

Issue of Jammu and Kashmir State's Accession to India—A Debate Over Delay

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Abstract : *Few disputes in the world would have caused so much of tension and blood-shed for so many years as that involving present position of Kashmir. Both, the poor nations of South Asian region from the day of independence are dissipating their limited resources on fruitless bloody endeavours. Despite fighting four bitter wars in last sixty-six years or so; now these nuclear nations are involved in the most bloody proxy war. As a result, both sides have lost thousands of innocent lives and rendered millions of people homeless. The core of the dispute which has plagued Indo-Pak relations and defies any solution to the imbroglio revolves around the issue of Jammu and Kashmir State's accession to India.*

Key Words: *Jammu and Kashmir, India Bill, All Jammu and Kashmir Muslim Conference, Kashmir Socialist Party, Maharaja of Kashmir.*

The modern State of Jammu and Kashmir came into being by the Treaty of Amritsar, concluded on March 16, 1846. Territorially, it was the largest princely state in India and its rulers enjoyed near despotic powers like rulers of the other princely states of India. The State of Jammu and Kashmir differed from other states of India in more than one way. To begin with, it had complete independence in the internal affairs and the British Indian Government had no control in administration of the state; secondly, initially no British Resident was appointed (till 1885). Geographically, the state was divided into four large provinces - Jammu, Kashmir, Ladakh and Gilgit, while culturally, it is divided into six distinct sets of the people, each having

its rich language, customs, manners, avenues and each inhabiting a specific region in the state. As regards the population of the state, it had a Muslim majority and even in the province Jammu, the Muslims out-numbered the Hindus. According to population figure of the census report of 1941, the total population of state was 4021616. Out of which Jammu province had a population of 2403261, including the jurisdictional *jagirs* of Chenani and Poonch (the latter alone constituted a population of 421828),¹ out of which the Muslim numbered 1333584.² Kashmir province had a population of 1618355.³ However, the community-wise breakdown of the population: Muslims 3101247, Hindus 809165, Sikhs 65903, Buddhists 40696 and others 4605. Nevertheless, the percentage-wise population of the state was as follows⁴: Muslims 77.11 %, Hindus 20.12 %, Sikhs 1.64 %, Buddhist 1.01 % and other .11 %.

By early 1947, the affairs on Indian Subcontinent had reached the point that a declaration of independence could be delayed no longer. On February 20, 1947, His Majesty Government announced its definite intention to take necessary steps to affect the transfer of power to the responsible Indian hands by a date not later than June 1948.⁵ On March 7, 1947, Lord Mountbatten was appointed Viceroy and Governor-General of India and on 15, 1947 entrusted with the superhuman task of affecting a peaceful transfer of the administration from the British to the new authorities – either the government of united India or the two governments of India and Pakistan*.

The partition plan was announced on the tuesday, June 3, 1947 and in accordance with that the Cabinet Committee drafted 'India Bill'. On July 5, 1947, Clement Richard Attlee, the Prime Minister of England introduced the Bill in the House of Commons at about 3.51 p.m., on July 10, 1947 (the thursday) the Bill was ordered second reading.⁶ However, Philip Noel Baker, the Secretary of State for India moved Indian Independence Bill in the House of Lords and after having passed through both the Houses; on July 18, 1947, it received the Royal assent to become operative on August 14, 1947.⁷ According to the section 7 of the above mentioned Act, it is clear that all the princely states, large as well as small, were free from all obligations to the Crown on August 15, 1947, and were at liberty either to accede to India or to Pakistan or to remain independent.⁸

Although, in 1947, the partition of the Indian sub-continent was accepted by major political parties yet there are reasons to believe that it was affected with haste.⁹ At the time of partition no serious thought seems to have been given to such problems as the implications of the lapse of paramountcy, the division of the armed forces, financial assets, pre-partition debts, distribution of rivers, settlement of borders and above all the rights and interests of the minority communities in the proposed Dominions.¹⁰ For example, the Kashmir problem which defies solution, arose out of the decision of England to return to the states all the rights surrendered by the latter to the paramount power. Some of these problems have plagued the Indo-Pakistan relations.¹¹ These problems could have been minimized, if leaders of the Congress, the League and the out going British Government in India would have issued a joint statement, pleading the rulers to decide future of their states in accordance with wishes of the people. However, it appears that the British Government left the whole matter to the political wisdom of leaders of the Congress and the League, who had to deal with the princes directly. Although both India¹² and Pakistan were vitally interested in the decision of the ruler of Jammu and Kashmir on account of Kashmir's geo-strategic importance, the Government of India refrained 'from inducing Kashmir to accede'. It 'went out of the way to take no action¹³ which could be interpreted as forcing Kashmir's hand'. Hodson, basing his study on Mountbatten papers, mentioned that Kashmir was viewed by the Indian Government with 'detachment' before the end of October 1947. He added that Kashmir was omitted from a committee of State's representatives called by the States Department to discuss terms of accession.¹⁴

