

Treaty of Lahore....

9th March 1846 A.D...

Culmination of Lahore/Jammu Nexus

(Dr Javed Iqbal)

In 1846, while spring was blooming in Punjab; the festival of Baishaki merely a month away, the North Indian Maharajas and Rajas had frittered away the last chance of stopping the British advance. Maharaja Ranjit Singh's death in 1839 cleared the deck for the implementation of imperial designs. The spring, a season of song and dance had a pall of political gloom over it. Within seven years of his death, successors of one eyed Ranjit Singh had put the green fields of India's granary, Punjab and the hills beyond, the upper Himalayan terrain, at the mercy of the British. Ranjit's Rani; Jindan, mother of Dilip Singh, the last successor of Ranjit Singh being merely nine years old on ascending the throne, assumed the reins of power. Rani Jindan asked the Raja of the vassal state of Jammu to negotiate the lifting of siege.

Gulab Singh negotiated the payment of one and a half crores, against the British demand of two crores as war booty. Out of it fifty lakhs were to be paid on signing the treaty; one and half crores in three instalments of fifty lakhs each. As ransom, the British were to hold territory between rivers Sutluj and Beas, until the last instalment. A jittery Rani Jindan was convinced by her courtiers that Gulab Singh was double crossing and while negotiating on behalf of Lahore had a few tricks of his own, up his sleeve. Raja Lal Singh, an adversary of Gulab Singh re-negotiated the treaty. While sticking to payment of fifty lakhs immediately, in lieu of one crore, he parted with Kashmir, taken over from Afghans by Lahore Durbar in 1819. In addition, territory between rivers Sutluj and Beas was ceded permanently. Lal Singh, in his misconceived elation thought of having killed two birds with one stone. By ceding Kashmir, saving Lahore, a crore of rupees and sandwiching Jammu between British Kashmir and Lahore's Khalsa Durbar, he thought would make it impossible for Gulab Singh to retain Jammu. Kashmir was anyway becoming difficult to hold for a weakened Lahore.

The treaty of Lahore signed on 9th March thus became the forerunner of treaty of Amritsar, a week later on 16th March 1846. Out of its sixteen articles, five are Kashmir specific; directly or indirectly. What follows is the English translation of the Persian text of Kashmir specific articles, which are four, twelve and thirteen directly, and three and five indirectly. For ease of understanding, article four precedes others.

Treaty of Lahore:

Article four:

While as the British Government sought an amount of one and a half crores, in addition to territory mentioned in article three of the treaty as compensation for losses incurred in war and confrontation and while as the Lahore Government does not have the wherewithal to come to the expectations of British Government; hence Maharaja Sahib stands to hand

over permanently to British Indian company's Government the forts and territories and legal rights of hilly country between the rivers Beas and Sindh falling towards Hazara, in addition to the country of Kashmir and Hazara instead of one crore rupees

Article three referred to in article four, reads as:

Maharaja Sahab stands to transfer the territory between rivers Sutluj and Beas permanently along with the adjacent hilly territory to Company Bhadur, with an understanding that he will have no legal rights over he said territory.

Article five:

Maharaja Sahab stands to pay on drafting the treaty, even before it, an amount of fifty lakh rupees.

Article Twelve:

In lieu of services rendered by Raja Gulab Singh in promoting friendship and understanding between the British and Lahore Government, therein proving true to his salt, Maharaja Sahab promises to accept and honour the sovereignty of Raja Gulab Singh over hilly territories that would be transferred to him by a separate treaty between the Raja and British Government, in addition to adjacent hilly terrain handed over to him by Late Maharaja Khadak Sing, which in his control ever since. British Government too stands to affirm his sovereignty over these territories and seeks to honour him by a separate treaty as a trusted ally of high and mighty British Government.

Note:

...Chamb, presently in Himachal Pradesh was handed over to Gulab Singh, by Khadak Singh. (Son of Ranjit Sing, first to succeed him) It is linked to J&K via Kishtawar. It was later detached from the state by the British.

