

18292

1932

18292

KENYA

✓ C0533/426

1

COMPASSIONATE GRANULITES.

Previous

17276/31

Subsequent

297	26/9
Mr. Friedman	27/11
Mr. Hunter	27/11
Mr. [unclear]	27/11
Mr. [unclear]	27/11
311	27/11
297	4/10
Mr. [unclear]	10/11
311	2/10
297	10/10
Paul [unclear]	12/10
297	

1. A.H. Cr. Transport. 124.....23. d Aug. 32.

Reports death of D.G. Fernandes and states that reptns. have been recd. from his mother for compensation. Has paid her a gratuity of Shs.400/-, and for reasons given, recmds. a tur. award of £100 as compensation.

? approve

M. P. Mishra
27/8/32

The proposal is not unreasonable
S. A. S. M. 27/8/32

M. Lloyd
27/9

Mr. Parker may care to see (later) the
reference to Workmen's Compensation (pension)

Seen.
J. J. P. 19/8.

A. B. P. 27/8/32

2 To H.C.T. 142. (Answered) 8 OCT 1932

Mr. Parker
to see
Presdly [unclear] [unclear]

19292/15 Kenya

Handwritten initials/signature

C. O.

Mr. *Proby* 29/9/32
Mr. *Leamy* 29/9/32
Mr. *[Signature]*

C. O.
R 29 SEP
D 30

Mr. Parkinson.
Mr. Tomlinson.
Mr C. Bottomley.
Sir J Shuckburgh.
Permd. U.S. of S.
Parly. U.S. of S.
Secretary of State.

3 October 1932.

Si,

DRAFT.

(No. 1)

Transpare.
Kenya-Uganda.
No. 1472
H. S.

I have the pleasure
ack. the receipt
of your despatch
No. 124 of the
28th August, reporting
the death of Mr.
D. G. Fernandez,
Asst. Steward, *Slave II*,
who had engaged in
his official duties,
and to inform
you that I approve

The payment to
his dependants
dependants of an
ex-gratia award
of £100 in addition
to the gratuity of
£20 already paid
to them in accordance
with the War
Servants' Gratuity
Regulations.

I have etc.

(Sgd.) P. CUNLIFFE-LISTER.

the payment to
Mrs. Fernandez
dependants of an
ex-gratia award
of £100, in addition
to the gratuity of
£20 already paid
to them in accordance
with the Home
Servants' Statutory
Regulations.

I have &c.

(Sgd.) P. CUNLIFFE-LISTER.



14

HIGH COMMISSIONER
FOR TRANSPORT.

OFFICE OF THE HIGH COMMISSIONER FOR TRANSPORT,
GOVERNMENT HOUSE,
NAIROBI,
KENYA.

No. 124

RECEIVED
26 SEP 1932
COL. OFFICE

23rd August 1932.

Sir,

I have the honour to inform you with regret that Mr D.G. Fernandes, Assistant Steward, Class III, in this Administration, was killed on duty at Kiu Station by falling underneath the wheels of a coach on the mail train on the 10th June 1932. From the evidence given before the Court of Enquiry, it appears that Mr Fernandes, in an excess of zeal in the carrying out of his duties, slipped under the wheels and was killed instantaneously.

6889
3
142
1932

2. Representations have been received from the mother of the deceased Mr Fernandes appealing for compensation in respect of the loss of her son, whom she states was her sole support. Under provision of the Asian Servants' Gratuity Regulations, Mrs Fernandes can be paid a gratuity equivalent to one month's salary for each completed year of service, and a gratuity in accordance with this Regulation, which amounted to the sum of Shs.400/- has already been paid to her.

3. The circumstances in which Mr Fernandes met his death are such that I consider some further payment should be made to his mother. In the case of African servants of this Administration, it has been the practice in similar circumstances to pay compensation to the dependants of the deceased, up to a maximum of two years' wages.....

THE RIGHT HONOURABLE

MAJOR SIR PHILIP CUNLIFFE-LISTER, G.B.E., M.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES,
DOWNING STREET, S.W.1.

HIGH COMMISSIONER
FOR TRANSPORT.

No. 124

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GOVERNMENT HOUSE,
NAIROBI,
KENYA.

RECEIVED
26 SEP 1932
COL. OFFICE

23rd August 1932.

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MAJOR SIR PHILIP GUNLIFFE-LISTER, G.B.E., M.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, S.W.1.

Received 142 3 20 1932

14

wages, the actual amount paid being decided after consultation with the Native Affairs Department.

4. At present there is no Workmen's Compensation Act in these Territories, but it appears that the Governments of Kenya and Uganda contemplate passing such legislation in the near future and that under the legislation contemplated this Administration might in the present case be liable to pay compensation to the extent of two years' salary, which would amount to £120.

5. In view of the above, I consider that the dependants of the late Mr Fernandes should be treated on the same basis as has been the custom in the case of African servants, and as might become customary if a Workmen's Compensation Act were brought into force in Kenya and Uganda. I accordingly recommend, for your approval, that a further award may be made to the dependants of Mr D.G. Fernandes of £100, bringing up the total amount, including the £20 gratuity already paid, to the equivalent of two years' salary.

I have the honour to be,

Sir,

Your most obedient, humble servant,

C. G. G. Galbraith
for
HIGH COMMISSIONER.