

1921

KENYA

788

65622

Recd
14/21 Dec 21

DEPT

Date
22nd DECEMBER 1921

OR CIRCULATION

Mr. Jackson 2/1/21

Mr. Birtwistle 2/9

Mr. G. ...

Mr. ...

Sir H. Bond 29/11/21

Sir J. Masterton Smith

Mr. ...

Mr. Churchill

SUBJECT

POSITION OF INDIANS

Submit suggestions as to the nature of information to be published as to the progress of negotiations.

Previous Paper

MINUTES

M. I. 62434/21.

Para. 2. See p. 8 of Cmd. 1474 for the Resolution of the Imperial Conference. I understand from Mr E. J. Harding that it is correct to say that the Resolution has been accepted by His Majesty's Government.

But the Resolution only says that it is desirable that the rights of Indians lawfully domiciled in parts of the Empire other than India should be recognised.

Anyway there can be no object in telegraphing on the subject to the Governor. If when Secretary of State sees the European delegation, he wishes to re-affirm this Resolution, that would be the right time to do it. The European delegation having already left Kenya, it would look ridiculous now to send out this 'afterthought' of the India Office presumably for communication to people who are not now in East Africa.

Handwritten note: *Hand copy to J. ...*

Handwritten initials: *SP*

Subsequent Paper

M. I. 63706/21.

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... say that Secretary of State will bear in mind this suggestion when he sees the delegation.

Para. 4. I see no harm in saying ... at present, as India Office ... est, in regard to the proposed ... announcement in para. 6 of Colonial Office letter in 52592/21. The action to be taken if and when the Indians also want a delegation, is reasonable.

? Conclude in para. 4 and say that announcement suggested in para. 6 of Colonial Office letter will not be made.

Paras. 4 & 6. India Office agree generally to the publication of the proposed terms of settlement, subject to the small amendment which we suggested in para. 6 of Colonial Office letter. But Mr. Montagu wants a rather fuller statement than we suggested in para. 6 of Colonial Office letter; I do not think that we really want a very full statement and I certainly dislike the suggested form in that the Marjans rejected the proposals in principle on application to the Indians ... Can the Indians fairly be said to have accepted the ... programme when they rejected the ... which ... was in favour

He has thought it better of it ... should be accepted.

W.C.M.

W.C.M.

favour of the Europeans rather than the Indians? I should have thought that the less we go into detail as to what this or that party thinks, the better. We must however try to meet the India Office by combining, more or less, para. 6 of Colonial Office letter and para. 6 of India Office letter.

"You should state officially when publishing the proposals that you have been unable to secure agreement between the European and Indian Communities on these lines; that on the main points of principle a complete deadlock has been reached and that even when a particular proposal has commended itself in principle considerable modification has generally been asked for by those disposed to accept it in principle. At the same time you should announce that the Government of India which has had an opportunity of examining the proposals, recognize that they have a considerable advance on the position as it now is, in the direction of the principle which it has long advocated, viz. that Indians in the Crown Colonies should justifiably be assigned a status inferior to that of an other class of the ... but that the Government of India have expressed their ... any ... speculate ... European ... If

See note ...

Under the Board
I read concisely
and settlement of the
question, but Churchill
would prefer to confine
the announcement to the
com, which is
possible.

and I do for early reply
Wes.

29.12.21

I agree with Mr. Bottomley
(I dislike all the manufacturing for
provision on the part of the S.O.)

H. J. R.

29/12/21

Draft for cases (As per) in line

proposed by Mr. Bottomley above

for S.O. when before dispatch

H. J. R.
29.12

In the absence of Mr. S. O.

the letter may go.

All mine

H. J. R.
31

Any further communication on this subject should be addressed to—
The Under Secretary of State for India,
OVERSEAS Department,
India Office,
London, S.W.
13 the following reference given—
I. & O. 2548/21.

CO
63522
28 JAN 21

INDIA OFFICE, REC
WHITEHALL
LONDON, S.W.

~~SECRET~~ of printing

December 1921.

791

Sir,

I am directed by Mr. Secretary Montagu to acknowledge the receipt of your Secret letter dated 15th December, No. 59693/21, on the subject of Indian policy in the

2. Mr. Montagu notes that Mr. Churchill has agreed to see a delegation of the European community at the end of January and that its leaders are to be informed by the Governor that no decision will be taken until he has personally heard the views. He hopes however that Mr. Churchill will make it clear that he is only prepared to discuss such proposals as are consistent with the resolution passed at the recent Imperial Conference and accepted by His Majesty's Government.

3. It is observed that, in the passage from the European community, transmitted in the Governor's telegram No. 506, they state that the basis of policy and the provision for a constitutional role put forward in Mr. Churchill's proposals are unacceptable to them. It is further observed that in his earlier telegram of 12th November, Sir E. Lytton reports that the Europeans have an organisation complete for resistance in the last resource.

