

History of the dispute between Tehri State and Tibet A Himalayan Case

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Introduction

The Foundation for Non-Violent Alternatives (FNVA) has conceived a series of three conferences entitled 'Tibet's Relations with the Himalaya' which were held in Ladakh, Sikkim and Arunachal Pradesh. The objective of the organizers was "to explore in some depth the cultural affinity of the various peoples of the Himalaya with Tibet in history, politics, culture and religion".

A concept paper spoke of exploring "how the relationship between the Tibetan world, the Himalayans and Indic civilization evolved; how the interactions between Tibet, the Himalaya and India took place in the historical, cultural and socio-political discourse over the centuries?"

One of main historic upshots of the relation between Tibet and the Himalayan region has been the Sino-Indian border dispute along the 4,000 km mountainous range.

In many cases, the present 'dispute' with China has its origin in disagreement between the Lhasa government and the administration of Himalayan princely states (and by extension British India). This is true for NEFA.

Our case study relates to Nilang/Jadhang area in today's Uttarakhand.

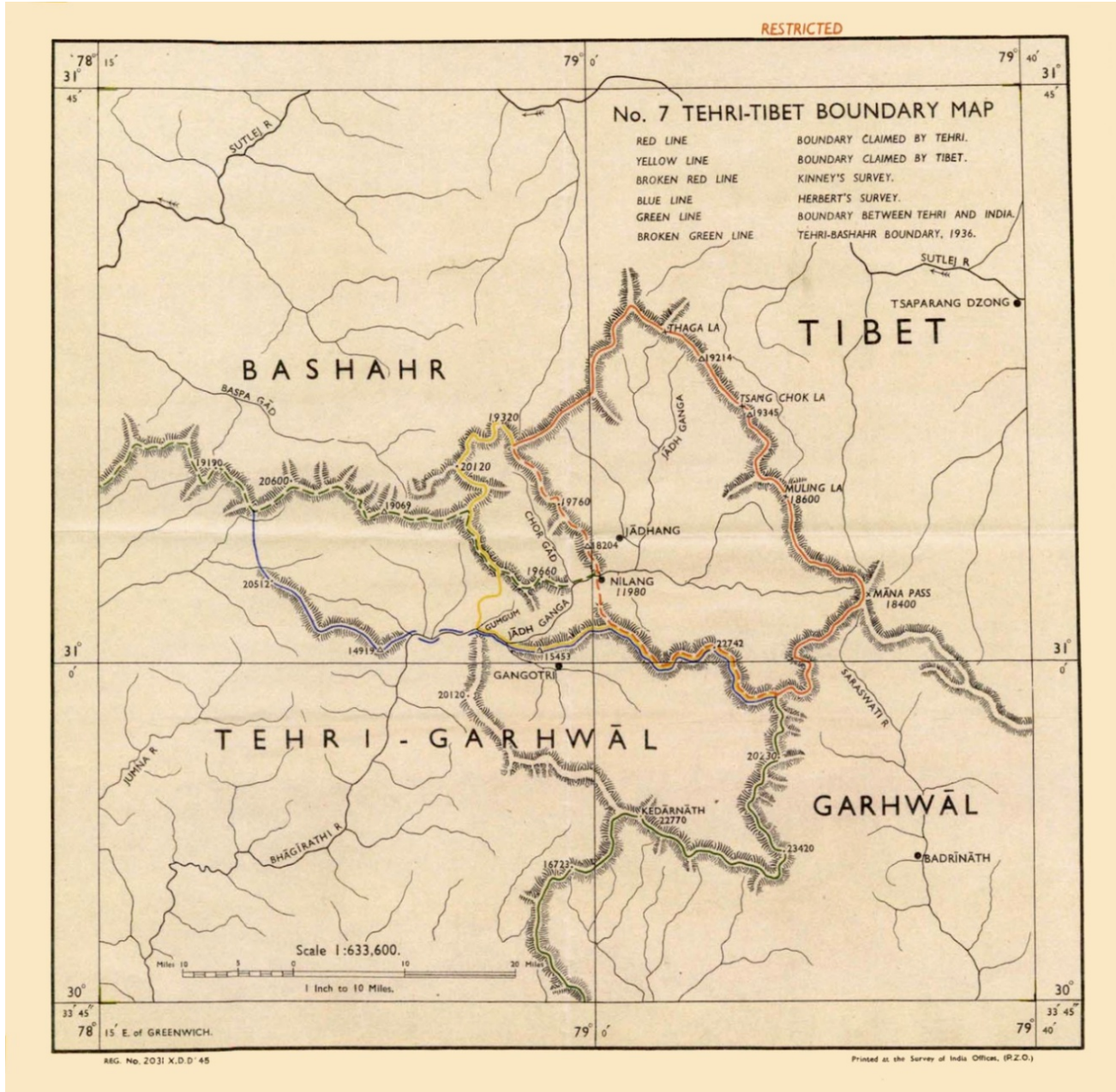
It is particularly interesting due to the large amount of correspondence between Tibet (the Kashag in Lhasa and the *Dzongpen* in Tsaparang) and the princely states of Tehri-Garhwal, Bashahr as well as the provincial governments of the United Provinces and the Punjab and of course, the Foreign and Political Department of British India in Delhi.

The 'negotiations' lasted some 12 years, at the end of which no mutually acceptable solution could be found.

The entire story is extracted from a couple of files today in the British Archives¹. A few years ago, I had the good fortune to come across them and I thought it would be interesting to share this unknown aspect of the Himalayan relations.

Location and Description

The area disputed by Tibet and Tehri-Garhwal State² lies between longitude 78.53 and 79.25 East and latitude 31 and 31.26 North.



For the sake of the different Commissions which went into the dispute between 1926 and 1935, different colours have been assigned to the respective claims on a map prepared by the British surveyors:

- The boundary between the Tehri-Garhwal state and Garhwal district of the United Provinces is shown in green.
- The boundary claimed by the Tehri-Garhwal State is shown in red. It is the watershed between the western sources of the Bhagirathi river and the valley of the Sutlej river, known in Tibet as Langchen Khabab.
- The boundary claimed by Tibet is shown in yellow; their frontier claim is unclear at several places as the Tibetan representatives often claimed 'a single point as the boundary', that is the junction of the Gungum *nala*³ with the Bhagirathi (one mile West of Jangla Forest Bungalow).

