

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

**WHITE PAPER VI
December 1961 – July 1962**

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

**Note given by the Ministry of External Affairs, New Delhi, to the
Embassy of China in India, 5 January, 1962**

The Ministry of External Affairs present their compliments to the Embassy of the People's Republic of China in India and have the honour to state that the two Indian pilgrims, Shri Ram Prakash and Shri Narain Gir, holders of Pilgrims Certificate No. 27 and 28, dated June 29, 1961, and July 7, 1961, respectively, issued at Dharohula, entered Western Tibet through Lipulekh Pass in the first half of July 1961. They reached Taklakot on the main pilgrim route without any mishap. At Taklakot, they were put through a course of interrogation by the Chinese authorities about the presence of Indian civil and military dispositions along the route they had traversed. From Taklakot, they were misdirected by the Chinese to a place called Batherai. At a point where they had to cross the Tsangpo river, one of the pilgrims Shri Narain Gir lost his belongings. He was being carried away by the river and was saved by his companion Shri Ram Prakash. While they were still within proximity of Kailash and Mansarover, they were arrested by the Chinese and taken to Shigatse in an army truck under armed escort. At Shigatse, they were subjected to continuous interrogation about Indian army dispositions

on the border. Their interrogators also suggested to them that they (the pilgrims) had gone to Tibet to collect intelligence. It was not until September 25, 1961, that they were brought to the border (near Nathula) and asked to cross into Indian territory. Thus, they were kept under illegal detention for a period of almost two months.

2. It is clear that the two innocent pilgrims holding valid pilgrim's permits and proceeding along the pilgrim route were deliberately imposed upon, arrested and taken away to various places where they were kept secretly under detention and made to undergo rigorous interrogation. Apart from the entirely unjustifiable harassment and detention which they were made to suffer, they had undertaken a long and arduous journey through difficult country.
3. The conduct and action of the Chinese authorities in Tibet in respect of these two pilgrims from India are in breach of the terms of the Sino-Indian Agreement of 1954 on Trade and Intercourse between India and the Tibet Region of China.

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

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Note given by the Indian Trade Agency, Yatung, to the Tibetan Bureau of Foreign Affairs, 20 January 1962

The Indian Trade Agency, Yatung presents its compliments to the Bureau of Foreign Affairs, Yatung, Tibet Region of China and has the honour to bring to its notice the orders of the local authorities to fell trees for timber in the forest at the rear of the Agency area with a sense of impending danger which may result if this operation is carried through. It is also pointed out there that in pursuance of this order preliminary clearing of forests has started and local people unwittingly intruded into the Agency compound and started clearing branches of trees and small bushes on the hill side. With the indiscriminate deforestation of this forest there will be a constant danger from erosion of the hill side and falling of boulders thus causing damage to Government of India property and danger to the lives of the persons and cattle in the Agency premises.

In order therefore to stop further intrusion within Agency compound, this Agency brought this matter to the notice of Yatung Bureau of Foreign Affairs on 4th December, 1961 verbally. Although this operation appear to have been stopped temporarily, the Bureau of Foreign Affairs will appreciate the apprehension of Indian Agency and will please consider the matter in this aspect and stop further destruction of this forest or else responsibility of loss of property and life resulting on account of this deforestation will lie with the Government of the People's Republic of China.

The Indian Trade Agency take this opportunity to renew to the Bureau of Foreign Affairs the assurances of its highest consideration.

**Memorandum given by the Ministry of Foreign Affairs, Peking, to the
Embassy of India in China, 2 March 1962**

The Chinese Government has read the Indian Ministry of External Affairs' memorandum to the Chinese Embassy in India dated September 6, 1961. It has been established through investigation that the charges made by the Indian Government in the memorandum against the Chinese Government are inconsistent with the facts and are, therefore, unacceptable.

It is alleged in the memorandum that five Chinese workers were under "pressure" from the Chinese local authorities to stop working for the Indian Trade Agency at Gyantse. This is entirely groundless. Of the five workers, the two seasonal gardeners and the two domestic helpers are upto now still working at the Indian Trade Agency. As for the watchman who stopped working for the Trade Agency in July 1961, he was hired by the Trade Agency on a temporary basis from the very beginning. What must be pointed out is that the Indian Trade Agency, in hiring these workers, did not in every case follow the local provisions governing the employment of local Chinese workers by foreign institutions in Tibet. Such provisions were brought to the notice of the Indian Consulate-General in Lhasa by the Foreign Bureau in Tibet, China, far back in August, 1960.