... Maharaja Sahab in articles mentioned above refers to Dilip Singh, last of Khalsa Maharajas.

...Company Bhadur (East India Company, holding rights over India, as decreed by Royal British Government)

Article Thirteen:

In case, by any chance, a situation of conflict and confrontation arises between Maharaja Sahab and Raja Gulab Singh, the ruler of Lahore stands to refer it to authorities in 'Company Bhadur' and whatever the emissaries appointed for arbitration by Governor General decide, Maharaja Sahab, the ruler of Lahore would accept without dissent of any sort.

Gulab Singh was un-nerved when Raja Lal Singh replaced him and despatched Dewan Jawala Sahay, with the plea to spare Jammu for his children. As for him, he promised to spend the rest of his days in prayer in Jammu or be allowed to proceed to Benaras. Jawala Sahay was asked to re-assure his boss, not only would he continue to hold Jammu, but extend his rule to Kashmir. The rider placed was payment of one crore, while as earlier, he could have had it free. The speculation of Gulab Singh being in league with the British, thus stabbing Lahore in back has persisted, in spite of denials. Even if it were true, as propounded by historians like Khushwant Singh; the British, it seems, kept the adversaries in North Indian courts guessing. British re-assurances to Jawala Sahay do point to an earlier understanding. However Gulab Singh's nervousness, on being replaced by Lal Singh proves the guessing game.

As the British plan unveiled, Rani Jindan was incensed to know that far from cornering Gulab Singh, she had been checkmated. Jammu suited British designs much more than Lahore and Gulab Singh was taken a safer bet than the tottering Lahore Durbar. It was a humiliating treaty for Lahore. Maharaja of Lahore and Raja of Jammu were put on par. Gulab Singh's suzerainty was changed to sovereignty; a vassal state no more, nor even tributary to Lahore; the power base shifted to Jammu. Rani Jindan cried foul, warning of taking her appeal to royal court in London. With stiff upper lip, characteristic of Britishers, she was told that "London is her home, she would be an honoured guest, however the draft of the treaty would remain non negotiable".

On Kashmir, Gulab Singh had remained involved ever since his employment in Lahore Durbar in 1811-12. The initial incursions made by Lahore Durbar to overcome Afghans, though foiled, earned praise for Gulab Singh's daring, as well as for his brother Dayan Singh. Jagirs were awarded. In 1819, Birbal Dhar came out of Kashmir, wailing and pleading for help. Gulab Singh, heading the campaign made short work of Afghans, who were increasingly getting deprived of logistic support, as Punjab was in firm grip of Lahore Durbar. Kashmiris, subjugated ruthlessly for centuries were mostly unconcerned, as to who rules them. Only the microscopic city elite and landed gentry reacted, were they to get tax calls of too much and too often. Birbal Dhar, a wily Kashmiri Pundit was one of them. Apart from changing masters, not much changed. Muslims and Non-Muslims were however differently treated.

Handing over Kashmir was concluded on 16th March, as the political market, shifted from Lahore to Amritsar. Gulab Singh; little did he know that he had turned out to be the need of the hour, for the British. Wary of extending direct control over the difficult mountainous country, they had chosen Gulab Singh to take it over. So Britain's logistic difficulty became Gulab Singh's opportunity. The hills beyond the last bastion of plains, in his native Jammu were not unknown to the wily fox, the sobriquet used by British to describe characteristics of Gulab Singh. In a week's time, the Raja of the Vassal State

of Jammu was to become Maharaja of 'State of Jammu and Kashmir' a new political entity, which survives, in spite of tribulations, off and on.

The treaty of Amritsar has been differently viewed, in the constituent parts of the State, it brought into being. In spite of the love hate relationship; the State has survived. Periods of sibling liking rivalry have alternated with demonstration of anger; none more pronounced or prolonged, than the one, in the summer of the preceding year. Within months, it is back to as normal, as it could be. Back to bickering, on who gets what?

