Chapter-3

Conflict Areas
The disputed areas of the region of Kashmir India claims the entire erstwhile princely state of Jammu and Kashmir based on an instrument of accession signed in 1947. Pakistan claims all areas of the erstwhile state except for those claimed by China. China claims the Shakam Valley and Aksai Chin. The Kashmir conflict refers to the territorial dispute over Kashmir. The parties to the dispute are India, Pakistan, China, and the people of Kashmir. India claims the entire princely state of Jammu and Kashmir and presently administer approximately 45% of the region including most of Jammu, Kashmir Valley, Ladakh and the Siachen Glacier. India’s claim is contested by Pakistan, which controls approximately 35% of Kashmir, mainly Azad Kashmir and the northern areas of Gilgit and Baltistan. In addition, China controls 20% of Kashmir including Aksai Chin that it occupied in Sino India war of 1962 and the Trans-Karakoram Tract, also known as the Shaksam valley that was ceded to it by Pakistan in 1963. India’s official position is that Kashmir is an integral part of India. Pakistan’s official position is that Kashmir is a disputed territory whose final status must be determined by the people of Kashmir. China’s official position is that Aksai Chin is a part of Tibet, which is part of China. Certain Kashmiris pro-independence believe that Kashmir should be independent from both India and Pakistan. India and Pakistan have fought three wars over Kashmir in 1947, 1965 and 1999. India and China have clashed once, in 1962 over Aksai Chin as well as the northeastern Indian state of Arunachal Pradesh. India and Pakistan have also been involved in several skirmishes over the Siachen Glacier.\footnote{The Indo-Pakistani war of 1947 affected Gilgit as well. The Pakistani forces advanced against the Indian army quickly. In Gilgit, the Gilgit scouts joined with them, thereby granting control of northwestern Kashmir to Pakistani forces. Gilgit scouts progressed with Pakistani troops from north through Himalayas and contributed in attacking of Skardu in summer 1948, pushing further towards Ladakh area.\footnote{After Pakistani good progress of early 1948, Indian troops gathered momentum in late 1948. Finally, the newly formed India asked UN intervention, and a ceasefire was agreed on 31 December 1948. This conflict left Pakistan with roughly two-fifths of Kashmir, leaving three-fifths to India. This agreement left Gilgit to Pakistan territory.}}
History of Gilgit and Baltistan

The Gilgit and Baltistan (termed as the Northern Areas of Pakistan) which were detached from the occupied portion of the Jammu and Kashmir state and annexed by Pakistan in the wake of confusion prevailing after Pakistani invasion of Jammu and Kashmir in 1947. Pakistan, which recognized the Government of Maharaja of Jammu and Kashmir and concluded a stand-still Agreement in August 1947, chose to violate all norms of international law by committing an act of aggression against the state three months later. Pakistan blocked the supply of essential commodities. As nationals and tribal raiders under the guidance and leadership of its army corps invaded the country. Pakistan, however, categorically denied that it had supported the tribal invasion, but it could not hide truth and justify its presence in Kashmir.³ It had to disclose to the United Nations Commission for India and Pakistan (UNCIP) in July 1948, that there were three regular Pakistan Brigades fighting in Kashmir territory since May 1948. The two resolutions of the UNCIP (13 August 1948 and 5 January 1949), clearly indicate that the presence of Pakistan in parts of Jammu and Kashmir was illegal and that it had to withdraw its troops and abandon the aggression against India. Three major regions, namely, Mirpur, Muzzaffarabad, Gilgit and Baltistan, covering one third of the total area of 86,023 square miles of the state of Jammu and Kashmir are still under the illegal occupation of Pakistan. What today Pakistan describes as “Northern Areas” include the five districts of Gilgit, Skardu, Diamir, Ghizer and Ghanche covering an area of 72,495 squares Kilometers.⁴

Early History of Gilgit

Gilgit is also known as Dardistan, i.e. the land of the Dards or Dardic people. Dards belong to the Indo Aryan family of languages. Dards remained terra incognito in their early history. They had some association with the protohistoric social groups of Shia and Yashkun. Their appearance in history is related to the movements and migration of the Achamenians. The Scythians, the Kushanas, the Sassanians and the Huns. During ⁶th to ⁸th centuries, Gilgit was the home of the Palola or Patola, who practiced Buddhism and had interactions with the rulers of Kashmir and the emperors of China. The Chinese referred to Gilgit and Baltistan as “Great Bolor” and “Little Bolor” respectively apart from Chinese and Kashmiri influence, the Tibetans also
managed to hold sway in the area particularly in Baltistan. The Medieval history of the region is linked to the ruling families.\(^5\)

Although very little is known about the political formations in Gilgit in ancient times, historians talk about a local ruler of Gilgit by the name of Agartham in the 8\(^{th}\) century. He is said to have been defeated by Abudgamo from Baltistan in the year 750. His son Sir Bagatham, who was a follower of Buddhism, succeeded him. After several generations, Sri Badat occupied the throne around the period 1080, who patronized Buddhism and built many Viharas in Gilgit, Punial and Yasin. He was the last Buddhist ruler when Hunza ruler Shamsher, a Muslim, killed Badat around 1120. Shamsher founded the Tara Khan dynasty in Gilgit and built many mosques in the region. It was during his rule that the poorer sections of society the doomes, the Kamins and Yashkims were converted to Islam.\(^6\) The reign of Tara Khan dynasty ended around 1335 with the invasion of Gilgit by Taj Mughal of Badakhshan. Taj Mughal introduced the Ismailia doctrines whose followers now comprise the Molai Sect, Taj Mughal’s religions interest reached up to Kashgar. Gilgit faced successive invasions from the neighboring Rajas, and during the 18\(^{th}\) century Gilgit was ruled by Mohammad Khan, who was defeated by Sulaiman Shah, the ruler of Yasin who ruled Gilgit till 1828. Punial ruler Azad Khan later killed Sulaiman Khan. Raja of Nagar, Tahir Khan, killed Azad Khan. He ruled Gilgit till 1837. His son Shah Sikander succeeded him. Guar Rehman, ruler of Yasin, killed him. Guar Rehman became the last ruler of Gilgit in the year 1841. Earlier Shah Sikanders brother Karim Khan, having escaped from Gaur, sent an agent to the Sikh Governor of Kashmir imploring aid against the invader.\(^7\)

**Sikh Conquest**

On 1842, in order to help Kasim Khan brother of Sikander Khan, the Sikh Governor of Kashmir sent troops to Gilgit under the leadership of Nathu Shah and Mathra Dass. The Dogra troops helped Karim Khan and defeated Guar Rehman, who fled to Punial. Nathu Shah however remained there and married the daughter of Guar Rehman to himself and the daughters of Hunza and Nagar to his sons. Kasim Khan was made the titular Raja of Gilgit in the name of Sikh Government; a small Sikh force was stationed at Gilgit under a Thanedar. Nathu Shah later returned to Srinagar and his power went to the new ruler of Kashmir, Maharaja Gulab Singh who had
concluded the Treaty of Amritsar in 1846 with the British Government and secured political control over Kashmir including the areas around Gilgit.\(^8\)

**Dogra Rule**

Kashmir along with Gilgit was added to Gulab Singh in 1846. Nathu Shah left for Gilgit with two Europeans but the ruler of Hunza killed him together with Karim Khan for bringing two foreigners to the frontier. Gaur Rehman, the ruler of Punial and Yasin joined him against the Dogra. The people of Darel also joined Guar Rehman, who captured Gilgit again. Maharaja Gulab Singh died in 1857. His son, Ranbir Singh soon after his ascension to the throne, dispatched a large force to Gilgit under General Devi Singh. Not only did the Dogra force conquer Gilgit but it also captured Yasin, Punial and made Uzmat Shah and Isa Bahadur Governors of the two regions. Chilas and Darel were conquered in 1859 and 1866 respectively. The tribals showed their resentment of Dogra rule at every opportunity. The rules of Hunza and Nagar also became tributaries of the Kashmir state, but they, too often gave trouble to Maharaja’s garrison at Gilgit.\(^9\) The British Government recognized Maharaja Gulab Singh’s full “independence” over Kashmir and its neighboring territories as per the 1846 treaty of Amritsar, but it always sought to interfere or at times chose to re-interpret the contents of this independence”. The British interference was in general necessitated by the Russian expansion in Central Asia, perceived as a great threat to the empire’s wider strategic interests.

