Scott. II-48—22,303—17-1-18.

Home (1918) Department.

Miscellaneous

Ordinary SERIES.

G.O. Nos 851-
852

DATED 3. 12. 18

INDEXED

[Despatch Abstract.]

Northern Indians.-

Addressing the Government of the Federated Malay States regarding the arrangements made for forwarding to their destinations ------------- who are banished from the Federated Malay States.

P.S.M.

... HOME DEPART...
17-JUN-1918
GOVT. OF MADRAS

Home (Misc)
L. Ct No 1832
Regr 17-6-18

CHIEF SECRETARY F.M.S.

KUALA LUMPUR,
FEDERATED MALAY STATES.

No.
2424/1918.

22nd May, 1918.

UNDER SECRETARY TO GOVT. ... HOME DEPARTMENT
17-JUN-1918

Sir,

I have the honour to inform you that this Government has been notified by the local shipping agents that it is almost certain that there will be no sailings from Penang to Calcutta during the next two months and that even thereafter such sailings will be very uncertain.

2. This lack of shipping facilities to Calcutta places this Government in a difficulty regarding the forwarding of Northern Indians, who have been banished from this country, to their place of origin. The only Indian ports to which they can now be sent are Madras and Negapatam.

3. In these circumstances, this Government would be grateful if the Government of Madras could make arrangements for these banishees to be forwarded to their destinations in Northern India and I shall be obliged if you would inform me whether such arrangements can be made.

I have the honour to be,

Sir,

Your obedient servant,

R. W. Jackson

Under Secretary to Government, F.M.S.

Home dept
(Mis)

Resume on 19.7.18.

The Secretary to
The Government of Madras,
Madras.

Endt 1832-1 19-6-18

Referred to the Commissioner of Police, Madras
D. M. of Tanjore
for remarks at an early date.

To
The Commr of Police, Madras
(a x o) with endt
The D M of Tanjore (a x o) with endt

D.W.H. 19/6

18.6.18

C.No. 1877 H.Mis
24.6.18

2/

3,000—20-12-17.

C.F.—29.

REGISTRAR HOME DEPARTMENT
23-JUN-1918

(Home Mis.) **DEPARTMENT.**

3 2/

Received .... 191 . *Registered* .... 191 .

Subject.

Reporting with remarks how the persons banished from F.M.S to Northern India through Madras could be forwarded to their destination.

Enclosures.
No. nil
Spare copies nil

Rc. No. 384/Govt. 418.

Station Madras, *Dated the* 21st June 1918

From (Name) F. Armitage, Esq.,

(Designation) Commissioner of Police, Madras.

To The Secretary to the Government of Madras,
Department.

Sir,

With reference to Home (Mis.) Department endorsement No.1832-1 dated 19th June'18, I have the honour to report that the banishees could be forwarded under the surveillance of the Railway Police. The question of the payment of railway fares would have to be determined. Probably it would be simplest to issue railway warrants here and recover their cost from the Straits Government.

pl ante

X

A certain amount, say 6 annas a day, would have to be paid for maintenance up to destination.

Such items could be advanced here and recovered

3

3

periodically.

The question of long journeys by road from railway stations is difficult as no information on the point will be available here. Banishees of this Presidency landed in Madras are not given anything for journeys thence and have to make their way as best they can. What is being done in the case of those landed in Calcutta I do not know.

I have the honour to be,

Sir,

Your most obedient servant,

A.L.Gnanapragasampillay

for Commissioner of Police.

TJCN

11/7

4

DEPARTMENT.

3

4

C.F.—81

Home (Mis) 2005

Received 9-JUL-1918 191 . Registered 9/7/ 1918.

REGISTRAR HOME DEPARTMENT GOVT. OF MADRAS

RO 157

Subject.

Reporting that the ~~banishees~~ Northern Indians who have been banished from Malaya, may be allowed to land at Madras.

ENCLOSURES.
No. nil
Spare copies

R.C. No.1425/M. of 18.

Station TANJORE, Dated the 4th July - 1918.

From (Name) ~~J.R. Huggins Esquire, I.C.S.,~~

(Designation) District Magistrate, Tanjore.

