

**Notes, Memoranda and letters Exchanged and Agreements signed
between The Governments of India and China**

WHITE PAPER IV

April-October 1960

*Reference on the Indian Mission in Lhasa and the Trade Agencies in Gartok,
Yatung and Gyantse*

**Note given by the Consulate General of India, Lhasa,
to the Chinese Bureau of Foreign Affairs in Tibet, 1 April 1960**

The Consulate General of India in Lhasa presents its compliments to the Bureau of Foreign Affairs in Tibet and have the honour to refer to Foreign Bureau's note of 21st January, 1960. In reply the Consulate General has to state that the version of the two incidents of trespass into the premise of the Indian Trade Agency at Gyantse, given in the Note, are at variance with what the Consul General was told by Mr. CHAING SU MIN, vice Director of the Foreign Bureau on the 8th December, 1959. For example, the Vice Director told the Consul General on 8th December that two women went to the hut of the maid-servant of the Indian Trade Agent and that their purpose was to register the material which the said maid-servant had borrowed from a rebel named NISHU. In the Bureau's note of 21st January, however, it has been stated that a local resident was entrusted by the wife of NISHU, a local resident, to fetch from CHOMO, a woman attendant of Indian Trade Agent at Gyantse, the articles which she had borrowed from NISHU. At the discussion on the 8th December also it was stated that on 24th November cadres of

Chinese Peasants' Association went to the said maid servant's compound with a view to taking away material which the mid-servant had borrowed from rebel NISHU.

Apart from such contradictions, even the Chinese authorities have not denied the fact that some unauthorised persons did trespass into the Trade Agency compound. This would hardly be an appropriate method of recovering debts even from a local national of a Foreign Trade Agency residing within the premises of the Trade Agent. The entry of the two women and eight peasants into the residential premises of the Trade Agent without prior notice to the Trade Agent can only be regarded as contrary to the rights and courtesies which are customarily due to the representatives of another country. The Consulate General of India is, therefore, instructed to urge the Foreign Affairs Bureau to instruct the local authorities to ensure that such unwarranted instructions do not occur again and the sanctity of Indian Trade Agency is duly respected.

The Consulate General of India takes this opportunity to renew to the Bureau of Foreign Affairs its assurances of highest consideration.

**Note given by the Ministry of the Foreign Affairs, Peking,
to the Embassy of India in China, 8 April 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Indian Embassy in China and has the honour to acknowledge receipt of the note handed over on February 19, 1960 by Mr. J.S. Mehta, Deputy Secretary of the Ministry of External Affairs of India to Mr. Ma-Mu-ming, Secretary of the Chinese Embassy in India, concerning the question of lease of land by the Indian Trade Agency at Gyantse.

The Chinese Government notes with regard that the Indian Government, in its note, still claims that old lease concluded in 1943 at the time of the former British colonial government to be valid. This statement which is hard to comprehend obviously cannot be deemed consistent with the spirit of the 1954 Sino-Indian Agreement and exchange of notes. In its note of February 19, 1960, the Indian Government also clearly admits that it "agreed to conclude a new lease". Agreement to conclude a new lease signifies that the old one has ceased to be in force. The Chinese Government cannot understand why the Indian Government, while agreeing to conclude a new lease, maintains, in disregard of the fact, that the old one has ceased to be in force. The Chinese Government cannot understand why the Indian Government, while agreeing to conclude a new lease, maintains, in disregard of the fact, that the old lease remains valid, thus procrastinating for a long time a simple question which should have been settled long ago, and even complicating it. Such a way of dealing with the question is actually of no help to the settlement of the question of reconstruction of the Indian Trade Agency at Gyantse.

As to the extent of the lease, it is clearly provided in the notes exchanged in 1954 that "The Government of China agrees that all buildings within the compound walls of the Trade Agencies of the Government of India at Yatung and Gyantse in Tibet region of China may be retained by the Government of India. The Government of India may continue to lease the land within its agency compound walls from the Chinese side." It should be pointed out that both the premises of the Indian Trade Agencies at Yatung and Gyantse had compound walls, and that during the 1954 negotiations for the Sino-Indian Agreement, the Indian representative Mr. Ragavan repeatedly stated to the Chinese representative Mr. Chang Han-fu that the Indian Trade Agencies at Yatung and Gyantse did have compound walls. In its note of February 19, 1960, however, the Indian Government asserts that "the fact is that there were no compound walls right along the perimeter of the Trade Agency either in Yatung or in Gyantse; and therefore the phrase 'compound walls' only signifies the boundary of the areas in question....." This assertion is wholly inconsistent with the fact. Such a strange interpretation of the Agreement and the notes exchanged is lacking in seriousness and is unfavourable to the development of friendly relations between China and India. The Chinese Government, therefore, is firmly against accepting such an interpretation.

In its note January 27, 1960, the Chinese Government has again explained patiently to the Indian Government the facts about the question of reconstruction of the Indian Trade Agency at Gyantse. With respect to the extend of the lease, although the notes exchanged in 1954 only provide that the Indian Government may continue to lease the land within its agency compound walls, yet the Chinese local authorities in Tibet, in the spirit of Sino-Indian friendship, have still been willing to discuss and determine a reasonable extend for the lease, as permitted by local conditions and having regard for the actual needs of the Indian Trade Agency at Gyantse.

Unfortunately, the Indian Government fails to appreciate this consistently friendly and helpful attitude taken by the Chinese Government. The Chinese Government cannot deem this a cooperative attitude.

It should be pointed out that the Indian Government at various places in its note of February 19, 1960, used discourteous and inappropriate language.

This can by no means be considered as in conformity with diplomatic usage and the courtesy due to be shown between two friendly countries. The Chinese Government expresses its deep regret at this.

Nevertheless, the Chinese Government will still deal with the questions concerned with a goodwill, according to its consistent desire to uphold Sino-Indian friendly relations and in the spirit of the solemn Agreement and exchange of notes between China and India in 1954. The Chinese

Government would like to state once again that it will still instruct the local authorities to continue to render assistance in the reconstruction of the

Indian Trade Agency at Gyantse. The Chinese Government has noted that, in its note of February 19, 1960, the Indian Government indicated the desire of

leasing 19-12 acres of land for the reconstruction of the premises of the

Indian Trade Agency at Gyantse. The Chinese local authorities, in the spirit of friendly assistance, are willing to give consideration to this request. It

must be pointed out, however that the concrete extend of the lease has to be negotiated and determined by the two sides, and that this has nothing to do with the old lease.

