

Indian Opinion

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EMERGENCY CONFERENCE AT JOHANNESBURG

S. A. I. C. DEMANDS

DIPLOMATIC RELATIONS TO CEASE IF BILL PASSED

AN urgent Emergency Conference of the South African Indian Congress was held among great enthusiasm in the Trades Hall at the great golden city of Johannesburg on the 5th and 6th October, 1930. Ever since the publication of the Transvaal Asiatic Land Tenure (Amendment) Bill, the Indian community of the Transvaal Province was greatly upset and the Indian community of the Union generally was gravely concerned in the fate of their compatriots in the Transvaal. Under these serious circumstances the delegates from various Provinces met at an Emergency Conference to discuss the effects of the provisions of the Bill and after mature deliberation to come to a final decision in the matter in the name of the Indian community of the Union.

The following officials, members of the executive and the delegates were present at the Conference:—

Mr. A. Christopher, President, Messrs. S. R. Naidoo and E. Mall, Secretaries, Mr. I. B. Patel, Treasurer.

The Transvaal Indian Congress was represented by Mr. Jooseb Ebrahim Gardi President T.I.C., Mr. S. B. Medh Secretary, Mr. Cassim Adam Vice-President, Rev. B. L. E. Sigamoney, Messrs. P. K. Desai, S. M. Desai, executive members, T. M. Pillay, M. G. Patel, L. V. Patel, Bandhoo, Moosa Master, Mahomed Jasbhay, C. B. Desai, Ismail Dadabhai, Alibhai, I. I. Hazaree, Moosa Bhayat, Dawood Boolacky, M. M. Patel, D. M. Nursoo, Moodley, Ebrahim Aswat, Ramlal Mooln, Baboolal Maharaj, K. J. Tavaris, E. M. Minty, W. Chhita, T. Moorgaesen, Goolam Manjee, P. Lagunbarthy, Billimoria, Moosa Seadat, Vallabh Kalyan, Mavjeebhai Patel, Dalput, M. P. Fancy.

The Natal Indian Congress was represented by Mr. S. Rustomjee President N.I.C., Messrs. P. R. Pather and A. I. Kajee Hon. Secretaries, Messrs. R. K. Khan, V. S. C. Pather, executive member, O. H. A. Jhaveri, M. D. Bharoochi, M. A. Motala, G. M. Asmal, Ismail Yawda, A. D. Motala, J. D. Vawda, Ismail Bhayat, I. M. Motala, Ismail Gora, K. G. Ginwala, A. Sookdeo, B. A. Meghraj, H. J. Meghraj, R. K. Naidoo, R. B. Chetty, D. S. Chetty, K. K. Pillay, O. J. Christopher, Shaik Himed.

The Cape British Indian Council was represented by Mr. H. K. Gool President, Mr. A. Ismail Hon. Secretary, Mr. Essa Alii Treasurer.

The following were present on the platform:—

Sir K. V. Reddi (Agent to the Government of India), the Mayor of Johannesburg, Prof. Watt (President Indo-European Council), Dr. and Mrs. Ellis, Members Indo-European Council, Hon. E. Baring Secretary to the Agent, Mr. V. G. Reddi, Mr. Ricketts and many European friends.

Before the opening of the Conference prayers were offered by Molvisahab, Mr. Shelat and Rev. B. L. E. Sigamoney.

Welcome By Chairman Of Reception Committee

Mr. Mayor, Sir Kurma, the President of the South African Indian Congress, Delegates from the various Provinces, Ladies and Gentlemen,

On behalf of the Transvaal Indian Congress I extend to you a hearty welcome to this our Golden City of South Africa, at this Emergency Conference convened by the South African Indian Congress. To some of you this may be the first visit to this Province and you may be surprised at the greatness and magnificence of this City situated on the high veld. So when you leave this Province I hope and trust that you will carry away pleasant memories of the kindness of the Rand people. Johannesburg is well known for its hospitality to its visitors and I am sure that your short but useful visit will be a happy one.

To the Mayor of this City I extend a hearty welcome in our midst and I am happy to record this fact that whatever the policy of the City Council may be we have at all times found the various Mayors in office ever ready to extend to us the Mayoral courtesy appertaining to that high office. We have found that the Mayors of this city have fully realised that they are not Mayors of any one particular section but that they are Mayors of the whole populace, irrespective of race, colour or creed. On behalf of my countrymen I extend to you Sir a cordial welcome this morning.

I will be failing in my duty if I were not to extend a special welcome, to this our momentous Conference in the history of our people in this land, to the Agent of the Government of India, Sir K. V. Reddi. I am happy that he was able to be with us to-day, for the Indians in South Africa realise that in the Agent we have a true and faithful friend full of zeal, love, compassion for his brethren, who have been unfortunately placed in a position that calls for guidance and advice from him in our most difficult period.

