

1923

E. AFRICA
TANGANYIKA

C O
7933

REC'D
FEB 16 1923

From
GOVERNOR
BYATT

20

DATE
16TH JANUARY 1923

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FOR CIRCULATION:
Mr. *Douglas*
Mr.
Mr.
Asst. U.S. of S.
.....
.....
Pres. U.S. of S.
Vice U.S. of S.
Secretary of State

SUBJECT
ASIATIC STAFF
SALARIES
Trs memorial from Asian C.S. Association.

Previous Paper

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4629
80

MINUTES

ack. by desk & refer to
tel. n 4187/23.
C. J. J. 8.3.23
H. D. 8/3/23
atara

12 Mar 23

SP EA

Subsequent Paper

41.9
10/11/23

TANGANYIKA TERRITORY.

No. 20.

GOVERNMENT HOUSE,

DAR-ES-SALAAM,

16th January, 1923.

C/O
7933

REC'D
14 FEB 23

My Lord Duke,

With reference to my telegram

No. 263 of 22nd December, 1922, I have the honour to transmit herewith a memorial which has been received from the Tanganyika Asian Civil Service Association relating to the salaries of the Asiatic staff.

2. I have recently addressed Your Grace fully on this subject.

I have the honour to be,

My Lord Duke,

Your Grace's most obedient,
humble servant,

GOVERNOR.

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63491
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502
7931 22
23
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MAJESTY'S
PRINCIPAL SECRETARY OF STATE
FOR THE COLONIES,

DOWNING STREET,
LONDON, S.W.

TANGANYIKA ASIAN CIVIL SERVICE ASSOCIATION,

P. O. Box 67,

DAR-ES-SALAAM,

TANGANYIKA TERRITORY,

28th DECEMBER, 1922.

16

MAY IT PLEASE YOUR GRACE,

In accordance with the annexed resolution passed at an Extraordinary General Meeting of the Tanganyika Asian Civil Service Association held at Dar-es-Salaam, on the 15th of December, 1922, I have the honor to respectfully request Your Grace to be good enough to consider the proposed reduction in the salaries of the staff. The list of the names of the staff who are affected by the proposed reduction is annexed hereto. I have the honor to assure you that the views of the staff are being taken into consideration, and I have the honor to refer to the proposal of the Kenya Government for converting their salaries at 15 to the £ and of granting a compensatory allowance of 25 per centum, as relevant to the matter in issue, the existence of uniform conditions of service in East African Territories being a special reason for such reference.

Yours Majesty's

PRINCIPAL SECRETARY OF STATE
FOR THE COLONIES,

DOWNING STREET,

LONDON, E. W.

TANGANYIKA ASIAN CIVIL SERVICE ASSOCIATION,

P. O. Box 67,

DAR-ES-SALAAM,

16

TANGANYIKA TERRITORY,

28th NOVEMBER, 1922.

MAY IT PLEASE YOUR GRACE,

In accordance with the annexed resolution passed at an Extraordinary General Meeting of the Tanganyika Asian Civil Service Association held at Dar es Salaam, on the 27th November, 1922, I have the honor to respectfully request Your Grace to be pleased to consider the reduction in the salaries of the Asiatic staff. The list of the names of the staff has been forwarded to you by telegram, of which a copy is annexed hereto. It is requested that you will be pleased to refer the matter to the Local Government, Dar es Salaam, for their consideration. It is also requested that you will be pleased to refer to the proposal of the Kenya Government for converting their salaries at 15 to the £ and of granting a compensatory allowance of 25 per centum, as relevant to the matter in issue, the existence of uniform conditions of service in East African Territories being a special reason for such reference.

HIS MAJESTY'S

PRINCIPAL SECRETARY OF STATE
FOR THE COLONIES,

DOWNING STREET,

LONDON, S. W.

