

PAKISTAN OCCUPIED KASHMIR

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Centre for Joint Warfare Studies

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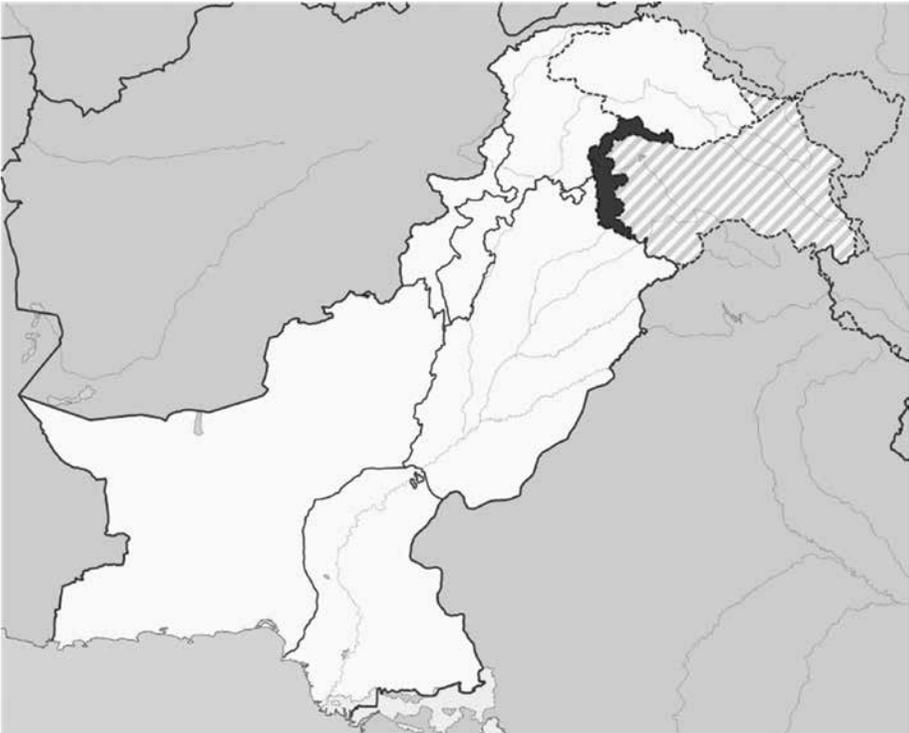
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PAKISTAN OCCUPIED KASHMIR



The Indian State of Jammu and Kashmir comprises the political landmass of the erstwhile Princely State of Jammu and Kashmir (J&K) that acceded to India on 26th October 1947. Prior to 15th August 1947, J&K had been the largest of the 562 princely States, with an area of 218,779 Sq Km, almost equal to the total area of Belgium, Denmark, Holland, Austria and Albania, all put together.

Administratively, the erstwhile Princely State of J&K comprised three provinces – Kashmir, Jammu and the Frontier Province of Ladakh and Gilgit.

While the whole of the erstwhile J&K State acceded to India, portions of it came to be illegally occupied by Pakistan (besides some area by China). The area under illegal occupation of Pakistan comprise two administrative regions - ‘Gilgit Baltistan’ and ‘Azad’ Jammu Kashmir. This Study attempts to understand the latter – a strip of around 400 km in length with a width varying from 16 to 64 km. that is referred to by Pakistan as ‘Azad’ Kashmir (acronymed ‘AJK’).

POK or POJK? The Poonch and Mirpur Divisions of POK, which formed part of the erstwhile Jammu province being larger in both area and population than the Muzaffarabad Division which was part of erstwhile Kashmir province, the area should more appropriately be referred as “Pakistan Occupied Jammu and Kashmir’ (POJK), rather than just ‘Pakistan Occupied Kashmir’ (POK), as per common usage.

FACT SHEET	
Area	13,297 Sq.Km
Cultivated Land	13%
Villages	1771
Population	4.361 millions
Population Growth Rate	2.41%
Unemployment Rate per Annum	14.4%
Literacy	74%
Enrollment rate Primary Boys	98%
Enrollment rate Primary Girls	90%
Road density	0.64 (km/sq. km)
Infant Mortality Rate (per 1000)	58
Population per hospital bed	1309

Population per doctor	4916
Maternal Mortality Rate (MMR)	201
Immunization Coverage	94%
Per capita power availability (KWH)	353
Rural/Urban ratio	88:12
Per capita income (per annum) US\$	1512

Source: <http://www.ajk.gov.pk/qStatus.php>

Government Structure

Backdrop

POK is a self-governing State under control of Pakistan. The administrative structure for the area since it came under Pakistan occupation is as outlined.

A Government for the State had been established on 24th October 1947 which worked like a war council. The Rules of Business were framed under which the executive as well as the legislative authority vested in the President.

For the initial period up to 1952, an office of Supreme Head had existed who approved all legislation. This Office was abolished in 1952 where after the President was the Executive Head, who was assisted by some ministers.

A Courts and Law Code was enacted in 1948 for running the judicial administration and some laws of former Jammu and Kashmir State were allowed to continue in operation.

The Rules of Business were revised in 1952 and again in 1957.

In the system, which prevailed from 1947 to 1960, the person holding the confidence of the Working Committee of Muslim Conference was nominated as the President of Azad Jammu and Kashmir.

In 1960, the Presidential Election System through the “votes of basic democrats” was introduced in with another body known as ‘

Azad Jammu and Kashmir State Council' which was also elected by the basic democrats. This Council consisted of 12 members elected by the people of Azad Jammu and Kashmir, whereas 12 members were elected by the refugees of Jammu and Kashmir State settled in Pakistan.

In 1964, this system was replaced and Azad Jammu and Kashmir Government Act, 1964, was enacted, whereby the provision for the State Council was amended to the extent that 8 State counselors were to be elected by the basic democrats of Azad Jammu and Kashmir. The Chairman of the Council was to be nominated by the Chief Advisor under the Act from amongst the Members who was to act as the ex-officio President for Azad Jammu and Kashmir.

In 1965, the provision was made for appointment of two members to be nominated by the President from amongst the refugees settled in Pakistan.

The Azad Jammu and Kashmir Government Act, 1968, was then enacted under which 8 members were elected, while 4 members were to be nominated by the Chief Advisor from amongst the refugees settled in Pakistan. The Chairman of the Council was elected by the counsellors, who was also the ex-officio President.

In 1969, a caretaker government was inducted into office.

The major constitutional changes came in 1970 when the system of adult franchise was adopted and a democratic setup was introduced through Azad Jammu and Kashmir Act, 1970. For the first time, the Legislative Assembly as well as President of Azad Jammu and Kashmir were also elected on the basis of adult franchise by the people of Azad Jammu and Kashmir, and the refugees of Jammu and Kashmir settled in Pakistan. The Assembly consisted of 24 elected members and one co-opted lady member. This Presidential system of government worked for about 4 years.

A major 'reform' was brought into effect with Presidential System being replaced with a parliamentary System under the AJ&K

interim Constitution Act, 1974. The Assembly now comprised 41 elected Members and 8 co-opted members of which 5 are ladies, one member from Ullema-e-Din or Mushaikh, while one is from amongst Jammu & Kashmir technocrats and other professionals, whereas one is from amongst Jammu and Kashmir nationals (state subjects) residing abroad.

Since 1975, the Prime Minister has been elected by the members of legislative Assembly. He is the Chief Executive of the State, whereas the President is the constitutional head under the AJ&K Interim Constitution Act 1974.

Besides Executive and the Legislature, there is also a Judiciary set up consisting of the Supreme Court, High Court and subordinate courts.

The Council

The Azad Jammu and Kashmir there exists a Council with Prime Minister of Pakistan as the Chairman, 6 elected members, 3 ex-officio Members including President AJK (Vice- Chairman of the Council), Prime Minister of AJK or his nominee, Federal Minister for Kashmir Affairs, and 5 Members to be nominated by the Prime Minister of Pakistan from amongst the Federal Ministers and Members of the Parliament. The Council has been assigned a specified field of activities and it has also further assigned some of the functions to the Central Government in Pakistan. Such as, the Defence, Security, Foreign Affairs and Foreign Trade, Currency and Coins which are the responsibilities of the Government of Pakistan.

The Assembly

There is a 48 member Assembly and a nominated Council. The AJK or PAK Council is chaired by the Prime Minister of Pakistan and includes the PAK President, five nominees of the PM of Pakistan, the PM of PAK and six PAK MLAs. The Federal Minister for Kashmir Affairs and Northern Areas is an ex-officio Member. Although PAK has seven members on the Council as against six Federal representatives, Islamabad wields de facto power. The

Council's legislative powers extend to defence, foreign affairs, communication, currency and finance, corporations and the development of industries "in the public interest", planning. oil and natural gas, electricity. boilers, newspapers, books and printing presses, education, cinema exhibition, tourism, population planning and social welfare. Azad Kashmir's financial matters, i.e., budget and tax affairs, are dealt with by the Azad Jammu and Kashmir Council rather than by Pakistan's Central Board of Revenue.

Significant aspects of the AJ&K Interim Constitution Act, 1974.

(a) According to its Preamble, the Constitution was "approved" and its introduction "authorised" by the Government of Pakistan, which tells where power lies. The oath at all levels, including that for civil servants, includes a commitment to "remain loyal to ... the cause of accession of the State of J&K to Pakistan".

(b) Article 7(2) of the Fundamental Rights chapter provides that "No person or political party ... shall be permitted to propagate against, or to take part in activities prejudicial or detrimental to, the ideology of the state's accession to Pakistan". The seven or eight pro- Independence parties that exist are systematically disqualified from contesting elections under this provision. The general elections held there in July 2006 represents another charade with the disqualification of some 81 candidates unwilling to swear by "the ideology of accession to Pakistan", including those belonging to Amanullah's Khan's JKLF. Further, 12 members of the 41 member legislature were "elected" from the so-called J&K diaspora (refugees) in Pakistan, a pocket borough of the ISI¹ .

The overriding power of the Council in relation to the Assembly is evident from the fact that Emergency powers vest in the Chairman (the Pakistan Prime Minister) who may order dissolution of the lower house. The Judges of the Supreme Court and High

¹ <http://www.tribuneindia.com/2006/20060719/edit.htm#4>

Court, the Chief Election Commissioner and Auditor General are appointed on the advice of the Council.

The government was, however, suspended from 1977 to 1985 under an emergency decree promulgated by Islamabad.

Stipulation of Allegiance to Pakistan

The Interim Constitution of the 1970s only allows the political parties that pay allegiance to Pakistan: “No person or political party in Azad Jammu and Kashmir shall be permitted... activities prejudicial or detrimental to the State’s accession to Pakistan.”

The text of the prescribed Oaths of Office for various offices under the Constitution of 1974 are as reproduced below: -

<p>Oath of Office for President</p> <hr/> <p><i>I,-----do solemnly swear that I am a Muslim and believe in the Unity and oneness of Almighty Allah, His angels, the Books of Allah, the Holy Quran being the last of them, his prophets, the absolute finality of the prophethood of Muhammad (Peace be upon him), the day of Judgment , and all the requirements and teachings of the Holy Quran and Sunnah;</i></p> <p><i>That, as President of Azad Jammu and Kashmir, I will remain loyal to the country and the cause of accession of the State of Jammu and Kashmir to Pakistan;</i></p> <p><i>That I will perform my functions as President honestly and faithfully; and That I will not directly or indirectly communicate or reveal to any person any official secret which may come to my knowledge as President; So Help me Allah.</i></p> <hr/> <p>Oath of Office for Legislative Assembly or Council Members</p> <hr/> <p><i>I,----- having been elected as Member of Azad Jammu and Kashmir Legislative Assembly(or Council) do hereby solemnly swear in the name of Allah;</i></p> <p><i>That, I will remain loyal to the country and the cause of accession of the State of Jammu and Kashmir to Pakistan;</i></p>
--

That I will perform my functions as Member of Legislative Assembly (or Council) honestly and faithfully; and

That I will not directly or indirectly communicate or reveal to any person any official secret which may come to my knowledge as Member of Legislative Assembly(or Council) ; So Help me Allah.

Implications: With the affirmation of accession to Pakistan being made a clause in the Oath of Office, members of parties and Organisation, such as the Jammu and Kashmir Liberation Front become ineligible for contesting elections and assuming office.

