EMERGENCE OF CROSS-BORDER TENSIONS AND THEIR IMPACT UPON BI-LATERAL RELATIONS

INDIA AND PAKISTAN RELATIONS

Relations between India and Pakistan have been compound due to a number of historical and political events. Relations between the two states have been defined by the violent.

Partition of British India in 1947, the Kashmir conflict and the numerous military conflicts fought between the two nations. Their relationship had been plagued by hostility and suspicion. The Northern India and Pakistan significantly run over in areas of linguistics, demographics, geography, and economics.

After the dissolution of the British Raj in 1947, two new sovereign nations was formed. The domination of India and Domination of Pakistan. The subsequent partition of the former British India displaced up to 12.5 million people, with estimated of loss of life varying from several hundred thousand to 1 million. India emerged as a secular nation with a Hindu majority secular population and a large Muslim minority, while Pakistan emerged also as a nation with an overwhelming Muslim minority population; later becoming an Islamic republic.

Although its constitution guarantees freedom of religion to people of all faiths.

Soon after their independence, India and Pakistan established diplomatic relations but the violent partition and numerous territorial claims would overshadow their relationship. Since their Independence, the two countries have fought three major wars, one undeclared war and had been involved in numerous armed arguments and military standoffs. The Kashmir Conflicts is the main centre-point of all of these conflicts with the exception of the India and Pakistan war of 1971 and Bangladesh liberation war, which resulted in the secession of East Pakistan now Bangladesh.

---

1 History of India and Pakistan by A.V. William especially chapter 1 volume 1 the Grolier society London publishers
There had been numerous attempts to improve the relationships no, the Simla summit, the Agra summit and the Lahore summit since the early 1980s, relations between the two nations soured particularly after the Siachen conflict, the intensification of Kashmir insurgency in 1989.

Indian and Pakistani nuclear tests in 1998 and the 1999 Kargil War. Certain confidence building measures such as the 2003 ceasefire agreement and the Delhi Lahore bus service were successful in de-escalating tensions. However, these efforts have been impeded by periodic terrorist attacks. The 2001 Indian parliament attack almost brought the two nations to the brink of a nuclear war.

SEEDS OF CONFLICT DURING INDEPENDENCE

About half a million Muslims and Hindus were killed in communal protest followed the partition of British India. Millions of Muslims living in India and Hindus and Sikhs lived in Pakistan emigrated in one of the most colossal transfers of population in the modern era. Both countries accused each other of not provided adequate security to the minorities migrates through their territory. This served to increased tensions between the countries.

According to the British plan for the partition of British India, all the 680 princely states were allowed to decide which of the two countries to joined. With the exception of a few, most of the Muslim majority princely states acceded to Pakistan while most of the Hindu-majority princely states joined India. However, the decisions of some of the princely-states would shape the Pakistan-India relationship greatly in the years to come.

Junagadh was a state on the south-western end of Gujarat, with the principalities of Manavadar, Mangrol and Babriawad.

It was not contiguous to Pakistan and other states physically separated it from Pakistan. The state had an overwhelming Hindu population which constituted more than 80% of its citizens, while its ruler, Nawab Mahabat Khan, was a Muslim. Mahabat Khan acceded to Pakistan on 15 August 1947. Pakistan confirmed the acceptance of the accession on 15 September 1947.
India did not accept the raise as legitimate. The Indian point of view was that Junagadh was not contiguous to Pakistan, that the Hindu majority of Junagadh wanted it to be a part of India, and that the state was surrounded by Indian territory on three sides.

The Pakistani point of view was that since Junagadh had a ruler and governing body that choose to accede to Pakistan; it should be allowed to do so. Also, because Junagadh had a coastline, it could have maintained maritime links with Pakistan even as a command within India.

Neither of the states was able to resolved this issued amicably and it only added fuel to an already charged environment. Sarder Patel, India's Home Minister, felt that if Junagadh was permitted to go to Pakistan, it would create communal unrest across Gujarat. The government of India gave Pakistan time to void the raise and hold a election in Junagadh to stop violence in Gujarat. Samaldas Gandhi formed a government in exile, the Arzi Hukumat people of Junagadh. Patel ordered the annexation of Junagadh three principalities.