However, between announcement of the partition plan and its implementation there was a single instance when on July 25, 1947 Lord Mountbatten, the Viceroy and Governor General of India in his capacity as a Crown Representative, without contesting the legal and the constitutional position of the rulers of states on the lapse of paramountcy, advised them at a special session of the Chamber of Princes in Delhi, to join either of the Dominions, on or before August 15, keeping in view the geographical and other factors of their states.¹⁵ The princes and their representatives were categorically told that there was no third option of independence.¹⁶ Thus, in

accordance with the suggestion, most of the rulers acceded to one dominion or the other. However, the ruler of Jammu and Kashmir could not decide the future course of Jammu and Kashmir within stipulated timeframe, as geographic, demographic, economic and political factors prevented him to take spontaneous decision concerning the accession of the state.

Geographically, the state was closer to Pakistan than to India. Both, its natural (the flow of three rivers and some passes) and man-made routes (three national highways and railways) linking the state to India had fallen under the occupancy of proposed Pakistan (before August 14, 1947). There was no any direct road link between India and the State of Jammu and Kashmir. For ensuring the supplies of essential commodities like sugar, salt, petrol, cloth from Indian provinces, the Maharaja had consulted the state's chief-engineer to explore the possibilities of linking the state to India. The chief engineer proposed the construction of a road from Satwari (Jammu) to southward linking Madhopur (a town of Pathankot tehsil situated on the left bank of river Ravi in the Punjab) across river Ravi through a boat bridge at Lakhanpur.¹⁷ Even nobody, including Mountbatten, Nehru and Jinnah was certain about the future of district Gurdaspur, as it constituted a Muslim majority. Of course, it was a thin majority. Moreover, peak of the rainy-season in months of July and August rendered it near impossible to construct this road between Jammu and Pathankot via Kathua.¹⁸

Economically, the supply of all important commodities to Jammu and Kashmir was made through territories of the western Punjab, now part of Pakistan.¹⁹ The main market of people of the state was Lahore, not Delhi. The port used by the state government and its people was Karachi, not Bombay. The entire banking and the postal system of the state was linked with Lahore.²⁰ Even, more than eighty percent students of the state were studying in the Punjab University, Lahore and its affiliated colleges, whose annual examinations were scheduled in July and August.

As regard to the political scenario of the state, there was a complete disagreement among the major political parties of the state on the issue of accession. When Maharaja Hari Singh declined to send representatives to the Constituent Assembly of India, set-up in 1946, the Kisan Mazdoor Conference, an organization of Kashmiri Pundits; the All Jammu and

Kashmir Muslim Conference and the Hindu Sabha (state unit of the Hindu Mahasabha) last two mainly based in Jammu region, publically supported him. On April 6th and 7th, 1947, the meetings of the Working Committee and the General Council of Kisan Mazdoor Conference were held at Achhabal, Srinagar respectively. A resolution was adopted in these meetings advising the Maharaja that after establishing friendly relation with both, the Indian National Congress and the Muslim League, he should declare the independence of the state and that simultaneously he should introduce complete responsible government in the country.²¹ At the same time, Chowdhary Gulam Abbas, the President of All Jammu and Kashmir Muslim Conference was put behind the bars, following Quit Kashmir Movement; and Choudhary Hamidullah Khan, the acting president of the Muslim Conference and its other leaders in the Praja Sabha (the state legislative assembly). On April 12, 1947, declared in the House that if Kashmir become an independent State, he and his party were ready to offer their lives in His Highness cause.²² Again on May 10, 1947, through a press note, he offered the support of his party, if the Maharaja chooses to declare independence of Jammu and Kashmir.²³ It follows as under:

The British Paramountcy of the States has come to an end. It has been transferred to the people. No solution has so far been found out for conceding the demands of various communities living in India. If Kashmir has to keep itself aloof from carnage and bloodshed, it should lose no time in adopting a strong and bold policy. His Highness the Maharaja Bahadur should declare Kashmir independent immediately. A separate constituent assembly to frame the constitution for the state according to the wishes of the people should be established at once. His Highness the Maharaja Bahadur will receive the cooperation of Muslims in carrying out this policy. The Muslims form 80% of the population. They are represented by the Muslim Conference. The Muslims will welcome the Maharaja Bahadur as the first constitutional ruler of independent and democratic Kashmir.

Chowdhary Hamidullah was also reported to have said that should Pakistan invade Kashmir,²⁴ the Muslims of the state will rise in arms against Pakistan and if necessity demands, they will seek Indian help.

