 8, 1962 as a precondition for holding negotiation. That is to say India wants China to satisfy the greater part of India's territorial claims on China even before the negotiations start. It is impossible to hold that agreement to such an unreasonable demand would not prejudice China's position in regard to the boundary.

*7. Concerning the question of the meeting of officials of the two sides.*

The Chinese Government has noted that the Indian Government is not opposed to the holding of meetings of officials of the two sides, but maintains that there must first be a cease-fire and withdrawal arrangement commonly agreed by the two sides. If such an arrangement has been agreed upon by the two sides, the tasks of the officials of both sides would, of course, be much simpler. It is a pity, however, that such an agreement does not yet exist. It seems to the Chinese Government that this is no reason for putting off a meeting of officials of the two sides, but exactly points to the urgent need for holding such a meeting. Differences can only be solved through meetings and discussions; they would never be reduced, let alone removed, if no meeting is held. The second of the five principles raised by Prime Minister Nehru states: "We should settle our differences in a friendly way through peaceful talks and discussions." It was on this principle that the Chinese Government has repeatedly proposed negotiations between the two sides. The Chinese Government is awaiting

actual deeds of the Indian Government to demonstrate that it is really willing to observe this principle.

**Letter from Premier Chou En-lai  
to the Prime Minister of India, 30 December 1962**

Respected Mr. Prime Minister,

I thank you for your letter dated December, 1, 1962. To the questions of substance raised in your letter the Chinese Government has given detailed answer in the remarks of the spokesman of the Chinese Ministry of Foreign Affairs, the text of which was handed over to the Indian Embassy in China on December 9, and in the memoranda to the Indian Government dated December 8 and December 29, with which Your Excellency must have been acquainted.

In your letter you have summed up, from our correspondence, five principles for a peaceful settlement of the differences between our two sides. I very much appreciate your spirit of seeking common ground. These principles are indeed what the Chinese Government has consistently advocated, and for their realization it has made unremitting efforts.

However, I must point out that these principles must be equally observed by both sides, and that our differences cannot possibly be resolved if one side attempts to bind the other side with these principles while itself refuses to abide by them. Up to now it is India, and not China, that has persisted in a position which is inconsistent with these principles. It is hoped that now on both sides will act in accordance with these principles in seeking a reasonable settlement of the Sino-India boundary question.

The Chinese Government has taken note of the fact that the Indian Government has stated that it will not impede the implementation of the cease-fire by China, that it is in favour of the principles of disengagement of the armed forces of the two sides and that it is not opposed to the holding of meetings of the officials of both sides. However, as is well known, the

state of cease-fire is not yet stable. In order to consolidate the cease-fire, the armed forces of the two sides must disengage; otherwise there is no assurance that clashes will not recur. The Chinese Government still holds that its three proposals of October 24 constitute the most effective way to stop the border conflict, reopen peaceful negotiations and settle the Sino-Indian boundary question, and that the core of these proposals, namely, that the armed forces of each side should withdraw 20 kilometres with the line of actual control of November 7, 1959 as the base line, is all the more a most fair and reasonable arrangement. It is regrettable that the Indian Government even now insists on a reversion to the state of the boundary prior to September 8, 1962. I would not like to repeat here our old arguments. What everybody anxiously hopes is that the unstable state of cease-fire will not again develop into a border conflict on account of the fact that our two sides continue to be at loggerheads with each other.

In order to stabilize the cease-fire and seek a rapprochement of the views of the two sides, the Chinese Government proposes that in the course of the withdrawal of the Chinese frontier guards on China's own initiative according to set plans, the Indian troops should stay in their present positions along the entire Sino-Indian border, and that in the meantime officials of the two sides should meet immediately to discuss such matters as withdrawal arrangements for the disengagement of the armed forces of the two sides, establishment of checkpoints and return of captured personnel. The rank of the officials of both sides and the time and place of their meeting can be discussed and fixed through diplomatic channels. The Chinese Government tentatively considers that it may be appropriate for officials of the two sides to meet in January 1961 either in Peking, or in Delhi, or in the capital of a friendly Asian or African country.

I am awaiting your reply.

