Chapter 1

Historical Overview of Jammu & Kashmir State

Jammu and Kashmir has a long kaleidoscopic history. Much of the history of Kashmir is a record of the exploits of adventurers, who have subjected the inhabitants to the tyranny of a foreign and oppressive rule.¹ Kalhana, the twelfth century historian, gives a connected account of the history of the valley, which may be accepted as trustworthy record from the middle of the 9th century onwards. Kalhana’s work was continued by Jonaraja, who brought the history through the troubled times of the last Hindu dynasties, and the first Muslim rulers, to the time of the great king of Kashmir Zain-ul-Abidin, who ascended the throne in 1420. The establishment of the Muslim rule in the fourteenth century which lasted for about five hundred years² without a break and left an indelible mark on the entire matrix of Kashmir’s socio-economic, cultural and religious mosaic, when the bulk of the population became converts to Islam.

Another Sanskrit Chronicler, Srivara, carries on the narrative to the accession of Fateh Shah in 1486: and the last of the Chronicles, the Rajavalipataka, brings the record down to 1586, when the valley was conquered by Akbar.³ Among the turbulent and brave Chaks Yakub khan, the last of the line, offered a stubborn resistance to Akbar, and with the help of the Bamba and Khakha tribes routed the Mughal army on their first attempt to the valley in 1582. But later, not without difficulty and some reverse, Kashmir was finally conquered in 1586. Akbar accomplished the conquest of Kashmir and made it a part of the province of Kabul.⁴

For nearly two subsequent centuries it fell into the condition of an appendage of the Mughal emperors.⁵ Emperor Akbar himself visited the valley three times. He brought with him his revenue minister Todar Mal and settled the revenue arrangements of the

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¹ Dermot Norris, Kashmir the Switzerland of India A descriptive Guide with chapters on Sking and Mountaineering, Large and Small Game Shooting, Fishing, etc., London, 1932, p. 5.
² Foreign Department, (K.W Secret-E), File No. 86, March 1883, NAI.
³ The Imperial Gazetteer of India, Vol.XV, Karachi to Kotayam, Oxford, 1908, p. 90.
⁴ Ibid., p. 93.
valley. Todar Mal made a very summary record of the fiscal conditions of the valley.\(^6\) But their rule couldn’t register much progress and proved oppressive for the biggest segment of the population of Kashmir, the peasantry, as they increased land revenue from one-third to one-half, to bring uniformity in its fiscal system\(^7\) ignoring, however, the single crop economic pattern of Kashmir. While the Mughal rule was underlined by oppression, drain of wealth and withdrawal of patronage from local talent and productive sectors, it on the other hand promoted the trade links with the Indian subcontinent, thereby benefiting the craft sector of Kashmir. No less important consequence of the Mughal rule was the laying down of pleasure gardens which became the permanent tourism asset of Kashmir.

The decline of the Mughal Empire, hastened by the capture of Delhi by Nadir Shah, in 1739, occasioned changes in the valley, and after several abortive attempts on the part of its governors to establish an independent rule, Kashmir was annexed in the year 1753 by Ahmad Shah Abdali, the Afghan ruler, and included Kashmir in the Durani Empire. From 1753 to 1819, it remained a portion of the Empire, being governed by Pathan Governors, whose rule was neither mild nor beneficial.\(^8\) While Mughals made India their home, married, lived and died on the soil, the case with the Afghans was entirely different. Theirs, undoubtedly, was one of the harshest regimes that have ever taken hold of Kashmir.\(^9\)