Extracts from the POK 'AZAD JAMMU AND KASHMIR' INTERIM CONSTITUTION ACT, 1974 (ACT VIII OF 1974)

Preamble

An Act to repeal and, with certain modifications, re-enact the Azad Jammu and Kashmir Government Act, 1970

WHEREAS the future status of the State of Jammu and Kashmir is yet to be determined in accordance with the freely expressed will of the people of the State through the democratic method of free and fair plebiscite under the auspices of the United Nations as envisaged in the UNCIP Resolutions adopted from time to time;

AND WHEREAS a part of the territories of the State of Jammu and Kashmir already liberated by the people are known for the time being as Azad Jammu and Kashmir;

AND WHEREAS it is necessary to provide for the better Government and administration of Azad Jammu and Kashmir until such time as the status of Jammu and Kashmir is determined as aforesaid and for that purpose to repeal and re-enact the Azad Jammu and Kashmir Government Act, 1970, with certain modifications.

State Religion

3. Islam to be state religion. - Islam shall be the State religion of Azad Jammu and Kashmir.

Fundamental Rights

4. Fundamental Rights.-

(1) Any law or any custom or usage having the force of law in so far as it is inconsistent with the rights conferred by this section, shall, to the extent of such inconsistency, be void.

(2) 3 [No law shall made] which takes away or abridges the rights so conferred and any law made in contravention of this sub-section shall, to the extent of such contravention, be void.

(3) The Provisions of this section shall not apply to any law relating to the members of the defense services or of the forces charged with the maintenance of public order for the purpose of ensuring proper discharge of their duties or the maintenance of discipline among them.

Azad Jammu and Kashmir Council

21. Azad Jammu and Kashmir Council.- (1) There shall be an Azad Jammu and Kashmir Council consisting of

(a) The Prime Minister of Pakistan;

(b) The President;

(c) Five Members to be nominated by the Prime Minister of Pakistan from time to time from amongst Federal Minister and members of Parliament;

(d) The Prime Minister of Azad Jammu and Kashmir or a person nominated by him; and

(e) Six members to be elected by the Assembly from amongst state subjects in accordance with the system of proportional representation by means of the single transferable vote.

(2) The Prime Minister of Pakistan shall be the Chairman of the Council.

(3) The President (of the Council) shall be the vice-Chairman of the Council.

(3-A) The Federal Minister of State for Kashmir Affairs and Northern Affairs shall be an ex-officio member of the Council.

(4) The qualifications and disqualification for being elected, as and for being ,a member of the Council shall, in the case of a member referred to in clause(e) of sub-section(1), be the same as these for being elected as, and for being a member of the Assembly.

(4-A) The seat of a member of the Council elected by the Assembly, hereinafter referred to as an elected member, shall become vacant if;-

(a) he resigns his seat by notice in writing under his hand addressed to the Chairman or, in his absence, to the Secretary of the Council;

(b) if he is absent, without the leave of the Chairman, from thirty consecutive sittings of the Council;

(c) he fails to make the oath referred to in sub-section(6) within a period of ninety days after the date of his election , unless the Chairman, for good cause shown, extends the period; or (d) he ceases to be qualified for being a member under any provision of this Act or any other law.

(4-B) If any question arises whether a member has, after his election, become disqualified from being a member of the Council, the Chairman shall refer the question to the Chief Election Commissioner and, if the Chief Election Commissioner is of the opinion that the member has become disqualified , the member shall cease to be a member and his seat shall become vacant.

(4-C) An election to fill a vacancy in the office of an elected member shall be held not later than thirty days from the occurrence of the vacancy or, if the election cannot be held within that period because the Assembly is dissolved, within thirty days of the general election to the Assembly.

(4-D) The manner of election of elected members and filling of a casual vacancy in the office of an elected member shall be such as may be prescribed.]

(5) An elected member shall hold office for a term of five years from the day he enters upon his office; [Provided that an elected member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.]

(6) An elected member] shall, before entering upon office, make before the Chairman oath in the form set out in the First Schedule.

(7) The executive authority of the Council shall extend to all matters with respect to which the Council has power to make laws and shall be exercised, in the name of the Council, by the Chairman who may act either directly or through the Secretariat of the Council of which a Federal Minister nominated by the Chairman from amongst the members of the Council and not more than three advisors appointed by the Chairman shall be in -charge;

Provided that the Council may direct that, in respect of such matters as it may specify, its authority shall be exercisable by the Vice-Chairman of the Council, subject to such conditions, if any, as the Council may specify.

(8) An advisor may be appointed from amongst the elected members or the members of the Assembly.

(9) An advisor shall, before entering upon office, make before the Chairman oath in the form set out in the First Schedule.

(10) An Advisor who is a member of the Assembly 3 [and the Federal Minister of the State for Kashmir Affairs and Northern Affairs] shall have the right to speak in, and otherwise take part in the proceedings of the Council, but shall not by virtue of this sub- section be entitled to vote.

(11) The Council may make rules for regulating its procedure and the conduct of its business, and shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings of the council shall not be invalid on the ground that a person who was not entitled to do so sat, voted or otherwise took part in the proceedings.

(12) Order and other instruments made and executed in the name of the Council shall be authenticated in such manner as may be specified in rules to be made by the Council and the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Council.

(13) The Chairman may regulate the allocation and transaction of the business of the Council and may, for the convenient transaction of that business, delegate any of its functions to officers and authorities subordinate to it.

Explanation: In this section, 'chairman' means Chairman of the Council.

(14) The words 'The Prime Minister of Pakistan' wherever occurring in this section shall be deemed to include the person for the time being exercising the powers and performing the functions of the Chief Executive of Pakistan.

22. Legislative Assembly.- (1) The Legislature of Azad Jammu and Kashmir shall consist of legislative Assembly consisting of 5 [forty nine] members of whom.

(a) forty one shall be elected directly on the basis of adult franchise;

(b) Five, who shall be women, shall be elected by the directly elected members;

(c) One, who shall be from amongst the Ulema-e-Din or Mushaikh and well-versed with the teachings of Islam, shall be elected by the directly elected members;

(d) One, who shall be from amongst the Jammu and Kashmir State Subjects residing abroad, shall be elected by the directly elected members; and

(e) One, who shall be from amongst the technocrats and other professionals, shall also be elected by the directly elected members.]

(2) The manner of election of the members of the Assembly and the manner of filling casual vacancies shall be such as may be prescribed.

(3) Every Assembly, unless sooner dissolved, shall continue for five years from the date appointed for their first meeting and no longer, and the expiration of the said period of five years shall operate as a dissolution of the Assembly.

(4) A general election to the Assembly shall be held within a period of sixty days immediately preceding the day on which the term of the Assembly is due to expire, unless the Assembly has been sooner dissolved, and the result of the election shall be declared not later than fourteen days before that day.

POK Flag



Symbolism:

Three Fourths green background representing the seventy five percent Muslim population of the State of Jammu and Kashmir.

One Fourth Orange (Gold) color represents the twenty five percent minorities of the State of Jammu and Kashmir.

The Green stripes represent the Valley of the State of Jammu and Kashmir.

The White stripes represent the snow-covered mountains of the State of Jammu and Kashmir.

The Crescent is the usual semblance of the State of Jammu and Kashmir.

POK Anthem

The POK Anthem was introduced after the 1965 War. It is authored by Abu Al-Asar Hafeez Jalandhari who also authored the lyrics of Pakistan's National Anthem and the famous song 'Abhitoh main jawanhoon' rendered by Mallika Pukhraj.

The lyrics of the POK Anthem are as reproduced below.

WatanHamara Azad Kashmir... Azad Kashmir

WatanHamara Azad Kashmir... Azad Kashmir

***BaghonaaurBaharon Wala
DaryaonaaurKuhsaron Wala
Asman hay jis ka Parcham
Parcham Chand Sitaron Wala
Jannat key nazaron Wala
Jammu aur Kashmir Hamara***

WatanHamara Azad Kashmir... Azad Kashmir

WatanHamara Azad Kashmir... Azad Kashmir

***Kohistanokee Abadi
Pahanchuki Taj-e-Azadi
Izzat keeparwanayJagay
Azadi keeShama' Jaladi
Jag Uthi hay Saree Wadee
Khami hay Allah Tumhara***

WatanHamara Azad Kashmir... Azad Kashmir

WatanHamara Azad Kashmir... Azad Kashmir

***zarkelalach se O'shetaan(ناطقى شوا)
kyunbechen hum deen o imaan
Pakistan key SathKharay Hain
Izzat, hurmat, Hukm-e-Quran
Jan bheequrban. Mal bheequrban
Mal seyPiyara... Jan seyPiyara
WatanHamara Azad Kashmir... Azad Kashmir
WatanHamara Azad Kashmir... Azad Kashmir***

The wordings of the last stanza, that translate as follows, are pertinent for the built in commitment to be with Pakistan as also the promise to sacrifice all including life for the 'righteous cause'.

***In moment of time, we shall be with our brethren Pakistan
Our Holy book, the Koran protects our honour***

We give our lives for Sacrifice

All things we can sacrifice for our righteous cause

Because we love our statehood more than our lives and status

Until the day of Judgement Our State is Free Kashmir, Free Kashmir!, Free Kashmir Our State is Free Kashmir, Free Kashmir!, Free Kashmir

The contradictions in the spirit of the POK Flag and the Anthem insofar as allegiance to the faith is concerned, merits notice.

POK Administration

Structure of Administration

<u>POK Administrative Structure</u>	
Divisions	3
Districts	10
Sub Divisions	32
Thana / Police Stations	46
Development Authority	5
Markaz Council	31
Villages	1771
Municipal Committees	13
Municipal Corporations	05
Town Committees	18
Union Councils	189

Source: <http://www.ajk.gov.pk/aboutprofile.php>

Administrative Divisions

POK is divided into three Administrative Divisions. These Divisions and the Districts falling under each are:

Muzaffarabad Division: Districts of Neelum Valley, Jhelum valley and Muzaffarabad).

Poonch Division: Districts of Poonch, Haveli, Bagh and Sudhnoti.

Mirpur Division: Mirpur, Kotli and Bhimber Districts.

The 10 Districts are in turn sub-divided into a total of 35 Tehsils and together have 18 towns and a total of 1771 villages which are grouped under 189 Union Councils.

(Note: A Union Council (called Sherwan in Pakistan) is an elected local government body consisting of 21 councillors, and headed by a Nazim (now called Chairman) and a Naib Nazim (now called Vice Chairman) with the rest being called general Councillors and include one youth member, one women representation and one minority member. Union councils are the fifth tier of government in Pakistan and are often known as Village Councils. The term Union or Village Council may be used for localities that are part of cities).

POK : Divisions, Districts and Tehsils				
Divisions / Districts	Area (in Sq Km)	Population	Capital	Tehsils
Muzaffarabad Division				
Muzaffarabad	370	1,642, 650	Muzaffarabad	Muzaffarabad Tehsil Patehka (Nasirabad) Garhi Dopatta Tehsil Tithwal Tehsil
Jhelum Valley	854	230, 529	Jhelum Valley	Hattian Bala Chikkar Leepa
Neelum Valley	3,621	191,251	Athmuqam	Athmuqam Tehsil Sharda Tehsil
Poonch Division				

Poonch	855	500, 571	Rawalakot	Abbaspur Tehsil Hajira Tehsil Rawalakot Tehsil Thorar
Haveli	600	152, 124	Forward Kahuta	Haveli Khurshid Abad Mumtazabad
Bagh	768	371,919	Bagh	Bagh Tehsil Dhirkot Tehsil Hari Gehal
Sudhanoti	569	297, 584	Palandri	Baloch Mang Tehsil Pallandri Tehsil Tarar Khal Tehsil
Mirpur Division				
Mirpur	1010	456,200	New Mirpur City	Dadyal Tehsil Mirpur Tehsil Chakswari Tehsil
Kotli	1,862	774,194	Kotli	Kotli Tehsil Khuiratta Tehsil Fatehpur Thakia- la-Nakyal Tehsil Sehnsa Tehsil Charoi Tehsil Dulia jattian
Bhimber	1,516	420624	Bhimber	Bhimber Barnala Samahni
TOTAL	13,297	4,045,366		

Ethnic groups

Majority of present day POK residents are culturally different from the Kashmiris. Large population centres such as Mirpur, Kotli and Bhimber are all old towns of the Jammu region and have a culture closer to that of Jammu.

The main communities living in POK are

- Gurjars (an agricultural tribe found across and the largest community of POK);

- Jats (primarily inhabit the Districts of Mirpur, Bhimber and Kotli);
- Awan (mainly in the Bagh Poonch, Jhelum Valley and Muzaffarabad);
- Abbasi (large clan mostly found in Bagh, Jhelum Valley and Muzaffarabad districts);
- Sudhan(Poonch, Sudhanoti, Bagh and Kolti districts);
- Kashmiris (Neelum and Leepa Valleys).

