

SOCIAL TRANSFORMATION OF PAKISTAN UNDER KASHMIR DISPUTE

Sohaib Mukhtar

National University of Malaysia, Malaysia

sohaibmukhtar@gmail.com

Abstract

Kashmir dispute is the most important issue between India and Pakistan as they have fought three major wars and two conflicts since 1947. Kashmir dispute arose when British India was separated into Pakistan and India on 15th August 1947 under Indian Independence Act 1947. Independent Indian States could accede either to Pakistan or India as on 26th October 1947, Hari Singh signed treaty of accession with Indian Government while the Governor General of India Mountbatten remarked that after clearance from insurgency, plebiscite would take place in the state and people of Kashmir would decide either to go with Pakistan or India. During war of Kashmir in 1947, India went to the United Nations (UN) and asked for mediation. The UN passed resolution on 20th January 1948 to assist peaceful resolution of Kashmir dispute as another resolution was passed on 21st April 1948 for organization of plebiscite in Kashmir. India holds 43% of the region, Pakistan holds 37% and remaining 19% area is controlled by China. Dispute of Kashmir is required to be resolved through mediation under UN resolutions.

Purpose – This research is an analysis of Kashmir dispute under the light of historical perspective, law passed by British Parliament and UN resolutions to clarify Kashmir dispute and recommend its solution under the light of UN resolutions.

Design/methodology/approach – This study is routed in qualitative method of research to analyze Kashmir dispute under the light of relevant laws passed by British Parliament, historical perspective, and resolutions passed by the UN.

Finding – This study would help people of the world to understand Kashmir dispute, its historical perspective, relevant laws and resolutions passed by the UN. Kashmir dispute should have been resolved under UN resolutions and plebiscite should have held in Kashmir as fate of Kashmir should be decided by Kashmiris themselves. Pakistan and India have fought three major wars and various small conflicts due to Kashmir dispute which is required to be resolved for peace in South Asia.

Research limitations/implications – This study is an analysis of Kashmir dispute under historical perspective, laws passed by British Parliament, and UN resolutions. This research does not go into detailed analysis of Pakistan and India wars, other major issues with Pakistan and India as this research sticks into Kashmir dispute between Pakistan and India and its possible solution.

Practical implications – This study aims to point out and wipe out misconceptions about Kashmir dispute while clarifying the issue, analyzing important relevant laws, UN resolutions and come up with possible solution of Kashmir dispute.

Originality/Value – This study is personal and original work of the author on the chosen topic and there are not many articles written on related topic and this research is conducted keeping in mind principles of piracy and illegal methods of doing research.

Keywords: Kashmir, Pakistan, India, China, United Nations.

Research type: general review.

Introduction

Settlement of Kashmir dispute is important for peace in Asia. Kashmir is a disputed territory between India and Pakistan as both countries have fought three major wars in 1947, 1965 and 1971 and two conflicts in 1984 and 1999. The main cause of all wars and conflicts is Kashmir dispute. Kashmir handed over to Gulab Singh on 16th March 1846 under Treaty of Amritsar by the East India Company. It is pertinent to mention that Treaty of Amritsar ceased to exist under section 7 of Indian Independence Act 1947 which states that all treaties in between British Indian States with other states ceased to exist after implementation of Indian Independence Act 1947.

India holds 43% of the region includes Jammu and Kashmir, Pakistan holds 37% of the region includes Azad Kashmir and Gilgit Baltistan and remaining 19% area is controlled by China called Askai Chin. The first Muslim ruler of Kashmir was Rinchon, who was Buddhist later converted to Islam and known as Sadrudin Shah. His friend Shah Mir came into power after his death in 1399 and established Shah Mir dynasty which went on until Kashmir was captured by Mughal army in 1586 during the reign of Akbar. Thereafter, Ahmad Shah Abdali established Durrani Empire in major parts of Afghanistan and India in 1747 and captured parts of Kashmir in 1751 until the area was captured by Sikh Empire in 1820. Sikh Empire was established by Ranjit Singh on territories of Punjab and Kashmir in 1799 and ceased to exist after losing battle to the East India Company (Anglo-Sikh Wars 1846-1849). The East India Company sold Kashmir to Gulab Singh in 7.5 million rupees under Treaty of Amritsar signed on 16th March 1846, thenceforth Dogra Rule started in Kashmir.