It was with a feeling of satisfaction that the inhabitants of the country welcomed the change of masters which occurred after many sanguinary contests; the forces of Ranjit Singh defeated the Pathans, and Kashmir became a part of the Sikh empire. From 1819 to 1846, a series of rapacious Governors aided by famine, earthquakes and Pestilence reduced the population to 200,000 and turned half the cultivable area into a waste.\(^10\) The abject condition of the Kashmiris has been well described by the French naturalist Victor Jacqumount, who visited the valley in 1833, and therefore, spared the pain of assisting as a spectator at the latest phase of national degradation. The Afghans,
he wrote, ‘Having during the last century despoiled the Mughals in this century, a general pillage has ensued upon each conquest, and in the intervals of peace, anarchy and oppression have done their utmost against labour and industry, so that the country is completely ruined, and the poor Kashmiris appear to have thrown the handle of the hatchet and to have become the most indolent of mankind. If one must fast, better to do so with folded arms than binding beneath the weight of the toil. In Kashmir there is hardly any better chance of meal for the man who works, weaves or piles the oar than for him who, in despair, slumbers all day beneath the shade of the plane tree. The Sikhs with swords at their sides or pistols in their belts, drive along like flock of sheep these people. Let the Dogras be substituted for the Sikhs.’

Under the rule of the Sikhs Kashmir continued to be governed pretty much as usual by the representatives of the Sikh monarch, who never visited it himself, and whose principal object in its possession seemed to be the squeezing out of it as much revenue as its falling fortunes would allow.

As is a well-known that every rise has a fall, so, witnessed the Sikh Empire at Lahore. Maharaja Ranjit Singh died in 1839. After his death there was much violence and mutiny among the Sikh soldiery and the weak successors who were imbecile and inefficient couldn’t hold the Sikh Empire intact. By this time Jammu was also a part of the Sikh empire. After the death of the Raja Ranjit Dev in 1871, Jammu and other principalities around it had become a part of the Sikh Empire. Gulab Singh (who was a descendent of Dhruva Dev), a petty chieftain of the hills, entered the services of the Maharaja Ranjit Singh in 1812. As a reward for his loyal services he was awarded the title of Raja and granted the principality of Jammu in 1819.

Emboldened by the new rank, Gulab Singh started the process of consolidating Jammu. By the time of Maharaja Ranjit Singh’s death in 1839 A.D., he had subjugated

11 Ibid.
12 Wakefield, *The Happy Valley*, p. 82.
15 Ibid. In 1807 when Ranjit Singh’s troops were attacking Jammu, Gulab Singh distinguished himself by his services that he gained the favour of Ranjit Singh. After that he took service under the Sikh Ruler and when Sikhs acquired their influence over Jammu in 1818, they handed it over to Gulab Singh as a jagir. Gulab Singh was also given the title Raja. See Younghusband, *Kashmir*, p. 164.
most of the neighbouring territories and confiscated the fiefs of some feudal chiefs, where as in ‘other cases he had retained and attached to his government the nobles, while gradually lessening their political importance.’ In the process he laid the foundation of a centralized government. He defined his concept as an effective government as one ‘in which the authority of the ruler was assured by force and the revenue came punctually.’ Gulab Singh therefore, relied on the effective use of force as the basic objective and a method of political control throughout the period of their rule. Gulab Singh, a man of extraordinary power, very quickly asserted his authority. His methods were often cruel and unscrupulous, but allowances must be made. He believed in object-lessons, and his penal system was at any rate successful in purging the country of crime. He kept a sharp eye on his officials and a close hand on his revenues. Rapidly absorbing the power and possessions of the feudal chiefs around him, after ten years of laborious and consistent effort, he and his two brothers became masters of nearly all the country between Kashmir and the Punjab, except Rajouri.

The long internecine strife which followed the death of Ranjit Singh sapped the Sikh Darbar of its validity. The existence of a strong and hostile Sikh State in the North West of India couldn’t but be a constant danger to the safety of the British Indian Empire. The conquest of Punjab had, therefore, been an intense desire of the East India Company to complete its territorial aggrandizement. The game came to its conclusion after the breakout of the first Anglo Sikh war in January 1846; the Sikh army, commanded by decrepit and corrupt military leaders many of whom were in clandestine contact with the British, was defeated at a number of successive engagements. The Darbar at Lahore turned to Gulab Singh, who had remained aloof from the scuffle so far, for leadership and invited him to take control of the affairs at Lahore. He was installed as Wazir at Lahore in 1846.

