

1921

KENYA

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DATE

4TH NOVEMBER 1921

REGULATION

SUBJECT

POSITION OF INDIANS

793

Encloses copy of Report of Debate in Indian Council of State on 22nd Sept at which resolution was adopted recommending immediate steps for securing effect to policy of equality of status in E.A.

Grindle
H. Lambert
H. Road 7/11/21
Westeron Smith
Wood S.M.
Churchill 12-11

Previous Paper

MINUTES

In Order
to be read

No leading discussion is to be taken -
that is our final - there
is nothing to be done on
this paper.

all except in what is...

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Subsequent Paper

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any further communication on this subject should
be addressed to—

The Under Secretary of State for India,
Industries Department,
India Office,
London, S.W. 1.

The following reference is quoted—
S. & O. 2107/21.

Historic 1921. L.O. Est. No.

London.



INDIA OFFICE,
WHITEHALL,
LONDON, S.W. 1.

C O
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4 November, 1921.

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Sir,

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With reference to recent correspondence on the subject of Indians in Kenya, I am directed by Mr. Secretary Montagu to transmit, for the information of Mr. Secretary Churchill, copy of the official report of a debate in the Indian Council of State on 22nd and 23rd September 1921, at which a resolution was adopted recommending to the Governor-General in Council to take immediately all necessary steps to secure effect being given to the policy of equality of status for Indians in the East African Colonies and Protectorates in every respect as laid down in the Government of India's despatch on the subject.

I am, Sir,

Your obedient Servant,

W. Walton

Under Secretary of State,

Colonial Office.

Any further communication on this subject should
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Industries Department,
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the following reference quoted—

L. & O. 2107/21.

Victoria 1992. L.O. Ext. No.

Rotterdam, London.



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K. Walton

Under Secretary of State,

Colonial Office,

RESOLUTION RE EQUALITY OF STATUS FOR INDIANS IN EAST AFRICA.

The HONOURABLE Mr. LALUBHAI SAMALDAS: I beg to move the following Resolution.

1-31 20.

This Council recommends to the Governor General in Council to take immediately all necessary steps to secure effect being given to the policy of equality of status for Indians in the East African Colonies and Protectorates in every respect, as laid down in the Government of India Despatch on the subject.

Sir, the Government of India's Despatch to the Secretary of State for India of 21st October 1920 has put the whole case of the Indians in East Africa so fully and clearly, and set in such sober and dignified language, that if it had not been for the persistent agitation raised on thereafter by the

[Mr. Lalubhai Samaldas.]

Europeans in East Africa against the granting of equality of status to the Indians. This question need not have been brought before the Council.

(At this stage the Honourable the President vacated the Chair and the Honourable Sir Manselgiri Dalalbhoy occupied it.)

The position, however, has changed so much in the interval and my countrymen in East Africa have been so much upset by the agitation of Europeans and their threatening attitude, that it is necessary that not only the Council and the Government of India should by adopting this Resolution among my countrymen there that the Government of India and the people of this country will do their level best to see that justice is done to the right claims of the Indians in East Africa. Before I refer to the present situation, Sir, I would like to give a short history to show how the position of the Indians in East Africa differs from the position of Indians in other Dominions.

The East Africa Protectorate now called the Kenya Protectorate was under the Foreign Office (in 1915). It was thereafter that the control of that Protectorate came to the Colonial Office, and it was only as recently as the 2nd July 1924 that it was annexed and made a Crown Colony. As such its affairs are under the Secretary of State for the Colonies who, with the Secretary of State for India, is responsible to the British Parliament for the final policy to be adopted in the Dominions, and it cannot be argued in these cases as in the case of the Dominions that the British Parliament has no right to interfere in their affairs. Secondly, Sir, Indians have been known to be trading with Zanzibar and East Africa as far back as the beginning of the Christian era. I may say that I have the authority of Sir Henry Johnson for this statement. When East Africa was under Arab control, they were treated as the equals of Arabs. We have historical evidence of fresh arrival of Indians in East Africa in 1697, and it cannot be claimed by the white settlers who followed very much later that they were there in East Africa before the Indians came. That argument may apply to the Dominions, but it cannot in the case of these Colonies. Not only that, but the Indians who went there first began to develop the country, and if priority of arrival and the work done in the development of the country give any preference, preference should go to Indians and not to the white settlers. In this connection it would not be proud of place to quote a remark made by Sir John Kirk before the later Departmental Committee. He said:

"It was entirely through being in possession of the resources of these Indian merchants that we were enabled to build up the influence that eventually resulted in our position."

Mr. Churchill in his book "My African Journey," puts the case more fully. He says:

"It was the Sikh soldier who took an honorable part in the conquest and possession of these East African countries. It is the Indian trader who penetrated and organized himself in all sorts of places to which no white man would go or to which no white man could turn his back, but more than any one else developed the early beginnings of trade and commerce of the East African regions of communication. It was by Indian hands that the one vital railway on which everything depends was constructed. It is the Indian trader who supplies perhaps the larger part of the material yet available for business and commerce, and it is white men who white settlers have not hesitated to acquire and sell. The Indian was here long before the first British official. He had been so in many generations of (Days) past. He dealt his bar with an extremely useful industry of

the coast and inland as the white settlers. Especially the most recently arrived immigrants from South Africa the loudest against him of all, and I must repeat with confidence, it is possible for any Government with a sense of respect for law and justice to be so good as to make a policy of deliberately ignoring the rights of India. It is possible for any Government to be so foolish as to make itself a party to the wrong which is being done to which he has established himself against every equity of public faith?"

Sir, the third argument that is raised is, that the Indians who go to the Dominions belong to the lower strata of Indian civilization. It has been proved that the Indians who went to East Africa were not indentured laborers, India but they belonged to—I do not say, to the topmost strata in general, but in India, he said that the respectable middle class of Indians—and it cannot be said, nobody can say, that they are all of the same type. There are various gradations among European settlers. It cannot be said about our people there that they are in many ways inferior in civilization to the European settlers in East Africa. Then the fourth argument that has been raised is, that Indians have little stake in the Colonies, and it is the Europeans who have a great stake there. We have facts to show, and I am quoting from the Municipal Taxation of the Despatch, that while the Indians were paying a municipal taxation of Rs. 1,50,000 per annum, the Europeans were paying a municipal taxation of Rs. 70,000. That shows that the stake of the Indians was more, was 70 per cent more. Fifthly and lastly, the permanent population is the European population will be a Winston Churchill who is a very shrewd observer. He says: "It seems to me that the beautiful thing is, and the Government of India also support this opinion, because they in their Despatch, talk of the European settlers as a 'settling' population. Is it right, is it fair, I ask, that the country should be placed, should be given over entirely into the hands of a population of such a character?" Mr. Churchill says: "It will be an ill-day for these native administrators of the Crown and abandoned to the narrow self-interest of a small white population." I hope I have convinced the House that none of the reasons alleged for showing preference to the white population in the Dominions exists with regard to East Africa, and as the country is a Crown Colony no difficulty exists in the way of the British Parliament exercising its authority to see that justice is done to India, which, as a member and portion of the British Empire has every right to claim this equality for her sons with all British subjects. In the Imperial Conference a Resolution was passed giving India equality of status in all Dominions. It is true, that South Africa has protested. To that I shall come later.