Regarding the question of medical aid to Shri N.R. Sharma, a staff member of the Indian Trade Agency at Gyantse, the Indian charges are also groundless. It is alleged in the Indian memorandum that the Indian Trade Agency is not entitled to approach the local doctor directly. The fact, however, is that the Sub-office of the Foreign Bureau at Gyantse, China, had twice informed the Indian Trade Agency, in December 1960 and in February 1961, that the latter could directly approach the local hospital. In spite of this, when the Sub-office of the Foreign Bureau was requested by the Indian Trade Agency in the afternoon of July 28, 1961, to assist in obtaining

medical aid for Shri Sharma, it immediately gave active assistance and informed the local hospital. Within twenty minutes after the notice informed the local hospital. Within twenty minutes after the notice of the Indian Trade Agency, two doctors arrived at the scene. The patient died before the doctors had time to diagnose the case. According to local hospital regulations, in the event that a patient dies before the case is diagnosed, the hospital cannot issue a certificate of diagnosis, and it is entirely unjustified for India to lodge a compliant in its memorandum against this. On August 3, when the Indian Trade Agency at Gyantse asked on behalf of one of its officials for an exit and re-entry visa valid for three months, it merely stated that the personal belongings of the late Shri Sharma would be taken out of the country, without indicating in any way that his ashes would have to be rushed to India, etc. Nevertheless, the Sub-office of the Foreign Bureau speedily issued the visa. The local authorities in Tibet have offered every possible assistance with regard to the case of Shri Sharma, for which the Indian Trade Agent Mr. Pandit personally expressed his thanks to the Sub-office of the Foreign Bureau on August 16.

It can thus be seen that the Chinese local authorities in Tibet have, in accordance with the 1954 Sino-Indian Agreement, all along accorded necessary and possible assistance and facilities to the Indian Trade Agencies in Tibet.

Note given by the Bureau of Foreign Affairs in Yatung, to the Indian Trade Agency in Yatung, 14 March 1962

The Yatung office of the Bureau of Foreign Affairs in Tibet presents its compliments to the Indian Trade Agency, Yatung and has the honour to reply to Agency's letter of the 19th January 1962 as follows:

The Yatung office of the Bureau of Foreign Affairs in Tibet notes with surprise the letter of the Indian Trade Agency, Yatung, dated the 19th January 1962. After investigation it shows that the assertion of the so-called "impending danger" to the Indian Trade Agency allegedly resulting from the "orders" of the Local Authorities to fell trees is utterly groundless. The local authorities has never issued any instructions regarding the felling of trees on the hill at the rear of the Agency area, to say nothing about causing any danger to the persons and property of the Agency. Moreover, the issue of such instruction or not is purely a matter for the consideration of the local authorities, which the Indian Trade Agency, proceeding from fictitious fact, has taken it up and used shocking terms in its letter. The Yatung office cannot but feel regret at this.

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

**Note given by the Ministry of Foreign Affairs, Peking, to the Embassy
of India in China, 20 March 1962**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Indian Embassy in China and, with reference to the note delivered by the Indian Ministry of External Affairs to the Chinese Embassy in India on January 5, 1962, has the honour to state as follows:

With regard to the case of the two Indian pilgrims mentioned in the note, the facts are found after investigation to be as follows: On August 5, 1961, a motor convoy in the Tibet region of China met with two foreigners asking for help in the vicinity of Saka, over three hundred kilometres east of Mavam Tso. Owing to language difficulties, they got to Shigatse together with the convoy. According to their declaration, one was called Ram Prakash, the other Narain Gir, both were Indians and had arrived at that place, having gone astray on pilgrimage. They had lost their pilgrim's permits issued by the Chinese frontier checkpost, and had gone without food for two days when they met the motor convoy. In the light of their account, the local authorities took friendly care of them and arranged conveyance for them so that they could easily return to India. Upon leaving China, they time and again expressed thanks for the friendly treatment they had received and put that down in writing. When they left China, the Tibet Bureau of Foreign Affairs notified the Indian Consulate-General in Lhasa of this matter.

In the spirit of Sino-Indian friendship, the local authorities in Tibet, China, not only abstained from inquiring into the case of the above-mentioned two Indian pilgrims going far from Kang Rimpoché and Mavam Tso and deep into non-pilgrimage areas, but gave them help and facilities in respect of means of life and transport. The Indian Ministry of External Affairs, however, in its note gave a story inconsistent with the facts and made unwarranted charges

against the Chinese local authorities. The Chinese Government expresses its deep regret at this.

The Ministry of Foreign Affairs of the People's Republic of China avails itself of this opportunity to renew to the Indian Embassy in China the assurances of its highest consideration.

