

UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/7095
20 January 1966

ORIGINAL: ENGLISH

LETTER DATED 20 JANUARY 1966 FROM THE ACTING PERMANENT REPRESENTATIVE
OF INDIA ADDRESSED TO THE SECRETARY-GENERAL

I have been instructed by my Government to refer to the letter of 21 December 1965 from the Permanent Representative of Pakistan (S/6985) and to say that India is not contravening any provisions of the Indus Waters Treaty, 1960, and is willing, despite various difficulties, to co-operate further with the Government of Pakistan as would be observed from the enclosed note delivered on 20 January 1966 to the Pakistan High Commission in New Delhi in reply to the note from the Pakistan Foreign Ministry dated 14 December 1965, which has been attached by the Permanent Representative of Pakistan to his letter of 21 December 1965.

I shall be grateful if this letter and its enclosure is circulated as a Security Council document.

Please accept, etc.

(Signed) K. NATWAR SINGH
Acting Permanent Representative of India
to the United Nations

Copy of letter dated 20 January 1966 from the Ministry of External Affairs, Government of India, New Delhi, addressed to the High Commission of Pakistan in India

The Ministry of External Affairs, Government of India, presents its compliments to the High Commission of Pakistan in India, and with reference to the Ministry of Foreign Affairs, Government of Pakistan note No. 1(4)-13/10/65 dated 14 December has the honour to state as follows:

2. Paragraph 7 of Annexure "H" to the Indus Waters Treaty, 1960, requires Pakistan to place indents for their C.B.D. channels which are entitled to receive supplies only in the period from 21 September to 10 April every year. The purpose of placing indents is to indicate the requirements of water for each of the channels and obviously India could not assume the requirements of water in Pakistan. Such indents have been placed by Pakistan every year in the past with reference to paragraph 7 of Annexure "H" to the Treaty. Furthermore, the indents have at times been modified by Pakistan. In paragraph 2 of the note from the Ministry of Foreign Affairs, Government of Pakistan, it has been stated that indents could not be placed due to the disruption of communications between India and Pakistan in September 1965. In this connexion, the Government of India observe that the Government of Pakistan had sent a communication to the Government of India, under paragraph 64 of Annexure "H", towards the end of September 1965, through the World Bank when the communications between the two countries were in a state of disruption. Furthermore, channels of communication through the diplomatic missions of India and Pakistan in the respective countries were always available.

3. Paragraph 20 of Annexure "H" to the Treaty provides as option to Pakistan to have the supplies due for the C.B.D.C. to be released into the Ravi river below Madhopur. This option, however, has to be exercised before 30 September preceding and, thereafter, India has no obligation to make deliveries to these channels from 1 April succeeding, for the remaining part of the transition period. This option has not so far been exercised by the Government of Pakistan.

Keeping particularly in view the happy conclusions reached recently at Tashkent between the Prime Minister of India and the President of Pakistan and as a measure of goodwill and co-operation, the Government of India would, on

/...

receipt of indents from Pakistan, be glad to ensure safe passage of water through these channels in the area under their de facto control in the current Rabi season, till the date of withdrawal of the armed personnel of the two countries.

4. The Ministry of External Affairs again points out that due to the heavy shelling of the Ferozepore headworks during September 1965 and the cease-fire violations in that area even after the cease-fire, the regulation of the supplies at Ferozepore was rendered extremely difficult and at times even impossible. In spite of these difficulties, the Government of India have continued to honour their obligations under the Treaty.

5. With regard to the suggestion made in paragraph 5 of the Pakistan note under reply, it may be stated that the Treaty provides that any question which arises between the parties concerning the interpretation or application of the Treaty, shall first be examined by the Permanent Indus Commission. If the Government of Pakistan should so desire, any such matters can be looked into by the Commission. The last meeting of the Commission was held in Pakistan in May-June 1965. As the meetings of the Commission, according to the Treaty, are to be held alternately in India and Pakistan, its next meeting can be held in Delhi at the convenience of Pakistan.

The Ministry of External Affairs avails of this opportunity to renew to the High Commission of Pakistan in India the assurances of its highest consideration.