Both as regards the Colonies, and even as regards the self-governing Dominions, India has been given a status of equality. Are we to be told that while Dominions and Colonies are giving us this equality of status, Crown Colonies, which are under the British Parliament, will not give us the same status?

I will give a history of the agitation of the white settlers, which may be interesting. It is proved that before the Boer War the relations between the white settlers and Indians were not bad in East Africa. It was the advent of the Dutch settlers in the Highlands which was the first cause of trouble in this country. But so long as the administration was in the hands of the

Mr. Lanceline Campbell.

Colonial Office, there was very little friction over the question of the white settlers' rights in East Africa.

They tried to do justice between the East Indian and white settlers and the Indians, but soon after the administration was transferred to the Colonial Office there was a distinct change in the attitude of the Colonial officials, who began to favour the demand of the white settlers for racial superiority.

There must have been noticed by Mr. Winston Churchill when he was then Secretary of State, for he said that "the speculator, the planter and the settler are kneeling at the door." He, however, thought—but unfortunately his prophecy has proved wrong—that thereby when the small white population would be powerful enough only to get regard both the Local Government and the Colonial Secretary and insist on having the administration administered to the self-interest of the white settlers was very remote. Unfortunately for the Indians in Kenya, Lord Elgin, as Colonial Secretary, gave certain privileges to the white settlers. It may be that he gave them in a moment of weakness, but these privileges are now being held up by the white settlers as *casus belli*. Lord Elgin had no right to give away the rights of the Natives, who are most interested in the development of the country, or to make any concessions to the white settlers, without consulting the wishes of the natives there or the natives of India. Having obtained these concessions, and having obtained those lands in the Highlands, as they are called, the white settlers began to agitate for racial superiority, by saying that no Indians should be allowed to acquire lands in those parts, and further that they should be segregated in other areas. The Indians got frightened at this attitude, and as they saw that their rights were being taken away by enactment of local laws, they began to say which they had practically no voice—they thought that the only course was to go to the Government here and get their support. They also got a declaration in England, headed by Mr. Buxton, Mr. Jivraj and Lord Milner. Lord Milner gave me an interview, but that interview is not allowed to be published. Mr. Buxton says in one of his speeches that the interview was not allowed to be published possibly, because Lord Milner wished the occasion to be treated as private, and this was and has been the keynote of the policy of the Colonial Office, throughout, to keep everything as secret as possible so that all the Indians there, as well as the representatives of the Government of India when they visit there, would be faced by the accomplished fact. In response to the appeal of the Indians the Government of India desired to send Sir Benjamin Robertson to make local inquiries and report thereon. Unfortunately Sir Benjamin Robertson's report was not published, as far as I know, but we take it that the Government of India's Despatch has been based on the recommendations of Sir Benjamin Robertson, and as I said above, we in India and the Indians in Kenya were prepared to accept the proposals made in the Government of India's Despatch, as we thought that they were fair, reasonable and practicable. There is also an idea that when Sir Benjamin Robertson went there he had no opportunity of in any way modifying the recommendations in Lord Milner's Despatch or of stating of them being publicly announced before he reached there.

Lord Milner's Despatch gave to the white settlers practically all that was asked for by them, although it makes a nominal concession to the Indians by granting to the 50,000 Indians in East Africa the right of electing only

two members to the Legislative Council, and that also the right of electing members, as against the right of the Europeans to elect only 1,000 members to their own Council.

Whilst the Despatch was under consideration, I was in London, and Lord Milner in his Despatch detached himself not thoroughly from the very "hunting grounds" that were made by the economic contention of the European settlers. They said that the Indians were both unclean and had no money to pay that remark. But unfortunately he was so much obsessed by Turgot's old instincts that he used words, which practically make the Indians in East Africa worse used by him than H. S. Pook at one of the meetings in England when Lord Chelmsford presided, and Lord Chelmsford himself acknowledged that Mr. Pook had said in conversation in his paper. When the Government of India's Despatch was sent to the Secretary of State, the white settlers saw that it was just possible that the Secretary of State would take up the cudgels on behalf of the Indians there, and might be able to succeed in convincing the Secretary of State for Colonies of the unreasonableness of the Europeans' demands. They then began to agitate against the acceptance of the Government of India's recommendations by the Secretary of State. Now there has been agitation going on in our business. I am not going to say that the Indians there are not agitating. But the European settlers have practically adopted the attitude of what you might call "passive resistance"—the attitude that they will not allow any rights to be granted by the Government of Africa even if it came to fighting the Government of Great Britain. The Indians on the other hand, adopted the policy of what is known as "active resistance" (and the first item of their agenda or programme was the tax-payment of taxes). I want to refer to one fact here, say, that as soon as they were known, the Government of India—I hope the Honourable Member for Government will correct me if I am wrong—sent a wire asking them to stop this agitation and not to take up the programme of "passive resistance."

This they have stopped and I want to bring it forward here to show that my countrymen there are still in a reasonable frame of mind, and if they can be sure of the sympathy of the Government of India and of this Council, I believe they will not take any rash action or adopt any unconstituted methods. When this agitation went on on both sides, the matter was referred to a Joint Parliamentary Committee. Their report, which has only appeared, I believe, in the last number of the Gazette of India, but which was published in some other papers, as usually happens, gives formal approval to the principles underlying the recommendations of the Government of India, while it regards the practical working out of those principles as leaving the matter, either if it remains that the matter should be left in the hands either of the local officials or of a Royal Commission. The former method, Sir, is not supported by my countrymen in East Africa. They have reasons for believing that—their view is quite unobjectionable to our legitimate aspirations and rights. I shall quote only one remark which the Governor has made. In replying to the Indian Despatch, at Nairobi the Governor said: "that the country is primarily for European development, and whereas the interest would not be set aside, in all respects the Europeans must predominate."

[Mr. Lal Bahadur Shastri.]

either over them or over the Arab settlers or the natives of the land. It is really a pleasure to see that many eminent Englishmen, like Sir George Buchanan and others, are endeavouring their level best to remove the misunderstandings that exist between the two races, as it too much, Sir, to expect that my European friends here in this Council and outside will appreciate the rights of the Indian settlers? They do not want to take away any of the rights of the native population. I hope therefore that efforts will be made on both sides to bring about a happier and better understanding between these two classes of people.

As I said my countrymen would be prepared to give franchise to the Arab settlers who are much more civilized than the native negroes, it has been said that we have not been able to manage our affairs in India, and that is shown as one of the reasons why we should not get any franchise. Fortunately, we have got our Reforms, and with them, if we get full responsible self-government for which we are trying and which we hope to get in the near future, at least we have got the first element of self-government, and as such we can assure them that we can manage our affairs as well as any others.

