

Subject.—Procedure of communication between the Government of India and Pakistan and other authorities in the two Dominions.

The undersigned is directed to say that the Government of India have reviewed the existing instructions regarding the procedure of communication between the Government of India and Pakistan and other authorities in the two Dominions. In accordance with established diplomatic practice, all communications between the two independent Governments should be from the Ministry of Foreign Affairs of one to the Ministry of Foreign Affairs of the other, each Government speaking through its diplomatic representative accredited to the other Government. The Government of India are anxious that all correspondence between the Government of India and the Government of Pakistan should be made to follow the normal diplomatic practice with effect from as early a date as possible, but they realise that on grounds of practical convenience some departures from this practice are inevitable for a further period. It has accordingly been decided that the following procedure should be followed to respect of correspondence with the Government of Pakistan.

A. Correspondence between the Central Government of India and the Central Government of Pakistan.

All communications between the Central Government of India and the Central Government of Pakistan should be canalised through the Ministry of External Affairs of the Government of India. That Ministry will correspond with the Ministry of Foreign Affairs and Commonwealth Relations of the Government of Pakistan through the High Commissioner for India in Pakistan. This will however, be subject to the following exceptions:

- (a) Correspondence regarding details of implementation of the decisions of the Partition Council and the several Indo-Dominion Agreements reached between India and Pakistan and on other matters of purely administrative detail may be conducted by the Partition Secretariat, the various Ministries of the Government of India and their subordinate offices with their opposite numbers in Pakistan, provided that—
 - (1) the correspondence is routed through the High Commissioners for India in Pakistan. (Where in cases of urgency, or for other special reasons, direct correspondence is made with the authorities in Pakistan, copies of each correspondence should be forwarded simultaneously to the High Commissioner for India in Pakistan).
 - (2) Copies of the correspondence are sent to the Ministry of External Affairs, and in matters relating to partition, to the Partition Secretariat.
- (b) Where correspondence in matters regarding (a) above involves a question of policy or is of such importance that even though not involving such a question, at the initial stage may eventually lead to negotiation or a policy decision between the two Governments the channel of communication should be through the Ministry of External Affairs, except where a different method is agreed to by that Ministry.
- (c) The Ministry of Commerce may correspond with the Government of Pakistan through the Indian Trade Commissions of Karachi, on matters not involving policy, e.g., as those concerning release of imported goods detained in Faisalabad, etc. Copies of all important communications should however be sent simultaneously to the High Commissioner for India in Karachi and to the Ministry of External Affairs.
- (d) The Partition Secretariat and the various Ministries of the Government of India as well as their subordinate offices may carry on denier-official correspondence with their opposite number in Pakistan on routine matters or with a view to ascertaining the possible reactions of that Government to any view proposed on any subject, provided it is made clear in the correspondence that the views expressed therein do not in any way commit the Government of India.

B. Correspondence between Provincial Governments in India and Provincial Governments in Pakistan.

(1) The partitioned Provinces of West Bengal, Assam and East Punjab may continue up to the 31st September, 1949, to correspond direct with the corresponding partitioned Provinces of Pakistan on partition matters and on details of implementation of the several

CRIMINOLOGICAL INSIGHTS

BY

DR. MRIDUL SRIVASTAVA

Source: Govt. of India
Memorandum F. 4/49-PAK. I.

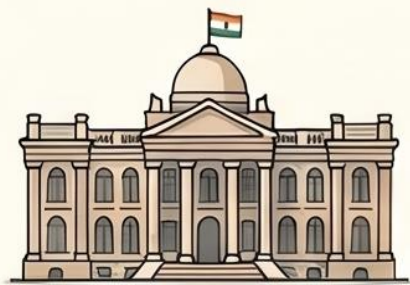
Date: April 1, 1949

Origin: Ministry of External
Affairs, New Delhi.

