

ILLEGAL OCCUPATION OF JUNAGADH A PAKISTANI TERRITORY

BY ABDUL RAZZAK THAPLAWALA

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Illegal Occupation of Junagadh A Pakistani Territory

Digital Edition

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ILLEGAL OCCUPATION OF JUNAGADH

The Government & Political parties in Pakistan are continuously fighting for affiliation of disputed territory of Jamu and Kashmir with Pakistan. However, nobody is speaking a single word about the territory which was formally affiliated with Pakistan as early as in 1947 i.e. the State of Junagarh in Gujrat Province of India.

Apart from Kashmir, people also often raise the case of occupation of Hyderabad (Dakkan) by India. This is so because our politicians and people are not aware of the legal and constitutional status of the three disputed territories.

After announcement of scheme of partition by Lord Mountbatten on 3rd June, 1947, The British Parliament passed Indian Independence Act, 1947 on 11th July, 1947. According to the Indian Independence Act, 1947, the native states were given the following choices to remain independent:

ACCEDE TO EITHER OF THE TWO DOMINIONS, INDIA OR PAKISTAN.

In late 1946, the Kashmiris started struggle against Dogra Maharaja of Kashmir. The Maharaja therefore took refuge in Delhi and begged for Indian help. Taking advantage of his presence in Delhi Sardar Valabh Bhai Patel obtained his signature on the Instrument of Accession. Thus constitutionally the Kashmir became part of India and Indian Army entered into Kashmir.

The State of Hyderabad Dakhan exercised its choice to remain independent and accordingly made an announcement. The Indian Government however forcibly occupied the Hyderabad State.

The case of Junagadh was completely different from the cases of Jammu and Kashmir and Hyderabad Dakhan. The Indian Government made its utmost efforts to compel Nawab of Junagadh to accede to India

but Nawab Saheb of Junagadh remained firm. The Indian Minister Mr. V.P. Menon came to Nawab Saheb to request, for accession to India and in case of denial, he did not hesitate to issue a threat of dire consequences as well.

The Junagadh State had however decided to join Pakistan and announcement to this effect was made in the gazette of Junagadh which was known as "DASTRURAL AMAL SARKAR JUNAGADH" on 15th August, 1947.

The full text of the extra ordinary part of the 'Dastural Amal Sarkar Junagadh' is annexed as "ANNEXURE 'A'" to this booklet.



INSTRUMENT OF ACCESSION

Immediately after making the announcement, the Junagadh Government communicated accession with Pakistan and a delegation with the Instrument of Accession signed by Nawab of Junagadh was sent to Karachi headed by Mr. Ismail. The constitution assembly of Pakistan considered the proposal in detail and approved it. The Quaid-e-Azam Muhammad Ali Jinnah who was the Governor General of Pakistan signed the 'Instrument of Accession' on 15th September, 1947. The Instrument of Accession dated 15th September, 1947 is reproduced as "ANNEXURE-B" to this booklet.

The Instrument of Accession provided for the right of Pakistan legislature to legislate in the following areas:

- a) Defence
- b) Communication
- c) Others

It may be noted, that although territory of Junagadh was geographically not adjoining the Pakistan territory, it had a direct link through sea by Verawal Port of Junagadh.

