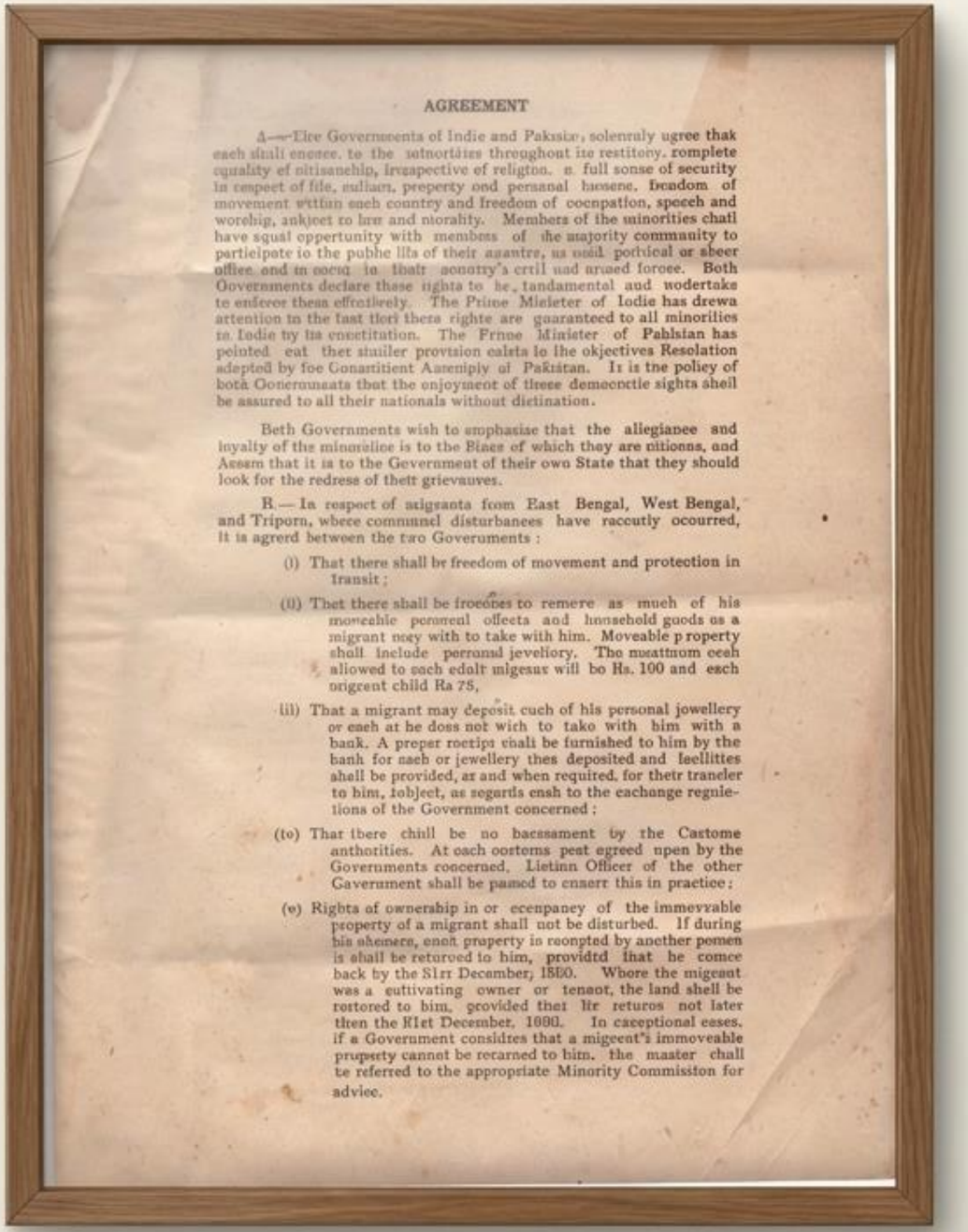


AGREEMENT

A.—The Governments of India and Pakistan, solemnly agree that each shall ensure, to the minorities throughout its territory, complete equality of citizenship, irrespective of religion, a full sense of security in respect of life, culture, property and personal honour, freedom of movement within each country and freedom of occupation, speech and worship, subject to law and morality. Members of the minorities shall have equal opportunity with members of the majority community to participate in the public life of their country, to hold political or sheer office and to occupy in their country's civil and armed forces. Both Governments declare these rights to be fundamental and undertake to enforce them effectively. The Prime Minister of India has drawn attention to the fact that these rights are guaranteed to all minorities in India by its constitution. The Prime Minister of Pakistan has pointed out that similar provision exists in the objectives Resolution adopted by the Constituent Assembly of Pakistan. It is the policy of both Governments that the enjoyment of these democratic rights shall be assured to all their nationals without distinction.

