

1924

KENYA

36869

4 AUG 24

India Office

DATE

2 Aug 1924

CIRCULATION :-

Calden

Rudolf Von Perignon
German National

U.S. of S.

encloses copy of letter from Govt of India regarding arrival of - at Bombay & irregular form of an "Empire-wide" visa, & requests actions.

Previous Paper

MINUTES

The only action we can take in regards the Nomvira Special is to send a copy of the letter & enclosure to the Govt for a report; & inform I.O.

But Doms-Dept. may wish to see as the Principal Immigration Officer, Natal appears also to have offended.

Got
5/8/24

Mr J. Smith

Can you say whether we have had the documents referred to at X in this letter & whether we have advised the Govt of Kenya of the position as to visas for India?

Subsequent Paper

CO.

40840/24

Doms

copy to ... 15 Aug 24
to Mr. E. ... No. 268 - 26 Aug 24 - JAS:JLC / 24
Doms
Guard with copy above letter. (Sept 24)
Return to ...

MINUTES.

MINUTES NOT TO BE WRITTEN
ON THIS SIDE.

The Ministry

Memorandum has had the Indian
Passport Rules & revised instructions as to
leaves for India. Circular note 25 May 23
(22573/23) sent to and to Govt. 14/6/23 as to
temporal order was in Circ note 5 Apr 23

~~Mr Parkinson~~

10/1/24

Serial 5 of the 2-3 level

no 10 22573/23 General

(Revised instructions to Courts)

leaves no doubt as to

the position

In referring to leave

for absence as proposed

no obj. of course refer

to 114 (Circ. of 25/5/23

on 22573/23)

will you consider as to

the 'lack' of the P. I. O.

Durban!

Em 8/24

Mr Parkinson and I
have discussed this. It will

be better (for Govt.) to send copies

of sub. encls. to G.P. to the Lord

ref. doc. on 8266/23. Accordingly

than as copies of correspondence between

the Govt. of Bombay & the Govt. of India

relative to the arrival at Bombay

from Africa of a German named ...

The Ministry

Henry has had the Indian Passport Rules & issued instruction as to visas for India (Circular no 25 May 23 (22843) sent) and to Circular 84/23 as to temporary visas was in Circ note 5 Sept 23

Mr Parkinson

1/15/24

Serial 5 of the 2nd issue
L.O. 23543/23 General
(Revised instruction to Courts)
leaves no doubt as to
the position

In referring to Henry
for advice as proposed
we shall of course refer
to L.O. (Circ of 25/5/23
on 22843/23)

Will you consider as to
the "tache" of the P.O.
Durban?

Edw 8/8/24

Mr Parkinson and I
have discussed this. It will
suffice (you know) to send copies
of sub. encls to C.P. to be read
up dept on 8266/23 accordingly
There are copies of correspondence
between the Govt of Bombay & the Govt of India
relative to the arrival at Bombay
from Africa of a German named Rudolf
Parkinson

Further communication on this subject should
 be addressed to—
 The Under Secretary of State for India,
 Economic & Overseas Department,
 India Office, London, S.W. 1.
 Following reference is made—
 & O. 2888/24.



INDIA OFFICE,

328

WHITEHALL,

LONDON, S.W. 1.

2nd August, 1924.

C. O.
36869

4 AUG 24

Victoria 8090. I.O. Ext. No.

Lutansandum, London.

Sir,

I am directed by the Secretary of State for India to transmit, for information and for the favour of any observations which the Secretary of State for the Colonies may wish to make, copy of a letter received from the Government of India on the subject of the arrival at Bombay from East Africa of a German named Rudolf von Perignon who appears to have been granted an "Empire-wide" visa at Mombasa without consultation with the authorities in India (vide the Indian Supplement to the Instructions to Consuls regarding granting of visas (copy attached for easy reference) and Foreign Office Circular No.S.17994 dated 18th April, 1923 on the subject of Empire-wide visas).

I have the honour to be, Sir,

Your obedient Servant,

W. S. G. G. G.
 for Secretary,
 Economic & Overseas Department.

Under Secretary of State,
 Colonial Office.

GOVERNMENT OF INDIA,
HOME DEPARTMENT.

