

1934.

Kenya.

No. 23068/3.

SUBJECT

C0533/444

Terms of Service

Asian Local Civil Service

Previous

Main file.

See 23179/34 (Pattern)

Subsequent

38048/3/35.

C.S.
Board of Service
Asian Local C.S.

1. Governor Byrnes 163 Long (A.M. Mail) 6 Nov 34

Trans. report of C.S. Board on proposed terms & conditions for a local Asian C.S. together précis of views of the Asian C.S. Assoc. during 9 minute of the Executive Council. Records. Board's proposals for favourable comment & suggests that date of introduction of the new Service be 1st Jan. 1935.

2. Governor Byrnes Tel 2611 27 Nov 34

Communicative message from Kenya Asian C.S. Assoc. stating that at a recent meeting of Asian staff the members of the Asiatic C.S. Board were considered unsatisfactory & inadequate to future contacts & giving reasons for this view. States Asian President Fund Bill is under examination with the view to meeting points raised by the Assoc.

Mr. Grossmith and I have collaborated in preparing the attached memorandum. It will be seen that there are one or two points which appear to us to require consideration and possibly reference back to Kenya; but the main point is whether it is possible for the S. of S. to come to any decisions about this service in advance, first of all, of the views of the Legislative Council, and, secondly, of the comprehensive appeal against the whole scheme which the Asian Civil Service has told us it proposes to make. In our view it would be premature and would create, in the minds of the Asians at any rate, an unfortunate impression, if a decision were to be given at the present stage. We suggest, therefore, that a telegram be sent to Kenya to that effect, and that it should be followed up by a despatch by air mail making the enquiries indicated at 'A', 'B' and 'C' in the note, and asking the Governor to deal with these points when he forwards the Asiatic petition.

C.S.
Trans. of Service
Asian Local C.S.

1. Governor Bygones 163 Conf (A. mail) 6 Nov 54

Trans. report of C.S. Board on proposed terms & conditions for a local Asian C.S. together précis of views of the Asian C.S. Assn. during a minute of the Executive Council. Records. Board proposals for favourable comment & suggests that date of introduction of the new Service be 1st Jan. 1955.

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21 number of the points raised here overlap the petition in 23179/34 No.4, which has not yet been answered, the papers having been recovered to put up with these papers; and the despatch to Yanga might include a request to the Governor to inform the petitioners that that petition has been received and will be considered in conjunction with the further petition which they are now presenting.

We have not dealt with the proposals in regard to the age of retirement and the amount that are included in the limited number of cases the papers through the process of the law.

I have added 2 lines to the note on the age of retirement of the President but I do not know if you will take immediate action, but the draft might say that the S.G.S. are asking the Govt. for further news on the President Fund.

When these are received the Finance Dept. will no doubt have an opportunity of (considering) further the draft President Fund Scheme.

J. Steel
17/12

I agree to prepare notes. It is perhaps unnecessary to compare the proposed new rates with those obtaining in T.T. & the K.V.R. We have abandoned uniformity for Europeans, so need hardly seek to preserve it for Asiatics.

J. Steel
13/12

I agree that, as the staff have given notice of their intention to appeal to the S.G.S. against these proposals, it is impossible to approve the proposals until the appeal has been heard. We should accordingly write as proposed, making it clear that the staff representations can only be considered if they are submitted without delay. We cannot let them hold up the introduction of the scheme by any unnecessary

procrastination).

(See Lunell's note on page 9 of the memo)

As regards the President Fund, it is possible that the Watson Committee may be able to produce an interim report on the general principles upon which such funds should be constructed, before it becomes necessary to deal with the matter in detail.

C. J. Jeffries
14.12.34.

I agree that we must wait for the memorial mentioned in No. 2 if we can get it quickly.

Telegraph draft enclosed.

W. J. D.
14.12.34
W. J. D.
15.12.34

3 Tel 18 Gov Kenya No 384 - 19th Dec 1934

By air mail
20/12/34

4 To Kenya, Conf - comm 21 DEC 1934
(1 in file + 4 com 22/179/44 amended) 20/12/34

J. A. [unclear] Secy [unclear] 4 Nov 14
Trans. 10 [unclear] Report of C.S. Board on proposed
terms & conditions of an Asian Local Civil Service.
DESTROYED UNDER STATUTE
P. H. [unclear] 31.12.34

C. O.

Mr. Acheson. ^{19/12}

Mr.

Mr. ^{Jeffries 19}

Mr. ^{Wood 19}

Mr. G. Tomlinson.

Mr. C. Bottomley.

Mr. J. Shuckburgh

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

53068, S. O. 1000.

ALL MAIL

December, 1944.

C. O.
R 20 DEC
D 20

Sir,

DRAFT.

KENYA

Confidential

(1)
4
C.O. to insert
no. and date.

I have the honor to
acknowledge the receipt of your
confidential teletype message
of the 28th November concerning
proposals for the establishment of an
Asian Local Civil Service, and to
confirming confidential telegram
no. 304 of the 19th December,
which read as follows:-

(here insert copy of accompanying
telegram as sent)

The points on which further
information is desired are:-

(a) I am in some doubt as to
the justification for withholding
the privilege of receiving actual
allowances which Asians at present
enjoy

FURTHER ACTION.

enjoy at ...
of Europeans.

Prima facie, it would seem ~~that~~ that

~~should~~
should

not less favourable than those

[^{para} This is not reflected
in the minutes.
but the enquiry
to /Herk a few
days & intended to
recommend that it
should be made]

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson

Sir G. Tomlinson

Sir C. Bonville

Sir J. Suckling

Perm. U.S. of

Perm. U.S. of

Secretary of State

DRAFT.

however be grateful
for enlightenment
on this point and
for

, if there is the fact

FURTHER ACTION

appointed by letters which do not provide for any specific tour. On the other hand Regulations 671 and 672 of the Code of Regulations definitely contemplate a tour of from 33 to 48 months in the case of the permanent staff, and five years in the case of the temporary staff. For the permanent staff these limits have already been increased as a temporary measure to 48 and 60 months respectively. It is now proposed that in the case of officers transferred to the Local Civil Service they should be further increased to 48 months. ~~It~~ It seems not unlikely in the circumstances that such officers may accept permission to complete a normal normal tour under existing regulations before being brought on to the new conditions. I should be obliged

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh

Permt. U.S. of S.

Party. U.S. of S.

Secretary of State.

DRAFT.

FURTHER ACTION.

obliged if I could be informed whether, if such a request is preferred, you would propose that it should be entertained. The question also arises whether officers transferred to the new service, who are not permitted or do not desire to remain under the existing conditions of service for the remainder of their present tour, should be allowed to retain their existing privileges as regards leave, ratio in respect of that part of the tour which they have completed at the date of transfer. Finally it must be decided what privileges officers should be given as regards leave and passages to India if they prefer to resign rather than accept the new conditions.

C. O.

Mr.

Mr.

Mr.

Mr. Parkinson.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Perm. U.S. of S.

Party U.S. of S.

Secretary of State.

DRAFT.

FURTHER ACTION.

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obliged if I could be informed whether, if such a request is preferred, you would propose that it should be entertained. The question also arises whether officers transferred to the new service, who are not permitted or do not desire to remain under the existing conditions of service for the remainder of their present tour, should be allowed to retain their existing privileges as regards leave ratio in respect of that part of the tour which they have completed at the date of transfer. Finally it must be decided what privileges officers should be given as regards leave and passages to India if they prefer to resign rather than accept the new conditions.

3. I take this opportunity to refer to your confidential despatch No. 97 of the 30th June forwarding a petition from the Asian Civil Service Association, and to request you to cause the Association to be informed that I have received the petition and will reply to it in conjunction with the further representations which they propose to submit regarding the establishment of the Local Civil Service.

I have, etc.,

(S) P. OUNLIFFE-LISTER

How 2317/34

C. O.

Mr. *Adeson* 17/12
Mr. *Jeffries* 19
Mr. *Parkinson* 19 above
Mr. *Parkinson*
Sir G. Tomlinson.
Sir C. B. Homley.
Sir J. Shackburgh
Permt. U.S. of S.
Early, U.S. of S.
Secretary of State.

DRAFT.

Encl

Handwritten

16c

FURTHER ACTION.

23068/3/34
Roma

Code + book 3⁹

8h
11/14/44
20 Pa
11h

No 304 ○ Confidential.

Your despatch 17th Nov.

Confidential No 168 ○

While proposals appear to be generally suitable, final decisions must, I fear, be reserved until next I am in possession of views of Regulatory Council and representations of Asian Civil Service Association, provided latter are submitted without delay. Please inform soon accordingly. Dispatch follows by air mail ○ with enquiries

1 10
2A

Asian Local Civil Service.

1. Salaries of Clerical Staff.

The following table shows the existing scales, the proposed scales and the counter suggestions made by the Asian Civil Service Association:-

<u>Existing Scales.</u>		<u>Proposed Scales.</u>	<u>Asian Civil Service suggestions.</u>	
£		£	£	
<u>Learners.</u>	Under £90 according to qualifications.	(1) 40 - 48 (2) 48 - 72	48 - 90	
<u>Grade IV.</u>	90 - 120	Promotion automatic subject to prescribed conditions.	102	
<u>Grade III.</u>	126 - 162		-	
<u>Grade II.</u>	168 - 216		240	345
<u>Grade I.</u>	228 - 300		252 - 300 (Grade I to include 25 per cent of clerical posts.)	
<u>Special.</u>	360	318 - 408	(1) 360 - 420 (2) 440 - 480	

It will be seen that the Governor's proposals represent on the whole an increase in actual salaries, but against this must be set (a) the fact that the maximum of the long scale ^{is not} stays at £240 as against £300, and (b) that the existing privilege of free quarters is to be abolished.

2. Salaries of non-Clerical Staff.

These are set out post by post in Appendix 2 to the Committee's report. The scales proposed follow as closely as possible the ^{new} clerical scales, ~~but~~ ~~the Committee, in preparing them, make a~~ ~~general review of the duties and responsibilities of the posts, and as a result have~~ ^{(1) have} ~~fully~~ altered the existing relation between the scales of different appointments.

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2A

Asian Local Civil Service.

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The following table shows the existing scales, the proposed scales and the counter suggestions made by the Asian Civil Service Association:-

Report page 397.

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£	£	£
<u>Learners.</u> Under £90 according to qualifications.	(1) 40 - 48 (2) 48 - 72	48 - 90
<u>Grade IV.</u> 90 - 120	Promotion automatic subject to prescribed conditions. 90 - 240 252 - 300 (Grade I to include 25 per cent of clerical & sta.)	102
<u>Grade III.</u> 126 - 162		-
<u>Grade II.</u> 168 - 216		345
<u>Grade I.</u> 218 - 300		
<u>Special.</u> 360	318 - 418	(1) 360 - 420 (2) 440 - 480

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Report page 7.

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The Asian Civil Service Association recommends an allround increase of 15% over the Governor's proposals, the deletion of the lowest scale for teachers (£90 - £122) as being inadequate to attract suitable candidates, and equal pay for men and women teachers as against the proposal for a proportion of 100:80.

It is practically impossible to comment on these proposals and counter-proposals in the absence of any statement of the reasons which the Asian Civil Service Association has advanced for these counter-suggestions and of any observations on these ^{reasons} ~~sugges-~~ ~~tions~~ from the Governor. But, so far as it is possible to judge, we see no reason to differ from the Governor's views.

3. Leave and length of tours.

(a) Local leave:-

- existing - 14 days
- proposed - 18 days.

The Committee's proposal was 14 days, but it has been increased by the Governor-in-Council. The increase meets the views of the Asian Civil Service Association.

(b) Vacation leave.

N.B. Conditions of service as regards leave and tours were temporarily revised as a measure of economy from the 1st January, 1933, for a five year period.

The following table shows the changes in Asian and European leave regulations:-

*v. Secretariat
Circular 48
1932
page 3*

Asian.

Pre-1933:-

Tours. 33 - 43 months
 Leave 5 - 5 months
 " ratio 2;8days - 3;6.days a month.

Post-1933:-

Tours 48 - 60 months
 Leave 2;2days a month.

Proposed.

Tours - 72 months.
 Leave - 22 days a year, to which may be added the last 18 days local leave due.

Ratio - 1.8days a month.

European.

In 1933

Tours 20 - 30 months
 Leave 6 days a month

Post 1933

Tours 36 - 48 months
 Leave 4-3 days a month

Approved Proposed for European Local Civil Service:-

Tours 48 months
 Leave 3;4 days.

The Asian Civil Service Association asks for a sixty months tour; a leave ratio of 2;2 days a month and the privilege of counting five months' service in an unhealthy station as six months' service in a healthy station.

