Chapter Six

OTHER PROBLEMS
Apart from the major Indo-Pakistani problems relating to Kashmir, border incidents (including the dispute over the Rann of Kutch) and the minorities and the like, there were a number of other problems which bedevilled the relations between the two countries during 1960-65. These were: (1) espionage and related problems; (2) alleged interference in each other's internal affairs; and (3) controversy over projects on the eastern rivers. In addition to these, the old problem of partition debt also arose during the period under study, although it was never discussed after the Indo-Pakistani Finance Ministers' Conference of November 1960.

ESPIONAGE AND RELATED PROBLEMS

On a number of occasions between September 1960 and September 1965 the Governments of India and Pakistan accused each other of espionage and subversion. These allegations could be put in three categories. One was the arrest and conviction of Lt-Colonel G.L. Bhattacharya of India, who, as alleged by the Pakistani Government, was involved in espionage against Pakistan on the Pakistani side of the Indo-Pakistani border in April 1961. The second category related to the allegations of the two Governments of indulgence in espionage by each other's diplomatic and other officers and the subsequent requests for the expulsion of such personnel as well as for the closing down of some offices. The third category related to espionage cases of a comparatively minor nature.
The case of Lt-Col. G.L. Bhattacharya

The story of this case was that on 4 April 1961 some Pakistani personnel, said to be six in number, (1) ambushed (2) Lt-Col. G.L. Bhattacharya of Indian Central Intelligence Bureau on the Indo-Pakistani border (3) near a village of the 24-Parganas district of West Bengal. The Pakistani sources claimed that he was arrested well within Pakistani territory, where he was reported to have come to elicit some secret information. (4) The Pakistani Government charged him with obtaining and collecting secret information relating to its military establishments between September 1960 and 27 March 1961, with attempting to obtain such information on the date of his capture, with entering Pakistani territory without valid travel documents, with carrying a loaded revolver and the like. He was tried by a special Military Court which found him guilty of charges other than those relating to his having obtained information of Pakistani military establishments (5) and sentenced him to eight years' rigorous imprisonment. (6)


(2) The fact of Bhattacharya being ambushed is said to be recognized by the Pakistani Captain, who led the Pakistani personnel in his capture, during his evidence before the Military Court which tried Bhattacharya. Ibid., col. 2193.

(3) Nehru's statement, ibid., 20 November 1961, col. 147.

(4) Pakistan Times (Lahore), 8 and 9 April 1961. It was also reported that Bhattacharya had himself admitted that he was on a spying mission. Ibid., 8 April 1961.

(5) Indian Law Minister A.K. Sen's statement, cited in n. 1, cols 2192-9; see also report in Times of India, 1 September 1961.

The Indian Government, which held, on the other hand, that the Indian Lt-Colonel had been kidnapped from Indian territory while engaged in an inspection work, (7) strongly resented the Pakistani action. Protests were lodged immediately after the incident on 5 April 1961, and on 14 July 1961 as well. In these notes it was pointed out that the Government of Pakistan had, through its agents, "committed a most serious violation of Indian sovereignty" and that they were "under an obligation to release and return Col. Bhattacharya to India, without further delay, to punish those who were responsible" for his ambush and "to make other repatriations for the wrong already committed against Indian sovereignty and to compensate Col. Bhattacharya for his wrongful detention and the injury suffered by him". (8) The Pakistani investigation, according to which Bhattacharya had been found on Pakistani territory, was also regarded as "most unusual". (9) Strong sentiments were, moreover, expressed at the award of eight years' sentence to Bhattacharya, which was considered as "savage" and an "injury done ... to the whole country". (10) Protests were lodged with the Pakistani Government against this sentence. (11) In the Indian Parliament itself, strong resentment was expressed.


(8) See extracts from the Indian note of 14 July 1961 and the gist of the Indian Deputy High Commissioner's protest of 5 April 1961 as well as A.K. Sen’s remarks in n. 1, cols 2194, 2196.


(10) A.K. Sen’s remarks, ibid., cols 2199, 2201.

and different types of suggestions, including seeking UN help in the matter and taking strong action over it, were made. (12)

Although it is difficult to pass any judgement on this matter, it can safely be said that it added to the bitterness between India and Pakistan. (13)

Alleged Cases of Espionage and Subversion by High Commission Staff and Offices

On three occasions - in September 1963, in November 1963, and in December 1964 - the Governments of India and Pakistan accused each other's High Commission staff of undiplomatic activities and called for the withdrawal of the officials concerned. In each of these cases the Indian Government first made accusations and called for the expulsion of the personnel involved, followed soon by a similar allegation and request by the Government of Pakistan. In October and November 1963 the Government of Pakistan also charged the Indian libraries and reading-rooms at Dacca and Rajshahi and the office of the Indian Assistant High Commission at Rajshahi with indulging in similar acts and demanded their closure. In May 1965, the Government of India took a similar action against the Pakistani Assistant High Commission in Shillong.