To: His Majesty's Under Secretary of State for India.

Simla, the 3rd July 1924.

Arrival of Mr. Rudolf von Perignon,
a German, in Bombay, with an irregular visa.

Sir,

I am directed to forward, for the information
of the Secretary of State, a copy of the papers noted

Telegram from the Government of
Bombay, No.61-T, dated the 18th
June 1924.

Letter from the Government of
Bombay, No.2461-B, dated the
20th June 1924 and enclosures.

on the margin, relating to
the subject noted above and to
request that, if the Secretary
of State sees no objection,

steps may be taken with a view to the irregularities
pointed out by the local Government being brought
to the notice of the Passport authorities concerned.

I have, etc.,

(Sd.)

Deputy Secretary to the
Government of India.

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HOME DEPARTMENT.

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to the notice of the Passport authorities concerned.

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(Sd.)

Deputy Secretary to the
Government of India.

Copy of a telegram No.61T. dated the 18th June 1924 from the Government of Bombay, Political Department to the Foreign Secretary to the Government of India in the Foreign and Political Department.

Arrival in Bombay on 14th June reported by Commissioner of Police of German Rudolf Von Perignon travelling by S/S. Karagola. He has German passport issued on 31st August in Bavaria which contains no regular visa for India but was stamped on May 1st in Durban by Principal Immigration Officer Natal as follows : "Produced to me. Travelling to India" and again on June 2nd by Resident Commissioner, Bombay, "Valid for journey throughout British Empire". Permission has been given to Perignon to land and continue journey to Calcutta via Ahmadabad, Agra and Delhi to see old buildings of architectural interest under police surveillance. Details follow by post.

Copy of a letter No.2461.B. dated the 20th June 1924 from the Secretary to the Government of Bombay, Political Department to the Foreign Secretary to the Government of India, Foreign and Political Department.

Arrival:- Arrival of Mr. Rudolf Von Perignon, a German in Bombay.

In continuation of my telegram No.61-T dated Poona the 18th June 1924, I am directed by the Governor in Council to forward a copy of a letter from the Commissioner of Police, Bombay, No.F.2047, dated the 17th June 1924, giving full details about the arrival in Bombay of Mr. Rudolf von Perignon, a German. As Mr. Perignon is travelling for his own amusement with admittedly limited means there are no grounds in this case on which Mr. Perignon would have been allowed to come to India had previous permission been sought according to the rules, and but for the visas given by the Principal

Immigration Officer, Natal, and the Resident Commissioner at Mombasa, particularly the latter, the Government of Bombay would have enforced the rule and prevented him from landing. The visas, however, though irregular, made it difficult to refuse permission and I am to request that the irregularity may be brought to the notice of the officers concerned, so that they may not give a visa for India in cases in which the Government of India's permission to land in India has not been obtained.

Copy of a letter No.2047 of 1924, from the Commissioner of Police in Bombay to the Secretary to the Government of Bombay, Political Department.

I have the honour to report that a German named Rudolf von Perignon arrived in Bombay by S.S. Karagola on Saturday 14th June with a German Passport issued in Bavaria on 31st August last.

In February 1924 he got British visas in Berlin for South Africa and for Egypt but none for India.

On May 1st he was in Durban and got his passport stamped as follows :-

"Produced to me Travelling to India"

Sd.
Principal Immigration Officer, Natal

This does not appear to be equivalent to a visa for India but it may be noted that last week another German arrived in Bombay with a similar stamp from Durban. It would thus appear that the Principal Immigration Officer Natal does not warn Germans that before going to India it is necessary to get permission from the Government of India.

Rudolf Perignon, however, has another more regular visa on the strength of which he was allowed to land at Bombay. This is a stamp "Valid for travelling throughout the British Empire (except Egypt and subject to local immigration restrictions)" granted by the Resident Commissioner at Mombasa on 2nd June 1924.

From this it appears that the Resident Commissioner at Mombasa also is ignorant of the necessity of getting the permission of the Government of India before giving a visa for India to an enemy foreigner.