To The SECRETARY TO THE GOVERNMENT OF MADRAS.
Home (Miscellaneous) Department.

Sir,

p. ante

With reference to Government endorsement No.1832-1 dated 19-6-1918, I have the honour to observe that the boats from Penang generally go to Madras direct returning to Penang via Negapatam and that further the homes of the banishees are nearer Madras, I think therefore that they need not be allowed to land at Negapatam at all and that arrangements may be made to forward them to their final destination from Madras. It will be easier to make arrangements at Madras than at Negapatam.

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

For District Magistrate.

DESPATCHED
6- JUL 1918

T.R.K.

88/5/7

Home dept (Mis)

From the Govt of the F.M.S, No 2424/1918, d the 22.5.18

Endt no 1832-1, Home (Mis), d the 19.6.18

From the Commr of Police, Madras, R.C no 384/18 Govt, d the 21.6.18

From the D.M of Tanjore, R.C. No 1425/M. of 18, d the 4.7.18.

Endt 1832-2-3 17-7-18

A copy of the correspondence read above is forwarded to the A.G for remarks on the suggestions of the Commissioner of Police, Madras.

17.7.

15.7.18

PdeR.
16.7.18

To
The A.G (a & Endt)

Received and despd with Encls
CR
20.7.18

Copied
R.S. 19/7/18

1,000 - 22-11-15.

Home **DEPARTMENT**.

CURRENT No

Received 191 . *Registered* 191 .

REGISTRAR HOME DEPARTMENT GOVT. OF MADRAS 31-JUL-1918

Subject.

UNDER SECRETARY TO GOVT. OF MADRAS HOME DEPARTMENT 31-JUL-1918

Home (Mis) G.O. No 2185 Augt 1-8-18

ENCLOSURES.

No.

Spare copies

No.T.M.23- 7873 .

Dated the 29th July 1918 .

From

A. NEWMARCH, Esq.,
ACCOUNTANT-GENERAL, MADRAS,

To

THE SECRETARY TO THE GOVERNMENT OF MADRAS,
Home (Miscellaneous ~~Education~~) Department

SIR,

p 5 ante.

With reference to your endorsement No.1832-2 dated 17-7-18, I have the honour to state that there is no audit objection to arrangements being made as suggested by the Commissioner of Police, Madras, for forwarding ~~the~~ Northern Indians, who have been banished from the Federated Malay States to their destinations after landing at Madras.

2. The charges incurred by the Commissioner of Police, or other Officers on the above account will be passed on through the Exchange account with the Comptroller of India Treasuries for recovery from the Government of the Federated Malay States, if that Government has no objection to this course being followed. In this connection, I would, however, observe that for the guidance of the officer incurring the charges or for the guidance of ~~the~~

7

this office in admitting the charges in audit, it would be advisable to fix in consultation with that Government the scale of charges to be incurred on account of each banishee under the following heads:--

1. Railway fare.

2. The rate of subsistence allowance, if any, to be granted to them for the period of journey or during halts in the course of such journey.

3. The rates of mileage or the limit of actual expenses to be granted for road journey or journey by public conveyance.

Orders will also be necessary as to whether, if any Police escort accompanies the banishees to their destination, any recovery should be made from that Government towards the cost of the Police employed on that duty.

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

Accountant-General.
ab.

P. B.

Home(Miscellaneous)Deptt.

Letter ref No 1832-38/13.8.18

8

To

The Chief Secretary to the Govt.
of the Federated Malay States,
Kuala Lumpur.

13/8

Sir,

I am directed to acknowledge the receipt of the letter from the Govt. of the F.M.S. No. 2424 dated the 22nd May 1918, regarding the forwarding of Northern Indian banishees to their places of origin and to state in reply that arrangements can be made to have them sent to their destinations.

2. This Government are informed that boats coming from Penang generally go to Madras direct without touching the port of Negapatam and I am to state that for this reason and ~~also the better facilities that~~ the fact that Madras has obvious advantages in regard to direct train communication to Northern India, these banishees ~~are afforded by the banishees being allowed to land at Madras, they~~ may be permitted to land ~~only~~ at Madras only.

