



**Notes, Memoranda and letters Exchanged and Agreements signed
between The Governments of India and China 1954 –1959**

WHITE PAPER I

1954- 1959

**Ministry of External Affairs
Government of India**

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Note given by the counsellor of China in India to the Ministry of External Affairs, 17 July 1954

According to a report received from the Tibet Region of China, over thirty Indian troops armed with rifles crossed the Niti pass on 29 June 1954, and intruded into Wu-Je of the Ali Area of the Tibet Region of China. (Wu-Je is about one day's journey from the Niti Pass). The above happening is not in conformity with the principles of non-aggression and friendly co-existence between China and India, and the spirit of the Joint Communiqué issued recently by the Prime Ministers of China and India. It is hoped that the Government of India would promptly investigate the matter, and order the immediate withdrawal of the Indian troops in question from the above- mentioned territory of the Tibet Region of China. We shall appreciate it if you will let us know at the earliest opportunity the results of steps which you are to take in the above matter

Note given by the Chinese Counsellor in India to the Ministry of External Affairs, 13 August 1954

Regarding the intrusion into Wu-Je in the Ali Area of the Tibet Region of China by the Indian troops the question of which I raised with you on 17th of July, I am to inform you that further investigations reveals that they were a unit of 33 persons attached to the local garrison in U.P., India. The unit was under the command of an officer called Nathauje (according to Chinese pronunciation) who was a deputy commander of the troops stationing at Kanman (Chinese pronunciation). Together with the officer, there was a local official named Sopit Singh (Chinese pronunciation) of Chinal tribe in U.P., who was also a district magistrate of Walzanjapur

(Chinese pronunciation) district. Besides, there were a doctor, radio-operators and soldiers. They were putting up in 17 tents.

The above situations, as I spoke to you last time, is not in conformity with the principles of non-aggression and friendly co-existence between China and India and the spirit of the joint communiqué issued recently by the Prime Ministers of China and India. It is hoped that the Government of India will adopt necessary measures as to order the immediate withdrawal of the Indian troops in question from the territory of the Tibet region of China. It will also be much appreciated if you would let us know the results of the steps you may take in this matter.

Note given to the Chinese Counsellor in India, 27 August 1954

We have made thorough enquiries regarding the allegation made by the counsellor of the Chinese embassy on 17th July and repeated again on 13th August about a report that a unit of 33 Indians attached to the local garrison in U.P. (India) had intruded into the Tibet region of China. As previously mentioned to the Chinese Counsellor, our further investigations have confirmed that the allegation is entirely incorrect. A party of our Border Security Force is encamped in the Hoti Plain which is south-east of Niti pass and is in Indian territory. None of our troops or personnel have crossed north of the Niti pass, as verbally mentioned by the Chinese Counsellor.

On the other hand, we have received reports that some of the Tibetan officials tried to cross into our territory in Hoti plain and it is requested that such entry without proper documents is not in conformity with the

Agreement signed between India and China regarding Trade and intercourse between India and the Tibet region of China, nor in conformity with the principles of non-aggression and friendly co-existence between China and India and the spirit of the joint communiqué issued recently by the Prime Ministers of India and China. It is hoped that the Government of China will instruct the local authorities in Tibet not to cross into Indian territory as we have instructed our authorities not to cross into Tibetan territory.

Notes given to Chinese Counsellor in India, 28 June 1955

We have regretfully to refer again to the report which we conveyed to the Chinese Embassy last year (27 August 1954) that Tibetan officials attempted to enter in our territory in the Hoti plain. We have now received a report that a party of Chinese are camping at Hoti with 5 tents and 20 horses and that they have entered our territory without proper documents.

We had mentioned earlier and would like to repeat once again that such entry without proper documents is not in conformity with the Agreement signed between India and China on the subject of trade and border relations between India and the Tibet region of China. We would request that instructions be issued immediately to these personnel to withdraw across the border over the Tunjun La and to refrain from entering Indian territory unless they are in possession of proper documents. We would like to emphasize that such violation of our territory is not in conformity with the principles of non-aggression and friendly co-existence between China and India nor in the spirit of the joint communiqué issued last year

by the Prime Ministers of India and China. We ourselves have issued a strict injunction to all our personnel not to cross into the territory of the Tibet region of China and would be grateful if the Chinese authorities will issue similar instructions to their own personnel and to the local authorities in Tibet not to enter Indian territory.

Note given by the Chinese Counsellor in India to the Ministry of External Affairs, New Delhi, 11 July 1955

On 29 June 1954, a batch of more than 30 Indian soldiers crossed into Wu-Je of the Tibet region of China. Only after our repeated representations to the Ministry did the Indian troops withdraw from the place 19 September 1954.

According to recent reports from authorities concerned in the Tibet Region of China, another batch of more than 30 Indians soldiers crossed into Wu-Je of the Tibet Region of China on 25 June 1955 and engaged in constructing fortifications at places very close to our garrison forces stationing there. On the basis of the Five Principles, we would request the Indian Government to order the prompt withdrawal of the said troops from the Chinese territory so as to avoid any possible accident.

3. As regards the representation made by Mr. S. K. Roy on 28 June 1955 in connection with the alleged crossing of the border of Chinese personnel and their camping at the Hoti plain, it may be recalled that last year when we made the request that the Indian troops be withdrawn from Wu-Je, you also mentioned that our officials in the Tibet Region had attempted to cross into Hoti. In this regard we wish to point out that the Chinese

Government has times and again instructed the personnel of the frontier garrison not to move a single step beyond the Chinese border. Our investigations have confirmed that in the course of the last year and the current one there never has been any case of Chinese personnel crossing the border in the vicinity of the Niti Pass.

Informal Note given to the Chinese Counsellor in India, 18 July 1955

With reference to the informal note handed over by the Counsellor of the Chinese Embassy, New Delhi, on 11 July 1955, to Shri T.N. Kaul, it is pointed out that the statement in para. 1 regarding the withdrawal of Indian troops said to be at Wu-Je does not correctly indicate the position. The troops mentioned were not in the Tibet region of China but at the Bara Hoti, on the Hoti plain in India which is south of the Tunjun La. The movement of the troops had no connection with the Chinese representations. They withdrew in September 1954, because the outpost maintained at Bara Hoti is only a seasonal post.

We would also like to emphasize that the same remarks apply to the Indian troops now said to be at Wu-Je. We are not aware of the exact location of Wu-Je, though the Counsellor of the Chinese Embassy mentioned that it was 12 Kilometers north of the Tunjun La, but we are quite confident that our troops have not, under any circumstances, crossed the border into the Tibet Region of China. The only party of Indian troops in the area is the party camping in the Hoti Plain. We understand that a party of Chinese troops are camping close by in Indian territory, about whose presence a representation was made by Mr. S. K. Roy to the Chinese Counsellor on 28 June 1955. Since the Chinese troops are within Indian

territory, we would again request the Chinese Government, in furtherance of the five principles, to order their prompt withdrawal from Indian territory so as to avoid any possible further misunderstanding.

Note given to the Chinese Counsellor in India, 18 August 1955

With reference to the informal note handed over to the Counsellor of the Chinese Embassy in New Delhi on the 18th July 1955, by Shri T.N. Kaul, we regret to point out that we have received a report that the Sarji, a Tibetan official, with the Chinese troops at Bara Hoti on the Hoti plain in India has realised grazing tax from Indian herdsman grazing goats in the area. This is a new development which we would request the Chinese authorities to stop forthwith.

Notes given by the Counsellor of China to the Ministry of External Affairs, New Delhi on 26 September 1955

The informal note handed over to me by Mr. S.K. Roy, Deputy Secretary of the Ministry of External Affairs on 18 August 1955 has been duly transmitted to our Government.

2. Our repeated investigations made in Wu-Je area of the Tibet Region have proved that no Chinese personnel has ever crossed the border. On the contrary, it was the Indian troops that intruded into Wu-Je which has

always belonged to Dabasting of the Tibet Region within the Chinese boundary.

3. According to reports from quarters concerned, the Indian troops are still stationing at Wu-Je, and are incessantly carrying out reconnaissance activities on the Chinese Garrison. Hence the situation is rather serious.

4. In order to avoid any possible accident, it is hoped that the Government of India would continue to investigate into this case of border-crossing and take effective measures to prevent its further development.

5. Since no Chinese personnel has crossed the border, there could not have been such situation as stated in your informal note of 18 August 1955.

23 September 1955

Note given to the Chinese Counsellor in India, 5 November 1955

The position as set out in the informal note handed over to Shri T.N. Kaul by Mr. Kang, Counsellor of the Chinese Embassy on the 26th September 1955, shows that there is clearly a misunderstanding of the position. We are quite definite that our personnel have at no time intruded into the Wu-Je area of the Tibet region of China but have throughout remained at Bara Hoti which is 2 miles south of the Tunjun La.

2. We regret to say that Chinese troops came south of the Tunjun La and were camping at Bara Hoti alongside our troops. We would like to repeat that we are most anxious to avoid any possible incident and we,

therefore, suggest that strict instructions should be issued that no personnel from the Tibet region of China should cross into India without due permission from us.

3. We would also like to repeat our earlier assertion that we have issued strict instructions to all our personnel that they are not to cross the border into the Tibet region of China without due permission from the authorities. We are quite sure that our personnel have not entered the Wu-Je area of the Tibet region of China because they have never crossed the Tunjun La, the border pass and Wu-Je was stated by Mr. Kang to be 12 kilometres north of this pass.

Note given to the Chinese Counsellor in India, 5 November 1955

On 15th September as our detachment from Hoti Plain in India was approaching Damzan, which is 10 miles south of the Niti Pass and in Indian territory, they were stopped by 20 Chinese soldiers who were trespassing on Indian territory. These soldiers sent a message to our detachment that it could not go via Damzan unless it got permission from the Chinese authorities at Gartok. Our detachment insisted on going via Damzan and told them that they were passing through Indian territory. They made it clear that if the Chinese party used force to stop our detachment from going through Indian territory they would be responsible for the consequences. The situation was such as might have led to a serious clash between Indian and Chinese soldiers but for the great restraint exercised by our detachment. The Chinese soldiers did not try to stop our detachment but wanted to remain on the Indian territory at Damzan without due and proper permission from us.

We must point out that Damzan is clearly within Indian territory. It is situated at longitude 79.51°- latitude 30.49° and is 10 miles south of the Niti Pass which has been recognised by the Sino-Indian Agreement of 29th April 1954 as the border pass between the two countries in this region. The unauthorised presence of Chinese soldiers at Damzan in Indian territory therefore amounts to trespass and their action in trying to stop our detachment from going through Damzan is a violation of the Five principles.

We have already asked that strict instructions should be issued to the Chinese authorities in the Tibet region of China that their personnel and local authorities in Tibet should not enter Indian territory without first obtaining permission from the authorities concerned in India. We would earnestly repeat this request and point out that such action is not in conformity with principles of non-aggression and friendly co-existence accepted by India and China and that incidents such as these may well have grave consequences. We would also request that action should be taken against the offenders.

Note given to the Chinese Counsellor in India, 2 May 1956

We have learnt with surprise and regret from the Commander of our Border Security Force at Nilang that 12 Chinese soldiers including one officer equipped with tommy and sten guns and telescopes were sent half a mile east of Nilang at 12.30 hours of 28th April. Nilang at the area right up to Tsang Chokla pass is clearly within Indian territory and has always been in our possession. We have, therefore instructed the Officer

Commanding our Border Security Force in Nilang to inform the Chinese officer to leave Indian territory immediately.

2. We assume that the movement of the Chinese troops into our territory is due to ignorance and would request that the Chinese troops and their officer should be instructed to withdraw immediately beyond Tsang Chokla pass and warned not to violate Indian territory in future. If, however, it is under instructions from higher authorities we wish to lodge a protest against the clear violation of the Sino-Indian Agreement of 29th April 1954 and the five principles which were signed jointly by Premier Chou En-lai and Prime Minister Nehru the same year. We wish to point out that failure of immediate withdrawal of the Chinese troops beyond Tsang Chokla may lead to serious incidents which would mar the friendly relations between India and China. This we wish to avoid and hope that the Chinese Government shares our wish and will issue immediate instructions for the withdrawal of their troops beyond Tsang Chokla into Chinese territory.

Note given by the Ministry of External Affairs, New Delhi to the Chinese Charge d'Affaires in India, 7 June 1956.

A number of informal notes have been exchanged between the Ministry of External Affairs and the Chinese Embassy on the subject of Bara Hoti and Wu-Je of the Tibet region of China. We have throughout maintained that Chinese personnel have crossed the Tunjun La from the Tibet region of China and entered the territory of the Indian Union, whereas the Chinese Embassy have maintained that our personnel have entered the Wu-Je area of the Tibet region of China.

2. A copy of the last note handed over to Mr. Kang, Counsellor of the Chinese Embassy on 5th November 1955 is attached. From this it will be seen that the main point has been the position of the areas in question with relation to the Tunjun La, our contention being that Bara Hoti is two miles south of the Tunjun La whereas Chinese Embassy have held that Wu-Je is 12 Kilometres north of this Pass.

3. The present position is that our personnel are now encamped at Bara Hoti south of the Tunjun La, and we have received a report that a party of 20 or 30 Chinese troops are preparing to cross the Tunjun La from the Tibet region of China into India. We have instructed our personnel not to permit this party to cross over and camp at Bara Hoti and we would be grateful if the Chinese Embassy could have instructions issued immediately that the party should not cross the Tunjun La into Indian territory.

4. As we have already stated on several on several occasions our personnel have strict instructions not to enter the Tibet region of China without permission from the authorities concerned. They have assured us that they have never crossed the Tunjun La. Now that they are encamped on the Indian side of the Tunjun La we trust that the position will be clarified and no attempt will be made by Chinese personnel to cross over this Pass from the Tibet region of China into India. Any unfortunate incident in this connection would do nothing but harm to the friendly and cordial relations prevailing between our two countries. **Note given by the Chinese Foreign office to the Counsellor of India, 8 June 1956.**

Concerning the question of Wu-Je, representations were made on September 26, 1955 by Mr. Kang Mao-Cho, Counsellor of the Embassy of the People's Republic of China in the Republic of India, to Mr. T.N. Kaul, joint Secretary of the Ministry of External Affairs of India, and on November 5 of the same year, India's views on the same question were set forth by Mr. S.K. Roy, Deputy Secretary of the Ministry of External Affairs of India to Mr. Fu Hao, Counsellor of the Chinese Embassy in India.

Now that the Wu-Je area has already become passable, if the Government of China and India should again send their respective troops into that area as they did in 1955, a situation similar to that of 1955 will inevitably recur, in which the troops of the two countries confront each other. The Chinese Government cannot but be concerned about this, and it is presumed that the Indian Government shares the same feeling.

The Chinese Government has made study of data concerning this part of the Tibet Region of China adjacent to India and it has been proved that the Wu-Je area has always been under the jurisdiction of Daba Dzong of the Tibet Region of China. This area is within Chinese territory.

In his talk on November 5, 1955 with Mr. Fu Hao, Counsellor of the Chinese Embassy in India, Mr. S. K. Roy, Deputy Secretary of the Ministry of External Affairs of India referred to Tunjun La as the border pass. However according to historical records of this part of the Tibet Region of China adjacent to Indian territory, Tunjun La is proven to be within Chinese territory. There is no historical record showing Tunjun La to be a border pass between China and India.

The Ministry of External Affairs of India more than once expressed to the Chinese Embassy in India the desire to know the opinion of the Chinese Government regarding the joint investigation into the question of Wu-Je. The Chinese Government is of the opinion that, with a view to settling the question of Wu-Je, a joint investigation by representatives of the Chinese and Indian Government will be useful. The Chinese Government is willing to continue consultations with the Indian Government with regard to the method in such a joint investigation.

The Chinese Government wishes further to suggest that, pending the settlement of the Wu-Je question by the two Governments through

normal diplomatic channels, both Governments should refrain from sending troops into the Wu-Je area so as to avoid a situation in which the troops of the two countries confront each other, and to maintain the normal state of affairs along the Sino-Indian border.

China and India are the first countries to initiate the five principles of peaceful co-existence. We should abide by these principles and ideals which we ourselves have initiated. The Chinese Government considers that, so long as the two Governments keep to a friendly and fair attitude, the question of Wu-Je will undoubtedly be settled satisfactorily through the clarification of historical facts by means of investigation and study.

Note given by the Foreign Office of China to the Counsellor of India, 26 July 1956

On June 8, 1956, Mr. Chen Chia-kang, then Assistant Foreign Minister of China, handed over to Mr. Bahadur Singh, Counsellor of the Indian Embassy in China, a memorandum in which it was stated that the Chinese Government was willing to undertake a joint investigation with the Indian Government to settle the question of Wu-Je (Hoti) and that the Chinese Government further suggested that pending the settlement of the Wu-Je question by the two Governments through normal diplomatic channels, both Governments should refrain from sending troops into the Wu-Je area.

On June 13, 1956, Mr. R.K. Nehru, Indian Ambassador to China, indicated to Mr. Chi Peng-fei, Vice-Foreign Minister of China, that the Indian Government had agreed to a joint investigation by China and India into

the Wu-Je question. The Chinese Government is pleased with this, and will continue to consult with the Indian Government on the concrete matters relating to the joint investigation.

However, in connection with the Chinese Government's suggestion that, pending the settlement of the Wu-je question by the two Governments through normal diplomatic channels, both Government should refrain from sending troops into the Wu-Je area, no reply has yet been received from the Indian Government. With a view to facilitating the settlement of the Wu-Je question through friendly consultation between the Chinese and the Indian Governments, this year the Chinese Government has not sent its frontier garrisons into the Wu-Je area. In the meantime, however the Chinese Government has received a report that Indians troops have crossed the border and entered the Wu-Je area as they did last year. This is disquieting. The Chinese Governments hopes that the Indian Government will take necessary measures to effect the speedy withdrawal of Indian troops from the Wu-Je area so as to create a favourable atmosphere and condition for a smooth settlement of the Wu-Je question between China and India.

In his talk with Mr. Chi Peng-fei, Chinese Vice-Foreign Minister, Mr. R.K.Nehru, Indian Ambassador to China, also raised the question of the terms of the joint investigation of the Wu-Je question. Ambassador R.K. Nehru was of the opinion that the joint investigation should be based on the contents of an informal talk in 1955 between Mr. Kang Mao- Chao, former Counsellor of the Chinese Embassy in India, and Mr. T.N. Kaul, joint Secretary of the Ministry of External Affairs of India. Ambassador R.K. Nehru said that, as he understood it, both Mr. Kang and Mr. Kaul had agreed in their talk that Tunjun La was the border pass between China and India, and that therefore the aim of the joint investigation should be limited to finding out on the spot whether Wu-Je or Bara Hoti was to the north or to the south of Tunjun La. Ambassador Nehru further added that

if it was to the north of Tunjun La, it was in Chinese territory, and it was to the south of Tunjun La, it was in Indian territory.

In the memorandum handed over on June 8, 1956 by Mr. Chen Chia-Kang, then Assistant Foreign Minister of China, to Mr. Bahadur Singh, Counsellor of the Indian Embassy in China, it has been clearly pointed out that according to historical records of this part of the Tibet Region of China adjacent to Indian territory, Tunjun La is proven to be within Chinese territory there is no historical record showing Tunjun La to be a border pass between China and India. Hence any disputation about Wu-Je being in Chinese territory cannot be based on the ground that Wu-Je is to the south of Tunjun La.

When Counsellor Kang Mao-Chao in the above – mentioned informal talk with Mr. Kaul, Joint Secretary of the Ministry of External Affairs of India, in 1955 referred to Wu-Je as situated 12 kilometers to the northeast of Tunjun La, he was in fact not so clear about the geographical position of Wu-Je, i.e. it is within Chinese territory.

The Chinese Government maintains that Wu-Je is within Chinese territory. Nevertheless, in the spirit of friendly cooperation, the Chinese Government is still willing to make joints efforts with the Indian Government to iron out the difference of views of the two Governments regarding the jurisdiction over Wu-Je. The Chinese Government is convinced that, provided both sides refrain from sending troops into the Wu-Je area and undertake a joint investigation on the basis of historical records in a matter- of – fact way, it should not be difficult to settle the Wu-Je question satisfactorily.

Note Verbale given to the Chinese Charge d'Affaires in India, 8 September 1956

The Government of India have received a report that on the 1st September 1956, a party of about 10 Chinese Army personnel entered and took up position about 2 furlongs from Hupsong Khad on the Indian side of Shipki La Pass. The Party withdrew after the Officer-in -Charge of the Indian Border Police pointed out to the Captain in command of the Chinese Military Personnel that the Indian territory extends up to the Shipki La Pass.

The crossing of the Shipki La Pass by the Chinese Army Personnel without visaed Passports violates the Sino-Indian Agreement of April 29, 1954, in which the Shipki La Pass has been recognised as the border between India and Tibet region of China at that place. The Government of India presume that the Chinese Army Personnel crossed into Indian territory by mistake and not deliberately.

The Government of India would, however, request the Chinese Government to issue strict instructions to their authorities concerned that no unauthorised persons should cross into Indian territory in this manner in future, as otherwise there is danger of breach of peace. They would also request that action be taken against the offenders in the present case and the Government of India be informed of the action taken.

Aide mémoire given to the Chinese Charge d'Affaires in India, 24 September 1956

Since the handing over of the last informal note to Charge d' Affaires Fu Hao on the 8th September, the Government of India have received two reports of serious situations that recently developed between the Chinese and Indian border patrols in the region of Shipki La Pass on the Indo-Tibetan border:

2. The first of these occurred on the 10th September, when a party of Indian border Police on its way to the Shipki La Pass sighted a party of Chinese military personnel on the Indian side of the frontier: The Chinese Party was commanded by a Captain and consisted of at least ten persons. The Indian Patrol signalled the Chinese Party to withdraw, but the latter did not do so. Thereupon, on the Indian Patrol trying to advance, the Chinese personnel threw stones at it and threatened to use their grenades.

Towards the evening, the Indian Party approached and held conversations with the Chinese. During this conversation, the Chinese commander intimated that he had "received instructions from the Tibetan Government that the border extended up to Hupsang Khad and that Indian Personnel should accordingly not advance beyond Hupsang Khad". The Indian Patrol Commander pointed out that the border was in fact situated at the Shipki La Pass and suggested that the Chinese should accordingly withdraw. However, it does not appear that the Chinese troops withdrew, as the following morning (11th September) they were again soon on the ridge above the roadway on the Indian side of the Pass. The Position remained the same on the 12th September.

5. The Chinese Government will no doubt agree that in throwing stones and threatening to use hand grenades, the Chinese patrol offered such

provocation as could easily have resulted in serious and regrettable incidents. However, a development even more likely to cause an ugly situation was soon to follow.

6- On the 20th September at about 4-45 a.m., a party of 27 Indians Border Security Force came face to face with a party of 20 Chinese and officers two miles on the Indian side of the Shipki La Pass. The Indian Commanding Officer asked the Chinese Officer to withdraw his troops. The Chinese Officer replied that he had received no further communication from his Government. He added that meanwhile his instructions were clear, namely to Patrol right up to Hupsang Khad, and in carrying these out he was prepared to face the consequences. He concluded that if the Indian Party went beyond Hupsang Khad he "would oppose it with arms".