I am happy to record the fact that owing to your representations on our behalf when the Transvaal Deputation met you in Cape Town early this year, the Asiatic Tenure (Amendment) Bill was postponed which gave us a breathing space so that that we might consider the Bill in all its aspects.

The Cape Town Agreement between the Government of India and the Union Government raised high hopes in the minds of the Indian community in South Africa that the venomous head of racialism had been slain by the co-operation of the two Governments to bring peace and harmony where distrust and hate ruled. The world hailed the Agreement as setting a seal upon the racial feuds and racial legislation that existed, and thanks giving

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THE CHALLENGE

WE publish in this issue a full account of the proceeding of the Emergency Conference, which was convened by the South African Indian Congress and held at Johannesburg on the 5th and 6th instant. Having regard to the importance of the subject, which it was asked to discuss, the opinion freely expressed was that it proved a momentous and successful Conference.

The Conference after being formally opened by the Mayor of Johannesburg and addressed by the Agent, Sir K. V. Reddi, at once resolved itself into a Committee under the able chairmanship of Mr. R. K. Khan, and proceeded to discuss the provisions of the Bill. The debate on the Bill was as forceful as it was moderate and the effects of the Bill were clearly explained. After a lengthy discussion, the Conference came to a unanimous decision that (1) the Bill should be withdrawn, (2) it was a violation of the Cape Town Agreement, (3) it imposed disabilities upon Indians in regard to their trade, residence and occupation and deprived them of vested rights, (4) that it aimed at compulsory segregation, and requested the withdrawal of the Bill. The second paragraph of the resolution asked that a Round Table Conference be convened to review the situation that has arisen, and if the Government of India failed in this, a request was made that diplomatic relations should cease between the Union and Indian Governments and the Agency be withdrawn.

The solution, we must admit, is an important one. It brought widely into discussion an interpretation of the Capetown Agreement, and the Conference felt that under the Agreement a case can be made out against the Bill.

That the Bill introduces segregation and deprives existing rights, no one can doubt. Many new principles are introduced into it to the detriment of the community. It even disturbs decisions of Courts, which fortified and made clear the position of Indians in the Transvaal.

We should like to justify the passing of the resolution, basing our facts on the Agreement. The two main features of the Agreement are Repatriation, now called the Assisted Emigration Scheme, and the assurance given in the Uplift Clause, namely, the uplift of the Indian population to the full

extent of their capacities and opportunities so that they will not be allowed to lag behind any other sections of the people.

It is interesting to recall how Mr. Sastri, who was then Agent to the Government of India, interpreted the "Uplift Clause" before the Natal Indian Education Commission:—

"It is true I helped in the writing out of this paragraph, as in the writing out of other paragraphs. I would say that this sums up the goal, as it were, which the Union Government would keep in view in its work of uplifting the Indian population. Interpreted broadly, it would mean that the communal way of looking at these questions should be dropped; that is to say, that in considering what should be done for a community you must not ask: Who are they, which community do they belong to, what is their complexion, and so forth? But you must consider their capacity to develop by measures of upliftment, and whatever they can turn to their advantage must be afforded to them. That is to say, take education, with which we are primarily concerned at the moment. In considering how much education an individual should receive, the question should not be asked: What community does he belong to, where does he come from, how much tax does he pay, but what is his capacity? How much education is he capable of receiving and turning to his advantage and to the advantage of the community? In other words, he must be an efficient member of the entire community, as efficient as he can be made. Education and other facilities must be afforded to him in the measure that will draw out of him the best of which he is capable, to make him a most useful member of the community. That, it seems to me, is the ideal which generally is held up for the Government, and the Union Government said that they would be actuated by that ideal in dealing with the Indian community."

But what does this Bill do? It certainly repudiates this interpretation. Not only that, it repudiates the assurance given in and kills the spirit of the Agreement. It is a challenge to the community that Indians are still regarded as "aliens." The Bill places our people on the defensive, and the course adopted by the Conference, as protecting the interests of the community, was the only and correct one.

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prayers were offered in Churches, Mosques and Temples in the two great countries for the Settlement of the great Indian question.

The peace and tranquility which the Indian community enjoyed for a time, however, was rudely disturbed by a bomb shell being thrown into the peace ring in the nature of the Asiatic Tenure Bill. For a moment the shock stunned us and we then saw a picture in which we saw the Government of South Africa determined to wipe us out of the Transvaal. Our hard earned wealth, our life's enterprise, our honour as a race belonging to that ancient land of the East all being mercilessly, ruthlessly, unjustly attacked and our annihilation was the one motive with which the Government was inspired, regardless of the injustice that would perpetrate if they put their desired intentions into actual practice. The great cry of the Indians in this Province has floated over the borders to the neighbouring Provinces, and you, my brethren, have heard this anguished cry of your countrymen, and you have come here to confer with your fellow delegates so that a way may be found out of this difficult position.