19 The Imperial Gazetteer of India, Vol. xv, pp. 94-5.
21 Bazaz, Inside Kashmir, p. 28.
Gulab Singh, an ambitious politician and a scheming statesman, had realized the way Sikh Darbar had drifted apart after the death of Ranjit Singh. He knew well the significance of the rising strength of the British and the British involvement in northern India. In the British power gnawing at the southern borders of the Sikh Empire, Gulab Singh could foresee his emancipation from the Sikh hegemony and a deterrent to its domineering might. He had likely been cultivating the strategy of securing the British support to carve an independent state for himself right after the fall of Dhyan Singh from power at Lahore. As a matter of fact, soon after the death of Ranjit Singh, the whole political scenario at Lahore Darbar changed and hostilities ensued between the Sikhs and the British. Ellenborough reported to the Queen on 14th Feb 1844, ‘in the hills Raja Gulab Singh is extending his power with his usual unscrupulous disregard of the rights of others and of the supremacy of the state he pretends to serve. This conduct however makes him very odious to the Sikhs at Lahore.

With such designs in mind it was now that Gulab Singh wouldn’t give an open front to the army of the East India Company from whom he wanted to have favour and support. He left no stone unturned and for that, he took the advantage of the disunity and distrust at the court. His intentions got green signal after the last and the decisive battle of the 1st Anglo Sikh war fought at Sabraon in 1846, where the British mounted offensive on the Sikh positions. The victory in the war gave the English the territory between

23 Ibid.
24 Gadru, Kashmir Papers, p. xiv. Though, Gulab Singh took the lead and was on the prominent position in the defeat of the Sikhs, he was not alone; the other key holder also in close contact with the British proved as the game changer as well. Both the commanders in chief, Lal Singh and Tej Singh, were in league with the British and had been promised proper consideration in case the Sikh army was destroyed. Many of the other court dignitaries also were in a secret liaison with the British, seeking the destruction of the army which threatened their corrupt existence. Gulab Singh, therefore, was not alone in quest of pecuniary or political gains. The Sikh leaders except a few men of ‘honour’ were involved in the plot aimed to get the Sikh army beaten by the British and then collect whatever they could of the spoils. Gulab Singh, however, had an advantageous position. He held a huge and very lucrative fief, was rich in money and materials and quite a few powerful legions of hill troops to support him in case he needed force an issue.
25 Joseph Davey Cunningham, argues, ‘that it was the pre-fixed terms and conditions that the understanding of the contestants met by an understanding that the Sikh army should be attacked by the English, and that when beaten should be openly abandoned by its own government, and further, that the passage of the Sutlej should be unopposed and the road to the capital laid open to the victors. Under such circumstances of discreet policy and shameless treason was the battle of Sabraon fought where the soldiers did everything and the leaders nothing. Hearts to dare and the hands to execute were numerous, but there was no mind to guide and animate the whole. For details see Cunningham’s, History of the Sikhs, pp. 317-318, Bawa, Jammu Fox, p. 108.
Sutlej and Beas and a claim of £1, 00,000 as war indemnity\textsuperscript{26} for the Sikhs were held entirely responsible for having provoked the British by breaching the treaty of friendship the British had signed with Ranjit Singh in 1809.

The Sikh Darbar was reluctant to pay the indemnity in the wake of the debacle at Sabraon and offered ‘in perpetual sovereignty…all forts, territories, rights and interests, in the hill countries between the river Beas and Indus, including the provinces of Kashmir and Hazara to the British Government’.\textsuperscript{27} Included as article IV of the Lahore Treaty this demand also provided quite literally the opening for the second Treaty, the Treaty of Amritsar signed on 16\textsuperscript{th} March 1846. It was through this Treaty that the present state of Jammu and Kashmir including Ladakh, Baltistan, Gilgit were ceded to the Dogra\textsuperscript{28} chief Maharaja Gulab Singh and he was recognized as an ‘independent’ ruler.\textsuperscript{29} In this way Kashmir once again was subjected to Hindu Rulers who, however, were non-Kashmiris and alien to the existing socio-cultural and economic fabric of the land.