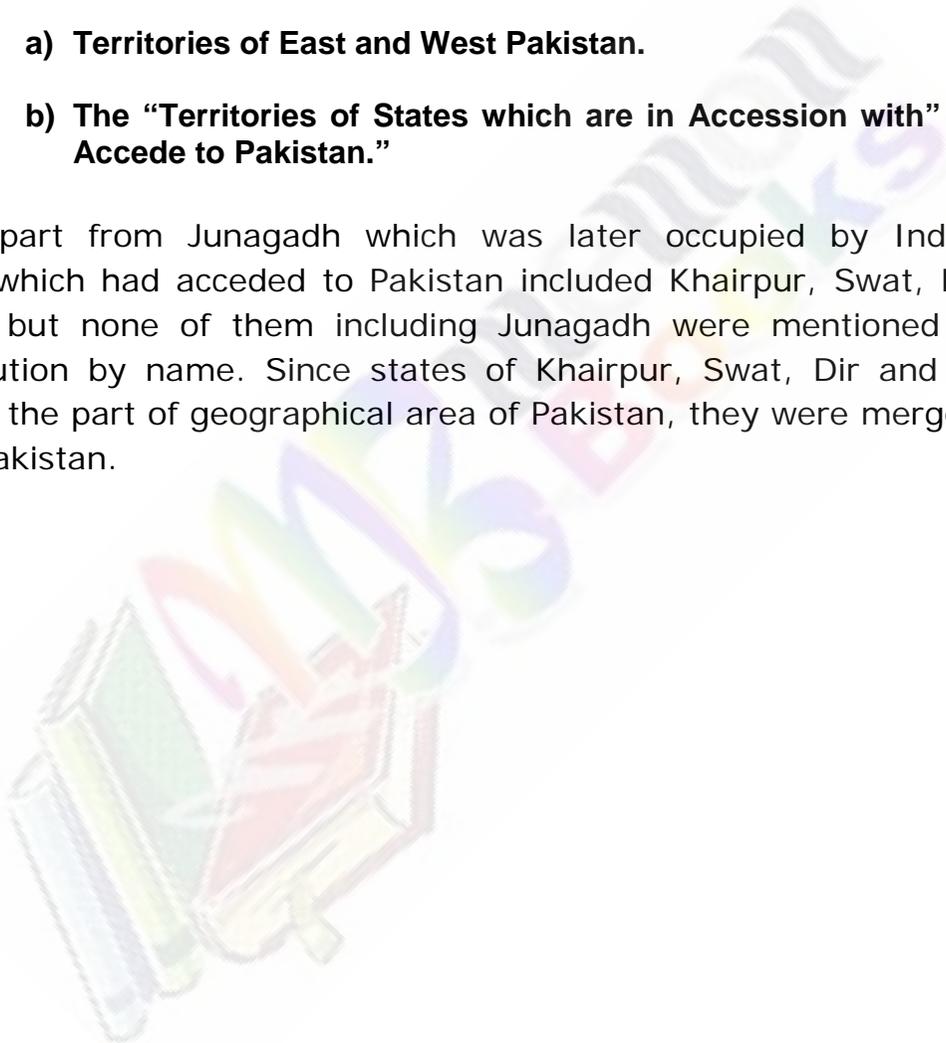
CONSTITUTION OF PAKISTAN

The article of constitution of Pakistan 1956 provides as follows:

“The Republic and its Territories: Pakistan is a Federation comprising of

- a) **Territories of East and West Pakistan.**
- b) **The “Territories of States which are in Accession with” or may Accede to Pakistan.”**

Apart from Junagadh which was later occupied by India, the states which had acceded to Pakistan included Khairpur, Swat, Dir and Chitral but none of them including Junagadh were mentioned in the constitution by name. Since states of Khairpur, Swat, Dir and Chitral formed the part of geographical area of Pakistan, they were merged with West Pakistan.

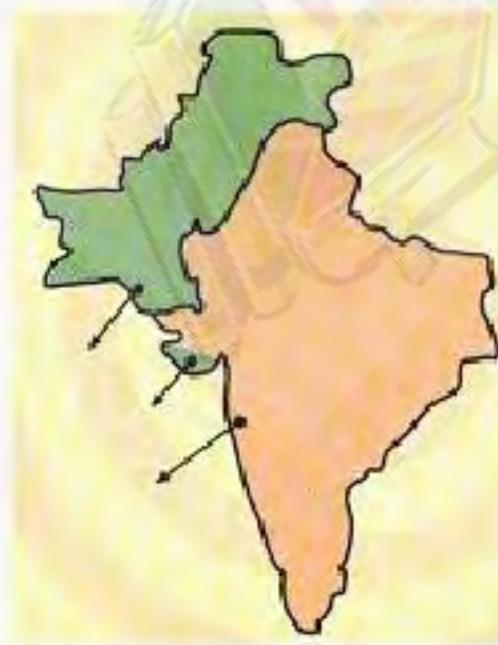


POSTAGE STAMPS SHOWING JUNAGADH AS PART OF PAKISTAN

The Pakistan Government also recognized Junagadh and Manavadar as part of Pakistan by including it in its postage stamp reproduced on the title of this booklet:

“These stamps were issued by Government of Pakistan to show Junagadh and Manavadar as part of Pakistan. These stamps were also used for use of Government Offices with over printing of ‘SERVICE’ on them. In 1963, an International Stamp Exhibition which was held at Dacca, the 2 anna or 13 paise stamp was used as special stamp on the occasion of the stamp exhibition.”

The agreement for accession with Pakistan was signed by the State of Junagadh accepting Quaid-e-Azam Muhammad Ali Jinnah, as Governor General of Pakistan. However, the Indian government forcibly occupied the state on 9th November, 1947. One should expect that if not often atleast on 9th November every year, the Government and Politic parties should register protest against illegal occupation of Pakistan territory by India. The Government should also include it as an issue while negotiating Kashmir issue with India.



CURRENCY OF JUNAGADH



V.P. MENON'S THREATS TO JUNAGADH ADMINISTRATION

The Junagadh government announced its consent to accede to Pakistan as early as on 12th August, 1947. This decision was published in Dasturul Amal of Junagadh State on 15th August, 1947. The instrument of accession was however, formally signed by Quaid-e-Azam on 15th September, 1947 and accordingly it was notified in Gazette of Pakistan and Dasturul Amal (Gazette of Junagadh State) on that date. Mr. V.P. Menon, the secretary of States department of Government of India rushed to Junagadh on 17th September 1947, and met Sir Shah Nawaz Bhutto, the Dewan or Chief Minister of Junagadh. Menon insisted that he had brought a message of Indian Government, and will like to deliver it to Nawab Saheb only. Sir Shah Nawaz Bhutto showed his inability to arrange a meeting with Nawab Saheb, as he was not feeling well. Menon expressed his displeasure over this refusal, but finally conveyed the message of Indian Government to Shahnawaz Bhutto insisting that Junagadh should withdraw its accession to Pakistan.

Bhutto told Menon, that the accession was now complete, and according to the international law, only the Government of Pakistan can talk on the subject. Menon left after the threats of dire consequences.

Menon immediately went to Mumbai, and called a meeting of Saamar Das Gandhi a journalist of Rajkot and his accomplices, who were already present in Mumbai according to a pre-arranged scheme. He unfolded the scheme of "Arziee Hukumat" (Provisional Government) before them.

On 24th September 1947, Mahatma Gandhi condemned the action of Junagadh Government in strong words in a prayer meeting held at Delhi. This was a green signal for starting the process of the occupation of Junagadh.

AARZEE HUKUMAT

On 25th September 1947, a meeting was held in Madhav Garden of Mumbai, where formal announcement of the formation of "Arzee Hukumat" or Provisional Government of Junagarh was made. Shamad Das Gandhi was nominated as the President of the Provisional Government. Shamad Das Gandhi and some of his colleagues who were declared as ministers with various portfolios took oath of their respective offices. Shamad Das Gandhi was a nephew of Mahatma Gandhi and was not a resident of Junagadh State.