Languages

The majority of the population in the Southern Districts speak dialects of the Pahari-Pothwari language complex that are spoken across the LOC, such as Mirpuri, Pothwari and Pahari.

The dialect(s) of the central districts are Chibhali or Poonchi, but referred to by speakers themselves as Pahari.

The major dialect in Muzaffarabad and the Northern Districts is Hindko.

In the Neelum Valley, the dialect spoken is known as Parmi. It is the only district in which Kashmiri is the dominant mother tongue. The dialect parmi is also spoken by large groups and there are sparse speakers of of Shina and Kundal Shahi dialects, the latter being dialect indigenous to POK.

The official language of POK is Urdu.

Religion

Almost 100% of the population of POK is Muslim.² Non-muslims were either massacred or driven out of the region in 1947-48.

Topography

POK lies between longitude 73degrees to 75 degrees east and

²<http://www.ajk.gov.pk/aboutprofile.php>

between latitudes 33 degrees to 36 degrees. The region falls within the Himalayan organic belt and as such, its topography is mainly hilly and mountainous characterized by deep ravines, rugged, and undulating terrain. The northern districts (Neelum, Muzaffarabad, Hattian, Bagh, Haveli, Poonch, and Sudhnoti) are generally mountainous while southern districts (Kotli, Mirpur, and Bhimber) are relatively plain.

Climate

POK has a wide range of climatic that varies with altitude that ranges 6,325 meters in the North to 360 meters in the South. While the North has temperate climate, South POK has dry sub-tropical climate. There is significant variation in the rainfall pattern across different regions both in terms of amount and distribution.

Average maximum temperature ranges from 20°C to 32°C while the average minimum temperature range is 04 to 07°C.

Average annual rainfall ranges from 1000 mm to 2000 mm. In the northern districts 30% to 60% precipitation is in the shape of snow. In winter, snow line is around 1200 meters while in summer it is 3300 meters.

Major Lakes

Glacial lakes. Chitta Katha Lake, Ratti Gali Lake, Shounter and Saral Lakes – all located at high altitudes in the Neelum valley District

Other large Lakes. Baghsar Lake (Bhimber District), Banjosa Lake (Artificial lake near Rawalakot, Poonch District), Ganga Lake (near Ganga Choti peak in Bagh District) and the Subri Lake (also called the Langarpura lake in Muzaffarabad District)

Rivers

Major rivers flowing through / in POK are:

Kishanganga / Neelum. Originates near Sonamarg in J&K and runs northwards to Badoab village where it meets a tributary from the Dras side, then runs westwards along the

LOC. It then enters POK in the Gurez Sector of the LOC and runs Westwards till it meets the Jhelum in Muzaffarabad.

Jhelum. The river Jhelum rises from Verinag Spring at the foot of the PirPanjal range and flows through Srinagar and the Wular lake before entering POK through a deep narrow gorge. The Neelum River, its largest tributary, joins it at Domel Muzaffarabad. Thereafter, it is joined by the Kunhar River and the Poonch River before it flows into the Mangla Dam reservoir in Mirpur District.

Poonch River. Originates in the western foothills of PirPanjal range, in the areas of Neel-Kanth Gali and Jamian Gali in J&K State. The towns of Poonch, Tatta Pani and Kotli (latter two in POK) are situated on its banks.

The Economy of POK

Agriculture: The major economic activity in POK. In the low lying areas Barley, millet, corn (maize), wheat are grown, besides mangoes. People living in elevated areas and hills grow corn and maintain livestock. Agricultural goods produced in the region include mushrooms, honey, walnuts, apples, cherries, medicinal herbs and plants, resin, deodar, kail, chir, fir, maple, and ash timber.

<u>POK : Land Utilisation (In hectares)</u>	
Total Farm Area	640957
Farm Area Per Family	2.0098
Farm Area Per Capita	0.2354
Area Under Cultivation	197683
Cultivated Area Per Family	0.547
Cultivated Area Per Capita	0.0658
Annual Cropped Area	239350
Non-Irrigated Area	185578
Irrigated Area	12103
Area Under Maize Cultivation	99631
Area Under Wheat	81680

Area Under Rice	2544
Area Under Jawar	34
Area Under Vegetables	3486
Area Under Fruits	13095

Source: <https://pndajk.gov.pk/uploadfiles/downloads/At%20a%20Glance%202017.pdf>

Industry

Industries in POK: Textiles, paper, Steel, Tyre and Rubber, Cosmetics, Pharmaceuticals, Plastic and Pipes and Shoes. There is a Vespa Factory at Mirpur.

Local Industry: Mainly rugs, textiles, and dhurrie carpets. silk and woolen clothing, patta, carpets, namdagubba, and silverware.

Household Industry: Shawls, pashmina, pherans, Papier-mâché, basketry and wood carvings.

Mineral Resources: major Mineral deposits in POK and their locations are:

Graphite	Muzaffarabad District
Limonite	Muzaffarabad District
Bentonite	Mirpur and Bhimber Districts
Marble	Muzaffarabad, Neelum and Kotli Districts
PozollanaAsh	Bagh District.
Limestone	Near Muzaffarabad town
Gypsum	Near Muzaffarabad town and Hattian.
Coal	Kotli and Muzaffarabad Districts.
Bauxite and Fireclay	Kotli District.
Quartzite	Kotli District
Munirite	Bhimber district
Granite	Neelum Valley
Slate	Bagh District
In addition, large reserves of Gemstones are found at various locations in the Neelum, Jhelum and Muzaffarabad Districts.	

Sources: <http://ajkcs.gov.pk/industrialminerals.asp>
and <https://www.mindat.org/locdetailed-123188.html>

CPEC Projects in POK

A Special Economic Zone (SEZ) has been approved to be set up at Mirpur under the CPEC. The SEZ, which would cater to a mix of industries is to be spread over an area of 1078 Acres situated at a distance of 5 Km from the proposed Mirpur Dry Dock at a distance of 22 Km from Mirpur and 140 Km from Sialkot. .

The Karot Hydro power projects (720 MW) and the Kohala Hydro Project (1124 MW).

The Mansehra-Mirpur Expressway.

Airports: There are presently two Airports in POK at Muzaffarabad and Rawalakot, though commercial operations are yet to commence. An International Airport is proposed at Mirpur to cater to the very large number of visiting expatriates.

Power

The installed Grid capacity in POK in 2015 was 677.3 MVA. About 25861 km transmission lines have been extended to 1670 villages out of a total of 1771 villages and about 4.267 million population have been provided with electricity supply.³

Major Hydropower Projects in POK

The Mangla Dam. An embankment dam on the Jhelum River near Jhelum, Pakistan. Mangla Dam, completed in 1967 and is the world's 7th largest dam. The dam structure rises to a height of 453 feet (138 metres) above ground level, was about 10,300 feet (3,140 metres) wide at its crest, and had a volume of 85.5 million cubic yards (65.4 million cubic metres). Along with its three small subsidiary dams, it had an initial installed power capacity of at least 600 megawatts, which was increased to 1,000 megawatts in the mid-1990s. Although its impounded reservoir originally had a gross capacity of about 5.9 million acre-feet (about 7.3 billion cubic metres), the amount of water impounded gradually

³ <https://pndajk.gov.pk/uploadfiles/downloads/AJK%20at%20A%20Glance%202015.pdf>

diminished because of silting. A five-year project, completed in 2009, raised the height of the dam by 30 feet (9 metres), raising its storage capacity to some 7.4 million acre-feet (9.13 billion cubic metres).

The Neelum Jhelum Project. The Neelum–Jhelum Dam is a 60 m tall and 125 m long gravity dam on the Neelum River that diverts upto 280 m³/s into a 28.5 km long head-race tunnel – the first 15.1 km being two tunnels that later merge into one. The tunnel passes 380 m below the Jhelum River and through its bend. At the terminus of the tunnel, the water reaches the surge chamber which contains a 341 m (1,119 ft) tall surge shaft (to prevent water hammer) and a 820 m (2,690 ft) long surge tunnel. From the surge chamber, the water is split into four different penstocks which feed each of the four 242 MW turbine-generators in the underground power house on the Jhelum River located 42 km south of Muzaffarabad. After being used to generate electricity, the water is discharged southeast back into the Jhelum River through a 3.5 km long tail-race tunnel.

Apprehensions of Impact of India's Kishanganga Project on the Neelum Jhelum Project. Kishanganga Hydroelectric Project consists of a dam across the Kishanganga (Neelum) and divert some of waters to a power station before discharging the water into the Wular lake that is fed by the Jhelum river. The apprehension is regarding the impact of reducing power generation at the Neelum – Jhelum power plant. In 2010, Pakistan appealed to the Hague's Permanent Court of Arbitration (CoA), complaining that the Kishanganga Project violates the Indus River Treaty by increasing the catchment of the Jhelum River and depriving Pakistan of its water rights. In its 'Final Award' made on 20 Dec 2013, the International Court of Arbitration allowed India to go ahead with the construction of the Kishanganga dam specifying that a 9 m³/s of natural flow of water must be maintained in Kishanganga river at all times to maintain the environment downstream. The court said alternative techniques will have to be used for Kishanganga hydroelectric project and all future run of the river projects undertaken on western rivers of the Indus system. The western

rivers are allocated to Pakistan under the Indus Waters Treaty of 1960.

Major hydro-power projects under construction. Kohala project(1124 MW), Karot hydro-power project (720 MW) and the Mahal power project (640 MW), all three on the river Jhelum.

Tourism

POK has varied mountainous landscape ranging from low hills to high mountains (2000 to 6000 m) and is known for its great valleys which offer opportunities for adventure sports and recreation activities such as climbing, trekking, mountaineering, hiking and paragliding. Some of the prominent historical sites are as listed below:

Neelum Valley District. The Ratti Gali lake, Dhani Noseri Waterfall, the hilltop view point of Arrang Kel and Sharda (Site of the ruins of Sharada Peeth, a famous Hindu temple and pilgrimage site, dedicated to Goddess Sharada).

Jhelum Valley District. Garhi Dupatta, Awan Patti, Chinari, Chakothi and Chikkar.

Muzaffarabad City and District. Two historical 16th Century forts Red Fort (Chak Fort) and Black Fort (both located on the banks of the Neelum River), Leepa valley.

Bagh District. Bagh Fort, Ganga Lake, Ganga Choti, Kotla Waterfall and Sudhan Gali (a hill station reputed as a challenger to Murree).

Sudhanoti District. Dhar Dharach (Dhar Tower, seven km off Pallandri, which offers a view of Rawalpindi, Kotli, and Pallandri cities), Pallandri Bawli (known as Rani Ki Bawli, a fountain constructed as an inn by the Dogra Kings for travellers from Poonch to Rawalpindi).

(The Yaadgar-e-Shuhadah at Mong in Sudhnoti District is a memorial to commemorate the brutal killing of protestors who had risen against Sikh Rule in 1832 which

was carried out by then General Gulab Singh, later to be the first Maharaja of the Dogra Dynasty).

Kotli District. Gulpur Waterfalls, Sarda Point.

Poonch District. Banjosa(an artificial lake) and ToliPir (a hill top destination), both in proximity to Rawalakot.

Mirpur District. Ramkot Fort, Mangla dam.

Bhimber District. Baghsar Lake, Baghsar Fort, The Haathi Gate (through which Jahangir's elephant entered Bhimbar).

Foreigner Travel Restrictions in POK. Tourism in POK is restricted to locals or inhabitants of Pakistan. Foreigners desiring to visit POK are required to obtain a No Objection Certificate (NOC) which, if granted, is only valid for 4 days.

British Mirpuris. Interestingly, as many as an estimated 60–70 per cent of the British Pakistani population hail from Mirpur and its adjoining areas. A significant number of male population from the area had served in the British Army during World War II and migrated to Britain after the War due to lack of employment opportunities. A second wave of migrations took place when persons displaced due to the Mangla dam moved to UK. Remittances from migrants, some of who have built houses in their native places have a positive impact on the economy of those places. Places in POK with Significant British Connect are Mirpur, Khuiratta (main town of Kotli District and known as Little Britain)and Chakswari, besides other towns of the region. In the UK, Mirpuri migrants are mostly settled in in West Midlands, London, Birmingham Glasgow, Leeds and Manchester, Humber and in Scotland.