Please accept, Your Excellency, the assurances of my highest consideration.

(Sd.) CHOU EN-LAI

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

**Note given by the Ministry of External Affairs, New Delhi, to the  
Embassy of China in India, 31 December 1962**

The Ministry of External Affairs presents its compliments to the Embassy of the People's Republic of China and has the honour to refer to the communique issued by the Chinese and Pakistan Governments on 26th December on their agreement in principle on the alignment of the border between China (Sinkiang) and the territory of Kashmir illegally occupied by Pakistan.

2. In their note of 30th June 1962, the Government of India had drawn attention to the attempts of the Chinese Government to exploit, for its own ends, the differences on Kashmir between the Indian and Pakistan Governments. Despite the assertion by the Chinese Government that it does not wish to get involved in the dispute, the calculated release of this communique at a time when delegations from India and Pakistan were attempting to resolve their differences on Kashmir and related matters is clear evidence of China's desire to exploit Indo-Pakistan differences for its own selfish and expansionist designs.

3. The joint communique is a brazen attempt at legitimisation of the gains of aggression in the hope that the Chinese Government will thereby secure Pakistan support to Chinese aggression on India and the gains of this aggression.

4. The Government of India protest strongly against this aggressive and expansionist move by the Government of China. They repudiate firmly the validity of any agreement involving Indian territory between parties who

have no legal or constitutional locus standi whatever in respect of this territory.

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

**Letter from the Prime Minister of India to the Prime Minister of  
China, 1 January 1963**

Dear Mr. Prime Minister,

Thank you for your message of 30th December, 1962 which was delivered to our Foreign Office by your Charge d'Affaires in Delhi at 2015 hours on 30th December, along with a copy of the memorandum of your Ministry of Foreign Affairs, dated 29th December.

2. The main theme of the memorandum of your Foreign Office, dated 29th December which also runs through your message of 30th December, is that it is India and not China which is "reversing right and wrong" and persisting in a position inconsistent with the peaceful settlement of the India-China differences over the border question.

This is a distorted version of the factual history of the last few years recorded in the exchange of notes between India and China on the boundary question. It is hardly necessary for me to go into the detailed background of this factual history as it must be well known to you both from our personal correspondence and from our talks and discussions right up to 1960, as well as from the official notes exchanged between India and China.

3. In the course of the past 7 or 8 years, I have personally visited various parts of Ladakh on several occasions. During my earlier visits, there was no sign of Chinese forces there, nor was there any report about their coming into Ladakh. On later occasions, there were reports of their having entered Ladakh in various places. Still later, they had advanced still further. I can speak of this from my personal knowledge. You will not expect me to

accept vague allegations of Chinese occupation of a greater part of eastern Ladakh when this goes against the evidence of my own eyes.

4. Apart from the factual history of the developments since 1957, it is absolutely clear that so far as the Eastern sector of the border is concerned, this had been a peaceful border with no tension or clashes whatever except as regards Longju where an incident was created by your forces in 1959. That this sector should, beginning with 8<sup>th</sup> September 1962, and more particularly since 20<sup>th</sup> October, 1962, have been the scene of violent armed clashes between Chinese and Indian forces, is a development for which the Government of China are entirely responsible. There are frequent references in recent Chinese notes and memoranda to the Chinese se armed forces having advanced more than 20,000 square kilometres in what is called "counter-attack in self-defence". It would be obvious to anyone who looks at the position objectively that this scale of military clashes and such large scale advance into Indian territory could not have occurred unless there was a pre-planned and carefully concerted aggressive move by the Chinese forces. Under the Chinese declaration of unilateral cease-fire and withdrawals, the Chinese forces propose to withdraw from the bulk of this area, but they stipulate a specific condition that the limited defensive measures against Chinese aggression taken by India both in the Eastern and Western sectors should not be restored.

All sorts of fallacious arguments regarding the line of actual control as on November 7, 1959, the need for disengagement of forces etc. are advanced to enable the Chinese side to retain its gains of the latest aggression since 8<sup>th</sup> September 1962, in the Western sector and to retain a position of advantage for another armed aggression in the Eastern sector. No amount of wordy argument can hide this position of advantage that the Chinese Government seek to retain as the spoils of their latest aggression.