On 3 September 1963 the Delhi police arrested three persons of the Pakistani High Commission staff along with an Indian Pilot Officer. Although the Pakistani High Commission staff were released

(12) Lok Sabha Debates, series 2, vol. 59, 29 November 1961. See also India, Rajya Sabha Debates, vol. 46, 11 December 1961. Indrajit Gupta pleaded for UN help in the matter in Lok Sabha Debates, series 2, vol. 59, 29 November 1961, col. 2137, while Nath Pai called for "necessary sanctions" (ibid., col. 2152), Balraj Madhok for "tooth for tooth and eye for eye" (ibid., col. 2158), and Braj Raj Singh for an ultimatum to Pakistan (ibid., col. 2185).

(13) See editorial of Hindustan Times (New Delhi), 15 November 1961.
the same evening, the Indian Foreign Secretary asked the Pakistani High Commissioner on 5 September for the withdrawal of these three members of the Pakistani High Commission, along with the Air Adviser of the Commission, on the ground that they were involved in espionage activities. (14) On 8 September the Government of Pakistan declared the Air Adviser and three other members of the Indian High Commission staff in Karachi as persona non grata on the ground that they were involved in espionage with an ex-officer of the Pakistani Air Force. (15) The Pakistani Government claimed that an inquiry into this incident had been going on for some time. (16)

On another occasion, on 8 November 1963, the Delhi police arrested a chauffeur of the Pakistani High Commission along with an Assistant to the Deputy Financial Adviser to the Ministry of Defence of India. It was claimed that the chauffeur had confessed to his having obtained documents from the Indian Assistant and that the Indian Assistant had further confessed that two other persons, including the Second Secretary in the Pakistani High Commission, had been his contacts. The chauffeur was set free the same evening. But soon afterwards, on 12 November, the Indian Foreign Secretary requested the Pakistani High Commissioner to withdraw from Delhi within forty-eight hours the three persons named by the Indian Assistant. Just three days later, on 15 November, the Pakistani Foreign Office requested the Indian High Commission in Karachi to withdraw within forty-eight hours three officers of almost identical

(14) For details, see Nehru's statement in Lok Sabha Debates, series 3, vol. 20, 9 September 1963, cols 5068-70.

(15) Nehru's statement, ibid., col. 5068 and vol. 21, 10 September 1963, cols 5308-9. For details, see also Dawn (Karachi), 9 September 1963.

(16) The Hindu (Madras), 10 September 1963; see also Dawn, 9 September 1963.
ranks alleging that they had indulged in "organised espionage and
subversive activities" and that the Second Secretary of the Indian
High Commission had been devoting his time to "espionage and
subversive activities since June 1962." (17)

About a year later, the same story was repeated. On
17 December 1964, India's Home Minister, G.L. Nanda, announced in
the Lok Sabha the arrest of seven persons who were supposed to have
passed secret matters to an officer of a diplomatic mission in
Delhi. (18) On the following day he disclosed that on 16 December
the Indian Foreign Secretary had requested the Pakistani High
Commissioner for the withdrawal of his Second Secretary from Delhi
within twenty-four hours. He added that the main accused who had
been arrested in the proximity of the residence of the Second
Secretary of the Pakistani High Commission, carried secret documents
and had named the Second Secretary in his statement to a Magistrate.
He further said that there were other materials, oral and documentary,
insinuating the Second Secretary. (19) Just after this incident,
on 17 December, the Pakistani Foreign Office summoned the Indian
High Commissioner in Karachi and asked him to withdraw his Second
Secretary from that country within twenty-four hours on the ground
that the Second Secretary had been indulging in undesirable activities
not in keeping with his function as a member of the diplomatic
mission. (20)

(17) For details see statement of India's Minister of State for
External Affairs, Lakshmi Menon, in Lok Sabha Debates,
series 3, vol. 22, 19 November 1963, cols 380-2; see also
Dawn, 16 November 1963.

(18) Lok Sabha Debates, series 3, vol. 37, 17 December 1964,
cols 5417, 5418.

(19) Ibid., 18 December 1964, cols 5702-3.

(20) Nanda's statement, ibid., col. 5703. Also see Pakistan
Times, 18 December 1964.
In all these incidents the Government of India protested to the Pakistani Government and called the latter's action retaliatory. About the September 1963 incident, Prime Minister Nehru declared that "the dates and the sequence of events would make it appear that this is a retaliatory measure", (21) whereas the Minister of State for External Affairs, Lakshmi Menon, talking about the happenings of September and November 1963, said that it was "clear from the timing of the expulsion of our officers from Pakistan, the ranks of the officers selected for expulsion, as also their number, that in both cases the Government of Pakistan was solely motivated by a spirit of retaliation". (22) A similar observation was made by India's Minister for External Affairs, Swaran Singh, about the incident of December 1964. (23) On the other hand, the Government of Pakistan alleged in the incident of December 1964 that the Indian Government had taken action against Pakistani officials only to forestall the inevitable expulsion of the Indian officials. (24)

It might be mentioned here that only once before in the history of India and Pakistan had an incident of this type occurred, and it was in July 1958, when the demand by India for the withdrawal of Pakistan's Assistant High Commissioner in Shillong on the charge of espionage had been followed by a Pakistani demand, on similar grounds,

(21) Lok Sabha Debates, series 3, vol. 21, 10 September 1963, col. 5310; see also his statement, ibid., vol. 20, 9 September 1963, col. 5068.

(22) Ibid., vol. 22, 19 November 1963, col. 383.

