

RUANDA-URUNDI

PETITION FROM MR. NANJI JAMAL KALLA

DATED 21 JULY 1948

In accordance with rules 84 and 89 respectively of the rules of procedure for the Trusteeship Council, the Secretary-General of the United Nations transmits herewith to the members of the Trusteeship Council the following communications which have been received from the Visiting Mission to East Africa:

1. A petition dated 21 July 1948 from Mr. Nanji Jamal Kalla concerning the Trust Territory of Ruanda-Urundi.
2. The record of an oral presentation made by Mr. Nanji Jamal Kalla on 23 July 1948 in support of his written petition.

TRI.30/5/01

UNITED NATIONS

UNITED NATIONS VISITING MISSION TO EAST AFRICA

Usumbura, 24 July 1948

To: Mr. Trygve Lie
Secretary-General

Att: Dr. Aleksander

From: J. de la Roche

Subject: Transmission of Petition

In accordance with rule 84 of the rules of procedure of the Trusteeship Council, the following petition received from NANJI JAMAL KALLA, on 22 July 1948 by the Visiting Mission to East Africa is herewith transmitted to the Secretary-General.

As required by rule 84, a copy of this petition has been communicated to the competent local authority.

Observations, if any, will be sent subsequently.

Received at the United Nations 28 July 1948

/NANJI JAMAL KALLA

COPY

NANJI JAMAL KALLA

(M.T.RU/48/PET.2)

B.P. NO. 77

USUMBURA

Usumbura 21st July 1948

To

The Hon. General Secretary,
Deputation United Nations Organisation of Security Council
for Mandate Territories

USUMBURA

MAY IT PLEASES YOUR HONOUR,

I beg most humbly and respectfully, to welcome Your Honour and other Honourable Members of the Commission, to this Mandate territory and pray that you will be good enough as to consider my this humble application, which states as follows:

As we have no reliable representative here who can approach you with our grievances, I beg, now, to approach Your Honour myself, and hope that Your Honour will do everything to help me in this matter. Some representative of Indian and Pakistanis community may visit you, but they do not care to lay our grievances before you.

That, I am residing and carrying on business in Ruanda Urundi for the last 29 years, I beg, also, to state that, I am married here and have three children, during all this time I have never left this territory.

That, according to commercial mistakes, which happen very often everywhere, and which I committed one by which I was ordered to leave this territory, I beg to refer you to Case NO. R.P. 120/2743 USA, in which you will note all particulars, by which I am ordered to leave this country; the matter was a commercial one, and not political, and it was not such a serious offence, that I deserved such judgment. I beg, also, to state that, during my stay here, I have never appeared in Criminal Court, and never committed any offence.

That, in the above matter, I was imprisoned and also ordered to pay penalties, and during my term of imprisonment, I was served with copy of the judgment after ninety days, and I was not allowed to appeal the judgment, as I was told that the time for appeal has already barred. That on my release from the prison, I was served with a notice, to leave Ruanda-Urundi within 60 days.

I beg, also, to state that, it is now 2 years I am in this trouble, and during which time I lost my business and I am ruined altogether. I beg, also, to state that cases like these have also happened, with other Asiatics here, who are also ruined and left to the mercy of charity.

/That, I, also,

That, I, also, request Your Honour, to go through Case No. 4089 which I filed in Court here, to get the order of the deportation annulled, but unfortunately, my application was dismissed, and I was ordered to leave this country, within 30 days, and now I am forced, to leave Ruanda Urundi and Congo Belge.

That, Your Honour must be well aware of the neighbouring countries of this Ruanda Urundi, such as Uganda, Kenya, and Tanganyika Territories, where thousands of Asiatics commit criminal offences, but are not deported, on minor offences, and always expect mercy for the first offence. Only old offenders, and jail birds are being deported, but my offence, here is the first one, and it is not such serious that, I should be deported within 30 days. I beg to enclose herewith copies of telegrams, sent to United Nations, Brussels, India, and Pakistan for your kind perusal.