However, there were other considerations too. British interference in Kashmir’s internal affairs was mostly under the pretext of the severe hardships the Maharaja inflicted on the people. Having annexed Punjab, the British were attracted towards Kashmir for commercial exploitation of the fine and costly products of Kashmiri looms (Shawl), the potential and climatical suitability of Kashmir for a great missionary centre for the vast countries of Tibet, China, Afghanistan and Turkistan. Not surprisingly, many Britishers began to admire the beauty of Kashmir. E.F. Knight thought that: “The climate of this paradise of Asia appears to be well adapted to the Europeans, but he simultaneously also regretted the sale of this beautiful valley to the Maharaja, “had we not sold this magnificent country, a great military cantonment would no doubt have long since been established here. This would not only have been most advantageous from a strategic point of view, but would have avoided much of the sickness and mortality which thin the ranks of our white army in India”\(^8\) A similar
view point was also expressed by Brinkman: “if properly ruled cashmere would pay us ten times over and far more than any other spot in India does. The country would pay as a sanitorium the force to keep it in order.”\textsuperscript{10} Political upheavals in North India following the 1857 Mutiny shocked the British. The Maharaja of Kashmir offered military and material help to the British. They later on, suitably modified their demand of annexation, as Delhi Gazette observed – “we do not advocate annexation but we do affirm that a military occupation of cashmere has now become in our self defence and actual necessity.”\textsuperscript{11} The British strategic calculations began to change later in the backdrop of the Russian expansion in Central Asia mid 1860s. The British persuaded Maharaja Ranbir Singh and expressed desire that states such as, Chitral and Yasin should come under the control of a freed and an allyness of the British Government like His Highness, rather than be absorbed in the course of events by powers inimical to Kashmir.”\textsuperscript{12} Gilgit Agency was set up in 1877 with the appointment of Major John Biddulph as the first political agent. The agent was withdrawn in 1881 because of a new foothold in Jalalabad, but it was re-established in Chitral as well. The importance of Gilgit, for the British is reflected in E.F. Knight’s words: “The value of Gilgit to Kashmir state commanding as it does the Indus valley and the mouth of the Hunza river and so holding in check the unruly tribes on either side, is obvious enough, but it is only recently that the great strategic importance to the empire of this position has been fully realized. Whatever position we take up with regard to the debatable land beyond Hindukush there can be no doubt, as to what our course of action should be on the southern slope. It is necessary for the safeguarding of our side of the mountain gates, but unless we locked it in, Russia would soon have both sides under her control.”\textsuperscript{13}

Towards the end of the century, the strategic committee of the Government of India not only succeeded in getting constructed a road to Srinagar but also recommended its extension up to Gilgit and Chitral. The confidential reports and recommendations prepared by Colonel Lockhart, the Deputy Quarter Master General after his Gilgit mission, further helped the Government to consolidate its control over Gilgit and adjoining areas. By the 1891, Hunza and Nagar were subjugated under the leadership of Colonel Durand. The British managed to bring the entire region of Gilgit under the India’s control. Appointment of Colonel Durand at Gilgit marked the re-establishment of the British Agency. He established direct political relationship with the local rulers. They professed unbounded loyalty to the British Government. As Dr.
Arthur Neve wrote: “to the Englishman the word Gilgit should recall the many gallant deeds of the nineties the capture of Hunza, the relief of Chitral and the Pamir Commission. During the last half century, Kashmir is the only Indian native state that has increased in area. And the increase was not desired but was forced upon the imperial government by the advancing power of the Russian Empire and the intrigues of its frontier officers.”

Another place, Lord Curzon underlined the strategic importance of Gilgit to India in the words: “It is one of the Northern gates of India, through which would be invader must advance, if he advances at all. Gilgit occupies a strategic place and the Indian Government, harassed by Russia’s growing restlessness in Central Asia, knew it for the key worth holding even at some cost in toil, money and valuable through less human lives.”

Colonel Durand stated the importance of British control of the Gilgit Agency. “Why it has been asked should it be worth our while to interfere there with whatever happened? The answer is of course Russia – expensive as the Gilgit game might have been, it was worth the candle.”

Having reorganized the military and civil administration of the Agency in Gilgit, frontier states not as part of the territories of the Jammu and Kashmir state, though the rulers of all these states accepted the Maharaja as their suzerain. In 1900, the rulers of Hunza, Nagar and Punal were invited to Calcutta as guests of the Viceroy. In 1901, the combined Wazart of the Frontier District was recognized into two Wazarats of Gilgit and Ladakh. Gilgit Wazart comprised Gilgit and Astor Tehsils and the Niabat at Bunji. The state government had control over only the Wazart. The political agent controlled remaining district of the Gilgit Agency. Similarly, Chitral, Hunza and Nagar though under the Maharaja’s suzerainty, were directly under the control political agent. The British policy towards these small states was to allow the local rulers to govern themselves, without much interference from the state government. In view of the course of affairs on the Afghan frontier that increased the prospects of war between England and Russia, the princely states in India offered to place all their resources at the disposal of the British Government. The Maharaja of Kashmir also agreed to contribute to the defence of the Empire. In 1889, the “Kashmir imperial service troops” was organized, and trained by the British and placed under an English officer Col. Neville Chamberlain, appointed by the Jammu and Kashmir state as its military secretary. By 1900, the entire military administration in Gilgit and other tribal areas of the Kashmir state was brought under the British Control. With the abolition of the
military in 1913, a new force was organized under the name of Gilgit scouts who were responsible for both internal and external defence. After the withdrawal of the Kashmir imperial service troops in 1935, the Gilgit scouts became entirely responsible for the defence and internal security of the Gilgit Agency. The British government deposed Maharaja Pratap Singh leveling several charges against why including those of tyranny and misrule. The issue became a subject of debate in the British Parliament and media and remained so for several decades. It is not necessary here to go into details, but it would be appropriate here to say that the British Government violated the treaty of 1846, by appointing a Resident in Kashmir and gradually deposing the Maharaja through the system of leveling charges on the basis of forged letters and rumors. The British Government had no right to send a Resident to Kashmir, because the state was not included amongst the feudatory until 1885. In virtually deposing Maharaja Pratap Singh, the British were really activated by strategic concerns, and the apprehension of Russian expansion. The British favored Hari Singh, the son of the Raja Amar Singh, as successor to the throne. This was in spite of the wishes to the contrary of Maharaja Pratap Singh. By this stratagem, the Resident became de facto ruler of Kashmir from 1889 to 1921, took care of the imperial ambitious, and started asserting his right to control up to Gilgit. He objected to the flying of the union Jack, which was being furled wherever the British liked. He replaced the union Jack with the state flag in Gilgit and other buildings in Kashmir. Administration was tightened in Gilgit. Hari Singh vigorously pursued the process of hereditary state subject with legal precision. Except for Gilgit Wazart, which was ruled by Kashmir Darbar, the other areas of Gilgit were only suzerainties of Kashmir state. They were not treated as territories of Kashmir. The British allowed the local people to govern themselves, according to their customary laws and customs.¹⁸

**Lease of Gilgit**

The British had seriously taken Russian threat to the northern frontier of India into account since the days of Lord Curzon. The October 1917 Revolution increased the British anxieties over Russian moves. Aware of possible repercussions in Kashmir also the Maharaja agreed to lease the Gilgit Agency to the British on following agreement signed on 26 March 1935. Article 1 of the Agreement gave the Viceroy and Governor General of India the right to assume the civil and military administration of so much of the Wazarat of Gilgit province of the state of Jammu and
Kashmir, as lies beyond the right bank of the river Indus. The Maharaja could not resist the British pressure in view of the rising tide of people’s movement in the state. The status and relationships of these areas with the Agency and the Kashmir state prior to the lease of Gilgit Agency to the British in 1935 were:

**Gilgit Wazart**

It comprised the Tehsils of Gilgit and Astor and the Niabat of Bunji. It was under the direct control of Kashmir Darbar. The officer was called Wazir-i-Wazarat.

**Hunza and Nagar**

Hunza and Nagar were referred to as states. After a military operation against the state of Hunza and Nagar in 1891, the Maharaja of Kashmir with the approval and authority of the Governor General in Council installed Muhammad Nazim Khan as ruler of Hunza. The Maharaja issued a Sanad to the ruler that the Chieftainship of the Hunza state would be hereditary of his family. He was assured protection so long as his family remained loyal to the state of Jammu and Kashmir and to the British Government. An annual tribute of 25 tilloos of gold, equal to 16 tolas and 5 mashas to be paid to the state of Jammu and Kashmir was fixed. Similar Sanad was issued to the Mir of Nagar, Jaffa Khan. An annual tribute of 26 tilloos of gold equal to 17 tolas and 1 masha was fixed. Both Hunza and Nagar were given subsidies of Rs. 4000 each year.19

**Chitral**

The ruler of the Chitral was called Mehtar of Chitral, acknowledged the Suzerainty of the Maharaja of Kashmir and through him of the British Government in 1878. Unlike other vassal states, Chitral continued its allegiance to the Maharaja and the British Government until 1947. The Mehtar of Chitral enjoyed the title of “His Highness” and the right of having salute of 11 guns.

