CHAPTER III

THE RANN OF KUTCH DISPUTE AND THE NEGOTIATION PROCESS

There have been numerous instances of states getting into conflict over a piece of strategic territory. Ironically, conflicts over relatively trivial land masses of no obvious strategic value are perhaps no less common. The Rann of Kutch is an example of a conflict that originally was thought to be no more than over a huge mass of barren land. The Rann was certainly unimportant in British days. It was only in 1959 that Indian geologists proposed to explore the area for oil. At this point the area acquired a more strategic connotation. Eventually, due to the mammoth financial expenditure involved and other practical problems, the idea of exploration was shelved. The problem of the demarcation of the Gujarat-West Pakistan boundary however remained.

This chapter looks at the dispute under five main sections. The first section gives an account of the history of the dispute, wherein it deals with how skirmishes and hostilities in the Rann were followed by mediation of Britain. This section section ends with the signing of the ceasefire agreement. The second section endeavours to find out what were the problems faced by the two parties and how they worked out its modalities. This section explains how India and Pakistan negotiated until the dispute was referred to the tribunal which finally resolved it. The third section is key to the thesis as it analyses the entire negotiation process under the framework described in the first chapter. It also briefly highlights some other factors which had an influence on the dispute.

A History of the Dispute

The word "Kutch" is derived from 'Kaccha'. In Sanskrit it is 'kaksho' which means a marshy ground or desert. The Kutch area is surrounded by the Great Rann in
the north, by the Little Rann in the east, by the Gulf of Kutch on the south, and the by
the Arabian Sea in the west. The word Rann or in Sankrit, 'irana', means desert.
Physically, it has been describe as a vast saline stretch, treeless and trackless, slushy oil
and scraggy spaces, scorching sun and swirling storms, desolate, uninhabited and
waterless wasteland, naked, tidal mudflats, a silent world broken by the occasional
sight of a wild ass or a deer or a bird or a smuggler or a spy or a cattle breeder.¹

The Rann comprises nearly half of Kutch and one-eighth of Gujarat. The great
Rann is about sixty miles long from west to east and varies in width from 25 to 60
miles. In the southeast, it narrows into a neck, then turns inward and spreads out. It is
known as the little Rann, nearly 2,000 square miles in area and about 70 miles from
east to west. The Tropic of Cancer passes just between the Great and the Little Rann.²

The Kutch territorial dispute emerged immediately following Partition. Despite
a controversy between the British Indian province of Sind and the princely state of
Kutch, the Partition Commission ignored it and the Radcliffe Award made no reference
to it. Had the Commission exercised its arbitrary powers it might have settled this
dispute. India staked its claims on the basis of the totality of the historical evidence
which it argued established beyond doubt that there was no dispute regarding the
boundary between Kutch and Sind, since Kutch state had always been in possession of
the Rann of Kutch in its entirety.³ India argued that the historical records, the
statements and actions of the British authorities representing the paramount power, the
Gazetteers (Imperial, as well as those of Bombay and Sind), and the Administrative
Reports of Bombay State and of Kutch, all these established that the boundary was in

². Ibid.
³. See R.C. Majumdar, H.C. Raychaudhury and Kalinkar Datta, An Advanced History of
India, St. Martin's Press, New York, 1967, pp.48-49, 176-177, 285, 482, 518 and
H.G. Rawlinson, India: A Short Cultural History, F.A. Praeger, New York, 1965,
pp.2,19,56,645,199,248 and 376.
effect well determined; and only a part of the boundary which had not been demarcated on the ground needed demarcation. It contested the view that the Rann of Kutch was not a landlocked sea or a boundary lake and therefore the particular principle of international law that the boundary should run through the middle of it, did not apply at all. The Rann of Kutch was fully part of the State of Kutch, and by accession, on May 4, 1948, it became a part of India.\(^4\)

On the other hand, Pakistan claimed that it was entitled to the northern half of the Rann on the basis of the exercise of jurisdiction in the area by the Sind administration ever since the annexation of Sind by the British in 1843. Though Pakistan confined its claims to the northern half only, it contended that it owned the entire Rann on the basis of historical evidence. It argued that entire Rann of Kutch was either a landlocked sea or a boundary lake separating the state of Sind from Kutch. It argued that the boundary lake should run through the middle of this area according to the principles of international law governing such cases, in the absence of a special treaty providing otherwise.\(^5\) It thus claimed the entire northern half of the Rann.

Between July 1948 and April 1955 the exchange of notes between India and Pakistan centred around whether the Rann was a landlocked sea or just a marsh. According to the Indian argument, it was a marsh and thus the principles of international law did not apply. Pakistan was insistent on proving that it differed with the Indian claim, namely, that what was left was the demarcation of that portion of the boundary which was left untouched.

The exchange of notes and correspondence continued and both sides evolved their respective stands gradually. By 1956, Pakistan had developed a well defined and clear argument. In late 1959, both parties decided to discuss the issue at the


\(^5\) Ibid.
Indo-Pakistani western border conference in January 1960. In this conference, the two Working Parties set out their respective stands.6

In October 1959, at a minister level conference, Lieutenant General K.M. Sheikh, Pakistan's Interior Minister and Swaran Singh, Indian Minister for Steel, Mines and Fuel, reiterated their determination to resolve all outstanding border disputes through negotiations. It was agreed that if they were not settled by negotiation, they should be referred to any impartial tribunal for settlement, and implementation of that settlement should be by demarcation on the ground and by exchange of territorial jurisdiction, if any.7

At another conference, in January 1960, both the ministers again called for discussions and study of the relevant materials.8 The period between 1960 and 1965 witnessed a lull, as no talks or correspondence took place, except for the Indian government urging the Surveyors-General of the two states to undertake joint demarcation.

Military Confrontation in the Rann, 1965. On May 12, 1964, some Pakistan nationals were arrested for intruding into Kutch, near Kanjarkot, but were later released under the Ground Rules of 1960 incorporated in the Indo-Pakistan Border Agreement. After a few months, in January 1965, the Indian border police detected some signs of intrusion up to one and a half miles inside the Indian territory. The incident went undiscussed in the meeting of the two police forces on February 5.