Sir, the European settlers here in some of their meetings said that if England has to choose between losing India or East Africa, she should not give up losing India, because East Africa will provide greater facilities of a much better kind than India for British immigration. British statesmen are the best judges of what is good for their country, but it is because I do not want the British connection to cease, and because I believe there is a bright future for my country as an equal partner in the British Empire, that I ask the Government of India to support my countrymen's demand for equality of status, so that the strain on India's loyalty may not reach the breaking point. If the Colonial Office is not able to do justice between Indians and Europeans in East Africa, let them transfer the government of the Colony to the Government of India under whose administration we—Englishmen and Indians—have been living amicably and peacefully for more than a century and where the best members of each community try to take a dispassionate view even of racial problems coming up for their consideration. That British East Africa should be administered by the Government of India, was the opinion of my late esteemed friend, Gopal Krishna Gokhale, and if I mistake not Sir Theodore Morrison has practically endorsed the same view. If the British Government will not agree to the transfer of the Colonies to the Government of India, the Cabinet as a whole sometimes all their differences with the Secretary of State for the Colonies to see that there is no tinkering with the claims of the Indians in East Africa. I do not want to pose a demand on the strength of the services rendered by my countrymen during the war. I have my doubts on the equitable rights of Indians as free citizens of the British Empire—a right recognized by the Imperial Conference and on the right of India as a Member of the League of Nations.

One word more and I have done. It seems from a telegram in the Press that the European settlers have taken up a very uncompromising attitude, and have said that they look upon Lord Milner's Despatch as the ultimatum. This attitude is to be very much regretted. The Right Honourable

Scrinivas Sastri who is in intimate touch with the whole movement both in England and East Africa, at the last Saturday's meeting of the Assembly of the League of Nations said, I do not want to quote the whole of his remarks, because it will take time. What he said was "that there should be no colour bar in mandated territories as was likely to happen, if they did not take time by the forelock and pay regard to their sacred trust." He added, "let the time come when India and Japan would find it necessary to tell the Assembly that they were wiser off under the League of Trustees than under Germans, and his recommendation that there should be no colour bar should be applicable to East Africa also." Let the Government of India follow my Right Honourable Colleague's example and take time by the forelock and make a spirited move in the matter. With these few remarks I commend this Resolution for acceptance.

THE HONOURABLE THE PRESIDENT: Further discussion of this Resolution will be resumed at 11 o'clock to-morrow till which time the Council stands adjourned.

The Council then adjourned till Friday, the 23rd September 1921.

COUNCIL OF STATE

Friday, the 29th September, 1921.

The Council met in the Council Chamber at Eleven of the Clock. The Honourable the President was in the Chair.

The HONOURABLE THE PRESIDENT: We will now resume the adjourned debate on the Honourable Mr. Lalubhai Samaldas' Resolution.

RESOLUTION RE EQUALITY OF STATUS FOR INDIANS IN EAST AFRICA.—*copied.*

THE HONOURABLE MR. ANNAMALAI CHETTIYAR: Sir, I rise to support this Resolution. The Imperial Cabinet has passed a Resolution recognising the equality of status in the Empire, South Africa being the solitary exception. Sir, Excellency's speech the other day has given us strong hopes of obtaining recognition of this principle even in South Africa and its interpretation so as to satisfy Indian pride and patriotism. Sir, I do not think it would be out of to quote one or two sentences from His Excellency's speech. His Excellency said: "But it establishes beyond all question, and authoritatively, the conclusions of the Premier, assembled at the Imperial Conference, with dissentient, the equal status of Indians in the Empire. Secondly, the side of His Majesty's government and their recognition of this principle means that it will be applied in other parts of the Empire which are not Dominion government and notably in East Africa." Well, Sir, if England and her Imperial statesmen give effect to this Resolution of the Imperial Conference in practice, then the problem of Indians in Kenya is automatically solved. But there seem to be some difficulties. The opposition comes from the selfish ambition of a small number of people whose shortsightedness in their view of Imperial policy is much to be regretted. Indians were there in Kenya long before the Europeans ever thought of colonising it. Here is a partial letter, Sir, from the pen of Sir Harry Johnston, one of the oldest and ablest of the colony, to the London "Times," reproduced in "The Indian" of the 15th of this month which I received yesterday morning. I shall not quote more than two minutes to read this. Sir Harry Johnston says:

"I was an earlier pioneer in East Africa than Sir Northrop Mackinnon. I must protest against the matter of his letter to you on the rights of Natives of India—an integral portion of the British Empire—in participation in the settlement, development and commerce of East Africa or of any other portion of Africa under the British Flag. As recorded by Sir Northrop Mackinnon, the first person of non-African race and birth to enter the Kingdom of Kenya was a native of British India. Indians traded with East Africa soon after the commencement of the Christian era. The presence of large numbers of British Indians on

The Council subsequently to the Governor-General's order to take immediately all necessary steps to ensure the equality of status of Indians in the East African Colonies and Protectorates in accordance with the Government of India (Foreign) Bill, 1921.

[Mr. Phoenix C. S. ...]

and the doctrine that all subjects in the Empire are free and equal, the white settlers insist on what they call the right of the self-governing Colonies.

Kenya, Sir, as the Honourable Member has said, was the modern name for what was known till recently as British East Africa. Kenya has a population of 2 million natives and only 5,000 European settlers and as many as 50,000 Indians. The opposition from the white settlers regarding equal status to Indians is based on two grounds. In the first place, they say that the white settlers are entitled to special consideration, because the British white population were invited to East Africa to colonise that territory on the supposition that it would always remain a white man's colony. This statement necessarily requires to be supported by documentary evidence, but so far, no such evidence has been adduced. On the contrary, Professor Keith of the Edinburgh University, who was one of the mainstays of the report, disputes the statement and impugns what authority there is for making such a statement. He asserts that no such invitation was ever extended by the Imperial Government, and he points out that the Imperial Government, and the Imperial Government alone, could hold forth such a prospect. This, therefore, disposes of the argument that they are entitled to special consideration.

The next contention is, that if equal status is granted to Indian settlers, on account of their numbers they would alter the whole government of the Colony and convert the Colony into an Indian dependency. They go further and say that such a result will prove very disastrous in the interests of the native population.

It is difficult to conceive how the granting of equal status to Indians, as is proposed, would enable Indians to convert a British Colony into an Indian dependency. As regards their solicitude for the welfare of the natives whose interests they say will be greatly jeopardised, this is a pretence that can be called by no other name than "wicked moonshine" and is a covert attempt to advance their own selfish ends and further to brand the Indians as an inferior race.

Previous speakers have pointed out that Indian settlers have lived in the land for a far longer period than the British have done. In fact, history shows that Indians went to East Africa even before the English came to India. Not only have Indians been in the country for a longer time, but their stake in the colony is large and they have made many sacrifices. It is hardly fair, therefore, to deny equal status which the Imperial Government is prepared to extend to them. It has been said that the Indians there will not be able to mix with the native population. Indians certainly understand the natives much better and can mix more freely with them than the white settlers can ever expect to do. Therefore if equal status is granted to the Indians, they will help the natives with whom they have lived in perfect amity for years and years to improve their lot and will help them in every possible way.

Sir, in this connection, India has reason to be grateful to Lord Chelmsford a Government for the very able Dispatch which they forwarded to the Home Government last year; and we sincerely trust that His Excellency Lord Reading's Government will not rest content until they have obtained for at least the Indian settlers in Kenya, if not in South Africa, an equal status with

the European settlers. Reference has been made to the Resolution which was passed at the last Indian Congress by the Imperial Conference which acknowledges the principle of the right of the Indian population equally to all British subjects lawfully residing in any part of the Empire. I know that exception has been made in the case of the region of South Africa, but Honourable Members are aware that Kenya is not included in that region.