(23) Ibid., vol. 39, 8 March 1965, col. 2921; also see Nanda's statement, ibid., vol. 37, 18 December 1964, col. 5703.

for the expulsion of India's First Secretary in the Deputy High Commission at Dacca. (25)

During the period under review, some other unusual steps like the mutual closing of some of the diplomatic offices of the two countries on charges of subversion and the like also took place for the first time.

In a note handed over to the Indian High Commission in Karachi on 24 October 1963, the Government of Pakistan demanded the closure of the libraries and reading-rooms of the Indian High Commission at Dacca and Rajshahi alleging that they were unauthorized and had become centres of subversion and hostile activities. (26) The Government of India protested against this move, rejected the allegations against the Indian libraries and reading-rooms as "completely unfounded and baseless", and held that these were functioning in Pakistan solely for the purpose of disseminating information and fostering good relations between India and Pakistan. (27) As for the charge that these libraries and reading rooms had been functioning in Pakistan without permission, the Indian Government, after having closed them, asked for permission to reopen them. To this the Government of Pakistan sent no reply. (28)

On 28 November 1963 the Pakistani Government made the demand that the office of the Assistant High Commissioner for India in Rajshahi should be wound up and should cease to function by

15 December 1963. It was alleged that since its inception, this office of India had functioned "more as a centre of espionage, subversion and activities prejudicial to the security of Pakistan than as a visa office or even as a normal diplomatic office", that the Government of Pakistan had brought the reported objectionable activities of the Indian Mission’s Rajshahi office to the notice of the Indian Government, but that the latter had completely ignored Pakistani representations. (29) The Pakistani official, who handed over the Pakistani note to the Indian High Commissioner on 28 November 1963, also suggested that the Assistant High Commissioner of India at Rajshahi had been encouraging the minority community to migrate to West Bengal and had been disseminating anti-Pakistani propaganda. He also said that this demand for closing the office of the Indian Mission at Rajshahi had been made by Pakistan for improving relations between Pakistan and India. (30)

The Pakistani decision for the closure of the office of the Indian Mission at Rajshahi was viewed with grave concern by the Indian Government. The Prime Minister of India called it "a very serious development", (31) a "very extraordinary step", which would have the "opposite effect" on Indo-Pakistani relations. (32) He said that if Pakistan objected to the behaviour of any of the Indian

(29) Nehru’s statements in Rajya Sabha Debates, vol. 45, 5 December 1963, cols 2274-5 and in n. 28, col. 2212. Also see Dawn, 29 November 1963; and a report from Karachi in Times of India, 29 November 1963.

(30) Nehru’s statement in the Lok Sabha of 29 November 1963 and in the Rajya Sabha of 5 December 1963 as given in n. 29.


representatives there, the justifiable action to be taken was to protest against him and ask for his removal and not to close the entire office. (33) The Pakistani allegation that the Indian Assistant High Commissioner was encouraging migrations of the minority community in Pakistan was described by him as "completely groundless". He pointed out two things in this connexion. Firstly, he argued that migration certificates were not issued by the Indian Assistant High Commission at Rajshahi but by the Indian Deputy High Commission at Dacca. Secondly, he pointed out that it was against the interest and policy of India to receive a large number of migrants and refugees. (34)

A formal protest was also lodged with the Pakistani Government. (35) Many members of the Indian Parliament also expressed strong views, (36) and a suggestion was made for the closure of a similar Pakistani Office at Shillong, which, it was alleged, had been actively engaged in espionage work. (37) Although the Indian Prime Minister held that his Government did not "wish to function from the point of view of retaliation", he assured the Parliament that some step had to be taken. (38) It was reported that the

(33) Nehru, n. 31; see also n. 32, col. 2215.

(34) Nehru, n. 31, cols 2274, 2276. See also n. 32, col. 2213.


(37) Hem Barua's view in n. 32, col. 2214.

(38) Nehru, n. 32, col. 2216; see also n. 31, col. 2277.
representatives of the British and American Governments had also requested the Government of India to postpone taking any retaliatory action. (39)

The Indian Government thereafter made several requests to the Pakistani Government to reconsider their decision regarding the Indian office at Rajshahi. But they were turned down by the Government of Pakistan. (40) On 11 May 1965, therefore, the Indian Government asked the Government of Pakistan to close down the office of the Pakistani Assistant High Commission at Shillong by 15 June 1965. It was pointed out that not only had the Pakistani Government violated the principle of diplomatic reciprocity by closing down the Assistant High Commission of India but that the Pakistani Mission at Shillong had also been indulging in objectionable activities which were contrary to all the rules of diplomatic and consular behaviour. (41) It might be mentioned here that earlier as well there had been reports about the involvement of the Assistant High Commissioner of Pakistan in undiplomatic activities. (42) The Government of Pakistan strongly protested against the Indian decision. They also denied the Indian charges of any involvement of their Mission in anti-Indian activities and considered the Indian action retaliatory. (43)

(39) The Times (London), 16 December 1963.

(40) Statement of India’s External Affairs Minister, Swaran Singh, in Lok Sabha Debates, series 3, vol. 44, 16 August 1965, col. 35. The last such request was made on 19 February 1965. See a reference to it in India’s note to Pakistan of 5 June 1965 as given in Indian Information (Delhi), vol. 8, 1 July 1965, p. 338.

