

EAST IND PROT.  
36860

C O  
36860  
REC  
JUL 26 1920

GOVERNOR  
MORTLEY  
1920  
PARA

POSITION OF INDIANS

1920  
21st July

Last previous Paper.  
30  
35278

Requests early declaration of policy particularly as to aggregation and franchise. quotes resolution table but withdrawn at his request

Mr. Montagu Sir K. S. Field

Mr. Montagu's position is difficult - but pending Mr. Montagu's decision with Mr. Montagu, we cannot telegraph instructions.

As indicated in his speech in the H. of C., the election principle of Indian representation in the Leg. Council is to be adopted next session or next Council, it will give ample time for Gov. to consider nature of franchise & submit recommendations.

There is, however, no prospect of departing from the aggregation principle.

If final decisions cannot

Handwritten notes in left margin: "must be ready 1920" and "July 21st 1920"

Subsequent Paper.  
37061

yet being seen, I think it will be  
helpful & satisfying to his Excellency  
if a private & personal ad-  
vice sent to him to the effect that  
owing to various representations  
from Indian part &c, he has  
felt compelled to suspend  
for the moment all business  
connected with the Dispatch -  
that negotiations are now  
proceeding with it, & that  
wisdom will be called as  
soon as possible

Allt

The Gov. observing that the "Shaske" or  
knowing that Indians should vote for  
separate candidates.

As to Mr. S. I rather regret Mr. E.  
North's attitude I know of no real  
reason for vote. I am of any satisfaction  
with Mr. S. or Mr. S. or their opponents  
as a matter of fact in order, &  
it would be a good thing if we could  
keep to the present two - long & close  
with the official membership & a  
corresponding increase on the other  
side, with loss of time for ordinary  
business.

As to the Parliamentary business

yet we agree, I think it was, we  
helpful & satisfactory to Sir C. Malet  
if a private & personal etc.  
we went to him to the effect that  
owing to the strong representation  
from India that it was he has  
felt compelled to suspend  
for the moment the discussions  
embodied in the Dispatch -  
The negotiations are now  
proceeding with it, & that  
we shall be enabled as  
soon as possible

I'll

The Gov. observing that it has been as  
inquiry that Indians should vote for  
separate candidates

As to Mr. A. I rather regret Mr. E.  
Manning's attitude I know of no real  
demand for votes, & any identification  
with Mr. A. or Mr. S. or their opponents  
is a number of Indian resolutions, &  
to sound as a, and that if he could  
not do the present step - every measure  
with sufficient necessity to be  
considered, & we leave you to the  
side with long time for ordinary  
duties

As to the Parliamentary business

It must depend on the prospects of  
an early settlement with the Govt.

Oct. 27 720

H. J. R.

27/22

Pro 27/2

in 24/2

I have ventured to make some  
alterations in the draft also since  
it returned from the Secretary of State

(1) Gov. Agard must have the  
alterations & must be consulted  
to understand things also  
dotted - let to him on 27/26 Sept

(2) The original draft said nothing  
as to publication of the draft  
for any announcement. It is  
likely to be published in the Govt.  
papers if he does not prefer to deposit  
it along with his announcement.

Oct. 30 720

PARAPHRASE TELEGRAM from the Governor of the East Africa  
Protectorate to the Secretary of State for the Colonies.  
(Received Colonial Office 24th July, 1920).

399

21st July.

36860

My cypher telegram 4th July Indian policy your early instructions urgently required especially on the following important points. (1) Segregation I urge principle should be upheld and immediately announced enabling early sale of plots in Nairobi and elsewhere. (2) Franchise following resolution tabled by Phadke Legislative Council last week but withdrawn at my request pending the receipt of your decisions begins. That this (one group) Council is of opinion that British Indian community should be given the right to elect members to this Council and that for the purpose of such election British Indians coming under one or other of following qualifications should be given the franchise (a) registered owners of property worth 3000 rupees or over (b) graduates of Indian universities and (c) Indians who have annual income of 2000 rupees or more. Ends. Though I prefer nomination to continue as you know I will accept your (?orders) on these lines provided that it applies to Arabs and others with similar qualifications and that all enfranchised persons must speak and write English. Principle must be maintained that elected members represent only Indian interests on Council preponderance of Europeans in Government remaining unimpaired. I consider present numbers whether elected or nominated give adequate representation.

NORTHBY.

## PARAPHRASE

TELEGRAM. From the Secretary of State for the Colonies to the  
Governor of Kenya.

(Sent

30th July, 1920.)

30th July.