**Punial**

The district of Punial came under the possession of the Maharaja in 1860. Raja Isa Bahadur was made the local ruler. The Raja of Punial was known for his loyalty to the Maharaja and the British Government. The ruler received a subsidy of Rs. 1, 200 a
year, which was fixed in 1895. In 1927, it was increased to Rs.1, 600 paid by the Government of India. Punial did not pay tribute to the Kashmir Darbar.

**Yasin and Kuh-Ghizer**

In 1895, Yasin was separated from the Chitral state and brought under the Governorship of the Gilgit Agency. The Political Agent in the name of the Maharaja of Kashmir appointed Mehtar Jo Abdul Rehman Khan to the Governorship of Yasin in 1895 in 1905. Kuh-Ghizer was incorporated under the Governorship of Yasin, later it was separated into two Governorships. The Governors paid part of their revenue to the Kashmir Darbar. Both the Governors received Rs.1, 200 annually from Kashmir Darbar as subsidy.  

**Ish Kaman**

Ish Kaman was also separated from Chitral and placed under a Governorship a paid official without any hereditary Claims. Mir Ali Mardan Shah was the first Governor of Ish Kaman. His terms and conditions were same as those Kuh-Ghizer and Yasin.

**Chilas**

Chilas was occupied in 1893, and was placed in the charge of a political officer called Assistant Political Agent, Chilas. Chilas paid an annual tribute of Rs.3, 000 to Kashmir. Because of the distance and hardship, Chilas was allowed to pay the tribute to Kashmir Darbar every third year.

**Gor**

Gor enjoyed special privileges due to their uninterrupted help to the British. Gor paid tribute to Kashmir through the Wazir-i-Wazarat in Gilgit.

**Darel and Tangir**

Darel and Tangir were small, separate, semi-independent states and had accepted the suzerainty of Kashmir. They used to cause much trouble to the Gilgit Agency and were effectively brought under the control by the British.
Early History of Baltistan

Baltistan, the land of Balti peoples was well known as “little Tibet” or Tibet-i-khurd in the medieval literature. Early history of Baltistan begins with spread of Buddhism under the Kushanas. Tibetans were also active from the 8th century. Except for a few Tibetan inscriptions, there is no evidence that Baltistan was under the Tibetan control till the end of 9th century. Later history suggests that large number of immigrants from Kashmir and the other areas penetrated Baltistan and perhaps ruled the state. In the beginning of the 13th century an adventurer called Ibrahim Shah founded the Makpon Bokha dynasty in Baltistan some historians consider Ibrahim a Kashmiri. While others trace his origins to Egypt. Ibrahim married a local princess and laid the foundation of a new dynasty. Around the 15th century when Makpon Bokha ruled Skardu, a Muslim missionary Mir Shamsuddin Iraqi is believed to have reached Baltistan to spread Islam. Other historians believe that Mohammad Nur Bakhsh, the founder of the Nurbakhshi order came to Baltistan to spread Islam in 1448. Makpon Bokha is said to have founded the state of Baltistan in about 15th century. He also made an administrative seat and place at Kharpoche and Buitla fort there. He allowed Mir Shamsuddin Iraqi to preach Islam. Bokha also patronized craftsman from Chilas and Kashmir kept commercial relations with Yarkand, Kashgar, Hunza, Nagar, Gilgit and Kashmir. The Balti state fought a number of wars with the neighboring states. Towards the end of the 15th century, Alisher Khan who was then the ruler of the Balti state fixed the boundary between Baltistan and Ladakh. Ali Sher Khan later extended his rule up to Dardistan. He defeated many kings of Gilgit and Chitral. His extensive conquests earned nine the title of Anchai Azam. The successors of Ali Sher Khan fought among themselves internecine wars also followed with the neighboring smaller kingdoms, until the Balti state fell under the suzerainty of the Mughal emperors during the reigns of Shah Jahan and Aurangzeb. Later, during the period of decline of the Mughals and ascendance of Afghans in Kashmir, Balti regained control over their state. Prior to the rise of the Sikh rule, Baltistan witnessed great turmoil mainly because of the fighting among various local Chieftains and wars with the Gyalpos of Ladakh. The most powerful of all of them in 1840 was the Raja of Skardu, Ahmad Shah.
**Dogra Conquest**

After conquering Ladakh in 1836, the Dogras turned towards Baltistan. That they could make it the next target and succeed in conquering it easily was also due to the continuous dissensions and unrest prevailing among Baltis. In Skardu, Ahmad Shah and his eldest son Mohammad Shah were seriously estranged. The Dogras were also provoked by Balti efforts to cultivate friendship with the British and seek protection from them against the possible invasion by the Dogra troops. In 1839, Zorawar Singh, the Dogra General led an army of 15,000 Dogras and a Ladakhi contingent to conquer Baltistan. Ahmad Shah of Skardu surrendered to the Dogras in 1840. Zorawar Singh installed Mohammad Shah as a puppet ruler, who agreed to pay seven thousand rupees to Jammu. Zorawar Singh later stationed a garrison of Dogra troops at Skardu and returned to Leh, the Capital of Ladakh. Thus, Baltistan became part of Ladakh province of the Jammu Maharaja's Kingdom much before Kashmir and Gilgit became part of it. The Dogras had direct control over Skardu and Leh. However, Pakistani invaders extended themselves into large parts of Baltistan essentially between August 1948, when the India and Pakistan ceasefire was accepted and 31 December 1948 when it is came into effect. India now about 2,000 square miles, comprising present Kargil district, out of the total area of 14,000 square miles of Baltistan.  

**Political Status of Gilgit in 1947-1948**

With the termination of the 1935 lease and the lapse of Paramountcy, the entire area of Gilgit Wazarat and Gilgit Agency was restored under the control of Maharaja of Kashmir. The Gilgit Wazarat was returned completely as before, the Gilgit Agency, along with the direct relationship with Mirs and Rajas concerned. Prior to the lease, the Gilgit Wazarat enjoyed the same status as other Wazarat in the state. In view of the lapse of Paramountcy and its strategic importance, the state government decided to bring about certain administrative changes to Gilgit as a Governor’s province, naming it the frontier province. It also took over the entire Gilgit scouts force and other employees. Accordingly, Maharaja as Governor of these areas deposed Brigadier Ghansar Singh. He took over charge from the political agent Colonel Beacon on 1 August 1947. The Governor accompanied by the Chief of Staff, General Scott met the officers and (JCOS) of the Gilgit scouts and was handed over a series of demands relating to the service conditions. They promised to serve the state if their demands were met. The local Rajas welcomed the return of Maharajas rule.
but the Gilgit scouts led by Major Brown continued to defy the Governor. Brigadier Ghansar Singh writes in Gilgit before 1947 that the general impression was that the British officers did not like this change although; the common was pleased with it. On 31 October 1947, Gilgit scouts surrounded his house and demanded his surrender. The Governor was arrested and imprisoned. The Pakistani propaganda apparently played with the religious sentiments of the Muslim soldiers in Maharaja’s army. Gilgit scouts also incite them to revolt and detached the region from the rest of Kashmir. Later events like Pakistan’s inclusion in western defence parts indicate that revolt in northern territory could have been politically motivated by the British officers to keep it under the control of a trusted power of Pakistan. It must be noted that neither the local Mirs and Rajas, nor the people of the area over whom the Maharaja had full authority, were in any way involved in any armed rebellion, which was the handiwork of a military junta. Except in the case of Mehtar of Chitral, the Maharaja enjoyed the full support from Mirs of Hunza, Nagar and Raja of Punial. In fact, along with his bodyguard the Raja of Punial came to help Ghansar Singh, the Governor. Most of the local rulers decided to accept the will of the Maharaja whatever he decides i.e., either to join Pakistan or to go to India. There was no question of people’s participation as there was no political party or organization in the area. After occupying Gilgit, the rebels captured Baltistan in the East. For 17 days, these areas were known as “People’s Republic of Gilgit and Baltistan” under a provisional Government, formed by the rebels and headed by one local Rais Khan and Major Brown hoisted the Pakistani flag in Gilgit on 4 November 1947. Pakistani authorities in Peshawar were asked to send political agent to rule over this area. Pakistan sent Sardar Mohammad Alam as its first political agent. Pakistan made this transfer formal by signing an agreement with the presidents of “Azad Kashmir” and the Muslim Conference on 28 April 1949. Under this agreement, the government of Pakistan secured legitimacy of sorts to keep Gilgit and Baltistan under its administrative control.