3. On the subject of the charges that will have to be incurred on their account, this Govt. are advised that for the guidance of the officer incurring the ~~th~~ charges and of the account officer in admitting the charges in audit, it would be ~~better~~ advisable to ~~have the~~ fix a scale of charges to be incurred on account of each banishee. ~~fixed.~~ I am, therefore, to request that this Government may be informed what ~~amount of~~ [illegible] charges the F.M.S. Govt. would allow under the following heads:-

(1) Railway fare,

(2) The rate of subsistence allowance, if any ~~to be granted to them~~ for the period of the journey or during halts in the course of such journey.

(3) The rates of mileage or the limit of actual expenses to be granted for road journey or journey by public conveyance

P. T. O.

9

I am also to enquire whether the F.M.S. Govt. see any objection to have ~~the~~ such charges ~~that~~ as may be incurred by the officers of this Govt. on behalf of these banishees passed on through the Exchange account with the Comptroller of India Treasuries for recovery from the Govt. of the F.M.S.

I have etc.

13.8.

Dr. 9.8.18.

Fair 12.8.18

13.10.18.

13.8.

P.S.M.

Home (Mis) etc
No 2854
Regr 11.10.18

10

10

KUALA LUMPUR,
FEDERATED MALAY STATES.

No 2424/1918.

11-OCT-1918

27th September, 1918.

Sir,

I am directed to acknowledge receipt of your letter No.1832/3 of the 13th August, 1918, on the subject of the forwarding of Northern Indian banishees to their places of origin, and am to convey to you an expression of the thanks of this Government for the assistance promised in this matter by the Government of Madras.

Pr 8-9

2. It is noted that the Government of Madras will permit banishees from the Federated Malay States to land at Madras only and not at Negapatam.

3. With regard to the cost of forwarding such banishees to their homes, I am to explain that the banishment laws of the Federated Malay States provide merely for banishment from these States by placing the person banished on board a ship for removal to any port in the country of which he is a natural-born subject, or elsewhere, and that it is the practice to send banishees to the port of the countries to which they belong which is nearest to the Federated Malay States.

formerly Calcutta

4. In the case of banishees who are natives of British India it is considered that provision of transport to a port in India, now determined as Madras, adequately fulfils the obligations of this Government in respect of such banishees.

vide p. 1CF

5. In the case of banishees who are natives of Afghanistan, the protected States of India, or of French India, this Government, is of course, prepared to reimburse the Madras Government for the cost of any necessary journey by railway (in the cheapest class) and road to their countries of origin, together with the cost of subsistence en route, at the rate of eight annas a day, subject to a maximum expenditure in any one case of forty dollars (Straits Settlements currency).

(Rs 70)

6. I am to add that this Government agrees to the suggestion that charges incurred by officers of the Madras Government on behalf of banishees who are not natives of British India would most conveniently be recovered through the exchange account with the Comptroller of India Treasuries.

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

Under Secretary to Government, F.M.S.

The Secretary to
The Government of Madras,
(Home Department),
MADRAS.

Home (misc) 3500
27-11-18

3,000 - 20 12-17.

C.F.—29.

Misc.
Home (~~Jxxk.~~) **DEPARTMENT.**

Received 27 NOV 1918 191 . *Registered* 27 NOV 1918 191 .

HOME DEPARTMENT GOVT. OF MADRAS

UNDER SECRETARY TO GOVT. OF MADRAS HOME DEPARTMENT

Subject.

Requesting orders of Government regarding ten Northern Indian banishees.

ENCLOSURES	
No.	Nil
Spare copies	Nil

RC No. 808/C.I. 18

Station Madras, *Dated the* 26th November 1918.

From (Name) F. Armitage, Esq.,

(Designation) Commissioner of Police, Madras.

To The Secretary to the Government of Madras,

Home (Misc) Department.

Sir,

I have the honour to state that ten Northern Indian banishees have arrived here this day having been banished from Federated Malay States and want to go to Punjab. Orders are requested with reference to Home (Misc.) endorsement 1832-1 dated 19th June 18 and my reply thereto whether they may be given railway tickets to their destination and maintenance during the journey and sent under surveillance of the Railway Police.

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

A.S. Gnanasagaram Pillay
for Commissioner of Police.

