

## Chapter-2

### INDIA- PAKISTAN RELATION: HISTORICAL RETROSPECT

There are hardly any nations in the world that shares a relationship of misunderstanding and lack of trust as is shared by the two South Asian neighbours- India and Pakistan. Though born and bought out of the same continent, having a very common historical legacy of colonialism, sharing huge cultural affinity, these two nations' shares perhaps the bitterest relationship as shared by any other South Asian neighbours, which thrice brought these two nations in full fledged wars and once in a major military skirmish and multiple cease-fire violation. This chapter of the theses looks deep into the seeds for such rivalry, the factors and actors which strained such relationship between India and Pakistan and tries to retrospect into certain areas which have been responsible for building up the relationship between India and Pakistan.

#### **(2.1) Two Nation Theory & Birth of Pakistan:**

Demand for the creation of Pakistan was not a new happening which suddenly came up at the time of the Independence; neither was it the brain-child of Quaid-e-Azam, Liyakat Ali Jinna. Indeed it was the great poet Mohammad Iqbal (1876-1938) who for the first time gave the idea of a separate Muslim homeland for the Muslim community in the South Asian region, in his speech as the President of the Muslim League at the historical meeting of All India Muslim League in 1930 at Allahabad December 1930.<sup>110</sup> Mohammad Iqbal announced that “the formation of a consolidated North-West Indian Muslim State appears to me the destiny of the Muslims, attest of North West India”.<sup>111</sup> Iqbal's views were further taken up by a group of Muslim students under the leadership of Aga Khan and Chaudhri Rehmat Ali living near Britain's Cambridge University. They published a pamphlet 'Now or Never', in which they not only proposed the boundaries of an Indian Muslim state, but also gave it a name:

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<sup>110</sup>Shani, Giorgio, “*Two Nations: The Religious and Secular Dimensions of Muslim Nationalism in Colonial India*”, Institute of International Relations and Area Studies, Ritsumeikan University, (Ritsumeikan Internationals Affairs Vol.5, 2007) pp.71

<sup>111</sup> Quoted in Anthony Read and David Fisher, “*The Proudest Day: India's Long Road to Independence*”, (New York, W.W.Norton & Company, 1999) pp.234

Pakistan.<sup>112</sup> Chaudhri Rehmat Ali proposed that the name of the new state should reflect its different regions, and would comprise of all the Muslim majority provinces in the North West: ‘P’ for Punjab, ‘A’ for ‘Afghan’ (the ‘Afghan’ Pathans of the NWFP), ‘K’ for Kashmir, ‘S’ for Sindh and ‘B’ for Baluchistan.<sup>113</sup>

The next phase of this movement for the birth of a separate land for the Muslims was taken up by a lawyer from Karachi who studied in London, Muhammad Ali Jinnah. Jinnah, joined the Muslim League in the year 1913, and almost for two decades he was at the forefront of the effort to fight the British rule and ensure that Muslim and Hindus remain united in the fight. He even went to an extent to announce in the year 1933 that Pakistan was an “impossible dream.”<sup>114</sup> But it was the pressure of the events and factors which changed the mindset of Jinnah among which one of the important factors was Gandhi’s lifestyle, his panoply of resistance activities, and his appeal to millions of ordinary Hindus and its impact on the leaders like Nehru, Subash and Patel. Gradually Jinnah became convinced that the Congress party was representing and representative of Hindus and was acting in the interests of the Hindus.<sup>115</sup> Jinnah’s belief took a strong shape when in the year 1937 local elections were held Nationwide for local governing councils, where the Congress party won 70 percent of the vote making Nehru, announced that “there were only two parties in India—the (British colonial) government and the Congress.”<sup>116</sup> The revival movements launched by both these leader brought the Muslims to a position from which they could voice their grievances and fight for their rights. With the passage of time, the Indian Muslims realized that they could not co-exist with the Hindus who were poles apart from them in beliefs cultures, traditions and out-look on life. In the words of Quaid-i-Azam, “Muslims are nation according to any

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<sup>112</sup> Hay,Jeff, “*Arbitrary Borders, Political Boundaries in World History, The Partition of British India*”, (USA, Chelsea House, 2006) pp. 53

<sup>113</sup> Shani, Giorgio, “*Two Nations: The Religious and Secular Dimensions of Muslim Nationalism in Colonial India*”, Institute of International Relations and Area Studies, Ritsumeikan University, (Ritsumeikan Internationals Affairs Vol.5, 2007) pp.72

<sup>114</sup> Dominiqu LaPierre, Larry Collins, “*Freedom at Midnight*”, (New Delhi, Vikas Publishing House, 1997) pp.127

<sup>115</sup> Hay,Jeff, “*Arbitrary Borders, Political Boundaries in World History, The Partition of British India*”, (USA, Chelsea House, 2006) pp.55

<sup>116</sup> Wolpert, Stanley. A, “*A New History of India*” (New York, OUP, 1977) pp.323

definition of a nation.”<sup>117</sup> These factors led the Muslim leaders like Jinnah and others in India to charge Congress being bias to Muslim and started gaining wide spread public sympathy and support under the banner of Muslim League. Muhammad Ali Jinnah refused to accept the Nehru’s notion that there are only two forces in India, British imperialism and Indian nationalism as represented by the Congress. Muhammad Ali Jinnah refused to accept this and sharply reminded Nehru that: “There was another party, the ‘Muslim League’ which alone had the right to represent the Muslims of India.”<sup>118</sup> The happening of World War II cemented the split between the two parties both Congress and League supported the British in the war as a bargaining chip to fulfill their demands. Jinnah and his Muslim League ensured that they were strongly committed to the partition. In his speech at Lucknow on 15 Oct, 1937 Mr. Muhammad Ali Jinnah said that: “The majority community has clearly shown that Hindustan is for the Hindus.”<sup>119</sup> Addressing a historic public meeting at Lahore on March 23, 1940 Quaid-e-Azam said: “We have our past experience of the last two and half year. We have learnt many lessons. We are now apprehensive and can trust no body ... it has always been taken for granted mistakenly that the Muslim are a minority. He said, Muslims are a nation by any definition of a nation. Hindu and Muslims belong to two religion, philosophies, social customs, and literatures. They neither inter-marry nor inter-dine and indeed belong to different civilizations which are based on conflicting ideas and conceptions. Their concepts of life are different. They have different epics, different heroes and different episodes. Very often the hero of one is the foe of the other and likewise their victories and defeat, overlap. He also added that, to take together state, one as a numerical majority other as a minority must lead to growing discontent. Muslims are nation according to any definition of a nation and they must have their homeland, their territory and their state.”<sup>120</sup> Jinnah’s arguments for a separate Muslim Nation hood was mainly inspired by the conception of the late 1800s and the first half of the 1900s, that “nations” were not simply political entities but groupings of people united by language, religion, custom, ethnic background, and other factors. Therefore, he believed that the India’s Muslims constituted a “nation” that was identifiably separate from the Hindu “nation,” and Indian Muslims could not hope to have their interests truly

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<sup>117</sup> Shehab, P. R; *Origin of Two Nations Theory* (2001) pp 9-11

<sup>118</sup> Jamil-ud-Din, A; *Final Phases of Struggle for Pakistan*; (1970) pp 22

<sup>119</sup> Burki, S. J.; *In the Mirror of History*; (2005); pp 26

<sup>120</sup> Mehmood, S. (1968). *Founder of Pakistan*. (P. U. Ltd, Ed.) pp 51

protected by Hindu leaders.<sup>121</sup> In the year 1940, at a meeting of Muslim League held in Lahore Jinnah came up with the concept of “Pakistan Resolution” and said that “if the British government is really in earnest and sincere to secure peace and happiness of the people of the subcontinent, the only course open to us all is to allow the major nations separate homelands by dividing India into autonomous national states.”<sup>122</sup> Meanwhile the Congress leaders while supporting the Quit India Movement of 1942 turned the tide in favour of Jinnah as the British mission led by Stafford Cripps, who came in India for negotiating on independence was failed. However Jinnah remained free from these issues and very tactfully and skillfully kept on playing his cards. On the eve of the anniversary of the Lahore Meeting Jinnah called off the day as “Pakistan Day”. In an interview to the representative of “London News Chronicle” published on Oct 4, 1944 Mr. Muhammad Ali Jinnah said: “There is only one practical realistic way of resolving Hindu-Muslim differences. This is to divide India into two sovereign parts of Pakistan and Hindustan .... and for each of us to trust the other to give equitable treatment to Hindu minorities in Pakistan and Muslim minorities in India ... the fact is that the Hindu will not reconcile themselves to our complete independence.”<sup>123</sup> After the end of the World War II, Lord Wavell, the British Viceroy along with the leaders of League and Congress in the month of June 1945 held a conference in Shimla to discuss the formation of an interim government that would in time accede to Indian independence. This conference however turned out to be a failure as Jinnah refused to accept the political status of Maulana Azad the then Muslim president of the Congress party. On March 24, 1946, a British cabinet mission, under the leadership of Lord Stafford Cripps was sent to India. Cripps concluded that only two solutions might be accepted by both the Muslim League and Congress. ‘Plan A’ a small centralized government coordinating an “All-India Union” divided into Hindu majority areas, Muslim majority areas, and the princely states; ‘Plan B’ partitioning India into Hindustan and Pakistan, leaving the princely states free to choose whether to join either or remain independent.<sup>124</sup> But the Cripps’s proposals, brought out two serious issues that would

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<sup>121</sup> Hay, Jeff, “*Arbitrary Borders, Political Boundaries in World History, The Partition of British India*”, (USA, Chelsea House, 2006) pp.56

<sup>122</sup> Wolpert, Stanley. A, “*A New History of India*” (New York, OUP, 1977) pp.323

<sup>123</sup> Jamil-ud-Din, A. (1968). *Quaid-eAzam*. pp 46.

<sup>124</sup> Hay, Jeff, “*Arbitrary Borders, Political Boundaries in World History, The Partition of British India*”, (USA, Chelsea House, 2006) pp.61

the Muslim provinces of Punjab in the west and Bengal in the east be given to Pakistan, or would these two areas, be divided? Jinnah was strictly against the division of these two areas as he believed that it would amount to a “moth-eaten Pakistan,” unable to support itself economically and therefore not viable as a sovereign state<sup>125</sup>. But however he realized that for the sake of creation of Pakistan the division might be the necessary price. In May 1946, Cripps held another meeting with Wavell and Indian leaders in Ambala and published a recommendation based on Plan A and the ideas of Maulana Azad, which came to be known as the Cabinet Mission Plan. The Cabinet Mission Plan provided both partition and foundation of an agreement that was to lead to India’s independence. It proposed an Indian Union with a limited central government and two groups of provinces in which mostly Muslim regions would enjoy self-governing status. However it rejected the notion of a completely independent Pakistan, on the grounds that that a nation made up of two pieces separated by 700 miles was an unrealistic possibility, although the plan left open the possibility of provinces opting out of the Indian Union in years to come. Jinnah somehow accepted the plan on the ground that Muslim region would enjoy autonomy which was something very close to independence if not complete independence. But unfortunately it was the Congress side this time that has some serious issues and problems relating to the plan. On June 25, Nehru, Patel, and Azad sent word that, “with serious reservations about the limitation of the central Authority,” they nonetheless accepted the plan.<sup>126</sup> Things were going on its tune that an unprecedented incident completely changed the course of the history of India and Pakistan as Azad was replaced by Nehru as the president of Congress. On being the president Nehru announced that Congress was “not bound by a single thing” in the plan.<sup>127</sup> The Congress leaders feared that the plan gives too many powers to the Muslim League and forms a weak central government was too risky. Jinnah, found this statement of Nehru as very humiliating and he also came out from his stand. Proclaiming, “We now bid goodbye to constitutional methods...there is no tribunal to which we can go. The only tribunal is the

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<sup>125</sup> Dominiqu LaPierre, Larry Collins, “*Freedom at Midnight*”, (New Delhi, Vikas Publishing House, 1997) pp.133

<sup>126</sup> Anthony Read and David Fisher, “*The Proudest Day: India’s Long Road to Independence*”, (New York, W.W.Norton & Company, 1999) pp.389

<sup>127</sup> Anthony Read and David Fisher, “*The Proudest Day: India’s Long Road to Independence*”, (New York, W.W.Norton & Company, 1999) pp.390

Muslim nation,” Jinnah took the Pakistan movement to the streets.<sup>128</sup> Jinnah announced August 16 as the “Direct Action Day” across the country. Gradually the violence started spreading everywhere Jinnah brought the movements in the streets and corners of the nations, “from Dacca [in the east] to Peshawar [in the west] people prepared to kill or be killed, in the cause of Kali or at the bidding of Allah. ‘We shall have India divided,’ wrote Jinnah, ‘or we shall have India destroyed!’ ‘I tell the British, cried Gandhi, ‘give us chaos!’”<sup>129</sup>. Meanwhile, Mountbatten became the new viceroy and on March 1947 he arrived in India and by mid of April it was clear that Pakistan was inevitable and the only option. Mountbatten wanted a peaceful withdrawal of Britain from India and also to assure that both India and Pakistan would remain tied to the British Empire by accepting the membership of British Commonwealth of Nations.<sup>130</sup>, as such he devised a plan. After many negotiations and ratification the agreement came into consideration by both the parties. Both India and Pakistan become immediate Commonwealth members and that India’s many princely states, rather than becoming independent, would join either India or Pakistan. It was, in effect, an acknowledgement that the partition of India was imminent.<sup>131</sup> The quickness of Britain’s departure left little time to accomplish the practical aspects of partition now that the ideal had been achieved. To draw the borders, Mountbatten organized two boundary commissions, one each for Bengal and the Punjab. At their head was a prominent London lawyer named Cyril Radcliffe, unfortunately he knew almost nothing of India. As Mountbatten and other officials thought that his ignorance of India would allow him to act without prejudice toward either side.<sup>132</sup> The commission finally presented their boundary awards to Mountbatten on August 13. With the boundary set and the plans protected, Mountbatten prepared for the final withdrawal of Great Britain and the independence celebrations of India and Pakistan. Jinnah, was unanimously elected president, or head of state, by Pakistan’s constituent assembly,

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<sup>128</sup> Wolpert, Stanley. A, “*A New History of India*” (New York, OUP, 1977) pp.344

<sup>129</sup> Morris, James, “*Farewell the Trumpets: An Imperial Retreat*” (USA, Harcourt Brace & Co., 1978.) pp. 483

<sup>130</sup> Hay,Jeff, “*Arbitrary Borders, Political Boundaries in World History, The Partition of British India*”, (USA, Chelsea House, 2006) pp.70

<sup>131</sup> Anthony Read and David Fisher, “*The Proudest Day: India’s Long Road to Independence*”, (New York, W.W.Norton & Company, 1999) pp.438

<sup>132</sup> Dominiqu LaPierre, Larry Collins, “*Freedom at Midnight*”, (New Delhi, Vikas Publishing House, 1997) pp.226-228

whereas, Liaquat Ali Khan, became the nation's first Prime Minister. On the other hand Jawaharlal Nehru was designated as the India's first Prime Minister, at Delhi. At 5:00 pm and on August 16 1947, Mountbatten revealed Radcliffe's boundary awards to India's and Pakistan's leaders. None were pleased. The placements of Calcutta, Lahore, and Amritsar were no surprise, but other issues inspired ill feeling Indian leaders were unhappy that the mostly Buddhist Chittagong hill tracts, in far eastern Bengal, also went to Pakistan.<sup>133</sup> Whereas Jinnah, was disappointed that Gurdaspur District, which again provided India's only road link to Kashmir, went to the Indians, despite an earlier warning to Mountbatten's staff that "this would have a most serious impact on the relations between Pakistan and the United Kingdom."<sup>134</sup>

## **(2.2) Princely States Disputes:**

The ineptitude of the British colonial regime to handle the Indo-Pak partition had some serious implications in the future relationship between the two nations. Not only was there a huge loss of property but around some three million people lost their lives and more than seventeen million were forced to leave their homes. However the major indifference that emerged between the two nations immediately after the trail of partition and independence was the episode of 'princely state dispute.' After the British departed from the sub-continent there were almost 565 princely states which during the colonial rule, were not directly governed by the British, and thus after the partition as a gift of choice the decision to join either India or Pakistan was left to their rulers. At the time of Independence Mountbatten made its position startlingly clear regarding the princely states of undivided India. He knew that after the Independence, British paramountcy over the Princely States would lapse –as such he made gave this decision entirely in the hands of their heads that either they could go their own way, as independent states or forming their own groups, within or without an understanding with the new India or Pakistan. The reason for such was basically because there were many conservatives in the British parliament who considered that the Princes deserved to be rewarded for their past loyalty to King and Empire. But the theoretical and ground realities were something different. Simply because there had been a paramount

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<sup>133</sup> Royle, Trevor, *"The Last Days of the Raj"* (U.K,John Murray Publishers, Limited, , 1997) pp. 180

<sup>134</sup>Quoted in Anthony Read and David Fisher, *"The Proudest Day: India's Long Road to Independence"*, (New York, W.W.Norton & Company, 1999) pp.495

power, all of them had economies which were in some degree integrated with the rest of India, and communication lines to them and across them from British India. In order to solve out the crisis a new States Department was specifically instituted. It mainly worked on the presumption that the Princes should be persuaded voluntarily to accede either to India or to Pakistan, on the basis of the composition of their population and of contiguity and the accession would be for the purposes outlined by the Cabinet Mission Plan for federation, namely defense, communications and external affairs.<sup>135</sup> Finally two specimen documents were drafted – instruments of Accession for the three Central matters, and Standstill Agreements covering non-acceded matters, which simply stated that until the final accession details were worked out, all existing economic and political accords between the States and paramount British India would be observed unaltered after paramountcy lapsed, until such time as renegotiation should occur. Base on these documents, on 25 July Mountbatten persuaded the massed Highnesses of the Princely states that there was in reality no courses open to them other than to sign treaties of accession and by 14 August they had to accede either to Pakistan or India.<sup>136</sup> But there were three princely states, which created problems in the process of accession. These three were the rulers of Junagadh, Hyderabad, and Kashmir.