You have come here sinking all differences you may have had; realising that a house divided against itself is bound to fall, and I desire to urge upon you most seriously the absolute necessity to get down to real work and expedite the business that will come up for your decision.

The clarion call has been sounded for the sons of India in South Africa to rally round the banner that has been unfurled and in the name of God I appeal to the noble sons and daughters of India to stand shoulder to shoulder this day and to declare to the world that nothing will prevent us for making the greatest sacrifice for the emancipation of our people to live in peace and harmony with the other races of this great land. I, on behalf of my countrymen appeal to those in authority who profess to be a Christian Government that in the name of their Master who is a lover of Peace, to give us that Peace for which He came to this world.

In conclusion I have pleasure, Mr. Mayor, in requesting you as chief citizen of this city to formally open this Conference, and before doing so, I ask the President of South African Indian Congress to garland you and our distinguished Agent, as a mark of our high esteem and respect in which we hold you and him.

The President Mr. A. Christopher then garlanded the Mayor and Sir Kurma Reddi.

Mayor's Welcome

The Mayor of Johannesburg Councillor D. Anderson thereafter formally opened the Conference and in welcoming the delegates said that he associated the name of Sir Kurma Reddi with his remarks, and felicitated him on his restoration to health which he said, not long ago was the cause of great anxiety. Mr. Anderson counselled moderation in their deliberations so that their final decisions would receive the consideration they deserved.

Reply To Welcome Address

Messrs. Sorabjee Rustomjee and Mr. A. Ismail on behalf of the Natal Indian Congress and the Cape British Indian Council respectively made suitable replies to the address of welcome by the chairman of the Reception Committee.

Sir Kurma Reddi's Speech

Following the opening of the Conference by the Mayor of Johannesburg, the Agent of the Government of India, Sir K. V. Reddi, said:—

Before I say something concerning the purpose for which you have met here to-day, let me congratulate you on your being able to secure the good wishes of the Mayor of this city and to get the Conference opened by him. It is no small honour to you. It augurs well. Johannesburg is the most populous city in the Transvaal if not in the whole Union and the Mayor is the first citizen and representative thereof. It does not necessarily follow that he accepts everything you may ask for. But it certainly is an index of the good will of the European community and of a desire to see that you are dealt with justly and fairly and that no undue hardship is caused to you. If you present your case in a reasonable and appealing manner, I have a firm faith that there is a large section of the European population in this province which hesitates to do an unnecessary wrong or an undeserved injury. On your behalf I tender my heartiest thanks for the gracious manner in which the Mayor has agreed to open this Conference.

I next congratulate you for effecting a union between the two conflicting sections of the Indian community in this place. Ever since the Transvaal Indian Congress was formed in 1927, some of the members of the old Transvaal British Indian Association were not only reluctant to join the newly-organised body, but even worked separately. But a common danger has brought the two sections together and to-day you are able to speak with one voice. Again it augurs well. That union is strength is an old saying, the truth of which can never be doubted. Your united appeal is bound to be heard with the consideration it deserves by the Union Government and the Union Parliament. The result is in the laps of the Gods but I see you have been doing everything possible to secure a reasonable, if not, a generous settlement of the momentous problem with which you are faced.

Several subjects affecting your interests will presently engage your attention; but by far the most important of these is the Asiatic Tenure Bill which is now on the anvil of legislation. The Hon'ble the Minister for the Interior has very graciously and generously given all concerned sufficient time for the consideration of its provisions by postponing the discussion of the Bill till the next session of the Parliament. We have thus had sufficient time for study and we have some time before us for making the necessary representations to the Government of India and the Union Government. For my part I have placed a good deal of material before the Government of India. You know, however, the conditions in India at present and the difficult problems which are absorbing their time. But I am in a position to assure you that this matter has been from the beginning, receiving their best attention. It would appear from the *Star* of the 1st instant, that a correspondent had written, that I would to-day explain to you the attitude of the Government of India as regards this Bill. I regret to say that I am not yet in a position to do that. The matter is still under their consideration and no definite decisions have yet been reached. It is only after they arrive at such decisions, that they can authorise me to make representations to the Union Government for their consideration and to explain to you the position of the Government of India or to consult your wishes with regard to that position. Further it will be useful and even essential if you can make your wishes known to the Government of India before they come to any decision, as to the representations to be made.

I do not propose to enter into the details of the Bill. It has been before you for some time and the South African Indian Congress has published in book form, not only the Bill but also its remarks showing how, in its opinion, its provisions affect the

Indian community of the Transvaal. It is for you now to go into committee and formulate what objections you may have to the Bill, so that they may be presented in a clear and concise form, and to make the necessary representations to the Union Government. In doing so, however, I earnestly appeal to you to be moderate and thoughtful in speech and to refrain from using strong language. For strong language is always a sign of weakness. I realise that the feeling in the community runs high, but I do hope that you will not allow it to get the better of your judgment. I also realise that there is a general apprehension amongst you that clauses 5 and 6 of the Bill providing for the creation of defined areas for Indians will lead to such areas being set apart outside business centres, though within municipal limits. These you fear would be indistinguishable from locations and ruinous to your trade. If this is so you will have to make concrete proposals providing for a more favourable solution.