3. On the assumption that the introduction of the shilling as the currency of the country has had the effect of increasing the salary of the Asiatic staff, it has been proposed that their salary should be reduced. Our submission is that even if it be admitted that there has been a real increase, (the accuracy of which assumption is begged to dispute), the benefit has been conferred by the use of the shilling. In regard to territory, the... the Asiatic staff... shall see one of... received... distinction. It passed... how the Government can... one later, which is a law in respect of dealings between the private individual and another, or between the Government and a private individual who is not a Government servant, and quite a different interpretation on the same law in respect of dealings between itself and its employees.

4. But as we have hinted above there has not been any real increase. If concurrently with the change in the currency there were a fall in the cost of living and therefore a corresponding increase in the saving capacity of the staff, it could be argued that there has been an increase in the salary by reason of such change. But as admitted even by the non-European members of the Kenya Legislative Council, there has not been any fall in the cost of living. It follows, therefore, that there has not been

3. On the assumption that the introduction of the shilling as the currency of the country has had the effect of increasing the salary of the Asiatic staff, it has been proposed that the salary should be reduced. Our submission is that even if it be assumed that there has been a real increase, (the accuracy of which assumption is beyond dispute), the benefit has been conferred by the use of the shilling. Inasmuch as the Asiatic staff alone are not the only staff of the Government, the Government is not bound to make any distinction. It passes a law in respect of dealings between the private individual and another, or between the Government and a private individual who is not a Government servant, and quite a different interpretation on the same law in respect of dealings between itself and its employees.

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been any real increase in the salary too. Consequently the contemplated reduction, if given effect to, will affect not the increased salary, as suggested by the Kenya Government, but the substantive salary itself. Even as matters stand at present, the emoluments of the Asiatic staff hardly enable them to effect any saving and we leave it to Your Grace to decide whether in the circumstances the proposed retrograde step is equitable or will make for efficiency. The existence of a high tariff wall, by virtually excluding the importation of Indian essential foodstuffs into this country and thereby making it dependent upon local produce, has brought about a rise in the price of the indigenous produce. The situation is already acute and would be made worse if the proposed Kenya tariff, referred to in the African newspapers, be introduced here. We fail to see therefore wherein the margin for remittance to India and thereby deriving the benefit of the exchange lies.

5. On the analogy of the reduction in the compensatory allowance of the European the substantive salary of the Asiatic has been sought to be reduced - as if their conditions of service were alike and they enjoyed equal advantages. If the thousand and one amenities granted by the Government to its European Officers were enjoyed by its Asiatic officials too, or if the future prospects of an

Asiatic clerk were as bright as that of his European colleague, or if the Asiatic could receive the ready recognition of his services which the European invariably does, - if in fact there were no distinction whatsoever between their service conditions, - it could certainly be conceded that a curtailment of the privileges of the European should require a simultaneous curtailment of the privileges of the Asiatic. But coming to the actual facts we find that the privileges enjoyed by the European preponderate greatly over those enjoyed by the Asiatic and whilst there is no post in the Government which the European, commencing his career as a clerk, cannot, after some years of diligent service, attain, the acme of the aspiration of the ablest Asiatic is a first grade clerkship and that also, in the ordinary course, after twenty years service. The points of dissimilarity in their conditions of service being so many and the European being always in a position of vantage, the proposal to reduce the substantive salary of the Asiatic, by reason of the reduction in the compensatory allowance of the European, is unreasonable and arbitrary.

6. . . . The revised conditions of service of the European as well as of the Asiatic were published after the publication in April, 1920, of the East African Order in Council demonetizing the Indian Rupee and substituting it by the East African florin.

florin. In Tanganyika Territory, Secretary's Circular of the 26th. August, 1920, lays down the terms of service of the European, while Secretary's Circular of 25th. January, 1921, those of the Asiatic. The only feature common to the two Circulars is their publication after the introduction of the florin as the currency of the Territory, i.e. after the Government had fully considered the effect of the change in the currency on the service. But while the Circular governing the European service expressly states that the compensatory allowance in liability remains intact, the Circular governing Asiatic service makes no mention of compensatory allowance or its modification. Such being the case it is clear that there was originally no intention to touch the substantive salary of the Asiatic or the European, whether there were or a fall in the value of the florin or not. The substantive salary of the European is intact. It necessarily follows that the substantive salary of the Asiatic too should remain untouched. The terms of Circular B of 1921 being categorical and definite, some of the Asiatics were induced to give up their appointments in India and accept permanent and pensionable service in this Government. Any adverse modifications of these conditions will, besides involving them in unwarrantable loss, constitute a violation of pledge and tend to undermine their faith in the Government.