On 13th June, in consultation with the Passport Officer, I offered Rudolf Perignon the alternative of proceeding direct to Calcutta and reporting his arrival to the Commissioner of Police there (Perignon is travelling round the world in an easterly direction), or of having his case put up to Government for orders on his visiting Ahmedabad, Delhi and Agra which he desires to do. He remained undecided until to-day when he applied to be allowed to spend only a very few hours in these places to see old buildings of architectural interest. He explains he is an architect by profession and that he is in a great hurry to complete his tour as his funds will not permit of his staying long in one place. He has been told that he must remain in Bombay pending a decision of his case.

He appears to be a bona fide traveller, though his explanation of his not getting a visa for India in Egypt is not very convincing. He says it was only when he reached Africa that he conceived the project of visiting India and going round the world via Java.

Perignon's passport is enclosed.

L. S. O.
45
33

Revised Instructions to Consuls regarding granting of Visas and Endorsements for India, being a Revised Supplement, dated 1st March 1923, to "Instructions to Consuls regarding granting of Visas" dated 1st October 1919 (referred to in Section XI (C) of these Instructions).

NOTE. *Reference to the Government of India should be addressed to the Secretary, Government of India, Foreign and Political Department, at Simla (April to October) and at Delhi (November to March).*

1. *Visas.*—There will be three classes of visa for India.

(1) The transit visa; (2) the non-transit visa; (3) the transshipment visa.

Paragraphs 50 to 55 of Chapter XXVI (Passports and Visas) of the Consular Instructions regarding the grant of visas to aliens will apply to visas granted for India. The scale of fees for the transit and non-transit visa will be as laid down in paragraph 52.

The transshipment visa will be valid for one year or for such shorter period as may be specified therein (provided that in no case shall it be valid for a period exceeding the period for which the visa for the country of ultimate destination is valid), and will enable the holder to land at a specified port in British India for the purpose of re-embarking at such port. Separate circular instructions have been issued in regard to the grant of this visa to former enemy aliens.

2. *British Subjects and British Protected Persons.*—British passports will, as a general rule, be made available by endorsement at the time of issue for travel anywhere within the British Empire whether the applicant intends to use it for such travel immediately or not, but such passports do not exempt the holder from compliance with the immigration regulations in force in the various countries of the Empire.

Applications for passports made by persons desiring to travel to India should be granted with the British Empire endorsement save as provided in the following exception:

Exception.—When an applicant has been notified to you as undesirable or may be known to you as having been convicted of any grave offence or as likely to cause disorder or foment sedition, you should not (pending, in cases of doubt, reference to the Government of India for instructions) grant a passport endorsed "British Empire" nor a passport endorsed as valid for India, but may grant a passport endorsed as valid only for the journey to any country other than India (provided that it should not be endorsed as valid for the journey to any other country in the British Empire where the applicant is regarded as undesirable).

3. *Aliens other than former Enemy Aliens and Russians.*—Subject to the provisions hereafter mentioned, aliens other than former enemy aliens and Russians—who are of good character or standing may ordinarily be allowed to proceed to India. Section IV, of the Instructions of 1st October 1919—"Aliens in General"—will apply generally to visas for India, India being substituted for United Kingdom wherever it occurs. Recommendations from the Department of Overseas Trade, or the local British Commercial Attaché, or from the Government of India, Department of Commerce, or from the Indian Trade Commissioner in London, are to be accepted as sufficient evidence of business in India.

Any doubt regarding domicile in India should be referred to the Government of India.

No alien should be granted a visa for India unless, so far as is known, he complies with the following conditions:—

- (1) that he is in a position to support himself and his dependants;
- (2) that he is not a lunatic, idiot, or mentally deficient;
- (3) that he has not been sentenced in a foreign country for any extradition crime;

- (4) that he is not the subject of a deportation order in force under the Foreigners Act, 1864;
- (5) that he has not been prohibited from landing by the Government of India or the Secretary of State for India;
- (6) that he is not known to be likely to cause disorder or foment sedition by reason of his revolutionary views;
- (7) that he fulfils such other requirements as may be prescribed by any general or special instructions of the Government of India.