Both Governments wish to emphasise that the allegiance and loyalty of the minorities is to the State of which they are citizens, and Assam that it is to the Government of their own State that they should look for the redress of their grievances.

B.—In respect of migrants from East Bengal, West Bengal, and Tripura, where communal disturbances have recently occurred, it is agreed between the two Governments :

(i) That there shall be freedom of movement and protection in transit ;

(ii) That there shall be facilities to remove as much of his moveable personal effects and household goods as a migrant may wish to take with him. Moveable property shall include personal jewellery. The maximum cash allowed to each adult migrant will be Rs. 100 and each migrant child Rs 75,

(iii) That a migrant may deposit cash of his personal jewellery or cash if he does not wish to take with him with a bank. A proper receipt shall be furnished to him by the bank for cash or jewellery thus deposited and facilities shall be provided, at and when required, for their transfer to him, subject, as regards cash to the exchange regulations of the Government concerned ;

(iv) That there shall be no harassment by the Customs authorities. A cash customs post agreed upon by the Governments concerned, Liaison Officer of the other Government shall be posted to ensure this in practice ;

(v) Rights of ownership in or occupancy of the immovable property of a migrant shall not be disturbed. If during his absence, such property is occupied by another person it shall be returned to him, provided that he comes back by the 31st December, 1950. Where the migrant was a cultivating owner or tenant, the land shall be restored to him, provided that he returns not later than the 31st December, 1950. In exceptional cases, if a Government considers that a migrant's immoveable property cannot be returned to him, the matter shall be referred to the appropriate Minority Commission for advice.

The Delhi Pact: The 1950 Agreement on Minorities

A visual breakdown of the landmark Nehru-Liaquat agreement on migrant rights, property restoration, and communal harmony.

Signatories: Prime Minister Jawaharlal Nehru (India) & Prime Minister Liaquat Ali Khan (Pakistan).

Jawahar Lal Nehru

Liaquat Ali Khan

The Core Philosophy: Fundamental Rights of Minorities

Equality

Complete equality of citizenship, irrespective of religion.

Security

Full sense of security regarding life, culture, property, and personal honour.

Freedom

Freedom of movement, occupation, speech, and worship (subject to law and morality).

Civic Participation

Equal opportunity for public office and service in civil and armed forces.

Fundamental Guarantees: Both Governments declare these rights as fundamental and undertake to enforce them effectively.

CRIMINOLOGICAL INSIGHTS BY
Dr. Mridul Srivastava Ph.D., FISC, D.Litt.
Assistant Registrar and Faculty in Criminology
Dr. Ram Manohar Lohiya National Law University, Lucknow

ARCHIVAL DATE: 1947-08-15

The Nehru-Liaquat Pact of 1950: A Blueprint for Minority Rights

A bilateral agreement between India and Pakistan intended to protect minorities and regulate the rights of migrants following communal unrest.

8 April 1950

Signed by Prime Ministers Jawaharial Nehru and Liaquat Ali Khan, addressing the humanitarian crisis and establishing fundamental rights for citizens and protections for migrants.

Fundamental Rights of Minorities

Equality of Citizenship

Both nations guarantee equal rights, security, and participation in public life regardless of religion.

Freedom of Worship and Expression

Citizens are assured freedom of movement, occupation, speech, and worship subject to law.

State Allegiance

Minorities owe allegiance to their home state and must look to it for grievance redressal.

Administrative Implementation Bodies

Minority Commissions

Consists of one Minister and representatives of majority and minority communities.

Commissions of Enquiry

Presided over by a High Court Judge to investigate the causes of disturbances.

Joint Minority Boards

Local administrative bodies tasked with maintaining contact with minority districts.