Similarly, the Hindu Sabha did not lag behind in extending its support (to the Maharaja) for the independence of state. It argued that a 'Hindu State' should not merge its identity in a secular India. The Working Committee of the Hindu Sabha, in May 1947, adopted a resolution, reiterating its faith in the Maharaja and extended its support to whatever he was doing or might do on the issue of accession.²⁵ However, Gopal Dass Mengi, leader of a splinter group of the Hindu Sabha openly advocated state's accession to India.²⁶

Meanwhile, on June 15, 1947, the All India Congress Committee (AICC) resolved that the Congress could not admit the right of any state in India to declare its independence. Further, addressing the AICC, Nehru gave a warning to the foreign powers²⁷— any recognition of such independence by any foreign power will be considered an unfriendly act.

In the meantime, after a couple of months, the Muslim Conference changed its earlier stand, when on July 19, 1947 the Working Committee passed a resolution under the chairmanship of Choudhary Hamidullah Khan,²⁸ which runs as under:

The Conference respectfully and fervently appealed to the Maharaja Bahadur to declare internal autonomy of the state as soon as possible and himself assuming the position of a constitutional monarch, set-up a constituent assembly and simultaneously, accede to dominion of Pakistan, in the matters relating to defence, communications and foreign affairs.

However, Sardar Mohammad Ibrahim Khan, the founder president of the so called Azad Kashmir Government also pointed out that the Muslim Conference was willing to support the independence of Kashmir with post and telegraph, defence and foreign affairs to be under the control of Pakistan, in spite of the fact that later, on July 19, 1947, it resolved as under:²⁹

The convention of the Muslim Conference has arrived at the conclusions that keeping in view the geographical

conditions, 80% Muslim majority out of the total population, the passage of important rivers of the Punjab through the state, the language, cultural, racial and the economic connection of the people and the proximity of the borders of the state with Pakistan, are all facts which make it necessary that Jammu and Kashmir should accede to Pakistan.

Meanwhile, contrary to the Indian Independence Act of 1947, which permitted the rulers to maintain status as independent entities, the Crown's representative on July 25, 1947, categorically advised the rulers and their representatives in the meeting of Chamber of Princes to shun the path of independence.³⁰ In other words, Mountbatten endorsed the AICC's resolution of June 15, on which the Secretary of State for India expressed its displeasure.³¹

It demoralized all the perpetrators of independence of state, when serious implications of independence were began to be realized. The Maharaja started losing ground for this idea among the Hindus and the Muslims. Thus, the Muslim Conference had split almost on regional lines. In the absence of Ghulam Abass, Mirwaiz Maulvi Yousuf Shah of Kashmir declared himself the acting president of the Muslim Conference and called Hamidullah Khan (of Jammu) a traitor and expelled him from the party. Meanwhile, Hamidullah Khan got recognition of his position as the party president from the president of the Indian Muslim League. Consequently, in protest Mirwaiz broke away from the League. It led to the formation of two factions of the Muslim Conference, making contradictory and confusing statements, which further complicated the issue of accession.³²

Thus, in changed circumstances, in last week of August, the Hindu Sabha under the chairmanship of Pundit Prem Nath Dogra (a Dogra brahmin, the most popular leader ever since Jammu has produced) adopted a compromise resolution, leaving it to the Maharaja to decide the issue of accession to India at an appropriate time.³³

At this critical juncture the voice of the most popular and single largest party i.e., All Jammu and Kashmir National Conference was not heard because most of its leaders including undisputed and the most popular

leaders Sheikh Mohammed Abdullah were behind the bars following 'Quit Kashmir Movement'. Nevertheless, earlier, the leaders of the National Conference had denounced 'Two Nation Theory' of Jinnah; obviously, they were not in favour of acceding to Pakistan.

It is pertinent to note that none of the political parties of the state questioned the right of the Maharaja to take a decision on the issue of accession. Similarly, none in the state disagreed with the contention of the Muslim League that the rulers were sovereign after the lapse of paramountcy. However, a categorical voice in favour of Pakistan in the Kashmir valley was raised by a group led by a Kashmiri Pundit (Hindu) and Prem Nath Bazaz. The Working Committee of Kisan Mazdoor Conference (an organization of the Kashmiri Pundits), of which Bazaz was the moving spirit. It, too, changed its earlier stand and adopted a new resolution on September 5, 1947 that there was now no alternative before the state but to join Pakistan. It said:³⁴

The most important national problem facing the people of Jammu and Kashmir at the present moment is whether the state should accede to India or to Pakistan. The future of the country depends on the solution of this problem. If it is solved in a right way the four million state people can live peacefully and comfortably in future; they will then also make sound progress. Otherwise the state shall have to face civil war and ruin.... The Working Committee of Kisan Mazdoor Conference has fully considered the developments of last five months. It has also consulted the majority of the members of the General Council of Conference. The Committee is of the opinion that there is now no alternative before the state but to join Pakistan.... The overwhelming majority of Kashmir's population is Muslim. The state is contiguous with Pakistan territories. All the three big highways and all the three rivers of the state go into Pakistan. For these reasons the Working Committee is of the opinion that the state should accede to Pakistan... .