5. I requested you in my letter of 1<sup>st</sup> December 1962, for positive clarifications on what you call "the line of actual control as of 7<sup>th</sup> November 1959". The only clarification given is that this line is the one unilaterally determined by China regardless of the factual history of the past few years. The only now suggestion in your present letter is that "the Indian troops should stay in their present positions along the entire Sino-Indian border and that in the meantime officials of the two sides should meet immediately to discuss such matters as withdrawal arrangements for the disengagement of the armed forces of the two sides, establishment of checkpoints and return of captured personnel" This new proposal is worse than your three-point proposal in as much as it seeks to exclude the Indian armed forces from the entire area of Indian territory subjected to this latest aggression, since 8th September, 1962, that is, from Indian territory of over 20,000 square kilometres in the Eastern sector and over 6,000 square kilometres in the western sector. Surely the officials of the two sides can hardly discuss and reach agreements on such matters as withdrawal arrangements for the disengagement of the armed forces of the two sides if they have no clear direction from their Governments regarding the line with reference to which the disengagement of the armed forces of the two sides is to be arranged.

6. Many countries are devoted to peace. But I imagine that no country is more passionately devoted to peace and peaceful methods than India. To us war is hateful. That we should have to come into military conflict with our neighbour China, with whom we have sought to develop friendly relations, has caused us great pain. .We would certainly like to find peaceful solutions of any differences that we might have about our frontiers or about anything else. When the British Government relinquished their rule in India in 1947, the frontiers of our country which then existed naturally became

the frontiers of free and independent India. If there was any argument about any part of these frontiers, we were perfectly willing to discuss this matter peacefully and decide it by peaceful methods. But we were not prepared, and are not prepared to have any decisions thrust upon us by aggression and military means.

7. Because of our desire that any point in dispute between our two countries be decided peacefully, we repeatedly, for the last many years, drew your attention to the wrong maps issued on behalf of China and gave you our own maps where our frontiers are clearly marked. You said that your maps were old ones that you had inherited from the previous regime and you had had no time to revise them. You were thus clearly aware of our precise frontier. Yet, at no time during these years before September 1959, did you inform us of what in your opinion was your frontier, even though your forces had started committing aggression in various places in Ladakh. Surely, that was a curious method of approaching, and enforcing your claim on a friendly country.

8. In regard to the Eastern sector, we had fairly lengthy talks, and you gave me clearly to understand that while you did not accept the McMahon Line, yet, because of our friendly relations, you were perfectly prepared to accept the watershed as our frontier, as you had done in the case of Burma. At no time before the 8th September 1962 ever since India became independent, did the Chinese cross the border of the Eastern sector except at Longju. Before our independence, the Chinese People's Republic had not been established, and there could have been no question of, therefore, of the Chinese coming there. Nor did the Tibetans enter our territory as there was no doubt that they certainly acknowledged the McMahon Line Agreement. Because of all this, it is a matter of amazement to me that, in

spite of this past history and background, you should claim large areas of a Province of ours. It was a matter for still greater surprise that after the assurances given by you to us, you should carry out a massive attack on our country. I would beg you to consider not only the facts, but also whether this was in your opinion a proper way to treat a country which had repeatedly shown its friendship to you.

9. We firmly believe in peaceful methods and we shall always try to seek every avenue of peace to settle any problem or dispute. We want to do this despite the serious armed clashes that have occurred between India and China. But before a suitable atmosphere for any worthwhile talks between us is created, I think that at least the further aggression committed by the Chinese forces since the 8th of September 1962 should be removed and the positions as it existed then should be restored. After that, I shall gladly discuss the merits of these questions with you. I have even suggested to our Parliament that, if necessary, we would be prepared to refer these questions for decision on the merits to the International Court of Justice at The Hague, which is an impartial world tribunal.