Protections for Migrants and Restorative Justice

Freedom of Transit and Assets

Migrants may move freely with personal effects and cash up to Rs. 150 per adult.

Immovable Property Rights

Ownership remains with the migrant, with land restoration guaranteed if they return by 31 December 1950.

Measures Against Forced Conversions

Both governments refuse to rocognise forced conversions and pledge to punish those responsible.

The Principle of Allegiance

Core Principle: The allegiance and loyalty of the minorities is to the State of which they are citizens.

The Mandate: Minorities must look exclusively to the Government of their own State for the redress of their grievances.

ARCHIVAL RECORD: 1988

Immediate Relief: Freedom of Transit

Checkpoint 1: Complete Freedom

Unrestricted freedom of movement across the borders of East Bengal, West Bengal, and Tripura.

Checkpoint 2: Physical Protection

Guarantee of safety and protection while in transit between the nations.

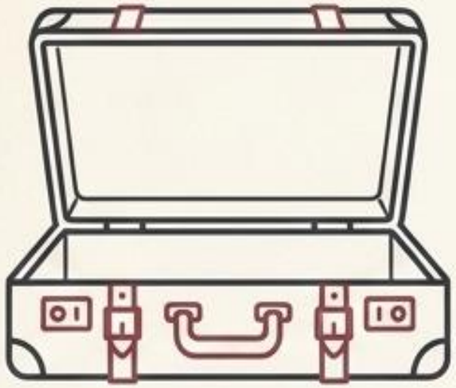
Checkpoint 3: Customs Oversight

Explicit ban on harassment by Customs authorities.

Mechanism Callout: 'Liaison Officers' from the other Government must be posted at agreed customs posts to ensure fair practice.

ARCHIVAL RECORD: 1950

The Economics of Migration: Moveable Assets



Items Allowed

Unrestricted removal of personal effects, household goods, and personal jewellery.

Strict Cash Limits

- Maximum Rs. 150 per adult migrant.
- Maximum Rs. 75 per child migrant.

Banking Rights

Migrants possess the right to deposit excess cash or **jewellery in a bank.** Proper receipts must be furnished, with facilities provided for future transfer (subject to exchange regulations).

Diagnostic Matrix: Property Rights & Restoration

	Asset Type	Rights Retained	Management Mechanism
1	Moveable Property	Unrestricted right to remove (up to cash limits)	Bank deposits and transfer facilities guaranteed.
2	Immoveable Property (Returnees)	Ownership undisturbed. Property must be restored if occupied.	Migrant must return by 31st December 1950 (exceptional cases referred to Minority Commission).
3	Immoveable Property (Non-Returnees)	Unrestricted right to dispose of via sale or exchange.	Managed by a legally empowered Trustee Committee (3 minority reps + 1 Govt representative) to recover rent.

LEGAL DEADLINE

Restoring Order: The Action Plan for Civil Peace

SEPT 1950
OFFICIAL RECORD

1

Punish Offenders

Impose collective fines and establish Special Courts for prompt deterrent effect.

2

Recover Property

Make every possible effort to recover looted goods.

3

Halt Propaganda

Prevent news, radio, or individuals from rousing communal passion. Rigorously deal with offenders.

4

Protect Territorial Integrity

Ban any propaganda directed against the territorial integrity of the other country or inciting war.

SEPT 1950 - OFFICIAL RECORD

Restorative Justice: Crucial Interventions

Abducted Women

Mandate:
Set up an agency immediately to assist in recovery.
Representation:
Representatives of the minority community must be actively associated with this agency.

SEPT 1850 - OFFICIAL RECORD

Forced Conversions

Mandate:
Strict non-recognition of forced conversions.
Legal Standard:
Any conversion effected during a period of communal disturbance shall be deemed a forced conversion. Those guilty of converting people forcibly shall be punished.

SEPT 1950 - OFFICIAL RECORD

Seeking the Root Cause: Commissions of Enquiry

Objective:	To enquire into the causes and extent of recent disturbances and make recommendations to prevent recrudescence.
Judicial Leadership:	Must be presided over by a **Judge of the High Court**.
Standard of Trust:	The personnel of the Commission must be selected so as to ‘inspire absolute confidence among the minority.’