4. In view of the European's unqualified rejection of the essence of Mr. Churchill's proposals, and in view of their organisation of resistance as a last resource, it appears to Mr. Montagu that the postponement of a decision until their delegation has been received might not ultimately lead to a misapprehension in the minds of the Indian community as to the motives of this postponement, in order to diminish the risk of such a misapprehension and its possible unfortunate consequences.

Under Secretary of State,
Colonial Office.

consequences

consequences, Mr. Montagu would suggest that the announcement proposed in paragraph 6 of your letter should not be made for the present but that in the event of the Indian community desiring to send a deputation, or to authorities representative in this country, to represent their case, as affected by the recent proposals, at the same time as the European delegation is heard, Mr. Churchill should consent to receive them and that the proposed announcement should then be to the effect that he will hear personally the views of the European Delegation and the representatives of the Indian Community before any decision is taken on the question.

5. As regards paragraph 6 of your letter Mr. Montagu, subject to what is stated below, sees no objection to the Governor publishing the proposals in the manner suggested with the amendment indicated in paragraph 8 of your letter.

6. If the proposals are published, Mr. Montagu considers that the statement suggested in paragraph 7 of your letter should be to the following effect: that the Europeans were unable to agree to the proposals either in principle or application, that the Indian community while accepting them in principle were unable to agree to them in toto and asked for a property qualification of £200 (capital) or £100 (income), six Indian constituencies out of a total of twelve, no change in the Immigration Law, and no segregation nor any restriction of transfer of lands in the Uplands. That observations on the proposals have been received from the Government of India and recognise that they mark a considerable advance on the present position in the direction of the principle, which that Government has long advocated, namely that Indians in the Crown Colonies cannot justifiably be assigned a status inferior to that of any other class of His

His Majesty's subjects, but that the Government of India
take exception to certain points, notably to any measure of
racial segregation, and, (referring to the Crown Lands
Ordinance, 1915, and the alleged pledge to Europeans on the
question of the Uplands,) take their stand on the assurance
contained in Lord Elgin's despatch of 1808 that legal
restrictions were not to be imposed on any particular section
of the community.

I am, Sir,

Your obedient Servant,

K. S. K. S.

L.O/63623 Kenya.



SECRET AND PRESSING

Wed 1/22/22

Downing Street,

January, 1922.

Sir,

I am directed by Mr. Secretary Churchill to acknowledge the receipt of your letter L. & O. 2648/21 of 22nd December (which was not received in the Colonial Office until the 28th of December) on the subject of Indian policy in Kenya.

DRAFT

Under Secretary of State for India, Overseas Department, India Office.

MINUTE.

2. As regards paragraph 2, Mr. Churchill notes Mr. Montagu's suggestion that it should be made clear that only such proposals will be discussed with the European delegation from Kenya as are consistent with the resolution passed at the recent Imperial Conference. ^{As} present Mr. Churchill ^{has not proposed} is not prepared to fix any limitation to the scope of the discussion with the European delegation from Kenya, and he is not in a position to give any undertaking as to the form which the discussion will take. Mr. Montagu may however rest assured that he will not lose sight of the resolution when the matter is under discussion with the delegation.

3. As regards paragraph 4, Mr. Churchill accepts Mr. Montagu's suggestion that

Mr. Pakenham 30/1/22
Mr. Birt 30/1/22
Mr. ...
Mr. ...
Mr. H. ... 30/1/22
Mr. J. ...
Mr. Wood 2
...
...

conson.

that the further announcement contemplated in paragraph 6 of Colonial Office letter of the 13th of December should not be made for the present, but that an announcement should be made on the lines proposed in this paragraph of your letter, if the Indian Community should desire to send a delegation of authorised representatives in this country to represent their case.

4. As regards paragraphs 5 and 6 I am to observe that the publication proposed in Colonial Office letter of the 13th of December concerns only the outline of policy put forward by the Secretary of State for the Colonies as a basis for an agreed settlement, and that, so long as Mr. Montagu is satisfied that an announcement on the lines indicated in paragraphs 4, 5 and 6 of Colonial Office letter of the 13th of December will not give the impression that this outline of policy has been accepted by His Majesty's Government, the Secretary of State for India, the Government of India or the local Indian Community as a final settlement of the question, ~~we~~ would prefer to confine the announcement to the terms suggested *with reference to the C.A. Act* in those paragraphs *by the Government*

5. As it is desirable that publication should be made without further delay, if it is to be made at all, it is requested that a very early reply may be sent to this letter, in order that the necessary instructions may be sent to the Governor of Kenya.

I am etc.,

(Signed) H. J. ...

Whitehall,
London, S.W.1.

5th January, 1921.

Dear Bottomley,

We will reply as quickly as possible to your official letter of 4th January regarding the announcements to be made in Kenya.