Junagadh:

In the Kathiawar peninsula lived the moderately eccentric Nawab, Muslim ruler of Junagadh, which had a Hindu majority populace. When the letter of instrument of accession was sent to the Nawab with choices to opt between India and Pakistan, initially administration seemed favored to India. But, in the month of May, while Nawab was in Europe, there was a revolution in the Palace administration, and a Muslim League Sindhi politician took over followed by which on 15 August, 1947 Junagadh Nawab, formally announced its accession to Pakistan.<sup>137</sup> The rulers of the adjoining States of Junagadh particularly the Hindu Rajah of Dharangadhra, were very annoyed by his decision and he protested against the accession to Pakistan as serious threat to its security. Simultaneously, The Sheikh of Mangrol, and

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<sup>135</sup> Chapman, Graham P., *“The Geopolitics of South Asia; From Early Empire to the Nuclear Age”*, (England, Ashgate publishing limited, 2009) pp.191

<sup>136</sup> Chapman, Graham P., *“The Geopolitics of South Asia; From Early Empire to the Nuclear Age”*, (England, Ashgate publishing limited, 2009) pp192

<sup>137</sup> Chapman, Graham P., *“The Geopolitics of South Asia; From Early Empire to the Nuclear Age”*, (England, Ashgate publishing limited, 2009) pp 193

Babariawada two adjoining small state of Junagadh, signed a standstill agreement and instrument of accession with India and they independently declared their accession to India. The Nawab of Junagadh refused to recognize this accession, asserting that as an “attached state”, Mangrol was his vassal and had no right to conduct negotiations without his authority. Apprehensive that other “vassals” might follow Mangrol’s example, the Nawab dispatched his state force troops into Babariawad, an area comprising estates whose rulers challenged the Nawab’s over lordship and had acceded to India.<sup>138</sup> On this situation the Government of India, requested the Nawab of Junagadh to remove his state troops and in order to protect the areas that had acceded to India, dispatched an infantry brigade of the Indian Army to Kathiawar. On October 6, 1948 in a press announcement Nehru repudiated Pakistani claims on Junagadh, and stated that the issue should be resolved by a plebiscite of the State’s population.<sup>139</sup> Meanwhile the internal conditions were deteriorating in Junagadh as the state’s revenues dried up, and economic activity withered and the Nawab fled to Pakistan. In this situation the new Dewan of Junagadh, Shah Nawaz Bhutto, father of the more famous Zulfikar Ali Bhutto, decided to invite the Government of India to intervene into the situation.<sup>140</sup> On November 9, 1948, with the unanimous approval of the state council and leaders of public opinion, the administration of the state was handed over to India. In the absence of any constructive proposal from Pakistan, the Government of India held a referendum on February 20, 1948, to ascertain the wishes of the people regarding accession. In Junagadh, more than 190,000 votes were cast out of an electorate of 200,000. Those voting for Pakistan totaled 91, and the rest voted for India.<sup>141</sup> Pakistan refused to accept the new position, arguing logically that once the original deed of accession had been signed, it was no

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<sup>138</sup> Krishna, Maj. Gen. Ashok, “*Facts about Junagadh*” (IPCS, Indo-Pak-Articles, #526, 19 July, 2001, Web Link: <http://www.ipcs.org/article/indo-pak/facts-about-junagadh-526.html>) accessed on 21/04/2013 at 1.50 am.

<sup>139</sup> Chapman, Graham P., “*The Geopolitics of South Asia; From Early Empire to the Nuclear Age*”, (England, Ashgate publishing limited, 2009) pp.193

<sup>140</sup> Mujtaba, Syed Ali, “*The Story of The Accession of The Princely State of Junagarh*” (Counter Currents. Org, 31/01/2001, Web Link: <http://www.countercurrents.org/mujtaba310111.htm>) accessed on 21/04/2013 at 1.50 am.

<sup>141</sup> Krishna, Maj. Gen. Ashok, “*Facts about Junagadh*” (IPCS, Indo-Pak-Articles, #526, 19 July, 2001, Web Link: <http://www.ipcs.org/article/indo-pak/facts-about-junagadh-526.html>) accessed on 21/04/2013 at 1.50 am.

longer in Junagadh's power to alter it, and it marked the beginning of the rivalry between the two newly independent neighbours.

Hyderabad:

The vast territory of Hyderabad belonged to the Muslim Nizam ruler of Hyderabad, Nizam Osman Ali Khan, who was one of the world's richest men. This Muslim Nizam ruler was initially reluctant to join a "Hindu" nation where Hindus would constitute the majority, although the majority of the populations were Hindu. As such, when the letter was sent to the Nizam with choices to opt between India and Pakistan he refused to sign an instrument of Accession, and hoped for total independence.

The idea of acceding to India or even to Pakistan was contrary to his concept of his State's power and dignity; as such The Nizam declared through a firman that Hyderabad would remain independent and not either of the two nations. Even the Deccan Chronicle of June 24, 1947 reported, "His Exalted Highness will assume Sovereign status and powers on or about August 15, 1947, by which time it is expected that the Indian and Pakistan areas would have assumed the status of Dominions of the British Common Wealth it is learnt"<sup>142</sup> Negotiations dragged on for almost a month after August 15, but it came out to be a fruitless attempt with no result. Any numbers of proposals made by the Government of India were rejected by the Nizam, Razvi and Laik Ali, till a Standstill Agreement was signed in November 1947. Indian Government however made its mind clear that that this was only an interim government that must eventually lead to accession and a responsible government. In Uthaga Mandalam in the far south on 2nd June, 1948 Nehru stated, "We have made it perfectly clear to Hyderabad that there will have to be a solution to this problem and that ultimately there must be accession. There is no other way, and it is not possible for Hyderabad to walk out of the Indian Union. Responsible government is inevitable because in the modern world we cannot allow a feudal government as in Hyderabad to continue."<sup>143</sup> In this tumultuous situation the people of the Hyderabad state revolted against the Nizam, under the leadership of Communist Party of India. The Telangana peasant armed struggle was successful in driving out local landlords

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<sup>142</sup> The article published on 15th August, 1947 was reprinted in Deccan Chronicle on 15<sup>th</sup> August 1997. pp2 in V. H. Desai, *Vandemataram to Janaganmana: Saga of Hyderabad "s Freedom Struggle*, (Bombay, 1990)

<sup>143</sup> From the Hindu, 3rd June, 1948 pp.2 in V. H. Desai, *Vandemataram to Janaganmana: Saga of Hyderabad "s Freedom Struggle*, (Bombay, 1990)

called Zamindars, and distributing their land to the landless. There were dedicated Muslim extremists in the State, who effectively blocked attempts by the Indian Government and the Nizam to reach even such a watered down accord. As a means of outflanking them, and in any event following policy adopted elsewhere, attempts were then made to induce the Nizam to introduce representative government, which would have isolated the extremists. Nizam sought the help of Razakars, a motley group of mercenaries, to suppress the armed struggle. Under the leadership of Qasim Rizvi, also known as Kasin Razvi, the leader of Razakars, serious attempts were made in order to suppress the revolt. With the atrocities continuing unabated, the Government of India issued a White Paper on Hyderabad on 26 July 1948. The White Paper made it unequivocally clear and without mincing words that "The Government of India cannot afford to be a helpless spectator of orgies of misrule in Hyderabad. If the law and order situation there, which already shows signs of collapse, further deteriorates and thereby imperils peace and good order in India, the Government of India would unquestionably be involved."<sup>144</sup> In response to the Indian attempt on 10th September 1948, the Nizam appealed to the United Nations Organization. The Nizam sent a delegation via Karachi, to the Security Council with a complaint that the situation between Hyderabad and India had become grave and constituted a threat to peace. The complaint of Hyderabad was presented in a cablegram dated August 21, 1948, addressed to the President of the Security Council. A summary of it read as follows. "The Government of Hyderabad in reliance on Article 35, paragraph 2, of the Charter of the U.N requests you to bring to the attention of the Security Council the grave dispute which has arisen between Hyderabad and India, and which unless settled in accordance with International law and justice, is likely to endanger the maintenance of international peace and security. Hyderabad has been exposed in recent months to violent intimidation, to threats of invasion and to crippling economic blockade which has inflicted cruel hardship upon the people of Hyderabad...The action of India threatens the existence of Hyderabad, the peace of the Indian and entire Asiatic continent, and the principles of the U.N. Hyderabad, a state not a member of the U.N. accepts for the purposes of the dispute, obligations of the Pacific Settlement provided in the Charter of the United Nations."<sup>145</sup> The delegation left via Karachi. In the summer of 1948 clandestine gun-

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<sup>144</sup> V. H. Desai, *Vandemataram to Janaganmana: Saga of Hyderabad 's Freedom Struggle*, (Bombay, 1990) p. 167

<sup>145</sup> Clyde Eagleton, *The Case of Hyderabad before the Security Council*, in Omar Khalidi 's *ed Hyderabad After the Fall*, (Kansas 1988) pp 67

running by air from Pakistan was reported, and trains running across the State were ransacked, in plain contravention of the Standstill Agreement. On the other hand, since the Nizam and his government refused to disband the Razakkars and other private armies and to facilitate the return of Indian troops to Secunderabad, where they used to be stationed before, in order to restore law and order Indian troops entered the Hyderabad Territory, India was given a pretext to undertake a 'police' action, as opposed to a 'military' action, against the state, and this police action officially came to be known as 'Operation Polo'. The events that followed the Police Action were very quick leading to a total change in the political scenario. After the surrender of Hyderabad army, Mir Laik Ali, the Prime Minister and Kasim Razvi were arrested. On September 23, 1948, the Nizam withdrew his complaint in the Security Council. The merger of Hyderabad dominions into the Indian Union was announced. Thus, practically speaking the case of Hyderabad in the Security Council was also finished and under the new Indian Constitution, Hyderabad was incorporated into the State of India.

Kashmir:

After many negotiation confrontations and conciliations finally India succeeded to bring within its territory the two major disputed princely states Junagadh and Hyderabad, but the case in Kashmir was different. The great Vale of Kashmir, legendary for its beauty and its climate, is drained by the Jhelum, the most westerly of the five rivers of the Punjab. It is the heart of that territory which in its much wider extent embraces Jammu and Ladakh and is called Kashmir. Owing a heterogeneous history of civilization and religions, Kashmir was owned by various rulers and emperors, from Kushan king Kanishka, till the Mughals during the British, which was followed by the Sikhs. To many observers there was a fusion which gave to all Kashmiris of any creed their own identity – the culture of Kashmiriyat, and their own language, Kashmiri.<sup>146</sup> However after the demise of the Sikh Kingdom, Maharaja Gulab Singh of Jammu added Kashmir in his kingdom, who signed the treaty of 1846 with British India. In the year 1930s a local leader, Sheikh Abdullah, was vocal in demands for the Maharaja to devolve power to the peoples' representatives, which were semi-socialist and secular. Abdullah and Nehru shared much of their philosophy in common, and it can be said that for much of his political life Sheikh Abdullah believed that Kashmir could find its own statehood within India, although at other times he was more pro-independence. The legal

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<sup>146</sup> Chapman, Graham P., *"The Geopolitics of South Asia; From Early Empire to the Nuclear Age"*, (England, Ashgate publishing limited, 2009) pp.195

entity of Jammu and Kashmir in 1947 was 77 per cent Muslim.<sup>147</sup> Though the state had a Muslim population, but the Hindu Dogra King Hari Singh took the decision of remaining independent, inevitably, as in India, the struggle for power began to emphasize communal symbols, and the then Maharaja of Kashmir, Hari Singh was seen increasingly as an alien Hindu from Jammu. Mountbatten, in this situation was faced with twin problems regarding the status of Kashmir. On one hand he could not contemplate subjecting the state of Kashmir to a Muslim rule, and he as he believed that Pakistan would be theocratic, not secular, and that his Sikh, Hindu and Buddhist citizens should not be so subjected. On the other hand he feared that Accession of Kashmir to India would provoke a revolt by the Muslim majority. By 15 August no accession of the state had been announced, and de jure he was now ruler of an independent country.

Things however did not remained the same, as in the summer of 1947 communal riots threatened the State of Kashmir. The resentful Sikh refugees from Punjab moved into Jammu, and meted out revenge on Muslims, where as the Muslim peasants from Jammu and Kashmir fled to Sialkot in Pakistan. Maharaja's Hindu army was charged with re-imposing discipline, as it failed to curb the communal violence in which the majority of victims were Muslim. As the violence intensified, in late October 1947 a force of 5,000 Pathans crossed from the North-West Frontier to invade the Vale of Kashmir following the only road, up the Jhelum.<sup>148</sup> Indian Government had the firm belief that the invasion had been engineered by the Pakistanis, but Pakistani side maintained that it had been spontaneous and that they had neither the forces nor the power in position to prevent it. The tribesmen succeeded in blocking access to the valley and were on the threshold of taking Srinagar itself complete chaos threatened the Kashmir. In such a disturbed and helpless situation the Maharaja pleaded India to send help.

Lord Mountbatten persuaded Nehru that India had no right to intervene until the Maharaja had signed a treaty of accession. In such a tumultuous situation, Maharaja Hari Singh agreed to accede with India on October 25th 1947<sup>149</sup> (for details see annexure I) India acted alone

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<sup>147</sup> Chapman, Graham P., *"The Geopolitics of South Asia; From Early Empire to the Nuclear Age"*, (England, Ashgate publishing limited, 2009) pp. 195

<sup>148</sup> Chapman, Graham P., *"The Geopolitics of South Asia; From Early Empire to the Nuclear Age"*, (England, Ashgate publishing limited, 2009) pp. 196

<sup>149</sup> Chapman, Graham P., *"The Geopolitics of South Asia; From Early Empire to the Nuclear Age"*, (England, Ashgate publishing limited, 2009) pp.197

and failed even to keep Pakistan informed, which wrecked the chances of a bi-partisan approach. Jinnah being humiliated ordered the move of Pakistani troops into Kashmir, though he was persuaded to retract, on the basis that the accession of Kashmir to India had been as legal as the initial accession of Junagadh to Pakistan. This again, brought these the two newly independent countries on the brink of war, just weeks after pulling back from confrontation over Junagadh.

Thus it was the jealous competition of Pakistan to capture and control Jammu and Kashmir which led to the outbreak of the first ever war between India and Pakistan in the year 1947 immediately within few months of independence. It was this war which in future paved the way for the beginning of a contentious beginning between the two nations and entangled them in arms race for the sake of preservation of the national security and national interest. However the rational Indian leadership in order to restore peace in the region by the end of 1947 was convinced that the matter could not be resolved through negotiations and thus decided to refer the 'Kashmir Question' to the Security Council of the United Nations on January 1, 1948. It requested the Security Council to ask the Pakistani government to prevent its military and civilian populace to participate or assist in the invasion of Jammu and Kashmir. India also requested the Security Council to request the Pakistani government to deny the invaders access to and use of its territory for operations against Kashmir; and to stop military and other supplies and all other kinds of aid which may prolong the then struggle. Pakistan, on the contrary not only denied these allegations but also alleged that Kashmir's accession to India was illegal. In the course of the debate the UN passed a resolution on April 3, 1948 which suggested for the establishment of a neutral administration, and holding a plebiscite to determine whether the state should accede to Pakistan or India.<sup>150</sup> This UN resolution however did not mention the third option – the independence of Kashmir. Both sides rejected the resolution, but did agree to a cease-fire on 1 January 1949 and since 1972 it's known as the Line of Control (LOC), but with an extra definition. Mean while, in the course of debates that ensued in the United Nations regarding the ongoing dispute in Kashmir, India justified Kashmir's accession to India and asserted that for a final settlement it was essential that Pakistan withdraws all invaders from Kashmir. India agreed to reduce its forces in Kashmir after the withdrawal of Pakistani forces. The Indian representative also

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<sup>150</sup> Chapman, Graham P., *"The Geopolitics of South Asia; From Early Empire to the Nuclear Age"*, (England, Ashgate publishing limited, 2009) pp198

informed the UN about Indian leadership's decision to hold a plebiscite under the control of the popular government of the state and supervision of the UN representatives, after the normalization of conditions which can only be brought after the withdrawal of Pakistani forces from the occupied territory of Kashmir.

Soon after, the Security Council passed a resolution and appointed the United Nations Commission on India and Pakistan (UNCIP) which started functioning from June 1948 (for details see annexure II). Multiple proposals were drafted by the Commission and placed before the Council. But it was either rejected by India or Pakistan on a variety of grounds. None of the Security Council resolutions could be implemented because both India and Pakistan failed to comply with its conditions. Pakistan refused to withdraw its forces from Kashmir and thus rendered the resolutions inoperative whereas India insisted on demilitarization of the Pakistan Occupied Kashmir (PoK) as a precondition for holding plebiscite in the state. The McNaughton Plan as well as the Dixon Plan, recommended by the UNCIP, requested Indian and Pakistani forces to withdraw from Kashmir, but was rejected by the Indian leadership. America sent Frank Graham to mediate between India and Pakistan, but even though the mediation lasted for two years, the Graham Mission also failed after which it was suggested that both the nations must negotiate directly and UN efforts to solve the Kashmir issue was suspended. Meanwhile the full plebiscite could never took place as neither sides withdrew their forces, so neither side has acknowledged that the peaceful conditions of a reunited State have been re-established suitable for the holding of the plebiscite. Meanwhile Sheikh Abdullah became Prime Minister of (Indian) Kashmir, and dominated much of the politics of the next 30 years. By Article 370 of the Indian Constitution, Kashmir was provided a special status, having acceded to India only those powers mentioned in the deed of accession – defense, foreign affairs, and communications. There is no concurrent list shared with the centre, and to emphasis the difference, in all other states there are chief ministers.

“Plebiscite partition, internationalization, political settlement: all these text book solutions for a territorial dispute have been proposed for Kashmir and all have been fruitless”<sup>151</sup>. Of all the issues dividing India and Pakistan, even till date the Kashmir dispute has still proven to be the most tenacious.

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<sup>151</sup> Choudhary G.W, “*Pakistan's Relations with India*” (Meerut, Meenakshi Prakashan, 1971) pp.103

### **(2.3) Indus Water Dispute:**

Meanwhile as the Kashmir Question kept occupying a vital unsettled status in the relations between India and Pakistan, within two years of independence a new development emerged which further estranged the relations of India and Pakistan and it was the issue of post-partition water sharing issue. After the partition the problem of the utilization of the waters of the Indus River and its tributaries by the Indian and the Pakistani sides raised a question of dispute between the two nations. The disagreement basically began on April 1, 1948 when the East Punjab Government (India), in control of the two headwork of the canal system, cut off the water supplies for the canals in Pakistan, on the grounds that the water dues was not paid; which led to a situation of drought in some half million acres of lands on Pakistan. This action of the East Punjab Government raised a fundamental question regarding the right of India. Finally an agreement arrived between the two nations on May 4, 1948 where both the East and West Punjab Governments agreed that the question should be settled in the spirit of goodwill and friendship without prejudice to its legal rights in this matter.<sup>152</sup>

But however this understanding couldn't last long as, complaints began to be heard from both the sides, Pakistan complaint that India was not supplying enough water; whereas on the other side India argued that Pakistan was taking inadequate steps to make up from its own alternative sources the supply of water from which Eastern Punjab needed for its own canal development. Compelled by the then situation in 1951 David Lilienthal, former Chairman of the Tennessee Valley Authority the of Washington proposed for a Joint Indo-Pakistan authority, for the development of the Indus Basin, which was to be financed through the agency of the World Bank. In Collier's Weekly he observed that 'Less than 20 % of the water of Indus basin's used for irrigation; whereas most of the water of the six life saving rivers flows into the Arabian Sea unused. If atleast a fraction of it is used that it might solve out the needs of both the two nations.'<sup>153</sup> But unfortunately the idea of Indo-Pakistan joint working commission also proved to be impracticable in the-then prevailing political situation between the two.