Azad Kashmir

Azad Jammu Kashmir (AJK) or Azad Kashmir for short (literally, “Free Kashmir”), is the South or most political entity within the Pakistani administered part of the former princely state of Jammu and Kashmir. Indian-controlled state of Jammu and Kashmir to the East (separated from it by the Line of Control), Khyber Pakhtunwa, to the West, Gilgit and Baltistan to the North, and the Punjab province of
Pakistan to the South with its capital at Muzzaffarabad. Azad Kashmir covers an area of 13,297 square kilometers (5,134 sq. m) and has an estimated population of about four million. Azad Kashmir and Gilgit Baltistan are together referred to in India as Pakistan Occupied Kashmir (POK). After the Partition of India in 1947, the princely states were given the option of joining either India or Pakistan. However, Hari Singh, the Maharaja of Jammu and Kashmir, wanted Jammu and Kashmir to remain independent in order to buy some time, so we signed a standstill agreement, which side-stepped the agreement that each princely state would join either India or Pakistan. In October 1947, supported by the Pakistani Army, they attacked Kashmir and tried to take over control of Kashmir. Initially Hari Singh tried to resist their progress but failed. Hari Singh then requested the Indian Union to help, India responded that it could not help unless Kashmir joined India. Therefore, on 26 October 1947, Kashmir accession papers were signed and Indian troops were airlifted to Srinagar. Fighting ensued between the Indian Army and Pakistani Army, with control stabilizing more or less, around what is now the “Line of Control.” Later, India approached the United Nations to solve the dispute and resolutions were passed to hold a plebiscite with regard to Kashmiri’s future. However, this plebiscite has not been held on either side, since the legal requirement for the holding of a plebiscite was the withdrawal of the Indian and Pakistani armies from the parts of Kashmir that were under their respect in control, a withdrawal that never did take place. In 1949, a ceasefire line separating the Indian and Pakistani controlled parts of Kashmir was formally put into effect. Following the 1949 ceasefire agreement, the government of Pakistan divided the northern and western parts of Kashmir, which it held into the following two separately, controlled political entities: (a)-Azad Jammu and Kashmir (AJK) The narrow Southern part, 250 miles (400 km) long, with a width varying from 10 to 40 miles (16 to 64 km). (b)-Gilgit Baltistan formally called Federally Administered Northern Areas (FANA) is the much larger area to the north of AJK, 72,496 square kilometers (27,991 sq. m), it was directly administered by Pakistan as a de facto dependent territory, i.e., a non-self governing territory. However, it was officially granted full autonomy on 29 August 2009. An area of Kashmir that was once under Pakistani control is the Shaksgam tract a small region along the northern border of the Northern Areas that was provisionally ceded by Pakistan to the People’s Republic of China in 1963 and which now forms part of China. In 1972, the current border between Pakistani and Indian, which held areas of Kashmir, was designated at the
“Line of Control”. The Line of Control has remained unchanged, since the 1972 Shimla Agreement, which bound the two countries to settle differences by peaceful means through bilateral negotiation. Some political experts claim that, in view of that part, the only solution to the issue is mutual negotiation between the two countries without involving a third party such as the United Nation.29

**Status of Shaksgam Muztah Valley Area ceded to China**

The Hunza and Nagar States came under the British occupation in 1891-92. The rulers of these states paid tribute to the state of Jammu and Kashmir. Problems in this area were linked with claims of the Mirs of Hunza to the outlying grazing grounds around the watershed demarcation. Many of the forward alignments in this area had in fact appeared on British maps. The Chinese always maintained in the past that they never had any direct administration in Hunza, and admitted the existence of a boundary of some kind between Hunza and Chinese Turkistan. However, communist China produced a map in 1959, which included some 6,000 square Miles in the Hunza and Gilgit area as Chinese. The Chinese also made military intrusions in the area in 1953.

Pakistan after occupying these areas of Gilgit and adjoining tributary states of Kashmir in 1948, made its first move to settle the boundaries with China in January 1961. Earlier the Chinese had refused to discuss any part of the Frontier West of Karakoram pass in the official Sino Indian meetings. Beijing’s first response to Pakistani proposal came in February 1962, and Beijing announced officially that the Government of China and Pakistan have agreed to negotiate on the boundary question. In a joint communiqué it was added that resulting settlement would be provisional, pending a solution of the dispute over Kashmir between India and Pakistan. On 2 March 1963, Pakistani Foreign Minister and Chinese Foreign Minister signed Sino-Pakistan frontier agreement in Beijing. India expressed concern over the agreement and protested against this illegal demarcation of India’s frontier with China. India’s Defence Minister Krishna Menon in the United Nation Security Council in May and June 1962 said: “Over and above all this then has occurred the situation in which Pakistan today not for any good reason, but merely for nuisance value and as an instrument to put pressure on us has entered into negotiations and I believe, it has concluded agreements with the Central Government of the Peoples Republic of China. That agreement is the total violation of any rights or authority
Pakistan may possess, for Pakistan has no sovereignty over this state, it is not Pakistan’s to trade away or to negotiate about it. Secondly, it was not necessary even for considerations relating to Pakistan’s own security. What is worse? It has been done on a basis, which we can not accept that is to say, our position in regard to China and Chinese claims, which is not under discussion before the Security Council.” The government of India also sent protest note to China and Pakistan on 10 May 1962, stating inter alia: “In lodging an emphatic protest with the government of the People’s Republic of China for this interference with the sovereignty of India over the state of a Jammu and Kashmir, the Government of India solemnly warns the government of China that any change, provisional or otherwise, in the status of the state of Jammu and Kashmir brought about by third parties which seek to submit certain parts of Indian territory to foreign jurisdiction will be binding on the government of India and that the Government of India firmly repudiate any agreements, provisional or otherwise, regarding her own territories arrived at between third parties who have no legal or constitutional Locus Standi of any kind. It is clear that the Government of China are in this matter acting in furtherance of their aggressive designs and are seeking to exploit the troubled situation in Kashmir and India’s differences with Pakistan for their advantage. The government of India will hold the government of China responsible for the consequences of their action. The Chinese, however, replied on 31 May 1962 to state: “More than ten years have passed and despite the best wishes and expectations all along cherished by China, this dispute between India and Pakistan remains unsettled. On this circumstance, any one with common sense can understand that the Chinese Government can not leave unsettled indefinitely its boundary of several hundred Kilometers with the areas the defence of which is under the control of Pakistan merely because there is a dispute between India and Pakistan over Kashmir. It is entirely necessary, proper, legitimate, and in accordance with international practice for the Chinese Government to agree with the Government of Pakistan to negotiate a provisional agreement concerning this boundary, pending a final settlement of the Kashmir question what fault can be found with this? Pakistan too stated that India has no right to question the right to Pakistan to enter into negotiations with China to reach an understanding on the alignment of that portion of the territory for the defence of which Pakistan is responsible.”
Trans-Karakoram Tract

The Trans-Karakoram Tract is an area of nearly 5,800 km (2,239 sq. miles). Along both sides of the Shaksgam River that was conferred to China by a border agreement between Pakistan and China in 1963, with the provision that the settlement was subject to the final solution of the Kashmir dispute. Pakistan claimed that it was a no man's undemarcated border land; hence, no question should have arisen regarding the treaty. The treaty is disputed by India that India claims the entire tract as part of the Indian Jammu and Kashmir state. Most of the tract, also called Shaksgam, is composed Shaksgam valley. Most of the tract was administered as a part of Shigar, a valley in the Baltistan region. The Raja of Shigar controlled most this land until 1971, when Pakistan abolished the Raja government system. The Amacha Royal family of Shigar built a polo ground in Shaksgam, and the Rajas of Shigar used to invite the Amir of Yarkand to play polo there. Most of the names of the mountains, lakes, rivers and passes are in Balti/Ladakhi, suggesting that this land had been part of Baltistan/Ladakh region for a long time. The tract is one of the most inhospitable areas of the world, with some of the highest mountains including Broad peak and, on its southern border K2 and Gasherbrum. On South East, it is adjacent to the highest battlefield in the world in the Siachen Glacier. Before 1947, the Maharaja of Kashmir nominally controlled the Shaksgam valley in 1887. The first expedition to the valley by a Western man was undertaken by Francis in 1926 and Kenneth Mason explored and surveyed the valley.