**Note given by the Ministry of Foreign Affairs, Peking, to the Embassy
of India in China, 24 March 1962**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Indian Embassy in China and, with reference to the notes of the Indian Ministry of External Affairs dated July 15 and November 10, 1961 regarding Indian check-posts harassment of Chinese border inhabitants and the question of Indian pilgrims coming to the Tibet region of China on pilgrimage, has the honour to state the following. With regard to the other questions referred to in the notes, reply will be given separately.

The Ministry of Foreign Affairs has noted with extreme regret the lack of seriousness of the Indian Ministry of External Affairs in its attitude on the question of unreasonable harassment of Chinese border inhabitants and traders by Indian check-posts and outposts.

The facts are entirely contrary to what has been said by the Indian side. Chinese border inhabitants and traders proceeding to India have been continuously subjected to harassment by the Indian side. According to incomplete statistics compiled by the local authorities in Tibet, China, in the case of Rudok County in the Ari District alone, within 1960 more than sixty persons, including Tsujen and Wangcha, were unwarrantedly detained by Indian check-posts and outposts, and quite a few of them were unlawfully interrogated and beaten. Then detention generally lasted from ten to twenty days, with the longest lasting as long as five months. In addition to the cases raised by the Tibet Bureau of Foreign Affairs, China, with the Indian Consulate General in Lhasa in 1961, the following cases can be cited by way of example. (1) Tutengtawa, Losangkungpao and Chiangpasangteng of Rudok County set out on August 21, 1960 for trade in detained by the Indian outpost and were not released and allowed to return until January 1961. (2) From July 15, 1960, Tsajentochiech of Jechio, Rodok Country, was detained

for 48 days by armed Indian personnel at Dingroze. During the interrogation, the Indian personnel asked him for military information about China's Tibet region. When he answered that he did not know, he was brutally beaten up by the Indian personnel; altogether he was beaten three times. (3) Tsujen, Wangcha, Jenching and Paimajentseng of Rudok County, who went to India in October 1960 for trade, were detained for 16 days by the Indian side when they reached was unwarrantedly slapped in the face four times. Indian check-posts and outposts required certificates of Chinese border inhabitants proceeding to India, for whom, as provided in the 1954 Sino-Indian Agreement, no passports, visas or permits are needed On the other hand, they confiscated the certificates held by Chinese traders, porters and muleteam drivers, issued by the Chinese local authorities in accordance with the provisions of the Agreement. These unjustifiable acts of the Indian check-posts and outposts constitute an open disregard for and violation of the 1954 Sino-Indian Agreement. In its note of July 15 the Indian Ministry of External Affairs attempted to prove that Chinese border inhabitants and traders were not harassed and detained by arguing that those Chinese border inhabitants and traders who had been harassed and unreasonably detained by the Indian local authorities at Chusul had not lodged any complaint with those authorities themselves. This is a most shabby argument and can only show the lack of tenable reason on the part of the Indian Ministry of External Affairs.

The local authorities in Tibet, China, have consistently rendered protection and facilities to Indian pilgrims in accordance with the 1954 Sino-Indian Agreement. In 1959 and 1960, in view of the raids by remnant rebels in certain parts of the Ari District, Tibet region, and in regard for the safety of the life and property of the Indian pilgrims, the Chinese local authorities suggested that for the time being they should not come to Kang Rimpoche (Kailash) and Mavam Tso (Manasarovar) on pilgrimage. This was clearly

notified to the Indian Consulate-General in Lhasa by the Tibet Bureau of Foreign Affairs. When conditions had changed for the better in 1961, the Tibet local authorities notified the Indian side that pilgrims might now come. In order to safeguard the safety of the pilgrims, the Tibet local authorities suggested that they would better travel by Lipu Lekh Pass. The Indian side is clearly aware of the fact that Lipu Lekh Pass is specified in the Sino-Indian Agreement as one of the passes for pilgrims as well as of the above-mentioned situation, yet it repeatedly falsely accused the suggestions of the Chinese local authorities as being not in conformity with the Agreement. This is what the Chinese Ministry of Foreign Affairs definitely cannot accept. Furthermore, the local authorities in Tibet, China, have arranged lodgings for pilgrims in more than ten places near the sacred spots so far as the local facilities allow. These lodgings have been arranged specially for pilgrims by the Chinese local authorities after the signing of the 1954 Sino-Indian Agreement, and have always been taken care of by appointed persons. The Indian Ministry of External Affairs' assertion in its note of November 10 to the effect that the lodgings "have little to recommend" etc. is totally inconsistent with the facts.

