Chapter V

THE BRITISH IMPERIAL PROJECTIONS IN KASHMIR
UP TO 1870
The Boundary Commission of 1847 could not achieve anything substantial. The author of the Commission Sir Henry Hardinge laid down the office of Governor General of India on 12 January 1848 and sailed for England on 18 January 1848. The departure of Hardinge marked the suspension of the forward frontier policy for two decades after which it was revised in altogether different circumstances. The succeeding Governor General Lord Dalhousie abandoned further attempts towards frontiers in May 1848, (1) and centred his attention on the internal affairs of the native states. His policy of land acquisitions led him to battlefields in Punjab and Burma. Punjab, the Kingdom of Sikhs, was annexed to the British possessions after three bloody battles at Rannmagar, Chillianwalla and Gujrat in 1849. Similarly the gold rich province of Pegu was wrested from the Buddhist sovereign of Burma and annexed to the jurisdiction of East India Company's Government in India, after the Second Burmese War of 1852-53. The doctrine of lapse brought to the British fold the states of Satara, Nagpur, Jhansi, Sambalpur, and others. The Nizam of Hyderabad was deprived of the province of Berar and Awadh was taken on the plea of maladministration. Thus the map of India became practically red leading to the eventful years of 1857-58.

Gilgit Tribal Territory and Kashmir State

While Dalhousie and Canning were busy in annexations and suppressions, Maharaja Gulab Singh and his successor Ranbir Singh were busy in the consolidation of the newly created state of Jammu and Kashmir on the frontiers of India. The affairs at the eastern frontiers of Kashmir state were settled by a treaty between Gulab Singh and Tibet in 1842, but the tribes on the western end of the state had engaged the attention of Kashmir rulers constantly ever since 1842. In the year 1841-42 (Sambat year 1899) the hereditary ruler of Gilgit had been subdued by his more powerful neighbouring Chief Gauhar Aman, the ruler of Chitral. Sikandar Khan, the hereditary chief, who had taken refuge in the fort of Sanagarh sent his youngest brother Suleman Khan with his two wazirs to Kashmir, to ask for aid from Shaikh Gulam Muhiuddin the Governor of that province. The aid was granted under sanction of Lahore Darbar and a force of 1,000 men was sent under the command of Syed Nathe Shah. As soon as the news of this military movement reached Gilgit, Gauhar Aman got Sikandar Khan murdered in the fort of Bakrot where he had retired from Sanagarh. Nathe Shah stormed the fort of Gilgit in one siege. Gauhar Aman who fled from Gilgit was followed by Mathura Das a commander under Nathe Shah. Karim Khan a younger brother of Sikandar Khan was allowed by the Sikh Government to succeed in the Government of Gilgit and Syed Nathe Shah was appointed Military Governor (Thanedar) to occupy and hold Gilgit. The Raja was bound to pay an annual tribute of 2,500 Hari Singhi Rupees as a condition of protection. Along with Gilgit, the principalities of Hunza and Nagar had also entered
into an alliance with Syed Nathe Shah. On the decline of the
kingdom of Lahore, and creation of Jammu and Kashmir state on
16 March 1846, Maharaja Gulab Singh became the master of the
principality. Karim Khan the Raja of Gilgit sent his younger
brother Suleman Khan to the court of Jammu and Gulab Singh
recognized the existing administration of Gilgit. (2)

The newly created state of Jammu and Kashmir had soon to
bear the brunt of an attack by Gauhar Aman who marched on Gilgit
in 1848. The immediate cause for it was the refusal of Gulab Singh
to surrender Isa Bahadur, a step brother of Gauhar Aman who took
refuge with Kashmir in February 1848. Gulab Singh sent a reinforce-
ment of 2,000 men under the command of Fateh Khan and recalled
Nazar Ali Shah the Governor. Fateh Khan was partly able to recover
Gilgit, but another force of 2,000 men under Bakshi Hari Singh
recovered the lost forts of Gilgit region in May 1849. Mohammad
Khan the son of late Karim Khan was made Raja and Aman Ali Shah the
Governor. Chilas, a tribal territory strategically situated on the
route to Gilgit was subdued by Bakshi Hari Singh and Dewan Harichand
in the course of Gilgit operations and was added to Gilgit.