Situated on the northern extremity of India the newly created princely state of Jammu and Kashmir occupied a very important and strategic position in the political map of the British Indian Empire. Its boundaries extended from the northern outskirts of the vast plains of the Punjab to the point where the borders of independent powers of Russia

\textsuperscript{26} Cunningham, \textit{The History of the Sikhs}, p. 321. On the 15\textsuperscript{th} Feb. the Raja and several other chiefs were received by the Governor General at Kussoor, and they were told that the Dleep Singh would continue to be regarded as a friendly sovereign but the country between the Beas and the Sutlej would be retained by the Conquerors, and that a million and a half sterling must be paid as some indemnity for the expasons of the war and the 20\textsuperscript{th} February, the British army arrived in the Sikh Capital.


\textsuperscript{28} The term Dogra was actually applied to the people dwelling between Siorensar and Mansar-two lakes and they claimed Rajput origin. Now there are many castes and many sects among the people. To one and all the term Dogra is applied and the only limits of the term are those of locality, for it is applied to hill tribes of all the faiths within a certain area. For details see Marion Doughty, \textit{A Foot through the Kashmir Valley}, London, 1901, pp. 239-40.

\textsuperscript{29} Ashley Carus-wilson argues that, ‘Gulab Singh, the descendent of an old Dogra family, won confidence as mediator between contending parties in the distracted land. He was already Raja of Jammu, and in 1847, Lord Hardinge made him Maharaja of Kashmir. In fact, when the Treaty of Lahore closed the first Punjab war, he purchased the throne out of the plunder he had carried off to Jammu from Ranjit Singh’s treasure in the fortress of Lahore. Politically the whole territory ruled by the Maharaja [was] called Kashmir, and formed a country equal in extent to England and Scotland. For details see Irene Petrie, \textit{Missionary to Kashmir}, London, 1903, p. 109.
and China almost touched British India. The independent kingdom of Afghanistan met it on the North West.\textsuperscript{30}

From the societal point of view, the territorial composition, the identities of the subjects of the new state were characterized by a patchwork quality.\textsuperscript{31} The three constituents of the state of Jammu Kashmir and Ladakh, their background as constituents of the state apart from the historical, religious and regional linguistic contradiction differed from one great immediate distinction rather contradiction that is ‘as what’ they joined the new formation called the state of Jammu and Kashmir. While, Jammu was the ancestral fiefdom of the Maharaja with which he shared not only the dynastic lands but also linguistic cultural and religious affinities, the inclusion of Kashmir was a new phenomenon, which witnessed a fundamental change in the arrangement of new framework.\textsuperscript{32} While the rulers were from Jammu the state itself drew its primary identity from control over Kashmir\textsuperscript{33} most clearly illustrated by the fact that the short hand resorted to in referring to the state was always Kashmir.\textsuperscript{34}

To return to our narrative, the Treaty of Amritsar was an off-shoot of the Treaty of Lahore.\textsuperscript{35} By dint of the Treaty some territories were to be ceded by the Lahore Darbar to the British and the Darbar was obliged to pay. But in view of the non-payment of indemnity by the Lahore Darbar and the readiness of the Gulab Singh to pay the indemnity the British, keeping in view the stature, role and financial bankruptcy of their own treasury and Darbar, agreed to recognize, ‘the independent sovereignty of Raja Gulab Singh in such territories and districts in the hills as be made over to the said Raja by separate agreement between himself and the British Indian Government.’\textsuperscript{36}

A week later, on 16\textsuperscript{th} March 1846, was signed a separate Treaty known in history as the Treaty of Amritsar by which the British Indian Government, ‘transferred forever in