It will be seen from the table that Europeans have suffered changes in ~~very~~ much the same proportion as regards length of tour and reduction in leave ratio as the Asians. The proposals would result in the Asiatics getting almost exactly the same amount of leave in India after a six year tour as the European will have in England after a four year tour.

On the facts given here we see no reason to differ from the Governor, although, again, it must be pointed out that the grounds on which the Asian Civil Service Association bases its request for more favourable conditions are not given or commented upon.

*as between
 Pre-1933, and local
 Civil Service conditions*

4. Passages.

It is proposed that Asians should earn $16\frac{2}{3}\%$ of a return passage per annum, and that a family passage be granted after six years to all married officers over twenty-five.

In the case of Europeans the percentage is 25, and the family passage is granted after four years to all married officers over thirty. The passage allowance proportions differ because of the length of tour; the age limits because Asians marry, generally speaking, at an earlier age than Europeans.

The Asians ask for the grants to be based on a five year tour, and for the age limit to be reduced to 22.

5. Quarters.

Free quarters are no longer to be provided. Rent is to be charged for Government quarters, if allotted, as follows:-

Salary not exceeding £194	5% of salary
Salary exceeding £194 but not exceeding £288	7½% " "
Salary exceeding £288	10% " "

The Asian Civil Service Association recommend:-

Salary not exceeding £228	5% of salary
Salary exceeding £228 but not exceeding £345	7½% " "
Salary exceeding £345	10% " "

The differences in the stages are due ~~to~~ to the recommendations which the Asians have made for increasing scales of salary, but it will be observed that they make no increase in the percentages.

6. Acting Allowances.

At present, although the payment of acting allowances has been temporarily suspended from the 1st May, 1933 as a measure of economy, the Regulations provide for such allowances. For convenience a copy of the Regulations is annexed.

It is proposed that Asian staff should no longer be eligible for acting allowances. The Asians protest. No reasons are given in support of the recommendation. We think that, before it is approved, the refusal to grant Asians a privilege which is generally allowed in the Home and Colonial Services ought to be justified by argument.

A

7. Transfer of Existing Staff.

The proposals are set out in detail on pages 5 and 6 of the Committee's Report.

There is no reference to officers serving "on agreement"; apparently Asians are not engaged in Kenya on agreement, but are appointed by letter. Copies of the forms of letter are to be found in the Kenya Code of Regulations, pages 224-228.

The following points seem to require consideration:

- (a) In the case of officers with less than eight years' service, the line between those who have an option to retain their existing terms of service and those who are to be compulsorily transferred to the local Civil Service is drawn between officers holding pensionable posts and officers holding non-pensionable posts. There will be some officers holding

holding

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holding non-pensionable posts who have been confirmed in those posts. The Asians ask that these officers should also have an option. The request was supported by the Treasury, but is rejected. No reasons are given, and we think that before the rejection is approved it would be desirable to have further information. Prima facie, if confirmation in a non-pensionable post does not confer the privilege of having an option in a case of this sort, it is a little difficult to see what privilege it does confer.

(b) A European of pensionable status who is promoted to a post included in the European local Civil Service retains on promotion the whole of his existing conditions of service, and draws the old salary of the post (not the salary allotted under the local Civil Service scheme). In the case of the corresponding Asian, however, it is provided that the officer "should retain his pension rights as personal to himself". Presumably in other respects he would have to accept local Civil Service terms.

B | Either procedure can be defended, but it seems to us difficult to justify one procedure in the case of Europeans and another in the case of Asians.

(c) It has been held in the case of Europeans serving on agreement that they must be allowed to complete the minimum tour provided for in their agreements before being compulsorily transferred to the local Civil Service. In the case of Asians the letters of appointment do not provide for any specific tour, but Regulations 671⁶⁷¹ of the Code of Regulations does definitely contemplate a tour of from 33 to 43 months in the case of the permanent staff

and

and five years in the case of the temporary staff. For the permanent staff these limits have already been increased as a temporary measure to 48-60 months. In the case of officers transferred to the local Civil Service the normal tour will become 72 months.

- (i) Have officers so transferred any moral (they have no legal) claim to be allowed to complete a normal minimum tour under existing regulations before being brought on to the new conditions of service?
- (ii) If not, will they be permitted to retain their existing privileges as regards leave ratio in respect of that part of a tour which they have completed by the date of transfer to the local Civil Service?
- (iii) If they prefer to resign rather than to accept the new conditions, will they be given any privileges as regards leave and passages to India?

As regards (iii) we are inclined to think that free passages for the officers and their families and proportionate leave should be granted.

8. Age of retirement

Following the view of the Bio Committee that Asiatics generally age rather more quickly than Europeans, it is proposed (p 10. para (10)) that 50sh¹ be the age at which Officers should be able voluntarily to retire, & 57¹ be liable to be called upon to retire. This corresponds with the ages laid down in the M.A. European Pensions Ordinance. Further, it is considered that Officers 57¹ in any case retire not later than 55¹, & that for women the normal retiring age should be 45.

There appear to be no grounds for taking objection to these proposals.

9. Provident Fund.

The proposals in this regard are embodied in the draft Ordinance on p. 20., at Appendix III to the Report

2. The only point criticised in the telegram of 27 Nov. in Clause 5.(c), the effect of which is to exclude large number of Arabic Staff who are serving at one month's notice or less. As the Governor says that concern is being given to this point in view of the objection raised, no useful purpose will be served by commenting until we know whether any change will be recommended. The same point is being examined in regard to the European Provident Fund Ordinance.

A perusal of the draft Ordinance indicates that in some respects it embodies principles not in accord with those which seem likely to be arrived at as a result of the deliberations of the Ctee on Colonial Officers Widows & Orphan's Pensions, which is also

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studying certain Provident Fund questions. For instance (Clause 4 (1) & (2)) it is proposed that females shall contribute at a higher rate than males. The draft Ordinance is, however, based, with necessary variations only, on the P.F. Ordinance for Europeans, and apart from the fact that any recommendations of the above ^{type} are not likely to be immediately available, it would probably be unwise, for political reasons, to contemplate any serious differences between the two Ordinances; while the European or other P.F. Ordinance could ~~not~~ not be varied without safeguarding the rights of those already contributing. Presumably, therefore, we shall accept the general lines on which this P.F. Scheme is based, but when copies of the report are available it would be as well if they could be made available to members of the W.F.O. Pension ^{Committee} ^{type} for information.

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11

Kenya Code of Regulations
ACTING ALLOWANCES
for
THE ASIAN OFFICERS.

ing
allowances.

644. An officer acting in a higher appointment than his own may receive, as acting allowance, half the difference between his own salary and that of the appointment in which he is acting, if the latter is non-incremental, subject to a maximum of Sh. 150 a month. If the salary of the higher appointment is incremental, he will draw, subject to the same proviso, the whole difference between his own salary and the minimum of the scale attached to the appointment in which he is acting.

645. Acting allowances may be drawn from the date which an officer actually takes over the duties of his acting appointment up to the date on which he formally hands over.

646. An acting allowance will only be paid to an officer called upon to perform duties which are separate and distinct from those of his substantive post and which definitely demand the assumption of a higher degree of responsibility and initiative. The test in such cases generally is that the duties are those that an officer would not ordinarily be expected or required to perform in the discharge of the functions of his substantive post.

The proposed grant of an acting allowance must be referred to Government in the first instance.

Applications must state as fully as possible the reason why the payment of such an allowance is recommended, and also give a correct financial appreciation of the effect of the payment of the acting allowance throughout the Department.

647. For the purpose of an acting allowance, the salary should be taken to be the substantive salary of the post, exclusive of any language or other personal allowance of the holder of the post.

Claims should be submitted through heads of departments for approval by the Treasurer, and should show:-

- (i) Details of the duties of the post for which acting allowance is claimed.
- (ii) Details of duties of posts held by the applicant.
- (iii) What special knowledge, qualification or responsibility is entailed with the post for which allowance is claimed, which is not required for the post of the claimant.

648. Acting allowance will not be granted in the case of an officer on the "long scale" of salary when acting for another officer on the same "long scale".

649. In cases of short absence due to slight illness there will in general be no need for an acting appointment, and no acting allowance should be paid; but where, owing to the length of the illness, an acting appointment is necessary, this should be made, and the allowance paid from the date of the senior officer's incapacitation. The decision as to whether an acting appointment is necessary or desirable in a particular case will rest with the Colonial Secretary.

The payment of acting allowances has been temporarily suspended as from the 1st May, 1933.

RECORDS REGISTRATION
27 NOV 1934
C. O.

12

TELEGRAM from the Governor of Kenya to the Secretary of State for the Colonies.

Dated 27 November 1934. Received 3.33 p.m. 27 November 1934.

No.264.Following from Kenya Asian Civil Service Association.Begins.
 Mass meeting of Asian staff profoundly disappointed at recommendation of Asiatic Civil Service Board at present being submitted to Legislative Council for approval which the staff consider most unsatisfactory and inadequate to future entrants. In view of loss of other privileges such as pension rights,house allowances,etc.,proposed low scale of salary,extended tour of service,inadequate vacation leave,passage provisions and others are in humble opinion of staff unjustifiable. No grounds exist for any further revision in the case of Asian terms as existing ones have already been adjusted to present circumstances. In approved local terms of service for Europeans there is an increase of ten twenty and in some cases over thirty per cent on present scale of pay to compensate them for loss of house allowance and other privileges while in the case of Asians, to the staff's utter disappointment a corresponding decrease is noticeable irrespective of even deprivation of aforesaid privileges. Provident Fund Bill though based on European Ordinance precludes many Asian officials from joining the Fund owing to prohibitory Clause which nullifies intention of even bringing all scheduled posts in the Fund because of many being on less than one month's termination of agreement as required by Clause 5 (c) of the Bill though put in 5 five ten and even more years service. Many appointed after 30th April 1932 vide Section 19 of Ordinance 83 of 1932 not eligible to join the Provident Fund as they fall under category of less than one month's agreement clause. Proposals require drastic revision and the staff humbly pray for your immediate intervention before recommendations are finally adopted by the local Government. Detailed memorial follows. Ends. Asian Provident Fund Bill and similar European Ordinance under examination at present with view to amendment of Clause 5 to meet points raised by Association.

Not
4002/13

Rec^d in R297.
5.20 pm. 27/11/34

AIR MAIL

KENYA
No. 163.



GOVERNMENT HOUSE
NAIROBI
KENYA

6th November, 1934.

CONFIDENTIAL.

RECEIVED
15 NOV 1934
C. O. REGY

Sir,

With reference to paragraph 4 of Mr. Moore's Confidential despatch No.86 of the 24th June, 1933, I have the honour to inform you that the Civil Service Board has now reported upon the establishment of an Asian Local Civil Service and in this connection I transmit for your information 2 copies of the Report. An adequate supply will follow by sea mail.

No 4
5136/33 TT
(Chy) No 17
3046/33
Report.

2. The Report was recently considered by my Executive Council who advised that the views of the Kenya Asian Civil Service Association on it should be obtained before it was considered by Council in detail. These views are crystallised in the precis (2 copies enclosed) which was examined in Executive Council on the end of November and I transmit a copy of the relative Minute with which I have concurred.

Precis.

Minute.

3. It will be observed that the only modification in the Report which Council was able to accept as the result of the Association's representations was that relative to the grant of local leave. In this connection I invite your attention to paragraph 3 of Mr. Moore's despatch No.376 of the 17th June, 1933, and to paragraph 4 II (b) of my Confidential despatch No.97 of the 30th June, 1934.

2005/9/33
23/11/34

From the discussion which took place on this matter it was evident that members felt that it was

illogical

THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFFE-LISTER, P.C., G.B.E., M.C., M.P.
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON S.W.

AIR MAIL

KENYA
No. 763.



GOVERNMENT HOUSE
NAIROBI
KENYA

CONFIDENTIAL.

RECEIVED
15 NOV 1934
C. O. REGY

6th November, 1934.

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No 4
5136/33 TI
7
(Chy) No 14.
30-7-33
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Precis.
Minute.

3. It will be observed that the only modification in the Report which Council was able to accept as the result of the Association's representations was that relative to the grant of local leave. In this connection I invite your attention to paragraph 3 of Mr. Moore's despatch No. 376 of the 17th June, 1933, and to paragraph 4 II (b) of my Confidential despatch No. 97 of the 30th June, 1934.

4005/9/33
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From the discussion which took place on this matter it was evident that members felt that it was

illogical

THE RIGHT HONOURABLE
MAJOR SIR PHILIP CUNLIFF-LISTER, P.C., G.B.E., M.C., M.P.
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, LONDON S.W.

illogical in this case to discriminate between the European and Asian staff, although it was the unanimous opinion of Council that if the grant of 18 days local leave annually was made to the Asian Service this could not be accepted as an argument in favour of equal overseas leave terms for Europeans and Asians alike.