10. I agree that there is no point in repeating our old arguments and that though our differences continue, we should, despite these differences, explore what other possibilities are available to avoid development of further conflict. I would, in this connection refer to the proposals made by the six non-aligned Afro-Asian countries who met at Colombo earlier last month. These have been conveyed to me and also to you and the Ceylon Prime Minister is now on a visit to Peking to explain these proposals and will be coming to Delhi about the 10th of January 1963. We are examining these proposals and will be discussing them with the Ceylon Prime Minister and her colleagues when she comes to Delhi.

11. Our, Foreign Office is examining in detail the memorandum of the Chinese Ministry of Foreign Affairs dated 29th December and will be sending a full reply to that memorandum separately.

12. Please accept Your Excellency the assurances of my highest consideration.

Yours sincerely,

(Sd.) JAWAHARLAL NEHRU

**Note given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 8 January 1963**

The Ministry of External Affairs presents its compliments to the Embassy of the People's Republic of China and with reference to the Chinese Foreign Ministry's note dated 27th December, 1962, has the honour to state as follows:

The Government of India have clearly stated their stand in their earlier notes on the subject and there is no need for reiterating the same.

It is, however, necessary to repudiate the suggestion contained in the present Chinese note that the conclusion of the Sino-Burmese Boundary Treaty "refutes the Indian contention that the Sino-Indian boundary has long been delimited". There had at no time been any doubt that the traditional and customary India-China boundary alignment lies along the highest watershed ridges of the Himalayas. It is significant that the Boundary Treaty concluded by China with Burma has formally confirmed the Burmese frontier along the highest Himalayan watershed in this area. It is the western continuation of the same frontier, the McMahon line, which the Chinese Government perversely refuse to accept in the case of India. The Ministry of External Affairs takes this opportunity to renew to the Embassy of the People's Republic of China the assurance of its highest consideration.

**Memorandum given by the Ministry of External Affairs, New Delhi,  
to the Embassy of China in India, 9 January 1963**

There is no response in the memorandum of the Chinese Ministry of Foreign Affairs, dated 29th December, 1962, to the peaceful sentiments expressed by the Indian Prime Minister in his letter of the 1st December, 1962, to the Prime Minister of China; nor does the memorandum indicate a helpful attitude towards the Indian Government's endeavour to achieve a peaceful solution of the Sino-Indian border problem, after the conditions prevailing before the massive invasion by Chinese forces on India are restored. The memorandum merely repeats false and mischievous allegations that have been refuted several times by the Government of India and is deliberately slanderous in tone because there is no logic or reason in support of its contentions.

*Western Sector*

2. The Chinese Government have been constantly repeating that "the whole vast area on the Chinese side of the traditional customary line in the Western Sector of the Sino-Indian border is part of Chinese territory". Such repetition by itself cannot establish the validity of this claim. This has been a shifting claim which has kept pace with the forward movement of Chinese troops. In 1958, it covered the Aksai Chin road and was stated to be the same as shown in Chinese maps of 1956. In 1960; this was stretched still further west. And today, subsequent to the massive invasion by China, one does not know what the latest version of the claim is.

3. The Indian side had, in the discussions between the two Governments, given conclusive evidence that the Aksai Chin and the Chang Chengmo Valley were part of the *ilqa* of Tanktse, and administrative sub-divisional

headquarters in the Ladakh Tehsil. The Indian side had produced published revenue records that made it dear beyond any doubt that the areas of Aksai Chin, Lingzi Tang and Chang Chengmo were part of the Tanktse ilaqa. Indian officials also clarified that the extent of territory for which the revenue headquarters of a district would normally be responsible is directly dependent upon the extent of population and assessable revenue. The Chinese memorandum called all this spurious evidence simply because they themselves have not been able to produce any evidence whatever of revenue assessment over areas they claim to have been in possession for thousands of years.

4. The Chinese claim to have produced evidence of their jurisdiction in these areas is entirely baseless. They have, in their present memorandum, repeated the reference to the 1927 petition from the Governor of Sinkiang, because that is the only plausible thing they could trot out. This was also mentioned in the meeting of officials in 1960. The document itself refers to an area north of the Kuen Lun ranges and mentions the intention of establishing an administrative organisation at Shahidulla (in Sinkiang) covering an area which has, as its southern limits, the Karakoram Pass. Obviously this has no relevance to Aksai Chin or any other area of Ladakh. No other document of any kind from either the archives of the Sinkiang administration or from contemporary records has been produced to establish that Aksai Chin and Lingzi Tang were ever part of Sinkiang.