Finally it was the World Bank which intervened in the situation on February 5, 1954; and formulated its own proposal for the development of the Indus Basin. It came out with the plan

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<sup>152</sup> Appadorai, A; & Rajan M.S; *India's Foreign Policy and Relations*; (New Delhi; South Asian Publishers Limited; 1985); pp 65

<sup>153</sup> Lilienthal, L.R.; *Another Korea in the Making*; (Collier's Weekly; 4 August; 1951); pp-58

that the entire flow of the western rivers, the Indus, Jhelum and Chenab, except for a small volume to be used in Kashmir, was to be made available for Pakistan; the entire flow of the three eastern rivers the Ravi, Sutlej and the Beas was to be made available for India, with the proviso that, for a specified temporary period, worked out on the basis of the time required to complete the link canals necessary to replace the supplies to Pakistan from the eastern rivers, India would supply waters to Pakistan from the eastern rivers; and each country would contract works located on its territories, but the cost of Pakistan's link canals to substitute the waters of the western rivers to the eastern canals for those of the eastern rivers would be met by India. In other words, if Pakistan loses the extent of flow from the eastern rivers and India benefits therefrom, India will, on that principle, pay for the cost of these diversions.<sup>154</sup> India although being aware of the fact that it was about to receive only 20% of the total flow of the Indus for its 26 millions cultivable area, accepted the World Bank plan on March 25, 1954. After a delay of few months Pakistan too accepted the plan in principle, but with reservations on the basis of the facts that excess flood water during a few weeks of a year, and there was no substitute for controlled supplies which are available when the cultivators need them. In concrete terms, this meant, in addition to the link canals referred to above, vast storage works were to be constructed on the Western rivers which would enable the water to be available when it needed. In this tumultuous situation, the World Bank modified its earlier proposal, persuaded the Government of Australia, United Kingdom, Canada, West Germany, New Zealand and the United States to fund the additional money for the construction of the proposed storage dam.<sup>155</sup> Finally on September 19, 1960, Indian Prime Minister Jawaharlal Nehru, Pakistani counterpart President Muhammad Ayub Khan and senior Vice President of the World Bank, W.A.B. Liff signed the famous Indus Water Treaty in Karachi (for details see annexure III). The Indus Water Treaty considered a landmark step in promoting trust and understanding between the people of the two countries.<sup>156</sup>

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<sup>154</sup> Williams; L.R; *The Significance of the Indus Water Treaty*; (Asian Review; London; Vol-LI); pp 151

<sup>155</sup> Appadorai, A; & Rajan M.S; *India's Foreign Policy and Relations*; (New Delhi; South Asian Publishers Limited; 1985); pp 67

<sup>156</sup> Muhammad Ayub Khan, *Friends not Masters: A Political Autobiography* (London: Oxford University Press, 1967): pp10-113.

### Contents of the Treaty<sup>157</sup>

Article I	Definitions
Article II	Provisions regarding Eastern Rivers
Article III	Provisions regarding Western Rivers
Article IV	Provisions regarding Easter Rivers and Western Rivers
Article V	Financial Provisions
Article VI	Exchange of Data
Article VII	Future Cooperation
Article VIII	Permanent Indus Commission
Article IX	Settlement of Differences and Disputes
Article X	Emergency Provisions
Article XI	General Provisions
Article XII	Final Provisions
Annexure A	Exchange of Notes between Government of India and Government of Pakistan
Annexure B	Agricultural Use by Pakistan from certain tributaries of the Ravi
Annexure C	Agricultural Use by India from the Western Rivers
Annexure D	Generation of Hydroelectric Power by India on the Western Rivers
Annexure E	Storage of Waters by India on Western Rivers
Annexure F	Neutral Expert
Annexure G	Court of Arbitration
Annexure H	Transitional Arrangements

The Indus water treaty aspires for an equitable distribution of water resource to both the nations.<sup>158</sup> Apart from the fact that the treaty brought an amicable solution to the water

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<sup>157</sup> Draft copy of the Indus Water Treaty for details see annexure III

sharing problem its uniqueness lies in the fact that it's the only international water treaty co-signed by a third party, the World Bank.<sup>159</sup> The treaty finds a healthier solution to the strained relations between the two nations with regard to the principles of water engineering and economics rather than legal principles.<sup>160</sup> Instead of dividing the waters of India the treaty advocated for dividing the rivers between the two nations which make them further more independent and autonomous in controlling and regulating the supplies of water in their territories.<sup>161</sup> The immediate positive aftermath of the treaty was that the Indus Basin became politically and economically viable for two countries. It has opened new ways for independent development of the water of the Indus Basin.<sup>162</sup>

#### **(2.4) Rann of Kutch:**

Within the first two years of independence apart from the princely states partition and Indus water sharing disputes again within few months the two neighbours got confronted with each other encircling the issue of an 8400sq.mt area in Kutch, which became famous as the Kutch dispute between India and Pakistan. The Rann Desert, which covers an area of about 8,400 sq. miles, is a mere vast expanse of tidal mud flats, flooded during the monsoon season. During the British times, the status of the Rann was unsettled. At that time, it was the bone of connection between the princely state of Kutch and the British Indian province of Sindh, the Thar Desert was regarded as the border boundary between these two. Problems however crept up after the withdrawal of the British from India and the partition, India and Pakistan inherited the dispute as Sindh became part of Pakistan and Kutch was joined to India. The newly formed Government of India claimed that the Rann formerly belonged to the Ruler of Kutch, and by de-facto it fully became a part of the Indian Territory when the state acceded to the Union of India on 1947. Similarly Pakistan also on the same tune claimed that about

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<sup>158</sup> R.K. Arora, *The Indus Water Treaty Regime* (New Delhi: Mohit Publications, 2007), pp 9.

<sup>159</sup> Salman M A Salman, "The Baglihar Differences and its Resolution Process-a-Triumph for the Indus Water Treaty," World Bank Paper no. 8448 (2007): pp 106-10.

<sup>160</sup> Muhammad Tariq, "The Indus Waters Treaty and Emerging Water Management Issues in Pakistan, in *Problems and Politics of Water Sharing and Management in Pakistan*," Islamabad: Policy Research Institute. (n.d): pp 87.

<sup>161</sup> Salman M. A Salman and Kishor Uprety, *Conflict and Cooperation on South Asia's International Rivers: A legal Perspectives*, (Washington D.C: The World Bank, 003), pp 48.

<sup>162</sup> Gulhati, *Indus Water Treaty: An Exercise in International Mediation*, pp 338-49

3,500 sq. miles of Rann lying north of the 24<sup>th</sup> parallel was formerly under the administrative control of the Pakistan acceded Sind rulers as such they owned the part of the Rann territory. Apart from this the Pakistan Government also claimed that since the Rann was a landlocked boundary lake as such under the international laws the boundary must run through the middle of the area. Indian Government strictly rejected this claim of the former on the ground that the British Government of India in the year 1906 formally decided that it was best to define Rann as marshy land rather than a lake.<sup>163</sup> In order to solve out the dispute peacefully move were started by exchange of diplomatic notes between the two nations in 1948, but perhaps these moves were either late or were completely unsuccessful in their objectives. Things turned out to be more complicated and serious when in on February 17, 19, and 25 and March 2, 1956 armed clashes took place between India and Pakistan at the border pockets of Chad Bet.<sup>164</sup> The Pakistani Government proposed to the Indian government that “the Indian Forces should be withdrawn immediately from Chad Bet, Nara Bet and the status quo restored pending final settlement of the dispute”<sup>165</sup> For a short period of time however things cooled down a bit and no other armed clashes took place. But things were not the permanent solution as the matter was raised up again and a diplomatic level discussion was initiated in order to settle out the problem. It was agreed that “all outstanding boundary dispute, raised so far by either country, should, if not settled by negotiations, be referred to an impartial tribunal for settlement”<sup>166</sup> Situation became serious in the year 1965 as border incidents became frequent and on April 9<sup>th</sup>, 1965 a fully fledged war broke out between the two India and Pakistan, and as usual each side blamed the other for provoking the clash. Things got worsened to such an extent that Indian Prime Minister Lal Bahadur Shastri on 29<sup>th</sup> April announced that if the fight continues then “the army will decide its own strategy and deploy its man power

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<sup>163</sup> Jha D.C, “*Indo-Pakistan Relation (1960-1965)*” (Patna, Bharti Bhawar Publication, 1972) pp.187-190

<sup>164</sup> Rashid M Akbar, “*Indo- Pak Relations*” (Pakistan, University of Sindh, Jamshoro, 1988) pp. 18

<sup>165</sup> Pakistani note of April 9<sup>th</sup>, 1956, quoted in Jha D.C, “*Indo-Pakistan Relation (1960-1965)*” (Patna, Bharti Bhawar Publication, 1972) pp.187-190

<sup>166</sup> Joint communiqué of October 23<sup>rd</sup>, 1956, India, as cited in Rashid M Akbar, “*Indo- Pak Relations*” (Pakistan, University of Sindh, Jamshoro, pp. 19, 1988).

and equipment in the way it deems best.”<sup>167</sup> Measuring the intensity of the grave situation many western countries like USA, Moscow came up, but things were going in vain. Finally, a strong step was taken up by the Britain, who undertook the direct task of mediation between India and Pakistan. It was due to the effort by Britain that finally a cease fire was concluded between the two nations, on 30<sup>th</sup> April, 1965. On 30<sup>th</sup> June, 1965 further under the persuasion of former British Prime Minister Harold Wilson an agreement was signed between Pakistani President Ayub Khan and Indian Prime Minister Bahadur Shastri, in the floor of Commonwealth Prime Minister Conference.<sup>168</sup> The agreement both the countries agreed to refer the matter to an impartial tribunal if they could not solve out the problem bilaterally and also agreed that the decision of the tribune shall be binding on both the two nations, and that the tribune shall remain in force until its findings have been implemented in full.<sup>169</sup> Both the two countries showed their utmost sincerity in solving the dispute, and acted as faithfully according to the terms and conditions of the agreement. Pakistan nominated Nasarullah Entezam, and Iranian diplomat and India nominated Alex Bebler, a Yugoslavian judge, Gunnar Lagergen of Sweden was appointed as the chairman of the tribunal. The verdict of the tribune came on February 19<sup>th</sup>, 1969. As per the decisions, an area of about 350 square miles in the northern part of the disputed territory was given to Pakistan and the rest was under the control of India. Neither of the sides got what they wanted, and the decision came under the severe criticisms fractions of both the nations especially India, since the portion which was given to India was mostly sea marsh. Finally the dispute came to an end with the signing of the Rann of Kutch Agreement at Islamabad on July 4<sup>th</sup>, 1969 by Indian and Pakistani representatives.<sup>170</sup> The successful conclusion of the dispute demonstrated that when the two governments decide that co-operation is in their interest, they can overcome obstacles to achieve their common goals.

### **(2.5) Second Kashmir War (1965):**

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<sup>167</sup> Hindu Weekly, May 3<sup>rd</sup>, 1965, as cited in Rashid M Akbar, “*Indo- Pak Relations*” (Pakistan, University of Sindh, Jamshoro, 1988) pp. 19

<sup>168</sup> Rashid M Akbar, “*Indo- Pak Relations*” (Pakistan, University of Sindh, Jamshoro, 1988) pp. 19

<sup>169</sup> Text of the agreement in Pakistan Horizon, third quarter, 1965, as cited in Rashid M Akbar, “*Indo- Pak Relations*” (Pakistan, University of Sindh, Jamshoro, 1988) pp. 19

<sup>170</sup> Bruke S.M, “*Pakistan’s Foreign Policy: An Historical Analysis*” (London, OUP, 1973) pp. 13-14,

After the June 1965 mutual negotiation of the Kutch dispute between India and Pakistan, there were hopes that this might be the precedent which would direct the future relationship of the two neighboring states. Even the-then Pakistani President Ayub Khan described this agreement as “a turning point”,<sup>171</sup> in the future relationship between India and Pakistan. But these high expectations did not last long as tension increased immediately after and took the shape of an all-out war, between the two, in September 6, 1965, which is also known as the Second Kashmir War. Though the Kutch dispute was bilaterally and mutually settled down, but the reality was that India was certainly outfought by the Pakistan in the war. Indian Prime Minister Lal Bahadur Shastri was warned and urged by various echelons of the society to be cautious as, there was a believe that Pakistan would repeat the same thing in the Kashmir too.<sup>172</sup> Pakistan on the same was trying to find out a solution to the Kashmir problem. This attitude of Pakistan was clearly reflected when after the conclusion of agreement on Kutch dispute, the then Pakistan’s Foreign Minister Z.A Bhutto told in Pakistan’s National Assembly that if Pakistan were to fight, “then it is not in Dharamshala or Chad Bet or Biarbet that we have to fight, we have to fight where the problem lies, i.e., in Jammu and Kashmir.” and Pakistan “can never be complete without people of Jammu and Kashmir”<sup>173</sup>

The war of 1965 better known as the Second Kashmir War was initiated by Pakistan, as the Pakistani government was becoming increasingly alarmed by Indian efforts to integrate Kashmir within India. The defeat of India by China in the 1962 war made Pakistan believe that the Indian military would be unable or unwilling to defend against a quick military campaign in Kashmir. There was also a perception that there was widespread popular support within for Pakistani rule and that the Kashmiri people were dissatisfied with Indian rule.

Pakistan’s failed attempt to invoke anti-Indian diplomatic initiative in the UNSC in 1964 made it adopt a proxy war attitude to destabilize the later by fomenting an uprising in Indian-administered Kashmir. By the first half of 1965 clashes began to increase between India and

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<sup>171</sup> “Text of the President’s Statement”, Dawn, July 1<sup>st</sup> 1965, as quoted in Rashid M Akbar, “*Indo- Pak Relations*” (Pakistan, University of Sindh, Jamshoro, 1988) pp. 20

<sup>172</sup> Times of India, July 18<sup>th</sup>, 1965, as quoted in Rashid M Akbar, “*Indo- Pak Relations*” (Pakistan, University of Sindh, Jamshoro, 1988) pp. 21

<sup>173</sup> “*Speeches in the National Assembly, July 13<sup>th</sup>, 1965*”, published by the Pakistan Institute of International Affairs, (Pakistan, Karachi, 1966) pp. 45

Pakistan along the line of Cease fire line in Kashmir. It was alleged by the International Press that on August 5, 1965 armed infiltrators from Azad Kashmir began entering India and held Kashmir in an unsuccessful attempt to foment revolt. Exchanges of fire all along the cease fire line became increasingly frequent and both the two countries indulged themselves into full fledged war. India after the embarrassing defeat by the China was no more ready to take another defeat—especially from Pakistan. On the other hand Pakistan was over confident due to its success in the Raan of Kutch and had firm belief that it would repeat the same action in Kashmir too. On September 5<sup>th</sup>, the Indian Defense Ministry announced that Pakistani aircraft had attacked an Indian Air force ground near Amritsar; gradually Pakistani forces advanced rapidly and threatened the vital road link Srinagar.<sup>174</sup> The Indian forces retaliated in a very dynamic way and prevented the further entry of Pakistani forces in Indian soils.

On basis of the authoritative report to the Secretary General of United Nations Security Council and daily telegrams send to the United Nations by Lt- General Robert H. Nimmo, who was the chief Military observer of the United Nation Military Observer Group in India and Pakistan (UNMOGIP) it was clearly evident and proved that the series of violation that began on August 5, were it was Pakistan that has engineered the massive invasion of Kashmir by guerrillas generally not in uniforms crossing the ceasefire line from the Pakistani sides for the purpose of armed section on the Indian sides. Moreover he also mentioned in his report that it was Pakistan who violated the line of ceasefire 19 out of 23 times during the month of August 1965<sup>175</sup>. President Ayub Khan decided to fling his regular armies in the war and as quoted by D.R Mankekar ‘Pakistan launched A mighty thrust that, if successful, might have, at one stroke, looped off the State of Jammu and Kashmir from the rest of India militarily and politically’<sup>176</sup>

Pakistan planned that in the first sweep, it was to capture the strategic town of Akhnoor, on the Chenab and cut the road passing through it from Jammu to Rajaori and to Poonch bottling up the Indian forces in the western region; and on the other side they column to take Jammu

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<sup>174</sup> Times of India, September 6<sup>th</sup>, 1965, as quoted in Rashid M Akbar, “*Indo- Pak Relations*” (Pakistan, University of Sindh, Jamshoro, 1988) pp. 22

<sup>175</sup> SCOR, Yr. 20; Special Supplement for July, August & September; 1949; No-7; pp 239-311 as reffered in Appadorai, A; & Rajan M.S; *India’s Foreign Policy and Relations*; (New Delhi; South Asian Publishers Limited; 1985); pp 96-97

<sup>176</sup> Mankekar, D.R; *Twenty-two Fateful Days*; (Bombay; 1965); pp 99-100

city and get astride the Jammu-Srinagar highway and isolate the Indian forces. Compelled by the courses of the war and the military thrust of Pakistani forces at the Chhamb sector the India military command decided to divert its attack directly on Pakistani territory of Lahore and Sialkot sectors.<sup>177</sup>

Meanwhile, as both the U.S. and the Soviet Union feared that China would enter the conflict on behalf of Pakistan, and in order to avoid it hectic efforts were on the height by the Secretary General and the UN Security Council to plan and draw out a unilateral plan of ceasefire between them. Thus finally on September 20, 1965 the Security Council passed a resolution and adopted a draft demanding a ceasefire effectively from 2430 hrs on September 22, 1965. India promptly accepted this and on the midnight of September 22, 1965 Pakistan also announced its acceptance of the ceasefire proposal and the deadline was now extended till 0330 hours on September 23, 1965 for the subsequent withdrawal of all armed personnel back to the positions held by them before August 5, 1965.<sup>178</sup>

However, though through the effort of the Security Council a cease fire was signed between India and Pakistan but unfortunately the Security Council resolution even failed to achieve its goal in mediating the issues between the two. On September 22, 1965 at the Security Council special meeting Bhutto warned the council that “if it did not bring about a settlement of the Kashmir Question within a limited time Pakistan would leave the United Nations.”<sup>179</sup> On the same tune in a note of October 1, 1965 the Indian Foreign Minister, Swaran Singh, told the U.N Secretary General that “India was not prepared to link the cease fire or withdrawal of forces with any political question, as Kashmir was an integral part of India and therefore not negotiable.”<sup>180</sup> Both the nations from the very outset kept on jeopardizing the agreement by

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<sup>177</sup> Appadorai, A; & Rajan M.S; *India's Foreign Policy and Relations*; (New Delhi; South Asian Publishers Limited; 1985); pp 97

<sup>178</sup> “*The Security Council's Resolution*,” reproduced in Dawn, September 21<sup>st</sup>, 1965, as cited in Rashid M Akbar, “Indo- Pak Relations” (Pakistan, University of Sindh, Jamshoro, 1988) pp. 22

<sup>179</sup> “Mr. Bhutto's Address to the Security Council,” Dawn, September 23<sup>rd</sup>, 1965, as quoted in Rashid M Akbar, “Indo- Pak Relations” (Pakistan, University of Sindh, Jamshoro, 1988) pp. 22

<sup>180</sup> “*Swaran Singh Informs U Thant*”, The Statesman, Cotober 2<sup>nd</sup>, 1965, as quoted in Rashid M Akbar, “INDO Indo- Pak Relations” (Pakistan, University of Sindh, Jamshoro, 1988) pp. 22

series of violations. They even refused to withdrawal from their positions which they held in each other's territories. Things were getting further deteriorating when at that time the Council adopted a resolution demanding that both India and Pakistan should "urgently honour their commitments to the council" and ordered them "promptly to withdraw all armed personnel"<sup>181</sup>

Finally things were sorted out and ended through the efforts of Premier Aleksein Kosygin of the Soviet Union, who invited both the two nations to come to Tashkent and settle out their differences. President Ayub Khan of Pakistan accepted the offer of mediation and finally from January 4-10, 1966 he met the Indian Counter-part Prime Minister Lal Bahadur Shastri in Uzbekistan which led to the conclusion of the famous Tashkent Declaration on January 10, 1966 (for details see annexure IV). The conference was viewed as a great success and the declaration that was released was hoped to be a framework for lasting peace. The declaration stated that: Indian and Pakistani forces would pull back to their pre-conflict positions, both the two nations would not interfere in each other's internal affairs, economic and diplomatic relations would be restored, the two leaders would work towards building good relations between the two countries. The major points of the declaration between India and Pakistan in the Tashkent were:

- a. To restore "normal and peaceful relations" between them;
- b. To withdraw their respective armed forces, not later than 25 February 1966, to the position they held before 5 August 1965-the date of the outbreak of the hostilities;
- c. To repatriate captured prisoners of war;
- d. To restore diplomatic relations, as well as economic and trade relations, communications and cultural exchanges;
- e. To end hostile propaganda;
- f. To deal with the question of refugees and illegal immigrants.<sup>182</sup>

Unfortunately, this declaration became very unpopular in both countries and had its far reaching impact and consequences in their internal and external policies. Things proved out

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<sup>181</sup> The Security Council's Resolution of September 27<sup>th</sup>, 1965, as quoted in Rashid M Akbar, "Indo- Pak Relations" (Pakistan, University of Sindh, Jamshoro, 1988) pp. 22

<sup>182</sup> Appadorai, A; & Rajan M.S; *India's Foreign Policy and Relations*; (New Delhi; South Asian Publishers Limited; 1985); pp 97

to be bitterer in Pakistan than in India. In Pakistan, there was a division in the political establishment, as Foreign Minister Zulfikar Ali Bhutto soon left the government and criticised the declaration. The national security institutions in both India and Pakistan then became very conscious of the possible political costs of concessions to their adversaries. Thus, although the 1965 war between India and Pakistan came to an end but still the Kashmir problem remained un-resolved, and again both sides merely set forth their “respective positions” on the issue. Tashkent merely signified a pause in a protracted conflict that, so far, proved to be inclusive.