The Kashmir Socialist Party, another organization of the Kashmiri Hindus,

reaffirmed the same decision. Its prominent leaders were Prem Nath Bazaz, Kaniha Lal Kaul, Shyam Lal Yachha, Jagan Nath Sathu and Pitambar Fani. The Working Committee of Kashmir Socialist Party, on September 18, 1947, adopted a resolution favouring state's accession to Pakistan. It said:³⁵

The Kashmir Socialist Party has given their best and closest consideration to the question whether the State of Jammu and Kashmir should accede to India or to Pakistan or it should remain independent. The Party is of the opinion that in view of the developments during the last few months the natural and the best course for the state to adopt would be to join Pakistan and not India. For obvious and substantial reasons the Party believes that the state cannot remain independent. After mature consideration the Party has arrived at the decision that in the best interests of the poor and backward people accession to Pakistan is desirable. The Party impresses upon the Maharaja that without any further unnecessary delay he should make an announcement accordingly.

These groups of Kashmiri (Hindus) pundits were ideologically aligned with the Radical Democratic Party of India, founded by M.N. Roy, which in a resolution declared:³⁶

Kashmir can only accede to Pakistan because of geographical continuity, administrative convenience and the manifest inclination of the State people.

The other Indian party which did not approve of the state's accession to India was the Communist Party of India. Before independence of India, it demanded the right of self-determination for every national unit. After Jammu and Kashmir State's accession to India, it condemned its treacherous character.³⁷

While Pakistan seemed content with the Maharaja not acceding to India and encouraged him to remain independent or to join Pakistan on whatever terms he choose, the Government of India was opposed to independence of state and wanted the Maharaja to take a decision before August 15, 1947, of course after ascertaining the wishes of the people.

Alan Campbell Johnson attests to the fact that the State Ministry under Patel's direction, went out of its way to take no action which could be interpreted as forcing Kashmiris hand and to give assurance that accession to Pakistan would not be taken amiss by India.³⁸

Mohammad Ali Jinnah enthusiastically welcoming the provision relating to the states observed,³⁹ constitutionally and legally the Indian States will be independent sovereign States on the termination of paramountcy and they will be free to decide for them to adopt any course they like. It is open to them to join the Hindustan Constituent Assembly or the Pakistan Constituent Assembly or remain independent. Jinnah's personal secretary, Khurshid Ahmad who stayed in Kashmir during those eventful days for several months assured the Maharaja that Pakistan would not touch a hair of his head or take away an iota of his power.⁴⁰ Pakistan was vitally interested in Kashmir because it considered India in Kashmir a potential threat to its security. An enemy attacking from the mountains has the advantage against an enemy defending the flat territory. The danger appeared more serious when Pakistan found that its main railways from Lahore to Peshawar and its national highway running parallel to it were very close to the State of Jammu and Kashmir at several places. Thus, it was concluded that,⁴¹ If Kashmir were to accede to India, the whole of the flank (the strategic line and road) would be threatened and broken, thus endangering the whole existence of Pakistan as an independent state. Even after the formation of Pakistan and before Kashmir's accession to India, on September 21, 1947, Liaqat Ali Khan, the Prime Minister of Pakistan made the following statement:⁴²

The correct position is that the Indian Independence Act of 1947 has left all India States completely free to join either one dominion or the other or to enter into treaty relations with either. Legally and constitutionally there can be no question of putting limitations on the right of the States. Muslim league leaders before 15 August and the official spokesmen of Pakistan government thereafter have publically declared their agreement with this view; and since rigorously stood by it. No objection has been raised by

Pakistan to any State acceding to the Dominion of India.

The Pakistani also claimed that the Kashmiris were linked with them by ties of common religion, common culture, common habits of food and dress. They further claimed that Kashmir's economy was tied up with that of Pakistan since the only all weather route (Jhelum Valley road which is also known as Rawalpindi-Srinagar road) to Kashmir lay through Pakistan. Its exports as well as imports also depended entirely on Pakistan.⁴³ Almost all the timber in which Kashmir is rich flowed to the territories in Pakistan on the breast of the waters of Jhelum and Chenab.⁴⁴

In contrast, the All India Congress Committee (AICC) has adopted a resolution at Delhi.⁴⁵ It said:

The Committee does not agree with the theory of paramountcy as enunciated and interpreted by the British Government; but even if that is accepted, the consequences that flow from the lapse of paramountcy are limited in extent. The privileges and obligations as well as the subsisting rights as between the States and the Government of India cannot be adversely affected by the lapse of paramountcy. These rights and obligations have to be considered separately and renewed or changed by mutual agreement. The relationship between the Government of India and the States would not lead to the independence of the States.