In conclusion, it is hoped that the Indian Government will instruct the Indian Trade Agency at Gyantse to take a cooperative and practical attitude and no

longer persist in its unreasonable demands. The Chinese Government fully believes that the various concrete questions encountered in the

reconstruction of the basis of mutual cooperation, mutual confidence and mutual understanding between the two sides.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Indian Embassy the assurances of its highest consideration.

**Note given by the Ministry of External Affairs, New Delhi,
to the Embassy of China in India, 13 April 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and, with reference to the Note of 31st December, 1959, presented by the Ministry of Foreign Affairs of the People's Republic of China to the Embassy of India in Peking, have the honour to state once again the following position regarding the nationality of persons of Indian origin residing in the Tibet region of China.

2. The Government of India have stated clearly that, in terms of the relevant clauses of the Indian Constitution and the citizenship and, that under the Indian nationalities with the diplomatic and consular missions for Indian nationalities is a matter of option without any time limit. No general grounds can, therefore, be advanced by which Indian nationals can be deemed to have lost their claim to Indian citizenship. It is an accepted canon of international law, which was specifically upheld in a declaration by the Permanent Court of International Justice in 1923, that the question of nationality law lie solely within domestic jurisdiction of a state. The Government of India are therefore under no obligation to accept any law of nationality or executive decree promulgated in the People's Republic of China, which, in effect, would amount to depriving the persons, so entitled, of their rights to Indian citizenship. Further, the Convention on Certain Questions Relating to the Conflict on Nationality, concluded at the Hague Conference in 1930, stated that the law of each State on nationality shall be recognised by the other States in so far as it is consistent with international conventions, international custom and the principles of law generally recognised with regard to nationality. The Government of India and the then Government of China subscribed to this convention. The Indian laws on the

subject are fully consistent with well accepted international principles of nationality. On the other hand, the Government of India were not aware of any law on nationality promulgated by the Government of the People's Republic of China. The traditional practice of the Government of China in regard to nationality was apparently based on the principles of *jus sanguinis*, that is, every descendent of Chinese nationals, irrespective of residence, was considered to be of Chinese nationals, irrespective of residence, was considered to be of Chinese nationality. The Chinese note under reference admits that the Kashmiri Muslims and the Ladakhi Lamas resident in Tibet are of Indian origin. The Government of India, are therefore, all the more surprised that the Chinese Government should endeavour to challenge the right to Indian citizenship of the persons of Indian origin. This right is based on a principle to which the Chinese Central authorities have traditionally and specifically subscribed, and even now continue to subscribe.

3. It may be added that the considerations which the Chinese Government have adduced are totally irrelevant to the legal right to Indian nationality of this group of persons who came from India. For example, the fact that these persons did not hold Indian nationality of this group of persons did not hold Indian nationality certificates has no relevance since, as pointed out earlier, there is no limit prescribed under Indian laws, within which they must register with Indian Missions abroad. Such registration abroad is a matter of option. Actually, as far as these persons residing in the Tibet region are concerned, they did endeavour to approach the Indian Consulate General for the necessary papers and it was the Chinese authorities which obstructed them from doing so. The Government of India immediately drew the attention of the Chinese authorities to this in the letter sent by the Consul General on 13th May, 1959 to the Chinese Foreign Bureau in Lhasa. Indeed, the local authorities went as far as to forcibly confiscate the registration

forms and papers if Indian nationals who had succeeded in obtaining them from the Consulate-General.

4. It is equally irrelevant that the Tibetan local authorities treated these persons as Chinese Tibetans. Under International practice the treatment meted by any local Government cannot unilaterally be deemed to confer or determine the question of nationality of foreign citizens.

5. The Chinese Government in their note have also contended that many of the Indian nationals had been abroad with Chinese travel papers. Although some Indian nationals might have, for the sake of convenience and out of ignorance, taken Chinese papers, the Government of India believe that such assertion does not apply to the bulk of Kashmiri Muslims. In this connection it would not be inappropriate to recall, as was pointed out in the Indian note of 24th September, that as soon as these persons reached India, they claimed the benefits which were reserved for Indian citizenship even though they might be holding Chinese papers. They proceeded to the Haj as Indian nationals in pilgrim-ships which were intended for Indian citizens only. In any case, the possession of Chinese passports and certificates does not necessary result in their losses of Indian nationality.

6. From such information and representations as have been received by the Government of India, they must categorically reject the Chinese Government's assertion that the Indian nationals were satisfied at being treated as Chinese nationals. Apart from the fact that Chinese nationality as such was never conferred to them, from all evidence these people appears to be waiting impatiently to return to the places in India from where they originated, whatever their economic losses.

7. The basic facts remain that these persons are of Indian origin and by tradition, common to both China and India and under Indian laws, they are fully entitled to be treated as foreign nationals in Ladakhi Lama went to the Tibet region for the theological studies during their life time. The Kashmiri Muslims, even though they may have been in Tibet for more than a generation, have retained their separate identity and their traditional connection with their homeland. There is no evidence that these persons have expressly renounced their right to Indian citizenship and, as such, any unilateral attempt to treat them as Chinese nationals is contrary to international law and practice, apart from being a variance with the spirit of friendship between the two countries.

8. It is therefore unfair and illegal to insist that these persons should renounce their Chinese nationality when in fact there is nothing to suggest that they had acquired Chinese nationality much less that they had surrendered their Indian nationality.

9. Even if these Indians, by virtue of their residence, are deemed to have fulfilled the conditions which would qualify them for Chinese citizenship, they would be entitled to the benefit of dual nationality. According to the international conventions and the application of China's own practice *mutatis mutandis*, in another context, Indian nationals retain the right title to Indian citizenship. The Government of the People's Republic of China have the sovereign right to confer its own citizenship on foreigners, but they cannot claim right to deprive foreigners of their nationality.

10. In this connection, it may be expedient to recall the Treaty between the People's Republic of China and the Republic of Indonesia on the question of dual nationality. Article I of the Treaty upholds the principle that all persons

who simultaneously hold the nationality of the two signatory countries have the right to choose according to their own will which nationality they would wish to adopt. Further, an authoritative comment on this treaty made by Mr. Wang Chi Yuan, Member of the Standing Committee of Peking -returned Overseas Chinese Association, published in 'People's China' of June 16, 1995, may be recalled in this connection. It referred to the notable features which can be found in the Treaty. Among them he stated, is the principle of the choice of nationality at one's own free will for men and women alike..... He went on to say that the "signing of this Treaty has set a precedent for the settlement of the dual nationality question between China and other countries in South East Asia. The Chinese Government is ready to settle it with other Governments concerned." The Government of India seek nothing more than the application of these same principles to persons of Indian origin.

