

**THE
NEW ZEALAND INDIAN
CENTRAL ASSOCIATION
(INCORPORATED)**

**34th ANNUAL REPORT
and
BALANCE SHEET**

1960
CONFERENCE
16th April, ¹⁹⁶⁰ at Pukekohe.

THE NEW ZEALAND INDIAN CENTRAL ASSOCIATION (INCORPORATED)

The 34th Annual Conference of the New Zealand Indian Central Association was held at Pukekohe in "Nehru Hall," on 16th April, 1960. The President, Mr. D. Kesry, taking the chair at 10.15, declared the meeting open. Mr. K. Parsot, the President of Pukekohe Indian Association, welcomed all the delegates in a most cordial manner and wished the meeting a great success. The house stood in silence for two minutes as a mark of respect to those patriots who sacrificed time and lives for the liberation of Mother India and also to pay homage to the deceased New Zealand Indians who passed away during the past year.

Mr. Dayalji Bhikha, a social worker of Karadi Matwad and also of South Africa, to whom an invitation was extended by the President to attend the Conference as a guest of Association, was introduced and welcomed by the President. Social activities of the Indian community in South Africa was briefly outlined by Mr. Dayalji in Gujarati language, which was translated into English by the President. Mr. Dayalji answered all the questions asked by the delegates regarding the condition in South Africa. Mr. Dayalji expressed his sincere thanks to our Association and also to the Indian community of New Zealand for the hospitality he had received in New Zealand. He was very much impressed with the improved living conditions of Indian community in New Zealand.

The following delegates represented their respective branches:

AUCKLAND:

1. Mr. J. K. Natali
2. Mr. Santa Singh
3. Mr. Rameshbhai Patel
4. Mr. Khushal Madhu
5. Mr. Parhubhai Patel
6. Mr. Dayalbhai Kesry
7. Mr. Morarbhahi Soma
8. Mr. Dayalbhai Patel
9. Mr. Gandabhai Hirabhai
10. Mr. Bhanabhai Dandiker
11. Mr. Raghubhai Nathubhai
12. Mr. Nanubhai Bhanabhai

13. Mr. Maganbhai Bhikhabhai
14. Mr. Lallubhai Dhanabhai
15. Mr. Jekishandas Bhagwanji
16. Mr. Haribhai Jagubhai
17. Mr. Naranbhai Chhibabhai
18. Mr. Keshavbhai Vallabhbai
19. Mr. Maganbhai Fakir.
20. Mr. Ratanji Bhikhabhai
21. Mr. Vallabhbai Dahyabhai

WAIKATO:

1. Mr. Devjibhai Patel
2. Mr. Phuman Singh
3. Mr. Maganbhai Parbhubhai

WELLINGTON:

1. Mr. Chhibabhai Parbhubhai
2. Mr. Narsinhbhai Vallabhbai
3. Mr. Shival R. Master
4. Mr. Dahyabhai Paragji
5. Mr. Amratlal Dullabhbai
7. Mr. Babubhai Ghelabhai
8. Mr. Bhanabhai Naik

COUNTRY SECTION:

1. Mr. Gurudas Singh
2. Mr. Piara Singh
3. Mr. Sarwan Singh
4. Mr. S. Parkash
5. Mr. Karam Singh
6. Mr. Charan Singh

PUKEKOHE:

1. Mr. K. Parsot
2. Mr. Dahya Ranchhod
3. Mr. R. C. Hari
4. Mr. C. Singh
5. Mr. Parbhu Bhikha
6. Mr. M. Wallabh

ROTORUA:

1. Mr. Ukabhai Kanji
2. Mr. Rambhai Jerambhai
3. Mr. Chhaganbhai Mangabhai
4. Mr. R. S. Karadia

TARANAKI:

1. Mr. Bhanabhai Sukhabhai

CHRISTCHURCH:

1. Mr. Ismailbhai M. Kara
2. Mr. Govindbhai B. Bhula

MANAWATU:

1. Mr. C. Pancha
2. Mr. R. Ranchhod

Last year's minute which was read by the Secretary was approved. Actions taken by the Secretary for the last year's resolutions and suggestions were as follows:

1. In regard to the appointment of another person for conducting a marriage ceremony in the south part of the North Island (and South Island if necessary), the General Secretary was informed by the Wellington Branch that they had appointed Mr. Shivlal B. Master for this purpose.