Gulab Singh assumed sovereign rights, over Kashmir as enshrined in article 4 of Lahore treaty, signed on 9th March. The treaty of Amritsar was drafted in Persian. Following is the English translation of the ten articles of Treaty of Amritsar. An effort has been made to stick to the original text, as far as possible.

Text of the Treaty:

This treaty was culminated between the Government of Company Bhadur and Maharaja Gulab Singh, the chieftain of Jammu, by Fredrik Kerry Barnet, Sahab Bhadur and Major Lawrence, Sahab Bhadur acting as diplomatic emissaries/ legal trustees (Persian word 'SAFARATAN' has been used what in our cultural tuning, we are apt to call 'VAKALATAN') of visionary, praiseworthy Nawab, endowed with power and titles; Rt. Honourable Sir Henry Harding Sahab Bhadur, GBC, Governor General, who is one of special consultants of; full of piety and goodness, supreme in status, Queen of Queens, Her Majesty, the Queen of England who has entrusted the Government of Company Bhadur (means 'East India Company) with administration and setting all affairs in India, small and big; holding all the power to negotiate this particular affair and Maharaja Gulab Singh, present in person ('ASALATAN' has been used a term we are familiar with, in our wedding contracts).

Article one:

The British Government hands over the country of Kashmir and Hazara and the entire mountainous region, falling between rivers Ravi and Sindh, towards Hazara, with river Sindh on eastern and river Ravi on western side including the territory of Chamb, excluding Lahul ; which was transferred and presented to British Government, by Lahore royal court, as per article four of the treaty of 9th March permanently, with total sovereign rights to Maharaja Gulab Singh's male inheritors, in order of succession.

Note:

Hazara, now forms a part of NWFP in Pakistan, it was however exchanged with Lahore Durbar, for territories to the 'East of Jhelum' within a year of signing of 'Amritsar Treaty', precisely on 25th May, 1847.

An English translation of this agreement reads as:

An agreement between Government of Maharaja Dilip Singh Bhadur and Government of Maharaja Gulab Singh Bhadur, with approval of Dewan Dina Nath and Roy Kishan Chand; trustees of Lahore court and Dewan Jwala Sahay and Qazi Mukham-ud-Din, lawyers of Maharaja Gulab Singh was placed in front of the revered Colonel; Sir Henry Montgomery Lawrence Bhadur; Agent of Governor General in Northern and Western territories and Resident of Lahore, presiding, with the power vested in him, by approval of their officials, with regard to Hazara and Kohtah, to the west of Jhelum, the territory belonging to Maharaja Gulab Singh Bhadur and towards Jammu, the territory of Lahore court, to the east of Jhelum. The agreement was conditioned; on their approval and acceptance of Grand Captain of Abbotabad, who with all the talent in his command, while keeping justice in view would examine the documents, concerning Hazara and western Jhelum to elucidate the subject and fix an yearly amount; which ought to be half of revenue after exemption, of the territory towards Jammu, to the east of Jhelum. A firm line would be drawn, which would ensure, never ever to repeat the draw or result in any misunderstanding, starting from west of river Jhelum, in the vicinity of Muzzafarabad and sticking to the mountainous reaches of Konhar waterway (Nallah in Persian) keeping it, as straight, as possible; conditioned on the opinion of the Governor General's appointee and held straight until river Sindh, so that no doubt is left regarding a complete division of territory between two States. Following this the two States should not seek to alter and dispute the division and exercise control over the territory assigned. Should ever a dispute arise, it would be placed in the court of Agent of Governor General in Northwest and Resident Lahore. A copy of this agreement with signatures of parties involved would be deposited in the offices of Lahore, Jammu and Resident Lahore.

Signed on Tuesday; 14th of Jaith/Zeith 1904, corresponding to 25th of May, 1847 A.D in Lahore by the four signatories:

Signed by:

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All the four emissaries/Trustees/Appointees (Nishana, in Persian, which could even mean deputising)

Article two:

The eastern borders of the territory transferred, as per article one of this treaty would be settled and marked by trustees of British Government and Maharaja Gulab Singh and noted in a separate agreement.

