

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

WHITE PAPER VI

November 1961 – July 1962

**Ministry of External Affairs
Government of India**

Note given by the Ministry of Foreign Affairs, Peking, to the Embassy of India in China, 2 November 1961

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Indian Embassy in China and, with regard to the repeated violations of China's territory and territorial air by India, has the honour to state as follows:

In recent months, Indian troops have continuously expanded their illegal occupation and patrol range in China's Demchok area. On July 6, 1961, Indian troops intruded into the Rato area east of Demchok and set up a checkpost there. They openly carried out military exercises with solid shots there and time and again illegally sent their patrols to and around Gore (approximately 32° 38' N, 79° 34' E) to the east of Rato. On August 9, three Indian soldiers penetrated deep into the Deboche area (approximately 32° 27' N, 79° 25' E), 20 odd kilometres south of Demchok. On July 22,

with the Indian Government against all these activities on the part of the Indian side.

The Chinese Government has been following with great anxiety the Indian troops' steady pressing forward on China's borders and cannot but regard such action of the Indian side as an attempt to create new troubles and to carry out its own border guards to avoid by all means any conflict with India in line with China's consistent stand of maintaining peace and tranquillity along the border, such gross violations of China's territory and sovereignty by the Indian troops would have led to very serious consequences. The Chinese Government deems it necessary to point out that it would be very erroneous and dangerous should the Indian Government take China's attitude of restraint and tolerance as an expression of weakness. The Chinese Government hereby demands that the Indian Government speedily change its present practice and order all the intruding Indian troops to put an end immediately to their violations of China's territory and territorial air and withdraw

Himalayas and that the so called "McMahon" is totally illegal. If the Indian Government's above logic should be followed, the Chinese Government would have very reason to send followed, the Chinese Government would have every reason to send troops to cross the so called "McMahon

considerations for Sino-Indian friendship and border tranquillity the Chinese

from there soon afterwards. In replying to allegation (10) too the Chinese Government explained that nine local working personnel of the Tibet region d lost their way because of the low clouds and thick fog and stepped over the so called "McMahon Line" by mistake but that as soon as they perceived it they had turned back. The above replies fully prove that the attitude of the Chinese Government is one of seeking truth from facts and is open and above board. Category II, the year ago; in some cases no specific dates have been supplied at all. In spite of this the Chinese Government has conducted serious and thorough investigations. The replies are given which are as follows:

A- Four of the cases pertain to the Western sector. Case (1) and (2) allege that Chinese military personnel and a Chinese survey party went to the Suriah area. Case (4) alleges that four Chinese soldiers were seen at 34

B - Case (6) also pertains to the Western sector. It is alleged that a Chinese patrol was seen near Dauletbeg Oldi. Of all the seven new cases brought up in the note this is the only case which concerns Indian territory. But the

no factual basis for China's maintenance of the status quo of the boundary and so on. This can only be regarded as an attempt to create pretexts for unlawful activities by Indian side in the Chinese border areas. The Chinese Government has never spared any effort to maintain status quo of the boundary and the tranquility of the border area in the hope of creating favourable conditions for the settlement through negotiation of the boundary question by the Chinese and Indian sides in accordance with five principles of peaceful co-existence. The Indian Government however has acted in a diametrically opposite way, it has made incessant provocations in border areas in an attempt to realize its territorial claims by force, and turned back to falsely accuse China of committing so-called Indian Government whatever needsay, maybe designed to meet will only result in the daily aggravating of tension in the to the common desire of the Chinese and Indian peoples. The Chinese Government iggravatin-0.000b Tw(nd)s-180 Tcn20.425 0 agree-0.

has been clearly stated that no armed post exists in Baraboti which the Chinese call Wuje. Indian posts in adjoining areas do not fall within the purview of the agreement on the demilitarisation of Barahoti so long as Barahoti is in dispute. The Government of India has rigidly adhered to the understanding between the two Governments in respect of Barahoti only. It is a matter of regret that the Chinese Government should question the propriety of certain defensive measures taken by the Indian Government on its own territory. That the Chinese Government should also lodge a protest on this account is not only a mockery of truth but unwarranted interf

The Ministry of External Affairs of the Government of India presents its compliments to the Embassy of the People's Republic of China and with reference to the note of the Ministry of Foreign Affairs of the People's Republic of China of November 30, 1961, has the honour to state as follows: -

The Government of India regret that the

Chinese patrol party of the northern border of Sikkim on Se

traditional boundary alignment between th

2 -In the interest of friendship between China and India, the Chinese Government has always worked for the peaceful settlement of the Sino-Indian boundary question. Although the boundary line pointed out by China is the genuine traditional customary line and that claimed by India is without historical or legal basis, the Chinese Government has all along insisted on a settlement of the boundary question through friendly negotiations. The Chinese Government held that, pending a settlement of the boundary question, the two sides should jointly maintain the status quo of the boundary and refrain from changing

from the Chinese Government, but has actually been undermining the

the two countries have been like? The Chinese Government has not done so and considers that it should not do so. Proceeding from the overall consideration for Sino-Indian friendship, the Chinese Government has all

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 13 March 1962

The Ministry of External Affairs of the Government of India presents its compliments to the Embassy of the People's Republic of China and with reference to the note of the Government of China of 26 February 1962, has the honour to state as follows: -

The note of the Government of India of 4 December 1961, and their two notes of 9 December 1961, have shown conclusively that the charges of Indian intrusion into Chinese territory and air space, made by the Government of China, are without warrant. At no time have Indian personnel or aircraft crossed the traditional and well-recognised boundary of India. Clear instructions have been issued to all Indian personnel to avoid trespass into Chinese territory and air space and scrupulously observed. On the other hand, Chinese troops remain in occupation of a large portion of Indian territory and continue to trespass at a number of points. The Government of India have, in their earlier notes, cited many instances of the intrusion of Chinese armed parties into

of China have, in recent years, upset by force the long existing status quo in the

The Government of India are aware, of course, that the boundary between the two countries, which lies along high watersheds, has not been, in many places, demarcated on the ground. But this was

The Government of India fail to understand the basis for the accusation of the Government of China that India is guilty of unlawful activity in the Eastern Sector.

The Ministry of External Affairs takes this

further violating the status quo of the bo

from Indian territory into which they have intruded since 1957, is an essential step for the creation of a favourable climate for any negotiations between the two Governments regarding the boundary." But what is called here "Indian territory, into which they have intruded since 1957" is Chinese territory which has long been under Chinese jurisdiction. In the same note the Indian Government to take all measures in regard to the above-mentioned area in the western sector. The Indian Government even asserted in its note of February 26 that "peace on the border and friendly relations between the two countries can never be restored" until the Chinese Government withdraws its troops from the area. The

maintenance of the status quo of the boundary and have never gone a single step

air space by Chinese aircraft. The Chinese Government categorically rejects these utterly groundless charges. The Chinese side has always strictly observed the status quo of the boundary and Chinese aircraft has never made any flight over areas along the Sino-Indian border. Therefore, this line of action of the Indian

and reasonable can see that such a rigid

Embassy to yet another instance of Chinese violation of India's territorial integrity resulting from the setting up of a new Chinese Military post at MR 7834 E 3501 N, 6 miles west of Sumdo. This Chinese post has obviously been developed recently and constitutes, needless to say, a flagrant breach of the repeated assurances extended by the Chinese Government regarding maintenance of the status quo in

Autonomous Region of China. They penetrated as far as about 10 kilometres into Chinese territory, reaching a place south of Height 5,5000 metres (approximately 35° 22' N, 78° 07' E, and carried out prolonged reconnaissance. About 13 : 00 and 15 : 00 hours respectively on April 13, two other groups of Indian military personnel intruded into the same area in China and sneaked to a point at 35° 20' N, 78° 03' E for reconnaissance. The Chinese Government hereby lodges a serious protest with the Indian Government against such grave activities of further violation of Chinese territory by the Indian side.

In the past one year and more, Indian military personnel have repeatedly violated

Note given by the Ministry of Foreign Affairs, Peking, to the Embassy of India in China, 26 April 1962

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

Around 12 : 30 hours on April 16, 1962, three Indian Military men trespassed into a place at 33 ° 36' N, 78° 46' E, west of the Spanggur lake in the Ari District in Tibet, China, and did not leave there unt

The entire area east of the traditional customary Sino-Indian boundary line in the

and traditionally parts of India. These records also show that the British far from expanding into Tibet or Sinkiang region, actually helped the Chinese to consolidate their authority in these regions. As the Government of China are aware, the Government of India who are opposed to Imperialistic or aggressive policies, in any form, undertook nego

countries were aware of no Sino-Indian boundary problem. The present situation is a new creation, and the result solely of certain policies pursued by the Government of China since about 1957. They cannot, therefore, evade responsibility for it by attributing it to history.