There are several provisions in the Bill which go beyond the existing law, and you will have to state how those provisions will affect you, and if you think that all or any of them are unnecessary, you will have to give reasons and convince the Union Government that such provisions should be dispensed with. On the other hand if you are convinced that some changes are inevitable, you will have to state other proposals which, while carrying out the intention of the Government, might yet be so framed and worked as not to cause you any injury or harm.

Further such questions as the following require your utmost consideration. The first and foremost of these—as I have already mentioned—is the proposed solution of the difficulties in regard to Indian residence on and occupation of proclaimed land, by the creation of defined areas for Asiatics. The second question of importance is in regard to the method of the grant of licences to Asiatics in the future and the new provision to the effect that a licence must be refused to an Asiatic applicant who cannot prove his right lawfully to occupy the premises on which he proposes to carry on his business. Thirdly, there is the question of ownership in which several departures would appear to have been made from the existing law, notably the prohibition of Indians acquiring any shares in any private company holding fixed property in the Transvaal and the further prohibition of the indirect holding of land through European trustees and nominees, long recognised by law, as well as the not very adequate protection given to existing owners. Further there are special questions in regard to Springs and to the occupation by Indians of deproclaimed land. In view of the existing law contained in section 26 (2) of Act 35 of 1908, you will no doubt have something to say as regards these provisions and will suggest concrete proposals to meet the wishes of Committee. Then as regards the question of residence, you will consider the effect of the Bill on a number of poor people such as hawkers, waiters and others similarly situated who would require some place of residence close to the locality in which they carry on their work.

In conclusion I have only to say that the Bill is a complicated and far-reaching measure requiring the deepest study as well as minute and careful examination. I therefore hope that you will apply your minds to it with the greatest diligence and will formulate reasonable suggestions which are likely to be of practical value to you and as far as possible acceptable to all concerned. I wish your Conference every success.

Presidential Address

Mr. Albert Christopher, the President of the Conference then read his carefully prepared address which we publish below:—

Mr. Mayor, Sir Kurma, Fellow Delegates, Ladies and Gentlemen,

The existence of our countrymen in the Transvaal is being threatened and we are met in this Emergency Conference to consider their position particularly in relation to the Asiatic Land Tenure (Amendment) Bill, which will come before Parliament when it re-assembles in January next.

The Bill has come as a rude shock to our community in the Transvaal, for it takes away all elementary rights and perfects every restriction against them, and proposes to provide defined areas for their trade or residence or for both purposes. Our countrymen, according to the Bill, will be forced to live and trade and work in defined areas, except those who are protected by Act 37 of 1919, and those who are menial servants. Whether our countryman is a professional man, a clerk, a book-keeper, a shop assistant, a skilled or semi-skilled artisan or any kind of workman, except unless he be a menial servant, he as an Indian will not be able to work anywhere outside a defined area, and in a defined area he as an Indian will have to work for other Indians. He can never hope, no matter what his qualification or training may be, to work outside a defined area for any European as he is an Indian and as such his physical presence in any place outside a defined area is illegal.

What will he do when he is so segregated? How will he earn his living except by working for each other in a "defined" area. His field of employment will be restricted and he will have a poor chance of earning a living. What will he, as a business man, do? He will have no choice of site, no choice of customers and even he will be restricted in the choice of the nature of his business, for the class of business he may choose will depend upon the kind of customers who may come into a defined area to buy from him. He will have these and other economic disadvantages to contend with, and he will also be subject to the Industrial laws of the country and also to other laws.

Where will they, I ask, give him a defined area? There is no place in the Transvaal where there is no restriction or impediment against Indians occupying or residing in such place. He cannot form a company to own fixed property and even a company formed to trade cannot own its fixed property. All rights the Courts have found in his favour the Bill takes away. If he lives, trades or works, unless he be a menial servant, outside a defined area, he will be liable to be punished. Nowhere does the Bill better the condition of our countrymen. It is a Bill, which if it becomes Law and is applied to our countrymen, will work their gradual degradation and in time their extinction as a self-respecting and useful section of the Transvaal. There is much more in the Bill, which imposes fresh and new restrictions on our countrymen. The Bill with relevant matters will be placed before you and you will see how serious the position of our countrymen is.

They are faced with segregation. To-day segregation stands self-condemned. Segregation when put into operation reduces the people affected by it to the condition of helotry. This happens the more quickly when such people are a disenfranchised people as we happen to be in this country with no vote to influence in any way the local Council or the Legislature.