11. Moreover the same principle of choice was in the Agreement conclude between the People's Republic of China and the Royal Nepal Government in 1956 in respect of the persons of mixed parentage residing in the Tibet region of China. In fact, only recently, a decree issued in Lhasa has reiterated the terms of the agreement.

12. The Government of India finds it patently illogical that the Chinese Government should affirm the right of persons of Chinese origin living for generations in foreign countries to Chinese nationality, regardless of their residence and birth, pledge themselves to the principle of option implicit in dual nationality, and at the same time persistently refuse to give the freedom to exercise the same option to the persons of India origin residing in the People's Republic of China. Such an attitude is an inconsistent as it is unfair from the humanitarian point of view.

13. To summarise the Government of India wish to reaffirm that persons of Indian origin are fully entitled to Indian nationality. The Chinese Government have so far failed to give any proof of such persons having expressly acquired Chinese nationality under any recognised procedure or law and consequently it is presumed they do not enjoy dual citizenship. Even if it is established that these persons have simultaneously acquired Chinese nationality, the only fair course would be to give them option of choice of nationality. The Government of India are gratified at the arrival of some Ladakhi Lamas but at the same time the Government of India continue to receive reports of hardships suffered by a large community of Kashmiri Muslims and Ladakhi Lamas who are still in Tibet. A full list of the Kashmiri Muslims families in the Lhasa Shigatse areas has already been furnished with the Indian note of 24th September. The Government of India trust that in the spirit of friendship between India and China and in accordance with International law and customs the Chinese Government will facilitate the return to India of persons of Indian origin should they so desire and that local authorities in Tibet will be instructed to remove obstruction in the way of their doing so.

The Ministry of External Affairs take this opportunity to renew to the Embassy of the People's Republic of China the assurance of their highest consideration.

**Note given by the Ministry of External Affairs, New Delhi,
to the Embassy of China in India, 17 May 1960**

The Ministry of External Affairs of the Government of India present their compliments to the Embassy of the People's Republic of China and have the honour to invite their attention to the note regarding currency and exchange difficulties, experienced by Indian traders in Tibet, which was handed over to the Ministry of Foreign Affairs of the People's Republic of China by the Counsellor of the Indian Embassy in Peking on September 17, 1959.

2. The Government of India regret to point out that although four months have since elapsed, no steps appear to have been taken to ease the difficulties faced by the Indian nationals who are engaged, in accordance with the provisions of the 1954 Agreement, in the customary trade between India and the Tibet region of China. In fact, it would seem that these difficulties have recently increased because of fresh restrictions placed by the Chinese authorities in Tibet. As has been mentioned previously, the traders feel that the authorities in the Tibet region are hampering the normal exchange or sale of goods which was the traditional basis of this trade. In the interest of preserving the traditional trade connections and removing the hardships which are being inflicted on individual traders, the Government of India would request the Chinese authorities might take urgent steps to remove the difficulties to which their attention has previously been drawn.

3. In the following paragraph, the Government of India would like to mention some of the more specific difficulties which have come to their attention. All these appear to be of recent origin:

(i) It is learnt the local authorities in Tibet continue to refuse to issue rupee drafts to all Indian traders in lieu of the Chinese currency held by them, except when the trader proposes to close down his business and terminate his trading connections with Tibet. Such drafts are necessary in view of the regulations passed by the Chinese authorities in July last year. In the absence of some method of repatriation of the earnings and profits, these trading connections can obviously not continue. The Government of India fail to understand what objection there could be to the grant of rupee drafts against the legal currency of China.

(ii) It has been brought to the notice of the Government of India that even when such drafts are issued, the commission charged by the Bank of China is exorbitantly high. The commission which was two percent in the past was in itself excessive. The decision to raise it hundred percent cannot but be construed as a deliberately restrictive measure intended to deprive the trader of his legitimate profit from the trade. Such a measure acts as a deterrent to the continuance of trade.

(iii) The question of the recovery of debts owed to Indian traders by the officials and other Chinese nationals in the Tibet region has been the subject of many previous representations. It is report that no significant effort seems to have been made to help the nationals in the realization of their bona fide claims.

The difficulty is particularly unfortunate for the small Indian traders who, according to traditional practice, were trading with western Tibet where Indian traders habitually supplied goods on credit and even made cash loans to Tibetan inhabitants and officials. This was done in good faith because, in the past, no difficulty was experienced in securing repayments. At present,

however, because of certain recent measures taken by the Chinese authorities the Indian nationals cannot contact most of their debtors and trading partners. It is true that the paragraph (15) of the notes exchanged provides that disputes between traders of both countries over debts and claims shall be handled in accordance with local laws and regulations. But for the reasons mentioned in the preceding paragraphs the Government of India urge intervention by the Chinese authorities so that, where the claims of Indian traders are bona fide the local authorities may help in the realisation of old debts. The total value of these loans outstanding in Western Tibet is approximately Rs. 11 lakhs. Since the Indian nationals concerned are petty traders, the loss of such a vast amount is causing serious hardship. The Government of India hope that some concrete steps for the realisation of these debts will be taken during the coming session in discussion with the Indian Trade Agent for western Tibet.

Similarly, in Central Tibet, a large amount of debt is due to Indian traders. As the Government of India have already pointed out in their note of 26th October, 1959, the main difficulty in recovering the debts in this area has been that many of the Tibetan traders have moved to Shigatse and Lhasa, which are inaccessible to the Indian traders in the absence of travel permits. The Indian traders cannot even contact those Tibetans to recover their debts. The Government of India would, therefore, urge the Chinese Government either to afford necessary facilities on an *ad hoc* basis to Indian traders to visit Shigatse and Lhasa for expeditious realisation of their debts or to devise some measure whereby local authorities might help in the realisation of these debts.

The Ministry of External Affairs avail themselves of this opportunity to renew to the Embassy of the People's Republic of China the assurances of their highest consideration.

**Note given by the Ministry of External Affairs, New Delhi,
to the Embassy of China in India, 30 June 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have the honour to refer to the correspondence resting with the Ministry's note dated April 13, 1960, on the question of the national status of persons of Indian origin residing in the Tibet region of China. The Ministry would further draw the attention of the Embassy to the informal note on the subject handed by the Foreign Secretary to the Government of India to H.E. Mr. Chiao Kuan-hun, Assistant Minister of Foreign Affairs of the People's Republic of China on April 25, 1960, and to the discussion which the Prime Minister of India had with H.E. the Chinese Premier on the same subject on the morning of April 25, 1960.