I do not understand how the delay occurred in the receipt of our letter of the 22nd December, No. I. & O. 2648/21; I am informed that it was taken by one of our messengers from this Office to the Colonial Office on the evening of the 22nd.

Yours sincerely,

*If I.O. forwarded I think in New Year
should have to withdraw. Motion to be taken
to be taken should be on 21st or 22nd and a
motion of appreciation then be presented*

C. Bottomley, Esq., C.M.G., Director of
Colonial Office.

(Signature)

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FROM	DATE	SUBJECT
<u>Medical Admissions</u>		
Cinema S. A. N.	1 Mar	Licentiate against Entonic Pass
Smallfolk Sir J. R.	14 Apr	W. C. Lonsdale
" " " "	15 "	Dental Exam of candidates for app't
" " " "	" Oct	Medical " " " "
<u>Parliament</u>		
H. of C.	1 Mar	Increased Native Poll tax
" " " "	7 "	Sir S. Robertson's Report Position of India
" " " "	8 "	Lawrence
" " " "	9 "	Position of Indians Segregation
" " " "	11 Apr	"
" " " "	27 May	Lawrence
" " " "	30 "	"
" " " "	6 Jun	"
" " " "	7 Jul	Distribution Native Land Reservations
<u>Board of Trade</u>		
" " " "	18 Feb	Kenya Manifesto
" " " "	25 "	Control of Steamers & Ships on Lakes
" " " "	2 Apr	Companies Order
" " " "	26 May	Wharfing conditions
" " " "	19 Nov	Kenya Rates Discount
" " " "	21 Dec	Relates to Passenger Homes
" " " "	23 "	Supply of Supplies, New Deal
<u>Treasury</u>		
" " " "	5 Jun	Loan
" " " "	6 "	Financial Staff
" " " "	3 Feb	Memorandum for Home Deputy
" " " "	9 "	Revision of Estimates
" " " "	16 Mar	Memorandum for Home & India
" " " "	20 "	Lawrence
" " " "	31 "	Receipts for inland post Assistance
" " " "	1 Apr	Loan from Home Revenue & Amusement
" " " "	12 "	Revision of Estimate of Revenue for 1920

(1921) W/171/105 10/10/20 H. I. S. A. I. I. C. P. 111

FROM	DATE	SUBJECT
<u>Insurance</u>	11 Apr	Reg. of R. P. Engineers Salaries
	26	Gold Restrictions on Selling etc
	7 May	Business Salaries Retiree etc
	12	Bank Rate on Retirement
	23	Business Salaries Retiree etc
	24	Salaries Retiree etc
	31	Reg. of R. P. Engineers app. of
	30	Govt. Officers Salary Table
		Business Salaries Retiree
	11 Jul	Business
	15	Bank Rate given to Retirement
	20	App. of R. P. Engineers
	11 Aug	Business Regulations
	19	Business C. etc
		Govt. Officers
	24	Salaries Retiree etc
	30	Business Salaries
	31	Govt. Officers Salary Table
	1 Sep	Military Salaries
	2	Business C. etc
	6	Business Salaries Retiree etc
		Govt. Officers
	8	Business Salaries Retiree etc
	9	Business Salaries
	3 Oct	Business
	10	Govt. Officers
	11	Business C. etc 1921
	13	Govt. Officers
		Business Salaries Retiree etc
	23	Govt. Officers Salary Table
	30	Govt. Officers Salary Table

FROM	DATE	SUBJECT
<u>Insurance</u>	15 Dec	C. A. Post Salary Tables Salaries of Reg
	20	Business Salaries Retiree etc
	27	Business Salaries Retiree etc
	28	Business Salaries Retiree etc
		Business Salaries Retiree etc
		Business Salaries Retiree etc
<u>Govt. Officers</u>	24	Govt. Officers Salary Table
	25	Govt. Officers Salary Table
	5 Mar	Govt. Officers Salary Table
	19	Govt. Officers Salary Table
	17	Govt. Officers Salary Table
	19	Govt. Officers Salary Table
	31	Govt. Officers Salary Table
	12 Apr	Govt. Officers Salary Table
	19	Govt. Officers Salary Table
	5 May	Govt. Officers Salary Table
	14	Govt. Officers Salary Table
	23	Govt. Officers Salary Table
	26	Govt. Officers Salary Table
	28	Govt. Officers Salary Table
	13 June	Govt. Officers Salary Table
	16	Govt. Officers Salary Table
	20	Govt. Officers Salary Table
	18 Jul	Govt. Officers Salary Table
	21	Govt. Officers Salary Table
	2 Aug	Govt. Officers Salary Table
	10	Govt. Officers Salary Table
	20	Govt. Officers Salary Table
	30	Govt. Officers Salary Table
	3 Oct	Govt. Officers Salary Table
	27	Govt. Officers Salary Table
	6 Dec	Govt. Officers Salary Table