Gulab Singh ruled over Kashmir until his death in 1857. His son Ranbir Singh took charge as ruler of Kashmir after death of his father Gulab Singh and ruled over Kashmir until his death in 1885. Pratap Singh was son of Ranbir Singh, ruled over Kashmir until his death in 1925 and succeeded by his son Hari Singh who ruled over Kashmir during partition of India in 1947. Accession of Hari Singh to India was under pressure of Indian Governor General Mountbatten, who stated that after clearance of Kashmir from outsiders, plebiscite will be organized and people of Kashmir will be given chance to decide either to go with Pakistan or India.

Indian Prime Minister Nehru went to the UN where two resolutions were passed affirming plebiscite in Kashmir. Most people of Kashmir are Muslims thus they are most likely to decide in favor of Pakistan. Pakistan and India have fought three major wars in 1947, 1965 and 1971 and two major conflicts in 1985 and 1999. It is highly recommended that the UN should interfere and play its effective role as mediator for settlement of Kashmir dispute between India and Pakistan which would be done in accordance with resolutions passed by the UN. India should not terrorize political struggle of Kashmiris as Hari Singh recently stated that Kashmir is not an integral part of India and the Supreme Court of India dismissed petition asserting that separatist leaders of Kashmir are not terrorists, their funding should not be stopped as all persons are innocent unless proven guilty.

Kashmir

Kashmir is a region in South Asia bordering Pakistan, India and China. Pakistan controls 37% of the region includes Azad Kashmir and Gilgit Baltistan as small part of Gilgit Baltistan was captured by India on 13th April 1984 called Siachen. India controls 43% of the region includes Kashmir Valley, Jammu and Ladakh as China captured small part of Ladakh during Sino-Indian war 1962 but unilaterally withdrew from it as well as from Arunachala Pradesh.

China controls 19% area of Kashmir including Askai Chin and Trans Karakoram Tract (Alam, 2016; Puri, 1993).

Kashmir controlled by Pakistan is consisted of Azad Kashmir and Gilgit Baltistan. 100% of the population of Pakistani part of Kashmir belongs to the religion of Islam. The area of Gilgit-Baltistan is approximately 70 thousand kilometers with 2 million people. The capital of Gilgit Baltistan is Gilgit, the region contains more than 50 peaks over 7000 meters high above sea level. The Gilgit Baltistan and Azad Kashmir are the most literate areas of Pakistan as literacy rate of Azad Kashmir is 72%. Population of Azad Kashmir is around 5 million people with 100% Muslim majority. Total area of Azad Kashmir is around 13000 kilometers while its capital is Muzaffarabad. Hari Singh attacked Muslim population of area in 1947, they defended themselves against oppression of illegal ruler of the region and their struggle was supported by people of Pakistan. Pakistan started military support to oppressed Muslim population of Kashmir on 22nd October 1947. Indian army entered Kashmir on 26th October 1947 on the request of Hari Singh, who signed statement of accession under pressure of Indian Governor General Mountbatten. The UN passed resolutions on 20th January 1948 and 21st April 1948 to offer mediation to India and Pakistan on settlement of Kashmir dispute on the request of Indian Prime Minister Jawaharlal Nehru. Ceasefire Agreement solemnized between India, Pakistan and the UN Commission on 27th July 1949 in Karachi, Pakistan. Ceasefire line was established on 1st January 1949 under Ceasefire Agreement 1949 which was converted into Line of Control on 2nd July 1972 under Shimla Agreement. Gilgit Baltistan and Azad Kashmir are militarily administered by Pakistan. Indian army violated Ceasefire Agreement 1949 and Shimla Agreement 1972 by capturing Siachen Glacier on 13th April 1984, which was under control of Pakistani Security Forces (Lyon, 2008; Wani, 2013).

Indian Kashmir is consisted of Jammu, Kashmir Valley, and Ladakh. Jammu known as the city of temples, its majority belongs to Hinduism, it has 10 districts and it is drained by Chenab River. Kashmir Valley is drained by Jhelum River and its majority belongs to the religion of Islam. It also has 10 districts. Ladakh is closely related with Tibet, China. Askai Chin is claimed by India as part of Ladakh region. China and India fought war in 1962 over Askai Chin and Arunachal Pradesh. The Sino-Indian war started on 20th October 1962 and unilaterally finished by China on 21st November 1962. It is pertinent to mention that Arunachal Pradesh is declared 25th Indian State in the reign of Rajev Gandhi (Ankit, 2016; Huttenback, 1961).