7.

Leaving aside the compensatory allowance

-5-

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7.

Leaving aside the compensatory allowance

allowance a reference to the increase in their respective substantive salaries as effected by the revision of 1920 discloses the fact that whilst the highest increase in the Asiatic grades has been 19 per cent, (2nd. grade originally Fls.160, by revision Fls.190), the lowest increase in the grade of European clerks has been 67 per cent, (originally £150 by revision £200). The maximum salary of the Asiatic first grade has been raised from Fls.300 to Fls.200.

Not only so, but the abolition of the Compensatory Allowance in the Asiatic grades was not a concession of 30 per cent, but a concession of 30 per cent, of the salaries of the grades of pension and gratuity. The grant of assisted passages is however suggested in the case of the Asiatic, and the inevitable consequence, in the event of the threatened cut in the salaries being carried out, is the reduction of the salary, pension and gratuity. Married officials will further be compelled to put in a longer period of service to be able to effect savings to defray the cost of passages of their families.

9. In conclusion we beg to point out that there would have been some justification for the Government's interference in the matter of the supposed exchange profit if, during 1918-1920, a period characterised by violent exchange oscillations it had come to the assistance of the Asiatic at the time when, owing to

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 maximum salary of the Asiatic first grade
 has been raised to Fls.300 from Fls.200.

But this is not all. The
 abolition of the Compensatory Allowance in the
 Asiatic grades was not merely a concession
 but a sacrifice of 30 per
 cent of the salaries of those grades included
 in the list of the purpose of pension and
 gratuity. The result of this is that assisted
 officers are now in a position where their
 actual earnings are lower than before and are however
 subjected to the same risks of the Asiatic, and the
 inevitable consequence, in the event of the
 threatened cut in the salaries being carried out,
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to adverse exchange, he had to pay 33 per cent premium in respect of remittances to India, or reduced the European's salary at the time when by reason of the sterling pound being equal to Rs. 7/50 and less, he was receiving double salaries and more. The local Government, however, definitely declined to arrange payment of family allotments through the Agents in India and thereby indirectly prolonged the Asiatic's loss.

10. It is sometimes suggested that the reduction in the compensatory allowance for Europeans will have the immediate effect of reducing the comparative margin which has existed in the European's favour. We feel it our duty to submit that no such margin really existed before the revision nor has it existed since. On the contrary the difference has always been in the Asiatic's favour, the substantive salary of a first grade Asiatic and a raw European prior to the revision having been Rs. 225 (£180) and £150 and since the introduction of the revision Rs. 360 (or £312) and £250 respectively. It is, therefore, clear that only Asiatic clerks of proved competence, or those who have put in long service, have always received slightly higher salaries than inexperienced European clerks, and it is only, if a reduction in the former's salaries is effected because of the latter's loss of compensatory allowance, that the apprehended disturbance in their comparative ratio, (which has really existed to the advantage of the Asiatics), takes place. In comparison with the 3rd., 4th.

and

and even junior 2nd. grade Asiatic clerks, newly engaged European is now, as he was before the revision, in a decidedly superior position. We might also mention in this connection that the salaries of the locally engaged Europeans are not in the least affected by the partial abolition of the compensatory allowance.

11. In the light of the above considerations, as well as the assurance given by Mr. Secretary Churchill and conveyed to us by the local Government that "in his opinion, the conditions of service for Europeans and non-Europeans are quite separate, and that each service must be considered and dealt with in the light of the conditions and circumstances that are applicable to it", our submission is that there is no justification for any reduction in the scanty resources of the one simply because there has been a diminution of the superabundance of the other.