Subsequent to this second attack by Gauhar Aman, Gilgit was taken
by him again in 1853 and 1857. Gulab Singh changed his strategy in
the area putting much reliance on intrigues and diplomacy than on
the might of arms. Gulab Singh and his son and successor Ranbir

(2) Pundit Munphool Report: On Relations between Gilgit, Chitral
and Kashmir. Foreign Political A., May 1868, Nos. 8-11.
Singh kept tribes separated from each other. It was only after the death of Gauhar Aman, that Gilgit was finally restored to Kashmir in August 1860, when Colonel Lochan Singh seized it. Wahab, the Wazir of Gauhar Aman, was killed in the action. Later Yasin and Ponial were subdued and punished by the forces of Kashmir. (3)

Kashmir State in relation to the British Government

The British object in carving out the state of Jammu and Kashmir from the kingdom of Sikhs were twofold. Firstly, it was to weaken the Sikh kingdom of Lahore, and secondly, it was to create a friendly Rajput kingdom on the borders of the British possessions in India. Gulab Singh was the master of the principality even otherwise. He was Raja of Jammu from 1822. All the states of his brothers Dhyan Singh and Suchet Singh and nephew Hira Singh fell to him after their murder and death by 1844. As Prime Minister of Lahore Darbar he was in actual control of the territories. (4) The recognition of the fact amounted to Rupees seventy-five lakhs to Gulab Singh which he paid to the British Government. The Treaty of Amritsar by which this recognition was awarded stands on a different footing from other treaties with Indian states. The territories on

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which Gulab Singh was recognized as ruler were handed over to him in independent possession, and that there was no agreement on the part of the British Government to guarantee the internal security of the state. (5) In the event of external aggressions the treaty only provided the British "aid to Maharaja Gulab Singh in protecting his territories". Therefore in essence the Treaty of Amritsar was "... to confirm Gulab Singh on what he already possessed. ..." (6)

In spite of the guarantee of non-interference in the internal affairs of the state, the British Government never refrained from doing so. When Gilgit was threatened by Gauhar Aman in 1848, the Resident and the Agent to the Governor General at Lahore asked Gulab Singh for information regarding arrangements he had made for the defence and protection of Gilgit, and suggested certain other things for its defence. Gulab Singh replied to him that his military commander Nathe Shah would do the needful after the snowy season. This brief reply of Gulab Singh was not satisfactory to the Agent, and he wrote several other letters to Gulab Singh with pointed references to the articles four and five of the treaty of Amritsar. Maharaja ignored these letters. Even after the annexation of Punjab, the Board of Administration again asked Gulab Singh to supply information regarding the Gilgit


(6) C.U. Aitchison, A Collection of Treaties, Engagements and Sanads: Relating to India and Neighbouring Countries (Calcutta, 1931), vol. 12, p. 3.
frontier. Gulab Singh quietly ignored these queries and sent the information only after Gilgit was recovered from Gauhar Aman. (7) Lord Hardinge himself also tried to interfere in the internal affairs of the state and wrote to Gulab Singh for the appointment of a Resident at Srinagar. Gulab Singh claimed in his reply that a promise had been given to him that no Resident would be appointed in his state. Thus the idea was dropped for the time being, but as the number of European visitors to the state unprecedently increased and it was feared that they would misuse Gulab Singh's hospitality, the idea was again revived. (8) In 1851 the British Government wrote to Gulab Singh that every year the number of British visitors to the valley was increasing and that their interests should be looked after by a Resident. Gulab Singh strongly resisted this claim and in protest said that the appointment of a political officer, as in other Indian states, was against the degree of independence guaranteed to his state, and that as the European visitors frequented the valley in summer it would be sufficient if an officer was appointed for the season only. The demand was withdrawn and Major Macgregor was deputed to Srinagar for summer season in 1852. He was having no powers of political supervision, his sole function was to supervise the conduct of European visitors to Kashmir. (9) This supervisory appointment of

(7) Pundit Munphool's Report, n. 2.


(9) Panikkar, n. 3, pp. 132-3.
a British officer in Kashmir marks the beginning of the British interference in Kashmir state.

