

1934

23272

KENYA

C0533/451

1934

23272

Y. R. Patel - Petition.

Previous

R. 297

9/0

Room 209

20

to Present

10

Pl. Hand

10

Room 205

14/2

R. 297

Subsequent

R. 297

13/4

Room 209

15/5

to Present

13

297

17/7

to Present

8

Pl. Hand

20

to C.O. Building

14/9

to 1/4/1935

25/5

297

11/0

Room 211

2/8

297

2/10

297

4/6

to Room 209

1/8

to Hand

12

to C.O. Building

13

85
Petition
Nominal

S. R. Palil (s.o) _____ 21st August 34

Complains of unjust treatment in connection with
water & consequently charges, passage privileges & deduction
of salary levy. Ends city of course with General Manager
& Co. & requests his case may be investigated.

The petitioner works from India.
He is apparently a Watchmen Clerk-
formerly employed by K.M.K.R. The
various points raised in his rather
incoherent petition - have been
answered patiently & often by his
General Manager & then by his Dept.
Commissioner for Transport, but

? Sent to Kemp in original
for return & inform his
petitioner direct that this
has been done (address as
his head of envelope No 11
6 (1))
J.

12/9/34

Report

Can you idiff the P.Q. referred
to in para. 2?

J.
13

get on 2060/22 P.Q. should be the P.Q. referred to.

J.

3
Att. Mr. Patel's points have already been
repeatedly considered & effectively met by
the F.R.R. & H.C. & I see no object
in prolonging the correspondence by referring
the Petition forward to the H.C.

Arch. & say that after perusal
of the comp. S.F.S. is satisfied that
there is no point on which his
intervention is called for. Send him
a copy of the P.Q. & A. (It won't help
him!).

Copy done to H.C. LF.

Shankar
18/9.

As this is a petition I must send it
on but it is a singularly bad one and it is
quite obvious from the enclosures (see
particularly No. 10 and No. 16) that it has
already been considered ad nauseum and that a
reference to the High Commissioner could not
produce anything fresh. It is quite clear
that he is not entitled to anything in respect
of either his Water and Conservancy Rates or
his passage. As regards the Salary Levy that
was imposed by Ordinance on everybody and he
has no case. To exempt one Indian from the
provisions of the Salary Levy would mean that
everybody else would have to be exempted also,
which cannot be considered.

Paragraph

W.C.B.

Paragraph 6 of his petition is
impertinent and of itself is quite enough to
cause me to advise that the Memorial be put by,
but I suppose we must return an answer. I do not
see what advantage he will get from examining
the Question and Answer in Parliament and I do
not see why we should send him a copy. If he
chooses to get hold of Hansard he can.

Draft herewith.

J.E.W. Flood.
20.9.

Lord Plymouth.

The only point that calls for notice is
that of Water and Conservancy fee, on which the
petitioner says that he had to pay 12/- a month
whereas the Municipality only charged 8/-, so that
the Railway took the odd 4/-. I have discussed
with Mr. Preston.

The main explanations on this are in :-

- Encl. 9 All railway servants are charged 12^B/-:
at some stations the Municipality charges
less - at others more.
(Not such comfort for a man who stays in
a cheap Municipality).
- Encl. 16 The same - more fully set out.
- Encl. 16 (Mr. Patel having alleged that European
railway servants pay direct to the
Municipality) Some Europeans do,
and some don't. Eventually the
Municipalities - when they are ready -
will deal direct with all, Europeans
and Asiatics alike.
(Here again Mr. Patel gets no advantage,
as he has already been retrenched).

He

He has been treated quite fairly under general regulations and I can only agree that there is no occasion to consult the Governor.

? As proposed.

W.C.S.
24.9.34

I agree
P. at well
25/9/34

2 To Patel (1 inst.) 29 SEP 1934

4. to R. B. side
A.P. (2)

3 To W.C.S. re: 93 (11 months + 1/2) 8 OCT 1934

[Signature]

H. S. R. Patel. _____ 15th July 34

State his views on the ally & his minister & asks that it may receive further revision

Mr Patel's remark about his demand for justice, although alarming is confidential.

? Reply that the Dept has nothing to add to the letter from the Co. of the 29th of September 1934. As to the request for a copy of a P.L. Answer, say that copies of Official Reports of debate in the House of Commons may be purchased direct from H.M.S.O.

Admission Hotel, Kingsway, London, W.C.2,
Price 6³ or post free 7³, or
through any book seller.

C. F. Proctor, D.
127 G.P.S.

Sir C. Bostwick

I don't know what an Anti-Lep. League is, but they are also very dear.

I think this can be

? Put by

11.10.34

We are disappointed by the fact that the original petition has been sent to the "H.C." But there is no news whether done, so

Partly

W.C.S.
13.6.35.