Immediately after announcement of the Provisional Government, the ministers of the provisional government proceeded to Rajkot and occupied Junagadh House on 27th September 1947. The Indian Government acted as a silent spectator.

In the meanwhile, there was some exchange of letters & telegrams between the government of India and Pakistan. Pakistan took a firm stand and told the Indian Government, that the accession was in accordance with the Scheme of Independence announced by the outgoing British Government and Junagadh was now part of Pakistan.

While, this exchange of correspondence was going on, the Indian Government encircled the Junagadh State and stopped the movement of goods, transport and postal articles to and from Junagadh.

As a part of the preparation for occupation of the Junagadh, a "Kathiawar Defence Force" was formed by the Government of India with Brigadier Guru Dayal Singh, as Commanding Officer and head quarter in Rajkot. There were three war ships, which, were anchored at the port of Porbandar. A squadron, consisting of eight Tempest aircrafts, was stationed at Rajkot and additional companies of Armed Forces were deployed at Rajkot. The Indian aircrafts started to fly over Junagadh territory at very low heights to harass the public.

The scattered attacks on the villages and small towns of the Junagadh State, by the forces of provisional government started causing heavy damage to life & property of Muslim population. In the view of worsening situation and threats received from various sources, the Nawab of Junagadh and his family left Junagadh and arrived in Karachi on 25th October 1947.

On 27th October 1947, Shah Nawaz Bhutto, the Chief Minister of Junagadh wrote a letter to Quaid-e-Azam explaining the critical situation, in which the State Government was placed due to actions of Indian Government. The situation kept worsening; Bhutto sent another letter on 28th October 1947, to Ikramullah, the Secretary of Pakistan's Ministry of Foreign Affairs and sought help and directions of the Government of Pakistan. Unfortunately, there was no response from the Government of Pakistan. When all hopes for assistance from government of Pakistan were lost, Shah Nawaz Bhutto sent a letter on 1st November 1947, to Nawab Saheb at Karachi, explaining the situation and the dangers to the lives and properties of entire Muslim population of Junagadh, as an armed attack by the Indian Government and its stooges from the provisional government was imminent. In a return telegram, the Nawab Saheb authorised Bhutto to act in the best interest of the Muslim population of Junagadh and save their lives.

A meeting of Junagadh State Council was called on 5th November 1947, to discuss the critical situation. The Council authorised Mr. Bhutto to take appropriate action. Sir Shah Nawaz Bhutto sent Captain Harvey Johnson, a senior member of the Council of Ministers to Rajkot to meet high Indian officials. Instead of, meeting the Indian officials, Johnson met the officials of Provisional Government and brought back the threats of dire consequences, if the Junagadh did not surrender itself to the Provisional Government.

Another meeting of the Junagadh State Council was again convened on 7th November 1947. Some prominent citizens of the Junagadh State were also invited at the meeting. The meeting continued till 3 O'clock late night, and decided that instead of surrendering to the so-called Provisional Government, the Indian Government may be

requested to take over the administration of Junagadh to protect the lives of its citizens, which were being constantly threatened by unruly forces of Provisional Government.

On 8th November 1947, Shah Nawaz Bhutto sent a letter to Nilam Butch, the Provincial Head of Indian Government in Rajkot, requesting him to help him in restoring the law & order situation in Junagadh, to stop the blood shade of the innocent citizens.

Harvey Johnson took the message to Rajkot. The head of Indian Administration immediately rang up V.P. Menon in Delhi and read out the letter of Shah Nawaz Bhutto to him. Menon immediately rushed to the residence of Pandit Jawahir Lal Nehru and explained the situation. After consultation with various ministers and Valabh Bhai Patel, the home minister in particular, a formal order was immediately drafted, and a notification was issued, announcing the take over of Junagadh at the request of the Chief Minister of Junagadh. The notification promised a referendum in due course.

Shah Nawaz Bhutto left Junagadh for Karachi on the night of 8th November 1947. On 9th November 1947, the Indian Air Force sent several sorties to fly at a low height on the Junagadh.

ENTRY OF INDIAN FORCES IN JUNAGADH

Soon thereafter columns of Indian tanks, Armour Vehicles and Jeeps carrying Indian soldiers entered Junagadh State. At 6:00 P.M. on 9th November 1947, Captain Harvey Johnson and Chief Secretary Gheewala, a civil servant of Junagadh State, formally handed over the charge of the State to the Indian Government.

EXCHANGE OF COMMUNICATION BETWEEN PRIME MINISTERS OF TWO DOMINIONS

On the same day, Jawahir Lal Nehru sent a telegram to Nawabzada Liaquat Ali Khan conveying the information about take-over of Junagadh. Liaquat Ali Khan sent a return telegram to Nehru stating that the Junagadh was Pakistani territory, and nobody, except Pakistan Government was authorised to invite anybody to Junagadh. He also accused Indian Government of a naked aggression on Pakistan's territory and violation of International law.

The Government of Pakistan seriously and strongly opposed the Indian aggression. Pandit Jawaharlal Nehru wrote,

“In view of special circumstances pointed out by Junagadh Dewan that is the Prime Minister of Junagadh – our Regional Commissioner at Rajkot has taken temporarily charge of Junagadh administration. This has been done to avoid disorder and resulting chaos. We have, however, no desire to continue this arrangement and wish to find a speedy solution in accordance with the wishes of the people of Junagadh. We have pointed out to you previously that final decision should be made by means of referendum or plebiscite. We would be glad to discuss this question and allied matters affecting Junagadh with representatives of your Government at the earliest possible moment convenient to you. We propose to invite Nawab of Junagadh to send his representatives to this conference.”