**New Power Pattern on the Frontiers of Kashmir**

The power pattern among the three empires - British, Chinese and Russian - in Central Asia was seriously threatened in the second half of the nineteenth century. The authority of Manchus in China was seriously menaced from internal revolts and external aggressions. While Central provinces of China were in revolt in "T'ai P'ing" and "Mien 'Fei" China had to face an external enemy in Lorchia war 1856. In Sinkiang there were series of Mohammedan risings ending into the establishment of an independent Kingdom under Yakub Beg, a Kokandi official in 1866. Russia, whose expansion in Europe was checked after Crimean War 1854-56 began to expand in Central Asia. Captain Valikhnov disguised as a merchant visited Kashgar in 1858. In 1860 Russia established its footholds on the Amu river and broke down the last resistance of the Caucasian hill tribes in 1864. In the rapid march towards the Khanates of Central Asia Russia took Tashkent in 1865 and Samarkand Bokhara in 1868. This menacing march of Russia in the power vacuum of Central Asia alarmed the British power in India, who after annexation of Punjab in 1849 and suppression of the rising of 1857-58 were seriously in search of security and commercial prosperity.

The annexation of Punjab brought the British territory fully coterminous with the independent kingdom of Gulab Singh. For a while the British officials were fully engaged in the
administration of the newly acquired territories. Among the first
priorities, they improved the internal communications and abolished
the former Sikh transit duties on trade. But the prohibitive trade
duties of the Kashmir Darbar were great barriers for the smooth
flow of trade with Kashmir and beyond it. R.H. Davis, Secretary
to the Punjab Government, and Thomas Douglas Forsyth, Commissioner
and Superintendent of Jullundhar, impressed upon Sir Robert
Montgomery, the Lieutenant Governor of the Punjab, the desirability
of negotiations with Ranbir Singh, the Maharaja of Kashmir for the
reduction of the import and transit duties. (10) It was a hard task
for Montgomery to persuade a reluctant Maharaja to effect reduction
in stage revenues. Maharaja was, however, willing to reduce the
customs duties levied on goods imported into Kashmir. The method
of its collection was simplified, and a transit duty of 5 per cent
on goods conveyed via Srinagar was imposed in lieu of the fiscal exactions in 1864. (11)

The commercial concessions were not sufficient to the
Russophobe officers of the British Government in India. Captain
Charles H. Strutt of the Royal Artillery impressed upon the
Government the desirability of free commercial intercourse with the
Kashmir state, and pointed out that "... of all our northern

(10) R.H. Davies to Secretary, Government of India, 23 January
1863. Foreign Political A, May 1864, Nos. 9-12; E.W. Trotter
to Secretary, Government of India, 11 June 1863. Foreign
Political A, July 1863, Nos. 73-75.

(11) Aitchison, n. 6, p. 6; Alder, n. 3, p. 24.
frontier, Kashmir is undoubtedly the line of least resistance into India ...", and advocated for the establishment of a military post in Ladakh either for offensive or defensive purposes. (12) Forsyth, another officer, said that "... the very fact of Russia being able to threaten us on the Cashmere frontier, would injure our prestige". Without offering any opinion of his own, he simply quoted from the writings of Mons. A. Vambery:

... would it not be a mortal sin to continue even presently in the way of obnoxious inactivity and to frustrate an opportunity, which is rarely offered by political coincidence? "One nail can save a horse shoe, one horse shoe a horse, one horse a man, one man a Govt.", says a Turkish proverb and I think the much wanted nail is easily to be found beyond the range of Kuen Luen mountains. (13)

**British Trade Agent at Leh**

This strong official opinion in favour of the tampering with the sovereignty of Kashmir, and the failure of trade concessions provided the cause and the occasion for the rethinking in the British Government towards Kashmir. Forsyth recommended for the appointment of a British Trade Agent at Leh to check the extortions on traders by the Kashmiri officials and to watch the events beyond the borders in Central Asia. (14) The proposal was officially forwarded to the Government of India by the Punjab

(12) Note on Yarkand by Charles H. Strutt, 29 March 1863. *Foreign Political A*, May 1863, No. 77.