As you are aware the overseas leave regulations in force since the earliest days of the Protectorate have been different in principle and I see no reason why this principle should be varied.

4. It seems unnecessary in this despatch to comment in detail on the various recommendations of the Civil Service Board particularly in view of the fact, *vide* paragraph 3 of my Confidential despatch No.97 of the 30th June, 1934, that these recommendations do not differ largely from those of the Biss Committee.

NO 4
23/79/11

Furthermore, it will be seen that the Board in framing its recommendations came to the conclusion "that as between Europeans and Asians a fair and reasonable relationship based generally on existing conditions should be maintained in any new terms and conditions to be introduced". This general conclusion is reflected in the Report.

5. The Board's proposals, which include the creation of a Provident Fund complementary to the inauguration of the Asian Local Civil Service, if adopted, will reduce future pension commitments in respect of the Asian staff until in course of time they gradually die out. The present time seems, therefore, opportune to introduce any scheme which, while maintaining the requisite efficiency, will effect substantial economy. It is true that the immediate economies are not likely to be large, but with the

retirement of the older members of the Service there will be a steady and appreciable diminution in the annual provision which now has to be made for pensions, passages, house allowances and salaries.

Apart from this aspect of the matter, however, conditions have changed since the early days in which the present terms of service for Asian personnel were laid down. There is now a large resident Asian population permanently domiciled in this country and only in the most exceptional cases is it now necessary to recruit from overseas for the Asian Service and there is no difficulty whatever in obtaining an adequate supply of suitable young men, the majority of whom have either been born or educated in the country. I have no hesitation, therefore, in recommending the Board's proposals for your favourable consideration.

6. I need hardly stress the point that the new Service should be inaugurated at the earliest possible date and with this end in view I propose to lay the Report at the next meeting of Legislative Council and to have a motion then moved that it be adopted.

I suggest that the date of the introduction of the new Service be the 1st January, 1935. It is true that it will not be possible for obvious reasons to reflect these proposed new terms and salary scales in the draft Estimates for next year, but I anticipate no difficulty in launching the new scheme with retrospective effect from that date.

7. It would be of great convenience if, vide

retirement of the older members of the Service there will be a steady and appreciable diminution in the annual provision which now has to be made for pensions, passages, house allowances and salaries.

Apart from this aspect of the matter, however, conditions have changed since the early days in which the present terms of service for Asian personnel were laid down. There is now a large resident Asian population permanently domiciled in this country and only in the most exceptional cases is it now necessary to recruit from overseas for the Asian Service and there is no difficulty whatever in obtaining an adequate supply of suitable young men, the majority of whom have either been born or educated in the country. I have no hesitation, therefore, in recommending the Board's proposals for your favourable consideration.

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7. It would be of great convenience if, vide

my

my Confidential telegram No.236 of the 23rd October,
the inauguration of both of the Local Services could
be announced at the same time.

No 12

25065/2/34

memo

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



BRIGADIER-GENERAL.
GOVERNOR.



COLONY AND PROTECTORATE OF KENYA

Report of the Civil Service Board
— ON —
Proposed Terms and Conditions for
an Asian Local Civil Service

SEPTEMBER, 1934

NAIROBI:
PRINTED BY THE GOVERNMENT PRINTER
1934

Report of the Civil Service Board on
Proposed Terms and Conditions for
an Asian Postal Civil Service

Report of the Civil Service Board on
Proposed Terms and Conditions for
an Asian Local Civil Service

Report of the Civil Service Board on Proposed Terms and Conditions for an Asian Local Civil Service

YOUR EXCELLENCY,

The *ad hoc* Civil Service Board appointed by Your Excellency in December, 1932, had in August, 1933, the following matters referred to them and now have the honour to submit their report.

1. To examine and to report upon the inclusion of the posts scheduled in the Report of the Local Asiatic Civil Service Committee in the light of the comments received and the decision of Executive Council that officers with six years*, or more, service should retain Overseas Service rights;

2. To advise, assuming a 10 per cent reduction from salary will have to be made to cover contributions to a Contributory Pensions Scheme and obligations in respect of the Widows' and Orphans' Pensions Scheme (or such modification thereof as the Board may recommend), whether the scales of salary set out in the Report of the Local Asiatic Civil Service Committee are reasonable, and, if not, what variations should be made;

3. In the light of such advice, to make detailed recommendations as to points in the scales of salary on which officers recommended for a Local Civil Service should transfer; and

4. To consider and make recommendations upon any further points of detail which may still require the decision of Government in order that its policy in creating a Local Civil Service for Asians may be put into operation as equitably and as expeditiously as possible.

2. As Your Excellency will be aware, the first duty with which the Board was charged on its appointment was to consider and report upon certain proposals regarding the establishment of a European Local Civil Service and that it was not until April last that a scheme for this Service took final shape in Sessional Paper No. 1 of 1934 which was adopted by the Legislative Council on the 9th May.

3. As an approved scheme for Europeans was to be the first step in the direction of setting up local services both for Europeans and Asians, and because any scheme adopted for

*Vide Para. 8 (3) of Report.

Report of the Civil Service Board on Proposed Terms and Conditions for an Asian Local Civil Service

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*Vide Para. 8 (3) of Report.

Europeans must clearly have a considerable bearing on proposals for an Asian Service, the Board felt that it would be wiser to defer consideration of their present terms of reference until they had before them the agreed main outlines of the scheme for Europeans, and that course has been followed.

4. Before proceeding to frame the recommendations contained in this Report, the Board came to the conclusion that, as between Europeans and Asians, a fair and reasonable relationship, based generally on existing conditions, should be maintained in any new terms and conditions to be introduced. This general conclusion is reflected in our recommendations.

5. For brevity of reference in this Report, the Report of the Local Asiatic Civil Service Committee will be referred to as the "Biss" Report.

TERM OF REFERENCE No. 1 (LOCAL SERVICE POSTS).

6. Subject to the following modifications, we endorse the recommendations of the Biss Report as to the posts which should be included in a Local Civil Service:—

Posts to be deleted.

Government House.—

- (1) Doorkeeper.
- (2) Butler.
- (3) Carpenter.

Agricultural Dept.—

- (4) Artisan.

Customs Dept.—

- (5) Sergeant Major.
- (6) Sergeants.

Police Dept.—

- (7) Tailor.
- (8) Machinist.

Post and Telegraphs Dept.—

- (9) Postman.
- (10) Blacksmith.
- (11) Carpenter.

Prisons Dept.—

- (12) Master Mason
(post abolished).

In the case of posts (1) and (3) it has been agreed that in future these offices should be filled by Arabs or Africans. In any event the posts do not appear suitable for inclusion in a Local Service scheme.

In regard to posts (3), (4), (5), (6), (7), (8), (9), (10) and (11), we consider that the holders of such posts should be paid at market rates and that the posts should not form part of a permanent Asian Local Civil Service.

Posts to be added.

Agricultural Dept.—

Agricultural Assistant.

Post and Telegraphs Dept.—

Sub-Draughtsman.

In the interests of uniformity we recommend that the present posts of—

- Draughtsman, Education Department;
- Draughtsman, Post and Telegraphs Department;
- Sub-Draughtsman, Public Works Department;
- Junior Draughtsman, Survey and Registration Department;

should all be designated "Sub-Draughtsman".

TERM OF REFERENCE No. 2 (SALARY SCALES).

7. (a) *Learners (with whom are classified Apprentices).*

For the reasons which apply in the case of the European Service, the Board consider that Asian learners should also be divided into two grades, viz:—

Grade II. ... £30 to £48 per annum with no set increments.

Grade I. ... £48 by £12 to £72 per annum.

The scale recommended in the Biss Report is £48 by £6 to £72.

(b) *Clerical Grades.*

The scales recommended by the Board, viz:—

Grade II. ... £90 by £8 to £146 by £12 to £230 by £10 to £240.

Grade I. ... £252 by £12 to £300.

Special Grade ... £318 by £18 to £372 by £18 to £408.

Recommendation II. Scales of salary for Learner Grades.

Recommendation III. Scales of salary for Clerical Grades.

Recommendation I. Local Service Posts.

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Local Service Posts.

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Recommendation II.
Scales of salary for Learner Grades.

Recommendation III.
Scales of salary for Clerical Grades.

are shown in Appendix I side by side with those proposed in the Biss Report. The following departures from the latter will be observed:—

- (1) Grades C and B of the Biss Report are merged to form a long Grade II and a bar at £116 is introduced.
- (2) The minimum of £90 per annum has been retained, but the maximum has been raised from £225 per annum to £240 per annum and the rate of increment improved.
- (3) As a corollary to raising the maximum of Grade II, the minimum for Grade I has been raised to £252 per annum. The increments and maximum for Grade I (Biss Report, Grade A) remain unaltered.

In regard to (1), the Asian Service, under existing regulations, enjoy a through scale to £300 per annum, but, apart from this, the Board consider that the principle of a long scale should be retained, subject to the safeguard of a bar at an appropriate point. Moreover, the Board's recommendation in this matter is in conformity with the scheme for Europeans.

In regard to (2), the maximum of Grade II will represent the limit of advancement for the bulk of the Service. The Board agree with the view of the Expenditure Advisory Committee that a maximum of £240 per annum might be allowed for the ordinary clerical service performed by Asian clerks, i.e., service of the kind which will be performed within Grade II. The Board further consider that there is a case for improving the incremental rate to the slight extent recommended by them. The rate proposed will enable an Asian clerk to reach the maximum of Grade II in 16 years as compared with 15 years in the case of the corresponding European grade.

(c) *Non-Clerical Grades.*

The Board's recommendations under this head are contained in Appendix II which also shows the proposals of the Biss Report. It will be observed that, generally speaking, the Board have seen no reason to differ materially from the Biss Report. The minor variations which have been made have been made solely in order to conform with the Board's proposals in regard to the scales and increments proposed for the clerical grades.

TERM OF REFERENCE No. 3 (CONDITIONS OF TRANSFER FOR SERVING OFFICERS).

8. The conditions on which the officers affected should transfer to the European Local Service formed the subject of the Board's Third Interim Report. We consider that the arguments and principles underlying the recommendations contained in that Report apply equally to the Asian Service. The first and most important conclusion was that "Officers on transfer should not be put in a generally less advantageous position than that in which they stand at present".

We therefore recommend that:—

(Note: In these recommendations the "appointed date" means the date fixed for the introduction of the new Service).

- (1) In the case of officers on fixed salaries the new rates to be payable on the appointed date.
- (2) In the case of officers on incremental scales the old salaries to be drawn from the appointed date until the next incremental date when the officers will proceed to such step in the new scales as will give them not less than the salary which they would have drawn under the old rates of pay.
- (3) Officers of less than eight years' continuous service as at 1st January, 1933, should be required to transfer to the new terms of service.

(Note.—The period of eight years has been fixed as corresponding to the six years' period decided upon in the case of European officers, i.e., a period equivalent roughly to two tours of service under existing conditions.)

- (4) Officers of eight years' service as at the 1st January, 1933, and over, should have the option of remaining on their existing terms and conditions, but any officer may at any time transfer to the new terms, provided that only those officers who voluntarily transfer to the new Service within six months of the appointed date should receive the benefit of Government's contribution to the Provident Fund in respect of previous service. A pensionable officer so transferring should forfeit his pension rights.
- (5) If a pensionable officer is promoted to a post included in the Local Service, such officer should retain his pension rights as personal to himself.

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We therefore recommend that—

(Note: In these recommendations the "appointed date" means the date fixed for the introduction of the new Service).

- (1) In the case of officers on fixed salaries the new rates to be payable on the appointed date.
- (2) In the case of officers on incremental scales the old salaries to be drawn from the appointed date until the next incremental date when the officers will proceed to such step in the new scales as will give them not less than the salary which they would have drawn under the old rates of pay.
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- (4) Officers of eight years' service as at the 1st January, 1933, and over, should have the option of remaining on their existing terms and conditions, but any officer may at any time transfer to the new terms, provided that only those officers who voluntarily transfer to the new Service within six months of the appointed date should receive the benefit of Government's contribution to the Provident Fund in respect of previous service. A pensionable officer so transferring should forfeit his pension rights.
- (5) If a pensionable officer is promoted to a post included in the Local Service, such officer should retain his pension rights as personal to himself.

- (6) Suitable adjustment should be made in the case of officers, including learners or probationers, whose normal advancement to graded posts had been stopped pending the inauguration of the new Service.
- (7) Officers who on the appointed date are entitled, by agreements or existing terms of service, to free quarters or an allowance in lieu, should be allowed to draw a personal consolidation allowance of £21 per annum while serving in the Colony, but this allowance should not be payable when such officer is in occupation of Government quarters, or when issued with a tent, caravan or other shelter in lieu of permanent quarters.