I beg, also to refer you, to go through the above case, copies of which you can obtain from Judicial Department here, and I request Your Honour that you, and the other members of the commission, will do their utmost to help us, as this law of deportation is only for Asiatics, who have already been deported on simple matters. All Asiatics here are eagerly awaiting that your Honour will take such action as to get this Law amended. It is a hard thing for a person like myself, who has lived in this country for more than 29 years to be deported to a place where I know nobody and to re-start my means of living. As I am an old resident of Ruanda-Urundi, I beg to state that I am entitled to citizenship right of here, and also being the first offence, I must expect a mercy from the Government, and I hope that Your Honour and the honourable members of the Commission will take necessary steps from saving me from further ruin for which act of kindness, I shall be ever grateful.

I beg to remain,

Your Honour,

Your most obedient and humble servant

(signed) Nanji Jamal Kalla

TELEGRAM

Dated, 6/7/48

1. GENERAL SECRETARY
UNITED NATIONS ORGANIZATION
2. REPRESENTATIVE
GOVERNMENT OF INDIA
3. REPRESENTATIVE
PAKISTAN GOVERNMENT

LAKE SUCCESS, NEW YORK

UNDERSIGNED RESIDENT OF INDIA PRESENT RESIDING AT USUMBURA RUANDA URUNDI
MANDATE UNDER BELGIUM ADMINISTRATION FOR TWENTYNINE YEARS POSSESSING
PROPERTIES STOP DUE TO COMMERCIAL FAULT AUTHORITY HERE IMPRISONED AND FINED
STOP NOW DEPORTING ME AND MY FAMILY WITHIN THIRTY DAYS STOP MANY DEPORTED
ON SIMILAR GROUNDS AND STILL CONTINUES STOP PLEASE DO NEEDFUL TO PRESERVE
HUMAN RIGHTS IN MANDATE STOP COPIES REPRESENTATIVES HINDUSTAN AND PAKISTAN
GOVERNMENT STOP KINDLY ARRANGE DEFRAY PROPOSED ACTION DEPORTATION PENDING
YOUR DECISION STOP GRATEFUL REPLY WIRE CARE P.O. BOX 641 KAMPALA.

NANJI JAMAL KALLA

Note: The text of this cablegram was received by the Secretary-General
on 7 July 1948. It has been reproduced in document T/PET.3/1/Add.1.

TELEGRAM

Dated 10/6/48

FOREIGN MINISTER PAKISTAN

KARANCHI

UNDERSIGNED RESIDENT OF JUNAGADH STATE PRESENT RESIDING AT USUMBURA RUANDA
URUNDI MANDATE UNDER BELGIUM ADMINISTRATION FOR TWENTYNINE YEARS STOP DUE
TO COMMERCIAL FAULT AUTHORITY HERE DEPORTING ME TWENTYFOURTH JUNE STOP
MANY DEPORTED ON SIMILIAR GROUNDS AND STILL CONTINUES STOP PLEASE ARRANGE
HELP TAKE STEPS STOP BRITISH CONSULATE REFUSED INTERVENE.

NANJI JAMAL KALJA

/TELEGRAM

TELEGRAM

Dated 10/6/48

1. A. TAIBJI
CHARGE DE AFFAIRS
GOVERNMENT OF INDIAN UNION
BRUSSELS
2. COLONIAL MINISTER
BRUSSELS

UNDERSIGNED RESIDENT OF JUNAGADH STATE PRESENT RESIDING AT USUMBURA RUANDA
URUNDI MANDATE UNDER BELGIUM ADMINISTRATION FOR TWENTYNINE YEARS STOP DUE
TO COMMERCIAL FAULTS AUTHORITY HERE DEPORTING ME TWENTYFOURTH JUNE STOP
MANY DEPORTED ON SIMILAR GROUNDS AND STILL CONTINUES STOP PLEASE ARRANGE
HELP TAKE STEPS.