In reply to the above telegram, the Prime Minister of Pakistan sent the following telegram:

“Your telegram informing that your Government had taken charge of Junagadh was received by me on November 10, 1947. Your action in taking over State Administration and sending Indian troops to state without any authority from Pakistan Government and indeed without our knowledge, is a clear violation of Pakistan territory and breach of International law. Indian Government's activities on accession of

Junagadh to Pakistan have all been directed to force the State to renounce accession and all kinds of weapons have been used by you to achieve this end. We consider your action in taking charge of Junagadh Administration and sending Indian troops to occupy Junagadh to be a direct act of hostility against Pakistan Dominion. We demand that you should immediately withdraw your forces, and relinquish charge of administration to the rightful ruler and stop people of Union of India from invading Junagadh and committing acts of violence”.

This was followed by a Press Statement made by the Prime Minister of Pakistan. It was communicated to Prime Minister of India on November 16, 1947. It read as follows:

“In spite of the gravest provocation, we have refrained from any action which should result in armed conflict. We could with full justification and legal right could have sent our forces to Junagadh but at no time since the accession of state, was a single soldier sent by us to Junagadh and our advice throughout to the State Authorities was to exercise the greatest restraint. Manawadar, another State which had acceded to Pakistan and Mangrol and Babariawad have also been occupied by Indian troops.”

FARCE OF REFERENDUM

On 13th November 1947, Valabh Bhai Patel, an Indian Minister and the Architect of the take-over came to Junagadh. A big procession was taken out and large meeting was held in the ground of Bahauddin College. In his speech, Patel criticized the Muslim population of Junagadh and particularly the Memon community for its help to All India Muslim League before partition. Later he asked the audience if they wanted to join India or Pakistan. The audience, which mainly consisted of Hindu population, raised their hands in favour of India. This was but natural in the given situation. Patel termed this response from the audience as Referendum promised by the Indian Government.

Immediately after take over of the State, all the Muslim officials of the State were put behind the bars. They included Mr. Ismail Abrehani, a senior minister in the Junagadh Government, who had taken the instrument of Accession to Quaid-e-Azam for his signature. Abrehani refused to leave Junagadh, even when, he was offered to go to Pakistan while serving the jail term saying that inspite of, its occupation, Junagadh was the part of Pakistan according to the International law and he will prefer to die here. He stayed & died in Junagadh.

OCCUPATION OF MANAVADAR

The story of occupation of Junagadh will not be complete without discussing the happenings in Bantva and Kutiyana, where most of the big business magnets of Memon community resided. Bantva was part of the princely state of Manavadar. The rulers of Manavadar were indecisive about joining either of the two newly created dominions. The Muslim residents of Bantva, who mainly belonged to Memon community, organised a big public in early September 1947, demanding accession of Manavadar including Bantva with Pakistan. A deputation of dignitaries met Khanje of Manavadar on 9th September 1947, to urge him to announce accession to Pakistan.

On the persuasion of the subjects of the state, Manavadar accounced its accession to Pakistan on 25th September 1947. This was naturally not acceptable to Indian Government, which sent two companies of its armed forces to Bantva under the command of Colonel Himmayat Singhjee on 3rd October 1947. The invading forces took over all government offices and declared Bantva as a part of the Indian union. Army pickets were established at various places in Bantva. On the same day Sardargadh, a neighbouring town of Bantva was also occupied. Manavadar was occupied on 23rd October 1947, and the rulers were arrested and taken away first to Jamnagar and then to Rajkot.

OCCUPATION OF BANTVA & KUTIYANA

The nighttime curfew was imposed in Bantva immediately after its take-over. In the meantime, more army enforcement kept arriving to strengthen the occupation forces. Muslims were prevented from sacrificing cows on Eid-ul-Azha and also from saying Eid prayer in main Eidgah.

The Junagadh was occupied on 9th November 1947, but two days before this occupation, the 8th Sikh regiment reached Kutiyana. More forces consisting of 40 trucks and 50 jeeps also joined the Sikh regiment on 8th November 1947, to occupy Kutiyana which was the part of Junagadh State. Some brave Muslims of Kutiyana resisted the occupation, but could not stand long before an organized force. Many Muslims of Kutiyana scarified their lives in the process.

On 10th November 1947, the population of Kutiyana was officially genocide by the personnels of the army of provisional government. They demolished the houses and snuck off with all valuables and other things. In this process, physical injuries were also inflicted on the innocent citizens. Shops were looted and burnt - all in the presence of Indian Army.

In the meanwhile, uneasy calm prevailed in Bantva whose residents knew that they were the next target. Valabh Bhai Patel the

then Interior Minister of India & others made inflammatory speeches while addressing a public meeting in Junagadh on 13th November, 1974 against Muslims in general and Memon community of Bantva in particular which had made handsome contribution to the Press Fund of Muslims League when Quaid-e-Azam visited Bantva in January, 1940. These speeches added fuel to fire and the population of Bantva was attacked in the midnight of 15th November, 1947. The attackers mainly consisted of farm labour of adjoining villages. They broke open the doors of houses with their axes and took away everything which they could lay hand on including currency, jewellery and clothing.

They loaded their bullock carts with their loot in the presence of Sheikh Military personnel. No one could help anybody because Muslims were not allowed to come out of their homes to help their fellow brothers by the curfew enforcing army. The cries of help from men and women raised by the residents whose houses were being attacked are still remembered by this writer inspite of his young age at that time.

The entire population of Bantva was in a state of shock and helplessness. The loot continued until next morning. The residents of Bantva, now, knew that it was impossible for them to continue to stay in Bantva. They left their houses and shops with all their belongings including valuable and migrated to Pakistan by ships through Okha port or Mumbai. Ninety percent of population from Bantva had left their birth place within a short period of one month.

