THE BURMA CODE
VOLUME I

Published under the Authority of the Government of the Union of Burma.
စိန့်စိုင်းမှုနှင့်အတူ စိုးရိမ်ရန် ရည်ရွယ်ချက်

စိန့်စိုင်းမှုတွင် အတွင်းရှိသော စိုးရိမ်ရန်ရည်ရွယ်ချက်များကို မူရှိနိုင်ပါသည်။ အခြေခံအတွက် စိန့်စိုင်းမှုတွင် အခြေခံမှုများကို မူရှိနိုင်သည်။

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THE BURMA GENERAL CLAUSES ACT.

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THE BURMA GENERAL CLAUSES ACT.

[Burma Act 1, 1898.] (26th February, 1898.)

Preliminary.

1. The provisions of this Act relating to Acts, except as otherwise expressly provided, shall extend to all Acts, Regulations and Ordinances forming part of the law of the Union of Burma, whenever and by whatever authority they were passed or made.

General Definitions.

2. In all Acts, unless there is anything repugnant in the subject or context,—
   (1) "abet" has the same meaning as in the Penal Code:
   (2) "act", used with reference to an offence or a civil wrong, shall include a series of acts, and words which refer to acts done extend also to illegal omissions:
   (3) "affidavit" shall include affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing:
   (4) "barrister" shall mean a barrister of England or Ireland, or a member of the Faculty of Advocates in Scotland:
   (5) "Burma" includes all territories which were immediately before the commencement of the Government of Burma Act, 1935, comprised in India, being territories lying to the east of Bengal, the State of Manipur and Assam and any tribal territories connected with Assam:
   (6) "chapter" shall mean a chapter of the Act in which the word occurs:
   (7) "Chief Justice of the Union" shall include the acting Chief Justice of the Union:
   (8) "Collector" shall mean the chief officer in charge of the revenue administration of a district:

1 The words "other than Acts of Parliament, and the General Clauses Act, 1897, shall cease to form part of the law of Burma" were omitted by the Union of Burma (Adaptation of Laws) Order, 1948.
2 Clauses (5), (6) and (13) were deleted and clause (7) was substituted by the same Order.
3 Inserted by Act XI, 1950.
4 Inserted by Act LV, 1953.
(14) "commencement," used with reference to an Act, shall mean the day on which the Act comes into force:

(15) "Commissioner" shall mean the chief officer in charge of the revenue administration of a division:

(16) "Consular officer" shall include consul-general, consul, vice-consul, consular agent, pro-consul, and any person for the time being authorized to perform the duties of consul-general, consul, vice-consul, or consular agent:

(17) "Deputy Commissioner" shall mean the chief officer in charge of the general administration of a district:

(18) "District Court" shall mean a principal civil Court of original jurisdiction, but shall not include the High Court:

(19) "District Judge" shall mean the Judge of a District Court:

(20) "document" shall include any matter written, expressed, or described upon any substance by means of letters, figures, or marks, or by more than one of those means, which is intended to be used, or which may be used, for the purpose of recording that matter:

(21) "enactment" shall include all Acts, Regulations and Ordinances forming part of the law of the Union of Burma, whenever and by whatever authority they were passed or made, and shall also include any provision contained in any such enactment as aforesaid:

(22) "father", in the case of any one whose personal law permits adoption, shall include an adoptive father:

(23) "financial year" shall mean the year commencing on the first day of October:

(24) "Gazette" shall mean the official Gazette for the Union of Burma:

(25) a thing shall be deemed to be done in "good faith" where it is in fact done honestly, whether it is done negligently or not:

(26) "Government" or "the Government" shall mean the person authorized by or under the Constitution of the Union of Burma to exercise the executive authority of Burma:

(27) "immoveable property" shall include land, benefits to arise out of land and things attached to the earth, or permanently fastened to anything attached to the earth:

(28) "imprisonment" shall mean imprisonment of either description as defined in the Penal Code:

(29) "local authority" shall mean a municipal committee, body of port commissioners or other authority legally entitled to, or entrusted by the Government with, the control or management of a municipal or local fund:

(30) "magistrate" shall include every person exercising all or any of the powers of a Magistrate under the Code of Criminal Procedure:

(31) "master", used with reference to a ship, shall mean any person (except a pilot or harbour-master) having for the time being control or charge of the ship:

1 Substituted by the Union of Burma (Adaptation of Laws) Order, 1918
2 Deleted by the same Order.
(38) "month" shall mean a month reckoned according to the British calendar:

(39) "moveable property" shall mean property of every description, except immoveable property:

(40) "notification" shall mean a notification in the Gazette:

(41) "oath" shall include affirmation and declaration in the case of persons by law allowed to affirm or declare instead of swearing:

(42) "offence" shall mean any act or omission made punishable by any law for the time being in force:

(42-A) "office of profit" shall not be deemed to include an office which is a part-time office remunerated by travelling allowance or daily allowance only or both:

(43) "part" shall mean a part of the Act in which the word occurs:

(44) "person" shall include any company or association or body of individuals, whether incorporated or not:

(45) * * *

(46) * * *

(47) * * *

(48) "public nuisance" shall mean a public nuisance as defined in the Penal Code:

(49) "Rangoon Town" or "Rangoon" shall mean the Rangoon Town District as for the time being defined for purposes of revenue and general administration:

(50) "registered", used with reference to a document, shall mean registered under the law for the time being in force in the Union of Burma for the registration of documents:

(51) * * *

(52) "rule" shall mean a rule made in exercise of a power conferred by any enactment, and shall include a regulation made as a rule under any enactment:

(53) "schedule" shall mean a schedule to the Act in which the word occurs:

(54) * * *

(55) "section" shall mean a section of the Act in which the word occurs:

(56) * * *

(57) "ship" shall include every description of vessel used in navigation not exclusively propelled by oars:

(58) "sign", with its grammatical variations and cognate expressions, shall, with reference to a person who is unable to write his name, include "mark", with its grammatical variations and cognate expressions:

(59) "son", in the case of any one whose personal law permits adoption, shall include an adopted son:

(60) "sub-section" shall mean a sub-section of the section in which the word occurs:

(61) "swear", with its grammatical variations and cognate expressions, shall include affirming and declaring in the case of persons by law allowed to affirm or declare instead of swearing:

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1 Inserted by Act XLIV, 1951.
2 Deleted by the Union of Burma (Adaptation of Laws) Order, 1948.
Burma General Clauses.

(61-a) "the Union of Burma" shall comprise the whole of Burma including—

(i) all the territories that were governed by His Britannic Majesty through the Governor of Burma before the coming into operation of the Constitution, and

(ii) the Karenni States:

(61-b) "unit" means—

(i) any State forming a constituent unit of the Union of Burma:

(ii) all the territories of the Union of Burma not forming part of any State:

(62) "vessel" shall include any ship or boat or any other description of vessel used in navigation:

(63) "will" shall include a codicil and every writing making a voluntary posthumous disposition of property:

(64) expressions referring to "writing" shall be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in a visible form:

(65) "year" shall mean a year reckoned according to the British calendar.

3. Subject to the provisions of the Constitution, every Act, unless the contrary is expressed therein, shall extend to the whole of the Union of Burma and shall apply to all persons in the territory to which it extends:

Provided that this section shall not of itself operate to extend any existing law to any area in which it is not already in force.

4. (1) Every Act shall be promulgated by the President of the Union by publication under his direction in the Gazette. Every Act shall come into operation on the date of such promulgation unless the contrary intention is expressed.

(2) Unless the contrary is expressed, an Act shall be construed as coming into operation immediately on the expiration of the day preceding its commencement.

5. Where any Act repeals any enactment, then unless a different intention appears, the repeal shall not—

(a) revive anything not in force or existing at the time at which the repeal takes effect, or

(b) affect the previous operation of any enactment so repealed or anything duly done or suffered thereunder; or

(c) affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment so repealed; or

(d) affect any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment so repealed; or

(e) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid;

and any such investigation, legal proceeding, or remedy may be instituted, continued, or enforced, and any such penalty, forfeiture, or punishment may be imposed as if the repealing Act had not been passed.

1 Inserted by the Union of Burma (Adaptation of Laws) Order, 1948
2 Substituted by the same Order.
5-A. Where any Act, Regulation or Ordinance repeals any enactment by which the text of any other enactment was amended by the express omission, insertion or substitution of any matter then, unless a different intention appears, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the time of such repeal.

6. In any Act it shall be necessary, for the purpose of reviving, either wholly or partially, any enactment wholly or partially repealed, expressly to state that purpose.

7. Where any Act repeals and re-enacts, with or without modification, any provision of a former enactment, then references in any other enactment or in any instrument to the provision so repealed shall, unless a different intention appears, be construed as references to the provision so re-enacted.

8. In any Act it shall be sufficient, for the purpose of excluding the first in a series of days or any other period of time, to use the word “from”, and for the purpose of including the last in a series of days or any other period of time, to use the word “to”.

9. Where by any Act any act or proceeding is directed or allowed to be done, or taken in any Court or office on a certain day or within a prescribed period, then, if the Court or office is closed on that day or the last day of the prescribed period the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards on which the Court or office is open:

Provided that nothing in this section shall apply to any act or proceeding to which the Limitation Act applies.

10. In the measurement of any distance for the purpose of any Act, that distance shall, unless a different intention appears, be measured in a straight line on a horizontal plane.

11. Where, by any enactment, any duty of customs or excise or in the nature thereof is leviable on any given quantity by weight, measure, or value of any goods or merchandise, then a like duty is leviable according to the same rate on any greater or less quantity.

12. In all Acts, unless there is anything repugnant in the subject or context,—

(1) words importing the masculine gender shall be taken to include females; and

(2) words in the singular shall include the plural, and vice versa.

**Powers and Functionaries.**

13. Where, by an Act of the Parliament or any existing law as defined in section 222 of the Constitution, any power is conferred, or any duty imposed, on the President of the Union, then that power shall be exercisable, or that duty shall be performable, in his name by the Government.

14. Where, by any Act, any power is conferred or any duty imposed then that power may be exercised and that duty shall be performed from time to time as occasion requires.

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1 Inserted by Act II, 1945.
2 Inserted by Act XI, 1950.
Burma General Clauses.

14-A. References in any Act to the making of appointments by the President of the Union to any civil service of or civil post under the Government shall be construed as references to the making of those appointments by the President of the Union or by some person directed by him to make appointments of that class.

15. Where, by any Act, a power to appoint any person to fill any office or execute any function is conferred, then, unless it is otherwise expressly provided, any such appointment may be made either by name or by virtue of office and either temporally or permanently.

16. Where, by any Act, a power to make any appointment is conferred, then, unless a different intention appears, the authority having power to make the appointment shall also have power to suspend or dismiss any person appointed by it in exercise of that power.

17. In any Act it shall be sufficient, for the purpose of indicating the application of a law to every person or number of persons for the time being executing the functions of an office, to mention the official title of the officer at present executing the functions, or that of the officer by whom the functions are commonly executed.

18. In any Act it shall be sufficient, for the purpose of indicating the relation of a law to the successors of any functionaries or of corporations having perpetual succession, to express its relation to the functionaries or corporations.

19. In any Act it shall be sufficient, for the purpose of expressing that a law relative to the chief or superior of an office shall apply to the deputies or subordinates lawfully performing the duties of that office in the place of their superior, to prescribe the duty of the superior.

Provisions as to Orders, Rules, etc., made under Enactments.

20. Where by any Act a power to issue any notification, order, scheme, rule, form or bye-law is conferred, the expressions used in the notification, order, scheme, rule, form or bye-law shall, unless there is anything repugnant in the subject or context, have the same respective meanings as in the Act conferring the power.

21. Where by any Act a power to issue notifications, orders, rules, or bye-laws is conferred, then that power includes a power, exercisable in the like manner and subject to the like sanction and conditions (if any), to add to, amend, vary or rescind any notifications, orders, rules, or bye-laws so issued.

22. Where, by any Act which is not to come into force immediately on the passing thereof, a power is conferred to make rules or bye-laws, or to issue rules with respect to the application of the Act or with respect to the establishment of any Court or office or the appointment of any Judge or officer thereunder, or with respect to the person by whom, or the time when, or the place where, or the manner in which, or the fees for which, anything is to be done under the Act, then that power may be exercised at any time after the passing of the Act, but rules, bye-laws, or orders so made or issued shall not take effect till the commencement of the Act.
23. Where by any Act a power to make rules or bye-laws is expressed to be given subject to the condition of the rules or bye-laws being made after previous publication, then the following provisions shall apply, namely—

(1) the authority having power to make the rules or bye-laws shall, before making them, publish a draft of the proposed rules or bye-laws for the information of persons likely to be affected thereby;

(2) the publication shall be made in such manner as that authority deems to be sufficient, or, if the condition with respect to previous publication so requires, in such manner as the President of the Union prescribes;

(3) there shall be published with the draft a notice specifying a date on or after which the draft will be taken into consideration;

(4) the authority having power to make the rules or bye-laws, and, where the rules or bye-laws are to be made with the sanction, approval, or concurrence of another authority, that authority also, shall consider any objection or suggestion which may be received by the authority having power to make the rules or bye-laws from any person with respect to the draft before the date so specified;

(5) the publication in the Gazette of a rule or bye-law purporting to have been made in exercise of a power to make rules or bye-laws after previous publication shall be conclusive proof that the rule or bye-law has been duly made.

24. Where any enactment is repealed and re-enacted by an enactment, with or without modification, then, unless it is otherwise expressly provided, any appointment, notification, order, scheme, rule, form or bye-law made or issued under the repealed enactment shall, so far as it is not inconsistent with the provisions re-enacted, continue in force, and be deemed to have been made or issued under the provisions so re-enacted, unless and until it is superseded by any appointment, notification, order, scheme, rule, form or bye-law made or issued under the provisions so re-enacted.

25. Sections 63 to 70 of the Penal Code and the provisions of the Code of Criminal Procedure in relation to the issue and the execution of warrants for the levy of fines shall apply to all fines imposed under any Act, rule, or bye-law, unless the Act, rule, or bye-law contains an express provision to the contrary.

26. Where an act or omission constitutes an offence under two or more enactments, then the offender shall be liable to be prosecuted and punished under either or any of those enactments, but shall not be liable to be punished twice for the same offence.

27. Where any Act authorizes or requires any document to be served by post, whether the expression "serve" or either of the expressions "give" or "send" or any other expression is used, then, unless a different intention appears, the service shall be deemed to be effected by properly addressing, pre-paying, and posting by registered post a letter containing the document, and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

28. (1) In any Act, and in any rule, bye-law, instrument, or document made under, or with reference to, any Act, any enactment may be cited by reference to the title conferred thereon [by the Burma Laws (Adaptation) Act, 1940] or by the

1 Substituted by Act II, 1-45.
Legislative authority and any provision in an enactment may be cited by reference to the section or sub-section of the enactment in which the provision is contained.

(2) A description or citation of a portion of any enactment shall, unless a different intention appears, be construed as including the word, section or other part mentioned or referred to as forming the beginning and as forming the end of the portion comprised in the description or citation.

THE BURMA LAWS ACT.

[India Act XIII, 1898.] (4th November, 1898.)

1-4.

5. The President of the Union may, for administrative including revenue purposes,—

(a) divide Upper Burma into divisions and each of those divisions into districts, and vary the limits of those divisions and districts, and

(b) divide each of those districts into sub-divisions, each of those sub-divisions into townships and each of those townships into circles, and vary the limits of those sub-divisions, townships, and circles.

6. For the purpose of facilitating the application of any enactment for the time being in force in any part of Upper Burma, any Court may construe the enactment with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the Court.

7-12.