Chinese Kashmir is consisted of Trans Karakoram Tract and Askai Chin. Trans Karakoram Tract is an area of almost 1000 kilometers administered by China. There was a small dispute over the area between China and Pakistan which was resolved through negotiations by foreign ministers of both states and Sino-Pakistan Frontier Agreement was signed on 2nd March 1963. Askai Chin is disputed territory between India and China with Arunachal Pradesh. India claims Askai Chin as part of Jammu and Ladakh, which was acceded to India in 1947. Arunachal Pradesh was part of Tibetan Government and was acceded to British Government by Tibetan Government under Shimla Accord 1914. The territory came under control of India after independence in 1947 and became 25th Indian state during the reign of Rajiv Gandhi. China does not recognize Shimla Accord 1914 and consider whole Tibet region as its territory including Arunachal Pradesh. During Tibetan uprising 1959, India granted asylum to Dalai Lama. China launched simultaneous offensive against India in Ladakh and Arunachal Pradesh on 20th October 1962, won Sino-Indian war 1962 convincingly, captured territories in both localities and made unilateral ceasefire on 20th November 1962 while withdrawing unilaterally from captured territories (Behera, 2016; Devereux, 2009).

Governments of Kashmir

Kashmir was first ruled by Hindu Maharajas and Buddhist rulers until Rinchan, who embraced Islam and his friend Shah Mir established Shah Mir Dynasty which is the first Muslim dynasty in Kashmir established in 1339 and went on until invasion of Mughal Empire in 1586. The Mughal ruled over Kashmir until entrance of Durrani Tribes in 1751. Sikh Empire established by Ranjit Singh and Kashmir acceded to Sikh Empire in 1820 but did not last along and at the end of first Anglo-Sikh war in March 1846, Kashmir was given to Dogra Singh in 7.5 million rupees under Treaty of Amritsar. Indian Independence Act 1947 demolished Treaty of Amritsar thus Dogra Dynasty ceased to exist but Hari Singh illegally acceded state of Kashmir to India while people of Kashmir did not accept his decision and started freedom struggle against him and conquered more than 37% of the area. People of Pakistan supported them as India went to the UN and asked for mediation. The UN formed commission, promised plebiscite in Kashmir which has not been organized yet to decide fate of Kashmir in accordance with will and wishes of Kashmiri people (Hasan, 1956; Wirsing, 1998).

Mongol invaded Kashmir during the reign of Suhadeva and defeated him. Prime Minister of Ramachandara took an advantage and took over power and appointed Rinchan as his administrator, who later took charge as ruler of Kashmir in 1320. Ramachandara's son Ravachandara was appointed by Rinchan as his chief advisor and administrator of Ladakh. Rinchan married with Ramachandara's daughter Kota Rani, converted to Islam with 10,000 people and changed his name to Sadruddin Shah after meeting with Islamic Scholar Bulbul Shah. Sadruddin Shah was assassinated in 1323 and buried near Bud Masheed. Kota Rani married with Udayanadeva and had two sons (i) Haidar Khan from Sadruddin Shah, and (ii) Bhatta Bhikshana from Udayanadeva. Kota Rani did a lot of social works for people of Jammu and Kashmir including development of Kutte Canal in Srinagar City. She and her husband Udayanadeva died in 1339 and Shah Mir came into power and established Shah Mir Dynasty in 1339. Shah Mir died in 1342. Jamshed and Alauddin were two sons of Shah Mir ruled over Kashmir from 1342 until 1354. Later Shihab-ul-Din and Qutub-ul-Din were two sons of Alauddin ruled over Kashmir from 1354 until 1389. Sikandar ruled over Kashmir from 1389 until 1413. He made efforts to convert Hindus into Islam. Alishah was the son of Sikandar who ruled over Kashmir from 1413 until 1419 as power was designated to his brother Shahi Khan with the support of army chief Jasrat Khokar. Shahi Khan ruled over Kashmir from 1419 until 1470. His sons Adam Khan and Bahram Khan rebelled against him but they were unsuccessful. Haidar Khan took over power and ruled over Kashmir for two years from 1470 until 1472. Later, Hassan Shah ruled over Kashmir from 1472 until 1482. Thereafter, Ibrahim Shah, Fateh Shah and Nazuk Shah struggled for power in Kashmir until 1535 and later Ismail Shah and Habib Shah ruled over Kashmir until 1561 when Shah Mir Dynasty was demolished by Mughal Empire while conquering Kashmir in 1586 during the reign of Akbar (Hasan, 1959; Siddiqui, 1991)