Cross-LOC Movement

After the 1949 Ceasefire, a 'Raahdari' permit system had been put in place for travel across the CFL but was discontinued a few years later. A bus service that existed was suspended in 1965.

In 2006, a people to people contact programme was introduced with Chakan-da-bagh being agreed upon as a crossing point and renamed as 'Raah-e-Milan' and cross-LOC movement facilitated by providing entry permits to people on both sides which allow a person to stay on the other side for a period of 45 days.

Permits are issued to members of divided families and mainly to close relatives. The applications follow a long and tedious course for approval including scrutiny by security and intelligence agencies on both sides.

Majority of families divided by the LOc are spread over Rajauri and Poonch in J&K and rawalakot and Bhimber on the POK side.

The only means of travel is the cross-LOC bus service, named Karwan-e-Aman which has however been suspended from time to time when tension across the LOC builds up.

Cross - LOC Trade

Agreement to commence cross-LoC trade between J&K and POK was made by the then Prime Minister of India and President of Pakistan on September 23, 2008.

Trade involves duty free passage to 21 items from each side across two points on the LOC - between Uri and Salamabad) in and between Chakan-da-bagh and Rawalakot.

Trade is on barter basis and is NOT considered as bilateral trade between India and Pakistan, nor International trade or even domestic trade. Exports are called 'Traded-out' goods and imports are 'Traded-in' goods.

Initially trading took place on 2 days in a week but was increased to 4 days per week on 15 November 2011.

The value of trade over the nine years until October 2017 has been exports of goods worth Rs 2535 crores and import from POK of goods worth Rs 2300 crores.

The volumes of trade, since its commencement, are as tabulated:

Trade-out to POK			
Period	Weight (in Quintals)	No. of Trucks	No. of Consignments
2008 - 09	7239.39	219	29
2009 - 10	193221.06	2662	70
2010 - 11	159907.58	2413	70
2011 - 12	201376.71	2960	104
2012 - 13	298490.43	4119	175
2013 - 14	238612.73	3299	143
2014 - 15	164748.66	2458	164
2015 - 16	415937.04	984	83

Source:<http://journals.iobmresearch.com/index.php/PBR/article/view-File/1885/335>

Trade-in from POK			
Period	Weight (in Quintals)	No. of Trucks	No. of Consignments
2008 - 09	3987.31	180	29
2009 - 10	119004.75	1830	70
2010 - 11	247235.20	3650	70
2011 -12	350079.81	4406	104
2012 - 13	623171.57	7519	175
2013 - 14	434019.98	5153	143
2014 -15	494188.28	5476	166
2015 - 16	180831.91	2055	83

Source:<http://journals.iobmresearch.com/index.php/PBR/article/view-File/1885/335>

The earnings of the local transport Industry is estimated at Rs 80 crores and payments to labourers engaged in uploading and unloading of trucks estimated at Rs 6.88 crores.

Out of 3285 days in the nine years since trade commenced, trading took place only on 1150 days. (Trade on the Poonch – Rawalakot crossing was suspended due to increased border tensions. That on the Uri – Muzaffarabad crossing was also suspended for an extended period following the recovery of Rs 00 crores worth of heroin and brown sugar from a truck coming from POK.

Items approved for export: Carpets, rugs, wall hangings, shawls and stoles, namdas, gabbas, embroidered items including crewel, furniture including walnut furniture, wooden handicrafts, fresh fruits and vegetables, dry fruits, saffron, aromatic plants, fruit bearing plants, dhania-moongi-imli and black mushrooms, Kashmiri spices, Rajmah, honey, papier-mache products, spring/ rubberized coir/foam mattresses, cushions, pillows and quilts, and medicinal herbs. (21).

Items approved for Import: Rice, Jahnamaz and tusbies, precious stones, Gabbas, Namdas, Peshwari leather chappals, medicinal herbs, maize and maize products, fresh fruits and vegetables, dry fruits, walnut furniture, wooden handicrafts, carpets and rugs, wall hangings, embroidered items, foam mattresses, cushions, pillows, shawls and stole. (21).

Education

The current literacy rate of Azad Kashmir is 78%, compared with 45% in Pakistan. In Azad Kashmir, primary school enrolment is 80% for boys and 74% for girls.

Institutions of Higher Learning

Main centres of Higher education in POK are:

Universities. University of Azad Jammu and Kashmir (Campuses at Muzaffarabad, Neelum and Jhelum valleys), University of Poonch (Campuses at Rawalakot, Mong in Sudhnoti District and Kahuta in Haveli District), Women's University at Bagh, the Al-Khair University, Mirpur, the Mohi-ud-Din Islamic University, Nerian Sharif

IT and Tech Universities. Mirpur University of Science and Technology, (Campuses at Mirpur and Bhimber), University of Management Sciences and Information Technology, Kotli

Medical Colleges. Mohtarma Benazir Bhutto Shaheed Medical College, Mirpur, Medical Colleges at Muzaffarabad and Rawalakot, Mohi-ud-Din Islamic Medical College, Mirpur

ACadet College, one of a chain of Sainik School type institutions

set up by the Pakistan Government is located at Pallandri in POK's Sudhnoti District.

Historical Background

The Lahore Resolution (Karardad-e-Lahore)

Pakistan's claim to Kashmir is rooted in a Resolution passed by the Muslim League in 1940 at Lahore.

The Resolution states that:

“No constitutional plan would be workable or acceptable to the Muslims unless geographical contiguous units are demarcated into regions which should be so constituted with such territorial readjustments as may be necessary. That the areas in which the Muslims are numerically in majority as in the North-Western and Eastern zones of India should be grouped to constitute independent states in which the constituent units shall be autonomous and sovereign”.

Major events in the history of J&K that have bearing on formation of POK are:

1846	Jammu and Kashmir(J&K) State is created under the Treaty of Amritsar between the East India company. Raja Gulab Singh of Jammu buys Kashmir Valley from the East India Company for Rs.75,00,000 and adds it to Jammu and Ladakh already under his rule.
1925	Maharaja Hari Singh succeeds to the throne of the princely state of Kashmir.
1927	Hereditary State Subject law passed. The law forbids employment of non-state subjects in public services and from purchasing land.
13th July 1931	Arrest of Abdul Qadir, a European, who makes a speech calling on Muslims to fight their Hindu oppressors. Large scale protests and rioting follows and several deaths occur due to Police firing. Week long mourning was observed. Traffic between Srinagar and Rawalpindi and between Srinagar and Jammu was halted between July 13 and July 26, 1931. Three British companies, numbering about 500 soldiers were sent to support the J&K Maharaja and restore law and order. The incident leads to the rise of Sheikh Abdullah as a leader.

1932:	The All Jammu and Kashmir Muslim Conference (later to be renamed as National Conference in 1939) to fight for protection of rights to fight for Kashmiri people and their freedom from the Maharaja's rule.
March – April 1932	A Commission appointed by the Maharajah of J&K and headed by BJ Glancy, an officer of the Foreign Affairs Ministry of the British Indian Government, to look into the demands of Muslims submits its Report on 22 March and recommends inter alia that for adequate representation of Muslims being provided in the State's services. In April 1932, the Kashmiri Pandits launched a vigorous agitation, called the Bread Movement, asking the Maharaja not to implement Glancy's recommendations.
1934	Maharaja grants a Constitution providing a Legislative Assembly for the people, but the Assembly turns out to be powerless.
1939	The Muslim Conference changes its name to the National Conference and moves closer to the Indian Nationalist movement against colonialism and the Indian Congress Party organization.
07 September 1939	Maharaja promulgated the Jammu and Kashmir Constitution Act which marked an important milestone in the Constitutional development of the State. The provisions fell short of expectations of both the National Conference and the Muslim Conference. Notwithstanding, this constitution that remained in force till January 26, 1957, when the present constitution came into force.
March 1940	The Lahore Resolution (Karardad-e-Lahore) passed at the All India Muslim League Working Committee Meeting.
Apr – May 1943	Prices of food grains in Jammu region were enhanced. The Government failed to regulate supplies of food stuffs in the Jammu province with the result that entire province was gripped by famine. Jammu city was the worst effected.
1941	The Muslim Conference is revived as a rival to Abdullah's National Conference, and takes the position of the Muslim League.
10 May 1944	1944 Jinnah addresses a public meeting in Srinagar organised by the National Conference with Hindu and Sikh leaders present in which he thanked the people for the ovation and affection they had bestowed on him as the President of the Muslim League and added that "the ten crores of the Indian Muslims were with the people of Kashmir in their struggle for freedom". Some Hindu and Sikh leaders left the stage and a split resulted between Jinnah and Shaikh Abdullah.

29 & 30 September 1944	The National Conference adopts the 'Naya Kashmir'—a manifesto that guaranteed freedom of speech, expression, assembly, meetings, street processions, demonstrations etc. It demanded the constitution of an elective 5-year term legislature with cabinet responsibility, and suggested that, the delegation of the state power to the districts, tehsils, cities and villages be modelled on the system of the village self-governing-institution of Panchayats. The manifesto wanted Urdu to be the lingua franca, with Kashmiri, Dogri, Balti, Dardi, Punjabi, Hindi and Urdu as national 'languages.
01 July 1945	The 13th general session of the Muslim Conference was held in Poonch in which a pamphlet which was named 'Azad Kashmir' as distributed. . This document envisaged a political and economic plan for the state was in retaliation to National Conferences Naya Kashmir, which, according to the the Muslim Conference, was declared to perpetuate the irresponsible rule of the Dogras. 'Azad Kashmir' declared that the Muslim Conference was committed to this struggle for Pakistan, and was the sole representative organisation of the Muslims in the state.
15 th May, 1946	Shaikh Abdullah announces the 'Quit Kashmir' movement and called upon the people to prepare for the last battle with the Dogras, demanding absolute freedom from Dogra Rule and for the Dogra Maharaja to quit the valley, bag and baggage, enabling the Kashmiris to shape their own future. Abdullah followed this with public speeches declaring that the end of the British regime would mean an end to the rulers. Stating that the tyranny of the Dogras has 'lacerated our souls', he asked for a plebiscite to ascertain the will of the Kashmiri people. The state is placed under martial law. Abdullah is imprisoned.
26 July 1946	Muslim Conference adopts 'Azad Kashmir' resolution on calling for the end of autocratic government and claims the right of people to elect their own constituent assembly.
1946 - 47	Events in Poonch and Jammu Province (detailed separately).
3 rd June 1947	British government accepts establishment of Independent State of Pakistan in areas where the Muslims are in majority.
14 th August 1947	The nation of Pakistan born.

Post Independence developments

Operation Gulmarg

A Plan for forceful seizure of Jammu and Kashmir was drawn up as early as 20 August 1947. Named as 'Operation Gulmarg' the Plan was to raise a force of 20 Lashkars, consisting 1000 Pashtun tribesmen each to be recruited and armed at various military locations and launched at an appropriate time. Ten of these lashkars were to proceed to the Kashmir Valley through Muzaffarabad and the other ten to advance towards Jammu through Rawalakot, Poonch and Bhimber.

Meeting Held by Pakistan Prime Minister

On 12 September 1947, the then Pakistan Prime Minister held a meeting with Mian Iftikharuddin, Colonel Akbar Khan, West Punjab Minister Shaukat Hayat Khan and Muslim League National Guard's chief Khurshid Anwar in which two plans for invasion of J&K approved and responsibilities allocated.

The following extract from Maj Gen Agha Humayun Amin's Book titled 'The 1947-48 Kashmir War - The War of Lost Opportunities' provides an insight into the deliberations at that meeting that indicate to Pakistan's direct complicity in the events that followed:

"A meeting was held on this issue in Lahore which was presided over by Prime Minister Lyaqut Ali Khan. In this meeting, decisions were made about the impending Kashmir operation. Major Amen writes that there were three fundamental parties in the Kashmir operation: Muslim League leaders like Sardar Shoukut Hyat, Iftikhar-ud-Din, and Khurshid Anwar; the tribal men; and Brigadier Akbar Khan. The Brigadier was in charge of the weapons and equipment department at the General Military Headquarters, Rawalpindi. He was asked to arm the tribal raiders. He was asked to use all the means at his disposal without letting the British officer, who was commander of the Army at that time, know. Major Ameen writes that the tribal men were brought from the North West Frontier Province in Government trucks to Abbottabad to launch a raid in

Kashmir under the command of Khurshid Anwer⁴.