India took note of the incident immediately and protested to the Pakistan Foreign Ministry, urging it to hold discussions. The Indian External Affairs Minister, Sardar

6. Ibid., p.119.
8. Ibid., p.28.
Swaran Singh, raised the issue in Parliament and called for restoration of the status quo and withdrawal of Pakistani troops to be followed by talks. In the meantime, on the morning of April 9, 1965, President Ayub Khan ordered his army to attack the Indian police at Sardar Post. A few hours after the first engagement at Sardar Post, Ayub delivered a conciliatory speech. The Pakistani foreign office, on April 10, then proposed talks at the senior official level to resolve the border dispute. The next day, India accepted the proposal and called for a ceasefire and negotiations without conditions. On April 13, Pakistan put forward the following proposals: i) a cease-fire; ii) an inter-governmental meeting to determine the status quo ante which should be restored; and iii) a higher-level meeting. India accepted the proposals, but there were some serious differences regarding the status of Kanjarkot which India wanted to be discussed during the talks. According to Pakistan, Kanjarkot was their territory and thus discussion on its status would not take the talks anywhere.

Later, on April 19, India suggested that there should be a ceasefire to be followed by talks at the official level with a view to determining and reverting to the status quo ante and later a high level meeting between the two governments to discuss the boundary question without any preconditions. But it was Pakistan which proposed a precondition instead. On April 23, the Pakistani Government proposed that both sides should withdraw their forces 20 miles from the disputed border region before a formal ceasefire took effect and talks began between representatives of the two countries.

The pre-condition was not acceptable to India because if it were accepted then Pakistan would have vacated only two posts it had recently set up, whereas India would have to give up all its posts in its own territory. Thus, it seemed that Pakistan was not sincere in its desire to negotiate and that the exchange of proposals was merely a tactic. In the Indian view, Pakistan seemed to imagine that as soon as it put forward a bogus territorial demand on India the entire area coveted by it would become ipso facto

disputed territory which must be vacated. While maintaining a mere facade of negotiations, Pakistani policy was to use military force with redoubled strength.\textsuperscript{10}

Pakistan did not even wait for a reply, and by April 24, massive fighting had broken out at Biar Bet, Chhad Bet, Vigokot and Sardar. Pakistan also accused India of escalating hostilities and building up massive troops deployments on the border. The Pakistan foreign office spokesman at the same time said that India should see the path of reason and peace and try to seek a peaceful solution to the issue instead of forcing a decision through the clash of arms. The spokesman also cited paragraph 2 of the Indo-Pakistani Agreement on West Pakistan-India border disputes, signed on January 11, 1960, which said:

Exploratory discussion regarding the boundary dispute in the Kutch-Sind region showed that the boundary between the Governments of India and Pakistan could not be settled. Both Governments have decided to study the relevant materials and hold discussions later with a view to arriving at a settlement of this dispute.\textsuperscript{11}

The historical record shows that differences over the issue persisted from Partition on and had been the subject of discussions. It was, for the first time, seriously and formally discussed between General Sheikh and Sardar Swaran Singh in January 1960. When no agreement was reached, it was proposed to be discussed later. In the meantime, both agreed, according to rule 9 of the Ground Rules of 1960, that in areas in which disputes of title are already pending the status quo, inclusive of defence and security measures, will be strictly maintained until such time as the de jure boundary is finalised and the return of territories in adverse possession of the two countries takes place.

Even as the modalities of reducing tension were being worked out, fighting on the disputed territory flared up, matched by a massive concentration of forces along the border.

\textsuperscript{10} Hari Ram Gupta, op.cit., p.261.
\textsuperscript{11} Indo-Pakistani Border Agreement, op.cit., p.8.
**Mediation by the United States and Britain.** Amidst all this, efforts were finally launched by external powers to end the hostilities. In Ottawa, the Canadian Prime Minister, Lester Pearson, expressed his country's willingness as a member of the Commonwealth to help in settling the conflict.

Initially, Harold Wilson, the British Prime Minister, with the concurrence of Washington, suggested an immediate ceasefire, with a freeze on present troops deployments, to be followed by restoration of the status quo as it existed on January 1, 1965. It was only then to be followed by talks to find a solution. Regarding the British offer, Shastri was silent, and he declared in the Lok Sabha on May 3, "... We shall not depart from the position that along with the ceasefire there must be a restoration of status quo ante..." 12 While discussion was going in Parliament on the British proposals, President Ayub Khan came out with the threat of launching a "general and total war" in case Indian forces went on the offensive. 13 India eventually broadly accepted the British proposals with the reservation that Pakistan withdraw from places occupied on January 1, 1965. Pakistan thought over the Indian proposals, then changed its mind and rejected it.

After the rejection by Pakistan, the British started suggesting modifications so as to satisfy Pakistan. On April 28-29, the British High Commissioner to Pakistan, Sir Morrice James carried a letter for Ayub Khan. This was followed by the visit of the U.S. Ambassador to Pakistan, Walter McConaughty, to Rawalpindi on April 30, in order to reinforce British efforts. Sir Morrice James came to New Delhi on April 30 and met L.K. Jha, the Prime Minister's Secretary, and asked if India needed any significant modifications in the proposals. He also conveyed Pakistan's differentiation

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between a territorial dispute and a border dispute. U.S. President Lyndon Johnson sent a special envoy, Henry Cabot Lodge, who also arrived in New Delhi on April 30 and met the Prime Minister, Foreign Secretary, and others. In its meeting with both envoys, India expressed its readiness to accept the existence of a "border" dispute but not a "territorial" dispute, as Pakistan had argued.

The British thereupon asked for a week’s respite in the conflict so as to plan the next move which was acceptable to both India and Pakistan. But in fact London aimed at a stalemate, which could ensue once the tidal waves had covered the Rann. This was acceptable to both the British and Americans as well as the Pakistanis, but not to India, which sternly resisted it. A stalemate would have forced Indian troops out but enabled Pakistani troops to remain where they were. It would also have enhanced Britain’s mediatory role. The U.S. urged both India and Pakistan to keep the Kutch conflict localized pending a ceasefire and refrain from doing anything elsewhere which might provoke a wider conflict.