TERM OF REFERENCE No 4

Our fourth term of reference deals with the points of detail which require to be decided in order that the creation of a Local Civil Service for Assam may be put into operation expeditiously and as expeditiously as possible and for the sake of brevity we have summarized the results of our investigations in the following recommendation:

(1) Conditions of Entry

(a) Learner Grades

For entry into Grade II of the Learner class, we consider that the minimum age should be 17 years and that there should be no educational qualification insisted upon. For such direct entry to this grade should be at any point in the scale at the discretion of the head of department.

For entry into Grade I, we consider that it should be possible for a learner to be transferred from Grade II to Grade I provided a qualifying period of one year at least has been served in the lower grade.

For direct entry into Grade I we consider that one of the following educational qualifications should be a *sine qua non*:

(a) London Matriculation Certificate

Oxford

(b) Senior Local Certificate
Cambridge

(c) School Leaving Certificate

(d) Some such equivalent standard of education as may be approved by the Civil Service Board

We do not consider that it is necessary to provide special salary scales for Apprentices for non-clerical posts as we are of opinion that the foregoing scales and conditions are suitable for application to this class of recruit.

(b) Grade II

- (i) The minimum age of entry should be seventeen years.
- (ii) Direct entry, regard being had to age and general educational qualifications, should be allowed at any point, provided a typing or departmental test has been passed.
- (iii) To pass the F146 efficiency bar a clerk should be required to have passed an examination, part of which should be oral in the following subjects:—

A—Compulsory

- I English
- II Arithmetic
- III Accounts of a Special Departmental Examination if a knowledge of accounts is not required
- IV Code of Regulations
- V General knowledge
- VI Typewriting

B—Optional

- I Swahili
- II Shorthand

This examination may be taken at any time by a clerk before he reaches the F146 efficiency bar.

(c) Grade I

- (i) Subject to approval by Government direct entry should be permitted, but only in rare cases, and that in such cases age, experience, and the possession of the qualifications or the equivalent for passing the F146 bar in Grade II should be insisted upon.
- (ii) Promotion to this grade should be made only after a positive certificate of efficiency has been obtained and then only to fill an existing vacancy.
- (iii) There should be a definite establishment of Grade I posts on a general roster throughout the Service.
- (Note: Of the posts in the General Service 25 per cent should be Grade I.)

Conditions of entry, etc., into Clerical Service. Recommendation VII. Conditions of entry into Grade II.

Recommendation VIII. Conditions of entry into Grade I.

(6) **Suitable adjustment should be made in the case of officers, including learners or probationers, whose normal advancement to graded posts had been stopped pending the inauguration of the new Service.**

(7) **Officers who on the appointed date are entitled, by agreements or existing terms of service, to free quarters or an allowance in lieu, should be allowed to draw a personal consolidation allowance of £21 per annum while serving in the Colony, but this allowance should not be payable when such officer is in occupation of Government quarters or when issued with a tent, caravan or other shelter in lieu of permanent quarters.**

TERM OF REFERENCE No 4

The fourth term of reference deals with the points of view which require to be decided in order that the creation of a new Civil Service for Assam may be put into operation as expeditiously and as expensively as possible and for the sake of brevity we have summarized the results of our investigations in the following recommendations:

(1) Conditions of Entry

(a) *Learned Grades*

In the case of Grade II (Learner Class) we consider that the minimum age should be fifteen years and that there should be no educational qualifications insisted upon for such posts. The minimum grade should be at any point in the scale of posts in the Civil Service.

In the case of Grade I we consider that it should be possible for a candidate to be transferred from Grade II to Grade I provided a qualifying period of one year at least has not expired in the lower grade.

In the case of the other grades we consider that one of the educational qualifications should be a *sine qua non*

- London Matriculation Certificate
- Oxford Certificate
- Senior School Certificate
- Cambridge Certificate
- School Leaving Certificate
- Some such equivalent standard of education as may be approved by the Civil Service Board

We do not consider that it is necessary to provide special salary scales for Apprentices for non-clerical posts as we are of opinion that the foregoing scales and conditions are suitable for application to this class of recruit.

(b) *Grade II*

- The minimum age of entry should be seventeen years.
- Direct entry beyond being fit for age and general educational qualifications should be allowed at any point provided a typing or departmental test has been passed.
- To pass the 144 officers who are to be recruited should be required to have passed an examination (part of which should be oral) in the following subjects:

A—*Compulsory*

- English
- Arithmetic
- Accounts or a special Departmental Examination of a knowledge of accounts not required
- Code of Regulations
- General knowledge
- Typewriting

B—*Optional*

- Swahili
- Shorthand

This examination may be taken at any time before the candidate reaches the 144th anniversary.

(c) *Grades*

- Subject to approval by the Civil Service Board, entry should be permitted into the Civil Service and the promotion in such cases as experience and the possession of the qualifications or the equivalent for passing the 1446 bar in Grade II should be insisted upon.
 - Promotion to this grade should be made only after a positive certificate of efficiency has been obtained and then only to fill an existing vacancy.
 - There should be a definite establishment of Grade I posts on a general roster throughout the Service.
- (Note: Of the posts in the Civil Service 25 per cent should be Grade I)

Conditions of entry etc into Clerical Service Recommendation VII Conditions of entry into Grade II

Recommendation VII Conditions of entry into Grade I

(d) *Special Grade.*—

In our opinion the Special Grade posts should be limited in number and to duties carrying special responsibility and should be restricted to officers of exceptional merit and capacity.

We do not consider it necessary to lay down any standard of qualifications for entry into this grade.

(2) *Leave.*

We recommend that leave should be granted on the following basis:—

Local 14 days per annum.

Vacation ... 22 days annually to which may be added the last 14 days' local leave due; all leave to be inclusive of the voyages and no officer to be absent from duty for more than 150 days.

(*Note:* Influenced by their desire to maintain a fair relationship between the conditions to be introduced as between the European and Asiatic Services, the Board have recommended some increase in the amount of leave suggested by the Biss Report which envisaged a grant of seven days' local leave per annum and three months' vacation leave after six years' service. They consider, therefore, that their recommendation is a reasonable one because after a normal period of duty an Asian officer would have earned 146 days' leave from which must be deducted twenty-two days for the period of the return voyage to India leaving a balance of 124 days to be spent in India as compared with the 122 days in England earned by an officer of the European Local Civil Service after a normal period of duty on his part.)

(3) *Passages.*

On the analogy of the European Local Civil Service we recommend that:—

- (i) An officer should be considered to have earned in respect of each year of residential service 16½ per cent of the cost of a return passage in accordance with current passage regulations, provided that when an officer is ordered to proceed on leave overseas on medical grounds he should be granted a free passage.
- (ii) A family passage allowance of £8/10 each way should be granted once during each period of six years to married officers who have attained the age of twenty-five years at the time the passage is taken. We

were influenced in the decision in regard to the qualifying age by the knowledge that it was the tendency for members of the Asian staff to marry at a comparatively younger age than members of the European staff.

(4) *Quarters.*

We recommend that:—

Officers who, on the appointed date, are not entitled by their agreements to free quarters or to an allowance in lieu should, if allotted Government quarters, be called upon to pay a rental at the rate of 5 per cent of the actual salary drawn when that salary does not exceed £194 per annum; of 7½ per cent when the salary exceeds £194 per annum and does not exceed £288 per annum; and of 10 per cent when the salary exceeds £288 per annum:

Provided that when officers are issued with a tent, caravan or other temporary shelter no rental be charged thereon.

(*Note:* In every case we consider that Government should have the right to order an officer to occupy Government quarters.)

(5) *Medical Attendance.*

We recommend that medical attendance on an officer's wife and family should follow the regulations approved in the case of the European Local Civil Service.

(6) *Travelling and Motor Allowances.*

We endorse the Biss Committee's recommendation that travelling and motor allowances should be governed by the general regulations ruling at the time.

(7) *Acting Allowances.*

We endorse the Biss Committee's recommendation regarding the non-payment of acting allowances.

(8) *Letter of Appointment.*

We recommend that a Letter of Appointment should be issued based on that to be issued in the case of the European Local Civil Service, in which should appear a clause that removal of the holder from the Service should be within the power of the Governor.

Appointees should in the first case be issued with a Letter of Temporary Appointment only.

Recommendation IX.
Special Grade.

(d) *Special Grade.*—

In our opinion the Special Grade posts should be limited in number and to duties carrying special responsibility and should be restricted to officers of exceptional merit and capacity.

We do not consider it necessary to lay down any standard of qualifications for entry into this grade.

(2) *Leave.*

We recommend that leave should be granted on the following basis:—

Local ... 14 days per annum.

Vacation ... 22 days annually to which may be added the last 14 days local leave due; all leave to be inclusive of the voyages and no officer to be absent from duty for more than 180 days.

(Note: Influenced by their desire to maintain a fair relationship between the conditions to be introduced as between the European and Asiatic Services, the Board have recommended some increase in the amount of leave suggested by the Biss Report which envisaged a grant of seven days' local leave per annum and three months' vacation leave after six years' service. They consider, therefore, that their recommendation is a reasonable one because after a normal period of duty an Asian officer would have earned 146 days' leave from which must be deducted twenty-two days for the period of the return voyage to India leaving a balance of 124 days to be spent in India as compared with the 122 days in England earned by an officer of the European Local Civil Service after a normal period of duty on his part.)

(3) *Passages.*

On the analogy of the European Local Civil Service we recommend that:—

- (i) An officer should be considered to have earned in respect of each year of residential service 16½ per cent of the cost of a return passage in accordance with current passage regulations, provided that when an officer is ordered to proceed on leave overseas on medical grounds he should be granted a free passage.
- (ii) A family passage allowance of £8/10 each way should be granted once during each period of six years to married officers who have attained the age of twenty-five years at the time the passage is taken. We

were influenced in the decision in regard to the qualifying age by the knowledge that it was the tendency for members of the Asian staff to marry at a comparatively younger age than members of the European staff.

(4) *Quarters.*

We recommend that:—

Officers who, on the appointed date, are not entitled by their agreements to free quarters or to an allowance in lieu thereof, if allotted Government quarters, be called upon to pay a rental at the rate of 5 per cent of the actual salary drawn when that salary does not exceed £194 per annum; of 7½ per cent when the salary exceeds £194 per annum and does not exceed £288 per annum; and of 10 per cent when the salary exceeds £288 per annum.

Provided that when officers are issued with a tent, caravan or other temporary shelter no rental be charged thereon.

(Note: In every case we consider that Government should have the right to order an officer to occupy Government quarters.)

(5) *Medical Attendance.*

We recommend that medical attendance on an officer's wife and family should follow the regulations approved in the case of the European Local Civil Service.

(6) *Travelling and Motor Allowances.*

We endorse the Biss Committee's recommendation that travelling and motor allowances should be governed by the general regulations ruling at the time.

(7) *Acting Allowances.*

We endorse the Biss Committee's recommendation regarding the non-payment of acting allowances.

(8) *Letter of Appointment.*

We recommend that a Letter of Appointment should be issued based on that to be issued in the case of the European Local Civil Service, in which should appear a clause that removal of the holder from the Service should be within the power of the Governor.

Appointees should in the first case be issued with a Letter of Temporary Appointment only.

(9) Discipline.

We recommend that in all cases of discipline the authority in staff matters should lie in the Governor.

(10) Age of Retirement.

We endorse the opinion of the Biss Committee that officers should be able voluntarily to retire, and that Government should be able to call upon officers to retire, at the age of fifty years. In our opinion officers should in any case retire not later than the age of fifty five years.

In the case of women officers the Board consider that the normal retiring age should be forty-five years.

Recommendation XI.
Women officers.

10. In regard to women officers we endorse Recommendation VII of the Board's Fourth Interim Report on the European Local Civil Service, which was as follows:—

(a) Married women should not be selected for appointment unless in exceptional circumstances such as (a) where a man and wife are required for, e.g., superintendence of an institution; or (b) where the public interest demands the selection of a person with particular qualifications and the only suitable candidate is a married woman.

(ii) A woman officer in the Service should be called upon to tender her resignation on marrying. The question of her further employment on a purely temporary basis being at the discretion of Government."

Recommendation XII.
Provident Fund.

11. On the analogy of the European Civil Service Provident Fund Ordinance, 1934, and for the same reasons, we recommend that a similar Ordinance should be enacted so as to provide for the Asian Local Civil Service.

Appendix III.

At Appendix III is a draft Bill to give effect to this proposal.

In this draft Bill the following departures from the European Civil Service Provident Fund Ordinance, 1934, will be observed.