\textsuperscript{31} Rai, \textit{Hindu Rulers Muslim Subjects}, p. 36.
\textsuperscript{32} Ibid.
\textsuperscript{33} With the sale of Kashmir to Gulab Singh came into being a single entity known as Jammu and Kashmir because he was already holding Jammu—which witnessed nothing new and for Kashmir it was altogether a new phenomenon, in other words Gulab Singh proved as regime changer for Kashmir.
\textsuperscript{34} Rai, \textit{Hindu Rulers Muslim Subjects}, p. 36.
\textsuperscript{35} The first Anglo Sikh war was concluded with the Treaty of Lahore on 9\textsuperscript{th} March 1846.
\textsuperscript{36} Hardinge, p. 132.
independent possession to him [Gulab Singh] and heirs male of his body, all the hilly or mountainous country, eastward of the river Indus and westward of the River Ravee...being part of the territories ceded to the British Government by the Lahore state according to the provisions of the Article IV of the Treaty of Lahore. In return for the bountiful yield of the territories, including Kashmir which now came under his occupation maharaja Gulab Singh agreed to pay the British Government the sum of rupees seventy-five lakhs (half the compensation demanded earlier from the Sikhs) and in token of the supremacy of the British government, Article X of the treaty provided that in token of such supremacy Gulab Singh had to, ‘present annually to the British Government one horse, twelve perfect shawl goats of approved breed (six male and six female) and three pairs of Kashmiri shawls.’

The treaty consisting of ten articles has so far received divergent opinions and interpretations regarding its nature. The fundamental question is: was Kashmir sold to Gulab Singh or was it reward for his services? There are a number of historians who have opined that it was a reward to his services. To quote F.M. Hassnain, author of several books on Kashmir, ‘according to the article III of the treaty Gulab Singh had to pay seventy five lacs of rupees in two installments, one of fifty lacs on the ratification of the treaty of Lahore and the other of twenty five lacs on or before October 1, 1846, and the rough draft of the receipt mentions that the total amount has been received between the date of the treaty and March 14, 1850. The East India was a commercial organization and as such all the amounts paid or received were accounted in its registers. There is no register bearing the entry of one core or seventy five lacs of rupees anywhere...this shows that the transfer of Kashmir was a shadowy deal in which no cash transaction took place. It was simply a political gift and for political reasons. The British desired to curb the revolting spirit of hilly chiefs, Gurkhas and Afghans and this could easily be done by

38 Ibid.
keeping their tasted and trusted ally in the north of India.' Similar views have been given by some other scholars also.

Contrary to the aforesaid quoted view, there is sufficient evidence by which it can be proved that it was more a ‘Sale Deed’ than reward. On the basis of the documentary evidence it can be demonstrated that Gulab Singh paid the said amount to the British Indian Government. To cite Wakefield, a British official who visited Kashmir in 1875, ‘for relinquishing all the advantages that accrued to us from its possession, the supreme government sold this fair province to Raja Gulab Singh for the paltry and insignificant sum of seventy five lacs of rupees, and the Treaty by which it was assigned known as the Treaty of Amritsar dated 16th March 1846.’ Cunningham’s description regarding the transfer and the driving forces for the British to sell the territories to Maharaja Gulab Singh is:

‘The low state of the Lahore treasury and the anxiety of Lal Singh to get a dreaded rival out of the way enabled the Governor General to appease Gulab Singh in a manner sufficiently agreeable to the Raja himself, and which still further reduced the importance of the successor of Ranjeet Singh. The Raja of Jammu didn’t care to be simply the master of his native mountains, but as the two thirds of the pecuniary indemnity required from Lahore couldn’t be made good, territory was taken instead of money, and Cashmeer and the hill states from the Beas to the Indus were cut off from the Punjab proper, and transferred to Gulab Singh as a separate sovereign for a million of pounds sterling. The arrangement was a dexterous one, if reference be only had to the policy of reducing the power of the Sikhs, but the transaction scarcely seems worthy of the British name and greatness. The arrangement with Gulab Singh was the only one of the kind which took place, and the new ally was formally invested with the title of Maharaja at Amritsar on the 15th of March 1846.’