Mahatma Gandhi reiterated his stand during his visit to Jammu and Kashmir in the first week of August 1947, when a deputation asked him at Jammu whether Kashmir should join India or Pakistan, he answered, 'that should be decided by the will of the Kashmiris'. Writing from Rawalpindi, where he went from Jammu (during his return journey), he said to Nehru,⁴⁶ 'I studied the Amritsar Treaty properly called "Sales deed". I presume it lapsed on the 15th instant. To whom does the State revert? Does it not go to the people?'

Gandhi reaffirmed in one of his prayer meetings at Delhi: 'I have always maintain, that the real rulers of the States were their people'. The people of Kashmir, he continued,⁴⁷ 'without any coercion or show of force from within or without must by themselves decide the issue'.

It is important to note during second reading of the India Bill in Parliament, the Prime Minister Attlee also assured the house that His majesty Government would exercise no pressure on the states to federate.⁴⁸

At the same time, Ram Chandra Kak, the Prime Minister of Jammu and Kashmir was persuading the Maharaja to remain independent and conspiring with Pakistan to secure certain safeguards and privileges. The chieftains of Hazara, Hunza, Chitral and Dhir (Dir) who carried little weight were telegraphically threatening the Maharaja to accede Pakistan.⁴⁹ Simultaneously came a warning from Pakistan.⁵⁰ The semi-official, *The Dawn*, Karachi, menacingly wrote: 'the time has come to tell the Maharaja of Kashmir that he must make his choice and choose Pakistan.... Should Kashmir fail to join, the gravest possible trouble will inevitably ensue.' Thus, these geo-economic and political considerations forced the Maharaja to set aside the paternal advice of Gandhi, persuasions of Mountbatten and warning of Nehru. On August 12, 1947, in identical telegrams to the Governments of India and Pakistan, the Prime Minister of Jammu and Kashmir offered Standstill Agreement,⁵¹ on all matters on which these exists at present moment without going British Government, pending settlement of details and formal execution of fresh agreement. In response to this offer, the Foreign Secretary of Pakistan, on August 15, 1947, conveyed acceptance of his Government to a Standstill Agreement with Jammu and Kashmir; where as reply from India stated,⁵² Government of India would be glad if you or some other minister duly authorized in this behalf could fly to Delhi for negotiating Standstill Agreement between Kashmir Government and Indian Union.

As a result of reluctance of the Government of India, no agreement could be concluded between Kashmir and India. Instead, the Maharaja was advised to seek cooperation of Sheikh Abdullah and take steps to introduce a responsible government in the state. Janak Singh, the Prime Minister of the State reported that there, too, was no responsible government even in India.⁵³

Finally, in response to constant pressure from India to neutralize aggressive postures of pro-Pakistan Muslim Conference, on September 29, 1947, the Maharaja released Sheikh Mohammed Abdullah. On the day

of his release, he requested the people of the state to trust him. He further said that he had an open mind and ears. Once again he opposed two nation theory. However, he hastened to assure his people that he would not sacrifice the interests of Kashmiris due to enmity of Pakistan and friendship of Nehru and Gandhi. He stated:⁵⁴ Whatever my ideas about Pakistan, it has become a reality.

Immediately, after the release of Sheikh Mohammed Abdullah, the Pakistan Radio had launched a continuous virulent campaign of propaganda against him. Thus, irritated Sheikh in a public speech on October 5, 1947, reacted that it was not fair to do so. So far, National Conference has not taken any decision as yet. He warned that the result of this hostile propaganda would be that, 'in anger we shall tell them, go away, we join India'. He pleaded with 'great sincerity' to Pakistan Leaders,⁵⁵ 'not to provoke us'. In another major speech at Srinagar on October 8, 1947, he expressed:⁵⁶

Emotions do play a vital part in human life. Hindus and Sikhs of the state under the influence of their emotions would naturally want the state to accede to India. Emotionally, the Muslims who constitute 80% of the population of the state would wish to join Pakistan. I would urge those Hindu friends who are in favour of India to create such a psychological atmosphere which assures the Muslims that their culture would be safe in India. Efforts were being made to make India a Hindu State. Though Pandit Nehru has said that he would not allow this to happen, who knows what would happen in the future? Consequently Muslims are becoming apprehensive on the issue of acceding to India. Likewise, those who want the state to join Pakistan should effectively assure the ten lakh non - Muslims of the state of their safety.

Sheikh Mohammed Abdullah disagreed with the stand of the League and the Pakistan Government on two vital issues i.e. the two nation theory and the right of the princes to decide the future of their states and subjects. The Sheikh's main slogan was *freedom before accession*. In accordance with that in a public speech at Srinagar on October 9, 1947, he warned both

India and Pakistan. It follows⁵⁷:

Accession is of little importance. Freedom is more important. We do not want to join either of dominion as slaves. I warn the Governments of India and Pakistan that if Maharaja decides to join either of (them) these without our consent, we shall rise in revolt against such a decision.

