

1924

KENYA

C. O.  
49074

17 OCT 24

140

DATE

5th September 1924.

GVERNOR CORYDON, 1208

CIRCULATION

*African*  
AGRICULTURAL CIVIL SERVICE.

Read comments on points raised by G.O. in despatch of 24 April.

Dist. U.S. of S.

Dist. U.S. of S.

Dist. U.S. of S.

Secretary of State.

Previous Paper

MINUTES

31803

This despatch makes very much more than almost inevitable that any Govt. which created a small class of deserving employees in the way the Kenya Govt. has treated its African graded clerks. It is necessary to consider the despatch paragraph by paragraph.

Para 2. This admits the African makes main contention. Prior to Sir Alfred Tomblin's was some recommendations there were no racial distinctions in the Kenya non-European staff: African and Asian worked side by side, and the capable African had the same pay, pension etc. rights as the Asian in the same grade of the service.

Para 3. Sir Alfred Tomblin recommended

Subsequent Paper

I think we ~~must~~ should reply on these lines  
 saying that if ~~the~~ it is necessary to take a  
 vote for the arrears a full explanation  
 should be made of why the Govt. is in  
 arrears bound to ~~the~~ <sup>the</sup> members  
 of the non-Indigenous staff the same treated  
 as Arrears members of that staff.

2/12

... I can only  
 ... that it should be  
 ... The account of  
 ... the Govt's money  
 ... to be paid.  
 ... the Govt. ...  
 ... the Govt. ...  
 ... the Govt. ...  
 ... the Govt. ...

... that in the ...  
 ... between ... & ...  
 ... on the question of ...  
 ... I should be  
 ... there were no  
 ... in the ...  
 ...

I agree except that the ...

LONDON

Being domiciled in Africa they are not  
entitled to the same amount of  
leave as Indians, & should not  
receive any concession that would  
give them more actual leave (voyages  
being excluded) than the Indians,  
& should not have any compensation  
in respect of lost leave.

23.1.25. G.P.

W2 20/1/25

I agree. In reply quote the Sultan  
case here, & deal with Sir J. Girdler's  
point. Obviously the leave pay & conditions  
for Africans & Asians must be different.  
Draft for comment I should like to see it  
at once

W2 27.1.25

the African grade 1st were granted lower bonuses than Asiatic automatically placed them junior to Asiatics who had previously been their juniors.

5. Although I realize that this arrangement operated harshly in the case of African clerks who were in the service when the readjustment of salaries was carried out, I think the principle introduced by Sir Alfred Lascelles is sound and it is regrettable that this distinction between Government servants locally recruited and overseas appointees, was not made clear in the title Secretariat Circular No. 49 of the 17th August, 1920. The designation 'Non European' in the circumstances is ambiguous and it is a fact that difficulty has been experienced in adjusting the letter of this Circular to the spirit of the recommendations which it is reported to implement, and it was found necessary in practice to modify the terms of paragraph 4 of that Circular which does not apply to Africans.

6. With regard to paragraph 4 of your despatch under reply African clerks in the Non-European Civil Service are certainly entitled to the privileges of that service. No sort of compulsion should be put on these clerks to transfer to the proposed Native Civil Service. It should be mentioned in passing that all Asiatics who were graded in the Non European Staff were regraded in accordance with the provisions of Secretariat Circular No. 55 of 31st August, 1920, to the Native Staff. Non-European Staff now consists of those Africans who could not be so treated. Their privileges are not identical with those formerly enjoyed by Asiatics in the Non-European Service owing

to

no Circular so limiting the privileges of the  
Non European Staff in the case of those 147  
domiciled in the Colony was issued, the grounds  
for refusing such privileges when applied for  
have invariably been explained to the applicants.

I have the honour to be,

SIR,

Your most obedient, humble servant,

R. J. Gordon

GOVERNOR.

That paragraphs 4 and 5 (c) of  
 the Circular do not apply to those  
 members of the Non-European staff  
 who are of African descent. I am

doubtful whether it would have been

proper to issue a further

circular stating that from its

date paragraphs 4 and 5 (c) of

Circular No. 48 were not to

apply to Africans, but, as it is

admitted that no further circular

was issued, Circular No. 48 may

be held to embody the conditions

of service for all employees who

DRAFT.

MINUTE.

Mr.

Mr.

Mr.

Mr. C. G. G. G.

Sir G. Davis.

Sir G. Orindle.

Sir J. Masterton Smith.