CONTRIBUTION OF MIGRANTS TO THE ECONOMY OF PAKISTAN

The migration of Memon population proved a Blessing in Disguise for economic prosperity of Pakistan.

Stephen R. Lewis, in his book "Pakistan's Industrial and Trade Policies" says:

"It is wonder that Pakistan's economy survived at all in the early years. Why did it survive ? it was because of the entrepreneur skills of Muslim community who had migrated to Pakistan from their original homeland in India and prominent among them were Memons. If Pakistan beat the economic odds then a great deal of credit goes to the Memons. Nobody could have predicted it and while in later years it became fashionable to decry the dominance of the Memons in Pakistan's business community, the fact is that without such dominance Pakistan's economy may never have developed.

Using the capital brought by them from India and blending it with their business acumen and entrepreneur skills the Memons started working for the development of Pakistan. The beginning was made with establishment of trading firms with branches in various places in East & West Pakistan. Then they moved into industry. A journey started towards setting of up industries in different fields until the process was stopped by nationalization of industries in 1971.

Gustar F. Papneek, An American Researcher, who has written several books on Pakistan, which have been published by Harward University, conducted a survey in 1959 and found that Memons had 26.5% shares in Muslim firms in Pakistan although they were only 0.16% of the population of Pakistan.

According Mr. A. Sattar Parekh in his "Enterprising Philanthropists" among the listed companies in Karachi Stock Exchange in 1954, the

investment by Memons was 48.33%, other Gujrati communities 17.7% and rest 34.60%. According to him :

“The profits that the Memons made out of business, trade and industry were ploughed back in Pakistan for starting new enterprises. The figures of investments by the Memons upto 1971 were insurance 13%, Banking 13%, Cotton Textiles 26%, Woollen Textiles 72%, Synthetic Textile 50%, Jute 33%, Cement 45%, Chemicals 45%, Paper & Board 29%, Vegetable Oil 18%, Miscellaneous 27%. During the same year taxes paid by the Memons were Rs. 691.30 million, being 27% of the total taxes”.

The Soviet writer Sergy Levin describes the contribution of Memon Community in more detail in the Book “Soviet Scholars View South Asia” Instead of describing the contribution of the Memon community in the economic development of Pakistan in my own words; I will take liberty to quote below from this soviet writer extensively.

After the formation of an independent of Pakistan in 1947, tens of thousands of Memons immigrated to that new state from India, and other countries, and transferred their capital there.

At present Pakistan has become the chief center of entrepreneurial activity for the Memon bourgeoisie. In the 1960s about 150,000 Memons, or approximately half of the community, were living there. True, the Memons were then only 0.16% of the population of Pakistan. But the proportion of them among the Pakistan bourgeoisie, especially the upper bourgeoisie, was much higher. Every fourth private factory or plant in Pakistan belonged to the Memons. The Memon leaders formed the most powerful group in the Pakistan monopolistic bourgeoisie. Specially, the nucleus of the latter, as Pakistan regards it, consists of 22 monopolistic families, seven of which are Memons. These are the commercial, industrial and financial magnates widely known in Pakistan and beyond its borders, the Adamjees, Dawoods, Bawanys, Karims, Dadas, Haroons, and the Rangoonwala-Bengali group.

The Adamjees are known above all as the "Jute kings". Before Bangladesh was formed, they owned the Adamjee Jute Mills, the largest jute company, not only in Pakistan, but also in the world. By 1971, 35,000 workers were employed in its mills in East Bengal. At the same time the Adamjees also controlled about 20 other major industrial, commercial, and financial companies, and numerous enterprises which they operated in various spheres of the Pakistan economy.

More than 50,000 people have been employed in enterprises directly controlled by the Adamjees alone, and the assets of these enterprises reached atleast 2.25 billion rupees in 1966-1967. The Adamjees occupied third place in amount of assets among the monopolistic groups in Pakistan.

The Dawood concern has been characterized by exceptionally high growth rate during the last few years. Its owners, in contrast to the Adamjees, were not large-scale industrialists when Pakistan was formed.

Before the events of 1971-72, there were 20 companies in the Dawood concern. The majority of them were among the largest in Pakistan. The basic Industrial companies of the concern were: the Dawood Cotton Mills Mills, Burewala Textile Mills and the Lawrencepur Woolen and Textile Mills in West Pakistan, the Karnaphuli Paper Mills, the Karanphuli Rayon and Chemical (production of artificial fibers and other synthetic materials) in East Bengal; the Dawood Mines for coal extraction; and the Dawood Jute Mills (they began to construct a large mill in East Pakistan). In cooperation with the American Hercules firm, the Dawoods have organized a company, Dawood Hercules Chemicals, which is building a huge artificial fertilizer plant near Lahore. In addition, the Dawood concern founded petroleum and steamship companies a few years ago, and the former had already succeeded in developing trade in oil and petroleum products throughout Pakistan by 1971.

The philanthropic "Dawood Foundation" is also essentially a major financial enterprise. By the end of 1968, the assets of this fund were over 50 million rupees and were chiefly in invested in the securities of various companies. (The Dawood College of Engineering and Dawood

Public School were established by this Foundation besides many other education institutions in West and then East Pakistan)

In addition to the seven families forming part of 22 families, there should be included in the monopolistic leadership of the Pakistan bourgeoisie about another dozen families or groups of major Memon industrialists who have continued to serve as partners in Pakistani and foreign enterprises, and have themselves occupied prominent positions in some industry. These are: the Dadabhoys, 17 companies in Pakistan and one in India; the Jaffer Brothers, 16 companies in Pakistan, two in England, one in India, and enterprises in Kuwait and Arabian principalities on the shores of the Red Sea ; Haji Ahmed Haji Hasham (tobacco and sugar industry); Husein Ibrahim (textile, sugar industry, tube-rolling mills) ; the Pakolawala; and others.