Mughal dynasty of Kashmir started in 1586 when its army captured major parts of Kashmir in the reign of Akbar. First Pani-put battle took place between Mughal army and Lodhi army in which Mughal army won as Ibrahim Lodhi was killed in the battle on 21st April 1526. Mughal Empire came into being in India with the entrance of Baber, who ruled over India from 1526 until 1530. He defeated Rana Sanga in the battle of Khanwa in 1527. General Mustafa Rumi and Commander Ali Quli were two notables of Mughal army in that battle. Baber died in 1530 and buried in Kabul, Afghanistan. Thereafter his son Humayu ruled over India from 1530 until 1556 as during his tenure, Sher Shah Suri captured India and ruled over India from 1540 to 1545 and his son from 1545 until 1554 when power was recaptured by

Hamayu. Sher Shah Suri was a commander in Mughal army under Baber and later appointed governor of Bihar. In the reign of Humayu, he captured Bengal and later Delhi and came into power in India. He (i) introduced currency notes, (ii) reorganized postal system, (iii) extended Grand Trunk Road from Kabul to Bengal, (iv) built Purana Qila fort in Delhi and was killed in 1545 while leaving his son to succeed him. Islam Shah was son of Sher Shah fought with his elder brother Adil Khan in which he won the battle and Adil Khan fled and never seen again. Humayu attacked once during the reign of Islam Shah but the attack was unsuccessful as Islam shah died in 1554 and his son Feroz Shah became ruler and later killed by nephew of Sher Shah Adil Shah. Adil Shah appointed Hemu as his Prime Minister. Hemu was a non-Muslim Hindu, fought over 22 battles with Mughal army and won all of them and at last won the battle of Delhi in 1556 and became de facto king Vikramaditya. Second Pani-put war held between Hemu and Mughal army of Humayu on 5th November 1556. Mughal army was commanded by Ali Quli Khan, Sikander Khan and Abdullah Khan. Army of Hemu was commanded by Hemu himself with General Ramaiya on his left side and Shadi Khan Kakar on his right side. He was about to win the war, suddenly an arrow came and hit on his eye, a fear of loss spread among his army personals and suddenly 5000 soldiers of his army were killed as Mughal recaptured India by winning the war. Humayu regained power and remained ruler of India until his death in 1556. He was considered a perfect man due to his devotion for people of the area (Bhardwaj, 2000; Smith, 1916).

Akbar was crowned in 1556 AD after death of his father Humayu. Akbar introduced mix principles of Islam and Hinduism to seek support of non-Muslims in India. Mughal dynasty tripled in size during his tenure. Kashmir came into territorial jurisdiction of Mughal Empire in the reign of Akbar in 1586. Non-Muslims were given administrative posts in his tenure as Muslim Jurists were not happy with him. Akbar ruled over India from 1556 until 1605. The East India Company was established in 1600 AD during the reign of Akbar as his son Jahangir gave permission to British Traders in 1609 to trade in Indian sub-continent. Jahangir married to a widow of Ali Kuli Beg who was given the title of Nur Jahan in 1611. She ordered Prince Khurram to go and defend Khandar but he refused to go to a battle field in a fear that she may support her son in law Sheryar in his absence thus Khandar was lost. Jahangir ruled over India from 1605 until his death in 1627 and buried in Shahdara Bagh, Lahore. Prince Khurram took power with a title of Shah Jahan. Khurram was third son of Jahangir and built famous Jamia Masjid New Delhi in 1656. Shah Jahan married with step daughter in law of Nur Jahan Arjumand Banu known as Mumtaz Mahal. Taj Mahal was built in her memory by her husband Shah Jahan. Construction of Taj Mahal started in 1632 and completed in 1653. Mumtaz Mahal died while giving birth to 14th child of Shah Jahan in 1631. Shah Jahan got ill in 1658 and confined by his son Orangzaib Alamgir in Agra Fort where he died in 1666. After death of Mumtaz Mahal, her daughter Jahanara Begum became imperial princess of Mughal Empire. Jahanara Begum was born in 1614 and died in 1681 at the age of 67 as she and her sister Roshanara Begum never married because there was a ban imposed by Akbar on marriages of Mughal Princess. Jahanara Begum devoted herself for care of his father at Agra Fort until his death in 1666. Orangzaib Alamgir took charge as ruler of India in 1658. Alamgir was a prominent and strong ruler expanded Mughal Empire into its largest expansion. He compiled Legal Opinions of Hanafi School of thought in a book Fatawa Aalamgiria. Badshahi Masjid Lahore built during his reign in 1673. Orangzaib Alamgir died in 1707, thereafter Mughal Empire ruled by weak rulers approximately 13 rulers came after him and they all indulged in luxuries and people of India were in a difficult situation at that time because of war between the East India Company and Mughal Empire. Mughal Army was defeated by Durrani Tribes of Afghanistan in 1751 as they ruled over Kashmir for 70 years until Sikh Empire was

established by Ranjit Singh and Kashmir was accessed to Sikh Empire in 1820 (Prashad, 1931; Richards, 1995).