Mr. Agnola.

Mr. Thomas.

18. Statement, if the circumstances warrant it, that the Applicant "has discharged his duties with diligence and fidelity, to the satisfaction of the Head Officer or Officers of his Department," to be signed by any two of such Head Officers, if there shall be more than one, or by each Head Officer, if there shall be but one, together with "such a statement as will exhibit the merit, and value, and labour of the services of the Person recommended, embracing as long a period of his public service as can be authentically stated" and observations as to Special Services, Suspension, Reprimand, &c., with full particulars of any injuries received on duty, or other claims or matters for consideration.

To certify that Yunusu Musangwira discharged his service with diligence and fidelity whilst he was in the service of this Department, during a period of 24 years.

General Post Office,  
Nairobi,  
24th August, 1924.

ASST. POSTMASTER  
GRATUITY

19. Computation, by the Treasurer, of the Pension, &c.—

I certify that the GRATUITY which is payable to the Applicant according to the Rules of the Colonial Service, amounts to sixty-four Shillings (Sh. 64.)

and I base my Certificate on the following calculation:—

Date of 1st Appointment - 1st January 1900.

Date of Retirement. - 30th May 1924.

	Years.	Months.	Days.
Actual service.	24	4	29
Total.	24	4	29

Service for Gratuity purposes - 24 years.

Average Salary. - Sh. 231.94 a year.

Gratuity earned under Section IV of the superannuation Act. 1837 viz. one year's salary.

Sh. 231.94

*[Signature]*  
For Treasurer,

THE TREASURY,

NAIROBI.

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The Colony and Protectorate of Kenya.

Instructions.

INSTRUCTIONS REFERRED TO GENERAL

is proposed to ... by ... recommendation ... of this ... by ...

of Applicant: ... of Situation: ... of this ...

years and Months: 24 years, 4 months and 29 days ... of Wages: ...

Amount of Salary or Wages and ... which ... is claimed ... of retirement: ...

of the ... Allowances in the calculation ...

Whenever the ... of ...

Fees which an officer is allowed to retain for his own use will ... preceding the ... of the accuracy of such statements ...

HEAD 8.—In cases of infirmity, if the applicant is below the ordinary age for retirement, it is to be furnished showing that he is incapacitated by infirmity of mind or body for discharge of his duties, and that such infirmity is likely to be permanent.

In case of ten years' service or more, this certificate should be signed by ... whom at least one should, if possible, be a Salaried Officer of the Government.

HEAD 9.—As to "broken" service see HEAD 5.

If the applicant has had any "acting" service, the details must be fully given, with a statement whether or not, during the "acting" service, he was connected with the permanent Civil Service of the Colony.

HEAD 11.—If, in special circumstances, a professional Civil Officer has been allowed to have "private practice" without forfeiting his claim to Pension, the facts are to be fully stated.

HEAD 14.—If the Applicant is liable to any deduction from his service under Clause 102 of the Colonial Regulations, the facts should be fully stated.

HEAD 19.—The length of service and other particulars of the computation are to be given. When an average of Salary, &c., is taken, the mode of calculating it (whether by months, &c.) is to be explained.



limiting liability to the

amount of one year's salary  
applied in the head of Treasury, which  
does not allow of more

than the average being given

in a case is, which an officer,

had he been pensionable,

<sup>been</sup>  
would have averaged

According to this

ruling the amount of

liability payable in this

case is \$231/94

and approx the amount of a

liability of that amount.

(Signed) J. H. THOMAS

KENYA



GOVERNMENT HOUSE,  
NAIROBI.

No. 1211.

KENYA 160

8th. September, 1924.

43078  
1 JUL 24

Sir,

With reference to Colonial Office despatch No. 639 of the 20th. June, 1924, regarding the pensionable service of Mr. A. da Silva, Special Grade Clerk, Treasury, I have the honour to state that I concur in the recommendation of the Governor, Nyeri.

Your most obedient servant,

G O V E R N O R .

RIGHT HONOURABLE

J. H. THOMAS, P.C., M.P.

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET - LONDON, S. W.

Assistant Chief of Kenya Staff

is intended to assist for  
pursuing purposes, that the

period 1<sup>st</sup> of April 1905

to the 12<sup>th</sup> of May 1905

shall be treated as leave

without pay in order to

preserve continuity of service.

2. The Chief of Kenya

who has been consulted,

has expressed his

concurrence in the proposal.

Richard J. H. THOMAS