41 Wakefield, *The Happy Valley*, p. 86.
From the legal point of view Justice A.S. Anand formerly the Chief Justice of India, in his seminal treatise on the constitutional history of Jammu and Kashmir has analyzed the treaty to its depth and concludes that Kashmir was indeed for a total sum of rupees seventy five lakhs sold to Maharaja Gulab Singh with an area of 84,471 sq miles and 21/2 million people. This transaction between the British government and Gulab Singh has been a subject of great controversy. The British government accepted a payment of rupees seventy five lakhs for transferring the state to Raja Gulab Singh, yet Sardar Panikkar, author of the biography of Maharaja Gulab Singh says, ‘in discussing this question of the transfer of Kashmir, it is...important to remember that there was no sale of Kashmir at all.’ He basis his contention on the ground that even before this treaty was signed it had been agreed between the British government and the Lahore Darbar that the area between river Beas and Sutlej was to be transferred to raja Gulab Singh. This contention is of course, undisputable, but the treaty between the Lahore and the British left it to the British government to enter into separate agreement with raja Gulab Singh and the separate agreement was the payment of rupees seventy five lakhs for the territory of Kashmir. According to Justice A.S. Anand, when somebody accepts money in consideration for a transfer of a material thing, the transaction is nothing but ‘sale’.

The imperial Gazetteer refers to this transaction in the following words, ‘it is said of the maharaja Gulab Singh that...when he surveyed his new purchase, the valley of Kashmir... he grumbled and remarked that 1/3 of the country was mountains one third water and remained alienated to privileged persons. Undisputedly, a person can’t purchase something unless it has been sold to him and if it is sold the transaction is a ‘sale’ and the time of the sale of Kashmir no consideration was given to the moral effects of the Deed.

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45 *The Imperial Gazetteer of India*, vol. xv, p. 73. Emphasis mine.
Though, there is a chain of scholars who have the same views and remarked that the chief motive of the British government was to show their displeasure to the Sikhs and they could never have realized what they were doing. Both during and after the negotiations leading to the two treaties, Hardinge, the governor general, wrote letters in which he explained his reasons for the policies he pursued. Interesting enough, they indicate that, despite the favourable settlement he awarded to Gulab Singh, his earlier admiration for the Raja had diminished. In remarkably candid comments to his family he manifested more disdain than admiration for the man. To his sister he described the Jammu Raja as ‘the ablest scoundrel in all Asia’ It was the dishonest attitude of the Raja that Hardinge treated Gulab Singh in a way to keep him convinced as Hardinge wrote that he [was] a rascal [they] should treat him better than he [deserved]. But the more potential cause which compelled the British to bring about the transaction with Gulab Singh has been explained by Hardinge in a letter he wrote to the Secret Committee. The Governor General rationalized in detail his decision not to extend British rule over the hill territories. He argued that such a move would result in a clash with the neighbouring powers, the new frontier would be hard to protect, and the mountainous and largely barren regions would be an economic liability. Hardinge also advanced a religious

For more details see Chitralekha Zutshi, *Languages of Belonging*, p. 9; Chapter 1st and 2nd of Rai’s, *Hindu Rulers Muslim Subjects*.

M.Y. Saraf, *Kashmiris Fight for Freedom*, p. 200. It was in a due course of time before the finalization of both the treaties that the British devised a scheme by which they in due course would assist Gulab Singh to acquire Kashmir. Hardinge, who had previously informed Peel on his resolve to make Jammu independent of Lahore, now conveyed to the British Prime Minister his intentions of selling Kashmir to the Raja. Convinced that the financially bankrupt Sikh government would be unable to pay the indemnity, he obviously planned to maneuver Lahore into surrendering Kashmir and other hill territories as compensation and in turn transfer the same to Gulab Singh. See, Bawa, *Jammu Fox*, p. 116.


Hardinge to Emily March 2, 1846, Private Papers of Henry Hardinge, cited in Ibid.