(41) Swaran Singh’s statement of 16 August 1965 in n. 40, col. 35; see also The Hindu, 12 May 1965.


(43) Pakistan Times, 26 May 1965.
Thus, the demand for the closure of the diplomatic offices of each other, which had never been made between India and Pakistan before, was made in 1963 and 1965.

All the above cases only added to the bitterness in Indo-Pakistani relations. In most of these instances the actions of the two countries appeared retaliatory: the expulsion of Indian diplomats from Pakistan and the Indian demand for the closure of the Pakistani Assistant High Commission at Shillong admit of no other explanation.

Other Cases of Espionage

In addition to the above-mentioned cases of espionage, a Pakistani spy ring was said to have been unearthed at Calcutta in June 1963. This led to the arrest of eight persons. (44) A similar Pakistani spy ring was reported to have been discovered in New Delhi in December 1964, and eleven persons were apprehended. Some Pakistani officials were also alleged to be involved. (45) There were reports of the operation of Indian spies in Pakistan as well. Against these reports, the Indian Government lodged a protest with the Government of Pakistan. (46)

ALLEGED INTERFERENCE IN EACH OTHER'S INTERNAL AFFAIRS

During the period under survey, the Governments of India and


Pakistan charged each other with taking part in their internal problems. India accused Pakistan of aiding, abetting, arming, and training the rebel Nagas and other tribals of Assam and with taking interest in the agitation of the Akalis of the Punjab. The Pakistani Government, on the other hand, alleged that the Indians were inciting trouble in East Pakistan and that the Indian Government interfered in the Pakistani Presidential election of January 1965 and tried to prevent the re-election of President Ayub Khan.

**Pakistani Support to the Nagas and Mizo and Incitement to the Akalis**

Earlier, in June 1958, there had been reports of the capture of some documents by the Special Branch of the Assam Criminal Investigation Department implicating some important personalities in Pakistan in the Naga problem. (47) There had also been reports in July 1958 of the involvement of Pakistan's Assistant High Commissioner at Shillong in this matter, and as a result he had been expelled from India immediately. (48) It was, however, only after May 1962 that the Government of India started blaming Pakistan repeatedly for its involvement in the Naga trouble. Between May 1962 and June 1964 three groups of Naga hostiles were said to have gone to and returned from East Pakistan, (49) and a fourth Naga gang consisting of 1,500 persons, which had reportedly entered East Pakistan towards the end of 1964, was said to have returned from there in April 1965. (50) All these


(48) Statement of the Assam Chief Minister, B.P. Chaliha, of 13 July 1958. *Ibid.*, 20 July 1958. Expulsion of the Assistant High Commissioner of Pakistan at Shillong has been mentioned earlier too.


Naga hostiles were reported not only to have brought with them large quantities of arms and ammunition from Pakistan, but also to have received training there. (51) According to a source, they had even opened a school in East Pakistan to train rebel Nagas in guerrilla warfare. (52) The Government of India expressed its concern over all this (53) and lodged several protests against this alleged Pakistani involvement. The protests were formally made in 1963, (54) on 29 May 1964 (55) and on 16 April 1965. (56) In its note of 16 April 1965, the Government of India also charged the Pakistani authorities with training and arming the tribal groups of the Mizo Hills District of Assam and of Manipur, who were said to have gone to Pakistan with the last group of Naga hostiles, and contended that it was "obvious" that Pakistan was "actively interested in inciting and subverting the

(51) Swaran Singh's statement in the Lok Sabha of 8 March 1965, n. 49, col. 2970; see also text of India's note of 16 April 1965, n. 50, p. 243. Also see Defence Minister Y.B. Chavan's statement that the Naga group which returned from East Pakistan carried with them 21 LMGs, 10 sten-guns, 268 rifles, three MMGs, two 3-inch mortars, and two 2-inch mortars, in Lok Sabha Debates, series 3, vol. 31, 6 May 1964, col. 14488; and some similar announcement of Nagaland's Chief Executive Councillor, Shilu Ao, in Hindustan Times, 12 April 1963.

(52) The Hindu, 21 November 1964.

(53) India's Minister without Portfolio, L.B. Shastri, called the Pakistani involvement with Nagas "most objectionable" and "heinous". Lok Sabha Debates, series 3, vol. 31, 6 May 1964, col. 14498.

(54) Nehru's statement, ibid., vol. 24, 17 December 1963, col. 5293. No specific date of this protest was given by Nehru.

(55) Swaran Singh's statement, ibid., vol. 37, 21 December 1963, col. 5879; also see reports in India's note of 16 April 1964 in n. 50.