4. *Alien Missionaries*.—These are subject to special arrangements, described in the separate printed Memoranda A, B and C, revised copies of which, dated 12th September 1924, have been circulated. The effect of these memoranda is that aliens desiring to proceed to India for missionary work may receive visas (unless from other points of view there is any reason to doubt their desirability), without reference to the Foreign Office, at sight of any document certifying their identity which is signed or countersigned on behalf of the Missionary Conference of Great Britain and Ireland, the Foreign Missions Conference of North America, or Cardinal Archbishop Bourne. Except as provided below, the applications of all other alien missionaries desiring to proceed to India should be referred to the Foreign Office for transmission to the Government of India, and a reply should be awaited before a visa is granted; an exception is made in the case of missionaries of allied, American or neutral nationality on furlough from India who are in possession of "no objection" certificates from a Local Government in India; a visa for India may be granted at sight of such a certificate.

The conditions and procedure for the submission of applications from missionaries of former enemy alien nationality are stated in A 10 and B 9 of the Memoranda.

5. *Former Enemy Aliens*.—No visa for India, other than a transhipment visa, should be granted to any former enemy alien without a reference to the Government of India or the India Office. Germans will not be allowed to enter India during a period of five years from the official date of the termination of the war, viz. a period ending 31st August 1926. The prohibition will be subject to exceptions only where the Government of India is satisfied that very special reasons justify admission into India exist.

Former enemy aliens other than German nationals will generally be prohibited from entering India for the same period, but exceptions will be granted with some degree of freedom. Turkish subjects should be subjected to close scrutiny, especially in regard to their political associations or connections.

6. *Aliens whose British Naturalisation has been revoked*.—Visas for India should ordinarily be refused on the passport of a person naturalised as a British subject under the Indian Naturalisation Act, 1852 (XXX of 1852) as amended by the Indian Naturalisation (Amendment) Act, 1919 (XVI of 1919) whose certificate of naturalisation has been revoked. The names of such persons will be notified to you.

7. *Russians*.—All applications by Russians to come to India should be referred to the Government of India or the India Office before a visa is granted, except in the case of officials of a recognised Government of any territory, which formerly formed part of the Russian Empire, travelling on official business, who may be granted visas without reference, provided they are invited for by the duly accredited local representatives of their Government.

- (4) that he is not the subject of a deportation order in force under the Foreigners Act, 1864;
- (5) that he has not been prohibited from landing by the Government of India of the Secretary of State for India;
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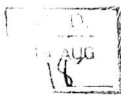
6. *Minors whose British Naturalisation has been revoked*.—Visas for India should ordinarily be refused on the passport of a person naturalised as a British subject under the Indian Naturalisation Act, 1852 (XXX. of 1852) as amended by the Indian Naturalisation (Amendment) Act, 1919 (XVI. of 1919) whose certificate of naturalisation has been revoked. The names of such persons will be notified to you.

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G.O. 36869/24 Kenya.

DRAFT.

10/8
Ind
Sir



18 August 1924.

Kenya
~~Kenya~~ No. 806
Gov. ~~Kenya~~

MINUTE.

- Mr. Seel ^{14/8}
- Mr. Thachis ^{14/8}
- Mr.
- Sir C. Davis.
- Sir G. Grindle.
- Sir H. Read.
- Sir J. Masterton Smith.
- Lord Arnold.
- Mr. Thomas.

f
10/8
15 Sept. 24
10/8/24
10/8/24

I have etc to transmit to you for your consideration and report, the acc^d copy of a letter from the India Office, enclosing copies of correspondence between the Gov^t. of Bombay and the Gov^t. of India, regarding the arrival of at Bombay of a German named

G.O. 2 Aug. 1 enclosure

*to transmitt for
detr. to Union; then
to G.O.*

Perignon

In this connection.

I would invite your attention
 to para. 5 of the "Revised
 Instructions to Consuls regarding
 granting of visas and Endorsements
 for India", enclosed with my
 predecessor's note of the 25th of
 May, 1923.

no. 22527/10

HENRY LAMBERT

1
Monsieur Perignon

In this connection

I would invite your attention
to para. 5 of the "Revised
Instructions to Consuls regarding
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May, 1923.

no. 22547/10

HENRY LAMBERT