Siachen Conflict

“Sia” in the Balti language refers to the rose family plant widely dispersed in the region. “Chun” refers any object found in abundance. Thus, the name Siachen refers to a land with an abundance of roses. The Siachen glacier is synonymous with the military conflict between India and Pakistan, which has continued without respite for nearly two decades. The battles, though fought with limited aims, have had the potential to trigger off a larger conflict. They have also served to draw attention to a remote region that is of enormous interest in many other ways. The Siachen glacier is a portion of a mountain wonderland that has been contested for over a century. It is part of the mightiest agglomeration of mountains anywhere in the world. These mountains connect some of the geopolitically important and strategically coveted parts of the Asian land mass. Central Asia, Western China, Afghanistan, Iran, and the
South Asian nuclear weapons nations of India and Pakistan are connected with these mountain chains through history, trade, invasions and cultural exchange. Siachen forms a small portion of the mountain mass that is both for bidding and unforgiving. Siachen conflict can not be understood without an awareness of the area’s geography. The Siachen Glacier is located in the Eastern Karakoram range in the Himalaya Mountains at about 35.5°N 77.0°E; just East of the Line of Control between India and Pakistan. India controls all of the Siachen Glacier itself, including all tributary glaciers. At 70 km (43 mi) long, it is the longest glacier in the Karakoram and second longest in the world’s non-polar areas. It falls from an attitude of 5,753 m (18,875 ft) above sea level. The Siachen Glacier lies immediately south of the great watershed that separate China from the Indian subcontinent in the extensively glaciated portion of the Karakoram, which is sometimes called “Third pole”.

The glacier lies between the Saltora Ridge. The Saltora Ridge originates in the north from the Sia Kangri Peak on the China border in the Karakoram range. The crest of the Saltora Ridge’s attitudes range from 5,450 to 7,720 m (17,880 to 25,330 feet). The major passes on this ridge are from north to south, Sia La at 5,589 m (18,336 ft), Bilafond La at 5,450 m (17,880 ft), and Gyong La at 5,689 m (18,665 ft). The average winter snowfall is 10.5 m (35 ft) and temperatures can dip to -50°C (-58°F). Including all tributary glaciers, the Siachen Glacier system corners about 700 km (270 sq mi). The Siachen Glacier boasts the world’s highest helipad, built by India. The world’s highest battlefield is also located on the glacier at a height of 21,000 feet (6400 m) above the sea level. The exploration of the Karakoram region, in which Siachen is located, is in itself a fascinating story. There are six mountain systems forming part of what has been called the navel of Asia. The first is the Hindukush, arising from Afghanistan’s dry hills. Starting from the arid deserts and extending through some rich green and fruit laden oases, they have been witness to Buddhist and Islamic influences. North of the Hindukush extend the Pamir. They form the centre from which the six mountain ranges can be said to emerge. The Pamirs are the most difficult to traverse on foot or by road. The area was called the roof of the world by Arab travelers. The Pamir is joined in the east by the mountain chain of the Kun Lun. The Kun Lun Mountains provided the gateway to Western China, to the framed cities of Yarkand, Kashgar and Khotan. These extend from Western China to the Pamir and link up, in the South, with the fourth Chain of the Karakoram. The Karakoram stretch from the Pamir, right up to Rudok near the
borders of Ladakh in India and Tibet. The Karakoram include three of the six highest peaks in the world, including the mighty K2, which is a mountaineer’s dream K2, also known as Mount Godwin-Austen, is the second tallest mountain in the world after Mount Everest. The region has been called a perpendicular wilderness. There is no cultivation or grazing possible in this most treacherous of terrain. This is the land of glaciers up to thirty miles long and nearly half a mile deep. It is a land where space is shared between vertical mountain massifs, glaciers and moraines. Human habitation is not possible in the area. No one actually lives there. The Karakoram range was only traversed over well-trodden passes although intrepid mountaineers and explores made numerous attempts to find crossing places. The most famous of these is the Karakoram pass in the Eastern Karakoram. It was and remains the direct route from Ladakh to former Chinese Turkistan or as it is currently called, the zinjiang province of China. Ladakhi traders used this route regularly. The other routes over the Karakoram to Chinese territories were in the Western Karakoram. The better known of them is the Khunjerab pass over which the road connecting Pakistans Northern Territories with Chinese Zinjiang has been constructed. The fifth great mountain chain is the western end of the Great Himalayan Range. Compared to the Karakoram and the Pamir, the Himalayan range is easier to cross. The Indus river in Ladakh drains the Himalayan range. The range rises in a short space from 3,000 feet to nearly 26,000 feet yet allows through its many tributaries and valleys the lush agrarian settlements of Buddhist Ladakh. Its western end terminates near the Zolji La, which separates Ladakh from the Kashmir valley. The sixth mountain range is of the Pir Panjal lying between the Indian plains and the great Himalayas. An understanding of the Siachen glacier’s geography and the dispute between India and Pakistan over its rightful possession can be gleaned by looking at the explorations in the area. The glacier is the source of the Nuber river the Nuber joins the Shyok river, which flows west to join the wider river short of Skardu. This town, also referred to as Iskardo in old writings, is in Baltistan.

**Geopolitics of Karakoram**

The Siachen dispute between India and Pakistan is not about the location, where the line of control ends. The dispute arose from the interpretation of its alignment beyond NJ 9842, the map reference of its terminal point. The dispute is a product of the geopolitics of the Karakoram range. Access to this mountainous area is
covered by India, China and Pakistan due to the advantages that it would offer. The Karakoram mountain range connects the Indian, Pakistani and Chinese parts of the erstwhile Kingdom of Jammu and Kashmir. The Kingdom of Jammu and Kashmir is today Indian by accession, Pakistani by occupation and Chinese by conquest. The strategic importance of the region brought about political and military initiatives and responses from the three countries involved in the area. Geopolitics refers to politics, especially international relations, as influenced by geographical factors. The reality of geography influences the statecraft and strategy of nations. The influence of geopolitics on policy is, however, so pervasive that it tends to be missed in the analysis of policies adopted by states. Geography not only locates nations and states in specific areas, but also dictates the stakes for which they compete. The Siachen dispute is prime example of geopolitics influencing policies and strategic choices on the Eastern Karakoram, the interests of India, China and Pakistan have converged in a complex set of ambitions, errors of judgment, and some deliberate exploitation of geography. India’s conflict and disagreements with China on the boundary between, Ladakh and Tibet were consequence of in Chinese perceptions colonial inheritance. The Chinese felt the boundaries were imposed on the Tibetans by British military power and lacked legal status. India feels the conflict was due to Chinese attempts to unilaterally change well-defined boundaries, where alignment was backed by custom and usage. Pakistan has waged wars with India for the possession of the state of Jammu & Kashmir. It has agreed to a Line of Control in the area, which is well delineated, on maps and on the ground. It has however; attempted to link its dispute with India to the letters dispute with China in Karakoram geopolitics is an important factor in this exercise. After the second war in 1965, India and Pakistan returned territories captured from each other. The Tashkent Accord, which ensured the return of territories by both sides also, by implication, revalidated the (CFL). In the war of 1971, however, both sides seized each other’s territory across the CFL and retained it. India had unilaterally declared an end to the war. It, therefore, did not feel the need to return the seized territories. It meant that the CFL had to be realigned. Since the line indicated the areas controlled by either side, it was called line of control (LOC). The points at which the LOC started and terminated remained the same.
The Siachen Compulsions

The Siachen glacier lay remark unvisited and seemingly unimportant for a long period. Geopolitical compulsions of India, Pakistan and China brought it centre stage, because it was the part of the region where three nations attempted to impose their military control. The military compulsions led to the militarizing of the Siachen area more than the mountaineering needs of either India or Pakistan. India and Pakistan both feel compelled to take a stand on Siachen. Pakistan feels it must gain control over glacier however long it may take. India is determined to retain it at any cost. The glacier has become an essential imperative of the two countries political and security constraints.

