

Special Issue

June (Week 1)

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All about the Indus Treaty

(Source: [The Hindu](#))

Context: *Amongst the more prominent of the problems that bedevilled relations between India and Pakistan was the Indus Waters dispute. This was a legacy of the Partition. The line dividing the two Punjabs cut right across the Indus canal systems developed over a hundred years. Pakistan found that the headwaters of the main canals were on the Indian side of the border. All the five tributaries of the Indus also originated in India and flowed through Indian territory in the upper reaches. Even before Partition, Sindh and Punjab had witnessed wrangles over the sharing of the waters of these rivers. The situation worsened after the holocaust of the Partition. There were hysterical cries in Pakistan for taking up arms to defend their rights over the waters. Fortunately, an arbiter came forward in the garb of the World Bank that eventually succeeded in thrashing out a settlement. The main credit should go to Eugene Black, the World Bank president.*

Demarcating boundaries

- While the negotiations about the sharing of the canal waters were going on, officials from both countries were grappling with the demarcation of boundaries that had defied solution all those years.
- These disputes had arisen over the interpretation of the award of Radcliffe. Two teams were sent out by India to tackle the thorny problem [in 1959].
- The discussions the Indians held with their Pakistani counterparts were in a spirit of friendship and cordiality hitherto unheard of in Pakistan. To a large extent, this was due to the fact that the leaders of the respective teams were old friends and college mates from pre-Partition Lahore.
- The leader on the Indian side was Sardar Swaran Singh; General Khalid Shaikh led the Pakistani team. Once these two men established their rapport, they left the details to their principal advisors: on the Indian side M.J. Desai, and on the other side Sikander Ali Baig.
- Once it was established that the main purpose of the exercise was to achieve maximum agreement and that neither side was out to steal an unfair advantage, it was easier to work out a solution. It was found that neither India nor Pakistan had an overwhelming case to be made on its stand on a particular dispute.
- One side gracefully conceded the other's claim were valid, and that was that. In this way the two negotiating teams were able to settle a number of irritants in this field and pave the way for a period of real détente between the two countries.
- However, some [issues] proved to be intractable. One of these was the dispute regarding the Rann of Kutch. As neither side gave way, it was decided to leave it for further negotiations through routine diplomatic channels.
- Subsequently, Pakistan was to take the law into its own hands and send a raiding force into the territory only to be halted by Indian Army units. The dispute was then put to international arbitration, as a result of which India agreed to give up a part of the disputed area to Pakistan.
- Meanwhile, Ayub Khan had taken another bold step. This was the decision to stop over at Palam airport in New Delhi [in September, 1959] during one of his periodic visits to Dacca, to meet the Indian Prime Minister. He was no doubt prompted to do so by Rajeshwar Dayal, the Indian High Commissioner in Pakistan who had received prior approval from Delhi.
- The Pakistani President deserves full credit for following it through with good grace and aplomb. The Palam meeting, that lasted for nearly two hours, went well.
- At the end, a brief statement was issued in which the leaders emphasised the need to conduct relations in a rational and planned manner. It was also agreed that outstanding issues should be settled in accordance with justice and fair play, in a spirit of friendliness and cooperation.
- Later, when speaking to the Press, Ayub Khan stressed the need for re-appraisals, for forgetting and forgiving, and for a more realistic and rational approach to settling disputes that had tarnished relations



between the two neighbour states. For a few moments, the ice seemed to be broken. Right-thinking people on both sides appeared to heave a sigh of relief.

Nehru's visit to Pakistan

- Soon it was clear that bigger things were in the offing. The protracted negotiations about the distribution of the canal waters were drawing to a close. The agreement on the canal waters was the biggest single achievement to date between the two countries, and it was decided to have it signed with due pomp and show.
- This provided an appropriate opportunity for the Indian Prime Minister to reciprocate Ayub Khan's stopover at Palam and to demonstrate the friendly relations that were developing between the two countries. The historic visit of Pandit Nehru from September 19 to September 23, 1960, was to be his last visit to Pakistan.
- While the arrangements of the visit were under discussion, Rajeshwar Dayal had to leave Pakistan. The task of organising Panditji's visit fell on my shoulders. Fortunately, I had very able colleagues to help me.
- Prime Minister Nehru's visit commenced on a rather low key. The welcome at Karachi was formal and correct, but not enthusiastic. The decorations along the route from the airport to the presidential palace were minimal. By contrast, a lot of the local populace had gathered along the streets to have a glimpse of Panditji. But they did not cheer him. It was evident that the military authorities had ordained it that way.
- The same evening was the signing of the Indus Waters Treaty. This was done with due decorum and solemnity.
- Nehru signed on behalf of India, Ayub Khan on behalf of Pakistan, and William Iliff, the vice-president of the World Bank, on behalf of the Bank.
- The treaty was based on the principle that after a transitional period of 10 years, extendable to 13 at the request of Pakistan, the three eastern rivers, Ravi, Beas and Sutlej, would be exclusively allocated to India, while the western rivers, Indus, Jhelum and Chenab, would be allocated exclusively to Pakistan except for certain limited uses by India in the upstream areas.
- During the transition period, Pakistan would undertake a system of works, part of which would replace from the western rivers such irrigation uses in Pakistan as had hitherto been met from the eastern rivers.
- While the system of works was under construction, India would continue to supply water from the eastern rivers according to the agreed programme. The Indus works programme was estimated to cost around \$1,070 million, of which \$870 million was to be spent in Pakistan. It was a colossal undertaking.
- Once the signing ceremony was over everyone breathed a sigh of relief. What had been an insurmountable problem was out of the way. Could one proceed to other items on the agenda? This was the nagging question that troubled the advisers on either side. Panditji had brought a team of advisers that included Desai, the Commonwealth Secretary, an able administrator, and a tough negotiator. Ayub Khan had great respect for his abilities.
- However, the discussions that followed proved to be desultory and unproductive. It was clear that neither side was prepared for any major concessions. We talked primarily of trade between the two countries and for cooperation in economic spheres.
- A number of ideas were thrown out. Ayub Khan in a generous mood offered to divert the waters of the Indus River to the parched areas of Rajasthan by erecting a barrage in the lower reaches of the river; also to supply the Sui natural gas from Balochistan to the Bombay area.
- The Indian side in its turn agreed to consider sympathetically the proposal enabling Pakistan to run a through-train across India connecting Lahore and Dacca. Even cooperation and co-ordination in the military fields came under discussion. India expressed concern about Chinese activities on the northern border of Kashmir and emphasised the concern they felt about a possible threat to Pakistan also from them.
- Ayub Khan, without batting an eyelid, shook his head gravely and promised to study the question with his military advisors. Little did the Indian side suspect that Pakistan would be handing over to the



Chinese sizeable chunks of the territory in the northern part of Kashmir in return for China's support of Pakistan's claim for the annexation of Jammu and Kashmir.

- In fact, all our bilateral discussions and grandiose schemes came to practically nothing because of Pakistan's insistence that India should make substantial concessions with regard to Kashmir. Thereby ended another chapter in the unfulfilled agenda of cooperation between India and Pakistan.