7 - The Government of India are pained and surprised at this conduct of the Chinese Commanding Officer. It is not difficult to visualise that the natural and direct result of such attitudes, if continued in, may be one of clash of arms.

8- In view of the fact that Shipki La is clearly the border and is acknowledged as such in the Sino-Indian Agreement of 29th April 1954, the Government of India consider any crossing of this border pass by armed personnel as aggression which they will resist. Government of India have ordered their Border Security Force not to take any action for the present in repulsing this aggression and to await instructions which they hope the Central People's Government will issue immediately. Government of India have however directed their Border Security Force on no account to retire from their position or to permit Chinese Personnel to go beyond where they are even if this involves a clash.

Government of India attach great importance to this matter and request immediate action by the Chinese Government. Otherwise there might be an unfortunate clash on our border which will have undesirable results.

Note given to the Chinese Charge d'Affaires in India, 3 October 1956¹

A number of conversations have been held in both New Delhi and Peking during the last 12 months in connection with the ownership of the territory of Barahoti and Wu-Je.

2. The last such conversation was at Peking on the 26th July 1956, when the WAICHIAOPU handed over an informal note to the Indian Embassy Counsellor, Mr. Bahadur Singh.

3. Previous to this, there seemed to have been agreement between the Governments of India and China in regard to the location of the Indo-Tibetan border in this area at this Tunjun-La Pass. On this basis of this location the factual point requiring ascertainment was merely whether The territory of Barahoti /Wu-Je was situated to the north of this Pass (and was therefore Chinese) or to the south of it (and was therefore Indian).

4- From the last conversation and informal note, however, the Government of India has observed with surprise the appearance of what seems to be a change in the Chinese view of the position of this pass in

¹ A copy was given to the Foreign Office of China on 5 October 1956.

relation to the border, on the ground that the understanding and statements by its Counsellor, Mr. Kang, at New Delhi, on the geographical position of Wu-Je in relation to Tunjun-La, was not correct.

5. While the Government of India are confident that having regard to the friendly relations of the two countries, the difference that has consequently arisen can be resolved in a peaceful and friendly manner, they feel that it would be helpful to make the actual situation clear so that there may be an agreed basis for settlement.

6. This is as follows:-

- a - The district of Garhwal, in which Barahoti is situated, is, and has always been, a part of India;
- b -The historical evidence to support this goes back for many centuries;
- c- By possession and usage also Barahoti is, and has always been, part of India and Tunjun La is, and has always been, the border Pass;
- d -The precise latitude/longitude of this Pass is
30°-53' latitude north
79°- 59' longitude east.

This may assist identification of the Pass, and avoid danger of confusion with any other Pass.

7 - The Government of India feel that proper understanding of the actual situation is a basic preliminary to any joint investigation. It is for this reason that the Government of India have again considered it necessary to elucidate the position, for it is only on the basis of a solid foundation such as this, that any joint Sino-Indian inspection survey party can be expected to arrive at correct conclusions as to the ownership of adjoining territory.

8 - In view, however, of the mutual desire of the Governments of India and China to settle this problem peacefully and avoid any kind of clash,

the Government of India agree that it would assist towards the expedition of a friendly settlement if both Governments refrain from sending troops into this area. As desired by the Government of China, the Government of India will accordingly issue the necessary orders, on the understanding that the Government of China will do likewise.

Note Verbale handed by the Ministry of External Affairs to the Chinese Counsellor in India, 2 July 1958

The Government of India have received information that troops of the Government of the People's Republic of China crossed into Indian territory and visited the Khurnak Fort (Longitude 79°- 00 E and latitude 33°-47'N) which lies within the Indian frontiers of the Ladakh region of Kashmir and occupied it.

It will be recalled that a conference of the representatives of the Kashmir State of India and the Tibet Region of China was held in 1924 regarding the boundary in this area. Unfortunately, the conference came to no agreed conclusions. It may, however, be mentioned that even during these discussions, the jurisdiction of India over the Khurnak Fort was never disputed. Discussions took place in regard to the international boundary which was further north of the Fort. No claim has ever been affirmed that the Fort formed part of the Tibet Region of China.

The Government of India are concerned at the report of the violation of the Indian frontier. They would not like to believe that unilateral action has been taken by the Government of the People's Republic of China with

whom their relations are of the friendliest, to enforce alleged territorial claims in the region.

For the information of the Chinese Government, it may be mentioned that the Government of India propose to send a reconnaissance party to the area with clear instructions that the party will remain within the Indian side of frontier.

Note handed by the Chinese Counsellor in India to the Ministry of External Affairs, New Delhi, 2 August 1958

Since 8th July 1958, more than twenty Indian Personnel entered into Wu-Je of the Tibet Region of China, bringing with them wireless communication apparatus, arms, etc. They said they were sent there by the Government of India to keep watch over the place. It is obvious that they are officials sent by the Indian Government. It is attempted to change the existing situation of Wu-Je and to create new dispute that, at a time when negotiations on the question of the ownership of Wu-Je are being held between China and India, the Indian side should have taken such an action. The Chinese Government cannot but lodge a protest and demands that the above mentioned Indian personnel withdraw immediately from China's territory Wu-Je.

Note handed to the Chinese Counsellor in India by the Ministry of External Affairs, New Delhi, 8 August 1958

With reference to the informal note handed over personally by Mr. Fu Hao, Counsellor of the Chinese Embassy in New Delhi to Shri B.K. Acharya, Director of the Eastern Division of the Ministry of External Affairs on the 2nd August 1958, the Government of India would like to state that it is a fact that a team of civilian revenue official consisting of 21 persons sent by the Government of Uttar Pradesh have been camping in Barahoti in Indian territory since 8th July 1958 in connection with normal revenue settlement operations.

2. In this connection, the Government of India would recall that during the recent series of talks between the two Governments at Delhi on Barahoti, the Foreign Secretary on behalf of the Government of India suggested to His Excellency the Chinese Ambassador at the very first meeting held on the 19 April 1958, that during the pendency of negotiations the civil authorities on either side should not try to exercise control or possession over the Barahoti area. He pointed out that any such attempt to exercise control by civil authorities would only lead to counter-attempts to exercise similar control by the other side and that this is a situation, which, in the interest of friendship between India and China and also in the interest of satisfactory progress of the negotiations, should be avoided.

3. Subsequently, Mr. Fu Hao informed Shri B.K. Acharya that in the view of the Government of the People's Republic of China, it is unnecessary to consider such an interim agreement. Shri Acharya then informed Mr. Fu Hao that as the Indian proposal was not acceptable to the Chinese side, the Government of India will have no option but to continue to send their their own civil authorities to the area.

4. It has already been explained to Mr. Fu Hao that both sides have claimed jurisdiction over Barahoti and both sides in the past have been sending officials to Barahoti. While the Government of India were and are of the view that during the pendency of the negotiations neither side should send civil officials to the area they cannot agree to only one side sending their civil officials to Barahoti. In the present case, the Government of the People's Republic of China did not accept the proposal of the Government of India in this regard and actually sent their civil officials to the area on the 29th June. The Government of India, therefore, had no option but to instruct the Government of Uttar Pradesh to send their civil officials also to the area.

5. As, in the view of the Government of India, Barahoti is within Indian territory, it was not obligatory on the Government of India to inform the Government of the People's Republic of China regarding the movement of their civil officials in their own territory. In view of the friendly relations existing between the two Governments, however, the Government of India have kept the Government of the People's Republic of China informed about the visit of civilian officials to Barahoti during this summer. The Government of India, therefore are of the view that the Government of the People's Republic of China can have no legitimate cause for protest against the action taken, particularly in view of the fact that the sending of Indian officials to any part of Indian territory is an internal domestic matter.

6. As regards Mr. Fu Hao's allegation that civilian officials have carried arms with them, the information of Government of India is that the Indian team of revenue officials is not carrying with it any arms like rifles and revolvers normally carried by members of the armed forces. Whether any weapons like shotguns have been carried for purposes of protection against wild animals is being enquired into. Government of India would be

glad to receive information from the Embassy of the People's Republic of China as to whether the Chinese officials at Barahoti are carrying any arms with them or not.

7. The facts stated above furnish no support for the suggestion in the Chinese note that the Government of India are "attempting to change the existing situation of Wu-Je and to create a new dispute". The Government of India, therefore, emphatically repudiate the suggestion.

Informal Note given by the Foreign Secretary to the Chinese Ambassador, 18 October 1958

The attention of the Government of India has recently been drawn to the fact that a motor road has been constructed by the Government of the People's Republic of China across the eastern part of the Ladakh region of the Jammu Kashmir States, which is part of India. This road seems to form part of the Chinese road known as Yehchang –Gartok or Sikiang Tibet highway, the completion of which was announced in September, 1957.

The road enters Indian territory just east of Sarigh Jilgnang, runs north-west to Amtogar and striking the western bank of the Amtogar lake runs north-west through Yangpa, Khitai Dawan and Haji Langer which are all in indisputable Indian territory. Near the Amtogar Lake several branch tracks have also been made motorable.

2. The India-China boundary in the Ladakh sector as in others is traditionally well-known and follows well marked geographical features. The territory which road traverses has been part of the Ladakh region of

India for centuries and the "old established frontiers" have been accepted by the Chinese in the treaty of 1842 as the International boundary. In an official communication, a Chinese member of the Boundary Commission of 1847-49 accepted the boundary as "sufficiently and distinctly fixed so that it will be best to adhere to this ancient arrangement and it will prove far more convenient to abstain from any additional measures for fixing them." Accordingly, Indian survey parties have visited the region since the nineteenth century. Travellers to the area have referred to it as part of Ladakh, and Atlases like the Johnston's Atlas of India, edition 1894, and maps published by the Survey of India show it unmistakably as part of Ladakh.

3. In view of the position indicated in para.2 above, it is matter of surprise and regrets that the Chinese Government should have constructed a road through indisputably Indian territory without first obtaining the permission of the Government of India and without even informing the Government of India.

4. The Government of India would like to point out that Chinese personnel, including officials and workers engaged in constructing and maintaining the road, as well as Chinese travellers traversing this road have been contravening Article V of the Agreement between the People's Republic of China and India on trade and Intercourse with Tibet concluded in 1954. According to this article " for travelling across the border, the High Contracting Parties agree that diplomatic personnel, officials and nationals of the two countries shall hold passports issued by their own respective countries and visaed by the other party" except as provided in the subsequent paragraphs of the Article relating to traders, pilgrims and muleteers. No applications for visas from Chinese personnel working on the road or from Chinese travellers traversing this road have ever been received by the Government of India.

5. As the Chinese Government are aware, the Government of India are anxious to settle these petty frontier disputes so that the friendly relations between the two countries may not suffer. The Government of India would therefore be glad for an early reply from the Tibetan Government.

6. In this connection the Government of India would also like to draw the attention of the Chinese Government to another fact. An Indian party consisting of three Military Officers and four soldiers together with one Guide, one Porter, six pony –owners and thirty-four ponies, were out on a normal patrol in this area near Shinglung in Indian territory. This patrol had been given strict instructions not to cross the border into Chinese territory. Since the end of August, however, no news of their whereabouts has been received in spite of search by air. Since there are now Chinese personnel in this part of Indian territory the Government of India would be grateful for any information that the Chinese Government may have about the party and for any assistance that they may find it possible to give to the party to return to their headquarters.

**Memorandum given by the Foreign Office of China to the
Counsellor of India, 3 November 1958**

According to the report of the Chinese local authorities in Sinkiang Frontier Guards of the Chinese liberation army stationed in the south western part of Sikiang discovered in succession on September 8 and 12, 1958 two groups of Indian armed personnel at Tahunglituan and Kazrekirekan on the Sikiang –Tibet road on Chinese territory. These personnel had clearly intruded into Chinese territory to conduct unlawful surveying activities within Chinese borders. They were therefore detained

by the Chinese Frontier Guards. The two groups of personnel consisted of 3 Indian officers and 4 soldiers and 8 employees. They carried with them 3 sten guns, one rifle, one pistol and radio sets, instruments for surveying and photographing and horses.

In addition since September this year Chinese frontier Guards have more than once discovered Indian aircraft penetrating deep into the air space over south western part of Sinkiang of China to carry on reconnaissance and even circled low over Chinese garrisons.

The above-mentioned unlawful intrusions of Indian armed personnel and aircraft into Chinese territory and territorial air to conduct reconnoitring and surveying activities are inconsistent with Sino-Indian friendly relations and the five principles of peaceful co-existence initiated jointly by the two countries. The Chinese Government expresses deep regret at these happenings. The Chinese Government requests the Government of India to Guarantee that no similar incidents will occur in the future.

As for the detained Indian armed personnel the Chinese Government in the spirit of Sino-Indian friendship has already ordered the military authorities concerned to deport them from Chinese territory through the Karakoram Pass on 22nd October.

Peking;

1 November, 1958

Note given by the Ambassador of India to Vice-Minister for Foreign Affairs of China, 8 November 1958.

Government of India have seen the note of the Chinese Government of November 1. As the Chinese Government are aware the Government of India had spoken to the Chinese Ambassador at New Delhi as early as the 18th October about the area which is referred to in the Chinese note. It was specifically mentioned to the Ambassador that an Indian Party of 15 including 3 Military officers were out on a normal patrol in this area but had been missing since the end of August. It is now clear that the Chinese Government also claim this area as their territory. The question whether the particular area is in Indian or Chinese territory is a matter in dispute which has to be dealt with separately. The Government of India propose to do so and reply later in detail to the Chinese note of November 1. Meantime the Government of India express their surprise and regret that although the Indian Patrol Party had been arrested for nearly 5 weeks no information was given to the Government of India and even then it was mentioned to the Counsellor of the Embassy only casually that the arrested persons had been sent across to India on the 22nd October. The Government of India had expected that in view of the friendly relations between the two countries intimation would have been given to them immediately after the apprehension of the patrol party and that arrangements would have been made in mutual consultation about the handing over of the party. The action of the Chinese Government in sending the party across the frontier without previous notice exposed the party to grave risks of life particularly in this season and it was only providential that the party could be rescued.

Note handed to the Chinese Counsellor in India by the Ministry of External Affairs, New Delhi, 10 December 1958

During the recent talks at Delhi on Barahoti between Chinese and Indian Delegations, it was proposed by the Indian side that the civil authorities of either country should not attempt to exercise jurisdiction over the Barahoti area until the dispute is finally settled. As this suggestion was not acceptable to the Chinese side, the Director of the Eastern Division informed the counsellor of the Chinese Embassy at Delhi that if the Chinese Government sent their civil officials to Barahoti this year, the Indian side would also have to do likewise. The Chinese officials entered Barahoti on the 29th June 1958. The Government of India, therefore, had no option but to instruct the Uttar Pradesh Government to send their civil officials also to the area. These Indian officials reached Barahoti on the 8th July.

2. On the 2nd August, the Counsellor of the Chinese Embassy handed over to the Director of the Eastern Division on official note protesting against the presence of the Indian Revenue Party at Barahoti and alleging that they were carrying arms. On the 8th August, the Director of the Eastern Division handed over to Counsellor Fu Hao an informal note in reply to the Chinese protest. In this note it was stated that the Indian Revenue Party was not carrying with it any arms like rifles or revolvers normally carried by the members of the Armed Forces. The Director however, undertook to enquire whether any shot guns for purposes of hunting and protection against wild animals had been taken. The results of the enquiry were intimated to Counsellor Yeh Cheng-Chang on the 18th August and he was informed that only three shot guns had been carried for protection against wild animals, but even these guns had since been withdrawn.

3. The Indian Revenue Party left Barahoti on the 9th September. The Government of India have received information that immediately after the departure of Indian Party, a Chinese Party carrying with them arms and ammunition entered the Barahoti area and camp there. They have been

further informed that on the 26thg September this Chinese Party was reinforced by another 25 fully armed military personnel.

4. The Government of India would, therefore, draw the attention of the Government of the People's Republic of China to the subsisting agreement on the question of sending troops or armed personnel into the Barahoti area. As early as August, 1955 Shri S.K. Roy of the Ministry of External Affairs had proposed to Counsellor Kang that the Barahoti area should be "neutralised" and that neither side should send officials or Army detachments to the area pending the conclusion of the joint efforts of the two Governments to find a solution of the Barahoti question. No reply to this proposal was received from the Chinese Government in 1955. In June 1956, the Assistant Foreign Minister of China handed over to the Indian Counsellor in Peking a memorandum suggesting, inter alia, that "both sides might refrain from sending troops into the Wu-Je area". In their aides memoires handed over to the Chinese Government both at Delhi and in Peking in October 1956, the Government of India agreed that both Government should refrain from sending troops into the area. In February 1957, the Chinese Government confirmed that they would not send troops to the Hoti area "this year". Accordingly, the Government of India also instructed that their forces should not be sent to Barahoti during the year. No forces were, therefore, sent by either side during 1957.

5. At the beginning of Delhi talks on Barahoti between Chinese and Indian delegation, on the 19th April, the Foreign Secretary to the Government of India proposed that "as last year neither side will send their forces to this particular area in asserting its right or supposed right while the matter is in dispute". On the Chinese side, the Ambassador accepted the proposal and said "I agree with the suggestion which Mr. Dutt has just made, viz., before the Wu-Je question is solved, both sides will not send troops there".

6. Subsequently, on the 8th August, Counsellor Fu Hao informed the Director of Eastern Division that the Chinese interpretation of the agreement not to send any troops was that no person actually carrying arms should be sent to the area by either side. He also assured the Director that the Chinese Government had been faithful to their agreement and did not propose to send such armed personnel to Barahoti.

7. In view of this agreement between the two Governments not to send any armed personnel into the Barahoti area, the Government of India are surprised to receive the reports referred to in para.3 of this note about the entry of armed Chinese personnel into the Barahoti area. The Director of Eastern Division in the Ministry OF External Affairs of the Government of India, therefore, spoke to Mr. Yeh Cheng –Chang, Counsellor of the Chinese Embassy in New Delhi, on the matter on the 23rd October. He also mentioned that the Government of India had received information to the effect that the Chinese party had taken to Barahoti considerable building materials like lime, beam, timber etc. which seemed to indicate that the Chinese intended to construct permanent or semi-permanent structures in Barahoti. The Director pointed out that if the information was correct, then the action of the Chinese Government would amount to bringing about a change in the existing situation during the pendency of talks between the two Governments and mentioned that such unilateral action by either party was undesirable and contrary to the frank and friendly spirit of the talks.

8. Counsellor Yeh promised to have enquiries made and to let the Director know as soon as he obtained definite information on the subject. As no reply has yet been received from the Chinese Embassy, the present unofficial note is being handed over with the request that early confirmation on the points raised may be obtained from the Chinese

Government by the Embassy and communicated to the Government of India.

9. There is also another information which has recently been received by the Government of India. There are two places called Lapthal (latitude 30°- 44' N: Longitude 80°-8'E) and Sangcha Malla side of the Balcha Dhura Pass (latitude 30°- 40' N: longitude 80°-12' E) which is considered as traditional boundary between India and China. These places have never before been claimed either by the Government of China or by the local authorities in the Tibet region of China. The Government of India have been maintaining Indian check-posts at these two places for several years. Due to climatic conditions these check-posts retired as usual in October this year, Chinese personnel entered into Indian territory and established out-posts at both the places.

10. The Government of India trust that the information that they have received is incorrect and would request the Chinese Embassy to confirm the position immediately. In case the information is found to be correct, the Government of India would request the Government of the People's Republic of China to withdraw all personnel from Lapthal and Sangcha Malla. They would also request the Government of China to withdraw all armed personnel from the Barahoti area forthwith in pursuance of the subsisting agreement between the two Governments.

Informal note given by the Ministry of External Affairs to the Counsellor of the Chinese Embassy in India, 17 January 1959.

Information has been received by the Government of India that a detachment of Chinese troops, consisting of one officer and approximately 50 men, crossed into Lohit Frontier Division of the North-East Frontier Agency of India on the 27th /28th September, 1958. The party camped inside the Indian border at a point approximately 28°-15' N: 97°-15' E and later left towards Tazung Dam which lies in Burma. It may also be mentioned that previously a smaller party had come into Dichu Valley in the same area in October 1957. This party started from Dolong and came as far down as Walong in the Lohit river basin.

2. The area visited by these parties clearly lies within the Indian border. The Indian frontier with the Tibet region is well recognised and clearly demarcated and it is possible that the Chinese parties which were engaged on survey work crossed into Indian territory by mistake.

3. In view of friendly relations existing between China and India and in accordance with the Five Principles agreed to between them for regulation of their mutual relations, the Government of India would request the Government of the People's Republic of China to issue suitable instructions to ensure that such transgression into Indian territory do not recur in future.

NEW DELHI;

January 16, 1959.

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

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

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

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

The Chinese Government must point out solemnly that the above-mentioned Migyitun, Samgar Sanpo and other places are indisputably territories always belonging to China. And the brazen intrusion and occupation of Chinese territory by batches of Indian troops numbering hundreds and their unscrupulous collusion with the traitorous Tibetan rebel bandits entrenched in those places in carrying out illegal activities hostile to the People's Republic of China, constitute grave encroachments on China's sovereignty and flagrant interference in China's internal affairs and are completely against the Five Principles of Peaceful Co-existence jointly initiated by China and India and Sino-Indian friendly and good neighbourly relations. The Chinese Government solemnly express to the Indian Government the hope that the Indian Government may order immediate withdrawal from the above-mentioned places of all Indian

armed forces intruding into and occupying Chinese territories so as to prevent further complications and aggravation of the situation. In view of Sino-Indian friendly relations, it is belief of the Chinese Government that the Indian Government will appreciate the grave situation created by the above said illegal actions taken by the Indian troops and will adopt at once effective corresponding measures.

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

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

Note of the Government of India, 26 June 1959

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

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

been based on wrong information received by the Government of the People's Republic of China.

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

4. The nearest outpost which the Government of India have in this area is at Longju. This is south of Migyitun and within the Indian side of the traditional international border. There is another outpost at Tamadem which is some miles south of Samga Sampo. Tamadem is locally recognised as the limit of the Indian territory. Both these outposts were

established peacefully and there was no question of shelling or using force in establishing these outposts. The Government of India have respected and will always respect the traditional International frontier between India and Tibet region of China, which, as stated above coincides with the so-called MacMahon line. The Government of India agree that if by error the forces of one side are in occupation of any territory on the other side of the frontier, the error should be rectified by the party concerned.

5. The Government of India place great value on the maintenance of friendly and good neighbourly relations with China and stand firmly by the Five principles of co-existence or Panch Sheel. They can only believe that the note of the Chinese Government must be based on wrong information received by them. The Government of India have already asked the officers in charge of their outposts in this area to place themselves in friendly contact with the Chinese officers on the other side and will be grateful if similar instructions are issued by the Chinese Government to the officers on their side of the frontier.

6. The Embassy of India renews to the Ministry of Foreign Affairs of the People's Republic of China the assurances of its highest consideration.