The facts show indisputably that violations of the 1954 Sino-Indian Agreement have come from the Indian side which has subjected Chinese border inhabitants and traders proceeding to India for border trade to all sorts of harassment and restrictions. No forced argument and counter-charge of the Indian side can negate these facts. On the other hand, the Chinese Government has always treasured the friendship between the Chinese and Indian peoples and, in safeguarding this friendship, has rendered all possible facilities to the Indian pilgrims.

The Ministry of Foreign Affairs of the People's Republic of China avails itself of this opportunity to renew to the Embassy of India in China the assurances of its highest consideration.

**Note given by the Ministry of External Affairs, New Delhi, to the
Embassy of China in India, 21 April 1962**

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 the Ministry of Foreign Affairs of the People's Republic of China dated 20th March, 1962 have the honour to state as follows:

The Chinese Government have, in their note, admitted the fact that the two Indian pilgrims Shri Ram Prakash and Shri Narain Gir, were first taken charge of by Chinese officials on 5th August 1961. It is also established that it was only on September 25, 1961, that the Bureau of Foreign Affairs in Lhasa chose to telephone the Consulate-General of India to inform them of the fate of these two pilgrims. Even then no details were given except that the pilgrims had been returned to India by way of Nathula. No reasons were also given for the long delay in communicating the facts to the Indian authorities.

While it is true that the two pilgrims had been reasonably clothed and fed by the Chinese, freedom of movement had been denied to them and they had been physically prevented from contacting any of the Indian representatives at Lhasa, Gartok, Gyantse or Yatung. These actions of the Chinese authorities militate against fundamental principles of international law and constitute at the same time a violation of the letter as well as the spirit of the Sino-Indian Agreement of 1954.

This delay in communicating the facts taken together with the statements made by the pilgrims, following their return to India, that they had been kept virtually under arrest at Shigatse and had been subjected to constant interrogation by the Chinese authorities, contradict the version of the incident given in the Chinese Government's note under reply. The Government of India are surprised that, in the face of these facts, the

Chinese Government continue to deny their responsibility in this matter and to allege that unwarranted charges are being made against them.

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

**Memorandum given by the Ministry of External Affairs, New Delhi, to
the Embassy of China in India, 16 May 1962**

Reference Memorandum dated 28th February, 1962, from the Ministry of Foreign Affairs of the Chinese People's Republic to the Indian Embassy, Peking. The Chinese Memorandum contains certain inaccuracies which the Government of India are bound to point out.

It is an undeniable fact that the two seasonal gardeners stopped working for the Indian Trade Agency at Gyantse on the 1st August 1961: The Trade Agent had written to the Local Foreign Bureau intimating this on the 11th August 1961. In response to a communication received from the Local Foreign Bureau on the 12th August, 1961 the addresses of these persons were forwarded to them by the Trade Agent on the 14th August, 1961. The gardeners resumed duty on the 18th September 1961. The Chinese Memorandum significantly fails to mention this period of absence or to furnish reasons for the same.

Though it is a fact that the local employees working as domestic servants for officials of the Trade Agency continue to do so, there can be no doubt that they were under pressure not to continue in employment at the time this matter was represented to the Chinese Embassy. The case of a servant named Nyima who was asked to stop working for an official of the Indian Trade Agency was reported to the Local Foreign Bureau on the 3rd March 1962. It was only after this action had been taken that Nyima returned to work.

The failure of the watchman to return to work cannot be ascribed either to his being a temporary employee or to the Trade Agency not having complied with regulations for the employment of local staff.

In the case of the late Shri N.R. Sharma, the position is that though the Indian Trade Agent had been advised by the Foreign Bureau that members

of the Indian Mission could go to the hospital directly without fixing an appointment through the Local Foreign Bureau, the doctors had not been prepared to entertain patients without a letter of introduction from the Foreign Bureau. Moreover, in the present case, a visit to the patient's home was necessary and the procedure in this regard had not been clearly specified. Prompt action might have helped to save Shri Sharma's life but in spite of the Foreign Bureau having been approached and informed of the urgency of the situation, the doctor came only after a delay of one whole hour. It is incorrect to state that the doctor arrived after 20 minutes. It is not correct also to state that the Indian Trade Agent thanked the Local Foreign Bureau for their assistance, since on the contrary he had every reason to be dissatisfied with their unhelpful attitude.

The Government of India regret that these cases of genuine difficulty experienced by their Missions in Tibet have not been thoroughly investigated, and that the Chinese Government have furnished no assurance of such co-operation and consideration as would be normally expected of them both under the terms of 1954 Agreement on Trade and Intercourse and according to accepted international practice.

