

Premier

Prime Minister of Canada

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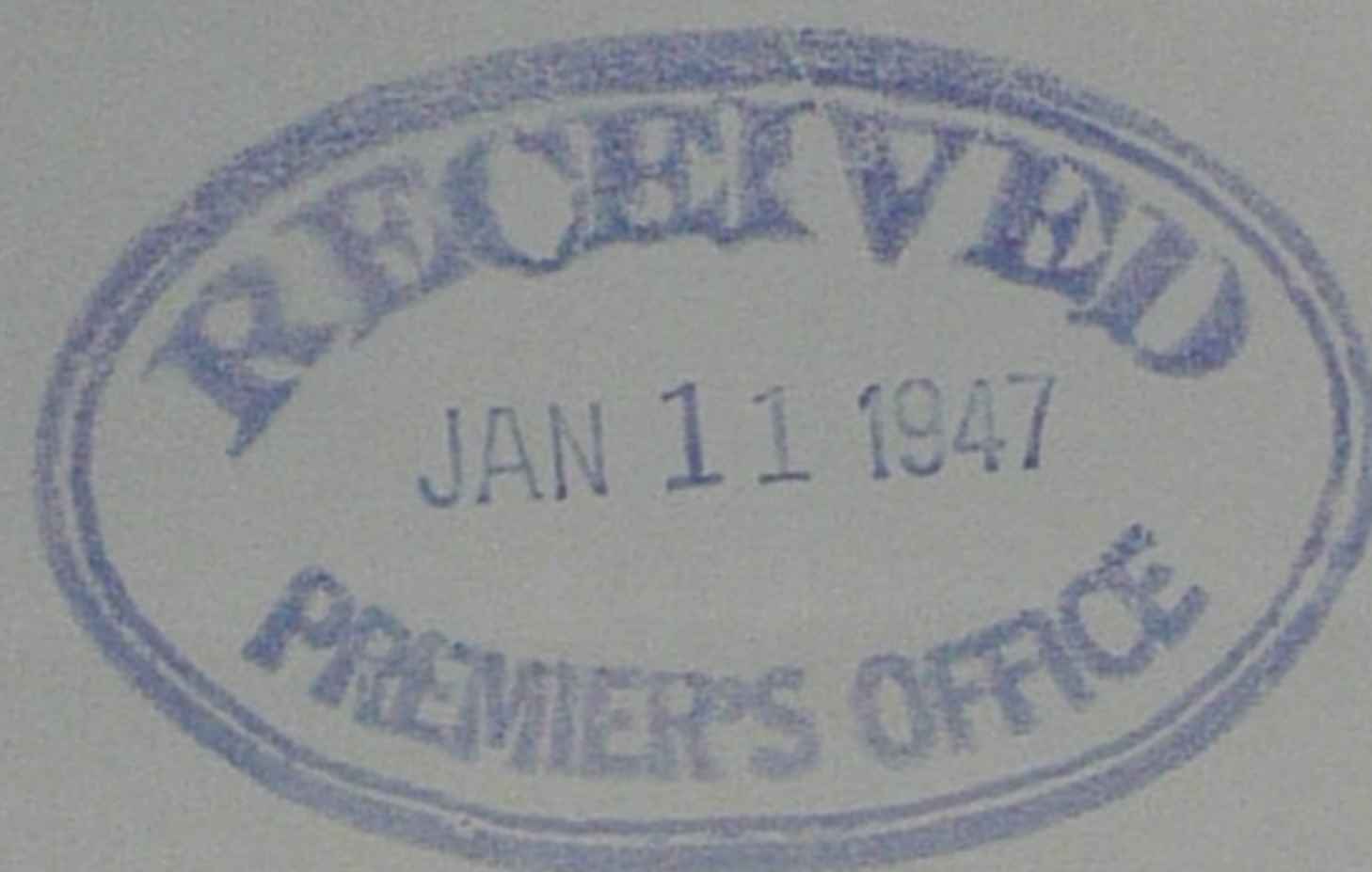
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O t t a w a,
January 8, 1947

Private Secretary to
Hon. John Hart, M.L.A.,
Premier of British Columbia,
V i c t o r i a.



Dear Private Secretary:

In the Prime Minister's letter to Mr. Hart dated December 31, on the subject of enfranchisement of East Indians in British Columbia, reference is made to two enclosures. I regret to find that these were inadvertently omitted when the letter was mailed. I
.2. now enclose them herewith.

Yours faithfully,

J. A. Libson
Private Secretary.

C

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Y

FAST AIR MAIL

No.F.102-10/46-08(II).

Government of India.

Department of Commonwealth Relations.

New Delhi, the 6th December 1946.

