

ed sale, if persisted in, will be an unlawful and fraudulent transaction in violation of the Security Council resolution of 17 January 1948, and the United Nations Commission for India and Pakistan resolutions of 13 August 1948 and 5 January 1949.

4. It is requested that this communication may kindly be brought to the notice of the members of the Security Council.

Please accept, etc.

Sd/- C. S. JHA,

*Ambassador Extraordinary and Plenipotentiary Permanent Representative of India to the United Nations.*

SHRI NIRANJAN SINGH: It is written in the letter:

"The property includes both residential buildings and agricultural land."

May I know where they are situated, in West Pakistan or in the Jammu and Kashmir territory?

SHRIMATI LAKSHMI MENON: It is given in the letter that we have placed on the Table of the House.

SHRI NIRANJAN SINGH- Where are they situated?

SHRIMATI LAKSHMI MENON: They are situated in our constituent State of Jammu and Kashmir, in what is called Azad Kashmir by Pakistan.

SHRI NIRANJAN SINGH: May I know, Sir, whether they have been auctioned or not?

SHRIMATI LAKSHMI MENON: The whole thing is based on a newspaper report. I do not know whether they have been auctioned or not

• SHRI JASWANT SINGH: I would like to know what would be the effect of this representation of ours,

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whether it would prevent the Pakistan Government from auctioning them, or they would continue to have the auction in regard to this property?

SHRIMATI LAKSHMI MENON: It should prevent them, because there is a certain agreement; therefore, they cannot really auction the property before the question is settled.

SHRI JASWANT SINGH: My question is still not fully answered. I would like to know whether they are really doing it or not, and if they are, what the effect of it will be whether it will be recognised as a proper auction or it will not be recognised.

SHRI JAWAHARLAL NEHRU: I cannot answer this question. Sir, involving legal issues and matters. It depends on many factors. So far as we are concerned, we are not recognising this, we are protesting. What the position might be later, I cannot say.

DIWAN CHAMAN LALL: Is it a fact that the Pakistan Government gave an assurance that there would be no *de facto* or *de jure* recognition of the Azad Kashmir Government?

SHRI JAWAHARLAL NEHRU: That they have stated repeatedly in the United Nations.

DIWAN CHAMAN LALL: And therefore any action taken now by the Azad Kashmir Government to auction this property would be *ultra vires* or against the assurance given by the Pakistan Government. Is that the position?

SHRI JAWAHARLAL NEHRU: That might be said by the Pakistan Government perhaps.

DIWAN CHAMAN LALL: What is expected of the Security Council now in reference to the complaint that we have made on the 12th of November? What is the procedure that is likely to be adopted in this case?