The Gandhi-Smuts settlement of 1914, which was looked upon by us then as a Magna Charta was to give us a new life in this country, for in it we saw the promise of a gradual improvement in our lot in this country as the Government promised sympathetic administration of the laws and the protection of vested interests; and we believed that there would be no more restrictive legislation against us.

Immigration, free and restricted, was stopped, and again we believed and hoped for much when

General Smuts at the Imperial War Conference of 1917 said, "The fear which formerly obsessed the settlers there has been removed; the great principle of restricting immigration for which they have contended is on our Statute Book with the consent of the Indian population in South Africa and the Indian authorities in India and, that being so, I think the door is open now for a peaceful and statesmanlike solution of all the minor administrative troubles which occurred and will occur from time to time." Again we were disappointed, for our troubles have never ceased.

Again when the Capetown Agreement was made by the Union and Indian Governments, we believed that there would be no more legislation restricting us and that gradually our position will improve and in course of time we would be given citizen rights, but we find that Municipalities, Provincial Councils and Parliament itself are passing restrictive legislation against us. We accepted the Western standard of civilisation and we are endeavouring to do all we can to adopt Western standards of life, but on the other hand every discouragement is placed in our way by the powers that be legislatively and administratively. Most of us who live in this country are South African born and with the passing away of those who came from India the Indian community in the years to come will be entirely South African born in character and outlook.

If segregation is forced on our people they will be reduced to a state of servitude. They might as well be dead. Our community will then have to consider once more *passive resistance* as a means to maintain our self-respect and our right to live as human beings in a civilised country.

I enjoin upon you to consider the Bill in all its aspects and come to a unanimous decision. In my own humble opinion the Bill is a violation of the Cape Town Agreement and is in conflict with the ideals that set in it before us.

Gentlemen, you will also have to consider the attitude taken up by the Commissioner for Asiatic Affairs as regards our countrymen who returned to the Union before the 5th July last in terms of Act 37 of 1927, persons who were in possession of Registration or Domicile Certificates.

Our Congress submitted, when this Law was a Bill, a memorandum with reference, among other matters, to the question of domicile as follows:—

"With reference to Section 10 of the Bill which defines the term 'domicile,' we beg to submit that if it is intended that all persons, who are now absent from the Union, and who do not return within three years from the date of departure, should lose their domicile, then it would be hardship on those who to-day possess either the Transvaal Registration Certificate or Natal Domicile Certificate and who have remained outside the Union for more than three years relying on the validity of and the protection afforded by these Certificates. We therefore would ask that a Clause be added giving such persons sufficient time after the passing of the Bill within which to return to the Union"

to which the Secretary for the Interior replied as follows:—

"It is not intended to apply the provision dealing with loss of domicile after three years' continuous absence from the Union retrospectively and to make this purpose quite clear the following words will be inserted in Section 10 at the Committee stage of the Bill after the word therefrom "or from the date of the commencement of this Act whichever may be later."

The Bill was then passed with the amendment as indicated by the Secretary for the Interior, but now the Commissioner for Asiatic Affairs refuses to permit persons in possession of a Certificate of Registration or Domicile Certificate, who have returned to the Union before the 5th July last to bring in their wives and minor children or issue to them Certificates of Identity on the alleged ground that they had lost their domicile while they were in India and that they must reside here for a continuous period of three years from the date of their return to the Union to re-acquire a domicile. The result is that these persons cannot bring their wives and minor children for three years and consequently they must live without their families for that period. The present attitude of the Immigration Department is not in keeping with the assurance given by the Secretary of the Interior when the Bill in question was passed into law.

The Natal Indian Congress is concerned about the people who are engaged in banana farming owing to the importation of bananas from Lorenzo Marques into the Union. In consequence of this, banana farming in Natal has been seriously suffering and banana farmers and others engaged in that business in Natal are in distress. Your support will be asked in the representations to be made to the Union Government with a view to winning their sympathy to put a duty on Lorenzo Marques bananas in order to protect this industry in Natal, as Government has been pleased to do in other industries.

Gentlemen, let us appeal to General Hertzog and his colleague and to the Representatives of India at the Imperial Conference to come to an honourable understanding so that acts of oppression, such as the Bill indicates, will not be imposed on our people and that we may be left in peace and be afforded equal opportunities to become in God's good time Nationals of this country—the country of our birth and adoption.

Gentlemen, lastly, I appeal in your name and in the name of all that is sacred, noble and just to the Union Government and to the Government of India to consider the position of the Indians in the Transvaal Province so that legislation which will make their position worse than it is will not be passed against them.

After the presidential address was read it was moved by Mr. Kajea and seconded by Mr. S. M. Desai that the Conference be adjourned till 2-30 p.m.

Afternoon Session

The Conference re-assembled at 2-30.