#### **(2.6) 1971 War Bangladesh Liberation War:**

Within five years after the Tashkent Declaration yet again the two neighbours got confronted with each other in the wake of the violent uprising in erstwhile East Pakistan against the inhuman and armed atrocities of West Pakistan, which finally culminated into the third full fledged war between India and Pakistan which also became famous as the Bangladesh Liberation War of 1971. The British India was partitioned between India and Pakistan, in such a way that the Muslim majority area in and contiguous to Punjab and Bengal were joined together in one political entity, Pakistan, named as East and West Pakistan. Developments in Pakistan from 1969-1971 led to the break-away of East Pakistan from Pakistan and to emergence of Bangladesh as a sovereign and independent nations state. It was due to these developments that resulted in much hostility in Pakistan towards India, culminating in a war with India from December 4-16, 1971.

Even before 1969, the rift between the two wings of Pakistan was evident. The population of East Pakistan was some seventy five million, whereas that of West Pakistan was some sixty million; but unfortunately though being the majority they did not receive their due share in the decision making in Government of Pakistan. Moreover from 1958-1972 effective powers lay with the military regime, the army, the bureaucracy and the feudal business aristocracy. All the senior members of the administration were West Pakistanis; only 10% of East Pakistani's shared the position of senior officers in Pakistan top echelons. A report by a panel of experts to the Planning Commission of the Government of Pakistan provides authoritative documentation of the widening of economic disparities in the two regions.<sup>183</sup>

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<sup>183</sup> Bangladesh Documents (New Delhi; 1971); pp-11-12 as referred in Appadorai; A & Rajan, M.S; India's Foreign Policy and Relations; (South Asian Publishers; New Delhi; 1985); pp102

These two wings of Pakistan differed with each other in various ways, infact there existed major ethnic, geographical, economic, and cultural differences within them. Both these two parts of Pakistan, apart from the factor of Islam, had very little in common with each other, as Coggin put it, “the only bonds between the diverse and distant wing of their Moslem nation were the Islamic faith and Pakistan International Airlines.”<sup>184</sup> The war of 1971 was basically not a direct war between India and Pakistan but it was an outcome or reaction against the East Pakistan’s armed policy against West Pakistan, and the indulgence of India in favour of West Pakistan in the war.

East Pakistan from the very birth had some serious grievances toward the West Pakistan. The union between the two parts was uneasy from the beginning. Things deteriorated, with the sudden demise of Quaid e Azam, Muhammad Ali Jinnah, and assassination of Pakistan’s first Prime Minister, Liyakat Ali Khan within first three years of its creation. The sudden loss of these leaders left serious void and contributed to the declining popularity of the Muslim League which provided a semblance of unity throughout Pakistan. The East Pakistanis started complaining about the unequal distribution of economic resources between the two wings of Pakistan. The capital of the country was in the western part as such majority of the government officials came from the west, moreover the army even had the majority of Punjabis, yet the paradox was that more than half of the Pakistan’s population lived in East Pakistan. The civil- military bureaucracy and other high posts and professions were dominated by the West Pakistanis and the migrants from northern and western India. Whereas the Bengalis of East Pakistan found themselves left far behind in the process of state building and economic development, and felt that they were not adequately represented. The first unified cry of protest and remonstrations was seen in the demand of the official language issue. East Pakistani’s proud of their language and its rich literary heritage, were greatly shocked when the Pakistani policy makers initially rejected Bengali’s claim for the recognition as a national language and attempted to make Urdu- a minority language as the only national language throughout Pakistan. A great protest and demonstration was seen for the first time in East Pakistan against this decision toward the Western wings. Pressurized by which subsequently the Government of Pakistan revised its decision and recognized both Bengali and Urdu as their national language. Even economically the East Pakistan suffered a lot than the West Pakistan, who appeared better off from the American military and economic

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<sup>184</sup> TIME; *Pakistan’s Agony*; (Monday , August 2, 1971)  
<http://www.cbgr1971.org/files/Time/timeAug0271Doc.pdf>

aids. Moreover they only received roughly 25 to 30 percent of Pakistan's total income. Even the very commonality of religious ties couldn't keep the two parts together, as about 10 millions out of 80 millions in East Pakistan were Hindus. The East Pakistan unlike the Western part did not share a very bitter relationship with India, as they were held together by a common ethnic, linguistic and cultural affinity and similarity with the Indian state of Bengal. Thus, the two wings of Pakistan along with these large shares of differences and disparity kept on being united with each other till the year 1969.<sup>185</sup>

Things got worsened when in the year 1969 the fragile government of Pakistan led by General Ayub Khan, collapsed as a result of a Mass movement against President Ayub Khan's authoritarian rule, seeking his overthrow and restoration of Democracy in Pakistan. Ayub Khan, being pressurized by the movement handed over the power to another military general, Yahya Khan, who brought forth direct military rule in Pakistan promising to hold a free and fair election for a democratic setup in the nation. Yahya Khan, knowing the mood of the people and sensing the volatile political situation tried to placate the angry masses by announcing new educational and wage policies for the workers and the students. He emphasized the transitional nature of his regime and promised the transfer of power to the people's representative elected freely and impartially on basis of adult franchise. He also announced that the future National Assembly both the west and the East Pakistan will be represented on the basis of their respective population. Thus in 1970 for the first time general elections took place in Pakistan on basis of the universal adult franchise. After the promised elections were held in 1970, no party came up with a clear cut majority and both Awami League and Pakistan's People's Party emerged as the popular one in their own region of East and West Pakistan respectively. However, the Bengali-nationalist Awami League acquired an absolute majority in the assembly, by getting all the seats from East Pakistan. The western leadership found this outcome of the election results simply unacceptable. They feared that the Awami League, with its absolute majority in the National Assembly, would vote itself a programme for virtual self-government, and will gradually remove East Pakistan from the control of the central government. The post election period thus brought in Pakistan three major powers to the forefront which had to dictate the course of events in its history-the Yahya regime, the Awami League and the Pakistan People's Party. The crisis was triggered by Yahya Khan, as he postponed the announcement of the National Assembly's secession to

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<sup>185</sup> Appadorai; A & Rajan, M.S; *India's Foreign Policy and Relations*; (South Asian Publishers; New Delhi; 1985); pp102

be convened in Dacca. The Awami League perceived this as a deliberate attempt to disregard the popular mandate and they launched a campaign of Civil Disobedience under the leadership of Sheikh Mujibur Rahaman. The crisis quickly escalated into a major conflict and things started to get more deteriorate in East Bengal.

On March 3, 1971 the National Assembly which was scheduled to summon did not meet rather; protracted negotiations took place among Yahya Khan, Mujibur Rahaman and Z.A. Bhutto (the second largest seat holder next to Awami League). But unfortunately the negotiations failed to overcome the difference. In particular Bhutto could not agree to Mujib's proposal for having two separate foreign exchange accounts for the two wings of Pakistan and that the Constitution should empower the governments of the units to establish trade and commercial relations and enter into an agreement with foreign countries. The negotiations finally broke down on March 25 and from that particular night began the reign of terror on the peoples of East Pakistan.

In the meantime, an event of some significance took place on February 2, 1971 at Lahore which further aggravated the tensed situation between India and Pakistan relations: an Indian Airlines aircraft, which has been hijacked to Lahore on January 30, 1971, was blown up; the Pakistani authority failed to take action according the UN Resolution on Aerial hijacking; India was compelled to ban over flights of Pakistan's aircraft over Indian airspace.<sup>186</sup>

Things started getting worse in East Pakistan region and as an act of protest the personnel of East Bengal Regiment and East Pakistan Rifles formed the Mukti Bahini. On March 26, a declaration of independence was made from the Chittagong Radio in the name of Awami League. The Pakistani army replied by resorting to killing, raping, burning and looting on a large scale. Mujib was arrested and kept in prison; Awami League was outlawed; the freedom of press and civil liberties in East Pakistan were suppressed and all foreign journalists were expelled. The terrified people of East Pakistan for the sake of their life ran to India. By December 1971, according to Mujibur Rahaman, some three million East Bengalis were butchered, including several intellectuals some ten million refugees had crossed over to India.<sup>187</sup>

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<sup>186</sup> Appadorai, A & Rajan, M.S; *India's Foreign Policy and Relations*; (South Asian Publishers; New Delhi; 1985); pp102

<sup>187</sup> Appadorai, A & Rajan, M.S; *India's Foreign Policy and Relations*; (South Asian Publishers; New Delhi; 1985); pp103

Public opinion in India was shocked by seeing the atrocities and as an act of astonishment on March 31, 1971, Parliament of India expressed 'its profound sympathy and solidarity with the people of East Bengal in their struggle for a democratic way of life' and called upon 'all people and government of the world to take urgent and constructive steps to prevail upon the Government of Pakistan to put an end immediately to the systematic decimation of people which amounts to genocides.' The Pakistani Foreign Office reciprocated with the declaration of Indian Parliament and summoning the Indian High Commission Radio Pakistan said that; 'it was interference by India in the internal matter of Pakistan.'<sup>188</sup> But the Indian Government did not stand quite it stated mobilizing the world opinion about the human right atrocities and tried to capture the minds of the Super powers of the world in the incident. Prime Minister Indira Gandhi herself undertook journeys to Soviet Union, Belgium, Austria, United Kingdom, U.S, France and West Germany and emphasized her discussion with the leaders in these countries, the need for Pakistani army regime to settle with the already elected leader of East Bengal.

Meanwhile in East Pakistan, developments of far reaching significance were taking place. On April 14, the elected leaders of National Assembly proclaimed the formation of a Provincial Government of Bangladesh and called upon the people of East Bengal to wage a war of liberation against the Pakistani Occupant Forces. On April 17, meeting at Mujibnagar, the members of the Provincial Government, including the acting President and the Prime Minister, ratified the Declaration of Independence and proclaimed the birth of the Republic of Bangladesh.<sup>189</sup>

The Pakistan army was massed on the Indian Border; many border violations and border incidents took place. There was persistent shelling from across the border and some civilians were killed and others were wounded. On November 24, 1971, Pakistan declared a state of emergency; next day General Yahya Khan announced that he would be off fighting a war in 10 days; 'Hate India' campaigns were intensified. True to the declaration made by General Yahya Khan on December 3, 1971 Pakistan launched surprise attacks on Indian airfield along the frontier in Punjab, Rajasthan and Jammu & Kashmir. Events moved rapidly. Indian Prime

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<sup>188</sup> Times of India;(New Delhi); April 3, 1971 as referred in Appadorai; A & Rajan, M.S; *India's Foreign Policy and Relations*; (South Asian Publishers; New Delhi; 1985); pp103

<sup>189</sup> Appadorai; A & Rajan, M.S; *India's Foreign Policy and Relations*; (South Asian Publishers; New Delhi; 1985); pp104

Minister Indira Gandhi in Lok Sabha announced that- 'Government of Pakistan has declared war on us; and we will fight to safeguard our territorial integrity, national honour and above all the ideals of peace we share and belief in...'<sup>190</sup> Government of India on December 6 accorded recognition to Bangladesh. The war fought in two fronts-the eastern and the western. With the brilliant coordination of 3 wings of Indian forces along with the guerrilla warfare of Mukti Bahini finally the Pakistani forces got defeated on December 16, 1971. In the morning of December 17, Indian Prime Minister offered a unilateral ceasefire, Pakistan accepted the proposal and with effect from 8.00pm on the same day, the mutual ceasefire came into effect.<sup>191</sup>

### **(2.7) Post-Simla Agreement:**

The Simla Agreement which was concluded on July 2, 1972 in the aftermath of the 1971 Indo-Pak war, provided a comprehensive background for normalization of relations between India and Pakistan (for details see annexure V). Despite occasional tensions from time to time, there was no major armed conflict between the two countries since the signing of the Simla Agreement for more than seventeen years. Under the Simla accord, the two countries had resolved to: ... settle their differences by peaceful means through bilateral negotiations or by any other peaceful means mutually agreed upon between them 'ending the final settlement of any of the problems between the two countries, neither side shall unilaterally alter the situation nor shall both prevent the organization, assistance or encouragement of any acts detrimental to the maintenance of peaceful and harmonious relations'.<sup>192</sup> Bilateralism was at the very heart of the Simla Agreement. It clearly committed both countries to desist from any unilateral move, which could result in conflict. 'Article 4 (ii) of the Agreement says: In Jammu and Kashmir, the Line of Control resulting from the ceasefire of December 17, 1971 shall be respected by both sides without prejudice to the recognized position of either side. Neither side shall seek to alter it unilaterally, irrespective of mutual differences and legal interpretations. Both sides further undertake to refrain from the threat or the use of force in

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<sup>190</sup> Times of India Special Supplement; December 4, 1971; as referred in Appadorai; A & Rajan, M.S; *India's Foreign Policy and Relations*; (South Asian Publishers; New Delhi; 1985); pp105

<sup>191</sup> Appadorai; A & Rajan, M.S; *India's Foreign Policy and Relations*; (South Asian Publishers; New Delhi; 1985); pp105

<sup>192</sup> As cited in Sumit Ganguly, *Conflict Unending: India-Pakistan Tensions Since 1947* (New Delhi, 2000), p. 168.

violation of this Line'.<sup>193</sup> Significantly, Simla Agreement recognized the sanctity of the Line of Control (LoC) for the maintenance of peace between the two countries. During the discussions at Simla it was assumed that LoC would be treated as a de facto frontier between India and Pakistan until the Kashmir issue was resolved bilaterally.<sup>194</sup> However, it could be discerned that the future rulers of Pakistan found it politically difficult to accept the Simla Agreement in total. Interpreting the Agreement in a different way, they maintained that Pakistan was not debarred from seeking the resolution of the Kashmir problem with reference to the UN resolutions. It is not surprising that Pakistan subsequently stepped up its efforts to internationalize the Kashmir issue and even sought third party intervention, projecting the LoC as but a temporary arrangement. It is to be noted that the impact of Pakistan's defeat in the 1971 war and its bifurcation had demoralized and angered the Pakistani elite. This fact should not be understated. Apart from huge territorial loss, Pakistan lost fifty four percent of its population. Pakistani Army had felt humiliated, when about ninety thousand Pakistani troops were taken prisoner by India. Most of the Pakistani policy makers then came to believe that from the beginning New Delhi was instrumental in the East Pakistan separatist movement, which resulted in the division of Pakistan. Pakistani ruling elite thus developed a desire to pay India back in kind, whenever an opportunity arose.<sup>195</sup> Obsessed with avenging India, and accomplishing the unfinished agenda of annexing Kashmir, the Pakistani elite, and specifically the Army consistently tried to undo the Simla Agreement and thus adopted a policy of "eternal" hostility towards India. At the same time, they were equally aware of the futility of direct armed conflict with India, as the latter to prove its military superiority in almost all the previous armed conflicts. In this context, they adopted a two-pronged strategy as a means to attain their objectives. First, to initiate a nuclear weapons programme to balance India's conventional military superiority and to achieve strategic parity with India and second to initiate a proxy war - Low Intensity Conflict (LIC) - against India, particularly in the State of Jammu and Kashmir cooperated to train 'mujahideens' in conducting special

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<sup>193</sup> As cited in Sumit Ganguly, *Conflict Unending: India-Pakistan Tensions Since 1947* (New Delhi, 2000), p. 168.

<sup>194</sup> P. N. Dhar, "LoC as Border: Bhutto's Deal with Mrs. Gandhi", Times of India (New Delhi), 4 April 1995. Dhar's book, *Indira Gandhi: the 'Emergency', and Indian Democracy* (New Delhi: Oxford, 2000), provides a detailed account of the behind-the-scenes bargain between Indira Gandhi and Z. A. Bhutto.

<sup>195</sup> Stephen Philip Cohen, *The Idea of Pakistan* (New Delhi, 2005), pp. 75-77.

trans-border operations and guerilla warfare. This helped Pakistan in developing infrastructural facilities for conducting cross-border terrorism in India later. The arms meant for the 'mujahideens' to fight the Soviets were also transferred to the militants in Kashmir and Punjab after the Soviet withdrawal from Afghanistan.

### **(2.8) Khalistan Problem & Role of Pakistan:**

After the humiliating defeat of Pakistan in Kutch, 1965, and 1971 war, the policy makers, Pakistan Army and ISI realized the fact that it was impossible to settle their scores with India through open war as results were inevitable and evident. Thus by the mid of 80's Pakistan started its policy of proxy and covert war policy with India. The first attempt of which was noticed in the wake of the Khalistan Movement in India. The Punjab dilemma or more famously know as the Khalistan episode did not occur overnight, it grew slowly the act of violence that followed grew with it, they were as predictable as was the end. The terrorism in Punjab was not brought only because of Sant Jarnail Singh Bindrawala became a terrorist but because of the inefficiency of the local administration, law enforcement agencies in Punjab and the political expediency at the center. It was allowed to grow and to appreciate the truth; one must feel intensely the indignity of our social wrongs. Bhindrawale was neither a cruel, heartless nor an irresponsible lunatic. He was rather the creation of the society. This was only due to the callousness of the states authorities, the hesitancy of the Center to act decisively earlier, the lack of a strong leader amongst the moderate Akalis, which prepared a near perfect ground for terrorism to thrive, bringing guerilla warfare into the heartland of Punjab. Basically the climate for gun-running was ripening in the Punjab area a decade ago. Nearly a decade ago after the shameful defeat in the 1965 war a calculated plan was drawn up in Pakistan with one objective- which according to the intelligence was the split between Hindu and Sikh unity in the strategic border of Punjab.