Durrani dynasty established in 1747 in major parts of modern day Afghanistan and Pakistan. Durrani dynasty started in Kashmir in 1751 until Kashmir was taken over by Sikh Empire in 1820. Ahmad Shah Abdali took over Afghanistan in 1747. Ahmad Shah Abdali is the founder of Durrani Empire and the founder of modern day Afghanistan, died in 1772. Third battle of Pani-put took place between Maratha Hindus and Durrani Muslims on 14th January 1761. Ahmad Shah Abdali came with his army on the request of Islamic Scholar Shah Waliullah as the battle won by Durrani Muslims. Ahmad Shah Abdali was succeeded by his son Timur Shah Durrani, who died in 1793 and was succeeded by his son Zaman Shah Durrani who ruled until 1800 when he was imprisoned by his brother Mahmud Shah Durrani until his death in 1840. Mahmud Shah ruled from 1801 until 1803 and later from 1809 until his death in 1840. His step brother Shuja Shah Durrani ruled from 1803 till 1809 and then from 1817 until his death in 1842. Three wars were fought between the East India Company and Afghanistan. First war took place in 1839 until 1842, which was won by the East India Company. Second war took place from 1878 until 1880, which was also won by the East India Company. Third Anglo Afghan war took place in 1919, which was won by Afghans and it was agreed between the Government of Afghanistan and the East India Company that current territories of Afghanistan would remain an independent state (Durrani, 2016; Fremont, 2014).

Kashmir came under administrative control of Sikh Empire in 1820. Sikh Empire was established by Ranjit Singh in 1799 as region of Kashmir was added to Sikh Empire in 1820 and continued to be under its control until 1846. Ranjit Singh died in 1839 and his son Kharak Singh became leader of Sikh Empire after him but poisoned to death after one year in 1840 and Nau Nihal Singh became next leader of Sikh Empire in 1840. Two wars took place between the East India Company and Sikh army in between 1846-1849. Treaty of Lahore solemnized between Sikh Empire and the East India Company on 9th March 1846 and Sikh Empire ceased to exist at the end of Second Anglo Sikh War in 1849. The region of Kashmir was given to Gulab Singh in 7.5 million rupees under Treaty of Amritsar solemnized on 16th March 1846 (Karl, 2012; Lawrence, 1878)

Dogra Rule established over Kashmir under Treaty of Amritsar solemnized between Gulab Singh and the East India Company. Kashmir was given to Gulab Singh in 7.5 million of Nanak Shahi Rupees. Gulab Singh died in 1857 and his son Ranbir Singh acceded his father and ruled over Kashmir until his death in 1885. Ranbir Singh is succeeded by his son Pratap Singh and his nephew Hari Singh succeeded him in 1925 who was the last ruler of Dogra Rule. Indian Independence Act was passed in 1947 by British Parliament demolished treaties signed by British Indian Empire with other states. Section 7 of Indian Independence Act 1947 states that suzerainty of his majesty over Indian States lapses with all treaties and agreements in force at the date of passing of this Act between his majesty and rulers of Indian States. Treaty of Amritsar ceased to exist on 15th August 1947, thenceforth declaration of accession signed by illegal ruler of Kashmir Hari Singh to accede Kashmir to India does not have any effect whatsoever in the book of law (Ian Talbot, 2009)

Independent states Pakistan and India established under Indian Independence Act 1947. One Governor General could be appointed for both dominions. Mount Batten wanted to become Governor General of Pakistan and India. Pakistan refused to appoint him as its first Governor General and Muhammad Ali Jinnah took oath on 11th August 1947 as first Governor General of Pakistan. Mountbatten pressurized Redcliff Line Commission to put Muslim populated areas to Indian state thus Kashmir dispute started. Pakistan and India have fought three major wars and many small conflicts since 1947. Two constituent assemblies were

formed for making of new constitution as well as for making new laws and amending existing laws of British India. From 1947 onwards, assent of King/Queen has no weighed in Indian Subcontinent as British Parliament cannot legislate for Indian subcontinent and office of the Secretary of State of India dissolved and all agreements solemnized between British Indian State with other states ceased to have effect (Chandra, 2000; Menon, 2015).

