

Mr. Speaker: Order, order. The Question-hour is over.

Short Notice Question and Answer

FIRING ON INDIAN VILLAGES BY PAKISTANI ARMED POLICE.

Shri S. N. Das: Will the Prime Minister be pleased to state:

(a) whether it is a fact that Daoke, an Indian village on the Indo-Pakistan border was under heavy fire by Pakistani armed police on the 1st and 2nd of November, 1952;

(b) if so, what were the circumstances in which the incident took place;

(c) in what way situations created by this firing were faced and met by the Indian Police;

(d) whether there was any loss of life and property; if so, the number of lives lost, persons injured and extent of damage done to the property on the Indian side of the border; and

(e) what are the steps taken by Government in this connection to restore peace and bring to book those responsible for the incident?

The Prime Minister (Shri Jawaharlal Nehru): Sir, with your permission, I should like to make a somewhat longer statement than might be necessitated by this short notice question, so that the House may have the full picture of not only this particular incident that has occurred, but of other incidents also that sometimes occur on this border, between India and Pakistan on the western side.

Ever since the Partition, certain difficulties have arisen in regard to some border villages in East Punjab and West Punjab. The boundary line laid down by the Radcliffe Award was not very clear and ignored certain geographical features. Thus some villages which are of Indian territory are on the wrong side of the river and not easily accessible to India. In the same way there are some villages belonging to Pakistan on the opposite side of the river and not easily accessible to Pakistan. The areas involved are relatively small, usually a hundred acres or so, and most of them are uncultivated and over-grown by bushes and jungle grass. In practice, the areas on the Indian side have been in the possession of India and the areas on the Pakistan side in the possession of Pakistan. The areas have been largely uninhabited. Since 1949 there has been an understanding with Pakistan that pending demarcation of the border, such areas will be left in the *de facto* possession of the country on whose side they lie.

There being no clear line of demarcation, border disputes have constantly arisen. At a number of Inter-Dominion Conferences held in 1948 many decisions were taken. Among these was one relating to these border incidents on the East Punjab-West Punjab border.

It was agreed that there was need for having a line of demarcation between East and West Punjab, especially in areas where the boundary line was not very clear. The possibility of setting up boundary pillars in this area was to be explored. It was recognised that difficulties arose on account of some villages belonging to one country being on the wrong side of the river in the other country. It was suggested that the two Financial Commissioners on either side, assisted by such expert revenue officers as they might consider necessary, might meet and make definite recommendations. They should also consider the question of the erection of boundary pillars.

It was also agreed that the Inspectors General of Police of East Punjab and West Punjab should meet from time to time to review the situation arising out of border incidents on both sides, assisted by the local district magistrates and the superintendents of police.

It was further agreed that the two provincial governments should warn the local border police, Home Guards, and National Guards, asking them to desist from giving any direct or indirect assistance to the raiders on both sides.

Since then such meetings as were envisaged in the Agreement have taken place and many border problems that have arisen have been dealt with. But the boundary pillars have not yet been put up. There have recently been a number of instances of petty conflict on the border in these particular territories.

Now, coming to this particular incident, the villages concerned in the recent firing on the Punjab border are Daoke, Bhami, Rajoutan and Rajathal in Amritsar district and Lao, Majoke, Ghurki and Qilla Jiwan Singh in Lahore district. A drainage channel known as Hudiana Nala runs along the boundary between these villages. Some time ago, a dam was constructed in the Nala in Pakistan territory and this caused drainage difficulties for the Indian villages. It was therefore decided to dig a diversion channel between two points of the Nala in Indian territory.

On the 22nd October, an Indian survey party was marking out the alignment for this channel when the Pakistan Border Police objected to the work. They entered Indian territory in Daoke village and removed flag markings. On the 23rd October when the survey party attempted to resume work, the Pakistan Border Police suddenly and without any provocation opened fire on them. The Punjab Armed Police thereupon took up positions and returned the fire. Firing took place between 2.30 and 6.30 p.m. on the 23rd October. 467 rounds were fired by the Indian forces. I might add that this firing was of a very different character. There was a large space in between, and it was not a firing at anybody; as a result there were normally no casualties. Subsequently meetings were held between the police officials on both sides in an effort to settle the dispute, but no agreement could be reached. On the 1st November, Pakistani forces again opened fire without any provocation at about noon. There was heavy exchange of fire during the night. On two occasions Indian forces stopped firing in the hope that Pakistani forces would reciprocate, but the latter continued to fire. Eventually by mutual agreement between the local authorities firing ceased about 2.30 p.m. on the 2nd November. These exchanges of fire took place between the forward positions of the Armed Border Police on either side along a 4 miles stretch of the boundary. It is not a fact that Indian forces fired at the inhabited areas of Pakistani villages or that Pakistani forces fired at the inhabited areas of Indian villages. It is however, possible that stray bullets may have found their way to the inhabited areas. There was no loss of life or damage to property on the Indian side. The Pakistan Government has reported that one person was injured on their side. There has been no firing since 2nd November.

The allegation that Indian forces entered territory in Pakistani possession is not correct. The boundary in the vicinity is such that three pockets of the Indian village Daoke lie on the Pakistani side of the Nala and conversely two pockets of the Pakistani village Maujoke lie on the Indian side. Both these sets of pockets have been lying waste since Partition and are at the moment covered with wild growth. For all practical purposes, the pockets legally belonging to India are in Pakistani possession and those legally belonging to Pakistan are in Indian possession. This situation exists elsewhere on the Punjab border, especially in the vicinity of rivers. Since 1949, there has been an understanding with Pakistan that pending demarcation of the border,

such areas will be left in the *de facto* possession of the country on whose side they lie. This is a sensible practical arrangement which has helped in reducing border incidents.