This is the story of past. Although today many of members of Memon community have moved to professions and started occupying senior positions in national and multinational companies as senior executives, the community still has its share in business and industry. Three of large cement plants, the largest urea fertilizer company, many large textile spinning, weaving and finishing mills, sugar plants and score of other industries are still owned and run by Memon businessmen.

Apart from the contribution to economic activity of Pakistan, the Memon Community has made handsome contribution to welfare of the nation.

The community established a number of schools, colleges, dispensaries and hospitals in Karachi, Hyderabad and Sukkur. A majority of these welfare institutions running in private sector running in Karachi have been established by the Memon Community.

ANNEXURE-A:**DASTRURAL AMAL SARKAR JUNAGADH**

Published by Authority on Friday 15th August, 1947
EXTRA ORDINARY

The following communiqué has been published by Junagadh State.

The Government of Junagadh has during the last few weeks been faced with the problem of making its choice between accession to the Dominion of India and accession to the Dominion of Pakistan. It has had to take into very careful consideration every aspect of this problem. Its main preoccupation has been to adopt a course that would in the long run make the largest contribution towards the permanent welfare and prosperity of the people of Junagadh and help to preserve the integrity of the State and to safeguard its independence and autonomy over the largest possible field. After anxious consideration and careful balancing of all factors the Government of the State has decided to accede to Pakistan and hereby announces its decision to that effect. The State is confident that its decision will be welcomed by all loyal subjects of the State who have its real welfare and prosperity at heart.

Now that the Dominions of India and Pakistan have been admitted to the fellowship of independence sovereign State on an equal footing, it is to be hoped that vast avenue of the progress will be thrown open to the people, of the both Dominions in every walk of life and that the peoples of both Dominions will combine to derive the fullest benefit from the opportunities which will now be made available to them in peace and cooperation with each other. The Government of Junagadh will continue to make every endeavour to secure for all classes of the people of Junagadh without distinction in fullest measure the blessing of security, peace and prosperity and is confident that in the furtherance of this object, it will receive the fullest cooperation from all classes and sections of the subjects of His Highness the Nawab Saheb Bahadur.

ANNEXURE-B

INSTRUMENT OF ACCESSION DATED 15TH SEPTEMBER, 1947 BETWEEN JUNAGADH & PAKISTAN

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 order, specify, be applicable to the dominion of Pakistan.

AND WHEREAS the Government of India Act, 1935, as so adopted 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, Mohobat Khan Ruler of Junagadh State, in exercise of my sovereignty in and over my said State do hereby execute this my instrument of Accession, and

I hereby declare that, I accede to Dominion of Pakistan with the intent that the Governor General of Pakistan, the Dominion Legislature, the Supreme Court and any other 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 as "the Act").

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.

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.

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 construed and have effect accordingly.

Nothing in the Instrument shall empower the Dominion Legislature to make any law for this State authorizing the compulsory acquisition of land for any purpose, but I hereby undertake that, should the Dominion for the purpose of a Dominion law which applies in this State deem it necessary to acquire and 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.

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.

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.

Nothing in this Instrument effects the continuance of my sovereignty in and over this state, or, save as provided by or 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.

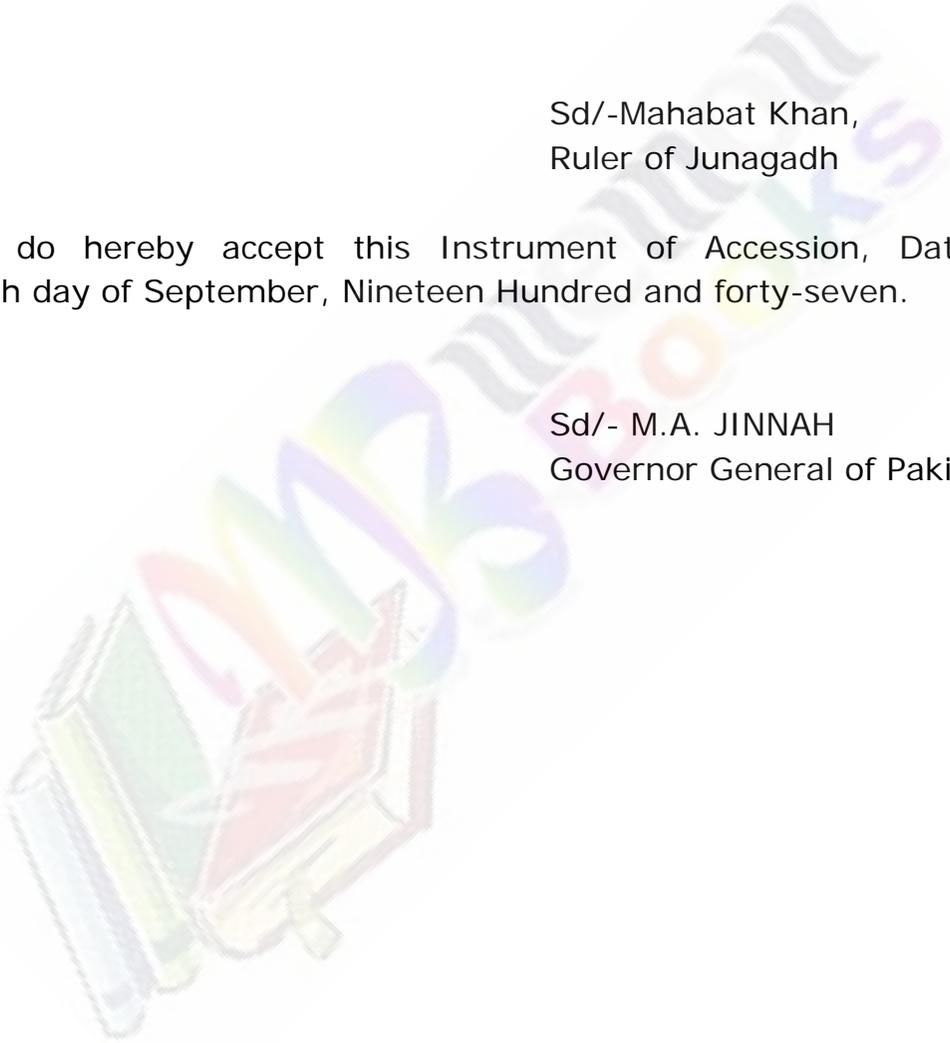
I hereby declare that I execute this Instrument on behalf of this State and that any reference in this Instrument to me or to the Ruler of the State is to be construed as including a reference to my heirs and successors.

