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Res. reg. 25 June 10.

renew
number 353

1910

June

last previous Paper.

18976

Non European Clerical Staff
Free Quarters or Allowance
in lieu

States present position & submit
recommendations for the future.

Mr. Butler

You will recollect that this question came
up in connection with the Petition of the
British Subordinate (sent in 1909) today
with papers re Grading of European
clerks). she prayed that the privilege
of free quarters granted to some of
the staff might be extended to
others, e.g. those at Manabasa.
We respond to mention any alteration
in the present arrangement. The
Gov. - so far from favouring the
prayer of the Petitioners - now wishes
to take away from them future
clerks free quarters altogether,
wherever they may be stationed.

Recd 4/7/15
Copy wrong way. Uga Conf. 13 June 11
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last subsequent Paper.

12015

unless the nature of the situation makes
it imperative for the Gov. to withhold
quarters.

There are one or two points that
need consideration.

The Gov's first recommendation
in effect abolishes free quarters
for all new clerks & I under-
stand him to include in this
the alternative allowance for
quarters.

The clerks are
certain to make trouble over this
but the Gov. is really in the best
position to judge whether their
salaries are sufficient to enable
them to live free without special
Govt. assistance - as he states
that this is the case, we must accept
his statement & concur.

As to the pensionable value
of quarters, see the accompanying
W.R. papers, esp. page 1675 of

S.N.G. where our OP clearly
contemplates the possibility of
free quarters being provided to
new Europeans on the condⁿ that
their value will not be pensionable
calculated in pension. If therefore
the Gov's 2nd rec^y is accepted we shall

shall not be departing from
precedent. nevertheless 341

But I feel doubts as to the 3rd
recommendation. In their petition
the clerks stated clearly that
the value of quarters was calculated
for pension. If then those now
having free quarters (or allow^{ce}
in lieu) are under the impression
that the value of those quarters counts
for pension, we cannot without
further careful inquiry agree
to 3rd rec^y.

If it turns out
that no condⁿ was made at
the time of granting the quarters
that their value would not count for
pension, then I think that we
may well follow the W.A.
President in para 2 of the OP on
July 17 19⁰⁸ of S.N.G. - i.e.
count the value for pension.

As to the 2nd rec^y, I think
that we may ~~concur~~ concur.

I am observing in the
above sense - i.e. concur in Nos.
1, 2 & 4 but before expressing
opinion on No. 3 ask in what
understanding new Eur. clerks
have

have had free quarters or house
allowance & refer to the statement
on the subject in the Petition -

as to para. 18, enclose -
all

9/7

Mr. Pitt Rivers

And as I would
suggest that those terms be
allowed, or otherwise the
matter should be referred to
the Commission

Yours

J. R.

11/VII

Sir J. Hopwood

I send this on because these clerks
will doubtless make a fuss & get a question
asked - hope a letter

But I agree with the Governor
provided that there is no blame of fault involved
- v. 3 2. Proceed as proposed.

So do I. Act
as proposed.

J. R.

13.7

J. R.
13.7

C. 14. V. 8

J. R.

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19286

GOVERNMENT HOUSE,

25 JUN 10

Nairobi,

June 1st 1910.

EAST AFRICA PROTECTORATE.

No. 353.

My Lord,

I have the honour to submit the following report and recommendations regarding the grant of the privilege of free quarters or allowance in lieu thereof to the Non-European Clerical Staff of the Protectorate.

2. It does not appear ever to have been definitely laid down that the staff referred to is entitled to free quarters as a right. Hitherto the non-European Clerical Staff have not as a general rule received letters of appointment and no allusion to the privilege of free quarters is made in the "Conditions of Service" relating to their appointments which have been issued from time to time.

3. In fact, the mass of decisions and precedents

which

THE RIGHT HONOURABLE;

THE EARL OF CREWE, K.G.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET, LONDON, S.W.

which in the past has been held to apply to this very considerable portion of the Staff of the Protectorate cannot be regarded as at all satisfactory. Your Lordship will however recollect that this matter has recently been thoroughly examined in conjunction with the Uganda Protectorate and that certain regulations have recently received the approval of Your Lordship. In future all clerks will receive proper letters of appointment and their appointments will be duly notified in the Official Gazette. The whole of the existing permanent Clerical Staff will be gazetted in a short time but the announcement has been delayed pending a decision on the proposal to split up the 4th grade into three distinct grades.