Under such circumstances, there was no consensus of opinion among the major political parties. Of course, there was a movement in the state against autocracy; however, unlike other states of India, there was no movement in the state to support the issue of state's accession. Further, the eruption of communal violence in subcontinent in the summer of 1947, especially in adjoining province of the Punjab, turned Jammu city into a refugee's camp, who were narrating woe-full stories of their miseries, which communalized the atmosphere of Jammu division, within few days the entire Jammu division submerged into communal frenzy and beyond control of the government. As a result, thousands of innocent people lost their lives and rendered millions of people homeless. There was a mass exodus. Thus, emotions of people were surcharged and their attitudes had become rigid. Hence, situation was not conducive to hold a fair and free referendum to ascertain the wishes of people on the vital issue of accession. Moreover, the attitude of the majority community of the state was not clear. The hoisting of Pakistan national flag on some buildings in Kashmir and parading of the Muslim Conference national guards in the streets of Kashmir made the Maharaja to suspect that whether the majority community intend to accede to Pakistan. It seems he had sensed the pulse of a group of people who were clamoring to join Pakistan. However, the National Conference which was by and large the most popular party of the state and its most popular and undisputed leader, Sheikh Mohammad Abdullah was a close associate of Nehru and Gandhi, who had repeatedly denounced two nation theory. Hence, it was difficult for Maharaja to join either of the dominions. To join any dominion was meant to face an open revolt from one section of the society or the other. Thus, all these above mentioned reasons forced the Maharaja to sit on the fence and bide time till his hands were forced to take a decision. In the meantime, the Pakistan authorities became impatient

and imposed economic blockade⁵⁸ in the month of September. On October 2 and 18, 1947, Lala Meharchand Mahajan, the Prime Minister of Jammu and Kashmir lodged protests with his Pakistani counterpart concerning economic blockade. Pakistan responded to these protests with full-fledged attack on Jammu and Kashmir on October 22, 1947. The state forces collapsed to resist the attack. To meet the situation the Maharaja requested the Government of India to dispatch military help. The latter was reluctant to provide any kind of assistance unless the state accedes to India.^{59*} Ultimately in duress, to save the life, dignity and honour of his subjects, no doubt his throne also, on October 26, 1947, the Maharaja signed Instrument of Accession and acceded to India; thus, he sought military assistance.⁶⁰ So, this indecisiveness on part of the Maharaja was neither his arrogance nor his arbitrary choice, but the geo-economic and political factors of state prevented him delaying his decision concerning accession. Therefore, one can say that the state would have retained its post independence posture, had Pakistan leaders not miscalculated the political situation and sent these raiders to Kashmir, who committed atrocities⁶¹ on the people, especially women and children.⁶² As a result of the despicable behavior of the raiders, whatever little support Pakistan had been enjoying in Kashmir hitherto was eroded away and virtually threw the state into the lap of India.

All in all, the accession of an overwhelming Muslim majority State of Jammu and Kashmir to a Hindu majority India, against the background of communal frenzy and holocaust in subcontinent was a monumental ideological, political, diplomatic, constitutional and moral triumph for India.

Notes and References

1. Population figure of Jammu and Kashmir according to the Census Report of 1941. File: L/WS/1/1148, p. 215, Oriental and India Office, British Library, London.
2. Communal Proportions of Population in Kashmir and Jammu, Population Figure as given in India Census 1941. File: L/P&S/13/1264, p. 138. Oriental and India Office, British Library London.
3. Population figure of Jammu and Kashmir according to the Census Report of 1941. *op. cit.*
4. *Ibid.*

5. Statement of Attlee, the Prime Minister of England, in the House of Commons, February 20, 1947. Parliamentary Debates (Hansard) Fifth Series, Vol. 433, Official Report of the 38th Parliament, p. 1395. The Central Library, University of Bristol, the U.K.
 *There was a general agreement in London among the British diplomats and statesmen concerning protecting and securing the British strategic interests in independent India through a commonwealth link or by executing a defence-treaty, as Nehru's foreign policy pronouncements gave rise to deep pessimism about the prospects of securing Indian National Congress party's co-operation. The office of the Secretary of State for India advised, ***we think it unlikely that India will wish to remain within the Commonwealth, at any rate as at present constituted.*** (Mr. Monteath, Permanent Under Secretary, India Office to Mr. Machtig, Dominion Office, November 8, 1946. Mansergh et al., *Transfer of Power*, Vol. IX, and item 17). Secondly, on March 13, 1947, at a meeting of the India and Burma Committee of the British Cabinet at which Mountbatten was also present, it was agreed that the designated ***Viceroy should encourage any moves that might be initiated by the Indian leaders in favour of the continuation of India within the British Commonwealth.*** (Minutes of the meeting of India-Burma Committee of the Cabinet, held on March 13, 1947. *Ibid*, and item 529).
6. Parliamentary Debates (Hansard), Fifth Series, Vol. 439, House of Commons, Official Report of the 38th Parliament, pp. 2541-45. The Central Library, University of Bristol, the U.K.
7. Parliamentary Debates (Hansard), Fifth Series, Vol. 440, Commons, 1946-47, July 14 to July 25; Mr Speaker Colonel RE. Hon. Douglas Clifton Brown, MP reported the Royal Consent to Indian Independence Bill. In total 18 bills were sent for the Royal consent, in which Indian Independence Bill stood at serial No. 3.
8. *White Paper on Indian States*, (Ministry of States, Government of India, Delhi, Notification November 25, 1950), pp. 3-9.
9. Papers of Christopher Beaumont at Corpus Christi College, Oxford, the U.K. He says it was fact that Mountbatten, Nehru and Jinnah were in agreement that Radcliffe should be told to prepare the report of both the Punjab and Bengal by 15 August. Radcliffe objected since it was clearly impossible properly to complete the task in one month nine days. His objection was overruled. Therefore, Mountbatten, Nehru and Jinnah must share the blame for this irresponsible decision.
10. Shailendra Singh Jamwal, 'The UN Resolution on Kashmir– Withdrawal of