Given under my hand this Fourteenth day of September, Nineteen Hundred and forty-seven.

Sd/-Mahabat Khan,
Ruler of Junagadh

I do hereby accept this Instrument of Accession, Date this Fifteenth day of September, Nineteen Hundred and forty-seven.

Sd/- M.A. JINNAH
Governor General of Pakistan



CHAPTER FROM HISTORY**Last Days of Junagadh**

By Abdur Razzaq Thaplawala
(Published in DAWN)

The month of November, 1947 was a month of tragedy for newly born Pakistan as India occupied two states which had legally and formally acceded to Pakistan as part of the scheme of partition. These states are located in the present Gujrat provinces. The Junagadh State was surrounded by Indian Territory but it has a long coast line with a well developed part for easy access to Karachi. The month will be particularly remembered by the Memon community as a month in which they faced one of the worst tragedy in the community's life time.

The community in general and the members of community from Bantva, Kutiyana and Junagadh had to abandon their birth places and migrate to Pakistan in November, 1947. It is unfortunate that the month of November, 2003 passed without anybody remembering this tragedy.

Mr. Yusuf Abdul Gani Mandvia, a bold Memon journalist of high caliber and writer of many books on pre-partition Indian Politics was present in Junagadh during the last days of the occupation of Junagadh. He had first hand information about these happenings. The following chronological account of these days is based on one of his books in Gujrati published in Karachi after he migrated to Pakistan after serving a three years imprisonment in Junagadh imposed on him by Indian occupation forces of the occupation of Junagadh. The following information is based on Mr. Mandvia's Gujrati books publish in sixteen and the information about happenings in Bantva and Kutiyana – the home of some of big business magnets of the Memon community. This information is based on "Tarikh-e-Bantva" by Mr. Aziz Kaya.

The Junagadh government conveyed its consent to accede to Pakistan as early as on 12th August, 1947. This decision was published in Dasturul Amal of Junagadh State on 15th August, 1947. The instrument of accession was however formally signed by Quaid-e-Azam on 15th September, 1947 and accordingly the accession was notified in Gazette

of Pakistan and Dastrul Amal of Junagadh State on that date. Mr. V.P. Menon, the secretary of States department of Government of India rushed to Junagadh on 17th September, 1947 and met Mr. Shah Nawaz Bhutto, the Chief Minister of Junagadh. Mr. Memon insisted that he had brought a message of Indian Government and will like to deliver the message to Nawab Saheb only. Mr. Shah Nawaz Bhutto showed his inability to arrange a meeting with Nawab Saheb as he was not feeling well. Mr. Menon expressed his displeasure over this refusal but finally conveyed the message of Indian Government to Mr. Bhutto insisting that Junagadh should withdraw its accession to Pakistan. Mr. Bhutto told Mr. Menon that the accession was now complete and according to international law only the Government of Pakistan can talk on the subject. Mr. Menon left after the threats of dire consequences.

Mr. Menon immediately went to Bombay and called a meeting of Mr. Saamar Das Gandhi a journalist of Rajkot and his accomplices who were already present in Bombay according to a pre arranged scheme. He unfolded the scheme of Arzi Hukumat (Provisional Government) to them.

On 25th September, 1947, a meeting was held in Madhav Garden of Bombay where formal announcement of the formation of Arzee Hukumat or Provisional Government of Junagarh was made. Mr. Samal Das Gandhi was nominated as President of the Provisional Government. Mr. Saamar Das Gandhi and some of his colleagues who were declared as ministers with various portfolios took oath of their respective offices. Saamar Das Gandhi was son of Mr. Lakshami Das Karamch Gandhi brother of Mr. Mohan Das Karamchand, the father of Mahatma Gandhi. He was not a resident of Junagadh State.

Immediately after announcement of the Provisional Government, the ministers of provisional government proceeded to Rajkot and occupied Junagadh House there on 27th September, 2003. The Indian Government acted as a silent spectator.

As a part of preparation for occupation of the Junagadh a "Kathiawar Defence Force" was formed by the Government of Indian with Brigadier Guru Dayal Singh as Commanding Officer and head quarter in Rajkot. Three war ships were anchored at the port of Porbandar. A squadron consisting of eight Tempest air crafts was stationed at Rajkot and additional companies of Armed Forces were deployed at Rajkot. The Indian aircrafts started to fly over Junagadh territory at very low heights to harass the public.