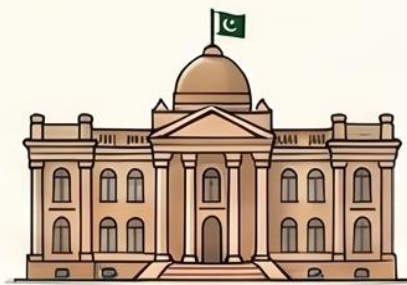
Post-Partition Protocol: Communication Procedures Between India and Pakistan (1949)

Outlining official diplomatic and administrative channels following the 1949 government memorandum for standardizing communication.

THE STANDARD DIPLOMATIC CHANNEL



MINISTRY OF FOREIGN AFFAIRS (INDIA)



MINISTRY OF FOREIGN AFFAIRS (PAKISTAN)

Ministry-to-Ministry Correspondence

Official communication must flow from the Ministry of Foreign Affairs to its counterpart.



Use of Diplomatic Representatives

Governments must speak through accredited diplomatic representatives to maintain established international practice.



High Commissioner Oversight

Correspondence regarding partition implementation must be routed through the High Commissioner for India.

ADMINISTRATIVE EXCEPTIONS AND RESTRICTIONS



PROVINCIAL DEADLINE:
30 SEPTEMBER 1949

Partitioned provinces may correspond directly on partition matters only until this date.



Demi-official Routine Matters

Ministries may contact opposite numbers directly for routine matters or to gauge reactions.



Prohibited Direct Contact

Direct communication between subordinate authorities or non-partitioned provinces is strictly forbidden.

SPECIFIC ROUTING REQUIREMENTS

Ministry of Commerce



Communication Channel: Indian Trade Commissioner at Karachi

Partition Secretariat



Communication Channel: Direct to opposite numbers (Demi-official)

Partitioned Provinces



Communication Channel: Direct to partitioned counterparts (Temporary)

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 - (4) The Ministry of Commerce may correspond with the Government of Pakistan through the Indian Trade Commissions of Karachi, on matters not involving policy such, e.g., as those concerning release of imported goods detained in Pakistan, etc. Copies of all important communications should however be sent simultaneously to the High Commissioner for India of Karachi and to the Ministry of External Affairs.
 - (5) The Partition Secretariat and the various Ministries of the Government of India as well as their subordinate offices may carry on semi-official correspondence with their opposite numbers in Pakistan on routine matters or with a view to ascertaining the possible reactions of that Government to any new proposals on any subject, provided it is made clear in the correspondence that the views expressed therein do not in any way commit the Government of India.