2. Even before the presentation of these notes there was much correspondence between the two Governments on the subject. The Government of India are aware of the arguments advanced by the Government of the People's Republic of China as embodied in the Embassy's note dated December 31, 1959. That note did not deny the Indian origin of Ladakhi Muslim families and Ladakhi Lamas, although it argued that these persons had by long stay become a part of the Tibet region of China, and that there was evidence to show that they had been treated as such by the local Government of the Tibet region of China. The legal implications of the issues raised in the Embassy's note were examined and answered in the Ministry's note dated April 13, 1960, wherein it was also pointed out that the basic fact remained that these persons were of Indian origin, and that by tradition common to both China and India, as well as under the Indian laws, they were the right to return to the country of their origin. The Ladakhi Lamas went to the Tibet region for theological studies during their life time.

The Kashmiri Muslims, even though they might have been in Tibet for more than a generation, had retained their separate identity and their traditional connections with their homeland. There was no evidence that these persons had expressly renounced their right to Indian citizenship, so that any unilateral attempt to treat them as Chinese nationals was contrary to international law and practice, apart from being at variance with the spirit of friendship existing between India and China. It was further argued that even of these Indians by virtue of their long residence were deemed to have fulfilled the conditions which would qualify them for Chinese citizenship, they would be entitled to the benefit dual nationality, and in accordance with international usage governing dual nationality, they should be given the option to return to India if they so wished. According to international conventions and the applications of China's own practice *mutatis mutandis* in other context.

(Cf. A) Agreement with the Republic of Indonesia on the question of nationality of persons of Chinese origin resident in Indonesia;

(Cf. B) Agreement with the Royal Nepal Government in 1956 in respect of persons of mixed parentage resident in the Tibet region of China.

these persons of Indian origin would retain the title to Indian citizenship.

3. The Ministry of External Affairs regret that, while no reply has been vouchsafed to their representations referred to above, they have from time to time received disquieting reports of the increasingly harsh treatment to which the members of the Ladakhi Muslim community in the Tibet region have been subjected. More than once the Consul General of India in Lhasa was asked to express to the Foreign Bureau in Lhasa the Government of India's concern over the plight of these helpless people. He was asked to

plead for them with the Chinese authorities in Lhasa and obtain for them treatment generally accorded to the nationals of a friendly country. Nevertheless, by all accounts it is clear that the condition of these persons deteriorated sharply as measure after measure was taken by the authorities in the Tibet region against the community. It has been reported that several persons of this community are under arrest, that the property and cash of some have been confiscated and that the entire community has been debarred from drawing rations. These and other disabilities have been imposed on the community on the ground that they have refused to register themselves as Chinese.

4. Recently there has been a report of a mass gathering summoned by the local authorities on the morning of June 20 in the new Athletic Stadium in Lhasa. Kashmiri Muslims were instructed to attend this meeting and it was given out to them that the meeting would be of interest and concern to them. Kashmiri Muslims, therefore, attended the meeting in a body. When they were ordered to break up into area-wise groups, they pleaded that they were Indian Cashmeres, and upon this they were told they were not wanted at the meeting and should leave forthwith.

5. Thereafter some prisoners, both Chinese and Ladakhi Muslims, were brought in a prison van to the meeting. They were made to face the crowd hand-cuffed and with heads bent. The Chinese prisoners were first disposed of with sentences ranging from death to long-term imprisonment. The Kashmiri Muslims prisoners were then brought before the gathering. There were four of them hand-cuffed, and with heads bent, they heard the sentences passed on them. Three of them were given prison terms varying from 15 to 11 years. Their crime, according to the indictment, was 'incitement of Ladakhi Muslims to claim a foreign nationality'. One of them

was additionally charged with 'continuing the movement for foreign nationality among his people and authorship of certain anonymous poster.'

6. The Government of India have for some time been perturbed by reports of the worsening situation of the Ladakhi Muslims in the Tibet region. They were, however, patiently hoping that the many amicable and legal representations made on behalf given due consideration by the Government of the People's Republic of China. The report of the incidents of June 20 in Lhasa has belied this hope. The Government of India regard it as extraordinary that, while the subject of the two countries, a public meeting should have been held to announce extreme punishments on some of the leaders of the community on the ground that they had claimed Indian nationality. The Government of India are not aware what trial, if any, was held before the sentences were pronounced. They are also unaware whether the prisoners in question were given adequate facilities to defend themselves. They are, however, aware that their representative in Lhasa had no access to these prisoners, and was given no facility to provide for their adequate defence. The Government of India, in these circumstances, are left in Little doubt that the events that took place at the meeting in the Lhasa Athletic Stadium on June 20 were calculated to victimize certain leading Ladakhi Muslims and to intimidate the rest of the community, as well as to display publicly the disrespect in which responsible authorities in the Tibet region of China seem to hold the representations made by the Government of India. In the light of these facts the Government of India must register their grave and emphatic protest at the unprecedented methods resorted to by the responsible authorities in Lhasa, and must ask in all earnestness that prompt steps be taken to prevent further punitive measures against persons of India origin residing in the Tibet region.

The Ministry of External Affairs avail themselves of this opportunity to renew to the Embassy of the People's Republic of China the assurance of their highest consideration.

**Note given by the Ministry of Foreign Affairs, Peking,
to the Embassy of India in China, 30 June 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents compliments to the Embassy of India in China and with reference to an unofficial note and an official Note dated September 24, 1959 and October 26, 1959 respectively which were handed over by Mr. Mehta, Deputy Secretary of the Indian Ministry of External Affairs regarding the question of poisonous drugs carried by Brahmachari Alam Chaitanya while going on pilgrimage to Tibet, has the honour to state as follows:

About the question of holding up the poisonous drugs carried by the said pilgrim, a reply to this effect was already furnished in the Chinese Government Note of September 11, 1959 to the Indian Government: After again studying carefully a recent report by the local authorities in Tibet, the Chinese Government is even more confident that its original viewpoint is most appropriate. A laboratory test by the authorities concerned in Tibet already proved that the so-called "frequently required drugs for self use" contained in ten odd bottles carried by the pilgrim Brahmachari Alam Chaitanya were poisonous matters comprising such highly poisonous drugs like Arsenic Alb, Merc. Cor., Aconitf Nap., Phosphorus, Nux Vom and so on. No one with a little commonsense would think that such a big variety of highly poisonous matters being in the possession of a single person can become the "frequently required drugs for self use". It is to be regretted that the Government of India in its Note also described them in the beginning as "drugs for self use" and then described them as "drugs for similar use in treatment", and even lodged protest with the Chinese Government for examining the law-breaking pilgrim and the confiscation of the poisonous drugs for the purpose of safeguarding the security of life of the Tibetan

people and for protecting, in accordance with the exchange of Notes, the security of life of those going on a pilgrimage in Tibet from India. The Chinese Government categorically rejects this kind of reasonable protest and cannot but think that this attitude of the Indian Government is an irresponsible attitude on their part towards the unfortunate incident that might take place. The Chinese Government requests the Government of India to deal strictly with the pilgrim that carried poisonous drugs with him to Tibet and expresses the hope that measures will be adopted to prevent the recurrence of similar cases.