NOTES.

Home (Mis.) Department.

C.No.1832, From the Govt.of the F.M.S.No.2424, dated 22-5-1918

Endt.to the Commr.of Police and the D.M.Tanjore, No. 1832-1, dated the 19th June 1918.

C.No.1877, From the Commissioner of Police, No.384, dated 21-6-18

C.No.2005, From the D.M.Tanjore, No.1425 M, dated 4th July 1918.

Endt.to the Accountant General, No.1832-2, dated 17-7-18

C.No.2185 From the do No.T.M.23-7873, d/29-7-18.

U.S.

The Federatad Malay States Government state that owing to lack of shipping facilities between Penang and Calcutta the Northern India banishees have to be sent to Madras or Negapatam, and ask this Government if arrangements could be made to have them forwarded to their destinations. The Commissioner of Police, Madras and the D.M.Tanjore were consulted. The Commissioner states that the banishees could be forwarded to their destinations under the surveillance of the Railway Police. The D.M.Tanjore states that they need not be allowed to land at Negapatam at all, as boats coming from Penang generally go to Madras direct. On the question as to how the charges incurred may be recovered from the F.M.S.Government, the A.G. states that the charges will be passed on through the exchange account with the Comptroller of India Treasuries for recovery from the Government of the F.M.S, if that Govt have no objection. Incidentally he points out that the scale of charges to be incurred in the case of each banishee as to railway fare, rate of subsistance allowance, rate of mileage or actual expense for road journeys might be fixed in consultation with the F.M.S.Government.

p.1 cf.

p.2 cf.

p.4 cf.

p.6 cf.

p.7 cf.

Cases in which police escort will have to be furnished will be few and far between and it is perhaps

p.7 cf.

perhaps unnecessary to ask the F.M.S. Government to bear the cost in such cases.

A draft letter to the F.M.S. Government is submitted for approval.

Issue 13.8.18.

AW. 9.8.18.

Pdck. 12.8.18

p 89 cf [Letter to the ~~Colonial~~ Secy. F.M.S. 1832-3 9/12]

p 10 cf [2854] From the Chief Secy F.M.S. Kuala Lumpur no. 2424 of 27/4]

E.S.

Please see the reply from the F.M.S Govt. on p 10 c.f.

para 4, p 10 cf

2. The only outstanding question for decision in the file is as to who should bear the cost of transmission of banishees who belong to British India but whose homes are not in this Presy. The F.M.S. Govt. point out that the obligations of that Govt. in respect of such banishees are adequately fulfilled by the provision of transport to a port in India and are apparently unwilling to incur any further charges on their account. On the other hand unless facilities are provided for these

banishees to go back to their homes, they should find themselves stranded in Madras and the work of the Madras Police may to an extent become more arduous; and such a situation should be avoided. In the Event of agreeing to provide these men with passages to their homes, this Govt will be incurring a charge on provincial revenues on ~~[illegible]~~ account of men who do not belong to their Jurisdiction. On the analogy of the provision made to meet the cases of European vagrants, this Govt may agree to the charges on this account, as the system itself is only temporary, it being ~~[illegible]~~ due to the lack of shipping facilities between F. M. S and Calcutta owing to war conditions. The remarks of Financial may be invited on the point.

3/ The F. M. S. Govt agree to reimburse this Govt with charges incurred on account of banishees whose homes are in Native States ~~or~~ in French India to an extent of 40 dollars of (Rs 70) in each case.

S:

1.11.8

4/11

Ewi.
25.10.18

Recd
31.10.18

Finl 9592
Reg 5 XI 18

Home (mis) 1832-4
4-11-18

Recd
28/10

ASSISTANT SECRETARY
-5 NOV. 1918
GOVT: OF MADRAS

Finl 95 92
Reg 6 XI 18

15 Financial dept

For A. S.

Please see the correspondence in the C.F. The point for consideration in this dept. is whether in the case of British Indian Subjects of other provinces than Madras, who are banished from the Federated Malay States the cost of forwarding them from Madras to their places of origin should be recovered or should be borne finally by this Govt.

Cf paras 4-5 on p 10. CF & notes on pp. 2-3 ante.