**Note given by the Indian Trade Agency in Yatung to the Bureau of
Foreign Affairs in Yatung, 22 May 1962**

The Indian Trade Agency, Yatung, presents its compliments to the Bureau of Foreign Affairs, Yatung, Tibet Region of China and has the honour to acknowledge the latter's note dated 14th March 1962.

The Indian Trade Agency is reassured to note that the local authorities had never issued any instructions regarding the felling of trees in the forest at the rear of the Trade Agency. However, it was only because preliminary clearing of the forest had started and local people had intruded into the Agency compound for clearing branches of trees and bushes on the hill side that the matter had been brought to the attention of the Bureau of Foreign Affairs. The Trade Agency is aware that such felling of trees at the rear of the Agency area would be technically an internal matter for the consideration of the local authorities but as there was serious likelihood that such destruction of the forest could cause erosion of the hill side and thereby endanger the lives of the persons residing in the Trade Agency premises, that the matter had been brought to the notice of the appropriate authorities.

The Indian Trade Agency, Yatung, avails itself of the opportunity to renew to the Bureau of Foreign Affairs, the assurances of its highest consideration.

**Note given by the Ministry of Foreign Affairs, Peking, to the Embassy
of India in China, 28 May 1962**

The Ministry of Foreign Affairs of the People's Republic of China presents its compliments to the Embassy of India in China and, with reference to the note of the Indian Ministry of External Affairs to the Chinese Embassy in India, dated April 21, 1962, has the honour to state as follows:

Regarding the two Indian pilgrims going deep into non-pilgrimage areas more than three hundred kilometres from Kang Rimpoché and Mavam Tso, China already clearly stated in its note of March 20, 1962, that the local authorities in Tibet, China in the spirit of Sino-Indian friendship, did not press the matter with them and gave them help and facilities in respect of means of life and transport. Upon leaving China, they time and again expressed thanks for the friendly treatment they had received and put that down in writing. And when they left China, the Tibet Bureau of Foreign Affairs notified the Indian Consulate-General in Lhasa of this matter.

It must be pointed out that to deal with foreigners who have illegally entered Chinese territory without any permits is a matter entirely within China's sovereignty in which no foreign government has any right whatsoever to interfere. Ignoring the fact that the Chinese local authorities have friendly treatment to the two Indian pilgrims who had gone deep into non-pilgrimage areas, the Indian Government time and again made slanders against the Chinese side. Such an attitude of repaying good with censures is indeed regrettable.

The Ministry of Foreign Affairs of the People's Republic of China avails itself of this opportunity to renew to the Embassy of India in China the assurances of the highest consideration.

**Memorandum given by the Ministry of Foreign Affairs, Peking, to the
Embassy of India in China, 13 June 1962**

Reference the memorandum dated May 16, 1962, from the Indian Ministry of External Affairs to the Chinese Embassy in India.

With regard to employment of local Chinese workers by official Indian missions in the Tibet region of China, the Ministry of Foreign Affairs already pointed out in its note of December 12, 1960, to the Indian Embassy in China that whether the local people working for the Indian missions would continue their service was entirely their own business and they all along enjoyed complete freedom in this own business and they all along enjoyed complete freedom in this regard. While admitting the fact that the four Chinese workers did continue to work for the Indian Trade Agency, the Indian Ministry of External Affairs, in its memorandum, repeated the charge that the Chinese workers were allegedly under "pressure" from the Chinese local authorities to stop working for the Indian Trade Agency at Gyantse, and complained that the Chinese Government had failed to furnish "reasons" for the period of absence of two of the Chinese workers. This charge and complaint become all the more unreasonable when considering the fact that those Chinese workers were employed directly by the Indian Trade Agency which had not informed the office of the Foreign Bureau of the matter at all. As regards medical treatment for the late Shri N. R. Sharma of the Indian Trade Agency at Gyantse, the Chinese Ministry of Foreign Affairs cited facts in its memorandum dated February 28, 1962, to show that the local authorities had done their best to render assistance. The allegation made in the memorandum of the Indian Ministry of External Affairs that the doctors arrived as late as one hour after being notified by the Indian Trade Agency is incorrect. Two doctors rushed to the scene within twenty minutes after being notified by the Indian Trade Agency at 6-50 P.M. that afternoon, but Shri

Sharma died at 7-30 P.M. before the doctors had time to diagnose his case. The death of Shri Sharma is regrettable, but it is entirely unjustifiable to charge, on account of his death, the local authorities with not rendering assistance.

The Indian Government has repeatedly made unreasonable charges against China in disregard of the facts; the Chinese Government cannot but express its deep regret at this.