B. Correspondence between Provincial Governments in India and Provincial Governments in Pakistan.

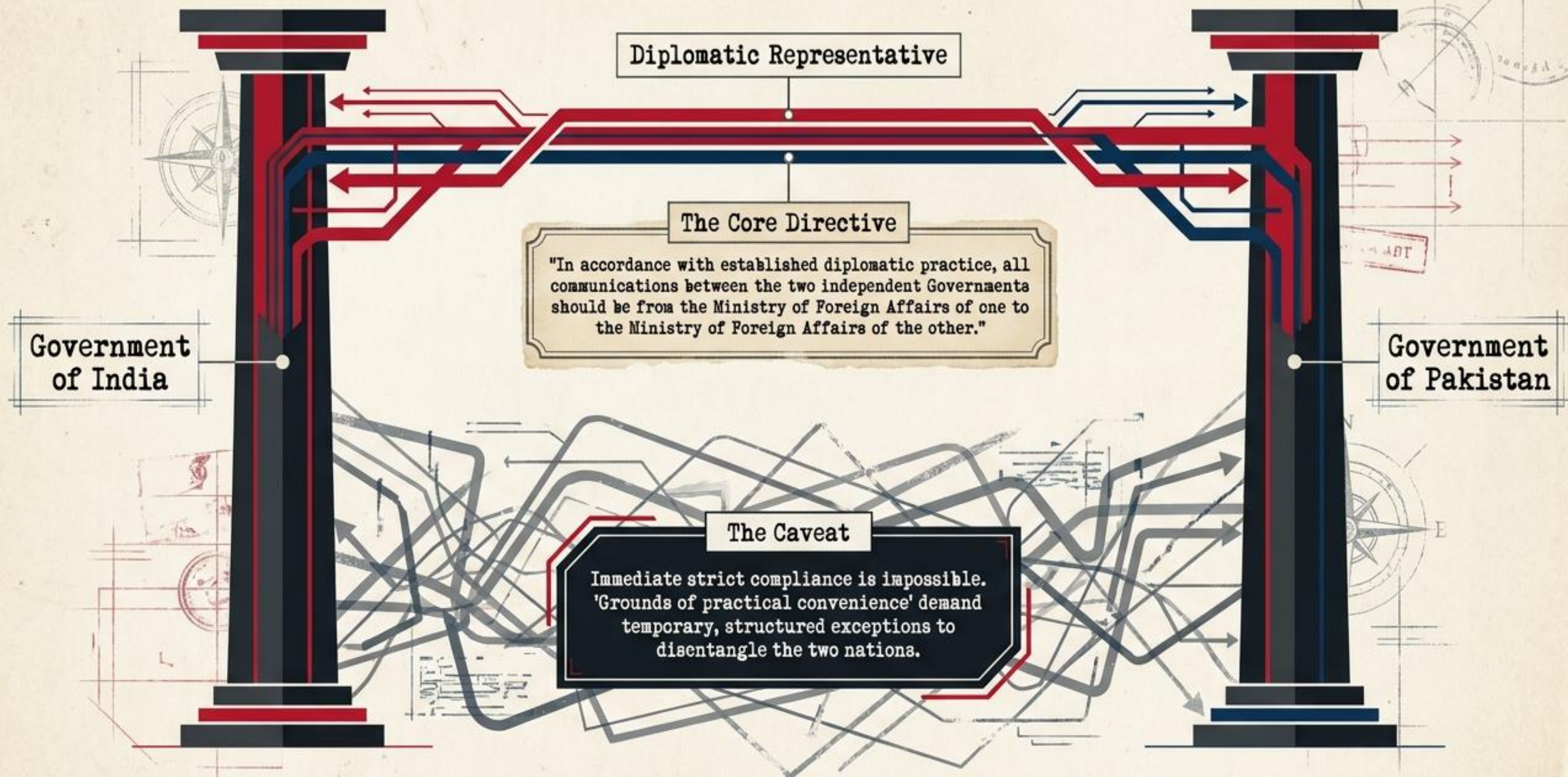
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Routing the Republics: The 1949 Communication Protocols Between India and Pakistan

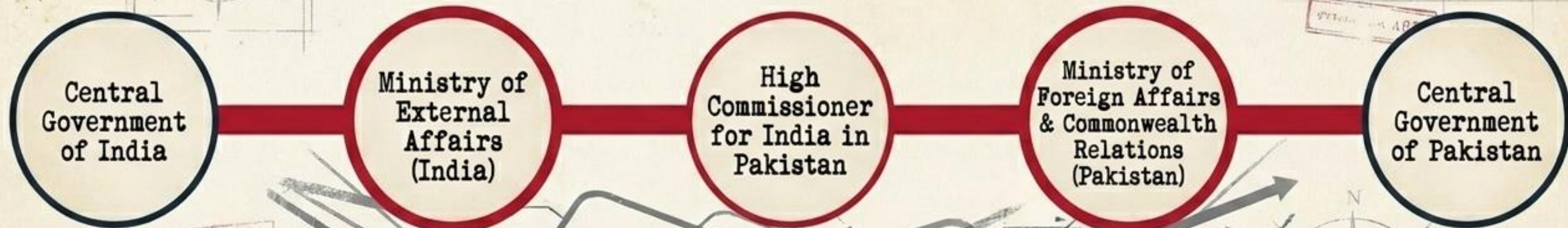
Decoding the bureaucratic blueprint for establishing sovereign diplomatic channels post-Partition.

Source: Govt. of India
Memorandum F. 4/49-PAK. I.
Date: April 1, 1949
Origin: Ministry of External
Affairs, New Delhi.

