

EAST AFR. PROT

C O
15461

15461

69

INDIA OFFICE.

1920

24th March.

Previous Paper.

14558

GRIEVANCES OF INDIANS.

This copy letter from Mr. B. S. Varma President of E. A. Indian National Congress enclosing resolutions passed at session on 16th November and copy despatch from India enclosing memorial by Mr. D. B. Desai.

*Check and say that in
case, as they were included in
copy of the Resolutions, passed on
Nov. 16. Say that the S.A.G. is being
repeated to Mr. B. S. Varma that
the letter & the enclosed Resolutions
have been received by the S.A.G.
for B. S. Varma.*

*Copy all to S.A.G. & let him
to Varma copy to Mr. D. B. Desai.*

Mr. B. S. Varma

Mr. B. S. Varma

I don't think...

Copy Govt 4674 21 March 20...

16333

necessary to reply further to this
letter, unless S.O. return to
the charge, when S.O. has
discussed with his Executive
& advised to keep S.O.
my decisions rather

S.O. had note to bring up
in 4 weeks.

2 Dec
10

641

W. N. Bentley

to view of general action & Redon
policy, we need not, I think,
keep this pending

2 Dec

Dec 11 5: 20

641 15 5 20

Any further communication on this subject should be addressed to—

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

INDIA OFFICE,

70

WHITEHALL,

LONDON, S.W. 1.

29 March, 1920.

C. O.
15461
REC
RE
23 MAR 1920

and the following reference quoted—
J. & P. 1854/20.

Sir,

With reference to recent correspondence on the subject of Indians in Africa, I am directed by the Secretary of State for India to transmit copy of a letter from Mr. B. S. Varma, President of the Eastern Africa Indian National Congress. The Resolutions which were enclosed with the letter have no doubt, been forwarded independently to the Colonial Office. I am to request if there is no objection, an acknowledgment of Mr. Varma's letter and the enclosed Resolutions may be conveyed to the Congress on behalf of the Secretary of State for India.

Some of the enclosed are dealt with in a manner that were also referred to in the memorial presented to the Secretary by a deputation from British East Africa which formed the subject of Sir T. P. Aldrich's letter No. J. & P. 402, dated 15th August last. In this connection I am to transmit copy of a letter from the Government of India forwarding copy of a further memorial on the grievances of the Indian community.

Mr. Secretary Montagu reserves his further comments on the particular questions raised pending the result of the forthcoming conferences between Viscount Milner and Sir E. Northey.

I have the honour to be, Sir,
Your obedient servant,

The Under Secretary of State,
COLONIAL OFFICE.

2.20

2.20
enclosure.

Standing Committee's Office.

Nairobi.

7th February 1920.

Sir,

I have the honour to forward herewith a copy of Resolutions passed at the second Session of the Eastern Africa Indian National Congress held on 15th and 16th November, 1919, at Nair's Buildings, 6th Avenue, Nairobi.

The Congress which was representative of Indians of East Africa, Uganda, Zanzibar and ex-German East Africa was attended by over 200 delegates from all the four Protectorates, and was opened by His Excellency the Acting Governor Sir Charles Bowring, in the unavoidable absence of His Excellency Sir Edward Northey, regretted so much by the Indian public.

The Indian public is confident that in you the Government will be guided by the principles of fair play and justice, and they request you to do what lies in your power in establishing the equality of political status for Indians in these Protectorates, because Indians by their sacrifices in the great War here in Eastern Africa and other theatres have made their claim for full right of citizenship of British Empire absolutely irresistible - a fact which no one is more alive to than you.

It may not be out of place to mention here that on the advice of Political Leaders from India and in the hope of sharing equal rights and responsibilities with the other fellow subjects of His Majesty the King in East Africa, Uganda, Zanzibar and ex-German East Africa Protectorates, my Congress Committee has decided to refrain from asking any preferential treatment for Indians and consequent reservation of ex-German East Africa for Indian Colonization vide Resolution No. 17.