The Honourable Mr. Lalubhai Samaldas gave us yesterday extracts from that very interesting book entitled "My African Journey" written by the Right Honourable Winston Churchill. Those extracts were indeed very telling. Amongst them there was one sentence which I will take the opportunity of quoting again. It runs as follows:

"It is possible for any Government with a spirit of objectivity for honest dealing to open its eyes and to embark upon a policy of deliberately assisting the native of India, and to regard in which he has established himself with every security of good faith."

The Honourable the Mover stopped at this point, but the next sentence to which I am now referring and I take leave to quote it.

"Most of all we wish such a policy possible to the Government which leads away from the days of our Indian Empire."

Now, Sir, by the irony of fate the Right Honourable Winston Churchill employed the Secretary of State for the Colonies. Let us hope that he will live up to his professions and that he will, in his capacity as Secretary of State for the Colonies, endeavour to get the Home Government to see that the Indian settlers in Kenya do get equal status, and if Mr. Churchill succeeds in doing so, though he will be doing no more than assisting due even-handed justice, yet we Indians will be ready to give him the credit of having rendered a signal service to this country.

The HONOURABLE MEMBER: SUSHI KANTA ACHARIYYA
CHAUDHURJI OR MURTHUSARAI, Sir, I beg to support the Resolution which has been so ably moved by the Honourable Mr. Lalubhai Samaldas, and I gratefully acknowledge the anxiety which the Government have shown in urging the claims of Indians in East Africa. The proceedings of the Imperial Conference in reference to this question show that the claims of Indians to a right of equal status with others in Kenya have been vigorously advocated. Certain Members of the Conference formed themselves into a very able Committee for the discussion of the question, and a Resolution was adopted recognising this right, and it is due up to our statement to see that the claims of Indians are not disregarded. The few European settlers of Kenya. This kind of race hatred and race discrimination only supplies fuel to the fire of the present political movement which is going on in India, and it is to be hoped that the Government of India will do all that lies in their power to get away with this kind of race feeling.

With those few words, Sir, I support the Resolution that is now before the House.

The HONOURABLE SIR B. C. MITTAL, Sir, I beg to support the Resolution which has been moved by the Honourable Mr. Lalubhai Samaldas, and, at the outset, I wish to congratulate my friend on his industry, the research and the mediation with which he has presented his case to the House. I also beg to tender my sincere thanks to Lord Chelmsford and his Colleagues, and wish to express my appreciation for the very gallant

[Sir B. C. Mitter.]

Sight which they had put up to vindicate the great principles of Right and Justice in connection with the important problem that is engaging the attention of the House to-day. I have no doubt that His Excellency Lord Reading, freed from that great palladium of justice which has given more prestige to the English nation than anything else, will bring those high principles of justice into the solution of the present problem, and that His Excellency, with the help of his Colleagues, will continue the efforts of Lord Chelmsford and his Government, and press our claims for equality of treatment with unflinching zeal and pertinacity till our efforts are crowned with success.

Sir, while I agree with most of what the Honourable Member has said, there is one point on which I am afraid I cannot agree. He has suggested that, as a last resort, the Government of this particular Colony might be handed over to the Indian Government, and he has quoted the high authority of one of India's greatest statesmen, namely, Mr. Gokhale, in support of this claim.

Sir, there has been a great change in the public and political conditions of both India and East Africa since Mr. Gokhale made the suggestion. We have now been put on the road to responsible government. It hardly lies in our mouth, under these circumstances, to say that we shall control the government of a country which does not send its representatives to our Legislature.

Sir, I venture to submit, at the same time, that the solution suggested by Lord Milner in his Despatch is wholly inadequate. We are thankful to His Lordship for acknowledging the principles of justice and equal status upon which he deared to base his decisions. He said that the test must be the test of equality, but, Sir, when having laid down that test, he suggests the remedies, it is difficult to see how those remedies conform to those high principles which His Lordship enunciates as the basis of his judgment.

Now, Sir, it is proposed that the Legislative Council of Kenya will consist of 15 nominated officials, 11 elected Europeans and 2 elected Indians. I know, and the House knows, that roughly the native population in East Africa is 2 millions, Indians 30,000 and Europeans 8,000. We also know that the Europeans contribute in the most important municipality, 70,000 in taxation, while the Indians contribute 1,20,000 and the Africans 10,000. Lord Milner proposes to add only 2 Indian elected representatives to the Legislative Council where there was none. Sir, with these facts before us, how can we say that the proposal which is to be found in the Despatch of Lord Milner is a just or equitable proposal? It is said that as the Government is retaining the majority in its hands, it does not matter whether the Indians get 2 votes or more than 2 votes. May I ask, Sir, to put this matter the other way about? Where there is the objection to give 2 votes to Europeans and 11 to Indians, you have only to state the case, and it will be clear as the mid-day sun that there is no substance in that contention. Sir, while we all gratefully admit the high principles which His Lordship lays down, one cannot forget that in judging a statesman we judge him not by the principles which he enunciates, but the manner in which he translates those principles into action. Sir, I think I have said enough to show that the proposed representation on the Legislative Council is wholly inadequate and unjust. Now,

when I come to the question of municipal representation, and this is far worse, because up till now there has been no representation of Indians in the important municipality of Nairobi. The safeguard of official majority is wanting there. We know that the proposed suggestion is that there should be only 3 Indians on that Council, leaving a huge majority to nominated Europeans. Sir, with such a condition of things, how can you expect that the Indian quarters would be sanitary? If the Indians do not have a proper representation on the municipalities, it should not be wondered at that more money is spent upon European quarters. It is hardly fair to give Indians such a small vote in their civic affairs and then to say: 'You live in an insanitary way.' I submit, Sir, that we cannot possibly accept the suggestion of segregation that has been put forward. Sir, a peculiar reason has been given that social convenience demands it. Sir, is there any town in Africa where more Europeans live than in Calcutta or Bombay? Do not the Europeans and Indians live in these cities in perfect peace and amity? Has segregation been ever necessary or suggested in these cases? No doubt, Indians will naturally flock to one particular quarter, so will the Europeans. But, Sir, it hurts the national pride of the Indians to be told that they live in an insanitary way and that they must be segregated. It puts upon them the stamp of moral inferiority which they cannot possibly tolerate. The result of segregation, Sir, will be that the Indians will go to the wall.