Pakistani authorities informed Britain and the U.S. that Pakistan was willing to withdraw its forces from the Rann of Kutch on two conditions. The first condition was that India must admit that a dispute existed between the two countries in the Rann of Kutch. This was stated to be a prerequisite to any talks. The second condition was that India must withdraw its troops to the south of the 24th parallel, which for Pakistan was the real boundary. Pakistan also said that the Indian proposal meant that India would stay at Chhad Bet while Pakistan would vacate Biar Bet and possibly Kanjarkot. The basic problem at this stage before Britain was to prevail upon India to agree to arbitration in case the talks failed to resolve the dispute. Lord Louis Mountbatten

who had influence with the Congress Party was chosen to meet Shastri and persuade him to yield on this point. Mountbatten strongly pleaded for a reference of the Sind-Kutch border dispute to the World Court because India had an "unassailable case". 16

At the same time, to prevent the conflict from getting out of hand, Britain and the U.S. had worked out a joint policy of persuasion and pressure to be applied to both India and Pakistan. On May 17, in Rawalpindi, talks ensued between Sir Morrice James and Foreign Secretary Aziz Ahmad, on the question of the cease-fire, though the British High Commission and the Pakistan Foreign Office were silent regarding its outcome.

By May 10, 1965, four more draft proposals were put forward by Pakistan which only widened the differences. British diplomats in India, on the other hand, were busy trying to persuade New Delhi. But India was furious at Pakistan's stalling tactics. A week later, Pakistan agreed to accept the status quo ante in the Rann only if the talks covered the whole gamut of border disputes. This was a new dimension in the talks and perhaps a preparation for raising the Kashmir issue. 17

Pakistan continued its provocative attitude and somehow tried to stretch the ceasefire negotiations. It committed air space violations, attacked an Indian patrol party, and reportedly tortured prisoners in Kutch and publicly on television. 18 Ayub's strategy lay in keeping tension alive. He deliberately attempted to prolong negotiations to the utmost point, yet did not dare break them off. Pakistan constantly raided across the border, in sectors as widely apart as the Assam-East Pakistan border and the

ceasefire line in Kashmir. His speeches and the hate India campaign were illustrative of his strategy. 19

The political rhetoric in both countries further worsened the situation. While India was trying to be accommodative, Pakistan's approach was to internationalise the dispute. On the eve of two important conferences, the Commonwealth Prime Ministers' meeting in London and the Afro-Asian summit in Algiers, Zulfiqar Ali Bhutto told Pakistani correspondents, "Pakistan would raise the question of the Kutch dispute at the Commonwealth Prime Ministers talks in London if found necessary and useful". 20 He advised India: "It is much better for the Indian leaders to consider a fair and reasonable approach to settlement of the Rann of Kutch and other disputes rather than to threaten Pakistan by a volume of meaningless threats." 21

India continued to displayed a spirit of accommodation. Even when the negotiations were on the verge of a breakdown, India agreed to certain modifications suggested by the British mediators. Pakistan, at the same time, was working hard to draw attention to all the border disputes with India, within the scope of the ceasefire agreement. It repudiated the Radcliffe Award with regard to the India-East Pakistan border and also continued raids and attacks on areas such as Belonia in Tripura, to which it had never heretofore laid claim.

To save the peace process from being stalled, Britain suggested direct talks between India and Pakistan and put this proposal in front of Shastri and Ayub on May 27. India refused to accept the idea because, firstly, this meant direct negotiations with Pakistan which still occupied parts of the Rann. Secondly, it meant a ceasefire without a simultaneous agreement for the restoration of the status quo as on January 1, 1965.

20. Ibid.
21. Ibid.
Basically, India wanted both countries to agree to an unconditional ceasefire before the status quo question could be discussed.\(^{22}\) As a result of Indian opposition, a modified British proposal arrived on June 12, 1965, which reassured India that the withdrawal of Indian and Pakistan forces from the Punjab and East Pakistan border would not be a precedent for a formal cease-fire in the Rann of Kutch.

The Commonwealth Prime Ministers' Conference was held in London from June 17 to 25, 1965. The Indo-Pakistani summit talks were expected to be held there. At the very outset, Shastri categorically stated that only the Rann of Kutch problem would be discussed at the proposed talks. Other issues should not be raised there, as at the Commonwealth Prime Ministers' Conference.\(^{23}\) He reiterated India's commitment to peace. Ayub, for his part, decided to refrain from using the Commonwealth Conference as a propaganda forum. Shastri in the meantime informed the United Nations' Secretary General on June 18 about the return of three Pakistani posts captured by India at Kargil. On June 20, Wilson held talks with both Shastri and Ayub separately, discussing the modalities and conditions of the cease-fire agreement.

The draft agreement was approved by Shastri in London, but he preferred it to be announced from Delhi so as to have time inform his cabinet of the developments that had taken place. Hence, on June 22, the ceasefire agreement was handed over to the Government of India for consideration. And on June 29, 1965, India and Pakistan approved the final draft agreement prepared by Britain.

**Ceasefire Agreement Signed.** On June 30, 1965, the Pakistani High Commissioner, Arshad Hussain, and Azim Hussain, Secretary in the Ministry of External Affairs, signed the agreement in the presence of the British High Commissioner, John Freeman, and his Deputy, P.A. Scott. The ceasefire came into

\(^{22}\) Ibid., p.293.

\(^{23}\) 'Shastri's Pre-condition to Talks on Kutch', *Dawn*, 17 June, 1965.
force on the morning of July 1, 1965 and the troops withdrawal was completed by July 8, 1965.

The ceasefire agreement with Pakistan on the Rann of Kutch was approved by the Lok Sabha on August 18 after Shastri announced that Bhutto's visit to India had been cancelled as also ministerial talks scheduled for August 20. Expressing India's firm commitment, Shastri explained that getting out of the Agreement would be neither honourable nor desirable: "We do not reject the reference to arbitration. I say it clearly and categorically that we stick to the Agreement. We do not want to deviate from it." The Jan Sangh and Samyukta Socialist Party members later walked out of the house when the Kutch Agreement was approved by 269 votes to 28, with 23 abstentions. The communists were among those who abstained from voting. The Rajya Sabha approved the agreement by 114 to 18, on August 19, 1965.

The Kutch ceasefire agreement provided, for the first time in the history of India-Pakistan relations, for a timebound framework of conflict resolution, starting with a ceasefire agreement, and calling for negotiations and reference to a tribunal, if need be.

**Early Negotiations, 1948-60.** Until the 1965 conflict, the dispute in the Rann of Kutch revolved around Pakistan's refutation of India's stand that there was no dispute and India's persistent effort to make Pakistan agree to the demarcation of that portion of the Kutch-Sind boundary which was not demarcated on the ground. Pakistan sought to open the issue of the determination of a large portion of the Kutch-Sind boundary including areas demarcated by pillars in 1924.