As the whole question of Indian political rights is in the melting pot and before long will be finally decided by the

Right

The Right Honourable the Secretary
of State for India,
India Office, Whitehall,
London, S.W. 1.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

191

DELHI, the 14th FEBRUARY 1930.

From

R. B. SWANK, Esq., I.C.S.,

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA,

To

The Secretary,

Judicial and Public Department,

India Office.

Sir,

I am directed to forward, for the information of His Majesty's Secretary of State for India, a copy of a memorial dated February 8th, 1930, on the grievances of the Indian community in British East Africa received from Mr. D. F. Desai of Ahmedabad.

I have the honour to be,

Sir,

Your most obedient servant,

R. B. Swank,

DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA.

U.C. 303
PUBLIC RECORD OFFICE, COMPTON

Right Honourable the Secretary of State for the Colonies.

I cannot sufficiently impress the importance of the occasion and request you to see that the Indian claims are favourably considered while the destinies of loyal Indian subjects of His Majesty the King in these Protectorates are finally shaped.

I have &c.,

(Sd.) B.S. VARMA,

for President.

260, Ghansiram's Bole, Khadia,

Amritabad,

5th February 1923.

To The Honourable the Chief Secretary
to the Imperial Indian Government,
Political Department, Delhi.

Sir,

Indians in British East Africa.

On the above subject I have the honour to write to you the following with a view that you will kindly cause some steps to be taken in the matter.

(1) The ex-soldiers settlement scheme: Soon after the cessation of hostilities the Government of East Africa introduced in the Legislative Council the Bill to provide law to ex-soldiers in the East Africa Protectorate and the Government restricted the term "soldier" to persons of European British Extraction only and it also included East African Volunteers of European British Origin. The Nairobi Indian Association wrote to the Government to extend the settlement scheme to Indians but the Government replied that it was definitely decided that in allotting land first preference would be given to Europeans and added that if there would remain any land unallotted it would be given to Africans. By this scheme many Europeans who have not fought the East African campaigns have got land in East Africa. In spite of the fact that the Indian Government had supplied men, money, munitions etc, etc (the particulars of which I shall be obliged if you will kindly supply) to defend East Africa and to conquer the (now) Tanganyika Territory and although a few Indians of East Africa also had joined the volunteer force, Indians have been totally ignored in the land settlement scheme, under which the farms are divided into "A" and "B" classes under the one the acreage does not

not exceed 300 acres and which is to be given free and under the second the acreage exceeds 300 acres and it is to be paid for. The Bill, although was protested, passed into the Law and the Europeans are reaping the benefit thereof.

(2) Last year, i.e. in 1919 the Government of the East Africa Protectorate passed the Legislative Council Ordinance which gave the European community the electoral franchise, no exception was made to literate or illiterate, nor to male or female for the purpose of voting but this was refused to Indians. When this Ordinance was going through the Council one of the members pleaded to give franchise to Educated Indians but the then Chief Secretary (now the Ag. Governor) Sir Charles C. Bowring stated that Europeans had taken more than ten years for this franchise and if the Indians will fight for a similar period of years they may be given then. In the Legislative Council there some members remarked that if Indians want the right of vote and of election they should go back to India, and the very same persons desire to represent the Indian community on the Councils. From next month there will be eleven elected

European members and a like number of Government officials (who are all Europeans) to represent the European community which is not more than 11,000 and there will be two nominated Indians to represent, as alleged, the 35,000 Indians.