In the present instance, the attempt by the Pakistan Border Police to interfere with the Indian survey party by firing on them obliged the Punjab Armed Police to take up positions in the two pockets of the Pakistani village Maujoke lying on the Indian side of the Nala. According to the Indo-Pakistan understanding mentioned above, these particular pockets, the area of which is about 90 acres altogether, are and have been in Indian possession. Pakistan has never been in possession of them. Similarly India has not been in possession of a larger area on the Pakistani side of the Nala, although these are legally Indian territory. In accordance with the Indo-Pakistan understanding, India cannot have any objection to Pakistan's remaining in possession of such Indian areas until the border is finally demarcated. Conversely, Pakistan cannot raise any objection to India's remaining in possession of similar Pakistani areas. The maintenance of the *status quo* according to the Indo-Pakistani understanding means that such *de facto* possession will not be interfered with, irrespective of the legal ownership according to the Radcliffe Award. There has been no breach by India of this position.

It is unfortunate that the Pakistan border police should have opened fire on the Indian Survey party in a minor irrigation dispute which ought to have been dealt with by the civil authorities of both sides. Such action is contrary to the interests of both countries in maintaining peace and settled conditions on the border. The Indo-Pakistan Agreement of December 1948 included provisions designed to ensure the maximum cooperation between the Governments of the East and West Punjab with a view to minimising incidents on the border. The understanding of 1949, which I have already mentioned, was a further step in this direction. In the last year or so, however, there have been a number of incidents on the border and the Financial Commissioners district officials of the two Punjab have held several meetings in an effort to settle the disputes. Preliminary steps have also been taken jointly to begin physical demarcation of the boundary.

Shri S. N. Das: May I know, Sir, whether the fact of automatic weapons,

handgrenades and mortars having been used has been verified?

Shri Jawaharlal Nehru: I believe that some mortars were used. It is rather difficult to say what all weapons were used, but it is possible that automatic weapons were used.

Shri S. N. Das: May I know, Sir, whether the strength of the Pakistani Police that took part in this firing has been estimated or ascertained?

Shri Jawaharlal Nehru: No, Sir, I do not know exactly the strength on either side. They are the normal border police on both sides.

Shri A. N. Vidyalkar: Does the Prime Minister mean to convey that the firing was confined only to uninhabited areas?

Shri Jawaharlal Nehru: I stated that the firing, so far as we know, was not directed to any inhabited area. It is a possibility that some stray bullets might have gone elsewhere.

Shri V. G. Deshpande: What steps do Government propose to take to deal with this kind of attitude on the part of the Pakistan Government? Do they propose to take a firmer attitude or just to make a statement that Pakistan is doing these things?

Mr. Speaker: Order, order. I do not think that question arises from the statement made.

Shri Gidwani: What about my Adjournment Motion, Sir?

Mr. Speaker: I was just going to decide that and say that, in view of the statement, there is no occasion practically to discuss any further any Adjournment Motion. I was going to say that, but in the meanwhile Mr. Deshpande put in a question.

पंक्ति जलनू राय शास्त्री : क्या में एक प्रश्न पूछ सकता हूँ ?

अध्यक्ष महोदय : देखिये आप तो लेट हो गये हैं। दूसरी बात यह है कि हमारे यहाँ का यह नियम है कि जब कोई बड़ा स्टेट में होता है तो पूरक प्रश्न नहीं पूछे जाते।

पंक्ति जलनू राय शास्त्री : इसी क्वाल से मैं लेट हो गया था।

अध्यक्ष महोदय : तो आप जानते थे। पर भी आपने प्रश्न करने की अनुमति चाही।

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WRITTEN ANSWERS TO QUESTIONS

PORTS IN KUTCH

*180. **Shri C. R. Iyyann:** Will the Minister of Transport be pleased to state:

(a) how much money has been allotted for the development of ports in Kutch;

(b) how much has been spent on each; and

(c) how much remain to be spent?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Apart from the provision of Rs. 12.95 crores for the development of Kandla Port, in Kutch, the Five Year Plan includes a provision of Rs. 13.4 lakhs for improvements to the minor ports in Kutch.

(b) Upto end of 1951-52, Rs. 1.45 crores had been spent on Kandla Port and Rs. 1.09 lakhs on the minor ports.

(c) Rs. 11.5 crores on Kandla and Rs. 12.31 lakhs on the minor ports.

COCHIN HARBOUR

*181. **Shri C. R. Iyyann:** Will the Minister of Transport be pleased to state:

(a) whether any amount has been spent for the development of the Cochin Harbour in 1950-51, 1951-52 and 1952-53; and

(b) whether it is a fact that considerable difficulties are experienced there for want of sufficient wharfing accommodation when shipping is heavy?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Yes. Rs. 8.90 lakhs was spent during 1950-51 and Rs. 26.10 lakhs during 1951-52. A sum of Rs. 43.76 lakhs has been provided in the budget for 1952-53.

(b) No.

WAGONS

*192. **Shri Jhulan Saha:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the present shortage of wagons on the Indian Railways partly is due to detentions of wagons at junction stations;

(b) if so, the steps taken to eliminate this detention;