Beginning of the Dispute

The conflict in Siachen can be traced back to two specific developments in the 1970s. The 1974 edition of the US Defence Mapping Agency’s operational navigation chart was the first to show an Air Defence Information Zone (ADIZ), separating India and Pakistan in the Karakoram region. The line marking the separation was drawn straight from NJ 9842 to the Karakoram pass. It could not have been a boundary since there cannot be a straight-line boundary in mountains or along rivers and the ADIZ was along neither. This was followed over the next few years by big names in Atlas making, depicting the same line. The more famous of them were National Geographic Society’s Atlas of the world, University of Chicago’s, A Historical Atlas of South Asia by Joseph Schwartzberg, and The Times Atlas of the world published in London. The last named Atlas initially showed the line of control going north of NJ 9842, but later changed it to the Karakoram pass. Pakistan had encouraged foreign mountaineering expeditions to enter the Siachen glacier as a part of plan. It circulated notices and offers of help to climbers in the West and Japan, waiting to climb hitherto unclimbed peaks. Pakistan even waived fees it normally charged for climbing in the Western parts of Karakoram. Some Western mountaineering Journals interpreted this as proof of Pakistan’s possession of the territory. The American ‘Alpine Journal’ in its 1981 and 1982 issues reported expeditions to the Karakoram specifically to Teramshar, Saltoro Kangri, Sia Kangri, and Teram Kangri, amongst others, under the Section of climbs and expeditions of Pakistan.41

Whereas, the Indian Government had for a long time restricted mountaineering in the Karakoram. The sensitivity of the region where the interests of India, China and
Pakistan are linked up was not regarded as an appropriate area to introduce either Indian or international climbers. Colonel Kumar had climbed the Mount Everest and led a number of challenging mountaineering expeditions. He had been the commandant of the High Altitude warfare school. Popularly known as ‘Bull’ Kumar, it was said that his determination to conquer a mountain rose in direct proportion to height. He was the first to Alert General Chibber about the Siachen mountaineering expeditions from Pakistan. The expedition to Teram Kangri, which Kumar led, climbed many peaks in the area Colonel Kumar vividly describes the view from the top of Sia Kangri. He could see almost all the major peaks in the area, including the mighty K2. He could also look into the land, which had been illegally ceded to China by Pakistan. Indian military had intelligence having attempted an armed occupation of the passes west of the Siachen glacier in September -October 1983. The attempt failed due to logistic inadequacies. The Indian army and the government were not to forget the Chinese experience in 1950s. However, India had failed to notice the development and to real it. In January 1984, reports had come of Pakistan’s purchase of large quantities of high-altitude equipment. This decided the issue for the Indian military. The government approved its recommendations that the saltoro range, to the west of the glacier, be occupied. The Indian Army had captured some territory to the west of the cease-fire line in 1971, which had extended Indian control in Baltistan up to Turtok on the Shyok river. General Zia-ul-Haq’s Government was severally criticized for the Indian occupation of Saltoro and for the consolidation of military positions on it. General Zia, the military, and their spin-doctors and analysts, attempted to counter the criticism by stating that Siachen was in a no-man’s land and India had grabbed it. The statement of the President of Azad Kashmir, Sardar Abdul Qayyum Khan, is indicative of the hype of the times. He told Prof. Robert Wirsing, that India’s occupation of the Siachen ‘would not have meant anything had the Russians not earlier occupied the Wakhan corridor. Brigadier M. Shafi Khan wrote: “Siachen is not a local incident we must place over there the total personality of India with her ambition, resources and intentions. The Wakhan corridor, which is almost a Russia enclave, is only fifty Kilometers from Karakoram highway. India will tie up with her friend in that region and try to keep China on the other side of the Karakoram.”

The Shimla Accord brought an end to this by making Pakistan yield to a bilateral management of disputes on the Line of Control. This counter boundary policy of Pakistan was continued by the claim that the Line of Control from NJ 9842
extended to the Karakoram pass. That this policy still forms the basis of Pakistan’s military actions was shown up again in Kargil in 1999, when its Foreign Minister, Sartaj Aziz, claimed that the Line of Control was not clearly demarcated. Pakistan has kept up the myth of fighting on the Siachen glacier, even as its forces are confined to the lower and western slopes of the Saltoro. The reality is that its military cannot even get a glimpse of the Siachen glacier. United Nations map of Line of Control between India and Pakistan that Siachen Glacier area was not defined in 1972 Shimla Agreement. The glacier region is the highest battleground on earth, where India and Pakistan have fought intermittently since April 1984. Both countries maintain permanent military presence in the region at a height of over 6,000 meters (20,000 ft). The site is one of the most eminent examples of mountain warfare. Both India and Pakistan wished to disengage from the costly military outposts. However, after the Pakistani incursions during the Kargil war in 1999, India abandoned plans to withdraw from Siachen unless there’s an official recognition of the current Line of Control by Pakistan, wary of further Pakistani incursions if they vacate the Siachen glacier posts without such recognition. During her tenure as Prime Minister of Pakistan, Ms. Benazir Bhutto, visited the area West of Gyong La, making her the first Premier from either side to get to the Siachen region on 12 June 2005. Prime Minister Manmohan Singh became the first Indian Prime Minister to visit the area. India based Jet Airways plans to open a chartered service to the glacier’s nearest airline, the airbase, mainly for military purposes. Pakistan International Airlines flies tourists and trekkers daily to Skardu, which is jumping off point for K2, the Worlds second highest peak just 33 Kilometers (21 mi) northwest of the Siachen area, although bad weather frequently grounds these scheduled flights. Since September 2007, India has opened up mountaineering and trekking expeditions to the forbidding glacier height. The first group include decades from National cadet corps, Indian Military Academy, Rashtriya Indian Military College and family members of armed forces officers. The expeditions are also meant to show to the international audience that Indian troops hold “almost all dominating heights” on the important Saltoro Ridge and to show that Pakistan troops are not within 15 miles (24 km) of the 43.5 mile (70 km) Siachen Glacier. Ignoring Protests from Pakistan, India maintains that it does not need anyone’s approval to send trekkers to Siachen in what it says is essentially its own territory.
**Siachen Negotiations**

India and Pakistan have held seven rounds of negotiations in order to find a solution to the Siachen dispute. Every round of talks raised hopes in the public of at least an end to the conflict if not a resolution of the dispute. The hope was not fulfilled. There were also long periods when there were no negotiations. The talks on Siachen were, more often than not, part of the understanding, which the Prime Ministers of the two countries occasionally arrived at to commence a negotiating process. The rounds of talks were held during an extended period of Thirteen years. The first round of talks were held in 1986 and the last in 1999. There were changes of leadership in both countries during this time, in Pakistan, also a long period of military rule. There were times, when the talks came close to obtaining some worthwhile results, on other occasions; they proved to be no more than a platform for reiterating the known positions of the two countries. The long gaps between the talks, the changing composition of the negotiating teams, the prevailing mood in the two countries at the time all played a part in the outcome of the talks. However, there seemed no urgency on either side to seek an end to the conflict or to be ready to make the concessions needed to obtain a positive overall outcome. Each was prepared to wait and determined to last out the conflict. A conflict, which is localized in its geographical spread, and does not have the potential to trigger off a wider military strife as, for example, in Kargil, could not be brought to an end on the other hand. Siachen has been considered potentially the most ‘solvable’ among the contentious issues between India and Pakistan. As such, the rounds of talks provide a useful tool to analyze the trend, motivation and negotiating strategies of two countries.\(^{45}\)

**Geography of Aksai Chin**

Aksai Chin is a disputed region located in the north western region of the Tibetan plateau north of the western Kunlun Mountains. It is entirely administered by the People’s Republic of China as a part of Hotan country in the Hotan prefecture of Xinjiang Autonomous Region. It is however, claimed by India as a part of its state of Jammu and Kashmir. Aksai Chin is one of the two main border disputed areas between India and People’s Republic of China, the other dispute being over the Arunachal Pradesh, which is administered by India and claimed by China as South Tibet. India claims Aksai Chin as the eastern most part of Jammu and Kashmir State. The line that separates Indian administered areas of Jammu and Kashmir from Aksai
Chin is known as the Line of Actual Control (LAC) and is concurrent with the Chinese Aksai Chin claim line (i.e. one and the same as the western boundary of Aksai Chin). Aksai Chin the name literally means “while (ak) brook (sai) pass (chin), is largely a high altitude desert including some salt lakes from 4,800 meters (15,700 ft) to 5,500 meters (18,000 ft) above the sea level. It covers an area of 37,250 square kilometers (14,380 sq miles). Geographically, Aksai Chin is a part of the Tibetan plateau. In the southwest, the Karakoram range from the defacto border (Line of Actual control) between Aksai chin and Indian-controlled Kashmir. Glaciated peaks in the mid portion of this boundary reach heights of 6,950 meters (22,800 ft). In the North, the Kunlun Range separates, Aksai Chin from the Tarim Basin, where the rest of Hotan Country is situated. The northern part of Aksai chin is referred to as the plain and contains Aksai Chin’s largest river, the Karakosh. The eastern part of the region contains several small endorheic basins. The largest them is that of the Aksai chin lake. The region is almost uninhabited, has no permanent settlements, and receives little precipitation as the Himalayas and the Karakoram block the rain from the Indian monsoon.

