

JUNAGADH STATE

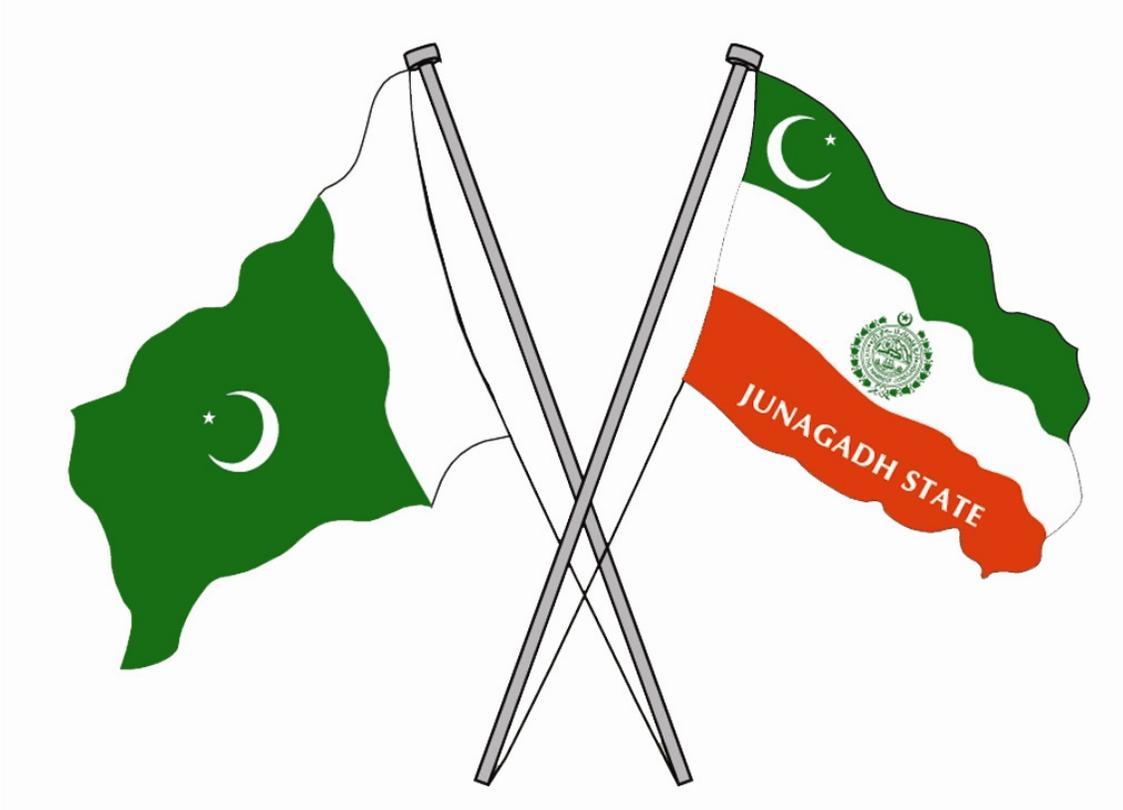
INSTRUMENT OF ACCESSION



NAWAB SIR MUHAMMAD MAHABAT KHANJI
RULER OF JUNAGADH STATE
(Who made the historical decision of accession to Pakistan.)

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CONSTITUENT ASSEMBLY (LEGISLATURE)

INSTRUMENTS OF ACCESSION

of

STATES ACCEDING TO PAKISTAN

[Presented by the Honourable Minister for States and Frontier Regions to
the Constituent Assembly (Legislature) on the
14th February, 1949]

I

INSTRUMENT OF ACCESSION

JUNAGADH STATE

WHEREAS the Indian Independence Act, 1947, provides that as from the fifteenth day of August, 1947, there shall be set up an independent Dominion known as Pakistan, and that the Government of India Act, 1935, shall, with such omissions, additions, adaptations and modifications as the Governor-General may by order specify, be applicable to the Dominion of Pakistan;

AND WHEREAS the Government of India Act, 1935, as so adapted by the Governor-General provides that an Indian State may accede to the Dominion of Pakistan by an Instrument of Accession executed by the Ruler thereof:

Now, THEREFORE,

I, MAHABAT KHAN, Ruler, of Junagadh State, in the exercise of my sovereignty in and over my said State do hereby execute this my Instrument of Accession, and

1. I hereby declare that I accede to the Dominion of Pakistan with the intent that the Governor-General of Pakistan, the Dominion Legislature, the Supreme Court and any other Dominion authority established for the purposes of the Dominion shall, by virtue of this my Instrument of Accession, but subject always to the terms thereof, and for the purposes only of the Dominion, exercise in relation to the State of JUNAGADH (hereinafter referred to as "this State") such functions as may be vested in them by or under the Government of India Act, 1935, as in force in the Dominion of Pakistan on the 15th day of August, 1947 (which Act as so in force is hereinafter referred to as "the Act").

2. I hereby assume the obligation of ensuring that due effect is given to the provisions of the Act within this State so far as they are applicable therein by virtue of this my Instrument of Accession.

3. I accept the matters specified in the Schedule hereto as the matters with respect to which the Dominion Legislature may make laws for this State.