Some of the tribesmen were also handed over to the former military men in Pooch to fight against the Dogra army there. They did not go to Kashmir to help their brothers and sisters who were in need. They were hired to fight, and their main motives were money and war booty. Apart from this unchallengeable evidence, we also have testimonials of the people who have been part of these events. The Azad Kashmiri leaders who participated and, in some cases, led these events publicly admitted to the tribal invasion and looting in Kashmir.

Among them the founder President of Azad Kashmir Sardar Ibrahim Khan and Justice Yusuf Saraf are prominent. Some tribesmen who participated in this operation are still alive in Waziristan. They admit to having been brought by Pakistan military officers in military trucks to fight in Kashmir”.

The Plan

Three-tiered action plan before launch of operations entailed:

- Preparation of armed bands in Poonch who were to advance to Srinagar
- Network of underground movements in the Kashmir Valley to rise at an appropriate time
- Disruption of the Kathua-Jammu road to check aid and assistance from India.

Two-pronged attack planned consisted of:

- A Northern force of ten lashkars were to attack the Kashmir Valley via Muzaffarabad,
- A Southern force, also of ten lashkars would attack Jammu region through Poonch and Nowshera valley.

Events relating to Operations by the Northern Force

⁴ Extracted from https://www.researchgate.net/publication/235932742_THE_FIRST_INDO-PAKISTANI_WAR_1947-48

20 October 1947	<p>Invasion of J&K by the tribesmen were brought from the NWFP tribal areas on trucks requisitioned by Government of Pakistan and concentrated in Batrasi north-east of Abbottabad to commence.</p> <p>Main northern tribal force invading Kashmir on Abbottabad-Garhi Habibullah-Muzaffarabad-Srinagar axis with a smaller auxiliary force advancing along Murree-Kohala-Muzaffarabad axis.</p>
20/21 October	Around 2,000 tribesmen capture the bridge spanning the Neelam river on the Hazara Trunk Road linking Muzaffarabad with Abbottabad without a fight, since the Muslim guard Platoon of 4 J&K Infantry join the tribesmen.
21 October	The 2,000 raiders assisted by the Muslim Companies of the 4 J&K State Infantry capture Muzaffarabad. Fighting in Domel and Kohala localities however continues.
23 October	Brigadier Rajinder Singh, COS of Kashmir State Forces rushes to Uri with 200 soldiers and blows up a bridge spanning a nullah on the main road thereby delaying advance of the Tribesmen.
24 October	Brigadier Rajinder Singh who was leading from the front killed in action
26 October	Maharaja signs Instrument of Accession to India
26 October 1947	Baramulla falls to Tribesmen.
27 October	Move of Indian troops to Srinagar commences with Two Coys of 1 SIKH.
27 October	<p>Lt Col Dewan Ranjit Rai CO 1 SIKH immediately rushes on landing to join the State troops 5 kilometres east of Baramula, but could not hold the Lashkar of 5,000 men.</p> <p>Lt Col Dewan Ranjit Rai killed in the fighting.</p> <p>Remaining elements of 1 SIKH withdrew eastwards losing 24 men (killed) to take another defensive position at Patan.</p>
Until 02 November	Tribesmen bypass 1 SIKH position at Patan from the flanks but was forced to stay close to the main road since manoeuvrability in the whole area was restricted by marshes and small lakes.
01 November	7 CAV commences move from Ambala to Srinagar.
02 November	India flies in 161 Brigade consisting of approximately four battalions into Srinagar
02 November	Tribesmen now decided to infiltrate, bypass the Indian position from both north and south and capture the Srinagar airfield.

2/3 November	Tribesmen infiltrate north of the Indian main position at Pattan and reach Shalateng in the rear of Pattan and a little to the north of Srinagar. The tribesmen were very close to establishing a roadblock between Srinagar airfield and town.
03 November	Tribesmen to reach Badgam a village just away from the Srinagar airfield on 3rd November. Battle of Badgam. A Coy of 4 KUMAON engaged the Tribesmen but suffered heavy losses including the death of Coy Cdr Major Somnath Sharma, India's first PVC awardee.
05 November	7 CAV reaches Srinagar
07 November 1947	Battle of Shetalang. Indians launched their main attack at first light. The tribesmen routed and pushed back. Situation stabilised at Rampura a narrow defile halfway between Baramulla and Uri.
08 Nov 1947	Baramulla recaptured. IAF attacks entire stretch of road between Baramullah and Muzaffarabad. Attackers pushed back to Uri and beyond.
11 Nov 1947	Prime Minister Nehru visits Srinagar and travels in a 7CAV Armoured car to Baramulla

Operations by the Southern Force

Establishment of 'GHQ Azad' and Sectoral HQ. A Command post to direct operations for the capture of Jammu and Kashmir was set up on 23 September 1947 at Gujrat with sectoral HQs at (a) Rawalpindi (for Poonch operation), Jhelum (for Mirpur Operations), Sialkot (for Jammu Operations). On 02 October 1947, Col Mohammad Kiani, in charge of the Sialkot sector, commenced operations in Samba initially with hit-and-run operations running 5 to 10 miles into the state. These escalated to looting of villages and towns, escalating to burning and looting of villages and towns killing residents, especially non-muslims.

Establishment of 'GHQ Azad' and Sectoral HQ

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HQs were set up at (a) Rawalpindi (for Poonch operation), Jhelum (for Mirpur Operations), Sialkot (for Jammu Operations).

Build-up to Events in Poonch and the exemplary leadership of Brig Pritam Singh

On 4 September 1947, about 500 hostile tribesmen in green and khaki uniforms, who were joined by about 200–300 others from Kahuta and Murree enter Poonch and loot Hindu and Sikh minorities in the district. A large number of refugees from other parts of the District seeking to escape from the atrocities by Rebels converged into Poonch.

On its part, the State Forces establish a 'Poonch Brigade' Headquartered in Poonch town and distributed across various locations across the District, mainly Mong, Dhirkot, Kohala and Pallandri. However, their numbers being inadequate and there being no relief or support received, these towns fell into rebel control.

In early October 1947, the rebel forces commenced operations which were first in the nature of 'hit and run' raids and escalating to burning and looting, molesting and killing of residents, especially targeting the non-Muslim communities. The raiders were supported by the Pakistani Army who however feigned ignorance of the incidents and instead accused the Kashmir Government of atrocities against Muslims. By the middle of October the situation was ripe for a general offensive.

As Poonch District had a large Muslim population, a large number of who were serving and retired soldiers, it became a target for Pakistan to attack the District.

The town of Bhimber was captured by the rebels on 23 October and Rajauri fell to the rebels on 07 November. The State Forces garrisons at Mirpur, Jhanger, Kotli and Poonch were surrounded.

On 18 November, after the relief of Baramulla and Uri, a column moves Southwards to relieve Poonch. Although the column reached Poonch, the siege could not be lifted. A second relief column reached Kotli, and evacuated the garrisons of that town

and others but were forced to abandon it being too weak to defend it.

On 22 November 1947, a column from 161 Brigade under Lt Col (later Brigadier) Pritam Singh approaching from the Jammu side reached Poonch. The understrength brigade of J&K State Forces located there comes under his command. However the troop strength, arms and ammunition held were low and inadequate to break the rebel siege.

Under the exemplary leadership of Brig Pritam Singh, Poonch withstood a siege by the Pakistanis from November 1947 till eventually relieved by an Indian offensive, Operation Easy on 20 November 1948.

Timeline of events Relating to the Southern Force

25 November 1947	<p>Mirpur was captured by the Rebel forces on. Hindu women were reportedly abducted by tribals and taken into Pakistan. They were sold in the brothels of Rawalpindi. Around 400 women jumped into wells in Mirpur committing suicide to escape from being abducted.</p> <p>The day commemorated in J&K with solemnity as 'Mirpur Day'.</p>
17 March 1948	Jhangar retaken.
17 March 1948	Air link to Poonch severed due to heavy rebel side firing. Enemy deployed mountain guns against Poonch and shells the airfield.
21 March 1948	<p>Brig Pritam Singh wounded. A rumour that he died spread chaos and panic through the town and to squash which he was propped up in a jeep and driven around Poonch.</p> <p>Message from the Brigade, instructing the garrison to prepare to pull out from Poonch. Col Pritam, though still confined to bed, would not hear of it.</p> <p>Col Pritam personally leads attack with 1 PARA and two Coys of J&K Militia to recapture Khanetar ridge.</p>
March – April 1948	Operation Vijay– an Indian offensive with three Bde Gps launched.

June 1948	Another attempt to relieve Poonch unsuccessful
6/7 November 1947	Indian Army launches 'Operation Easy'. Bhimber Gali and Ramgarh fort captured. PirBadesar, a tactically strong locality overlooking the Seri valley retaken. Topa ridge south of Poonch retaken.
20 November 1948	Poonch garrison breaks through to the south over the hills for the linkup. Operation Easy concludes.
<p>The enigmatic 'Maj Gen' Mohammad Kiani who oversaw HQ AZAD Had been commissioned into the British Indian Army Officer and was Sword of Honour and Gold Medal winner at the IMA in 1935. Joined the 1st Battalion 14th Punjab Regiment which saw action in Malaya during WW-II during which he was captured and taken as POW. In 1942, he joined the Indian National Army (INA) when it was formed in 1942 and had marched with Subhash Chandra Bose to Bangkok after the fall of Rangoon. He surrendered to the British 5th Division at Singapore on 25 August 1945, was repatriated to India where he was interned until 1946 before being cashiered and discharged. In September 1947, he was given the responsibility to coordinate the operations of the Southern prong to overthrow the maharaja of Jammu and Kashmir.</p>	

The Karachi Agreement (27 July 1949)

The Security Council Resolution 47 of April 1948 established a UN Commission (United Nations Commission for India and Pakistan — UNCIP) to mediate between India and Pakistan in order to bring about a cessation of fighting in Kashmir and to make arrangements for a popular plebiscite. After negotiations with the two sides, both India and Pakistan accepted the resolution and a ceasefire was achieved on 31 December 1948.

The Karachi Agreement, formally called as the "Agreement between Military Representatives of India and Pakistan regarding establishment of Ceasefire line in the state of Jammu and Kashmir" was signed on 27 July 1949.

Text of the Karachi Agreement is as reproduced below:

INTRODUCTION

A. The military representatives of India and Pakistan met together in Karachi from 18 July to 27 July 1949 under the auspices of the Truce Sub-committee of the United Nations Commission for India and Pakistan.

B. The members of the Indian Delegation were:-

1. Lt. Gen. S.M. Shrinagesh
2. Maj. Gen. K.S. Thimaya
3. Brig. S.H.F.J. Manekshaw

As observers:-

1. Mr. H.M. Patel
2. Mr. V. Sahay C.

The members of the Pakistan Delegation were:-

1. Maj. Gen. W.J. Cawthorn
2. Maj. Gen. Nazir Ahmad
3. Brig. M. Sher Khan

As observers:-

1. Mr. M. Ayub
2. Mr. A. A. Khan.

D. The members of the Truce Sub-committee of the United Nations Commission for India and Pakistan were:

1. Chairman, Mr. Hernando Samper (Colombia)
2. Mr. William L.S. Williams (United States)
3. Lt.Gen. Maurice Delvoie (Military Adviser)
4. Mr. Miguel A. Marin (Legal Adviser).