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From July 1948 to January 1960, Indian negotiators and decision-makers carefully avoided any statement that might amount to acquiescence (under international law) with regard to the Pakistani claim that a dispute existed, since reopening the issue of determination of the boundary could have set precedents applicable elsewhere, especially with China. Pakistan was only interested in making India agree that the boundary was indeed disputed and needed settlement.

The two sides exchanged notes and developed their positions between 1948 and 1960. In the early stages, a proposal had been put forward by Pakistan to set up a Joint Boundary Commission of the Dominion of India and Pakistan to settle the boundary dispute. India refused to accept it because, in its view, the 1912 settlement defined the western boundary from the northern border of the Rann. Pakistan's view was that the Kutch-Sind boundary be divided into sectors: (a) from the mouth of Sir Creek to a point at approximately 68°48E and 23°58 N; and (b) from the latter point onward. As regards (a), that is, from the mouth of Sir Creek to the point "WT" on the map, Pakistan argued that the boundary had been demarcated and that there was no dispute. But it held the view that the boundary beyond this point (to the north upto "A and then to the east) was never surveyed or demarcated and continued to be in dispute. So, Pakistan called for demarcation of the boundary in sector (b). In case of any differences, the representatives of the two countries could call a conference and discuss the matter. If a solution still eluded the two, Pakistan proposed that the dispute be referred to an impartial tribunal, which was agreed upon in October 1953 at a conference in Calcutta.

India referred to the Sir Creek-Kori Creek settlement through resolution No.1192 dated February 24, 1914, of the Government of Bombay, which read: "The


boundary between Kutch and Sind should be the green line in the accompanying map from the mouth of Sir Creek at the point where it joins the blue dotted line; from there it should follow the blue dotted line due east until it joins the Sind boundary as marked in purple on the map."\(^{28}\) New Delhi argued that, as long back as 1923-24, the Sind-Kutch authorities had jointly surveyed and demarcated the perpendicular boundary. It further proposed that the boundary now should be demarcated by pillars on the ground according to the agreed procedures.

In contrast to the Indian argument, Pakistan claimed that a perpendicular line northward of the point "WT" may be the boundary between the Karachi district (Jati Taluka) and the Kutch, but that it was not conclusively established that the northern trijunction (i.e., point "A") was the northern-most part of this boundary. So, Pakistan sought to bring point "A" down as close to "WT" as possible, thus helping Pakistan's claim to the northern half of the Rann of Kutch approximately along the 24th parallel.\(^{29}\)

India argued that the point "A" was a tri-junction of the Jati Taluka (Karachi district), Badin Taluka (Hyderabad district) in Sind, and the state of Kutch. Pakistan contended that point "A" was in fact a trijunction between Jati and Badin Talukas and the Great Rann of Kutch. As much as India sought to prove that Kutch's administrative jurisdiction over Gainda Bet, Kanjarkot, Chhad Bet, and Nava Bet, Pakistan sought to establish that Sind had enjoyed "actual possession" and "administrative jurisdiction" in the northern half of the Rann.\(^{30}\)

Through the exchange of notes and correspondence, it was revealed that there were discrentional and procedural discrepancies in the preparation and authorisation of the various British Indian maps. There was a great deal of disagreement on both sides

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29. Umtawale, op.cit., p.574.
30. Ibid., p.576.
regarding maps and cartographic symbols. Each side produced maps and claimed that they were more authoritative and authentic than the other side's. Pakistan held that the Indian maps were inconsistent and argued that they were not authoritative as regards the "alignment of fiscal boundaries and that the dash-dot-dash (\(\ldots\)) symbol only indicated Taluka boundaries and not State or Provincial boundaries."\(^{31}\)

Some have suggested that the exchange of notes and correspondence led the two parties nowhere. They remained where they were. In other words, it helped little in clarifying their standpoints. One may thus argue that the two sides could have instead held a conference and discussed matters face to face. India and Pakistan chose to rely on an exchange of lengthy notes from the pre-colonial and colonial periods. Each blamed the other for misquoting or misconstruing the historical record and arriving at "wrong" inferences or conclusions.

**The Tribunal.** India had expressed its commitment to the Tribunal in October 1959 and then in January 1960. After the Sheikh - Swaran meeting, the proceedings were signed. Prime Minister Jawaharlal Nehru and Minister of State, Mrs. Lakshmi Menon, both had made statements when the Agreements of 1959 and 1960 were tabled in the Lok Sabha in 1959 and 1960.\(^{32}\)

If India had wanted, it could have repudiated the 1959 and 1960 agreements, providing for a settlement of the border disputes by a tribunal, on two occasions: first, when Pakistan attacked in the Kutch and occupied Kanjarkot; and second, when thousands of mercenaries infiltrated into Jammu and Kashmir. India could have argued that whatever agreements there were between India and Pakistan regarding a border settlement had been unilaterally abrogated by the act of aggression. Thus, there seemed to be no obligation on the part of India to commit itself to any agreement of the recent past. Any talk of arbitration or reference to a tribunal seemed irrelevant.\(^{33}\)

\[^{31}\text{Ibid.}\]

\[^{32}\text{See Foreign Affairs Record, August 1965, p.165.}\]

\[^{33}\text{Hari Ram Gupta, op.cit., p.340.}\]
It is universally acknowledged that the decision of a tribunal can be challenged on several grounds, according to international law. But Shastri waived this inherent and natural right by agreeing to the clauses that "the decision of the tribunal shall be final and binding on both parties," and further that it "shall be binding on both Governments, and shall not be questioned on any ground whatsoever." 34

In the meantime, Pakistan, on the one hand, fixed the meeting of the Foreign Ministers of the two countries on August 20, 1965, and, on the other, resorted to massive infiltration into Jammu and Kashmir. India nevertheless wanted to go ahead with the Ministerial Conference to settle the dispute. However, on August 7, as a consequence of a massive military build up in "Azad Kashmir", the scheduled Indo-Pakistani Foreign Ministers' meeting of August 20, 1965, was cancelled. It was thus finally decided to refer the question straightaway to the Tribunal. Foreign Secretary C.S Jha on August 18 said that this was being done because "India did not intend to mix up the Kutch dispute with Kashmir developments." 35

A few months later, on October 7, 1965, it was announced that the Pakistan Government had designated Nasarollah Entezam, a former Iranian Foreign Minister and President of the U.N. General Assembly in 1950-51, as its nominee to the Tribunal. On October 26, India nominated Ales Bebler, an eminent Yugoslav jurist and judge of the Constitutional Court of Yugoslavia. On December 15, 1965, U.N. Secretary General U. Thant nominated Gunnar Lagergren, President of the Court of Appeal for Western Sweden, as Chairman of the Tribunal. 36

34. Ibid.
The Tribunal's first meeting was held in Geneva on February 15, 1966 under the Chairmanship of Gunnar Lagergren. On the workings of the Tribunal, Dawn wrote on July 15, 1967: "Since February 15, 1966 the Tribunal has held 170 sittings in camera lasting in all 600 hours. Verbatim record of hearings runs into 15,000 pages. ...India and Pakistan submitted 700 documents and 350 maps." 37

A draft of the entire case as prepared by the Tribunal was supplied to both the parties on October 20, 1967. Each party prepared its comments and submitted them to the Tribunal as well as to the other party. Then both submitted their observations on the comments of each other. From this, the Tribunal drew up its Award.