R101 Disaster

The President made a sympathetic reference to the terrible disaster that attended R 101 and the loss of valuable lives, the delegates standing as a mark of respect.

Late Messrs. Jack Moodley And Cassim Meer

The President also made sympathetic references to the deaths of Messrs. Jack Moodley of Durban and Cassim Meer of Dundee both of whom were active members of the Congress. The delegates rose as a mark of respect.

The Conference then went into Committee, Advocate R. K. Khan presiding.

The delegates discussed the Transvaal Asiatic Land Tenure (Amendment) Bill for nearly eight hours section by section. The Conference also discussed the question of Banana farming in Natal and the various questions concerning Immigration;

especially the unsympathetic attitude adopted by the Commissioner for Immigration and Asiatic Affairs in regard to the rights of Indians domiciled in the Union on their return to South Africa by refusing them permission to bring their wives or to obtain Certificates of Identity on the ground that they have lost their domicile. The Conference discussed these various matters and after full and mature deliberations the following resolutions were passed :

Resolution I.

1. That this Emergency Conference of the South African Indian Congress held in Johannesburg on the 5th and 6th October, 1930, at which are represented the Natal Indian Congress, the Transvaal Indian Congress and the Cape British Indian Council, representing the Indian community in South Africa, views with grave apprehension and alarm the Transvaal Asiatic Tenure (Amendment) Bill, which it solemnly declares is wholly unacceptable to the Indian community on the following grounds, viz:—

- (a) That the Bill is a violation both in letter and spirit of the Cape Town Agreement,
- (b) That it imposes disabilities upon Indians in regard to their trade, residence and occupation, and deprives them of their vested rights in the Transvaal Province, and
- (c) That it aims at their compulsory segregation and their ultimate ruin in that Province.

This Conference therefore respectfully urges upon the Union Government to withdraw the said Bill and to introduce necessary legislation giving relief to the Indians in that Province.

2. That in the event of the Union Government declining to withdraw the Bill, notwithstanding the protest of the community, this Conference earnestly requests the Government of India to press for a Round Table Conference to review the situation that has arisen affecting Indians in the Transvaal. In the event of the Government of India failing to secure a Round Table Conference as mentioned, this Conference further requests it to intimate to the Union Government that diplomatic relations between the two Governments should be considered to have ceased, and to withdraw its Agency in South Africa as a protest against the Bill.

Moved by Mr. Sorabjee Rustomjee, seconded by Mr. A. Ismail, supported by Messrs. P. K. Desai, S. B. Math, A. I. Kujee, V. S. C. Pather, Advocate Khan, D. M. Naroo, M. G. Patel, E. M. Patel, K. J. Tavaris, Ramlal Moolu, A. Khan, Cassim Adam and S. M. Desai. The resolution was carried unanimously.

Resolution II.

This Emergency Conference of the South African Indian Congress emphatically protests against the unsympathetic attitude adopted by the Commissioner for Immigration and Asiatic Affairs, in dealing generally with the Indian community especially in regard to the rights of certain Indians domiciled in the Union on their return to South Africa by refusing them permission to bring their wives and minor children to the Union or to obtain Certificates of Identity, such refusal being on the alleged ground that such applicants though admitted by virtue of Domicile or Registration Certificates before the 5th of July, 1930, had lost their domicile during their absence in India. This refusal the Conference submits is not in keeping with the assurance given by the Secretary for the Interior when Act 37 of 1927 was a Bill before the Union Parliament. This Conference authorises the Executive of the South African Indian Congress to arrange a deputation to the Minister of the Interior to make representations, in this and other Immigration matters, which create hardship on the Indian community.

Moved by Mr. V. S. C. Pather, seconded by Mr. A. I. Kujee, supported by Messrs. Prugji Desai, Sorabjee Rustomjee, M. D. Bharuchi, S. B. Medh and S. M. Desai.

All the speakers on this resolution severely criticised the unsympathetic attitude taken up by the Commissioner of Asiatic against the Indian community and by giving instances of hardships proved beyond doubts that he was an unsympathetic officer. The resolution was carried unanimously.

Resolution III.

That it be an instruction to the Executive of the South African Indian Congress to support the representations of the Natal Indian Congress to the Union Government on the question of protection of Banana farming in Natal by the imposition of a duty on Bananas imported into Union and to do whatever may be necessary and incidental in and about the same.

Moved by Mr. P. R. Pather, seconded by Mr. D. S. Chetty, supported by Messrs. B. A. Maghraj, C. B. Desai and S. M. Desai. The resolution was carried unanimously.

Resolution IV.

That this Emergency Conference of the South African Indian Congress hereby places on record its sense of appreciation to the Agent of the Government of India in South Africa, Sir Kurma V. Reddi, for his invaluable services on behalf of the Indian community of South Africa.