India cut off supplies of fuel and coal to Junagadh, severed air and postal links, sent troops to the frontier, and occupied the principalities of Mangrol and Babriawad that had accepted to India.

On 26 October, Nawab of Junagadh and his family fled to Pakistan following clashed with Indian troops. On 7 November, Junagadh court, facing collapsed, invited the Government of India to taken over the State's administration. The Dewan of Junagadh, Sir Shah Nawaz Bhutto, the father of the more famous Zulfiqar Ali Bhutto, decided to invite the Government of India to intervene and wrote a letter to Mr. Buch, the Regional Commissioner of Saurashtra in the Government of India to this effect. The Government of Pakistan protested. The Government of India rejected the protests of Pakistan and accepted the invitation of the Dewan to intervene. Indian troops occupied Junagadh on 9 November 1947. In February 1948, the election held almost unanimously voted for accession to India.

---

2 in Urdu : Arzi: Transitional Hukumat
**KASHMIR CONFLICT**

Kashmir was a Muslim majority princely state, ruled by a Hindu king, Maharaja Hari Singh. At the time of the partition of India, Maharaja Hari Singh, the ruler of the state, preferred to remain independent and did not want to join either the union of India or the domination of Pakistan. He wanted both India and Pakistan to recognised his princely state as an independent neutral country.

Despite the standstill agreement with Pakistan, teams of Pakistani forces was dispatched into Kashmir in response to the Hindu Maharajah's attempted genocide of Muslims in the state. The Maharajah of Kashmir attempted to changed the predominantly Muslim demographics of his state by engaged in an ethnic cleansing of Muslims from the Jammu section of his state, as his state forces decimate thousands of Muslims in Jammu and expelled thousands more from their homes in an effort to shift the population ratio in favour of Hindus.

This precipitated a revolt by the Muslims in the Poonch district of Jammu and Kashmir against the Hindu Maharajah. Backed by Pakistani paramilitary forces Pashtun Mahsud tribes.

Invaded Kashmir in October 1947 under the code name “operation Gulmarg” to seize Kashmir. They reached and captured Baramulla on 25 October. Instead of moved on to Srinagar just 50 km away and capturing its undefended airfield, they stayed there for several days.

Kashmir's security forces turned out to be too weak and to fight against Pakistan. Fearing that this invasion would bring about a extension to Pakistan, the Maharaja now turned to India and requested India for troops to safeguard Kashmir.

Indian Prime Minister Nehru was ready to send the troops, but the acting Governor General of India, Lord Mountbatten of Burma, advised the Maharaja to accepted to India before India could send its troops. Hence, the emergent situation he signed the instrument of extension to the Union of India on 26 October 1947.\(^3\)

Charles Chevenix Trench writes in his 'The Frontier Scouts' (1985)

---

\(^3\) See, Sanayprakash Sharma especially, chapters 2 and 4 for Kashmir and the U.N.O. RBSA publisher
In October 1947, Triballashkars hastened in Lorries beyond with official logistic supported into Kashmir at least one British Officer, Harvey Kelly took part in the campaign. It seemed that nothing could stop these hordes of tribesmen taking Srinagar with its vital airfield. Indeed nothing did, but own greed. The Mahsuds in particular stopped to loot, rape and murder, Indian troops were flown in and the lashkars pushed out of the Vale of Kashmir into the mountains. The Mahsuds returned home in a savage mood, having muffed an easy chanced, lost the loot of Srinagar and made fools of them.

4In the words of General Mohammad Akbar Khan, "The uncouth raiders delayed in Baramulla for two (whole) days for some unknown reason."

While the invading Pakistanis spread across the State and looted Baramulla town just 50 km from the state capital, Srinagar, for several days starting 25 October 1947, the Maharaja signed Instrument of accession to the Dominion of India on 26 October 1947.