To The Secretary of State for External Affairs,
Government of Canada,
OTTAWA. (CANADA).

Indians in British Columbia - Franchise.

Sir,

I am directed to address you on the question of conferring Dominion, Provincial and Municipal franchise on Indians domiciled in the Province of British Columbia in the Dominion of Canada. As you are aware, about 1,300 out of the 1,500 Indians resident in Canada live in the Province of British Columbia. By virtue of Section 5 of the British Columbia Provincial Elections Act, Indians there are disqualified from voting at elections and are debarred from having their names inserted in any list of voters. By the operation of Section 30(1) (g) of the Dominion Elections Act, they are also denied the federal franchise. This discrimination against a class of British Subjects domiciled in a Dominion of the British Commonwealth has long been a grievance among Indians in British Columbia and Canada and is regarded as a humiliation to India.

2. In this connection it will be recalled that at the Imperial Conference of 1921, a resolution was adopted and agreed to by the representatives of Canada, which while affirming that each community of the British Commonwealth should enjoy complete control of the composition of its own population by means of restriction on immigration from any of the other communities, recognised that there was an incongruity between the position of India as an equal member of the British Empire and the existence of disabilities upon British Indians lawfully domiciled in some other parts of the Empire. The Conference expressed the opinion

that in the interests of solidarity of the British Commonwealth it was desirable that the rights of such Indians to citizenship should be recognized. The late Right Hon'ble V.S. Srinivasa Sastri, who represented India at the Imperial Conference of 1921, visited Canada in August, 1922, to secure the practical application of the resolution mentioned above. Mr. Sastri, however, found that there was a very strong current of opinion in British Columbia against the grant of provincial and municipal franchise to Asiatics as the economic rivalry between the white and non-white races (particularly the Japanese and Chinese) was more acute in that Province than in any other part of the Dominion. At the Imperial Conference of 1923, the representatives of Canada pointed out that the Dominion Government were averse to taking any action which might have a semblance of dictating to the Provincial Governments. The position in respect of Franchise Law in British Columbia, therefore, remained unchanged. The Dominion of Canada Elections Act came under revision by Parliament in 1925, but as the Committee on Privileges at Elections came to the conclusion that no change in the 'existing law' could be made, the position in regard to the Dominion Franchise Law also remained the same as it was in 1921. From time to time, thereafter informal discussions have taken place between various Indian leaders, e.g., the late Sir Mohammad Shafi, Sir Atul Chandra Chatterjee, Sir Muhammad Zafrulla Khan and Sir Ramaswami Mudaliar and the Canadian Prime Ministers. The latter generally were sympathetic and appreciated the Indian view-point, but no concrete action has so far been taken to redress the long standing Indian grievance.

3. In view of the magnificent part played by Indian troops during the last war and the fact that Indians fought side by side with the Canadian soldiers, the Indian position has become still more incongruous than it was in 1921 by the

continuance of the old disabilities. Men who can be regarded as suitable comrades in arms should deserve to be treated as comrades in civil life. This position has been recognised by the United States of America by enacting recently legislation, which makes provision not only for the grant of full citizenship rights to Indians, but also permits Indian immigration into the United States of America on a quota basis.

4. It is now understood that in British Columbia an Elections Act Committee has been set up by the Legislature to consider the provisions of the Provincial Elections Act. The Committee are expected to make their recommendations very soon for discussion at the next session of the British Columbian Legislature in February, 1947. The Government of India would, therefore, urge upon the Dominion Government the desirability of persuading the British Columbian Government to avail of the present opportunity and take steps to confer franchise on the small Indian community in that Province and thus rectify the present anomalous position which is a source of humiliation to Indians.

I have the honour to be,

Sir,

Your most obedient servant,

(Sgd.) A.V. PAI

Secretary.

BS.6.12.

Ottawa, January 6th, 1947.

Sir,

I have the honour to acknowledge your despatch No. F.102-10/46-OS(11) of December 6, 1946 concerning the franchise for Indians in the province of British Columbia.

2. I appreciate the feeling in India, especially at the present time, towards this question, but I am sure you will understand that the problem is very complex since it is primarily within the jurisdiction of the Government of British Columbia. At the last session of the British Columbian Legislature a committee was appointed to inquire into the provisions of the Provincial Elections Act. While this committee has not yet submitted its findings, I understand that some recommendation will be made affecting the status of Indians in British Columbia.

3. A copy of your communication of December 6 has been referred to the Government of British Columbia and I shall keep you informed of any developments which may take place.

I have the honour to be,

Sir,

Your obedient servant,

LOUIS S. ST. LAURENT

Secretary of State for
External Affairs.

The Secretary,
Department of Commonwealth Relations,
Government of India,
NEW DELHI.