(56) Text of India's note of 16 April is given in n. 50, pp. 243-4.
loyalty of the tribes of North Eastern India". (57) The Government of Pakistan, however, denied their complicity in the matter. (58)

It was also suspected that Pakistan had a hand in creating rift between the Sikh and the Hindu communities in the Punjab and it had given its support for the separatist demand of the Akalis. On 14 August 1961, India's Home Minister, L.B. Shastri, said that two booklets, designed to create hostility between the Sikhs and the Hindus, suspected to have been smuggled from Pakistan, had come to notice in the Punjab. (59) Some similar propaganda in the Pakistani Press was also alleged, and an aide-memoire protesting against it was submitted on 19 August 1961 to the Pakistani Foreign Secretary by the Indian High Commission in Karachi. (60) On 16 August 1961, on the eve of Tara Singh's fast, President Ayub Khan himself spoke about the lack of tolerance on the part of the Indian leaders and said that the demand for the Punjabi Suba was the result of their narrow-minded policies. (61) Since the armed clash over

(57) Ibid., p. 244.

(58) Nehru's statement about India's note of 1963 in n. 52, col. 5293, See n. 50, p. 243 for a reference to Pakistan's note of 26 August 1964 refuting the contention made by India in its note of 26 April 1965, n. 50, p. 243. For Pakistan's denial of having opened a school to train rebel Nagas see The Hindu, 28 November 1964.


(60) See statement of India's Parliamentary Secretary to the External Affairs Ministry, S.A. Khan, ibid., vol. 59, 20 November 1961, col. 12. It might be mentioned here that Morning News (Dacca) talked about a mutiny by the Sikh soldiers of Bharat. Similar propaganda was carried on by many other Pakistani newspapers, See Girilal Jain's report in Times of India, 22 August 1961.

the Rann of Kutch, the Pakistani Press propaganda was further intensified. There were reports in the Pakistani Press about "a mass uprising of the Sikh community", of "heavy and repeated bombing by Indian Air Force planes of a number of villages in the Luchiana District and elsewhere", (62) and of the burning of Guru Granth Sahib by the Hindus. (63) In a series of editorials, the Pakistan Times also accused India of "reducing the Sikhs ... to the status of second-class citizens", (64) talked about the "complete" disillusionment of the Sikhs, (65) and remarked that "years of victimisation and political frustration have driven them [the Sikhs] into the same state of mind in which the Muslims of India found themselves in the thirties", (66) Supporting the Akali agitation of that time, an article in that paper also held that the Sikh leader, Tara Singh, was "fully within his right in seeking political power for the Sikhs within the Indian Union or outside it". (67) Another Pakistani newspaper, Dawn, carried a message of "the Revolutionary Council in Occupied Kashmir" to the "Sikh nation", assuring the latter that "the bonds of unity and sincerity between them and the down-trodden people of Kashmir will lead the two in the near future to final victory against Indian Imperialism". (68)

(63) Ibid., 29 August 1965; also see Dawn, 5 July 1965.
(64) Pakistan Times, 19 May 1965.
(65) Ibid., 6 August 1965.
(66) Ibid., 29 August 1965.
(68) Dawn, 2 September 1965.
The Government and the Press of Pakistan thus interested themselves in the Naga and the Mizo agitation as well as in the Akali problem of India. In case of the former the Government of Pakistan also armed the tribal rebels of India and reportedly trained them. There can be little doubt that the Nagas and the Mizos could not have obtained modern arms and equipment except from Pakistan. All this had a bad affect on Indo-Pakistani relations because they strengthened the feeling in India that Pakistan was bent on using every opportunity to harm India.

**India, Disturbances in East Pakistan, and Pakistan's Presidential Election**

The Government of Pakistan, on the other hand, accused Indians of creating trouble in East Pakistan. It blamed them for disturbances in East Pakistan since 1951. In May 1956 even the Chief Minister of East Pakistan made an allegation against a deal between the Deputy High Commissioner of India and the Hindu Congress members of the Provincial Legislature. (69) During the period under survey, i.e. 1960-65, similar allegations were again made. Closure of the libraries and reading-rooms of the Indian Mission at Dacca and Rajshahi and of the Indian Assistant High Commissioner's office at Rajshahi on charges of subversion in October and November 1963 has already been mentioned. On 22 February 1962, while addressing a Press conference, President Ayub Khan openly alleged that certain Indian agents, working from their bases at Agartala and Calcutta, were misleading and confusing the students in East Pakistan and were exploiting student disturbances there. (70) These were, however, denied as "completely baseless"


(70) *Pakistan Times*, 23 February 1962.
by the Indian Government. (71)

Responsible Pakistani leaders also charged India with interfering in Pakistan's Presidential election of January 1965. Pakistan's Home Minister, Habibullah Khan, accused India on 16 November 1964 of opposing President Ayub's re-election. (72) Abdul Waheed Khan, Information Minister of Pakistan and Secretary-General of the Pakistani Muslim League, declared on 11 December 1964 that the attitude of the Indian Press had crystallized unmistakably into venomous hostility towards President Ayub Khan and un concealed longing for the success of the Combined Opposition parties. (73) West Pakistan's Law Minister, Ghulam Nabi Memom further alleged on 29 December that India and the USA were financing the election campaign against President Ayub Khan. (74) Pakistan's High Commissioner in New Delhi, further, pointed out to the Government of India some "extracts" of broadcasts from All India Radio as evidence of interference by All India Radio in the election. (75) All these charges were refuted by the Indian Government. (76)


(72) Hindustan Times, 17 November 1964.

(73) Pakistan Times, 12 December 1964.

(74) Ibid., 30 December 1964.