Moved by Rev. B. L. E. Sigamony, seconded by Mr. S. R. Naidoo, supported by Messrs. S. B. Medh, P. K. Desai, Ismail Gora, D. M. Naroo, Omar Jhaveri and Tavaris and carried unanimously.

Sir Kurma Reddi gave a suitable reply to the resolution.

Resolution V.

That this Conference of the South African Indian Congress hereby places on record its sense of gratitude to Mr. J. D. Tyson the Acting Agent for the Government of India and the Hon. E. Baring and Mr. C. S. Riekers for their valuable services in presenting the case of the Transvaal Indian community before the Select Committee of the Transvaal Asiatic Tenure (Amendment) Bill.

Proposed by Mr. V. S. C. Pather, seconded by Mr. D. S. Chetty.

Hon. Baring gave a suitable reply to the resolution.

Vote Of Thanks To The President

A vote of thanks was moved to the President who so ably conducted the proceedings of the Conference. Mr. A. Christopher thanked Advocate R. K. Khan on behalf of the delegates who acted as the chairman of the Committee. The proceedings of the Conference came to a close at 8 p.m. on Monday night.

The Indian Protest

The *Star* in its issue of 8th October comments in an editorial on the Emergency Conference which we gladly reproduce here:—

The emergency conference of the South African Indian Congress which has been taking place in Johannesburg over the week-end is an event to which the Government will do well to pay attention. The object of the conference was to protest against the Asiatic Tenure Bill and to discuss what action should be taken with regard to it. As we have said before, this protest seems to us abundantly justified. Moreover, it was made on this occasion with a dignity and a moderation which give it an added force. The tone of the meeting was set by Sir Kurma Reddi's opening address—a diplomatic statement of such studied discretion that even Dr. Karl Pöggeler will be hard put to it to extract therefrom any ammunition for his attacks upon the Indian Agency. Subsequent speakers naturally expressed themselves more freely, but—although the note of righteous indignation was strongly audible throughout—never in terms for which the facts do not offer ample warrant. A unanimous resolution was passed calling

for a further round table conference on the Capetown model if the Government decline to give reasonable protection to Indian interests and for the rapture of relations between India and the Union, to be marked by the withdrawal of the Indian Agency from South Africa, if no conference should take place.

No doubt, all this sounds rather desperate. But some desperation is inevitable, for the Bill is by its nature a matter of economic life or death for Indian traders in the Transvaal. Its complications prevent detailed discussion here. The essential point is that it introduces at several vital points principles of oppression unknown to the present law, which is in all conscience oppressive enough. To be frank, the Bill is an inert reversion to the spirit of the eighteen-eighties; it is a last invocation of a method which has been employed with unvarying lack of success for nearly half a century. It gives no sign of advance in political wisdom through all those years, none of willingness to recognise failure and seek a better way. The driving power behind it is European fear of Indian trading competition. In so far as competition is alleged to be "unfair," it is, or ought to be, possible to remove any element of unfairness by ordinary laws or regulations applicable to all. But this Bill is an exceptionally crude attempt to translate political power into terms of economic privilege, and as such equally discredits its authors, its sponsors, and the system which makes it possible. How Dr. Malan, who found it in him to sign the Capetown Agreement, came to put his hand to such a piece of work as this is one of those enigmas which it takes a professional politician to read.

The Bill is objectionable both because of its inappropriateness to our own internal situation and because of its manifest incompatibility with the engagements into which the Union Government has entered with the Government of India. There is also a third objection, equally strong. India is now at a critical point in a most difficult period of transition. Persistence in new anti-Indian legislation in South Africa will seriously complicate the already enormously difficult task of the Indian Government and the Secretary of State for India. If Empire solidarity means anything at all, it means that one part of the King's Dominions ought to be able to rely on exemption from gratuitous embarrassments of this kind at the hands of other parts, especially at moments of crisis. Lord Morley once said that the attitude of South Africa on its Indian question had done more to unsettle the people of India than anything else since the Mutiny; and time, which has increased the sensitiveness of Indian nationalist feeling, has done nothing to rob that uncomfortable observation of its essential validity. It is therefore a deplorable time to parade so uncouth an expression of antiquated anti-Indian sentiment as this Bill represents. We do not know what pressure may be brought to bear on the South African delegation at the Imperial Conference by Indian and British authorities. But we are convinced that this aspect of the matter is by itself of enough importance to warrant dropping the Bill and substituting other legislation showing a statesmanlike concern for less exclusive interests.

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Our Letter From India

(FROM OUR OWN CORRESPONDENT)

Calcutta, Aug. 21.

Diagnosis Of Economic Depression

India is at present passing through a great economic distress which is unprecedented in the history of trade and commerce of this country. Business is almost at a standstill everywhere. There has been a number of business failures recently in Calcutta and in many other business centres. It is also apprehended that many more are to take place unless the trade conditions improve.