Sikh sentiments were being offended by the insensitive handling of the Sikhs visiting New Delhi during the Asian Games. There were communal conflicts at every stage of the movement. Amidst these developments, the free availability of arms created a highly explosive situation that dragged the agitators and the governmental agencies into the vortex. Meanwhile during this phase the Pakistani intelligence agencies had made a concerted move to identify peoples who could give them support in various forms. Their efforts were primarily aimed at the Sikh community abroad. The two main centers of activities were

London and Washington DC.<sup>196</sup> In October 1971, the glimmerings of a separate Sikh nation were propagated by an advertisement that appeared in the New York Times. The ad broadly spelt out a demand for a separate Sikh homeland and talked of the oppression of the Sikhs in India. Intelligence sources categorically state that the ad had been paid for by the information department of Pakistan mission in Washington. A sum of US\$ 5000 has been given as payment for the publication of the advertisement. Soon after the ad appeared Dr. Jagjit Singh Chauhan, an Akali radical and protégé of the late Master Tara Singh and one time finance minister of Punjab, surfaced in Washington and later according to the intelligence sources, visited Pakistan twice as a guest of the Pakistan Government.<sup>197</sup> It was during one of his visit in Pakistan mission in Washington that Dr Chauhan built up contact with Capitol Hill. His frequent visits to Washington were being closely monitored, and it was one of these visits, that met with senior American officials in the Pakistani embassy. Funds that were difficult to rise from Sikh cultural societies earlier, suddenly over a span of few months, generated over a million dollars. However the base for his operations continued to be in London. After the assassination of Dr Chauhan, in 1977 the Pakistan's intelligence officials stated to fraternize with another Sikh, a supporter of Bhindranwala, Ganga S. Dhillon. Dhillon was a bit different from his predecessors; he did not advocate for Khalistan but asked for a greater autonomy for the Sikh State. In order to accomplish his objective he worked hard in building up dossiers of people whole he could use. While doing so Dhillon came in contact with President Zia's wife who had been a resident of Kenya and knew Dhillon from earlier days. Building up on this contact Dhillon was invited to Pakistan to met the President and gradually there opened up a great relationship between the two.<sup>198</sup> Later he maintained his contact with Pakistan through Chaudhari Zahur Ali who was the labour minister of Pakistan. Intelligence estimated that Pakistan agencies continued to help them and other who supported the Khalistan issue, in various ways. Pakistan had adopted on the methods too. The best method being the use of their national airline Pakistan International Airline (PIA) that gave free tickets to a number of pro-Khalistan people to travel to different parts of the world and to India. They also payee off

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<sup>196</sup> Raina; Asoka; *Guns Across the Border*; in Samiuddin, Abida eds The Punjab Crisis: Challenge and Response; (Mittal Publications; New Delhi; 1985); pp 376

<sup>197</sup> Raina; Asoka; *Guns Across the Border*; in Samiuddin, Abida eds The Punjab Crisis: Challenge and Response; (Mittal Publications; New Delhi; 1985); pp 377

<sup>198</sup> Raina; Asoka; *Guns Across the Border*; in Samiuddin, Abida eds The Punjab Crisis: Challenge and Response; (Mittal Publications; New Delhi; 1985); pp 377

the rents used by the pro-Khalistani factions; used the diplomatic missions as offices for the Khalistani groups, primarily in London, Britain and Washington, carrying of videotapes, recorded cassettes of Bhindrawala's speeches etc. However the most terrifying attempt that Pakistan initiated in order to support and help the Khalistani factions against the India was an indirect participation in the supply of weapons and training of men in guerilla tactics. These activities came into highlight when gunrunners were caught while crossing the borders. The Indian intelligence identified even three main training grounds inside Pakistan- Kasur, across the river Sutlej; 15 miles from Ferozepur, Sekhupura, few miles from Lahore and Eminabad, easily accessible from Gurudaspur in Punjab.<sup>199</sup>

Accessibility to these training camps across the border made it easy for scores of men to obtain training. The camp at Kasur was the biggest among the rest. The intelligence sources found out that these camps were run under the administrative command of a deputy superintendent of police, from the special branch, Samar Gul Afreidi and was assisted by inspector of the Special branch, Mohammed Hussan Khan. The weapon training and guerilla tactics were supervised by the ex-army personnel of the Sutlej Rangers.<sup>200</sup>

Without going into the mediate details of how the Khalistan problem encapsulated the northern India it can be stated that due to the overzealous activism shown by the Indian intelligence organization working in tangent with the India defense forces and the Indian civilian leadership it was able to identify individual, entities, roots from which weapons and financial assistance provided to the militants. This led to periodic dissemination of the militant organization which ultimately led to the birth of a military led operation from 3-6 June 1984 under the orders of Indira Gandhi code named as Operation Blue Star, aiming to overthrow the Sikh extremists who were led by Jarnail Singh Bhindranwale and his associates from the preview of Golden Temple of Amritsar.<sup>201</sup> The military operation had two steps viz 'Operation Metal' which was confined to the complex of the Golden temple and 'Operation Shop' which mainly focused on raiding fugitive and suspects all over country side

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<sup>199</sup> Raina; Asoka; *Guns Across the Border*; in Samiuddin, Abida eds *The Punjab Crisis: Challenge and Response*; (Mittal Publications; New Delhi; 1985); pp 378

<sup>200</sup> Raina; Asoka; *Guns Across the Border*; in Samiuddin, Abida eds *The Punjab Crisis: Challenge and Response*; (Mittal Publications; New Delhi; 1985); pp 379

<sup>201</sup> "Operation BlueStar, 20 Years On" (<http://www.rediff.com/news/2004/jun/03.spec.htm>). Rediff.com. 6 June 1984; retrieved 2016-08-09.

of Punjab.<sup>202</sup> Following the two staged operation a third and final operation was launched code named as 'Operation Woodrose' for thoroughly scanning the Punjab countryside to round up any suspects. Situation turned so seriously grave in Punjab that the Operation Blue Star was conducted by the Indian army with heavy artillery, helicopters, tanks and armored vehicles.<sup>203</sup> According to the official estimate and white papers issued by the Government of India there was around 492 civilian deaths<sup>204</sup><sup>205</sup> and as per K.S Brar the casualty figure among the Indian army was around 83 and 220 injured.<sup>206</sup> Indian army action against the Sikh extremist in the Golden Temple ushered a nationwide uproar and dissatisfaction among the Sikh community. Multiple Sikh soldiers resigned from their position and high administrative officials and civilian officers returned their awards and honours.<sup>207</sup> Level of discontent and vengeance was so severe that on October 31, 1984 within four months of the operation Indian Prime Minister Indira Gandhi was shot down by her two Sikh bodyguards<sup>208</sup> which further gave birth of a the Sikh holocaust.<sup>209</sup>

After the assassination of Prime Minister Indira Gandhi which was followed by major Sikh Riots throughout northern India the residual elements in the Khalistan moments either migrated to Canada or Scandinavian countries, seeking asylum or surrender to local law

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<sup>202</sup> Singh, Sangat; *The History of Sikhs*: 1995, pp 382

<sup>203</sup> Singh, Sangat; *The Sikhs in History*, pp 46

<sup>204</sup> Martha Crenshaw; *Terrorism in Context*; (Penn State Press; 1995) pp. 385

<sup>205</sup> Singh, Pritam (2008). *Federalism, Nationalism and Development: India and the Punjab Economy* ([http://books.google.com/?id=mQLDcjhNoJwC&lpg=PR14&dq=Pritam Singh historian&pg=PR4#v=onepage&q=Blue Star](http://books.google.com/?id=mQLDcjhNoJwC&lpg=PR14&dq=Pritam+Singh+historian&pg=PR4#v=onepage&q=Blue+Star)). Routledge. pp. 44

<sup>206</sup> "Army reveals startling facts on Bluestar" (<http://www.tribuneindia.com/2007/20070320/punjab1.htm>). Tribune India. 30 May 1984. Retrieved 2016-08-09

<sup>207</sup> Westerlund, David (1996). *Questioning The Secular State: The Worldwide Resurgence of Religion in Politics*. C. Hurst & Co. pp. 1276.

<sup>208</sup> Singh, Pritam (2008). *Federalism, Nationalism and Development: India and the Punjab Economy* ([http://books.google.com/?id=mQLDcjhNoJwC&lpg=PR14&dq=Pritam Singh historian&pg=PR4#v=onepage&q=Blue Star](http://books.google.com/?id=mQLDcjhNoJwC&lpg=PR14&dq=Pritam+Singh+historian&pg=PR4#v=onepage&q=Blue+Star)). Routledge. pp. 45

<sup>209</sup> Ram Narayan Kumar; Amrik Singh; Ashok Agrwaal; Jaskaran Kaur (2003). "Part Two" ([http://books.google.com/?id=bVTMqlezIrwC&printsec=frontcover&dq=Reduced+ to+ ashes+ :+ the+ insurgency+ and+ human+ rights+ in+ Punjab+ :+ final+ report&q](http://books.google.com/?id=bVTMqlezIrwC&printsec=frontcover&dq=Reduced+to+ashes+:+the+insurgency+and+human+rights+in+Punjab+:+final+report&q)). *Reduced to ashes : the insurgency and human rights in Punjab : final report*. **One** (Final Report ed.). South Asia Forum for Human Rights. pp. 35

enforcement adopting forceful means of coming back to the mainstream. This saw the timely death of a movement that was orchestrated by Pakistan.

### **(2.9) Operation Topac:**

The Pakistani decision to undertake the strategy of low intensity conflict and launch proxy war against India could be analyzed in the context of strategic equations in South Asia, which underwent a major change after Soviet military intervention in Afghanistan in December 1979. The Afghan crisis transformed Pakistan into a "front-line" State in the US strategy against the Soviet occupation there. When General Mohammed Zia-ul-Haq assumed power in Pakistan, he exploited the situation to promote Islamisation at home, speed up Pakistan's covert nuclear programme, and initiates a proxy war against India and hardened Pakistan's stance on Jammu and Kashmir. With the American Central Intelligence Agency (CIA)'s assistance, Pakistan's Inter-Services Intelligence (ISI) gained rich experience in covert operations during the decade-long Afghan crisis. In Afghanistan, both the CIA and ISI As a pragmatic leader, General Zia understood that no military solution to Kashmir problem was possible. But at the same time, the capture of Kashmir from India continued to be the national objective of Pakistan. In this context, he decided to make full use of the large-scale US military supply and the experience it acquired by fighting the proxy war in Afghanistan. He, therefore, decided to launch a similar proxy war in the State of Jammu and Kashmir in the aftermath of Soviet withdrawal from Afghanistan. By late 1980s, the situation of Kashmir was volatile as there was internal political turmoil in the State coupled with growing feeling of alienation among the Kashmiri people. That was caused by various factors, including breakdown of Kashmiriyat identity; and the failure of the State and Central governments to arrest institutional decay and improve socio-economic conditions, especially the continuous failure of the Central government to mitigate the alienation of Kashmiri Muslims from the rest of the society and assimilate them within the National stream.<sup>210</sup>

Taking into account the disturbed conditions of the State, General Zia felt that the situation was ripe to launch his scheme of proxy war in Kashmir. In fact, by mid-eighties, Pakistan's ISI had already prepared a blueprint for starting a militant movement in Kashmir. The strategy comprised of luring disgruntled youth into Pakistan, training, arming, financing and indoctrinating them and ,pushing them back into Kashmir, with a view to indulging in

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<sup>210</sup> Suba Chandran, "*Conflict in Kashmir: A Profile*," in Karan R. Sawhny ed., *Kashmir: How far Vajpayee and Musharraf Go?* (New Delhi, 2001), pp.4

militancy, bringing down the legally established government and finally, wresting the State from India. To implement the strategy effectively and attain his objectives efficiently, General Zia meticulously planned Operation Topac in late 1980s, with an ultimate goal of 'liberation of the Kashmir Valley' and briefed the details of it to his corps commanders, the ISI and others to be involved in the scheme.<sup>211</sup> Before he could implement the Operation Topac, Zia died in an air crash in August 1988. However, by that time he had already prepared the ISI to undertake the task. He had also been able to instill the Islamic ideology in the armed forces; who were motivated to undertake this task for their country.

After Zia's death 1988, Pakistan came under a series of civilian political leaders; prominently among them were Benazir Bhutto and Nawaz Sharif. Pakistan's low intensity conflict and proxy war against India continued even after Nawaz Sharif succeeded Benazir Bhutto as the Prime Minister of Pakistan 1990. Simultaneously, Pakistan launched a diplomatic offensive to internationalize the Kashmir issue and by projecting Kashmir as a nuclear flashpoint. Pakistan's low intensity conflict and proxy war against India continued even after Nawaz Sharif succeeded Benazir Bhutto as the Prime Minister of Pakistan. Indeed, the proxy war by Pakistan gradually became more and more intense, reaching a high pitch in 1997. As a result of Pakistan's proxy war against India, its bilateral relations with India deteriorated sharply. It was in this background that the two countries exploded their nuclear devices starting a new phase in their relations.

#### **(2.10) Nuclear Issue:**

Neither open war nor proxy and low intensity conflicts could make Pakistan achieve its desired and ever cherished goal to maintain its status quo with India and thus by mid 70's Pakistan shifted its policy to nuclear empowerment after the successful peaceful nuclear tests by India. This rat race of Pakistan to get itself nuclear empowered opened a new chapter of animosity and rivalry with India.

Ever since the time of independence India seriously thought on cultivating its power and energy in nuclear field. As early as June 26, 1946, Pandit Jawaharlal Nehru, soon to be India's first Prime Minister, announced: "As long as the world is constituted as it is, every country will have to devise and use the latest devices for its protection. I have no doubt India will develop her scientific researches and I hope Indian scientists will use the atomic force for

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<sup>211</sup> Ravi Nanda, *Kashmir and Indo-Pak Relations* (New Delhi, 2001), pp. 95-96.

constructive purposes. But if India is threatened, she will inevitably try to defend herself by all means at her disposal.”<sup>212</sup> India’s nuclear programme made a kick start at Bhabha Atomic Research Center in Trombay. By mid 1950’s under the ‘Atom for Peace’ non-proliferation programme India acquired its dual use technology for the sole aim of civil nuclear use technology. The first research reactor of India was established in the year 1956 and it came up as the first light water reactor in Asia. Steadily with the assistance and support of the United States and Canada India’s nuclear power generation proceeded, and by 1960 its second research heavy water reactor became operational. By 1969 the Tarapur Power Station started importing rich uranium from the General Electric Corporation of the United States.<sup>213</sup>

Basically India’s nuclear weapon programme originated shortly after its failure to obtain a nuclear guarantee from the great powers in the aftermath of the first Chinese nuclear test at Lop Nor in 1965.<sup>214</sup> Meanwhile, by 1968 Non Proliferation Treaty (NPT) came to existence but by the time China was already a nuclear empowered state. Although India appreciated the cause of NPT but it rejected to be a part of the treaty, as India believe that the grounds and provision of the NPT are highly discriminative and partial in nature as it breeds ‘inequality’ among nuclear weapon states and non-nuclear-weapon states.<sup>215</sup> However scholar like George Perkovich argues that it was the Chinese nuclear threat and non assurance of any security provisions for India from the U.S. and the Soviet Union, it did not signed the NPT.<sup>216</sup> In the aftermath of the rebuff from the great powers, Indian embarked on the Subterranean Nuclear Explosions Projects (SNEP)<sup>217</sup>. It was the SNEP that culminated in India’s first

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<sup>212</sup> B.H. Udgaonkar, *India’s Nuclear Capability, her security concerns and the recent tests*, Indian Academy of Sciences, January 1999

<sup>213</sup> Kakibana and Koichi Kawakami eds., *Genshiryoku to Kokusaiseiji, Kakuhukakusannseisakuron, (Nuclear Power and International Politics – Policies on Nuclear Non-Proliferation)*, Hakuto Shobo (1986); National Institute for Research Advancement (NIRA), *A Strategic Analysis on Plutonium beyond 1995*

<sup>214</sup> A.G. Noorani, *India’s Quest for a Nuclear Guarantee*; *Asian Survey* 7, No. 07; (July 1967); pp 490-502

<sup>215</sup> Ashok Kapur; *India’s Nuclear Option: Atomic Diplomacy and Decision- Making* (New York; Praeger); 1976

<sup>216</sup> George Perkovich, *India’s Nuclear Bomb: The Impact on Global Proliferation* (Berkeley: University of California Press, 1999), p. 136.

<sup>217</sup> Ashok Kapur; *India’s Nuclear Option: Atomic Diplomacy and Decision- Making* (New York; Praeger); 1976

nuclear test in 1974. India carried out its first nuclear test on May 18, 1974. Billed as a “peaceful nuclear explosion”, the test had 15 kiloton yield.<sup>218</sup> Subsequently, Defense Minister Jagjivan Ram argued that the test had few or no military implications and was simply part of India’s ongoing attempts to harness the peaceful uses of nuclear energy.<sup>219</sup> The two scientists closely associated with the nuclear test, R. Chidambaram and R. Ramana, maintained the same public postures.<sup>220</sup> India’s explanation of the test found few adherents abroad, however. Of the great powers, only France congratulated the Indians on their success.<sup>221</sup> The Chinese and Soviet reactions were muted, but critical. The United States and Canada cut off all nuclear cooperation with India. Canada accused India of having diverted nuclear materials from a Canadian supplied reactor to make the bomb<sup>222</sup> The U.S. reaction however, was the most severe in 1976 Congress introduced the Symington amendment to the foreign aid bill, thereby cutting off certain forms of economic and military assistance to countries that received enrichment or reprocessing equipment, materials, or technology without full-scope international atomic energy agency safeguards.<sup>223</sup> Despite the initial wave of domestic support following the test, pressing internal concerns diverted the public’s attention from the pursuit of a nuclear weapons option. Faced with a widespread international disapprobation and substantial sanctions, the country curtailed the program. Prime Minister Morarji Desai, who briefed succeeding Prime Minister Indira Gandhi, was morally opposed to nuclear weapon and it is believed that he temporarily shelved the program. With Mrs. Gandhi coming to power again the programme was revived. But however fearful extreme pressures, and cognizant of the fragility of India’s domestic economic circumstances, she chose not to carry

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<sup>218</sup> Stephen Cohen, *India: Emerging Power* (Washington, D.C.: Brookings Institution, 2001), pp. 159-162.

<sup>219</sup> “*Indian Rules out Atomic Arms*”. Use New York Times, May 23, 1974, p. 5

<sup>220</sup> R.Chidambaram and R. Ramanna, “*Some studies on India’s Peaceful Nuclear Experiment*”, “*Peaceful Nuclear Experiment*”, Peaceful Nuclear Explosions IV (Vienna : International Atomic Energy Agency, 1975).

<sup>221</sup> “*New Delhi Assailed at Parley in Geneva for Atom Explosion*,” New York Times, May 22, 1974, p. 3

<sup>222</sup> Robert Trumbull, “*Canada Says India’s Blast Violated use of Atom Aid*,” New York Times, May 21, 1974, p. 4

<sup>223</sup> Brahma Chellaney, *Nuclear Proliferation: The U.S. Indian Conflict* (New Delhi : Orient Longman, 1993), pp. 74-75.

out further tests.<sup>224</sup> The next stage in India's nuclear program was marked by little progress in attaining nuclear weapons status, even though there was increasing public and military support and even some political support for acquiring nuclear weapons but India was somehow not ready and clearly indicated that it had no intention of producing nuclear weapons at that time. This is what is commonly referred to as the "option policy."