**Aide Memoire given by the Ministry of External Affairs, New Delhi, to
the Embassy of China in India, 20 June 1962**

Shri Kalu Singh, an India-based member of the staff of the Indian Trade Agency, Gyantse, had joined the Consulate-General of India, Lhasa, on official transfer on May 17, 1962. As the Chinese Embassy will note, this transfer had taken place well before the termination of the Sino-Indian Agreement on trade and inter-course on June 2, 1962.

On the 17th June 1962, a full month after the transfer, the Foreign Bureau in Gyantse had informed the Indian Trade Agent that Shri Kalu Singh should leave Tibet within the same period as the withdrawal of the Indian Trade Agencies. This information has now been conveyed by the Foreign Bureau in Lhasa to the Indian Consulate-General also.

The attitude of the Chinese authorities in Tibet in this matter is not at all clear to the Government of India. The Government of India would, therefore, appreciate a clarification from the Government of China.

**Aide Memoire given by the Ministry of External Affairs, New Delhi, to
the Embassy of China in India, 20 June 1962**

As the Embassy of the People's Republic of China are aware the Government of India decided to withdraw their Trade Agency at Gyantse on 10th June 1962 and their Trade Agency at Yatung on 15th June 1962, and had requested the Government of China to make available necessary facilities to effect the withdrawal in accordance with this schedule. The Government of India had also requested that their trade Agencies at Gyantse and Yatung should continue to have privileged communication with the Government of India as well as courier facilities until the actual date of their withdrawal as this was necessary to facilitate administrative arrangements in connection with their withdrawal. However, the Government of China have denied these facilities to the Indian Trade Agencies in Tibet with effect from 3rd June 1962, and have made it almost impossible for the Trade Agencies to communicate with the Government of India.

Despite the lack of normal facilities the Indian Trade Agents had taken steps to leave Yatung and Gyantse on the scheduled dates. It is a matter of regret, however, that the local authorities in Yatung and Gyantse have not only held back the cooperation expected of them but have used unfair means to harass and delay the departure of the Indian Trade Agencies. Both the Gyantse and Yatung, the Chinese authorities have raised a number of vexatious issues and have demanded that these be settled to their satisfaction before the departure of the Indian Trade Agencies from Tibet. The Indian Trade Agent at Gyantse has been ordered by the local Foreign Bureau to settle the following issues before his withdrawal:

1. He should pay 8928.02 Yuans as arrears of rent for the Agency buildings for the period prior to the signing of the lease-deed on the 28th November 1961 and 9276.00 Yuans as arrears of rent for the

land of the Agency site. There is no reason why such issues should have been raised after the expiry of the 1954 Agreement and on the eve of the departure of the Indian Trade Agent. Nor have the Chinese authorities given sufficient details regarding the basis of those claims. The claims are arbitrary as they are not supported by any lease-deed, agreement or understanding between the two Governments. However, if the Chinese Government certify that these claims are legitimate and render proper account for them, Government of India will have the claims settled through their Consulate General in Lhasa or their Embassy in Peking.

2. He should demolish spurs constructed by the Indian Trade Agency for the protection of its property. As the Chinese Embassy are aware these were constructed in consultation with the Chinese authorities at Gyantse, Lhasa and Peking. Construction of the spurs was actually undertaken after the verbal consent of the Chinese authorities had been obtained. The Government of India had informed the local authorities through their Trade Agent at Gyantse in September 1961 that they may destroy these spurs if they were endangering the bridge and other public work in Gyantse but that they should accept the responsibility for the protection of Agency property once this had been done. In the circumstances, the insistence of the local authorities that they be shown documentary evidence to show that these approval had been obtained for the construction of these spurs is a most unreasonable and arbitrary demand at a time when the Trade Agent is engaged in winding up his mission.
3. He should physically transport all property belonging to the Government of India out of Gyantse. The Chinese Government are fully aware of the circumstances in which building material which was acquired by the Indian Trade Agency in Gyantse could not be utilised

and of the reasons for their inability to complete partly-built structures. These questions have formed the subject of correspondence between the Governments of China and India. The Indian Trade Agent cannot be compelled to demolish these structures or to remove accumulated building material from Gyantse. The disposal of these items of property belonging to the Government of India is a matter on which assistance should have been forthcoming from the Government of the People's Republic of China, and there are procedures prescribed by international law and practice in such matters. It is extraordinary that the Chinese authorities in Tibet instead of helping in this matter are exercising arbitrary pressure on the Indian Trade Agent to dispose of the building material etc. even if there is no means of doing so.