Sir, then there is the acquisition of land. Now, it is said that the Indians ought not to have land in the uplands. The question is not such a big one as it seems at first sight, because, after 1908, all the available lands there have practically been distributed. The practical question that arises is, whether, in case of transfer, Indians are eligible to be transferees or not. No doubt in 1915 an Ordinance was passed whereby the consent of the Governor was made necessary for the transfer of land belonging to an individual of one race for an individual of another race, and instructions, I understand, have been given that when the transfer is made to Indians, that transfer will not be acknowledged. Now, Sir, there is absolutely no justification for this. It is inequitable, it is opposed to economic principles, and in the long run, cannot be of any real service to those Europeans who desire to transfer their lands. The fact has now gone forth from the Imperial Conference that, at least in the countries administered by the British, there shall always be equality of rights. In view of this, the Ordinance in question ought not to be on the Statute-book any longer. Sir, we have had the matter considered by English statesmen sitting on the Parliamentary Joint Committee. Their Report is in our favour. It re-affirms equality of status. It says that the representation of Indians in the Legislative Council and on the municipal bodies is at present inadequate, and gives its verdict in clear terms against segregation. It affirms that a case has been made out for further inquiry into the acquisition of land. Sir, even these well-considered recommendations have taken exception to. Violent agitation seems to have been started by the Europeans in East Africa, and we find their cause espoused by influential Englishmen in England. We read the other day, in the columns of the Press a contribution signed by some very influential Englishmen which says in effect that East Africa is a white man's colony and can never, and should never, be allowed to pass under the political domination of Asiatics. At present the Government will continue to have a majority on the Legislative Council. That is done with a view to safeguard the interests of the natives of Africa. If that is the argument which has influenced Lord Milner's course of action, it is an argument which we can well ask him to adopt.

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in the case of Indians also. How can it pass, therefore, into the hands of Asiatics. The Government will always have a controlling voice. In the next place, the suggestion of the Government of India is not that it should pass into the hands of the natives of India. All that is claimed is equality of status. Rules and regulations will no doubt have to be made, properly safeguarding the interests of all the communities, but what we do take exception to, is the claim that it must remain a white man's colony.

Now, Sir, may I ask, what is the underlying basis of that assertion? I put it to the House, is not the logical consequence of that that true British civilisation is not based upon ethical considerations but upon racial grounds? I am confident that the better mind of England will give a most emphatic denial to such an assertion. Sir, it has been said that the case of Indians in East Africa is regarded as the acid test of the sincerity of the pretensions of statesmen and politicians of the value to an Indian of British citizenship. Mr. Gandhi in his famous pronouncement of non-co-operation insinuates that the professions of equality are mere sham. Sir, all India is awaiting the solution of this East African problem with bated breath, and any kind of solution which suggests partnership with I venture to submit deal a staggering blow to the prestige of His Majesty's Government and extinguish the high hopes that animate to-day millions of His Majesty's loyal and peaceful subjects.

Sir, the great bulk of the Indian people to-day believes in the inherent sense of justice of the British nation. Englishmen have always made enormous sacrifices in men and money to vindicate the principles of justice and equality, and they have given practical proof of the sincerity of their assertion by putting us now on the road to responsible government. They have thereby furnished incontrovertible evidence of their good faith. When South Africa lay bleeding at her feet, what was it that England did? She dealt out justice to her. Rebel slaves were converted into her staunchest friends. To that principle of justice I appeal again. The present agitation of the Europeans in East Africa is directed against those very principles. They have threatened if necessary to use force. I ask us the people of England, is the great Parliament of England, going to be bullied or threatened by anybody, or are they not going to stand by those eternal principles of justice and right, and decidedly and unhesitatingly settle fairly as between man and man? The Europeans are a practical people. Our European colleagues are working together with us with the greatest cordiality. Sir, I venture to prophesy that history will repeat itself in East Africa. The Indians have a Douglas champion in the Government of India, they have a Deakin model statesman at the helm of affairs in England. I ask the House, will all the emphasis I can command, not to emulate the European settlers in East Africa in their truculence and in their threats, but to pursue the peaceful and justifiable methods which have set their countrymen at the head of the path towards the realisation of self-government.

Sir, in conclusion, I hope the protests of the Government of India and the united voice of the Indian Legislature—for I hope there will be no dissentient voice—will raise the mist that seems to have hitherto hung over the Colonial Office, and thereby trust that the present Colonial Secretary, who we know has expressed generous sympathies towards Indians in East Africa, will have the courage to carry the judgment of the Imperial Conference into execution, a judgment which he says that in almost all the countries where the British

flag flies there shall be no discrimination between His Majesty's subjects, and I hope he will be able to frame just and equitable rules and regulations suited no doubt to the local conditions of the country, bearing in mind the principle laid down by the Imperial Conference, as will enable Indians and Europeans, both subjects of His Imperial Majesty, to live in peace, in amity, in concord and in happiness, and thereby solution of those delicate and Imperial problems that will high threaten to affect the harmony and peace of the great British Empire.

Sir, with these words, I support this Resolution.

The HONOURABLE COLONEL SIR UMAR HAYAT KHAN: Sir, I think the Government of India is already doing its very best in the matter and I do not think, even if this Resolution had not come forward that they would not have done what was in their power. At the same time this Resolution does show that Indians feel all that has been set forth by previous speakers and that we are not asleep in the matter.

So much has been said on the case by the Honourable Member, that I think it is needless to go into details, because I have noticed that most of the other Members who have spoken have been repeating most of the points already raised.

Sir, when India launched in the War and Indian soldiers began to fight, I know, that they all had great hopes that after the war they would get something, that they would get some place in Mesopotamia or in Africa or somewhere else; that was the idea, but I am very sorry to say that all their expectations of getting a place have hitherto not been realised. I am not sorry about Mesopotamia, because I think it is a place which has gone to its rightful people. But what about East Africa? Every one had an idea that we would get it, because it was really conquered by Indians. I remember, Sir, when I was going to Flanders at the very beginning of the operations, a brigade was detailed to start from Kenya for East Africa. All know how much they suffered. The country was not then considered good enough for Europeans, and it was for this reason that Indians were sent to conquer it. Now that they have done so, it looks as if when conquered, it had become a very nice country and that it is much more suitable for Europeans than for Indians. I think, Sir, that some of the colonists there say that the Indians have got no right there. Since we have won this colony, since they have taken the greatest part in its development, and since their numbers are greater, they ought to dictate their terms just as others are now dictating theirs to them. I think it is very moderate to begin with that we should get more than the Europeans; but if that is not proper, let us get at least equal status.

If only you consider, Sir, how many Indian troops were in the country and how many English troops were there, if you go on that principle, we will be quite content. After all, we have done our very best. But those are arguments which do not carry sufficient weight.

There is a saying *Dakhal-e-Hudhush Rakushan Samirgani-o-Dukhara* which means, a man who do not possess Bokhara or Samarkand bestowed it on persons saying go "and take it." How is it to be taken? that is the difficulty. We have been saying that it is our right and so on, but when people do not listen, then comes the difficulty. There was a bania, Sir, whose cow was killed by a lion; and he got out his book and said "Now, by what right have

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you gone and killed my cow? "The lion growled and the bania said "Oh, it is all right." That is the only thing to do.

One allegation against the Indians is, that they live cheaply and others cannot. Is it to be understood that by civilisation is meant that a man who spends most is more civilized than the man who spends least? I think if we spend less all the rest of the money goes to the State and is used for good purposes. So, I think, Sir, we should at any rate get our share there, in return for the services that India and Indian soldiers have rendered; many of them buried in the ground over there, and I say they should get their rights of equal citizenship.