The Shift to Sovereignty

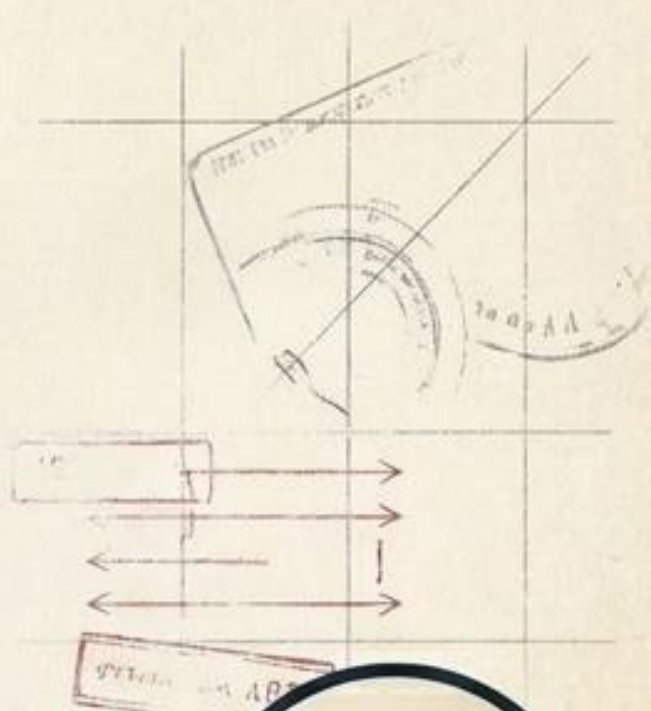


Central Government: The Default Pathway

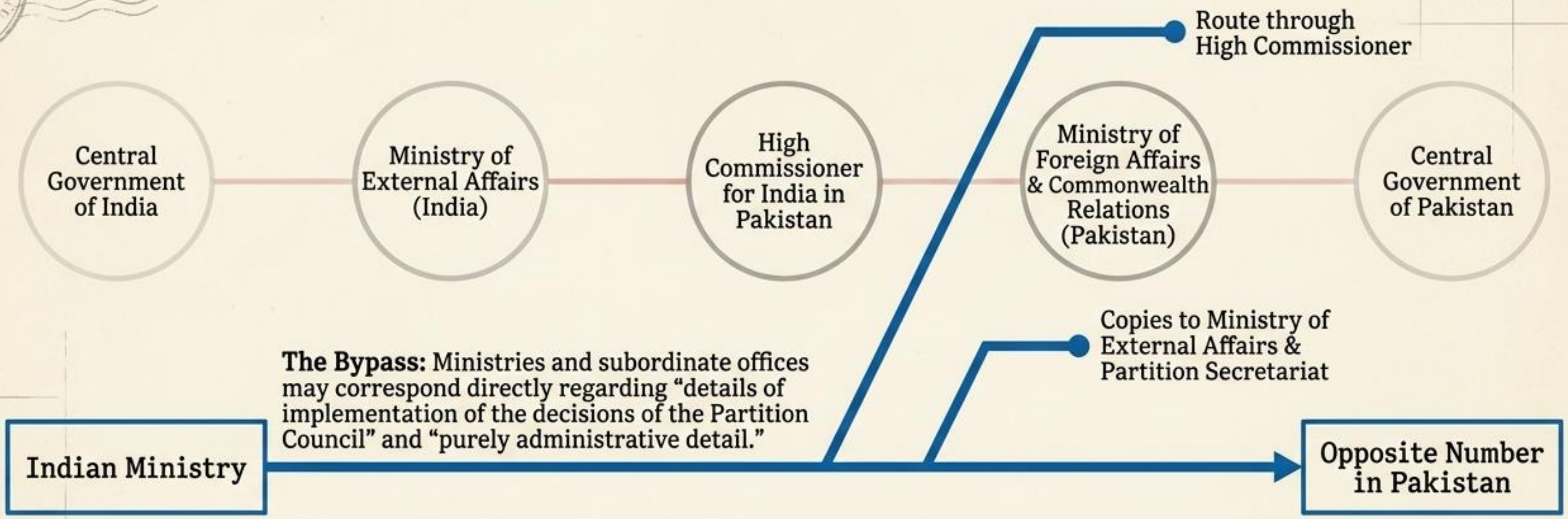


"All communications... should be canalised through the Ministry of External Affairs."