A mass meeting of Indian Residents of Nairobi was held at the Jeewanji market on Sunday (the 17th August last) afternoon to consider the resolution of Mr. D.B. Desai dealing with the question of electoral franchise to the Indian Community" says the E.A.

standard; the following resolution was passed:

"That in view of the fact that the Indian community in general and the members of the Indian Associations in British East Africa, in particular were and are from the beginning for electoral representation, and that in view of the fact that proper and due representation of the Indian community is not recognised by the Government and that the Government is one with the convention of Associations that no franchise be extended to the Indian community in this country,

and that the acceptance of nominations on the part of some individuals in the opinion of this meeting, are not sufficient to satisfy the requirements of the Indian Associations of this country, and that the Government of India and so of the Imperial Government, this meeting strongly condemns the action of the Government which have accepted the nominations and that the meeting humbly and respectfully requests the Governor-in-Council to extend the right of franchise to the Indian community on the same qualifications as are applied to Europeans, and that those who have accepted the nominations are not, in the opinion of this meeting, the representatives of the Indian Community and that if the Governor-in-Council is not prepared to accede to the request contained in this resolution the Government are hereby most humbly and respectfully requested to state their reasons in writing".

which resolution was carried with only 18 dissentients:

after the passing of this resolution it was moved that a copy of the resolution be sent to British East African Government, the Government of Bombay, the Imperial Indian Government, the Secretary of State for India, Secretary of State for the Colonies etc, etc and I hope that you would have received a copy thereof.

(3) Nominated Indian Members:- The two nominated Indian members are (1) ~~Mr.~~ ^{Shri} Abdul Rasool - Allidina Kisram, M.B.E the merchant of Uganda and East Africa Protectorate and (2) Mr. Vaman Vishnu Phadke Barrister - at-law Nairobi. The former member knows a little of English while the latter who is well educated pays a little attention to safeguard Indian interests; my remarks will be corroborated by a statement made by a Mr. Barnes with regard to Mr. Phadke who stated that he had no knowledge of the removal of undesirables Ordinance 1919. The bill intitled "an Ordinance to provide for the removal of undesirables was circulated in supplement No. 13 to "Official Gazette" of December 10th, 1919 whereas left a week later, so from this it can be well imagined how Indian cause will be represented by these gentlemen.

(4) Town Planning Ordinance:- On the 5th November 1919 the East African Government passed this "Town Planning Ordinance 1919" which is at present sent for confirmation by the Secretary of State for the Colonies. In the said Ordinance under section 12 it says that no compensation shall be paid unless

~~the following conditions are satisfied:-~~

- (1) the property has been inherently affected
 - (2) the scheme has been sufficiently carried into effect and
 - (3) the claim will be made within a specified time.
- The same section further says that if the property has been increased in value the Government authorities shall be entitled to $\frac{1}{2}$ (half) of the increased value and that matter for arbitration in regard to compensation and increase in value shall be submitted to the arbitration of one arbitrator appointed by the Government. The object of this Town Planning scheme are sanitary conditions amenity and convenience. As Indians have got much property in townships this Ordinance will be forthwith applied to take away their

PUBLIC RECORDS OFFICE
 C.O. 533
 742

their properties without paying compensation as the Ordinance is not drafted pretty clearly. An immediate step should be taken to prevent confirmation till the Right Hon'ble the Secretary of State for India is clear that Indian interests are not jeopardized.

(5) The Government of India has before it the East African Memorial dated the 22nd March 1919 and the undersigned craves leave to refer to paragraph 10 thereof and adds that the trouble began from 1907 when the Land Board of the Protectorate recommended "that Indian immigration be discouraged as much as possible and that no Government land be allotted to Indians". This resolution was transmitted to Lord Elgin, in August 1907, by Mr. Montgomery, the Commissioner of Lands, but in doing so the Commissioner felt his duty to point out several facts to the Colonial Secretary:-

(a) Indians have been in the country for many generations, and came long before the Europeans

(b) The Uganda Railway (the greatest factor in the development of the country) was made by Indian labour. But for such labour it would never have been constructed at all.

(c) Most of the trading wealth of the country is in the hands of the Indians.