During this time Pakistan steadily pursued a clandestine nuclear weapon program. Basically the Pakistani Program had its antecedents in the aftermath of the country's catastrophic defeat twice in 1965 and 1971 in hands of India. Prime Minister Zulfikar Ali Bhutto decided that only by obtaining a nuclear power can act as a shield against the rising preponderant conventional superiority of India in the region.

Actually it was the aftermath of Pakistan's shameful defeat in the 1971 war when Bhutto initiated a meeting with Pakistani physicist and engineers in Multan and it was which gave birth to the Nuclear Programme of Pakistan in January 1972. Meanwhile the nuclear test of India gave a strong impetus to the nuclear programme of Pakistan which further got a new momentum with the entry of Dr. Abdul Qadeer Khan who was a Pakistani trained metallurgist working in Germany in the year 1975. Dr A.Q Khan in lieu of his position in URENCO, a uranium enrichment plant in the Netherland acquired the knowledge of gas centrifuge technologies which gave a strong boost to the nuclear programme of Pakistan. Later it was also reportedly confirmed that Dr Khan brought with him stolen uranium enrichment technologies from the European Dutch Company which put the entire Pakistan nuclear program in shame.<sup>225</sup> Dr Khan was made in charge of Pakistan's Kahuta facility and under his supervision and direction Pakistan through a stealthy network was working in order to attain the necessary materials and technology for developing its uranium enrichment capabilities. By 1986 Pakistan's uranium enrichment program was advancing tremendously and it was assumed that by 1987 the nation has produced enough fissile material for a nuclear weapon and was fully capable to carry out a nuclear explosion. By 1990's Pakistan pursued to obtain plutonium production capabilities. Meanwhile with the assistances and guidance of China in April 1998 it built the 40 MWt (megawatt) Khusab research reactors at

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<sup>224</sup> Raj Chengappa; *Weapons of Peace: The Secret Story of India's Quest to be Nuclear Power*' (New Delhi; Harper Collins; 2000)

<sup>225</sup> Dr. Mishra, Rajesh Kumar; *Pakistan as a Proliferators State: Blame it on Dr. A.Q.Khan*; South Asian Analysis Group; Paper No: 567; 201/12/2002

Joharabad. Highly astonished and worried about the rising nuclear potentialities of Pakistan the US officials and scholars warned Pakistan as they were aware of the fact that the plutonium generated from the reactor was not only enough to create more than one nuclear weapon for Pakistan but it would allow it to develop lighter nuclear warheads that would be easier to deliver with a ballistic missile. Moreover neither was the reactor in Khusab nor the New Labs reprocessing plant next to Pakistan's Institute of Nuclear Science and Technology (Pinstech) in Rawalpindi were subject to IAEA inspection.<sup>226</sup>

Meanwhile there was a change in the domestic politics of United States and Jimmy Carter became the new President in January 1979. Carter took the issue of global non-proliferation very seriously and thus after coming to power he immediately reinforced the Glenn-Symington Amendment,<sup>227</sup> which was framed to counter the rise of nuclear proliferation during the time of President Ford. Immediately Carter suspend all form of military and economic aid to Pakistan for its clandestine nuclear developmental activities.<sup>228</sup> But during the course of time two major development happened which proved to be a boon for the Pakistani nuclear programme, firstly the Soviet invasion in Afghanistan and the upcoming of Regan administration in United States. In the year 1981 the US President Regan provided a significant large amount of economic and military aid to Pakistan justifying it on the ground that the assistance would encourage Pakistan to build up its security against the Soviet invasion and thereby will reduce the possibility and potentials for the country to go nuclear. But despite the facts Pakistan kept on steadily proceeding for the attainment of its nuclear weapon and by 1985 it had already produced weapons-grade enriched uranium.<sup>229</sup> Incidentally many western scholars argue that it was the time when Pakistan received the

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<sup>226</sup> *Pakistan Nuclear Weapon, A Brief History of Pakistan's Nuclear Program*; <http://fas.org/nuke/guide/pakistan/nuke/>

<sup>227</sup> The Glenn-Symington Amendment is a domestic U.S. law that added to The Foreign Assistance Act of 1961. It came into force in 1977 and prohibits any kind of aid to be given to countries that import uranium enrichment equipment and/or technology, and where this equipment is not monitored by the IAEA.

<sup>228</sup> Rodney W. Jones et al., *Tracking Nuclear Proliferation: A Guide in Maps and Charts, 1998* (Washington D.C.: The Brookings Institution Press, 1998), p. 131.

<sup>229</sup> Rodney W. Jones et al., *Tracking Nuclear Proliferation: A Guide in Maps and Charts, 1998* (Washington D.C.: The Brookings Institution Press, 1998), p. 131.

blueprints for creating nuclear-war heads from China.<sup>230</sup> Not only China but scholars also believe that the development of Pakistani nuclear programme was also associated with the closed eye attitude that United States adopted against it in lieu of the Soviet invasion in Afghanistan. The August 1985 Pressler Amendment was a clear suggestive evidence of such policy adopted by United States against Pakistan, where it clearly mentioned that Washington will keep on aiding and assisting Pakistan unless there was an evidence that Pakistan was producing nuclear explosive devices. but despite knowing the reality that Pakistan was producing weapons-grade fissile material and was continuing its research for the production of nuclear warheads, both Presidents Reagan and his successor President Bush (senior) kept on provide unequivocal military aid and assistance to Pakistan till 1989, justifying that the activities of Pakistan did not constitute actual production of nuclear explosive warheads or devices; whereas the reality was the U.S. policy of seeking to contain the communist forces in Afghanistan even at the expense of nuclear non-proliferation objectives.<sup>231</sup> Meanwhile by the end of 1989 the communist forces completely withdrew themselves from Afghanistan and as expected, by October 1990's US President Bush (senior) stated that he was unable to certify the US congress that Pakistan was not manufacturing nuclear devices which led to the suspension of all forms of aids to Pakistan under the Pressler Amendment Act, which brought China much closer to Pakistan.<sup>232</sup> Meanwhile in order to attain the confidence of Pakistan and deviate it from China the US administration in February 1996, under the leadership of Clinton enacted the Brown Amendment, which provided an exception to the Pressler Amendment, thereby allowing the resumption of all form of military and economic aid to Pakistan.<sup>233</sup>

Meanwhile on May 11 and 13, 1998, India tested its five underground nuclear devices at Pokharan region of Rajasthan. Instantly after the tests Prime Mister Vajpayee in a letter to President Clinton stating China as the threat for the tests, Vajpayee stated that “we have an

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<sup>230</sup> Rodney W. Jones et al., *Tracking Nuclear Proliferation: A Guide in Maps and Charts, 1998* (Washington D.C.: The Brookings Institution Press, 1998), p. 132

<sup>231</sup> Rodney W. Jones et al., *Tracking Nuclear Proliferation: A Guide in Maps and Charts, 1998* (Washington D.C.: The Brookings Institution Press, 1998), p. 132

<sup>232</sup> Rodney W. Jones et al., *Tracking Nuclear Proliferation: A Guide in Maps and Charts, 1998* (Washington D.C.: The Brookings Institution Press, 1998), p. 132

<sup>233</sup> Rodney W. Jones et al., *Tracking Nuclear Proliferation: A Guide in Maps and Charts, 1998* (Washington D.C.: The Brookings Institution Press, 1998), p. 140

overt nuclear weapons state on our borders, a state which committed armed aggression against India in 1962".<sup>234</sup> But this attempt of justification by the Government of India implying 'China as a threat' not only invited criticism regionally and internationally but even domestically Vajpayee administration was condemned a lot. In the course of events within two weeks after the Pokharan tests, Pakistan on May 28, 1998 Pakistan went ahead for its first nuclear test at Balochistan region. The five nuclear tests by Pakistan generated a seismic signal of 5.0 on the Richter scale, with a total yield of up to 40 kT (equivalent TNT). Within two days on May 30, 1998 Pakistan once again went ahead for testing one more nuclear war head with a reported yield of 12 kilotons.<sup>235</sup>

Indo-Pak relations almost touched its nadir in the period immediately following the May 1998 nuclear tests conducted by both the countries. In the aftermath of Chagai, Pakistani belligerency reached new levels as Islamabad assumed that the existence of nuclear deterrence would neutralize India's conventional military superiority over Pakistan.<sup>236</sup>

#### **(2.11) Lahore Declaration:**

Meanwhile, as rising tension led to critical international response, New Delhi and Islamabad felt the need to hold high level talks to find a meeting ground, ease tension and suspicion and to instill mutual confidence. The Indian Prime Minister Atal Behari Vajpayee and his Pakistani counterpart Nawaz Sharif met in Colombo on 29 July 1998, and again on 23 September, in New York. At the conclusion of their September meeting, the two Prime Ministers emphasized the need for a peaceful settlement of all outstanding issues and for creating an environment of durable peace and security. In this regard, they decided to initiate a composite dialogue process at the Foreign Secretary level to discuss the mutually identified contentious issues between the two countries. Thus both India and Pakistan entered into a dialogue process and several rounds of talks took place between the Prime Ministers and also between the senior officials of both the countries to reduce tension and create a peaceful climate in the region and explore possible solution of the outstanding issues. This dialogue

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<sup>234</sup> Text of Vajpayee's letter to Clinton, *New York Times*, May 13, 1998; Brahma Chellaney, "After the Tests: India's Options," *Survival*, Vol. 40, No. 4 (Winter 1998-99), p. 96.

<sup>235</sup> John Barry, "Nuclear Jitters," *Newsweek*, June 8, 1998, p. 24.

<sup>236</sup> Sumita Kumar, "Trends in Indo-Pakistan Relations", *Strategic Analysis* (New Delhi) May 2000, vol. 24, no. 2, p. 224.

process got a big boost by Lahore 'Bus Diplomacy' initiated by the Indian Prime Minister Vajpayee that culminated in 'Lahore Declaration' (for details see annexure VI)

The Prime minister of India, Atal Behari Vajpayee, visited Pakistan from 20-21 February 1999, travelling to Lahore on the inaugural run of the Delhi- Lahore bus services. In a declaration the two leaders agreed to undertake 'immediate steps' for reducing the risk of accidental or unauthorized use of nuclear weapons and discuss concepts and doctrines, and in a memorandum of understanding, pledge to 'continue to abide by their respective unilateral moratoria on conducting further nuclear explosions unless either side, in exercise of its national sovereignty decides that extraordinary events have jeopardize its supreme interests.'<sup>237</sup> It was a sincere effort on India's part to tackle the difficult issues in India-Pakistan relationship against the nuclear backdrop and to begin a new chapter in the bilateral relationship. The Lahore talks raised hopes that the two adversaries, sobered by the new nuclear environment, might at last begin a serious effort to reduce tensions.<sup>238</sup>

The Lahore documents were comprehensive and covered the whole gamut of issues of bilateral interest ranging from commitment to 'intensify their efforts to resolve all issues, including the issue of Jammu and Kashmir,' to 'condemnation of terrorism in all forms and manifestations' and of 'undertaking national measures to reduce the risks of accidental or unauthorized use of nuclear weapons'<sup>239</sup> The Lahore summit ended with the signing of the 'Lahore Declaration' on February 21, 1999. At the end of the meeting a joint statement was issued and a Memorandum of Understanding (MoU) was signed by the Foreign Secretaries of India and Pakistan. Both the Lahore Declaration and the MoU accepted the principles of the UN Charter and contained references to the implementation of the Shimla Agreement.<sup>240</sup>

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<sup>237</sup> *India-Pakistan Lahore Declaration*; Peace Agreements Digital Collection; United States Institute of Peace;  
[http://www.usip.org/sites/default/files/file/resources/collections/peace\\_agreements/ip\\_lahore19990221.pdf](http://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/ip_lahore19990221.pdf)

<sup>238</sup> K. K. Katyal, "Symbolism and More," *The Hindu* (New Delhi), 1 March 1999; V. R. Raghavan, "The Lahore Declaration and Security," *The Hindu*, 3 March 1999.

<sup>239</sup> *India-Pakistan Lahore Declaration*; Peace Agreements Digital Collection; United States Institute of Peace;  
[http://www.usip.org/sites/default/files/file/resources/collections/peace\\_agreements/ip\\_lahore19990221.pdf](http://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/ip_lahore19990221.pdf)

<sup>240</sup> According to the Lahore Declaration, both the Prime Ministers of India and Pakistan were "committed to the principles and purposes of the Charter of the United Nations, and the

While India agreed to bring Kashmir high on the agenda, Pakistan agreed to hold a composite dialogue. Nawaz Sharif and Vajpayee announced a number of confidence building measures, on issues like conflict prevention, terrorism, composite and integrated dialogue process, accidental or unauthorized use of nuclear weapons, non-interference in each other's internal affairs etc. It was agreed to take the Indo-Pak talks to the level of Foreign Ministers while keeping the process of Foreign Secretary level talks going. They also agreed to modify the travel restrictions in order to make people to people contact feasible.<sup>241</sup> Subsequently, the Foreign Ministers of India and Pakistan met in Colombo on March 22, 1999, and reaffirmed their commitment to the Lahore process.<sup>242</sup>

However, the feeling of euphoria generated by the Lahore Declaration proved to be short-lived. The summit was a grand if ephemeral success. It was greeted with vociferous protest in Lahore. And perhaps it was the outcome of the double mindedness of the Pakistani Governing class and the military that both the two nation again met in a full-fledged war in the valleys of Kashmir.

### **(2.12) Operation AI Badr: Pakistani Misadventure at Kargil:**

Despite the positive and cooperative sentiments expressed in the Lahore Summit and in the weeks thereafter, the Pakistani military, with the acquiescence Nawaz Sharif, planned a military operation in Kashmir designed to revive the Kashmir issue on the international agenda and jumpstart the flagging insurgency.<sup>243</sup> Code-named 'Operation AI Badr', the Pakistani misadventure involved yet another 'Operation Gibraltar' (1965) type operation, led by infiltrators in Jammu and Kashmir. The infiltrators this time were mostly Pakistani Army

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universally accepted principles of peaceful coexistence," and they reiterated "the determination of both countries to implementing the Simla Agreement in letter and spirit." According to the MoU signed by the Foreign Secretaries of both the countries, they affirmed "the continued commitment of their respective governments to the principles and purposes of the U.N. Charter."

<sup>241</sup> Ravi Nanda, *Kashmir and Indo-Pak Relations* (New Delhi, 2001), pp. 136.

<sup>242</sup> The Joint Statement issued after the meeting of Indian External Affairs Minister Jaswant Singh and Pakistan's Foreign Minister Sartaj Aziz referred to the "urgency of taking concrete measures" for intensification of the "composite and integrated dialogue process." The two sides agreed to resume the dialogue in May 1999.

<sup>243</sup> "Who Really Runs Pakistan?," *Economist* (London), 26 June, 1999; Also see Dinesh Kumar, "Secret Tapes Bare the Strategy of a State within a State," *Times of India*, 12 June 1999.

regulars disguised as ‘mujahideens’. The deliberate employment of Pakistani Army regulars was disguised as ‘mujahideens’ so to project ‘Operation Al Badr’ as an action by ‘Kashmiri freedom fighters’. They intruded through the gaps across the LoC at Kargil and occupied strategic heights dominating the Indian National Highway 1A between Zojila and Kargil, and in the Batalik subsector along the Kargil-Khalsi road. Basically the planning for Kargil started soon after General Pervez Musharraf took over as Chief of Army Staff (COAS) of Pakistan in October 1998.<sup>244</sup> The plan was first formulated by Lt. General Mahmud Ahmed, then commanding 10 Corps, and Maj. General Javed Hassan, then GOC, Frontier Constabulary of Northern Areas (FCNA). It was forwarded to the COAS General Pervez Musharraf by the CGS, Lt. General Muhammed Aziz.<sup>245</sup> The idea was to exploit the large gaps that existed in the Kargil sector to cut the Leh-Srinagar highway and thereby prevent re-supply in the Ladakh area. The plan also dictated the capture of certain key heights in the Batalik and Turtok areas in order to cut off the Siachen glacier and force India out of Siachen. The plan was approved by Musharraf and preparation commenced. Shockingly study later revealed that that was during their preparatory phase of the Kargil plan that Lahore summit took place.

The plan for Kargil intrusions was based on stealth and deception, as revealed in a set of intercepted conversations between the Pakistani Army Chief, Gen. Pervez Musharraf and his Chief of Staff Lt. Gen. Mohammed Aziz, was to be two-tracked. The Pakistani tactics in the first place, they would say that the ‘mujahideens’ were conducting the operation. Secondly, they would declare that in any case the LoC was not clearly demarcated.<sup>246</sup> There were several objectives and motivations, which lay behind Operation Al Badr involving Pakistani misadventure in Kargil. The politico-strategic motives were: (a) To internationalize Kashmir as a nuclear flash point requiring urgent third party intervention; (b) To alter the Line of Control (LOC) and disrupt its sanctity by capturing upheld areas in Kargil; and (c) To

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<sup>244</sup> Vinod Anand, "Indian's Military Strategy in Operation Vijay," World Focus (New Delhi), June-July 1999, vol. 20, no. 6-7, p.15

<sup>245</sup> Shaukat Qadir, "An Analysis of the Kargil Conflict 1999," RUSI Journal, April 2002, p. 25, as cited in R. Sukumaran, "The 1962 India-China War and Kargil 1999: Restrictions on the Use of Air Power," Strategic Analysis, July-September 2003, vol. 27, no. 3, p. 344.

<sup>246</sup> Text of conversation between Musharraf and Aziz, <http://vijayinkargil.org>

achieve a better bargaining position for a possible trade-off against the positions held by India in Siachen.<sup>247</sup>

The plan mainly involved the use of troops deployed from within the sector under the Force Commander Northern Area (FCNA), thus obviating the need for any large scale movement of forces from outside the area which would have made deception and surprise much more difficult.<sup>248</sup> Meanwhile, there would be opportunities to cut off the Kargil-Ladakh sectors by interdicting NH-IA with far reaching political, diplomatic and military implications.<sup>249</sup> A total of eighteen artillery fire units provided fire support to the intruders from the Pakistani side of the LoC opposite the Kargil sector, ensuring that three to four fire units supported each intrusion area. The intruders were armed with sophisticated military equipment like AK-47 rifles, medium machine guns, automatic grenade launchers, ANZA and Stringer anti-aircraft missiles and 120-mm mortars. They also used helicopters, gas masks night vision devices and snow scooters.<sup>250</sup>

There were also indications that the plan was approved as early as October 1998, by Prime Minister Nawaz Sharif when it was proposed to him by General Musharraf.<sup>251</sup> Subsequently, in January 1999, Nawaz Sharif was briefed about the Kargil Operation at General Headquarters, Rawalpindi.<sup>252</sup> Presumably, the final go-ahead with the Operation was given at this stage. The Pakistanis started their operational build-up on a small-scale from November 1998 onwards. In February-March 1999, the forward movement picked up when small groups, primarily consisting of officers, moved across the LoC in the Mashkoh sector and

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<sup>247</sup> "From Surprise to Reckoning", Kargil Review Committee Report Sage Publication, 2002, p.68

<sup>248</sup> "From Surprise to Reckoning", Kargil Review Committee Report, Sage Publication, 2002, p. 71.