Informal Note given by the Ministry of External Affairs, New Delhi to the Chinese Counsellor in India, 4 July 1959

In accordance with our usual practice, survey operations will be carried out in the North –East frontier regions during the months of November 1959 to February 1960. Such survey involves both aerial as well as ground operations. Strict precautions will be observed so that pilots

confine themselves to the Indian borders. Since the aircraft have to fly at a very high altitude, should by an error of judgment the boundary be transgressed, the Chinese Government may kindly raise no objection.

2. The Chinese authorities were good enough to inform the Government of India before conducting the survey of the Sino-Burmese and Indian borders in the winter of 1958 and the Government of India wish to do likewise.

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

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

On the 28th July at about 10-45A.M. (IST) an Indian Police Party engaged on reconnaissance within Indian territory came across a Chinese armed detachment of nearly 25 persons at a point approximately 33.39 N and 78.46 E. The Officer commanding of the Indian party along with five constables approached the Chinese party with a view to explain that the Chinese detachment had transgressed into Indian territory and that it should withdraw immediately beyond the International frontier. The Indian Patrol party of six persons had still not reported to its headquarters by the evening of 29th July, 1959, and there is reason to believe that the Indian party has been taken into custody by the Chinese detachment. It is

also reported that the Chinese detachment has established a camp at Spanggur 33.34 N and 78.48 E.

The places mentioned lie well within the Indian frontier as notified in official maps. In fact, on an earlier occasion, when information had been received of a Chinese patrol having visited Khurnak Fort, latitude 33.47 N longitude 79 E the Ministry had drawn attention of the Chinese Embassy to the violation of the Indian frontier in a note presented on the 2nd July 1958. In the same note, advance intimation of the intention of the Government of India to send a reconnaissance party to the Khurnak Fort had been conveyed to the Chinese Government.

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

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

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of India in China and has the honour to acknowledge receipt of the latest note handed over on 30th July 1959 to Counsellor Yeh Cheng-Chang of the Chinese Embassy in India by Mr. K.L.Mehta of the Ministry of External Affairs of India and states in reply as follow:

According to reports received by the Chinese Government at 1300 hours Peking time on 28th July 1959, 6 Indian armed personnel were suddenly discovered to have intruded into Chinese territory without any permission from the Chinese authorities by Chinese frontier guard patrolling on Chinese soil west on Digra and south of Pangong Tso in the western part of the Tibet region of China. In view of friendly relations between China and India the Chinese frontier guards thereupon advised in a friendly manner the above mentioned intruding Indian armed personnel to withdraw at once from Chinese territory. But the said Indian armed personnel did not heed to the above mentioned warning of the Chinese frontier guards and persisted in armed violation of the Chinese frontier. Under these circumstances the Chinese frontier guards in order to safeguard their territory against infiltration could not but deal with these as a case of unlawful intrusion and have the Indian personnel detained and disarmed.

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

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

Out of friendly considerations the Chinese Government has instructed its frontier guards to deport the above mentioned Indian armed personnel who had unlawfully intruded into Chinese territory together with their weapons and other equipments at the original spot in the immediate future.

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

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

On 7th August armed Chinese patrol strength approximately 200 committed violation of our border at Khinzemane longitude 91.46 'E latitude 27.46'N. When encountered by our own patrol who requested the Chinese Patrol to withdraw to their territory, our patrol was pushed back to the bridge at Drokung Samba longitude 91.47' E latitude 27.46'N. These places are admittedly within Indian territory and we have been in continuous possession of it. Traditionally as well as according to Treaty Map the boundary runs along Thagla Ridge north of Mankha Chuthangmu valley and this position has been accepted in the past.

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

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

The Embassy of India presents its compliments to the Ministry of Foreign Affairs of the People's Republic of China and with reference to their note presented on the 6th August, has the honour to state as follows:

2. The Government of India are surprised by the statement in the note that the area where the Indian personnel were apprehended is part of Chinese territory. This claim is unfounded. In fact the traditional international frontier in this sector follows well defined geographical features and has been clearly depicted and openly notified in Government of India maps. For convenience of reference the boundary is described below in detail:

“ Between Lanak La (34°24'N and 79°34'E) and Chang la (32° 2'N and 79°22'E) in the Ladakh region of the State of Jammu and Kashmir the international boundary follows the eastern and southern watershed of the Chang Chemmo and southern watershed of Chumesang and thence the southern bank of Chumesang and the eastern bank of Changlung Lungpa. Striking the western extremity of the eastern half of Pangong Tso (called

Yaerhmu in Chinese maps) the boundary thence follows the watershed and cutting across Spanggur Tso, follows the north-eastern and northern watershed of the Indus”.

3. When the Chinese armed personnel intruded in this area in the region of the Khurnak Fort the Government of India lodged a protest with the Chinese Embassy in New Delhi in a note presented on 2nd July 1958. The Government of India’s reconnaissance parties carry strict instructions not to cross over into Chinese territory. In this case the party apprehended was about 10 miles within Indian territory.

4. The Government of India express their satisfaction at the instructions issued for the release of the Indian party. They however reiterate their protest at the arrest of the party within Indian territory. Further, they are informed that the Chinese authorities have established a camp at Spanggur which also lies well within the Indian territory. The Government of India would ask for the immediate withdrawal of this party from Indian territory and urge that steps be taken against similar violation of the international border in future. Such incidents may results in an armed clash which would be contrary to the friendly relations subsisting between the two countries and the tradition of amity which has prevailed all along this frontier.

5. The Embassy of India avails itself of this opportunity to express to the Foreign Office of the People’s Republic of China the assurances of its highest consideration.

Note given by the Foreign Office of China to the Counsellor of India, 27 August 1959

According to an urgent report received by the Chinese Government from frontier guards in Tibet, around 0600 hours on 25th August 1959, a group of Indian armed troops intruded into Chinese territory south of Mygyitun and suddenly opened fire on Chinese frontier guards stationed at Migyitun discharging dozens of rounds of machine-gun and rifle shots. After the Chinese frontier guards fired back in self-defence the above armed troops withdrew from that area.

The Chinese Government hereby lodges a serious protest with the Government of India against the above mentioned grave provocation by the Indian troops in openly violating Chinese territory and directing unwarranted armed attack on Chinese troops. In the interest of preserving peace and tranquility in the border areas of the two countries the Chinese Government strongly demands that the Government of India immediately adopts effective measures to prevent any renewal of violation of Chinese territory and armed provocation by Indian troops otherwise the Indian side must be held responsible for all the serious consequences arising therefrom.

Note given to the Foreign Office of China by the Indian Ambassador, 28 August 1959

The Government of India have recently brought to the notice of the Chinese Government a number of instances in which Chinese troops have violated the international frontier and trespassed into Indian territory. On

the 11th August the Chinese Government were informed of a violation of the border at Khinzemane and on 13th August detailed information was provided about Chinese intrusion in the Spanggur region. No replies have been received so far to these notes.

2. Another serious instance of violation of the Indian border and unlawful trespass into Indian territory by Chinese forces has just been brought to the notice of the Government of India. On the 25th August a strong Chinese detachment crossed into Indian territory south of Migyitun on the NEFA border and fired without notice on an Indian forward picket. They arrested the entire picket which was twelve strong but eight Indian personnel somehow managed to escape. Thereafter the Chinese detachment outflanked the Indian outpost at Longju and opened fire on it from a distance of about 800 yards.

Their object clearly was to overpower our outpost which was well within our territory about two miles south of the international border. There could be no doubt about the international frontier in this area and this is a case of deliberate aggression on Indian territory. The Government of India take very serious notice of this latest incident which' as we have said above, is one of a number a recent weeks.

3. The Government of India strongly protest against these repeated violations of Indian territory by Chinese armed forces. Until now Government have observed discreet reticence about these incidents although there is good deal of concern among the Indian public and in Parliament about the security arrangements on India's northern frontier. The Government of India would urge once more that the Chinese authorities should issue immediate instructions to their frontier forces not to violate Indian territory. The Government of India have issued instructions to their frontier posts to maintain their territorial integrity and use force on the trespassers if necessary. It occurs to them that all his show of force is entirely uncalled for. If the Chinese Government have any

dispute about any point on the international frontier, it should be possible to resolve the dispute by negotiations between two friendly governments rather than by the unilateral application of force by one side against the other. The Government of India strongly urge the Chinese Government to adopt this peaceful approach. It is possible that the Central Government of China is not aware of the illegal activities of their forces in the region of the international frontier. The Government of India suggest that they should issue immediate instructions to all concerned against the use of force in assertion of supposed claims.

4. The Government of India are now informed that on the 26th August Chinese forces encircled the post at Longju and opened heavy fire on it. Our personnel had therefore to abandon the post. We have no exact information as to their whereabouts. This is very serious matter which bound to rouse popular feelings in India. The Government of India reiterate once more their emphatic protest against the enforcement of claims by the unilateral application of force. The question of Chinese claim to Indian frontier areas as indicated in official Chinese maps was dealt with in detail by the Prime Minister in his letter of the 22nd March 1959 to the Chinese Prime Minister. The Prime Minister agreed "that the position as it was before the recent disputes arose should be respected by both sides and neither sides should try to take unilateral action in exercise of what it conceives to be its right. Further, if any possession has been secured recently, the position should be rectified". The Prime Minister has not yet received any reply to this letter. The Government of India reiterate the suggestion and urge that the Chinese troops withdraw immediately from the area at Longju which they have forcibly occupied.

Note given by the Ministry of External Affairs to the Counsellor of China in India, 21 August 1958

The attention of the Government of India has been drawn to a map of China published on pages 20-21 of the "China Pictorial" magazine. (No.95-July 1958) in which the borders of China have been indicated by a thick brown line. Though this map is on a small scale, there are clear inaccuracies in it in so far as China's border with India is concerned. The border as depicted in the map includes as Chinese territory four of the five divisions of India's northeast Frontier Agency and some areas in the north of the States of Uttar Pradesh and in large areas in eastern Ladakh which form part of the State of Jammu and Kashmir. It appears that the entire Tashigang area of Eastern Bhutan and a considerable slice of territory in north-west Bhutan have also been included as Chinese territory.

2 In the past, similar inaccurate maps have been published in China. The matter was referred to His Excellency the Prime Minister of India when the latter visited China in October 1954. His Excellency Chou En-Lai had at that time replied that current Chinese maps were based on old maps and that the Government of the People's Republic of China had had no time to correct them. The Government of India recognised the force of this statement. Since, however, the present Government of the People's Republic of China has now been in office for so many years and new maps are being repeatedly printed and published in China, the Government of India would suggest that necessary corrections in the Chinese maps should not be delayed further. In this particular case, the map has been published in a magazine, which is printed in an official press and is distributed by an official agency.

3. The Government of India are, therefore, drawing the attention of the Government of the People's Republic of China again to this matter. They

trust that the necessary corrections will be made soon. The northern boundary of India is clearly shown in the Political Map of India- 3rd edition, 1956 (scale –one inch to seventy miles), which is freely available on sale. The Government of India will be happy to supply a copy of this map to the Government of the People’s Republic of China.

**Memorandum given by the Foreign Office of China to the
Counsellor of India, 3 November 1958.**

Reference the memorandum of the Indian Government, dated August 21, 1958, on the rough sketch map showing “ the development of railways and trunk roads in China during the First Five –Year Plan period” published in the “China Pictorial” (July issue, 1954), the Chinese Government wishes to make the following statement:

In the maps currently published in China, the boundary line between China and its neighbouring countries, including India, is drawn on the basis of maps published in China before the liberation. This was made clear to His Excellency Prime Minister Nehru by Prime Minister Chou En-Lai, when the former visited China in October 1954. Premier Chou En-Lai explained then to His Excellency Prime Minister that the reason why the boundary in Chinese maps is drawn according to old maps is that the Chinese Government has not yet undertaken a survey of China’s boundary nor consulted with the countries concerned, and that it will not make changes in the boundary on its own. The Chinese Government notes with satisfaction that the Indian Government recognises the force of Premier Chou En-lai’s statement on this matter.

3. The Chinese Government believes that with the elapse of time and after consultations with the various neighbouring countries and a survey of the border region, a new way of drawing the boundary of China will be decided on its accordance with the results of the consultations and the survey.

Letter from the Prime Minister of India to the Prime Minister of China, 14 December 1958

NEW DELHI,
December 14, 1958

HIS EXCELLENCY,
MR. CHOU EN -LAI,
Prime Minister of the People's Republic of China, Peking.

My Dear Prime Minister,

I am writing to you after a long time. We have watched with great interest and admiration the progress made by the People's Government of China in recent years. In particular we have been deeply interested in the remarkable advance in the yield of rice per hectare as well as total yield, as also in the great increase in production of pig iron and steel.

2. As we are faced with somewhat similar problems in our country in regard to rice production and steel manufacture, we would naturally like to benefit by the example of what China has done. For this purpose we

decided to send two delegations to China, one consisting of farmers and agricultural specialists and the other of experts in iron and steel. Your Government was good enough to agree to this. It was pointed out however that the next season for rice sowing and cultivation would be in March-April next. We hope to send our farmers and agricultural experts then, if it suits the convenience of your Government. But we shall be sending our iron and steel experts to China fairly soon. I hope that they will learn much from the methods being now employed in China and we would then profit by their experience.

3. My purpose in troubling you with this letter, however, relates to another matter. This is in regard to the border between India and China. You will remember that when the Sino-Indian Agreement in regard to the Tibet region of China was concluded, various outstanding problems including some relating to our border trade, were considered. A number of mountain passes were mentioned which should be used for purposes of travel between the two countries. No border questions were raised at that time and we were under the impression that there were no border disputes between our respective countries. In fact we thought that the Sino-Indian Agreement, which was happily concluded in 1954, had settled all outstanding problems between our two countries. No border questions were raised at that time and we were under the impression that there were no border disputes between our respective countries. In fact we thought that the Sino-Indian Agreement, which was happily concluded in 1954, had settled all outstanding problems between our two countries.

4. Somewhat later, my attention was drawn to some maps published in China. The maps I saw were not very accurate maps, but nevertheless the frontier as roughly drawn in these maps did not correspond with the actual frontier. In fact it ran right across the territory of India in several places. I was surprised to see this, as I had not been aware at any time previously that there was any frontier dispute between our two countries.

No mention of this had been made in the course of the Sino- Indian talks which resulted in the Agreement of 1954.

5. Subsequently, in October 1954, I had the privilege of visiting your great country and the happiness to meet you and other leaders of the Chinese People's Republic. We had long talks and it was a pleasure to me to find that we had a great deal in common in our approach and that there was no dispute or problem affecting our relations. In the course of our talks I briefly mentioned to you that I had seen some maps recently published in China which gave a wrong borderline between the two countries. I presumed that this was by some error and told you at the time that so far as India was concerned we were Not much worried about the matter because our boundaries were quite clear and were not a matter of argument. You were good enough to reply to me that these maps were really reproductions of old pre-liberation maps and that you had had no time to revise them. In view of the many and heavy pre-occupations of your Government, I could understand that this revision had not taken place till then. I expressed the hope that the borderline would be corrected before long.

6. Towards the end of 1956, you did us the honour of paying a visit to India and we had the pleasure of having you in you in our midst for many days. Part of this time you spent in visiting various parts of India. I had occasion to be with you both in Delhi and during some of your visits, notably to our great river valley project at Bhakra-Nangal. We had long talks and discussed many international issues which were then agitating people's mind and I was happy to know what your views were about them. In the course of these talks you referred to the Sino-Burmese border. You told me about the talks you had with U Nu at Peking and your desire to settle this problem with the Burmese Government. I had received the same information from U Nu who had told me of your wish settle this problem to the satisfaction of both countries. It was in this

connection that you mentioned to me the Sino-Indian border, and more especially the so-called MacMahon line. This MacMahon line covered a part of the Sino-Burmese border and large part of the Chinese border with India. I remember you telling me that you did not approve of this border being called the MacMahon line and I replied that I did not like that name either. But for facility of reference we referred to it as such.

7. You told me then that you had accepted this MacMahon Line border with Burma and, whatever might have happened long ago, in view of the friendly relations which existed between China and India, you proposed to recognise this border with India also. You added that you would like to consult the authorities of the Tibetan region of China and you proposed to do so.

8. Immediately after our talk, I had written a minute so that we might have a record of this talk for our personal and confidential use. I am giving below a quotation from this minute:

“ Premier Chou referred to the MacMahon line and again said that he had never heard of this before though of course the then Chinese Government had dealt with this matter and not accepted that line. He had gone into this matter in connection with the border dispute with Burma. Although he thought that this line, established by British Imperialists, was not fair, nevertheless, because it was an accomplished fact and because of the friendly relations which existed between China and the countries concerned, namely India and Burma, the Chinese Government were of the opinion that they should give recognition to this Macmahon Line. They had, however, not consulted the Tibetan authorities about it yet. They proposed to do so”.

9. I remember discussing this matter with you at some considerable length. You were good enough to make this point quite clear. I then mentioned that there were no disputes between us about our frontier, but

there were certain very minor border problems which were pending settlement. We decided that these petty issues should be settled amicably by representatives of the two Governments meeting together on the basis of established practice and custom as well as watersheds. There was long delay in this meeting taking place, but ultimately a representative of the Chinese Government came to Delhi and discussed one of these petty issues for some time. Unfortunately no settlement about this matter was arrived at then and it was decided to continue the talks later. I was sorry that these talks had not resulted in a satisfactory agreement so far. The issue is a minor one and I wanted to remove my friendly settlement all matters that affected our two Governments and countries. I had thought then of writing to you on this subject, but I decided not to trouble you over such a petty matter.

10. A few months ago, our attention was drawn again to a map of China published in the magazine "China Pictorial", which indicated the border with India. This map was also not very clearly defined. But even the rough borderline appeared to us to be wrongly placed. This borderline went right across Indian territory. A large part of our North-East Frontier Agency as well as some other parts which are and have long been well recognised as part of India and been administered by India in the same way as other parts of our country were shown to be a part of Chinese territory. A considerable region of our neighbour country, Bhutan, in the north-east was also shown as being on the Chinese side. A part of the North-East Frontier Agency which was clearly on the Indian side of what has been known as the MacMahon Line, was shown in this map as part of Chinese territory.

11. The magazine containing this map was widely distributed and questions were asked in our parliament about this. I gave answer to the effect that these maps were merely reproductions of old one and did not represent the actual facts of the situation.

12. We drew your Government's attention to this map some time ago this year. In a memorandum in reply to us, it has been stated by your Government that in the maps currently published in China, the boundary line between China and neighbouring countries including India, is drawn on the basis of maps published before this liberation. It has further been stated that the Chinese Government has not yet undertaken a survey of the Chinese boundary nor consulted with the countries concerned, and that it will not make changes in the boundary on its own.

13. I was puzzled by this reply because I thought that there was no major boundary dispute between China and India. There never has been such a dispute so far as we are concerned and in my talks with you in 1954 and subsequently, I had stated this. I could understand four years ago that the Chinese Government, being busy with major matters of national reconstruction, could not find time to revise old maps. But you will appreciate that nine years after the Chinese People's Republic came into power, the continued issue of these incorrect maps is embarrassing to us as to others. There can be no question of these large parts of India being anything but India and there is no dispute about them. I do not know what kind of surveys can affect these well-known and fixed boundaries. I am sure that you will appreciate our difficulties in this matter.

14. I am venturing to write to you on this subject as I feel that any possibility of grave misunderstanding between our countries should be removed as soon as possible. I am anxious, as I am sure you are, that the firm basis of our friendship should not only be maintained but should be strengthened.

May I send you my warm regards and every good wish for the New Year.

Yours sincerely,
(sd.)JAWAHARLAL NEHRU

**Letter from the Prime Minister of China to the Prime Minister of
India, 23 January 1959.**

PEKING
January 23, 1959

Dear Mr. Prime Minister,

I have received your letter dated December 14, 1958, forwarded by Mr. Ambassador Parthasarthi.

Thank you for the credit you give the achievements of our country in economic construction. It is true that, through the joint efforts of the entire Chinese people, our country made in industrial and agricultural production in 1958 an advance which we describe as an "great leap forward". However, as we started from a very poor economic foundation, our present level of development in production is still very low. It will take us a number of years more of hard work in order to bring about a relatively big change in the economic picture of our country.

Our Government heartily welcomes the sending by the Indian Government of two delegations to study our agriculture and iron and steel industry respectively. And as I understand, another delegation has already arrived in China to study out water conservancy and irrigation work. We welcome them to our country and will be glad to provide them

with every possible convenience. We also hope to learn from them Indian experience in the respective fields. The exchange of such specialized delegations and the interflow of experience will be undoubtedly Be helpful to the economic construction of our countries. We too have always taken a great interest in the progress of India's second five-year Plan, and wish it success.

We note with pleasure that, in the past year, friendly co-operation between China and India has undergone further development. I would like to take this opportunity, on behalf of the Chinese Government, to express thanks to the Indian Government for its effort at the 13th session of the United Nations General Assembly for restoring to China its rightful place in the United Nation. We are also grateful to the Indian Government for its support to our country on the question of Taiwan and the coastal islands.

In your letter you have taken much space to discuss the question of Sino-Indian boundary and thus enabled us to understand better the Indian Government's stand on the question. I would also like now to set forth the views and stand of the Chinese Government.

First of all, I wish to point out that the Sino-Indian boundary has never been formally delimited. Historically no treaty or agreement on the Sino-Indian boundary has ever been concluded between the Chinese central government and the Indian Government. So far as the actual situation is concerned, there are certain differences between the two sides over the border question. In the past few years, question as to which side certain areas on the Sino-Indian border belong were on more than one occasion taken up between the Chinese and the Indian sides through diplomatic channels. The latest case concern an area in the southern part of China's Sinkiang Uighur Autonomous Region, which has always been under Chinese jurisdiction. Patrol duties have continually been carried out in that area by the border guards of the Chinese Government. And the Sinkiang -Tibet highway built by our country in 1956 runs through that area. Yet recently the Indian Government claimed that that area was

Indian territory. All this shows that border disputes do exist between China and India.

It was true that the border question was not raised in 1954 when negotiations were being held between the Chinese and Indian sides for the Agreement on Trade and Intercourse between the Tibet Region of China and India. This was because conditions were not yet ripe for its settlement and the Chinese side, on its part, had had no time to study the question. The Chinese Government has always held that the existence of the border question absolutely should not affect the development of Sino-Indian friendly relations. We believe that, following proper Preparations, this question which has been carried over from the past can certainly be settled reasonably on the basis of the Five Principles of peaceful co-existence through friendly talks. To this end, the Chinese Government has now proceeded to take certain steps in making preparations.