In July 1967, the Agents of India and Pakistan agreed to the demarcation of the boundary between India and Pakistan in the Gujarat - West Pakistan sector in accordance with the Award of the Indo-Pakistan Western Boundary Case Tribunal (Constituted pursuant to the Agreement of June 30, 1965). 38

On February 19, 1968, the International Tribunal on the Rann of Kutch Affair awarded a 900-page judgment. It granted 320 square miles of Indian territory to Pakistan which constituted approximately one tenth of what it had claimed. India's claims were acknowledged over the rest of the territory. 39 Chairman Lagergren and Judge Entezam voted in its favour whereas Ales Bebler cast a dissenting vote.

**Analysis of the Negotiations**

The Rann of Kutch negotiations were more complicated than the Indus negotiations. The main reason was that the Rann was a territorial issue, whereas the Indus Waters dispute was a resource issue. Besides, the Rann of Kutch dispute had a

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37. Hari Ram Gupta, op.cit., p.344.
38. Ibid.
39. For a better understanding of the Award, see the map in Appendix II.
military dimension as well, which led to skirmishes on the border. This gave rise to tensions in bilateral ties and made the whole negotiating atmosphere very tense. This section aims at analysing the whole negotiation process and seeing how the two countries managed to keep their differences at bay sufficient to get a final agreement.

To start with, this analysis seeks to find out whether the framework of negotiation, discussed in the first chapter, illuminates the Rann case.

**Ripeness.** Although the exchange of notes between India and Pakistan started way back in 1948, the two countries committed themselves to resolve the issue through negotiations in 1959. At their meeting on 1 September, 1959, the President of Pakistan and the Prime Minister of India agreed, in pursuance of their desire to promote good neighbourly relation between their two countries on a rational basis, to an Indo-Pakistan conference at the Ministerial level to devise measures to end disputes and incidents on the Indo-Pakistani border. This Minister-level conference, with Sardar Swaran Singh and Lt. General K.M. Sheikh leading their respective delegations, started in Delhi on 15 October, 1959, continued its deliberations at Dacca from 18 to 20 October and had its concluding session on 21 and 22 October.

The two delegations held discussions in a positive and constructive spirit. The objective of arriving at agreed decisions and procedures to end disputes and incidents and to establish and maintain peaceful conditions on the East and West Pakistani border regions guided the deliberations of the conference. The Swaran-Sheikh conference produced a joint communique. Paragraph 6 of the joint communique said:

> Both Governments reaffirmed their determination to resolve border disputes by negotiation and agreed that all outstanding boundary disputes on the East Pakistan-India border and West Pakistan-India border, so far by either country, should, if not settled by negotiation, be referred to an impartial tribunal for settlement and implementation of that settlement by demarcation on the ground and by exchange of territorial jurisdiction if any.\(^\text{40}\)

As a result of this, a Minister-level conference was held at three different venues, Lahore, Rawalpindi and Delhi, between January 4 to 11, 1960 to discuss West Pakistan-India border questions. Among the five disputes that featured in this conference, one was the Kutch-Sind border problem. Whereas the other four disputes were amicably settled. Regarding the Kutch-Sind border, both countries agreed to collect further data and hold discussions later with a view to settle it.

The commitment to resolve the issue through negotiations was made in 1959. Although Shastri had expressed India's firm resolve to protect the country's territorial integrity at all cost, yet general commitment to India's peaceful settlement of disputes, military aid to Pakistan by the U.S., and the vacuum created after the death of Nehru, pushed India to seek a settlement through negotiations. S.K. Singh, former Indian Foreign Secretary, argues "India was weakened after the defeat at the Chinese front in 1962 and Nehru's death in 1964, hence it accepted external mediation and arbitration. With a strong India, history would have been different." 41

One can see that there was, as our negotiation framework suggests, a "shared perception of the desirability" of an accord on both sides, though for different seasons. This perception, in the beginning, seemed weak but, with tensions growing with each passing day, it grew stronger and stronger. One factor of vital importance was the considerable political stability in both countries. In India, the Congress governments under Jawaharlal Nehru, Lal Bahadur Shastri and Indira Gandhi were stable enough to provide a strong political base for the negotiations. These leaders were not worried about their political survival and thus took bold decisions in directing the negotiators. There was no domestic political pressure on them of a kind to hamper the entire process. In this context it is worth recalling that Shastri always gave due importance to the opposition benches and kept them informed of developments, which helped him in

eventually selling his policies domestically. One good example of this is that on April 7, 1965, Shastri held a conference with his opposition. This was a clever move on his part and gave the opposition a sense of participation and responsibility. In the course of the conference, opposition parliamentarians met the Army Chief and discussed the Pakistani threat on the border, its extent and growth, after hearing an appraisal by the Prime Minister himself. This conference led to a significant restraint in the tone of the opposition in Parliament.\footnote{Hari Ram Gupta, op.cit., p.146.}

After the Kutch Agreement was signed on June 30, 1965, Shastri welcomed it and strongly defended it. The Congress Parliamentary Party approved the Agreement on July 2, 1965, but emphasised the fact that the agreement would not set a precedent automatically applicable to other India-Pakistan disputes. Each issue would be dealt with, separately, on its own merit. Later, both the Lok Sabha and Rajya Sabha passed the agreement with a thumping majority.

The Kutch negotiations led to only rather mild resistance in Pakistan because Ayub Khan was in complete command, and there was no political uncertainty or instability to threaten his Presidency.