(76) See text of an Indian note handed over to the Pakistani Government on 30 December refuting the Pakistani allegations in Indian Information, vol. 8, 1 February 1965, p. 2. A paper was also handed over to the Acting High Commissioner for Pakistan in India, stating that the Pakistani complaint about All India Radio's broadcast had been misunderstood or misconstrued. See Lakshmi Menon's statement, n. 75.
CONTROVERSIES OVER PROJECTS ON THE EASTERN RIVERS

There were two issues between India and Pakistan relating to their projects on the eastern rivers which created a lot of confusion and bitterness between them. They were the commissioning of the Karnafuli dam by Pakistan and the construction of the Farakka barrage by India. In addition, there was also the question of clash of the different projects of the two countries to harness the waters of the river Teesta. This problem, however, did not cause any bickering.

Controversy over the Karnafuli Dam

The construction of a dam in East Pakistan at Kapti over the Karnafuli led to much bitterness between India and Pakistan. The dispute over this question began as early as 1950. The main issue involved in it was that to generate electric power, the Government of Pakistan thought of building a dam on the Karnafuli in 1950. They actually constructed it in due course and commissioned it in March 1962. The Government of India, while welcoming the Pakistani project, insisted, however, that before commissioning the dam, the Indian territories likely to be submerged as a result of the Pakistani project should first be surveyed and the claims of the Government of India for the loss likely to be caused by the flooding of those territories settled. For the proper survey of the territories to be submerged, the Government of India emphasized the early demarcation of the Indo-Pakistani border in that area. It also wanted some electrical facilities from the Pakistani project. The Government of Pakistan contended that no Indian territory would be submerged by the project and went ahead with its plan. In fact, it tried to reach some agreement over the issue with the Government of India, but as the
latter first wanted the settlement of the question relating to the flooding of its territory, no agreement was possible. Meanwhile, about December 1959, the Government of Pakistan indicated to the Indian Government that it would raise the level of the reservoir on the Karnaphuli by 10 feet or more. This was the position up to September 1960. (77)

In October 1960 the water experts of the two countries discussed the matter but without any success. When by September 1961 it appeared that the Pakistani Government would commission the dam early in 1962, the Government of India expressed its concern over it. In February and March 1962, it "made it clear" to its Pakistani counterpart that unless the issues regarding the dam were settled before the Pakistani project was completed or commissioned, the Government of India would be constrained to reconsider the entire position, reserving to itself the right to object to a part or whole of the project and to claim compensation and punitive damage in accordance with its own estimate which would have to be accepted as final and binding. The Pakistani Government sent no reply to this communication. Just twenty-four hours before the actual commissioning of the dam, it formally informed the Government of India that the dam was going to be inaugurated by the President of Pakistan. The Government of India "strongly reacted" to it. It charged the Pakistani Government with not only violating the general rules of international law but also with committing "an international

(77) For details, see statement of India's Minister for Irrigation and Power, Hafiz Mohammad Ibrahim, as laid down on the table of the Lok Sabha on 21 April 1962, in Lok Sabha Debates, series 3, session 1 (1962), Appendix I, Annexure no. 15, pp. 19-20; see also Prime Minister Nehru's statement, ibid., series 2, vol. 61, 26 March 1962, cols 1804-8.
delinquency" and reserved to itself the right to take retaliatory action. (78) Pakistan, on the other hand, claimed that apart from the area "normally submerged", no portion of Indian territory was likely to be flooded unless Pakistan decided to raise the height of the dam by over a dozen feet. (79) Pakistan's Minister for Fuel, Power, and Natural Resources, Z.A. Bhutto, in a statement on 19 May 1962, while calling the Indian protest on the issue unfortunate and unjust, further contended that Pakistan had extended every possible co-operation to come to a just and fair settlement with India, and that India had failed to co-operate. He added that Pakistan had suggested to India the conclusion of an interim agreement on the basis of an understanding by Pakistan to pay fair compensation, should any Indian territory be submerged but that India had refused to come to such an agreement. (80) The official sources in New Delhi, however, refuted the Pakistani allegation of India's non-co-operation in the matter. (81) It was also reported that even though the water of the Karnafuli had not reached its full level, certain areas in Assam had been submerged following the construction of the Pakistani dam. (82)

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(79) Dawn, 1 April 1962; also Times of India, 3 April 1962.


(82) Indian Express, 21 May 1962; see also reply to question by India's Minister of State for Irrigation and Power, Alagesan, in Lok Sabha Debates, series 3, vol. 6, 10 August 1962, cols 1056-7.
Although each side accused the other, there was no doubt that one more issue was thus created to bedevil Indo-Pakistani relations.

Dispute over the Farakka Barrage

In order to save the port of Calcutta from being choked up, the Government of India planned a barrage at Farakka. The idea was to throw a portion of the water of the Ganga into the Bhagirathi to flush it. It is said that as long ago as 1868, Sir Arthur Cotton suggested such a barrage and that even the Radcliffe Award gave recognition to it. (83) However, when the Indian Government thought of taking up the project, the Pakistani Government suggested in 1961 that India should consult Pakistan before going ahead with it.