(14) Ibid.
Government. Sir John Lawrence, the then Viceroy of India reluctantly agreed to the proposal as a temporary measure only for one reason. Dr. Henry Cayley a physician was appointed to the post with a salary of Rupees 1,000 per month in spite of the vigorous objections of the Maharaja of Kashmir. He reached Leh the capital of Ladakh on 24 June 1867. (15) Even while in Ladakh Cayley felt that "unless it is known that the appointment will be continued or renewed, little or no permanent good will result", and requested the Government for the continuance of the Agency. It was decided to continue the British agency at Leh. Sir Stafford Northcote Bart, Secretary of State for India, while sanctioning Leh Agent observed:

... Dr. Cayley as Commercial Agent in Ladakh, is ever to bear in mind that he is in foreign territory ... (and will refrain from) ... dictatorial language calculated to give offence to the rulers of these countries. (16)

When the decision of the British Government was made known to Maharaja of Kashmir, he was very sore and asked his Dewan Kirpa Ram to make a representation to the Lieutenant Governor of the Punjab. The Dewan pointed out that the Commercial Agent at Leh was for the year 1867 only, and was appointed to make enquiries into the state of the trade with Turkistan, and to see that the scale of duty that was fixed in 1864 was observed. But since the tariff of

(15) Secretary Punjab to Secretary, Government of India, 27 January 1868. Foreign Political A, March 1868, No. 6. Parliamentary Paper Commons No. 147, 1867-68; Alder, n. 3, p. 27.

(16) Northcote to Lawrence, 15 February 1868. Foreign Political A, March 1868, No. 144.
1864 was implemented, there would be no justification for the continuance of the Agency. He also pointed out that its continuation was not only the violation of the customs and usage followed so far but will damage the prestige of the Maharaja's authority. It will also create an impression on the minds of the people that the Maharaja was deemed incapable of carrying on effectively the administration of his country. Kirpa Ram assured that the desire of the British Government in regard to the opening of the Chang Chamno route and the encouragement of trade with Turkistan will be fulfilled. (17)

The Lieutenant Governor while appreciating the sentiment of Maharaja, told Kirpa Ram that the appointment of a Commercial Agent was in accordance with the practice prevalent amongst the civilized nations of Europe. If, however, there was any erroneous notion among the population in regard to the object and functions of the Commercial Agent, it could be dispelled by the circulation of a proclamation among the people. (18) Accordingly a proclamation was issued on 8 July 1868 to the effect that

... The Maharaja is in the same position in regard to his dominions as the late Maharaja Gulab Singh. ... Dr. Cayley or any other officer in his position has no power or right to interfere with the internal administration of the country or to listen to the complaints of Zageerdars or other subjects of Maharaja.... The Maharaja is a faithful

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(18) Memorandum in reply to Representation of Dewan Kirpa Ram, 6 July 1868. Foreign Political A, January 1869, Nos. 352-58.
feudatory of the British Government with which the
most friendly relations exist and possessed of full
sovereign powers in his own territory. (19)

Not satisfied with the outcome of his representation to the
Lieutenant Governor of the Punjab, Maharaja deputed Dewan Jwala Sahai
and Dewan Kirpa Ram to the Viceroy of India. They impressed upon
him the desirability of not renewing the appointment of a Commercial
Agent to Leh and in return promised on behalf of the Maharaja, to
withdraw all duties hitherto levied on merchandise conveyed by traders
to and from British India via Ladakh, and will readily permit the
deputation for a period of one month in the year, of the British
officer stationed during the season in Kashmir. Nothing came out
of this representation of the Maharaja. The Punjab Government and
Cayley had their way in spite of the opposition of the members of
the Council at London (20) and the attitude of Sir John Lawrence.

(19) Ibid., Proclamation dated 8 July 1868.

(20) Sir George Clerk and Sir John Kaye were opposed to the
commercial prospects with Eastern Turkistan. Sir John Kaye
regarded the British interference in Kashmir as

...highly offensive. ... I do not myself see what
right we have to dictate scales of duty to an indepen
dent sovereign. ... I very much doubt the policy, to
say nothing of the justice, of thus interfering with
Kashmir except in respect of friendly advice. The
inconsistency - the difference between precept and
practice in our case - is obvious. For we prefer to
be horror-struck at the idea of a monopoly of any kind;
yet our Empire was originally founded on a monopoly and
we still maintain certain monopolies of our own because
our revenue cannot do without them.