[Signature]

H. S. R. Patel _____ 16th September 34

State that as ally & No. 11 has not been received, that his lawyer is writing a reply before filing the case in the British Consulate.

Exhaustively detailed proposal to take action against the H. Transport, in the India Court.

? Reply need not be sent, but copies of 4.10.34 might be sent to the H. Transport, ref 3, saying that in view of the letter sent to the H. Transport on the 29th September 1934, no action has been taken on your proposed course of action. C.F. Proctor 1934

sample copy of report sent to you 2/10/34

6

To H. C. Zepf: 93 (w/do 4-5) 21 OCT 1936

C. O.

16/10/35
Mr. Cant

Mr.

Sir C. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

C. D.
R 16 OCT
D 18

21 October 1935.

Sir,

With reference to Sir

Philip Cunliffe-Liger's

(3) despatch No. 93 of the 2nd of

October, 1934, *forwarding* a

memorial from Mr. V. R. Patel,

I have etc. to transmit to you

copies of further letters from Mr. Patel, *replying to them.*

2. In view of the letter

addressed to Mr. Patel from

the Colonial Office on the 29th

of September, 1934, a copy of

the which was enclosed in my despatch

under reference, no action has been

taken with regard to subsequent

communications from Mr. Patel.

I have

(Sgd.) MALCOLM MacDONALD etc.

DRAFT.

Transport.

Kenya-Uganda.

No. 93

High Commissioner.

From Mr. Patel 15 May
" " " 16 Sep.

(4)

(5)

FURTHER ACTION.

Ring 27 16-9-1935

The Under Secretary of State

5

of Colonial Affairs
London W.C.2

Dear Sir,



No reply of 15/5/1935, being despatched by me in reference to file No 23274/34 dated 29-9-1934 has been received as yet. The copy of the letter was forwarded to the Civil Service Commission in London along with the copies of memoranda copies forwarded. The receipt copy of some handwritten notes sent here. The case has been referred over to the relevant authorities for their actions to be taken and it is only waiting for your reply whether you make any comment or decline totally. Before I file the case in the 1st District Residency Court here.

W

copy to Mr. P. (C)

I am, Sir,
Yours obediently,
W. B. P. (C)

RECEIVED
11 JUN 1935
O. Q. P. [Signature]

35
Huma J.
15 May
20 April 1935.

The under Secretary of state.
Colonial Office.
London. (S.W.I.)

Dear Sir,

No 2

Reference No. 23272/34 of 29/9/1934

have

Reference above I further to write that my

memorial has been considered merely a waste paper as it generally happens where there is a question of Indians particularly in the colonies.

copy 2-4-35 (6)

A. I should like to know whether I can expect any reply on para 1. of the memorial.

B. Do you consider para 2. out of order and the tax decision of Hon. G.M. is correct if so what is the use of rules and regulations. Officer's will is rules & Regulations

C. Does the Rt. Hon. Secretary of State consider that Messrs Patels cases have been justified logically and legally and I fail to find the hitch in my case.

D. Re-para 3. of the memorial about Levy my request to provide me a copy of parliamentary question and reply, has not been complied too and my agreement fails to prove any clause to recover Levy.

E. Re-para 4. of the memorial your office has


absolutely turned deaf ears to my claim because I consider my claim is just and fair and either your office or the Kenya Govt has done not only great injustice to Indians on Kenya Rly but a gross partiality otherwise retrenched Europeans on Kenya Rlys have been transported to their homes at Rlys ^{Cost} ~~can~~ without any exception, whether passage is due or not and Indians have to suffer same from their own pockets. Samples of Brites Justice.

The high commissinor ~~for~~ transport has been misguided by the Hon.G.M. and there fore I failed to get proper reply therefore I approached you direct where happens the same thing. Now I am thinking of hiring an Auto-Lux Lamp to search justice from the British Government but they are also very dear.

Hoping to be excused for the trouble and awaiting for the replies of all my points.

I am Sir,

Your obedient Servant,



2
END

C. O.

Mr. Flood, 107

Mr.

Mr.

Mr. Parkison

Mr. Tomlinson

Mr. C. Battersby

Sir J. Shackleton

Pres. U.S. of S.

Pres. U.S. of S.

Secretary of State

885

Downing Street,

29 September, 1934.

C. O.
#PCSEP
027

Sir,

I am etc. to acknowledge

the receipt of your Memorial dated

the 21st of August and to inform

you that in accordance with

regulations the Memorial in question

should have been submitted through

the High Commissioner for Transport,

Kenya and Uganda Rlys. The

Secretary of State has, however,

examined your Memorial and the

correspondence enclosed therein and

is satisfied that there is no

point

DRAFT.

V. N. PATEL, ESQ.

285
157/11

FURTHER ACTION.

Copy returned to High Commissioner I.F.

W. J. T. H. C. O.

point on which his intervention is

called for.

I am, etc.

(Signed) L. B. FREESTON