

1923

KENYA

C O
7896

REC'D
14 FEB 23

FROM
INDIAN OVERSEAS
ASSOCIATION

DATE
13TH FEBRUARY 1923

RE CIRCULATION:—
Mr.
Mr.
Mr.
1st U.S. of S.
H. J. R. 14/2/23
2nd U.S. of S. 76 1
3rd U.S. of S. 15 2 23
Secretary of State.

SUBJECT
POSITION OF INDIANS

Quotes telegram received from E.A. Indian National Congress reporting that Indian Mass Meeting has passed vote of no confidence in local Govt. Complains of attitude of Government in failing to proceed with Bill for prolonging present legislature and requests assurance instructions will be given for immediate passing. Requests also reassurance on Immigration question.

Previous Paper
See 7400 Secret

MINUTES
See H. Road

1. We may have a nice constitutional point if the forthcoming Bill is not proceeded with before 24 Feb.

The Royal Instructions as amended say that the present Council shall continue for a year unless dissolved.

The Ordinance says (in effect) that an election shall take place next Wednesday (§ 14) without laying down anything as to the resolution.

The two, in form, are distinct: is it conceivable that there should be an election of members whose tenure will (under the Instructions) be for one year or less?

[Handwritten notes and signatures]

Subsequent Paper
M. J. C.
1974

MINUTES.

MINUTES NOT TO BE WRITTEN
ON THIS SIDE.

As a matter of fact, the
Bill will no doubt be
got out of the way before
the 21st.

(2) As to management, we
could give the J.O.A. the
new figures and say that
they create a new situation.

But I should like to state
the advisability of
delaying upon agreement.

Could we not seek a
promise further up, so
as to get breathing time?

G.S.

14.2.23.

to say that the contents
of this Bill have been
carefully read that
the whole question is
revising the S. of 18:1
careful review - but
that is a not a
a position to make
any statement at present

H. J. R.

H. J. R. 14.2.23

14/2/23
W. J. R.
15.2.23

As a matter of fact, the Bill will no doubt be got out of the way before the 21st.

(2) As to the proposals, he could give the J.C.B. & new figures and say that they create a new situation. But it would be almost the admission of a policy which is being put up against. Could we make use of & promise further supply, so as to get breathing time?

6/11.
14.2.23.

is now that the interests of the C. have been completely alienated that the whole question is receiving the S. & F. B.'s careful attention but that he is not in a position to make any statement at present

H. J. R.
14/2/23
not at time
15.2.23
H. J. R. 14.2.23

President of Council

Chairman of Executive Committee
H.H. THE AGA KHAN
Deputy Chairman
Sir M. M. BHOWNAGGREE
K.C.I.E.

Hon. Secretary and Treasurer
By S. L. POLAK

Indians Overseas Association

C O
7896
REC
14 FEB 23

47-48, Danes Inn House, 14, ~~14~~ **REC 23**
265, Strand, London, W.C.2

Kaloph, Strand, London
Kaloph, London.
Central 2892

Under Secretary of State,
Colonial Office,
S. W. I.

19... 19...

I am directed by my Committee to thank you for the information of the Secretary of State, the Bill of the Government received by my Association from the Eastern Africa Indian National Congress:

"Nairobi Indian mass meeting passed resolutions that local Government seventh issued resolution abstractly nullifying new Indian policy also strong protest against proposed fresh restriction immigration. Early announce a policy essential. Indian voters could be brought round within the month with cooperation of Congress to a convincing proclamation re-actually submit holding election without further delay in this extremely dangerous. Government responded third reading prolongation Bill to impress European opposition in Colonial Office."

My Committee is aware, both from news telegrams and from other sources, that the Governor of Kenya is strongly opposed to the adoption of the proposals contained in the Colonial Office Bill. On the 14th September last a settlement of the proposals was made in the Colony. The above telegram shows that the Governor's ^{objection} has been lost to the Administration, the confidence of the Indian community is a fact that is bound to have its reactions in India, where it has already become known. My Committee is at a loss to understand the circumstances in which it was possible, having regard to the

President of Council

Chairman of Executive Committee
H. H. THE AGA KHAN
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C O
7896
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FEB 23

Indians Overseas Association.

47 48, Danes Inn House, Strand, London, W.C.2

10, F. Tappin, Strand, London.
10, Welph, London.
Central 2882

Under Secretary of State for
Colonial Office,
S. W. I.