The Indian Trade Agent at Yatung has been ordered by the local authorities to accept responsibility for the suicide of a local employee and for the disappearance of other local employees of his Trade Agency. Such facts as are known to the Indian Trade Agent on these matters have been communicated verbally and in writing to the local Foreign Bureau. Reports available with the Government of India indicate that the case of suicide on 2nd June 1962 was caused by the entry of Chinese troops into the Agency premises. About the flight of some local employees from Yatung on 28th May, the Trade Agent had no prior knowledge of this. As soon as he came to know about it, he reported the matter to the local Foreign Bureau. In fact, he was embarrassed by the flight of these local employees as he needed their help in his own winding up operations. A later attempt by some local employees of the Trade Agency to run away led to their arrest by the Chinese authorities on 4th June. The Indian Trade Agent has been so severely restricted in his activities in Yatung that he could not, even if he had wanted

to, assist any local employee in running away from Yatung. There can be no doubt that local employees of the Indian Trade Agency have been running away out of fear of the local authorities.

Another matter which has been causing concern to our Trade Agents in Tibet is the insistence on the part of the local authorities that the Tibetan wives of Indian officials employed by the Agencies cannot accompany their husbands unless they observe all the formalities prescribed by Chinese Immigration Laws for this purpose. The uncertainty as to whether this decision of the Chinese authorities will mean the needless separation of families has created a sense of great uneasiness and despondency among the staff of the Trade Agencies.

The Government of India reiterate their request for facilities to enable the Indian Trade Agents at Gyantse and Yatung to withdraw without further delay. They cannot but take a most serious view of the attempts so far made to harass their Trade Agents and to deny them courtesies due to their official position. Considering the gravity of the situation created by the Chinese authorities at Gyantse and Yatung, the Government of India must issue a clear warning that if there is any further attempt to hold up and harass the Indian Trade Agents in Tibet, there may be grave repercussions.

**Note given by the Ministry of External Affairs, New Delhi, to the
Embassy of China in India, 22 June 1962**

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 Chinese Government's note No. 11/69, dated the 28th May, 1962.

The Chinese note once again overlooks the fact that the two Indian pilgrims Shri Ram Prakash and Shri Narain Gir had lost their way in Tibet due to their having been misdirected by Chinese officials, whose duty it was to help and guide the wayfarers. No reason has been adduced in the Chinese note to explain the time which elapsed between the arrest of the pilgrims and the telephonic intimation of this fact to the Indian Consul General at Lhasa. For as long as fifty days these innocent pilgrims were held in detention without facilities for consultation with their Consular Officer and tirelessly interrogated.

It has been claimed in the Chinese note that "to deal with foreigners who have illegally entered Chinese territory without any permits is a matter entirely within Chinese sovereignty". The validity of this assertion is questionable on two grounds. First on the ground of the fact. Viz., that the pilgrims were in possession of valid pilgrim passes. By a series of misadventures which had befallen them, they had lost all their possessions and very early their lives, when they were carried away by a strong current while crossing a flooded stream. Second, on the ground of law, viz., internal jurisdiction does not confer any right on the Government of China to arrest, detain and persecute the nationals of another State (in this case, India) who are in Chinese territory for a legitimate purpose recognised in the Sino-Indian Agreement of 1954 on Trade and Intercourse between India and the Tibet Region of China.

The Government of India regret that in the face of facts, the Chinese Government should continue to justify their high-handed action.

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

**Memorandum given by the Ministry of External Affairs, New Delhi, to
the Embassy of China in India, 3 July 1962**

Reference Memorandum dated 13th June 1962 from the Chinese Ministry of Foreign Affairs.

The Government of India's Memorandum, dated 16th May 1962 gave facts about the difficulties experienced by the Indian missions in Tibet in respect of their local employees. Pressure had been exercised on these local employees not to serve the Indian missions. Specific instances of such occurrences were brought to the notice of the Chinese Government.

The Chinese Memorandum under references, however, takes the position that continuance in service with Indian missions is entirely a matter for the local employees themselves and that they enjoy complete freedom in this regard. The facts do not sustain this liberal view of life in China. Under regulations in force in China all local employees are to be recruited by foreign missions through the official agencies of the Government of China, and such employees of foreign missions continue to be responsible to the Government of China.

In their note dated 24th August 1960, the Foreign Bureau in Lhasa had advised the Indian Consulate-General that Indian missions in Tibet should intimate their requirements of local staff as also all changes in such appointments to the local Foreign Bureaus. The Indian Consulate-General accepted this position in their note dated 7th January 1961 to the Foreign Bureau in Lhasa. There was instances where the Foreign Bureau did not agree to permit certain persons selected by the Indian Consulate-General in Lhasa to accept appointments offered to them.

