

1931.

Kenya

No. 17391.

SUBJECT

C 0533/417

Accounting Arrangements,

Military, Police & Forest Departments.

Previous

10525/27.

Subsequent

See 18138/32.

DECODE

RECEIVED
3-DECEMBER
COL OFFICE

803242
8/17

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

Dated 1st December, 1931.

(Received Colonial Office 8.28 a.m. 3rd December, 1931)

No. 366.

Following from Asian Civil Service Association Begins. Staff painfully disappointed to learn local Government does not propose to grant retrenched Asian Officials proportionate pension for less than 7 years service and other concessions made during 1922/23 retrenchment under Secretariat Circular 58 of 1922. It is respectfully submitted that the plight of these officials who accepted Government service as a career relying on its permanency is most pitiable and merits more generous treatment. Six months notice not much helpful owing world wide unprecedented unemployment situation Ordinance 11 of 1927 grants confined European officers pension on retrenchment irrespective of service and besides embodying climatic allowance also provides for pension on monthly basis. We understand latter concession applies to Asian staff in Zanzibar. My Association respectfully appeals for sympathetic consideration of question of expediting the enactment of pension legislation for Asians and of granting to retrenched officials the other concessions prayed for. Would be most grateful if decision cabled. Our Association prepared pay cost. Ends.

Copy of Dec
below
and No 374

89121
RECEIVED
2-DEC-1931
GOL OFFICE

DECODE

803742

27

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

Dated 1 December, 1931. Received 3.48 p.m. 2 December, 1931.

N. 1.

No. 367. Confidential, by telegram No. 300. Asian pensions.

I am unable to agree that necessity exists for grant of pensions on retrenchment to Asians holding permanent and pensionable posts who have not completed qualifying period of 5 years and such officers are being treated in accordance with the provisions of section 102 Code of Regulations. Other non-pensionable staff have been treated in accordance with section 105. In this connection see correspondence terminating with my despatch of the 21st November Confidential No. 172. Paragraph 5 of my despatch of the 13th October Transport No. 109 shows Government practice of paying gratuities to retrenched pensionable clerks of five years service and I strongly urge that existing Regulations in this regard should not be altered.

24th October

No 3 in 7143/31C.

Trans. 112 Enq 279

CC
V. R. 2/12/1931

Original on 80082/31 Gen

56

SECRET.

No. 172.

CONFIDENTIAL.

21 DEC

20th November, 1931.

Sir,

I have the honour to acknowledge the receipt of Mr. Thomas' Confidential despatch of the 17th October, 1931, on the subject of the enactment of pension legislation for Asian Officers.

2. I am confident an attempt to introduce legislation of this nature at the forthcoming session would seriously embarrass Government and I welcome the suggestion that further consideration should be postponed for not more than six months.

3. You will have observed that in paragraph 27 of the Report of the Terms of Service Committee enclosed in my despatch No. 514 of the 25th October, 1931, a reference is made to an inquiry into a Local Service for Asiatic Civil servants.

4. Copies of this despatch are being sent to the neighbouring Governments.

I have the honour to be,

Sir,

Your most obedient, humble servant,

J. BYRNE.

BRIGADIER-GENERAL,
GOVERNOR.

THE RIGHT HONOURABLE MAJOR SIR PHILIP CURLIFFE-LINEN,
P.C., G.B.E., M.C., A.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET,
LONDON, S.W.1.

A2
17/11/31
Ken

Telegram from Governor Kenya to the Secretary of State for the Colonies

Dated 2nd May Received 11.59.a.m. 2nd May 1932

No. 74 Confidential. Following from Kenya Asian Civil Service Association begins. Most grateful for early reply to our telegram of November question of pensions to retrenched confirmed Asian officials less than 10 years service. Officials retrenched these being given pension by neighbouring Governments but not Kenya. Afraid that date of introduction of pension Ordinance may not cover these cases. Recoverable ends.

I am addressing you on general question in reply to your despatch of 24th November Confidential by next air mail.

No 27
8009 M/S
K.L.C.