12- The Government of India fail to understand on what grounds the Government of China allege that it is India, and not China, who has entered the territory of the other side. The extent of Indian jurisdiction has never exceeded the traditional boundaries of India; and no new claims to

about the limits of Indian territory or about the traditional boundary which lay along well-known natural features. The official Indian maps have always shown the alignment correctly. If certain Indian maps did not show the alignment, this did not mean that there was no traditional and customary boundary alignment, or that India had no international boundaries. These maps only showed either the internal divisions or physical relief. This is a generally accepted cartographic

15- This is, therefore, no quarrel of India's seeking. The boundary problem is China's quarrel with India. Throughout history, the Indian people have shown sincere affection and warm regard for the Chinese people. Even before attaining independence, the people of India extended warm support and help to the Chinese people in their struggle for national independence. After independence, India's foreign policy was based on establishing close and friendly relations with China. From 1950 to 1954 the Government of India went a considerable way to accommodate the Government of China in the Tibet region and on this account

The Ministry of Foreign Affairs of the Pe

3- At about 15:30 hours on April 17, 1962, three Indian military men intruded into a place at approximately 35° 16' N, 78° 11' E, south of the Chinese post, to make reconnaissance.

4 -At about 11:00 hours on April 18, 1962, two Indian military men intruded into a place at approximately 35° 22' N, 78° 04' E, northwest of the Chinese post.

5- At about 16:30 hours on April 19, 1962, eight mounted Indian military

13 - At about 12:50 hours on April 26, 1962, 120 odd Indian military men in three groups (one group was mounted) intruded into a place at approximately 35° 21' N, 78° 04' E, west by north of the Chinese post. The mounted group came at about 15:10 hours to a place at approximately 35° 18' N, 78° 05' E, southwest of the Ch

Government has one-sidedly stopped sending patrols within twenty kilometres on its side of the boundary. The Chinese Government has done this for the purpose of avoiding misunderstanding and clashes on the border. However, the facts in the past two years and more, unfortunately show that this step of the Chinese side has not reaped the expected results;

- a- On 16th April 1962, 11 Chinese soldiers reached a point at approximately 78° 14' E, 35° 15' N.
- b- On 21st April 1962, 20 Chinese soldiers

**Note given by the Ministry of Foreign Affairs, Peking, to the Embassy of
India in China, 15 May 1962**

The Ministry of Foreign Affairs of the Pe

India close to Longju. It may still be recalled that in August 1959 it was precisely in this area that a military clash occurred as a result of unlawful intrusion and armed provocation by Indian troops. There is reason for the Chinese Government to believe that the aim of the Indian Government in raising the above-mentioned groundless charge is to seek pretexts for India's further violations of the status quo of the boundary and precipitation of

military activities directed against China in the area unlawfully occupied by India close to Longju. The aforesaid new action of Indian troops was obviously taken to pave the way for their renewed occupation of Longju and precipitation of new armed clashes; and at the same time it clearly indicates that India intends to disrupt the status quo of the boundary and create tension not only in the western sector, but also in the eastern sector

3- A reference to the Government of In

have long been stationed thrce toprot

1. that on 2nd May 20 Indian troops intruded into a place at 33° 28.30' N, 78° 50-30' E about 4 kms. from a new Chinese military post set up at Jechitung;
2. that intruding Indian troops have set up a military outpost in the area; and
3. that on 5th May 2 Indian soldiers advanced 600 metres deeper into the area and fired three rounds at a Chinese post.

The Government of India firmly repudiate these allegations. Indian troops did not enter the area on 2nd and 5th May as alleged in the Chinese note. Nor have they

on Indian territory and accusing the Government of India of sending troops to intrude into what is indisputably Indian territory. If the Government of China are at all interested in maintaining the status quo and the peace on the border, they would be well-advised to restrain their forces and desist from constantly pushing forward setting up new military posts on Indian territory. If any breach of the peace results from the unabated pursuit of aggressive ends by China, the responsibility rests solely with the Government of the People's Republic of China. Allegations against the Government of India, totally devoid of any substance whatever, only add to the mischief of aggression, which China, conducts continually.

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

* * *

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 26 May 1962

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to refer to the Note No. 345 dated 26th April 1962 from the Chinese Ministry of Foreign Affairs.

The note has alleged that at about 12:30 hours on April 16, 1962, three Indian

As the Government of China are aware, tr

action in the Eastern Sector in the event of the Government of India adopting measures for the defence of their territories in the Western Sector of the border. In their note dated 18th April 1962, the Government of India have drawn the attention of the Government of China to the intrusion by Chinese officials and army personnel into the village of Roy (Ruyul), half a mile south of Longju on the 2nd week of January 1962. In the face of threats held out by the Government of China and the aggressive activities pursued by their personnel on the border, it is absurd for the Government of China to make false allegations of planning aggression in the Eastern Sector against the Government of India. As to Longju, the past

McMahon Line has always been a part of Indian territory. It is situated south of the international border and at about the same distance from the Tibetan village of Migyitun.

Longju has always been under the administrative jurisdiction of the Government of India maintained a border checkpost there. The Government are aware, in July 1959,

Khinzemane, Longju and Tamaden areas on condition that the status quo was

2. At about 17:30 hours on May 9, 1962, Indian troops again fired three shots at the Chinese post at Jechiung from the Indian military strong point only about 4 kilometres away, which was set up recently in Chinese territory at a place south of the Spanggur Lake. This is another serious armed

1- The Ministry of Foreign Affairs of the People's Republic of China (MFA) presents its

the Chinese Government should withdraw

the same

that is clear?

proposition,

first of them, that is, the proposition that the government is not to be bound by the laws of the country.

But the proposition that the government is not to be bound by the laws of the country is not a proposition that is true in all cases.

It is true in some cases, but not in all.

For example, it is true in the case of a government that is not bound by the laws of the country, but it is not true in the case of a government that is bound by the laws of the country.

Therefore, the proposition that the government is not to be bound by the laws of the country is not a proposition that is true in all cases.

The Ministry of Foreign Affairs of the People's Republic of China has received information that the Indian Government has decided to send a large number of Indian troops to the border area of Sikkim, which is a part of the territory of the People's Republic of China. This is a serious violation of the territorial integrity and sovereignty of the People's Republic of China.

Ministry of Foreign Affairs,
New Delhi, India

Embassy,
Beijing, China

Per Ministry

Chenits

compliments to the Indian Embassy in China and has the honour to state the following:

verified

h careful investigation by the Chinese Government that

action

of Indian troops on China's

border

have

recently been extended to another area, Sikkim, which is a part of the territory of the People's Republic of China.

intrusions and provocations, and urges the Indian Government to give earnest consideration to the serious consequences to which these activities may lead. The Ministry of Foreign Affairs of the People's Republic of China avails itself of this opportunity to renew to the Indian Em

Such Chinese military activity has been noticed particularly in the vicinity of the Chinese Military Base illegally set up at 78° 12' East 35° 10' North, and at point 78° 13' East 35° 15' North.

Carefully verified reports from other sectors of Ladakh also show that Chinese troops are daily intruding into Indian territory, pushing forward on trucks and

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 16 June 1962

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to state that it has been noticed that Chinese intruders into Indian territory in Ladakh have cleared a new road through Indian territory running South East

area. When they reached Natienmula (at one o'clock in the afternoon of the same day), which is north of the so-called McMahon Line and east of Lung Village (approximately 28° 22' N, 93° 09' E), 6 Indian soldiers audaciously crossed the "McMahon Line" in their pursuit, and unwarrantedly fired 6 shots at them. Roma (male), Yekhu (female) and her five year old son Manfa and four-year-old daughter Yehmeng, both carried on Yekhu's back, were hit and fell down. The other six persons fortunately made a narrow escape. The whereabouts and the life or death of Roma and the three others are unknown up to now.