An important question concerning the Sino-Indian boundary is the question of the so-called MacMahon Line. I discussed this with Your Excellency as well as with Prime Minister U Nu. I would now like to explain again the Chinese Government's attitude. As you are aware, the "MacMahon Line" was a product of the British policy of aggression against the Tibet region of China and aroused the great indignation of the Chinese people. Juridically, too, it cannot be considered legal. I have told you that it has never been recognised by the Chinese Central Government. Although related documents were signed by a representative of the local authorities of the Tibet Region of China, the Tibet Local authorities were in fact dissatisfied with this unilaterally drawn line. And I have also told you formally about their dissatisfaction. On the other hand, one cannot, of course, fail to take cognizance of the great and encouraging changes: India and Burma, which are concerned in this line, have attained independence successively and become states friendly with China. In view of the various complex factors mentioned above, the Chinese

Government, on the one hand finds it necessary to take a more or less a realistic attitude towards the MacMahon Line and, on the other hand, cannot but act with prudence and needs time to deal with occasion. However, we believe that, on account of the friendly settlement can eventually be found for this section of the boundary line.

Precisely because the boundary between the two countries is not yet formally delimited and some differences exist, it is unavoidable that there should be discrepancies between the boundary lines drawn on the respective maps of the two sides. On the maps currently published in our country, the Chinese boundaries are drawn in the way consistently followed in Chinese maps for the past several decades, if not longer. We do not hold that every portion of this boundary line is drawn on sufficient grounds. But it would be inappropriate for us to make changes without having made surveys and without having consulted the countries concerned. Furthermore there would be difficulties in making such changes, because they would give rise to confusion among our people and bring censure on our Government. As a matter of fact, our people have also expressed surprised at the way the Sino-Indian boundary, particularly in western section, is drawn on maps published in India. They have asked our Government to take up this matter with the Indian Government. Yet we have not done so, but have explained to them this actual situation of the Sino-Indian boundary. With the settlement of the boundary question- which, as our Government has repeatedly pointed out, requires surveys and mutual consultations- the problem of drawing the boundary on the maps will also be solved.

In recent years, there occurred between China and India some minor border incidents which are probably difficult to avoid pending the formal delimitation of the boundary. In order to avoid such incidents so far as possible before the boundary is formally delimited, our government would like to propose to the Indian Government that, as a provisional measure, the two sides temporarily maintain the status-quo, that is to

say, each side keep for the time being to the border areas at present under its jurisdiction and not go beyond them. For the differences between the two sides, naturally a solution may be sought through consultations like those held on the Wu-Je (Hoti) question. As to the negotiations regarding Wu-Je, we also regret very much that no agreement has yet been reached, as we formerly thought a solution would not be difficult to achieve through negotiations and on-the-spot investigations. We still believe that this small question can be settled satisfactorily through the continued efforts of our two sides. The Chinese Government hopes that the above proposal about temporary maintenance of the present state of the boundary between the two sides will be approved of by the Indian Government.

I need not reiterate how highly the Chinese Government and people value Sino-Indian friendship. We will never allow any differences between our two countries to effect this friendship, and we believe that India shares the same views. I hope that this letter will help get a better understanding of our Government's stand on Sino-Indian boundary question.

With sincere regards,

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

Letter from the Prime Minister of India to the Prime Minister of China, 22 March 1959

New Delhi

22nd March, 1959

DEAR MR. PRIME MINISTER,

Many thanks for your letter of the 23rd January which I have read with the care and attention which it deserves.

2. I am grateful to you for the facilities which your Government accorded to our small delegation which visited China to study your water conservancy methods and programme. Two more delegations –one to study methods for improving agricultural yield and the other to study your iron and steel programme –will shortly be reaching China. I have no doubt that they will benefit from this opportunity of studying the remarkable progress which your country has achieved in these fields.

3. We were glad to receive Mr. Chang Han Fu in India and I do hope that his brief visit was enjoyable and enabled him to see something of our own efforts to develop our national resources. I entirely agree with you that such exchange of visits on both sides can be of great help in resolving the somewhat similar problems which face our respective countries in their endeavour to quicken the rate of our economic progress.

4. On receipt of your letter I have again examined the basis of the determination of the frontier between India and the Tibet Region of China. It is true that this frontier has not been demarcated on the ground in all the sectors but I am somewhat surprised to know that this frontier was not accepted at any time by the Government of China. The traditional frontier, as you may be aware, follows the geographical principle of watershed on the crest of the High Himalayan Range, but apart from this, in most parts it has the sanction of specific international agreements between the then Governments of India and the Central Government of

China. It may perhaps be useful if I draw your attention to some of these agreements:

(i) Sikkim- The boundary of Sikkim, a protectorate of India, with the Tibet Region of China was defined in the Anglo- Chinese Convention 1890 and jointly demarcated on the ground in 1895.

(ii) The Ladakh Region of the State of Jammu and Kashmir- A treaty of 1842 between Kashmir on the one hand and the Emperor of China and Lama Guru of Lhasa on the other, mentions the India-China boundary in the Ladakh region. In 1847 the Chinese Government admitted that this boundary was sufficiently and distinctly fixed. The area now claimed by China has always been depicted as part of India on official maps, has been surveyed by Indian officials and even a Chinese map of shows it as Indian territory.

(iii) The MacMahon Line-As you are aware, the so-called MacMahon Line runs eastwards from the eastern borders of Bhutan and defines the boundary of China on the one hand and on the India and Burma on the other. Contrary to what has been reported to you, this line was, in fact, drawn at a Tripartite Conference held at Simla in 1913-1914 between the Plenipotentiaries of the Governments of China, Tibet and India. At the time of acceptance of the delineation of this frontier, Lonchen Shatra, the Tibetan Plenipotentiary, in letters exchanged, stated explicitly that he had received orders from Lhasa to agree to the boundary as marked on the map appended to the Convention. The Line was drawn after full discussion and was confirmed subsequently by formal exchange of letters; and there is nothing to indicate that the Tibetan authorities were in any way dissatisfied with the agreed boundary. Moreover, although the Chinese Plenipotentiary at the conference objected to the boundaries between Inner and Outer Tibet and between Tibet and China, there is no mention of any Chinese reservation in respect of the India-Tibet frontier either

during the discussions or at the time of their initialling the Convention. This line has the incidental advantage of running along the crest of the High Himalayan Range which forms the natural dividing line between the Tibetan plateau in the north and the sub-montane region in the south. In our previous discussions and particularly during your visit to India in January 1957, we were gratified to note that you were prepared to accept this line as representing the frontier between China and India in this region and I hope that we shall reach an understanding on this basis.

5. Thus, in these three different sectors covering such the larger part of our boundary with China, there is sufficient authority based on geography, tradition as well as treaties for the boundary as shown in our published maps. The remaining sector from the tri-junction of the Nepal, India and Tibet boundary up to Ladakh is also traditional and follows well defined watersheds between the river systems in the south and the west on the one hand and north and east on the other. This delineation is confirmed by old revenue records and maps and by the exercise of Indian administrative authority up to the boundary line for decades.

6. As regards Barahoti (which you call Wu-Je), I agree with you that its rightful ownership should be settled by negotiation. During the talks held last year, we provided extensive documentary proofs that this area has been under Indian jurisdiction and lies well within our frontiers. An on-the-spot investigation could hardly throw any useful light until proofs to the contrary could be adduced. Nevertheless, we were agreeable to both sides agreeing not to send their civil and military officials to the area. Unfortunately, your delegation did not agree to our suggestion. I learn that a material change in the situation has since been effected by the despatch of Chinese civil and military detachments, equipped with arms, to camp in the area after our own civil party had withdrawn at the beginning of last winter. If the reports that we have received about an armed Chinese party camping and erecting permanent structures in Hoti

during winter are correct, it would seem that unilateral action, not in accordance with customs, was being taken in assertion of your claim to the disputed area.

7. I do hope that a study of the foregoing paragraphs will convince you that not only is the delineation of our frontier, as published in our maps, based on natural and geographical features but that it also coincides with tradition and over a large part is confirmed by international agreements. I need hardly add that independent India would be the last country to make any encroachments beyond its well -established frontiers. It was in the confidence that the general question of our common frontier was settled to the satisfaction of both sides that I declared publicly and in Parliament on several occasions that there is no room for doubt about our frontiers as shown in the published maps. We thought that our position was clearly understood and accepted by your Government. However, as unfortunately there is some difference of views between our two Governments in regard to the delineation of the frontier at some places, I agree that the position as it was before the recent disputes arose should be respected by both sides and that neither side should try to take unilateral action in exercise of what it conceives to be its right. Further, if any possession has been secured recently, the position should be rectified.

8. You will appreciate that the continuing publication of Chinese maps showing considerable parts of India and Bhutanese territory as if they were in China is not in accordance with long established usage as well as treaties, and is a matter of great concern to us. As I said in my previous letter, we greatly value our friendship with China. Our two countries evolved the principles of Panch Sheel which has now found widespread acceptance among the other countries in the world. It would be most unfortunate if these frontier questions should now affect the friendly

relations existing between our countries. I hope therefore that an early understanding in this matter will be reached.

With kind regards,

Yours Sincerely,
(Sd.)JAWAHARLAL NEHRU

Note Verbale handed by the Ministry of External Affairs to the First Secretary of the Chinese Embassy in India on 17 December 1958.

The Government of India have received a number of reports of flight of foreign aircraft over Indian territory during October and November 1958. The details of these flights are given in the attached statement. As the planes in question were flying at a great height it was not possible to establish their definite identity, but the direction of the flights clearly indicated that they were Chinese aircraft coming from the Tibet region of China.

2. In view of the friendly relations between India and China and the mutual dedication to the principles of Panch Sheel, the Government of India cannot but believe that such violations of the air space over India must be accidental.

3. The Government of India, however, earnestly hope that the Government of the People's Republic of China will take early steps to ensure that such violations do not recur in future.

Statement of unauthorised flight of Chinese Aircraft over Indian territories.

Date	Time of flight	Place	Direction of flight
29-10-58	10.30a.m. to 10.45 a.m.	Spiti Valley (Punjab) and Himachal Pradesh	Came from Western Tibet side and returned towards Gartok (W.Tibet)
29-10-58	11.30a.m.	Chini(Himachal Pradesh)	North and North East
30.10.58	12.00 noon	"	"
31.10.58	09.00a.m.	"	"
1.11.58	09.30 a.m.	"	"

New Delhi,
16 December 1958

**Note of Chinese Government given to the Counsellor of India, 12
January 1959**

The Government of the People's Republic of China has received the note verbale handed over by the Ministry of External Affairs of India to Chinese Embassy in India on December 16, 1958. The Indian Government stated in the note verbale that flights of foreign aircraft over Indian territory occurred during October and November 1958, that it did not know the

nationality of those aircraft but that it was of the opinion that they were Chinese aircraft coming from the Tibet region of China judging from the direction of the flights.

Investigations have been carried out by the Chinese Government on the basis of the data regarding time and place provided by the Indian Ministry of External Affairs in the annex to its note verbale, and it has been established that no flights of Chinese aircraft took place over the western border area of the Tibet region of China at the said times. The Chinese Government is devoted unswervingly to the Five Principles of peaceful co-existence and has on this basis made untiring efforts for the promotion of friendly relations between China and India. The Indian Government may rest assured that the Chinese Government definitely would not permit its aircraft to fly into the airspace of its friendly neighbours without the consent of the government concerned.

At the same time, the Chinese Government would like to inform the Indian Government of the following facts: During 1958, particularly during October and November 1958, the Chinese Government repeatedly received reports to the effect that foreign aircraft intruding into Chinese air space were observed at Gargunsa, Gartok, Gyanima and other places in the western part of the Tibet Region of China. Some of these aircraft flew from the direction of India while other flew towards India. Foreign aircraft intruding into Chinese air space were also discovered in other parts of the Tibet region of China, in the area of Yatung, Phari and Gyantse and in the vicinity of Chayul. The Chinese border troops were not able to identify the nationality of these planes; however considering the direction of their flights and the fact that the places where they appeared are close to India, the Chinese Government, in the spirit of friendship and co-operation between China and India, would like to draw the attention of the Indian Government to the above-mentioned circumstances. If these are Indian planes, it is hoped that the Indian Government would take

necessary measures to prevent recurrence of such incidents. If these are not Indian planes, it is also hoped that these incidents would arouse the common vigilance of the Indian Government as well as the Chinese Government.

Note given by the Foreign Office of China to the Counsellor of India, 10 July 1958.

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of the Republic of India in China and has the honour to state as following regarding the exigency of the stepped up subversive and disruptive activities against China's Tibetan region carried out by the U.S. and the Chiang Kai-Shek clique in collusion with fugitive reactionaries from Tibet using India's Kalimpong as a base.

Since the peaceful liberation of Tibetan region of China, reactionaries who have fled from Tibet to Kalimpong area have been carrying on subversive and disruptive activities against China's Tibetan region under the instigation and direction of U.S. and the Chiang Kai -Shek clique in collusion with local reactionaries in Kalimpong. On visit in India at the end of 1956 Chou Premier Chou En-Lai called the attention of the Government of India and His Excellency the Prime Minister Nehru to this question. His Excellency the Prime Minister Nehru indicated at the time that if the Chinese Government could produce evidence in this regard, the Government of India would take action. Later, on 12 January 1958 Premier Chou-En-Lai referred again to this question in an interview with Ambassador R.K. Nehru. On 22 January 1958 the Ministry of Foreign

Affairs delivered to the Indian Embassy in China samples of a reactionary propaganda leaflet sent to Tibet from Kalimpong, which it had collected.

According to reliable material available to the Chinese Government the American Chiang Kai-Shek clique and local special agents and Tibetan reactionaries operating in Kalimpong have recently stepped up their conspiratorial and disruptive activities against the Tibet region of China. Using Kalimpong as a base they are actively inciting and organising a handful of reactionaries hidden in Tibet or an armed revolt there in order to attain the traitorous aim of separating the Tibet region from the People's Republic of China. The Chinese Government would like hereby to convey to the Government of India certain information concerning the activities of the said special agent and reactionaries in Kalimpong as follows:

1. Chief among Tibetan reactionary elements who have fled China are Gyalodenju, Shakapa, Losangjanzan, Thubten Nobo, Alohrze and Lukaniona. In collusion with American Chiang Kai-Shek clique and local special agents in Kalimpong they frequently hold meetings on Kalimpong and other Indian cities to plan disruptive activities against Tibet. Gyalodenju has been to the U.S. IN 1951. At the instance of the U.S. Thubten Nobo made a special trip from the U.S. to India in the winter of 1956 to take part in the conspiratorial moves of the other Tibetan reactionaries.

2. Under the manipulation of Gyalodenju and others, various reactionary organisations have been set up in Kalimpong under such names as "Tibetan Freedom League", "Kalimpong Tibetan Welfare Conference" and "Buddhist Association". These organisations are used for collecting intelligence from Tibet carrying out reactionary propaganda against Tibet and expanding the reactionary forces, etc.

3. There is openly published in Kalimpong the "Tibetan Mirror" a reactionary newspaper hostile to the Chinese Government and people. The Tibetan reactionaries and the organisations under their control also printed various reactionary leaflets and other propaganda materials and smuggled them into Tibet. Such newspapers and propaganda material spread vicious rumours and slanders against the Chinese Government, the Chinese Communist Party and the Chinese People's Liberation Army and fabricated all sorts of lies, moreover attempted to sow discord between the Han and the Tibetan nationalities of China, between the Chinese Central Government and the Tibetan Local authorities as well as between Dalai Lama and Panchen Lama. Some of the propaganda material even openly called on the Tibetan people to rise up against the Chinese Government and advocated the separation of Tibet from China. Gyalodenju, Shakapa Losangjanzen and others wrote to the Lamas of the three big monasteries in Tibet to entice them to participate in their subversive activities.

4. Taking advantage of the fact that Kalimpong is situated near Tibet and that few formalities are required for travel across the India-China's Tibet region border, the Tibetan reactionaries and Americans, Chiang Kai-Shek clique and local special agents in Kalimpong have continuously dispatched agents and saboteurs to Tibet to contact the Hidden reactionaries there. They smuggle weapons and ammunition into Tibet in preparation for armed revolt.

5. The Chiang Kai-Shek clique has special agents and organisations in Kalimpong. Among the leading agents is one called Yeh Cheng-yung. They also use Kalimpong as a base to collect intelligence from Tibet, smuggles arms, and despatch agents into Tibet and incite riots in Tibet. They maintain a close contact with the Tibetan reactionaries in Kalimpong and provide Gyalodenju with important maps of Tibet for military use.

The conspiratorial and disruptive activities against the People's Republic of China carried out by the above-said Americans, Chiang Kai-Shek clique and local special agents and Tibetan reactionaries in Kalimpong cannot but emerge the Chinese Government and people and put them alert. The Chinese Government regards the criminal activities of the above-said reactionaries and special agents as a direct threat to China's territorial integrity and sovereignty and yet another malicious scheme of United States imperialists to create tension in Asia and Africa. It cannot be overlooked that in using Indian territory adjacent to China to perpetrate disruptive activities against the People's Republic of China, the American and Chiang Kai-Shek clique special agents have also the hideous object of damaging China-India friendship. In order to shatter the underhand schemes of United States imperialists, defend China's territories integrity and sovereignty and safeguard China-India friendship, the Chinese Government hereby requested the Government of India to repress the subversive and disruptive activities against China Tibetan region carried out in Kalimpong by American and Chiang Kai-Shek clique special agents, Tibetan reactionaries and local special agents. China and India are co-initiators of the five principles of peaceful co-existence, to uphold and propagate which the Government of India has made unremitting efforts. The Chinese Government is confident that the Government of India, pursuing consistent policy of defending peace and opposing aggression, with accept its request and take effective measures.

Note sent by the Ministry of External Affairs to the Embassy of China in India, 2nd August 1958.

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 handed over on July 10, 1958, by His Excellency Lo Kwe Po, Vice-Minister of the People's Republic of China, to Shri K.M. Kannampilly, Charge d'Affaires of the Embassy of India at Peking, has the honour to state as follows:

2. As the Government of the People's Republic of China are aware, the Government of India attach the highest importance to friendly relations between India and China. This friendship is traditional and was emphatically reaffirmed in the agreement which was entered upon by the two Governments in 1954. This agreement enunciated the famous five principles which the Government of India faithfully follow in their relationships with China as with all other countries. The Government of India recognise that the Tibetan region is part of the People's Republic of China.

3. The Government of India were therefore greatly surprised by the note which the Government of the People's Republic of China handed over to the Indian Charge d'Affaires at Peking on July 10. They regret to say that the statements contained in this note must have been based on a complete misunderstanding of facts. The Government of India have no evidence that the US Government and the Kuomintang regime are using Kalimpong as a base for disruptive activities against China's Tibetan region. The Government of India will never permit any portion of its territory to be used as a base of activities against any foreign Government, not to speak of the friendly Government of the People's Republic of China.

4. As the Government of the People's Republic of China must be aware, from time immemorial, there has been inter-communication between India and the Tibet region of China through passes on the northern

frontier of India. In fact, for centuries the only feasible outlet for that region was through India. Movement of people between India and Tibet was free and easy. Most of the people living in Tibet region of China (hereafter referred to as Tibetans) who enter India come here either as traders or pilgrims. This fact was recognised in the 1954 agreement between India and the People's Republic of China. Many Tibetans have been settled in north east India for years. The Government of India have made it clear to all Tibetans that they will be permitted to stay in India only if they carry on their vocations peacefully.

5. The Government of the People's Republic of China have mentioned six persons by name in their note as among those who are carrying on anti-Chinese activities on Indian territory. Some of these persons have already been warned that if their activities, political or other, are such as to have adverse effect on the relations between India and China, the Government of India will take the severest action against them. The Government of India have no definite evidence that these persons have been indulging in unfriendly activities. Even so, the Government of India propose to warn them again.

6. In their note, the Government of the People's Republic of China state that various reactionary organisations have been set up in Kalimpong under different names. Enquiries made by the Government of India reveal that no organisations and associations with the names mentioned in the note are functioning in Kalimpong. So far as the Government of India are aware there are two associations in Kalimpong of people who formerly lived in the Tibet Region of China namely, the Tibetan Association and the Indian Tibetan Association. The First named association has been in existence for about 25 years, the second was formed in September 1954. The aims and objects of both these associations are religious, cultural and social, such as promoting study of Buddhism or rendering medical aid to Tibetans, arranging their funeral rites etc. The Government of India are

not aware that these two associations have been indulging in any undesirable activities such as those mentioned in the Chinese Government's note.

7. The Government of the People's Republic of China refer to a newspaper named the "Tibetan Mirror". There is no daily and weekly newspaper of that name published in Kalimpong. A monthly periodical called the "Tibetan Mirror" is published there. The editor of this newspaper is not a Chinese but an Indian national. The Government of India have noted with displeasure that some of the articles published in this periodical are objectionable and calculated to affect the friendly relations between India and China. The Law in India is, however, such that it is not easy to take executive or legal action against newspapers and periodicals of this character. There are others newspaper in India which severely criticize other friendly Governments. In fact, strong criticism are voiced by some newspapers against the Government of India themselves. However the Government of India are most anxious that an unimportant magazine like the 'Tibetan Mirror' should not adversely affect the relations between our two friendly countries and are directing their local officers to administer a severe warning to this periodical. If it continue to create mischief, the Government of India will take whatever other action is feasible.

8. The Government of the People's Republic of China have stated in their note that taking advantage of the liberal travel regulations across the border of India and the Tibet region of China near Kalimpong, weapons and ammunition have been smuggled into Tibet by Tibetan reactionaries, the Americans and followers of the Kumintang regime. Both the Government of the People's Republic of China and the Government of India have got customs Posts and Check Posts on this border. Officers of the Posts under the Government of India have got strict instructions to be particularly vigilance regarding the possible smuggling of articles like arms and ammunition which are contraband according to Indian law. No

case of such smuggling of arms and ammunition has been detected by these Indian Check Posts in locality.

9. The Government of the People's Republic of China have, in their note, referred to the photostat copy of a leaflet in Tibetan Language handed over by them to the Indian Embassy at Peking. Though this leaflet was handed over on the 22nd January, 1958, the date of its publication given at the bottom is 17 December, 1956. This was the time when all manner of People from Tibet came to India in connection with Buddha Jayanti celebrations and the visit of His Holiness the Dalai Lama. At about this time the Prime Minister of India discussed the entire situation in the Tibet region of China and other relevant matters with His Excellency Premier Chou En-Lai. The Government of India didn't, therefore, attach any great importance to the circulation of this particular leaflet that it was issued by the "Tibetan Welfare Association". It has already been stated that in this note that, according to Government of India's information, no association with this name is functioning in Kalimpong.

10. The Government of the People's Republic of China have stated that there are special agents of the Kuomintang regime in Kalimpong. Their note, however, mentions only one name, namely, Yeh Cheng-Yung. The Government of India have not been able to trace any such individual in Kalimpong and a preliminary examination of their records shows that no visa to enter India has been issued to any individuals of that time. Even so, the Government of India are pursuing their enquiries and will communicate the results later to the Embassy of the people's Republic of China at New Delhi.

11. The Government of India reiterate their friendship for the people and the Government of the People's Republic of China. They have no doubt that the Chinese Government's note is based on misinformation and express the hope that, in the light of the facts now mentioned, the

Government of the People's Republic of China will feel assured that India does not and will not permit any activities on its territory directed against the People's Republic of China and that the Government of India are determined to take action under the law of the country against those who indulge in any such illegal activities.