4. In the absence of any comprehensive regulations prescribing the terms of service for clerks, in the earlier days of the Protectorate, certain usages crept in, which through long custom have practically assumed the aspect of recognised rights and privileges. The regulations approved by Your Lordship in 1906 together

with

with the subsequent modifications thereto have removed most of the doubts which existed as to such rights and privileges but the question of free quarters still requires to be settled. The existing position is as follows:-

5. At Mombasa neither free quarters nor allowances in lieu thereof are given to any of the non-European Clerical Staff.

6. At other Coast ports, with a few exceptions for which special reasons exist free quarters or allowances are NOT granted as a general rule. At some of the sub-stations, however, especially Customs stations, Government quarters are allowed to the Staff free of rent. The usual reason for this privilege is that at such stations there was no accommodation whatever which the Staff could rent and the Government therefore provided the necessary quarters. In other instances quarters or allowances appear to have been granted as a special and personal concession to individuals.

7. At up-country stations, other than Nairobi, quarters for clerks are erected as part of the station buildings. No allowances are granted in lieu of quarters except in one or two instances at Kisumu which is now a township of sufficient importance to allow of quarters being rented.

8. At Nairobi itself a large number of Government quarters exist and are allotted to Clerks. Other clerks draw house allowances according to a scale prescribed in 1906, provided they entered the service prior to April 1st 1909 when the practice of granting allowances in lieu of quarters was discontinued in the case of all clerks appointed from that date onwards.

9. It is the position which exists at Nairobi which is the most unsatisfactory feature affecting the question. When the Government first stationed an Officer at Nairobi it was similar to other up-country stations. No land was taken up and there were no buildings which could be rented by the Staff. Clerks quarters were consequently erected, together with other necessary station buildings. But a township sprang up very rapidly, the European and Asiatic communities

steadily

steadily increased and now clerks have no difficulty in making their own housing arrangements.

10. Having however once commenced to provide quarters for the Clerical Staff, the Government continued to erect fresh quarters from year to year as funds permitted and the increase in the Staff demanded them. Eventually the task of providing sufficient accommodation at a time when the expenditure of the Protectorate was being more strictly limited, became too great a burden on our finances and we had to resort to the practice of granting house allowances.

11. From what I have explained above it may I think be deduced that the original intention of the Government was only to provide quarters for the Clerical Staff at those stations where it was impossible for them to make their own arrangements and that the evolution of Nairobi from an isolated Administrative Station to the Headquarters of the Government and by far the most important centre of European colonization has been the main cause of the anomalous position in

which

which we now find ourselves.

12. It would have been more satisfactory if from the first a small rent had been charged for Government buildings occupied by Clerks. But in many cases the quarters were (and are still) of a very temporary nature. Grass huts, wattle and daub buildings and other cheap and non permanent erections were largely used and it is possible that the extra expense, the hardships and the general isolation to which the upcountry staff was subjected in the pre-Railway days were taken into account and the provision of free quarters considered as some compensation for these disadvantages.

13. The construction of the Railway and the general development of the interior have now however introduced an entirely new element into upcountry life and I see no reason for providing free quarters for the non-European Clerical Staff at upcountry stations where they can make their own arrangements any more than at Mombasa where the privilege never has been enjoyed.

14. I do not propose to recommend to Your Lordship that the privilege of free quarters be extended to Non-European clerks stationed at Mombasa nor that any

further quarters be erected for them at Nairobi, apart from any question of expense, I consider the pay and terms of service sufficiently liberal and attractive without the additional perquisite of free lodging; therefore, in order to clear up the existing unsatisfactory state of affairs, I have the honour to make the following suggestions for Your Lordship's consideration.

15. (1) Government quarters for the non-European Clerical Staff will only be provided at those stations where it is not possible for Clerks to make their own arrangements, of which possibility the Governor is to be sole judge.

(2) Where granted, the value of the quarters will in no case be considered as a portion of the pensionable emoluments of the occupier but will be regarded as a special privilege and not a right.

(3) In order that the privilege hitherto enjoyed by the existing Staff may be safeguarded clerks who have been allowed to occupy free quarters or draw allowances in the past, may continue to do so subject to the proviso immediately preceding.

(4) As the Clerks quarters in Nairobi become vacant they will be disposed of; and similarly, should other important townships spring up round Government Stations, the Clerks quarters will be sold unless required for other purposes.