5. On the other hand, the Indian side had furnished evidence of administration of "this area prior to 1950 and details of patrols which were sent even subsequent to 1950 and right upto 1958 and even in 1959, which demonstrated that India had continued to exercise rightful sovereignty and was fully discharging the responsibility of local administration that vested in

India consistently with the requirements of the terrain. Indeed, it was only in 1959 that the Aksai Chin area was fully occupied by Chinese forces, disrupting thereby the Government of India's continued exercise of sovereignty. The fact that India, because, it put faith in Chinese professions of friendship and did not alter the traditional pattern of administration in the area by establishing a network of fixed administrative and defence posts all along the international border, can in no way prejudice its title or sovereignty over this Indian territory.

6. An instance of the type of baseless statement that the, Chinese. Government does not hesitate to make is the assertion that "the Government of the People's Republic of China took over this area (Ladakh) from the Government of old China in 1950". Such assertions as these are only indicative of the prevarications that are evident throughout the Chinese memorandum. It will be recalled that the former Government of China did not exercise any control at all in Tibet, much less in the Aksai Chin area during the years of the second World War and thereafter. In fact, in 1943, the British Government had to approach the Tibetan Government at Lhasa for permission for the transportation of armament through Tibet to assist the former Chinese Government.

Equally baseless is the Chinese Government's statement that Indian officials were unable to produce any evidence of patrolling in that area. The facts are exactly the other way round. It was the Indian officials who pointed, out to the Chinese side that not only did Indian officials survey parties and patrols constantly visit these areas during the years 1911-1949, but Indian reconnaissance parties also visited this area in the years after 1950, when the Chinese Government falsely claim they were in the Aksai-Chin area. In 1951, an expedition went to Leh, Lingzi Tang and Aksai Chin.

In 1952, a party went to Lanak La via Tanktse, Tsogatsalu, Hot Springs and Kongka Pass.

In August 1954 and August 1956, patrol parties went to Lanak La. The Indian flag planted at Lanak La in 1954 was still round there in 1956. In September 1957 an Indian reconnaissance party went upto Qara Tagh via Tanktse, Tsogatsalu, Hot Springs, Shammalungpa and Shing Lung. In the summer of 1958, an Indian patrol party went via Phobrang, Shammalungpa and Nischu to the Sarigh Jilganang and the Amtogo Lake regions. The party planted the Indian flag at a point 80' 12' M East 35" 03' M North. Another Indian reconnaissance party went at the same time via Phobrang, Shammalungpa, and Shing Lung to Qizil Zilga. Other places near the Pangong lake and in the Chang Chengmo valley were also under constant patrol by Indian officials. These facts were clearly put before the Chinese side at the talks of the officials but the Chinese Government, apparently, seem to think that all this evidence will disappear simply because they desire to ignore it.

7. The Chinese Government seek to disprove the fact of constant Indian patrolling in this area by stating that gigantic engineering work in the construction of the Aksai Chin road was not detected.

This "gigantic engineering work" consisted of speedily and surreptitiously clearing a road over the comparatively smooth surface of a rocky plateau. Apart from the fact that the road follows an ancient caravan route, much of the area over which the road has been made merely required to be marked out and little actual road construction as such was necessary. It is because of this natural advantage that the Chinese had been able to lay out the road: within a short time and to avoid detection in the process. In any event, the Chinese Government's contention that are illegal construction of a road through an .other's territory, even if described as a big engineering

project, confers title to territory is just too absurd and fantastic to require detailed refutation.

### *Eastern Sector*

8. In spite of the fact that the memorandum of the Government of India of December 19, 1962. had very clearly indicated that the Thagla ridge area lies south of the main Himalayan watershed and that administrative control over this area had long been exercised by India, the Chinese Government continue to assert that this region lies to the north of the McMahon Line. It is, however, significant that even the Chinese Government, in its memorandum, accept the fact that grazing fees have been as they choose to call "exacted" by India from inhabitants of Le village, which lies to the north of the McMahon Line, who came to graze their cattle in this region.