The Ministry of External Affairs of the Government of India takes this opportunity of renewing to the Embassy of the People's Republic of China the assurances of its highest Consideration.

Statement made by the Chinese Ambassador to the Foreign Secretary, 3 August 1958

Tibetan reactionary elements have recently set up in Kalimpong an organisation named "Committee for giving support to resistance against violence". The organisation is now engaged in a signature movement. At the end of July nearly all the Tibetan aristocrats in Kalimpong, rebels from Szedchuan and Sikang province, the Lamas and nearly all the members of the Tibetan Association and the Indian Tibetan Association put their signatures on a petition. Some of the signatories were compelled to give their signatures.

On the 29th July, fifteen aristocrats and rebels from Tibet held a meeting. The following are the names of some of the persons who were presents:

- 1.Khan Chung Sagapa
- 2.Avang Tum Jum.
- 3.Sokhang Khen Chung.
- 4.Chiang Pa Wang Tui.
- 5.Chiang Pa Tsin Liang.

They passed a resolution at that meeting a favour of sending an appeal to various countries in the world. The meeting decided to send out the appeal on the 18th June according to the Tibetan Calendar, which corresponds to 3rd August, i.e. today. It is stated that after the appeal has been sent, a demonstration will be organised. The main contents of the appeal are a request to the various countries to give assistance and support to the independence of Tibet. In the appeals there would be slanders against China and against the People's Liberation Army.

Statement by the Vice-Minister for Foreign Affairs of China to the Indian Ambassador, 22 March 1959.

We have received a report from our Foreign Affairs Bureau in Lhasa that they were going to meet the Indian Consul General in Lhasa and convey to him following three points:-

1. The Local Government in Tibet under instigation and support of the imperialists and foreign reactionary elements have torn up the agreement on the peaceful liberation of Tibet and begun armed revolt by attacking Government offices of the central Government troops. The Central Government of our country never permit such high treason of the local Government of Tibet and we are certain to put down this revolt. This is entirely an internal affair of China and we shall never permit interference from outside. Tibet is an integral part of China's territory and any intrigue aimed at splitting Tibet away from China is doomed to total failure.

2. We are willing to give protection to the functionaries of the Indian Consulate General at Lhasa and we hope that they will move into and live in the houses which we shall assign to them.

3. It is hoped that the Consul General of India in Lhasa will inform all Indian nationals in various parts of Tibet to abide by the Chinese Laws and, as far as possible, to stay indoors where the revolt is taking place so that no accident may occur. Wherever we have our troops stationed we shall do our best to give protection to Indian nationals. It will be better for Indian nationals to move away from those centres where there are no Central Government troops.

**Statement made by Foreign Secretary to the Chinese Ambassador,
26 April 1959**

On the 3rd April the Foreign Secretary informed His Excellency the Ambassador that the Dalai Lama with a small party had entered Indian territory on the 31st March. The Dalai Lama had earlier sent a message to the Government of India asking for Political asylum in India. The Government of India had, in accordance with international usage, allowed the Dalai Lama and his party to cross into Indian territory and stay in India. The Dalai Lama has since moved with his entourage to Mussoorie where necessary arrangements have been made by the Government of India for his residence.

2. During the last few days a considerable number of other Tibetans have also crossed into Indian territory and sought refuge here. The Government of India have issued strict instructions to disarm such of these persons as are armed.

3. When news was first received of Dalai Lama's entry into India, the Government of India considered it necessary to send a senior officer of the Ministry of External Affairs to the NEFA to meet him and take charge of all arrangements connected with his travel. This officer had the advantage of knowing the Dalai Lama personally, having served as Indian Consul General in Lhasa some years ago. Certain security precautions had to be taken. It was also essential to prevent the Dalai Lama from being troubled by a large number of press correspondents and other elements until after he had some rest and overcome the effects of the physical and mental strain which he had recently undergone. The Dalai Lama reached Mussoorie on April 21.

4. The Government of India have now seen recent reports of speeches delivered in the current session of the National People's Congress in Peking. They have read these reports with regret as they contain unbecoming and unjustified attacks on the Government of India and their officials and certain allegations which are patently untrue. Thus, it is stated that the Dalai Lama continues to be under duress and that the statements made by him are imposed on him by foreigners. Reference has also been made to so-called "Indian reactionaries" who are supposed to be "working in the footsteps of the of the British imperialists and have been harbouring expansionist ambitions towards Tibet."

The Government of India are distressed to see these reports and to notice that a furious and unworthy campaign has been stated in the press and the radio in Peking, the effect which can only be to do incalculable damage to the friendly relations between India and China. The Government of India would like to state categorically that the statements by the Dalai Lama are entirely his own and no official of theirs was in any way responsible for them. The Dalai Lama was allowed to enter India at his own request; he is acting entirely on his own and is free to return to his country any time he wishes to do so. If the Chinese Government want to satisfy themselves on this point, they are welcome to send their

Ambassador in India or any other emissary to meet the Dalai Lama and necessary facilities will be given to the emissary to discuss with him and ascertain his wishes.

5. The Prime Minister met the Dalai Lama at Mussoorie on the 24 April and had a long talk with him. No member of the Dalai Lama's party was present at this interview. The Dalai Lama assured the Prime Minister that he left Lhasa of his own free will. It appeared to the Prime Minister that the Dalai Lama is still suffering from the after-effects of the great physical and mental strain which he had undergone and has not yet had time to think of his future course of action.

6. It is well –known that India has had long standing religious and cultural contacts with the people of Tibet and the people of India are interested in developments there. India has had and has no desire to interfere in internal happenings in Tibet. Because of old contacts, recent tragic events in Tibet have affected the people of India considerably, but it has been made clear by the Prime Minister that there is no question of any interference in the internal affairs of Tibet. As the Government of the People's Republic of China are no doubt aware, there is by law and constitution complete freedom of expression of opinion in Parliament and the press and elsewhere in India. Opinions are often expressed in severe criticism of the Government of India's policies, as well as other opinions with which the Government are not in agreement.

7. The Prime Minister has declared in Parliament that the Dalai Lama will be accorded respectful treatment in India, but he is not expected to carry on any political activities from this country. The Government of India consider it most unfortunate that the fact of their having given asylum to the Dalai Lama, in exercise of their sovereignty and in accordance with well-known international usage, should have led responsible persons in

China to make serious allegations which are unbecoming and entirely void of substance.

Note of the Government of China, 27April 1959 to the Ministry of External Affairs, New Delhi

The Embassy of the People's Republic of China in India presents its compliments to the Ministry of External Affairs of the Republic of India, and hereby lodges the following serious protest with the Ministry regarding the occurrence in Bombay of Indians insulting the head of state of the People's Republic of China.

At about 4:40 on the afternoon of the 20th April, 1959, in Bombay there were about 80 Indians claiming themselves to be members of the Socialist Party, came to the Consulate General of the People's Republic of China at Bombay, demonstrated and shouted slogans in front of the Consulate-General and some of them made speeches. They branded China's putting down of the rebellion in her own territory, the Tibet Region, as imperialists action and made all sorts of slanders. What is more serious is that they pasted up a portrait of Mao Tse -Tung, Chairman of the People's Republic of China, on the wall of the Chinese Consulate-General and carried out wanton insult by throwing tomatoes and rotten eggs at it. While these ruffians were insulting the portrait, the Indian Policemen stood by without interfering with them, and pulled off the encircling spectators for the correspondents to take photographs of it. After the ruffians had left, the police officer once again allowed people to take photographs of the portrait and then tore it down and took it away. Such an act pasting up the portrait of the Chairman of the People's Republic of China on the wall of the Chinese Consulate- General and throwing tomatoes and rotten eggs at it is huge insult to the head of state of the People's Republic of China and the respected and beloved leader of the Chinese people. And while the ruffians were insulting the portrait of

the Chairman of the People's Republic of China, the policemen of the Bombay local authorities not only didn't interfere but pulled off the encircling spectators for correspondents to take a photographs of it. After the ruffians had left the Police officer once again allowed people to take photographs of the portrait and then it tore it down and took it away. It is evidently an act of connivance. For this the Chinese Government cannot but express its indignation and hereby lodges a serious protest. The Chinese Government requests that the Government of India speedily deals with the matter of insult to the head of the state of the People's Republic of China and makes a speedy reply. Such a matter of huge insult to the head of state of the People's Republic of China is what the masses of the six hundred and fifty million Chinese people absolutely cannot tolerate, and it must be reasonably settled, otherwise the Chinese people cannot come to a stop with regard to the matter. In case the reply from the Indian Government is not satisfactory, the Embassy is instructed to make it clear that the Chinese Government will again raise this matter to the Indian Government, and the Chinese side will never come to a stop if without a satisfactory settlement of the matter, that is to say, never stop even for one hundred years.

Note of the Government of India, 30 April 1959

The Embassy of India, Peking, present their compliments to the Foreign Office of the Government of the People's Republic of China and with reference to the note no. M/129/59 presented to the Ministry of External Affairs of the Government of India on April 27 by the Chinese Embassy, New Delhi, have the honour to state that investigations have been made into the facts relating to the incident referred to in the note. These facts,

which are not wholly as stated in the note of the Embassy, are given below.

2. On the 20th April 1959, a demonstration was organised by the Socialist Party, Bombay branch. About 75 persons went in procession from headquarters of the party to the premises of the Chinese Consulate in Bombay. The processionist carried some placard and shouted slogans. A detachment of the Bombay Police accompanied the procession to prevent violence or any untoward incident. As the procession was otherwise peaceful, the Police couldn't prohibit altogether. Near the Gate of Consulate building, one of the processionists took out a bunch of memoranda and started distributing them. He also gave a number of these memoranda to some others in the procession for pasting them on the wall and the gate of the Consulate building. The Police intervened to prevent this, but suddenly they noticed another person in the procession affixing something on the compound wall. They ran to intervene, but before they succeeded in reaching the particular spot, they found that a small picture of Chairman Mao Tse-Tung had already been affixed and a few tomatoes and two eggs had been hurled at the picture. The Police officers present stood in front of the picture to save it from further desecration and ordered one of their men to remove it. The picture was on the wall only for a minute or two and was removed by the Police. A number of press photographers accompanied the procession and were taking photographs and it is possible that one of them manage to get a snap shot of the particular picture.

3 As a result of the full investigations made by them, the Government of India are satisfied that the Police did not connive at the deplorable behaviour of some of the demonstrators. On the contrary, they intervene immediately the particular incident came to their notice and sought to stop further mischief. It is not a fact that the Police cleared the way for

photographers to take photographs of the picture of Chairman Mao Tse-Tung.

As the Chinese Government are probably aware, the Chinese Consulate is situated at one of the busiest traffic corners in Bombay. In fact, since the demonstrators were obstructing the traffic, the police endeavoured to clear the way and many of the demonstrators were pushed to the opposite side of the road.

4. The Chinese Government are, no doubt, aware that under the law in India processions cannot be banned so long as they are peaceful. Indeed in Indian cities processions and demonstrations are not unusual. Not unoften they are held even near the Parliament House and the processionists indulge in all manner of slogans against high personage in India. Incidents have occurred in the past when portraits of Mahatma Gandhi and the Prime Minister were taken out by irresponsible persons and treated in an insulting manner. Under the Law and Constitution of India a great deal of latitude is allowed to the people so long as they do not indulge in actual violence.

5. The Government of India would like to point out that the particular procession in Bombay referred to in the Chinese Embassy note was organised by a party called the Socialist Party which broke away some years ago from the major Socialist Party in India, namely the Praja Socialist Party. This splinter party consists of a small group of irresponsible persons who have no importance in the country and do not in any way reflect the standard of conduct followed by the major political parties in India. In fact it is definite programme of this party to indulge in highly objectionable behaviour towards Government.

6. Whatever the circumstances and facts, the Government of India deeply regret that discourtesy was shown to a picture of Chairman Mao Tse-Tung, the respected head of a State with which India has ties of

friendship. The incident is undoubtedly deplorable, but as stated above, it is the act of a few persons and there was no question of connivance of the Police or Government.

7. The Prime Minister has already expressed the deep regret of Government at this incident in his statement in the Lok Sabha on the 27th April.

8. The Government of India would like to add that while they can understand and appreciate the resentment of the Chinese Government at such an incident, they regret the language used in the Chinese Embassy's memorandum.

Statement made by the Chinese Ambassador to the Foreign Secretary, 16 May 1959

Since March 10, 1959 when the former Tibet Local Government and the Tibetan upper class reactionary clique unleashed armed rebellion, there have appeared deplorable abnormalities in the relations between China and India. This situation was caused by the Indian side, yet in his conversation on April 26, 1959 Mr. Dutt, Foreign Secretary of the Minister of External Affairs of India, shifted responsibility onto the Chinese side. This is what the Chinese Government absolutely cannot accept. The Tibet Region is an inalienable part of China's territory. The quelling of the rebellion in the Tibet Region by the Chinese Government and following that, the conducting by it of democratic reforms which the Tibetan People have lodged for, are entirely China's internal affairs, in which no foreign country has any right to interfere under whatever pretext or in whatever

form. In Tibet, just as in other national minority areas in China, regional national autonomy shall be implemented as stipulated in the Constitution of the People's Republic of China. In this matter which is purely China's internal affairs, the Chinese Government has no other obligation to give assurances to any foreign country, nor can it tolerate others under the pretext of so-called different interpretation of autonomy, to obstruct the Chinese Government's exercise of its state sovereignty in the Tibet Region to make Tibet semi-independent or even to turn it into a sphere of influence of a foreign country or buffer zone.

The above –said is self evident and undeniable. Nevertheless, there appeared in India, before and after the outbreak of the rebellion in Tibet, large quantities of words and deeds slandering China and interfering in China's internal affairs. Responsible persons of many Indian Political Parties, including the National Congress, and not a few Indian publications openly called Tibet a "country", slandered the Chinese Government's putting down the rebellion in Tibet as "practising banditry and imperialism", demanded that the Tibet question be submitted to the United Nations and even proposed the holding of a tripartite conference of India, China and Tibet to settle the Tibet question which can only be handled by the Chinese Government. Most of the political parties in India went so far as to form organisations in support of the Tibetan rebels. Groups of ruffians were allowed to make provocations and disturbances in front of the Chinese Embassy and Consulates –General in India, and there even occurred the grave incident of insulting the head of state of China. These words and deeds were in the nature of serious interference in China's internal affairs and sabotage of Sino-Indian friendship, and this can not be alerted by recourse to any pretext, whether "freedom of speech" or any other "freedoms", even less can be the "feeling of kinship derived from long-established religious and cultural contacts with the Tibetan people" be a pretext for these words and deeds. It is obvious that the Chinese people likewise have a "feeling of kinship derived from long – established religious and cultural contacts" towards the Indian people, but

China has never used this as a pretext to interfere in India's internal affairs, and will never do so.

The Indian Government has recognised the Tibet region as a part of China's territory and has repeatedly declared that it has no desire to interfere in China's internal affairs. This was worthy of welcome.

Nevertheless, responsible members of the Indian Government, though they could not possibly be better acquainted with the situation in Tibet than the Chinese Government openly expressed doubts about documents published by China officially, refused to accept the Chinese Government's account of the facts, and asserted that the basis of the rebellion in Tibet "must have been a strong feeling of nationalism" and that the upper strata reactionaries in Tibet were not solely responsible for the rebellion. They even charged that "agreement between Tibet and China on the autonomous status of Tibet and the assurance given to India had not been kept by the Chinese Government, and described the Chinese Government's putting down the rebellion in Tibet as "armed intervention" and as "oppressing and suppressing" the Tibetan people. The Indian Government announced that it had granted political asylum to the Dalai Lama in accordance with international practice and stated that the "Dalai Lama was not expected" to engage in any political activities in India. This would not have caused any dispute. But on April 18 and 22, two statements advocating "independence of Tibet" and directing Wanton attacks on the Chinese Government were issued respectively in Tezpur and Mussoorie in the name of the Dalai Lama. What was particularly surprising, the so-called "statement of the Dalai Lama" of April 18 was not only distributed by an official of the Indian Ministry of External Affairs but also carried on official bulletins of Indian Embassies abroad. Such a line of action on the part of Indian Government could hardly be considered conformable to well-known international practice. The Indian Government insisted that the Dalai Lama was entirely responsible for the two traitorous statements issued by in his name. In that case, did not the impressive welcome extended to the Dalai Lama by the Indian

Government and the talks Prime Minister himself held with him mean giving a welcome to a Chinese rebel and holding a meeting with him? All these statements and actions of the Indian Government, no matter what the subjective intention might be, undoubtedly played an objective role of encouraging the Tibetan rebels.

The facts themselves have completely overthrown the allegation that there is no Indian interference in China's internal affairs. The Chinese Government and the people, having regard for the overall Sino-Indian friendship, for quite a long time exercised utmost forbearance in the hope that the words and deeds occurring in India interfering in China's internal affairs and detrimental to Sino-Indian friendship would end. To the contrary, however, the words and deeds against China and interfering in China's internal affairs coming from the Indian side went from bad to worse and developed to an intolerable extent. Only then did the Chinese people give the reply that was due, in order to safeguard their state sovereignty and oppose outside interference, and also to uphold the Five Principles of Peaceful Co-existence and Sino-Indian friendship. The Chinese People's is in the nature of reasoning and is well grounded on fact. All those who have the opportunity of reading a full report of the opinions of the Chinese People will arrive at this conclusion. It is unjustifiable that the Indian Government should have tried in various ways to defend the words and deeds of the Indian side interfering in China's internal affairs and impairing Sino-Indian friendship, while making charges against the proper reply of the Chinese People.

The Dalai Lama was abducted to India by the Tibetan rebels. A most strong proof of this is the three letters he wrote to General Tan Kuan – San, Acting Representative of the Central People's Government in Tibet, before he was abducted out of Lhasa. The so-called "statement of the Dalai Lama", which is full of loopholes, instead of being capable of making one believe that the Dalai Lama is now able to act on his own volition, precisely serves to show that he is still being surrounded and under control. The Chinese Government is greatly concerned about the situation

of the Dalai Lama. It is, however, futile for the Chinese Government to send someone to see the Dalai Lama before he has freed himself from encirclement and control. It would be even more appropriate for the Chinese Government to send someone to see the Dalai Lama, if, as alleged by the Indian Government, he was entirely responsible for the two statements betraying his motherland.

In its relation with India, China has consistently adhered to the Five Principles of Peaceful Co-existence and worked for the development of friendly co-operation between the two countries. China has always held that every thing must be done to safeguard the friendly relations between the two great Asian countries, and the Indian Government has failed to give a satisfactory reply on the Bombay incident of insulting the Head of State of China, the Chinese side is willing to stop its rebuff as soon as the Indian side stops its words and deeds against China and interfering in China's internal affairs. Prime Minister Nehru has now expressed the wish to end this argument and called on Indian newspapers to exercise restraint and wisdom, this is worthy of welcome. It is the hope of the Chinese Government that the dark clouds overcasting Sino-Indian relations for a time will speedily disperse and that, through the current trial, Sino-Indian friendship, which is of long standing and based on the Five Principles, will develop even better.

On the whole, India is friend of China, this has been so in the past thousand and more years, and we believe will certainly continue to be so in one thousand and more years to come. The enemy of the Chinese people lies in the East-the U.S. imperialists have many military based in Taiwan, in South Korea, Japan and in the Philippines which are all directed against China. China's main attention and policy to struggle are directed to the east, to the west Pacific region, to the vicious and aggressive U.S. imperialism, and not to India or any other country in the southeast Asia and South Asia. Although the Philippines, Thailand and Pakistan have joined the SEATO which is designed to oppose China, we have not treated

those three countries as our principal enemy; our principal enemy is U.S. imperialism. India has not taken part in the Southeast Asia Treaty; it is not an opponent, but a friend to our country. China will not be so foolish as to antagonize India in the west. The putting down of the rebellion and the carrying out of democratic reform in Tibet will not in the least endanger India. You can wait and see. As the Chinese proverb goes "the strength of a horse is borne out by the distance travelled, and the heart of a person is seen with the lapse of time". You will ultimately see whether relations between the Tibet region of China and India are friendly or hostile by watching three, five, ten, twenty, a hundred years. We cannot have two centres of attention, nor can we take friend for foe. This is our state policy. The quarrel between our two countries in the past few years, particularly in the last three months, is but an interlude in the course of thousands upon thousands of years of friendships between the two countries and does not warrant a big fuss on the part of the broad masses and the Government authorities of our countries. The principles, position and distinctions between right and wrong as set forth in the foregoing paragraphs have to be set forth; otherwise the current difference between our countries cannot be resolved. But so far as the extent of the implication of those words is concerned, it is only temporary and local; that is to say, they refer only to a temporary difference between our two countries and concern solely the region of Tibet. Our Indian friends! What is your mind? Will you be agreeing to our thinking regarding the view that China can only concentrate its main attention eastward of China, but not south-westwards of China, nor is it necessary for it to do so. Chairman Mao-Tse Tung, the leader of our country, talked on many occasions with Mr. R.K. Nehru, former Indian Ambassador to China, who could well understand and appreciate it. We do not know whether the former Indian Ambassador conveyed this to the Indian authorities. Friends! it seems to us that you too cannot have two fronts. Is it not so? If it is, here then lies the meeting point of our two sides. Will

you please think it over? Allow me to take this opportunity to extend my best regards to Mr. Jawaharlal Nehru, the leader of India.

**Statement of the Foreign Secretary to the Chinese Ambassador,
23 May 1959**

The statement made by the Chinese Ambassador to the Foreign Secretary has been considered. The Foreign Secretary has been directed to make following reply to the Chinese Ambassador:-

1 -The Government of India have learned of this statement with regret and surprise. It is not only not in consonance with certain facts, but is also wholly out of keeping with diplomatic usage and the courtesies due to friendly countries. It is matter of particular surprise and disappointment to them that a Government and people noted for their high culture and politeness should have committed this serious lapse and should have addressed the Government of India in a language which is discourteous and unbecoming even if it were addressed to a hostile country. Since it is addressed to a country which is referred to as friendly, this can only be considered as an act of forgetfulness.

2- We have no desire to enter into a lengthy argument about facts or opinions, much less about the discourteous language used in the statement made on behalf of the Chinese Government. It has been the consistent practice of the Government of India to treat other countries with courtesy and friendliness, even though any country might express opinion opposed to theirs. With China they have endeavoured to maintain and develop friendly relations, and they propose to continue to do so in spite of the discourtesy shown to them by the Chinese Government. This

is in consonance with India's past culture and background and Mahatma Gandhi's teachings.

3 -In so far as facts are concerned, the Prime Minister made a statement in the Lok Sabha on April 27, 1959, as well as on some subsequent occasions. Those statements give a correct narration of facts, and the Government of India stand by them. They can only regret that the People's Government of China is unable to accept these facts.