16. With regard to the last of the recommendations contained in the foregoing paragraph I have the honour to record my opinion that it is most inadvisable to confine the Non-European Government staff in a location by themselves as is practically the case at present. The quarters have been erected at a considerable distance from the centre of the town and the Government Offices. The Staff comprises a large variety of creeds and castes and their isolation in the portion of the town set aside for their accommodation tends to draw a distinction between the Government and unofficial communities which I consider most undesirable.

17. It will be some time before we can dispose of all the existing quarters, but I would not propose to fill vacant quarters by allotting them to clerks who

are

are at present drawing house allowances for the reasons given above. Were it not for the additional recurrent expenditure that would be entailed I should go further and recommend to Your Lordship that the whole of the Non-European Staff Quarters in Nairobi be immediately disposed of and the present occupiers granted compensating house allowances.

18. In this despatch I have hitherto referred to "Non-European Clerical Staff" only but I wish to extend my recommendations to the whole Non-European staff subject to exceptions in special cases where for departmental reasons it is considered necessary to house the staff in or near, Government offices, hospitals, prisons, Customs houses and other buildings.

I have the honour to be,
Your Lordship's humble,
obedient servant,


GOVERNOR.

X.O.B.
15 JUL
15

W.C.

July 1928 CAP

~~4/2/28~~

DRAFT.

Lab No. 427

for Sir R. G. ...

7/15/28
W.C.

Lab

15 July 1928

MINUTE.

Sir,

Mr. Jackson 15/7

Mr. Read 15/7

Mr. Fiddes.

Mr. Just.

Mr. Cox.

Sir C. Lucas.

Sir F. Hopwood.

Col. Seely.

Lord Crowe.

I have the honour to acknowledge the receipt of your despatch No 333 of the 15th of June, relating to the grant of the privilege of free quarters or allowance in kind to the non-European clerical staff of the Lab., and to inform you that I concur in the full, record -

Copy sent to you on 13/Jan/28
Page 24 of 28
7/15/28
W.C.
CAP
of the recommendations which

which you have put
forward, viz:-

(1) That Govt. Quarters
for the non-European
Clerical Staff ~~will~~
should ~~only~~ provided
at those stations
where it is not possible
for Clerks to make
their own arrangements,
of which possibility
the Governor is to be
sole judge.

when any such grant
(2) that ~~when granted~~
is made in future,
the value of the Quarters
~~will~~ shall in no case
be considered as a
portion of the pensionable
emoluments of the occupier
but shall be regarded
as a special privilege
not a right.

(3) That as the Clerks
Quarters in Nairobi 352
become vacant, they
~~will~~ shall be disposed of;
similarly, should
other important
townships spring up
round Govt. stations,
the Clerks Quarters ~~will~~ shall
be sold unless required
for other purposes.

I observe that in the
first of your recommendations
you refer only to
"free quarters". I presume
however, that you
mean to include in
this term the alternative
"allowance on leave".
I should be glad to have
a definite statement
on this point.

2. With regard to the
third of your recommendations,
I cannot express any
opinion until I am
informed on what condition or
understanding the non-
European clerks have
had free quarters or
house allowance in being
granted to them in the
past & good for their
connection. I would
refer to a statement
made in the petition
of the Asiatic Subordinate
Staff of the 20th, forwarded
in Mr. Jackson's desk
No. 250 of the 6th of
August 1809: in para-
7 of that petition,
under the heading
"Free Quarters and
House Allowances"
occurs

(028
291819)

DRAFT

MINUTE

Mr.

Mr.

Mr. Fiddes

Mr. Juel

Mr. Lutz

Sir C. Lucas

Sir F. Hopwood

Col. Saely

Lord Crewe

occurs the question - 353

"as the value of free
quarters and
house allowance,
cannot for pension
purposes
misrepresenting
pending the decision
as to the third
recommendation,
no change should
be made in the
arrangements at
present in force
for the grant of
free quarters or
allowance in lieu
to those non-European
clerks who are
already in the
enjoyment of this
privilege.

3. With regard to
the final para of
your reply, under
reply, I concur
in your proposal
that the
arrangements
as to free quarters
now recommended
by you should
be extended to
cover the whole
non-European
staff, subject to
exceptions in
special cases
where for depart-
mental reasons
* you may
consider it necessary
to

to house the Staff
in or near to Govt.
Offices, hospitals,
prisons, Customs
houses or other
buildings.

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Thavay