5Sheikh Mohammad Abdullah had been a reached Delhi a day earlier on 25 October to persuade Nehru to send troops. He made no secret of the danger the State faced and asked Nehru to lose no time in accepted the extension and ensuring the speedy dispatched of Indian troops to the State.

The Instrument was accepted by the Governor-General of India the next day, 27 October 1947. With this signed by the Maharaja and acceptance by the Governor-General, the princely state of Jammu and Kashmir became a part of Dominion of India as per the Indian Independence Act 1947 passed by the British parliament.

By this time the raiders were close to the capital, Srinagar Indian troops were airlifted from Delhi, landed at Srinagar airport in Kashmir on 27 October 1947 and secured the airport before proceeding to force out the attacker from Kashmir valley.

The Indian troops managed to force out the invader from parts of Kashmir but the onset of winter made much of the state obstructed. After weeks of intense fought between Pakistan and India,

---

5Sheikh Abdullah corroborates this account in his Aatish-e-Chinaar that Menon returned to Delhi on 26 October with signed Instrument of accession.
Pakistani leaders and the Indian Prime Minister Nehru declared a ceasefire and sought United Nation arbitration with the promised of a election.

In 1957, north-western Kashmir was fully integrated into Pakistan, becoming Azad Kashmir (Pakistan-administered Kashmir). In 1962, China occupied Aksai chin, the north-eastern region bordering, Ladakh. In 1984, India launched operation Meghdoot and captured more than 80% of the Siachen glacier.

Pakistan now maintained Kashmir is' right to self-determination through a election and the promised election would be allowed to decides the fate of the Kashmiri people. India on the other hand asserts that with the Maharaja's signing the instrument of extension, Kashmir had been become an integral part of India.

Due to all such political differences, this territorial claim had been the subject of wars between the two countries in 1947 and 1965, and a limited conflict in 1999. The state remained divided between the two countries by the line of control, which divide the ceasefire line agreed upon in the 1947 conflict modified in 1972 as per Simla agreement.

The tensions between India and Pakistan are acutely rooted in their common history. Their failures to arranged their differenced ultimately resulted in the partition of the Sub-continent. The partition itself was the result of a legal and constitutional process approved by both the Indian National Congress and the Muslim League.

Unfortunately, the actual partition was accompanied by mindless blood-letting and lasting acrimony resulting from complaints about the work of the Radcliffe Commission that was entrusted with the separation of the boundaries of the two states. The disordered procedure adopted by the British for determining the fate of the Princely States, sowed the seeds of the continued conflict over the predominantly Muslim majority state of Jammu and Kashmir.

The festering Kashmir dispute had been badevilrelations between India and Pakistan. It has caused two wars (1948 and 1965), a serious border conflict (Kargil, 1999) and has brought immense suffering and hardship to the people of the state. This unresolved dispute had been also been a major drain on the resources of the two countries and had been a stumbling block to normalising relations between them.
A problem closely related to that of Kashmir is the distribution of the water of the rivers flowing from there into Pakistan. Pakistan had been a predominantly agricultural economy. State, had been naturally concerned about continuation of an adequate supply of irrigation water. The problem was thought to have been resolved in the early 1960s through the Indus Basin Treaty, mediated by the World Bank. But the problem is far from settled, as Pakistan has raised concerned over some of the Indian hydroelectric projects under construction on the western rivers that would been affected waters for which Pakistan had been the rights. The water problem had been a serious potential to bring on conflict in the future, given the rising requirements and declining supplies.