Restoring Political Confidence

On-the-Ground Presence

The two Governments decided to depute two Ministers (one from each country) to remain in affected areas for as long as necessary to restore confidence.

Cabinet-Level Inclusion

Mandatory inclusion of minority community representatives in the Cabinets of East Bengal and West Bengal.

(Note: The minority community was already represented in the Assam Cabinet).

SEPT 1950 - OFFICIAL RECORD

The Institutional Machinery: Minority Commissions

Core Mandate: To observe and report on the implementation of the Agreement, take cognizance of breaches or neglect, and advise on necessary action.

- East Bengal
- West Bengal
- Assam

The Tripura Exception

Handled directly by the two Central Ministers until appropriate alternative machinery is established.

Composition of the Commissions

Top Tier (Oversight)
Two Central Ministers (India & Pakistan) - hold the right to attend and participate in any meeting.

Middle Tier (Leadership)
Chairman (Provincial or State Minister concerned).

One representative from the majority community.

One representative from the minority community.

(Chosen by/from their respective representatives in the Provincial/State Legislatures).

SEPT 1950
OFFICIAL RECORD

Operational Protocol & Reporting

1 Ground Contact

Maintain contact with minorities in districts via Minority Boards (which replace the earlier boards from the Dec 1948 Inter-Dominion Agreement).

2 Independent Operation

Each Commission appoints necessary staff and determines its own internal procedures.

3 Simultaneous Reporting

Reports are submitted simultaneously to the Provincial/State Governments and to both Central Ministers to ensure total transparency.

SEPT 1950
OFFICIAL RECORD
NotebookLM

The Dispute Resolution Escalation Path

Level 1: Provincial Action

Provincial Governments implement recommendations if supported by both Central Ministers.

Level 2: Central Disagreement

If the two Central Ministers disagree, the matter is immediately escalated.

Level 3: Prime Ministerial Arbitration

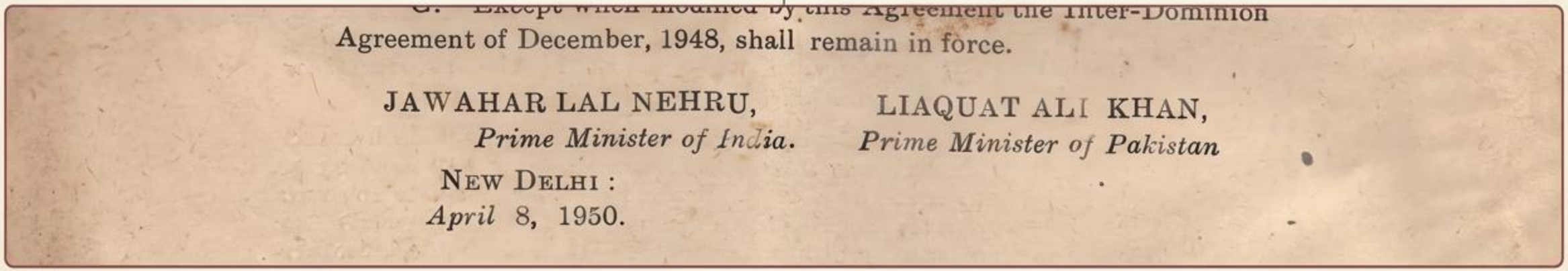
The matter is referred to the Prime Ministers of India and Pakistan, who shall either resolve it themselves or determine the agency and procedure for resolution.

SEPT 1950
OFFICIAL RECORD

Legacy and Continuity

Continuity Clause: Except where explicitly modified by this 1950 agreement, the previous Inter-Dominion Agreement of December 1948 remained in full force.

Historical Impact: The Delhi Pact stood as a monumental framework, attempting to codify restorative justice, strict property rights, and cross-border institutional accountability in the immediate aftermath of partition-related communal violence.


G. Except which modified by this Agreement the Inter-Dominion Agreement of December, 1948, shall remain in force.

JAWAHAR LAL NEHRU,
Prime Minister of India.

LIAQUAT ALI KHAN,
Prime Minister of Pakistan

NEW DELHI :
April 8, 1950.

JAWAHAR LAL NEHRU
(Prime Minister of India)

LIAQUAT ALI KHAN
(Prime Minister of Pakistan)

SEPT 1950
OFFICIAL RECORD