Clauses 1, 2 and 3.—Delete the word "European" and substitute "Asian" wherever the former word appears.

Clause 5 (b).—Delete the word "eighteen" and substitute "seventeen" in conformity with Recommendation VII (i) of this Report.

(d) Delete the word "fifty" and substitute the words "forty-five".

(e) Delete the word "five".

(Note: The amendments to sub-section (d) and (e) above are in conformity with the Board's endorsement of the Biss Committee's Report that officers should be able voluntarily to retire at fifty years—*vide* Recommendation X (10) of this Report.)

(f) Delete the words "one hundred and fifty" and substitute "ninety" to conform with Recommendation III of this Report—£90 being the minimum of the scale recommended for Grade II of the Clerical Grades.

(g) For the words "European Officers' Pensions Ordinance, 1927," substitute "Non-European Officers' Pensions Ordinance, 1932".

Clause 7.

(1) (d) Delete the word "five".

See Clause 5 (d) and (e) *supra*.

(1) (e) Delete the word "fifty" and substitute "forty-five" in conformity with Recommendation X (10) of this Report which lays down a retiring age of forty-five years for women officers.

(4) Line 8.—Delete "fifty" and substitute "thirty".

We consider £30 an adequate sum to be advanced by the Treasurer to give relief to the dependants of a deceased officer.

Clause 10.—Add: Provided that if a contributor is retired

in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organization of the Department to which he belongs, a gratuity may be granted after continuous satisfactory service of not less than seven years.

(Note: This proposed clause reproduces the terms of Regulation 15 (1) (a) of the European Officers' Pension (Consolidation) Regulations, 1930. In this connection paragraph 14 of the Second Interim Report of the Civil Service Board reads:—

"We have examined the question of the need for super-imposing a gratuity based on the lines of the Railway Provident Fund, i.e., after 15 years' satisfactory service a gratuity of half a month's salary for every year of service, or on the lines of the

(9) Discipline.

We recommend that in all cases of discipline the authority in staff matters should lie in the Governor.

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- (ii) A woman officer in the Service should be called upon to tender her resignation on marrying. The question of her further employment on a purely temporary basis being at the discretion of Government."

11. On the analogy of the European Civil Service Provident Fund Ordinance, 1934, and for the same reasons, we recommend that a similar Ordinance should be enacted so as to provide for the Asian Local Civil Service.

Recommendation XII.
Women officers.
Fund.

Appendix III. At Appendix III is a draft Bill to give effect to this proposal.

In this draft Bill the following departures from the European Civil Service Provident Fund Ordinance, 1934, will be observed.

Clauses 1, 2 and 3.—Delete the word "European" and substitute "Asian" wherever the former word appears.

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(d) Delete the word "fifty" and substitute the words "forty-five".

(e) Delete the word "five".

(Note: The amendments to sub-section (d) and (e) above are in conformity with the Board's endorsement of the Biss Committee's Report that officers should be able voluntarily to retire at fifty years—*vide* Recommendation X (10) of this Report.)

(f) Delete the words "one hundred and fifty" and substitute "ninety" to conform with Recommendation III of this Report—£90 being the minimum of the scale recommended for Grade II of the Clerical Grades.

(g) For the words "European Officers' Pensions Ordinance, 1927," substitute "Non-European Officers' Pensions Ordinance, 1932".

Clause 7.

(1) (d) Delete the word "five".

See Clause 5 (d) and (e) *supra*.

(1) (e) Delete the word "fifty" and substitute "forty-five" in conformity with Recommendation X (10) of this Report which lays down a retiring age of forty-five years for women officers.

(4) Line 8.—Delete "fifty" and substitute "thirty".

We consider £30 an adequate sum to be advanced by the Treasurer to give relief to the dependants of a deceased officer.

Clause 10.—Add: Provided that if a contributor is retired in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organization of the Department to which he belongs, a gratuity may be granted after continuous satisfactory service of not less than seven years.

(Note: This proposed clause reproduces the terms of Regulation 15 (1) (a) of the European Officers' Pension (Consolidation) Regulations, 1930. In this connection paragraph 14 of the Second Interim Report of the Civil Service Board reads:—

"We have examined the question of the need for super-imposing a gratuity based on the lines of the Railway Provident Fund, i.e., after 15 years' satisfactory service a gratuity of half a month's salary for every year of service, or on the lines of the

present Government regulations, i.e., one week's salary for each year of service, subject to the minimum qualifying period laid down in the European Officers' Pensions (Consolidation) Regulations, Regulation 15, viz., on retrenchment after not less than seven years or on retirement in any of the cases set out in section 7 of the Ordinance after 15 years, and we have come to the unanimous conclusion that a gratuity should be granted, based on the present Government Regulations applicable to non-pensionable appointments."

We are in entire agreement with this and have accordingly made the necessary addition to Clause 10.

We note that notwithstanding the terms of paragraph 14 of the Second Interim Report of the Civil Service Board in the European Civil Service Provident Fund Ordinance, 1934, provision for the payment of a gratuity for less than 15 years' service is not made and we venture to suggest that this omission, if it was an inadvertent one, should be rectified.)

12. On the assumption that the new service will be brought into effect on the 1st January, 1935, and on the further assumption that our Provident Fund proposals are approved, the cost to Government in 1935 is estimated to be —

Recurrent cost (Government's yearly contribution)	£2,200
Non-recurrent cost (Government's contribution under clause 6 of draft Ordinance in respect of arrears. Without interest)	£11,000

The Board is not in a position to estimate what the direct annually recurrent commitment is likely to be at any point beyond the immediate future; but it will be obvious that the budgetary provision must progressively increase according as the 800 Asian officers now enjoying "free" pension privileges retire and are replaced by officers who will come under Provident Fund conditions. This increase, however, will be more than balanced by a decrease in Government's deferred pension liability for the reason that the rate of contribution which it is proposed that Government should make to the Fund, is, as a percentage of salary, on a lower level than the rate estimated to meet the year by year cost of Government's present deferred "free" pension liability.

12. Once again the Board desire to place on record their high appreciation of the services rendered by the Secretary. Acknowledgment.
Mr. R. C. M. Wood.

T. FITZGERALD, *Chairman*

C. J. J. T. BARTON

H. J. WEBSTER

E. M. LEY

*R. A. OLIVER

Members.

R. C. M. WOOD,

Secretary

17th September, 1934

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12. Once again the Board desire to place on record their high appreciation of the services rendered by the Secretary Mr. R. C. M. Wood.

T. FITZGERALD, *Chairman*
 C. J. J. T. BARTON
 H. J. WEBSTER
 E. M. LEY
 * R. A. OLIVER

Members

R. C. M. WOOD

Secretary

17th September, 1934

*Subject to the following reservations:—

1. I regret I must record my dissent from the final proposals of the majority with regard to the salary for the very senior personnel because in my opinion the success of the scheme primarily depends upon the adequacy of the ultimate goal.

2. I feel that in this respect the majority recommendation falls short of what is essential in order to attract and retain the right type of official.

3. Indeed there can be little question that the existing Asian Clerical Service must for all practical purposes be regarded as a local service in view of the fact that almost all the existing clerks are locally engaged on terms which have been already assimilated to local conditions.

4. On the general question of salary scales the following table will show at a glance how the proposed scales compare with those which have been in force from time to time since 1920; for the sake of comparison only the old scales have been consolidated by the addition of House Allowance plus 12½ per cent allowance for pension.

GRADE	1920		1923		Proposed	
	Min.	Max.	Min.	Max.	Min.	Max.
IV	£ 128	189	£ 125	159	£ 90	£ 240
III	196	270	165	206		
II	295	362	217	272		
I			295	376	252	330
Personal	404					
Special	466		466		318	408

5. Under the proposed scheme only the more capable staff who are required to undertake other than routine clerical duties will be able to secure after about sixteen years service promotion to the 1st Grade and will reach the maximum inclusive salary of £500 per annum after about 21 years' service as against the existing corresponding consolidated salary of £376 per annum.

6. Above the maximum clerical scale there will be a very limited number of Special Posts (perhaps about ten on the existing indications) on a maximum of £408 per annum comparing with £466, the corresponding value of the existing Special Posts; these will be reached by the very few fortunate and competent clerks after about twenty-seven years service, assuming of course there has been no stop in their normal progression through the grades.

7. The majority of the 1st Grade clerks, although fully capable and deserving, will never attain the Special Grade and severe congestion and dissatisfaction are bound to arise at the top of the 1st Grade, a situation similar to the one existing at present, which is far from being conducive to the efficiency of the service. Further the discontent in the higher ranks is bound to discourage recruitment of the better type of person and might even have the effect of inducing this class of official already in the service to seek employment elsewhere, as happened before. This in effect will mean that Government will lose trained and experienced men and will have to face the disability of having continually to train others.

8. I am of opinion that a consolidated salary of £500 per annum is an entirely inadequate remuneration for a competent man who takes up Government service as a career, the more so having regard to the high educational qualifications demanded, which will generally be the attainments of the local Asian youth. I also strongly feel that even the value of £466 carried by the existing Special Posts is inadequate remuneration in view of the importance of the duties performed and seeing that it is the maximum to which the most brilliant and competent Asian official can aspire. It is the opinion also of the Treasurer and the Expenditure Advisory Committee that the maximum recommended for this grade by the Biss Committee is inadequate.

9. Seeing that the salaries have under our agreed proposals been substantially reduced in value, and seeing also that the number of Special Grade Posts to which the service can aspire will be very limited, it seems but reasonable in the true interests of the service that the Special Grade Posts should be made attractive. This would make for keenness and efficiency in the lower grades.

10. I therefore recommend that the proposed Special Grade be divided into two classes as follows:—

(a) Special Grade, £338 by £18 to £372 per annum.

(b) Special Post, £300 by £18 to £380 per annum.

11. The combined strength of the two sections to be at least 5 per cent of the total; promotions to this grade being made of only officials of outstanding ability and long and meritorious service.

12. This scheme to be adapted to the requirements of the Non-Clerical staff.

R. A. OLIVER.

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1. I regret I must record my dissent from the final proposals of the majority with regard to the salary for the very senior personnel because in my opinion the success of the scheme primarily depends upon the adequacy of the ultimate goal.

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GRADE	1920		1923		Proposed	
	Min.	Max.	Min.	Max.	Min.	Max.
IV	£ 128	189	£ 128	159	£	£
III	196	270	165	206	90	240
II	295	482	217	272		
I	464		295	376	252	300
Personal Special	466		466		318	408

5. Under the proposed scheme only the more capable staff who are required to undertake other than routine clerical duties will be able to secure after about sixteen years service promotion to the 1st Grade and will reach the maximum inclusive salary of £300 per annum after about 21 years' service as against the existing corresponding consolidated salary of £376 per annum.

6. Above the maximum clerical scale there will be a very limited number of Special Posts (perhaps about ten on the existing indications) on a maximum of £408 per annum comparing with £466, the corresponding value of the existing Special Posts; these will be reached by the very few fortunate and competent clerks after about twenty-seven years service, assuming of course there has been no stop in their normal progression through the grades.

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9. Seeing that the salaries have under our agreed proposals been substantially reduced in value, and seeing also that the number of Special Grade Posts to which the service can aspire will be very limited, it seems but reasonable in the true interests of the service that the Special Grade Posts should be made attractive. This would make for keenness and efficiency in the lower grades.

10. I therefore recommend that the proposed Special Grade be divided into two classes as follows:

- (a) Special Grade, £318 by £18 to £372 per annum
- (b) Special Post, £300 by £18 to £480 per annum.

11. The combined strength of the two sections to be at least 5 per cent of the total; promotions to this grade being made of only officials of outstanding ability and long and meritorious service.

12. This scheme to be adapted to the requirements of the Non-Clerical staff.

R. A. OLIVER.

APPENDIX I

NOTE.—Figures in heavy type indicate Efficiency Bar.

Years	BISS PROPOSALS		BOARD'S PROPOSALS	
	Grade	Salary	Grade	Salary
1	C. (£90 by 6 to 132)	£90	11. (£90 by 8 to 146)	£90
2		96	by 12 to 230 by 10	98
3		102	to 240	106
4		108		114
5		114		122
6		120		130
7		126		138
8		132		146
9	B. (£144 by 9 to 225)	144		158
10		153		170
11		162		182
12		171		194
13		180		206
14		189		218
15		198		230
16		207		240
17		216	I. (£252 by 12 to 300)	252
18		225		264
19	A. (£240 by 12 to 300)	240		276
20		252		288
21		264		300
22		276	Special (£318 by 18	318
23		288	to 372 by 18 to	336
24		300	408)	354
25		318		372
26	Special (£318 by 18 to	336		390
27	372 by 18 to 408)	354		408
28		372		
29		390		
30		408		

APPENDIX II

SCALES OF SALARY FOR NON-CLERICAL POSTS

NOTE.—Figures in heavy type indicate Efficiency Bar.