4- The Government of India, realise that the system of Government in China is different from that prevailing in India. It is the right of the Chinese people to have a Government of their choice, and no one else has a right to interfere. In India, unlike China, the law recognises many parties, and gives protection to the expression of different opinion. That is a right guaranteed by our Constitution and, contrary to the practice prevailing in China, the Government of India is often criticized and opposed by some sections of the Indian people. It is evident that this freedom of expression, free press and civil liberties in India are not fully appreciated by the Government of China, and hence misunderstandings arise. So far as the Parliament of India is concerned, it is a sovereign body, and each one of its 750 members has perfect freedom to express his or her opinion under the protection of law, whether anyone likes it or not. The People's Government of China should understand that this is a sovereign Parliament of a sovereign country and it does not submit to any dictation from any outside authority.

5 - From the statement on behalf of the People's Government of China, it appears that, according to them, the Panchsheel or the Five Principles of Peaceful Co-existence may or may not be applied according to convenience or circumstances. This is an approach with which the Government of India are not in agreement. They have proclaimed and adhered to these Principles as matter of basic policy and not of opportunism. They will continue to hold to these principles and endeavour to apply them according to their own thinking.

6- The Government of India do not consider or treat any other country as an enemy Country, howsoever much it may differ from it. It is their constant endeavour to develop friendly relations with all countries and try to remove tensions, bitterness and ill-will, while adhering to the policy they consider right. In particular, they have endeavoured to cultivate the friendship of the Chinese people and Government in spite of difference of opinion. They have avoided interference with China's internal affairs. They will continue this policy, but this must not be understood to mean that the Government of India will discard or vary any of their own policies under any pressure from outside.

Note given by the Ministry of External Affairs to the Chinese Counsellor in India, 24 July 1959

The attention of the Government of India has been drawn to recent articles being circulated in the Tibet Region of China, which contain false statement and are, therefore, likely to create grave misunderstanding between India and China.

2. The 'Lhasa Daily' in Tibetan language, on 23rd June, published an article entitled "Gyantse in the history of imperialist design in Tibet". The article gives details of the invasion of Gyantse by British troops in 1904, and proceeds to state as follows:-

" The Place immediately near to the British Imperial Cemetery is the cantonment of Indian Army stationed at Gyantse. The 1954 Agreement between India and China on trade and intercourse specified the withdrawal of the Indian troops from Gyantse. The People of Gyantse

could clearly see that the legacy of British imperialism in Tibet was inherited by the Indian expansionist element. During the course of their stay at Gyantse, the Indian army forcibly took foodgrains and fodder from the people of Gyantse. The people were forced to do corvee work for them, they had to provide supply transport, firewood, servants, etc, in return for nothing to the Indian army. The Indian troops were fond of riding military horse, and they rode rough shod the green fields of the people and thus destroying the autumn harvest. Officers and men of the Indian troops visited the traitor Phala and held parties and games of Majong. These evil deeds of the Indian Army are very much resented by the people of Gyantse. And though the fire of their anger was burning in the stomach, there was no opportunity for the smoke to come out of the mouth.”

3. Similarly an article about Chumbi valley appeared on the 15th June which inter alia stated as follows:-

“According to Tsewang, formerly when they suffered from any ailment, they had not only to send a servant and a horse to fetch the doctor, but the fee charged by the doctor was exorbitantly high. The poor man was helpless to provide such luxury and so when a poor men fell ill, the inevitable was death.”

4. The extracts quoted above are factually and historically incorrect. They are obviously intended to damage the friendly relations between the people of India and nationals of the People’s Republic of China. The Government of India emphatically protest against such articles being published in areas where the press is officially controlled and would request that steps be taken to stop such deliberately hostile propaganda against India.

Aide Mémoire given to the Embassy of China in India, 23 March 1959

Under Article 1(2) of the 1954 Agreement between India and China pertaining to the Tibet Region, the Government of the People's Republic of China agreed inter alia to the establishment of an Indian Trade Agency at Gyantse. Further, according to the letters exchanged in pursuance of this Agreement, the Government of India were permitted to retain the buildings and the right to lease land within the bounds of the existing Agencies.

2. Unfortunately, the entire Trade Agency buildings in Gyantse belonging to the Government of India were washed away with the loss of several lives including that of the Trade Agent in the unprecedented floods of July 1954. Ever since, the Government of India has been endeavouring to reconstruct the Trade Agency building for the proper functioning of trade agency at Gyantse. But a variety of difficulties have been experienced locally and thus the commencement of the reconstruction of the Agency prevented.

3. The Local authorities in the Tibet region had informed us that no construction could be undertaken without their prior approval and scrutiny of plans. Though no such restriction except in terms of municipal bye-laws is placed in India, the prescription of prior scrutiny was accepted and plans of the new Trade Agency buildings were submitted to the Sub-Office of the Foreign Bureau in Gyantse in August 1958.

4. As stated above, the letters exchanged recognise the right of the Government of India to continue to lease and retain the buildings on the

existing premises. Notwithstanding this fact, only towards the end of 1957 the Consul-General in Lhasa was informed that the existing lease which was valid upto 1971 could not be accepted by the Chinese authorities since it was concluded with the previous regime. Although our legal advice confirmed the continuing validity of the lease held by the Government of India, in deference to the wishes of the local authorities we agreed to execute a new lease deed with the owner of the land.

5. The Government of India engineer who visited Gyantse in connection with the plans for the new construction found that the floods in the adjacent river had already scoured a substantial part of the lease land. In the absence of the any plans by the local authorities to control the channel of the river and prevent recurrence of damage through floods, the Government of India accepted the recommendation of the engineer and decided to construct protective embankments to ensure the future safety of the leased property. This decision was conveyed to the Foreign Bureau of Lhasa as well as to the Chinese Government through the Indian Embassy in Peking, and permission was sought for the leasing of some additional land considered necessary and the authorisation of the construction of the protective works.

6. In July 1958, the Indian Embassy in Peking were informed by the Government of China that there would be no objection, in principle to the construction of the proposed protective embankments and that construction might be taken in hands without the detailed finalisation and the execution of the lease –deed. However, when the Indian Consul-General in Lhasa broached the subject with the Chinese Foreign Bureau with a view to initiating preliminary construction work, he was verbally informed that it would not be possible to agree to the protective works lest they should endanger the safety of the bridge and do damage to the portion of the Gyantse village which lay further down-stream.

7. In view of this reservation, an Indian engineer was again instructed to proceed to Gyantse to explain on the spot that the proposed protective works were in no way likely either to endanger the bridge or to damage the property in the village. Although detailed explanations were furnished to the two representatives and an engineer of the Chinese Foreign Bureau in Gyantse, no agreement was forthcoming.

8. After a lapse of another two months, the Chinese Foreign Bureau informed the Consul-General in Lhasa that they could not agree to the plan of the protective works and sought modification of the plan if immediate construction was to be taken in hand. Notwithstanding the fact that the plan which had been earlier explained was not only economical but, according to our engineers in no way likely to damage other properties, the Government of India instructed their engineers to prepare revised plans. This second set of plans has now been finalised. They envisage only a protective wall along the leased land, do away with the necessity of spurs and additional land and are not calculated to deflect the course of the river in any way. The blue prints of the revised plan have now been transmitted for presentation through the Consul-General in Lhasa.

9. Ever since the destruction of the Indian property in Gyantse the officers and staff of the Trade Agency have been living in the most unsatisfactory and unhygienic conditions. There are inadequate office and residential buildings inevitably causing great hardship to the staff of the Agency. In the climatic conditions of Gyantse, which lies at a height of 14,000 feet, inadequate housing facilities inevitably cause great hardship to our staff.

10. The Government of India are most anxious that the construction of the new Trade Agency building and the protective works should commence in May 1959 and urge that the Government of the People's Republic of China should give the necessary instructions to authorise the immediate

construction of the buildings and the protective works. Further to facilitate construction, it is also urged that the local authorities may be instructed to give help in procuring timber, stones and bricks and in making available the necessary transport for construction work. If a further technical discussion of the blue prints of the protective works is considered essential, the Government of India are prepared to depute an engineer to meet his duty authorised counterpart from the Chinese side at the beginning of April either in Gyantse or in Lhasa to enable a final decision being taken on the spot.

11. Commensurate with the friendly relations existing between India and China, it is imperative that the representatives of the two countries should be given the necessary housing facilities for their functioning and the full discharge of their duties to promote understanding, trade and cultural contact between their two peoples. As far as the Government of India are aware, no serious difficulties have arisen in finding satisfactory housing and office accommodation for the Chinese diplomatic, consular and trade mission in India. The Government of India trust that such difficulties as are listed above in the case of the Gyantse Trade Agency will be removed and particularly the necessary construction of protective embankments and the commencement of building of the Agency during the coming working season authorised.

Aide Mémoire given to the Embassy of China in India, 23 March 1959

The Indian Trade Agency building at Gyantse in the Tibet region of China was washed away during the unprecedented floods of 1954. The question

of reconstruction of the Trade Agency and the necessary river embankment to protect the property from similar floods has been taken up from time to time with the officials of the People's Republic of China. A full statement of the case with a request for necessary authorisation for the construction of the protective works and help in the construction is being presented to the Embassy separately.

Pending the construction of the new premises, it is necessary to give some immediate relief for improvement of office accommodation and housing facilities of the Trade Agent and his staff. At present the Agency has been accommodated in a small rented building insufficient in space and unsuitable for healthy habitation. From time to time attempts Attempts have been made locally by the Indian Trade Agent to hire additional accommodation and the matter has been brought to the attention of the sub-office of the Foreign Bureau in Gyantse. So far there is no appreciable improvement and in the meanwhile the Trade Agent and his staff are experiencing great difficulty particularly in the hard climatic conditions of Gyantse.

While construction of the New Agency will inevitably take some time, the Government of India strongly urge the Government of the People's Republic of China to instruct their local authority to help the Trade Agent immediately in hiring additional accommodation to meet the reasonable requirements of the Trade Agency. The Government of India are informed that with the co-operation of the local authorities it should be possible to get on lease suitable premises locally.

Letter from the Consul-General of India in Lhasa to the Foreign Bureau in Tibet, 13 May 1959.

On the 27th April 1958, I discussed with you the question of Ladakhi Lamas and Muslims of Jammu and Kashmir origin. You stated then that there were some Lamas from Ladakh but no one was in possession of any visaed documents. You enquired about the manner and the dates of arrival of certain other Indian Muslim nationals from Kashmir. I have looked into the position which appears to be as follows: -

Ladakhi Lamas and Muslims of Jammu and Kashmir origin have traditionally come to Tibet without any restriction or formality. Most of these people had been residing in the Tibet region of China for some time before the Sino-Indian Agreement of 1954 was concluded.

The former local Government of Tibet always treated the Muslims of Kashmir origin as foreigners and as distinct from their own nationals.

These Kashmiri Muslims never declared themselves as Tibetan or deliberately renounced their Indian nationality. In fact these Kashmiris selected their own headmen who is called Khachi Ponpo, literally meaning Kashmiri Officer. The former local Government had no hand in the selection of this officer; nor was the Khachi Ponpo treated as an official of the Tibetan Government or paid any remuneration by them. Khachi Ponpo, with the help of the few representatives of the community, settled the disputes between the Kashmiri Muslims. The Tibetan Government was only brought into the picture in case of a dispute between a Kashmiri Muslim and a Tibetan but any fine imposed on the Kashmiri Muslim used to be returned to the Khachi Ponpo. The position of the Kashmiri Muslims was similar to that of Nepalis trading in Tibet. In both categories the menfolk paid no taxes to the former local Government nor did they enjoy the right to own immovable property in Tibet. These people came and resided in Tibet only for the purpose of pursuing their trade and commerce.

Similarly a large number of the Kashmir Lamas had come to Tibet prior to this agreement and were visiting monasteries to pursue their theological studies. The Lamas who came to Tibet after the conclusion of the 1954 Agreement were here on legitimate pilgrimage and permits should have been issued by the authorities of the Tibet region of China. Pilgrims from India, under the Agreement are not required to hold any Government of India travel document.

The Agreement of 1954 does not specify any procedure in respect of the nationals of one country who had been residing in the other country prior to the Agreement. Thus it was for the Government of such country to prescribe the procedure to regularise the stay in their country of the nationals of the other country. To the knowledge of the Government of India no notification or declaration was made by the local authorities in the Tibet region of China requiring the persons of India origin residing in the Tibet region to obtain registration or traders certificates if they were not actually travelling across the border.

In fact, however, some of these people had registered themselves with the Indian Consulate-General long before the recent disturbances. It may be stated that in accordance with the laws and practice of India it is not obligatory for Indian nationals staying in foreign countries to register themselves with Indian Missions or Consulates in those countries. They are expected to fall in line with the practice prescribed for foreigners and would of course obtain an Indian nationality certificate if it was required by the local regulations. The position therefore is that these Lamas and Muslims have their origin in Jammu and Kashmir State in India, and, notwithstanding their long residence in Tibet or even marriage with Tibetans, they do not cease to be Indian nationals. Since no law or regulation has been announced and enforced previously by the local authorities of Tibet region of China, we do not agree with the contention that absence of travel documents deprives them of their Indian

nationality. Some of these persons, it is now understood, applied recently as Indian nationals and the seizure of their application forms would amount to interfering in their legitimate claims to be treated distinctly as Indian.

In view of the facts explained above, the Government of India urge that Ladakhi and Kashmiri Muslims and other Indians living in Lhasa and Shigatse should be treated as Indian nationals and their registration recorded accordingly.

It may be mentioned here that the Government of India do not regard the Chinese in India as Indian nationals merely on the ground of their long residence in India unless they have formally obtained naturalisation certificates according to the Indian laws after renouncing their former nationality.

Informal Note given by the Government of India to the Chinese Counsellor in India, 8 July 1959

Apart from the Embassy, the Chinese Government have consulates General in Bombay and Calcutta and, by virtue of the 1954 Agreement, a Trade Agency in Kalimpong. All these Chinese posts in India enjoy full facilities for hiring of suitable accommodation for the offices and their residential staff. Chinese officers and members of the staff have freedom of movement without even intimation to the Government of India. They are allowed, after registration, to keep personal arms with them. They enjoy freedom of meeting whom they wish, freedom to distribute official bulletins, move in official transport and function without restrictions in

India. Further full facilities are allowed for couriers to carry official mail from and to Chinese Mission and Posts in India.

2. Similarly Chinese nationals, other than officials, are permitted freedom of movement, facilities to take up employment, own property, ply their transport and indulge in trade between India and Tibet region as well as maintain shops and undertake petty commerce in India.

3. In contrast to these facilities for the Chinese officials and their nationals, India posts in the Tibet region and Indian nationals have faced, particularly in recent months, innumerable difficulties and disabilities in the pursuit of their official normal functions. The following are only some examples of such difficulties reported to the Government of India.

(a) Difficulties of accommodation for our Consulate General and Trade Agencies:

(i) Gyantse- The question of reconstruction of the Trade Agency was mentioned by the Prime Minister in Parliament and by the Foreign Secretary to the Ambassador. The construction work is now starting but full helpful co-operation is not forthcoming from the local officials. Apparently the labourers working on the site are being harassed. In the last week of June and first week of July there was firing practice over our site. No permission for the hiring of private trucks or import of our own trucks or provision of transport from the local authorities has yet been forthcoming.

(ii) Gartok:- The lease deed has been agreed to but the actual construction deferred pending arrival of our Trade Agent. The Trade Agent's arrival has been delayed because he is being diverted at Chinese request through Lipuleh Pass. Initial construction must start immediately

and we, therefore, wish the engineering personnel to enter the Tibet region and commence construction before the loss of this season.

(iii) Lhasa:- The Consulate General in Lhasa is also short of accommodation and has been wanting additional office and residential accommodation.

(b) Restrictions on movements.

By order of Military Control Commission freedom of movement is not being permitted to our Trade Agents even in the vicinity where the Trade Agencies are located. For example the I.T.A. Yatung was not permitted to go to Rinchengang, only six miles from Yatung, where he wished to meet the Indian Trade Agent, Gyantse, and his wife, who were returning to their post from Gangtok. Similarly a junior official of the Trade Agency, who desired to return to Gangtok on short leave, was not permitted to do so.

(c) Repair and maintenance work.

The lease of the Indian Trade Agency in Yantung requires that 'Only with the Lessor's advance consent being reported to local organ of the People's Republic of China, the Lessee may carry out construction or reconstruction on the said lands in addition to the already existing buildings". This provision is being interpreted to place difficulties and create delays even in carrying out simple repairs, and white-washing of the buildings where there is no proposal to vary the plinth area of existing buildings. It is not understood what purpose is served by placing such restrictions and unnecessarily making the carrying out of simple repairs to our property so difficult.

(d) Registration of arms

Originally there was no Licensing system for possession of arms in Tibet. Officials and traders kept some personal arms for sport or self-protection purposes. Recently orders were issued for the presentation and registration of arms and we instructed our officials and nationals to fall in line with this order. It was, however, noticed that when the sporting rifle and two revolvers of our Consul General in Lhasa were taken in for registration at Yatung, not only were the arms not returned but no receipts were given that they were held in official custody. Similarly when the Indian nationals presented their arms for registration, no receipts were given to their owners.

4. Indian traders and nationals have similarly been suffering considerable difficulties-

Some irresponsible elements have indulged in propaganda that Indian traders purported to exploit the Tibetans. In fact these trading arrangements under the express authority of the 1954 Agreement, preserve the traditional pattern and are to the mutual advantage of Indian and Chinese people.

Indian traders and pilgrims have recently been checked when proceeding or returning from their legitimate business or pilgrimage. In one case in Yatung a trader's shop was locked to and the owner denied access to his possession. Two other shop-keepers were threatened in Phari but no redress was given by local authorities. An Indian Pilgrim to Kailash has harassed because he carried some medicines for himself. Two cobblers from Shigatse have been held up in Yatung for the last 3 weeks and prevented from returning to India. It is also reported that traders are not being permitted to travel between Yatung and Gyantse which are recognised marts under the Agreement.

5. Indian nationals in the Tibet region of China-

The Government of India have already drawn attention in Delhi and through the Consulate General Lhasa to obtain protection for Indian nationals residing in the Tibet region of China. We specially bring to the notice of the Chinese authorities the case of Indians of Ladakhi origin who were trading or residing in Lhasa prior to 1954 Agreement was concluded. It is requested that impediments in their registering with the Consulate General or leaving the Tibet region if they so wish should not be placed.

We have also repeatedly drawn attention through the Consulate General to the case of the *family of Shri Shahabir Dival* which has been under arrest since 5th of April, 1959. No reason for their arrest has been given and despite request no steps taken to set them free. Similarly, *Tromo Geshe Rinpoche* of Donkar Monastery, an Indian protected person, is understood to be still held by the Chinese authorities.

Government of India are anxious that the provisions of the 1954 Agreement should be strictly and mutually respected and therefore draw the attention of the Embassy to these difficulties which have been placed at the local level in the Tibet region of China. Just as full facilities and adequate help and protection are afforded to the Chinese officials and Chinese nationals in India, it is hoped that legitimate help and courtesy and support from the authorities will be given to Indian officials and Indian nationals who are serving, working in or visiting the Tibet region of China.

**Letter from the Director of the Foreign Bureau in Tibet to the
Consul-General of India in Lhasa, 17 July 1959**

Your letter of 13th May 1959 duly received. In your letter you have referred to Kachis who for generations, have lived in Lhasa, Shigatse and other places and have long become Chinese nationals, as Indian national; and you described the well-known facts that they had, at all times, been subjected to the jurisdiction of the local Government of Tibet of our country as: the former local Government of Tibet of China always treated the Muslims of Kashmir as foreigners. These assertions are opposed to the historical facts and I cannot agree with them.

As everybody knows, among the inhabitants in Tibet of our country, there are a number of people of Islamic faith. Besides the Huis from such provinces as Yunan and Szechuan, these are some whom we call Kachis. Although their forefathers were from Kashmir, yet as early as the 17th century, during the time of the 5th Dalai Lama, their forefathers had already chosen the Chinese nationality and had thus become a component part of the Tibetan people of China. In a report submitted to the former local Government by their headmen during the time of the 13th Dalai Lama there is such a passage which serves as a powerful evidence: "at the time of the 5th Dalai Lama, we, the subjects, had chosen him to be our own king, and, in return, he the king, also loved us as his own subjects. And it was such a great gracious kindness he bestowed on us, by allotting to us land for maintenance". Thereafter, from generation to generation, they had, at all times, been under the administration of the local Government. With the exception of some minor disputes, which were allowed to be settled by themselves under the guidance of their headmen, as was the case with the Huis also, all their civil and criminal cases, irrespective of dispute between Kachis and Tibetans or between themselves, had to referred to former local Government. With the exception of some minor disputes, which were allowed to be settled by themselves under the guidance of their headmen, as was the case with the Huis also, all their civil and criminal cases, irrespective of a dispute

between Kachis and Tibetans or between Kachis themselves, had to be referred to former the local Government for judgement. And it was by no means like what Mr. Chhibber had alleged, that "the Tibetan Government was only brought into the picture, in case of a dispute between a Kashmiri Muslim and a Tibetan" to say nothing about that "the position of the Kashmiri Muslim was similar to that of Nepalese trading in Tibet" as asserted by Mr Chhibber. In addition they are entitled to the right of purchase of immovable property, and they also had the obligations of doing Corvee for the formal local Government and of serving the military service, etc. All these facts fully prove that they are Tibetan people of China.

After the peaceful liberation of Tibet, there has been no change in their being Tibetan people of China. All those who went to India for trade or to Mecca for pilgrimage and who account for more than 80 percent. of their total households, had, in accordance with the unified stipulations of our country, approached our Bureau for traders certificates to India or for passports to Mecca. And all their passports were issued with transit visas or entry visas by the successive Consul-General of India in Lhasa (Indian Consul-General, Lhasa Mr. Chhibber). This is a fact which demonstrates that the Indian Government have long recognised them as the nationals of the People's Republic of China. Can there be any room left for doubts? However one could not help feel surprised that Mr. Chhibber should have raised with us the problem that they are Indian nationals, at a time when our troops had put down the rebellion unleashed by the former local Government and the reactionaries of the upper strata in Tibet. As mentioned above, there has never been any question with regard to them as Chinese nationals. To my knowledge, only after the talks between Mr. Chhibber and the "headmen" of these Kachis, in April of this year, did such things happen, that that "headmen" taking advantage of a prayer meeting announced to all the Kachis that they all must fill revised "applications" for registration as citizens of India, which were distributed

by the Consulate-General of India. I am of the view that this occurrence is not fortuitous. This is unfriendly act of instigating the Chinese people to break with China by means of external forces. Therefore we consider it to be highly improper and an act of interference in the internal affairs of our country, that Mr. Chhibber, without obtaining any consent from our Bureau whatsoever, went so far as to utilize the former official of the former local Government (the so-called "Kachi Ponpo") to carry out the activities, among our people, instigating them to break off with their mother-land, after we openly ordered the dissolution of the former local Government and after the dismissal of all its former officials. We regret this and hope that these activities are stopped forthwith.

