

12.22 hrs.

**STATEMENT RE: INDIA-BURMA
 BOUNDARY AGREEMENT**

The Deputy Minister in the Ministry of External Affairs (Shri Surendra Pal Singh): Mr. Chagla is held up in the other House. If I may be permitted, I can read out that statement, but as regards clarificatory questions on the statement, they may be asked later.

Mr Speaker: We can postpone that.

Shri Surendra Pal Singh: Can I read that statement now?

Mr. Speaker: Is it a big one? ..

Shri Surendra Pal Singh: It is not a very big statement

Some hon. Members: Let him read.

Mr. Speaker: All right.

Shri Surendra Pal Singh: I have the honour to place on the Table of the House a copy of the Boundary Agreement between the Government of India and the Government of Burma which was signed in Rangoon on 10th March, 1967 along with its attached maps. [Placed in Library. See No. LT-866/67].

The Agreement incorporates the description of the traditional boundary according to its existing alignment. It has further been delineated on agreed maps which form an annexure to the Agreement. The Agreement will be followed up by the constitution of a Joint Boundary Commission charged with the task of planning and carrying out the demarcation of the boundary between the two countries and the preparation of detailed boundary maps and the drafting of a boundary treaty

The India-Burma boundary has always been a friendly boundary and there has not been any dispute regarding any part of it. It was based on

natural features and defined in provincial notifications in the pre-Independence period. It was, however, felt that in keeping with the very cordial relations between India and Burma, we should formalise the boundary as befitting two friendly independent sovereign States. The matter was discussed when the Foreign Minister visited Rangoon in January this year and had the honour of meeting General Ne Win, Chairman of the Revolutionary Council of Burma, and the Foreign Minister of Burma, and it was agreed that the matter should be processed further

Accordingly, an Indian Delegation visited Rangoon on 17th February this year and held discussions with a Burmese Delegation, as a result of which the present Agreement was signed in Rangoon on 10th March, 1967. Both Governments have ratified the Agreement and the Instruments of Ratification were exchanged in New Delhi on the 30th May, 1967.

The India-Burma boundary is about 1450 kilometres long from its southern extremity till it reaches its northern extremity which is the trijunction of the boundaries of India, Burma and China

As I have said earlier, there was never any dispute between India and Burma at any point of the border. Both the Governments had been publishing maps showing identical alignment of the boundary. It was, therefore, only a question of confirming this well-known, traditional boundary. The negotiations leading to the Agreement were marked by close cooperation and friendly exchange of views. As the Preamble to the Agreement says, both India and Burma firmly believe that the formal delimitation and demarcation of the entire traditional boundary between the two countries would further strengthen their friendly relations. I am sure that the Members of the House

[Shri Surendra Pal Singh]

would like to associate themselves with me in expressing our appreciation of the cordiality and friendly cooperation shown by the Government of Burma. This Agreement constitutes an important milestone in the long history of friendly relations between India and Burma.

The Agreement is only the first step. The Joint Boundary Commission to be appointed by the two Governments will proceed to have the boundary demarcated on the ground. The Commission will also prepare the draft of a Boundary Treaty to be signed by India and Burma. That will be the final act in this process of friendship to transform this traditional border between the two friendly neighbouring countries into a fully delineated and demarcated boundary.

Shri Hem Barua (Mangaldai): Since the hon. Minister of External Affairs has now reached the House, we may seek clarifications from him just now.

The Minister of External Affairs (Shri M. C. Chagla): I am sorry I was held up in the other House.

श्री मधु लिमये (मुंगेर) : अभी जो बयान इन्होंने पढ़ा उसमें उन्होंने कहा है, केवल एक ही चीज बाकी रह गई थी :

"Only a question of affirming this well-known traditional boundary. . .

भाग्य कहा है

"with the formal delimitation and demarcation of the entire traditional boundary between the two countries."

लेकिन शुरू में जो एक वाक्य और खास कर के एक शब्द आया है उस से चिन्ता है तो जरा उसको ध्यान सफाई कीजिए

"The Agreement incorporates the description of the traditional boundary according to its existing alignment."