POST	Present Scale	Biss Proposals	Board's Proposals	Notes
ADMINISTRATION— Market Master	£102	£106 fixed	£106 fixed	
AGRICULTURE— Mechanic Veterinary Inspector Veterinary Assistant Agricultural Assistant	£136-9-204-15-264 £300-18-420 (i) £300-12-360 (ii) £180-12-300 (iii) £180-12-300	£144-9-225 £318-18-372-18-408 (i) £318-18-372 (ii) £240-12-300	£146-12-230 £118-18-372-18-408 £230-10-240-12-300 £182-12-230-10-240-12-300	
EDUCATION— Education Officer	(i) £450-15-500 (ii) £300-18-420 (iii) £180-12-300	Clerical scales	(i) £450-15-500 (ii) £318-18-372-18-408 (iii) £182-12-230-10-240-12-300 (iv) £240-12-300 (v) £180-9-146-12-182 (vi) £90-9-146-12-182 £146-12-230-10-240-12-300	Women's officers: 80 per cent of these scales.
Sub-draughtsman	(iv) £120-9-180 £216	Clerical scales	£146-12-230-10-240-12-300	At present designated "Draughtsman."
FOREST— Assistant Forester	£120-12-240	(i) £144-9-225 (ii) £108-6-132	(i) £146-12-230 (ii) £108-6-138	
JUNIOR— Process Server	£90-4-120	£90-6-102	£90-9-130	

APPENDIX I

NOTE.—Figures in heavy type indicate Efficiency Bar.

Years	BISS PROPOSALS		BOARD'S PROPOSALS	
	Grade	Salary	Grade	Salary
1	C. (£90 by 6 to 132)	90	II. (£90 by 8 to 146 by 12 to 230 by 10 to 240)	90
2		96		98
3		102		106
4		108		114
5		114		122
6	120	130		
7	126	138		
8	132	146		
9	B. (£144 by 9 to 225)	144	158	
10		153	170	
11		162	182	
12		171	194	
13		180	206	
14	189	218		
15	198	230		
16	207	242		
17	216	252		
18	225	264		
19	234	276		
20	A. (£240 by 12 to 300)	240	I. (£252 by 12 to 300)	240
21		252		252
22		264		264
23		276		276
24		288		288
25	Special £318 by 18 to 372 by 18 to 408	300	Special (£318 by 18 to 372 by 18 to 408)	300
26		318		318
27		336		336
28		354		354
29		372		372
30	390	390		
		408		408

APPENDIX II

SCALES OF SALARY FOR NON-CLERICAL POSTS

NOTE.—Figures in heavy type indicate Efficiency Bar.

POST	Present Scale	Biss Proposals	Board's Proposals	Notes	
ADMINISTRATION— Market Master	£102	£106 fixed	£106 fixed		
AGRICULTURE— Mechanic Veterinary Inspector Veterinary Assistant Agricultural Assistant	£136-9-204-15-264 £300-18-420 (i) £300-12-360 (ii) £180-12-300 £180-12-300	£144-9-225 £318-18-408 (i) £318-18-372 (ii) £240-12-300	£146-12-230 £318-18-408 £240-10-240-12-300 £182-12-230-10-240-12-300	(i) £450-15-600 (ii) £318-18-372-18-408 (iii) £182-12-230-10-240-12-300 (iv) £130-8-146-12-182 £146-12-230-10-240-12-300	Women officers: 80 per cent of these scales. At present designations "Traightsman."
EDUCATION— Education Officer	(i) £450-15-500 (ii) £300-18-420 (iii) £180-12-300 (iv) £120-9-180	Clerical Scales			
Sub-daughtsman	£216	Clerical scales			
FOREST— Assistant Forester	£120-12-240	(i) £144-9-225 (ii) £108-6-132	(i) £146-12-230 (ii) £108-8-138		
JUDICIAL— Process Server	£90-4-120	£90-6-132	£90-8-130		

APPENDIX II - (Contd.)
 SCALES OF SALARY FOR NON CLERICAL POSTS
 (The figures in heavy type indicate Efficiency Bar)

Post	Present Scale	Bus. Proposals	Board's Proposals	Notes
PRINTING AND STATIONERY				
Compositor	2,126-6-162-6-162-9-216	2,144-9-189-9-225	2,146-12-230	
Compositor	2,226-6-180-6-180-9-216	2,244-9-189-9-225	2,246-12-230	
Headman, Compositor, Book	2,326-6-180-6-180-9-216	2,344-9-189-9-225	2,346-12-230	
Printer on Compositor's Machine	2,426-6-180-6-180-9-216	2,444-9-189-9-225	2,446-12-230	
Bookbinder	2,526-6-180-6-180-9-216	2,544-9-189-9-225	2,546-12-230	
TELEGRAMS				
Chief Sub-inspector	2,626-6-180-6-180-9-216	2,644-9-189-9-225	2,646-12-230	
Sub-inspector, 1st Grade	2,726-6-180-6-180-9-216	2,744-9-189-9-225	2,746-12-230	
Sub-inspector, 2nd Grade	2,826-6-180-6-180-9-216	2,844-9-189-9-225	2,846-12-230	
Asst. Sub-inspector, 1st Grade	2,926-6-180-6-180-9-216	2,944-9-189-9-225	2,946-12-230	
Asst. Sub-inspector, 2nd Grade	3,026-6-180-6-180-9-216	3,044-9-189-9-225	3,046-12-230	
Storekeeper	3,126-6-180-6-180-9-216	3,144-9-189-9-225	3,146-12-230	
Headman, 2nd Grade	3,226-6-180-6-180-9-216	3,244-9-189-9-225	3,246-12-230	
Headman, 1st Grade	3,326-6-180-6-180-9-216	3,344-9-189-9-225	3,346-12-230	
Line-man, 1st Class	3,426-6-180-6-180-9-216	3,444-9-189-9-225	3,446-12-230	
Sub-draughtsman	3,526-6-180-6-180-9-216	3,544-9-189-9-225	3,546-12-230	
TRAIN				
Chief Sub-inspector	4,026-6-180-6-180-9-216	4,044-9-189-9-225	4,046-12-230	
Sub-inspector, 1st Grade	4,126-6-180-6-180-9-216	4,144-9-189-9-225	4,146-12-230	
Sub-inspector, 2nd Grade	4,226-6-180-6-180-9-216	4,244-9-189-9-225	4,246-12-230	
Asst. Sub-inspector, 1st Grade	4,326-6-180-6-180-9-216	4,344-9-189-9-225	4,346-12-230	
Asst. Sub-inspector, 2nd Grade	4,426-6-180-6-180-9-216	4,444-9-189-9-225	4,446-12-230	
Storekeeper	4,526-6-180-6-180-9-216	4,544-9-189-9-225	4,546-12-230	
Headman, 2nd Grade	4,626-6-180-6-180-9-216	4,644-9-189-9-225	4,646-12-230	
Headman, 1st Grade	4,726-6-180-6-180-9-216	4,744-9-189-9-225	4,746-12-230	
Line-man, 1st Class	4,826-6-180-6-180-9-216	4,844-9-189-9-225	4,846-12-230	
Sub-draughtsman	4,926-6-180-6-180-9-216	4,944-9-189-9-225	4,946-12-230	

At present designated " Draughtsman."

APPENDIX II - (Contd.)
 SCALES OF SALARY FOR NON CLERICAL POSTS
 (The figures in heavy type indicate Efficiency Bar)

Post	Present Scale	Bus. Proposals	Board's Proposals	Notes
PRINTING AND STATIONERY				
Compositor	2,126-6-180-6-180-9-216	2,144-9-189-9-225	2,146-12-230	
Compositor	2,226-6-180-6-180-9-216	2,244-9-189-9-225	2,246-12-230	
Headman, Compositor, Book	2,326-6-180-6-180-9-216	2,344-9-189-9-225	2,346-12-230	
Printer on Compositor's Machine	2,426-6-180-6-180-9-216	2,444-9-189-9-225	2,446-12-230	
Bookbinder	2,526-6-180-6-180-9-216	2,544-9-189-9-225	2,546-12-230	
TELEGRAMS				
Chief Sub-inspector	2,626-6-180-6-180-9-216	2,644-9-189-9-225	2,646-12-230	
Sub-inspector, 1st Grade	2,726-6-180-6-180-9-216	2,744-9-189-9-225	2,746-12-230	
Sub-inspector, 2nd Grade	2,826-6-180-6-180-9-216	2,844-9-189-9-225	2,846-12-230	
Asst. Sub-inspector, 1st Grade	2,926-6-180-6-180-9-216	2,944-9-189-9-225	2,946-12-230	
Asst. Sub-inspector, 2nd Grade	3,026-6-180-6-180-9-216	3,044-9-189-9-225	3,046-12-230	
Storekeeper	3,126-6-180-6-180-9-216	3,144-9-189-9-225	3,146-12-230	
Headman, 2nd Grade	3,226-6-180-6-180-9-216	3,244-9-189-9-225	3,246-12-230	
Headman, 1st Grade	3,326-6-180-6-180-9-216	3,344-9-189-9-225	3,346-12-230	
Line-man, 1st Class	3,426-6-180-6-180-9-216	3,444-9-189-9-225	3,446-12-230	
Sub-draughtsman	3,526-6-180-6-180-9-216	3,544-9-189-9-225	3,546-12-230	
TRAIN				
Chief Sub-inspector	4,026-6-180-6-180-9-216	4,044-9-189-9-225	4,046-12-230	
Sub-inspector, 1st Grade	4,126-6-180-6-180-9-216	4,144-9-189-9-225	4,146-12-230	
Sub-inspector, 2nd Grade	4,226-6-180-6-180-9-216	4,244-9-189-9-225	4,246-12-230	
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Line-man, 1st Class	4,826-6-180-6-180-9-216	4,844-9-189-9-225	4,846-12-230	
Sub-draughtsman	4,926-6-180-6-180-9-216	4,944-9-189-9-225	4,946-12-230	

At present designated " Junior Draughtsman."

APPENDIX III

DRAFT OF

AN ORDINANCE TO ESTABLISH A PROVIDENT FUND FOR MEMBERS OF THE LOCAL ASIAN CIVIL SERVICE OF THE COLONY AND TO PROVIDE FOR CONTRIBUTIONS TO SUCH FUND BY MEMBERS OF THE SAID SERVICE AND BY GOVERNMENT.

Date of commencement
ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows:—

Short title and commencement
1. This Ordinance may be cited as the Asian Civil Service Provident Fund Ordinance, 1934, and shall come into operation upon such date as the Governor may by notice in the Gazette appoint.

2. In this Ordinance, unless the context otherwise requires—

"common service" means a service (common to the Colony and to the Tanganyika Territory or the Uganda Protectorate or to both the Tanganyika Territory and the Uganda Protectorate) part of the cost of which is reimbursed to the Colony by one or both of such dependencies;

Interpretation.
"contributor" means a person who is not prohibited from being a contributor by the provisions of section 5 of this Ordinance, and who holds an office which has been declared by the Governor by notice to be a post in the Local Asian Civil Service of the Colony, or such other post in the Civil Service of the Colony or in a common service as the Governor may by notice direct. All such posts are hereinafter referred to as "the service";

"fund" means the Provident Fund established under this Ordinance;

"interest" shall include compound interest;

"salary" means the substantive salary payable to a contributor, but does not include any allowances or other receipts or emoluments whatsoever.

Establishment of provident fund.
3. (1) From the date of commencement of this Ordinance there shall be established a fund to be known as "the Asian Civil Service Provident Fund", which shall consist of—

- (a) contributions made by contributors;
- (b) amounts payable from general revenue in accordance with the provisions of section 6 of this Ordinance.

(2) All amounts contributed or paid to the fund shall be lodged with the Treasurer to the credit of the fund in a separate deposit account. The Treasurer shall, so far as may be practicable, invest such amounts on account of the Colonial Government in trustee stocks or in securities approved by the Governor in Council.

(3) The Treasurer shall submit to the Governor as soon as possible after the thirty-first day of December in each year a full statement showing the working of the fund and all claims thereon, and containing full particulars of all transactions connected with the working of the fund.

4. Subject to the provisions of section 5 of this Ordinance—

Contributions to fund from contributors.