Although Indian missions in Tibet scrupulously complied with all local regulations they continued to experience serious hardship in obtaining the services of the local employees and in retaining the services of those already

employed by them. From time to time such local employees have been withdrawn from the service of Indian missions on unspecified grounds. Since all such local employees are compulsorily registered with the local Foreign Bureau, there is no substance in the charge that the Indian Trade Agency at Gyantse failed to notify the local Foreign Bureau about the local employees serving with the Trade Agency.

In the case of the death of Shri N.R. Sharma at Gyantse, the facts have already been cited in the Ministry's Memoranda dated 6th September 1961 and 16th May 1962 and do not require any reiteration. It is obvious that had timely medical assistance been available Shri Sharma's life might have been saved. In this case, the un-cooperative attitude of the local authorities at Gyantse was carried too far.

**Note given by the Ministry of External Affairs, New Delhi, to the
Embassy of China in India, 26 July 1962**

The Ministry of External Affairs presents its compliments to the Embassy of the People's Republic of China and has the honour to refer to note No. 1148, dated the 21st March 1962 from the Chinese Ministry of Foreign Affairs.

The allegation made in the Chinese note have been thoroughly investigated and found to be baseless. There have not been any cases of unwarranted detention of Chinese traders or confiscation of their traders' certificates. Chinese border inhabitants who were not required under the 1954 Agreement to hold travel documents to visit neighbouring areas in India for trading purposes have always been permitted to do so.

The allegation of undue detention and physical maltreatment of more than 60 Chinese traders from the Rudok area of Tibet has not been supported by any particulars and it has therefore not been possible to make any enquiries or investigations. The facts regarding the three specific instances mentioned in the Chinese note are as follows:-

The first case relates to 3 Tibetan traders who came to Chusul in August 1960 with 30 mounds of rock salt for sale. Though they claimed to be customary traders, they were unwilling to dispose off their merchandise at Chusul, even though offers to purchase it were made to them. Instead they insisted on visiting places at which no trade could be transacted. They were not detained by the Indian authorities at Chusul but were told that they were free to visit regular trade centres or to return to Tibet at any time.

As the Chinese Embassy were informed in the Ministry's note dated the 15th July 1961, the Government of India do not maintain a check-post at Dingroze. The question of detention of Chinese nationals at this place cannot

therefore arise and the specific allegation in respect of Tsaijeutschich is thus baseless.

The third case relates to certain traders who visited Chusul between October 24 and October 28, 1960. They were required to remain at the Indian border check-post for a very brief period for completion of normal formalities. The allegation that they were held up for 16 days and that they were harassed is baseless. It is also not true that Tsujen, a member of he group, was confined or beaten.

The claim that adequate facilities have been provided by the Chinese authorities to Indian pilgrims visiting Kailash and Mansarovar is not borne out by facts. The arrangements for accommodation made for Indian pilgrims have remained unsatisfactory. Apart from the rest-house at Rakshahtal, which itself is in a deplorable condition, other places provided for the use of the Indian pilgrims are abandoned buildings unfit for human occupation. The Chinese authorities did nothing over the entire period of operation of the 1954 Agreement to implement their undertaking given in the Notes exchanged between the two Governments to provide reasonable accommodation for Indian pilgrims wherever possible.

Indian pilgrims have also encountered numerous other difficulties e.g. they have not been permitted to purchase food grains or other consumer goods from the Chinese shops. Not only were no steps taken to afford protection to the lives and property of the Indian pilgrims but there were several cases of actual harassment. The case of Shri Ram Prakash and Shri Naraingir, who were needlessly detained by the Chinese authorities, subjected to severe humiliation and harassment and who were not permitted to complete their pilgrimage, forms the subject of the Ministry's notes dated the 5th January, 1961, the 21st April, 1962 and the 2nd June, 1962.

The record shows that the Chinese authorities have consistently acted against the letter and spirit of the 1954 Agreement on Trade and Intercourse

between India and the Tibet Region of China which was intended to develop further the special relations already existing between the people of these areas from time immemorial. The various restrictive measures adopted by the Chinese authorities were clearly aimed at strangling the free intercourse between the Indian and Tibetan peoples. No attempt to shift the responsibility for these actions by making groundless allegations against the Indian authorities or by denying legitimate representations made by the Indian Government on behalf of their nationals will alter the deplorable fact of Chinese failure to implement the Sino-Indian Agreement of 1954.

The Ministry of External Affairs avails itself of this opportunity to renew to the Embassy of the People's Republic of China the assurances of its highest consideration.