The Ministry avails of this opportunity to convey to the Embassy the assurances of its best consideration.

**Note given by the Chinese Bureau of Foreign Affairs, Lhasa, to the
Consulate General of India in Lhasa, 11 July 1960**

The Bureau of Foreign Affairs in Tibet presents its compliments to the Consulate General of India in Lhasa and has the honour to reply to the Consulate General's letter of 1st April 1960 as follows:

The Foreign Bureau holds that Vice-Director Chiang Su-ming's talks with Mr. Consul General P.N. Kaul on the 8th December 1959, are not at variance with the facts set in the Foreign Bureau's letter of 21st January 1960 to the Consulate General. The facts still remain: That a few local peasants were twice entrusted to fetch from Chomola, a maid servant of the Indian Trade Agency at Gyantse, the articles which she borrowed from the rebellious bandit Nisho. These peasants had never entered anyone's living quarters, to say nothing of making the so-called "search". These peasants had, at all times, maintained a fine attitude and it is entirely reasonable of them in so doing. But Mrs. Kapoor adopted a daring and unreasonable attitude towards these peasants by hurling abuse and made statement distorting facts to Military Control Commission of Gyantse.

In view of what is said above, the Bureau of Foreign Affairs in Tibet hopes the Consulate General of India would tell the Trade Agency at Gyantse that no similar unhappy matter should reoccur in the future.

The Bureau of Foreign Affairs in Tibet takes this opportunity to renew to the Consulate General of India in Lhasa its assurances of highest consideration.

**Record note handed over by the Ambassador of India in China to the
Vice-Chairman of China, 14 July 1960**

On June 30, 1960, the Secretary-General of the Ministry of External Affairs of the Government of India handed over a Note to His Excellency the Ambassador of China regarding the treatment meted out to Kashmiri Muslims in the Tibet Region of China. In the Note the Government of India had asked in all earnestness that prompt measures be taken to prevent further punitive measures against persons of India origin residing in the Tibet region.

The Government of India have to state, much to their regret, that since the Note of June 30th was delivered they have received a stream of messages from Lhasa reporting acts of terror and intimidation and indiscriminate arrests of Kashmiri Muslims to abandon their claim to Indian nationality.

According to our information Kashmiri are being called every day to the area offices, subjected to severe abuse and then admonished to line up with other Tibetans and attend indoctrination meetings. On July 8th and 9th, the Chinese authorities had then summoned to area offices and directed them to furnish lists of their property. They were then ordered to pay sales tax on their assessed sales of the past six months. In most cases, the Chinese assessed their sales at between JMP 8000-15000 per month where as actual sales till shops were closed down under protest on May 2, 1960, hardly exceeded between JPM 300-500 per month. Although the Kashmiri Muslims submitted to this arbitrary levy of sales tax they were summoned again by the authorities to the area offices on July 10th and there subjected to severe abuse and beating. It is reported that the beating lasted from five to six hours and was administered through the Tibetans. A leading member of the

community Barkat Ullah Shahkali was beaten with fists and bled profusely. He and another Kashmiri Muslims called Ibrahim were not only beaten up badly but were threatened with rifles aimed at them that they would be shot dead. They were charged with having led the movement in the community for claiming Indian nationality. After this inhuman treatment the Kashmiri Muslims were abjured to forget about their claim to Indian nationality and to attend indoctrination meetings. They were warned that if they failed to obey the worst offenders would be shot and others sentenced to various terms of imprisonment.

The Government of India are gravely concerned over the continued persecution of persons of Indian origin residing in the Tibet Region and would urge once again that immediate instructions be issued to the responsible authorities in the Tibet Region to stop further punitive action. The Government of India would also request in all earnestness that facilities be given to persons of Indian origin in the Tibet Region to exercise their right to return to their country and arrangements made for their repatriation to India as soon as possible.

**Note given by the Ministry of External Affairs, New Delhi,
to the Embassy of China in India, 27 July 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China in India and, with reference to Note No. 10/3/ (1) dated the 30th June, 1960 from the Ministry of Foreign Affairs of the People's Republic of China to the Embassy of India in China, have the honour to state that the views expressed by the Ministry of Foreign Affairs in that note are not based on facts. The medicines carried by Swami Brahmachari Alam Chaitanya and found in his possession by the Chinese authorities are as follows: -

1. Aconite Napeilus
2. Arnica Montana
3. Arsenic Album
4. Belladonna
5. Bryonia Alba
6. China
7. Colocynth
8. Ipecacuanna
9. Mercurius Corresius
10. Mercurius Solubilis
11. Nux Vomica
12. Phosphorus
13. Rhus Tox
14. Silicea
15. Sulphur

2. These are well-known and commonly used homeopathic medicines, and although they are so diluted as to make them innocuous and absolutely safe for medicinal use. In fact such drugs are freely sold in India and other countries and no case of death or poisoning is known to have followed the administration of these medicines. The Government of the People's Republic of China must aware that whether a drug is poisonous or not to depends on its potency. In the circumstances the Government of India cannot but view the official note from the Chinese Ministry of Foreign Affairs as a casual disposal of a genuine complaint of a pilgrim who was subjected to detention, interrogation and harassment by Chinese guards on the suspicion that he was carrying poison. It is indeed interesting to know that the Chinese Government "examined the law-breaking pilgrim and confiscated the poisonous drugs to safeguard the security of life of the Tibetan people and to ensure the security of life of Indians on pilgrimage in Tibet."

3. The Government of India firmly reject this wholly unsatisfactory reply from the Chinese Government and do not accept that their protest was 'unreasonable' or that their attitude was 'irresponsible'.

4. In view of these lapses on the part of Chinese guards in the Tibet region of China which are in contravention of the notes exchanged between the two Governments on the protection to be afforded to pilgrims, the Government of India would request the Government of the People's Republic of China to take necessary measures to ensure that similar unfortunate incidents do not occur in future.

The Ministry avail themselves of this opportunity to renew to the Embassy the assurances of their highest consideration.