(1) every male contributor shall, as from the date of commencement of this Ordinance, or in the case of a contributor appointed after that date as from the date of his appointment, make contributions to the fund at the rate of five per centum per annum of his salary;

(2) every female contributor shall, as from the date of commencement of this Ordinance, or in the case of a contributor appointed after that date as from the date of her appointment, make contributions to the fund at the rate of seven and one-half per centum per annum of her salary;

(3) such contributions shall be deducted monthly by the Treasurer from the salary payable to the contributor, and on being so deducted by the Treasurer shall be considered as paid into the fund on the last day of the month for which the salary was due and shall bear interest as from the first day of the month next following;

(4) a contributor shall, except when on leave prior to retirement or to the termination of his services, make contributions to the fund while on leave of absence whether on full salary or on half salary; and while on leave on half salary such contributions shall be made as if the contributor were on leave of absence on full salary. A contributor may elect to contribute in respect of any period of leave of absence without pay, and any such contributions if paid otherwise than by deduction from salary shall

APPENDIX III

DRAFT OF

AN ORDINANCE TO ESTABLISH A PROVIDENT FUND FOR MEMBERS OF THE LOCAL ASIAN CIVIL SERVICE OF THE COLONY AND TO PROVIDE FOR CONTRIBUTIONS TO SUCH FUND BY MEMBERS OF THE SAID SERVICE AND BY GOVERNMENT.

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2. In this Ordinance, unless the context otherwise requires—

"common service" means a service (common to the Colony and to the Tanganyika Territory or the Uganda Protectorate or to both the Tanganyika Territory and the Uganda Protectorate) part of the cost of which is reimbursed to the Colony by one or both of such dependencies;

Interpreta-
tion.
"contributor" means a person who is not prohibited from being a contributor by the provisions of section 5 of this Ordinance, and who holds an office which has been declared by the Governor by notice to be a post in the Local Asian Civil Service of the Colony, or such other post in the Civil Service of the Colony or in a common service as the Governor may by notice direct. All such posts are hereinafter referred to as "the service";

"fund" means the Provident Fund established under this Ordinance;

"interest" shall include compound interest;

"salary" means the substantive salary payable to a contributor, but does not include any allowance or other receipts or emoluments whatsoever.

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3. (1) From the date of commencement of this Ordinance there shall be established a fund to be known as "the Asian Civil Service Provident Fund", which shall consist of—

- (a) contributions made by contributors;
- (b) amounts payable from general revenue in accordance with the provisions of section 6 of this Ordinance.

(2) All amounts contributed or paid to the fund shall be lodged with the Treasurer to the credit of the fund in a separate deposit account. The Treasurer shall, so far as may be practicable, invest such amounts on account of the Colonial Government in trustee stocks or in securities approved by the Governor in Council.

(3) The Treasurer shall submit to the Governor as soon as possible after the thirty-first day of December in each year a full statement showing the working of the fund and all claims thereon, and containing full particulars of all transactions connected with the working of the fund.

4. Subject to the provisions of section 5 of this Ordinance—

Contributions to fund from contributors.

(1) every male contributor shall, as from the date of commencement of this Ordinance, or in the case of a contributor appointed after that date as from the date of his appointment, make contributions to the fund at the rate of five per centum per annum of his salary;

(2) every female contributor shall, as from the date of commencement of this Ordinance, or in the case of a contributor appointed after that date as from the date of her appointment, make contributions to the fund at the rate of seven and one half per centum per annum of her salary;

(3) such contributions shall be deducted monthly by the Treasurer from the salary payable to the contributor and on being so deducted by the Treasurer shall be considered as paid into the fund on the last day of the month for which the salary was due and shall bear interest as from the first day of the month next following;

(4) a contributor shall, except when on leave prior to retirement or to the termination of his services, make contributions to the fund while on leave of absence whether on full salary or on half salary; and while on leave on half salary such contributions shall be made as if the contributor were on leave of absence on full salary. A contributor may elect to contribute in respect of any period of leave of absence without pay and any such contributions if paid otherwise than by deduction from salary shall

bear interest as from the first day of the month next following the month in which such contributions are received into the fund.

Who are not contributors.

5. No contributions to the fund shall be made by any officer—

- (a) who has completed less than twelve months continuous service; or
- (b) who is under the age of seventeen years; or
- (c) who is a learner, or an apprentice, or who is on probation, or who is serving in an appointment which is subject to notice not exceeding one month on either side; or
- + (d) whose age on appointment is forty-five years or over; or,
- (e) who has attained the age of fifty years; or
- + (f) whose salary amounts to less than ninety pounds per annum; or
- (g) who is pensionable under the Non-European Officers' Pensions Ordinance, 1932, or is otherwise eligible for pension under any other law of the Colony; or
- + (h) who is a married woman.

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Contributions to fund from public revenue.

6. From and after the commencement of this Ordinance there shall be paid to the fund from the general revenue of the Colony to the credit of each contributor—

- (a) on the 30th June, and 31st December in each year a contribution in accordance with the scale laid down in the Schedule to this Ordinance;
- (b) in the case of contributors who, prior to the date of commencement of this Ordinance, were in the service and on the said date became contributors without break of service, such sum as would have been paid to the fund from the general revenue in respect of each such contributor under paragraph (a) of this section if this Ordinance had been in force at the date on which such contributors first joined the service;
- (c) on the 31st day of December in each year interest calculated on the amount standing in the fund to the credit of each contributor on the last day of each month during the period of twelve months immediately preceding. Such interest shall be at the rate of not less than three per centum per annum, to be

fixed by order of the Governor in Council for the first year of the operation of this Ordinance within three months from the date of commencement of this Ordinance and thereafter not later than the 31st day of March in each year, and shall on the 31st day of December in each year be added to and become part of the principal;

Provided that such interest shall not be allowed for broken periods of a month;

Provided further that when a contributor's account is closed during the course of any year such interest shall be calculated to the end of the month preceding the date on which the account is so closed.

7. (1) A contributor who retires or resigns from or is removed on grounds other than misconduct from the service shall, on such retirement, resignation, or removal, as the case may be, be paid from the fund a sum equal to the aggregate of the contributions made to the fund from general revenue under section 6 of this Ordinance on his behalf, together with interest thereon;

Rights of contributors against fund.

Provided that a contributor who leaves the service before he has completed four years' continuous service as a contributor, unless he so leaves the service—

- (a) on the abolition of his office;
- (b) on compulsory retirement for the purpose of facilitating improvement in the organization of the Department to which he belongs, by which greater efficiency or economy can be effected;
- (c) on medical evidence to the satisfaction of the Governor that he is incapable by reason of some infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent;
- (d) in the case of a male contributor on attaining the age of fifty years; or
- (e) in the case of a female contributor on attaining the age of forty-five years,

shall have no claim to receive from the fund a greater sum than the aggregate of the contributions made by him, with interest thereon.

(2) A contributor who, having been a contributor to the fund, is subsequently appointed to a pensionable office without break of service, shall be paid from the fund the aggregate

bear interest as from the first day of the month next following the month in which such contributions are received into the fund.

5. No contributions to the fund shall be made by any officer—

- (a) who has completed less than twelve months continuous service; or
- (b) who is under the age of seventeen years; or
- (c) who is a learner, or an apprentice, or who is on probation, or who is serving in an appointment which is subject to notice not exceeding one month on either side; or
- (d) whose age on appointment is forty-five years or over; or
- (e) who has attained the age of fifty years; or
- (f) whose salary amounts to less than ninety pounds per annum; or
- (g) who is pensionable under the Non-European Officers' Pensions Ordinance, 1932, or is otherwise eligible for pension under any other law of the Colony; or
- (h) who is a married woman.

6. From and after the commencement of this Ordinance there shall be paid to the fund from the general revenue of the Colony to the credit of each contributor—

- (a) on the 30th June, and 31st December in each year a contribution in accordance with the scale laid down in the Schedule to this Ordinance;
- (b) in the case of contributors who, prior to the date of commencement of this Ordinance, were in the service and on the said date became contributors without break of service, such sum as would have been paid to the fund from the general revenue in respect of each such contributor under paragraph (a) of this section if this Ordinance had been in force at the date on which such contributors first joined the service;
- (c) on the 31st day of December in each year interest calculated on the amount standing in the fund to the credit of each contributor on the last day of each month during the period of twelve months immediately preceding. Such interest shall be at the rate of not less than three per centum per annum, to be

fixed by order of the Governor in Council for the first year of the operation of this Ordinance within three months from the date of commencement of this Ordinance and thereafter not later than the 31st day of March in each year, and shall on the 31st day of December in each year be added to and become part of the principal;

Provided that such interest shall not be allowed for broken periods of a month;

Provided further that when a contributor's account is closed during the course of any year such interest shall be calculated to the end of the month preceding the date on which the account is so closed.

7. (1) A contributor who retires or resigns from or is removed on grounds other than misconduct from the service shall, on such retirement, resignation, or removal, as the case may be, be paid from the fund a sum equal to the aggregate of the contributions made to the fund from general revenue under section 3 of this Ordinance on his behalf, together with interest thereon;

Rights of contributors against fund

Provided that a contributor who leaves the service before he has completed four years' continuous service as a contributor, unless he so leaves the service—

- (a) on the abolition of his office;
- (b) on compulsory retirement for the purpose of facilitating improvement in the organization of the Department to which he belongs, by which greater efficiency or economy can be effected;
- (c) on medical evidence to the satisfaction of the Governor that he is incapable by reason of some infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent;
- (d) in the case of a male contributor on attaining the age of fifty years; or
- (e) in the case of a female contributor on attaining the age of forty-five years.

shall have no claim to receive from the fund a greater sum than the aggregate of the contributions made by him, with interest thereon.

(2) A contributor who, having been a contributor to the fund, is subsequently appointed to a pensionable office without break of service, shall be paid from the fund the aggregate

amount of the contributions made by him to the fund with interest thereon but shall not receive any part of the contributions made from general revenue on his behalf or interest thereon. The amount of such contributions from general revenue, with interest thereon, shall be repaid to general revenue.

(3) A female contributor who marries while in the service shall on such marriage be paid from the fund a sum equal to the aggregate of the contributions which she has made to the fund together with interest thereon, and shall in addition be entitled to any contributions made to the fund from general revenue under section 6 of this Ordinance on her behalf, together with interest thereon, provided that a female contributor who marries while in the service before she has completed four years' continuous service as a contributor shall on such marriage be paid from the fund a sum equal to the aggregate of the contributions which she has made to the fund, together with interest thereon, and shall in addition be entitled to any contributions made to the fund from general revenue under section 6 of this Ordinance on her behalf together with interest thereon. A female contributor shall cease to be a contributor to the fund with effect from the end of the month immediately preceding her marriage.

(4) On the death of a contributor there shall be paid from the fund to his legal personal representative a sum equal to the aggregate contributions made to the fund by the contributor, together with interest thereon, together with any contributions made from general revenue under section 6 of this Ordinance on his behalf together with interest thereon.

Provided that the Treasurer may make advance not exceeding thirty pounds in any one case to meet the expenses of the funeral of the deceased, or to give immediate relief to the widow or children or other dependants of the deceased, if in the opinion of the Treasurer such relief is required; and any such payment made by the Treasurer shall be valid and effectual against any demand made upon the Treasurer or the Government by any other person in connexion with such payment.

- (5) On the death of a contributor, or
 (6) on the termination of the service of a contributor, whether by retirement, transfer to the public service of another dependency or otherwise, or
 (7) on the marriage of a female contributor

his account shall be credited with interest up to the end of the month previous to the date of such death, termination, retirement, transfer, or marriage, and a notice stating the amount standing to the credit of the contributor shall be given to the person entitled to receive payment or to the contributor, as the case may be.

8. If a contributor is dismissed from the service for misconduct or if he shall leave the service otherwise than in accordance with the regulations for the time being in force governing his appointment in the service, the Governor may withhold all or any part of the contributions made to the fund from general revenue or the interest thereon.

9. Any sums due to Government by a contributor

- (a) on his death, or
 (b) on the termination of his services, whether by retirement, transfer to the public service of another dependency or otherwise, or
 (c) on the appointment of the contributor to a pensionable office,

may be deducted from the amount then standing to his credit in the fund.

10. In addition to any payment from the fund to which a contributor may have a claim under the foregoing provisions of this Ordinance it shall be lawful for the Governor in Council to grant from the public revenues of the Colony to a contributor who retires from continuous satisfactory service of not less than fifteen years a gratuity not exceeding the amount of one week's salary, based on the salary drawn at the date of retirement for each completed year of service.

Provided that if a contributor is retired in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organization of the Department to which he belongs, a gratuity may be granted after continuous satisfactory service of not less than seven years.

11. No moneys while in the fund and no rights acquired by a contributor under this Ordinance shall, while such contributor is in the service, be assignable or transferable or liable to be attached, sequestered, or levied upon or in respect of any debt or claim whatsoever other than a debt due to the Government of the Colony.

12. The Governor in Council may make regulations for the management of the fund and generally for carrying into effect the provisions of this Ordinance.