The Roma family were originally peaceful inhabitants of Lung Village. IN May 1959, they were forced by the Tibetan rebels to go to the Ta

The Government of India have not established any strong points in any part of Chinese territory. It is the Chinese who have unlawfully established various posts in Indian territory and violated India's territorial integrity. If the Government of India have, in the light of these Chinese intrusions taken measures to prevent further intrusions and must do in the exercise of its respon

On 7th May 1962 at about 14:00 hours, five Indian soldiers intruded into the area at 34° 16' N 79° 01' E. On the same day another 20 men intruded into the area at 34° 18' N 79° 01' E.

Comments:

Although both the locations are inside Indian territory there is no truth in the Chinese allegation that Indian soldiers had been there on the 7th May 1962. On the contrary on the 7th May 1962, 20 Chinese soldiers had intruded into this very area at 15:20 hours. What is more, there is evidence to show that Chinese troops are daily intruding into this area and are carrying out various illegal activities.

Allegation (4):

On 9th May 1962 at 17:30 hours Indian soldiers again fired 3 shots at the Chinese post at Jechiung.

Comments:

A similar allegation was made in the Chinese note dated 11th May 1962 which said that on 5th May 1962 Indian soldiers had reached the same location and fired 3 shots at the Chinese outpost. That allegation as pointed out in the Government of India's note dated 21st May 1962 was untrue. An earlier allegation about firing by Indian troops made in the Chinese note of 12th August 1961 had also proved unfounded. The present allegation about firing at the Chinese post on 9th

The Government of India are fully satisfied that there has been no case where Indian soldiers trespassed into Chinese territory across the international border. The Government of India are constrained to observe that these and other

The Government of India lodge an emphatic protest with the Government of China against this further aggression on Indian territory and the setting up of another military post further inside Indian territory. This constitutes a fresh act of provocation and a threat to peace as this new post has been set up in dangerous proximity to an existing Indian post south of the Chip Chap River.

The Ministry of External Affairs renew to the Embassy of the People's Republic of China in New Delhi, Beijing, PRC, dated 13.4.2013, the following message:

and good neighbourly relations to withdraw from Indian territory and restore the status quo as it prevailed before these recent Chinese aggressive moves. The Ministry of External Affairs renew to the Embassy of the People's Republic of China the assurances of their highest consideration.

* * *

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 30 June 1962

The Ministry of External Affairs present

home in Lung village in Tibet and that they were obstructed from doing so, and (2) that Indian troops crossed the McMahon Line and pursued and shot at them. The facts show that the tribals in question were running away after stealing of rifle, and that they even used the stolen

The Government of India's note dated 14th May 1962 gave the correct location of certain Indian checkposts in North Ladakh, and pointed out that the posts in question had been there for some time purely for the protection of Indian territory from further Chinese inroads and not for any aggressive purpose. The Chinese Government have, however, derided the purpose and questioned the legitimacy of measures taken by the Government of India in exercise of their right of self-defence, and have even mischievously accused India of intruding into Chinese territory and provoking "bloody conflicts": The record shows that such "bloody conflicts" as have taken place invariably occurred when Chinese troops, trespassing into Indian territory, ambushed Indian border guards and fired at them.

The Indian checkposts, to which the Chinese Government have taken exception are at a distance of over 120 miles inside India from the nearest point on the

The Chinese Government have all along maintained that their forces on the border are preserving the status quo and have stopped forward patrolling. Factually, however, it is clear that they have continued to set up new military posts further inside Indian territory an

T
China

the
eir

*

M
E

China,

On
point

truded

Indian Government will fully realize the danger involved in the aforesaid intrusion and provocation by Indian troops and withdraw at once their intruding troops from the Chinese territory. It is hardly necessary to point out that if the Indian troops should persist in their intrusion and provocation, India will be held responsible for all consequences arising therefrom.

* * *

Note given by the Ministry of Foreign Affairs, Peking, to the Embassy of India in China, 10 July 1962.

Of late, Indian troops have continued to intrude into China's Sinkiang and have further set up four new military strong-points on the Chinese territory. Of these, one is located at approximately 35 degrees 14 minutes north, 78 degrees 9 minutes east, another at approximately 35 degrees 10 minutes north, 78 degrees 12 minutes east, the third at approximately 35 degrees 16 minutes north, 78 degrees 11 minutes east, and the fourth at approximately 35 degrees 25 minutes north, 78 degrees 5 minutes east. The first two strong-points are both as deep as about twelve kilometres, the third as deep as sixteen kilometres and the fourth nearly one kilometre inside the Chinese territory. The aggressive strong-points set up involved in the form a threaten ing encirclement of the Chinese posts. Meanwhile, the Indian side has kept sending more in ths to these aggressive strong-points, constructing roads and building fortifications near the strong-points, constructing roads and building fortifications near the strong-points. Moreover, Indian troops have from time io time sallied out in different directions to harass and provoke Chinese frontier guards.

Recently, Indian troops have also established a new military strong-point at approximately 33 degrees 31 minutes and 30 seconds north, 78 degrees 47 minutes east, on the Sino-Indian boundary line west of the Spanggur Lake in China's Tibet. This and the other strong-point established on the Chinese territory by the Indian side which was referred io in the Chinese Government's Note of

May 11, 1962, form a pincer threat on the Chinese post in the Spanggur Lake area. Moreover, Indian troops after firing provocative shots at the Chinese post

intrusion' was 'hardly correct' and that is was due to the Indian movements 'sometimes going behind Chinese positions' and 'largely due to the movements'. Is it not clear enough who has incessantly been undermining the status quo and intruding into the other party's territory and who is creating tension on the Sino-Indian border?

The Chinese Government strongly protests against the aforesaid fresh activities of

The Government of India lodge an emphatic protest against this unwarranted

wrote in his letter, dated 17

Sinkiang, cutting off the route of a Chinese post to its rear and making armed provocations against a Chinese patrol, and

the Galwan Valley and have established a post there since long ago. This is entirely groundless. The plain fact is that the Chinese post has been there since long ago and is located at approximately 34° 42' N, 78° 26' E, while Indian troops had never been to Tm0 g0 Tc-0.001in Ch ina before, let alone setting up a post there. As late as July 4, 1962 when a patrol sent by Tm0above-mentioned Chinese post last patrolled Tm0upper reaches of Tm0River, no sign of any Indian troops or post was yet found. The Indian tr

upto July 9. Especially surprising is th

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

* * *

October 1961. Thereafter, they continued to push forward and set up more posts in Indian territory as cited in the **Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 14 July 1962** Government of India's notes of 15

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to refer to the Chinese Ministry of Foreign Affairs note, dated the 10th July 1962.

It has been repeatedly pointed out in note after note from the Government of India that since 1957 the Government of China have started a process of intrusion and occupation of Indian territory. This process continued unabated even during the officials' talks when it was expected that the two sides would not push forward or send it was expected that the two sides would not push forward or send out patrols. By September 1961, Chinese forces had made further advances into Indian territory and had set up three new posts as cited in Government of India's note of 31st

th April 1962, 21st May 1962. 16th June 1962, 28th June 1962 and 12th July 1962. Thus, p.o Tmnt Tj12.4(0 TD0.Tc-0.0016 Tw(omornths C

The Chinese note makes a reference to road construction and fortifications by Indian troops in north Ladakh. It is the intruding Chinese forces who have incessantly carried on aggressive activities, constructed numerous roads and built fortified posts in Indian territory. In the face of these activities, Government of India had to take such minimum precautions as they considered necessary to stop further Chinese encroachment on Indian territory.

The Chinese note has referred to an Indian post $33^{\circ} 31.30' N$, $78^{\circ} 47' E$. This post

The Chinese Government have made an out of context reference to the Indian Prime Minister's reply to a debate in Parliament. What the Prime Minister of India conveyed in his reply in Parliament on 20th June 1962 was that Chinese intrusions into Indian territory which had taken place in the immediately preceding months

3 minutes north, 78 degrees 43 minutes east, northwest of Nyagzu and about five

kilometers within China. Taking advantage of the fact that the Pangong lake is

astride of the boundary, the Indian side has moreover kept sending motorboats in

intrude into part of the lake within China, making wanton harassment and

bringing men and material to support its newly established aggressive strong

points. The Chinese Government hereby lodges a strong protest with the Indian

Government against these serious new intrusions and provocations by India.

Since last April, Indian troops have set up a series of aggressive strong points at

various places in the Chinese border area

machine mortar and rifle fire resulting in the wounding of two members of the Indian patrol. Our patrol exercised extreme restraint and did not return fire. Later, however, in the face of continuing firing by the Chinese, they were forced to return the fire in self defence.