- Plebiscite offer', *Proceeding of the Indian History Congress (PIHC)*, 55th Session, Aligarh, 1994, pp. 551-52.
11. *Ibid.*
 12. Nehru said, 'we were of course vitally interested in the decision of that the state would take, Kashmir because of her geographical position, with her frontiers with Pakistan and the Soviet Union, China, Afghanistan, is intimately connected with the security and international contacts with India', J.L. Nehru, *Independence and After*, New Delhi, 1949, p. 60.
 13. Alan Campbell Johnson, *Mission With Mountbatten*, July 1951, p. 223.
 14. H. V. Hodson, *The Great Divide: Britain-India-Pakistan* (London, Hutchinson, 1969), p. 441.
 15. 'Future of the Indian States', a four page speech of Mountbatten, delivered at the special session of the Chamber of Princes at Delhi, July 25, 1947. File: L/P&S/13/1848, pp.140-41, Oriental and India Office, the British Library, London.
 16. *Ibid.*
 17. I am thankful to Brigadier Ghansara Singh, the Maharaja's last Governor of Gilgit, for his interview at Kachhi-Chowni, Jammu, June 17, 1989.
 18. *Ibid.*
 19. Correspondences between the Indian High Commissioner of the U.K., and the Commonwealth Relation Office, London. File: L/P&S/13/1845-b, pp.468-69. Oriental and India Office, the British Library, London.
 20. *The Times*, London, October 13, 1947. File: L/P&S/13/1848, p. 20. Oriental and India Office, the British Library, London.
 21. A resolution of the Kisan-Mazdoor Conference, April 6-7, 1947, Achhabal (Srinagar).
 22. Fortnightly report of the Resident Kashmir, W.F. Webb to L.C.L. Griffin, Secretary to H.E. the Crown Representative, Political Department, New Delhi, India, ending with April 15, 1947. No: F.6-C/47, Srinagar, April 16, 1947. File: L/P&S/13/1266 p. 37.
 23. *The Ranbir*, Jammu, May 11, 1947. Also see *The Dawn*, Karachi, July 4, 1947.
 24. *The Khidmat*, Srinagar, July 11, 1947.
 25. *The Ranbir*, Jammu, September 24, 1947. The paper in an editorial comment, described the conditions of these Hindu leaders as pitiable who in their blind anti-congresses were chanting the slogan of 'independence'. The paper was banned for pleading the case of accession to India and the release of Sheikh Mohammad Abdullah.
 26. *Ibid.*, June 15, 1947.

27. *The Hindu*, Madras, June 17, 1947.
28. *The Khidmat*, Srinagar, July 24, 1947. It seems, on July 18, 1947, the leaders of Muslim Conference were aware of the fact that Indian Independence Bill had received the assent of the King, which allowed the states to maintain their pre-independence status. Thus, the resolution of Muslim Conference dated July 19, 1947, was in line with the Indian Independence Act.
29. Sardar Mohammed Ibrahim, *The Kashmir Saga* (Ripon Press, Lahore, 1965), pp. 26-27.
30. 'Future of the Indian States', a four page speech of Mountbatten, delivered at the special session of the Chamber of Princes at Delhi, July 25, 1947. File: L/P&S/13/1848, pp.140-41, Oriental and India Office, the British Library, London.
31. *Ibid.*
32. *The Khidmat*, Srinagar, August 10, 1947.
33. *Ibid*, August 31, 1947.
34. *Resolution of the Kisan Mazdoor Conference*, September 5, 1947. State Archives Srinagar.
35. Resolution of Kashmir Socialist Party, September 18, 1947. State Archives Srinagar.
36. P.N. Bazaz, *History of Struggle for Freedom in Kashmir*, New Delhi, p. 559.
37. Balraj Puri, *JAMMU AND KASHMIR: triumph and Tragedy of Indian Federalization*, New Delhi (1981), p. 55. Also see, *Cross Road*, January 6, 1950.
38. Alan Campbell Johnson, *Mission With Mountbatten*, London, Robert Hale, 1951, p. 120.
39. *The Dawn*, June 18, 1947 and July 31, 1947.
40. Meharchand Mahajan, *Looking Back*, Bombay, 1963, p. 265. Author was the Prime Minister of Jammu and Kashmir in 1947 during the time of accession of the state.
41. M.M.R. Khan, *The United Nations and Kashmir*, (Djakarata, J.B. Wolters, 1955); pp. 70-71
42. *The Dawn*, Karachi, September 22, 1947.
43. Zafrullah Khan, *The Kashmir Question*, Karachi, Government of Pakistan (an official publication), 1950, p. 60.
44. Richard Symonds, *Making of Pakistan*, London, Faber and Faber, 1951, p. 157.
45. The resolution of the All India Congress Committee (AICC) on the States, June 15, 1947, Delhi.