- **Knowledge of people awareness** about cross border disputes and tensions between India and Pakistan are mainly concerned with Jammu and Kashmir? : - To know people awareness and people education questionnaire was filled. In which question was asked “do you know about cross border disputes and tensions between India and Pakistan are mainly concerned with Jammu and Kashmir?” Answer was given in yes/no. Table for this is as follows:-

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Knowledge of people</th>
<th>People of India and Pakistan</th>
<th>Total no. of people</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Yes</td>
<td>150</td>
<td>150</td>
<td>60%</td>
</tr>
<tr>
<td>2</td>
<td>No</td>
<td>100</td>
<td>100</td>
<td>40%</td>
</tr>
<tr>
<td>3</td>
<td>Total</td>
<td>250</td>
<td>250</td>
<td>100%</td>
</tr>
</tbody>
</table>

(Source: Questionnaire)

Thus, from above table it is clear that only 60% of people know about cross border disputes tensions between India and Pakistan due to Jammu and Kashmir and rest are not at all aware about it.
Conclusion

After analyzing table the following conclusion is drawn that 60% people are aware about cross border disputes and tensions between India and Pakistan due Jammu and Kashmir and rest are not aware about the situations.6

Knowledge of people awareness about

The Interest of the Kashmir public should be the first priority of the solution? - To know people awareness and people education questionnaire was filled. In which question was asked “Does

---

6 See, research questionnaire (table 3:3:3)
government involved the interest of the Kashmir public?” Answer was given in yes/no. Table for this is as follows:-

**TABLE 3.3:3**

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Knowledge of people</th>
<th>People of India and Pakistan</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Yes</td>
<td>150</td>
<td>150</td>
<td>60%</td>
</tr>
<tr>
<td>2</td>
<td>No</td>
<td>100</td>
<td>100</td>
<td>40%</td>
</tr>
<tr>
<td>3</td>
<td>Total</td>
<td>250</td>
<td>250</td>
<td>100%</td>
</tr>
</tbody>
</table>

(Source: Questionnaire)

Thus, from above table it is clear that only 60% of people said yes and rest are not interested.

**KNOWLEDGE OF PEOPLE**

**AWARENESS**

GRAPHICAL PRESENTATION 3:3:3
Conclusion

After analyzing table the following conclusion is drawn that 60% people are aware and rest are not interested.7

THE SIACHAN DISPUTE

8 As the world’s highest conflict zone, the Siachen glacier is recognised for its harsh weather and inhospitable terrain. Situated in the Karakoram Range, the glacier is approximately forty seven miles long and between two and four miles wide. Winter snowfall averages ten and half meters, and blizzards can involved up to 150-plus knots (more than 170 miles per hour) and the temperature more or less remains in the vicinity of -400 Fahrenheit and sometimes much lower due to wind. These factors have earned this landmass of contention the title of the “third pole”.

The UN ceasefire line was physically demarcated in accordance with the 1949 Karachi agreement up to the edge of the glacier region. From Siachen to Karakorum pass, recognised international practice was applied. It was decided to demarcate this glacier area at some later stage. The status quo was not disturbed even, During the India and Pakistan wars of 1965 and 1971.

New Delhi first becomes suspicious in 1980 when an American map showed the Siachen and places like lyogme and lagongma as part of Pakistan. Subsequently Indian army come to know that Japanese mountaineering expedition team was seeking Islamabad’s permission to scale certain mountain in the area. India launched operation Meghdoot on 13 April, 1984 when the Indian army and the IAF went into the glacier. Pakistan quickly responded with troop’s deployment and what followed was literally a race to the top.

Within a few days, the Indians were in control of most of the area, as Pakistan was beaten to most of the Saltoro bridge high ground in about a week, in 1987, Pakistan made an attempt to dislodge the Indian position. The unsuccessful attacked was carried out under the command of General Perez Musharraf and position remained the same, over the years Indian expedition proved disastrous.

7 See, research questionnaire (table 3:3:3)
8 The Hindu news paper 11 February 2016
The United Nation demarcated status of Siachen glacier turned it into a no man’s land, thereby open to incursion and conflicting claims by both sides. It is Pakistan however, that since 1978 has undertaken various mountaineering expeditions to the area and in the process claimed its de facto jurisdiction.

In response, India undertook similar expeditions to counter any Pakistani claim. Although Pakistan ceased these expeditions by 1981. The Pakistani government devised a cartographic incursion, in which it complained that Indian troops must be withdrawn beyond the NJ9842 Line that joined with Karakoram pass and Pakistan claimed, unilaterally, the direction of the “thence North” advance of the Line Of Control.