On the same day, in the region of the Pangong lake Chinese troops fired at another Indian party. In spite of grave provocation, Indian forces exercised great self-restraint and did not return the fire.

The Government of India had warned the Chinese Embassy as late as July 12 that the establishment of Chinese posts deep within Indian territory apart from being a violation of the territorial integrity of this country was also aggravating tension

on the 1956 map and authoritatively confir

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

the meeting between the Secretary General of the Indian Ministry of External Affairs and the Chinese Prime Minister in July 1961. At that time it seemed that the Government of China still acknowledged the final accession of the State of Jammu and Kashmir to the Indian Union. The Government of India are in view of this background, surprised that the Government of People's Republic of China should have suddenly decided to enter

**Note given by the Ministry of External
of China in India, 31 May 1962**

The Ministry of External Affairs present their compliments to the Embassy of the

try of

th November 1961 have

the honour to state as follows:

It is strange that the Chinese Government should continue ad infinitum to

contend that the Sino-Indian boundary at t h e t r i - j u n c t i o n o f C h i n a , B U

shown as

ttached

sovereign states, why cannot China conduct negotiations with Pakistan to settle the question of the actually existing common boundary so as to maintain tranquillity on the border and amity between the two countries? Long before it agreed with the Government of Pakistan to negotiate the boundary question, the Chinese Government had repeatedly proposed, and now still does, to conduct negotiations with the Indian Government for the settlement of the Sino-Indian boundary question. But the Indian Government has again and again turned down China's proposal consequently the Sino-Indian boundary question. But the Indian Government has again and again turned down China's proposal consequently the Sino-Indian boundary question remains unsettled and the situation on the Sino-Indian boundary question remains unsettled and the situation on the Sino-Indian border becomes increasingly tense. Now the Indian Government not only refuses itself to negotiate a settlement of the boundary question with China, but objects to China's negotiating a boundary settlement with Pakistan. Does it mean that the Indian Government, after creating the Si

4- With regard to the Kashmir dispute, it has been the consistent position of the Chinese Government to be impartial and to wish that India and Pakistan will reach a peaceful settlement. This has been and still is, the Chinese position. The Indian Government is clearly aware of this. Suffice it to point out the fact that Premier Chou En-lai declared at a press conference in Calcutta on December 9, 1956, that the Chinese Government considered the Kashmir question "an outstanding issue between India and Pakistan". Furthermore, Premier Chou En-lai, together with the late Prime Minister Bandaranaike of Ceylon, made an appeal in their joint statement issued on February 5, 1957, to India and Pakistan to strive further for a peaceful settlement of the Kashmir question. This attitude of the Chinese Government of never getting involved in the dispute over Kashmir can in no way be distorted and is well-known throughout the world.

5- The Chinese Government has always refrained from making any remarks on

5- (o lhmil gways)TJ,the histoinese Gan -19.32 .ent 55 5betw2 -1a20.3diplomatiqn srime M

5- The onlyny remarksT5i5

question. What fault can be found with this? Yet in the note the Indian Government rudely slanders the Chinese Government's agreeing to open negotiations with Pakistan as taking advantage of difference between India and Pakistan and committing aggression against India. But unreasonable assertions can never hold water. The fact, on the contrary, is that the Indian Government itself is seeking to make use of the boundary question to sow discord in the relations between China and Pakistan. On May 7, 1962, Prime Minister Nehru openly admitted in the Indian Parliament that "we treated the Pakistan Government in a friendly way in these matters because we thought that any

is out-and-out great-power chauvinism. The Indian Government should realize that it is now in the sixties of the 20th century and that the cursed era in which great powers controlled everything has gone for ever. Anyone who persists in an attitude of great-power chauvinism in international affairs will always knock his head against a stone wall.

7 - The Chinese Government is deeply convinced that it is a good thing to hold boundary negotiations between China and Pakistan, which are in the interests of both friendship among Asian countries and peace in Asia. NO slander of any kind can ever distort this fact. The position of the Chinese Government is not difficult for any reasonable person to understand. One who tries to make use of Sino-Pakistan negotiations to whip up anti-Chinese sentiments will only be lifting a rock to crush his own toes in the end. The Chinese Government hopes that the Indian Government will coolly think it over: Would it not be better to make some earnest effort towards a peaceful se

for the demarcation of Indian territory, and have also brushed aside the legitimate and well-founded objections of the Government of India in this regard

themselves against any third party interference in the situation created by Pakistan's aggression in Kashmir.

On March 16, 1956, Premier Chou En-lai told the Indian Ambassador in Peking that "the people of Kashmir have already expressed their will". Again on 16th

Prime Minister of Ceylon Mr. Bandarnaike of 5th February 1957. At a press conference in Karachi on December 24, 1956, Premier Chou En-lai correctly observed "I hope Pakistan and India will settle this question directly between themselves". The advice given by Premier Chou En-lai in his various statements refer to the situation created by Pakistan's aggression in Kashmir and do not question India's sovereignty based on the State's accession to India. Again, in the joint statement issued by Premier Chou En-lai and Prime Minister Cyrankiziez of Poland in Peking on April 11, 1957, it was stated that the Kashmir question "should be settled by the countries conc

India has not laid any claims to Chinese territory: nor has she exercised diverse pressures to force t

The Ministry of External Affairs renew to the Embassy of the People's Republic of China the assurances of th

5. From September 11 to 25, 1961, Indian airplanes intruded into China's air space over the above-mentioned Height 5,651 metres in Sinkiang, China, for 19 sorties as follows: 12:18 hours at noon on September 11, one airplane; about 10:00 hours on the morning of September 12, two airplanes; about 11:20 hours on the morning of September 13, three airplanes; 10:12 hours on the morning of September 14, one airplane; about 10:00 and 11:10 hours on the morning of September 22, one airplane each time; and about 10:25 hours on the morning of September, one airplane. Each of these aircraft circled at least 20 minutes over the said place. The two airplanes which flew in on September 12 circled over there as long as 40 minutes.
6. From September 23 to 25, 1961, Indian airplanes intruded into China's air space over the area around 35° 18' N, 78° 09' E in Sinkiang, China, for four sorties, one each, as follows. About 10:20 hours on the morning of September 23, about 10:05 and 10:30 hours on the morning of September 24; and about 10:00 hours on the morning of September 25. Each of these aircraft circled about 20 minutes over the said place.

Since recently, Indian aircraft have time and again violated China's air space, thus creating new tension in the China-India border areas. Although the Chinese Government has made repeated representations, such Indian intrusions, instead of coming to an end or decreasing, have obviously been on the increase. In the period of one month and more since August 8, Indian airplanes have intruded into China's air space for at least 20 sorties. What is particularly most disturbing is that these Indian aircraft time and again circled for along time at a low altitude over the Chinese border areas where Chinese frontier guards were stationed. The Chinese Government lodges a serious protest with the Indian Government against these deliberate provocations by the Indian side and demand once again that the Indian Government should take effective

Note given by the Ministry of Foreign Affairs, Peking, to the Embassy of India in China, 2 November 1961

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 incidents of Indian aircraft encroaching on China's territorial air, has the honour to state as follows:

1. On October 4, 1961, about 12:00 hours at noon, an Indian airplane intruded into the air space over the Sinkiang Uighur Autonomous Region, China, and circled around the area of Lanak La (approximately 34° 23' N, 79° 32' E), Howaitan (approximately 34° 58' N, 78° 36' E) and Chipchap La (approximately 34° 58' N, 78° 36' E).
2. About 5:50 hours in the afternoon of the same day, another Indian airplane intruded into the air space over the area of N...

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 4 December 1961

The Ministry of External Affairs presents their compliments to the Embassy of the People's Republic of China in India, and with reference to note dated October 7, 1961, handed over by the Ministry of Foreign Affairs of the People's Republic of China to the Indian Embassy in Peking, have the honour to state that the Government of India after due verification is in a position to state that there has been no violation of Chinese air space by Indian aircraft as alleged in the Note.

2- It has been noted that of the places mentioned in the Chinese Note all but one are in Indian territory now under unlawful Chinese occupation.

3- The Government of India does not accept the Chinese Government's right to be present in these places which lawfully belong to and form part of the territories of the Indian Union.

4- In the interests of peace and international amity the Chinese Government may wish to consider the immediate withdrawal of its forces from Indian territory to Chinese territory.