46. Pyarelal, *Mahatma Gandhi: The Last Phase*, Vol. II, Navjivan, Ahmedabad, 1958, p. 358.
47. *The Indian Annual Register*, Calcutta, 1947, Vol. I, p. 112.
48. File: L/P&S/13/1845-b. Oriental and India Office, the British Library, London. p. 140.
49. Major W.P. Cranston's dispatch dated October 18, 1947; he was deputed to Srinagar by the U.K. High Commission in Delhi to report on the political situation in Kashmir. L.B. Grafftey, U.K. High Commissioner in Karachi to Philip Noel Baker, Secretary of State for Commonwealth Relations; Dispatch No: 44 (339/47), dated October 20, 1947 {POL-1427-1947}. File: L/P&S/13/1845-b, p. 541. Oriental and India Office, the British Library, London.
50. *The Dawn*, Karachi, August 24, 1947.
51. Kashmir-Pakistan Standstill Agreement. Telegram from the Prime Minister of Kashmir to Sardar Abdur Rob Nishtar, States Relations Department, dated August 12, 1947. File: L/P&S/13/1845-b, p. 566. Oriental and India Office, the British Library, London.
52. File: L/P&S/13/1845-b, p. 566. Oriental and India Office, the British Library, London. Also see P.L. Lakhanpal, *Essential Documents and Notes on Kashmir Dispute*, New Delhi, 1958, p. 45.
53. Press Statement on October 15, 1947. *The Ranbir*, Jammu, October 21, 1947. *R.C. Kak, the Prime Minister of state was replaced by Janak Singh Katoch on August 11, 1947.
54. *The Khidmat*, Srinagar, October 2, 1947.
55. *Ibid.* October 9, 1947.
56. *Ibid.*
57. *The Ranbir*, Jammu, October 13, 1947.
58. Letter of the U.K. High Commission Delhi to the Commonwealth Relations Office London, No: 452/47/SP/11, dated September 10, 1947 {POL-1312-1947} File: L/P&S/13/1848, p. 51. Oriental and India Office, the British Library London. Office of the High Commission records: *The Pakistan Government is putting a certain amount of pressure on the Kashmir Government. Muslim National Guards are parading and the Muslim League Flags are being hoisted in certain areas of the State.* Also see Major W.P. Cranston's dispatch dated October 18, 1947; he was deputed to Srinagar by the U.K. High Commission in Delhi to report on the political situation in Kashmir. L.B. Grafftey, U.K. High Commissioner in Karachi to Philip Noel Baker, Secretary of State for Commonwealth Relations; Dispatch No: 44 (339/47), dated October 20, 1947 {POL-1427-1947}. File: L/P&S/13/1845-b, P. 541. Oriental

- and India Office, the British Library, London.
59. V.P. Menon, *Integration of the Indian States*, Orient Longman (reprint), Chennai, p. 397.
*He records: *The raiders continued to advance and on 24 October they captured the Mahura Power House, which supplied electricity to Srinagar. Srinagar was plunged in darkness. They had announced that they would reach Srinagar on 26 October in time for the Id celebration at the Srinagar Mosque. On the evening of 24 October the Government of India received a desperate appeal for help from the Mzaharaja. They also received from the Supreme Commander information regarding the raider's advance and probable intentions.*
 60. Instrument of Accession of Jammu and Kashmir State, October 26, 1947.
 61. Sardar Ibrahim Khan, *The Kashmir Saga*, Lahore, Ripon Press, 1965, pp. 48-50. The author was the first president of the "Azad Kashmir Government", he admits that the raiders committed ruthless brutalities.
 62. Krishna Mehta, *This Happened in Kashmir*, New Delhi, Publications division, 1966, pp. 91-97 and 132-52.