**Note given by the Consulate General of India, Lhasa,
to the Chinese Bureau of Foreign Affairs, in Tibet, 4 August 1960**

The Consulate General of India in Lhasa presents compliments to the Bureau of Foreign Affairs in Tibet Lhasa and has the honour to state that Mr. KAUL Consul General discussed at previous few occasions with Mr. CHIANG SU MING Vice Director of the Bureau of Foreign Affairs about the early disposal of cases of TROME GESHE RINPOCHE, NAMDOL ZANGPO, PHIGU driver and LOBZANGI RIGDO. Mr. CHIANG SU MING had assured of early disposal of these cases by the concerned authorities.

The above mentioned persons being Indians/India protected nationals, this Consulate is receiving constant requests from their relations for their welfare and early return to India. This Consulate General shall therefore feel grateful if it could be intimated about the welfare of these persons and assisted with early disposal of their cases. An early reply is requested.

The Consulate General of India in Lhasa takes this opportunity to renew to the Bureau of Foreign Affairs its assurances of highest consideration.

**Note given by the Chinese Bureau of Foreign Affairs, Lhasa,
to the Consulate General of India in Lhasa, 24 August 1960**

The Bureau of Foreign Affairs in Tibet presents its compliments to the Consulate General of India, Lhasa and has the honour to inform the latter, with respect to the taking into employment of local staff members and servants of Chinese nationality by your Consulate and Indian Trade Agencies in Tibet, as follows:

In order that the arrangements of labour and production of the local people may not be effected, it is hoped that when the Consulate General of India, Lhasa and Indian Trade Agencies wish to employ local staff members and servants of Chinese nationality, they would inform this Bureau and Sub-Offices of Foreign Affairs concerned, in advance, to assist in introducing. The Foreign Bureau also express the hope that the Consulate General of India and Indian Trade Agencies would inform this Bureau and Sub-Offices of Foreign Affairs concerned in writing, whenever there is any increase or decrease of their personnel.

The Bureau of Foreign Affairs in Tibet avails itself of this opportunity to renew to the Consulate General of India the assurances of its highest consideration.

**Note given by the Chinese Bureau of Foreign Affairs in Tibet
to the Indian Trade Agency in Yatung, 30 August 1960.**

The Yatung Office of the Bureau of Foreign Affairs in Tibet presents its compliments to the Indian Trade Agency in Yatung and has the honour to acknowledge receipt of Mr. TASHI's letter to Mr. TANG dated 6th July 1960 through which the Yatung Office is aware of the disappearance of two Chinese staff members of the Indian Trade Agency in Yatung, Mr. SONAM GYATSO and Mr. TASHI, together with their families from the compound of the Indian Trade Agency in Yatung on the night of 4th July 1960. In these regards the Yatung Office of the Bureau of Foreign Affairs in Tibet would like to set forth its views as follows:

(i) The Yatung Office expresses its surprise at the disappearance of two Chinese staff members of the Indian Trade Agency in Yatung on the night of 4th July 1960.

(ii) These two staff members of Chinese nationality worked and stayed in the Indian Trade Agency in Yatung and disappeared suddenly. The Yatung local authorities are deeply concerned about it. The Indian Trade Agency in Yatung should be responsible for their safety and also has the responsibility to assist us in finding out their whereabouts by supplying the Yatung local authorities with clues, at any moment, to facilitate their searching for them.

(ii) The Yatung Office has notified the Indian Trade Agency in Yatung before that the Indian Trade in Yatung should on its own initiative inform the Yatung Office of any increase or decrease of its personnel. However the Indian Trade Agency in Yatung did not inform the Yatung Office in time after

it approved. Mr. SONAM GYATSO's resignation. This is surprising and it is hoped that note is being taken in the future.

The Yatung Office of the Bureau of Foreign Affairs in Tibet avails itself of this opportunity to renew to the Indian Trade Agency the assurance of its highest consideration.

**Note by the Ministry of Foreign Affairs, Peking,
to the Embassy of India in China, 23 September 1960**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of the Republic of India in China and has the honour to put the following views with reference to the question of the nationality of Kajis in China's Tibet region and other questions referred to in the notes of the Indian Ministry of External Affairs delivered to the Embassy of the People's Republic of China in India on April 13 and June 30 respectively, and to the memorandum which H.E. Indian Ambassador to China, G. Parthasarathi, personally handed to Vice-Minister of Foreign Affairs Keng Piao on July 14, 1960:

1. In its notes of September 11 and December 31, 1959, the Ministry of Foreign Affairs cited many indisputable facts and made explanations to back the case that the Kajis in China's Tibet region are Chinese. But in its notes of April 13 and June 30, the Indian Government repeatedly ignored and distorted the theses of the Chinese Government, flagrantly rejected the proposal for a sensible and rational settlement of the question of the nationality of the Kajis, which the Ministry of Foreign Affairs, in a spirit of friendly consultation, put forward in its note of December 31, 1959, and stuck to its unilateral stand that Indian law be imposed on persons of Chinese nationality living on Chinese territory. The reasons held by the Indian Government in the above-mentioned notes and memorandum are utterly untenable and the Chinese Government resolutely expresses its disagreement to them.

2. The Chinese Government has always considered the Kajis to be Chinese and is fully entitled to deal with such questions as their nationality and exit

as China's internal affairs. The Chinese Government would naturally respect the wishes of the Kajis concerned, who do not want to remain Chinese, and settle the question of their nationality in accordance with the regulations of the Chinese Government. The Chinese Government would also give facilities, in accordance with the regulations concerned, to those among them who request to leave the country. Therefore, the question has never arisen of any obstruction on the part of the Chinese Government in settling the questions of the nationality and exit of the Kajis. Hereafter, should they, out of their own will, apply to the Chinese Government for exit or ask to settle their nationality, the Ministry of Foreign Affairs believes that the Chinese Government, view of the friendship between the Chinese and Indian peoples, will as before effect a sensible and rational settlement of their questions, and will be prepared to give whatever possible consideration to those who apply for exit.

3. The Indian Government, in its note of June 30 and memorandum of July 14 this year, also mentioned that of late these Kajis had been subjected to "increasingly harsh treatment" by the authorities in China's Tibet region. The Chinese Government made an investigation of this. The facts show that there are no grounds whatever to the allegations that the Kajis were subjected by the local authorities to "acts of terror and indiscriminate arrests," that they were "being called everyday to the area offices," and "subjected to severe abuse," and that the properties and cash of some of the Kajis were "confiscated," etc. as stated by the Indian Government in the above-mentioned note and memorandum. According to reports received by the Ministry of Foreign Affairs, the Chinese local authorities in Lhasa have never beaten and abused any Kaji, much less resorted to any intimidation against them. The unwarranted charges made by the Indian Government in its note in such an irresponsible manner against the local Government of

China's Tibet region can only be considered as slanders against the authorities in China's Tibet region, and detrimental to the spirit of Sino-Indian friendship. As Vice-Minister of Foreign Affairs Keng Piao pointed out to H.E. Indian Ambassador Parthasarathi, the present local government in Tibet was a government of the people, which always stood by its own people, maintained very close ties with them and would never subject its own people to any "harsh treatment". As to the few Kajis who committed offenses against the law, it is entirely correct for the Government to deal with them in accordance with the law, and is also a matter entirely within the scope of China's sovereign rights in which the Indian Government has no right to meddle. Therefore, the Chinese Government firmly rejects the "grave and emphatic protest" lodged by the Indian Government in its note of June 30, regarding the sentences passed by the authorities in China's Tibet region on a few Kajis who have committed offenses against the law.