October 4, 1961, at noon and at about 5:50 hours in the afternoon over Lanak La Howeitan, Chip Chap La and Nischu.

2. However, in recent months the Chinese Government has been sending note after note about alleged intrusions by Indian aircraft into "Chinese air space". There would be no occasion for such allegations had the Chinese Government not entertained an exaggerated notion of its territorial limits. As in the past it transpires that all the places mentioned in the present Chinese note are well within Indian territory. If Indian aircraft had flown over these places, which are inalienable parts of Indian territory, there would be no violation of any foreign air space. This effort to legitimise unlawful Chinese occupation of Indian territory by charging India with sending aircraft deep into 'Chinese air space' is fictitious in fact as well as law. In the interests of peace and international amity the Chinese Government should withdraw its forces from Indian territory and vacate its aggression on India.
3. The Government of India rejects the Chinese note of 2nd November 1961 which is baseless.

The Ministry of External Affairs renewed to the Embassy of the People's Republic of China the assurances of the Ministry of External Affairs.

China's air space by Indian aircraft, but has of late stepped up the dispatch of aircraft for continued intrusions into China's air space, numbering 49 sorties in

7.

7.

14. At 14:20 hours November 3, 1961, an Indian aircraft intruded into the air space and circled repeatedly over the area approximately 35° 36' N, 77° 57' E, northeast of the Karakoram Pass in China's Sinkiang Uighur Autonomous Region.
15. At 13:15 hours November 5, 1961, an Indian aircraft intruded into the air space over Hot Springs (approximately 34° 25' N, 78° 55' E) in China's Sinkiang Uighur Autonomous Region.
16. At 13:20 hours November 6, 1961, an Indian aircraft intruded into the air space over the area (approximately 33° 44' N, 79° 01' E) south of the Khurnak Fort in Tibet, China.
17. At 13:18 hours November 6, 1961, an Indian aircraft penetrated into)TJ-

(vide Ministry of External Affairs' Note dated 31st October, 1961) to be the Indian outpost at the track junction seven miles south-east of Dauletbeg Oldi.

4- It is a matter of deep regret to the Government of India that the Chinese Government has been sending out advance

groundless charges in disregard of the facts. The Chinese Government cannot but express its surprise and regret at this and reject the Indian Government's protest. The Ministry of Foreign Affairs of the People's Republic of China avails itself of this opportunity to renew to the Embassy of India in China the assurances of its highest consideration.

located, as claimed in the Indian note, ho

3.

deliberate Indian provocations in disregard of China's sovereignty in serious violation of China's air space, and demands that the Indian Government immediately stop such illegal actions.

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

All the facts concerning the dropping of supplies at the wrong location on 14

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

* * *

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 19 April 1962

The Ministry of External Affairs presents its compliments to the Embassy of the People's Republic of China and has the honour to acknowledge the Chinese Ministry of Foreign Affairs' Note dated 20th

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China, and with reference tot he latter's note dated 20th March, 1962, have the honour to state as follows:

The Government of India are reassured

Note given by the Ministry of Foreign

April 28, 1962, at 9:35 hours
April 28, 1962, at 10:00 hours
April 29, 1962 at 14:58 hours
April 29, 1962, at 15:05 hours
April 29, 1962, at 13:00 hours
April 29, 1962, at 13:07 hours
April 29, 1962, at 14:58 hours
April 29, 1962, at 15:05 hours
April 30, 1962, at 13:10 hours

2. Indian aircraft intruded into the air space and circled over Howeitán (approximately 34° 58' N, 78° 36' E) in Sinkiang, China, one at each of the following dates and time: March 7, at 12:00 hours; April 20, at 13:40 hours; April 28, at 10:45 hours; April

81° 10' E), Renkung (approximately 30° 25' N, 81° 05' E) and the nearby

space over the place at approximately 35° 18' N, 78° 54' E and its adjacent

As to the specific instance

scale time and again to the aggressive strong points illegally set up lately by Indian troops in Sinkiang, China. Obviously, these activities were done for the purpose of facilitating long entrenchment by Indian troops on these strong points and expansion of their encroachments on Chinese territory.

The Chinese Government once again lodges a serious protest with the Indian Government against the increasingly frequent Indian aircraft intrusions and the activities deliberately intended for aggravating the tension on the border, and

air drops over the aggressive strong point unlawfully set up there by Indian

Note given by the Ministry of External

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

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 25 July 1962

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to draw the latter's attention to a fresh violation of Indian air space by Chinese aircraft.

On 7th July 1962 at 0900 hours I.S.T. a Chinese aircraft was observed flying over Chushul (33° 35' North 78° 40' East) which is 18 miles inside Indian territory. After committing the violation the aircraft flew back to the Tibet region of China. Such repeated violations of Indian air space by Chinese aircraft constitute a

however, ordered them to quit India, arrested and detained them, put them on trial and finally unwarrantedly deported them tot China through Nathula Pass under custody. This is obviously very

Since the Ito 5n Government made baseless charges in the Parliament that China had further violated Ito 5's territory another new wave against China has been

bean-curd seller. During their stay in India, the Indian local authorities had never charged them with any act against the law. The Indian Government, however,

should have been very clear that Mr. Ma Chu-tsai is completely innocent, and

Calcutta took up this matter with the Government of West Bengal on July 3, 1961. It is surprising that the Chiang Kaishek clique elements should have been further allowed to intrude into the school to make disturbances. This cannot but be considered as connivance by the Indian local authorities at the activities of the Chiang Kai-shek clique elements.

Since the beginning of 1960, the Indian local authorities have been without any justification, carrying out planned persecution against the Chung Hwa School. They successively ordered Mr. Linag Tsu-Chin, Head of the Board of Directors of the School, Mr. Chang Nai-chin and Mr. Ma Chia-kuei, Deputy heads of the Board of Directors, to leave India or Kalimpong within a stipulated period. They further unwarrantedly detained the Principal of the School Mr. Chang Hsiu-feng and his wife, gave them extremely inhuman treatment, and finally compelled them to leave India. Since October 1961, the local government of India again carried out persecution against the Chung Hwa School. It first ordered the acting Principal of the School Wang Wei-chin and teacher Pema, and then ordered teachers Ma Fu-shou and Yang Lan-ying to leave Kalimpong within a stipulated period.

In the meantime, the parents of the children of the School have been subjected to constant treatment that they should not send their children to study in the School.

This series of unwarranted [persecution] carried out by the

connivance at the repeated plotting of the Chiang Kai-

the School cannot but lead one to the belief that the

keeping the School beyond any means of continued

aim of strangling the legitimate cultural and welfare

of the Chinese nationals and faculty of the Chung Hwa School in Kalimpong is a

Chinese nationals in the locality with their contribution of funds. Over many years in the past, it has always been law-abiding and on amicable terms with the local people, and has made its due contribution to the education of the children of the Chinese nationals as well as to the friendship between the Chinese and Indian

peoples. The Indian local government

for the protection of the security of the Chinese official organ in India. At a time when wanton anti-Chinese outbursts are being whipped up in India, the occurrence of this incident is of an extremely serious nature. The Embassy cannot but express its deep regret at it, and draws the serious attention of the Government of India to the matter.

* * *

Memorandum given by the Ministry of External Affairs, New Delhi, to the cannot 21

4- The Embassy's Memorandum is doubly objectionable because it constitutes an act of open interference in the internal affairs of India and because it willfully distorts and misrepresents facts regarding the nationals from India on account of their indulgence in anti-state activities at the behest of the Chinese Government's power. In this matter the Chinese Government's power. intervention is neither disinterested nor impartial.

5- To expose the myth about the India residents in India it would suffice to state that out of a total Chinese population of

Secretary, about what Mr. Ma described as 'noise' made by a large number of Indians on 10th October, 1961 in front of the Chinese Consulate-General. Mr. Ma also alleged that the Indian had carried a straw effigy of a

1. In Calcutta on the afternoon of November 25, 1961, a procession came out of Hazra Park and moved on to Lower Circular Road. At about 5 p.m. it stopped at a distance of about 125 yards from the

ance of the peacer. Thef

Idi

There are certain facts of life in India which the Chinese Embassy might well begin to appreciate. The rights of freedom of speech and expression and of peaceful assembly without arms are guaranteed by the Indian Constitution to every Indian citizen. These rights are cherished as part of India's national heritage, and it is impermissible except under certain specified and exceptional circumstances to interfere with these rights of the people. The demonstrations in question were peaceful. No act of violence was committed by the demonstrators. The police watched over them to prevent any excesses. There was no intrusion into or damage to the Consulates-General, nor was there any

The Government of India cannot accept any protest, far less an unseemly protest based on miscomprehension of the constitutional rights of the Indian people and misrepresentation of facts against the lawful exercise of the fundamental rights of Indian Citizens.