The Brief History of the Dispute

The dispute seems to have arisen when the *Dzongpen*⁴ of Tsaparang, the nearby Tibetan district, visited the Gungum *nala* in 1914. He publically announced his decision of setting up a boundary pillar near the bridge. When the local villagers objected, the *Dzongpen* left without any further action.

In 1918, the Tehri State decided to erect 3 pillars on the top of the Tsang Chok-la⁵ (31.30 North and 79.16 East). Some versions claimed that the pillars had already been there in the past and were only 'repaired'.

Two years later, the Tehri State surveyed the area and, for the first time, prepared cultivation maps of the Nilang region (31.7 North and 79.4 East). The Jadhong valley (31.11 North and 79.6 East) was also included in the maps.

In 1921, the Tsaparang *Dzongpen* visited Nilang again. This time, he sent a letter to the Raja of Tehri requesting him to send an official to sort out the boundary issue; at that time, it was not yet considered a 'dispute'; it was more a 'difference of perceptions' between neighbours. The Raja answered that the issue had to be raised through the Government of India as it involved a problem with two foreign governments⁶.

During the next warm season, the *Dzongpen* visited Nilang again and collected a tax of Rs.1 from the local people of Nilang and Jadhong⁷. He thus collected a total of Rs 300.

In 1924, it was finally proposed by British India to appoint a boundary Commission, but due to the poor communications and the fact that these areas could only be visited in summer, the Commission could meet only in the summer of 1926.

The Acton Commission

On June 12, 1926, T.J.C. Acton, an officer of the Indian Civil Service who had been nominated as the British representative, met the Tibetan officials near the Gumgum *nala*. The Tibetan representatives were Pishi Sunam Kunga, Postmaster General of Tibet and the *Dzongpen* of the Shekhar, the district near Mount Everest. They met near the small bridge over the *nala*.

Though the Tibetan representatives had no authority to negotiate any sort of compromise, they had received strict instructions from Lhasa to go to the Gumgum *nala* and claim the bridge as the frontier of Tibet.

Later Acton wrote in his Report: "I had tea with them and talked the matter over, and offered to go back with them the next day to the Gumgum *nala* and see the place claimed as the frontier. I did this".

The Tibetans claimed that the Tehri people had removed their boundary marks after they returned to Tibet. The two parties inspected an inscription in red paint on a cliff face, as well as some marks of an obliterated inscription (also in red paint), and a roughly rectangular crevice (about 9 inches by 6 inches) in the rock. One of the Tibetan witnesses affirmed that it had contained the base of a boundary pillar. However there was no trace of the pillar.

Action explains: "The existing inscription on the cliff was 'Om na ma si dhang'⁸ in Hindi⁹ over a hieroglyphic in the form of a seven-pointed star". The British Commissioner commented that this could be an invocation to a deity, 'it is commonly used by the people of these hills'.

Both inscriptions on the rock were exposed to the weather conditions; "it could not have lasted for more than a few years", thought the British representative, who added: "Scratches on the four corners of the crevice in the rock seemed to show that a stone had been inserted in the crevice, but there was no sign of the stone and the place was in the middle of the path leading to the bridge and a small stone in such a position could not have been an ancient boundary pillar."

Acton thought that it was probable that a stone had been fixed during the *Dzongpen's* visit in 1914, it was then claimed as the boundary, while the obliterated inscription dated from a year before Acton's visit,¹⁰ when a junior Tibetan official¹¹ of Tsaparang district came from Tibet. The Rupen affirmed that he saw the pillar at that time.

The British Commissioner commented: "Their attitude, I think, was that His Highness [His Holiness] the Dalai Lama had said that the boundary was the Gumgum *nala*, and that any criticism of that decree would be a dangerous form of blasphemy."

Acton returned to Lamathatha (31.4 North and 79.1 East) the same day, and on June 14, he went on to Nilang. The Tibetans joined him on June 15.

The proceedings of the Acton Commission

From June 16 to 19 1926, the Commission took evidence at Nilang and examined witnesses and documents on behalf of both the parties.

At first, the Tibetans produced 2 witnesses only; they said that they considered this sufficient, but later asked that 53 Jadhvs should be examined. Then they further produced 6 more Tibetan witnesses.

The latter asserted that the frontier was at the Gumgum *nala*. They were unable to say how it runs from that point onwards and give a logical reason for their assertion. Acton noted that there were no boundary marks beyond the Gumgum *nala* (towards Nilang) and it was not even alleged that such marks had ever existed.

The Tibetans produced 2 witnesses from Bashahr who were termed as 'false witnesses' by the Commission: "The Bashahr State has a boundary dispute with the Tehri State and these witnesses are contradictory and undoubtedly biased."

The Tehri Darbar examined 12 witnesses, and three more were called by the Commission.

The Tibetan government also produced a written statement stating their case. The atmosphere was cordial: "At Nilang the Tibetan representatives came to tea with me twice and were most friendly," wrote Acton.

The Tibetan Position

On June 20, 1926, the Lhasa Government addressed a letter to the Representative of the British Government. We shall quote large portions of this letter as it shows the position of the Dalai Lama's administration in the dispute.

It has to be noted that Lhasa sent several letters to the British authorities on this issue. The tone and content of the missives is more or less the same.

The Kashag in Lhasa wrote: "This letter is being sent by [through] the Tibetan representatives. Nowadays as the British and Tibetan Governments are on such friendly terms that they seem as if they are the brothers of the same parents, they have decided to settle the boundary dispute after consulting each other. And now, it is evident, that representatives have been sent from both sides for this purpose. So, if they desired that the dispute should be settled so as to prevent reoccurrences of disputes of this nature, Sang (Jadhang) and Tsong (Nilang) should continue to pay tax to the Tibetan Government as before. And they should be kept under the administration of Chaprang [Tsaparang] Dzongpon. And in addition to these, an agreement promising that neither the Headmen nor the people of Sang (Jadhang) and Tsong (Nilang) will be troubled by any of the officers of the Tehri and Tibetan Governments should be signed. ...Hoping a reply to this letter will be favoured. Sent on the 10th day of the 5th month of the Fire Tiger year".

The British Representative, C. Acton acknowledged the letter in the same polite way: "Thanks very much for the meat you sent for me and others with salaams. As regards your proposal of talking about the boundary at Hop, I am ever ready. Sent with a scarf."