"एग्जिस्टिंग एलाइनमेंट" से इनका क्या मतलब है ? क्योंकि पिछली बार अध्यक्ष महोदय, मैं याद दिलाता चाहता हूँ कि कच्छ के सम्बन्ध में भी गलत ढंग से इन्होंने करार किया और उसमें एक शब्द आ गया है डिटरमिनेशन, अभी कच्छ करार भेरे सामने है, मैं ने तुलना करने के लिए मंगाया है, तो इस तरह के करार यह करते हैं और बयान करते हैं जिससे बाद में अपनी भूमि को हमें छोड़ना पड़ता है तो एग्जिस्टिंग एलाइनमेंट से इनका क्या मतलब है वह जरा सफाई के साथ बतायें?

Shri M. C. Chagla: I want to make this quite clear. There was no dispute whatever between Burma and ourselves as to our boundary. That is why I have said that it was a friendly boundary but we wanted to formalise it, and, therefore, the process of formalising is twofold. Firstly, we had a map drawn up which was initialled by the Burmese authorities and ourselves, finally fixing and formalising the boundary. Now, the boundary agreed upon proceeds on two bases. There are certain notifications spread over many years where India and Burma have accepted the boundary. In one or two cases, the boundary is traditional but there is no dispute whatsoever as to what the boundary is. So, after having delimited the boundary, and having drawn the map, the next process is to delimit it on the ground, for which purpose, a delegation will go and jointly with Burma that process will be gone through.

श्री मधु लिमये : अध्यक्ष महोदय, भेरे प्रश्न का उत्तर नहीं आया। मित्रकूल नहीं आया। जो उन्होंने बातें फहीं, वह मैंने स्वयं कहीं। भेरे क. ने का मतलब है।

"The traditional boundary according to its existing alignment."
यह इन्होंने कहा है।

"According to its existing alignment"

शब्द को क्या जरूरत थी ? यह डा. नरमान
से क्यों बोला ? इन्होंने तर्काई नहीं की ।

Shri M. C. Chagla: Existing alignment means that the boundary is already accepted. That is the existing alignment. All that was done was to formalise it. I thought I had given the answer. My hon. friend wants to know the meaning of existing alignment. You may have an agreed boundary between the two countries and yet it may not be formalised. .

Mr. Speaker: I thought there was no dispute about this boundary.

Shri Hem Barua: China and Burma have entered into a boundary agreement relating to the trijunction where the three countries, namely China, Burma and India meet. When China and Burma entered into that boundary agreement, we had certain mental reservations about the trijunction. May I know whether in having this boundary agreement with Burma, that mental reservation in relation to the trijunction did play any part or any role because we knew that some of our territorial involvements or claims were sacrificed by Burma to China while signing that boundary agreement with China?

Shri M. C. Chagla: The position with regard to the trijunction is this. As far as ourselves and China are concerned, we have shown the boundary up to a particular point. There is 5½ miles further north on that there is a dispute between ourselves and China in the sense that China claims those 5½ miles and we also claim the 5½ miles. But there is no dispute as far as Burma and ourselves are concerned. I shall read out the exact language. . . presently. The Burmese Government told us "This is a matter for you to settle with China. As far as we and you are concerned, the boundary is determined.". I shall read out the relevant passage.

Shri Hem Barua: When that boundary agreement was signed between China and Burma, Burma and also China called that a provisional agreement. . . .

Shri M. C. Chagla: That is true.

We have got a letter from the Chinese Foreign Ministry. They also said that this particular matter was not finally settled. This was what was said to us in a Note by the Ministry of Foreign Affairs, Peking, to the Embassy of India in China, 6th August 1961:

"The Indian Government continues to insist in its Note on its misinterpretation of the Sino-Burmese Boundary Treaty and the attached maps, arbitrarily asserting that the Treaty and the attached maps had defined Diphu Pass as the western extremity of the Sino-Burmese Boundary. An exhaustive answer to this was already made by the Chinese Government in its memorandum of February 21, 1961, and its Note of May 4, 1961, pointing out clearly that the Sino-Burmese Boundary Treaty had not defined the location of the western extremity, i.e. the tri-junction of China, Burma and India and that this was because China and India still differ in their understanding of the eastern section of the Sino-Indian boundary and a settlement through negotiations was yet to be achieved".