**History of Aksai Chin**

Aksai Chin was historically part of the Himalayan Kingdom of Ladakh until the Dogras and the princely state of Kashmir annexed Ladakh from the rule of the local Namgyal dynasty in the 19th century. However, Chinese never accepted British negotiated boundary in the northeast area of the princely state of Kashmir. One of the main causes of the Sino-Indian war of 1962 was India’s discovery of a road that the Chinese had built through Aksai Chin, shown as Chinese on official diverse maps. Beginning in 1954, India had shown on its official survey maps a definite boundary line awarding Aksai Chin to itself despite no military or other occupation of the Area. The China National Highway 219, counting Tibet and Xinjiang, passes through no towns in Aksai Chin, only some military posts and truck stops, such as the very small Tianshuihai post (i.e. 4,850 m (15,910 ft). The road adds to the strategic importance of the area. Aksai Chin is currently administered by the People's Republic of China as a part of Hotan country in the Hotan prefecture in Xinjiang. India claims the area as a part of the Ladakh district of the state of Jammu and Kashmir. Both sides in the dispute have agreed took respect the Line of Actual control. The 1963 Sino-Pakistani border agreement, which awarded to the Peoples Republic of China the Trans-
Karakoram Tract (still claimed by India as a northern most extension to Kashmir), had no implications on the status of Aksai Chin, nor have any subsequent Sino-Pakistani agreements. The Trans-Karakoram Tract and Aksai Chin do not border each other. The fact that the 1963 China Pakistan boundary line terminated at the Karakoram pass, nine kilometers west of the western most tip of Aksai Chin, indicated only that the two states saw the futility in drawing the line any further east in area occupied since 1974 by India, and the impossibility of being able to physically demarcate the line on the ground as they did with the section west of the Karakoram pass.47

**Strategic Importance**

The China National High way 219 runs through Aksai Chin connecting Lazi and Xinjiang in the Tibet Autonomous Region. Despite this region, being nearly uninhabitable and having no resources, it remains strategically important for China as it connects Tibet and Xinjiang construction started in 1951, and the road was completed in 1957. The construction of this highway was one of the triggers for the Sino-Indian war of 1962.

**Chinese Terrain Model**

In June 2006, satellite imagery on the Google Earth service revealed a 1:150 scale terrain model of eastern Aksai Chin and adjacent Tibet, built it near the town of Huangyangtan, about 35 kilometers (22 miles), Southwest of Yinchuan, the capital of the autonomous region of Ningxia in China. A visual side-by-side comparison shows a very detailed duplication of Aksai Chin in the camp. The 900 x 700 m (3,000 x 2300 ft) model was surrounded by a substantial facility, with rows of red-roofed buildings, scores of olive colored tracks and a large compound with elevated lookout posts and a large communications tower. Such terrain models are known to be used in military training and simulation, although usually on a much smaller scale. Local authorities in Ningxia point out that their model of Aksai Chin is a part of a tank training ground built in 1998 or 1999.48

**Water Disputes between India and Pakistan**

Water like religion and ideology has the power to move millions of people. Since the very birth of human civilization, people have moved to settle close to it people move, when there is too much of it people journey down it. People write, sing and dance about it people fight over it people everywhere and everyday, need it.49 Another reason behind the dispute and over Kashmir is water. Kashmir is the origin
point for many rivers and tributaries of Indus river basin. They include Jhelum, and Chenab, which primarily flow into Pakistan, while other branches the Ravi, Beas and the Sutlaj irrigate northern India. Pakistan has been apprehensive that in a dire need, India (under whose portion of Kashmir lies the origins and passage of the said rivers) would use its strategic advantage and withhold the flow and thus choke the agrarian economy of Pakistan. The Boundary award of 1947 meant that the head waters of Pakistani irrigation systems were in Indian Territory. The Indus Water Treaty signed in 1960, resolved most of these disputes over the sharing of water, calling for mutual cooperation in this regard. However, this treaty faced issues raised by Pakistan over the construction of dams on the Indian side, which limit water to Pakistan. The Indian subcontinent quite literally owes its name to the waters of one river the Indus. Regional politics are closely tied to the river’s history and how different societies have used its waters for livelihood and for consolidating power. Hindu nationalists frequently recount that the very essence of their faith, dating back to the writings of the Rigveda in the second millennium B.C.E., is linked to the flow of the Indus. The name itself is a Latinized version of Sindhu, which means river in ancient Sanskrit, and from which the word “Hindu” and its concomitant ethno religious identity emerged. The partition of the subcontinent by the British in 1947 gave all, but the upper head waters of the Indus to the newly formed Muslim majority country Pakistan. More significantly, the major tributaries of the Indus that provided irrigation water for the fertile densely populated region of Punjab on both sides of the border were divided. This was a classic conflict situation between upstream and downstream riparian, exacerbated by a lack of trust and intense territorial animosity between the two sides. This led to the series of disputes related to the Indus and its tributaries. Both countries tried to settle the matter bilaterally several times after partition but no lasting agreement was until the World Bank got involved as mediating entity. The resulting agreement, known as the Indus Waters Treaty, took nine years to negotiate and was signed in 1960. It is a particularly remarkable treaty since both sides have otherwise had tremendous hostility for one another and have defined efforts at cooperation. It is therefore instructive to consider the development and history of the treaty in a detail, as a potential model for regional environmental cooperation.

The treaty is often cited as a success story of international riparian engagement, as it has withstood major wars between the two signatories (in 1965 and 1971), several skirmishes over water distribution and derivative territorial concerns.
The agreement is also heralded as a triumph for the World Bank, which played an instrumental role in its negotiation during the height of cold war the world Bank’s role in this region has particularly unusual because India was a vanguard of the Non-aligned movement and wanted to disavow any pressure from the international institutions or western nations.\textsuperscript{50} The initiator and technical adviser of the agreement was David Lelienthal, the former head of the United States, Tennessee Valley Authority, who suggested that an engineering perspective could contribute to resolving these political statements. After a visit to India and Pakistan in 1951, he advised the two countries to divide the Indus Basin geographically. India would have unrestricted use of the three eastern rivers (the Ravi, Sutlaj and Bias), while Pakistan would completely control the three western rivers (the Jhelum, Chenab and Indus). The World Bank played a significant role by providing mediation, support staff, funding and proposals for pushing negotiations forward under the leadership President David Black, the World Bank was able to persuade the international community to contribute nearly, $900 million for impoundment construction.