At Nilang the Tibetan representatives twice came for tea (British or Tibetan is not clear); they were said to be most friendly.

The Findings of the Acton Commission

The Commission was of the opinion that the Tehri Darbar was able to prove its possession of the area till Nilang, by doing some work on the deodar forest up to Gangotri, by building and repairing the pilgrim route to Gangotri, as well as supporting, repairing and managing the Gangotri Temple and a bridle path and bridges as far as Karche (10 miles south of Nilang) and opening a school at Nilang.

On June 19, the officials of the parties involved held some discussions and finally the British Commissioner prepared a draft report; Acton was still hoping that he could get the seal of the Tibetan and Indian Governments on a compromise.

He suggested a frontier similar to the one described by Surveyor Kinney in 1878; this would leave Nilang village with its cultivation (and grazing grounds) to Tehri State while Jadhong would go to Tibet. But a complication soon cropped up, Jadhong (and even Nilang) was also claimed by the Bashahr state.

We shall come back to it later.

Acton reported to his bosses in Delhi: "I made the suggestion in the hope of getting a first settlement by agreement, but the Tibetan representatives had really, I think, definite instructions not to consider a compromise, and on further consideration of the evidence and having now seen the country beyond Nilang and beyond the passes I consider that a compromise would be unfair to Tehri and that the watershed frontier should be claimed."

Acton says that was no evidence of any claim having been made before 1914, and no objection had ever come from the Tibetan Government about the forest work and road construction carried out by the Tehri Darbar.

The Commission left Nilang on June 20, and crossed over to Tibet via the Tsang Chok-la on June 27. The representatives could see the cairns alleged to have been erected by Madho Singh Bhandari in the time of the Kumaon Rajas of Chandpur, and the 3 pillars alleged to have been built (or repaired) in 1918. They took pictures of what Tehri considered indubitable proofs of its possession.

A day earlier, Acton had written to the *Dzongpen* to ask him if he wanted to present any further witnesses. He also suggested a meeting on June 28, for a final discussion at a camping ground on the north-east of the pass. The Tibetans immediately said that they would be glad to do so, but they left in the opposite direction (towards Puling), some 20 miles inside Tibetan territory. On June 29, they sent a letter saying that they had no other evidence to produce and had to proceed due to the 'lack of grazing and water': "As we had nothing more to say except what we three and our witnesses had given evidences at Nilang (Tsongsa in Tibetan) and the orders of Tibetan Government regarding the unreasonable construction of the tall pillars by the Tehri [at

Tsong Chok La], we did not wait for you at the top of the pass. At first, we expected that you would discuss about the boundary at Puling Sumdhor or Mandi, but afterwards we received a letter from your babu saying that you would talk about the boundary at Hop. Although we gave an affirmative reply to above, we could not stay there as there was no grass for the animals. We intended to stay at Menthang Serpo, but the water was not good, so we had to come to Puling. We have finished discussing or producing documents at Tsongsa (Nilang).”

The conclusions of the Acton Commission were the following:

- The Tibetan claim to a frontier on the line of the Gumgum *nala* is ‘clearly absurd’: “That line would include within Tibet not only the head waters of both branches of Bhagirathi river, but a large part of the deodar forest of these valleys, the upper 10 miles of the pilgrim route, and the temple of Gangotri.”
- The Tibetans have no evidence to support such a claim. They have never had any interest in the management of the Gangotri temple; they have never attempted to work the forests, and they have never built or repaired any roads.
- The Gumgum *nala* itself is a small and insignificant ravine on the right bank of the Bhagirathi. It can’t mark the frontier of a country. It is inconceivable that such a place should ever have been chosen as a frontier line between India and Tibet.
- There is however good evidence to show that the villagers of Nilang and Jadhong have for 120 years been much more under the control of the Government of the Tehri State than under that of Tibet.

On August 26, 1926, the Political Agent for the Tehri-Garhwal State wrote to the Chief Secretary to the Government of the United Provinces: “I had not much hope that they Tibetan representatives could or would agree to any settlement of the dispute”, the U.P. government was happy that Acton’s “very clear report leaves no doubt that we can back the Tehri claim with entire confidence in its justice.”

He further commented: “The Tibetans claim is entirely vague: a particular point on the Nilang road is claimed”. In this case however, “a frontier at the Gumgum *nala* would apparently place the Gangotri temple in Tibet, a result which cannot even be considered.”

The Political Agent mentioned the 'third alternative' of keeping Nilang in Tehri State and offering Jadhong to Tibet; he said that it would be a possible compromise, though it would result in putting Jadhong under the Tibetan authorities, something "which the inhabitants do not desire."

The United Provinces government therefore suggested that Delhi should put pressure on the Tibetan Government to accept Acton's conclusions.

In October, the Chief Secretary of the United Provinces while forwarding Acton's report said that the United Provinces Government agreed to the conclusions of the report and suggested "that his services should be suitably acknowledged".

Again he repeated that the Tibetan representatives only relied "on the assertion of superior authority¹² for the claim to a boundary at the exit of the Gumgum *nala*. ...They were unable to specify anything in the nature of a continuous boundary, they produced no evidence worth the name, they either could not or would not negotiate for a settlement by compromise."

He again listed the actions of the Tehri Darbar to improve the facilities in the area and concluded: "Mr. Acton has marshaled and discussed the Tehri evidence in sufficient detail, and it is unnecessary to recapitulate. He has also analyzed the ethnological, geographical and topographical aspects of the problem in its wider bearings and has in consequence recommended that negotiations with the Tibetan Government be undertaken for the acceptance of the watershed boundary. This boundary would require no demarcation."

This obviously did not settle the issue as the Government in Lhasa was not in a mood to drop its claim of the Gumgum *nala* so easily.

The saga continue

Two years later, on November 14, 1930, Colonel J.L.R. Weir, the Political Officer¹³ Sikkim informed the Foreign Secretary in Delhi that he had received a letter from Lhasa about the Tibet-Tehri boundary question.

Weir commented: "This Tehri boundary is one to which much importance is attached by the Tibetan Government so much so that they paid me a special visit to discuss the matter the day

before I left Lhasa. ...Such a visit is contrary to Tibetan precedent and would only have been made in the matter of supreme importance in their eyes.”

