

via Baluchistan, in support of the exiled Afghan King, Shah Shuja-ul-Mulk, who some time before had taken refuge in Kalat State. The Khan of Kalat's co-operation was sought in the matter, which was freely given. Subsequent history of British relations with Kalat State and its Rulers has been one of friendly alliances and treaties of mutual friendship and amity throughout.

- iii) These Treaties were concluded in 1841, 1854 and 1876, and they are based on mutual friendship and alliance as between two independent and sovereign States. Besides these several Electric Telegraph Agreements were also concluded with Kalat State and the feudatory State of Lasbela, which throw further light on the nature of the relations maintained between the British Government and Kalat State. These relations are consistently described in the aforesaid Treaties and Telegraph Agreements as those of "friendship and amity between the two Governments", and the Khan of Kalat is held to be an ally - "a firm ally" - of the British Government, and "Ruler of the sovereign State of Kalat".
- iv) A reference is invited to the Treaty of 1876, which is the Treaty in force at present time. The Treaty begins with the following words: "Whereas it has become expedient to renew the Treaty of 1854 and to supplement the same by certain additional provisions calculated to draw closer the bonds of friendship and amity between the two Governments"

Article 3 of this Treaty, while binding the Khan to faithfully observe his undertakings binds the British Government "to respect the independence of Kalat".

Article 4 provides for British Agents to be "accredited by the British Government to reside permanently at the Court of the Khan" and, "on the other hand", for His Highness "to accredit a suitable representative" to the Government of India. The reasons for this exchange of representatives is given in the first sentence of this Article, which is "For the further consolidation of the friendship herewith renewed and reaffirmed between the two Governments".

(I also explained to His Highness the Chancellor that His Highness the Khan of Kalat had recently appointed me as his Representative with His Excellency the Crown Representative, under this Article of the Treaty, and that I had already had the honour of presenting my credentials to His Excellency on the 18th. of December 1946.)

In Article 6, the British Government "in recognition of the intimate relations existing between the two countries" accords its assent to the request of His Highness for the presence in his country of a detachment of British troops.

Article 7 provides for the construction by the British Government, "by previous arrangements between the British Government and the Government of His Highness", of such lines of Telegraph and Railway as may be beneficial to

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to the interests of the two Governments".

- v) Thus it will be seen that the relations between the British Government and Kalat State have along been based on mutual friendship and amity as between two independent countries, and have no other basis for their existence.
- vi) It is true that the Government of India Act of 1935 holds Kalat State as situated in India, but the State was never consulted in the drafting of this Act, nor was the State, in any way, a party to it, and, as much, in view of the clear treaty relations existing between the countries already explained, an Act passed by one Government for the administration of its own territories can have no legal effect, one way or another, in respect of the territories of the other Government. Were it not so, then it would be equally "legal" for the British Government to include Persia and Afghanistan within the borders of India by introducing a clause to that effect in one of its Acts. Nevertheless, the Khan of Kalat lodged a protest in proper quarters against what he considered to be an infringement of the Treaty of 1876. His Highness, however, got a reply, in the form a personal letter from His Excellency the Crown Representative (this letter is dated the 10th of June 1939), assuring His Highness that such re-affirmation was unnecessary and that His Excellency recognised the Treaty of 1876 as fully valid in every respect and that it would henceforth form the basis of relations between the British Government and Kalat State.
- vii) His Highness the Khan, therefore, maintains, and he is supported in this respect by the unanimous will of all his subjects (a) that Kalat State is an independent sovereign State whose relations with the British Government are based on the Treaty of 1876; (b) that its Indian associations are merely due to its connexions under the Treaty with British Government and nothing else; (c) that Kalat State being an independent State, His Highness can never agree to its being included in any form of an Indian Union; (d) that with the termination of the Treaty with the British Government, Kalat State will revert to its original position and will be free to its own course for the future; and (e) that future relations between Kalat State and India will depend entirely on the kind of treaty, if any, that may be entered into between the two countries.
- viii) His Highness, however, is most anxious to continue his friendly and amicable relations with India and will always be glad to enter into a treaty of friendship with any Government that succeeds the British Government in India, so long as the position of Kalat State as an independent and sovereign State is fully recognised and respected by the other party to the treaty.

Choose

4. As regards 2(b) above, - the question of the Leased ~~ATLAS~~ Territories - I referred to the Agreements under which these territories have been leased to the British Government.