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

* * *

Memorandum

According to preliminary investigations some Diwali sparklers and charred cotton were found near the scene of the fire. An interesting aspect of the case is the part played by the officials of the Chinese Consulate-General, who adopted an unco-operative and unhelpful attitude not only

Note given by the Embassy of China in India to the Ministry of External Affairs, New Delhi, 23 January 1962

The Embassy of the People's Republic of China in India presents its compliments

Memorandum given by the Embassy of China in India to the Ministry of External Affairs, New Delhi, 25 January 1962

As reported by the Chinese Consulate-General at Bombay, about 9:40 in the evening of January 16, 1962, a window-pane of the Consulate's Building, which faces the street, was hit at from outside and a hole was caused to it. It may be recalled that on December 5, 1961, there occurred the incident of setting fire on the Chinese Consulate-General at Bombay, to which the Chinese Embassy has drawn the serious attention of the Indian Government. The window-pane was broken soon after the above-mentioned incident of setting fire took place and the

jung, an employee of the Press. Ten minutes later, hearing calls for help, members of the public came to the rescue and the persons responsible for the disorder made good their escape. Three of them were arrested by the Calcutta Police as they were trying to get away. A fourth member of the group was arrested later. The Calcutta Police have since apprehended the remaining members of the group and a process has been started against the offenders under the law.

3- The Calcutta Police arrived at the scene of the disturbance as soon as word

6- It is a fact that 'China Review' published by a group of Chinese nationals in India has over a long time been carrying on a vigorous anti-Indian campaign and operating as a mouthpiece of Chinese official propaganda in India. As the Embassy is aware some members of the staff of 'China Review' were expelled because they had been engaged in objectionable and subversive activities which

In order to cover up its political persecution of Chinese nationals, the Indian Government in its memorandum groundlessly accused Chinese nationals of indulging in activities intended to subvert the security of India and engaging

another arbitrarily arrested by the Indian authorities in 1961, imposed with the charge of so-called anti-Indian activities and deported under armed escort.

something the Chinese Government absolutely cannot accept but must categorically repudiate.

At present, the Indian Government's acts of persecuting Chinese nationals continue to increase; this is completely against the wish of the peoples of China and India. Proceeding from the spirit of consistently upholding the Five Principles of Peaceful Co-existence and safeguarding the friendship between the two peoples, the Chinese Government asks the Indian Government to treasure the

investigation difficult, and in consequence the investigation has yielded no positive result.

However, it has been established that the damage in question was trivial and

It is a perversion of the truth to describe the protective action taken against a few offending Chinese nationals resident in India as "persecution on framed-up

n o i r w b

n e e b

t h e m . B t e e s l i i d g e h s t , o

r t f u o b a i n g o f l

t i l e w a o s u t t h s r i o d w e n t

e r m a e m s b t æ e r d o f t h e C o

e h T r e f u t e d

M i n i s t i r n y i o t f s E a x b t o

m u s t b e o p c o c i a n r t d e e d n

a e e r m g e r p e e d

l n d i a h a s f a i l e c

G C h i t n e t s a e o f f i c i a

n e a r t r u t c e e m t t s m o n i t l o a i r t

f u t u r e .

facts, they are constrained to reject the prejudicated version of the incident put forward by the Embassy.

* * *

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 23 May 1962

it. In those cases the Embassies concerned had invariably shown a proper appreciation of the sovereign jurisdiction of the Indian Government in the matter. The Government of India take strong exception to this charge contained in the Embassy's Memorandum which goes against all notions of accepted diplomatic behaviour and seeks to interfere in the purely internal affairs of India.

4 -In the Chinese Embassy's Memorandum da of 12th

no mention of the Chinese Consulate General, Calcutta, letter da of 11t

D

D

t

e

o

c

e

regarding the taking over by the Consulate General of the Chung Hwa School. It

has now been ascertained that without waiting for authorisation from the

competent authorities, irregular and obje

a) The premises together with the keys

n0 i1 M

n a i d n l

C h i n e s e e G e o t v o e , r a n
t h i s r u t d e e r d n e a n t i a n
f u n c t i t o h n e s l a e n g d i p t
n a t i o n a l s .

k a 4 t - T o h t e C t h a i n e s e G
e h t p r o p e e C r o d n u s t u y

question the territorial integrity of India. The procession stayed on Lytton Road well outside the Chinese Embassy for a total of fifteen minutes.

The Chinese Embassy should be aware by now that under the constitution and laws of India, it is not possible to prohibit demonstrations in this country so long as they remain peaceful.

The Government of India reject the Chinese Embassy's protest note dated the

with the fact that the window-panes of the same Consulate-General has been repeatedly broken through of late and the Indian Government has kept closing its eyes to the matter, the Chinese can not bu

It is not customary in India to proceed arbitrarily against any person or institution. The particular offence having been committed by agencies of a foreign Government, the local authorities concerned has to carry out a thorough inquiry before proceeding against the offenders. It was in deference to the status of the main offender viz. The Chinese Trade Agent that the Chinese Embassy was advised that the premises and property of the Chung Hwa School should be
Kalimpong within 10 days of the receipt of notice. Since this property, arbitrarily seized, was not handed over as advised, the matter is now before the court.

selves of this opportunity to renew to the Embassy of the People's Republic of China the assurances of their highest consideration.

* * *

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 4 July 1962

The Ministry of External Affairs present their compliments to the Embassy of the
nour to refer to the Chinese Ministry of
regarding the incident which took place in Calcutta on the 17th January 1962.

informed in the Ministry of External Affairs note, dated 2nd March 1962, that a case had been registered against the offenders before a court of law. The persons
evidence been found guilty of certain infringements of the law by the court and sentenced.

The judgment of the court specifically dealt with the offences committed in this particular incident. Courts in India are above politics and impartial. The activities of the Chinese missions in India and their using the *China Review* as a

groups of Chinese nationals resident in this country are matters which were never before the court and the court had no occasion to pronounce any opinions or findings on these activities.

The Government of India hope that the Government of China will appreciate the impartiality with which laws are administered by the courts in India and not draw any unwarranted conclusions from the judgment. (nt of the court) JJ-17.365 -1.825 T

Affairs, New Delhi, to the Embassy

signed on April 29, 1954, came into effect on June 3, the same year upon ratification by both Parties. According to the provisions of Article 6 of the Agreement, the Agreement shall remain in force for eight years, so it is due to expire and cease to be in force on June 3, 1962.

With a view to consolidating and developing the peoples of China and India and promoting economic and cultural interflow between the two countries, the Chinese Government proposes that the Chinese and Indian Governments hold negotiations so as to conclude, in accordance with the Five Principles of mutual respect for sovereignty, mutual non-aggression, mutual non-interference in each other's internal affairs, equality and mutual benefit and peaceful co-existence, a new agreement on trade in intercourse, to replace the original Agreement. The

refuted in notes sent earlier, but the Government of India are taking this

India had published these Indian official maps which were precise and the Chinese Government knew about them. The Government of India had also repeatedly drawn the attention of the Government of China to the precise Indian

practice on this subject. Tibetan refugees have received no encouragement from

such argumentation can only be regarded as unilateral bigotry and is purely a

friendly way. Even now the Chinese side is still making efforts to restore such friendly relations. But there is no reason to deem that the Indian side too has always done so. If one respects the objective historical facts, one cannot but acknowledge that there has been a dark side to the Sino-Indian relations since their very beginning.