12. We have endeavoured to show that the proposal is untenable from the points of view of law, ethics and equity, and fervently pray that our representation will receive at Your Grace's hands the sympathetic consideration which it, by reason of its relation to a matter affecting the interest of a large body of civil servants in one of the Territories under Your Grace's control, so richly deserves, and we also earnestly beg that, prior to taking any action in the matter, Your Grace will be graciously pleased to appoint an independent body to enquire and report whether the conditions, under which the Asiatics of the East African Service as a whole are labouring, warrant

the proposals, put forward by the Kenya Govern-
ment, being carried into effect.

We beg to remain,

Your Grace's most obedient,

humble servants,

Atafaini Vinayam

PRESIDENT,

Abdul

W. O. O. O.

HON. JOINT SECRETARIES.

COPY OF A RESOLUTION PASSED AT AN
EXTRAORDINARY MEETING OF THE TANZANIA
ASIAN CIVIL SERVICE ASSOCIATION HELD ON
THE 17th. DECEMBER.

This Extraordinary Meeting of the Tan-
zania Asian Civil Service Association views
with grave apprehension the contemplated re-
duction in the salaries of the Non-European
staff for the reason of its being untenable
from the point of view of law, ethics and equity
and resolves that a memorial preceded by a
telegram containing the gist of the memorial
be transmitted to the Secretary of State for
the Colonies, on the subject.

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TANGANYIKA ASIAN CIVIL SERVICE ASSOCIATION VIEWS WITH
APPREHENSION PROPOSED REDUCTION SALARY OF ASIATICS
IN KENYA AND FEARS INTRODUCTION IN ALL EAST AFRICAN
TERRITORIES STOP GOVERNMENT UNWILLING SUPPLY DEFINITE
INFORMATION STOP STEP ILLEGAL AND CONTRAVENES
ORDINANCE 43 OF 1921 STOP SUBMIT CLERKS ARE ALSO
MEMBERS OF PUBLIC AND LAW SHOULD HAVE SAME APPLICATION
TO THEM AS TO PUBLIC STOP SUPPOSED INCREASE IN PROFIT
OF OFFICIAL VALUE OF SHILLING MEAN NO REAL INCREASE
STOP INCREASE PROFIT DOES NOT MEAN MORE MONEY SPENT
IN SERVICE STOP COSTS OF ESSENTIAL SERVICES
INCREASED FROM INDIA THROUGH EAST AND WEST INDENTURE
STOP INCREASED THROUGH EAST INDENTURE STOP COST OF
SERVICES IN EAST INDENTURE STOP ADMITTED BY KENYA
EUROPEAN CIVILIAN STOP EUROPEAN LOSS OF COMPENSATORY
ALLOWANCE AS GROUNDED FOR REDUCTION OF ASIATIC
SUBSTANTIVE SALARY STOP ASIATICS BEING CAREER AS
CLERKS AND END AS CLERKS AND WHAT EUROPEAN CLERK
DRAWS AFTER COUPLE YEARS ASIATICS ATTAIN AFTER
FIFTEEN OR TWENTY YEARS CONTINUOUS SERVICE STOP
COMPENSATORY ALLOWANCE GRANTED EUROPEANS SUBJECT
TO REVISION STOP CIRCULAR 8 OF 1921 AFFECTING ASIATIC
SERVICE DOES NOT MENTION COMPENSATORY ALLOWANCE STOP
ON THE OTHER HAND TERMS DEFINITE AND ASIATICS
ACCEPTED PERMANENT PENSIONABLE SERVICE STOP BOTH
CIRCULARS BEING PUBLISHED AFTER PROMULGATION AFRICAN
ORDER IN COUNCIL 1920 INTRODUCING POUND AS CURRENCY
IT IS CLEAR GOVERNMENT HAD NO INTENTION TO TOUCH
SUBSTANTIVE SALARY STOP EUROPEANS SUBSTANTIVE SALARY
UNAFECTED STOP ASIATICS SHOULD SIMILARLY BE TREATED
STOP UNDER REVISION 1920 HIGHEST INCREASE IN ASIATIC
SALARY 19 PER CENT LOWEST INCREASE IN EUROPEAN CLERK
GRADE 67 PER CENT STOP EUROPEANS GRANTED ASSISTED
PASSAGES FAMILIES ETCETERA WHICH CONCESSIONS DENIED