Finding the Indian Government unresponsive, the Pakistani Government suggested in 1957 to the Government of India that the advisory and technical services of the United Nations might be sought to resolve their differences over the issue. There was again no progress. (84) From July 1960, onwards, however, the matter was constantly discussed in various forms. Pakistan now pressed India to get the issue resolved with Pakistan before going ahead with its plan. This was more particularly so after March 1961, (85) when the Indian Government seriously took up the project, and India's Deputy Minister for Irrigation and Power, J.L. Hathi, suggested on 30 March that "all the


three parts" of the project — namely the barrage, the feeder and the canal — would be taken up. (86)

The Pakistani objection to the Farakka Barrage is that it "will have a disastrous affect on East Pakistan's economy" because of the following reasons: (i) it would "drastically reduce" the availability of water for Pakistani projects; (ii) it would "adversely affect" navigation on the Ganga and its spill channels; (iii) it would drain away the moisture of the soil and turn a large tract of land into an arid wasteland; and (iv) it would give India the potential of sending down 100,000 cusecs of water of the Ganga and aggravate the flood situation in East Pakistan. (87)

Between July 1960 and January 1962 there were four meetings of the water experts of India and Pakistan. They discussed and exchanged data regarding their projects on the Ganga and other eastern rivers. (88) On 16 March 1961, when President Ayub Khan and Prime Minister Nehru were in London for the Commonwealth Prime Ministers' Conference, the two leaders discussed the Farakka Barrage besides other things. (89) Soon after this the Pakistani Government


(87) Altaf Hussain's statement in n. 84, p. 1846; see also editorial of Pakistan Times, 15 July 1965 and the sources cited in n. 85.

(88) Altaf Hussain, n. 84, p. 1844. The first meeting took place in July 1960, the second between 1 and 3 October 1960 (text of their joint communique is given in Indian Information, vol. 3, 1 November 1960, p. 671), the third between 28 and 30 April 1961 (text of joint statement, ibid., vol. 4, 1 June 1961, p. 271), and the fourth during December 1961 and January 1962 (text of joint statement, ibid., vol. 5, 1 February 1962, p. 17).

sent a protest note against India's unilateral action in constructing the project. (90) The President of Pakistan, moreover, wrote to the Indian Prime Minister for an early Indo-Pakistani Ministerial conference on this matter, (91) and this was repeated on several occasions — in July 1961, (92) in mid 1962, (93) in May 1963, (94) and in June 1965 (95) — by the Pakistani Government. The Government of Pakistan is also reported to have suggested to the Indian Government to drop the project. (96) Concern was expressed by several Pakistani leaders, (97) some of whom suggested that the issue should be taken to the United Nations or to the International Court of Justice. (98) In its note of June 1965 it was further contended by the Pakistani Government that the Farakka Barrage would alone withdraw as much as seventy-five to eighty per cent of the available

(91) Ibid., 9 April 1961; also see The Statesman, 8 April 1961.
(93) Again suggested by President Ayub Khan himself to Prime Minister Nehru, The Hindu, 23 July 1962.
(94) See reference to it in the Pakistani note of June 1965 as given in Pakistan Press Release, no. 50, 4 June 1965.
(95) Ibid., for the text.
(98) This was made by both Government and Opposition members of the East Pakistani Assembly on 2 July 1965. Pakistan Times, 3 July 1966.
dry-weather supplies of the Ganga and reminded the Indian Government of the position under international law about the rights and obligations of co-riparian states with respect to the use of waters of international rivers passing through its territory. (99) The Government of Pakistan, moreover, advised its publicity organizations abroad to publicize the effect of the Indian scheme on Pakistan and drew the attention of the USSR to Pakistan's objections to the project. This was mainly because the USSR Government was supposed to have provided India with some equipment for the project. (100)

The Government of India's reply to all this was that an Indo-Pakistan Ministerial conference over this issue could take place only after the data between the two countries were fully exchanged and a general agreement was reached with regard to them. (101) It also went ahead with its scheme and hoped to complete it by 1970-71. (102) It further complained that Pakistan had highly "inflated its claims" for water from the Ganga and had advocated "a completely new scheme", called the Faridpur-Barisal project, which the Indian Government refused to entertain. (103) Moreover,

(99) Text see in Pakistan Press Release, no. 54, 4 June 1965.

(100) Statement of Abdul Awal Bhuitya in n. 97.


the Ganga was said to be carrying enough water, so that even after the use of water by India for the Farakka Barrage, adequate water would be available to Pakistan for reasonable and practicable irrigation projects contemplated by it. (104) It was said that many of the Pakistani plans on the Ganga were unrealistic because water supply to those Pakistani lands had already reached its optimum and because in this area rainfall was plentiful and there was inundation by rivers and spill channels. It was claimed, furthermore, that the Ganga "is essentially and almost entirely" an Indian river, that Pakistan's contribution to it was less than half per cent, and that the rest of the water came from India and the Himalaya. (105) An Indian scholar also considered the Indian position with regard to the Farakka Barrage to be sound from the point of view of international law. (106)

The Indian pleas, however, did not satisfy Pakistan at all, and Pakistan nursed a sense of injury. (107)

Indo-Pakistani Projects over the Teesta

Another set of projects for the eastern rivers planned by the Governments of India and Pakistan related to the river Teesta, a

(104) A Project to Save Calcutta Port (New Delhi, 1961), pp. 9-10.