6- In 1950 the Chinese People's Liberation Army advanced into Tibet. In a series of notes delivered to the Chinese Government between August and November in the same year, the Indian Government described China's exercise of its sovereignty in its own territory Tibet as "invasion" of Tibet, as being "deplorable" and "with no justification whatsoever" and asserted that China's action "has

8- As soon as the Chinese Government pu

country, nor will it allow any country to interfere in its internal affairs. China does not encroach on the sovereignty and territorial integrity of any other country, nor will it allow any country to encroach on it

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 Indian Government charged the Chinese Government with undermining trade between Tibet and India, and violating the legitimate interests of Indian traders. This is entirely groundless. The Chinese Government has consistently devoted itself to developing trade between China's Tibet region and India on the basis of equality and mutual benefit. Although for a short time the rebellion in Tibet in March 1959 somewhat affected local public order and trade between the two countries. The Tibet local authorities actively restored and developed trade between the two countries as soon as the rebellion was put down. The local authorities have never suspended the export of important traditional goods. The

Indian Government adopted measures of embargo and restriction on trade between Tibet and India. To begin with, starting from April 1959 the Indian Government stopped the traditional export of grain to Tibet. In the subsequent months it took a series of restrictive measures, including in the list of embargoed and restricted items important traditional exports and other goods, such as daily necessities and articles of daily use: grain, cooking oil, beans, sugar, tea, kerosene, fuel, farm implements and utensils, as well as important materials for construction, telecommunications, motor and other transport. At the same time, Indian troops placed the entire border under strict control, forbidding border inhabitants to cross it, thus making it impossible for them to carry on their traditional petty trade. Tibetan traders and border inhabitants were continually

In the matter of the construction of the Indian Trade Agency's premises, the local

Government should have asserted that the Indian Trade Agent had not placed any order and therefore, "could not accept the responsibilities for the payment". The fact, however, is that the local authorities had repeatedly approached the Indian Trade Agent on this matter for years, and the latter never denied that he had placed that order, and, moreover, he paid these debts in the end. It should be pointed out that the wages owed for making the mud bricks amounted to 1,753 rupees, not 7,112 rupees as alleged in the notes of the Indian Government, the remaining 5,359 rupees being for the wages owed by the Indian side over a period for accumulating earth, carrying gravel and digging water ditches. The Indian side added the two sums together making it out as if they were the wages for making the mud bricks alone and charged that the "price demanded (by the local authorities) is too exorbitant." This is a deliberate confusion of the facts. The

Gartok is also unfounded, because the unsettled he paym was in fact settled
difficulties to the local authorities
from distant Sinkiang. But after th

i

d

u

l

0

,

s

e

flood line and that it be provided with another piece of land located somewhere else within the extents of the land to

never discriminated against the Indian missions. Concerning the question of hiring employees in the locality by the Indian missions, the foreign offices had shown their readiness to help, but they did not interfere in the matter when the Indian missions by themselves hired employees in the locality. Concerning the transportation facilities for the Indian missions, the local authorities, although under difficult conditions, gave all assistance within their po

After the quelling of the rebellion in Ti

The Ministry of External Affairs of th

showed the traditional alignment throughout its length. The People's Government of China, on coming to power, also respected this traditional alignment. In August 1950, the Government of China expressed their anxiety to stabilize the boundary between the two countries, and, in reply, the Government of India reiterated that the "recognized boundary between India and China should remain inviolate". This exchange constituted a fresh formal reaffirmation of the traditional delimited alignment. Again, on 27 September 1951,

Excellency Premier Chou En-lai. His Excellency

China and its recognition of the position of

the People's Republic of China and its

not understand, meetings and demonstrations are permissible as long as they do not constitute a threat to law and order: and no action can be taken to prevent them. The Government of India, however, have used their influence to persuade all Tibetan refugees who have come to India to desist from activities against the Government of China.

13- The Government of China have seen fit to repeat the wild charges regarding the rebellion in Tibet in 1959 first made by their Ambassador in a discourteously worded statement on 16 May 1959, which the Government of India had then decided to ignore. The Prime Minister of India gave a correct narration of the facts and developments in Tibet in Parliament on 27 April 1959, and the Government of India stand by this position. Government of India have recognised

in the Western Sector which were the results of Chinese cold-blooded aggressiveness, were the results of attacks by Indian troops is not merely a travesty a well-established facts but an unabashed perversion of them.

15- Again, it is Government of China who virtually nullified the ms, w4ive clauses

The Ministry of External Affairs of the Government of India renew to the Embassy of the People's Republic of China the assurances of its highest consideration.

* * *

Note given by the Ministry of External

the terms of the 1954 Agreement but had used the Agreement as a temporary expedient for tiding over the immediate problems facing them in Tibet. The Government of India, on the other hand, made important sacrifices and gave up considerable rights and interests which they had acquired in Tibet from the past in the hope that relations between India and China would thereafter be based on the Five Principles of Peaceful Co-exi

India ever interfered in the "internal affairs of China". What is more, these

Tibetan trade sharply declined after 1959

As regards the wireless communications set at Yatung, it is surprising that the Chinese note should term it 'illegal'. The notes exchanged between the two Governments in connection with the 1954 Agreement explicitly provided *vide* Item (4) that the properties "within the compound walls of the Trade Agencies of the Government of India at Yatung and Gy

necessary for border areas. Even there, the restrictions placed on the movements of personnel of the Chinese Trade Agency in Kalimpong were the absolute minimum required and considerably less than those placed on the personnel of Indian Trade Agencies in Tibet. Far from the Chinese Trade Agency being 'surrounded' by 'arm.00men maintaining a constant watch', the Chinese Trade

In the course of discussions on the withdrawal of Indian Trade Agencies in Tibet, the Chinese Embassy was informed of the Government of India's intention to retain their property and buildings in Yatung under the charge of the Indian Consul-General at Lhasa. In this Ministry's *Aide Memoire*, dated the 1st June 1962 it was further stated that the Indian Consul-General at Lhasa would maintain a small staff for the upkeep of the property and buildings which would be used as a resting place for Indian officials and diplomatic couriers proceeding to and returning from Lhasa.

2. The Ministry of Foreign Affairs of the Chinese People's Republic informed the Indian Embassy in Peking on the 2nd June 1962 that they were agreeable to the intention of the buildings of the Indian Trade Agency at Yatung by the Government of India under the charge of their Consul-General in Lhasa. The request that Indian staff might remain in Yatung to look after the property was,

5. The Government of India emphatically protest against the action of the local

the Indian Embassy in China published in its bulletin a resolution of a political party slandering China can only be regarded as abuse of the hospitality and courtesy extended by the Chinese Government. In attempting to explain away the appearance of the above-mentioned resolution in the bulletin of the Indian Embassy in China, the verbal note asserts that the bulletin only reproduces

Note given by the Ministry of External

The Embassy has on many occasions made representations regarding the unwarranted restriction imposed by the local authorities of India on the normal activities of the personnel of the Chinese Trade Agency at Kalimpong. The Ministry of External Affairs, however, asserted that "this is purely a question of conforming to the laws and regulations of the local Government". Such assertion is extraordinary and is a forced argument which is aimed at atting up its unwarranted restrictions on an official organ from a foreignatduntry. It must be pointed out that there does

Note given by the Agent of the Ministry of External Affairs, Kalimpong, to the Traoe Agency of China at Kalimpong, 30 March, 1962.

The Agent of the Ministry of External Affairs, Government of India at Kalimpong presents his compliments to the Traoe Agency of the People's Republic of China at Kalimpong and has the honour to state with regret that the staff of the Traoe

Policeman on duty was injured, that the pellets came from the direction of the premises of the Chinese Trade Agency and that on previous occasion also, pellets discharged from the air rifles fired from the Chinese Trade Agency premises fell upon the tents or upon the ground near Indian policemen on duty. The Agent of the Ministry of External Affairs, Government of India at Kalimpong feels, therefore, bound for the cogent reasons stated above to treat the plea of denial of knowledge and responsibility by the Chinese Trade Agency as entirely unsatisfactory and untenable. The Agent of the Ministry of External Affairs, Government of India at Kalimpong also takes this opportunity to warn that if there be any further shooting from the Trade Agency premises to the detriment of the Police quarters, the entire responsibility will devolve upon the Trade Agent and he will be held personally responsible.

3. The Agent of the Ministry of External Affairs, Government of India at Kalimpong takes this opportunity to renew to the Trade Agency of the People's Republic of China at Kalimpong the assurances of his highest consideration.

* * *

Memorandum given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 21 May 1962

Reference Chinese Memorandum dated 2nd December, 1961.

Extm gi

lines located below the Agency. On the 22nd March 1962 about 0930 hours a slug from an air rifle discharged from the Trade Agency premises hit an Indian police man, Dil Bahadur Rai, injuring him on the right thigh for which he had to treated in hospital. The Sub-Divisional Officer,

the rear of the Agenc/TT6 1 Tf12 0 Ag with a sense

Gyantse. This is entirely groundless.

which the Indian Trade Agent Mr. Pandit personally expressed his thanks to the Sub-office of the Foreign Bureau on August 16.