Nine years after Lelienthal visit, both countries were finally convinced to sign the agreement. The Indus Waters Treaty obligated Pakistan to build a canal system, which by utilizing previously less developed rivers, decreased Pakistan’s dependence on the Indus tributaries. The treaty also charged India and Pakistan with exchanging information and establishing joint monitoring mechanisms of river flow to ensure enforcement. The key provisions of the agreement are as follows: (a)-An agreement that Pakistan would receive unrestricted use of the western rivers, which India would allow to flow unimpeded, with minor exceptions. (b)-Provisions for 3 dams, 8 link canals, 3 barrages and 2,500 tube wells to be built in Pakistan. (c)-A ten-year transition period, from 1 April 1960 to 31 March 1970, during which time water would continue to be supplied to Pakistan according to a detailed schedule. (d)-A schedule for India to provide its fixed financial contribution of $62 million in ten annual installments during the transition period. (e)-Additional provisions for data exchange and future cooperation. As is often the case with riparian agreements, the treaty also established the each country. In the technocratic spirit of the agreement, these representatives are often engineers rather than politicians. The two commissions meet annually in order to establish and promote cooperative arrangements for implementation of the treaty. (f)-Submit an annual report to the governments.
Both countries have upheld the Indus Basin Commission’s information sharing responsibilities, data on new projects, the water level in rivers and the water discharge of rivers are routinely conveyed to the other parties. If conflicts rise to the level of a dispute, the Indus river commission will agree to mediation or arbitration, and the World Bank will appoint a neutral expert, who is acceptable to both countries to resolve the dispute although, the Indus water treaty has been able to overcome some minor issues, such as the Salal Dam dispute, which was resolved in 1978 through a new treaty. It can be said that the Indus Waters Treaty has been an important document for the water issue between the two countries. It has also helped in a framework for the resolution of water disputes in the region. The Indus Waters Treaty may also be relegated to a broad range of confidence building measures that countries may develop during times of crisis. The treaty did initially help to build some measures of conciliation between the two countries. In summation, it can be said that Pakistan and China both had occupied parts of Jammu and Kashmir State, which had acceded to India; Pakistan has attempted to reorganize the former administration areas. It fiddled with the historical and political aspects of the units of the state in order to create confusion and then annex the occupied area into its own what Pakistan called “Northern Areas” are the former Gilgit Agency, Gilgit Wazarat, Astor Wazarat and Skardu Tehsil of Ladakh Wazarat. India, does not recognize the Northern Area as part of Pakistan, arguing that it was the part of Jammu and Kashmir state and that the Maharaja’s accession made it part of India. Its obvious, that Pakistan and China both had illegally captured the areas of Jammu and Kashmir, these areas are regarded by India as its integral part. Pakistan and China both had the illegal control over the territories or areas of India. These area’s are actually the part of Indian Jammu & Kashmir, which had acceded with India in 1947. The overwhelming control of Pakistan and China over areas of Jammu and Kashmir is the total violation of international legal norms. India will never tolerate that its areas will be controlled by anybody else. India has a major role in South Asian region. It is the most powerful country after China in South Asia. There are good options for both the countries (India-Pakistan) and including third one that is (China) to go for meaningful dialogue without going to war means in this nuclear age, because it will pay bad repercussions and bad results. All the three countries of South Asian region should prefer to adopt conflict resolution mechanism and confidence building measures to avoid further
conflicts, so the best way is to go for conflict resolution, because war is not a solution of problem, rather it creates more animosity and gulf between the conflict parties.

Violations of Autonomy and Fundamental Rights

In the historical context, the Jammu and Kashmir State was given special status and greater autonomy within the Union of India when Union adopted its constitution on 26 January 1950. The Jammu and Kashmir was the only Muslim state, which rejected the two-nation theory and the partition of the country on the basis of religion and joined the Union of India. However, due to specific historical events in which country was divided on the basis of religion and followed a communal riots with the largest transfer of population even taking place in human history, the autonomy issues got mired in controversy. These developments cast their spell on the debates in the Constituent Assembly of India too in which the majority opinion of makers of Indian Constitution favored a strong Centre. That ethno-cultural, linguistic, religious and geographical diversity of the country was well known to them and they could not just wish it away. Therefore, striking a balance between these two complex realities, they adopted a Constitution, which remains federal in form and but unitary in spirit. At the political level, the special status of Jammu and Kashmir State was an anathema to those political forces, which perceived that it held the potential to pose a challenge to the unity and integrity of the country. Thus, the autonomy of Jammu and Kashmir fell victim to the controversy between the Centrist and Centripetal political forces did manage to dilute the autonomy of Jammu and Kashmir State to more extent. Ironically, these were not the forces, which are perceived as right wing, extremist-nationalist in nature, responsible for weakening of autonomy in Jammu and Kashmir. In fact the political dispensations at the centre which diluted the autonomy of Jammu and Kashmir wanted to achieve the twin objective of gradual withdrawal of states autonomy under the perception of strengthening the process of nation building in the country and extending the influence of their own political parties in the State of Jammu and Kashmir. The existence of over centralization, in the political, constitutional and economic spheres, for the last five decades has revealed that such a policy has left large chunks of population in the country dissatisfied. Moreover, the paradigm of centralized planning pursued in the country has indicated that benefits of development have not percolated to the grassroots level.

The crude process of centralization was introduced systematically and pursued vigorously by successive Central governments in collaboration with the state
government in the name of integration. In this process of centralization the titles of ‘Sadre Riyasat’ and ‘Wazire Azam’ were changed, the jurisdiction of Election Commission of India and Supreme Court of India was extended to the State of Jammu and Kashmir; and many central laws were extended to the state in undemocratic way. All major political as well as non-political decisions were imposed from Delhi. Thus, many of the basic features of the Article 370 of the Constitution of the India were scrapped and making special status of Jammu and Kashmir completely ineffective. Now, it can be said that Art.370 is only a showpiece. In actuality, the state was made like a colony. Its reality about the Kashmiris that they have been considered as second-class citizens within their own land. They have been crushed, humiliated, and dishonored. Reality is that the innocent people of Kashmir have been treated like animals. Kashmiris were tortured, interrogated and killed by the Indian security forces. Every person in Kashmir does not feel himself/her self free as for the democratic rights are concerned these are no where existed in Kashmir valley. Only the army, police, task force and leaders of Kashmir so called villains have their rights to terrorize Kashmiris without any reason. Media persons are not allowed to present the right picture of gross violations of human rights in their newspapers. Armed forces and police beat some media persons. People are not allowed to go hospital during hartals and curfew. Reality is that Kashmiris have no right to protest, demonstrations and right to peaceful march. Thousands of the people have been killed and thousands injured; thousands are in prisons and thousands are missing; hundreds have done suicides due to turmoil situations prevalent in Jammu and Kashmir. Every person in Kashmir is living a life with fear. In addition, Schools, colleges and universities remained closed for indefinite periods due to cycle of violence. In nutshell, it can be said every Kashmiri have suffered by one-way or other. Kashmiri youth were killed in the name of encounter, women were molested and raped, and old men were dishonored. Schools, shops, buildings, bridges and other properties were demolished or burnt. Indian Armed Forces and other Paramilitary Forces and Police backed by India did all this. These are the untold stories about the Kashmir it brings tear in eyes of every Kashmir. Until and unless India will not change its attitude towards Kashmir, Kashmiris will support India nor will they live with India only they will work for self-determination and freedom. India can end the doors of alienation when it will give the greater autonomy to the people of the Kashmir, when it will accommodate the
interests of Kashmiris, when it will prevent misuse of power and violations of human rights committed by armed forces.

Kashmir conflict is not only a border dispute between India and Pakistan rather Kashmiris are the main party of the dispute. It is reality, which is not hidden that Kashmiris have suffered more. The human rights violations in Kashmir is same, as it is in Palestine committed by Jews over innocent people of Palestine, but in the context of Kashmir it is committed by Indian Forces and Indian Paramilitary Forces and Police backed by India willingly. Violations of autonomy and violations of human rights in Kashmir is not a good characteristic but a demerit of Indian democracy. India can win Kashmiris people only through the process of greater autonomy, addressing the problems of Kashmiris, good governance and prevention of misuse of power in Kashmir. It is not good option for India as a major democracy in the world to curtail the fundamental rights of the people of Kashmir, rather best democracy is that country which can provide safety and security to her people. It is only democracy, which talks about particular and distinguished rights of people. India has the glorious past based on non-violence and tolerance but in the context of Kashmir, tolerant India has lost its tolerance and become violent in Kashmir valley.\(^5\) After 1989, the autonomy of Kashmir was abrogated and amended gradually and slowly through process of centralization or over centralization. Government started the curtailment of the fundamental rights of the people of Kashmir. Kashmiris were suppressed, tortured, massacred and humiliated through the deployment of armed forces, AFSPA, Public Safety Act, and other draconian and stringent laws. Violation of human rights includes no respect of the dignity of Kashmiris, brutal killings, encounter, illegal detentions, molestation and rape of women, missing of youth, torture of old men, burning of houses, shops, schools, buildings, and other properties etc. Peace can be established in Kashmir when India will respect the dignity of the Kashmiris and withdraw all draconian laws from Kashmir, minimize armed forces and end human rights violations. Its is very important to mention here that state came into existence for the welfare of the people, if state is not successful in the maintenance of its objectives for the welfare of people then revolution started. State has no importance if it will not take into account aspirations of its people. Safety and security to its people is the main duty of every state. However, very few states become successful in their objectives. The best examples are USA, Britain, and other developed countries where citizens are satisfied and feel secure and safe.
References


4. Ibid., p.30-32.


27. Ibid., p.429.


35. Ibid., pp. 12-14.


38. Ibid, 22-23.


44. Ibid., pp. 125-126.


46. Ibid., pp.110-130.

47. Ibid., pp.293-321.


49. Ibid, 167-168.

50. Ibid, 168-172.