4. In its notes of April 13 and June 30, the Indian Government referred time and again to the questions of the nationality and exit of Ladakhi lamas on pilgrimage to China's Tibet region. The Ministry of Foreign Affairs in its note, dated December 31, 1959, reiterated that the Chinese Government had never had the intention of regarding the Ladakhi lamas as Chinese. At the end of 1959 alone, more than one hundred and twenty Ladakhi lamas who remained in Lhasa and Shigatse on pilgrimage were also given permission one after another to leave China. Proceeding from the desire of upholding the traditional friendship between China and India, the authorities in China's Tibet region, at the time of their departure, took the initiative in supplying them with means of transportation, and also helped those lamas in difficult economic straits by supplementing them with travelling expenses and food rations on the way. Such warm attentions of goodwill have won the praise of all Ladakhi lamas who left China, who before leaving China more than once

expressed their heart-felt gratitude for the friendly solicitude shown by the authorities in China's Tibet region. In its note, dated April 13, the Indian Government also stated that it was "gratified at the arrival of some Ladakhi lamas" in India. At present, the remaining small number of Ladakhi lamas are all those who stayed behind of their own accord to continue their pilgrimage. In deference to their religious desire, the Chinese Government has given them facilities to continue with their stay. The Chinese Government would like to reiterate that if anyone among them wishes to apply for exit, he will likewise be given permission and friendly attentions by the Chinese Government. Disregarding the incontrovertible facts mentioned above, the Indian Government in its note of June 30, 1960 to the Chinese Government, nonetheless raised in a self-contradictory manner the non-existent question of the nationality of Ladakhi lamas and the question of their exit which has been smoothly settled long ago so as to pester the Chinese Government unjustifiably. The Chinese Government cannot but express its deep regret at this.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Indian Embassy the assurances of its highest consideration.

**Note given by the Indian Trade Agency in Yatung
to the Yatung Office of the Tibetan Bureau of Foreign Affairs, 1
November 1960**

The Indian Trade Agency Yatung presents its compliments to the Yatung Office of the Bureau of Foreign Affairs in Tibet and has the honour to refer to its note dated August 30, 1960 regarding the disappearance of two Chinese members of the staff of the Indian Trade Agency together with their families. In the note referred to above the Yatung office of the Bureau of Foreign Affairs in Tibet has suggested that the Indian Agency was aware and should assist in the location of these missing Chinese nationals.

The fact is that the Indian Trade Agency had no knowledge of the intention of Messrs. Gyatso and Tashi to leave the Agency premises nor are they aware of their present whereabouts or that of their families. In fact their disappearance was as much a matter of surprise to the Agency as to the Chinese authorities. Apart from their responsibilities in connection with the work assigned to them the Agency does not exercise any control over them. In difference to the Chinese Government's wishes even such facilities as schooling are not now being extended to the families of Chinese nationals serving the Agency.

Further, the Agency cannot accept the contention of the Foreign Bureau Yatung that it is any part of Agency's responsibility to assist the Yatung Office in finding out the present whereabouts of the persons who have disappeared. The suggestion that a foreign post is in any way responsible for the movement or whereabouts of local nationals of the country concerned, even though they may be employed in the foreign post concerned, is contrary to normal international practice. These Chinese nationals being the subjects of and owing allegiance to the People's Republic of China are not under the jurisdiction and control of the Agency and the Agency cannot be

expected to be held responsible or be asked to render assistance in locating them. Indeed the Agency has not means of locating them.

The Agency has noted that the Yatung office would like to be informed of any increase or decrease in the Agency Personnel and would be agreeable to supply such information at periodical intervals.

The Trade Agency of India takes this opportunity to renew to the Bureau of Foreign Affairs its assurance of highest consideration.

**Note given by the Ministry of External Affairs, New Delhi,
to the Embassy of China in India, 9 November 1960**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China and have to state with regret that in contravention of the provisions and principles embodied in the 1954-Agreement for trade and intercourse between India and the Tibet Region of China, the Indian Trade Agent who has just concluded his visit to Western Tibet was subjected to various difficulties in the discharge of his normal duties.

2. The Sino-Indian Agreement of 1954 stipulated the establishment of an Indian Trade Agency in Gartok in Western Tibet and its functional throughout the year. Unfortunately, owing to the lack of any suitable accommodation and the delay in the conclusion of the lease to enable construction of a Trade Agency, the Indian Trade Agent has only been able to make seasonal visits in the summer to Western Tibet. The attention of the Chinese Government was drawn to the difficulties encountered by the Indian Trade Agent last year in the Government of India's note of the 26th of October, 1959. Even so similar difficulties were faced during the current season and the necessary co-operation from the Chinese authorities in Western Tibet was not forthcoming.

3. It will be recalled that the Embassy was informed in the Ministry's Note No. 1 (3) EAD/60, dated June 2, 1960 that the Trade Agent and his party would be entering Western Tibet *via* Lipulekh Pass in the 1st Week of July, 1960. The Embassy was also requested in this Note to provide the usual facilities of a mobile wireless set, security guard and transport. The Chinese Government were further informed on 3rd June, 1960 by the Indian

Embassy, Peking, of the Trade Agent's impending visit to Western Tibet. The Indian Consul-General also wrote to the Chinese foreign Bureau at Lhasa on the 10 June, 1960 about the Trade Agent's visit. The detailed itinerary of the Indian Trade Agent was attached to the Ministry's Note No. 1(3) EAD/60, which was presented to the Secretary of the Embassy on the 10th June, 1960, with a view to enable the Embassy to give advance notice to the local authorities for making the necessary arrangements. This itinerary included the Trade Agent's proposed visit to some of the marts recognised by article II(2) of the Sino-Indian Agreement of 1954 and places of pilgrimage mentioned in article III(1) of the said Agreement. The Embassy issued the necessary visas and the party left for their journey as planned. The Embassy also informed the Ministry in their Note No. K/308/60, dated 2nd July, 1960, that the contents of the Ministry's Note for provisions of usual facilities had been conveyed to the local authorities and that the Indian Trade Agent should contact them directly on arrival in Tibet.