THE HONOURABLE SIR MANECKJI DADABHOY: Sir, I also feel that I would be remiss in my duty to my constituency if I did not extend hearty support and co-operation to this Resolution. The Honorable Mr. Samaldas has rendered a great service to the country in placing this Resolution before the Council and giving it an opportunity of expressing its opinion in unequivocal language on the present position in East Africa. The admirable manner in which my friend, Mr. Samaldas, has dealt with the question and the great restraint with which he has placed the case in support of the Indian settlers in East Africa makes my task easier and, therefore, I do not propose to traverse over the same ground again. This Resolution simply affirms the great principles laid down by Lord Chelmsford in his famous Despatch of the 21st October 1920, and I have not the slightest doubt that the Government now will accept this Resolution in conformity with that Despatch; but there is one important matter to be said in this connection. I hope Government will not allow the case to rest at this stage. Speeches in this Council endorsing the view of the Government of India is an excellent thing but they will not attain the great object in view. We all know that the Indian settlers in East Africa have a good case. They went there and settled down years ago. They have acquired inherent and vested rights; the rights have been legalised, which these European settlers now wish to deprive them of. There are three main grievances of these unfortunate people who have been dealt with in this Council. They refer to their claim for equal electorate, equal franchise, to the freedom of moving in the town and acquiring rights over property and land in open competition with Europeans there. Nobody could possibly say that these demands are unjust and cannot lawfully be supported. But what is the Government of India now going to do to further their claims? I shall not be satisfied with the mere acceptance of the Resolution by the Government of India. The Joint Committee that was appointed here, as the Honourable Mr. Samaldas has pointed out, whittled down the suggestions and proposals made in the famous Despatch to which I and other Honourable Members have already referred. There is one important suggestion which they have made, and that is, the appointment of a Royal Commission. I think this Council should urge on the Government of India not to be quiet at this stage but to persist in their righteous demand, to make upon the Government at Home to appoint a Royal Commission which will go out to Kenya and inquire into the grievances of our Indian settlers there and see what justice can be done in this matter. It must also be borne in mind in this connection that the Kenya Protectorate is now a Crown Colony and is under the Imperial Government and under the administrative control of the Secretary of State for the Colonies, and directly under the control of the Imperial

Parliament. The Imperial Parliament, if it wishes, can bring a great deal of pressure, moral pressure, to bear upon these European settlers and upon the Government of that Protectorate to yield to the reasonable and just demands of our countrymen, and I hope something in this direction will be done. It is also a matter of congratulation that our sister body, the Legislative Assembly, yesterday have voted the supply of a grant for the appointment of a High Commissioner for India in that Protectorate. This will enable the Indian interests of Indian settlers to be scrupulously watched and safeguarded. I also understand in this connection that an official of my Province whose qualifications are great and who is of pro-Indian sympathies, has been selected for the vacant office. I have no doubt we are now moving in the right direction, and I expect the Government of India to leave no stone unturned in the matter of seeing that justice is being done to Indian settlers in the Kenya Protectorate.

THE HONOURABLE MAHARAJA SIR MANINDRA CHANDRA NANDY:

Mr. President, I have very great pleasure in supporting the Resolution which has been moved by my friend, the Honourable Lalubhai Samaldas. The position of Indians in East Africa, particularly in Kenya, is really the key to the position of the Indians in all the self-governing Dominions of the British Empire, and, so long as our position in this Colony is not settled, there is very little chance of our enjoying equal citizenship in other parts of the Empire. I quite admit that the Conference of the Premiers of the Dominions in London last summer did its very best to put us into a position of equal status throughout the Empire excepting in the case of the South African Union. So, it is only in South and Eastern Africa that the Indian problem is a living issue, for, in these two parts of the Empire, there is a large Indian population whose labours come into competition with those of their white population. With this angle of vision, and with the broader statesmanship of to-day, I hope labour competition will not be allowed to interfere with the establishment of equal citizenship for Indians in all parts of the British Empire.

Sir, I hope this Council will excuse me if I go into a bit of the history of this complicated question. It is nearly 500 years that the Indians began to emigrate into East Africa, and it has been recognised by English authorities that the Indian emigrants have been the pioneers of civilisation, trade and agriculture in that part of the world, and they were the first to establish a link between the Indian Ocean and the interior of Africa, and that it was by their labour that a railway was constructed from the coast to the lake Victoria Nyanza. It is universally recognised that the Indians have made Kenya or Eastern Africa what it is to-day. To-day, Kenya has nearly 30,000 Indians, while its European population does not exceed more than 8,000.

THE HONOURABLE THE PRESIDENT: I would point out this debate has gone on for a long time and in the circumstances I would ask the Honourable Maharaja, as far as possible to avoid dealing with arguments which have already been set forth at considerable length.

THE HONOURABLE MAHARAJA SIR MANINDRA CHANDRA NANDY: Yet, it is strange that, for the benefit of this small community, grave injustices have been inflicted on the large Indian community. In July 1920 a new constitution created the Kenya Colony out of Eastern Africa with the status of a Crown Colony, the object of which was to combine the Indians as far as possible on the low lands around Mombasa, and to reserve the highlands uplands around Nairobi for European settlement or, in other words, to give legal validity to

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The differences between the races started in 1903. The Territorial division for racial purposes on the ground of "semitism" is the beginning of the present trouble and distress among the Indian emigrants in East Africa. The Separation of Races Rules and the Town Planning Scheme Ordinance (enacted in 1911) in consequence of a report made by Professor Stephenson more than eight years ago, have practically condemned the Indians to the position of mere hordes. That is not all. The Indians in Kenya cannot buy lands nor go about wherever they please; they are practically excluded from the legal and medical professions, and, lastly, they have hardly any educational facilities; and though they are as many as 3 to 1, they have the right to send only two representatives to the Council, while the European authority can send as many as 11. This position seems to be most unjust, especially because it is so shamelessly based on "sanitary grounds." Lord Curzon, in 1909, enunciated the principle that in a Crown Colony of this sort, Indian subjects ought not to be given a lower status than any other British subjects, but Lord Milner unfortunately did not act up to it. That is the position that we are all anxious to cure for Indian emigrants in that part of the British Empire, and just as ardently support our plan. With that view I have very great pleasure in supporting the Honourable Lal Bahadur Shastri's Resolution.

The HONOURABLE MR. G. S. KHAPARDE : Sir, when about two years ago, Sir Benjamin Robertson who was then Chief Commissioner of the Central Provinces, was appointed to proceed to Africa to inquire into questions affecting Indians there, I moved a Resolution in the Old Legislative Council which I am very glad to say, was accepted by Government asking that questions relating to all Indians there referred to him. Then numerous communications and reports were issued by Government relating to these questions, and the questions which the Government of India came to on questions I raised were communicated to him and acted upon. Now those conclusions were urged I believe, on non-historical grounds, and it is in this connection that I wish to show Honourable Members an apology and that apology is in regard to our Joint Hindu Family System about which every body knows. In our system of Joint Hindu Family it was originally the head of the family who held the house—generally the father—but there came a time when his sons grew up to be responsible persons and he was compelled to admit them into his counsel, and they had, even then, in settling family matters. Now, this is the point in the analogy which the British Government has reached because it has not only to treat Britain but all the Colonies and I look upon three Colonies as the sons. All those sons should be brought together and included in the councils of the Head of the family—the British Government—and they should have a voice in determining questions relating to the welfare of the family. I want to hear the Colonies spoken of as British Africa, British Australia and British India, and so on, because it will show that they all belong to one united family.