<sup>249</sup> "From Surprise to Reckoning", Kargil Review Committee Report, Sage Publication, 2002 p. 71- 72

<sup>250</sup> "From Surprise to Reckoning", Kargil Review Committee Report, Sage Publication, 2002 p. 73-74

<sup>251</sup> "From Surprise to Reckoning", Kargil Review Committee Report, Sage Publication, 2002 p. 74

<sup>252</sup> Mirza Aslam Beg, "The Kargil Denouement," Frontier Post, 14 July 1999.

established themselves in 'igloo' tents.<sup>253</sup> The main body of troops commenced occupation of the heights across the LoC in the latter half of April 1999.<sup>254</sup> They established over hundred posts, seven artillery regiments, two Engineer regiments and at least one squadron of helicopters, which were in position by May 1999, backed these posts.<sup>255</sup> By early May 1999, intrusions by Pakistani Army had been effected in the Batalik, Kaksar, Drass and Kashkoh sectors. The entire operation was extremely well planned and meticulously executed without attracting the attention of the Indian forces. Just as in 1947 or in 1965, Pakistan used a variety of deception methods to portray the Pakistani troops as mujahideens in order to maintain the facade that the intruders were 'Kashmiri freedom fighters'. However, by early June 1999, it became clear that the main body of intruders consisted mostly of Pakistani Army regulars.<sup>256</sup>

Two shepherds in the area of Banju in the Batalik sector first noticed the intrusions in the Kargil sector on 3 May 1999. That was reported to 3 PUNJAB, the battalion responsible for the security of that area. 3 PUNJAB launched two patrols on 4 and 6 May 1999, to investigate the reported intrusion. Both the patrols were ambushed by the intruders and Pakistani intrusions were confirmed on 7 May 1999. Subsequently, more patrol parties and troops were sent to assess the situation and contain the intrusion. The Army's initial assessment in early May was that, about 200 to 300 Pakistani intruders had infiltrated across the LoC and were occupying certain remote and unmanned areas. By 17 May, there was increasing evidence that armed intruders had occupied the heights in the gaps between the Indian defended areas in all sub-sectors of the Kargil sector in various strengths – Batalik (200-250); Kaksar (80-100); Dras (60-80); and Mashkoh (200-250).<sup>257</sup> By the last week of May the Indian Army realized that the Pakistani intruders had occupied as many as 70 positions along the LoC. They also came to the belated realization that well over the initial

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<sup>253</sup> *"From Surprise to Reckoning"*, Kargil Review Committee Report, Sage Publication, 2002 p. 74

<sup>254</sup> *"From Surprise to Reckoning"*, Kargil Review Committee Report, Sage Publication, 2002 p. 74

<sup>255</sup> Rajendra Nath, "Musharraf War", in Rajendra Nath ed., *Musharraf's War* (New Delhi, 2003), pp. 94-95

<sup>256</sup> *"From Surprise to Reckoning"*, Kargil Review Committee Report, Sage Publication, 2002 pp. 81-82

<sup>257</sup> *"From Surprise to Reckoning"*, Kargil Review Committee Report, Sage Publication, 2002 pp. 81-82

estimate of 800 intruders were involved in the operation. Worse still, the intruders had occupied a number of strategic positions directly above the road from Kargil to Leh and were in a position to cut off the northern portions of Kashmir from the rest of the State. Aerial surveillance revealed that the intruders were equipped with snowmobiles, artillery and substantial stock of supplies.<sup>258</sup> The initial aim of the Indian forces was to establish contact, assess the extent of intrusions, and contain the enemy. Consequently, a series of attacks were launched in the ensuing days on features held by the Pakistanis. In fact, the Indian Army had begun its offensive against the intruders on 8 May. But because of the lack of ground cover and the intruders' command of the heights, the advancing Indian troops became easy targets for Pakistani snipers and gunners. After taking substantial casualties, India realized that the intruders were heavily armed and well entrenched and their eviction would require very deliberate measures including greater firepower and use of air power.

On 25 May 1999, the high-powered Cabinet Committee on Security (CCS) met in New Delhi to take stock of the situation and undertake a comprehensive political-military analysis of the emergent problem. In the meeting it was realized that Kargil intrusions posed military as well as political and diplomatic challenges. The political directive given to the Indian armed forces was to evict the pockets of intrusion and restore the sanctity of the LoC. No time frame was given. CCS also approved the application of air power against the entrenched intruders. However, it strictly stipulated that LoC would not be crossed and if it became necessary to cross it, approval of the Cabinet had to be sought.<sup>259</sup> India's military strategy in Kargil, emanating from this political directive, was based on three objectives: First, to contain the enemy's pockets of intrusion and prevent their further build-up and consolidation; Second, to evict the intruders and restore the LoC; Third, to hold ground so vacated and deny the same to the enemy.<sup>260</sup>

### **(2.13) Operation Vijay:**

Finally, on 26 May 1999, India formally began its major military operation, code-named 'Operation Vijay', to evict the Pakistani intruders from the Indian soil. It led to a limited-

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<sup>258</sup> Sumit Ganguly, *Conflict Unending: India-Pakistan Tensions Since 1947* (New Delhi, 2000), p. 116.

<sup>259</sup> Vinod Anand, "Indian's Military Strategy in Operation Vijay," *World Focus* (New Delhi), June-July 1999, vol.20, no. 6-7, p.15

<sup>260</sup> Ravi Nanda, *Kashmir and Indo-Pak Relations* (New Delhi, 2001), pp. 145.

scale war between Indian and Pakistani forces, without being openly so declared. The main fighting took place between the Pakistani troops deployed under the Force Commander Northern Area (FCNA), and 10 Corps of the Pakistani Army, and nearly two and a half divisions of the Indian Army belonging to the Northern Command of India. The battle was fought along a 200 kilometer front on the LoC, stretching from Mashkoh Valley to the Saltoro Ridge on the western flank of the Siachen Glacier. The Pakistani intruders had not only crossed the LoC to a width of nearly 200 kilometers but had also moved into the Indian Territory to a depth of 10 to 12 kilometers.<sup>261</sup>

The Indian Air Force (IAF) joined the battle in 26 May itself, by launching its ‘Operation Safed Sagar’. IAF began a series of air strikes on the intruders' positions and in the process lost three aircrafts, a MIG-27, a MIG-21, and a Mi-17 helicopter in the next couple of days. Despite the losses, the IAF remained part of the collective coordinated military effort and played a crucial role in the high-altitude battle. It resorted to air-to-ground attacks against enemy targets on the Indian side of the LoC and provided limited fire-support for the Indian assaults. The use of IAF in the Kargil war marked a significant departure from past Indian responses to deal with Pakistani incursions along the LoC. Along with Army's ‘Operation Vijay’ and Air Force's ‘Operation Safed Sagar’, the Indian Navy also launched ‘Operation Talwar’, to step up pressure on Pakistan to withdraw the intrusion from the Indian territory. The Indian Navy went into a pre-emptive effective posture against Pakistan by deploying warships in Arabian Sea, bottling up the Pakistani Navy and Pakistani shipping at Karachi under ‘Operation Talwar’. Once Operation Vijay got under way, the Indian Navy employed its satellites, reconnaissance planes and other modes of intelligence gathering to monitor the movements of the Pakistan Navy. By the first week of June, an exercise was begun off the western coast, code-named ‘Summerex Phase 1’<sup>262</sup>. These naval maneuvers ensured that the Indian Navy quickly took a forward position, thus denying Pakistan the initiative. Pakistan was surprised by the Indian Navy's deterrent deployment under Operation Talwar that bottled up the Pakistani fleet in Karachi.

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<sup>261</sup> J. N. Dixit, *Indian-Pakistan in War & Peace* (New Delhi, 2002), pp. 43-44.

<sup>262</sup> Defense Talk; *Kargil War the Real Facts*; <http://www.defencetalk.com/forums/military-strategy-tactics/kargil-war-real-facts-1927/>

As the Indian counter-attacks peaked and Pakistan faced major reverses in the battlefield, Nawaz Sharif rushed to Washington to meet the US President Bill Clinton. On 4 July, when Nawaz Sharif was being told by the US President Bill Clinton to restore the sanctity of LoC, the Indian forces had captured the strategic Tiger Hill. Around 14 to 16 June, the Indian forces managed to retake key positions near Dras and Batalik. By 20 June, they managed to re-establish control over Batalik itself. In the face of heavy military debacle and under intense international pressure spearheaded by the US, Pakistan announced the withdrawal of its troops from across the border on 11 July. Finally, with the capture of all the territories from the Pakistani intruders, Operation Vijay was declared terminated on 26 July 1999.<sup>263</sup> It marked the end of the eight-week long fourth Indo-Pak armed conflict, which took place at Kargil.

#### **(2.14) Agra Summit:**

The humiliating defeat of Pakistan in Kargil and the sharp criticism of Prime Minister Nawaz Sharif by US President Clinton brought forward a new development in the domestic as well as bilateral relationship of Pakistan. Soon after the defeat in the Kargil war Islamabad witnessed a military coup against Prime Minister Sharif followed by which democracy was usurped by military rule and General Musharraf became the Chief Martial Law Administrator of the Pakistan. With the advent of Musharraf it was very much evident that India and Pakistan relations are yet to receive the wrath of the past. For almost two years there was a stand-off relation between India and Pakistan. But despite, such shameful defeat and failure in Kargil, the conflict once again reaffirmed to the Pakistani leadership that the nuclear weapon could keep Indian retaliation in check as long as Pakistan could maintain plausible deniability. In the following two years, Pakistan kept pushing the activities further.

With the failure of Lahore Diplomacy and the unprecedented Pakistani misadventure in Kargil the long expected bonhomie between the two neighbours reached its nadir. Almost for two years both the nations maintained a stand-off attitude toward each other when finally on March 11, 2001, the UN General Secretary Kofi Annan called upon both the Indian and the Pakistani side to retain their spirit of Lahore Declaration, saying that it would require restraint, wisdom and constructive steps from both the sides to mend the differences and

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<sup>263</sup> Sumit Ganguly, *Conflict Unending: India-Pakistan Tensions Since 1947* (New Delhi, 2000), p. 168

build up peace in the region. Thus finally on the framework of negotiation began with New Delhi and Islamabad.

Thus on the invitation of the Indian counter-part Pakistani military ruler President Pervez Musharraf visited India for a landmark summit between 14 and 16 July 2001. It was the first such meeting for more than two years, after the Kargil War and the spirit of optimism were at a very stake as President Musharraf considered the meet as a “cautious optimism”, “flexibility” and “open mind” to describe his buoyant views for the summit. Similarly Indian Prime Minister promised to take “bold and innovative” measures and to discuss the “core issue” between the two countries.<sup>264</sup> It was expected from both the quarters that this might bring a final end to the long drawn five decade difference of the ‘Kashmir Issue’ and in a bilaterally tone the nuclear rivalry between the two nations might fade away.

Various rounds of one-to-one talks were held between President Musharraf and Prime Minister Vajpayee. The Kashmir issue, cross-border terrorism, nuclear risk reduction, release of prisoners of war, and commercial ties were discussed. The talks went in the right direction and were declared by both the leaders as “positive, frank and constructive”. There were hopes that both the leaders would arrive at an agreement and a joint statement or declaration would be made at the end of the summit as the two leaders plunged into serious talk. Musharraf didn't come with a script but he was reasonably clear about his objectives: use the ‘unstructured’ agenda of the Agra Summit to plead, cajole and hector Prime Minister A.B. Vajpayee into conceding the primacy of Kashmir in Indo-Pak relations, and bulldoze an Agra Accord - which could be distinguished from the Simla Agreement and the Lahore Declaration. Indian and Pakistani newspapers are upbeat after the first day of President Pervez Musharraf's landmark visit to India.

Musharraf foresaw that Agra could have been a success which could not attain completion due to the lingering lack of trust between the two leaderships. ‘It was due to destiny that I am here sitting in front of you in Agra to resolve our problems,’ he told Vajpayee at his first one-on-one meeting at 11.20 a.m. on July 15. ‘Let us solve this problem (Kashmir) first and we can go on to others later.’ Vajpayee had been thoroughly briefed on what Jaswant would later call Pakistan's ‘univocal’ approach. Speaking in Hindi - just as Musharraf had initially wanted - he told the General, ‘we are willing to discuss everything including Kashmir but let

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<sup>264</sup> Hindu; *Agra Summit and Thereafter*;  
<http://www.thehindu.com/thehindu/2001/07/31/stories/13310611.htm>

us begin from where we ended: Lahore. Terrorism is very much alive. Kashmir cannot be resolved unless we stop cross-border terrorism.’ Vajpayee went on for another seven minutes, stressing the need for a composite dialogue on each of the eight subjects identified by the foreign secretaries in New York in September 1998. Musharraf would have none of it. He stuck to his Kashmir gun and for around forty minutes it was a see-saw exchange between Kashmir and terrorism, with both leaders prefacing their remarks with a desire to open the proverbial new chapter in bilateral relations. It was not an encouraging beginning. President Musharraf even held a secret closed door meet with the Kashmiri separatist despite strong opposition from the Government of India.<sup>265</sup>

On Sunday morning, President Musharraf left for Agra in Uttar Pradesh for direct talks with Prime Minister Vajpayee. In his introductory remarks, Vajpayee again spelt out the case for a composite dialogue and Musharraf - speaking in English - retorted with a plea to thrash out Kashmir first. But again, the talks were marred by violence in the Kashmir region. At least 18 people were reportedly killed in heavy fighting between Indian soldiers and Islamic militants. Both sides spent most of Monday trying to find common ground and agree on a final statement to be signed by both leaders but despite several draft proposals, they failed to produce a document that both sides were willing to sign as ‘Kashmir’ remained as the deadlock between the two.<sup>266</sup>

Finally after a three days when the talk failed to produce a joint statement Pakistan's President, Pervez Musharraf, returned to Islamabad. Indian Foreign minister expressed his deep concern about the failure of the agreement, by merely saying: ‘Complex negotiations and discussions hang by a thread.’ But Mr. Singh sought to put a positive gloss on the summit saying he was ‘disappointed but not disheartened’. Correspondents say the enthusiasm and goodwill, which marked the opening of the meeting, were apparently replaced by uncertainty after the opposing views of the two sides received a public hearing. Kashmir remains at the heart of these differences. India accuses Pakistan of supporting armed militants in the region – Mr. Singh refers to the issue as ‘cross-border terrorism’ - but Islamabad denies the accusation. The last hours of the summit, held in the Indian city of Agra, saw frantic efforts

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<sup>265</sup> BBC News; South Asia; *Agra Summit at a glance*;  
[http://news.bbc.co.uk/2/hi/south\\_asia/1430367.stm](http://news.bbc.co.uk/2/hi/south_asia/1430367.stm)

<sup>266</sup> BBC News; South Asia; *Agra Summit at a glance*;  
[http://news.bbc.co.uk/2/hi/south\\_asia/1430367.stm](http://news.bbc.co.uk/2/hi/south_asia/1430367.stm)

from both sides to reach some form of agreement, and even reports of a draft joint statement being drawn up. According to Pakistan, the statement was scuppered when India requested changes to the document, and neither side could agree a revised form of words. In a brief statement, Indian spokeswoman Nirupama Rao said: 'I'm disappointed to inform you that although the commencement of a process has taken place... the destination of a joint agreement has not been reached.' However some positive signs did emerge from the meeting, including an agreement that further, regular high-level meetings between the two countries would take place in the near future.<sup>267</sup>

### **(2.15) Parliament Attack, Operation Parakram and the Stand-Off:**

The 11 September 2001 suicide attacks in the United States brought a rapprochement between Pakistan and the West. Pakistan was literally compelled by the Bush administration to co-operate with the US's campaign against Osama Bin Laden's Al-Qaeda network in Afghanistan. However despite Pakistan's engagement in the War on Terror tension between India and Pakistan continued along the Line of Control. The worst fighting for more than a year broke out in October as India, which continued to condemn Pakistan for cross-border terrorism, started shelling Pakistani military positions. October saw a devastating attack on the Kashmiri assembly in Srinagar in which 38 people were killed. After the attack, the Chief Minister of Indian-administered Kashmir, Farooq Abdullah, called on the Indian government to launch a war against militant training camps across the border in Pakistan.<sup>268</sup>

Just months after the assembly attack in Kashmir India perhaps faced the most odious terror attack on 13 December, as when an armed attack was launched on the Indian Parliament in Delhi when five heavily armored terrorist intruded the Parliament and exchanged fiercely gun battle with the Indian security commandos for almost half an hour.<sup>269</sup> Post terror attack investigations revealed that the gunmen were linked to Lashkar-e-Taiba, terrorist outfit

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<sup>267</sup> BBC News; South Asia; *Kashmir Issue Blocks Summit deal*;  
[http://news.bbc.co.uk/2/hi/south\\_asia/1442622.stm](http://news.bbc.co.uk/2/hi/south_asia/1442622.stm)

<sup>268</sup> BBC News; *India-Pakistan Troubled Relations; The Brink of War*;  
[http://news.bbc.co.uk/hi/english/static/in\\_depth/south\\_asia/2002/india\\_pakistan/timeline/2001.stm](http://news.bbc.co.uk/hi/english/static/in_depth/south_asia/2002/india_pakistan/timeline/2001.stm)

<sup>269</sup> Dugger, Celia. "Suicide Raid in New Delhi; Attackers Among 12 Dead," The New York Times. December 14, 2001.  
<http://select.nytimes.com/search/restricted/article?res=F00615F73B5B0C778DDDAB0994D9404482>

known to operate from Pakistan.<sup>270</sup> Indian Prime Minister Vajpayee termed, the terrorist attack as “the most dangerous challenge so far to India’s national security.”<sup>271</sup> In order to respond to the Parliament attack immediately India’s Cabinet Committee on Security (CCS) assembled to discuss its policy and in the meeting Prime Minister Vajpayee initiated the Indian armed forces to muster for war against Pakistan.<sup>272</sup> Pakistan also reciprocated in the same manner and started mobilizing its armies near the borders for countering any attack from India. For the next ten month the international borders and LOC between India and Pakistan saw the largest border mobilization and movements in both the sides. The Indian army along with RAW’s intelligence assessments anticipated in launching a major offensive made its largest till date military mobilization near the border which was code named as Operation Parakram. Operation Parakram not only placed Pakistan in a precarious position but the events brought Pakistan as a frontline state in the regions as along its western border, America’s Operation ‘Enduring Freedom’, was in high gear and similarly in its eastern border, a half million Indian troops were being mobilized for war. On January 2, 2002, Musharraf at an election rally asserted a thinly veiled nuclear threat that Pakistan’s contingency plans of responding to aggression.<sup>273</sup> Indian Prime Minister Vajpayee as a respond to Musharraf’s nuclear threat vowed that “no weapon would be spared in self-defense. Whatever weapon was available, it would be used no matter how it wounded the enemy.”<sup>274</sup>

As India Pakistan relations were getting more complicated and tensed the leaders of international community was expecting the upcoming SAARC summit in Kathmandu as the only faith of good-hope to bring an amicable peace settlement between the two. On January 5, 2002, the SAARC summit commenced and at the conclusion of his ceremonial speech

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<sup>270</sup> Dugger, Celia. “Group in Pakistan is Blamed by India for Suicide Raid,” The New York Times. December 15, 2001.  
<http://select.nytimes.com/search/restricted/article?res=F30E1FFA355B0C768DDDAB0994D9404482#>

<sup>271</sup> “Punishment will be as big as crime: Vajpayee,” The Times of India. December 18, 2001

<sup>272</sup> Coll, Steve. “The Stand-Off: How jihadi groups helped provoke the twenty-first century’s first nuclear crisis.” The New Yorker. February 13, 2006. Pg. 126 Vol. 81 No. 46

<sup>273</sup> “JCSC reviews counter-strategy,” Dawn. January 2, 2002.