9. The Chinese memorandum claims, to have captured an Indian military sketch map showing the Dholu area as north of the McMahon Line. There is no doubt that sketch maps were available with our forces to indicate the rendering of the McMahon Line, based on coordinates of the Simla map, just as they have maps indicating the 'highest watershed ridge which, in fact, is the correct alignment of the McMahon Line on the ground. In spite of all its protestations against the Indian presence south of the Thagla ridge, the Chinese Government has had, at no time, asserted that the Thagla ridge does not form the highest watershed ridge in that area. This is a matter of easy verification and would clearly determine that the areas to the south of the Thagla ridge were part of India.

10. The Chinese Government, beyond giving the coordinates of what they consider the eastern end of the McMahon Line have never yet indicated their concept of the correct alignment. In addition to leaving this extremely

vague, they have not indicated their acceptance of either the principle of the highest watershed dividing the territories between the two countries or of an alignment on the ground following a strict interpretation of the coordinates of the McMahon Line as appear in the Simla Treaty map. Whether in the Western sector in regard to their so called traditional and customary boundary or in the Eastern sector in regard to the McMahon Line, the Chinese Government are determined to keep their alignment vague and imprecise in spite of India's constant requests to the Chinese to state their position clearly.

11. The Government of India have already refuted the Chinese Government claims to the Tawang region. Tawang has always been within Indian jurisdiction and ample factual evidence has been presented by the Government of India to prove India's sovereignty over that area. The Chinese Government base their claims on certain taxes that were once paid by the inhabitants of Tawang to the ecclesiastical authorities at Lhasa. It has been pointed out that these tributes were ecclesiastical tributes to the Dalai Lama and not a "tax" in the political sense of the term.

12. All administrative dues from the Tawang area were paid to the Government of India over the years. It has been incontrovertibly established that the Government of India have exercised jurisdiction over the entire boundary in this region upto the international boundary. If the Government of India had any aggressive intentions, they would not have voluntarily acknowledged China's jurisdiction over the Migyitun area and Tamadem on the basis of the highest watershed boundary. This acknowledgement of the correct position of Migyitun and Tamadem as north of the frontier is sufficient proof of the just and correct position adopted by the Government of India on the basis of the highest watershed ridge

principle of the 1914 Agreement as translated on the ground. Facts prove without doubt that it is the Government of China who have, despite the ill assurances about the McMahon Line frontier which they also accepted in their boundary settlement with Burma, launched an unprovoked attack after the 8th September 1962 in this area in the pursuit of China's aggressive and expansionist ambitions in this region.

### *Longju*

13. There is another instance of Chinese prevarication. Prime Minister Chou En-lai, in his letter of 17th December 1959 to the Indian Prime Minister, stated:

"Pending the above-mentioned agreement, the Chinese Government, in a conciliatory spirit and out of the desire to move towards the withdrawal of armed forces along the entire border, is prepared to agree first to reach a partial solution by applying the proposal you have made in your letter for the non-stationing of the armed forces of both sides at Longju to the other disputed places on the border as well."

The arrangement on Longju had been observed by both Governments since 1959. The Chinese Government have now amplified this understanding to be contingent upon the same arrangements being accepted in such areas as Khimzemane, Parigas, Shipki Pass, etc. Surely this was not so during the past three years and the suggestion that this arrangement should apply in all areas is a new demand that India cannot countenance.

### *Bara Hoti.*

14. On Bara Hoti as well, the Government of India had very clearly, in their Note of 13th September, 1959, stated:

"If the Government of China are not agreeable to this suggestion, the Government of India will continue as in previous years to send their civil personnel to exercise jurisdiction over an area which the Government of India have always considered as part of Indian territory. Such personnel, however, will not carry any arms."

The fact remains that the Chinese Government did not object then to this arrangement which had been continuing for several years.