With reference to your telegram of 21st July Indian policy (1) The principle of segregation is maintained. In recent debate on Indian question in Lords I defended it not only on sanitary grounds but as calculated to promote social convenience and peace. I believe it can be perfectly well maintained but we must be careful that in disposing of Government land we make ample provision for Indians and natives as well as for Europeans. We can justify keeping them separate both as regards residence and ownership of land, but only if the requirements of each race in this respect are adequately provided for.

(2) Franchise. After discussion with the Secretary of State for India it will be necessary to give franchise for election of special Indian members of Legislative Council, and I see no objection to qualifications for franchise proposed in Phadke's resolution. While candidates must be able to speak and write English I see no reason why voters should have the same qualification. If the franchise is to be given to Arabs and others it must be for members distinct from Indian members and while I have no objection to similar arrangements in their case I should have thought that this might be left over until there is a proved demand for franchise.

In my despatch of 21st May following alteration should be made paragraph 3 omit all after Begine: on same basis as to Europeans, Ende. Substitute Begine: I fully share

this

56860/1920.

*Draft prepared on oral instructions from 17  
pages by S. D.*

499

**PARAPHRASE TELEGRAM.** From the Secretary of State for the Colonies to the Governor of Kenya.

(Sent 30th July, 1920.)

30th July.

With reference to your telegram of 21st July Indian policy (1) The principle of segregation is maintained. In recent debate on Indian question in Lords I defended it not only on sanitary grounds but as calculated to promote social convenience and peace. I believe it can be perfectly well maintained but we must be careful that in disposing of Government land we make ample provision for Indians and natives as well as for Europeans. We can justify keeping them separate both as regards residence and ownership of land, but only if the requirements of each race in this respect are adequately provided for.

(2) Franchise. After discussion with the Secretary of State for India it will be necessary to give franchise for election of special Indian members of Legislative Council, and I see no objection to qualifications for franchise proposed in Phadke's resolution. While candidates must be able to speak and write English I see no reason why voters should have the same qualification. If the franchise is to be given to Arabs and others it must be for members distinct from Indian members and while I have no objection to similar arrangements in their case I should have thought that this might be left over until there is a proved demand for franchise.

In my despatch of 21st May following alteration should be made paragraph 3 omit all after Begins: on same basis as to Europeans. Ends. Substitute begins: I fully share this

his opinion and I have hitherto held the view that having regard to the very small number of the Indian community who can be regarded as qualified to exercise a franchise the time is not yet ripe for basing the representation of Indians in the Protectorate on the elective principle. I am, however, impressed by the representations which have been made to me both by the Indian representatives from East Africa and by the Secretary of State for India as to the importance which is attached by the Indians to the election of their members. I have, therefore, decided that arrangements shall be made for the election of two Indian members of the Legislative Council on a special franchise as to which I shall await your recommendations. Ends.

Paragraph 4 substitute Begins; It will follow as a result of elective representation of Indians on the Legislative Council that the same arrangements should be made in connection with Municipal Councils and in this case also I shall await your recommendations as to the detailed arrangements to be made. Ends.

Paragraph 5 and the remainder of my despatch will stand unaltered and with these amendments which should be communicated once to Governor Uganda announcement can be made when you have arranged date with him.

Before taking steps to amend the Letters Patent and Royal Instructions which are to be passed for the Kenya Colony I shall await your reply as to Arabs. I presume that in addition an amending Legislative Council Ordinance will be prepared.

MINER.



his opinion and I have hitherto held the view that having regard to the very small number of the Indian community who can be regarded as qualified to exercise a franchise the time has not yet come for passing the representation of Indians in the Protectorate on the elective principle. I am, however, impressed by the representations which have been made to me both by the Indian representatives from East Africa and by the Secretary of State for India as to the importance which is attached by the Indians to the election of their members. I have, therefore, decided that arrangements shall be made for the election of two Indian members of the Legislative Council on a special franchise as to which I shall await your recommendations. Ends.

Paragraph 4 substitute Begins: It will follow as a result of elective representation of Indians on the Legislative Council that the same arrangements should be made in connection with Municipal Councils and in this case also I shall await your recommendations as to the detailed arrangements to be made. Ends.

Paragraph 5 and the remainder of my despatch will stand unaltered and with these amendments which should be communicated at once to Governor Uganda announcement can be made when you have arranged date with him.

Before taking steps to amend the Letters Patent and Royal Instructions which are to be passed for the Kenya Colony I shall await your reply as to Arabs. I presume that in addition an amending Legislative Council Ordinance will be prepared.