It can thus be seen that the Chinese local authorities in Tibet have, in accordance with the 1954 Sino-Indian Agreement, all along accorded necessary and possible assistance and facilities to the Indian Trade Agencies in Tibet.

* * *

Note given by the Bureau of Foreign Affairs in Yatung, to the Indian Trade Agency in Yatung, 14 March 1962

The Yatung office of the Bureau of Foreign Affairs in Tibet presents its compliments to the Indian Trade Agency, Yatung and has the honour to reply to

Note given by the Ministry of Foreign Affairs, Peking, to the Embassy of India in China, 20 March 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 delivered by the Indian Ministry of External Affairs to the Chinese Embassy in India on January 5, 1962, has the honour to state as follows:

With regard to the case of the two Indian pilgrims mentioned in the note, the facts are found after investigation to be as follows: On August 5, 1961, a motor convoy in the Tibet region of China met with two foreigners asking for help in the vicinity of Saka, over three hundred kilometres east of Mavam Tso. Owing to language difficulties, the two foreigners asking for help were unable to communicate with the Chinese.

Chiangpasangteng of Rudok County set out on August 21, 1960 for trade in
detained by the Indian outpost and were not released and allowed to return until
January 1961. (2) From July 15, 1960, Tsajentochiech of Jechio, Rodok Country,
was detained for 48 days by armed Indian personnel at Dingroze. During the
interrogation, the Indian personnel asked him for military information about
China's Tibet region. When he answered that he did not know, he was brutally
beaten up by the Indian personnel; altogether he was beaten three times. (3)

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

In the case of the late Shri N.R. Sharma, the position is that though the Indian Trade Agent had been advised by the Foreign Bureau that members of the Indian Mission could go to the hospital directly without fixing an appointment through the Local Foreign Bureau, the

had started and local people had intruded into the Agency compound for clearing branches of trees and bushes on the hill

It must be pointed out that to deal with foreigners who have illegally entered Chinese territory without any permits is a matter entirely within China's sovereignty in which no foreign government has any right whatsoever to interfere. Ignoring the fact that the Chinese local authorities have friendly treatment to the two Indian pilgrims who had gone deep into non-pilgrimage areas, the Indian Government time and again made slanders against the Chinese side. Such an attitude of repaying good with censures is indeed regrettable. The Ministry of Foreign Affairs of the People's Republic of China avails itself of this opportunity to renew to the Embassy of India in China the assurances of the highest consideration.

* * *

China's

h

e

i

3

.

0

0

a

t

i

n

f

o

r

c

t

l

y

b

y

t

information has now been conveyed by the Foreign Bureau in Lhasa to the Indian Consulate-General also.

The attitude of the Chinese authorities in Tibet in this matter is not at all clear to the Government of India. The Government of India would, therefore, appreciate a clarification from the Government of China.

* * *

Aide Memoire given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 20 June 1962

As the Embassy of the People's Republic of China in India visited their Trade Agency at Gyantse on 10th of June 1962 and their Trade Agency at Yatung on 15th June 1962, and had requested the th

The land eigenot rrad ed
o t
s r a e s a a s a Agardings
1 6 9 1 t r h e e m e a s o n p t o d p r
f o a n d d n a l 2 7 e . 0 0 Y u a
a o r n n e e b
t 1 9 f 5 4 A e g r n g e m e n t
N o r h a v s u f f i c i e n t h e C h i
f o s a y r a
l e a s e G o v e r n m e n t s e e d , a g r
v o H i f y t h a t
t a e n m r r e v e o n G d e r p r o p
i c l l a a r i e m n e s G s e t t l e d t
P e k i n g .
l i H i e . h s t h o y u b l d d e m o l
p r o t e C c h t i i m o e n s o e f E i m
a c e s n e n i t h r C u c t e d i n c
a n d P e a r t u s l y t a t e n n g . C o n
v e r b a t l h c o o r n i s t e i n e t s c
t u G a o v l e a r o n l m e n t o f l
v a A n g e y e n h t t a t G y a n t s
t h e y w e o r t e h e e n r d p a u n b
p h o t r p y c n e s p o t t e f o n o
o , n s e c e n a t h s i s h a d b e
a u t h o r t h i n c e t i e s t h a
a p p r o m o s a n s i o n l h a d b e
u n r e A g e n t a s o n a b l e a r
m i n i s t e r
o i s p o l i t i c a l p o r t . y t r e
t n l e m n d r e v a o G u t o f G y a
c i r c u I n t e r n a t i o n a l t a n c e s i

Trade Agency in Gyantse could not be utilised and of the reasons for their inability to complete partly-built structures. These questions have formed the subject of correspondence between the Governments of China and India. The Indian Trade Agent cannot be compelled to demolish these structures or to remove accumulated building material from Gyantse. Items of property belonging to the Government of India is a matter on which assistance should have been forthcoming from the Government of the People's Republic of China, and there are procedures prescribed by

Another matter which has been causing concern to our Trade Agents in Tibet is the insistence on the part of the local authorities that Tibetan wives of Indian officials employed by the Agencies cannot accompany their husbands unless they observe all the formalities prescribed by Chinese Immigration Laws for this purpose. The uncertainty as to whether this decision of the Chinese authorities will mean the needless separation of families has created a sense of great uneasiness and despondency among the staff of the Trade Agencies.

The Government of India reiterate their request for facilities to enable the Indian Trade Agents at Gyantse and Yatung to withdraw without further delay. They cannot but take the most serious view of the attempts so far made to harass their Trade Agents to deny them courtesies due to their official position.

Considering the gravity of the situation

at Gyantse and Yatung, the Government of India must issue a clear warning that if there is any further attempt to hold up or harass the Indian Trade Agents in Tibet, there may be grave repercussions.

* * *

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 26 July 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 note No. 1148, dated the 21st March 1962 from the Chinese Ministry of Foreign Affairs.

The allegation made in the Chinese note have been thoroughly investigated and

that they were held up for 16 days and that they were harassed is baseless. It is also not true that Tsujen, a member of

The Ministry of External Affairs avails itself of this opportunity to renew to the

Embassy's Memorandum. They were not only dispatched by ordinary mail but

established by international law, within which diplomatic privilege in the matter of the dispatch of official mail can be availed of. The Government of India express their surprise that a protest should have been made on an issue on which the

function was voluntary. It is not correct

I- Route and plan of flight:

On May 14, the plane will take off from Kunming, land at Mandalay for refuelling and stay there overnight.

On May 15, the plane will take off from Mandalay and, flying over Chittagong, land at Calcutta for refuelling and stay there overnight.

On May 16, the plane will take off from Calcutta, land at Patna for refuelling and stay there overnight.

Ministry tried to justify this act of slandering a Chinese state leader by describing it as “national” and “legitimate” sentiments. The Chinese Embassy feels deep regret at this.

expressed its deep regret at it. This attitude of the Indian Government can only be considered as deliberately intended to utilise the boundary question to obstruct normal friendly intercourse be

Note given by the Ministry of External

Note given by the Ministry of External Affairs, New Delhi, to the Embassy of China in India, 10 May 1962

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and with reference to the latter's note dated 30th April 1962, have the honour to state as follows:

The Government of India are pleased to accord the clearance requested for the flight of the Chinese aircraft, Fengshou No. 2, in transit through India to Kathmandu. However, the clearance of the flight through Indian territory is subject to the condition that the aircraft navigator who will be in charge of navigation during its flight from Calcutta to Kathmandu via Patna. The Indian navigator will be provided by the Government of India for this purpose free of cost.

The technical details required in connectio

14th

that the Government of India have done, these relations have deteriorated in recent years because of the aggressive

Chinese the of Report the of Contents e
ian and Embassy the of bulletin
c

reprinting any comments or quotations from newspapers or other unofficial sources which are critical of the Chinese Government. Basing itself on this understanding, the Chinese Ministry of Fo

distorted accounts in an attempt to evade the responsibility of India, and even went so far as to cast wanton slanders on Premier Chou En-lai and the Chinese Embassy in India. The Chinese Government expresses its deep indignation at this.

Agency at Yatung and their families should have occurred one day before that notification w

available to the public in India for more than a year now. Obviously, this does not

The Indian Trade Agent gave the local authorities all facilities to investigate these cases and he and his staff assisted them in every way. As mentioned earlier, the Vice Director of the Foreign Bureau, a Chinese Security Officer and other