Margaret Cotter Morison states that in 1845-46 the whole Sikh power was grappling in a death struggle with the advancing English might. The Sikhs went down in the struggle, the army was defeated at Sabraon, they made a treaty with their conquerors by which, among the other things...Kashmir was ceded to the English in part payment of war indemnity, and the British government of the day [with a freehandedness which many Anglo-Indians have since regretted] straightway made over the country to the enterprising Raja of Jammu, Gulab Singh. The Dogra Rajput, Maharaja Gulab Singh, was a man of ambition and much force of character. Already previous to events of 1846 he enlarged his sovereignty by the conquest of Ladakh and Iskardo, thus holding Kashmir half encircled. By skilful running with the hare and hunting with the hounds during the first Sikh war, He [Gulab Singh] was able to make favorable treaty with the English on the conclusion of hostilities. In return for seventy five lakhs of rupees the independent sovereignty of Kashmir and all its dependencies was guaranteed to him by the British government, in a treaty signed in March 16th 1846, a treaty which
reason for defending the creation of north western kingdom under Gulab Singh. Exhibiting the anti-Muslim stance characteristic of British officials since the disastrous war against Afghanistan, he wrote to Peel: ‘I had done this on the principle that it is our policy to prefer Hindoo governments, or any race in preference to the Mohammedans on the great entrance into India.’

With this corroboration it can be concluded that the imperial exigencies of the British to choose Gulab Singh, his alliance with them in the defeat of the Sikhs, the inability of the Sikhs to pay the war indemnity, contributed for the transaction of Kashmir in 1846, rather than accepting the theory that British simply rewarded Kashmir to Maharaja Gulab Singh. Also contrary to the belief of many scholars that the transaction was a hoax and no money was actually paid, there is a substantial evidence to prove that Gulab Singh indeed paid the said amount to the British imperial power. In a letter dated May 12th 1846, Hardinge informed Ellenbourgh that the Maharaja ‘[had] paid his first installment of fifty lakhs’. The Company’s finical department at Calcutta has prepared a statistical table in which it has shown the sum and date of the payments, paid by Maharaja Gulab Singh to East India Company and the table clearly indicates that by the brought this advantage to the English that on the outbreak of the second Sikh war in 1849, [which resulted in the annexation of the Punjab], the British rulers were not hampered by an hostile demonstration from the north. Nevertheless the action of the English in parting with Kashmir has been a good deal criticized both at the time and since, for it was asked: what had the Raja of Jammu done for us that his territory should be thus largely increased? But it resolved itself really into matter of expediency for the rulers at the time, they found it difficult to hold Kashmir with the Punjab still hostile and the neighboring hill territories independent, while it was also to their advantage to cripple the government of Lahore as much as possible, even at the cost of aggrandizing another country. See, Margaret Cotter Morison, A Lonely Summer in Kashmir, London, 1904, pp. 57-59.

52 Hardinge to Peel March, 19, 1846, cited in, Bawa, Jammu Fox, p. 119.
53 In answer to criticism of Hardinge that he rewarded Gulab Singh for his treachery, Lord Hardinge wrote to Ellenborough that besides he was entitled to consideration they had their own interests, also, to attend to, which required that the Sikh state should be weakened and that the hills should be separated from the plains. For details see, Saraf, Kashmiris Fight for Freedom, p. 194.
54 Ref.30/12/21, no. 7, Ellenborough Papers, MS in the Public Record Office London, cited in Bawa, Jammu Fox, p. 192. The same latter Hardinge communicated to the Secret Committee in a letter dated September 3, 1846. See Papers Relating to the Articles of Agreement for the Administration of the State of Lahore, London, 1847, p. 180. Dr. Abdul Ahad, earlier the proponent of the reward theory, argues in his article ‘Revisiting Treaty of Amritsar’ that it was the most terrorizing trickery of this size ever experimented in history was too haughty to recognize the people anything beyond chattel worthy of nothing but to sold in the open suck for such a little amount. See, Dr. Abdul Ahad, ‘Revisiting Treaty of Amritsar’, Greater Kashmir, 14th March, 2013.
end of July 1848 Gulab Singh had paid most of his debt. The financial receipt for the purchase of Kashmir signed by the members of the Board of Administration of Punjab is on Exhibition at the Punjab Record Office Museum in Lahore.