This is the foundational rule from which all subsequent exceptions deviate.

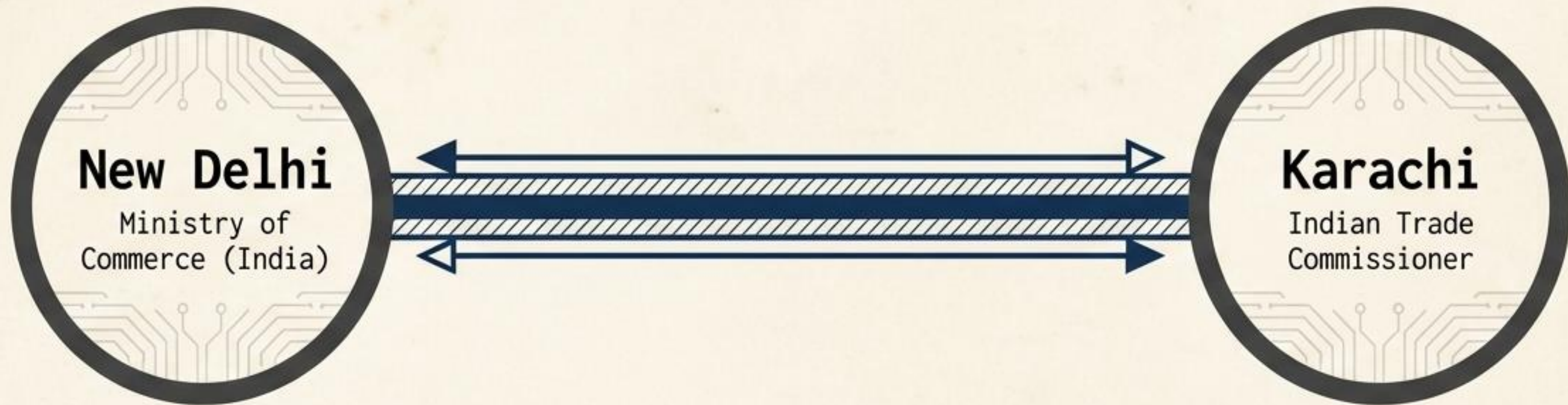


Central Exceptions: Partition Logistics (Section A.a)



The Hard Stop (Section A.b)":
If a matter involves policy or future negotiations, the exception is void. It must revert to the Ministry of External Affairs.

Central Exceptions: Commerce & Customs (Section A.c)



Scope

Strictly non-policy matters (e.g., “concerning release of imported goods detained in Pakistan”).

Required Redundancy



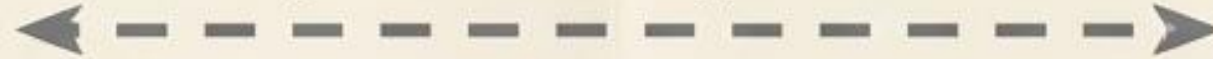
Copies of all important communications must be sent simultaneously to:

1. High Commissioner for India at Karachi
2. Ministry of External Affairs

Central Exceptions: "Demi-Official" Backchannels (Section A.d)



The Mechanism: The Partition Secretariat and various Ministries may carry on "**demi-official correspondence**" with opposite numbers.