II

AGREEMENT

A. *Considering:*

1. *That the United Nations Commission for India and Pakistan, in its letter dated 2 July 1949, invited the Governments of India and Pakistan to*

send fully authorised military representatives to meet jointly in Karachi under the auspices of the Commission's Truce Sub-committee to establish a cease-fire line in the State of Jammu and Kashmir, mutually agreed upon by the Governments of India and Pakistan;

2. *That the United Nations Commission for India and Pakistan in its letter stated that "The meetings will be for military purposes; political issues will not be considered", and that "They will be conducted without prejudice to negotiations concerning the Truce Agreement"*
3. *That in the same letter the United Nations Commission for India and Pakistan further stated that: "The cease-fire line is a complement of the suspension of hostilities, which falls within the provisions of Part I of the Resolution of 13 August 1948, and can be considered separately from the questions relating to Part II of the same Resolution";*
4. *That the Governments of India and Pakistan, in their letters dated 7 July 1949 to the Chairman of the Commission, accepted the Commission's invitation to the military conference in Karachi;*
5. *The Delegations of India and Pakistan, duly authorized, have reached the following agreement:*
 - I. *Under the provisions of Part I of the Resolution of 13 August 1948, and as a complement of the suspension of hostilities in the State of Jammu and Kashmir on 1 January 1949, a cease-fire line is established.*
 - II. *The cease-fire line runs from MANAWAR in the south, north to KERAN and from KE RAN east to the glacier area, as follows:*
 1. *The line from MANAWAR to the south bank of the JHELUM River at URUSA (inclusive to India) is the line now defined by the factual positions about which there is agreement between both parties. Where there has hitherto not been agreement, the line shall be as follows:*
 - I. *In PATRANA area: KOEL (inclusive to Pakistan) north along the KHUWALA KAS Nullah up to point 2276 (inclusive to India), thence to KIRNI (inclusive to India).*
 - II. *KHAMBHA, PIR SATWAN, point 3150 and Point 3606 are inclusive to India, thence the line runs to the factual position at BAGLA GALA, thence to the factual position at Point 3300.*
 - III. *In the area south of URI the positions of PIR KANTHI and LED! GAL! are inclusive to Pakistan.*

1. *From the north bank of the JHELMUM River the line runs from a point opposite the village of URUSA (NL 972109), thence north following the BALLASETH DA NAR Nullah (inclusive to Pakistan), up to NL 973140, thence northeast to CHOTA KAZINAG (Point 10657, inclusive to India), thence to NM 010180, thence to NM 037210, thence to Point 11825 (NM 025354, inclusive to Pakistan), thence to TUTUMARI GALI (to be shared by both sides, posts to be established 500 yds. on either side of the GALI), thence to the northwest through the first "R" of BURST NAR to north of GABDORI, thence straight west to just north of Point 9870, thence along the black line north of BIJILDHAR to north of BATARASI, thence to just south of SUDPURA, thence due north to the KATHAKAZINAG Nullah, thence along the Nullah to its junction with the GRANGNAR Nullah, thence along the latter Nullah to KAJNWALA PATHRA (inclusive to India), thence across the DHANNA ridge (following the factual positions) to RICHMAR GALI (inclusive to India), thence north to THANDA KATHA Nullah, thence north to the KISHANGANGA River. The line then follows the KISHANGANGA River up to a point situated between JARGT and TARBAN, thence (all inclusive to Pakistan) to BANKORAN, thence northeast to KHORI, thence to the hill feature 8930 (in Square 9053), thence straight north to Point 10164 (in Square 9057), thence to Point 10323 (in Square 9161), thence northeast straight to GUTHUR, thence to BHUTPATHRA, thence to NL 980707, thence following the BUGINA Nullah to the junction with the KISHANGANGA River at Point 4739. Thereafter the line follows the KISHANGANGA to KERAN and onwards to Point 4996 (NL 975818).*
2. *From Point 4996 the line follows (all inclusive to Pakistan) the JAMGAR Nullah eastward to Point 12124, to KATWARE, to Point 6678, thence to the northeast to SARIAN (Point 11279), to Point 11837, to Point 13090, to Point 12641, thence east again to Point 11142, thence to DHAKKI, thence to Point 11415, thence to Point 10301, thence to Point 7507, thence to Point 10685, thence to Point 8388, thence southeast to Point 11812. Thence the line runs (all inclusive to India) to Point 13220, thence across the River to the east to Point 13449 (DURMAT), thence to Point 14586 (ANZBARI), thence to Point 13554, thence to Milestone 45 on the BURZIL Nullah, thence to the east to ZIANKAL (Point 12909), thence to the southeast to Point 11114, thence to Point 12216, thence to Point 12867, thence to the east to Point 11264, thence to KARO (Point 14985), thence to Point 14014, thence to Point 12089, thence following the track to Point 12879. From there the*

line runs to Point 13647 (KAROBAL GALI, to be shared by both sides). The cease-fire line runs thence through RETAGAH CHHISH (Point 15316), thence through Point 15889, thence through Point 17392, thence through Point 16458, thence to MARIOLA (to be shared by both sides), thence through Point 17561, thence through Point 17352, thence through Point 18400, thence through Point 16760, thence to (inclusive to India), DALUNANG

- 4. From DALUNANG eastwards the cease-fire line will follow the general line Point 15495, ISHMAN, MANUS, GANGAM, GUNDERMAN, Point 13620, JUNKAR (Point 17628), MARMAK, NATSARA, SHANGRUTH (Point 17531), CHORBAT LA (Point 15700), CHALUNKA (on the SHYOK River), KHOR, thence north to the glaciers. This portion of the cease-fire line shall be demarcated in detail on the basis of the factual position as of 27 July 1949 by the local commanders, assisted by United Nations Military Observers.*
- 2. The cease-fire line described above shall be drawn on a one inch map (where available) and then be verified mutually on the ground by local commanders on each side with the assistance of the United Nations Military Observers, so as to eliminate any no-man's land. In the event that the local commanders are unable to reach agreement, the matter shall be referred to the Commission's Military Adviser, whose decision shall be final. After this verification, the Military Adviser will issue to each High Command a map on which will be marked the definitive cease-fire line.*
- 3. No troops shall be stationed or operate in the area of the BURZIL Nullah from south of MINIMARG to the cease-fire line. This area is bounded on the west by the Ridge leading northeast from DUDGAI KAL to Point 13071, to Point 9447, to Point 13466, to Point 13463, and on the east by the Ridge running from Point 12470, to Point 11608, to Point 13004, to Point 13976, to Point 13450. Pakistan may, however, post troops on the western of the above ridges to cover the approaches to KHAMBRI Baipass.*
- 4. In any dispositions that may be adopted in consequence of the present agreement troops will remain ,at least 500 yards from the cease-fire line except where the KTSHANGANGA River constitutes the line. Points which have been shown as inclusive to one party may be occupied by that party, but the troops of the other party shall remain at a distance of 500 yards.*

5. *Both sides shall be free to adjust their defensive positions behind the cease-fire line as determined in paragraphs A to E inclusive above, subject to no wire or mines being used when new bunkers and defences are constructed. There shall be no increase of forces or strengthening of defences in areas where no major adjustments are involved by the determination of the cease-fire line.*
6. *The action permitted by paragraph F above shall not be accompanied or accomplished by the introduction of additional military potential by either side into the State of Jammu and Kashmir.*
7. *Except as modified by Paragraphs II-A to II-G, inclusive, above, the military agreements between the two High Commands relating to the cease-fire of 1 January 1949 shall continue to remain operative. I. The United Nations Commission for India and Pakistan will station Observers where it deems necessary.*
8. *The Delegations shall refer this Agreement to their respective Governments for ratification. The documents of ratification shall be deposited with the United Nations Commission for India and Pakistan not later than 31 July 1949.*
9. *A period of 30 days from the date of ratification shall be allowed to each side to vacate the areas at present occupied by them beyond the cease-fire line as now determined. Before the expiration of this 30-day period their shall be no forward movement into areas to be taken over by either side pursuant to this agreement, except by mutual agreement between local commanders.*

IN FAITH WHEREOF the undersigned sign this document in three original copies.

DONE in Karachi on 27 July 1949

For the Government of India:
(Signed) S.M. SHRINAGESH

For the Government of Pakistan:
(Signed) W.J. CAWTHORN

For the United Nations Commission for India and Pakistan:
(Signed) HERNANDO SAMPER
(Signed) MAURICE DELVOIE.

India's Reference to the United Nations⁵

India made a reference to the United Nations on 1st January 1948 under Article 35 of the Charter, which permits any member state to bring any situation, whose continuance is likely to endanger international peace and security, to the attention of the Security Council. The intention behind this reference was to prevent a war between the two newly independent countries, which would have become increasingly likely if the tribal invaders assisted first indirectly and then actively by the Pakistan army had persisted with their actions against India in Kashmir. The Government of India requested the Security Council "to put an end immediately to the giving of such assistance which was an act of aggression against India".

Pakistan's Response

Pakistan consistently misled the world regarding its involvement in Kashmir:

(a) It claimed initially in 1947 that it was not in any way assisting the tribal invaders and was only not actively opposing their passage out of fear that they may turn against the local Pakistani population. (It was, however, clearly established that these invaders were being looked after in Pakistan territory, fed, clothed, armed and otherwise equipped and transported to J&K with the help, direct and indirect, of Pakistani officials, both military & civil. The first Governor General of Pakistan, Mohammad Ali Jinnah claimed in a meeting with the then Governor General of India Lord Mountbatten that he was in a position "to call the whole thing off" subject to some of his demands being met.)

(b) Pakistan later claimed that its own forces were not involved directly in operations in Kashmir. But the UN Commission that

⁵ This section based on extracts sourced from <http://mea.gov.in/in-focus-article.htm?18971/The+Jammu+and+Kashmir+Issue>

visited India in July 1948 found Pakistani forces operating in Pakistan occupied Kashmir. The UNCIP Resolution of August 1948 documented the Pakistani aggression when it stated: "The presence of troops of Pakistan in the territory of the state of Jammu and Kashmir constitute a material change in the situation since it was represented by the Government of Pakistan before the Security Council". The UN sponsored mediator, Owen Dixon, was also constrained to record in his report of 15.9.1950 that "I was prepared to adopt the view that when the frontier of the State of J&K was crossed, on I believe 20 October 1947, by hostile elements, it was contrary to international law, and that when, in May 1948 as I believe, units of the regular Pakistan forces moved into the territory of the state that too was inconsistent with international law".

Non-implementation of UN Resolutions by Pakistan

Despite India's completely legal and valid position on Jammu & Kashmir, in order to find a solution to the situation created by Pakistan's aggression, India had accepted the option of holding a plebiscite in J&K. It had, however, been made clear by the Indian leaders that holding of such a plebiscite would be conditional upon Pakistan fulfilling Parts (I) & (II) of the UNCIP resolutions of 13 August, 1948, which inter alia, required that all forces regular and irregular under the control of both sides shall cease fire; Pakistan would withdraw its troops, it would endeavour to secure withdrawal of tribesmen and Pak nationals and India will withdraw bulk of its forces once the UNCIP confirms that the tribesmen and Pak nationals have withdrawn and Pak troops are being withdrawn.

India was also to ensure that the state government takes various measures to preserve peace, law and order. **Indian acceptance of these UNCIP resolutions was also subject to several conditions and assurances given by UNCIP including that Pakistan would be excluded from all affairs of Jammu & Kashmir, "Azad J & K Government" would not be recognised, sovereignty of J & K government over**

the entire territory of the state shall not be brought into question, territory occupied by Pakistan shall not be consolidated, and Pakistani troops would be withdrawn completely. Pakistan never fulfilled these assurances.

Preconditions for Plebiscite Never Fulfilled by Pakistan

The Government of Pakistan wrecked any possibility of plebiscite being conducted by not implementing part II of the resolution, perhaps because it was fully aware of what the result of such an exercise would be. The Pakistani troops, which were to withdraw from the state, did not do so. As a result normal conditions under which a plebiscite could be held were never created.

India had accepted these resolutions, subject to assurances, (mentioned in para 6) and in the hope of having the matter resolved quickly. Pakistan, however, wrecked the implementation of the resolutions at that time by not fulfilling the preconditions. As V.K. Menon stated in the Security Council (763 Meeting, 23 January, 1957): "if an offer is made and it is not accepted at the time it is made, it cannot be held for generations over the heads of those who made it". With Pakistan's intransigence, and passage of time, the offer lapsed and was overtaken by events. In fact, the representative of India (M.C. Chagla) had stated in the Security Council as far back as 1964 (1088 meeting, 5 February 1964): "I wish to make it clear on behalf of my Government that under no circumstances can we agree to the holding of a plebiscite in Kashmir".

The then Prime Minister of India, had in a statement in New York, stated on March 31, 1966 that: "any plebiscite today would by definition amount to questioning the integrity of India. It would raise the issue of secession - an issue on which even the United States fought a civil war not so very long ago. We cannot and will not tolerate a second partition of India on religious grounds. It would destroy the very basis of the Indian State." Today, thirty-six years later, the Pakistani position is even more untenable.

Developments during the 1965 War

In 1965, a 'Kashmir Cell' was set up in the Pakistan Foreign Ministry which prepared two plans - Operation Gibraltar and Operation Grand Slam- to instigate, support and monitor guerrilla and sabotage operations in Jammu and Kashmir. A major objective was the capture of Akhnoor. Which would cut off supplies to troops ahead and threatened jammu town.

On 05 Aug 1965, Operation Gibraltar was launched under which a large number of trained infiltrators numbering around 30,000, divided into nine groups with code names Salahudin, Ghaznavi, Tariq, Babur, Qasim, Khalid, Nursat, Sikandar and Khilji were tasked to infiltrate into J&K, mingle with the local populace and incite rebellion. Simultaneously guerrilla warfare would commence, destroying bridges, tunnels and highways, harassing enemy communications, logistic installations and headquarters as well as attacking airfields, to give an impression of armed rebellion and leading to separation of Kashmir from India.