On 8th November, 1947, Mr. Shah Nawaz Bhutto sent a letter to Mr. Nilam Butch, the Provincial Head of Indian Government in Rajkot requesting him to help him in restoring the law & order situation in Junagadh to stop the blood shade of the innocent citizens. Mr. Harvey Johnson took the message to Rajkot. The head of Indian Administration immediately rang up Mr. V.P. Menon in Delhi and read out the letter of Mr. Shah Nawaz Bhutto to him. Mr. Menon immediately rushed to the residence of Pandil Jawahir Lal Nehru and explained the situation. After consultation with various ministers and Mr. Valabh Bhai Patel, the home minister in particular, a formal order was immediately drafted and a notification was issued announcing the take over of Junagadh at the request of the Chief Minister of Junagadh. The notification promised a referendum in due course.

Mr. Shah Nawaz Bhutto left Junagadh for Karachi on the night of 8th November, 1947. On 9th November, 1947, the Indian Air force sent several sorties to fly at a low height on the Junagadh. Soon thereafter columns of Indian tanks, Armour Vehicles and Jeeps carrying Indian solders entered Junagadh State. At 6:00 P.M. on 9th November, 1947, Captain Harvey Johnson and Chief Secretary Mr. Gheewala, a civil servant of Junagadh State, formally handed over the charge of the State to the India.

The Junagadh was occupied on 9th November, 1947 but two days before this occupation, the 8th Sikh regiment reached Kutiyana on 7th November, 1947. More forces consisting of 40 trucks and 50 jeeps also joined the Sikh regiment on 8th November, 1947 to occupy Kutiyana.

ABOUT THE AUTHOR

Born at Bantva Kathiawar, Mr. Abdur Razzaq Thaplawala has done graduation in Commerce & Law from Karachi University. He is a Fellow of Institute of Cost & Management Accountants of Pakistan. He is an active member of the Institute having served as Chairman Karachi Branch Council for 3 years & member National Council for 9 years.

Mr. Thaplawala has been associated with various community organizations since his school days. He was the member of First Managing Committee of Memon Youths Organization & Bantva Memon Student Union. He was the Founder Secretary of United Memon Jamat of Pakistan. Mr. Thaplawala was also Founder Member of Memon Professional Forum & has been its President for the years 1989 and 1990. He is Life Member of World Memon Organization. He was the First Asst. Secretary General for Pakistan until 2004. He has also served as President of Karachi Lions Club and Rotary Club of Karachi (Mehran).

Mr. Thaplawala has been very active in his professional field of corporate & taxation laws, finance & industry. He was President of Corporate & Taxation Law Society for three years and has over 100 articles published in different newspapers & professional journals in Pakistan and abroad. He has also read papers at several seminars in Pakistan & abroad

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Junagadh Past & Present in Pictures





The Official Monogram of Junagadh State
(Photo taken from Book Babi Raj Na Geeto By K.B. Khacher, India)



Prince Dilawar Khanji Mahabat Khanji
(Photo taken from Book *Babi Raj Na Geeto* By K.B. Khacher, India)

Junagadh in Pictures



Gold Weighing of Nawab Mahabat Khanji III at
Silver Jubilee Celebration held on 31-03-1945
(Photo taken from Book Babi Raj Na Geeto By K.B. Khacher, India)



A.Razzak Thaplawala at Majvedi Gate Junagadh



A view of Sardar Patel Gate Junagadh



The Gate of Sardar Vallabh Bhai Patel Junagadh



Bahauddin College Junagadh



Inside view of Bahauddin Science College



A view of Data Darbar Junagadh



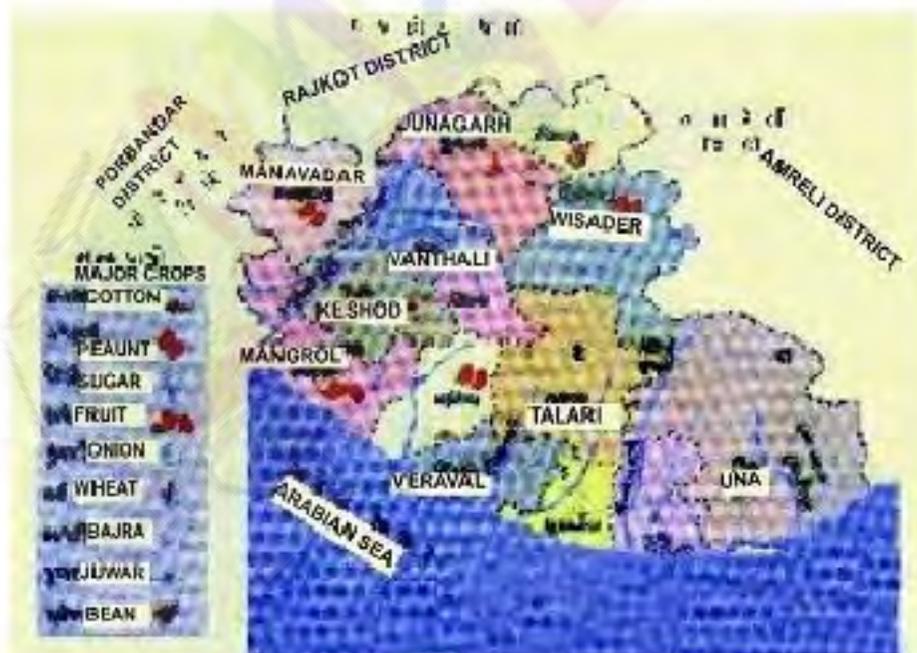
Stairs leading to Data Darbar Junagadh



Shamad Das Gandhi Town Hall Junagadh



Tomb of Nawab Mahabat Khanji Junagadh



Map of Junagadh District of Present Gujrat Province of India