M. S. British Government.

" All these areas originally formed part of Kalat State, and were later on, by mutual agreement with British Government, separated from the State on grounds of administrative expediency. To the best of my belief the majority of the people of these Areas desire to see some sort of Kalat State Union formed which should include their territories. Already some of their leading Sardars, notably the Sardars of Mari and Bugti tribes, and Sardar Mir Jamal Khan Laghari speaking for the Laghari tribal territory of Dera Ghazi Khan (Panjab), have approached His Highness the Khan with a formal request — the Mari and Bugti Sardars have even executed a writing to this effect — that His Highness should guide their destinies regarding the future and that their best interests lie in a union of all Baluch tribal territories under the hegemony of His Highness the Khan, who is already the recognised head of the Baluch Confederacy and is the suzerain of the Kharan and Lasbela States. His Highness the Khan, while sympathetically disposed to the overtures of the tribal chiefs and others who have approached him in this matter, is looking to the British Government for friendly advice. His Highness knows it for a fact that all Baluch Tribes, whether living in or outside Kalat State, are one in their desire to preserve their national existence and heritage and to keep themselves out of any form of Indian Union, and he is deeply anxious to see that they get a treatment which accords with their just and natural aspirations.

6. This was, more or less, the substance of my talk with His Highness the Chancellor of the Chamber of Princes. His Highness whom I found to be one of the most charming persons I have ever come across, and who listened to everything I said with the closest attention, asked me first of all if I had discussed all these matters with Sir Conrad Corfield. I replied that I had done so but not in so much detail. His Highness then told me in most sympathetic and kind terms that he entirely appreciated the position of the Kalat State and was in full agreement with the views of His Highness the Khan as explained by me. His Highness asked me to assure His Highness the Khan that he had the fullest sympathy of the Chancellor of the Prince's' Chamber and would get every possible support from him. His Highness further asked me

...to write to him.....

to write to him an informal letter stating all ~~that~~ that I had verbally explained to him. His Highness appreciated the view of Kalat State that it could not be a party to any formal negotiations conducted by the Negotiating Committee of the Chamber of Princes with the Constituent Assembly without compromising its position as an independent State as recognised and accepted by the Treaty of 1876, but advised that His Highness the Khan should keep in informal touch with him during the course of their negotiations with the Constituent Assembly. I told His Highness that His Highness the Khan would be glad to do that.

7. I returned from Bhopal with my heart full of gratitude for His Highness the Chancellor for the very kind, hospitable and courteous treatment which I received during my two days' stay in Bhopal.

8. I will write the letter called for by His Highness the Chancellor, on my return to Kalat State.

Yours Sincerely,

Sd: Muhamad Aslam.

L.C.L. Griffan, Esquire, CSI, CIE, ICS,
Secretary to the Government of India
in the Political Department, New Delhi.

Maiden's Hotel, Delhi. 7
December, 26th., 1946.

My Dear Mr Griffin,

I returned from Bhopal on the evening of the 22nd. December and called at your office on the 23rd. afternoon, but was told that you had gone out. I, however, saw Mr Wakefield and gave him a brief account of my meeting with His Highness the Chancellor of the Chamber of Princes at Bhopal. I now write this letter to give you a more detailed account of my aforesaid meeting, and at the same time apologise for this encroachment on your time.

2. I explained to His Highness the Chancellor that Kalat State had three major problems before it, namely,

- (a) the future place of the State in the world and its relations with India after the British Government has handed over the reigns of the Government of India to the Indians;
- (b) the return of the Leased Areas of Quetta, Nushki and Nasirabad to Kalat State after the termination of His Highness' Treaty with the British Government; and
- (c) the future of other Baluch tribal areas, such as Kharan and Lasbela, the two feudatory States, Mari and Bugti territories, etc.

3. Taking 2(a) first, what I submitted to His Highness the Chancellor, is more or less as follows:-

- 1) Kalat State is not, and has never been, a part of India. It is not an Indian State. Before the advent of British Government, Baluchistan, which name then only applied to the land inhabited by Baluchi tribes (which term includes the Brahuis), led an independent existence under its own Ruler, the Khan of Kalat, who in those days was known as the Khan of Baluchistan. There exists documentary evidence to show that the Khans of Baluchistan, the great ancestors of the present Ruler of Kalat State, mostly ruled over their territories independently of any foreign interference and were held in high esteem and regard as such not only by the neighbouring Rulers of Afghanistan and Persia but by the Caliph of Islam himself, who was even pleased to bestow the title of Beglar Begi (a Turkish word, meaning the 'Khan of Khans'), on the Khan of Baluchistan.
- 11) The first British contact with Kalat State takes place in the year 1838, in connexion with an expeditionary force sent by the British Government to Afghanistan

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