Quoted by Alder, n. 3, p. 29.
Lawrence sanctioned the deputation of a Commercial Agent to Leh, and observed:

... the presence of a British official is, in itself, irksome and inconvenient to the Maharaja, and however discreet may be the conduct of the occupant of that situation, his mere deputation gives rise to surmises which cannot but cramp the action and lessen the self respect of the ruler himself, while by some of his subjects it is regarded as a pledge and even a menace of further and more direct interference in the affairs of a kingdom which we have agreed generally to consider and to treat as an independent.... The case of Kashmir is peculiar, and our policy in regard to kingdom on the frontier is now, and ought to be specially one of avowed conciliation and scrupulous forbearance. The position of the territory, the zeal and the fidelity displayed by its rulers to the British cause at various important epochs... and the earnest desire of the Government of India to have in the space between British India and Central Asia, at least one friendly state, and one Ruler, thoroughly well disposed to British ascendancy and influence... (it is) both wise and politic to run the risk of some possible impediments to commerce and some misconstruction of political motives, in order to secure in the ruler of Kashmir, a cordial supporter instead of a lukewarm friend. (21)

While the British energies were centred round the establishment of Commercial Agent at Leh, Maharaja busied himself on the other theatres of the frontiers of his state. After the final ejection of the forces of Gauhar Aman in August 1860, Maharaja's forces under Lachman Singh proceeded to punish the rulers of Yassin and Payal in Chitral Bala. On 14 September 1860 the fort of Yassin was taken over and its ruler, Malik Aman, was made to leave Yassin. Col. Lachman Singh returned to Gilgit after handing over the charge of Yassin to Azmat Shah and Payal to Isa Bahadur. (22) Soon after

(21) W.S. Seaton Karr to T.H. Thornton, 9 November 1868. Foreign Political A, November 1868, No. 52.
(22) Pundit Manphool's Report, n. 2.
Maharaja proposed to the Ameer of Kabul that since the territories around Gilgit were never under the complete control of Kabul, it would be better if he takes few lakhs of Rupees and transfers Badakhshan to the Kashmir Government. But the Ameer could not entertain the project as he was involved in a family dispute. (23) Yakub Beg, the new ruler of Eastern Turkistan, proposed to the Maharaja a friendly alliance and wrote to this effect on 18 July 1866. (24) Next year the Yarkand Envoy Mohammad Nazir reached to the court of Maharaja at Jammu. Though the Maharaja forwarded the Envoy to Lahore, the event made the British officers think about the status of Kashmir afresh.

G.N. Taylor supported the efforts of the Punjab officials towards the greater interference in the affairs of Kashmir. After quoting Forsyth who wrote, "... Kashmir has gone so far as to render the line of our northern boundary and power very faint, the Maharaja has acquired a position not only of an equal, but even of a superior", he pointed out to the Government that the considerate and liberal treatment of the Maharaja had been taken as a sign of the weakness of the British Government. Therefore, the time had

(23) Kabul Dairies from 25 December 1863 to 7 January 1864. Foreign Political A, February 1864, Nos. 202-3. Hugh R. James Commander and Superintendent Kabul remarked: "... It is believed that the object of the Kashmir ruler is to secure a place of safety for his treasure, family, and troops, at a distance from English territory, and where he could himself resort in event of trouble."

come when the British Government should assert her supremacy and prohibit the Maharaja from deputing any agent whatever to Yarkand, or other foreign states without the sanction of the British Government. It is nothing more than what the occasion required. (25) The Lieutenant Governor of the Punjab pointed out the lacunae in the treaty of Amritsar 1846, which provided no control over the diplomatic relations of the Maharaja and promised aid in the event of external aggression, to the Viceroy. (26) However to Lawrence these pleadings meant nothing. He pointed out that the clause on the control of the diplomatic relations was omitted because the state of Kashmir was "beyond our own boundary", and that the "British frontier did not, at that time, even touch that of the Maharaja...." So far the clause of aid was concerned Lawrence said, "... they are as a matter of fact limited to promise...." which will be taken into account if the circumstances will permit. Lawrence laid down his policy for the benefit of the Punjab authorities and said:

(It was not) ... expedient still less necessary that the British Government should insist on the exercise of a direct control over the diplomatic relations of the Maharaja. The treaty does not as has been shown, prescribe, and in the practice that has prevailed since 1846, there are no precedents to warrant, such a course. A requisition of the kind would be distasteful to the Maharaja and any attempt to enforce it would probably be found nugatory. (27)


(26) C.U. Aitchison, Secretary Punjab to Secretary, Government of India, 25 December 1867. Foreign Political A, January 1868, No. 76.