According to China, the northern extremity of our boundary is the Diphu Pass; according to us, it goes 5 miles further north. As far as Burma is concerned, even after this agreement was signed, this is provisional. They also said: 'let that be provisional because you settle this dispute with China. There is no dispute as far as we and you are concerned'.

Shri Hem Barua: That was not what said by Burma when she entered into an agreement with China

[Shri Hem Barua]

over the tri-junction. What was said was that it was a provisional agreement and when Burma would enter into a boundary agreement with India, this provisional agreement with China would be revised. That was the understanding they gave to us. We are sacrificing our land.

Shri M. C. Chagla: I want to assure the House that we are not sacrificing one inch of our land.

Shri Hem Barua: How many miles make an inch?

Shri M. C. Chagla: May I quote from article I of this Agreement

This is what we have said:

"...following the watershed between the Brahmaputra and the Chindwin river systems along the Patkai Bum to Peak Shawsan Bum; thence along the watershed between the Irrawaddy and the Brahmaputra river systems to its northern extremity, the exact location of which northern extremity will remain provisional pending its final determination".

Therefore, the exact northern extremity beyond the Diphu Pass is kept provisional, and for very good reason. The Burma Government told us, and I think rightly, 'we have nothing to do with the dispute between you and China. We and you agree with regard to what the boundary is. This 5½ miles China claims and you claim. You settle that with China. But as far as we and you are concerned, there is no difference'.

Shri Hem Barua: We have 14,500 miles under China in the west. 5 miles do not matter!

Shri D. C. Sharma (Gurdaspur): Burma had a boundary treaty with China and that was flung in our face by China because it was said, 'Here

is Burma; we have had no trouble with it. But we are having trouble with India'. Again, Burma had some kind of a boundary treaty with Pakistan and that was also flung in our face—the Burmese people do not have any trouble with Pakistan, but India is always trying to create trouble'.

Shri Hem Barua: We were very strong-faced.

Shri D. C. Sharma: I am very happy that we are friends with Burma, and I am sure that we shall continue to be friends with Burma till eternity. But I want to ask: how far this treaty that our Foreign Minister has entered into with Burma shows certain portions of our land which are under dispute between China and India, and which are under dispute between India and Pakistan. And may I know if our Foreign Minister should not have adopted the Indian point of view and said, 'I stand by what India wants *vis-a-vis* China, *vis-a-vis* Pakistan. I am not going to have these lands shown as disputed lands between my country and China or between my country and Pakistan'. Therefore, I would say that this agreement, about which we are making so much song, I think, is not going to work for our good because China remains there, Pakistan remains there, and we have only shaken hands with Burma without caring for the disputed territory between India and China, and between India and Pakistan.

Shri M. C. Chagla: I am afraid Mr. Sharma has not understood the position. The India-Burma boundary is approximately 1450 k.m. long from its southern extremity till it reaches its northern extremity which is the tri-junction of the boundaries of India, Burma and China. This is the area of our boundary and every inch, not merely a mile, every inch of this boundary has been accepted by Burma. Therefore, as far as Burma is concerned, we have not yielded

any portion of our territory. The southern extremity is Pakistan. On that there is no dispute. There, our extremity is correctly described, and we have not given any portion of it to Pakistan. Now comes China. I think I have explained the position. May I explain again? The question is where the tri-junction is, at this particular pass or 5½ miles further north? According to us, it is 5½ miles further north. That dispute is there, but we cannot settle that dispute with Burma. I do not understand why my hon. friend Mr. Sharma said that by signing this treaty we have in any way prejudiced our case with China. We have not. Our case remains. We say we insist that this 5½ miles is Indian territory. What Burma says is. "As far as we are concerned, we do not want to enter into this dispute. We did the same thing with China. Let it be provisional. Same thing with you." Therefore, I do not see how we have in any way prejudiced by signing this treaty.