15. The Government of India had categorically stated that no action would be taken to impede the Implementation of China's unilateral declaration to cease-fire. The allegations that India had violated Chinese air-space during this period are completely unfounded. In fact, the Chinese forces have themselves been guilty of breach of the cease-fire as several instances have occurred of Chinese troops firing upon the Indian patrols since November 21, 1962. If an element of instability is being introduced in the cease-fire, it is the result of the actions of the Chinese Government and not of the Government of India in spite of the unilateral decision by China to cease-fire, the objections raised in the Chinese memorandum to the legitimate steps being taken by India to ensure the security of the country is a cause of concern to this country. The treacherous massive attacks on India commencing on 20th October 1962 and the further military push forward on November 15 had also been preceded by a campaign of wild allegations of military measures being taken by India as well as by protestations of Chinese peaceful intentions. The efforts being made by India to strengthen itself and the removal of Chinese nationals from sensitive border areas of the country are all steps taken in the interests of the security of the country and have had to be undertaken because of the massive invasion mounted by Chinese forces.

### *Disengagement*

16. The Government of India have, all along, maintained that a cardinal principle to be implemented, if India and China are to seek a peaceful settlement of their differences, is the restoration of at least the status quo that existed before the further Chinese aggression on September 8, 1962. The Government of India had already declared their agreement to a disengagement between the armed forces of the two countries on the basis of a commonly agreed arrangement as soon as the status quo before 8th September 1962 is restored.

17. The Government of India are, however, unwilling to accept a line which the Chinese Government have chosen to each the "November 7, 1959, line of actual control" and the alignment of which has been unilaterally decided upon by the Chinese Government in accordance with the advance of their forces following their latest massive aggression on India. It may be reiterated that the Chinese were nowhere in 1959 along the line at present referred to by them as "the 7th November 1959 line of actual control". In fact in a desperate attempt to prove this, the spokesman of the Chinese Ministry of Foreign Affairs, in a statement on December 8, 1962, gave four locations where Chinese forces were alleged to have been on November 7, 1959. The first post, Shenhsienwan, is north of the Karakoram Pass in Sinkiang, and not in an area which is traditionally and customarily Indian. Two other locations, Hot Springs and Nyagzu, lie precisely in the vicinity of the line that Prime Minister Nehru referred to in his letter of 14th November 1962, as the line of actual control as on November 7, 1959. The fourth is an additional location in the Chip Chap River valley which the Government of India know did not exist till 1961. This would conclusively prove that the Chinese were, in 1959, nowhere west of the 1959 line of actual control as defined by India.

18. Apart from the fact that Chinese forces were never anywhere near their so called line of actual control of 7th November, 1959, the Chinese memorandum itself admits that there is a difference between 'the position held by the Indian troops prior to September 8, 1962, and the so called line of actual control of 7th November, 1959, as claimed by the Chinese. The fact is that the Indian Government took limited defensive measures in their own territory to prevent the continuing aggressive of Chinese troops. It is indeed, perverse thinking on the part of China to suggest that when a country puts up border defence posts within its own territory, it is guilty of aggression because it interferes with the aggressive designs of an expansionist power. To take the so-called 1959 line as the base line for disengagement is, to quote the Chinese memorandum, not only not "fair and reasonable", but is a definite attempt to retain the wrongful gains of its latest massive aggression.

19. The Chinese memorandum, in insisting upon India accepting the Chinese version of the 7th November 1959 line of actual control, is imposing a pre-condition which gives China the territorial gains of its latest aggression. India, on the other hand, is not placing any pre-conditions at all and is yet prepared to consider steps for further talks and discussions for a peaceful settlement of the differences. All that India ask for is that' the aggression must be undone before reverting to peaceful talks and discussions for resolving the differences. This is on the basis of a principle that has been accepted internationally and is in consonance with the precepts of Panch Sheel.

20. The Government of India agree that differences can be solved through meetings and discussions, but these have to be on a just and equitable

basis. No talks and discussions are possible in circumstances where India is compelled to accept an arbitrary line which the Chinese call "the November 7, 1959 line of actual control" which has DO legal, traditional or customary basis whatever and which is purely based on the latest Chinese military aggression on India. The crisis of confidence referred to in the Indian Prime Minister's letter of November 14 can only be resolved when the Chinese Government give, by their performance, adequate proof of their professions to observe the normal standards of international behaviour between peaceful neighbours.