2. From para 4 on p. 10 of C.F. it will be seen that the F.M.S. Govt. will bear the cost of sending them as far as Madras only; and they state that if these Banishees reach Madras the F.M.S. Govt. have no further legal obligations. In the case of persons who are not British Indian Subjects and who come from Afghanistan, French India or Native States ~~[illegible]~~ the F.M.S. Govt. are prepared to reimburse the cost of forwarding them to their homes. In these circumstances, it does not appear that in the case of British Indians, the cost of forwarding the Banishees from Madras to any other place can be claimed from the F.M.S. Govt.

Para 5, p 10. CF.

3. The next point is whether the cost of forwarding the Banishees from Madras to other Provinces, in cases where there are British Indian Subjects belonging to other Provinces, can be recovered from those Governments. This is a question of inter-provincial adjustment governed by rule 2 of the G of I's rules on p. 4 of G.O. 464 Fin. d/ 17.8.1916. It will be seen that adjustment can be made in the present case by mutual agreement with the Province concerned and with the approval of the C.G. only if it is considered to be a case of "an "charge of an exceptional nature "which ought ordinarily to be "borne by one province and is "paid in another province". It does not, it is submitted, appear that the present expenditure answers this description; for as pointed out by Home (Mis) on p. 3 ante charges on account of European[x] Vagrants which include maintenance and cost of forwarding them to their destination are now debited finally

S

Renewed

x Cf. p. 225. C.B.E. ~~comp~~. 1918-1919. & item 37 on p. 59 of Vol II. M.T. Manual.

Page 1. of C.F. paras 1 & 2. & para 4 on p 10 of C.F.

to the Province where they are incurred; and further when there were sailings from Penang to Calcutta prior to the imposition of the existing shipping restrictions and when the Banishees were landed at Calcutta, no cases arose in the past of adjustment claimed by the Bengal Govt against Madras for British Indians forwarded from Calcutta to this Presidency. In these circumstances the proposal to debit the charges finally to this Govt. may, it is submitted, be accepted. The expr is only temporary in nature & cannot amount to much. Please see in this connection G.O. 479 Medl

L dt 23.xi.1917 where this Govt. have agreed to bear finally some charges relating to lunatics from Coorg.

4. Scale of expenditure to be allowed in the case of Br. Indian Banishees. Please see para 5 on p. 10 of C.F. which shows the scale of expenditure allowed by the F.M.S. Govt. for persons in respect of whom they agree to bear finally the charges. This scale seems to be a suitable one, except the rate for maintenance, 8 annas a day which is liberal as compared with

the rate of 2 annas a day for Natives allowed as charges for "maintenance* of Strangers and indigent persons" - vide item 69.A. in App. F. Madras Treasury Manual, Vol II, page 75.

* Cf details on p. 226. CBE under 32-B. Mis. - Donations for charitable purposes - Miscellaneous.

It is for orders ~~whether~~ a maintenance rate of 2 annas for Br. Indian Banishees, & other expenditure as set out in para 5 on p. 10. C.F. may not be prescribed in cases where the expenditure is debitable to this Govt. The Commr of Police suggests 6 annas* a day for maintenance.

* page. 29 C.F.

5. Subject to orders on the above points, the case may be returned to Home (Mis)

A.S.
14.XI.1918

I think it will be as well to ascertain what procedure in regard to the recovery or otherwise of charges Bengal has followed hitherto & what scale of allowances has been granted.

We may ask Home Dept: to kindly obtain this information.

C.S.
18/11/18.

It is only a temporary matter, meanwhile prices are very high and a man who is of sufficient importance to be banished will not ordinarily be a man who can live on 2 annas a day. I don't think it is worth while our disputing the 8 annas

19.11.18

File no 95927
19-11-'18

noted the date of return. 20/11/18

F.D. Home (Mis)

Home (mis) Dept

HOME DEPARTMENT
20 NOV 1918

A draft order and a draft letter to the Govt. of the F. M. S are submitted. The file may be circulated to the Hon'ble Members (1) & (3).

(for O.)

Cir.
24.11.18

27.11.18

To HM. 1
HM. 3.