Shri Bal Raj Madhok (South Delhi): This word "traditional boundary" has a very ominous ring about it. We had a traditional boundary between Ladakh and China. It was sanctioned by a treaty signed between Tibet and the Maharaja of Kashmir in 1842. In spite of that, so much dispute came in. Here in the case of Burma, Burma was a part of the British Empire, it was a part of British India, it was a province, and there is no question of India's boundary, or Assam's boundary, with Burma being unknown or being traditional. It is a boundary which had been marked on maps published by the Survey of India, a boundary which is known by the Gazetteers published by the Government of India. I should like to know, therefore, why this word "traditional" has been used here. This "traditional", "existing alignment" and all that creates confusion, and a doubt is there in my mind, and in the mind of this House, that perhaps something is fishy there as we found in the case of Ladakh.

Shri M. C. Chaglia: There is nothing fishy. If there is any doubt in the mind of the hon. Member, I hope I have removed it. I will try again to remove it. We made certain that no part, not the smallest part of our boundary, was in any way sacrificed or kept in doubt or in jeopardy. With Burma we have no dispute. The boundary is as we wanted it, as was shown in earlier Burmese maps, as was shown in the Notification, as it was understood by tradition.

Shri Bal Raj Madhok: Burmese maps are British maps.

Shri M. C. Chaglia: Those are our maps also. We have followed those maps. As I said, the only question is: what happens to this northern extremity. And there also, we have used very careful words. Look at the treaty. Once more may I read the words? We have carefully drafted these words:

"To this northern extremity, the exact location of which northern extremity...

—that means the Diphu Pass or 5½ miles further north—

"...will remain provision pending its final determination."

Pending its final determination not with Burma, but with China. This problem is between us and China. Burma has agreed. The question is of China.

Shri Hem Barua: Burma has agreed, but with China over our heads.

Shri M. C. Chaglia: No, no.

Shri Swell (Autonomous Districts): There are nationals of our country living in these areas bordering Burma who have got their kith and kin on the other side of the border and they have been separated from each other by the artificial, arbitrary demarcation of the British Government. I would like to know whether the Minister is aware of the desire of these people on both sides of the

[Shri Swell]

border to come under one administration, whether it is within Burma or within India, and as far as we are concerned, they should be within India. I would like to know whether this matter was brought up with the Burmese Government in the discussions the Minister had with the Burmese Government on the 10th of March and if so, what are the reactions of the Burmese Government?

Shri M. C. Chagla: It is perfectly true that there are Nagas on our side of the frontier and there are Nagas on the Burmese side. Naturally this was not brought up because it is Burmese country; it is Burma. It so happens that some Nagas live in Burma; some live in India. How can we ask the Burma Government to hand over that part of the country because there are some Nagas. I sympathise with the view of the hon. friend that it will be a good thing if all the Nagas come together. But there are so many instances of such countries . . . (Interruptions.)

Shri Swell: Was this matter ever taken up in a friendly manner between this country and Burma, because if this matter is not hot now, it will be hot sometime in the future

Shri M. C. Chagla: This was not taken up.

Mr. Speaker: We shall deal with matters as they stand at present, not what they will be at some future time.

श्री श्री० भा० कृपालाणी : (गुना) :
हमारे शास्त्रों में लिखा है कि जमीन नारायण की है। इसके लिये झगड़ा कैसा ?

Mr. Speaker: Therefore, no countries have any boundaries!

श्री राम सेवक यादव (बाराबंकी) :
मैं मंत्री महोदय से दो जानकारी चाहता हूँ। मंत्री महोदय ने कहा कि जो साढ़े पांच मील का झगड़ा है वह हमारे धीरे चीन के

बीच में है। तो क्या बर्मा ने इस साढ़े पांच मील जमीन को भारत का मान लिया है? दूसरे जो सीमांकन होने जा रहा है, जिसका करार हुआ है, उसके परिणामस्वरूप क्या हमारी जमीन बर्मा के कब्जे में जाये वाली है?