The military takeover in Pakistan under Ayub Khan in 1958 removed the civilian leaders from office and dissolved democratic institutions, thus giving the civil service and army a free hand to run the country. Hasan Askari Rizvi writes:

\begin{quote}
The period of the military rule was not a military dictatorship of the type found in the Middle East and Latin America and, to some extent, in Africa. It was a benevolent authoritarian regime, determined to inculcate discipline which marked the organization of the army.\footnote{Hasan-Askari Rizvi, The Military and Politics in Pakistan, Konark Publishers, Delhi, 1988, p.109.}
\end{quote}

The 1962 constitution formally ended military rule, but it concentrated political power in the hands of Ayub Khan who still commanded the forces' loyalty. The roles
of the head of state and head of government were now combined in the President who was indirectly elected by an electoral college comprising the Basic Democrats. Central ministers and provincial governors and their ministers were responsible to the President.

The provisions of the constitution regarding the declaration of emergency equipped the President with enormous powers. Hasan Askari Rizvi writes, "The greatest advantage which Ayub Khan enjoyed over the opposition parties was the support of the military, the bureaucracy, and the Basic Democrats as well as lack of unity and understanding among various opposition parties. Ever since 1958, when Ayub took over as the new leader of Pakistan, he had increased his powers steadily and taken command over the affairs of the country, internal as well as external." Thus, the ceasefire agreement and the final award was relatively free from public and press controversy. After signing the Indus Waters Treaty, Ayub had gained considerable confidence in his dealings with India, and this was reflected quite clearly in the Kutch dispute. He was very well assisted in his task by his able Foreign Minister, Zulfiqar Ali Bhutto. It should be mentioned here that the Pakistani press had not attached much importance to the ceasefire agreement and looked upon it as a model for settling other disputes. After the Kutch Award, the Pakistani press told its readers that it was a victory for Pakistan. The Urdu press in particular attributed this triumph to the statesmanship and superior diplomacy of the President. A supportive Presidential Cabinet and favourable public opinion created by the press evolved a political climate which was shrewdly utilized by Ayub Khan in pursuing his objectives.

Another factor which made the dispute ripe for settlement was that India and Pakistan, despite having serious differences over the demarcation of the border, were agreed on how to settle the dispute. In the beginning, in 1959, both had resolved to

44. Ibid., p.113.
45. Ibid.
settle border disputes through negotiations. In the course of time, when the two parties started exchanging notes to collect relevant information and facts, they continued to hold conferences and meetings to analyse these facts. In 1965, the two parties, after hostile confrontations on the border, agreed to a ceasefire. The ceasefire was very instrumental in framing an approach to settle the dispute. The two had reaffirmed in the ceasefire agreement their determination to settle the dispute through negotiations. In the event of no positive result, the dispute was to be referred to an impartial tribunal, where it eventually was indeed referred. In 1968, the tribunal announced the award which both parties accepted.

Negotiations. One important aspect of this dispute was its territorial nature. Being a territorial issue, the Rann of Kutch dispute underwent thorough study with the help of gazetteers, administration reports, encyclopedias, maps, documents and books. Throughout the negotiations, the information and facts that were under discussion were all produced from these sources. All these sources formed the basic fodder consumed in the pre-negotiation stage. India and Pakistan, through the exchange of notes and the ongoing talks, enabled themselves to collect sufficient information and facts before they came to the table and started negotiations. This process had started way back in July 1948 when the two states exchanged notes regarding the nature of the Rann. The process of exchange continued until January 1960. The positions of the two developed only gradually, with the exchange of lengthy notes between 1948 and 1960. These helped the two parties to define the basic problem. The contentious dialogue was often prolonged unnecessarily due to lack of clarity and diplomatic vigour, as well as inconsistency in the arguments. In fact, it was through one of the early notes exchanged that Pakistan suggested a Joint Boundary Commission of the Dominions of India and Pakistan to investigate and settle the dispute.46

46. The Kutch - Sind Border Question, op.cit. pp.16-17.
In these exchanges, the two sides produced the cartographic and legal details in piecemeal fashion. First, limited quotations favourable to one's position were advanced by each other. When the other side challenged them, and produced additional excerpts, further details were made available. Each side was taking care not to jeopardise its legal case by revealing too much. The correspondence exposed the discretionary and procedural lacunae in the preparation and authorisation of the various British Indian maps.

This entire "prenegotiation phase" helped the two countries evolve their respective positions and further develop their commitment to negotiate. Pakistan's arguments also became clearer by the mid-1950s as a result of the information that was obtained through the exchange of notes. After exchanging notes and other relevant information, the two sides decided that an Indo-Pakistani Western Border Conference would be held in January 1960. At this conference, both parties exchanged further notes and put forward their respective arguments.

The most prominent milestone in this phase was the Shaikh-Swaran Singh Minister-level conference of 1959. In this conference, India and Pakistan committed themselves to the path of negotiations. The conference provided the framework of negotiations. It aimed at transforming the dispute into a search for a cooperative agreement by various means, such as the formation of a Tribunal or third party mediation.

From 1960 to 1965 there was no correspondence between the two governments, nor even discussions. But the 1960 conference on Ground Rules contributed towards peace and did not let the situation get out of hand. On January 9, 1960, the two Governments, in the West Pakistan - India Border Ground Rules, para I, stipulated that "in areas regarding which disputes of title are already pending with the respective
Governments for a decision, the status quo inclusive of defence and security measures will be strictly maintained until such time as the de jure boundary is finalised and the return of territories in adverse possession of the two countries takes place.  

In February 1965, after allegations by both sides of intrusions, India offered to meet at any level to exchange data and other material relevant to the Kutch-Sind border and to consider modalities of dealing with the problem of demarcation of the well-defined boundary of Kutch and Sind.\(^\text{48}\) India always maintained that according to the historical records the boundary was well defined between Kutch and Sind. The problem lay in its demarcation on the ground. India and Pakistan exchanged notes charging each other with provocations and aggression and seeking restoration of the status quo. Pakistan's note of April 11, 1965 stated that it was discussing the modalities of bringing about negotiations with the High Commissioner of India.

The Indian approach to the problem was that the issue could only be settled "across the table". Shastri declared in the Lok Sabha on April 28, 1965: "Pakistan must decide to give up its warlike activities. If it does, I see no reason why the simple fact of determining what was the actual boundary between the erstwhile Province of Sind and the State of Kutch and what is the boundary between India and Pakistan cannot be settled across the table. It need not even be a negotiating table. It is more a question of finding out the facts rather than of negotiating a settlement. It can be done by experts on both sides. All this is possible provided there is an immediate cessation of hostilities and restoration of the status quo ante..."\(^\text{49}\) As we saw in our theoretical discussions, this is what prenegotiation is all about - finding out the facts, well before the parties come to the negotiating table.