Pakistan has been supporting struggle of oppressed people of Kashmir started from 22nd October 1947. India call them terrorists as the Supreme Court of India stated that all persons are innocent unless proven guilty and nobody has right to call someone terrorist without proving an allegation of terrorism. The Supreme Court of India dismissed petition filed by advocate M. L. Sharma, against Separatist Leaders of Jammu and Kashmir. Petitioner alleged that separatist leaders of Kashmir are terrorists hence their funding should be stopped. Justice Misra stated that all persons are innocent unless proven guilty, it is not good to call someone terrorist before conviction (Catherine, 2016; Venkatesan, 2016).

Wars and Conflicts between India and Pakistan

Three major wars have taken place between India and Pakistan. Further Siachen and Kargil Conflicts. First war started on 22nd October 1947 and ended in a ceasefire agreement enforced since 1st January 1949. Second war started on 6th September 1965 and went on for 17 days, ended in a Tashkent Declaration on 10th January 1966. Third war took place between India and Pakistan on East Pakistan issue, resulted in establishment of Bangladesh on 16th December 1971. India captured Siachen Glacier on 13th April 1984 and never withdraw while Pakistan did same practice in Kargil in May 1999 and withdrew its troops under pressure (Richards, 1991; Schofield, 2003)

Hari Singh wanted to suppress Muslim majority population of the region and ordered security forces to kill rebellions who came out against illegal ruler in Kashmir. Muslims of tribal areas of Pakistan and other parts of the region entered Kashmir to support oppressed people against oppression of illegal ruler of the region. Hari Singh wrote a letter to the Governor General of India to help him and interfere. Mountbatten put a condition that if Hari Singh accedes Kashmir to India then India would interfere. Hari Singh did not have power to accede Kashmir into India as he ceased to be the ruler of Kashmir under section 7 of Indian Independence Act 1947. Somehow, he acceded Kashmir to India and Mountbatten stated that accession would only completed if people of Kashmir themselves decide in favor of India after its clearance from belligerents (Jha, 1996; Rizvi, 1995).

Indian troops entered Kashmir on 26th October 1947 and India raised issue of Kashmir in the UN while asking for mediation. The UN passed Resolution 38 on 20th January 1948, offered mediation and proposed 3 members committee; one member to be appointed by Pakistan, one by India and third would be appointed by two states. Purpose of the committee would be to suggest the UN what course of action would be suitable to resolve Kashmir dispute. United Nations Commission for India and Pakistan (UNCIP) established to mediate India and Pakistan on Kashmir hence Ceasefire Agreement solemnized between India, Pakistan and the UN on 27th July 1949 (Schofield, 2003; Varshney, 1991).

On 21st April 1948, the UN passed Resolution 47 as per which Pakistani troops were required to evacuate Jammu and Kashmir while Indian troops could remain in the region. A ceasefire took place between India and Pakistan effected from 1st January 1949 undersigned General Gracey on behalf of Pakistan and General Roy from Indian. Karachi Agreement solemnized on 27th July 1949 at Karachi, Pakistan signed by Major General J. Caw-thorn from Pakistani, Satyawant Mallannah from Indian and Hernando Samper, M. Delvoie signed from the UN. The UNCIP demolished without completion of its task to mediate India and Pakistan to

resolve Kashmir dispute. The United Nations Military Observer Group for India and Pakistan (UNMOGIP) established to monitor ceasefire line demarcated under Karachi Agreement (Bose, 2009; Ganguly, 1999).

India violated Karachi Agreement 1949 and attacked Lahore, Pakistan on 6th September 1965 while violating Ceasefire Line established under it. It was a second major war between India and Pakistan after 1947. Indian troops crossed International borders on 6th September 1965 and war went on for 17 days and finished on 23rd September 1965. Later, Tashkent Declaration was signed on 10th January 1972 in which both countries agreed to went back to actual Ceasefire Line location according to Karachi Agreement 1949 (Makeig, 1987; Musa, 1983).

East Pakistan converted to Bangladesh due to political inconvenience between major political parties of East and West Pakistan and bad administrative decisions by President General Yahya Khna. Awami League won majority seats in East Pakistan general elections of 1970 while Pakistan People's Party won majority seats in West Pakistan. Yahya Khan delayed transfer of power as political parties played their tactics in their support to gain power. Awami League chanted for separation of East Pakistan into Bangladesh on 25th March 1971. Operation Searchlight took place from 26th March 1971 to 25th May, 1971 to evacuate insurgents as Indian Army trained Mukti Bahani fought with Pakistani Military Forces. Pakistan tried to engage India into western border and launched air strikes under Operation Chengiz Khan on 3rd December 1971 to incite India to fight in western front, resultantly a full fledged war, ended in surrender of Pakistan Army. Shimla Agreement solemnized between India and Pakistan on 2nd July 1972 which converted Ceasefire Line into Line of Control (LOC) as both parties agreed to respect Line of Control (Bremner, 1999). Delhi Agreement took place between Pakistan, India and Bangladesh on 28th August 1973 to send back surrendered prisoners of Pakistan Army to Pakistan. India violated Line of Control on 13th April 1984 by capturing Siachen Glacier and Pakistan did same practice by capturing Kargil hills in May 1999. India still holds Siachen Glaciers while Pakistan have given back Kargil hills and went back to actual position of Line of Control (Ganguly, 2013; Richard, 1991)