The Purpose

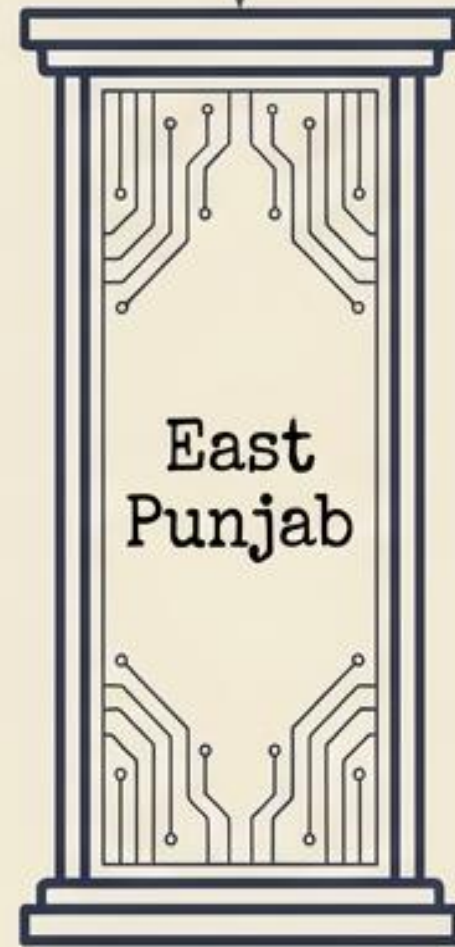
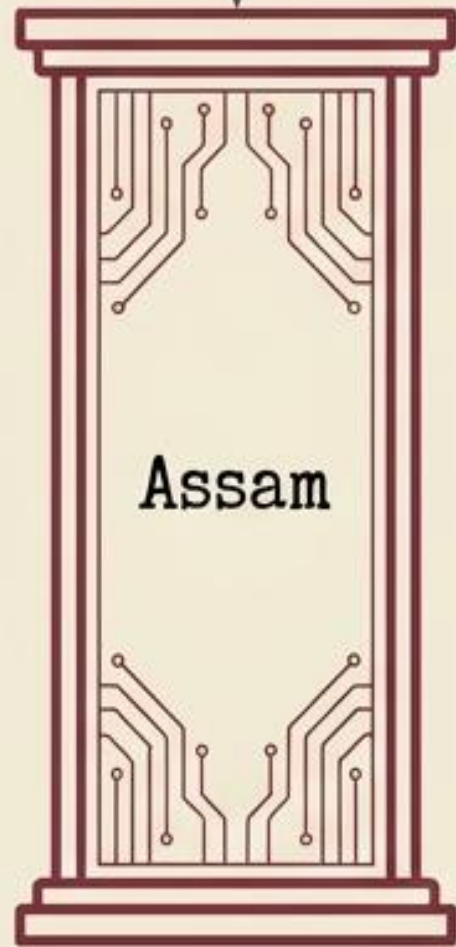
For routine matters or "ascertaining the possible reactions of that Government to any new proposals."

The Strict Legal Caveat

The correspondence must explicitly state that the views expressed therein DO NOT IN ANY WAY COMMIT THE GOVERNMENT OF INDIA.

Provincial Parameters: The Partitioned States (Section B.1)

The Rule: Authorized to correspond directly with corresponding partitioned Provinces of Pakistan strictly on partition matters and Inter-Dominion Agreements.



The Expiry Date:
30th September, 1949

Direct-line privilege expires
strictly on this date.

The Mandatory CCs

Ministry of
External Affairs

High/Deputy High
Commissioner

Partition
Secretariat

The Hard Stops: Unauthorised Channels

Restricted Access	
Non-Partitioned Provinces (India)	Non-Partitioned Provinces (Pakistan)
Blocked Path 1 (Section B.2): No direct communication across dominions unless specifically authorized by Central Govt.	
Provincial Govt	Central Govt
Blocked Path 2 (Section C): Absolute ban on diagonal correspondence between a Provincial Govt in one dominion and the Central Govt of the other.	
Subordinate Authorities	Subordinate Authorities
Blocked Path 3 (Section D): Subordinate authorities cannot communicate across dominions.	

The Sole Legal Exception

Subordinates may only cross the boundary for the 'execution of the ordinary processes of law' in accordance with Dominion agreements.



Bureaucratic Efficiency: The 'Rule of Two'

In order to save time and labour in the office of the High Commissioner... all communications routed through them for the Government of Pakistan should as a rule be sent to them in duplicate, or in the form of drafts...