4. I hereby declare that I accede to the Dominion of Pakistan on the assurance that if an agreement is made between the Governor-General and the Ruler of this State whereby any functions in relation to the administration in this State of any law of the Dominion Legislature shall be exercised by the Ruler of this State, then any such agreement shall be deemed to form part of this Instrument and shall be construed and have effect accordingly.

Mahab
01/7/89
MUNAWWAR ALI KHAN
SECTION OFFICER
States & F.R. Division
Islamabad No. 82954

5. Nothing in this Instrument shall empower the Dominion Legislature to make any law for this State authorising the compulsory acquisition of land for any purpose, but I hereby undertake that should the Dominion for the purposes of a Dominion law which applies in this State deem it necessary to acquire any land, I will at their request acquire the land at their expense or if the land belongs to me transfer it to them on such terms as may be agreed, or, in default of agreement determined by an arbitrator to be appointed by the Chief Justice of Pakistan.

6. The terms of this my Instrument of Accession shall not be varied by any amendment of the Act or of the Indian Independence Act, 1947, unless such amendment is accepted by me by an Instrument supplementary to this Instrument.

7. Nothing in this Instrument shall be deemed to commit me in any way to acceptance of any future Constitution of Pakistan or to fetter my discretion to enter into arrangements with the Government of Pakistan under any such future Constitution.

8. Nothing in this Instrument affects the continuance of my sovereignty in and over this State, or, save as provided by or under this Instrument, the exercise of any powers, authority and rights now enjoyed by me as Ruler of this State of the validity of any law at present in force in this State.

9. I hereby declare that I execute this Instrument on behalf of this State and that any reference in this Instrument to me or to the Ruler of the State is to be construed as including a reference to my heirs and successors.

Given under my hand this Fourteenth day of September, Nineteen Hundred and Forty-Seven.

MAHABAT KHAN,
Ruler of Junagadh.

I do hereby accept this Instrument of Accession.

Dated this Fifteenth day of September, Nineteen Hundred and Forty-Seven.

M. A. JINNAH,
Governor-General of Pakistan.

SCHEDULE

The matters with respect to which the Dominion Legislature may make laws for this State

A. — Defence.

1. The Naval, Military and Air Forces of the Dominion and any other armed force raised or maintained by the Dominion; any armed forces, including forces raised or maintained by an Acceding State, which are attached to, or operating with, any of the armed forces of the Dominion.
2. Naval, Military and Air Force works, administration of Cantonment areas.
3. Arms; fire-arms; ammunition.
4. Explosives.

Attested.
01/7/89
MUNAWWAR ALI KHAN
SECTION OFFICER
States & P.R. Division
Delamabad No. 829914

B.—External Affairs.

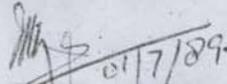
1. External Affairs; the implementing of treaties and agreements with other countries; extradition, including the surrender of criminals and accused persons to parts of His Majesty's Dominions outside Pakistan
2. Admission into, and emigration and expulsion from, Pakistan, including in relation thereto the regulation of the movements in Pakistan, or persons who are not British subjects domiciled in Pakistan or subjects of any Acceding State; pilgrimages to places beyond Pakistan.
3. Naturalisation.

C.—Communications.

1. Posts and telegraphs, including trunk telephones, wireless, broadcasting, and other like forms of communication.
2. Federal railways; the regulation of all railways other than minor railways in respect of safety, maximum and minimum rates and fares, station and service terminal charges, interchange of traffic and the responsibility of railway administrations as carriers of goods and passengers. The regulation of minor railways in respect of safety and the responsibility of the administrations of such railways as carriers of goods and passengers.
3. Maritime shipping and navigation, including shipping and navigation on tidal waters; Admiralty jurisdiction.
4. Port quarantine.
5. Major ports, that is to say, the declaration and delimitation of such ports, and the constitution and powers of Port Authorities therein.
6. Aircraft and air navigation; the provision of aerodromes; regulation and organisation of air traffic and of aerodromes.
7. Lighthouses, including lightships, beacons and other provisions for the safety of shipping and aircraft.
8. Carriage of passengers and goods by sea or by air.
9. Extension of the powers and jurisdiction of members of the police force belonging to any unit to railway area outside that unit.

D.—Ancillary.

1. Elections to the Dominion Legislature, subject to the provisions of the Act and of any Order made thereunder.
2. Offences against laws with respect to any of the aforesaid matters.
3. Inquiries and statistics for the purposes of any of the aforesaid matters.
4. Jurisdiction and powers of all courts with respect to any of the aforesaid matters but, except with the consent of the Ruler of the Acceding State, not so as to confer any jurisdiction or powers upon any courts other than courts ordinarily exercising jurisdiction in or in relation to that State.

Attested

 MUNAWWAR ALI KHAN
 SECTION OFFICER
 States & F.R. Division
 Islamabad No. 229214

JUNAGADH STATE MUSLIM FEDERATION

Registered Under Societies Registration Act XXI of 1860 Reg 3369/71-72

PLOT NO.ST – 2/C, BLOCK-17, SIR SHAH SULEMAN ROAD,
NEAR NATIONAL STADIUM, GULSHAN-E-IQBAL, KARACHI

Specially Thanks

HIS HIGHNESS
NAWAB MUHAMMAD JAHANGIR KHANJI
RULER OF JUNAGADH STATE

Designing & Composing

M. Anis MACHJARA