1935.

I am directed by my Committee to thank you for the letter of the 14th of the Secretary of State, the Hon. Mr. B. H. Stewart, regarding the Association from the Eastern Africa Indian community.

"Nairobi Indian mass meeting, 1935. The Government's seventh indent restriction policy also means a restriction in migration. Early emigration of Indian voters could be brought well within the scope of cooperation of Congress was obvious. Government's submission holding election without entire Indian community dangerous. Government postponed third reading of Bill to impress European opposition. Colonial Office."

My Committee is aware, both from your telegrams and other sources, that the Governor of Kenya is in favour of the adoption of the proposals submitted in the Colonial Office. On the 13th September last for a settlement of the matter in the Colony. The above telegram shows that the Government has lost to the Administration the confidence of the Indian community. The fact that is bound to have its reactions in India, and it is already have become known. My Committee is at present in the circumstances in which it was possible, having regard to the

understands to have been the express instructions of the Secretary of State for the Colonies, to pass a Bill prolonging the present Legislative Council with a view to enable Indians to participate in the next general election, for the Governor to take upon himself the responsibility of postponing the final stages of that measure, in order to press upon the Colonial Office the strength of the European non-official opposition. My Committee feels that failure to proceed with the present Bill, ~~which would result~~, of course, in the automatic termination of the present Legislative Council, ^{within a few days,} followed almost immediately by a general election in which Indians could not participate, would not only result in the gravest possible consequences in Kenya and also upon public opinion in India, and I am, therefore, desirous to respectfully request an assurance that instructions will be given immediately to proceed to pass this Bill, if necessary by the use of the official majority.

My Committee has viewed with increasing alarm the repeated declarations on the part of the European settlers of their determination to prevent the enforcement of the policy contained in the proposals agreed upon between the Colonial and India Offices, after ~~the~~ ^{its} approval of the Government of India had been secured. These proposals contain the very minimum that would, at the present time, satisfy Indian opinion in Kenya and in India, and any whittling away of them would be regarded as a violation of the spirit of the Imperial Conference Resolution.

In transmitting the resolution adopted last year by the Indian Assembly, to the Secretary of State for India, the Government of

India observed, "The Indian public regard a satisfactory solution of the Kenya question as a vital test of the British Government's sincerity, and of their willingness to give effect in the Crown Colonies to the Resolution passed in respect of the rights of citizenship at the Imperial Conference last year, together with the determination of the British Government to prevent the immigration policy being altered to the prejudice of Indians."


Having regard to this view, and also to the view expressed in the Colonial Office dispatch of the 5th September last, that the immigration figures do not warrant restrictions upon Indian immigration, my Committee can only suppose that the reference, in the above telegram, to a proposal to impose fresh restrictions upon Indian immigration, indicates that, with a view to placate European non-official opinion or that section of it that is most vociferous in the Colony, the Governor has, without authority and instructions, taken it upon himself to induce the Indian Community to agree to such fresh restrictions.

My Committee strongly protests against this unwarranted action, and expresses the hope that suitable action will be taken by the Colonial Office to reassure the Indian population in Kenya on this question.

I have the honour to be,

Sir,

Your obedient Servant,

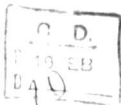

Hon. Secretary.

~~MS~~

7896/23

Kenya

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20 Feb 1923

DRAFT.

Gen. Secy
 Indian Overseas
 Association.
MINUTE.

Sir

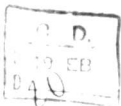
I am glad to acknowledge the receipt of your letter of the 13th of Feb, conveying the text of a tel. from the Eastern Africa Indian National Congress, and to inform you that the contents of your letter have been noted.

- Mr. Burt Feb 17
- Mr. Battersby
- Mr. [Signature]
- Mr. Douse
- Sir G. Grindle
- Sir H. Read
- Sir J. Masterton Smith
- Mr. Ormsby Gore
- Duke of Devonshire

2. The whole question

Ms. 7896/23 Kenya

109



20 Feb 1923

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2. The whole question

the position of Indians
in Kenya is receiving
this race's careful attention,
but he is not in a
position to make any
statements at present.

H. J. Read

(Signed) H. J. READ

on the question of Indians
in Res. a is receiving
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but he is not in a
position to make any
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H. J. READ

(Signed) H. J. READ