13. (1) Where in any suit or other proceeding in the Union of Burma it is necessary for the Court to decide any question regarding succession, inheritance, marriage or caste, or any religious usage or institution,—

(a) the Buddhist law in cases where the parties are Buddhists,

(b) the Muhammadan law in cases where the parties are Muhammadans and

(c) the Hindu law in cases where the parties are Hindus,

shall form the rule of decision, except in so far as such law has by enactment been altered or abolished, or is opposed to any custom having the force of law.

(2) In cases not provided for by sub-section (1), or by any other enactment for the time being in force, the decision shall be according to justice, equity and good conscience.

14. (1) The President of the Union may, by notification in the Gazette, transfer any portion of Upper Burma to Lower Burma or any portion of Lower Burma to Upper Burma, with effect from a date to be specified in the notification, and on and with effect from that date, the portion so transferred shall form part of Lower Burma or Upper Burma, as the case may be.

(2) 

* * * * *

1 Deleted by Act II, 1945.
THE BURMA LAWS (ADAPTATION) ACT, 1940.

[Burma Act XXVII, 1940.] (2nd November, 1940.)

An Act to re-state the existing laws with amendments not affecting the substance.

1. The enactments set out in the Schedule shall be amended in the manner specified therein.

2. The enactments mentioned in the Schedule shall be known by the titles printed in italics in the Schedule, and such titles shall be substituted for references to such enactments in other enactments; and all provisions which state the short-title by which an enactment may be called shall be omitted.

3. The dates on which the enactments came into force shall be stated under their titles; and clauses which merely state the date of an enactment or that it comes into force at once shall be omitted.

4. The long-titles of the enactments shall be omitted.

THE BURMA INDEMNITY AND VALIDATING ACT, 1945.

[Burma Act XVIII, 1945.] (3rd October, 1945.)

Whereas it is necessary to indemnify servants of the Government and other persons in respect of acts and things ordered or done or purporting to have been ordered or done in the reasonable belief that such acts and things were necessary for the execution of their duty or for the purpose of prosecuting the war or maintaining or restoring order or for enforcing discipline or ensuring public safety or maintaining supplies and services essential to the life of the community or for the defence of the Union of Burma or otherwise in the public interest;

And whereas it is also necessary to validate certain proclamations, orders, rules, regulations and legislative acts made or issued, and sentences, judgments and orders passed, given or made, by or under the authority of servants of the Government and other persons exercising or purporting to exercise authority in the Union of Burma under the above circumstances:

It is hereby enacted as follows:—

1. This Act may be called the Burma Indemnity and Validating Act, 1945.

2. In this Act—
   (a) "act", used with reference to an offence or a civil wrong, shall include a series of acts, and words which refer to acts done extend also to omissions;

The Schedule to this Act is not reprinted because it is purely in the nature of a Repealing and Amending Act. The necessary amendments have been made in their appropriate places.

Published in Home Department Notification No. 132, dated the 3rd October, 1945.
Burma Indemnity and Validating.

(b) "war period" means in relation to any area the period commencing from the eighth day of December, 1941, and continuing until such date as the President of the Union may, by notification, declare to be the end of the war period for the purposes of this Act in relation to that area.

3. (1) No suit, prosecution or other legal proceeding whatsoever, whether civil or criminal, shall be instituted or maintained in any Court for or on account of or in respect of any act or thing done during the war period whether within or without the Union of Burma if done in good faith and done or purporting to be done in the execution of his duty or for the purpose of prosecuting the war or maintaining or restoring order or enforcing discipline or ensuring public safety or maintaining supplies and services essential to the life of the community or for the defence of the Union of Burma or otherwise in the public interest, by a person holding office under or employed in the service of the Government in any capacity, whether naval, military, air force or civil, or by any other person acting under the authority of a person so holding office or so employed.

(2) Where it is alleged that any act done during the war period whether within or without the Union of Burma and done or purporting to be done in the circumstances specified in sub-section (1) by a person acting for any of the purposes and in any of the capacities therein described was not done in good faith, no suit, prosecution or other legal proceeding shall be maintained in any Court for or on account of or in respect of the act complained of unless instituted with the previous sanction of the President of the Union.

(3) For the purposes of this section a certificate issued by or under the authority of the President of the Union or the Supreme Allied Commander South-East Asia, or the General Officer Commanding in the Union of Burma that any act or thing was done under the authority of a person so holding office or so employed as aforesaid or was done in the execution of a duty shall be sufficient evidence of such authority or duty and of such act or thing having been done therewith or in execution thereof, and any such act or thing done by or under the authority of a person so holding office or so employed as aforesaid shall be deemed to have been done in good faith unless and until the contrary is proved.

4. (1) Any sentence passed, judgment given, or order made during the war period by any British or Allied Military Court or by any other British or Allied tribunal (other than a Court Martial constituted in pursuance of any statute) established or convened by the authority administering any area in the Union of Burma for the administration of justice therein, including any order made in reference to any such sentence, judgment or order by the confirming or reviewing authority, shall be deemed to be and always to have been valid and to be and always to have been within the jurisdiction of the Court or Tribunal.

(2) Every person confined or otherwise punished howsoever under and by virtue of any sentence passed by any such Court or Tribunal acting in a judicial capacity shall be deemed to have been lawfully so confined or punished and shall continue liable to confinement or punishment until the expiration or execution of the said sentence or until he is released by the President of the Union or otherwise by the exercise of His Britannic Majesty's prerogative.

(3) Where at the date of the coming into operation of this Act any such sentence, judgment or order as is mentioned in sub-section (1) is still subject to confirmation or review the powers exercisable by the confirming or reviewing authority shall be deemed to be and always to have been valid and to be and always to have been within the jurisdiction of the Court or Tribunal.

The 1st day of February 1947 has been declared to be the end of the war period for the purposes of this Act in relation to the whole of the Union of Burma. Vide Judicial Department Notification No. 49, dated 5th February 1947.
authority may be exercised by such person as may be designated by the President of the Union in this behalf and such person shall be deemed to be the confirming or reviewing authority within the meaning of sub-section (I).

5. All laws, proclamations, orders, rules, regulations and legislative acts whatsoever made or issued during the war period by or with the consent of any British or Allied Military authority shall be deemed to be and always to have been valid and of full effect until such military authority shall have been superseded in the relevant area by the lawfully constituted legislative authority of the Union of Burma, notwithstanding that any such law, proclamation, order, rule, regulation or legislative act may have repealed or amended or have been inconsistent with any law previously in force in such area.

6. Nothing in this Act shall be deemed to affect—

(a) the institution or prosecution of proceedings by or on behalf of the Government; or

(b) the institution or prosecution of proceedings in respect of rights under, or alleged breaches of contract, if such proceedings are instituted within one year from the termination of the war period or the date when the cause of action arose, whichever may be the later; or

(c) the institution of any proceedings that may lie against the Government for the purpose of recovering compensation for war damage.

THE UNION OF BURMA (ADAPTATION OF LAWS) ORDER, 1948.

(4th January, 1948.)

Whereas by sub-section (2) of section 226 of the Constitution the President of the Union may, by Order, provide that as from such date as may be specified in the Order, any existing law shall, until repealed or amended by the Union Parliament or other competent authority, have effect subject to such adaptations and modifications as appear to him to be necessary or expedient with due regard to the provisions of the Constitution;

Now, therefore, in the exercise of the powers conferred on him as aforesaid and of all other powers enabling him in that behalf, it is hereby ordered by the President as follows:—

1. This Order may be called the Union of Burma (Adaptation of Laws) Order, 1948.

2. (1) This Order shall be deemed to have come into force on the date on which the Constitution of the Union of Burma shall come into operation.

(2) The provisions of this Order shall have effect in the whole of the Union of Burma inclusive of the areas formerly included in Schedule II to the Government of Burma Act, 1935, provided that as respects such areas the provisions of this Order relating to any existing law are appropriate to the form in which such law is applicable in those areas.

3. In this Order,—

"existing law" shall have the same meaning as is assigned to it in section 222 of the Constitution.

1 In clauses (a) and (c) of section 6, the words "the Crown or" were omitted by the Union of Burma (Adaptation of Laws) Order, 1948.
4. The enactments mentioned in the Schedule to this Order shall, until repealed or amended by the Union Parliament or other competent authority, have effect subject to the adaptations and modifications directed by the Schedule to be made therein or, when so directed, shall cease to have effect.

5. Whenever an expression mentioned in the first column of the Table herewith printed occurs in any existing law there, unless the expression is under the last preceding paragraph expressly directed to be otherwise adapted or modified or to stand unmodified or to be omitted, there shall be substituted therefor the expressions set opposite to it in the second column of the said Table:

| British Burma or Burma | The Union of Burma. |
| Crown | Government. |
| High Court of Judicature at Rangoon | High Court. |
| His Majesty or His Majesty’s | His Britannic Majesty or His Britannic Majesty’s respectively. |
| British India or India | India or Pakistan. |
| Legislature or Legislature of Burma or Burma Legislature | Union Parliament. |

5-A. Whenever the word “Governor” or the expression “Governor of Burma” occurs in any existing law relating to any matter enumerated in List I of the Third Schedule to the Constitution, there shall be substituted therefor the expression “President of the Union” and whenever such word or expression occurs in any existing law relating to any matter enumerated in List II of the said Schedule, there shall be substituted therefor the expression “Head of the State”.

6. Where this Order requires that in any existing law or portion of any such existing law certain words shall be substituted for certain other words or that certain words shall be omitted, the substitution or omission, as the case may be, shall, unless the contrary intention appears, be made wherever the words referred to occur in that law or such portion.

7. Where this Order requires the substitution in any enactment of a plural noun for a singular noun or vice versa, or of a masculine noun for a neuter noun or vice versa, or of a noun or adjective beginning with a consonant for a noun or adjective beginning with a vowel or vice versa, there shall also be made in any verb, pronoun or article in the sentence in question such consequential amendment as the rules of grammar may require.

8. The provisions of this Order which adapt or modify any enactment so as to alter the manner in which, the authority by which, or the law in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything done before the commencement of this Order and any such notification, order, commitment, attachment, bye-law, rule, regulation or thing may be

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1 The Schedule to this Order is not reproduced, but the necessary amendments have been made in their appropriate places.
2 Deleted by Judicial I Branch Notification No. 234, dated 17th November 1949.
3 Inserted by ibid.
revoked, varied or undone in the like manner, to the like extent and in the like circumstances as if it had been made, issued or done after the commencement of this Order by the competent authority and under and in accordance with the provisions then applicable to such a case.

9. Nothing in this Order shall affect the previous operation of, or anything duly done or suffered under, any existing law, or any right, privilege, obligation or liability already acquired, accrued or incurred under any such law or any penalty or punishment incurred in respect of any offence already committed against any such law.

10. References in any law in force in Burma to that law or any other law or to any section or portion thereof shall, except in so far as the contrary intention appears, be construed—

(a) as respects any period before the coming into operation of the Constitution, as references to that law, section or portion as in force in all places in Burma to which it extended:

(b) as respects any period after the coming into operation of the Constitution, as references to that law, section or portion as in force in Burma.
“ကျော်လက်များ” ကိုယ်တာတစ်ခု ပြန်လည်သော သေးငယ်သည်နှင့်အတူသွားစွဲခြင်းကို အပြင်အလှစ်ကြည့်ရှုခြင်းနှင့် ဆောင်ရွက်ခြင်းကို ပြောပြပါသည်။ သူကြီးသည် မောင်ရှင် နှင့် မိုးမိုးကို အခြေခံရသည်။ သူ့ကြီးသည် နေထိုးသည်နှင့် သောက်မှတ်များသော အချိန်ကို အခြေခံခြင်းဖြစ်သည်။

“ကျော်လက်များ” ကိုယ်တာတစ်ခု ပြန်လည်သော သေးငယ်သည်နှင့်အတူသွားစွဲခြင်းကို အပြင်အလှစ်ကြည့်ရှုခြင်းနှင့် ဆောင်ရွက်ခြင်းကို ပြောပြပါသည်။ သူကြီးသည် မောင်ရှင် နှင့် မိုးမိုးကို အခြေခံရသည်။ သူ့ကြီးသည် နေထိုးသည်နှင့် သောက်မှတ်များသော အချိန်ကို အခြေခံခြင်းဖြစ်သည်။

(၂) ကျော်လက်များ သောင်းလိုက်သည်ကို လက်ရှိရင်းမြစ်သော ကျော်လက်များ သုတေသနအဖွဲ့တွင် ပညာရေးရာသို့ ပြိုင်ပွဲများ၏ ပြိုင်ပွဲကို အခြေခံလိုက်သည်။

(၃) ကျော်လက်များ သောင်းလိုက်သည်ကို လက်ရှိရင်းမြစ်သော ကျော်လက်များ သုတေသနအဖွဲ့တွင် ပညာရေးရာသို့ ပြိုင်ပွဲများ၏ ပြိုင်ပွဲကို အခြေခံလိုက်သည်။

(၄) ကျော်လက်များ သောင်းလိုက်သည်ကို လက်ရှိရင်းမြစ်သော ကျော်လက်များ သုတေသနအဖွဲ့တွင် ပညာရေးရာသို့ ပြိုင်ပွဲများ၏ ပြိုင်ပွဲကို အခြေခံလိုက်သည်။

(၅) ကျော်လက်များ သောင်းလိုက်သည်ကို လက်ရှိရင်းမြစ်သော ကျော်လက်များ သုတေသနအဖွဲ့တွင် ပညာရေးရာသို့ ပြိုင်ပွဲများ၏ ပြိုင်ပွဲကို အခြေခံလိုက်သည်။

(၆) ကျော်လက်များ သောင်းလိုက်သည်ကို လက်ရှိရင်းမြစ်သော ကျော်လက်များ သုတေသနအဖွဲ့တွင် ပညာရေးရာသို့ ပြိုင်ပွဲများ၏ ပြိုင်ပွဲကို အခြေခံလိုက်သည်။

(၇) ကျော်လက်များ သောင်းလိုက်သည်ကို လက်ရှိရင်းမြစ်သော ကျော်လက်များ သုတေသနအဖွဲ့တွင် ပညာရေးရာသို့ ပြိုင်ပွဲများ၏ ပြိုင်ပွဲကို အခြေခံလိုက်သည်။

(၈) ကျော်လက်များ သောင်းလိုက်သည်ကို လက်ရှိရင်းမြစ်သော ကျော်လက်များ သုတေသနအဖွဲ့တွင် ပညာရေးရာသို့ ပြိုင်ပွဲများ၏ ပြိုင်ပွဲကို အခြေခံလိုက်သည်။
(c) ဆိုးဖြစ်စေရန် အစိုးရအဖွဲ့ မည်မျှစေရန် ကြိုးစားရမည် အထူးပြုလုပ်ရမည် အဆင့်နှစ်ဆင့် စေရန်

(3) ကိုယ်စားလှယ် (J) တွင် စာရေးမှုကို စိတ်ဖျော်ဖြေရာ အခြေခံမှုကို အောက်ပါအတိုင်း စိတ်ဖျော်ဖြေရန် အောက်ပါအတိုင်း များစွာဆောင်ရွက်ရမည်

(j) တိုင်းရင်းသား ဗျူဟာကို အကူအညီသုံးစွီကို အတွက် ဖော်ပြပေးရန် အဖွဲ့ဝင်များ အောက်ပါအတိုင်း

(ii) (v) ကိုယ်စားလှယ် (J) နှင့် အခြားသော စာရေးမှုများကို ရက်စွဲရေးနှင့် ဆီကာရေးမှု လုပ်ငန်းများ ကျွမ်းကျင်ရန် အတွက် ဖော်ပြပေးရန် အဖွဲ့ဝင်များ အောက်ပါအတိုင်း