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47. The Kutch-Sind Border Question, op.cit. p.150.
48. Ibid.
In the Kutch dispute, a lot of technicalities and intricacies were involved. For this reason, India and Pakistan prenegotiated for a long time, to avoid breaking their heads against the wall when they finally came to the table. In 1959, both the parties at the Sheikh-Swaran meeting reaffirmed their commitment to solve the dispute through negotiations in a Joint Communique. If negotiations failed, the dispute would be referred to an impartial tribunal for a settlement.

When conflict occurred in 1964, both sides initially engaged themselves in hostilities but later, in 1965, they decided to negotiate a ceasefire and settle the issue amicably. It should be highlighted here that the negotiations were jeopardised with the eruption of hostilities in 1965. Nevertheless, both sides, through talks and meetings, sought to lower the conflict and eventually end hostilities. They had realised that, with the hostilities on, it was impossible to negotiate. The result of these continuous efforts was a ceasefire agreement which was signed in 1965. The cessation of hostilities paved the way for further negotiations. Finally, the ceasefire agreement which was signed on June 30, 1965 called for all troops on both sides to withdraw and for restoration of the status-quo as on January 1, 1965, pending arrangements for the determination and demarcation of the border in the area. The agreement referred the Ministers of the two governments to meet in order to agree on the determination of the border and its subsequent demarcation.

The agreement laid down clearly that in the event of no agreement being reached within two months of the ceasefire the two governments would, as contemplated in the joint communiqué, have recourse to the Tribunal, whose decision would be final and binding on both the governments. The agreement also laid down the procedures for the workings of the Tribunal to avoid any controversy. The two governments were to implement the findings of the Tribunal in full, as quickly as possible, and refer to the Tribunal for a decision in case any difficulty arose between them on the implementation of these findings.
In short, the ceasefire agreement between the two parties established specific principles and guidelines to govern the issue which worked very well in the later phases. In the later stages, it was upon these agreed principles that both the parties conducted their negotiations without any major controversies and obstacles. During these two decades of prenegotiation, India and Pakistan accepted that negotiation was the only option and that it was not feasible to resolve the issue unilaterally.

In April 1965, mediatory moves were made by Britain to end the hostilities in Kutch and thus facilitate a peaceful settlement. The U.S. also took a keen interest in the settlement. The interest shown by the British and U.S. governments was taken up at the Emergency Committee in India on 27 April, 1965. Similar offers of mediation were made to Pakistan as well. The British and U.S. expressed their interest in mediating separately to India and Pakistan, but no concrete proposal was made. India and Pakistan, for their part, did not take any decision right away and took some time to consider a potential third party role. Ultimately, after holding talks with Britain separately, both India and Pakistan worked out their standpoints. As a result of a series of meeting and hectic parleys on the part of Britain with both parties, agreement on a ceasefire was signed in London in June 1965. Britain's mediatory moves therefore played a crucial role.

It should be noted that back in 1959, at the Sheikh-Swaran meeting, the two parties had agreed to refer the West Pakistan-India border dispute along with the East Pakistan-India dispute to an impartial tribunal for settlement in case no result was achieved through negotiations. Thus, consideration of a third party role had originated as early as 1959.

**Negotiations.** After discussing the modalities of the negotiations, in the prenegotiation phase, the two parties decided to finally get to the table and discuss the information and evidence gathered. The Rann of Kutch dispute had so many
complicating dimensions that India and Pakistan were finding it very difficult to reach agreement. The failures of talks on so many occasions led to armed skirmishes and territorial violations. As time passed, armed conflict became more frequent. This worsened the already complicated affair and bred pessimism on both sides. Hence, in order to create a conducive peaceful climate for negotiations, the basic task before India and Pakistan was to bring about a ceasefire.

The British government, which had been very keen on mediating from the beginning, decided to intervene to help India and Pakistan first of all reach an agreement on a ceasefire. From 1965 onwards, therefore, the Kutch dispute moved to a new basis, namely, the possibility of third party mediation. The negotiations were triggered by the U.K. which put forward various proposals. Talks started in April and went only until June 1965 when an agreement was finally reached on the ceasefire. During this period, India and Pakistan proceeded along the guidelines and modalities agreed upon during prenegotiations. The talks were held within the framework which was formed after the Sheikh-Swaran meeting, the 1960 conference on Ground rules and finally the ceasefire agreement. Talks were held quite frankly and openly. All the information available to the parties was on the table, and there were no backstage manoeuvres.

Britain made various proposals which were modified on the request of India and, at times, of Pakistan. There were times when India and Pakistan's tough and rigid attitudes created a stalemate, especially on the question of the status quo which was to be restored after the ceasefire. British Prime Minister Wilson encouraged direct talks between Shastri and Ayub. The Ministers and Foreign Secretaries of the two countries were also encouraged to meet their counterparts as well as the British mediators. Ultimately, Ayub and Shastri did meet in London when all the issues had been discussed by their representatives in various forums. In London, the two leaders only had to perform the formalities, which they did and so the ceasefire agreement was signed.
Later, on July 29, 1965, the two countries also held discussions and talks at the Foreign Ministers' level and agreed that if they failed to reach an agreement within four months, they would refer the dispute to a tribunal by the end of October 1965. An analysis of the follow-up after August 1965 shows that both the parties were not very hopeful of reaching an agreement at the Minister-level talks. The reason was that India wanted only the Kutch issue to be discussed whereas Pakistan was keen on bringing in other Indo-Pakistani issues such as the position of the Muslim minority in India. One can thus see that at this stage India and Pakistan were locked into opposing views on certain aspects of the dispute.

According to the terms of the ceasefire agreement, preparations began on nominating persons to constitute the Tribunal. The agreement had also set a time frame of four months from the ceasefire to constitute the Tribunal. To avoid any controversy, the agreement said that the decisions of the Tribunal were not to be questioned on any ground by either side. With this agreement, both governments undertook to implement the findings of the Tribunal in full, as quickly as possible, and, to refer to the Tribunal any difficulties faced in the process. By agreeing to a time-bound solution, India and Pakistan moved towards agreement by a process of concession-making and search for new alternatives. In accordance with these agreements, on February 19, 1968, the international Tribunal gave its Award which finally settled the disputes. Objections were raised in both India and Pakistan, yet the two governments were bound to accept the decision as agreed to in the provisions of the ceasefire agreement.