It was agreed between India and Pakistan under Karachi Agreement 1949 and Shimla Agreement 1972 that Ceasefire Line would be respected by both sides and no side unilaterally seek to alter it but India launched Operation Meghdoot on 13th April 1984 and violated Karachi and Shimla agreements while unilaterally altered Line of Control and still holding Siachen Glaciers. Pakistan captured Kargil hills in May 1999. India asked help from USA. The Prime Minister of Pakistan was pressurized by the President of USA to withdraw back to actual position of Line of Control. Pakistan Army withdrew thus Kargil hills were recaptured by Indian troops (Riedel, 2002; Ganguly, 2008)

Conclusion and Recommendations

Kashmir is a region in South Asia bordering Pakistan, India and China. 80% of the population of Kashmir is Muslims. Pakistani Kashmir is consisted of Azad Kashmir and Gilgit-Baltistan. According to Karachi Agreement 1949 and Shimla Agreement 1972, India was bound to observe Ceasefire Line/ Line of Control but it violated Line of Control on 13th April 1984 and captured Siachen Glacier. Indian Kashmir includes Kashmir Valley, Jammu and Ladakh. Chinese part of Kashmir includes Askai Chin and Trans Karakoram Tract. Ladakh is a disputed territory between India and China including Indian State Arunachal Pradesh. Sino-Indian war took place between India and China from 20th October 1962 until 21st November 1962. China convincingly won the war but unilaterally withdrew from occupied territories. Pakistan and China had a small mapping dispute over Trans Karakoram Tract which was

resolved through negotiations by foreign ministers of both countries and Sino-Pakistan Frontier Agreement solemnized on 2nd March 1963.

As per stated facts and issues, it is highly recommended that UN Resolutions of 20th January 1948 and 21st April 1948 should be implemented in a true sense and mediation should be made by the UN between India and Pakistan on Kashmir dispute to resolve it permanently to spread peace and prosperity in South Asia. It is also recommended that publicist should be organized in Kashmir as per promises made by the first Governor General of India Mountbatten and affirmed by resolutions of the UN. It is also recommended that voice of 80% Muslims of Kashmir should be heard against illegal occupation of India.

It is also suggested that freedom movement of Kashmir should be respected by world powers as oppressed people should be protected against oppressors. It is also recommended that UN observers and fact-finding missions should be sent to Indian Occupied Kashmir as killings of freedom fighters and innocent Kashmiri children and women are increasing day by day. It is also recommended that International Community should find truth behind false accusations of India about Kashmir and its freedom struggle and India should be forced to stop inciting violence in the region.