(j) ဦးဆောင်သူ ဗျူဟာကို အကူအညီသုံးစွီကို ဆောင်ရွက်ပေးရန် တိုင်းရင်းသား အဖွဲ့ဝင်များ အောက်ပါအတိုင်း

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(c) တောင်းသော အာဏာ သောစာကြောင်းများ နှင့် စာကြောင်း၏အစိတ်အပိုင်းများအတွက် ကြည့်ရှုမည်
သောစာကြောင်းများကို စီစဉ်အနေဖြင့် သတိပေးပေးသည်မှာ စီးလျင်များ
ပြုလုပ်သည်။

စာကြောင်းလေးတွေအတွက် စီမံခန့်ခွဲမှုကို နားလည်မည်။

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

မှတ်ချက်: ဗိုလ်ချုပ်တော် အကြောင်းကျင်းပခဲ့သည်။

[ဝါးစား လိုလျင် ကြိုပြောင်းပေးသော ကြိပ်] (ဝါးစား လိုလျင် ကြိပ်)

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

ဗိုလ်ချုပ်တော်မှ အကြောင်းကျင်းပခဲ့သည်။

မှတ်ချက်: ဗိုလ်ချုပ်တော် အကြောင်းကျင်းပခဲ့သည်။

2
ပေးပါသောကြိရိုးရွက်မှုများ

[ပေးပါသောကြိရိုးရွက်မှု မှု] (ပေးပါသောကြိရိုးရွက်မှု)

၁၇ဖြစ်ပါသောကြိရိုးရွက်မှုများ

(၁) ထိုမှုများ

(၂) မှုများ

(၃) “စာသားမှုများ” မှုများ

(၄) “စာသားမှုများ” မှုများ
(၁) စာရင်းကို စိတ်ဝင်စားသောအများအားဖြင့် အင်္ဂါရာအရာအဖွဲ့အစည်းများနှင့် ဗုံးမျိုးစုံစောင်းဆိုင်ရာ အခွံစိုက်မှုများကို ပြုလုပ်ပေးသည်။

(၂) “စာရင်းကို အင်္ဂါရာအရာအဖွဲ့များ နှင့် အများအားဖြင့် အင်္ဂါရာအရာအဖွဲ့အစည်းများနှင့် အခွံစိုက်မှုများကို ပြုလုပ်ပေးသည်” ဟု အခြေခံပေးသည်။

(၃) စာရင်းကို အင်္ဂါရာအရာအဖွဲ့အစည်းများ နှင့် အများအားဖြင့် အင်္ဂါရာအရာအဖွဲ့အစည်းများနှင့် အခွံစိုက်မှုများကို ပြုလုပ်ပေးသည်။

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(၁) သင်ကြားစားသော ကျမ်းကြပ်ဝင်ရာ အချက်အလက်ကို ခြေချင်း၍
အကောင်းဆုံးတို့ အခြေခံမှုကို စိတ်ဝင်စားအောင် ချက်ခံ
လိုက်ပါ။

(၂) ယင်းကျမ်းကြပ်မှ ကျမ်းကြပ်ဝင်သော အချက်အလက်ကို
အကောင်းဆုံးတို့ အခြေခံမှုကို စိတ်ဝင်စားအောင် ချက်ခံ
လိုက်ပါ။

(၃) ကျမ်းကြပ်မှ ကျမ်းကြပ်ဝင်သော အချက်အလက်ကို
အကောင်းဆုံးတို့ အခြေခံမှုကို စိတ်ဝင်စားအောင် ချက်ခံ
လိုက်ပါ။
PART II—INTERNATIONAL.

THE FOREIGNERS ACT.

[India Act III, 1864.] (12th February, 1864.)

WHEREAS it is expedient to make provision to enable the President of the Union to prevent the subjects of Foreign States from residing or sojourning in the Union of Burma, or from passing through or travelling therein, without the consent of the President of the Union; it is enacted as follows:

1. In this Act, unless the context otherwise requires, the word "foreigner" shall denote a person who is not a citizen of the Union.

2. If a question shall arise whether any person alleged to be a foreigner and to be subject to the provisions of this Act is a foreigner or not, or is or is not subject to the provisions of this Act, the onus of proving that such person is not a foreigner, or is not subject to the provisions of this Act, shall lie upon such person.

3. The President of the Union may, by writing—

(a) order any foreigner to remove himself from the Union of Burma, or to remove himself therefrom by a particular route to be specified in the order, or

(b) order that any foreigner be deported forthwith from the Union of Burma.

3-A. (1) Whenever the District Magistrate considers that the President of the Union should be moved to issue an order under section 3 in respect of any foreigner who is within the limits of the jurisdiction of such Magistrate, he may report the case to the President of the Union and at the same time issue a warrant for the apprehension of such foreigner.

(2) Any officer issuing a warrant under subsection (1) may, in his discretion, direct by endorsement on the warrant that if such foreigner executes a bond with or without sureties for his attendance at a specified place and time, the person to whom the warrant is directed shall take such security and release such foreigner from custody.

(3) Any person executing a warrant under subsection (1) may search for and apprehend the foreigner named in such warrant; and, subject to any direction issued under subsection (2), shall forthwith cause such foreigner when apprehended to be produced before the officer issuing the warrant.

(4) When a foreigner for whose apprehension a warrant has been issued under subsection (1) is produced or appears before the officer issuing such warrant, such officer may direct him to be detained in custody pending the orders of the President of the Union, or may release him on his executing a bond with or without sureties to appear at a specified place and time and thereafter if and when required until such orders are obtained.

1 This section was first amended by the Union of Burma (Adaptation of Laws) Order, 1948, and subsequently substituted by Act XLII, 1948.
2 Substituted by Act VIII, 1953.
(5) Any officer who has in accordance with the provisions of sub-section (4), ordered a foreigner to be detained or released on his executing a bond shall forthwith report the fact to the President of the Union. On the receipt of a report under this sub-section the President of the Union shall without delay either direct that the foreigner be discharged or make an order for the removal [or deportation] of such foreigner in accordance with the provisions of section 3.

4. (1) If any foreigner ordered to remove himself from the Union of Burma, or ordered to remove himself therefrom by a particular route, shall neglect or refuse so to do, or if any foreigner, having removed himself from the Union of Burma, in consequence of an order issued under any of the provisions of this Act, or having been removed from the Union of Burma under any of the said provisions, shall wilfully return thereto without a license in writing granted by the President of the Union, such foreigner may be apprehended and detained in safe custody [by an order in writing of the District Magistrate], until he shall be discharged therefrom by order of the President of the Union upon such terms and conditions as the President of the Union shall deem sufficient for the peace and security of the Union of Burma.

(2) Any foreigner who has been ordered to be deported under section 3 (b) may be apprehended without warrant by any police-officer not below the rank of Sub-Inspector and brought before the District Magistrate who shall, by an order in writing, cause the said foreigner to be detained in safe custody pending the completion of arrangements for his removal out of the Union of Burma.

(3) Any foreigner apprehended and detained under the provisions of sub-section (1) may be admitted to bail by the District Magistrate.

5. Whenever the President of the Union shall consider it necessary to take further precautions in respect of foreigners residing or travelling in the Union of Burma or any part thereof, it shall be lawful for the President of the Union by a notification to order that the provisions of this and the subsequent sections up to and including section 22 of this Act shall be in force in the Union of Burma, or in such part thereof as shall be specified in such notification, for such period as shall be therein declared; and thereupon, and for such period, the provisions of this and the subsequent sections up to and including section 22 shall have full force and effect in the Union of Burma or such part thereof as shall have been so specified. The President of the Union may, from time to time, by a notification, cancel or alter any former notification which may still be in force, or may extend the period declared therein.

6. Every foreigner on arriving in any part of the Union of Burma in which all the provisions of this Act are for the time being in force under an order issued as provided in the last preceding section from any port or place not within the Union of Burma, or from any port or place within the Union of Burma where all the provisions of this Act are not in force, shall forthwith report himself to the District Magistrate, or to such other officer as shall be appointed to receive such reports by the President of the Union.

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1 Added by Act VIII, 1953.
2 Omitted by the Union of Burma (Adaptation of Laws) Order, 1948.
3 Inserted by Act VIII, 1953.
4 Substituted by Act VIII, 1953.
Foreigners.

7. The report shall be in writing, and shall be signed by the person reporting himself, and shall specify his name or names, the nation to which he belongs, the place from which he shall have come, the place or places of his destination, the object of his pursuit, and the date of his arrival. The report shall be recorded by the officer to whom it is made.

8. The provisions of the last two preceding sections shall not extend to any person being the master or commander of a vessel or employed therein, but if any such person shall be in any part of the Union of Burma in which all the provisions of this Act are for the time being in force, after he shall have ceased to be actually employed in a vessel, he shall forthwith report himself in manner aforesaid.

9. If any foreigner shall neglect to report himself as required by this Act, he may be dealt with in the manner hereinafter provided in respect of foreigners travelling without a license.

10. No foreigner shall travel in or pass through any part of the Union of Burma in which all the provisions of this Act are for the time being in force without a license.

12. Every such license shall state the name of the person to whom the license is granted, the nation to which he belongs, the district or districts through which he is authorized to pass or the limits within which he is authorized to travel, and the period (if any) during which the license is intended to have effect.

13. The license may be granted subject to such conditions as the President of the Union may direct or as the officer granting the license may deem necessary and may be revoked at any time by the President of the Union or such officer.

14. If any foreigner travel in or attempt to pass through any part of the Union of Burma without such license as aforesaid, or beyond the districts or limits mentioned therein, or after such license shall have been revoked, or shall violate any of the conditions therein specified, he may be apprehended without warrant by any officer exercising any of the powers of a Magistrate, or by any police-officer.

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1 Omitted by the Union of Burma (Adaptation of Laws) Order, 1948.
15. Whenever any person shall be apprehended by or taken before the District Magistrate, such Magistrate shall immediately report the case to the President of the Union and shall cause the person brought before him to be discharged or pending the orders of the President of the Union to be detained.

16. Any person apprehended or detained under the provisions of this Act may be admitted to bail by the District Magistrate, or by any officer authorized to grant licenses, and shall be put to as little inconvenience as possible during his detention in custody.

17. The President of the Union may order any person apprehended or detained under the provisions of this Act to remove himself from any part of the Union of Burma in which all the provisions of this Act are for the time being in force, by sea or by such route as the President of the Union may direct; or the President of the Union may cause him to be removed from any such part of the Union of Burma by such route and in such manner as to the President of the Union shall seem fit.

18. The President of the Union may by order prohibit any person or any class of persons [not being citizens of the Union] from travelling in or passing through any part of the Union of Burma in which all the provisions of this Act may, for the time being, be in force, and from passing from any part thereof to another without a license to be granted by such officer or officers as shall be specified in the order; and, if any person so prohibited shall willfully disobey such order, he may be apprehended without warrant by any of the officers specified in section 14 of this Act, and carried before the District Magistrate, and dealt with under the provisions of section 17 in the same manner as if he were a foreigner: and the President of the Union may order such person to be detained in safe custody or under the surveillance of the police so long as it may be deemed necessary for the peace and security of the Union of Burma or any part thereof.

19. * * *

20. It shall be lawful for the Commissioner of Police, or for the District Magistrate, or for any officer appointed to receive reports as mentioned in the sixth section of this Act, or for any police-officer under the authority of such Commissioner or Magistrate, to enter any vessel in any port or place within the Union of Burma in which all the provisions of this Act may, for the time being, be in force, in order to ascertain whether any foreigner bound to report his arrival under the said section 6 of this Act is on board of such vessel; and it shall be lawful for such Commissioner of Police, Magistrate or other officer as aforesaid to adopt such means as may be reasonably necessary for that purpose; and the master or commander of such vessels shall also, before any of the passengers are allowed to disembark, if he shall be required so to do by such Commissioner of Police, Magistrate, or other officer as aforesaid, deliver to him a list in writing of the passengers on board, specifying the ports or places at which they embarked, and the ports or places of their disembarkation, or intended disembarkation, and answer to the best of his knowledge all such questions touching the passengers on board the said vessel, or touching those who may have disembarked

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1 Omitted by the Union of Burma (Adaptation of Laws) Order, 1948.
2 Substituted by the same Order.
in any part of the Union of Burma, as shall be put to him by the Commissioner of Police, Magistrate, or other officer as aforesaid. If any foreigner on board such vessel in any part of the Union of Burma shall refuse to give an account of his objects of pursuit in the Union of Burma, or if his account thereof shall not be satisfactory, the officer may refuse to allow him to disembark, or he may be dealt with in the same manner as a foreigner travelling in the Union of Burma without a license.

21. If the master or commander of a vessel shall wilfully give a false answer to any question which by section 20 of this Act he is bound to answer, or shall make any false report, he shall be held to have committed the offence specified in section 177 of the Penal Code.

22. If the master or commander of any vessel shall wilfully neglect or refuse to comply with the requisitions of this Act, he shall, on conviction before the District Magistrate, be liable to a fine not exceeding two thousand rupees.

23. Whoever intentionally obstructs any officer in the exercise of any of the powers vested in him by this Act shall be held to have committed the offence specified in section 186 of the Penal Code.

25. The President of the Union may exempt any person, or any class of persons, either wholly or partially, or temporarily or otherwise, from all or any of the provisions of this Act contained in any of the sections subsequent to section 5 and may at any time revoke any such exemption.

26. No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act.

THE REGISTRATION OF FOREIGNERS ACT.

[Burma Act VII, 1940.] (28th March, 1940.)

1. This Act shall come into force on the 28th March, 1940.

2. In this Act—

(a) "Foreigner" means a foreigner as defined in the Foreigners Act: provided that the following shall not be deemed to be foreigners for the purposes of this Act—

(i) a person duly appointed by a foreign Government to exercise diplomatic functions; or

(ii) a consul or a vice-consul;

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\[1\] Inserted by Act VIII, 1953.

\[2\] Sub-clauses (iii) and (iv) were omitted by the Union of Burma (Adaptation of Laws) Order, 1948.
Registration of Foreigners.

(b) "prescribed" means prescribed by rules made under this Act;
(c) "vessel" includes all sea craft, river craft and aircraft.

3. The President of the Union may by notification make rules\(^1\) with respect to foreigners for any or all of the following purposes, that is to say—

(a) for requiring any foreigner entering, or being present in, the Union of Burma to report his presence to a prescribed authority within such time and in such manner and with such particulars as may be prescribed;

(b) for requiring any foreigner moving from one place to another place in the Union of Burma to report, on arrival at such other place, his presence to a prescribed authority within such time and in such manner and with such particulars as may be prescribed;

(c) for requiring any foreigner who is about to leave the Union of Burma to report the date of his intended departure and such other particulars as may be prescribed to such authority and within such period before departure as may be prescribed;

(d) for requiring any foreigner entering, being present in, or departing from, the Union of Burma to produce, on demand by a prescribed authority, such proof of his identity as may be prescribed;

(e) for requiring any person having the management of any hotel, boarding-house, or any other premises of like nature—

(i) to record particulars of any person residing therein, and

(ii) in the case of foreigners, to report such particulars to such authority as may be prescribed, in accordance with prescribed conditions;

(f) for requiring any person in charge of any vessel or other conveyance to furnish to a prescribed authority such information as may be prescribed regarding any person entering, or intending to depart from, the Union of Burma in such vessel or other conveyance, and to furnish to such authority such assistance as may be necessary or prescribed for giving effect to this Act; and

(g) generally for carrying out the purposes of this Act.

4. If any question arises with reference to this Act or any rule made thereunder whether any person is or is not a foreigner, or is or is not a foreigner of a particular class or description, the onus of proving that such person is not a foreigner or is not a foreigner of such particular class or description, as the case may be, shall, notwithstanding anything contained in the Evidence Act, lie upon such person.