Shri M. C. Chagla: Certainly not, not one inch. The assumption of my hon. friend is not correct.

श्री मधु लिषये : बड़े जोर से बोल रहे हैं

श्री मु० क० चागला : जोर से बोल रहा हूँ क्योंकि मैं ऐसा मानता हूँ।

श्री राम सेवक यादव : मेरा जो मवाल था . . .

श्री मु० क० चागला : प्रायः एम्पशन गलत है।

There is no question, in the demarcation of this line, with regard to the 5½ miles, of our giving any part of it to Burma. I repeat, as I have repeated so often, this particular 5½ miles is a matter between us and China. Burma does not get anything from India

Shri Sradhakar Supakar (Sambalpur): The hon. Minister said that the dispute between us and China relates only to five miles and a half. That is not at all clear, because it must be some area. How many square miles is the difference between the Chinese Calculation and our calculation? That must be clarified. It is not sufficient to say that the dispute is only in respect of five and a half miles.

Shri M. C. Chagla: If I am not mistaken,—I speak subject to correction—the area is about 70 to 72 square miles.

Shri Tenneti Viswanatham (Visakhapatnam): A tri-junction is a point.

The hon. Minister says there is no quarrel between India and Burma; there is quarrel only between China and India. It is a trijunction point. So, if there is a quarrel, it must be between the three.

Shri M. C. Chaglia: It is not so. If you look at the map it is perfectly plain. (Interruption). The Burmese boundary goes up to five and a half miles. The question is whether on the left of the boundary, the country is China or India. The Burmese boundary is fixed. There is no dispute. The question is about the five and a half miles left of Burma: is it Indian territory or Chinese territory. They say it is theirs; we say it is Indian territory.

Shri Tenneti Viswanatham: If Burma has already agreed, then is it a point five and a half miles north or south, whichever China likes or Burma likes? Does the point move at all according to the wishes of China? Does the point agreed to by Burma move up or down, five and a half miles. A tri-junction point is only between three places; it cannot move.

Shri M. C. Chaglia: The point is stationary. The Burmese boundary is well-defined. The question is whether for the five and a half miles on the left of the boundary, is it Indian territory or Chinese territory. That is a question in which Burma is not interested, because the Burmese boundary is certain, defined, and definite. The question is, as I said, is it Indian territory or Chinese territory; that is a matter between us and China. That is what Burma has said.

Shri M. Muhammad Ismail (Manjeri): If Burma does not have anything to do with the five and a half miles territory and it has absolutely nothing to do with our claim over that territory of five and a half miles, then why was that question brought into the agreement between Burma and India at all?

Shri M. C. Chaglia: For a very good reason; that we wanted to reserve our right. If we had not said that, it might have been argued that we have accepted the Chinese claim to these five and a half miles. It was with some difficulty that we persuaded Burma to agree to this, because there was already the Sino-Burmese agreement. We did not want our claim to these five and a half miles prejudiced.

Shri Hem Barua: The question is whether a blade of grass grows there or not!

12.59 hrs.

GENERAL BUDGET—GENERAL
 DISCUSSION—Contd.

Mr. Speaker: Now, on the general discussion of the budget, there are still 2 hours and 29 minutes for the Congress, and 1 hour and 24 minutes for the Opposition; so, 3 hours and 53 minutes still remain. So, I would suggest that we allow the discussion to continue till about 2 P.M. tomorrow and the hon. Deputy Prime Minister may start the reply at about 2.30 or 3 P.M. tomorrow. (Interruption). So, at 5 P.M. the hon. Deputy Minister will reply.

An hon. Member: Today?

Mr. Speaker: Tomorrow, at 3 p.m. That will give some time for more speakers to have their chance. The Congress has got 2 hours and 29 minutes more. Today we have got so many other things too.

13 hrs.

The Lok Sabha then adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

Mr. Deputy-Speaker: Dr. Sishila Nayer.