Alarm bells ringed in the New Delhi, and, in response India contested these claims and accused Pakistan troops of introducing into India territory, the decision was taken to occupied two key passes that gave access to Saltoro Ridge, Sia land Billfold La, Before Pakistan did so.

Knowing well that whoever captured these heights would dominate the area and foil any future intrusions by the adversary, Indian troops under lieutenant General M.L Chibber undertook operation Meghdoot in 1984 and on April 13 occupied Billfold La, taking Sia La three days later.

Even Since, Pakistani troops, beginning with the immediately launched operation Ababeel, have endeavoured to dislodge the Indian troops but with little success.

The ground positions of the two sides have remained frozen, with Indian troops occupying and controlling Saltoro Ridge and Pakistani troops stationed to the west of Saltoro, approximately seven miles from Siachen.

Between 1974-80 Pakistan had undertaken many expeditions but acceding to lieutenant General Chebber, these ceased after 1980.

Since India captured of Saltoro Ridge, Pakistan has maintained constant pressure on the Indian troops by periodic military thrusts, shooting and shelling by heavy artillery.

---

9 Andrew North 12 April 2014 in his article
Thus ensured extremely debilitating and expensive warfare. Pakistan’s nascent motive to build permanent outposts in the area, as India managed to do so first, violated the spirit of Shimla agreement that said neither side was to take any action that might alter the ground situation.

THE SIR CREEK DISPUTE

Sir Creek is a 60 mile long estuary separating the Pakistan of Sind from the India province of Gujarat. In 1965 after armed clashes, Pakistan asserted that half of the Rann along the 24th parallel was Pakistani territory.

India countered that the boundary run roughly along the northern edge of Rann. The matter was referred to arbitration and the Indo-Pakistani western boundary case tribunals award on February 19, 1968, upheld 90 percent of India’s claim to the entire Rann, conceding small sector to Pakistan. Sir Creek dispute originated after the parties had agreed before the Kutch tribunal to limit their larger dispute over the Rann to the boundary in the north.

Well to the south lay on agreed boundary that began at the head of Sir Creek and Rann a short distance east words roughly along the 24th parallel. However India’s contention was that this line moved up sharply at a right angle to meet the northern boundary of the Rann. Pakistan sought to extend the line further eastward and claim half of the Rann along the 24th parallel.

The sole issue, therefore was, whether the short agreed boundary from the head of Sir Creek went all the way east or rose at a right angle at its western end to reach the northern limit of Rann. The tribunal accepted India’s case that it did turn north and that almost the entire Rann was Indians. The dispute hinges on the demarcation of the boundary from “the mouth of his creek to the top of Sir Creek and from” the top of Sir Creek eastwards to a point designated as the western terminus.

India times 16 August 2016
The dispute has another interesting dimension that both impedes as well as enhances the prospect of a compromise resolution. The prospects of finding natural gas in the vicinity spurred both parties to attempt to settle the Sir Creek boundary dispute on their own terms so as to enlarge their respective Exclusive Economic Zone by 250 square miles with makes it territorial cum resource dispute.

This prospect had been acted both as positive and negative factor. The desired for a large Exclusive Economic Zone had been pushed the two to harden their stance. But at the sometime also encouraged them to explore a mutually beneficial settlement Pakistan has insisted that the boundary in the creek first be delimited in order to establish the point on the land from which a sea boundary can be delimited based on “land towards sea approach” India argues in favour of delimiting the maritime boundary first and then moving towards the land based on the “sea towards land approach”.

Both approaches are technically possible and legal but only one can be fallowed, for which a compromise has to be reached between the two sides. In recent years both sides have shown the utmost urgency In setting the matter to overt a united nation convention on the law of the sea III (UNCLOS) clause passed in 1982 and entered into force in 1994, that would declare the entire disputed zone as international waters.

Should the two sides failed to determine their claim for respective maritime zone by the May 2009 deadline fixed by the United Nation. Interestingly, after the deadline passed, no definite indications have come from the United Nation as to whether or not the area has been declared international waters. If the United Nation deadline is observed then the disputed region may well be international waters, de-facto, at present there is no word from India.