24/3

REL TO GEN. 379 CONF - 24th December

50 UNDER STATUTE

[Handwritten signature]

Case No. reminder of 7/4/32
to be made, on 18086/32
No 2

S: for Kenya — Rel. 74 Conf — 7/32

Repeat message from Kenya Airline Civil
Service asking for an early reply to No 1.
The former replying on the general
question raised in 18086/32, by next
air mail.

Please see 4 and in C. Botkin's
SO. reminder at 2 L 18086/32.

? The former's promised despatch
may be awaited

H. P. Mischner
4/5/32

[Handwritten initials]
w/s etc.

How see 18165/32

this is a correct statement of
the facts.

6. See also no. 20 in
para. 3 of no. 27 or 80082/31.

7. I think that before
we can consider whether the
reduced Asiatic staff have
any real grievances. We must
obtain more definite information.

1. Therefore suggest to Mr. [?]
asking to be informed of the
redeployment terms given to

1. Pensionable staff who have
not completed 10 years service
2. Non-pensionable staff in
permanent establishment who
(a) have 2 (b) have not, served
for 7 or more years.

I am not clear whether it is
necessary to differentiate between
clerical & non-clerical staff?

8. I do not understand the

reference to Libor in no. 1. There are
certainly no papers reg^d geography
regarding any such concession.

9. I think this paper might
more conveniently have been reg^d
General since the question which
it raises is mainly a General
one.

J. Allen
24.12.31.

The questions raised in
Nos. 1 & 2 have really
been covered by para. 4
of No. 27 or 80082/31 of
General.

should be included to refer
to the Gen. asking for a
further expression of views
after he has had an
opportunity of considering
that despatch.

C. J. [?]
24.12.31.

I should like Mr. [?]
to decide acts (9)
above

J. Allen
24/12
above

Seen by
Mr. [?] who
thinks
it had better
remain "geographical"
S.F.D.

(N.B.)
the question
had been done into
before reg^d (at all)

*
i.e. gratuity, length
of notice & leave.

be given a gratuity not exceeding
£1 or 1 week's pay (whichever
is the greater) for each completed
year of service subject to a
limit of 1 year's pay including
Leave allowance.

4. (e) (f) & (g) of the
amendment to no. 3 on 17/4/31
purport to show the terms on
which Colony Asian servants
have been entrenched. These
terms are:

(e) Asians confirmed &
admitted to permanent & pensionable
establishment - 6 months' notice
to run concurrently with any
leave earned & to include
voyage period to India (if
eligible for voyage).

(f) Asians serving on probation
on permanent establishment
not confirmed or made pensionable
1 month's notice & any leave
earned on full pay.

(g) Asian clerks on temporary ³
basis — one month's notice.

5. I gather then that:-

(i) ~~Non~~ Pensionable Asians who have not

completed 10 years service yet

(a) gratuity ^{not exceeding} £1 or 1 month's pay for
each year's service - as in para 4 above.

(b) 6 months' notice with full
pay - as in 4 (e) above.

(ii) Non-pensionable Asians who have
served for 7 years or more yet

(a) gratuity of £1 or 1 week's
pay for each year of service - as in
para 3 above.

(b) 1 month's notice & any leave
earned on full pay.

(iii) Non-pensionable Asians who have

not served for 7 years or more yet

(a) no gratuity.

(b) 1 month's notice & any leave
earned on full pay.

I am however far from certain that

Submits representations from the Asian Civil Service Assocn regarding claims for proportionate pensions for retrenched Asian Officials of less than 7 years service, and for other concessions made during 1922/23 retrenchments.

2 Gov. Kenya

Tel. 367. Conf. 2.12.1931

Cannot agree that necessity exists for grant of pensions on retrenchment to Asians who have not completed the qualifying period of 10 years.

3 Gov. Kenya

172 Conf.

20th Nov. 1931

(Copy of despatch registered on /31 General.)

1. This has been held up till all the papers were available. The delay is regrettable but was really unavoidable. The papers are very confusing so it is difficult to get a clear appreciation of the position.

2. Local Regt. 802 says that an officer on the permanent staff who is compelled to retire before completing 10 years' service... may be granted a gratuity not exceeding 1 month's pay for each year of service.

3. Local Regt. 805 says that an officer on the non-permanent staff who is retrenched after serving for not less than three years may

Senior
for reasons
including
retrenchment