2. A reply received from the Rotorua Branch with regard to the resolution adopted last year to provide Central Association with a copy of the management of their Hall Fund, was read by the Secretary. This reply was widely discussed, as without knowing the facts Rotorua Branch had made some counter-charges against Wellington Branch and Central Association. When the delegates from Rotorua knew the facts of adopting this resolution, they withdrew their letter as they knew that their delegates at the last Conference misled them. They also informed the delegates that their Hall Fund Account was correct and the copies of it would be forwarded direct to all the Branches and to Central Association as well.

3. A letter was written to Manawatu Branch for the explanation of their continuous absences, but no reply was received. So the delegates from the Manawatu Branch made it clear that their Branch was not functioning properly in the last few years, but now they had reorganised it and assured the Conference that they would attend regularly in future.

4. As resolved at the last Conference, a copy of the new constitution was not received from Mr. L. N. Patel, even though reminders were sent to him by the Secretary. So it was decided to leave this matter in the hands of the President to deal with Mr. Patel.

PRESIDENT'S REPORT

Gentlemen,

It is our duty to report to you of our activities of past twelve months through this responsibility. Our activities are somewhat limited to the decisions we have taken in our last meeting. However, there are many other things which concern us, and when they come we should do our best to face them.

During the last twelve months the very important humanity work done by our Association was the collection of Surat Flood Relief Fund. In last monsoon the nature had played a very cruel havoc upon the people of Surat Dist. The Tapti River had over risen the city level and the city was flooded for more than four days. Many people lost their lives and thousands left homeless. It was a tragedy for poor people. It was known as the worst in the history of Surat. City of Surat is very closely connected with us, as for instance some of our friends and relatives live there. On the whole most of us are related with blood with Surat. After reading the news of flood disaster in Surat we immediately decided to contribute some fund to very urgent cause for needy people and so the information was forwarded to every Association. Also a letter was forwarded to Reserve Bank for the permission to remit this fund to India. I sent a reply paid cable to our Ex. President, Mr. Natali, who was only a few miles away from Surat at that time. In reply he appreciated our step and contributed a sum of £100 to this purpose. He also wrote a letter giving a fair amount of detailed information of the situation. Great response came from our people who understood the situation, and on the whole we collected a very generous amount of £1651/17/6. I am very much satisfied with the result we achieved and thank them whole-heartedly from this chair. I feel we have fulfilled our duty to our Motherland. It is a matter of regret that we could not forward this fund immediately because some of our members were very late in forwarding their amounts. After the total came to hand we drafted an application to the Reserve Bank and the permission was granted to remit this fund for this worthy cause. The draft was forwarded to Mr. Chokhawala through our friend and loyal worker Mr. Ravji Hira and Lalabhai Bavabhai. Mr. Chokhawala is a chairman of Flood Relief Committee and also the President of Surat Municipal Corporation. A letter of acknowledgment of this fund from Mr. Chokhawala has been published in this report elsewhere. On behalf of our Association I thank Mr. R. Hira and Mr. L. Bava for their services at this stage. I also thank Mr. Natali for having met Mr. Chokhawala personally and discussed with him the matter of how the New Zealand fund be used. It was suggested that a block of land to be bought for this money and some workers cottages to be erected on it. Once again I thank all those who have rendered their services for this worthy cause.

Since last three years we have been thinking of very little work that is connected with this organisation. However, it is our duty to look into the matter more deeper and see ourselves that much more could be done for our community through this Association. Our main object and motive is to try to safeguard our rights and to look after our Society from any other injustice from outside or within that comes. We are still bound with this cause. Let us widen our field of activities and get down to the work of a finer art of polishing our Society. During our fifty years of proper stay in this country, we have gradually improved our standard of living and also improved standard of earning. Today we are on much better footing than some year ago. However, most of these have come with the march of time and tide; very little has come from any planned venture. This is the time we can plan more carefully for our future generation, such as proper and higher education with care and necessary advice, also Indian culture and Indian history. If possible we may do great service to our younger ones and thereby service to this Society. Now that we are in a better financial position it is also possible that we could stabilise a fund and from the interest of the fund run a scholarship for an Indian University student who could prove his ability to study and his parents are not in a position or not prepared to spend for his education. If we could do this it would be a great service to our community.