(27) Under Secretary Government of India to Government of Punjab, 10 January 1868. Foreign Political A, January 1868, No. 78.
Dr. Cayley's appointment as Commercial Agent at Leh was not the last act of the British interference in the internal affairs of Kashmir. With the speedy increase of the geographical knowledge of the area, the zeal for commercial enterprise also increased gradually. The Eastern Turkestan and its fabulous wealth had always been a centre of attraction for the Europeans. The wave of enthusiasm for trade with the Eastern Turkestan was greatly strengthened in the late sixties with the political developments in the area. Yakub Beg who became the ruler of Kashgar was equally interested in the development of the trans-frontier trade. Cayley who as a Commercial Agent at Leh had collected information about the various routes to Turkestan, had already recommended for the opening of the Chang Chemo route which was a regular route starting from Kulu to Leh and which passes through Chang-Chemmo valley, crossed Karakash river and met the Karakoram route at Sarket, a place midway between Karakoram Pass and Shahidula. (28) Robert Shaw, a tea planter, who visited these areas privately, urged the Government to negotiate with the Maharaja of Kashmir for the opening of a new trade route to Turkestan. (29) William Hayward, a traveller, in a memorandum confirmed the desire of the other two, and pointed out the comparative advantage of the routes. (30)

(28) Dr. Cayley's Report, 13 January 1868. Foreign Political A, March 1869, No. 7.

(29) Robert Shaw's Memorandum, 18 September 1869. Foreign Political A, July 1870, No. 73.

(30) William Hayward's Memorandum, 11 October 1869. Foreign Political A, February 1870, No. 296; also Alder, n. 3, pp. 30-34.
Sir John Lawrence "... well aware of the tendency for annexation to follow trade..." (31) was reluctant to accept the forward policy towards Eastern Turkestan, much less to annoy the Maharaja of Kashmir. His successor to Viceroyalty, Lord Mayo (1869-72) had taken into account the pleadings of the Punjab Government for a forward policy towards Eastern Turkestan and Kashmir. He had none of Lawrence's inhibitions in his dealings with Kashmir and believed that it had been 'a mistaken policy' to allow the Kashmir officials to hinder British trade for so long. Recommendations of Cayley, Shaw and Hayward in regard to Chang-Chenmo Route made a positive impact on his mind; and that the warning of the excessive suspicious Forsyth that Kashmir

... is a foreign state, quite on the external frontier, exposed to all kinds of temptations. There is fascination to all asiatic minds in change, and a scramble for power, and as regards Kashmir, it would not be matter for surprise if Russia were to tempt the Maharaja with the offer of a slice of Turkistan. (32) stimulated his thinking in regard to forward policy. Mayo, relying on two weapons, diplomacy and persuasion, moved quietly to deal with the Maharaja of Kashmir.

Commercial Treaty of 1870

While the thinking for a commercial treaty with the Maharaja was in progress, Maharaja on his own accord announced his desire of opening the Chang Chenmo route in December 1868 (1st Poh 1925 Sambat).

(31) Alder, n. 3, p. 33.

(32) Extract from proposed negotiations with Russia regarding Central Asia by T.D. Forsyth, 7 October 1868. Foreign Political A, November 1868, Nos. 1-6.
He reduced the duty on goods passing through that road from 5 per cent to 4 per cent; and sanctioned Rs. 5,000/- for the repair of the road and renovation of rest houses (sarais) on the route. Next year he instituted a present of Rs. 30- to a kafila using the road and the duty on every two Damas of tea was remitted. (33)

In utter disregard of this goodwill gesture of Maharaja, Mayo decided to negotiate a commercial treaty with him. Maharaja was informed that Sir Donald Macleod the Lieutenant Governor Punjab will make known the desire of the Viceroy. (34) Captain Grey the courier to Maharaja was charged to intimate that one or more British officers would examine and survey the trade routes described by Shaw and that no officer or the subjects of Maharaja would interfere with the work of such officers. In this way whichever route was chosen was to be a free highway to all and that no obstruction would be placed on it. For the maintenance of the route, the joint commissioners were to be appointed whose functions would be to supervise, to decide civil and criminal cases of a petty nature. Except the joint commissioners no other officer of the Maharaja was to be allowed on the route and that Maharaja would renounce the transit duties of 4 per cent on Chang Chenmo route and 5 per cent on all other routes. The Maharaja would allow the British Yarkandees and his own subjects to keep, maintain the means of carriage and

(33) Ranbir Singh to Macleod, 28 September 1869. *Foreign Political* A, March 1870, Nos. 45-47.