5. (1) Any person who contravenes, or attempts to contravene, or fails to comply with, any provision of this Act or of any rule made thereunder shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(2) A foreigner convicted under sub-section (1) may, in addition to the punishment prescribed in the said sub-section, be deported by an order of the President, or of such authority as may be appointed by him in that behalf.

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\(^1\) For rules under section 3 of this Act see Burma Gazette, 1948, Part I, p. 1583.

\(^2\) Substituted by Act XXVII, 1952.
Any foreigner who has been ordered to be deported under sub-section (2) may be apprehended without warrant by any police officer not below the rank of Sub-Inspector and brought before the District Magistrate who shall, by an order in writing, cause the said foreigner to be detained in safe custody pending the completion of arrangements for his removal out of the Union of Burma.

Any foreigner apprehended and detained under the provisions of sub-section (3) may be admitted to bail by the District Magistrate.

Every order of deportation made under sub-section (2) shall remain in force until it is revoked by the President of the Union.

If any foreigner against whom an order of deportation has been issued fails to comply with the order in any respect, or having left the Union of Burma re-enters the Union of Burma without the permission in writing of the President of the Union while the order is still in force, he shall be liable to imprisonment for a term which shall not be less than three years or to fine or to both and shall in addition to such penalty be liable to be deported again from the Union of Burma in pursuance of the order.

The President of the Union may, by order, declare that any or all of the provisions of the rules made under this Act shall not apply, or shall apply only with such modifications or subject to such conditions as may be specified in the said order, to or in relation to any individual foreigner or any class or description of foreigners.

No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

The provisions of this Act shall be in addition to, and not in derogation of, the provisions of the Foreigners Act and any other law for the time being in force.

The President of the Union may, by notification, extend this Act to any area within the Union of Burma, in which it is not already in force.

THE BURMA PASSPORT ACT.

[INDIA ACT XXXIV, 1920.] (9th September, 1920.)

In this Act, unless there is anything repugnant in the subject or context,—

"entry" means entry by water, land or air;

"passport" means a passport for the time being in force issued or renewed by the prescribed authority and satisfying the conditions prescribed relating to the class of passports to which it belongs; and

"prescribed" means prescribed by rules made under this Act.
3. (1) The President of the Union may make rules requiring that persons entering the Union of Burma shall be in possession of passports, and for all matters ancillary or incidental to that purpose.

(2) Without prejudice to the generality of the foregoing power such rules may—

(a) prohibit the entry into the Union of Burma or any part thereof of any person who has not in his possession a passport issued to him;

(b) prescribe the authorities by whom passports must have been issued or renewed, and the conditions with which they must comply, for the purposes of this Act; and

(c) provide for the exemption, either absolutely or on any condition, of any person or class of persons from any provision of such rules.

(3) Rules made under this section may provide that any contravention thereof or of any order issued under the authority of any such rule shall be punishable with imprisonment for a term which may extend to three months, or with fine or with both.

(4) All rules made under this section shall be published in the Gazette, and shall thereupon have effect as if enacted in this Act.

4. (1) Any officer of police, not below the rank of a sub-inspector, and any officer of the Customs Department empowered by a general or special order of the President of the Union in this behalf may arrest without warrant any person who has contravened or against whom a reasonable suspicion exists that he has contravened any rule or order made under section 3.

(2) Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case or to the officer in charge of the nearest police-station, and the provisions of section 61 of the Code of Criminal Procedure shall, so far as may be, apply in the case of any such arrest.

5. The President of the Union may, by general or special order, direct the removal of any person from the Union of Burma who, in contravention of any rule made under section 3 prohibiting entry into the Union of Burma without a passport, has entered therein, and thereupon any officer of Government shall have all reasonable powers necessary to enforce such direction.

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THE BURMA EXTRADITION ACT.

[India Act XV, 1903.] (1st June, 1901.)

CHAPTER I.

PRELIMINARY.

2. In this Act, unless there is anything repugnant in the subject or context,—

1 (a) "extradition offence" means any such offence as is described in the schedule:
1 (b) "Foreign State" means a State notified as such by the President of the Union:
1 (c) "fugitive criminal" means any person accused or convicted of an extradition offence committed within the jurisdiction of any foreign State who is in or suspected of being in some part of the Union of Burma whether or not the offence committed by such person is triable by any Court within the Union:
1 (d) "High Court" means the High Court as defined by the Code of Criminal Procedure for the time being in force:
1 (e) "rules" include prescribed forms.

CHAPTER II.

SURRENDER OF FUGITIVE CRIMINALS IN CASE OF FOREIGN STATES.

3. (1) Where a requisition is made to the President of the Union by the Government of any Foreign State for the surrender of a fugitive criminal of that State, who is in or who is suspected of being in the Union of Burma, the President of the Union may, if he thinks fit, issue an order to any Magistrate who would have had jurisdiction to inquire into the crime if it had been an offence committed within the local limits of his jurisdiction, directing him to inquire into the case.

1 Clauses (a), (c) and (f) were omitted and clauses (b), (d) and (f) were re-lettered as clauses (a), (b) and (c); clause (b) as re-lettered was substituted and clause (c) inserted by the Union of Burma (Adaptation of Laws) Order, 1948.
(2) The Magistrate so directed shall issue a summons or warrant for the arrest of the fugitive criminal according as the case appears to be one in which a summons or warrant would ordinarily issue.

(3) When such criminal appears or is brought before the Magistrate, the Magistrate shall inquire into the case in the same manner and have the same jurisdiction and powers, as nearly as may be, as if the case were one triable by the Court of Session or High Court, and shall take such evidence as may be produced in support of the requisition and on behalf of the fugitive criminal, including any evidence to show that the crime of which such criminal is accused or alleged to have been convicted is an offence of a political character or is not an extradition offence.

(4) If the Magistrate is of opinion that a prima facie case is made out in support of the requisition, he may commit the fugitive criminal to prison to await the orders of the President of the Union.

(5) If the Magistrate is of opinion that a prima facie case is not made out in support of the requisition, or if the case is one which is bailable under the provisions of the Code of Criminal Procedure, the Magistrate may release the fugitive criminal on bail.

(6) The Magistrate shall report the result of his inquiry to the President of the Union and shall forward, together with such report, any written statement which the fugitive criminal may desire to submit for the consideration of the President of the Union.

(7) If the President of the Union is of opinion that such report or written statement raises an important question of law, he may make an order referring such question of law to the High Court, and the fugitive criminal shall not be surrendered until such question has been decided.

(8) If, upon receipt of such report and statement or upon the decision of any such question, the President of the Union is of opinion that the fugitive criminal ought to be surrendered, he may issue a warrant for the custody and removal of such criminal and for his delivery at a place and to a person to be named in the warrant.

(9) It shall be lawful for any person to whom a warrant is directed in pursuance of sub-section (8), to receive, hold in custody and convey the person mentioned in the warrant, to the place named in the warrant, and, if such person escapes out of any custody to which he may be delivered in pursuance of such warrant, he may be re-taken as a person accused of an offence against the law of the Union of Burma may be re-taken upon an escape.

(10) If such a warrant as is prescribed by sub-section (8) is not issued and executed in the case of any fugitive criminal, who has been committed to prison under sub-section (4), within two months after such committal, the High Court may, upon application made to it on behalf of such fugitive criminal and upon proof that reasonable notice of the intention to make such application has been given to the President of the Union, order such criminal to be discharged unless sufficient cause is shown to the contrary.

4. (1) Where it appears to any Magistrate of the first class or any Magistrate specially empowered by the President of the Union in this behalf that a person within the local limits of his jurisdiction is a fugitive criminal of a Foreign State, he may, if he thinks fit, issue a warrant for the arrest of such person, on such information or complaint and on such evidence as would, in his opinion, justify the issue of a warrant if the crime of which he is accused or has been convicted had been committed within the local limits of his jurisdiction.
(2) The Magistrate shall forthwith report the issue of a warrant under this section to the President of the Union.

(3) A person arrested on a warrant issued under this section shall not be detained more than two months unless within that period the Magistrate receives an order made with reference to such person under section 3, sub-section (1).

(4) In the case of a person arrested or detained under this section the provisions of the Code of Criminal Procedure relating to bail shall apply in the same manner as if such person were accused of committing in the Union of Burma the crime of which he is accused or has been convicted.

5. (1) If the President of the Union is of opinion that the crime of which any fugitive criminal of a Foreign State is accused or alleged to have been convicted is of a political character, he may, if he thinks fit, refuse to issue any order under section 3, sub-section (1).

(2) The President of the Union may also at any time stay any proceedings taken under this Chapter and direct any warrant issued under this Chapter to be cancelled and the person for whose arrest such warrant has been issued to be discharged.

CHAPTER III.

SURRENDER OF FUGITIVE CRIMINALS IN CASE OF STATES OTHER THAN FOREIGN STATES AND INDIA OR PAKISTAN.

17-10. ** * * * *

11. (1) A person accused of an offence committed in the Union of Burma, not being the offence for which his surrender is asked, or undergoing sentence under any conviction in the Union of Burma, shall not be surrendered in compliance with a [requisition made by or on behalf of a Foreign State,] except on the condition that such person be re-surrendered to the President of the Union on the termination of his trial for the offence for which his surrender has been asked:

Provided that no such condition shall be deemed to prevent or postpone the execution of a sentence of death lawfully passed.

(2) On the surrender of a person undergoing sentence under a conviction in the Union of Burma, his sentence shall be deemed to be suspended until the date

1 Omitted by the Union of Burma (Adaptation of Laws) Order 1948.
2 Substituted by the same Order.
Burma Extradition.

of his re-surrender, when it shall revive and have effect for the portion thereof which was unexpired at the time of his surrender.

12. The provisions of this Act with reference to accused persons shall, with any necessary modifications, apply to the case of a person who, having been convicted of an offence in the territories of any Foreign State, has escaped into or is in the Union of Burma before his sentence has expired.

13. Every person who is accused or convicted of abetting or attempting to commit any offence shall be deemed, for the purposes of this Act, to be accused or convicted of having committed such offence, and shall be liable to be arrested and surrendered accordingly.

17. (1) In any proceedings under this Act, exhibits and depositions (whether received or taken in the presence of the person against whom they are used or not and copies thereof, and official certificates of facts and judicial documents stating facts, may, if duly authenticated, be received as evidence.

(2) Warrants, depositions or statements on oath which purport to have been issued, received or taken by any Court of Justice outside the Union of Burma, or copies thereof, and certificates of, or judicial documents stating the fact of conviction before any such Court, shall be deemed duly authenticated, if the warrant purports to be signed by a Judge, Magistrate, or officer of the State where the same was issued or acting in or for such State:

(a) if the depositions or statements or copies thereof purport to be certified under the hand of a Judge, Magistrate or officer of the State where the same were taken, or acting in or for such State, to be the original depositions or statements or to be true copies thereof, as the case may require:

(b) if the certificate of, or judicial document stating the fact of, a conviction before any such Court, shall be deemed duly authenticated, if the depositions, statements or copies thereof of the conviction purport to be certified by a Judge, Magistrate or officer of the State where the conviction took place:

(c) and the convictions, are authenticated by the oath of some witness or by the official seal of a minister of the State where the same were respectively issued, taken or given.

(3) For the purposes of this section, "warrant" includes [a requisition and any other judicial document requiring] the arrest of any person accused or convicted of an offence.

18. Nothing in this Chapter shall derogate from the provisions of any treaty for the extradition of offenders, and the procedure provided by any such treaty shall be followed in any case to which it applies, and the provisions of this Act shall be modified accordingly.

CHAPTER IV.
CHAPTER V.

OFFENCES COMMITTED AT SEA.

20. Where the Government of any State outside the Union of Burma makes a requisition for the surrender of a person accused of an offence committed on board any vessel on the high seas which comes into any port of the Union of Burma, the President of the Union and any Magistrate having jurisdiction in such port and authorized by the President of the Union in this behalf may exercise the powers conferred by this Act.

CHAPTEER VI.

EXECUTION OF COMMISSIONS ISSUED BY CRIMINAL COURTS OUTSIDE THE UNION OF BURMA.

21. The testimony of any witness may be obtained in relation to any criminal matter pending in any Court or tribunal in [any Foreign State] in like manner as it may be obtained in any civil matter under the provisions of the Code of Civil Procedure with respect to commissions, and the provisions of that Code relating thereto shall be construed as if the term "suit" included a criminal proceeding:

Provided that this section shall not apply when the evidence is required in respect of an offence of a political character.

CHAPTEER VII.

SUPPLEMENTAL.

22. (1) The President of the Union may make rules to carry out the purposes of this Act.
(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—
(a) the removal of prisoners accused or in custody under this Act and their control and maintenance until such time as they are handed over to the persons named in the warrant as are entitled to receive them;
(b) the seizure and disposition of any property which is the subject of, or required for proof of, any alleged offence to which this Act applies;
(c) the pursuit and arrest in the Union of Burma by officers of the Government or other persons authorized in this behalf of persons accused of offences committed elsewhere; and
(d) the procedure and practice to be observed in extradition proceedings.
(3) Rules made under this section shall be published in the Gazette and shall thereupon have effect as if enacted by this Act.

23. Notwithstanding anything in the Code of Criminal Procedure, any person arrested without an order from a Magistrate and without a warrant, in pursuance of the provisions of section 54, clause seventhly, of the said Code, may, under the orders of a Magistrate within the local limits of whose jurisdiction such arrest was made, be detained in the same manner and subject to the same restrictions as a person arrested on a warrant issued by such Magistrate under section 4 1.

1 Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.
2 Substituted for the figure "10" by the same Order.
THE FIRST SCHEDULE.

Extradition Offences.

[See section 2, clause (b), and Chapter III (Surrender of Fugitive Criminals in case of States other than Foreign States and India or Pakistan).]

[The sections referred to are the sections of the Penal Code.]

Frauds upon creditors (section 206).
Resistance to arrest (section 224).
Offences relating to coin and stamps (sections 230 to 263A).
Culpable homicide (sections 299 to 304).
Attempt to murder (section 307).
Thugi (sections 310, 311).
Causing miscarriage, and abandonment of child (sections 312 to 317).
Causing hurt (sections 323 to 333).
Wrongful confinement (sections 347, 348).
Kidnapping and slavery (sections 360 to 373).
Rape and unnatural offences (sections 375 to 377).
Theft, extortion, robbery, etc. (sections 378 to 414).
Cheating (sections 415 to 420).
Fraudulent deeds, etc. (sections 421 to 424).
Mischief (sections 425 to 440).
Lurking house-trespass (sections 443, 444).
Forgery, using forged documents, etc. (sections 463 to 477A).

Piracy by the law of nations.
Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
Assault on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.
Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master.
Any offence against any section of the Penal Code or against any other law which may, from time to time, be specified by the President of the Union by notification in the Gazette either generally for all States or specially for any one or more States.

THE FOREIGN RELATIONS ACT.

[India Act XII, 1932.] (8th April, 1932.)

Whereas it is expedient to provide against the publication of statements likely to prejudice the maintenance of friendly relations between the Government and the Governments of certain foreign States; it is hereby enacted as follows:—

1 Omitted by the Union of Burma (Adaptation of Laws) Order, 1948.
2. Where an offence falling under Chapter XXI of the Penal Code is committed against a Ruler of a State ¹ [adjoining Burma] or against the consort or son or principal Minister of such Ruler, the President of the Union may make, or authorize any person to make, a complaint in writing of such offence, and, notwithstanding anything contained in section 198 of the Code of Criminal Procedure, any Court competent in other respects to take cognizance of such offence may take cognizance thereof on such complaint.