The Tibetan Government which had done some homework in the meantime, produced three maps on which their claims were based:

- The Harmsworth Atlas and Gazetteer published in 1907
- Map of the Manual of Colloquial Tibetan by C.A. Bell published in 1905
- Philips New Series of Imperial Maps for Tourist and Travellers. India North Sheet (unknown publication date)

Weir admitted that though on a very small scale, the maps distinctly show Nilang and Jadhong in Tibetan territory. The PO's commentary was that the Tibetan Government was 'not sufficiently advanced' to differentiate between maps published by Government and those published by other agencies: "Their reliance on the maps put forward by them can be readily understood. Their claim up to Gum Gum Nala has been steadily maintained since the inception of this boundary dispute and I found it impossible to move them."

The fact remains that the map had been drawn by British. The Tibetans had a point.

The letter from the Kashag¹⁴ is dated the 25th day of the 8th month of the Iron Horse Year (17th October 1930). It states: "As this is a border question in accordance with ancient usage, the matter was put before the Tibetan National Assembly. The joint resolution, being that Jadhong and Nilung [Nilang] can be proved without a shadow of doubt to be within Tibetan territory."

It argues further: "Firstly our revenue dated Water Bird Year and kept at Tsaparang Zong [Dzong] has an account of the number of houses at Jadhong and Nilang and details of land tax to be paid in goods are as follows:

- Twenty native bushels of barley
- The complete bear's bile (used as medicine)
- Four hundred maunds of areca tree leaves
- One thousand bamboo sticks
- Two confection of the barberry each larger than a hen's egg (yellow eye medicine)
- 800 sheets of small size white paper
- 200 sheets of large size white paper

- Necessary timber for a room with four pillars (size 23' x 23') including wooden pillars, 80 beams for making long and short cross beams
- 80 planks including four large size planks for making doors
- Ten front and ten rear panels for wooden pack saddles suitable for donkeys
- Ten halters, etc.

The missive continues thus: "Therefore we maintain that the western border between Tehri and Tibet is the yellow boundary mark as shown in your recent map sent to us until the mark comes to Gumgoong [GumGum] bridge and Jangla Forest Bungalow."

It further defines the border: "From Gumgoong ridge the southern boundary runs up the river Jadahganga to Lamathatta, the territories being divided by the river, thence eastwards till it meets the red dotted line suggested by the Government of India and from that point the boundary is the same dotted line."

The Lhasa Government announced a small compromise from their side: "If the boundary is determined as stated above it would be satisfactory as there would be no occasion for dispute in connection with the Hindu temple and Gangotri and Gaumuk because then they will both come within Tehri territory."

The Kashag requested the Political Officer to communicate their new proposal to the Government of India to settle 'immediately' the issue.

For Colonel Weir, the PO: "The solution now offered by the Tibetan Government is one which I think might reasonably be accepted by all parties. The area now claimed is mountainous in the extreme and presumably of little value and all claims to Gangotri and Gaumukh, which are sacred to the Hindus, are renounced by the Tibetans."

It is probably one of the reasons why Delhi decided to send Frederick Williamson to find out about the situation on the ground in Nilang.

The Frederick Williamson Inquiry

Colonel Weir was replaced by Frederick Williamson as the Political Officer in 1932. During a tour in Western Tibet from August to October 1932, Williamson was requested by the Government of India to look into the 'Tehri-Tibet' dispute. During his tour, he was accompanied by Frank

Ludlow, an old Tibet hand. They met the *Dzongpen* of Tsaparang in Gartok and the latter accepted to accompany them to Nilang.

Although the Tehri Darbar was informed, they did not send a representative. Why? It is not clear, but Williamson said: "This was not a great consequence, as I was able to discuss the matter later with His Highness the Raja and his Dewan at Narendranagar¹⁵."

In his report, the PO mentions the Acton Report which "reported in favour of the watershed boundary claimed by Tehri, but the Government of India considered that the evidence showed that Tibet was entitled to a frontier further to the west."

He noted that even the Tibetan revised claim "leaves still in dispute a tract of country measuring 12 miles from north to south and some seven miles east to west."

Williamson commented "with the exception of the northwest corner, this tract appeared to my untrained mind to be practically valueless. But the south-west corner contains valuable deodar forest."

The new Political Officer was obviously very keen to find a solution and was ready to push for a compromise: "The Tehri claim to the watershed frontier passing through Tsang Chok-la has no more justification than the Tibetan claim to a frontier at Gungum bridge. Any boundary pillars which Tehri may have erected were put up without the knowledge and consent of Tibet and cannot possibly have any validity."

The PO went through the same exercise that Acton 6 years earlier; he met a number of witnesses who presented him their 'evidence'.

His report says: "The Tibetans showed me the two old books which they had showed Mr. Acton, regarding the collection of certain revenue from these villages, and this revenue is still being collected in the form of a cash payment of 74 rupees a year."¹⁶

Though the Tehri Darbar's representative was not present, he could collect some information from the local Jadhhs: "I understand that Tehri also has, for many years, collected 24 rupees a year from these villages. The Tehri Darbar claim that the Tibetan tax is a trade tax. It seems to me, however, that both taxes are exactly on the same footing and that one is a land tax just as much as the other."

He had however to admit: "The Tibetans have not been able to produce any evidence showing that they have actually administered Nilang and Jadhong but, under their system of Government, records are not regularly kept in the way they are in Tehri."

Frederick Williamson elaborated further on the Tibetan compromise: "when it was pointed out to the Tibetan Government that their original plan, as understood, would include within their frontiers the shrines of Gangotri and Gaumukh, they dropped this part of their claim and stated that they would accept a frontier following the yellow line on the map from its northern extremity to Gungum bridge or Jangla forest bungalow."

There is no doubt that Williamson was keen to find a compromise which could be acceptable to Lhasa. He wrote: "Even, however, if this is true¹⁷ (and there is a strong suspicion, though no real proof, that this is true) that does not make it a boundary pillar any more than the Tehri pillars on the Tsang Chok-la."

It is correct, though in these days there was not a single place on the Indo-Tibetan border where the abornment process had been done by both parties. Customary borders were an accepted arrangement.

This sometimes led to dispute like in the case under study.