With a view to damn the political leaders of the country, there has been of late, an organized attempt to spread everywhere the impression that Mahatma Gandhi with his followers are responsible for the general economic depression. But Mr. Ghatayamdas Birla who has few rivals in the knowledge of the problem of India's finance and industry has very pointedly revealed the fact to a Press representative at Bombay that the main cause of the present distress is the ruinous financial policy of the Government. The political unrest is only aggravating it by adding its quota. Mr. Birla maintains that the main cause of the economic depression in India is to be traced in the Government until the financial policy of the Government of India is shaped to suit requirements of the country, which cannot get out of the economic slough into which it is sinking deep and deep every day. No cessation of political unrest can create a millennium so long as the present policy of the Finance Department continues. Continuous contraction of currency is being made. During this financial year alone, about 21 crores worth of Rupees has been deflated and over and above this, borrowing at fancy rates by the Government in and out of season has become a fancy of the day. God alone can help the trade under such circumstances.

Concluding Mr. Birla observes:—"In fact the full effect of the loss caused to the Government revenue, Central as well as Provincial, and the effect of the increased expenditure of the provinces due to the political unrest will be experienced probably next year. The outlook therefore is not at all cheerful unless we get an honourable political settlement and with it our unquestioned right to lay down our own fiscal policy to suit the interests of India and India alone."

Sudden Transfer Of Mahatmaji's Son

Mr. Devidas Gandhi, a son of Mahatmaji, who was undergoing his term of imprisonment in the Gujrat Jail (Punjab) has been, under direct orders of the Government of India, suddenly transferred to the Sabarmati Jail. Saturday's Frontier Mail carried him via Delhi to Sabarmati. While passing Delhi he looked considerably pulled down, most probably on account of his giving up special class diet in sympathy with the "O" class prisoners in the Gujrat Jail.

In the course of an interview to a Press representative with regard to a recent communique of the Punjab Government contradicting the reports of alarming reduction in weight of some of the prisoners in Gujrat Jail, Mr. Devidas Gandhi said, "I am astounded at the prevarication it contains. The Punjab Government categorically deny that Pandit Santanam, Mr. Sahani and others have lost any weight. I am in a position to say that ever since they began to take "O" class jail diet these two gentlemen have lost over 12 lbs., each and they appear now like tiny editions of what they were a month ago. But nearly all others have also lost weight."

Dr. Shadiram, for instance, has lost over 20 lbs., and looks exceedingly pale and thin. Headache and constipation has become very common and in many cases even little milk given under medical orders has not improved matters. I am alright myself, save for the loss of about 10lbs., in weight. But an ill-effect which I share in common with others is that I have been rendered incapable of reading at a strength for a long time. Mental and physical fatigue seem to be the direct outcome of the "C" class diet. I am pained at the unkind reference in the Government communique to Pandit Santanam's telegram to Mrs. Santanam. Pandit Santanam and others who answered anxious inquiries simply did not want to alarm the families. However, one sees now that improper use is made by the Government of domestic messages. The pretence about the nourishing qualities of the normal jail diet made in the communique is adding insult to injury. As a matter of fact the "C" class food they get in Gujrat Jail is better than provided in other jails and in that it is at least eatable because they are allowed to supervise the cooking and they get cleaner rations. But we are glad for the experience. We know now exactly the vast majority of our comrades are suffering. Frankly speaking I had fully expected that the two main changes suggested by us i.e., regarding diet and sleeping in the open ground would be accepted without delay as there was really nothing in the demands; they were so simple that they ought to have been sponsored by the jail administration itself in their own interest as much as in that of the prisoners. By conceding these demands the Government would have got in return peace and discipline in their jails. But alas, the Government did not comply with that much."

True Swadeshi

Several thousand Parsis, men as well as women, many of them clad in Khaddar and Swadeshi cloth, especially a large number of women in Swadeshi Saris met recently at the Sir Cawasji Jehangir Hall to hear short addresses on "True Swadeshi." The meeting was held under the auspices of the Parsi Rajkiya Sabha and Dr. Doshibhai Patel presided. In her opening speech she proved by quoting figures of India's export and import trade, how India was lagging behind in the world market, despite her manifold natural resources. She said that the difficulty in India was that though there were many things produced in India the manufacturers, the middlemen and the consumers all laboured under such handicaps that many a time the producer found it difficult to sell his goods.

After the President's speech Mrs. Joshi paid a tribute of praise to Gandhiji whose wife Kasturibai Gandhi was present. Mrs. Kasturibai Gandhi in a short speech said that that was no time for speeches or for processions. Their thirty thousand brothers and sisters, including men like the Sardar and Sjt. Abbas Tayabji, were in jails and they had to free them by achieving the country's freedom. She appealed to the Parsis and especially Parsi women to follow Mahatma Gandhi's teaching of plain living. She exhorted the Parsis to give up the immoral traffic in liquor and toddy.

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