(d) finally Indians are British Subjects. On March 19th 1908 Lord Elgin, in a despatch to the Governor, laid down his views as under:-

"with regard to the granting of land to Indians, it is not consonant with the views of His Majesty's Government to impose legal restrictions on any particular section of the community but as a matter of administrative convenience grants should not be made to Indians in the upland areas". In 1912 the mining Ordinance was passed forbidding Indians to acquire an interest in mining ground.

(6) The undersigned also craves leave to refer to paragraphs 13, 14 and 15 of the said memorial and adds to paragraph 13 that this is done as the authorities

78

authorities desired to keep the houses etc., of the
whitemen away from those of the Indians on the ground of
danger from plague, but the Indian domestic servants are
allowed to live with the whitemen in the same premises.
Further if Indian owns some land in the new defined
European localities and if he has not occupied by staying
there before the passing of the Rules of the Segregation
of Races he cannot live in his own land!

(7) Martial Law: Indians in British East Africa had a
terrible time under the Martial Law Regime which lasted
for about 4 years; and an enquiry in this connection is
urgently needed.

(8) Trading Licences: As it is aimed to exclude Indians
from that country they have tried to hamper the trade of
Indians and in that way to expel them. The Trade License
Ordinance lays down stringent conditions for any one
engaging in trade before he can hope to get a license. Any
breach of the rules, unwilling though it may be, is regard-
ed as a criminal offence and entails the withdrawal of the
license. The Licensing offices are all Europeans and it
can be imagined now how this ordinance will be worked in
practice there. From the beginning of this year this was
to come into effect, and as most of the trade is in the
hands of the Indians this ordinance inflicts great hard-
ships upon them.

(9) Major General Sir Edward Northey, the Governor of
British East Africa, and Sir Corydon, the Governor of
Uganda had sailed for England on the 8th of November 1919
to discuss, with the Right Hon^{ble} the Colonial Secretary,
the Indian Problem and to decide finally the Indian fate in
those two countries, and I have every reason to believe
that by now they would have discussed and decided the
Indian fate.

I therefore pray that the matter set forth above
receive your serious attention and that you will see
that the above together with all the grievances set forth

in the memorial of the 22nd March 1919 are remedied. 79

I further pray that a Royal Commission be appointed of impartial personages to go into the difficulties and hardships of Indians in that country and to find a solution therefor.

I have the honour to be,

Sir

Your most obedient humble servant.

(Sd) L.B. Dassi.

(of Nairobi B.E.A.)

TRUE COPY.

Superintendent,

Department of Commerce and Industry.

I.O.
15-0-11/1920

DRAFT.

o aly

o aly

1920

1920

MINUTE

I have the honor to acknowledge

Branny B. Clark
Parsons

to you the enclosed copy of
letter with endorsement from

the committee regarding the
position of Indians in the

the P. & B. report that
the Karma men

that the letter & the
endorsed resolutions have

been received by the
S. N. for

24 March

2076

L.O.
15 Feb 1920

DRAFT.

Head of

India Office

31 March 1920

Sir

MINUTE.

Mr. Secretary, 26 March

Mr. [unclear], 27 Feb

Mr. [unclear]

Mr. Grindle

Sir H. Lambert

Sir H. Bodd

Mr. G. Fisher

Mr. Aungmy

Lord Milner

I am directed by the
Council to send the set of your
letter J + P 1854/20 V. to
Mr. [unclear] & to state
for the info of Mr. de Montagu
that a copy of the resolutions referred to
in Mr. Varnes letter to
Mr. Montagu

assumed already been
received in the Dept.

I am to add that the
at the of the Govt is
being requested to inform

Mr. Varma that his letter & the
enclosed Resolutions have been
received by the Sec of State for
India

(Signed) H. J. READ.

EAST AFR. PROT

16894

REC'D
REL 1 APR 20

16894

82

MEDIA OFFICE

POSITION OF INDIANS.

1920

1st March.

Requests deputation be received at Colonial Office.

and previous Paper.

16784

Deputation arranged on 16/1/20

V. d. H.

W.S. 1/24/20

Subsequent Paper.

16917