DENIED ASIATICS STOP RESULT IN REDUCTION SALARY
 PENSION GRATUITY STOP PROPOSED STEP UNJUSTIFIABLE
 GOVERNMENT HAVING REFUSED ASSISTANCE DURING
 EXCHANGE CRISIS OF 1918-1920 WHEN ASIATICS PAID
 33 PER CENT PREMIUM IN RESPECT OF REMITTANCES
 HOME STOP EUROPEANS THAT TIME DREW DOUBLE SALARIES
 POUND STERLING BEING EQUAL RUPEES 7.50 STOP
 ACCORDING TO MR. SECRETARY CHURCHILLS ASSURANCE
 EUROPEANS AND ASIATICS SERVICE CONDITIONS DIFFERENT
 STOP THEREFORE MEAGRE RESOURCES ASIATICS SHOULD
 NOT BE REDUCED STOP PROPOSED STEP TOWARDS REDUCTION
 CONSTITUTES BREACH OF CONTRACT AND VIOLATION OF
 TRUST REPOSED STOP EARNESTLY SOLICITS INDEPENDENT
 BODY DEPUTED ENQUIRE CONDITIONS STOP PRAY FOR
 SYMPATHETIC CONSIDERATION STOP MEMORIAL FOLLOWS.

Tanganyika Territory

No. 3236/26.

THE SECRETARIAT.

DAR-ES-SALAAM.

28

17th. November, 1922.

Sir,

With reference to your letter of the 14th. November, I am directed to inform you that the question as to whether or not the salaries of the Asiatic Clerical Establishment of this Territory should be reduced is at present under consideration. You will be informed in due course of the Secretary of State's decision in the matter.

I have the honour to be,

Sir,

Your obedient servant,

SGD. A. E. STACK,

for CHIEF SECRETARY.

President,

Tanganyika Asian Civil Service Association,

P. O. Box 67,

Dar-es-salaam.

Tanganyika Territory

No. 3236/26.

THE SECRETARIAT.

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DAR-ES-SALAAM.

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Your obedient servant,

SGD. A. E. STACK,

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President,

Tanganyika Asian Civil Service Association,

P. O. Box 67,

Dar-es-salaam.

For
7938/93 Ed.
Tang

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DRAFT.

12 March 1923.

Dear Sir

Sir,

I have to acknowledge the receipt

MINUTE.

of your cheque, £20, of the

Mr. P. C. ... Mar 10

Mr. J. ... 12/23
Mr.
Mr. Davis
Sir G. ...
Sir H. ...
Sir J. Masterton Smith.
Mr. Ormsby-Gore.

16th of Jan, forwarding a
memorial from the Tang
Tang ...

As Civil Services

Duke of Devonshire.

Association relating to

the Salaries of the Asiatic

for 7938/23 Ed. Tang

29
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Jan 17

188

Mr. Royall

MINUTE.

Mar 10

12/23

- Mr. Crew
- Mr. Jeffries
- Mr.
- Mr. Davis
- Sir G. Grenville
- Sir H. Knoll
- Sir J. Masterton Smith
- Mr. Ormsby-Gore
- Duke of Devonshire.

staff, and to refer to
my tel of the 1st of

March, repeated to

you by the Govt of Kenya,

on this subject.

for 4/147/23 nq

(Signed) DEVONSHIRE

staff, and to refer to
my tel of the 1st of
March, repeated to

you by the Govt of Kenya,
on this subject.

801 4147/23 MP

rg
Jr

Signal DEVONSHIRE