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LETTER DATED 10 MAY 1948 FROM THE SECRETARY-GENERAL TO THE  
REPRESENTATIVE OF INDIA TO THE UNITED NATIONS  
AND REPLY THERETO DATED 15 MAY 1948

Pursuant to the resolution adopted by the Security Council on 21 April 1946, the Secretary-General, by letter dated 10 May 1948, informed the representative of India to the United Nations, as follows:

"I have the honour to advise you that in accordance with paragraph 10 (d) of the resolution of the Security Council on the India-Pakistan question adopted on 21 April 1946, I am prepared to undertake the negotiation with your Government concerning the terms of service of the Plebiscite Administrator. For this purpose I have designated Mr. A. A. Sobolev and Dr. Ivan Kerno, Assistant Secretaries-General, to act on my behalf. It will be appreciated if you will inform me when you wish to begin such negotiation.

"For the consideration of your Government, I am enclosing a draft agreement on the Terms of Service of the Plebiscite Administrator, which might serve as a basis for discussion."

No. 906

Dated 15th May, 1948.

Mr. Trygve Lie,  
Secretary-General,  
United Nations, Lake Success.

Sir,

I have the honour to acknowledge receipt of your letter No. 1205-5-9/PCK, dated the 10th May 1948, enquiring when it would be possible for me to enter into negotiations with your representatives concerning the terms of service of the Plebiscite Administrator referred to in the resolution adopted by the Security Council on the 21st April 1948 on the India-Pakistan question.

2. The Government of India have already communicated to the President of the Security Council that it is not possible for them to implement those parts of the Resolution against which their objections have been clearly stated by their Delegation. The conditions under which a free and fair plebiscite can be taken cannot be established under the resolution in its present form. In particular, the Government of India have taken exception to some of the functions which it is proposed to entrust to the Plebiscite Administrator, e.g. the direction and supervision of the State Forces and Police (B 8 of the Resolution), and the appointment of special magistrates nominated by the Plebiscite Administrator to hear cases which in his opinion have a serious bearing on the preparation for and conduct of a free and impartial plebiscite (B 10 (c) of the Resolution).

3. In view of these considerations, I do not think it will be useful for me to discuss with your representatives now the draft agreement on the terms of service of the Plebiscite Administrator, which you have enclosed in your letter.

/signed/ P. P. PILLAI  
Representative of India  
to the United Nations