3. The provisions of sections 99A to 99G of the Code of Criminal Procedure, and of sections 27B to 27D of the Burma Post Office Act, shall apply in the case of any book, newspaper or other document containing matter which is defamatory of a Ruler of a State [adjoining Burma] or of the consort or son or principal Minister of such Ruler and tends to prejudice the maintenance of friendly relations between the Government and the Government of such State, in like manner as they apply in the case of a book, newspaper or document containing seditious matter within the meaning of those sections.

4. Where, in any trial of an offence upon a complaint under section 2, or in any proceeding before the High Court arising out of section 3, there is a question whether any person is a Ruler of any State, or is the consort or son or principal Minister of such Ruler, a certificate of the President of the Union that such person is such Ruler, consort, son or principal Minister shall be conclusive proof of that fact.

THE FOREIGN RECRUITING ACT.

[India Act IV, 1874.] (24th February, 1874.)

1. In this Act—

"Foreign State" includes any person or persons exercising or assuming to exercise the powers of Government in or over any country, colony, province or people beyond the limits of the Union of Burma.

2. If any person is, within the limits of the Union of Burma, obtaining or attempting to obtain recruits for the service of any Foreign State in any capacity, the President of the Union may either prohibit such person from so doing, or permit him to do so subject to any conditions which the President of the Union thinks fit to impose.

3. The President of the Union may, from time to time, by general order notified in the Gazette, either prohibit recruiting for the service of any Foreign State, or impose upon such recruiting any conditions which he thinks fit.

4. The President of the Union may rescind or vary any order made under this Act in such manner as he thinks fit.

5. Substituted for the words "outside India and Burma but adjoining India or Burma" by the Union of Burma (Adaptation of Laws) Order, 1948.
6. Whoever, in violation of the prohibition of the President of the Union, or of any condition subject to which permission to recruit may have been accorded—

(a) induces or attempts to induce any person to accept or agree to accept or to proceed to any place with a view to obtaining any commission or employment in the service of any Foreign State, or

(b) knowingly aids in the engagement of any person so induced, by forwarding or conveying him or by advancing money or in any other way whatever,

shall be liable to imprisonment for a term which may extend to seven years, or to fine to such amount as the Court thinks fit, or to both.

7. Any offence against this Act may be inquired into and tried, as well in any district in which the person accused may be found, as in any district in which it might be inquired into and tried under the provisions of the Code of Criminal Procedure.

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THE PRESENT WAR TERMINATION (DEFINITION) ACT, 1946 *

[Burma Act XII, 1946.] (25th April, 1946.)

1. (1) This Act may be called the Present War Termination (Definition) Act, 1946.

(2) It shall extend to the whole of the Union of Burma.

(3) It shall come into force at once.

2. The President of the Union may declare what day is to be treated as the date of the termination of the present war, and the present war shall be treated as being terminated on the date so declared for the purposes of any provision in any Act, Proclamation, or Regulation for the time being in force in the Union of Burma, and, except where the context otherwise requires, of any provision in any contract or instrument referring, expressly or impliedly, to the present war.

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THE BURMA IMMIGRATION (EMERGENCY PROVISIONS) ACT. ²

[Burma Act XXXI, 1947.] (13th June, 1947.)

1. (1) This Act may be called the Burma Immigration (Emergency Provisions) Act, 1947.

(2) It shall come into force at once.

2. (1) In this Act unless there is anything repugnant in the subject or Definitions, context—

(a) "carrier" includes the owner or charterer of a conveyance, the agent of such owner or charterer and also the person in charge of the conveyance;
Delegation of powers.

(2) The President of the Union may authorize any officer to exercise any or all of the powers of the Controller under this Act or rules made thereunder.

(3) The Controller may delegate any of his powers under this Act or the rules made thereunder to any immigration official.

Prohibition of entry without immigration permit, or duly visaed passport.

3. (1) No foreigner shall enter the Union of Burma without an immigration permit issued by the Controller or by any officer authorized to issue such permits or a valid passport duly visaed by or on behalf of the President of the Union.

(2) No citizen of the Union of Burma shall enter the Union without a valid Union of Burma Passport, or a certificate in lieu thereof, issued by competent authority:

Provided that this section shall not apply to a person, who, in proceeding from one place in the Union of Burma to another place in the Union of Burma, traverses extra-territorial waters.

Conditions for immigration permits and passport visas.

4. (1) Permits and passport visas shall be subject to such conditions as may be prescribed and also to such conditions as may be set out in the permit or visa.

(2) All such conditions shall be deemed to be conditions for allowing the holder of such permit or visa to enter or remain in the Union of Burma, and a breach of any of these conditions shall render the holder liable to deportation from the Union of Burma if the President of the Union so directs.

Administration of oath.

4A. Where an affidavit is required for the purpose of issuing an immigration permit or passport visa, the Controller or such other officer as may be authorized in this behalf by the President of the Union may administer the oath to the deponent.

Supply of information by the carrier.

5. (1) The carrier landing or embarking passengers at any seaport or airport in the Union of Burma shall furnish to such person and in such manner as the President of the Union may prescribe a return giving such particulars in

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Section 3 was re-numbered as sub-section (I) of section 3 and sub-section 1 as re-numbered was amended by Act LIII, 1950.

Inserted by ibid.

Amended by Act LIII, 1950.

Burma Immigration.

respect of such passengers as may be required for the time being by order of the President of the Union and such passengers shall furnish the carrier with all the information required by him for the purpose of the return.

1  (2) The carrier arriving in any seaport or airport in the Union of Burma shall furnish the Controller with a—

(a) schedule of expected arrivals and departures of conveyances for each week ;
(b) list of crew on arrival and departure ;
(c) list of crew who are signed on or off.

1  (3) The President of the Union may by order exempt from the provisions of this section any class of passengers or voyages, or any conveyance, or seaports and airports; and any such order may be withdrawn at any time at his discretion.

2  6. (1) No foreigner shall enter or leave the Union of Burma by any means except at such seaports, airports or land stations prescribed by the President of the Union.

(2) It shall be the duty of the carrier who brings in a conveyance to any seaport or airport or land station in the Union of Burma to stop the conveyance at such place as may be specified by an immigration official and not to remove the conveyance until clearance is granted by the immigration official.

(3) For examination of any conveyance on any official holidays or between 1700 hours and 700 hours on other days, the carrier shall be liable to pay an overtime fee fixed according to the rates that may be prescribed.

3  7. (1) Any foreigner who enters the Union of Burma, or who after entry remains in the Union of Burma, in contravention of the provisions of this Act or the rules made thereunder may, in lieu of or in addition to any punishment to which he may be subject under any other section of this Act be detained in such manner as the President of the Union may direct, and whilst so detained shall be deemed to be in legal custody and shall be liable to be deported by an order of the President of the Union or of such authority as may be appointed by him in that behalf.

(2) The carrier who is responsible for the illegal entry of any foreigner against whom any order of deportation is subsequently issued under sub-section (1) shall remove such foreigner from the Union of Burma.

8  8. The President of the Union may exempt any person or classes of persons from any or all of the provisions of the Act with or without conditions.

9  9. Nothing in this Act shall apply to any duly accredited head of a foreign diplomatic mission or members of his household, or to members of his official staff and their families, or to any consular representative in the Union of Burma and his family.

Existing sub-section (2) was re-numbered as sub-section (3), and new sub-section (2) inserted by Act LIII, 1950.

2  Section 6 was re-numbered as sub-section (1) of section 6 and amended and sub-sections (2) and (3) were inserted by Act LIII, 1950.

3  Substituted by Act XVI, 1948, and re-numbered as sub-section (1) of section 7 and amended by Act XII, 1949 and subsequently amended by Act LIII, 1950.

4  Inserted by Act XII, 1949, and subsequently substituted by Act LIII, 1950.

5  Substituted by Act LIII, 1950.
Arrest without warrant.

10. Any immigration official or any police officer may enter any place or conveyance and arrest without warrant any person whom he may reasonably suspect of contravening or having contravened or being about to contravene any of the provisions of this Act.

Fees.

11. Fees may be charged for the issue of immigration permits or passport visas at such rates as may be prescribed.

Detention of illegal entrants.

12. Any foreigner who has been brought into the Union of Burma and who is not entitled to enter the Union of Burma under the provisions of this Act or the rules made thereunder shall be detained by the carrier, who shall, if required at any time by any immigration official above the rank of Sub-Inspector of Immigration remove him from the Union of Burma. Such detention shall be deemed to be legal custody.

Offences and penalties.

13. (1) Whoever enters or attempts to enter the Union of Burma or whoever after legal entry remains or attempts to remain in the Union of Burma in contravention of any of the provisions of this Act or the rules made thereunder or of any of the conditions set out in any permit or shall be liable on summary conviction to imprisonment for a term not exceeding one year or to fine or to both.

2 (2) Whoever being the carrier knowingly brings or attempts to bring into the Union of Burma any person not authorized to enter the Union of Burma shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding Rs. 200 for every such person brought or attempted to be brought into the Union of Burma, or to both.

3 (3) The carrier who omits to make the return required of him under section 5 of this Act or who makes a false return or who fails to carry out any duty laid upon him by this Act, shall be liable to imprisonment not exceeding three months or to a fine not exceeding Rs. 200, or to both.

4 (4) Any passenger refusing to give any information required by the carrier under section 5 of this Act, or who gives false information for the purpose, shall be liable on conviction to imprisonment for a term not exceeding three months or to fine not exceeding Rs. 200, or to both.

5 (5) Whoever assists or attempts to assist any person to enter the Union of Burma illegally or knowing that a foreigner is remaining in the Union of Burma in contravention of any of the provisions of this Act or the rules made thereunder wilfully assists or attempts to assist him to remain in the Union of Burma shall be liable on conviction to imprisonment for a term not exceeding six months or to fine or to both.

6 (6) Whoever wilfully suppresses information or gives false information to prevent the apprehension of any foreigner who has contravened any of the provisions of this Act or the rules made thereunder shall be liable on conviction to imprisonment for a term not exceeding six months or to fine or to both.

7 (7) Whoever—

(a) uses or has in his possession any forged immigration permit or any immigration permit which bears any illegal obliteration, tampering or alteration in respect of any material particulars, or

1 Substituted by Act XVI, 1948, and subsequently amended by Act LIII, 1950.
2 Amended by Act LIII, 1950.
5 Inserted by Act LIII, 1950.
6 Inserted by Act LIII, 1950.
Butina Immigration.

(b) impersonates or falsely represents himself to be, or not to be, a person to whom an immigration permit has been issued, or with intent to obtain an immigration permit makes any false statements, shall be punished with imprisonment which may extend to twelve months or with fine or with both.

1 13A. If any question arises with reference to this Act or rules made thereunder whether a foreigner enters or remains in the Union of Burma legally, the onus of proving that he enters or remains in the Union of Burma legally shall, notwithstanding anything contained in the Evidence Act, be upon such foreigner.

1 13B. If any question arises with reference to this Act or rules made thereunder whether a person is or is not a foreigner, or is or is not a foreigner of a particular class, the onus of proving that such a person is not a foreigner or is not a foreigner of such particular class, as the case may be, shall, notwithstanding anything contained in the Evidence Act, be upon such person.

8 14. (1) No magistrate other than a first class magistrate or a subdivisional magistrate shall try cases under this Act. (2) The magistrate trying the case may direct any portion of the fine levied under section 13 to be paid to any person who has contributed in any way to the arrest and conviction.

3 15. (1) Every order of deportation made under this Act shall remain in force until it is revoked by the President of the Union or by such authority as the President of the Union may appoint in that behalf. (2) If any foreigner against whom an order of deportation has been issued fails to comply with the order in any respect, or having left the Union of Burma re-enters the Union of Burma without the permission in writing of the President of the Union or of such authority as the President of the Union may appoint in that behalf while the order is in force, he shall be liable to imprisonment for a term which may extend two years or to fine or to both and shall, in addition to such penalty, be liable to be deported again from the Union of Burma in pursuance of the order. (3) When security has been taken in pursuance of any of the provisions of this Act or rules made thereunder the bond shall be deemed to be a bond taken under the Criminal Procedure Code by the District Magistrate having jurisdiction in the area in respect of which the said security has been taken and the provisions of section 514 of the said Code shall apply accordingly.

16. (1) The President of the Union may make rules to carry out the purposes of this Act. (2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for—

(a) the authorities by whom passports may be vised on behalf of the President of the Union under section 3;
(b) the conditions to which immigration permits and passport visas * shall be subject;
(c) the particulars required in respect of passengers and crew under section 5;
(d) fees under section 11;
(e) the conditions under which and the authority by whom bail may be granted;
(f) persons who shall be permitted to practise as writers of applications for immigration permits or passport visas and regulating the conduct of persons so practising; and
(g) such other matters as may be deemed necessary for the purpose of giving effect to the provisions of the Act.

1 (3) The President of the Union may direct that a breach of any rule made under sub-sections (1) and (2) shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to Rs. 200, or with both.

THE TRANSFER OF IMMOVEABLE PROPERTY (RESTRICTION) ACT ²

[Burma Act LXXXVI, 1947.] (30th December, 1947.)

Whereas it is expedient to restrict the transfer of immoveable property to foreigners;

1. It is hereby enacted as follows:

Short title. 1. This Act may be cited as the Transfer of Immoveable Property (Restriction) Act, 1947.

Definitions. 2. In this Act, unless there is something repugnant in the subject or context,—

(a) "foreigner" means any person who is not a citizen of the Union and includes any company or association or body of individuals whether incorporated in the Union of Burma or not whose central management and control are not vested in the hands of the citizens of the Union or whose major interests or shares are not held by the citizens of the Union;

(b) "immoveable property" shall have the meanings assigned to it in the Registration Act;

(c) "lease", "sale", "gift" and "mortgage" shall have the meanings assigned to them in the Transfer of Property Act.

Provided that this section shall not apply to any transfer or lease of immoveable property to a foreign Government for the use of its diplomatic

1 Inserted by Act XVI, 1948.
2 Published in Judicial Department Notification No. 542, dated 30th December, 1947.—Burma Gazette, 1948 Part I, page 30.
3 Substituted by Act XVII, 1952
mission accredited to the President of the Union of Burma if the Minister for Foreign Affairs certifies that such transfer or lease should be exempted from the provisions of this Act:

Provided further that any transaction, whereby an estate consisting of immoveable property held jointly either by co-owners or co-heirs is divided and each one or more of such co-owners or co-heirs is or are allotted his or their shares to be held thereafter in severalty or where immoveable property devolves on the death of the holder to his heir or heirs shall not be deemed to be a transfer of immoveable property for the purposes of this Act.

4. Notwithstanding the provisions of section 3, the President of the Union may exempt from the operation of this Act the transfer of any immoveable property or of a lease of immoveable property for a term exceeding one year.

5. (1) Whoever contravenes the provisions of section 3 shall be punishable—

(a) in the case of a lease, with a fine not exceeding twice the rent agreed upon for the entire period of the lease;

(b) in the case of any other transfer, with a fine not exceeding twice the market value of such property.

(2) In addition to the penalty imposed under sub-section (1) the immoveable property or any portion thereof in respect of which the transfer or lease is made contrary to the provisions of section 3 shall be liable to confiscation in the manner provided in section 6.

6. Upon conviction in a prosecution under sub-section (1) of section 5 the President of the Union—

(i) may, by an order in writing, declare that the transfer or lease of the immoveable property or any portion thereof contrary to the provisions of section 3 shall be void;

(ii) may, in addition to the declaration under clause (i), order in writing that the immoveable property or any portion thereof in respect of which a transfer or lease is made contrary to the provisions of section 3 shall be confiscated and upon such declaration being made the immoveable property or any portion thereof which forms the subject-matter of the said transfer or lease shall vest in the State.

7. No Court shall take cognizance of an offence under sub-section (1) of section 5 except upon complaint in writing made by, or with the sanction of the President of the Union, and no Court inferior to that of a Sessions Judge or of a Magistrate of the first class specially empowered under section 30 of the Code of Criminal Procedure shall try such offence.