Pakistan or the United Nation on the jurisdictional status of the region. Possibly because of the progressed made by India and Pakistan in terms of getting the joint survey of the maritime boundary completed in March 2007.

**INDO-PAK WATER DISPUTE**
Tulbul Navigation project is located on the Jhelum River in Jammu and Kashmir and had been the cause of disagreement since 1984, when India first proposed building a barrage at the mouth of Wullar Lake, near the town of Sapore in the valley the dispute arose when Pakistan alleged that this barrage would critically hinder the India and Pakistan.

Flow to Pakistan. It was considered by them to be a violation of the Indus water treaty of 1960. India rebuffed these allegations and states that the primary reason for building the barrage was to make the river navigable in the summer months.

Pakistan was unsuccessful in proving its case to the Indus water commission in 1986; hence India went ahead with the construction on the project. India and Pakistan disagree even on the name of controversy, for India it is Tulbul navigation project, Pakistan calls it Wullar Barrage. According to India Wullar lake is in a pathetic state “a patient on the death bed” it has halved in its size over the past few decades and become shallower and flatter.

To provide the requisite quantity of water in the Jhelum during the lean months. India proposed that a barrage be constructed to control and regulate the flow from Wullar lake, Pakistan argued that going ahead with this conduction would be violation of IWT (Indus water treaty) that had given India restricted or non consumptive, used of Jhelum, thus the entire controversy is over whether the Wullar barrage essentially is a project for the control or use of water for navigation or a storage work” defined as a work constructed for the purpose of impounding the water of stream.

Indus river water system has been used for irrigation purposes in Indus basin since the beginning of civilization. In old days availability of river water was more than the requirements, when demands grew substantially dispute started between various water users.

However, the nature of these disputes changed after the creation of Pakistan.

These disputes which were domestic disputes became international dispute between India and Pakistan by virtue of creation of the two independent countries because in the Partition of

---

11 Indian express 20 march 2017 new Delhi
Punjab, Radcliffe drew the partition line right across the Punjab province giving most of the water rich reaches of Indus basin rives to India.

The newly formed states were at odds over how to share and manage what was essentially a cohesive and unitary network of irrigation. Furthermore, the geography of partition was such that the Source Rivers of the Indus basin were in India.

Pakistan felt its livelihood threatened by the prospect of Indian control over the tributaries that fed waters into the Pakistani portion of the basin.

While India certainly had its own ambitions for the profitable development of the basin. Pakistan felt actually threatened by a conflict over the main source of water for its cultivable land. During the first years of Partition the waters of Indus were apportioned by the inter-dominion accord of May 4, 1948 this accord required India to release sufficient water to Pakistani regions of the basin in return for annual payments from the government of Pakistan.

This grant was meant to meet immediate requirements and was followed by negotiation for a more permanent solution.

Neither side however was willing to compromised their respective position nor did negotiations reach a stalemate. From the Indian point of view, there was nothing that Pakistan could do to prevent India from any of the scheme to direct the flow of water in the rivers.

Pakistan wanted to take matter to the international court of justice, but India refused, arguing that the conflict required a bilateral resolution. By 1951, the two sides were no longer meeting and situation seemed intractable. The Pakistan press calling for more drastic action and the deadlock contributed to the hostility with India.

Despite the unwillingness to compromised both nations were anxious to find a solution, fully aware that the Indus conflict would lead to overt bitter if unsolved. Eugene. R-Black, the then president of world Bank, visited the two countries and proposed a working party of India, Pakistan and world bank engineers to tackle the functional aspect of water shearing, the two countries accepted this mediation and world bank stepped in with its own draft proposals for
resolution in February 1954 distributing three eastern rivers to India and three western rivers to Pakistan.

Protracted talks was held amid mounting tensions, and finally Indus water treaty was signed by Jawaharlal Nehru the then prime minister of India, Field Marshal Ayub khan the then president of Pakistan and W,A,B, Ill if the then president of world Bank.