I also propose that a young man who is trying to get a start off in his life or trying to stabilise a business would meet with many difficult circumstances, and to overcome these difficulties we should provide him with very low interest, easy terms loan based on some form of security. This is also one way of giving a lift to the progress of our Society. These are some expressions of my thoughts for our Society's progress. Regarding this, there is a great example of a Parsi community in India.

We are most thankful to the Government of N.Z. and more to the Internal Affairs Department, and specially to the Hon. Minister of Immigration for having met our request by granting a permission to the intending son-in-laws to live in N.Z. Once more I thank them on behalf of the whole Indian community of N.Z. I request intending father-in-laws to handle this matter with utmost care.

Many Indian marriages have taken place in New Zealand and we feel so happy that we could manage our affairs here. Many parents spend so heavy on this occasion and sometimes even forget to see that their spendings have been properly utilised at this stage. I request them to take care of the management of the accommodation that is to be arranged. It is also thought that no parents should demand for dowery as it creates a tradition in society which for a long time we have been trying to break in India.

We note with very deep regret of the occupation of Indian territory by Communist Chinese troops. It has created a great disturbance in our feelings than any other events in the world. The issue involved is so great and grave that the future of the whole Indian continent is in danger, and the activities of our progress plans are being diverted to the attention of border defence. Chinese are disputing on 2500 miles border and are claiming 5100 square miles of territory. At present they have occupied 2400 square miles of Indian land. Let us hope that some fruitful result would come out from meeting of both countries' Prime Ministers and they would adopt all possible peaceful methods to solve this problem.

The picture of South Africa is being changed, though the policy of Union Government has remained the same. They have recently deliberately murdered 71 natives and injured 171 by the firing of police force. We strongly object against this uncivilised and inhuman treatment to the non-violent natives by the Union Government of South Africa. We feel that the Government should find some peaceful methods of dealing with natives and find some satisfactory peaceful solution for co-existence with natives instead of suppressing them. We sincerely sympathise with those who have lost their lives and those who are suffering from the loss of their dear ones. Our sympathy also goes to the injured ones.

D. KESRY, President.

The President's Report and Financial Statement were duly approved and adopted. All the correspondence done by the Secretary was also approved.

A vote of thanks was accorded to the past officers who faithfully served the noble cause of the community.

The following officers were elected for the year 1960-61:—

President: Mr. Dayal Kesrey, Great South Road, Papakura.

Vice-President: Mr. Phuman Singh, R.D. 2, Taupiri.

General Secretary: Mr. Narshihbhai Vallabbhai, 5 Wilson Street, Newtown, Wellington.

Assistant Secretary: Mr. Dahyabhai Paragbhai, 52 Onepu Road, Kilbirnie, Wellington.

Auditor: Mr. Khashalbhai Madhubhai, 478 Richmond Road, Auckland.

Executive Committee: Messrs. J. K. Natali (Auckland), C. Parbhu (Wellington), R. C. Hari (Pukekohe), Devjibhai Patel (Waikato), Ukabhai Kanji (Rotorua), Iamail M. Kara (Christchurch), Chhibabhai Pancha (Manawatu), Bhanabhai Sukha (Taranaki), Piara Singh (Country Section).

RESOLUTIONS AND SUGGESTIONS

1. A resolution was brought forward to recommend the office of Indian High Commission to accept the signature of respectable citizens instead of J.P.'s on the application form for an Indian Passport. From the discussion it was found that it was not difficult to get J.P.'s signature and so was decided to drop this matter, and suggested to leave it in the hands of the President, if he gets an opportunity to discuss it with an Indian High Commissioner.

2. A resolution was brought forward to recommend the Government of India to release the Custom duty on food gift parcels to India. The general opinion was not to do so as it was to intervene the policy of the Government, but it was suggested to obtain information from the Government of India regarding the amount and type of goods which are exempted from Custom duties as a gift parcel.

3. The word "Domicile" and the difference between "Domicile" and "Citizen" were explained by Mr. Thakorbhai Patel, which were as follows:—

"Domicile" in its legal sense, means the permanent home of a person. Whether this is an adequate explanation of its meaning is still a debatable point. "Permanent home" has a very different meaning to the average layman and one who is conversant with the law. The meaning attributed by one may not be the same intended by the other.