4. On 29th June, 1960, the Indian Consul-General was informed by the Foreign Bureau at Lhasa that the Trade Agent and party should not enter Tibet till the 15-20th July, 1960, as local authorities were launching an offensive against the rebel elements. The Indian Trade Agent was then already on his way to Lipulekh but was instructed not to proceed further. After repeated approaches, the Chinese Foreign Bureau informed the Indian Consul-General that the Indian Trade Agent could enter Tibet only after 20th August, 1960. In the meanwhile, because of this delay, the difficulties and hazards of this journey had increased considerably owing to the arrival of the monsoon and the Trade Agent was able to reach Taklakot only on 31st August, 1960.

5. Unfortunately, the difficulties is not there. The Trade Agent had not only co-operation from the local authorities, but he had also to face a variety of impediments in the performance of his normal duties. The following are illustrative: -

(i) The non-diplomatic staff of the Indian Trade Agency used to carry with them sporting guns and small arms for self-protection with the approval of the Chinese Government. This time, however, they were not allowed to do so. The staff accordingly complied with the instructions of the local authorities and deposited their arms with them. However, this caused much inconvenience to the mand this could have been avoided if they had been notified at the time of the grant of visas.

(ii) The Trade Agent's itinerary, which included visits to Gyanima and Chakra trade marts and to Kailash and Mansarowar between 6th and 20th August, 1960, was given to the Foreign Bureau's representative at Taklakot. It would be observed that the names of these places along with others had been communicated to the Embassy as early as the beginning of June. The Trade Agent was told, however, that according to the instructions of the Foreign Bureau he should first proceed to Gartok and then apply for permission to visit other places. After his arrival at Gartok, he repeated his request for visit other places. He informed the Foreign Bureau that he would like to visit Tashigong and that a member of the Trade Agency should, in accordance with custom, be allowed to go to Kailash and Gyanima. In a conversation at the Foreign Bureau, the Trade Agent was told on 21st September, 1960, that he could not visit Tashigong due to the apparent non-availability of transport. The Trade Agent's visit to any other trade mart was also not agreed to. Similarly, the visit of a member of the Trade Agency to Gyanima or Kailash was rejected on the ground that it was too late. The Trade Agent

has an obligation to discharge certain responsibilities under the terms of 1954-Agreement and it is obviously contrary to the spirit of the Agreement that he should be prevented from performing these functions by the authorities concerned in Western Tibet. It may also be mentioned that the limited transport requirements of the Trade Agent had always been traditionally provided, and since animal and mechanical transport is controlled by the State authorities, it must be for the local authorities to make available such facilities for the fulfilment of his stipulated responsibilities. For want of Transport to be supplied by the local authorities, the Trade Agent was stranded at Taklakot for 10 days.

(iii) The local authorities totally stopped the Tibetans from visiting the Trade Agency even for selling the articles of daily use. A person who supplied his Yaks on hire to the Trade Agency for bringing firewood was ill-treated and told not to have any dealings with the Trade Agency. Another person who sold some sheep to the Trade Agency occasionally was stopped from doing so and the Trade Agency was asked to approach the Foreign Bureau whenever the Agency needed a goat. The goats were supplied by the Foreign Bureau at a rate which was double the market price.

6. The above facts will show that as in 1959 the Trade Agent's stay in Western Tibet was not only curtailed but almost rendered infructuous by preventing his discharging the duties which devolve on him under the 1954-Agreement. He was not accorded the treatment which as an accredited representative of a friendly country performing his legitimate duties in accordance with a valid and binding international agreement he had the right to expect.

7. It may also be mentioned that although the agreement provides visits to Kailash and Mansarowar by Indian pilgrims, most of them could not fulfill their religious obligations as the local authorities during the last two years advised against such visits. Similarly the Indian traders again found various types of disabilities which have severely undermined the customary pattern of Indo-Tibetan trade along this border. A number of new taxes were imposed on them and they were prevented from exporting to India the traditional commodities of export taken by them in barter, like wool, salt, borax and beasts of burden. The Indian traders also could not recover the old debts from the local Tibetans owing to the ban on the export of these articles to India. They were also stopped from bringing to India their animal property which virtually amounted to confiscation by the local authorities. The unsold goods of Indian traders lying in deposit with the Bhutanese Representative were sealed by the local authorities and were not released to the owners in spite of their repeated representations. Due to non-availability of local currency, the Indian traders had to pay the local taxes in kind at low prices. The value of the articles so realised came to much more than the rate of taxes. These articles were later sold at cheap rates in Government sponsored shops with a view to ruin the Indian traders.

8. The Embassy is aware that Indian Trade Agents in Western Tibet traditionally used to enter Tibet through one pass and leave by another of the passes mentioned in Article 4 of the Sino-Indian Agreement of 1954. This practice had the advantage of enabling the Trade Agents to perform their duties in an approximate manner and to cover many of the markets without having to perform a double journey. It has been noticed that the Chinese authorities in Western Tibet have been restricting the entry and exit of Trade Agents to only one route and permission has been withheld to return by the other routes, even though they are clearly recognised as

border passes in the 1954-Agreement. Last year the Trade Agent wanted to enter Western Tibet via the Niti pass but after initially agreeing to and granting a visa for entry by this pass, the Chinese authorities suggested his entry through Lipulekh, involving a very tortuous diversion after he had virtually reached the frontier. This year the Trade Agent informed the authorities in Gartok of his desire to return to India via Shipki La, another recognised route, but the necessary arrangements were not made. It is hoped that in future the Trade Agent will be permitted to use the routes recognised in the 1954-Agreement.

9. As the Chinese Government are aware, the Chinese Trade Agencies in India function throughout the year without any impediments and Chinese pilgrims and traders enjoy freedom of movement and customary trade in India. By contrast the Indian pilgrims, traders and the Indian Trade Agency in Western Tibet suffer severe handicaps and difficulties and Government of India cannot but state that these impediments render virtually nugatory the provisions of the Sino-Indian Agreement regarding Trade and Intercourse between India and Tibet region of China. The Government of India trust that the Government of China will take suitable steps to enquire into these difficulties and issue instructions to ensure necessary and customary facilities to the traders and pilgrims and also to render the usual facilities to the Indian Trade Agent, Gartok to enable him to discharge his normal duties in accordance with the principles of 1954-Agreement.

10. The Ministry of External Affairs take this opportunity of renewing to the Embassy of the People's Republic of China the assurances of their highest consideration.