LWS
28.11.18

L.D.
(But please eliminate the word "banishee" by verbal changes) 29.11.18

Done
LWS
3.12.18

I agree
2.XII.18

B: 37
C: 29.11
R: 3/12

Scott. II—10 (a)—36,003—21-1-18. (6)

20

Northern India ~~Banishees~~ Home (Gen.) DEPARTMENT.

Addressing the Govt of the F.M.S. regarding the arrangements ~~to be~~ made for forwarding to their ~~homes~~ destinations who are banished from the F.M.S.

READ AGAIN G.O. No. ...., dated .... 191 .

" " " " .... " .... 191 .

READ ALSO:—

C. No. 432, From the Govt of the F.M.S, No. 2424, dated 22. 5. 1918.

2. Endt to the Commr of Police Madras 1832-1 G 19. 6. 18

" " 1877 " " 3. Cf. ~~From the~~ Commr of Police, D.M. Tanjore, 384 " 21. 6. 1918.

4. D.M. Tanjore Madras 425 4. 7. 18

5. Endt to the Accnt General 1832-2 G 17. 7. 18

" " 2185 " " 6. Acct Genl " 7873 " 29. 7. 1918.

2854. 7. Letter to the Govt of the F.M.S 1832-3 G 13. 8. 18

8. From the Govt of the F.M.S 2424 G 27. 9. 18

Commr of Police 8080

ORDER. No. 857, dated 3-26-12-18 1918.

Rhos

At the request of the Govt of the F.M.S the Govr in council has agreed to the landing at the port of Madras of Northern Indians who have been banished from the Federated Malay States. The Commr of Police is requested to make the necessary arrangements to have ~~the banishees~~ such persons when landed, forwarded to their destinations. ~~Each banishee~~ Every such person ~~shall~~ will be allowed single third class railway fare, charges for road journeys where necessary by the cheapest mode of conveyance and subsistence allowance at the rate of annas eight a day from the date of landing to the date on which the banishee reaches his destination, both days inclusive. All such charges ~~incurred~~ incurred on behalf of British Indian ~~banishees~~ subjects should be ~~debitable~~ debited to 32. Miscellaneous.

2. In the case of ~~banishees~~ subjects of ~~belonging to~~ Afghanistan, the protected Native States ~~of~~ of India, or the Foreign possessions in India, the total charges incurred should not exceed Rs 70/- in each case.

3. The Accountant-General is requested to have the charges incurred on behalf of the ~~Deportees~~ persons referred to in para 2 above, recovered from the Govt. of the F.M.S through the Exchange Account with the Comptroller of India Treasuries.

4. The following letter will be despatched to the ~~[illegible]~~ Govt. of the F.M.S.

Cov.
24.11.18

28.11.18

LWS
28.11.18

To The Commr. of Police, Madras (w of 1 + 8. 9 + 2 + 3. cand order)

The Accountant General. q of 1, 2 + 3 (~~[illegible]~~ 5 + 6) of 9 + 8 for O.

Copy to the D.I.G. of Police ayall.o.

to the Financial dept a.f.p. n.o.

Recd to send with encls
MWS
4.12.18

Sectt. II 8 (c).—12-1-15.

NOTES.

Page 21

Home (Mis.) Dept
Letter 852 d. 3. 12. 18

To

The Chief Secretary to the Govt. of the F.M.S.
Kuala Lumpur.

Sir,

With reference to the correspondence ending with the letter from the Govt. of the F.M.S. No 2424 d. the 27th Septr. 1918, I am directed to forward a copy of the accompanying proceedings of the Madras Govt on the subject of the arrangements for forwarding to their destinations Northern Indians banished from the F.M.S.

Recd to send with encl
MWS
4.12.18

Cov.
24.11.18

Fred
27.11.18

28.11.18

LWS
28.11.18

When given for copying
When copied ______
When examined ______
When signed ______ } 191 .

READ AGAIN G.O. No. 191 . , DATED							
CURRENT No.							
ENCLOSURES TO C. No.							
ORDER OF GOVERNMENT	A	A	A	A	A	A	A
LETTER OF GOVERNMENT							
STATEMENT WITH DITTO.							
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.							

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.