Informal Note given by the Ministry of External Affairs, India, to the Chinese Counsellor in India, 24 July 1959

Some time ago the Embassy was requested to ensure that appropriate arrangements are made for the Government of India's couriers proceeding from Gangtok to the various posts in Central Tibet. Recent reports indicate that no assurance regarding the safety of the transmission of Government bags has been forthcoming. It is understood that the local authorities have been pressing the postal couriers such as in Kangma and Sasmada near Gyantse to obtain prior permits for their travel in connection with the carriage of Indian bags. The requisite applications have been submitted some time ago but no permits have been issued. Pending assurance of the safety of the official bags and the mail courier, the bag service has been suspended. Unless the mail service is resumed, it is not unlikely that the Trade Agency will not be able to meet even its day to day requirements. Immediate instructions are solicited to guarantee the safety of these Dakwalas and the official bags

from Yatung to Gyantse and Gyantse to Lhasa in both directions to permit resumption of the normal mail service, as provided under the 1954 Agreement.

In the conversation on the 3rd June, a special request was made for facilities for Shri Bhupendra Singh who was proceeding to Lhasa to be given privileges as a diplomatic courier. Shri Bhupendra Singh carries a diplomatic passport and a laissez- passer. Even though prior intimation was given and official Chinese visa has been granted, Shri Bhupendra Singh has been held up in Yatung for the last several weeks because no official transport has been provided for his onward journey to Lhasa. As in the case of the normal Dak Service, it is of the utmost importance that Shri Bhupendra Singh should reach Lhasa within the next few days. *Immediate* instructions are solicited so that necessary transport and security arrangements can be made from Yatung to Lhasa.

Note given to the Foreign Office of China by the Ambassador of India, 25 July 1959

1. Article 1 of the Agreement between India and China on Trade and Intercourse between Tibet Region of China and India provides for the establishment of Indian Trade Agencies at Yatung, Gyantse and Gartok and Chinese Trade Agencies at New Delhi, Calcutta and Kalimpong. In terms of this article and the letters exchanged between the two Governments the Trade Agencies of both parties are guaranteed the same status and the same treatment. They are also guaranteed privileges and immunities for couriers, mail bags and communications in code.

2. The Government of India have to state with regret that during the past few months our Trade Posts at Yatung and Gyantse are being subjected to a variety of difficulties with the result that they cannot function in the way envisaged in the Sino-Indian Agreement. This has also affected the life and normal trade activities of Indian nationals at these posts. Some of these difficulties have already been brought to the attention of the Chinese authorities. In March the Foreign Secretary to the Government of India presented two notes to the Chinese Ambassador in New Delhi seeking the assistance and co-operation of the Chinese authorities in the reconstruction of the Indian Trade Agency at Gyantse and, until the new premises are ready, in obtaining additional accommodation for the housing of the Trade Agency officials. Other difficulties experienced by the Trade Agencies have also been informally brought to the attention of the Chinese Embassy in New Delhi and the Chinese Foreign Bureau in Tibet.

3. The Government of India would like to draw attention in particular to the following difficulties which have been brought to their notice:-

(i) Gyantse- The lease of the temporary accommodation occupied by the Indian Trade Agency at Gyantse expired in April and it has not been possible to renew it since the owner is apparently held in custody. We are now informed that pressure is being brought to bear on the owner against the renewal of the lease. A short while ago one member of the staff who had temporarily moved to the Agency site was forcibly made to vacate his accommodation. Thus, far from assisting the Agency in obtaining suitable rented accommodation as earlier requested by the Government of India, difficulties are being placed in the way of the Agency staff continuing to occupy the accommodation which they already have.

(ii) The Trade Agency is also experiencing difficulties in the use of the official car. Recently the local driver who had been in the service of the Agency for a long time was questioned by the authorities. In order to be

on the safe side, the driver, who had already passed the prescribed driving test in Lhasa, applied for a second test. Apparently, pending consideration of his second application, the official car of Trade Agency was stopped on the 12th July and the driver was taken into custody. Despite the efforts of the Trade Agent, even the official car was not immediately released.

(iii) Difficulties are also being experienced in the carriage of officials mails between Yatung and Lhasa. A diplomatic courier was sent with special advance notice to the Chinese Embassy in New Delhi, but he has been held up in Yatung since June 30 for want of travel facilities. The requests of the Trade Agent in Gyantse for the issue of necessary permits to the normal dakwalas particularly in places like Kangma and Sanda near Gyantse have not been considered. In the absence of any assurance of the safety of our official mails, communications with the posts has been suspended. The mail for the Consulate-General in Lhasa has been held up for weeks in Gyantse. The extent of the hardship caused as a result may be judged from the fact that even tinned milk intended for the small child of the Consul-General in Lhasa was not forwarded despite a special request from the Trade Agency, Gyantse. Obviously our posts cannot function under such difficulties.

(iv) It appears that for inexplicable reasons delays are caused in transmission of telegrams from Gyantse through the Chinese commercial Telegraph office there.

(v) *Reconstruction of Trade Agency, Gyantse*:- The Agreement specifically provides for the Indian Trade Agencies continuing to hold on lease the lands within the Agency compound walls at Yatung and Gyantse. Notwithstanding this, it was after nearly two years that Chinese authorities had agreed in principle to permit the reconstruction of the Trade Agency. Despite the assurances of Chinese co-operation, all manner of difficulties have been created about commencement of the preliminary work. For several days, target practice and rifle shooting took

place over the site of the Trade Agency apparently with a view to frighten the labour engaged on the construction. More recently the local authorities have ordered labourers under threat of arrest to stop working on the site. Similarly, owners of horse carts have been instructed not to lift bricks to the Trade Agency apparently site and dealers supplying *Arca* (mortar) have been prohibited from making deliveries to the Agency. Despite previous promise no transport has been provided locally to help in the construction work. Meanwhile, apart from one jeep, no permit for the import of necessary transport from India for the construction work has been forthcoming.

(vi) *Protective works at Gyantse*- Chinese authorities both in Lhasa and Gyantse had agreed in principle to the construction of protective works on the Agency site on our assurance that these would not damage the bridge and the highway further down the stream. Despite this assurance, the authorities summarily started to demolish a spur along the Indian property and ordered the complete stoppage of essential protective works which are intended to prevent further damage to the land of the Trade Agency.

4. The attention of the Chinese Government has already been drawn through the Chinese Embassy in New Delhi to the severe restrictions which have been placed on the movement of Indian Officials as well as the Indian traders engaged in *bona fide* trade. The Indian Trade Agent for Western Tibet who was provided by the Chinese authorities with a visa for the Niti Pass, was required at the last minute to divert his route through Lepuleh pass. This caused him needless expense and inconvenience and prevented him from reaching his post in time.

5. A large number of Indian nationals including Muslims and some Lamas from Jammu and Kashmir State have been residing in Lhasa and the Shigatse area from before the conclusion of the 1954 Agreement. These

persons were not required to carry any Indian passports in the past and do not therefore possess any. No adverse inference should be drawn against them on this ground. They are however anxious to retain their Indian nationality. According to the information of the Government of India, they are not being permitted by the Chinese authorities to contact the Consul-General of India at Lhasa and pressure is being brought to bear on them to declare themselves as Chinese nationals.

6. The Government of India have also noticed with concern the persistent propaganda in official organs in the Tibet region describing Indians as imperialists, who have inherited the British traditions and continue to exploit the Tibetans. Such propaganda is deliberately intended to create hostile feelings against India and Indian Posts in Tibet and are bound to come in the way of their normal functioning.

7. The Government of India take a serious view of the facts mentioned in the previous paragraphs. They are deeply concerned at the generally unhelpful and unfriendly attitude of the local authorities towards Indian officials and Indian nationals in the Tibet region of China. It is obvious that the Trade Agencies cannot discharge their normal functions unless customary privileges and immunities for themselves and for their couriers, mailbags and communications are fully guaranteed. They must also have suitable accommodation locally so that they can function with dignity and self-respect. So far as the Government of India are concerned, they have given in the past and continue to give the fullest facilities and privileges to the Chinese Trade Agencies in India in accordance with Article 1 of the 1954 Agreement. Unfortunately, repeated representations for reciprocal facilities to the Indian Trade Agencies in the Tibet region of China have produced no results. The Government of India have, therefore, begun to entertain serious doubts as to whether the Chinese Government really wish the Indian Trade Agencies in the Tibet region to continue to function. Not only are the facilities laid down in the

1954 Agreement not provided for them but even the normal courtesies given to foreign representatives and missions are being denied. From this it would appear that the Chinese Government do not wish these Trade Agencies to continue to function. For their functioning depends on full facilities and courtesies being provided to them by the Chinese authorities. The Government of India would like to have a clear and early answer conveying the wishes of the Chinese Government in regard to this, as the continued functioning of the Trade Agencies in China and India on a reciprocal basis will depend on that answer.

Note given to the Foreign Office of China, 19 August 1959

The Government of Bhutan have requested the Government of India who are responsible for the external relations of Bhutan to bring the following to the notice of the Chinese authorities with a request for immediate action.

2. There are eight villages within the Tibet region of China, over which Bhutan has been exercising administrative jurisdiction for more than 300 years. They are Khangri, Tarchen, Tsekhor, Diraphu, Dzung Tuphu, Jangche, Chakip and Kocha around Mount Kailash. Tarchen 80°20' E and 30°55' N is the administrative centre of these enclaves. They were not subject to Tibetan law nor did they pay any Tibetan taxes.

3. Recently the local Chinese authorities have seized all arms, ammunition and ponies belonging to the Bhutan officers who were in charge of these enclaves at village Tarchen.

No reasons have been given for this seizure. The Government of Bhutan consider this action on the part of the local Chinese authorities as a violation of the traditional Bhutanese right and authority. The Government of India would urge that immediate instruction should be issued by the Government of the People's Republic of China for the return of the articles and the animals and for ensuring respect in the future by the local authorities for Bhutan's jurisdiction over these villages.

Note given to the Foreign Office of China, 20 August 1959

The system of Bhutan couriers crossing through Tibetan territory has been prevalent traditionally for a long time. No regulations were prescribed requiring permission or possession of any special kind of papers. Chinese authorities should notify if they wish to adopt a new procedure but meanwhile the traditional privilege of Bhutan's official couriers being permitted to use this route should be allowed to continue.

The Government of India who are responsible for the external relations of Bhutan protest against the arrest and ill-treatment of Bhutan's couriers and against restrictions being placed without notice on Bhutan nationals. In particular we protest against Bhutan couriers being prevented from approaching the Indian Trade Agency.

AGREEMENT

BETWEEN
THE REPUBLIC OF INDIA AND THE PEOPLE'S REPUBLIC OF CHINA
ON TRADE AND INTERCOURSE BETWEEN
TIBET REGION OF CHINA AND INDIA

The Government of the Republic of India and the Central People's Government of the People's Republic of China.

Being desirous of promoting trade and cultural intercourse between Tibet Region of China and India and of facilitating pilgrimage and travel by the people's of China and India.

Have resolved to enter into the present Agreement based on the following principles:

- (1) mutual respect for each other's territorial integrity and sovereignty,
- (2) mutual non-aggression.
- (3) mutual non-interference in each other's internal affairs,
- (4) equality and mutual benefit, and
- (5) peaceful co-existence.

And for this purpose have appointed as their respective Plenipotentiaries:

The government of the Republic of India, H.E. Nedyam Raghavan, Ambassador Extraordinary and Plenipotentiary of India accredited to the People's Republic of China; the Central People's Government of the People's Republic of China, H.E. Chang Han-fu, Vice-Minister of Foreign Affairs of the Central People's Government, who, having examined each other's credentials and finding them in good and due form, have agreed upon the following:-

Article I

The High Contracting Parties mutually agree to establish Trade Agencies:

1- The Government of India agrees that the Government of China may establish Trade Agencies at New Delhi, Calcutta and Kalimpong.

2 -The Government of China agrees that the Government of India may establish Trade Agencies at Yatung, Gyantse and Gartok.

The Trade Agencies of both parties shall be accorded the same status and same

treatment. The Trade Agents of both Parties shall enjoy freedom from arrest while

exercising their functions, and shall enjoy in respect of themselves, their wives and children who are dependent on them for livelihood freedom for search.

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

Article II

The High Contracting Parties agree that traders of both countries known to be customarily and specifically engaged in trade between Tibet Region of China and India may trade at the following places:

1- The Government of China agrees to specify (1) Yatung, (2) Gyantse and (3) Phari as markets for trade. The Government of India agrees that trade may be carried on in India, including places like (1) Kalimpong,(2) Siliguri and (3) Calcutta, according to customary practice.

2 -The Government of China agrees to specify (1) Gartok, (2) Phulanchung (Taklakot), Gyanima-Khargo, (4) Gyanima-Chakra, (5) Rampura, (6) Dongbra, (7) Puling Sumdo, (8) Nabra, (9) Shangtse and (10) Tashigong as markets for trade; the Government of India agrees that in future, when in accordance with the development and need of trade between the Ari District of Tibet Region of China and India, it has become necessary to specify markets for trade in the corresponding district in India adjacent to

the Ari District of Tibet Region of China, it will be prepared to consider on the basis of equality and reciprocity to do so.

Article III

The High Contracting Parties agree that pilgrimage by religious believers of the two countries shall be carried on in accordance with the following provisions:-

- 1- Pilgrims from India of Lamaist, Hindu and Buddhist faiths may visit Kang Rimpoche (Kailash) and Mavam Tso (Manasarovar) in Tibet Region of China in accordance with custom.
- 2- Pilgrims from Tibet Region of China of Lamaist and Buddhist faiths may visit Banaras, Sarnath, Gaya and Sanchi in India in accordance with customs
- 3- Pilgrims customarily visiting Lhasa may continue to do so in accordance with customs.

Article IV

Traders and pilgrims of both countries may travel by the following passes and route:

- 1- Shipki La pass, (2) Mana pass, (3) Niti pass, (4) Kungri Bingri pass, (5) Darma pass, and (6) Lipu Lekh pass.

Also, the customary route leading to Tashigong along the valley of the Shangatsangpu (Indus) River may continue to be traversed in accordance with custom.

Article V

For travelling across the border, the High Contracting Parties agree that diplomatic personnel, officials and nationals of the two countries shall hold passport issued by their own respective countries and visaed by the other Party except as provided in Paragraphs 1,2,3 and 4 of this Article.

1- Traders of both countries known to be customarily and specifically engaged in trade between Tibet Region of China and India, their wives and Children who are dependent on them for livelihood and their attendants will be allowed entry for purpose of trade into India or Tibet Region of China, as the case may be, in accordance with custom on the production of certificates duly issued by the local government of their own country or by its duly authorised agents and examined by the border chekposts of the other party.

2 - Inhabitants of the border district of the two countries who across the border to carry on petty trade or to visit friends and relatives may proceed to the border districts of the other Party as they have customarily done hereto- fore and need not be restricted to the passes and route specified in Article IV above and shall not be required to hold passports, visas or permits.

3- Porters and mule-team drivers of the countries who cross the border to perform necessary transportation services need not hold passports issued by their own country, but shall only hold certificates good for a definite period of time(three months, half a year or one year) duly issued by the local government of their own country or by its duly authorised agents and produce them for registration at the border checkposts of the other party.

4- Pilgrims of both countries need not carry documents of certificates but shall register at the border checkpoints of the other party and receive a permit for pilgrimage.

5- Notwithstanding the provisions of the foregoing paragraphs of this Article, either Government may refuse entry to any particular person.

6- Persons who enter the territory of the other Party in accordance with the foregoing paragraphs of this Article may stay within its territory only after complying with the procedures specified by the other Party.

Article VI

The Present Agreement shall come into effect upon ratification by both Governments and shall remain in force for eight (8) years. Extension of the present Agreement may be negotiated by the two Parties if either Party requests for it six (6) months prior to the expiry of the Agreement and the request is agreed to by the other Party.

Done in duplicate in Peking on the twentyninth day of April, 1954, in the Hindi, Chinese and English language, all texts being equally valid.

(Sd) NEDYAM RAGHAVAN,
Plenipotentiary of the
Government of
Republic of India.
Republic of China.

(Sd) CHANG HAN-FU,
Plenipotentiary of the
the Central People's
Government, People's

NOTES EXCHANGED

NOTE

Peking, April 29, 1954

YOUR EXCELLENCY MR. VICE-FOREIGN MINISTER,

In the course of our discussions regarding the Agreement on Trade and Intercourse Between Tibet region of China and India, which has been happily concluded today, the Delegation of the Government of the Republic of India and the Delegation of the Government of the People's Republic of China agreed that certain matters be regulated by an exchange of notes. In pursuance of this understanding, it is hereby agreed between the two Governments as follows:-

(1) The Government of India will be pleased to withdraw completely within six (6) months from date of exchange of the present notes the military escorts now stationed at Yatung and Gyantse in Tibet Region of China. The Government of China will render facilities and assistance in such withdrawal.

(2) The Government of India will be pleased to hand over to the Government of China at a reasonable price the postal, telegraph and public telephone services together with their equipment operated by the Government of India in Tibet region of China. The concrete measures in this regard will be decided upon through further negotiations between the Indian Embassy in China and the Foreign Ministry of China, which shall start immediately after the exchange of the present notes.

(3) The Government of India will be pleased to hand over to the Government of China at a reasonable price the twelve (12) rest houses of the Government of India in Tibet region of China. The concrete measures in this regard will be decided upon through further negotiations between the Indian Embassy in China and the Foreign Ministry of China, which

shall start immediately after the exchange of the present notes. The Government of China agrees that they shall continue as rest houses.

(4) The Government of China agrees that all buildings within the compound walls of the Trade Agencies of the Government of India at Yatung and Gyantse in Tibet region of China may be retained by the Government of India. The Government of India may continue to lease the land within its Agency compound walls from Chinese side. And the Government of India agrees that the Trade Agencies of the Government of China at Kalimpong and Calcutta may lease lands from the Indian side for the use of the Agencies and construct buildings thereon. The government of China will render every possible assistance for housing the Indian Trade Agencies at Gartok. The Government of India will also render every possible assistance for housing the Chinese Trade Agency at New Delhi.

(5) The Government of India will be pleased to return to the Government of China all Lands used or occupied by the Government of India other than the lands within its Trade Agency compound walls at Yatung. If there are godowns and buildings of the Government of India on the above mentioned lands used or occupied and to be returned by the Government of India and if Indian traders have stores, godowns or buildings on the above-mentioned lands so that there is a need to continue leasing lands, the Government of China agrees to sign contacts with the Government of India or Indian traders, as the case may be, for leasing to them those parts of the land occupied by the said godowns, buildings or stores and pertaining thereto.

(6) The Trade Agents of both Parties may, in accordance with the laws and regulations of the local governments, have access to their nationals involved in civil or criminal cases.

(7) The Trade Agents and traders of both countries may hire employees in the locality.

(8) The hospitals of the Indian Trade Agencies at Gyantse and Yatung will continue to serve personnel of the Indian Trade Agencies.

(9) Each Government shall protect the person and property of the traders and pilgrims of the other country.

(10) The Government of China agrees, so far as possible, to construct rest houses for the use of pilgrims along the route from Pulanchung (Taklakot) to Kang Rimpoche (Kailash) and Mavam Tso (Mansarovar); and the Government of India agrees to place all possible facilities in India at the disposal of pilgrimage.

(11) Traders and pilgrims of both countries shall have the facility of hiring means of transportation at normal and reasonable rates.

(12) The three Trade Agencies of each Party may function throughout the year.

(13) Traders of each country may rent buildings and godowns in accordance with local regulations in places under the jurisdiction of the other party.

(14) Traders of both countries may carry on normal trade in accordance with local regulations at places as provided in Article 11 of the Agreement.

(15) Disputes between traders of both countries over debts and claims shall be handled in accordance with local laws and regulations.

On behalf of the Government of the Republic of India I hereby agree that the present Note along with Your Excellency's reply shall become an agreement between our two Governments which shall come into force upon the exchange of the present Notes.

I avail myself of this opportunity to express to your Excellency Mr. Vice-Foreign Minister, the assurance of my highest consideration.

(Sd.) N.RAGHAVAN
Ambassador Extraordinary
and Plenipotentiary of the
Republic of India.

His Excellency Mr.Chang Han-fu,
Vice-Minister of Foreign Affairs,
Central People's Government,
People's Republic of China.

NOTE

Peking, April 29,1954

Your Excellency Mr. Ambassador,
I have the honour to receive your note dated April 29, 1954, which reads:

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On behalf of the Central People's Government of the People's Republic of China, I hereby agree to your Excellency's note, and your note along with

the present note in reply shall become an agreement between our two Governments, which shall come into force upon the exchange of the present notes.

I avail myself of this opportunity to express to Your Excellency, Mr. Ambassador, the assurances of my highest consideration.

(Sd) CHANG HAN-FU,
Vice-Minister,
Ministry of Foreign Affairs,
People's Republic of China.

H.E.NEDYAM RAGHAVAN
Ambassador Extraordinary and Plenipotentiary,
Republic of India.

(Original in English)

NOTES REGARDING RATIFICATION

Peking, August 17, 1954

Excellency,

I have the honour to state that :

WHEREAS an agreement between the Government of the Republic of India and the Central People's Government of the People's Republic of China on trade and intercourse between Tibet region of China and India was signed at Peking on the 29th day of April 1954, by the respective plenipotentiaries of the two Governments namely,

For the Government of the Republic of India.

His Excellency Nedyam Raghavan, Ambassador Extraordinary and Plenipotentiary of India,

For the Central People's Government of the People's Republic of China.

His Excellency Chang Han-fu,

Which Agreement is reproduced, word for word, in the Annexure hereto, AND WHEREAS the Government of the Republic of India has ratified this Agreement on the 3rd June, 1954.

I request you to convey information of the said ratification to the Central People's Government of the People's Republic of China.

I avail myself of this opportunity to renew to you, Excellency the assurances of my highest consideration.

NEDYAMRAGHAVAN

Ambassador of the Republic of India

His Excellency Mr. Chou En-Lai,
Minister for Foreign Affairs,
Central People's Government of the
People's Republic of China,

Peking.

(Original in Chinese)

EMBASSY OF THE PEOPLE'S REPUBLIC OF CHINA IN INDIA

(Translation)

No. M/680/54 August 17, 1954

Excellency,

I have the honour to inform you that the Agreement between the People's Republic of China and the Republic of India on Trade and Intercourse between Tibet Region of China and India, which was signed at Peking on the 29th of April, 1954, by the Chang Han-fu, Vice-Minister, Ministry of Foreign Affairs, Central People's Government of the People's Republic of China, and Nedyam Raghavan, Ambassador Extraordinary and Plenipotentiary of the Republic of India to the People's Republic of China, for the Government of the Republic of India, was subsequently ratified on the 3rd of June, 1954, by the Central People's Government of the People's Republic of China.

I hereby request you to convey information of the said ratification to the Government of India.

The Agreement is reproduced, word for word, in the annexure hereto.

I avail myself of this opportunity to renew to you, Excellency, the assurances of my highest consideration.

(Sd.) YUAN CHUNG-HSIEN,
Ambassador Extraordinary and
Plenipotentiary of the People's
Republic of China.

His Excellency Pandit Jawaharlal Nehru,
Minister for External Affairs,
Government of the Republic of India,
New Delhi.