8. (1) The President of the Union may, by notification, make rules for the purpose of carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe—

(a) the authority by whom possession is to be taken on behalf of the State of the immoveable property ordered to be confiscated under section 6;

(b) the procedure for taking possession of such immoveable property;

(c) for such other matters as are incidental to the effective taking possession of such immoveable property.

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1 Substituted by Act XVII, 1952,
2 Inserted by ibid.
**ရောင်းမြူချက်**

(ဒေါ်လာတို့) အကြိမ်

[ဒေါ်လာ ကြည့် ရှင်းပြချက်] အကြိမ်

ကျောင်းသားအရေအတွက် ပထမဦး သုံး (၆) လက် အတွက် စာစောင်သောစာမျက်နှာစာမျက်နှာကို နှစ်ထောင်စီမံချေ မသို့မဟုတ် သားတစ်ဦးထောင်စီ ကျောင်းသားအရေအတွက်

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(ကျောင်းသား) အကြိမ်အရေအတွက် ဝယ်ယူ

"ကျောင်းသား" ဝယ်ယူ ကျောင်းသားအတွက် စာမျက်နှာစာမျက်နှာကို ညှပ်ပါ -

(၃) "ကျောင်းသား" ဝယ်ယူ ကျောင်းသားအတွက် စာမျက်နှာစာမျက်နှာကို

ညှပ်ပါ (ကျောင်းသား) အကြိမ်အရေအတွက်

(၄) "ကျောင်းသား" ဝယ်ယူ ကျောင်းသားအတွက် စာမျက်နှာစာမျက်နှာကို

ညှပ်ပါ (ကျောင်းသား) အကြိမ်အရေအတွက်

(၅) "ကျောင်းသား" ဝယ်ယူ ကျောင်းသားအတွက် စာမျက်နှာစာမျက်နှာကို ညှပ်ပါ

(ကျောင်းသား) အကြိမ်အရေအတွက်

* ပထမဦးဆောင်ရွက် စာမျက်နှာ အတွက် ကျောင်းသားအရေအတွက်
  အတွက် ဝယ်ယူ စာမျက်နှာစာမျက်နှာ
(a) အာရေးကျပ်သည် ဖြစ်သော အပါအဝင်များကို ရှေ့ဆောင်သော စနစ်သို့ ပြေးလိုအပ်သည်။

(b) အချိန်များ စီးပွားရေး စီမံကိန်း အရေးကြီးများကို ရှေ့ဆောင်သော စနစ်သို့ ပြေးလိုအပ်သည်။

(c) လိုအပ်ချက်အရ အပါအဝင်များကို ရှေ့ဆောင်သော စနစ်သို့ ပြေးလိုအပ်သည်။
(1) စုစုပေါင်းကြီးကွာညွှန်းချက်များကို ယူနိုက်တားပေးမည်။
(2) ပြည်ထောင်စုရေးသို့ ပြောင်းလဲသော စာရင်းများကို များစွာ ကျော်စီများစေမည်။
(3) စာရင်းများကို လူများအား ပြန်လည် ပျံသန်းရမည်။

ဗုဒ္ဓအရေး (မြန်မာ)
(၂) ဆိုလိုသည့်အဖြစ်၊ ယေဘုယျပြု၍ နိုင်ငံရေးဆိုင်ရာသုံးစွဲမှုများကြီးကို သင်ယူချင်သောအခါတွင် ပြင်းထန်၍ ထူးခြားသောအဖြစ် ပင်ယေဘုယျက ဖော်ပြချေ။

(၃) ဖျင်သာရောန်သော ယေဘုယျပြုတ်သုံးစွဲမှုများကြီးကို သင်ယူချင်သောအခါတွင် ပြင်းထန်၍ ထူးခြားသောအဖြစ် ပင်ယေဘုယျက ဖော်ပြချေ။

(၄) သူတို့သည် ယေဘုယျပြုတ်သုံးစွဲမှုများကြီးကို သင်ယူချင်သောအခါတွင် ပြင်းထန်၍ ထူးခြားသောအဖြစ် ပင်ယေဘုယျက ဖော်ပြချေ။

(၅) ကျင်းပြပါသည်။ နောက်ပိုင်းသုံးစွဲမှုများကြီးကို သင်ယူချင်သောအခါတွင် ပြင်းထန်၍ ထူးခြားသောအဖြစ် ပင်ယေဘုယျက ဖော်ပြချေ။
ရေးသားပြန်စွဲခြင်း

[ဥပဒု ရေးသားမှ မှတ်သားချက် ရှင်းလင်း]
(ဥပဒု ရေးသားမှ မှတ်သားချက် ရှင်းလင်း)

၁၂ (၂) စာရင်းသားစာရင်းဖော်ပြပုံကူးစက်ခြင်းကူးစက်ခြင်း
(၁) စာရင်းသားစာရင်းဖော်ပြပုံကူးစက်ခြင်းကူးစက်ခြင်း
စာရင်းသားစာရင်းဖော်ပြပုံကူးစက်ခြင်းကူးစက်ခြင်း
(ဥပဒု ရေးသားမှ မှတ်သားချက် ရှင်းလင်း)

၂၀ အစွဲပြောင်းခြင်းအပြင် စာရင်းသားစာရင်းဖော်ပြပုံကူးစက်ခြင်း
စာရင်းသားစာရင်းဖော်ပြပုံကူးစက်ခြင်း
စာရင်းသားစာရင်းဖော်ပြပုံကူးစက်ခြင်း
စာရင်းသားစာရင်းဖော်ပြပုံကူးစက်ခြင်း
(ဥပဒု ရေးသားမှ မှတ်သားချက် ရှင်းလင်း)

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(ဥပဒု ရေးသားမှ မှတ်သားချက် ရှင်းလင်း)
(j) အချင်း ဆောင်ရွက်ပါ။ စာရင်း အရေအတွက် ဆောင်ရွက်ပါမည်။

(2) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(3) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(4) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(5) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(6) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(7) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(8) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(9) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(10) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(11) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(12) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(13) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(14) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(15) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(16) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(17) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(18) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(19) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။

(20) အချင်းဆောင်ရွက်ပါ။ စာရင်းအရေအတွက် ဆောင်ရွက်ပါမည်။
လူသိမ်းရေးနှင့် ပြုလုပ်ရန် အတွက် သတင်းစာဝါရီးယားများကို အသုံးပြုပါ။

(၁) လူသိမ်းရေးနှင့် ပြုလုပ်ရန် အတွက် သတင်းစာဝါရီးယားများကို အသုံးပြုပါ။

(၂) လူသိမ်းရေးနှင့် ပြုလုပ်ရန် အတွက် သတင်းစာဝါရီးယားများကို အသုံးပြုပါ။

(၃) လူသိမ်းရေးနှင့် ပြုလုပ်ရန် အတွက် သတင်းစာဝါရီးယားများကို အသုံးပြုပါ။
(3) ပါဝင်သော ဆိုင်ရာများနှင့် ပြီးမှုများကို ဆိုင်ရာနှင့် ပြီးမှုများကို ဖော်ပြသည်။

(9) အလိုအလျင် အာရုံစိုက်ပျိုးသည် ၎င်းတို့ ဖော်ပြသည်။

1. အာရုံစိုက်ပျိုး (The Burma Naturalization Act) ကို သိသာသာ စာရင်း ဖော်ပြသည်။

ပါဝင်သော ဆိုင်ရာများနှင့် ပြီးမှုများကို ဖော်ပြသည်။

(3) ပါဝင်သော ဆိုင်ရာများနှင့် ပြီးမှုများကို ဖော်ပြသည်။

(9) အလိုအလျင် အာရုံစိုက်ပျိုးသည် ၎င်းတို့ ဖော်ပြသည်။
(9) ถ้ามี (1) กรณีที่มีการตั้งคำถามเกี่ยวกับข้อบกพร่องของ
ของตัวอย่าง ต้องระบุข้อบกพร่องของสิ่งที่ต้องการตรวจสอบ
นั้นเป็นอย่างไร ซึ่งจะทำให้ได้ผลลัพธ์ที่ถูกต้อง

ข้อ (9) ต้องระบุข้อบกพร่องของสิ่งที่ต้องการตรวจสอบ
โดยที่จะได้ผลลัพธ์ที่ถูกต้อง

ข้อ (1) ถ้ามี (1) กรณีที่มีการตั้งคำถามเกี่ยวกับข้อบกพร่องของ
ของตัวอย่าง ต้องระบุข้อบกพร่องของสิ่งที่ต้องการตรวจสอบ
นั้นเป็นอย่างไร ซึ่งจะทำให้ได้ผลลัพธ์ที่ถูกต้อง
အပြုလုပ်သူကိုပြောပြီးသွားသော အချက်အလက်များကို အခြေခံ၍ စာသားကို ပြန်လည်အသုံးပြုသည်။

(၁) စာသားကို အသုံးပြုသည့်အခါ အချက်အလက်ကို လိုအပ်သည်။

(၂) အသုံးပြုသူကို လိုအပ်သည်။

(၃) အသုံးပြုသူကို လိုအပ်သည်။

(၄) အသုံးပြုသူကို လိုအပ်သည်။

(၅) အသုံးပြုသူကို လိုအပ်သည်။

(၆) အသုံးပြုသူကို လိုအပ်သည်။

(၇) အသုံးပြုသူကို လိုအပ်သည်။

(၈) အသုံးပြုသူကို လိုအပ်သည်။

(၉) အသုံးပြုသူကို လိုအပ်သည်။

(၁၀) အသုံးပြုသူကို လိုအပ်သည်။

(၁၁) အသုံးပြုသူကို လိုအပ်သည်။

(၁၂) အသုံးပြုသူကို လိုအပ်သည်။

(၁၃) အသုံးပြုသူကို လိုအပ်သည်။

(၁၄) အသုံးပြုသူကို လိုအပ်သည်။

(၁၅) အသုံးပြုသူကို လိုအပ်သည်။

(၁၆) အသုံးပြုသူကို လိုအပ်သည်။

(၁၇) အသုံးပြုသူကို လိုအပ်သည်။

(၁၈) အသုံးပြုသူကို လိုအပ်သည်။

(၁၉) အသုံးပြုသူကို လိုအပ်သည်။

(၂၀) အသုံးပြုသူကို လိုအပ်သည်။

(၂၁) အသုံးပြုသူကို လိုအပ်သည်။

(၂၂) အသုံးပြုသူကို လိုအပ်သည်။

(၂၃) အသုံးပြုသူကို လိုအပ်သည်။

(၂၄) အသုံးပြုသူကို လိုအပ်သည်။

(၂၅) အသုံးပြုသူကို လိုအပ်သည်။

(၂၆) အသုံးပြုသူကို လိုအပ်သည်။

(၂၇) အသုံးပြုသူကို လိုအပ်သည်။

(၂၈) အသုံးပြုသူကို လိုအပ်သည်။

(၂၉) အသုံးပြုသူကို လိုအပ်သည်။

(၃၀) အသုံးပြုသူကို လိုအပ်သည်။

(၃၁) အသုံးပြုသူကို လိုအပ်သည်။

(၃၂) အသုံးပြုသူကို လိုအပ်သည်။

(၃၃) အသုံးပြုသူကို လိုအပ်သည်။

(၃၄) အသုံးပြုသူကို လိုအပ်သည်။

(၃၅) အသုံးပြုသူကို လိုအပ်သည်။

(၃၆) အသုံးပြုသူကို လိုအပ်သည်။

(၃၇) အသုံးပြုသူကို လိုအပ်သည်။

(၃၈) အသုံးပြုသူကို လိုအပ်သည်။

(၃၉) အသုံးပြုသူကို လိုအပ်သည်။

(၄၀) အသုံးပြုသူကို လိုအပ်သည်။

(၄၁) အသုံးပြုသူကို လိုအပ်သည်။

(၄၂) အသုံးပြုသူကို လိုအပ်သည်။

(၄၃) အသုံးပြုသူကို လိုအပ်သည်။

(၄၄) အသုံးပြုသူကို လိုအပ်သည်။

(၄၅) အသုံးပြုသူကို လိုအပ်သည်။

(၄၆) အသုံးပြုသူကို လိုအပ်သည်။

(၄၇) အသုံးပြုသူကို လိုအပ်သည်။

(၄၈) အသုံးပြုသူကို လိုအပ်သည်။

(၄၉) အသုံးပြုသူကို လိုအပ်သည်။

(၅၀) အသုံးပြုသူကို လိုအပ်သည်။

(၅၁) အသုံးပြုသူကို လိုအပ်သည်။

(၅၂) အသုံးပြုသူကို လိုအပ်သည်။

(၅၃) အသုံးပြုသူကို လိုအပ်သည်။

(၅၄) အသုံးပြုသူကို လိုအပ်သည်။

(၅၅) အသုံးပြုသူကို လိုအပ်သည်။

(၅၆) အသုံးပြုသူကို လိုအပ်သည်။

(၅၇) အသုံးပြုသူကို လိုအပ်သည်။

(၅၈) အသုံးပြုသူကို လိုအပ်သည်။

(၅၉) အသုံးပြုသူကို လိုအပ်သည်။

(၆၀) အသုံးပြုသူကို လိုအပ်သည်။
(1) အခြား လျော်သော ရက်အနေဖြင့် ချွေးရွေးချယ်ရမည် ကို ခေါ်ဦးစွက် ရှင်နှီးပြီး ချွေးရွေးချယ်မည်ကို အခြေခံသည်။

(2) အခြား (၁) အဖြစ် လျော်သော ရက်အနေဖြင့် ချွေးရွေးချယ်ရမည်ကို ခေါ်ဦးစွက် ရှင်နှီးပြီး ချွေးရွေးချယ်မည်ကို အခြေခံသည်။

(3) အခြား (၂) အဖြစ် လျော်သော ရက်အနေဖြင့် ချွေးရွေးချယ်ရမည်ကို ခေါ်ဦးစွက် ရှင်နှီးပြီး ချွေးရွေးချယ်မည်ကို အခြေခံသည်။

(4) အခြား (၃) အဖြစ် လျော်သော ရက်အနေဖြင့် ချွေးရွေးချယ်ရမည်ကို ခေါ်ဦးစွက် ရှင်နှီးပြီး ချွေးရွေးချယ်မည်ကို အခြေခံသည်။

(5) အခြား (၄) အဖြစ် လျော်သော ရက်အနေဖြင့် ချွေးရွေးချယ်ရမည်ကို ခေါ်ဦးစွက် ရှင်နှီးပြီး ချွေးရွေးချယ်မည်ကို အခြေခံသည်။

ဤစာကြောင်းသည် လျော်သော ရက်အနေဖြင့် ချွေးရွေးချယ်ရမည်ကို ခေါ်ဦးစွက် ရှင်နှီးပြီး ချွေးရွေးချယ်မည်ကို အခြေခံသည်။
ဗူး အထူး စာပေမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် ပျော်ရွှင်တော် စိန်ကျင်နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။ ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။ ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။

ဗူး အထူး စာပေမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် ပျော်ရွှင်တော် စိန်ကျင်နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။ ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။ ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။

(၁) ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် ပျော်ရွှင်တော် စိန်ကျင်နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။ ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။ ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။

(၂) ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် ပျော်ရွှင်တော် စိန်ကျင်နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။ ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။ ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။

(၃) ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် ပျော်ရွှင်တော် စိန်ကျင်နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။ ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။ ပေါင်းစည်းမှာ မိတ်ဆွေးနှင့် ပြောပြပြောင်း မဲ့် ရက် နေသည့် ပေါင်းစည်း ပြုလုပ်ခြင်း ဖြစ်သည်။