Pakistan under Ayub Khan backed the Award completely and without much opposition domestically for the simple reason that it had nothing to lose in terms of territory. The Award got him at least 300 square miles of territory from the Indian domain. The entire elevated ground that is not submerged during the rainy reason was awarded to it. The Pakistani press told its readers that the Kutch award was a victory for Pakistan. It argued that India had grabbed territory belonging to Pakistan in the
Kutch. This wrong had been righted by the international tribunal. The Urdu press in particular attributed this triumph to the statesmanship and superior diplomacy of President Ayub Khan.50

It should be mentioned that the Pakistani government had, in mid-February 1968, announced that the Award would be binding on both countries. On February 21, 1968, the Presidential Cabinet in Pakistan reaffirmed that the Award was morally binding on both sides and that Pakistan would honour its commitments. On February 22, 1968, Ayub sent an oral message through the Pakistani High Commissioner expressing the hope that the Award would be fully and peacefully implemented by the Indian government. In reply, Indira Gandhi also agreed on the need to peacefully implement the Award.

In India, on February 27-28, 1968, a no-confidence motion against Indira Gandhi's government was debated in the Lok Sabha which subsequently was defeated by 203 to 72 votes. During the debate Indira Gandhi said that India's decision to implement the Award would close an "unhappy chapter" in Indo-Pakistani relations and would lead to their improvement. She declared that the Indian government should not proceed on the basis of perpetual hostility towards Pakistan: "However tortuous the road, we must make Pakistan realize that its interest lies in co-operation and friendship with India".51 Before the debate, she had consulted her party and Cabinet colleagues and then made the statement that India would "honor her commitment" on the Tribunal's Award.52 Though Indira Gandhi expressed her displeasure with the Award and pointed out that there was a possibility that extraneous considerations had influenced the Award, yet in her view this did not justify India's rejection of the

Award. She made it clear that her government would accept and implement the Award at all costs.

Jai Prakash Narain, the socialist leader, said that "I cannot imagine a greater dishonour being caused to the country than by refusing to implement the present award on the ground that it does not fully satisfy us." C. Rajagopalachari, of the conservative Swatantrata Party, suggested on February 21, 1968 that, "when we have agreed solemnly to abide by the decision of an international tribunal, it is good and decent for us to accept the award gracefully instead of creating an atmosphere against it. That we agreed to submit the case to a high grade tribunal shows that there was no other way of settling the dispute peacefully. It serves no purpose to attack Mr. Swaran Singh at this stage after finding that the award is to some extent against our wishes. If we rouse public opinion against awards given, we shall not be able to get the services of independent judges to undertake such tasks."  

The Award faced some legal hurdles in India. M. Rama Rao, a private citizen, filed a writ petition in the Delhi High Court asking for a writ of certiorari and quashing the award, arguing that the Tribunal exceeded the powers vested in it by the Kutch Agreement of June 30, 1965. But the Division Bench of the High Court dismissed the writ petition saying: "We do not propose to interfere at this stage as no ground has been made out on the visit side for the court’s interference." Similarly, several other writ petitions were also dismissed.

Then, the Supreme Court was approached by Shiv Kumar Sharma who filed a writ petition challenging the Award and arguing that in order to transfer any territory from the Union of India a constitutional amendment was required. But on September 23, 1968, the Constitutional Bench of the Supreme Court dismissed the petition. After

53. Ibid.
54. Untawale, op.cit., p.627.
55. Ibid.
a few months, Madhu Limaye, a member of Parliament, filed a petition, which also was dismissed.56

With this constitutional hurdle overcome in India, the Indian and Pakistani Representatives held a delayed and final meeting in New Delhi in April 1969 to review the joint implementation of the Award. By June 10, 1969, the joint demarcation had been completed to the satisfaction of both sides. All outstanding boundary problems had been resolved, and pillars installed.57 Responsible leadership on both sides had prevailed. The agreement was promptly implemented and the armed forces were withdrawn within the stipulated period, thus leading to a reduction of tensions. The agreement itself was structured in such a way that all the provisions were implemented within a given time schedule and through precise procedures.

Various other factors played a role in bringing about agreement. First, one cannot end without discussing the third party's role in the Kutch dispute. One may infer that if any objection was to be raised to the negotiations and the issue of mediation, it would be from the Indian side because the worst outcome for India was loss of territory. Yet, in 1960, India committed itself to arbitration, and after 1962 various developments only increased the pressure on India. An impartial analysis of the third party role reveals that only when the dispute had become a "zero sum game" did British mediation help in silencing the guns on the border and bringing the two parties to the negotiation table. At the request of Harold Wilson, Pakistan had also agreed to delink other disputes, especially Kashmir, from the Kutch tangle. After this assurance, Shastri agreed to the ceasefire and insisted that the Kutch Agreement would not create a precedent automatically applicable to other India-Pakistan disputes. Second, India's international prestige and its territorial integrity had suffered a severe blow after the defeat at the hands of the Chinese in 1962. Third, the defeat took a heavy toll on

56. Ibid.

57. Untawale, op.cit., p.638.
Nehru, and India lost its most able Prime Minister in 1964. The United States' military aid to Pakistan, 75 times larger than the military aid to India, and its warning to India of serious consequences in the event of Indian aggression in the Kutch, also influenced Shastri's decision. Fifth, there was Britain's cautioning of India, of using the SEATO and CENTO force, in case of the Indian Air strike taking place. Fifth, Pakistan's decision-making machinery was led by a military dictator in whom entire authority resided, whereas in India a prime minister had to take into confidence various tiers, viz., Parliament, his party and other units of the union. Sixth, Pakistan's American-supplied military and air force was considered to be superior to India's British and French-supplied forces. Finally, India's larger army was dispersed on two fronts - the Chinese and Pakistan. This marginalised its numerical superiority. All these factors influenced Shastri, who was new to the job, to conclude that a military solution was undesirable. Besides, the time factor was against India, as Indian positions on the Kutch-Sind border were untenable in the rains. The comments of former Indian Foreign Secretary, S.K. Singh that "India was weak in 1965" very aptly describes India's position.

60. Author's interview with S.K. Singh in New Delhi, January 25, 1998.