Williamson recorded: "The Tibetans showed me the two old books which they had showed Mr. Acton, regarding the collection of certain revenue from these villages, and this revenue is still being collected in the form of a cash payment of 74 rupees a year."

He continued his description of the strange situation where the villagers were taxed by both administrations: "On the other hand, I understand that Tehri also has, for many years, collected 24 rupees a year from these villages. The Tehri Darbar's claim that the Tibetan tax is a trade tax. It seems to me, however, that both taxes are exactly on the same footing and that one is a land tax just as much as the other."

He however admitted that: "The Tibetans have not been able to produce any evidence showing that they have actually administered Nilang and Jadhong but, under their system of Government, records are not regularly kept in the way they are in Tehri."

What is more interesting for a study of the Himalaya is his observation that the people of Nilang and Jadhong look more Garhwalis than Tibetans. Williamson adds: "This is mainly due to their

dress. If they were to be put into Tibetan clothes, many of them would easily pass as Tibetans. They are of course a transition people. ...The country down as far as Nilang is Tibetan in aspect. The question of administrative control is not, I think very important.”

An important point was that the Jadhhs used to spend 7 months in a year in Garwalh: “The passes are closed for only 5 months in the years. During these five months no inhabitants are left at Nilang and Jadhhang except one or two old men. The rest all move down to Tehri territory”, wrote the Political Officer.

Further they wore Garwahli dresses; for Williamson: “They seem to speak Hindi, Tibetan and some dialect of their own, which is rather allied to Tibetan, with equal facility. But they always write Hindi. None of them called the Tsang Chok-la by its Hindi name of ‘Jelukhaga’.”

The Jadhhs’ seasonal migration is interesting: “When they move down to the lower valley they call in Brahmins and give any children born there Hindu names. It is most important that these villagers who are peaceful and amiable people, should not be troubled by either side.”

It is the case of several communities from the Himalaya which often belonged to two worlds, the Tibetan and the sub-continent.

What was of outmost importance in the PO’s mind was the welfare of the local people who had lived for centuries without bothering about the two governments’ more recent claims.

Williamson says: “It is most necessary that the Tehri Darbar should continue to permit them to go down the valleys in the winter as they do at present and where, of course, they will be entirely under Tehri’s jurisdiction”.

It can be seen from the number of disparaging remarks against his predecessor that the PO is clearly in favour of giving Nilang and Jadhhang to Tibet: “The country down as far as Nilang is Tibetan in aspect. The question of administrative control is not, I think very important. The passes are closed for only 5 months in the years. During these five months no inhabitants are left at Nilang and Jadhhang except one or two old men. The rest all move down to Tehri territory.”

The ‘Tibetan aspect’ did not mean much, as it could be argued that Ladakh too has a ‘Tibetan aspect’. Does that make it a part of the Lhasa territory?

Once again Williamson pleaded Tibet's cause: "Tibet really has a system of administration and these very amenable people can easily be controlled by Tibet during the time they stay at their higher villages. In these days when everyone is over-administered, they will not be so fortunate as to be left without administrative control."

However, the Tibetans continued to stick to their position, though, after a meeting with a senior Tibetan official, Williamson wrote in his report: "I did not think I should be able to get the Tibetan Government all they wanted, and asked how he would review a solution on these lines. His reply was non-committal. He had of course no power to agree to anything himself and did not know what his Government would say. He reiterated that the frontier was at Gumgum bridge."

Most of the objections from the Tehri State were brushed aside: "Tehri have stated that they would have to abandon a school and a customs post at Nilang if it were given to Tibet. The school is not there now and was, I understand, not maintained for long. The customs post was a trade registration post maintained at the expense of the Government of India. Such a post does not necessarily imply that its site is within the frontiers of India, as we maintained one for many years at Yatung in Tibet."

The situation of the Yatung post was entirely different in the sense that since 1904, British India was entitled to three Trade Agencies in Tibet and Yatung was one of them. It can't be compared to Nilang.

Williamson rightly remarked that "feeling on both sides is at present a little hostile and it is necessary that this dispute should be ended in order to restore local friendly relations."

This probably explains his keenness to find a quick solution. His final conclusions were:

- We should adhere to Kinney's frontier line, with a slight deviation so as to include in Tibet the whole of the fields irrigated by Kinney's frontier stream. We should inform Tibet that, as they admit themselves, an annual tax of 24 rupees has been taken from the villages of Nilang and Jadhong by the Tehri Darbar for many years. This being an old tax and a matter of immemorial custom, should be allowed, to continue.

- I do not think there will be any objection to asking the Tibetan Government not to collect more than their old customary tax of 74 rupees a year from the Jads.
- My whole object in this suggestion is to see that these unfortunate people do not suffer. Tibet will certainly not oppress them generally speaking, but they might occasionally demand another exceptional tax such as they collected in 1921.

Once his tour completed, Williamson returned to Lhasa and Gangtok.

The issue got then further complicated by the hardening of the dispute between Bashar and Tehri over Nilang. Delhi decided that it had to be tackled first.

Objections from the Tehri State

While the Tibetan stand remains the same during the following years, the Tehri State was not happy with Williamson's conclusions.

The United Provinces' Chief Secretary, J.K. Clay wrote a note of objection after getting the Williamson Report. As Clay put it: "Throughout this note Mr. F. Williamson shows himself to be biased in favour of Tibet and the Governor in Council observes with regret that he has given scant attention to the arguments contained in Mr. Acton's report, arguments which appear to the Governor in Council to be at least as convincing as those used by Mr. Williamson."

Perhaps more importantly, Clay raised the issue of precedence for the rest of the Indo-Tibet border: "It is also very necessary that the Tibetan Government should agree not to use any precedent created by the settlement of this dispute at any other point on their frontier. More especially they should agree not to make the settlement a pretext for reopening the dispute about the frontier between Tibet and British India in the north of the Garhwal and Almora districts. This dispute reached an acute phase about 30 years ago when it was actually necessary to send a small body of British troops up to the Tibetan frontier".

Retrospectively, keeping in mind the difficulties to solve what has become the Sino-Indian border, it was a wise point made by the Chief Secretary of the United Provinces.

Had the government of India agreed to Williamson's proposal, the Chinese People's Liberation Army would today be based a few kilometers from Gangotri. One can imagine the strategic and other consequences of their presence.