The underlying features of domicile are twofold. They are: (1) Residence, i.e. actually living in a certain place, and (2) The intention to remain in that place. Domicile, therefore, has reference to the territory over which a single system of law operates, whether or not the territory is co-extensive with national boundaries. In other words a person would have a domicile in England or Scotland, not in the United Kingdom; in New York State, Ontario or New South Wales, not in the United States, Canada or Australia; accordingly, domicile is an idea or concept of the legal system and takes three forms:—

(a) Domicile of origin, (b) Domicile of dependence, (c) Domicile of choice, as it has already been stated a person's domicile is the permanent home which, upon a careful consideration of the circumstances of the case, the law attributes to him or her at a given moment of time. In English law (this includes N.Z. law) every person must at all times have a domicile and no person can have more than one domicile at any time.

The domicile of origin is the domicile which the law attributes to every person at his or her birth; this domicile depends solely on the domicile of his or her birth, except where he or she is a foundling. A domicile of origin can never be lost, though it will be held in abeyance during its suppression by a domicile of choice or of dependence.

The domicile of dependence is the domicile which the law attributes to a person while he or she is in a state of dependence; in English and New Zealand law the states of dependence are infancy and lunacy for individuals of both sexes and marriage for women.

The domicile of choice is the domicile which the law attributes to every person whom it regards as capable of exercising a voluntary choice and who has in fact exercised a voluntary choice of a permanent home. A person does not acquire a domicile of choice in a place unless he both resides and intends to remain permanently in that place.

Domicile governs personal status and its incidental rights and capacities, e.g. in marriage, divorce and legitimacy. It affects liability to income tax, estate duty and bankruptcy proceedings. Upon it may depend the title to movables and the formal validity of a will. Residence also gives rise to rights and duties in English conflict of laws, e.g. the right of recourse to an English court for a decree of judicial separation, the duty of allegiance, etc.

From a reconsideration of the aforementioned principles governing domicile, it would appear that Indians born in India and living in New Zealand may be classified as domiciled in India, for the simple reason that with most of them the application of domicile of origin could quite feasibly be applied. The New Zealand born children of those persons born in India would then also be deemed to be domiciled in India by virtue of the domicile of dependence. Thus the absurd position would arise that a person born in New Zealand and never having been to India in his or her lifetime could and would be deemed to be domiciled in India. As it has already been stated domicile is dependent upon two considerations; one of fact and the other of intention. These two factors would tend to affect the legal burden of proof as far as the rules of evidence are affected in determining the domicile of an individual, e.g. a person born in India and having his wife and family there and himself living in New Zealand would for most purposes be classified as domiciled in India since there would be a presumption that he would return to the domicile of his origin having left his wife and children there.

Most laymen also tend to confuse domicile and citizenship. No greater confusion can be caused than this since to confound domicile and civil status is a very serious though a common error. True, in many cases, both domicile and the civil status are the same, but more than often it is found that a person living in New Zealand and probably possessing a New Zealand passport could quite easily be deemed to be domiciled in India, though he or she may be quite unaware of it at the time. Citizenship merely enables the person to vote and take part in privileges and duties of government, and these rights and their correlative duties may quite easily be enjoyed by any person who is merely

travelling through New Zealand provided he remains for the necessary period to qualify. Again, the difference between domicile and citizenship is that a person can possibly have dual citizenship whereas a person can only possibly have one domicile at any one time.

The rules already mentioned as to domicile are only meant as guides since domicile is partially a question of circumstance and a question of intention, and since every circumstance gives colour to every particular situation—hence one reason why the problem of domicile is so complex.

Wellington Indian Association extended an invitation to hold the Annual Conference next year at Wellington, which was thankfully accepted.

All the Branches thanked the Pukekohe Indian Association for the hospitality they had received at the hands of Pukekohe Indian Association.

The Conference concluded with the singing of the National Anthem.

All communications to be addressed to:—

The General Secretary,
The N.Z. Indian Central Association,
G.P.O. Box 1941, Wellington.