* အချိ မေးခွန်း ရှိသော အပိုဒ်တာ မှန်ကန်သည်။
* စီးပွားရေးအားလုံး မှန်ကန်သည်။
* အချိ မေးခွန်း ရှိသော အပိုဒ်တာ မှန်ကန်သည်။
(а) ဒီမိုကရေစီအတွက် အရေးပေါ် စီးပြည်သူများ အဖွဲ့အစည်းများ ပြုလုပ်ရန် အပေါ်တွင် အလိုလို အာရုံစိုက်ပျိုးရေး ဆိုင်ရာ သင်္ချာထောက်ခံများ တွက်ချက်များ လုပ်ဆောင်ရန် ရှိသည်။

(б) စီးပြည်သူများ အဖွဲ့အစည်းများ ပြုလုပ်ရန် အပေါ်တွင် အလိုလို အာရုံစိုက်ပျိုးရေး ဆိုင်ရာ သင်္ချာထောက်ခံများ တွက်ချက်များ လုပ်ဆောင်ရန် ရှိသည်။

(в) စီးပြည်သူများ အဖွဲ့အစည်းများ ပြုလုပ်ရန် အပေါ်တွင် အလိုလို အာရုံစိုက်ပျိုးရေး ဆိုင်ရာ သင်္ချာထောက်ခံများ တွက်ချက်များ လုပ်ဆောင်ရန် ရှိသည်။

(г) စီးပြည်သူများ အဖွဲ့အစည်းများ ပြုလုပ်ရန် အပေါ်တွင် အလိုလို အာရုံစိုက်ပျိုးရေး ဆိုင်ရာ သင်္ချာထောက်ခံများ တွက်ချက်များ လုပ်ဆောင်ရန် ရှိသည်။

(д) စီးပြည်သူများ အဖွဲ့အစည်းများ ပြုလုပ်ရန် အပေါ်တွင် အလိုလို အာရုံစိုက်ပျိုးရေး ဆိုင်ရာ သင်္ချာထောက်ခံများ တွက်ချက်များ လုပ်ဆောင်ရန် ရှိသည်။

(е) စီးပြည်သူများ အဖွဲ့အစည်းများ ပြုလုပ်ရန် အပေါ်တွင် အလိုလို အာရုံစိုက်ပျိုးရေး ဆိုင်ရာ သင်္ချာထောက်ခံများ တွက်ချက်များ လုပ်ဆောင်ရန် ရှိသည်။

(ж) စီးပြည်သူများ အဖွဲ့အစည်းများ ပြုလုပ်ရန် အပေါ်တွင် အလိုလို အာရုံစိုက်ပျိုးရေး ဆိုင်ရာ သင်္ချာထောက်ခံများ တွက်ချက်များ လုပ်ဆောင်ရန် ရှိသည်။

(з) စီးပြည်သူများ အဖွဲ့အစည်းများ ပြုလုပ်ရန် အပေါ်တွင် အလိုလို အာရုံစိုက်ပျိုးရေး ဆိုင်ရာ သင်္ချာထောက်ခံများ တွက်ချက်များ လုပ်ဆောင်ရန် ရှိသည်။

* ကြည့်ရှုးမှုတိုက်ပျိုးရေး အဖွဲ့အစည်း
  1. ကြည့်ရှုးမှုစီးပြည်သူ
  2. ကြည့်ရှုးမှုစီးပြည်သူ
(9) သို့မဟုတ် စက်မှန်ကြားခြင်းကို ဖော်ပြပေးသည်။
စိုးမိုင်းနိုင်သည်မှာ ကြံ့ချင်ပြောသွားသည်
အခြေခံ
[ဝါး ဒေါ့ ကြောင်းရယူသော ရက်] (ဝါး ဒေါ့ ကပ်ကြောင်း)
စိုးမိုင်းနိုင်သည်မှာ ကြံ့ချင်ပြောသွားသည်

(၂) ဖျင်သား၏ အတူ ၁၇ ရက် နေ့ထိ စိုးမိုင်းနိုင်သည်။
စိုးမိုင်းနိုင်သည်မှာ ကြံ့ချင်ပြောသွားသည်

(၂) ဖျင်သား၏ အတူ ၁၇ ရက် နေ့ထိ စိုးမိုင်းနိုင်သည်။
စိုးမိုင်းနိုင်သည်မှာ ကြံ့ချင်ပြောသွားသည်

(၂) ဖျင်သား၏ အတူ ၁၇ ရက် နေ့ထိ စိုးမိုင်းနိုင်သည်။
စိုးမိုင်းနိုင်သည်မှာ ကြံ့ချင်ပြောသွားသည်

(၂) ဖျင်သား၏ အတူ ၁၇ ရက် နေ့ထိ စိုးမိုင်းနိုင်သည်။
စိုးမိုင်းနိုင်သည်မှာ ကြံ့ချင်ပြောသွားသည်

(၂) ဖျင်သား၏ အတူ ၁၇ ရက် နေ့ထိ စိုးမိုင်းနိုင်သည်။
စိုးမိုင်းနိုင်သည်မှာ ကြံ့ချင်ပြောသွားသည်

(၂) ဖျင်သား၏ အတူ ၁၇ ရက် နေ့ထိ စိုးမိုင်းနိုင်သည်။
စိုးမိုင်းနိုင်သည်မှာ ကြံ့ချင်ပြောသွားသည်

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(၃) အရေးရှိသောစာမျက်နှာ အရာအားဖြင့် မိမိသည် ပြောပြချက် ကြည့်ရှုရန် အခြောက်မှုကျန်ရှုန်းရေး သင်သောက်ရေးအတွက် စိတ်ဝင်စားသောကြောင့် သဘာဝချက်အတွက် မစေရောင်သော မည်သို့ အနည်းငယ်အရာအားဖြင့် အခြေခံရန် အလွန်အနည်းငယ် မျှဝေရမည်။

(၄) အသတ်အဖွဲ့အစည်းအဖွဲ့ သည် ပြည်သူများနှင့် ပြည်သူများကို အခြေခံရန် ပြည်သူရေးနှင့် ပြည်သူရေးအတွက် အခြေခံရန် အလိုအရာအားဖြင့် အခြေခံသော အရာအားဖြင့် အနည်းငယ်အရာအားဖြင့် မျှဝေရမည်။

(၅) အထူးသဖြင့် ပြည်သူများနှင့် ပြည်သူများကို ပြည်သူရေးနှင့် ပြည်သူရေးအတွက် အခြေခံသော အရာအားဖြင့် အခြေခံရန် အလိုအရာအားဖြင့် မျှဝေရမည်။

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(၈) အထူးသဖြင့် ပြည်သူများနှင့် ပြည်သူများကို ပြည်သူရေးနှင့် ပြည်သူရေးအတွက် အခြေခံသော အရာအားဖြင့် အခြေခံရန် အလိုအရာအားဖြင့် မျှဝေရမည်။

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(၁၀) အထူးသဖြင့် ပြည်သူများနှင့် ပြည်သူများကို ပြည်သူရေးနှင့် ပြည်သူရေးအတွက် အခြေခံသော အရာအားဖြင့် အခြေခံရန် အလိုအရာအားဖြင့် မျှဝေရမည်။
ညွှန်ကြား စံ့ောက်ချက် (အခြားအချက် အတွက် ရှာဖွေကြည့်ရှု) အခြေခံချက်

[ညွှန်ကြား စံ့ောက်ချက် (အခြားအချက် အတွက် ရှာဖွေကြည့်ရှု)]

စံ့ောက်ချက်များအပေါ် ကြားချက်နှင့် အခြားအချက်များ ရှာဖွေခြင်းဖြစ်သည်။ စံ့ောက်ချက်များသည် အခြားမှ ကြားချက်များအပေါ် ရှာဖွေကြည့်ရှုခြင်းဖြစ်သည်။ စံ့ောက်ချက်များသည် အခြားမှ ကြားချက်များအပေါ် ရှာဖွေကြည့်ရှုခြင်းဖြစ်သည်။

(1) အခြားအချက်များ ရှာဖွေကြည့်ရှုခြင်း

(2) အခြားအချက်များ ရှာဖွေကြည့်ရှုခြင်း

ဗုဒ္ဓကျောင်းများတွင် ဆောင်ရွက်ခြင်းများအပေါ် ကြားချက်များသည် အခြားမှ ကြားချက်များအပေါ် ရှာဖွေကြည့်ရှုခြင်းဖြစ်သည်။ စံ့ောက်ချက်များသည် အခြားမှ ကြားချက်များအပေါ် ရှာဖွေကြည့်ရှုခြင်းဖြစ်သည်။
THE SCHEDULE.
(See sections 2 and 3.)

Article I.

JURIDICAL PERSONALITY.

Section 1.—The United Nations shall possess judicial personality. It shall have the capacity:
(a) to contract;
(b) to acquire and dispose of immovable and movable property;
(c) to institute legal proceedings.

Article II.

PROPERTY, FUNDS AND ASSETS.

Section 2.—The United Nations, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 3.—The premises of the United Nations shall be inviolable. The property and assets of the United Nations, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Section 4.—The archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located.

Section 5.—Without being restricted by financial controls, regulations or moratoria of any kind,
(a) the United Nations may hold funds, gold or currency of any kind and operate accounts in any currency;
(b) the United Nations shall be free to transfer its funds, gold or currency from one country to another or within any country and to convert any currency held by it into any other currency.

Section 6.—In exercising its rights under section 5 above, the United Nations shall pay due regard to any representations made by the Government of any Member in so far as it is considered that effect can be given to such representations without detriment to the interests of the United Nations.

Section 7.—The United Nations, its assets, income and other property shall be:
(a) exempt from all direct taxes; it is understood, however, that the United Nations will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
(b) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the United Nations for its official use. It is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed with the Government of that country;
(c) exempt from customs duties and prohibitions and restrictions on import and exports in respect of its publications.
Section 8.—While the United Nations will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the United Nations is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Members will, whenever possible make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

Article III.

FACILITIES IN RESPECT OF COMMUNICATIONS.

Section 9.—The United Nations shall enjoy in the territory of each Member for its official communications treatment not less favourable than that accorded by the Government of that Member to any other Government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of the United Nations.

Section 10.—The United Nations shall have the right to use codes and to despatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Article IV.

THE REPRESENTATIVES OF MEMBERS.

Section 11.—Representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

(a) immunity from personal arrest or detention and from seizure of the personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;
(b) inviolability for all papers and documents;
(c) the right to use codes and to receive papers or correspondence by courier or in sealed bags;
(d) exemption in respect of themselves and their spouses from immigration restrictions, aliens registration or national service obligations in the state they are visiting or through which they are passing in the exercise of their functions;
(e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;
(f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys, and also
(g) such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.
Section 12.—In order to secure, for the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, complete freedom of speech and independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer the representatives of Members.

Section 13.—Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations are present in a state for the discharge of their duties shall not be considered as periods of residence.

Section 14.—Privileges and immunities are accorded to the representatives of Members not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the United Nations. Consequently a Member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the Member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 15.—The provisions of sections 11, 12 and 13 are not applicable as between a representative and the authorities of the state of which he is a national or of which he is or has been the representative.

Section 16.—In this article the expression "representatives", shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

Article V.

Officials.

Section 17.—The Secretary-General will specify the categories of officials to which the provisions of this Article and Article VII shall apply. He shall submit these categories to the General Assembly. Thereafter these categories shall be communicated to the Government of all Members. The names of the officials included in these categories shall from time to time be made known to the Governments of Members.

Section 18.—Officials of the United Nations shall:

(a) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
(b) be exempt from taxation on the salaries and emoluments paid to them by the United Nations;
(c) be immune from national service obligations;
(d) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
(e) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the Government concerned;
(f) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crisis as diplomatic envoys;
(g) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.
Section 19.—In addition to the immunities and privileges specified in section 18, the Secretary-General and all Assistant Secretaries-General shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Section 20.—Privileges and immunities are granted to officials in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. In the case of the Secretary-General, the Security Council shall have the right to waive immunity.

Section 21.—The United Nations shall co-operate at all time with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this Article.

Article VI.

EXPERTS ON MISSIONS FOR THE UNITED NATIONS.

Section 22. Experts (other than officials coming within the scope of Article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connection with their missions. In particular they shall be accorded:

(a) immunity from personal arrest or detention and from seizure of their personal baggage;

(b) in respect of words spoken or written and acts done by them in the course of the performance of their missions, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United Nations;

(c) inviolability for all papers and documents;

(d) for the purpose of their communications with the United Nations, the right to use codes and to receive papers or correspondence by courier or in sealed bags;

(e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;

(f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

Section 23.—Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the United Nations.
Article VII.

UNITED NATIONS LAISSEZ-PASSER.

Section 24.—The United Nations may issue United Nations laissez-passer to its officials. These laissez-passer shall be recognized and accepted as valid travel documents by the authorities of Members, taking into account the provisions of section 25.

Section 25.—Applications for visas (where required) from the holders of the United Nations laissez-passer, when accompanied by a certificate that they are travelling on the business of the United Nations, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 26.—Similar facilities to those specified in section 25 shall be accorded to experts and other persons who, though not the holders of the United Nations laissez-passer, have a certificate that they are travelling on the business of the United Nations.

Section 27.—The Secretary-General, Assistant Secretaries-General and Directors travelling on the United Nations laissez-passer on the business of the United Nations shall be granted the same facilities as are accorded to diplomatic envoys.

Section 28.—The provisions of this article may be applied to the comparable officials of specialized agencies if the agreements for relationship made under Article 63 of the Charter so provide.

Article VIII

SETTLEMENT OF DISPUTES.

Section 29.—The United Nations shall make provisions for appropriate modes of settlement of:

(a) disputes arising out of contracts or other disputes of a private law character to which the United Nations is a party;

(b) disputes involving any official of the United Nations who by reason of his official position enjoys immunity, if immunity has not been waived by the Secretary-General.

Section 30.—All differences arising out of the interpretation or application of the present convention shall be referred to the International Court of Justice, unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between the United Nations on the one hand and a Member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the statute of the Court. The opinion given by the Court shall be accepted as decisive by the parties.
PART III—CONSTITUTION.

A.—EXECUTIVE.

THE PENSIONS ACT.

[India Act XXIII, 1871.] (8th August, 1871.)

I.—Preliminary.

Interpretation-section.

3. In this Act, the expression "grant of money or land-revenue" includes anything payable on the part of Government in respect of any right, privilege, perquisite or office.

Bar of suits relating to pensions.

4. Except as hereinafter provided, no Civil Court shall entertain any suit relating to any pension or grant of money or land-revenue conferred or made by the British or any former Government, whatever may have been the consideration for any such pension or grant, and whatever may have been the nature of the payment, claim or right for which such pension or grant may have been substituted.

Claims to be made to Collector or other authorized officer.

5. Any person having a claim relating to any such pension or grant may prefer such claim to the Collector of the District or Deputy Commissioner or other officer authorized in this behalf by the President of the Union; and such Collector, Deputy Commissioner or other officer shall dispose of such claim in accordance with such rules as the Chief Revenue authority may, subject to the general control of the President of the Union, from time to time prescribe in this behalf.

Civil Court empowered to take cognizance of such claims.

6. A Civil Court, otherwise competent to try the same, shall take cognizance of any such claim upon receiving a certificate from such Collector, Deputy Commissioner or other officer authorized in that behalf that the case may be so tried, but shall not make any order or decree in any suit whatever by which the liability of Government to pay any such pension or grant as aforesaid is affected directly or indirectly.

III.—Mode of Payment.

Payment to be made by Collector or other authorized officer.

8. All pensions or grants by Government of money or land-revenue shall be paid by the Collector or the Deputy Commissioner or other authorized officer, subject to such rules as may, from time to time, be prescribed by the Chief Controlling Revenue authority.
9. Nothing in sections 4 and 8 shall affect the right of a grantee of land-revenue, whose claim to such grant is admitted by Government, to recover such revenue from the persons liable to pay the same under any law for the time being in force for the recovery of the rent of land.