Dismissal of contributor.

Sums due to Government.

Gratuities to contributors.

Payment from fund not assignable.

Power to make regulations.

amount of the contributions made by him to the fund with interest thereon but shall not receive any part of the contributions made from general revenue on his behalf or interest thereon. The amount of such contributions from general revenue, with interest thereon, shall be repaid to general revenue.

(3) A female contributor who marries while in the service shall on such marriage be paid from the fund a sum equal to the aggregate of the contributions which she has made to the fund together with interest thereon, and shall in addition be entitled to any contributions made to the fund from general revenue under section 6 of this Ordinance on her behalf, together with interest thereon, provided that a female contributor who marries while in the service before she has completed four years' continuous service as a contributor shall on such marriage be paid from the fund a sum equal to the aggregate of the contributions which she has made to the fund, together with interest thereon, and shall in addition be entitled to any contributions made to the fund from general revenue under section 6 of this Ordinance on her behalf together with interest thereon. A female contributor shall cease to be a contributor to the fund with effect from the end of the month immediately preceding her marriage.

(4) On the death of a contributor there shall be paid from the fund to his legal personal representative a sum equal to the aggregate of the contributions made to the fund by the contributor with interest thereon, together with any contributions made to the fund from general revenue under section 6 of this Ordinance on his behalf together with interest thereon.

(5) The Treasurer may make advance not exceeding the period of any increase to meet the expenses of the funeral of any deceased contributor, or to give immediate relief to the widow or other dependants of the deceased, if the consent of the Treasurer (such relief is required); and any such advance made by the Treasurer shall be valid and enforceable against the fund and upon the Treasurer or the Government, as the case may be, in connection with such advance.

(6) On the death of a contributor or

on the cessation of the service of a contributor, whether by appointment, transfer to the public service, or otherwise, or on the marriage of a female contributor,

his account shall be credited with interest up to the end of the month previous to the date of such death, termination, retirement, transfer, or marriage, and a notice stating the amount standing to the credit of the contributor shall be given to the person entitled to receive payment or to the contributor, as the case may be.

8. If a contributor is dismissed from the service for misconduct or if he shall leave the service otherwise than in accordance with the regulations for the time being in force governing his appointment in the service, the Governor may withhold all or any part of the contributions made to the fund from general revenue or the interest thereon.

Dismissal of contributor

9. Any sums due to Government by a contributor on his death, or

Sums due to Government

(a) on the termination of his services, whether by retirement, transfer to the public service, or otherwise, or

(b) on the appointment of the contributor to a pensionable office,

may be deducted from the amount then standing to his credit in the fund.

10. In addition to any payment from the fund to which a contributor may have a claim under the foregoing provisions of this Ordinance it shall be lawful for the Governor to grant from the public revenues of the Colony to a contributor who retires from continuous salaried service of not less than fifteen years a gratuity not exceeding the amount of one week's salary based on the salary drawn at the date of retirement for each completed year of service.

Provided that if a contributor is retired in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organization of the Department to which he belongs, a gratuity may be granted after continuous satisfactory service of not less than seven years.

11. No moneys while in the fund and no rights acquired by a contributor under this Ordinance shall, while such contributor is in the service, be assignable or transferable or liable to be attached, sequestered, or levied upon, or in respect of any debt or claim whatsoever other than a debt due to the Government of the Colony.

Assignability of fund not assignable

12. The Governor in Council may make regulations for the management of the fund and generally for carrying into effect the provisions of this Ordinance.

SCHEDULE.

CONTRIBUTIONS TO BE MADE FROM GENERAL REVENUE ON
THE 30TH DAY OF JUNE AND THE 31ST DAY OF DECEMBER
IN EACH YEAR.*(Section 6 (a) of the Ordinance.)*

MALE CONTRIBUTORS.

- A.—In respect of continuous service up to and including the tenth year: A sum equal to the aggregate of the contributions made by the contributor to the fund during the period of six months immediately preceding the date of payment.
- B.—In respect of continuous service after the tenth year of service and up to and including the twentieth year: A sum equal to 150 per centum of the aggregate of the contributions made by the contributor of the fund during the period of six months immediately preceding the date of payment.
- C.—In respect of continuous service after the twentieth year: A sum equal to twice the aggregate contributions made by the contributor to the fund during the period of six months immediately preceding the date of payment.

Provided in cases B and C that, if the length of continuous service of a contributor reaches ten or twenty years, as the case may be, during the course of the period of six months immediately preceding the date of the next payment, the higher rate of contribution to be made from general revenue shall apply only to contributions made by the contributor in respect of service subsequent to the completion of ten or twenty years' continuous service, as the case may be.

FEMALE CONTRIBUTORS.

An amount equal to the aggregate of the contributions made by the contributor to the fund during the period of six months immediately preceding the date of payment.

SCHEDULE.

CONTRIBUTIONS TO BE MADE FROM GENERAL REVENUE ON
THE 30TH DAY OF JUNE AND THE 31ST DAY OF DECEMBER
IN EACH YEAR.*(Section 6 (a) of the Ordinance.)*

MALE CONTRIBUTORS.

- A.—In respect of continuous service up to and including the tenth year: A sum equal to the aggregate of the contributions made by the contributor to the fund during the period of six months immediately preceding the date of payment.
- B.—In respect of continuous service after the tenth year of service and up to and including the twentieth year: A sum equal to 150 per centum of the aggregate of the contributions made by the contributor of the fund during the period of six months immediately preceding the date of payment.
- C.—In respect of continuous service after the twentieth year: A sum equal to twice the aggregate contributions made by the contributor to the fund during the period of six months immediately preceding the date of payment.

Provided in cases B and C that, if the length of continuous service of a contributor reaches ten or twenty years, as the case may be, during the course of the period of six months immediately preceding the date of the next payment, the higher rate of contribution to be made from general revenue shall apply only to contributions made by the contributor in respect of service subsequent to the completion of ten or twenty years' continuous service, as the case may be.

FEMALE CONTRIBUTORS.

An amount equal to the aggregate of the contributions made by the contributor to the fund during the period of six months immediately preceding the date of payment.

Report of the Civil Service Board on Proposed
Terms and Conditions for an Asian Local Civil
Service.

Precis of the Kenya Asian Civil Service
Association's comments thereon.

I.

General

The Association is unable to agree in principle to any discrimination in the terms and conditions, apart from salary scales, as between the European and Asian staffs, applicable to a Local Civil Service which is designed for locally born youths.

II.

Term of Reference No.1.

The Association disagrees with the Board's recommendation to the effect that certain posts, which were suggested for inclusion in the Local Civil Service by the Biss Report, should be deleted therefrom on the grounds that, in some cases, they are unsuitable for inclusion in a Civil Service Scheme and, in others, the holders of the posts should be paid at market rates.

III.

Term of Reference No.2 (Salary Scales).Learners.

The Association considers that the salary scale proposed for Grade II is too low and proposes that both the grades should be merged into one at £48-12-£90.

The Association recommends that learners should be started at any point in the scale and that on passing the Confirmation Examination they should be granted promotion to the Clerical Grade, and that in any event they should not remain as learners for more than 3 years.

It also considers that double increments should be granted in deserving cases.

Clerical Grades.

The Association disagrees with the Board's recommendations and recommends, in place of Grade I and Grade II, that there should be one long grade from £102 to £345 per annum with efficiency bar points at £138 and £240. Above this it recommends that there should be a Special Grade £360-20-£420 and above this a grade of Special Posts at £440-20-£480. These two categories combined to be 10% of the total establishment.

Non-Clerical Grades.

The Association recommends that the proposed scale of salaries should be improved by the addition of 15%.

Teachers in the Education Department.

The Association considers that the (v) grade proposed by the Board on a scale of £90-8-£122 is unattractive and recommends its deletion.

The Association dissents from the Board's proposals that the salaries of women teachers should be 80% of the scales proposed for male officers in that equal responsibility attaches to the duties of these two classes

of teachers.

IV.

Term of Reference No. 3 (Conditions of Transfer for Serving Officers.)

The Association asks:-

- (a) that the terms of Paragraph 8 (3) shall not apply to "probationers and to those officers who have been confirmed in non-pensionable posts" and
- (b) that all members of the non-clerical permanent staff who were in the Service prior to the 1st April, 1932, should be given pensionable status.

In regard to (a), where officers are serving on probation in pensionable posts on terms which promised pension, these promises will be honoured and no question of compulsory transfer to the new Service is contemplated, vide Secretariat Circular No. 23 of 1932.

Confirmation in a non-pensionable post does not confer pensionable status on the holder and in consequence officers who are serving on probation in non-pensionable posts at the time of the promulgation of the new terms will be compulsorily transferred to the new Service if they have completed less than 8 years' service on the 1st January, 1933. The Treasurer considers, however, that officers who have been confirmed in non-pensionable posts should be given the option of remaining on their present non-pensionable terms or of coming under the new terms of service and this point requires a decision. This would not imply the grant of pensionable status at any time.

In regard to (b), to grant the Association's request would mean conferring pensionable status on a large number of individuals who are serving in posts which have hitherto not been accorded pensionable status

Consolidation Allowance.

The Association considers that the consolidation allowance of £21 per annum is inadequate for those officers who have hitherto been drawing a higher rate of allowance and recommends that "they may be allowed to continue to draw the same allowance as is now granted to them".

V.

Term of Reference No. 4.

Local Leave.

The Association considers that this should be increased to 18 days per annum on the analogy of European staff.

Vacation Leave.

The Association proposes the grant of leave at the rate of 2 1/2 days a month to which may be added the last local leave due. Also that 5 months' service in a station classed as unhealthy may be regarded as 6 months' service in a healthy station.

Passages.

*secretarial
minutes*

45

Passages.

The Association recommends that for each year of residential service an officer may be considered to have earned 20% of the cost of a return passage as against 16.2/3% recommended by the Board. Family Passage Allowance would thus be granted once in 5 years to married officers.

The Association disagrees with the fixation of the age of 25 at which a married officer should become eligible for the family passage allowance and recommends 22.

Quarters.

The Association agrees with the Board's recommendation, subject to the proviso that the points on the scale of salary at which the different rates of rental will be charged should be varied in accordance with the scale proposed by them in Paragraph III above. These points would then be £228, £345 and over £345 for contributions at the rate of 5%, 7½% and 10% respectively.

Acting Allowance.

The Association considers that when an officer acts in a Special Grade, Special Post or any other higher post carrying higher responsibilities he should draw Acting Allowance.

VI. Contributions to Provident Fund (Appendix III of the Report.)

The Association considers that the rate of contribution at the rate of 5% together with that of Government is inadequate and recommends that the rate be increased to 7½% as in the case of female contributors.

VII.

Gratuity. The Association considers that the rate of gratuity payable should be that paid by the Kenya and Uganda Railways and Harbours Administration viz. half a month's salary for each completed year of service after 15 years' service. (Note: In this connection attention is invited to Section 14 of the Second Interim Report of the Civil Service Board which reads as follows:-

"We have examined the question of the need for superimposing a gratuity based on the lines of the Railway Provident Fund, i.e. after 15 years' satisfactory service a gratuity of half a month's salary for every year of service, or on the lines of the present Government regulations, i.e. one week's salary for each year of service, subject to the minimum qualifying period laid down in the European Officers' Pension (Consolidation) Regulations, Regulation 15, viz. on retrenchment after not less than seven years or on retirement in any of the cases set out in section 7 of the Ordinance after fifteen years, and we have come to the unanimous conclusion that a gratuity should be granted, based on the present Government Regulations applicable to non-pensionable appointments").

Generally all the points raised by the Association have been fully considered by the Civil Service Board.

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EXECUTIVE COUNCIL.

(513)

Reference SL 7/2/1/2/2.

Subject. Asian Civil Service Report.

MINUTE.

Council endorsed the Report of the Civil Service Board on Proposed Terms and Conditions for an Asian Local Civil Service, subject to the qualification that the period of local leave should be increased from 14 to 18 days.

Council further advised :-

- (a) That an Administrative instruction should issue to departments to the effect that Asian learners should not be kept indefinitely on the learner grade;
- (b) That the Report should be laid on the table of Legislative Council, and that the Colonial Secretary should move its adoption subject to the amendment indicated above;
- (c) That the Asian Civil Service Provident Fund Bill, 1954, be published with a view to its introduction into Legislative Council;
- (d) That the question of the desirability of amending the European Civil Service Provident Fund Bill, 1954, to provide for the payment of a gratuity for officers with less than 15 years' service, be considered.

H. R. CONCURRED AND ORDERED
ACCORDINGLY.

The Postmaster General and Mr. R.C.H. Wood
were present during the discussion.

Int'd. A. de V. H.

EXECUTIVE COUNCIL.

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