Article three:

Maharaja Gulab Singh, in exchange of territories transferred, as per the articles noted above, shall pay an amount Of 75 lakhs Nanak Shahi Rupees to Imperial British Government; 50 lakhs immediately and 25 lakhs within six months.

Article four:

The borders of Maharaja Gulab Singh's country would not be subjected to any change without consent of British Government.

Article five:

If ever incidentally, a dispute arises between Maharaja Gulab Singh and Lahore court or any one of his neighbouring states, he would take the dispute to officials of Government of Company Bhadur and whatever the settlement, the officials appointed by Governor General to look into the matter, decide on; shall be accepted by Maharaja without reservations.

Article six:

Maharaja Gulab Singh agrees on his own and on behalf of his successors; if ever the victorious British army gets an assignment to be in the mountainous country or in areas, close to territories, under his control; Maharaja, with his all his armed forces, should present himself, as and when required by British armed forces.

Article seven:

Maharaja Sahib agrees; not to take a Britisher, European or an American, in his employment, without acceptance and permission of officials of Company Bhadur.

Article eight:

Maharaja Sahib agrees to keep in view/ in consideration articles 5, 6, 7 of a separate agreement between the British Government and the Lahore Durbar, signed on 11th March 1846; in the territories transferred to him.

Note: - While as, what was signed on 9th was named a 'Treaty'; within two days, other considerations, in a rapidly changing political scenario led to an agreement. In any case, Lahore hardly had a choice on, what was being dictated by the victor to the vanquished.

An English translation of these articles reads as:

(5) British Government agrees that the Jagirs (Land holdings) of associates Late Maharaja Ranjit Singh; Late Maharaja Khadak Singh and Late Maharaja

Sher Singh (all named as Surag-bashi...residents of Paradise) whose Jagirs are located at places, which have come to be the holdings of British Government, as per articles eight and fourteen of Lahore treaty of 9th March; shall be retained by the holders and the holding deeds would not be suspended, as long as the present holders are alive.

Note:

{These Jagirs were between rivers Ravi and Sutluj and on the right bank of River Sutluj. Sher Singh succeeded his brother Khadak Singh}

(6) The Lahore court shall seek the help and cooperation of British Government, in collecting land tax, for the 'Kharif yields' of the year 1902 Bikramjit (Indian Calendar year) as well as the pending balance.

(7) The Lahore court shall be entitled to compile a list of items in their treasury, assets and stored items in the places marked in articles three and four of 9th March treaty and British Government shall be entitled to hold, whatever it deems fit, out of these items, on reasonable payment. Whatever remains, in case the Lahore court wants to, shall be put on auction, in presence of officials of British Government.

Article nine:

British Government affirms to safeguard the RAJ and country of Maharaja from external enemies.

Article ten:

Maharaja Gulab Singh, keeping in view the absolute supremacy and ultimate sovereignty of British Government; agrees to present in tribute, year after year, a high bred horse, twelve Tibetan goat woollen hides of high quality, six male and six female and a two pairs of Kashmiri Shawls.

This treaty, based on ten articles was concluded between Fredrick Kerry, Sahib Bhadur and Major Lawrence, Sahib Bhadur; on behalf of Respected and Highly titled Nawab; Rt.Honourable, Sir. Henry Hardinge, GBC; Governor General, as emissaries/trustees and Maharaja Gulab Singh; present in person.

Signed: (F.Kerry)

Signed: (H.M.Lawrence)

The takeover of Kashmir was not easy. Lahore double crossed. Article 13th of Lahore treaty was invoked, when Imam-ud-Din, the last Governor of Lahore court, resisted the takeover. The British would have none of it, enforcing Maharaja Gulab Singh's army with their own men. Resistance was subdued and Imam-ud-Din questioned. He produced three letters from Raja Lal Singh advising Governor Imam-ud-Din to stay put and resist the takeover, even at the cost of his life. He was forgiven, while as Lal Singh was exiled first to Agra and finally to Dehradun.