**Trade Agreement between the Republic of India and the People's
Republic of China, 14 October 1954**

The Government of the Republic of India and the Central People's
Government of the People's Republic of China, animated by the common
desire to develop trade between the two countries and to strengthen
further the friendship that already exists between the Governments and
the People of India and China have, on the basis of equality and mutual
benefit, reached agreement as follows:-

Article I

The two contracting parties being desirous of adopting all appropriate
measures for the expansion of trade between the two countries agree to
give the fullest consideration to all suggestions for the promotion of such
trade.

Article II

The two contracting parties agree that all commercial transactions between the two countries shall be carried out in accordance with the Import, Export and Foreign Exchange Regulations in force from time to time in their respective countries.

Article III

The two contracting parties agree to accord, subject to the laws and regulations of the laws and regulations of the two countries for the time being in force, facilities for the import and export of the commodities mentioned in the attached Schedules "A" and "B"

Article IV

The present Agreement will not preclude the two contracting parties from facilitating trade in commodities not mentioned in the attached Schedules "A" and "B"

Article V

The Trade between the Republic of India and the Tibet Region of the People's Republic of China will be conducted in accordance with the provisions of the Agreement between the Republic of India and the People's Republic of China on Trade and Intercourse between India and the Tibet Region of China signed in Peking on the 29th April 1954.

Article VI

The Government of the Republic of India agree that on request by the Government of the People's Republic of China, they will subject to the regulations in force, accord reasonable facilities for the entry into the port of Calcutta and subsequent movement to the Tibet Region of the People's Republic of China, of such commercial goods as cannot be obtained in India. These facilities will be accorded only to goods of Chinese origin.

Article VII

All commercial and non-commercial payments between the Republic of India and the People's Republic of China may be affected in Indian rupees or in pounds sterling as may be mutually convenient. For the purpose of facilitating such payments, the People's Bank of China will open one or more account (s) with one or more commercial bank(s) in India authorised to deal in Foreign Exchange to be called account "B". All payments between the two countries will be made through account(s) "A". Account "B" will be used only for replenishing the balance(s) in Account(s) "A" whenever necessary. Payments to be made by residents of India to residents of the People's Republic of China will be effected by crediting the amounts of such payments to the above-mentioned account(s) "A". Payments to be made to residents of India by residents of the People's Republic of China will be effected by debiting the said account(s) "A". The account(s) "A" will be replenished as and when necessary by one of the following methods, namely:-

- (i) by transfer of funds from another account "A" of the People's Bank of China with another commercial bank, or from account "B" with the Reserve Bank of India;
- (ii) by sell of sterling to the bank concerned. Account "B" will be replenished by either sale of sterling to the Reserve Bank of India or by transfer of funds from account(s) "A".

Article VII of this Agreement covers the following payments:-

- (i) Payments for the commodities imported or exported under the present Agreement;
- (ii) Payments connected with commercial transactions and covering insurance, freight (in case of shipments of goods by the ships of either country) port charges, storage and forwarding expenses and bunkering;

- (iii) Payments for the distribution of films, for incomes and expenses of cultural performances and other exhibitions;
- (iv) Payments of expenses on account of tours of delegations of commercial, cultural, Social, or official nature;
- (v) Payments for the maintenance of the Embassy, Consulates and Trade Agencies of the Republic of India in China and for the maintenance of the Embassy, Consulates and Trade Agencies of the People's Republic of China in India;
- (vi) Other non-commercial payments on which agreement is reached between the Reserve Bank of India and the People's Bank of China.

3- Any balances on the credit side of the account(s) "A" or Account "B" maintained by the People's Bank of China will be convertible on demand into sterling at any time at usual Banks selling rate for sterling as fixed from time to time by the Indian Exchange Bank's Association. The above mentioned balances will be convertible into sterling even after the expiry of this Agreement.

4 -Payments for Border Trade between the Republic of India and of the People's Republic of China, however, will be settled according to the customary practice.

Article VIII

The two contracting parties agree to consult with each other on questions that may arise in the course of the implementation of the present Agreement.

Article IX

This Agreement will come into force from the date of its signature and will remain valid for a period of two years.

This Agreement can be extended or renewed by negotiation between the two contracting parties to be commenced three months prior to its expiry.

Done in duplicate in New Delhi on the fourteenth Day of October 1954, in the Hindi, Chinese and English language, all texts being equally authentic.

(Sd.) KUNG YUAN,

(Sd.) H.V.R. IENGAR

On behalf of the Government of the People's Republic of China. On behalf of the Government of the Republic of India.

SCHEDULE A

GOODS AVAILABLE FOR EXPORT FROM CHINA TO INDIA

1 -Cereals-

1. Rice
2. Cereals other than rice
3. Green Beans
4. Soyabeans- green and black

2- Machinery: including Planning and Shaping Machines, Drilling Machines, Other machine tools, inclinable notching press, Steam Engines, Harvesters, Road Rollers(Road Marshall), Electric Pump, Air Compressor, Concrete Mixer, Rock Crusher, Printing Machinery, Moulding Machine, Transformers, Pump, Motors Electric, Sowers, Gear Grooving machines, Cotton Textile Machinery, Jute Textile Machinery, Telephone Exchange

Control, Rubber Industry Wire, Ventilator, Equipments for Steam Generators, D.C. and A.C. Welder, Medical Apparatus.

3- Minerals-

1. Antimony, Crude and Regulus.
2. Gypsum
3. Graphite
4. Fluorspar
5. Sulphur
6. Realgar (Munsell)
7. Orpiment
8. Borax
9. Naphthalene Refined.
10. Clay
11. Arsenolite (Arsenic Oxide).

4- Silk and Silk piecegoods-

1. White and Yellow Raw Silk, Steam Filature.
2. Spun Silk
3. Tussah Silk(Wild Silk)
4. Douppion Silk.
5. Silk piecegoods.
6. Fuji Silk piecegoods
7. Tussah Silk piecegoods

5- Animal Products-

1. Wool
2. Skins and Hides.
3. Duck Feathers, Goose Feathers.
4. Wollen Yarn.
5. White wax.
6. Honey.

6- Paper and Stationary-

1. Newsprint.
2. Mechanical Pulp free printing paper.
3. Packing paper.
4. Stencil paper.
5. Blotting paper.
6. Fountain pen.
7. Pencil.
8. Ink.
9. Printing Ink
10. Numbering Machine.

7- Chemicals-

1. Dinitrochloro – Benzene
2. Sodium Phosphate.
3. Carboic Acid(Phenol).
4. Potassium Carbonate.
5. Mono- chloro –benzene.
6. 666 Insecticide.
7. Bleaching Powder.

8- Oils-

1. Tung Oil(Wood Oil)
2. Cinnamon Oil
3. Peppermint Oil.

9- Miscellaneous-

1. Camphor
2. Cassia Lignea.
3. Musk.
4. Nutgall.
5. Aniseed star(Star anise)

6. Menthol Crystal
7. Appricot Kernel.
8. Galangal.
9. Resin.
10. Vegetable Medicinal substances.
11. Hair net.
12. Fluorescent tubes.
13. Paint.
14. Bicycles.
15. Sports goods.
16. Porcelain.
17. Glass and glassware.
18. Printed matter and books.
19. Canned goods.
20. Torch lights.
21. Vacuum flash.
22. Buttons.
23. Lacquer ware.
24. Fire cracks.
25. Hosiery needles.
26. Stitching needles.
27. Fish and sea products.
28. Dried Fruits.
29. Vegetables and vegetable products.
30. Garlic.
31. Vermicelli.
32. Chinese films(exposed)

SCHEDULE B

PART I

Goods available for Export from India to China, including Tibet

Food Products and Tobacco-

1. Grams, Rice and Pulses.
2. Spices including chillies and pepper.
3. Tobacco unmanufactured.

Raw material and articles mainly unmanufactured

Ores and Concentrates-

1. Chrome Ore.
2. Kyanite Ore.
3. Manganese Ore.
4. Tin and Zinc Concentrates.

Oils, Vegetables-

1. Groundnut Oil.

Oils, Essential-

2. Lemon grass oil
3. Sandalwood oil

Textiles fibres-

1. Cotton raw
2. Wool raw.

Wood and Timber-

1. Sandal wood.

Hides and Skins-

2. Raw goats skins and sheep skins of heavier variety and hides and skin tanned.

Miscellaneous-

3. Myrobalan and Myroblan extracts.
4. Parafim wax.
5. Art Shellac.

Articles mainly manufactured.

Chemicals, Chemical Products and drugs and medicines-

1. Chemicals(Bichromates), Calcium Chloride, Chromic acid, Glycerine, Magnesium Chloride, Magnesium Sulphate, Nephthalene, Potassium Bromide, Potassium Nitrate, Sodium Bromide, Sodium Sulphide, Sodium Sulphate.
2. Drugs, medicines and medicinal herbs.
3. Processed dyes.
4. Shark Liver Oil.

Instruments, apparatus and appliances-

1. Clinical Thermometers.
2. Electric lamps.
3. Electric insulating material.
4. Electro-medical apparatus.
5. Mathematical instruments.
6. Surgical instruments.
7. X-Ray equipment.
8. Telephone.
9. Electric Fans.

Machinery-

1. Ball and Roller bearings.
2. Generators.
3. Motors.
4. Textile Machinery including Spindles, ring frames, carding engines, looms and finishing machinery.
5. Boilers.

Machine Tools: including Centre Lathe, Drilling Machine, Shaping machines, Slotting Machines, Planing machines, Hacksawing machines, Mechanical Power Presses, Lathe Chucks, Drill Chucks, Lathe Centres and Lathe mandrills, Machine Vices Plain, Drill Sleeves, Wood thickness Planers, Round Collets, Acetylene Generators, Round seaming machines, Power operated belt driven guillotine shearing machines, Live Centres, Hand Presses and Foot Presses, Treadle guillotine shearing machines, Plain Milling Machine.

Metal Manufacturers-

1. Aluminium, brass and copper wares.
2. Iron and Steel manufactures excluding containers.
3. Non-ferrous metal products.

Textiles-

1. Cotton piecegoods and cotton manufactures.
2. Cotton twist and yarn.
3. Flax manufactures.
4. Sisal ropes and twine.
5. Jute manufactures.

Vehicles-

1. Bicycles.
2. Motor Cars.

Miscellaneous-

1. Indian films exposed.
2. Light engineering goods: centrifugal pumps, G.I. buckets, hurricane lanterns, sewing machines.
3. Plastic manufacturers.
4. Shellac.
5. Mica.
6. Asbestos cement sheets.
7. Cement.
8. Hume pipes.
9. Builders hardware.
10. Tyres and tubes.
11. Belting for machinery.
12. Paper.
13. Bituminous composition.
14. Agricultural implements.
15. Disinfectants.

PART II

Goods available for Export from India to the Tibet Region of China :

Foods Products and Tobacco-

1. Confectionary.
2. Hydrogenated Oil.
3. Tinned fruits and vegetables.
4. Cigarettes.

Raw materials and articles mainly unmanufactured

Oils, Vegetables-

1. Castor Oil.
2. Kardiseed Oil.
3. Linseed Oil.
4. Mustered Oil.
5. Nigerseed Oil.
6. Rapessed Oil.

Textiles-

1. Apparel.

Miscellaneous

1. Gums other than gum arabic.

Article mainly manufactured

Instruments, apparatus and appliances-

2. Accumulators.
3. Electric wires and cables.
4. Scientific instruments.
5. Transmission line equipment.
6. Wireless instruments.

Machinery-

1. Control and transmission gear.

Mental manufactures-

2. Bolts and nuts.
3. Enamelware.
4. Wood screws.

Stationary including paper-

1. Paper and stationary.

Vehicles-

2. Trucks.
3. Carriage and carts.
4. Wheels and shafts for carts.

Miscellaneous-

1. Candles.
2. Clocks.
3. Coral manufactured.
4. Matches.
5. Soaps and washing powders.
6. Toilet requisites.
7. Lard.
8. Pork.
9. Sugar.
10. Rain coats.
11. Rubber shoes.
12. Reinforcement steel bars.
13. Galvanized iron wire.
14. Barbed wire.
15. Steel Plates and sheets.
16. Road Rollers.
17. Gasoline, Kerosene, Diesel and Engine Oils.
18. Galvanized iron sheets, plain and corrugated.
19. Leather and leather goods.
20. Safety razor blades.
21. Biscuits.
22. Rubber manufactures other than tyres and tubes.
23. Sheet glass and glassware.

24. Sports goods.
25. Hard Wood.

LETTERS

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, 14th October, 1954.

Dear Mr. Kung,

In the course of the discussion that have led to the conclusion of the Trade Agreement between the Government of the Republic of India and the Government of the People's Republic of China, it was agreed that the intentions of the two Governments regarding Article VI and procedure for its implementations should be placed on record by an exchange of letters.

2. On the basis of equality and mutual benefit, both Governments desire to maintain and develop the existing customary trade between India and the Tibet Region of the People's Republic of China.

3. The Government of the Republic of India appreciate that the Tibet Region of the People's Republic of China may need certain commercial goods that cannot be obtained in India and are, therefore, willing to give reasonable facilities for the clearance of such goods through Calcutta for

movement to the Tibet Region of the People's Republic of China, provided the goods are of Chinese origin.

4. It is agreed that the following broad lines of procedure may be adopted for the clearance and movement of the goods mentioned in the preceding paragraphs:-

(i) With a view to facilitating clearance and transport, the Government of the People's Republic of China will give advance intimation to the Government of India of such goods to be transported to the Tibet region of the People's Republic of China, in order to ascertain with reference to the availability of such goods in India, whether clearance and movement facilities can be accorded. Matters pertaining to the transportation of such goods will be discussed and settled between the Chinese Embassy in New Delhi and the Government of India.

(ii) The goods agreed to be cleared shall, on import, be entered at the Custom House in the Port of Calcutta.

(iii) Subject to the Indian Customs Regulations, and on a deposit being made as required by the Customs Authorities, the goods will be cleared under Customs seal for onward despatch to the Tibet Region of the People's Republic of China by the agreed routes.

(iv) The goods will be produced with the Customs seals intact before the Land Customs Officer at the point of final exit and cleared for export to the Tibet Region of the People's Republic of China.

(v) The Land Customs Officer will, if the goods are received with seals intact, clear the goods and grant a certificate to that effect.

(vi) On presentation of such certificate to the Custom Authorities at the Port of Calcutta, the deposit shall be returned with such deductions for incidental charges as may be mutually agreed upon.

(5) This letter and your confirmation will be treated by both Governments as forming part of the Agreement.

Yours Sincerely,

(Sd) H.V.R. IENGAR

His Excellency Mr.Kung Yuan,
Vice-Minister for Foreign Trade and
Leader of the Chinese Trade Delegation,
New Delhi.

New Delhi,14th October 1954

Shri Iengar,

I have today received with thanks your letter dated the 14th October 1954, which reads as follows:-

"....."

I agree to the contents stated in your aforesaid letter on behalf of the Central People's

Government of the People's Republic of China. Your letter and this confirmation will be treated as forming part of the Agreement.

Yours Sincerely

(Sd) KUNG YUAN

Shri H.V.R Iengar
Secretary to the Government of India,
Ministry of Commerce and Industry,
New Delhi.

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, 14th October, 1954

Dear Mr.Kung,

During the course of the negotiation which have led to the conclusion of the Present Trade Agreement between India and China, both the Delegations recognised that the problems concerning inspection, surveys, shipping, insurance and travel by businessman should be considered and solved in a practical manner so that the objectives of the Agreement are better achieved and trade relations between the two countries further strengthened. These problems relate to questions of detail rather than of principle and the two Delegation have accordingly agreed to defer the discussion on these matters to a later date. It is hoped that in these

subsequent discussions our two Governments will be able to arrive at constructive solutions that will help to encourage and stimulate the smooth flow of trade between our two countries.

2. In the meanwhile, the trade between the two countries will continue to be conducted on such basis as may be agreed upon between the importers and exporters concerned.

This letter and your confirmation will be treated by both Governments as forming part of the Agreement.

Yours Sincerely,
(Sd) H.V.R. IENGAR

His Excellency Mr. Kung Yuan,
Vice-Minister for Foreign Trade and
Leader of the Chinese Trade Delegation,
New Delhi.

New Delhi, 14th October 1954

Shri Iengar,
I have today received with thanks your letter dated the 14th October 1954, which read as follows:-

"....."

I agree to the contents stated in your aforesaid letter on behalf of the Central People's Government of the People's Republic of China. Your letter and this confirmation will be treated as forming part of the Agreement.

Yours Sincerely

(Sd) Kung Yuan

Shri H.V.R. IENGAR
Secretary to the Government of India,
Ministry of Commerce and Industry,
New Delhi.

Letters exchanged at New Delhi on 25 May 1957, extending the Trade Agreement between India and the People's Republic of China for a further period ending 31 December 1958.

Embassy of the People's Republic of China in India,
New Delhi.

May 25, 1957.

Dear Mr. Ranganathan,

I have the honour to refer to the recent discussions regarding promotion of trade between the People's Republic of China and India when it was agreed that the trade relations between our two countries will continue to be regulated by the terms and conditions embodied in the Trade Agreement concluded on the 14th October 1954 for a further period ending 31st December 1958, subject to the substitution of Article VII of the old Agreement by the following Article:-

" All commercial and non-commercial payments between the People's Republic of China and the Republic of India may be effected in Indian rupees. For the purpose of facilitating such payments, the People's Bank of China and/or other commercial banks in China will open one or more account(s) with one or more commercial bank(s) in India authorised to deal in foreign exchange. In addition, the People's Bank of China will open another account with the Reserve Bank of India. All payments between the two countries will be made through the account(s) maintained with the commercial bank(s). Payments to be made by residents of India People's Republic of China will be affected by crediting the amounts of such payments to the above mentioned account(s) with the commercial bank(s) in India. The account(s) with commercial bank(s) in India will be replenished as and when necessary by one of the following methods, namely:-

- (i) by transfer of funds from another account(s) of the people Bank's of China or the commercial bank(s) in China with another commercial bank(s) in China with another commercial bank(s) in India, or
- (ii) by transfer of funds from the account of the People's Bank of China with the Reserve Bank of India, or
- (iii) by sale of sterling to the bank concerned.

The account of the People's Bank of China with the Reserve Bank of India will be replenished either by sale of sterling to the Reserve Bank of India

or by transfer of funds from the account(s) of the People's Bank of China or the commercial bank(s) in China with the commercial bank(s) in India.

2. Article VII of this Agreement covers the following payments:-

(i) Payments for the commodities imported or exported under the present Agreement;

(ii) Payments connected with commercial transaction and covering insurance, freight(in case of shipments of goods by the ships of either country), port charges, Storage and forwarding expenses and bunkering;

(iii) Payments for distribution of films, for incomes and expenses of cultural performances and other exhibitions;

(iv) Payments of expenses on account of tours of delegations of commercial, cultural, social or official nature;

(v) Payments for the maintenance of the Embassy, Consulates and Trade Agencies of the People's Republic of China in India and for the maintenance of the Embassy, Consulates and Trade Agencies of the Republic of India in China;

(vi) Other non-commercial payments on which agreement is reached between the Reserve Bank of India and the People's Bank of China.

Any balance in the Rupee account maintained by the People's Bank of China with the Reserve Bank of India will be convertible on demand into sterling at the usual Banks selling rate for sterling as fixed from time to time by the Indian Exchange Bank's Association. The above-mentioned balance will also be convertible into sterling after the expiry of this Agreement.

Payments for Border Trade between the People's Republic of China and the Republic of India, however, will be settled according to the customary practice.

The new Article VII will come into force with effect from the 1st July 1957.

I shall be glad if you will please confirm that the above correctly sets out the understanding reached between us.

Yours Sincerely,
(Sd) PAN TZU-LI,
Ambassador Extraordinary and Plenipotentiary
of the People's Republic of China to India.

Shri S.Ranganathan, I.C.S,
Secretary to the Government of India,
Ministry of Commerce and Industry,
New Delhi.

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, 25th May, 1957

Dear Mr. Pan Tzu-Li,

I write to acknowledge the receipt of your letter, dated May 25, 1957,
which reads as

follows:-

""

I confirm that the foregoing correctly sets out the understanding reached between us.

Yours Sincerely,

(Sd) S. RANGANATHAN

Secretary to the Government of India.

H.E.Mr. Pan Tzu-Li,
Ambassador Extraordinary and
Plenipotentiary of the People's
Republic of China in India,
New Delhi

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, 25th May, 1957

Dear Mr. Tu,

In the course of discussions which we had recently regarding further development of trade between the People's Republic of China and India. It was agreed that the Government of the People's Republic of China will encourage the State Trading Corporations of China to establish and strengthen contacts to the extent practicable with the State Trading

Corporation of India in those commodities which are handled by the State Trading Corporation of India.

I shall be grateful if you would like kindly confirm that the foregoing correctly sets out the understanding reached between us.

Yours Sincerely,

(Sd) K.B. LALL

Joint Secretary to the Government of India.

Mr. Tu Yu-Yuan,
Counsellor for Commercial Affairs,
Embassy of the People's Republic of China,
New Delhi

Embassy of the People's Republic of
China in India. New Delhi
25th May 1957

Dear Mr. Lall

I have the honour to acknowledge the receipt of your letter of today's which reads as

Follows:-

"....."

I confirm that the foregoing correctly sets out the understanding reached between us.

Yours Sincerely,

(Sd) TU YU -YUN,
Counsellor for Commercial Affairs,
Embassy of the People's Republic of China in
India.

Shri K.B.Lall
Joint Secretary to the Government of India,
Ministry of Commerce and Industry,
New Delhi.

**Letters extending the Indo-Chinese Trade Agreement up to 31
December 1959**

**GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY**

New Delhi, 25th May, 1959.

Jyaistha 4, 1881(s)

Dear Mr.Tu,

With reference to Article 1X of the Trade Agreement between the Republic of India and the People's Republic of China concluded on the 14th October, 1954 and the recent discussions regarding the promotion of trade between the two countries, I have the honour to say that the two contracting parties have agreed that the present Trade Agreement as modified by the letters exchanged on the 25th May, 1957, shall remain valid up to the 31st December, 1959.

Yours Sincerely,

(Sd) K.B. LALL

Additional Secretary to the Government of India.

Mr. Tu Yu-Yuan,
Counsellor for Commercial Affairs,
Embassy of the People's Republic of China,
New Delhi.

Embassy of the People's Republic of China in India

New Delhi, May 25, 1959.

Dear Mr. Lall

With reference to Article IX of the Trade Agreement between the People's Republic of China and the Republic of India concluded on the 14th October, 1954 and the recent discussions regarding the promotion of trade between the two countries, I have the honour to say that the two contracting parties have agreed that the present Trade Agreement as modified by the letters exchanged on the 25th May, 1957, shall remain valid up to the 31st December, 1959.

Yours Sincerely,
(Sd.) TU YU-YUAN,
Counsellor for Commercial Affairs.

Mr. K.B.Lall, I.C.S.
Additional Secretary to the Government of India,
Ministry of Commerce and Industry,
New Delhi.