Clay pointed out further: "Though this dispute has not since been heard of it may be conjectured, from the experience of the present dispute with Tehri, that the other dispute with the British Government is merely in a state of suspended animation and, given a favorable opportunity, may possibly be raised once more in the future. It seems therefore desirable that it should be clearly agreed by the Tibetan Government, if and when the present dispute is settled, that it should not be taken to be a pretext or precedent for re-opening the disputed boundary question on the Almora and Garhwal border."

This was indeed a serious objection. In 1960, during the border talks between India and China, the Indian negotiators for the first time realized the wisdom of these remarks.

A New Commission

To complicate the matter further, the dispute between the Tehri and Bashahr darbars in the neighbourhood of Nilang took a bitter turn. There was no question of settling the boundary dispute with Tibet as long as the internal issue between the 2 princely states was not solved. A Commission was therefore appointed to make recommendations about the 'ownership' or at least the possession of these remote mountain areas.

Two officers were nominated to jointly decide the issue. It was E.A.R. Eustace, Superintendent, Hill States, Simla and R.H. Williamson, Political Agent for Tehri-Garhwal. The latter has no relation with the Political Officer in Sikkim (Frederick Williamson), who had visited the area two years earlier.

On September 28, 1934, the Commissioners first met in Narendranagar, the winter capital of the Tehri-Garhwal State. The Superintendent of the Simla Hill Estates, who had left Simla at short notice, was not accompanied by the representative of Bashahr; he was himself unaware of the details of their claims. The Tehri-Garhwal Darbar refused to depute a representative to accompany the Commissioner unless he was told of the claims of Bashahr.

On October 7, both officers were finally joined half way to Nilang, by Mian Daulat Ram, the Bashahr representative. The Tehri-Garhwal darbar then agreed to depute a representative by October 22 with all the documents supporting his State's claim.

The Commission reached Nilang on October 10. They stayed there for a week, studying the maps and the topography of the place and returned to Uttarkashi on October 18. The formal enquiry was conducted at Uttarkashi on October 25 and 26, but after the Bashahr Darbar argued that they had not been given sufficient time to prepare their case and also due to the fact that the Tehri representative had not all documents with him, the final enquiry was only conducted on February 27 and 28, 1935.

The terms of reference given by the Foreign and Political Department in Delhi were: to find out whether "in view of the change of site (of the village of Nilang) the Raja of Bashahr is still in position to claim that the present site is within his territories".

For the Government of India, it was clear that: "Any attempt to raise the international issue before a decision has been reached as to the Indian State which may be entitled to claim jurisdiction over this tract would necessarily weaken the position of the Government of India in negotiations with Tibet."

The Commission had therefore to decide the ownership and possession of the tract of land between Tehri-Garhwal and Bashahr in the neighborhood of Nilang.

The Commissioners knew that the two States claimed not only Nilang village but also 'the whole of and the other a portion of the Jadh Ganga valley'. They decided: "We, therefore, propose to adjudicate on the conflicting claims in their entirety and not merely on a dispute as to the ownership of Nilang itself".

One first strange finding was that Nilang was not on the side of the river as it appeared on the maps. The Report says: "Every survey map which we have seen places the village on the right bank. Mr. Kinney, a surveyor, who visited Nilang in 1878 stated that the houses were on the right bank of the Jadh Ganga while the field of the village were on the left; Mr. Acton in his report of 1926 was informed by certain Tehri witnesses that the *abadi* [population] had been moved some years earlier to the left bank from the right bank on account of the danger of falling stones."

The Report further asserted that the Government of India “is disposed to accept the above theory”.

However on the spot, the Commission’s observations (supported by photographs) tend to prove that “it is improbable that Nilang *abadi* was ever situated on the right bank. There is no visible trace of any *abadi* on the right bank and the bank itself is precipitous cliff except at one point where it shelves slightly before falling again steeply to the river. The river itself cuts deep into the rock, and clearly cannot have changed its course.”

Like Acton and Frederick Williamson had done earlier, Estache and R.H. Williamson describe the inhabitants: “The Jadhhs, who are a small but distinct tribe of frontier graziers and traders, have 2 villages named Nilang and Jadhang in the Jadh Ganga valley; these villages contain *pucca* houses, and are considered by the Jadhhs as their regular home. They are however only occupied for about 3 months in the year, and during the remaining months the tribe moves down slowly grazing through the lands of the other villages in Thaknor, which in summer graze in the Jadh Ganga valley, to 2 other settlements which they have at Harsil in the Bhagirathi valley about 20 miles below Nilang, and at Dunda about another 30 miles further down the same valley.”

Regarding the claims, the Tehri Garhwal claim included the entire valley of the Jadh Ganga and its tributaries on both the banks, while Bahsar claimed the Western part of the area. (see maps) They studied the different maps of the area particularly a map attached to an Emerson-Barker report of 1912 based on a survey conducted in 1859 by Mulherson, Shelverton, Dyer, Peyton, Johnson and Brown.

They also presented the map prepared by Kinney in 1878, which gave the same north and south international boundary with Tibet as does the Atlas sheet of 1859 passing through Nilang. It shows Nilang on the right bank of the Jadh Ganga river. Bashahr State produced the maps of Nilang and Jadhang villages prepared at the settlement of 1892.

The commissioners added: “The Tehri settlement map has been checked by us as regards its general features with conditions on the spot, and we have no doubt that it correctly represents the present position.”

That was to be taken into account.

The copper plate

Another document had a direct bearing on the 'ownership' of the area. It was an engraved copper plate which was presented to the Commission by the Bashahr Darbar. The reports said: "This purports to be an agreement dated S. 1723 [1667 A.D.] bearing the seal of Raja Prithwi Pati Shah of Garhwal, and the names of 10 Tehri witnesses. It recites a treaty between the two states for purposes of mutual defense, and goes on to say that the northern boundary of Tehri shall in future be at a point below Harsil."

Tehri refused the evidence on the ground that the dating of the plate was doubtful, "though to the layman there seems nothing suspicious about it wrote one Commissioner who added that if the decision had to be taken on the basis of the copper plate "it would be useful if the opinion of the proper officer of the archeological department" about its apparent genuineness.

Moreover, the plate was dated S. 1723 with the seal of Raja Prithwi Pati Shah of Garhwal, while in the United Provinces official 'manual of titles', the same raja is supposed to have died five years earlier.