This was followed by the launch of Operation Grand Slam on 01 September under which Pakistani Army attacked Indian positions.

Indian forces responded by launching operations against the Pak Army and occupied Haji Pir, Tithwal and Kargil heights.

The War continued till September 22 when the ceasefire resolution brought a cease fire.

The Tashkent Declaration

**TASHKENT DECLARATION SIGNED BY PRIME MINISTER OF INDIA
AND PRESIDENT OF PAKISTAN**

The Prime Minister of India and the President of Pakistan having met at Tashkent and having discussed the existing relations

between India and Pakistan, hereby declare their firm resolve to restore normal and peaceful relations between their countries and to promote understanding and friendly relations between their peoples. They consider the attainment of these objectives of vital importance for the welfare of the 600 million people of India and Pakistan.

I The Prime Minister of India and the President of Pakistan agree that both sides will exert all efforts to create good neighbourly relations between India and Pakistan in accordance with the United Nations Charter. They reaffirm their obligation under the Charter not to have recourse to force and to settle their disputes through peaceful means. They considered that the interests of peace in their region and particularly in the Indo-Pakistan Sub-Continent and, indeed, the interests of the peoples of India and Pakistan were not served by the continuance of tension between the two countries. It was against this background that Jammu and Kashmir was discussed, and each of the sides set forth its respective position.

II The Prime Minister of India and the President of Pakistan have agreed that all armed personnel of the two countries shall be withdrawn not later than 25 February, 1966 to the positions they held prior to 5 August, 1965, and both sides shall observe the cease-fire terms on the cease-fire line.

III The Prime Minister of India and the President of Pakistan have agreed that relations between India and Pakistan shall be based on the principle of non-interference in the internal affairs of each other.

IV The Prime Minister of India and the President of Pakistan have agreed that both sides will discourage any propaganda directed against the other country, and will encourage propaganda which promotes the development of friendly relations between the two countries.

V The Prime Minister of India and the President of Pakistan have agreed that the High Commissioner of India to Pakistan and the High Commissioner of Pakistan to India will return to their posts and that the normal functioning of diplomatic missions of both countries will be restored. Both Governments shall observe the Vienna Convention of 1961 on Diplomatic Intercourse.

VI The Prime Minister of India and the President of Pakistan have agreed to consider measures towards the restoration of economic and trade relations, communications, as well as cultural exchanges between India and Pakistan, and to take measures to implement the existing agreements between India and Pakistan.

VII The Prime Minister of India and the President of Pakistan have agreed that they give instructions to their respective authorities to carry out the repatriation of the prisoners of war.

VIII The Prime Minister of India and the President of Pakistan have agreed that the sides will continue the discussion of questions relating to the problems of refugees and evictions/illegal immigrations. They also agreed that both sides will create conditions which will prevent the exodus of people. They further agreed to discuss the return of the property and assets taken over by either side in connection with the conflict.

IX The Prime Minister of India and the President of Pakistan have agreed that the sides will continue meetings both at the highest and at other levels on matters of direct concern to both countries. Both sides have recognized the need to set up joint Indian-Pakistani bodies which will report to their Governments in order to decide what further steps should be taken.

The Prime Minister of India and the President of Pakistan record their feelings of deep appreciation and gratitude to the leaders of the Soviet Union, the Soviet Government and personally to the Chairman of the Council of Ministers of the U.S.S.R. for their constructive, friendly and noble part in bringing about the present meeting which has resulted in mutually satisfactory results. They also express to the Government and friendly people of Uzbekistan their sincere thankfulness for their overwhelming reception and generous hospitality.

They invite the Chairman of the Council of Ministers of the U.S.S.R. to witness this Declaration.

**(Signed)
(Lal Bahadur)
Prime Minister of India**

**(Signed)
(MA Khan) FM
President of Pakistan**

Tashkent, 10 January 1966

The 1971 War – Battles Across Ceasefire in POK

Pakistan launched four attacks on 3 and 4 Dec 1971.

In the hill sector, Poonch was attacked on night 3/4 December was beaten back after heavy fighting spread over three days.

The attack on Chhamb was however partially successful with Pakistan forces reaching up to the Munawar Tawi. However, its Army was unable to secure the bridgehead and defences were stabilised along the Munawar Tawi.

The Simla Agreement

In terms of this Agreement, which was duly ratified by the two Governments in 1972 itself, India and Pakistan undertook to resolve all differences bilaterally and peacefully. Pakistan, through its commitments enshrined in this Agreement, accepted the need to shift the J&K issue from the UN to the bilateral plane.

Text of the Simla Agreement : 2nd July 1972

Agreement on Bilateral Relations Between The Government of India and The Government of Pakistan

1. The Government of India and the Government of Pakistan are resolved that the two countries put an end to the conflict and confrontation that have hitherto marred their relations and work for the promotion of a friendly and harmonious relationship and the establishment of durable peace in the sub-continent, so that both countries may henceforth devote their resources and energies to the pressing task of advancing the welfare of their peoples.

In order to achieve this objective, the Government of India and the Government of Pakistan have agreed as follows:-

- That the principles and purposes of the Charter of the United Nations shall govern the relations between the two countries;
- That the two countries are resolved to settle their differences by peaceful means through bilateral negotiations or by any other

peaceful means mutually agreed upon between them. Pending the final settlement of any of the problems between the two countries, neither side shall unilaterally alter the situation and both shall prevent the organization, assistance or encouragement of any acts detrimental to the maintenance of peaceful and harmonious relations;

- That the pre-requisite for reconciliation, good neighbourliness and durable peace between them is a commitment by both the countries to peaceful co-existence, respect for each other's territorial integrity and sovereignty and non-interference in each other's internal affairs, on the basis of equality and mutual benefit;
 - That the basic issues and causes of conflict which have bedevilled the relations between the two countries for the last 25 years shall be resolved by peaceful means;
 - That they shall always respect each other's national unity, territorial integrity, political independence and sovereign equality;
 - That in accordance with the Charter of the United Nations they will refrain from the threat or use of force against the territorial integrity or political independence of each other.
2. Both Governments will take all steps within their power to prevent hostile propaganda directed against each other. Both countries will encourage the dissemination of such information as would promote the development of friendly relations between them.
 3. In order progressively to restore and normalize relations between the two countries step by step, it was agreed that;
 - Steps shall be taken to resume communications, postal, telegraphic, sea, land including border posts, and air links including overflights.
 - Appropriate steps shall be taken to promote travel facilities for the nationals of the other country.
 - Trade and co-operation in economic and other agreed fields will be resumed as far as possible.
 - Exchange in the fields of science and culture will be promoted.
 - In this connection delegations from the two countries will meet from time to time to work out the necessary details.

4. In order to initiate the process of the establishment of durable peace, both the Governments agree that:
- Indian and Pakistani forces shall be withdrawn to their side of the international border.
 - In Jammu and Kashmir, the line of control resulting from the cease-fire of December 17, 1971 shall be respected by both sides without prejudice to the recognized position of either side. Neither side shall seek to alter it unilaterally, irrespective of mutual differences and legal interpretations. Both sides further undertake to refrain from the threat or the use of force in violation of this Line.
 - The withdrawals shall commence upon entry into force of this Agreement and shall be completed within a period of 30 days thereof.
5. This Agreement will be subject to ratification by both countries in accordance with their respective constitutional procedures, and will come into force with effect from the date on which the Instruments of Ratification are exchanged.
6. Both Governments agree that their respective Heads will meet again at a mutually convenient time in the future and that, in the meanwhile, the representatives of the two sides will meet to discuss further the modalities and arrangements for the establishment of durable peace and normalization of relations, including the questions of repatriation of prisoners of war and civilian internees, a final settlement of Jammu and Kashmir and the resumption of diplomatic relations.

Sd/-

Sd/-

(Indira Gandhi)
Prime Minister
Republic of India

(Zulfikar Ali Bhutto)
President
Islamic Republic of Pakistan

Simla,
the 2nd July, 1972

Resolution in Parliament

On 22 February 1994, India's Parliament passed a unanimous resolution which defined the territories of J&K and made it binding on the Indian government to take back the "occupied territories" from Pakistan's control. The resolution states that ***"Pakistan must vacate the areas of the Indian State of Jammu and Kashmir, which they have occupied through aggression; and resolves that all attempts to interfere in the internal affairs of India will be met resolutely."***

Lahore Declaration

The Lahore Declaration, which committed the two countries to build trust and confidence and develop mutually beneficial co-operation to resolve outstanding issues including J&K through bilateral negotiations, provided a blue print for India-Pakistan relations into the 21st Century.

The Text of the Lahore Declaration is as reproduced below:

The Lahore Declaration

The Prime Ministers of the Republic of India and the Islamic Republic of Pakistan:

Sharing a vision of peace and stability between their countries, and of progress and prosperity for their peoples;

Convinced that durable peace and development of harmonious relations and friendly cooperation will serve the vital interests of the peoples of the two countries, enabling them to devote their energies for a better future;

Recognising that the nuclear dimension of the security environment of the two countries adds to their responsibility for avoidance of conflict between the two countries;

Committed to the principles and purposes of the Charter of the United Nations, and the universally accepted principles of peaceful co- existence

Reiterating the determination of both countries to implementing the Simla Agreement in letter and spirit;

Committed to the objective of universal nuclear disarmament and non-proliferation;

Convinced of the importance of mutually agreed confidence building measures for improving the security environment;

Recalling their agreement of 23rd September, 1998, that an environment of peace and security is in the supreme national interest of both sides and that the resolution of all outstanding issues, including Jammu and Kashmir, is essential for this purpose;

Have agreed that their respective Governments:

shall intensify their efforts to resolve all issues, including the issue of Jammu and Kashmir.

shall refrain from intervention and interference in each other's internal affairs.

shall intensify their composite and integrated dialogue process for an early and positive outcome of the agreed bilateral agenda.

shall take immediate steps for reducing the risk of accidental or unauthorised use of nuclear weapons and discuss concepts and doctrines with a view to elaborating measures for confidence building in the nuclear and conventional fields, aimed at prevention of conflict.

reaffirm their commitment to the goals and objectives of SAARC and to concert their efforts towards the realisation of the SAARC vision for the year 2000 and beyond with a view to promoting the welfare of the peoples of South Asia and to improve their quality of life through accelerated economic growth, social progress and cultural development.

reaffirm their condemnation of terrorism in all its forms and manifestations and their determination to combat this menace.

shall promote and protect all human rights and fundamental freedoms.

Signed at Lahore on the 21st day of February 1999.

**Atal Behari Vajpayee - Prime Minister of the Republic of India
Muhammad Nawaz Sharif - Prime Minister of the Islamic Republic of Pakistan**

Source:<http://mea.gov.in/in-focus-article.htm?18997/Lahore+Declaration+February+1999>

The Agra Summit

There was no agreement as such on conclusion of the Agra Summit during July 2001. A Statement issued by the External Affairs and Defence Minister Shri Jaswant Singh at His Press Conference in Agra on 17 July 2001 is reproduced below:

1. At the invitation of Prime Minister Shri Atal Bihari Vajpayee, the President of Pakistan H.E. General Pervez Musharraf visited India on 14-16 July, 2001.
2. In keeping with his abiding vision of good Neighbourly relations between India and Pakistan, the Prime Minister had invited President General Pervez Musharraf to walk the high road of Peace and reconciliation. Our commitment to that noble objective, upon the attainment of which, rests the welfare of many, is not transitory. It is that commitment, which was demonstrated at Simla, in Lahore and recently during President General Pervez Musharraf's visit.
3. Significant CBMs that were announced prior to President Musharraf's visit would be fully implemented on our part. It is our conviction that, when put in place, they will make an important contribution to our relations.
4. During his visit, the President of Pakistan had extensive discussions with our entire leadership. These included three rounds of one-on-one meetings with the Prime Minister and an hour-long farewell call prior to his departure yesterday night. There were also detailed discussions during delegation level talks. All these meetings were marked by cordiality and candour. They provided an invaluable opportunity to both sides to understand each others' view points, concerns and compulsions.
5. Our negotiations for an agreed text of a document were seriously pursued. There were long hours of discussions at official and political levels. During these negotiations India did not shy away from any issue. In keeping with the confidentiality, which is necessary for these negotiations, and the maintenance of which is essential for the future of bilateral relations themselves, it would not be proper to go into details. However, it needs asserting that during the negotiating process, India fully respected all established international norms. As a mature and responsible democracy, we negotiate to improve bilateral relations with our neighbours, not to indulge in public relations.