References

- Wolpert, S. 1993. *Zulfi Bhutto of Pakistan: His Life and Times*, Oxford University Press, United States of America.
- Zaidi, S. A. 2005. *The Political Economy of Decentralisation in Pakistan*, NCCR North-South, Islamabad, Pakistan.
- Alam M. S. 2016. Kashmir Conflict between India and Pakistan: A Realist Perspective. *Journal of Asian and African Social Science and Humanities*, 2 (1): 13-23.
- Ankit, R. 2016. *The Kashmir Conflict: From Empire to the Cold War*. Routledge, USA. 1945-66.
- Behera, N. C. 2016. The Kashmir Conflict: Multiple Fault Lines. *Journal of Asian Security and International Affairs*, 3 (1): 41-63.
- Bose, S. 2009. *Kashmir: Roots of Conflict, Paths to Peace*, Harvard University Press, United States of America.
- Bhardwaj, K. K. 2000. *Hemu: Napoleon of Medieval India*, Mittal Publications, New Delhi, India.
- Bremner, J. 1999. Bloodshed in Kashmir. *Peacekeeping & International Relations*, 28 (5/6): 11.
- Catherine, C., et al. 2016. Innocent until Proven Guilty. *Mathematics Teacher*, 109 (9): 686-692.
- Chandra, B. 2000. *India after Independence: 1947-2000*. Penguin Books, United Kingdom.
- Durrani, A. S. 2016. Durrani Empire. *The Encyclopedia of Empire*.
- Devereux, D. R. The Sino-Indian War of 1962 in Anglo-American Relations. *Journal of Contemporary History*, 44 (1): 71-87.
- Fremont, G. 2014. *The Anglo-Afghan Wars 1839-1919*. Bloomsbury Publishing, United Kingdom.
- Ganguly, S. 2013. *Conflict unending: India-Pakistan tensions since 1947*. Columbia University Press, New York, USA.
- Ganguly, Š. 1999. *The Crisis in Kashmir: Portents of War, Hopes of Peace*. Cambridge University Press, USA.
- Huttenback, R. A. 1961. Gulab Singh and the Creation of the Dogra State of Jammu, Kashmir, and Ladakh. *The Journal of Asian Studies*, 20 (04): 477-488.
- Hasan, M. 1959. *Kashmir under the Sultans*. Aakar Books, Delhi, India.
- Hasan, K. S. 1956. Plebiscite in Kashmir: Indian Commitments. *Pakistan Horizon*, 9 (1): 24-29.
- Ian, T., et al. 2009. *The Partition of India*. Cambridge University Press. New York, USA.
- Jha, P. S. 1996. *Kashmir, 1947: Rival Versions of History*. Oxford University Press. New Delhi, India.
- Karl, A. H., et al. 2012. *Travels in Kashmir and the Panjab: Containing a Particular Account of the Government and Character of the Sikhs*. Cambridge University Press. New York, USA.
- Lyon, P. 2008. *Conflict between India and Pakistan: an Encyclopedia*, ABC-CLIO, United States of America.
- Lawrence, A. J. H. 1878. *Commentaries on the Punjab Campaign, 1848-49: Including Some Additions to the History of the Second Sikh War, from Original Sources*, WH Allen, UK
- Menon, V. P. 2015. *Transfer of Power in India*. Princeton University Press, India.

- Makeig, D. C 1987. War, No-War, and the India-Pakistan Negotiating Process. *Pacific affairs*, 60 (2): 271-294.
- Musa, M.1983. *My Version: India-Pakistan War, 1965*. ABC Publishing House; Wajidalis, Lahore, Pakistan.
- Puri B., *Kashmir towards Insurgency*, Orient Longman, New Delhi, India, 1993.
- Prashad, I. 1931. *A Short History of Muslim Rule in India*, the Indian Press Limited, Allahabad, India.
- Riedel, B. 2002. American Diplomacy and the 1999 Kargil Summit at Blair House. Policy Paper Series. United States of America, the Center for the Advance Study of India, 1: 10-14.
- Rizvi, G. 1995. Nehru and the Indo-Pakistan rivalry over Kashmir 1947-64. *Contemporary South Asia*, 4 (1): 17-37.
- Richards, J. F. 1995. *The Mughal Empire*. Cambridge University Press, United Kingdom.
- Richard, S. *et al.* 1991. *War and Secession: Pakistan, India, and the Creation of Bangladesh*, University of California Press, United Kingdom.
- Sumit, G., *et al.* 2008. *Nuclear Proliferation in South Asia Crisis Behaviour and the Bomb (Chapter 6: The Kargil War)* Routledge, United Kingdom.
- Schofield, V. 2003. *Kashmir in Conflict: India, Pakistan and the Unending War*. IB Tauris, London & New York.
- Siddiqui, A. 1991. Muslims of Tibet. *The Tibet Journal*, 16 (4): 71-85.
- Smith, V. A. 1916. The Death of Hemu in 1556, After the Battle of Panipat. *The Journal of the Royal Asiatic Society of Great Britain and Ireland*, 527-535.
- The Shimla Agreement. 1972. Pakistan - India.
- The Indian Independence Act. 1947. United Kingdom.
- Venkatesan J. 2016. Hurriyat Conference Leaders Not Terrorists, Says Supreme Court. *The Deccan Chronicle*.
- Varshney, A. 1991. India, Pakistan, and Kashmir: Antinomies of Nationalism. *Asian survey*, 31 (11): 997-1019.
- Wani, H. A. 2013. Understanding Kashmir Conflict: Looking for its Resolution. *SUSURGALUR*. 1 (2).
- Wirsing, R. G. 1998. *India, Pakistan and the Kashmir Dispute: on Regional Conflict and Its Resolution*, St. Martins Press, New York, USA.



This work is licensed under a [Creative Commons Attribution-NonCommercial 4.0 International License](https://creativecommons.org/licenses/by-nc/4.0/).