<sup>274</sup> Shukla, J.P. “No weapon will be spared for self-defense: PM,” The Hindu. January 2, 2002.

Musharraf dramatically announced that, “as I step down from this podium, I extend a genuine and sincere hand of friendship to Prime Minister Vajpayee. Together we must commence the journey for peace, harmony and progress in South Asia.”<sup>275</sup> Musharraf left the dais and Vajpayee, surprised, arose and shook hands with Musharraf. Vajpayee remarked, “I am glad that President Musharraf extended a hand of friendship to me. I have shaken his hand in your presence. Now President Musharraf must follow this gesture by not permitting any activity in Pakistan or any territory it controls today which enables terrorists to perpetrate mindless violence in India.”<sup>276</sup> It was believed that this cordial gesture among the heads of the two nations had played its game to faze off the difference but however the contradiction was still inherent, and hardly anything fruitful came out.

The fruitless diplomacy of SAARC summit further raised the tensions between India and Pakistan which was gradually narrowing the choices of India. According to Brajesh Mishra, “There was a unanimous decision to let Pakistan know this kind of thing would not be tolerated. A unanimous decision to cross the Line of Control and the border...all this was unanimous.”<sup>277</sup> Mishra stated that while interviewing a senior officer of the Indian army it was revealed that “By the 6th, we were 100% prepared.” He added, “Yes, we were to have gone in a few days before Mid-January—January 11th. I was all set. Orders given, rehearsals carried out.”<sup>278</sup>

Pressurized by Washington to keep off the standoff Musharraf was directed to deliver a speech and clear its stand on the attack to reduce tensions between India and Pakistan. On January 12, 2002, during an hour-long address General Musharraf pledged that, “no organization will be allowed to perpetuate terrorism behind the garb of the Kashmiri cause...we will take strict action against any Pakistani who is involved in terrorism inside the

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<sup>275</sup> Naqvi, Jawed. “*Musharraf offers sustained talks: Handshake with Vajpayee charms SAARC*,” Dawn. January 5, 2002.

<sup>276</sup> Naqvi, Jawed. “*Musharraf offers sustained talks: Handshake with Vajpayee charms SAARC*,” Dawn. January 5, 2002.

<sup>277</sup> Stolar, Alex; *To The Brink: Indian Decision Making and The 2001-2002 Standoff*; The Henry L. Stimson Center; February 2008; Report No. 68; [http://www.stimson.org/images/uploads/research-pdfs/To\\_the\\_Brink.pdf](http://www.stimson.org/images/uploads/research-pdfs/To_the_Brink.pdf)

<sup>278</sup> Stolar, Alex; *To The Brink: Indian Decision Making and The 2001-2002 Standoff*; The Henry L. Stimson Center; February 2008; Report No. 68; [http://www.stimson.org/images/uploads/research-pdfs/To\\_the\\_Brink.pdf](http://www.stimson.org/images/uploads/research-pdfs/To_the_Brink.pdf)

country or abroad.”<sup>279</sup> The statement of President Musharraf acted as a coolant to subside the rising tension between India and Pakistan as New Delhi highly appreciated the stand of Pakistan. Although it seemed that diplomatically the tensions between the two nations was averted but despite such the armed forces near the borders and LOC were still at high state of alert. This phase of bonhomie hardly lasted long as on May 14, 2002, three Pakistani terrorists in the disguise of Indian armed forces entered in an army encampment in Kaluchak area of Jammu, raiding the army family quarters. By the time the terrorists were assassinated, more than thirty family member and soldiers of Indian army lost their lives, including a two-year old child.<sup>280</sup> Shocked and dismayed by the odious attacks condemning th neighboring state Indian Prime Minster on May 22, 2002 in his address in Srinagar clearly stated that “The time has come for a decisive battle and we will have a sure victory in this battle...The enemy has thrown us a challenge by waging a proxy war. We accept it and pledge to give it a crushing defeat,”<sup>281</sup>

Situation turned much grave when Pakistan tested its nuclear capable missile ‘Ghauri’ on the May 25, 2002. Pakistani President General Musharraf following the missile test, asserted clearly that the test “was not meant to give any message to anyone”<sup>282</sup> In response of the test Indian Prime Minster Vajpayee rejoinder that “we don’t take test firing of missiles by Pakistan seriously.”<sup>283</sup> On May 27, General Musharraf declared that, "We do not want war. We want peace in the region. Pakistan will never allow the export of terrorism anywhere in the world from within Pakistan."<sup>284</sup> At the same time, Musharraf angrily vowed in Urdu that, “if war is imposed, a Muslim is not afraid, and he doesn’t retreat, but with cries of ‘God is

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<sup>279</sup> Eckholm, Erik. “*The India-Pakistan Tension: Islamabad; Pakistan Pledges to Bar Any Groups Linked to Terror*,” The New York Times. January 13, 2002.

<sup>280</sup> Puri, Luv. “*30 killed in Jammu suicide attack*,” The Hindu. May 15, 2002. See also: “*Not a coincidence: Advani*,” The Hindu. May 15, 2002.

<sup>281</sup> Puri, Luv. “*Be ready for decisive battle, PM tells jawans*,” The Hindu. May 23, 2002.

<sup>282</sup> Hassan, Ahmed. “*Musharraf says no message thru missile test: We want peace, but not afraid of war*,” Dawn. May 26, 2002. <http://dawn.com/2002/05/26/top1.htm>

<sup>283</sup> “*Our patience is running out, says Vajpayee*,” The Hindu. May 26, 2002.

<sup>284</sup> LaFraniere, Sharon and Chandrasekaran, Rajiv “*Musharraf Pledges to Rein in Militants; New Vow on Kashmir Fails to Sway India*.” The Washington Post. May 28, 2002. Section A; Pg. A01.

great!' he jumps into the war to fight...our security and our national prestige are under threat and...we are ready to protect our motherland.”<sup>285</sup>

Meanwhile in wake of these events on June 3, 2002, sixteen Asian nations including China, Pakistan, India and Russia participated in the Conference on Interaction and Confidence Building Measures in Almaty, Kazakhstan.<sup>286</sup> On the eve of the flag-end of the conference Vladimir Putin, the President of Russia individually met the two heads and urged to de-escalate the crisis. Putin emphasized in the meet that Russia, “like the whole world community, [is] extremely concerned at the course of relations between India and Pakistan.”<sup>287</sup>

Two days later on June 6, 2002, Richard Armitage, U.S. Deputy Secretary of State, went to Pakistan and India to finally settle off the dispute. In a series of high level meetings with the foreign minister and foreign secretary of Pakistan Armitage had a serious dialogue with General Musharraf for almost two hour and tried to convince the aforesaid to settle up the dispute amicably.<sup>288</sup> The next day he visited India and also had series of high level talks with L.K. Advani, the Indian Home Minister, Jaswant Singh, and the Indian Prime Minister A.B Vajpayee conveying them Musharraf’s pledge to halt infiltration across the Line of Control.<sup>289</sup> Armitage also asked India to take “reciprocal, de-escalatory steps” to defuse the crisis. Thus with the positive steps taken by Putin and Armitage finally the stand-off between the two nations faded off within days, the tension between India and Pakistan abated.

#### **(2.16) 26/11 Terror Attack and its aftermath:**

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<sup>285</sup> Sly, Liz. “*Pakistan will not start war, leader says.*” The Chicago Tribune. May 28, 200. News; Zone: N; Pg. 3.

<sup>286</sup> “*Warn countries sponsoring terror: PM.*” The Hindu. June 4, 2002.  
<http://www.hindu.com/2002/06/04/stories/2002060404600100.htm4>

<sup>287</sup> “*Serious and positive signals from Musharraf: Putin.*” The Hindu. June 5, 2002.  
<http://www.hinduonnet.com/2002/06/05/stories/2002060505410100.htm>

<sup>288</sup> “*Deputy Secretary Richard Armitage Press Availability, Ministry of Foreign Affairs Islamabad, Pakistan.*” The United States Department of State. June 6, 2002. Retrieved from Lexis-Nexis on July 6, 2007.

<sup>289</sup> Vij, Bhavna and Malhotra, Jyoti. “*US puts money to Musharraf’s mouth.*” The Indian Express. June 8, 2002.  
[http://www.indianexpress.com/res/web/pIe/archive\\_full\\_story.php?content\\_id=4016](http://www.indianexpress.com/res/web/pIe/archive_full_story.php?content_id=4016)

The cooling down of tension between India and Pakistan marked a new beginning of bonhomie between the two neighbours. In the wake of the 12th SAARC summit held in Islamabad in January 2004 Vajpayee and Musharraf hold direct talks on areas related to cooperation and bilateralism. This year marks the beginning of the Composite Dialogue Process, in which bilateral meetings were held between officials at various levels of government (including foreign ministers, foreign secretaries, military officers, border security officials, anti-narcotics officials and nuclear experts). In November, on the eve of a visit to Jammu and Kashmir, the new Indian Prime Minister, Manmohan Singh, announces that India will be reducing its deployment of troops there. In 2008 India joins a framework agreement between Turkmenistan, Afghanistan and Pakistan on a \$7.6bn gas pipeline project. A series of Kashmir-specific CBMs are also agreed to (including the approval of a triple-entry permit facility). By September, Pakistani President Asif Ali Zardari and Indian Prime Minister Singh formally announce the opening of several trade routes between the two countries.<sup>290</sup> But this warming of relations between the two neighbours hardly could foster long as just next month a terror attack on the business capital of India-Mumbai manifested a nadir phase in the relationship between the two nations

On November 26, armed gunmen open fire on civilians at several sites in Mumbai, India. The attacks on the Taj Mahal Palace & Tower, the Oberoi Trident Hotel, the Chhatrapati Shivaji Terminus, Leopold Cafe, Cama Hospital, Nariman House Jewish community centre, Metro Cinema, St Xavier's College and in a lane near the Times of India office prompt an almost three-day siege of the Taj. Initially it was announced that the terrorists were twenty five in number, but later it was discovered they were only ten terrorists. "Given the fact that the terrorists did not have any demand and obviously wanted to inflict maximum damage, the only possibility was that they killed many people as they could before they took safe positions inside."<sup>291</sup> More than 160 people lost their lives in the terror attack.

Post attack the preliminary investigations revealed the fact that the attackers came by the Arabian Sea-route from Karachi "on the Pakistani cargo vessel Al Husaini. On 23 November

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<sup>290</sup> AlJazeera; Hashim, Asad; *A timeline of rocky relationship between the two nuclear armed South Asian neighbour*; May, 27, 2014; <http://www.aljazeera.com/indepth/spotlight/kashmirtheforgottenconflict/2011/06/2011615113058224115.html>

<sup>291</sup> Teltumbde, A. (2009). *Capitalizing on Calamity 26/11 and Jingoist Politics*, *Economic & Political Weekly* available at <http://www.countercurrents.org/mumbai.htm>.; pp 02

2008 they hijacked an Indian fishing trawler, the M V Kuber, within Indian waters. Then, they murdered four sailors leaving the captain alive, and proceeded to Mumbai. On nearing the Mumbai shore they killed the captain. On reaching the shore, heavily-armed terrorists divided into four teams, one with four men and three with two men each.”<sup>292</sup> Among the gunman who attacked everyone was pin down by the NSG (National Security Gaurd) and one Amir Ajmal Kasab, was captured. On November 27, 2008 Indian Prime Minister Manmohan Singh in his address, stated that the “The well-planned and well-orchestrated attacks, probably with external linkages, were intended to create a sense of terror by choosing high-profile targets,” He affirmed to “take up strongly” the use of neighbors’ territory to launch attacks on India.”<sup>293</sup> Maharashtra Police investigators reviled the facts that the attackers were fugitive of the Pakistani based terrorist organization Lashkar-e-Taiba (LeT) and that the lone injured terrorist survivor Ajmal Amir Kamal was an inhabitant of Multan Faridkot, of Pakistan Punjab province.”<sup>294</sup> The newly elected civilian government of Pakistan under the leadership of President Asif Ali Zardari, in strong words condemned the heinous terror attack and showing its deepest concern towards India clearly denied its involvement. In the similar tone Syed Yousaf Gilani the Pakistani Prime Mister and Foreign Minister Shah Mehmood Qureshi strongly rejected any involvement of Pakistan in the attacks and expressed their deepest grief and sympathy for the victims condemning the attack as a “horrendous tragedy”.

On January 2009 India came over with the Mumbai attacks evidence; “The 11,280-page charge sheet in the Mumbai terror attack case was filed against the perpetrators of the attack on 25 February that indicated that a conspiracy was hatched in Pakistan and masterminded by the Lashkar-e-Tayba and also included comprehensive evidence, including a confession by one of the perpetrators...”<sup>295</sup> Pakistan feeling completely helpless in the situation and finding itself encircled in its own web was compelled to cooperate with India in tracking down the Mumbai culprits and supported its peace agenda to resolve the issue. In an interview the

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<sup>292</sup> Jannepally, H. R. (2010). *The 2008 Mumbai Attack and Press Nationalism: A Content Analysis of Coverage in the New York Times*, Times of London, Dawn, and the Hindu; pp 11

<sup>293</sup> Reuters; *Indian PM says Mumbai Attack have ‘external links’*; New Delhi; Nov.7; 2008; <http://www.reuters.com/article/india-mumbai-singh-idUSDEL00220120081127>

<sup>294</sup> *The Hindu*; 28/11/2008; pp 01

<sup>295</sup> Charge Sheet (Under Section 173 Cr.P.C) In The Court Of District Judge IV-CUM-ASJ New Delhi/Special Judge ( NIA ) Patiala House New Delhi ; [http://www.nia.gov.in/writereaddata/Portal/CasesPdfDoc/RC-04-2009-NIA-DLI-\\_CS\\_-1.pdf](http://www.nia.gov.in/writereaddata/Portal/CasesPdfDoc/RC-04-2009-NIA-DLI-_CS_-1.pdf)

President Asif Ali Zardari said, “Let me assure you [that] if any evidence points to any individual or group in my part of the country, I shall take the strictest of action in the light of the evidence and in front of the world.”<sup>296</sup> On January 7, 2009, Pakistan's Information Minister Sherry Rehman officially accepted that Ajmal Amir Kasab belonged to Pakistan. Immediately within two days after the acceptance of the fact Pakistan due to the extreme external pressure banned the Lashkar-e-Tayba as a terrorist organization and in an incursion arrested its master mind Zakiur Rehman Lakhvi and 12 other activists. United Nations Organization on December 10, 2008 immediately banned Jamat-ul-Dawa (JuD), Al-Rashid Trust, and Al-Akhtar Trust as terrorist organizations under the UN's Al-Qaeda and Taliban Sanctions Committee under the UN Security Council Resolution 1267. The aftermath of such bans made Pakistan launch a nationwide crackdown to arrest and dismantle the Jamat-ul-Dawa operatives in its land. Master Mind Hafiz Saeed was put under house arrest and some large scale imprisonments were made. Meanwhile Rehman Malik, the Interior Minister of Pakistan on February 12, 2009 shamefully acknowledged the fact that the 26/11 terror attack was planned and executed from the lands of Pakistan.<sup>297</sup>

The November 26, 2008, Mumbai terror attack which was fabricated by Pakistan brought a thaw in the ongoing peace process between the two nations. Immediately as reparation of the heinous terror act India withdrew to hold any bilateral talks with Pakistan as a result the secretary level talks on Siachen and Sir Creek and Indian Pakistan Joint Commission on Environment received a halt, the cricket tour of Pakistan was cancelled and India made a stringent laws with regard to the visa issuance process to the Pakistani nationals. Meanwhile in all possible international and regional levels India opened all its options to highlight the Pakistani extremism and its long drawn plight for countering terrorism. But despite such stand on 16 December 2008, Indian Defense Minister Mr. A. K Antony, made it clear that India won't wage any war against Pakistan, however India again warned Pakistan against such terrorist activities. It was believed that the sudden change in the Indian policy has been

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<sup>296</sup> Thapar, K. (2008). *An Interview in Devil's Advocate Programme*; pp 01

<sup>297</sup> Umbreen Javaid and Marium Kamal; *The Mumbai Terror '2008' and its Impact on the IndoPak Relations*; South Asian Studies A Research Journal of South Asian Studies Vol. 28, No. 1, January – June 2013, pp. 25-37

driven from internal policy shift and the western influence on ‘no war between India-Pakistan due to their greater interests in Afghanistan’.<sup>298</sup>

Post 26/11 terror attack and the arrest and confession of the convict Ajmal Kasab and David Coleman Headley exposed the reality of Pakistan in the eyes of the world leaders. Globally the veracity of Pakistan was out as a nation which breeds and sponsors terrorism moreover the Abbotabad incident yet again reinforced the fact and India’s long drawn claim of labeling Pakistan as a safe havens of terrorist for destabilizing not only the regional but also the global peace and security. Meanwhile in the course of time Pakistan domestic politics took yet another turn and with a majority again in the year 2013 Nawaz Sharif became the Prime Mister of Pakistan. With the upcoming of civilian democratic government in power it was rather expected that Pakistan will try to shed-off its anti-Indian nature and a strong bonhomie was anticipated but Pakistan’s nature seldom changes as the liberal stand of Pakistani Government against the terrorist organization and leaders in its land, the recent Pathankot and Uri terror attacks yet again proved the fact that still Pakistan as a nation has been unable to oust the roots of terrorism from its soils.

#### **(2.17) Assessment:**

The last seven decades between India and Pakistan has been a record of intractable mistrust which has been further complicated by the role of non-state actors either tacitly or overtly supported by state actors. The process of dialogue between India and Pakistan though has been in place with frequent interruptions such process has not bore flute as it was not supported by policies and actions of decision makers in Pakistan and India as well as the unresolved issue of Kashmir. The recent events of cross border terrorism in Indian state of Jammu and Kashmir and the gross violation of the LoC by the Pakistani army, non-state actors and sponsored terrorist have further complicated the scenario more. The fresh events of Pathankot and Uri terrorist attack and the discloser secrets by David Headley regard 26/11 terror attacks in Mumbai projects a bleak future of confrontation between the two nations. Though the study will be dealing in detail the manner in which Indian and Pakistan relations has molded itself in the last 15 years and the role of larger neighbors in the immediate and extended neighborhood but it can be accessed that till the time transparency between decision makers are not arrived on policy making, any sort of long standing confidence building

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<sup>298</sup> Umbreen Javaid and Marium Kamal; *The Mumbai Terror ‘2008’ and its Impact on the IndoPak Relations*; South Asian Studies A Research Journal of South Asian Studies Vol. 28, No. 1, January – June 2013, pp. 25-37

mechanism can't be visualize in the long run. Resolving the dispute through fighting a war is an option that cannot be opted for by any of the leaderships as the collateral damage might surpass the objective for which the war will be fought especially post 1998. Henceforth the forth coming sections would point out how dialogue can be the only option between India and Pakistan to find any short, medium or long-term viable resolution between the two.