6. We are of course, disappointed that the two sides could not arrive at an agreed text. It will not be a breach of confidentiality to clarify that this was on an account of the difficulty in reconciling our basic approaches to bilateral relations. India is convinced that narrow, segmented or unifocal approaches, will simply not work. Our focus has to remain on the totality of relationship, our endeavour to build trust and confidence, and a mutually beneficial relationship even as we address and move forward on all outstanding issues, including Jammu & Kashmir: building upon the existing compacts of Simla and Lahore.
7. It was also made abundantly clear to the Pakistan side during the visit, that the promotion of cross-border terrorism and violence are unacceptable and must cease. Let there be no illusions on this score: India has the will and resolve to defeat all such challenges.
8. We will pick up the threads from the visit of the President of Pakistan. We will unceasingly endeavour to realise our vision of a relationship of peace, friendship and cooperation with Pakistan.

India's Position on POK

India's position on POK as indeed all areas of the erstwhile J&K State illegally held by Pakistan is as stated in the Resolution unanimously adopted by the Parliament on 22 February 1994, which reads:

“On behalf of the People of India, (this House) firmly declares that –

(a) The State of Jammu & Kashmir has been, is and shall be an integral part of India and any attempts to separate it from the rest of the country will be resisted by all necessary means;

(b) India has the will and capacity to firmly counter all designs against its unity, sovereignty and territorial integrity; and demands that –

(c) Pakistan must vacate the areas of the Indian

State of Jammu and Kashmir, which they have occupied through aggression; and resolves that –

(d) all attempts to interfere in the internal affairs of India will be met resolutely.”

Pakistan’s Stance⁶

Pakistan’s stand is that the accession of the state of Jammu and Kashmir to India was neither final nor legal; the people of the state should decide through a plebiscite whether it should accede to India or Pakistan.

Successive governments in Pakistan have consistently reiterated the following constitutional clause, which is also the only constitutional clause relevant to the state: *“When the people of the State of Jammu and Kashmir decide to accede to Pakistan, the relationship between Pakistan and the State shall be determined in accordance with the wishes of the people of that State.”*

The relationship between AJK and Pakistan is twofold:

in 1947, the Federal Government of Pakistan struck a deal with Muzaffarabad, commonly known as the Karachi Agreement.

Additionally, the AJK Constitution of 1974 gives Islamabad significant legal authority in the affairs of AJK but only through the Kashmir Council.

The AJK Constitution also restricts the AJK Assembly and the Kashmir Council from making any laws regarding the following areas, which fall under the purview of the Federal Government of Pakistan:

- **The responsibilities of the Government of Pakistan under the UNCIP Resolutions;**

⁶ Extracted from: <http://www.ips.org.pk/status-of-ajk-in-political-milieu/>

- **The defense and security of AJK;**
- **The issue of any bills, notes or other paper currency; and**
- **The external affairs of Azad Jammu and Kashmir, including foreign trade and foreign aid.**

In March 1949, Pakistan created the Ministry of Kashmir Affairs and Northern Areas (MKANA), which has been liaising between the Azad Kashmir and Pakistan governments.

The Karachi Agreement between Pakistan and POK

This agreement, which was kept as a Secret Document until 1990s and revealed for the first time in the Verdict on Gilgit and Baltistan (Northern Area) by the High Court of Azad Kashmir in 1990s, which states that the agreement “appears to have been executed on 28 April 1949.”

The agreement was very much in Pakistan’s favour and deprived the Azad Kashmiris of significant powers and responsibilities.

Part I of the agreement covered the structure and operation of the ‘Civil Administration of Azad Kashmir Area’, which laid down the regulations for the Azad Kashmir government.

Part II dealt with financial arrangements by which Pakistan would advance money. Part III was titled the ‘Division of functions between the Governments of Pakistan, the Azad Kashmir Government and the Muslim Conference’.

In the division of powers, the Pakistan government allocated to itself eight important matters including Defence, negotiations with the UNCIP, foreign policy, publicity in foreign countries, coordination of refugee relief and rehabilitation, coordination of all arrangements for a plebiscite, all activities within Pakistan with regard to Kashmir and, finally, all affairs

of the `Gilgit and Ladakh areas' (which were then under the control of the political agent at Gilgit).

The last item meant that Azad Kashmir `lost' Gilgit and Baltistan from its control, essentially permanently. This put paid to Azad Kashmir's claim of being an alternative government for the former princely state of Jammu and Kashmir and turned it into a `local authority' limited to a rump territory of the state.

Pakistan obtained the total control over the defence of the Pakistan-controlled Kashmir, including the `Azad Army'. It also took complete charge of relations with the Indian government and the Indian-controlled part of Jammu and Kashmir. The Azad Kashmir government no longer had any international role.

The Azad Kashmir government was allocated only four functions, three of which gave it responsibility for policy and administration of Azad Kashmir and to develop its economic resources. The fourth function was to give `advice' to the Minister without Portfolio in charge of the Ministry of Kashmir Affairs in its negotiations with the UNCIP.

The Muslim Conference was allocated eight functions, six of which gave it responsibility to organise political activities within Azad Kashmir, the `Indian occupied areas of the State' and `among Kashmir refugees in Pakistan'. These included activities for a plebiscite. The seventh function was to give `general guidance' to the Azad Kashmir government. The last function, identical to that of the Azad Kashmir government, was to give `advice' to the Minister without Portfolio in charge of the Ministry of Kashmir Affairs⁷.

Solution must be in Present day Context⁸

In a Report dated 29 April 1957, the UN Representative, who

⁷ Extracted from Kashmir-The Untold Story by Christopher Snedden Harper Collins, 01-Dec-2013 - Political Science

⁸ Extracted from: <http://mea.gov.in/in-focus-article.htm?18987/Fact>

was then President of the Security Council, Gunnar Jarring, after completing his mission to India and Pakistan in 1957, took note of larger realities of the sub-continent including in Jammu and Kashmir and stated: “The Council will, furthermore, be aware of the fact that the implementation of international agreements of an ad hoc character, which has not been achieved fairly speedily, may become progressively difficult because the situation with which they were to cope has tended to change”. **If the resolutions had begun to lose relevance in 1957, they have far less relevance now.**

In March 1958, the UNCIP representative Frank Graham, stated that “...the execution of the provisions of the resolution of 1948 might create more serious difficulties than were foreseen at the time the parties agreed to that. Whether the UN representative would be able to reconstitute the status quo which it had obtained ten years ago would seem to be doubtful....”.

UK’s Secretary of State for Foreign and Commonwealth Affairs, stated in the British Parliament on 10th June 2002, that “if United Nations resolutions could have solved the matter, it would have been solved more than 50 years ago”. Speaking for the British Government, he said, “we think that there is not a huge amount of point in getting in a historiographical exercise about which position is correct. We have to deal with the here and now”, adding that a solution to this issue could be found only “by looking forward and by a direct dialogue between those two sovereign nations, India and Pakistan”.

Time and circumstances have not stood still. Over the seven decades since partition, **the ground situation in the state to which the resolutions referred to has considerably changed. Pakistan unilaterally ceded a part of the state to China in 1963. There has been a demographic change on the Pakistani side with generations of non-Kashmiris allowed to take residence in the parts of J&K occupied by Pakistan.**

Therefore, bilateral dialogue, in accordance with the Simla Agreement, reiterated in the Lahore Declaration, is the only way to address all bilateral issues between India and Pakistan, including the issue of J&K. There must be tangible and credible evidence of this on the ground. The Simla Agreement reiterated in the Lahore Declaration expressly forbids hostile propaganda, interference in internal Affairs and encouragement of any acts detrimental to maintenance of peaceful and harmonious relations. It also enjoins respect for each other's territorial integrity and sovereignty. Pakistan is violating all these provisions. For meaningful bilateral negotiations, Pakistan must create the right climate by stopping its support to terrorism.

Anti-India days Observed in POK

24th October: As 'Azad Kashmir Day' – the day on which a Government of 'Azad Jammu and Kashmir' was first set up.

27th October: As 'Kashmir Black Day' – to protest against Indian 'occupation' of Jammu and Kashmir. .

5th February: As 'Kashmir Solidarity Day' since 05 Feb, since 1990 – to protest India's de facto sovereignty over its State of Jammu and Kashmir. This is a National holiday in Pakistan.

Commemoration Observed in India

25 November: As 'Mirpur Day'. On this day in 1947, a very large number of Hindu and Sikhs belonging to and who congregated at Mirpur to save themselves from Rebels were ruthlessly slain with several women and children being carried away and sold in other parts of Pakistan.

Are POK residents citizens of Pakistan?

The Constitution of Pakistan does not include POK or Gilgit Baltistan as integral territories. It rather mentions them as being disputed.

The residents of both regions do not elect members to Parliament of Pakistan, nor do they take part in any federal election.

However, Govt of Pakistan manages these areas' foreign affairs, defense, communication etc and POK residents travel abroad on Pakistani passports.

Why POK and Gilgit-Baltistan are not being merged: Pakistan has consistently ensured that there is no change in principles on which its stance in the UN is based. A merger of POK with Gilgit Baltistan would de facto tantamount to a division of state and disregard its unity affect Pakistan's position.

The return of Haji Pir pass captured in the 1965⁹

The Haji Pir Pass that connects Poonch and Uri sectors reduces the distance between the two to a mere 15 Km against the alternate route of around 200 Km.

Following failure of Operation Grand Slam, the infiltration attempt in J & K in August, 1965, Pakistan decided to launch its offensive operation in Chhamb in order to capture Akhnoor, thus cutting off lines of communication to Poonch Sector. Subsequently operations were to be progressed to Jammu to cut off the Valley from the rest of the country.

Selection of Chhamb – Jauriyan Sector conferred many advantages on Pakistan. The area is bound in the west by the Ceasefire Line, which is the South and Kalidhar Range in the North. Pakistani thrust in this area was launched on 1st September, 1965. After crossing Munnawar Tawi which is fordable in winters by tanks, Pakistan forces started moving eastwards and were halted at Fatwal Ridge, only 4 Km. from Akhnoor when Indian offensive in Lahore sector forced Pakistan to thin out Chhamb Sector and thus its momentum was halted. India had to view the threat posed by Pak dagger into Indian heart in Chhamb Sector.

⁹ <http://www.indiandefencereview.com/spotlights/return-of-haji-pir-pass-in-1965-myth-and-the-reality/>

Since Pakistani forces had already reached Fatwal ridge only four Kms. from Akhnoor, it could always resume operations for capture of Akhnoor.

The Indian policy makers at that time did not visualize infiltration threat through Uni-Poonch bulge and hence it was decided to return Haji Pir Pass to Pakistan and ask them to withdraw from Chhamb Sector since it would not have been advisable to let Pakistan point a dagger at Akhnoor and thereafter at Jammu.

Implications of ceding Chamb in the 1971 War

The Pakistani Army's attack in the Chamb sector was on the same principles as for its attack there in 1965 – to capture Chamb, cut off India's supply lines as also secure its own North- South communication lines that pass through Gujrat. On conclusion of operations, Pakistan had control of 120 Sq Km of Indian territory.

Unlike the Tashkent Agreement, India and Pakistan did not revert to their pre-war positions along the Ceasefire line. The LOC finalised after the Simla Agreement placed Chamb town and the territory captured by Pakistan on its side and territories captured by India in the Kargil are on the Indian side.

The two losses of territory – Haji Pir (captured in 1965 and ceded) and Chamb (lost in 1971 and not claimed back) are viewed together, India's position on the western sector has indeed weakened, notwithstanding its victories.

Earthquake of 2005¹⁰

Struck at 0850 hours on 8th October 2005. Intensity - 7.6 magnitude on the Richter State.

Official Casualties toll: 86,000–87,351 dead; 69,000–75,266 injured; 2.8 million displaced.

The Muzaffarabad area suffered severe devastation. In some places, whole sections of towns slid off cliffs and entire families were killed.

¹⁰ Data quoted from: <https://www.history.com/topics/kashmir-earthquake>

The catastrophe occurred on a Saturday, a working day for schools of the region. Several deaths of children occurred due to their being crushed under school buildings that collapsed.

Landslides abruptly road communications at several places, hampering relief operations. The onset of winter also made relief efforts difficult.

Those living in single-house settlements on the hillside suffered due to being inaccessible for relief efforts.

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About the Author



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