Though the Tehri Darbar had 'no opinion' on the date, the existence of the plate complicated the issue even further.

On March 5, 1935, R.H. Williamson gave his conclusions. He believed that: "On the evidence before us the claim of Tehri State to sovereignty over the Jadhhs and the area in dispute must be considered in every way stronger than have not been able to produce that evidence of past administration which is detailed in the Acton report, but even so it must be held that the long record of revenue assessment of the Jadhhs and their village Nilang the use by other Tehri subjects of the Jadhganga valley as a grazing ground, the residence of the Jadhhs for more than half the year in Tehri territory, the mass of records of jurisdiction by Tehri Courts, the maintenance of communications along the Jadhganga valley up to Nilang by Tehri State – all this must override the claim of Bashahr which is based mainly on periodical levies and fines such as a trading community might well be subject to from more authorities than one."

E.A.R. Eustace, the Superintendent, Hill States, Simla based his conclusions on the Hodgson and Herbert's map and other evidences such as the Tehri map of 1902 as well as the political boundary between Bashahr and Tehri Garhwal 'settled' by Emerson and Barker in their report

of June 20, 1912 (this was accepted by the Punjab Government) and finally, the engraved copper plate put forward by Bashahr relating to an agreement dating 1667 A.D. with the seal of Raja Prithwi Pati Shah which would leave Nilang/Jadhang to Bashahr.

The Superintendent of Hill States separately gave his conclusion, in view of his differing arguments: "by virtue of the copper plate of A.D. 1667 (if genuine) and in view of Hodgson and Herbert's map and the Tehri State map of 1902, it does seem that Bashahr may originally have had a good claim to Nilang and Jadhang. I also think that the correspondence of 1872 between the Raja of Bashahr, the Superintendent Hill States and Sir Henry Ramsay, the Commissioner of Kumaon, does suggest that the title of Bashahr over Nilang and Jadhang was at that time admitted. There is however no doubt that since 1892 Bashahr have really taken no interest in Nilang and Jadhang which since 1920 have definitely been administrated by Tehri, and I agree with Mr. Williamson that the interest of the Jadhhs are now entirely bound up with Tehri in trade as in everything else. In the circumstances I can see no sufficient ground for assigning these villages to Bashahr and I consider that they should be assigned to Tehri."

On March 14, the Political Agent for Tehri-Garhwal State, Bareilly wrote to the Chief Secretary of the Government of United Provinces about the joint report. He commented: "The findings, though separate, have a single result, namely, a recommendation that all the territory in dispute with the exception of a small area known as the Chor Gad on the right bank of the river Jadhganga, opposite to Nilang itself, be awarded to Tehri-Garhwal State. The area in dispute is taken to include the whole valley of the Jadhganga from its source of Gartaga and not merely the village and adjoining cultivation of Nilang and its hamlet Jadhang."

One part of the dispute was now settled. Unfortunately, as we shall see, the two parties (British India and Tibet) did not pursue the issue further due to other reasons.

The following years

The 13th Dalai Lama passed away in 1933, two years before the internal dispute between Tehri and Bashahr states could be settled. After the demise of their leader, the Tibetans' priorities changed. The Lhasa government was now busy with the search of the new Dalai Lama (who took birth in 1935 and was discovered a couple of years later).

During this period, the Tibetans continued their 'tax collection' incursions in the Nilang area and even issued *parwana*¹⁸.

At the end of 1935, Frederick Williamson fell sick while on an official tour in Tibet and he passed away on November 17. The person who knew best the 'dispute' was no more.

A year later, Williamson was replaced by Basil Gould as the PO. When he visited Lhasa in 1936, the main issue was Tawang and NEFA. It would occupy the Tibetan Kashag and the British authorities in Sikkim for the next 10 years. It was a far more serious issue for both parties. It would culminate with the visit of Hopkinson in Lhasa at the end of 1945.

Later, during World War II, the British had more urgent matters to deal with than the ownership of Nilang/Jadhang. The issue was left to be tackled by the government of Independent India.

Some conclusions

The dispute is interesting at several levels.

First, the dispute is typical of a border dispute in the Himalaya for the simple reasons that a number of areas/places belonged to two separate worlds, the Tibetan and the Indian. Though the facts such ethnicity, customs, etc. tend to prove that the villagers of Nilang and Jadhang were Bhotias¹⁹. For centuries, they moved freely fro and to Tibet; the trade was still unhindered.

Another observation is that during the time of our main study²⁰, Tibet was then an independent state dealing with another independent State (Great British) as an equal without referring to the Chinese government. During this period, there was not even a Chinese representative in Lhasa; the Nationalist Government probably never got informed of the 'dispute' and the subsequent talks between Lhasa and Delhi.

For the Tibetan government, Nilang was a question of prestige, mostly because the Dalai Lama had stated that the Gumgum bridge was the border. There was therefore no question of compromising on this issue.

Williamson was probably wrong when he believed that the Tibetans were only interested in securing trade. It need not have changed much to the trade between Tehri and Tibet, had the

border been one side or another. In fact the status quo, allowed both States to have a convenient place of exchange both for the Indian and the Tibetan traders and both local administrations could have continued to tax the local grazers and traders.

Epilogue

The rapport de force changed after the Chinese invaded Tibet in 1950/51. India had a new neighbour. Though it took some years for the Communists to get acquainted with the intricacies of the border area, India knew that it had to move fast.

The occupation of Nilang remains shrouded in secrecy. It is probably an outcome of the Himmatsingji Committee²¹ who prepared a report sent in two parts to the Government of India.

The first part consisted of its recommendations regarding Sikkim, Bhutan, NEFA and the Eastern frontier bordering Burma; it was submitted in April, 1951. The second part contained the recommendations on the borders in Ladakh, Punjab, Uttar Pradesh and Nepal and was submitted in September 1951. One of the action suggested by the Committee appears to be that areas such Tawang and Nilang should be immediately occupied by the Indian forces. Already in May 1950, the Ministry of External Affairs has sent a note to the Ministry of Defence asking the latter to comment on the feasibility to occupy the Nilang/Jadhang area. The Political Officer in Sikkim had said: "the guiding principle in the new circumstances²² must however be the Government of India's ability to vindicate what they would regard as the appropriate frontier, since it would be idle to claim territory which could not be effectively protected or controlled."