Unfortunately a question has cropped up as to White Africa, next I suppose the shall hear of Brown Africa, a Black Africa. If you will refer back again to my analogy in regard to the Hindu Joint Family System what do you find? You will find that we do not quarrel with all the whys and wherefores of different things. One member of the family may have the means of

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 riches coming in every month from his profession; his brother may remain at home to look after the property and estate and yet another brother may have means of all, what does it matter? They do not quarrel, each other as to why one should have this and another that, the wealth of whatever is possessed is shared equally into halves so that all members of the family are happy and contented.

I humbly submit that historical considerations of this kind are important and worthy of consideration, but they must be subordinated to the necessities of the present situation.

We have heard statements in regard to people entering Africa. It does not matter who, who entered first or who entered last, who carried a sword or who carried a pen or the identity of the tiller who remained at home and wrote poems. Everything should be done in accordance with the law of equality. When settling family disputes, I have found it useful to apply the law to my clients. I should never say to a client who has all the work or "who does no work," who spends all the money. No, I should say, "kindly find out what the property is and if it is equal." These considerations and maxims do not apply only to family disputes, but they apply generally. I should not hesitate to apply them to any question—both international questions. It would have been better in the past when people settled in a country, for them to have partitioned their land off in equal shares. A lot of trouble would have been avoided. This reminds me of the question referred to by my Honourable friend Mr. Lal Bahadur Shastri regarding a dispute about some highlands. In this case, equity is equality, and those highlands should have been divided equally amongst the persons concerned. If a highway was acquired by all means, have it, there would be no objection.

The second "partnership" has been mentioned often enough. I do not like that word. It is not a nice word as it is based on contract, and contract means three persons with a judge between them.

I want to see a union of British subjects and other nations. Or if you like to call it a union of two nations, or some such phrase. The phrase "partnership" will have to be dropped, all considerations of history will have to be dropped, and these other things which make for differences will have to be dropped. We must look upon ourselves as five people who have voluntarily put all their belongings together and we want to share them together and as far as possible, need the convenience of each by limiting our own rights by the rights of others and the rights of others by our own rights. In that way a solution should be reached. I am sure that if all these disputes and all those troubles were looked at from this angle of a union, namely regarding it as one family, the solution would present itself. With these words I have great pleasure in supporting the proposition put forward by my Honourable friend Mr. Lal Bahadur.

The HONOURABLE MR. B. N. SARMA : Sir, if I do not interfere in 1931, the device called it was because a desire was expressed that the mind of the country should be expressed through its elected representatives in this House in order that the hands of the Government may be strengthened, it would be in securing the rights of Indians in British East Africa. The Resolution asks that the Government should take immediately all necessary steps for the support of giving effect to the resolutions made in the December of 1929 October. We stand by that December. There

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is not used to do or originate from it. We do seem to me to be necessary to see that there is given to us. We are in a delicate Negotiations are going on between the Colonial Office and the India Office representing us, and I may assure Honorable Members that we have every reason to hope that a satisfactory solution would be reached and announced as long. Under these circumstances it is necessary first to enter into a critical examination as to the accuracy or inaccuracy of particular facts, figures or arguments advanced by various Members in support of the Resolution. The Government if I have here for a long time been unwilling to agree to any limitation on the right of British Indians to participate to any part of the British Empire. But in order to promote the solidarity of the Empire, to prevent as far as possible friction, and racial or economic jealousy for misunderstanding between the component parts thereof, and to bring about a harmonious and amicable settlement thereof, though they have agreed to limitations being placed upon this unrestricted right for which they have contended for very long, a Resolution has been carried by which it has been tacitly understood, expressly understood, I might say—that in so far as British Indians have lawfully migrated to any part of the British Empire, they shall be treated on perfectly equal terms with the rest of His Majesty's subjects, and that the Government of India and the Dominion in general should agree to the principle that each component part should have freedom to determine as to what the composition of its population should be. I am glad to say that this principle has been re-enacted and accepted at the recent Imperial Conference. It has been recognised, except to a very limited extent—and even here it is not hopeless that such different councils will prevail—that Indians shall be treated as entitled to an equal status in every part of His Majesty's Dominions. Now, with reference to Bikaner or British East Africa, I believe there would not be any very great difficulty although I have no warrant for announcing any decision, in the way of the Government's proposals with regard to franchise, general and municipal freedom to live in any part of the country freedom in regard to trade and other industrial and essential matters being accepted on the lines on which both the Government and the people of this country desire to see settlements of Honorable Members, I am glad, have adopted a moderate tone. The delegates and have not expressed the keenness of their resentment or any bitterness of feeling towards particular sections. I may assure Honorable Members that expression of resentment, and unnecessary warmth, would only handicap us in our struggle to secure better treatment and recognition of equality for Indians in all parts of the Empire. Moderation would never be misunderstood as being tantamount to weakness, and we must also realise to a certain extent that, whatever may have been the reasons for it, disappointment is felt by some of our fellow European subjects, and that the fault did not always lie on one side. If there has been bitterness of feeling expressed by Europeans, bitterness of feeling has been expressed by Indians also. But it is useless to enlarge upon this passing phase of the struggle, because I feel sure that, when the British Empire has resolved upon a particular course of action it has in the Imperial Conference, there cannot be and there will not be any deviation from that accepted principle. Honorable Members have stated that in matters of franchise, Indians have not been treated fairly. I have already alluded to the fact that we have reason to hope that on the essential question of franchise, both general as well as municipal, there would be no distinction

between the position of His Majesty's subjects, and with regard to wages, the position of those who work in the public works, and so on, I do not think that any distinction would be allowed. There also points out, if it were necessary to do so, that there is no sound ground on either side. We are not dealing with the question of a self-governing Dominion. We are dealing with the question of a British Colony where, as far as we can foresee, there must be a large official majority that is left the Government of British Africa must be subject to the paramount will of the British Parliament. If that be so, the British interests would and could never be sacrificed. British rights would always be respected and there would be no danger of any lower type of civilisation being allowed to have its say in that land. Therefore it seems to me that it is a title premature for any such thing, felt by the fellow European British subjects in this island. Now, there may necessity for any great alarm on the part of the Indian side either. Inasmuch as the essential control of the Colony must remain vested to the will of the British Parliament it ought not to make any very great difference whether the franchise should be secured proportionately to the population. Still, I think we are on the right road in asking for a wider franchise, and we shall never deviate from the demand for perfect equality in respect of electoral qualification and in respect of every other essential attribute. I do not think it does count at all as to whether the Indians go in sufficient large numbers on an equal franchise into the Legislative Council or the Municipal Councils although it may be possible that, in the near future, their numbers will increase to adequately and justly represent the Indian population. Although there has been talk about the Highlands, I would ask and wonder the reasons are perfectly justifiable or not, a large section of the European population there are to be convinced that a change has been agreed that everyone should have that franchise protection in the Highlands, and I am sure supported on an occasion made it plain that it has been established, and we have heard pointed out by Mr. C. Mitter, inasmuch as practically the whole land is staked to have been parcelled out, it is not a practical question to give the genesis of the policy or the course of conduct which the Government should never deviate. The treatment of India have in their Despatch never asked that any change should be broken, but have agreed and I think rightly, that there is no necessity for any embargo being placed upon free transfers, and I will only suggest one argument for the consideration of those who may hold a different view, namely, that it does not seem right or dignified that any community which is so self-sufficient as freedom-loving and so active as the British should ask for protection which seems to be the peculiar privilege of the weak and of helplessness. I do not think the British settlers will suffer by the transfer being allowed. I know we are in this experiment of *Karakoram* in ancient India or perhaps medieval India, and I would ask those who now believe in it in Africa and Indian history with some scepticism and profit to themselves. None of these problems seems to be a new problem. We have tried the experiment and we have a real of the conclusion that it does not pay. Still, I trust Honorable Members will realise that the Government are in some doubt and would have to take the European community with them as far as possible and lead in that sense of fair play and justice is not really shocked. I need not say anything more on it but that the Government of India are