NANJI JAMAL KALLA

/TELEGRAM

TELEGRAM

Dated 10/6/48

FOREIGN MINISTER HINDUSTAN

NEW DELHI

UNDERSIGNED RESIDENT OF JUNAGADH STATE PRESENT RESIDING AT USUMBURA RUANDA
URUNDI MANDATE UNDER BELGIUM ADMINISTRATION FOR TWENTYNINE YEARS STOP DUE
TO COMMERCIAL FAULT AUTHORITY HERE DEPORTING ME TWENTYFOURTH JUNE STOP
MANY DEPORTED ON SIMILAR GROUNDS AND STILL CONTINUES STOP PLEASE ARRANGE
HELP TAKE STEPS.

NANJI JAMAL KALLA

UNITED NATIONS VISITING MISSION TO EAST AFRICA

Usumbura, 27 July 1948

TO: Mr. Trygve Lie,
Secretary-General Attention: Dr. Aleksander

FROM: J. de la Roche

SUBJECT: Transmission of Record of Oral Presentation

In accordance with rule 89 of the rules of procedure of the Trusteeship Council, the record of an oral presentation made by NANJI JAMAL KALLA on 23 July 1948, in support of his petition dated 21 July 1948, is herewith transmitted to the Secretary-General.

As required by rule 89, a copy of the record has been communicated to the competent local authority.

Received at the United Nations on 5 August 1948.

/ORAL

ORAL STATEMENT MADE BY NANJI JAMAL KALLA TO MEMBERS OF THE
UNITED NATIONS VISITING MISSION TO EAST AFRICA ON 23 JULY 1948 AT
THE HOTEL PAGUIDAS, USUMBURA, RUANDA-URUNDI AT 8.50 P.M.

Present:

Members: Mr. Laurentie (Chairman)
Mr. Chinnery
Mr. Lin Mousheng
Mr. Woodbridge

Secretariat: Mr. Rapoport
Miss Brown-Harrop

Petitioner: NANJI JAMAL KALLA

Interpreter: Thomas de Kunha (aided by Mr. Rapoport).

Mr. LAURENTIE asked the petitioner whether he wished to make an oral statement regarding his petition.

NANJI JAMAL KALLA replied that this was correct. He explained that he had been in the Territory twenty-nine years in Kigali where he owned property consisting of a house and business. However, now the Government wished to deport him and had given him very little time to leave the Territory.

Mr. WOODBRIDGE asked the petitioner what exactly was the "commercial mistake" he had made and to which he referred in his petition.

NANJI JAMAL KALLA explained that he had sold a lorry to a certain man for 75,000 francs. The man had paid 70,000 francs leaving a balance of 5,000 francs. Later the man had requested a loan of 25,000 francs. The petitioner had then made out a draft which stated that this person owed him 25,000 francs which was denied and the matter taken into court, whereupon the petitioner was convicted and imprisoned.

Mr. WOODBRIDGE asked why if as stated in the petition, he had been convicted two years ago and then served notice to leave the Territory within sixty days, he had not already done so.

NANJI JAMAL KALLA answered that he had made an appeal on the grounds that the Territory was a mandate.

Mr. WOODBRIDGE asked whether the appeal was made to Brussels or locally and what the sentence was.

NANJI JAMAL KALLA replied that the appeal had been made locally and that the sentence was six months but had served only three and a half months.

/Mr. LAURENTIE

Mr. LAURENTIE, in answer to a question by Mr. Lin, said the appeal would be made to the Court of Appeal and during that time the expulsion order would be suspended.

Mr. CHINNERY asked if the petitioner had a written order of deportation.

NANJI JAMAL KALLA replied that this was the case and that it was issued by the Governor of Ruanda-Urundi.

Mr. LIN MOUSHENG asked whether a deportation order was issued by the Court or by the administration.

Mr. RAPOPORT informed Mr. Lin that it was an administrative matter. The oral presentation ended at 9.30 p.m.