(105) K.L. Rao's statement of 11 August 1965 in The Statesman, 12 August 1965. Rao's statement was, in fact, welcomed editorially by The Statesman, 25 August 1965, which remarked that "both geography and history support India's case".


river in the Brahmaputra system. India had worked out a project to irrigate some areas of West Bengal from this river, and Pakistan had a similar project for East Pakistan. The two projects were almost contiguous, and India was reported to have suggested to Pakistan since 1956 that they should be jointly considered. (108) This matter was, in fact, given due thought in the meetings of the water experts of the two countries during 1960 and 1962, when data relating to the projects were exchanged. (109) But as the two countries could not arrive at any settlement on the Farakka project, no special attention was given to these plans.

The two countries, thus, failed to arrive at any understanding on the eastern rivers, although after great effort they had been able to reach one regarding the Indus system. Two types of factors — technical and fundamental — proved a barrier for a settlement of the eastern waters questions. Technical factors were mainly the following three: (1) Unlike the Indus system, where it had been possible for the two countries to allocate the flow of three rivers to one and that of the remaining three to the other, the rivers in the eastern sector, which were closely woven into the life of the people in both countries, offered no scope for a simple arithmetical division; (2) unlike the Indus basin rivers, in respect of which data existed for the past fifty to sixty years, the available data on the Ganga did not go beyond the last ten years, and information on the Brahmaputra was even more scanty; and (3) the number and


(109) About the details and text of the joint communiques of these meetings, see n. 88.
size of the tributaries of the rivers, the Ganga and the Brahmaputra, were larger than those of the western rivers system. (110) The fundamental factor was that during the years 1960-65 the relations between the two countries were never on a happy plane, so that it became impossible for them to reach an understanding. Moreover, unlike in the Indus system, no third party, like the World Bank, took interest in the matter, and none was ready to foot the bill of one country or the other.

On the other hand, however, there are two favourable aspects in the eastern river systems. First, whereas in regard to the western system, particularly in West Pakistan, there had been extensive engineering works which were fed by the three Indian rivers, in case of the eastern rivers, irrigation has been neglected, and there is consequently no bone of contention in this sector. Secondly, in the eastern system there is such an abundance of water that it is regarded as enough for both the countries. It is said that whereas the flood discharge of the entire Indus system does not exceed one million cusecs, the highest recorded flow of the Ganga alone is over two million cusecs, and the flow in the Brahmaputra is considered to be even larger. (111)

It can, therefore, be said that although nothing could now be done regarding the Karnafuli dam controversy, excepting that Pakistan should be persuaded to pay compensation for the Indian area submerged by the Pakistani action, the two countries can still find out a co-operative solution in respect of the other eastern river projects.

(110) Bhatia, n. 108.
(111) Ibid.
QUESTION OF PARTITION DEBT

One of the issues arising directly from the partition of the Indian subcontinent, which remained unresolved during the period under review was the payment of the partition debt by Pakistan to India. At the time of the Partition it had been decided that India would accept the initial responsibility of the old Central Government's public debt and that Pakistan would contribute its share later. In December 1947 it was decided that Pakistan's share of the liabilities would be seventeen per cent of the uncovered debt which it was to pay in fifty annual instalments for principal and interest combined, and this was to begin from 1952. (112) But Pakistan has not yet begun its payments. It questioned the Indian figures regarding payment and advanced its own counter-claims. (113) India claimed that Pakistan owed to it Rs 300 crores by way of partition debt, whereas Pakistan contended that a sum of Rs 180 crores was due to be paid to it by India. (114) Both expressed surprise at each other's figures. (115) The matter was discussed at the official level by the representatives of the respective countries in 1955, (116) in


(115) See the respective statements of the two Finance Ministers in n. 114.

1956, (117) October 1959, (118) in December 1959, (119) and between December 1959 and January 1960 (120) and at the Ministerial level by the Finance Ministers of the two countries between July and August 1959 (121) and in March 1960. (122) But they failed to reach any agreement. During their famous meeting of September 1960 in Pakistan, the President of Pakistan and the Prime Minister of India again discussed the matter and agreed that the Finance Ministers should again discuss the matter. (123)

The Finance Ministers of India and Pakistan met in New Delhi from 23 to 25 November 1960. The Indian delegation put forward its claim for Rs 360 crores, whereas its Pakistani counterpart made out a claim for Rs 180 crores. Each disputed the claim of the other and the talks remained inconclusive. In their joint communique the two Finance Ministers expressed the hope that they would meet again. (124) Unfortunately they never met after that and the issue remains unsettled.

From the above survey it would appear that instead of developing a friendly and co-operative attitude towards each other, the two countries took rigid stands on their respective issues during the period under study and also seemed to thrive on each other's problems.

(118) The Hindu, 19 October 1959.
(119) Times of India (Bombay), 15 December 1959.
(121) Ibid., 3 August 1959.
(122) Times of India (Bombay), 28 March 1960.
(123) See text of their joint statement issued on 23 September 1960 in India, Lok Sabha Secretariat, Foreign Policy of India; Texts of Documents 1947-64 (New Delhi, 1965), p. 365.