(34) Mayo to Ranbir Singh, 18 October 1869. *Foreign Political* A, July 1870, No. 82.
transport at different stations on the route. (35)

The elaborate negotiation which followed on these basic points continued for a long time. Dewan Jwala Sahai and Kirpa Ram pointed specifically to Captain Grey that on the matter of boundary of the state the British officials will not have any say and will have to accept the points indicated by the Kashmir officials. (36)

While agreeing to the proposal, the Maharaja pointed out that, he should be given a Sanad to the effect that the "... settlement now made is final and will hold good for ever". The loss suffered by him in removing duties would be compensated by the British Government and that now onwards there would be no Commercial Agent at Leh as one British officer will be in the Chang Chenmo valley as a joint commissioner. (37)

At this stage of negotiation Captain Grey was replaced by Douglas Forsyth whose interest in Kashmir and suspicion on Maharaja were well known. While rejecting the demand of the Maharaja that the settlement would be final, Mayo assured "... the British Government will at all times be guided by the most scrupulous respect for your honour and by a sincere desire to exalt your dignity in the eyes of your subjects. ..." In regard to compensation for the loss


(37) Ranbir Singh to Mayo. Foreign Political A, July 1870, No. 91.
of duties he told Maharaja that the stamp duty on civil cases and fines in criminal cases decided by the joint commissioners will go to Kashmir revenues and that the shawl and textile manufactures of Kashmir will be exported outside India duty free. With regard to the presence of British officer in Ladakah Maharaja was told that in case the appointment of joint commissioners renders trade agency at Leh useless, it will be withdrawn. (38)

Thus a ten article treaty was concluded on 2 April 1870 and ratified on 2 May 1870. It provided for the survey of all routes, and the nomination of a route which could be 'a free highway in perpetuity for all travellers and traders'; two joint commissioners, one each from Kashmir and British India, were to be appointed to supervise the route, settle disputes and exercise jurisdiction within a defined limit on each side of the chosen road; arrangements were to be made for providing transport by independent agents; the establishment of supply depots and rest houses was to be decided by the joint commissioners. In return for the refund of all import duties on goods transmitted in bond through India to Kashmir and Eastern Turkestan, the Maharaja agreed to levy no transit duties on the free highway or on goods passing through Kashmir unopened. (39) To this treaty a set of rules were appended for the guidance of the commissioners and fixed amount was allocated for road maintenance.

(38) Mayo to Ranbir Singh, 8 February 1870. Foreign Political A, July 1870, No. 97.

The treaty of Amritsar (1846) by which the state of Jammu and Kashmir was created as it exists today had no provision for the interference in the internal administration, and control over the external relations of the state. It merely promised an aid in an event of external aggression. Thus an independent state was created on the ruins of the powerful independent state of the Sikhs. But the fate of this treaty was the same as that of any other with native states of India. Hardly the ink of the pious agreement at Amritsar had dried when the British began to interfere in the internal administration of the state. They not only abolished the passport system for European visitors to the state, (40) but also appointed an officer on special duty in 1852 to supervise the conduct of European visitors and a Commercial Agent at Leh in 1867 to be followed by a joint commissioner on the Chang Chenmo road in 1870. Again in an event of external aggression of Guhar Aman on Gilgit the British Government failed to give any aid to Kashmir. On the contrary they sought irrelevant informations. In matters of external relations the Maharaja was asked to send the Yarkand envoy to Lahore. This gradual interference of the British Government in the affairs of Kashmir made people to believe the incompetence of the Maharaja. The power and the prestige of the Maharaja began to decline, only to be replaced by a Resident later and the deposition of the next ruler.

(40) H.L. Poerwyme to Secretary Punjab, 10 March 1870, Foreign Political A, March 1870, No. 260.