On April 4, 1950, Ministry of Defence answered²³: "We are required to comment in the proposal with reference to the remark made by the PO... The area under dispute is an extremely difficult country physically and climatically with hardly any communications. It therefore follows that operations in the area will have to be confined to short periods and undertaken by specially trained infantry organized on an ad hoc basis with very scanty artillery support and no support whatsoever from either tanks or aircraft. The administrative problems connected with an operation would be considerable. Even if the defence area were narrowed down to the

protection of the villages Nilang and Jadhong, with the present resources of the army, it would be well nigh impossible to guarantee the integrity of the above villages. It will be equally difficult to afford hundred per cent protection to the small inhabited localities lying with the Indian frontier within the Indian frontier in this area.”

The Ministry of Defence’s conclusion was: “Whatever solution the E.A [External Affairs] Ministry adopt, it would be subject to the conditions set out above so far as the defence of the frontier will be concerned.”

A few years later,²⁴ Beijing started to claim five areas in the central sector of the now Sino-Indian border.

On May 2, 1956, the Ministry of External Affairs wrote to the Counsellor in the Chinese Embassy in Delhi about a Chinese intrusion in the Nilang area. It protested: “We have learnt with surprise and regret from the Commander of our Border Security Force at Nilang that 12 Chinese soldiers including one officer equipped with tommy and sten guns and telescopes were sent half a mile east of Nilang at 12.30 hours of 28th April [1956]²⁵.”

The Indian Ministry clarified: “Nilang at the area right up to Tsang Chok-la pass is clearly within Indian territory and has always been in our possession. We have, therefore instructed the Officer Commanding our Border Security Force in Nilang to inform the Chinese officer to leave Indian territory immediately.”

On September 8, 1959, Zhou Enlai the Chinese Premier took the issue with Jawaharlal Nehru, his Indian counterpart: “Concerning the section of the boundary between the Ari [Ngari] Area of China's Tibet and India. It can be seen from your letter that you also agree that this section of the boundary has not been formally delimited by the two countries. Not only so, there have in fact been historical disputes between the two sides over the right to many places in this area. For example, the area of Sang and Tsungsha, southwest of Tsaparang Dzong in Tibet, which had always belonged to China, was thirty to forty years back gradually invaded and occupied by the British. The local authorities of China's Tibet took up this matter several times with Britain, without any results. It has thus become an outstanding issue left over by history.²⁶”

During the 1960 talks, the issue of Nilang came back several times on the table, but India stick to its position that Tsang Chok-la was the border, therefore its occupation of Nilang was fully legal.

It is still the position today.

¹ File Title: Tibet: *Tehri-Tibet boundary dispute*; dates: Feb 1923-May 1940; physical description: 338ff; file number: L/P&S/12/4172; Pol Ext Coll 36 File 9; Scope & contents: 'Report of the Commission appointed to make recommendations with regard to the territory in dispute between Tehri-Garhwal and Bashahr darbars in the neighbourhood of Nilang, 1934; Simla: Foreign Dept, Sep 1935, [25]p 'Note on Tehri-Tibet boundary dispute' F Williamson, 31 Oct 1932 Delhi: Foreign & Political Dept, Nov 1932, 7p, Confidential.

² Hereafter called the Tehri State or in some cases, the Tehri Darbar, when we refer to the state administration.

³ A nala is a small stream

⁴ The Dzongpen or *Dzonpon* can be called a District (Tibetan, *Dzong*) Commissioner. The Dzong is an administrative area in Tibet. In Western Tibet, *dzongpens* were posted in Tsaparang, Daba and Purang (near the tri-junction Nepal, Tibet and India). After 1904, there was an Indian Trade Agent in Gartok looking after the trade and related issues. A *Garpon* or Governor (for Western Tibet, known as Ngari Khorsum in Tibetan) was posted in Rutok.

⁵ 'La' is the Tibetan name for 'pass'.

⁶ In this case, Tibet and British India.

⁷ Known as Jadhhs.

⁸ Om Mani Padme Hum?

⁹ In Hindi or in Tibetan scripts?

¹⁰ In 1925

¹¹ the Rupen of Sarang

¹² The Dalai Lama.

¹³ Know as PO.

¹⁴ The Tibetan Cabinet

¹⁵ The summer capital of the Tehri-Garhwal State

¹⁶ See list given in the letter from the Kashag.

¹⁷ That the Tibetans had planted a pillar in 1914 near the Gumgum bridge.

¹⁸ An official document; in this case, requesting corvee and other services.

¹⁹ According to Wikipedia, the Bhotias (or Bhotiyas): "are groups of ethno-linguistically Tibetan people living in the trans-Himalayan region that divides India from Tibet, and were originally a hill tribe. Their name, Bhotiya, derives from the word Bod (Bodyul), which is the Classical Tibetan name for Tibet. The ancient language of Bot people is Boti. The Bot people are closely related to the Sikkimese Bhutia, the main ethno-linguistic group of Northern Sikkim that speaks the Sikkimese (Bhutia) language. They are also closely related to the Uttarakhand Bhotiya,

several groups in the upper Himalayan valleys of the Kumaon and Garhwal of Uttarakhand Himalayas. These include the Shaukas of Kumaon and Tolchhas and Marchhas of Garhwal.” The Jadhs of Nilang should be added to this list.

²⁰ Between the early 1920s and 1935.

²¹ Also known as the North and North East Border Defence Committee.

²² Does it mean that the Political Officer (Harishwar Dayal) knew that China would occupy Tibet a few months later?

²³ National Archives of India: Ministry of External Affairs’ file no. 2-2689-NEF/50.

²⁴ In the mid-1950s.

²⁵ Notes, Memoranda and letters Exchanged and Agreements signed between The Governments of India and China 1954 –1959 (WHITE PAPER I - 1954- 1959), Ministry of External Affairs Government of India. See: http://www.claudearpi.net/maintenance/uploaded_pics/WhitePaper1.pdf.

²⁶ Notes, Memoranda and letters Exchanged and Agreements signed between The Governments of India and China. Correspondence Nehru-Zhou (WHITE PAPER IV - September 1959 - March 1960). See: http://www.claudearpi.net/maintenance/uploaded_pics/Correspondence_Zhou_Nehru_Sept-Nov59.pdf.