It was against this background that the princely state of Jammu and Kashmir was formed which consisted three distinct physiographic divisions: the province of Jammu with the Siwaliks and outer Hills, largely an extension of the Punjab plains; the Valley of Kashmir, a structural basin that lies between the Pir Panjal and the Himadri, defined by the river Jhelum that flows out of Baramulla, meanders the vale; enters the Wular lake, leaves it near Sopore, flows into a narrow gorge across the Pir Panjal to Muzaffarabad, where it turns sharply towards the south; and the region of the greater Himalayas beyond the Kashmir valley to the north and east where Ladakh and Gilgit form habitable areas at very high altitudes. It was again by means of the same treaty that such an expansion took place, otherwise the pre-Dogra distinctiveness of Kashmir was itself a marvel in its long line of historical tradition.

In 1846, sovereignty over Jammu and Kashmir was negotiated with the person of the ruler not with the people of Kashmir. As a result of this, the vast majority of the people, who happened to be Muslims found themselves unrepresented in an enterprise of Dogra domination. Their honor, freedom and rights were bartered away by the two parties for their own vested interests. The superior notion of Gulab Singh that he had purchased the valley gave him a strong conviction to commit any kind of oppression on

56 Mirza Saif-ud-din a secret agent of the British in Srinagar, in his voluminous Akbarat-i-Darbar-i-Gulab Singh describes the Maharaja’s avarice for money in terms of the pressure exerted on him by the British for defraying the expanses he owed to them on account of the sale of Kashmir. M. Ishaq Khan, Crisis of a Kashmiri Muslim: Spiritual and Intellectual, Srinagar, 2008, p. 163.
57 Bawa, Jammu Fox, p. 192. The receipt of the whole amount granted by the Board of Administration for the affairs of the Punjab at the request of the Dewan Jawala Sahai in addition to the receipts already given to his Highness agents by the receiving officers, for the installments received by them from time to time between the date of the Treaty and the 14th March 1850. The day on which the last installment was paid into the Lahore treasury. See G.M.D. Sufi, Kashir Being a History of Kashmir: From the Earliest Times to Our Own, Vol.11, Delhi, 1974, pp.766-67. For further evidence see the copy of the receipt reproduced in Appendix I.
59 Rai, Hindu Rulers Muslim Subjects, p. 4.
60 Khan, Crisis of A Kashmiri Muslim Spiritual and Intellectual, p. 164.
the subjects of the land the state of affairs of which has been further described very well by Pearce Gervis:  

‘All these epidemics and natural calamities have come upon the people, but in addition there have been the ever present conquerors, oppressors and masters who have taken and held the country in their power, each of the rulers which different edicts, each with changing moods, some kindly, others inhuman. For the most part over the years one community of the people had death always before them as the punishment for falling to do physically or accept mentally that which their masters forced upon them. They were starved by them of those necessities of life which they had both made and grown in plenty with sufficient and more to keep them and their families. They learned to lie in order to save themselves and their loved ones from destruction at times; they learned to hoard and hide against the famine which might come on them through the elements or the invaders, and because of that and their having little, to steal when the chance presented itself, they learned to fear the sword and the gun for what both have done to them and theirs. They learned to appear poor, and in doing so that those who taxed them might be deceived into extracting of what little they had to treasure.’

The people were dealt with very harshly during the era, not only this, they had been from centuries subjugated or intrigued against by stronger neighbours, rival imperialisms; bossed or exploited successively by Mughals and Afghans, Sikhs, Dogras and British…prolonged victimization and uncertainty seem to have brought all their worst attributes to the surface, leaving others to await gradual discovery. This is the theme that has been attempted to be discussed in the following chapters.

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60 Gervis Pearce, *This is Kashmir*, London, 1954, p. 330. It must be noted here that the author’s exposition is also supported by the oral history of the period. Still the people who have witnessed the Dogra era narrate the same kind of pathetic stories and we still find certain remnants of cruelty exercised on the people.