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still of the same opinion as was expressed on this subject in their Despatch. I think the suggestion that the Colonial Office, if they are not loyal to the task, might hand over the government of the India Office as a matter more to facilitate a feeling of irritation at the community expressed by the Honorable the Mover who has been scrupulously moderate in his tone. I must acknowledge that a practical proposition advanced for serious consideration, and that statements against it have been so well set forth by Sir B. C. Mitter that I will hardly allude to them again. The Honorable Sir Umar Hayat Khan expressed disapproval that the hopes that were raised that some part of Africa would be reserved for the soldiers or for Indians generally, have been disappointed. I do not think that on this subject there is any justification for any disappointment. I do not think that on this subject there is any justification for any disappointment. I do not think that on this subject there is any justification for any disappointment. With regard to German East Africa, now known as Tanganyika, which is a territory administered under a mandate, people of all nationalities within the British Empire have absolutely equal rights, and consequently it would not be open to His Majesty's Government to show any favoritism to any section of the community. But we were asked as to whether any franchise there should be reserved for Indians. An inquiry was set on foot and it was found that the country was absolutely unsuited for colonisation by small farmers, and the climate, the surroundings, the money and the labour necessary render only large farming and large estates possible at present. Consequently the colonisation scheme which at one time was hoped would be possible could not be embarked upon. Even apart from that it was felt that if any portion should be reserved for Indians other people would have an equal right to say: "Now that you have asked for some reservation you have no right to be treated on an absolutely equal footing elsewhere. The moment you ask for reservation and special rights other communities would have equal claims to differentiation and special reservation." Therefore the Government of India felt that they will be perfectly right in asking for absolute equality of status, for absolute equality of opportunity of perfect freedom of action and for no favour; and in this respect they are supported, I believe by the Indian National Congress. And I am sure the people of India are behind the Government in asking that through out His Majesty's Dominions Indians do not want any favour, do not seek any favour, but only ask for fair play, freedom and absolute equality of opportunities. And I think therefore that, in view of the facts I have explained, the Honorable Sir Umar Hayat Khan will realize that there is no reason to be dissatisfied, either with the action of the Government of India or His Majesty's Government in this respect; and the fact that His Majesty's Government have respected the wishes of the Indian people and the Indian Government in ratifying at the Imperial Conference the principle of equality of status for which we have been fighting, is a clearly indicative that our struggle in that behalf has not been in vain.

I hope therefore that I have said enough to convince the Honorable Members of this House that the Government are alive to the importance of this subject; that they will do all that lies in their power that may be humanly possible to defend the cause of the Indian community, and that they are fully conscious that the people in East Africa as well as His Majesty's Government are fully aware of the fact that behind this plea of the Government are the people arrayed in solid phalanx. We may, therefore, hope for an early reasonable, moderate and satisfactory solution of this difficult question. I may say that the Government are willing to accept the Resolution.

The HONOURABLE SARDAR JOGENDRA SINGH: Sir, I simply want to congratulate the Government of India on the bold stand that they have taken for Indian rights in their Despatch which was submitted to the Secretary of State. A precedent was set by Lord Hardinge who publicly declared himself as the defender of Indian rights. I am glad to see our Government to-day takes the same stand that Indian rights everywhere shall be respected and enforced by the Government of India as far as it lies in their power. It hurts me to hear of the white man, the black man and the brown man. We all belong to the same household. The British Empire is growing into a circle of self-governing Dominions. As British citizens we belong to one great Empire working for human happiness and universal freedom. The new economic forces that are coming into existence are working towards a greater unity and that in this I am a declared free trader. Because the State will link us together, and we shall feel that in this great Empire we may freely interchange each other's produce and attain a large prosperity. The necessary way which the Honorable Mr. Khamahe suggested of taking the British Empire as a huge Hindu joint family, I think is a very nice one indeed, if the British people were willing to admit us into that kind of partnership. We would profit by it indeed. The sleeping partner in a big business has the best of everything, and I think the British people hardly realised, when they invited us to be partners in this great household, that a Hindu in India was to stand up and say: "I am going to have all the advantages and take as little responsibility as possible." You see, the head of a Hindu family is very often a long-suffering man. He has to provide for so many people who do not work. Is India going to be such a partner?

I shall not take up the time of the House, but with one more word I shall conclude. The telling speech which the Honorable Sir Umar Hayat Khan delivered, showed the sacrifices made by our Indian soldiers in East Africa. I hope the British people in East Africa will not forget the debt they owe to the dead and keep faith with them. Sir Theobald Morrison, who was a Member of the Secretary of State's Council, wrote a book in which he solemnly promised the handing over of East Africa to the Indians, and that is the pledge by which we stand to-day.

The HONOURABLE MR. LALUBHAI SAMALDAS: Sir, I should just like to say a few words.

The HONOURABLE THE PRESIDENT: I would thank the Honorable Member that this debate has gone to a great length and ask him to be as brief as possible.

The HONOURABLE MR. LALUBHAI SAMALDAS: Sir, I am very grateful to Honorable Members for the way in which they have supported me and I am also grateful to Government for having accepted this Resolution. I have only one word to say in justification of what I said from the Honorable Sir Umar Hayat Khan. The Honorable Member on behalf of Government is quoted about German East Africa, but he has not spoken of or referred to British East Africa, where as I say, 1,500 farms of millions of acres have been given to British soldiers, and not a single acre has been given to Indian soldiers. If anybody is responsible for that remark it is the Honorable Sir Umar Hayat Khan. I will take the responsibility for it.

[Mr. Lalubhai Samaldas.]

I am very thankful to Government for the way in which they have accepted my Resolution, and I hope that they will succeed in getting the Secretary of State for the Colonies to accede to our requests.

THE HONOURABLE THE PRESIDENT: The question is that the following Resolution be adopted:

This Council recommends to the Governor General in Council to take immediately all necessary steps to secure effect being given to the policy of equality of status for Indians in the East African Colonies and Protectorates in every respect as laid down in the Government of India Despatch on the subject.

The Resolution was adopted.

G. D.
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Kenya

17 Nov 1907

DRAFT.

U.S. 28. for India
Ind. Office
Ind. Office

I am in acc. the recd.

your letter N^o 11 x 0. 2107/07

MINUTE.

of the 4th of November

Mr. Clerk 14/11/07

Mr. Robinson

Mr.

Mr. Grindia

Sir H. Lambert

Sir H. Read

Sir G. Fiddes

Mr. Wood

Mr. Churchill

on the subject of the

of the official report of a

in the Indian Council of

on the 22nd & 23rd of Sept last

on the subject of the

East Africa

(15-07) H.C. 100