ADDRESSES OF ALL THE BRANCHES

The Secretary,
Auckland Indian Association,
952 Dominion Road,
Auckland.

Mr. Piara Singh,
The Secretary,
Country Section Indian Assn.,
P.O. Manunui.

The Secretary,
Wellington Indian Association,
"Bharat Bhavan,"
90 Tasman Street,
Wellington.

The Secretary,
Rotorua Indian Association,
P.O. Box 294,
Rotorua.

The Secretary,
Manawatu and Hawke's Bay
Indian Association,
79 The Square,
Palmerston North.

The Secretary,
Pukekohe Indian Association,
Upper Queen Street,
Pukekohe.

The Secretary,
Waikato Indian Association,
Parawera Store,
Parawera, via Te Awamutu.

The Secretary,
Christchurch Indian Assn.,
122 Ferry Road,
Christchurch.

The Secretary,
Taranaki Indian Association,
Egmont Street,
Patea.

FINANCIAL STATEMENT

CREDIT		£	s.	d.	DEBIT		£	s.	d.
Last year's balance in Bank of N.Z.	88	9	8		Printing of Annual Reports	15	17	6	
Last year's balance in P.O.S. Bank	408	12	3		Exchange on Cheques	1	13	0	
Surat Flood Relief Funds—					12/3/59 Bank Fee	0	10	0	
Auckland	730	9	6		Cheque Book	0	5	0	
Wellington	351	10	0		Surat Flood Relief Fund—				
Pukekohe	203	16	0		(£1633/13/9 stg.) Draft	1650	0	6	
Rotorua	157	5	0		Postal Notes	1	17	6	
Country Section	73	16	0		Bank Expenses for the above Draft	0	1	11	
Manawatu	36	12	0		Draft Forwarding Expenses	0	5	3	
Christchurch	36	5	0		Postal Stamps	0	10	0	
Waikato	35	0	0		Posting of Annual Reports	0	5	6	
Taranaki	22	4	0		18/11/59 Telegram, Manawatu	0	2	5	
Interest on Current Account	2	17	1		4/12/59, Telegram, Manawatu	0	2	5	
Interest to 31/3/58 P.O.S. Bank	12	4	10		G.P.O. Box Rent 1959-60	2	10	0	
Interest to 31/3/59 P.O.S. Bank	12	12	0		G.P.O. Box Rent 1960-61	2	10	0	
Interest to 31/3/60 P.O.S. Bank	12	19	10		Papers for Printing Report and Balance				
Affiliation Fee—					Statement for the Conference	0	19	6	
Pukekohe	6	10	0		Toll calls to President and Vice-President	8	3	4	
Country Section	4	0	0		Total	£1,685	13	10	
Christchurch	2	0	0		Balance in Bank of N.Z.	92	2	5	
Wellington	22	2	0		Balance in P.O.S. Bank	446	8	11	
Total	£2,224	5	2		Total	£2,224	5	2	

**A copy of the letter received from Mr. Chokhawala, the
Chairman of Surat Flood Relief Committee**

No. FRC/1145

Surat,
12th January, 1960.

To

The President and Members of
The New Zealand Indian Central Association Inc.,
G.P.O. Box 1941,
WELLINGTON.

Dear Sirs,

On behalf of our Committee, we very gratefully acknowledge receipt of your letter dated 24/12/59 along with the draft of ₹1651/18/- received yesterday through Shri Raojibhai Hirabhai and Shri Lalabhai Bavabhai

We are indeed very much indebted to you and your members for very kind and generous donation; and more for the very kind feelings of your members towards the people of the Motherland. Please convey our most sincere thanks to each and every donor.

We have also to express our thanks to Shri J. K. Natali, who was in India soon after the floods, for his keen interest in the Relief Works, and submitting correct facts to you.

We assure you that as desired by you, your generous donation will be used after housing the homeless (those who have lost their huts in the flood), and the name of your Association will be assigned to that particular colony, for which we also assure you that all due care will be taken for a permanent memory of your kind and generous gesture.

Today we have sent a copy of our report by a separate post.
Thanking you,

Yours faithfully,

(sd.) Maneck J. R. Gheyara,
General Secretary,
Surat Flood Relief Committee.

(sd.) G. R. Chokhawala,
President,
Surat Flood Relief Committee.