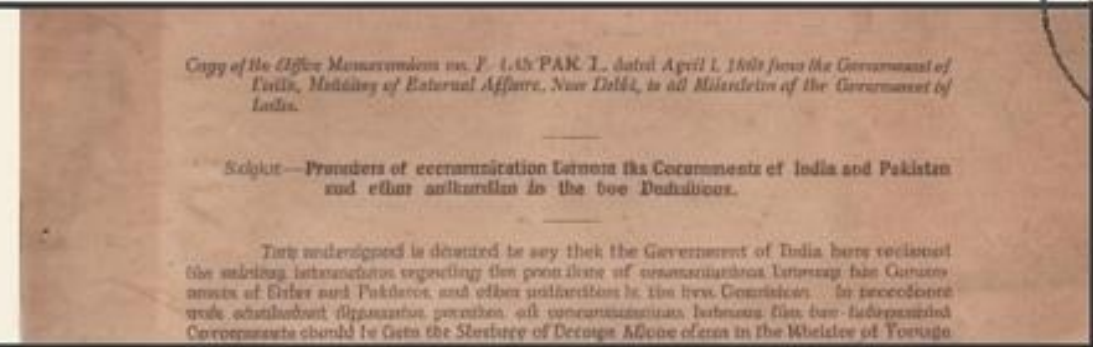


Analytical Takeaway

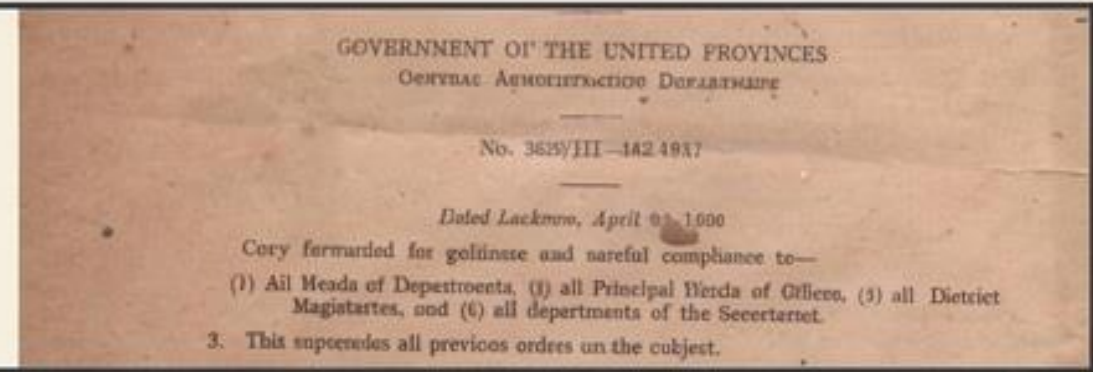
This seemingly minor procedural note reveals the immense, grinding administrative bottleneck placed upon the High Commission offices during the transition to sovereignty.

The Paper Trail: From Central Decree to Local Enforcement

Step 1: New Delhi (April 1, 1949)
Ministry of External Affairs issues the core memorandum.



Step 2: Lucknow (April 22, 1949)
The Govt of the United Provinces General Administration Dept forwards it to all District Magistrates.













Step 3: U.P. Prisons (May 25, 1949)
Office of the Inspector-General of Prisons, U.P. forwards it to all Superintendents of Jails.



Takeaway: It took nearly two months for the sovereign diplomatic protocol to reach the local jail superintendents.

Synthesis: The Post-Partition Communication Matrix

Sender Level	Receiver Level	Permitted Channel	Exception Allowed?	Required CCs
Central Govt (General)	Central Govt (General)	 via MEA	No 	None
Central Govt	Counterparts	 Direct	Yes  (Logistics/Admin)	High Comm. + MEA + Partition Sec.
Ministry of Commerce	Trade Comm. (Karachi)	 Direct	Yes  (Detained Goods)	High Comm. + MEA
Partitioned Provinces	Counterpart Provinces	 Direct	Yes  (Until Sept 30)	MEA + High Comm. + Partition Sec.
Non-Partitioned Provinces	Cross-Border Govts	None	No 	N/A
Subordinates	Cross-Border Subordinates	None	Yes  (Only ordinary law)	N/A