10. The President of the Union may, with the consent of the holder, order the whole or any part of his pension or grant of money or land-revenue to be commuted for a lump sum on such terms as may seem fit.

IV.—Miscellaneous.

11. No pension granted or continued by any Government in India or Pakistan or by the Government of the Union of Burma on political considerations, or on account of past services or present infirmities or as a compassionate allowance, and no money due or to become due on account of any such pension or allowance, shall be liable to seizure, attachment or sequestration by process of any Court in the Union of Burma, at the instance of a creditor, for any demand against the pensioner, or in satisfaction of a decree or order of any such Court.

12. All assignments, agreements, orders, sales and securities of every kind made by the person entitled to any pension, pay or allowance mentioned in section 11, in respect of any money not payable at or before the making thereof, on account of any such pension, pay or allowance, or for giving or assigning any future interest therein, are null and void.

13. Whoever proves to the satisfaction of the President of the Union that any pension is fraudulently or unduly received by the person enjoying the benefit thereof shall be entitled to a reward equivalent to the amount of such pension for the period of six months.

14. The Chief Controlling Revenue authority may, with the consent of the President of the Union, from time to time make rules consistent with this Act respecting all or any of the following matters:

1. the place and times at which, and the person to whom, any pension shall be paid;
2. inquiries into the identity of claimants;
3. records to be kept on the subject of pensions;
4. transmission of such records;
5. correction of such records;
6. delivery of certificates to pensioners;
7. registers of such certificates;
8. reference to the Civil Court, under section 6, of persons claiming a right of succession to, or participation in, pensions or grants of money or land-revenue payable by Government;
and generally for the guidance of officers under this Act.

All such rules shall be published in the Gazette, and shall thereupon have the force of law.

1 See also s. 50 (g) of the Code of Civil Procedure.
အခြားသောက်တော်ကြီး ၏ ဗုဒ္ဓဟူးလေးတွေ့ရှိရန် သင့်လိုချင်သော အချက်အလက်များ

(၁) ပြုလုပ်ပေးသော ကြောင်းကို လေး အချက်အလက်များဖော်ပြပါသည်

(၂) ပြုလုပ်ပေးသော ကြောင်းကို လေး အချက်အလက်များဖော်ပြပါသည်

(၃) ပြုလုပ်ပေးသော ကြောင်းကို လေး အချက်အလက်များဖော်ပြပါသည်

(၄) ပြုလုပ်ပေးသော ကြောင်းကို လေး အချက်အလက်များဖော်ပြပါသည်

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(၃) အများများစွာသင့်သောစာရင်းများကို စာရင်းနှစ်စဉ်သို့ ပြောင်းလဲစေရန်
(၄) အားကစားရောက်စာရင်းကို စာရင်းအစီအစဉ်အလွယ်တောင်းပြောင်းစေရန်

၁၉ ပေါ်စွာကြေး လူမှု အစိုးရအဖွဲ့များ နှင့် စီစဉ်ကြောင့်

(၁) စာရင်းအစီအစဉ်များ ပြောင်းလဲစေရန်
(၂) စာရင်းအစီအစဉ်အချက်များအတွက် စာရင်းစီစဉ်ကြောင့်

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(၇) စာရင်းအစီအစဉ်များ ပြောင်းလဲစေရန်
THE PUBLIC ACCOUNTANTS DEFAULT ACT.

[India Act XII, 1850] (22nd March, 1850.)

1. Every public accountant shall give security for the due discharge of the trusts of his office, and for the due account of all moneys which shall come into his possession or control by reason of his office.

2. In default of any Act having special reference to the office of any public accountant, the security given shall be of such amount and kind, and with such sureties (regard being had to the nature of the office), as shall be required by any rules made, or to be made from time to time, by the authority by which each public accountant is appointed to his office, subject to the approval of the President of the Union.

3. For the purposes of sections 1 and 2 of this Act the expression "Public Accountant" means any person who as Official Assignee or Trustee is entrusted with the receipt, custody or control of any moneys or securities for money, or the management of any lands belonging to any other person or persons; and for the purposes of sections 4 and 5 of this Act the expression shall also include any person who, by reason of any office held by him in the service of the Government of the Union of Burma, is entrusted with the receipt, custody or control of any moneys or securities for money, or the management of any lands belonging to the Government.

4. The person or persons at the head of the office to which any public accountant belongs may proceed against any such public accountant and his sureties for any loss or defalcation in his accounts, as if the amount thereof were an arrear of land-revenue due to Government.

5. All Regulations and Acts for the recovery of arrears of land-revenue due to Government and for recovery of damages by any person wrongfully proceeded against for any such arrear shall apply, with such changes in the form of procedure as are necessary to make them applicable to the case, to the proceedings against and by such public accountant.

THE PUBLIC SERVANTS INQUIRIES ACT.

[India Act XXXVII, 1850.] (1st November, 1850.)

2. Whenever the President of the Union shall be of opinion that there are good grounds for making a formal and public inquiry into the truth of any imputation of misbehaviour by any person in the service of the Government, not removable from his appointment without the sanction of the President of the Union, he shall cause the substance of the imputations to be drawn into distinct articles of charge, and shall order a formal and public inquiry to be made into the truth thereof.

3. The inquiry may be committed either to the Court, Board or other authority to which the person accused is subordinate, or to any other person or persons, to be specially appointed by the President of the Union commissioners for the purpose; notice of which commission shall be given to the person accused ten days at least before the beginning of the inquiry.
4. When the President of the Union shall think fit to conduct the prosecution, he shall nominate some person to conduct the same on his behalf.

5. When the charge shall be brought by an accuser, the President of the Union shall require the accusation to be reduced to writing, and verified by the oath or solemn affirmation of the accuser; and every person who shall wilfully and maliciously make any false accusation under this Act, upon such oath or affirmation, shall be liable to the penalties of perjury, but this enactment shall not be construed to prevent the President of the Union from instituting any inquiry which he shall think fit, without such accusation on oath or solemn affirmation as aforesaid.

6. Where the imputations shall have been made by an accuser, and the President of the Union shall think fit to leave to him the conduct of the prosecution, the President of the Union before appointing the commission shall require him to furnish reasonable security that he will attend and prosecute the charge thoroughly and effectually, and also will be forthcoming to answer any counter-charge or action which may be afterwards brought against him for malicious prosecution or perjury or subornation of perjury, as the case may be.

7. At any subsequent stage of the proceedings the President of the Union may, if he think fit, abandon the prosecution, and in such case may, if he think fit, on the application of the accuser, allow him to continue the prosecution, if he is desirous of so doing, on his furnishing such security as is hereinbefore mentioned.

8. The commissioners shall have the same power of punishing contempts and obstructions to their proceedings as is given to civil and criminal Courts by the Code of Criminal Procedure, and shall have the same powers for the summons of witnesses, and for compelling the production of documents, and for the discharge of their duty under the commission, and shall be entitled to the same protection as the District Judge, except that all process to cause the attendance of witnesses or other compulsory process, shall be served through and executed in Rangoon by the [City Civil Court] and elsewhere by the District Court in whose jurisdiction the witness or other person resides, on whom the process is to be served. When the commission has been issued to a Court, or other person or persons having power to issue such process in the exercise of their ordinary authority, they may also use all such power for the purposes of the commission.

9. All persons disobeying any lawful process issued as aforesaid for the purposes of the commission shall be liable to the same penalties as if the same had issued originally from the Court or other authority through whom it is executed.

10. A copy of the articles of charge, and list of the documents and witnesses by which each charge is to be sustained, shall be delivered to the person accused at least three days before the beginning of the inquiry, exclusive of the day of delivery and the first day of the inquiry.

11. At the beginning of the inquiry the prosecutor shall exhibit the articles of charge to the commissioners, which shall be openly read, and the person accused shall thereupon be required to plead “guilty” or “not guilty” to each of

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1 Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.
Public Servants Inquiries.

them, which pleas shall be forthwith recorded with the articles of charge. If the person accused refuses, or without reasonable cause neglects, to appear to answer the charge either personally or by his counsel or agent, he shall be taken to admit the truth of the articles of charge.

12. The prosecutor shall then be entitled to address the commissioners in explanation of the articles of charge, and of the evidence by which they are to be proved; his address shall not be recorded.

13. The oral and documentary evidence for the prosecution shall then be exhibited; the witnesses shall be examined by or on behalf of the prosecutor and may be cross-examined by or on behalf of the person accused. The prosecutor shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on any new matter without leave of the commissioners, who also may put such questions as they think fit.

14. If it shall appear necessary before the close of the case for the prosecution, the commissioners may in their discretion allow the prosecutor to exhibit evidence not included in the list given to the person accused, or may themselves call for new evidence; and in such case the person accused shall be entitled to have, if he demand it, an adjournment of the proceedings for three clear days before the exhibition of such new evidence, exclusive of the day of adjournment and of the day to which the proceedings are adjourned.

15. When the case for the prosecution is closed, the person accused shall be required to make his defence, orally or in writing, as he shall prefer. If made orally, it shall not be recorded; if made in writing, it shall be recorded after being openly read, and in that case a copy shall be given at the same time to the prosecutor.

16. The evidence for the defence shall then be exhibited, and the witnesses examined, who shall be liable to cross-examination and re-examination and to examination by the commissioners according to the like rules as the witnesses for the prosecution.

17. * * * * *  

18. The commissioners or some person appointed by them shall take notes of all the oral evidence, which shall be read aloud to each witness by whom it was given, and, if necessary, explained to him in the language in which it was given, and shall be recorded with the proceedings.

19. If the person accused makes only an oral defence, and exhibits no evidence, the inquiry shall end with his defence; if he records a written defence, or exhibits evidence, the prosecutor shall be entitled to a general oral reply on the whole case, and may also exhibit evidence to contradict any evidence exhibited for the defence, in which case the person accused shall not be entitled to any adjournment of the proceedings, although such new evidence were not included in the list furnished to him.

20. When the commissioners shall be of opinion that the articles of charge or any of them are not drawn with sufficient clearness and precision, the commissioners may, in their discretion, require the same to be amended, and may thereupon, on the application of the person accused, adjourn the inquiry for a
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adjourn.
Reasons for refusing adjournment to be recorded.

The Report of commissioners' proceedings.

Power to call for further evidence or explanation. Inquiry into additional articles of charge.
Reference of report of special commissioners.
Final orders.

Saving of power of removal without inquiry under Act.

reasonable time. The commissioners may also, if they think fit, adjourn the inquiry from time to time on the application of either the prosecutor or the person accused, on the ground of sickness or unavoidable absence of any witness or other reasonable cause. When such application is made and refused, the commissioners shall record the application, and their reasons for refusing to comply with it.

21. After the close of the inquiry the commissioners shall forthwith report to the President of the Union their proceedings under the commission, and shall send with the record thereof their opinion upon each of the articles of charge separately, with such observations as they think fit on the whole case.

22. The President of the Union, on consideration of the report of the commissioners, may order them to take further evidence, or give further explanation of their opinions. He may also order additional articles of charge to be framed, in which case the inquiry into the truth of such additional articles shall be made in the same manner as is herein directed with respect to the original charges. When special commissioners have been appointed, the President of the Union may also, if he thinks fit, refer the report of the commissioners to the Court or other authority to which the person accused is subordinate, for their opinion on the case; and will finally pass such orders thereon as appear just and consistent with his powers in such cases.

23-24. * * * * *

25. Nothing in this Act shall be construed to affect the authority of the President of the Union for suspending or removing any public servant for any cause without an inquiry under this Act.
ပညာရေးရာ စာပိုဒ်
[ ဗုဒ္ဓ သင်္ဂူ ]

ပညာရေးရာ စာပိုဒ်များ စာယူစေချေ

(အမှတ် ၁) သင်္ဂူ...

(အမှတ် ၂) သင်္ဂူ...

* ရှေးက ရူးဖောင် စာရင်း သတ်မှတ်ချက်


မိဘိဓိပ္ပါယ်ချက်မှာလည်း ကျောင်းသား သုံးစွဲရာတွင် တိုက်ခန်းစာမျက်နှာရေးအချက်ကို စိတ်ကူးမှုများကို သို့မဟုတ် လွတ်ကွာမှုများကို ကြားမှုများကို အခြေခံမှုများကို ပြန်လည်စီစဉ်သည်။

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<th>မိဘိမ္မောင်း</th>
<th>စုစုပေါင်း</th>
<th>ကျွန်ုပ်</th>
<th>ကျွန်ုပ်</th>
</tr>
</thead>
<tbody>
<tr>
<td>၁ ကျွန်ုပ်</td>
<td>၃၀,၀၀၀</td>
<td>၂၅,၀၀၀</td>
<td></td>
</tr>
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<td>၂၅,၀၀၀</td>
<td></td>
</tr>
</tbody>
</table>

မိဘိမ္မောင်း အချက်အလက်များကို အစီအစဉ်များ ပြန်လည်စီစဉ်သည်။

“မိဘိမ္မောင်းအချက်အလက်များကို အစီအစဉ်များ ပြန်လည်စီစဉ်သည်” ဟု သိရှိပါသည်။

မိဘိမ္မောင်း အစီအစဉ်များကို မိဘိမ္မောင်းအဖွဲ့ (မိဘိမ္မောင်းအချက်အလက်များကို အစီအစဉ်များ ပြန်လည်စီစဉ်သည်) အရ အချက်အလက်များ အစီအစဉ်များ ပြန်လည်စီစဉ်သည်။

(၂) မိဘိမ္မောင်းအတွက် ကျွန်ုပ်ကို သိရှိပါသည်။

(၃) မိဘိမ္မောင်းအတွက် ကျွန်ုပ်ကို သိရှိပါသည်။

(၄) မိဘိမ္မောင်းအတွက် ကျွန်ုပ်ကို သိရှိပါသည်။

(၅) မိဘိမ္မောင်းအတွက် ကျွန်ုပ်ကို သိရှိပါသည်။

(၆) မိဘိမ္မောင်းအတွက် ကျွန်ုပ်ကို သိရှိပါသည်။

(၇) မိဘိမ္မောင်းအတွက် ကျွန်ုပ်ကို သိရှိပါသည်။

(၈) မိဘိမ္မောင်းအတွက် ကျွန်ုပ်ကို သိရှိပါသည်။
ပြူဆန်းချက် (အချိန်အရေးကို အဘိုးခြေ)

[ဖျငယ် ရည်မှန်းချက်] (ဖျငယ် ရည်မှန်းချက်)

ပြူဆန်းချက် ကို အချိန်အရေးကို ဖြစ်ချင်သပြီး အဖျငယ် ရည်မှန်းချက် ဖြစ်စေသည် အချိန်အရေးက သိရသည်။

* ဖျငယ်ကို ရာစုမှာ ဖျငယ်ကို အဖျငယ် ရည်မှန်းချက် (အချိန်အရေးကို အဘိုးခြေ)

* * * * *
ကြည့်ရှုခြင်း၏ အရာဝန်ဝင်းရေးနှင့် စိတ်ချခန်းစားသော အခြေခံ စာမျက်နှာတွင် စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။ အထွေထွေ စာသားကို ပြသည့် အချက်အလက်များကို အရေးကြီး ဖော်ပြပါသည်။
ပုံမှန်ကန်သောစာသီးသီးကို စာပိုဒ်နှစ်ထဲကို ကြည့်ရပ်ထားပါသည်။

11 ကျဉ်းကျင်လည်းကောင်း၊ စာပိုဒ်နှစ်ထဲကို ကြည့်ရပ်ထားပါသည်။

(1) ကျေးဇူးဖျင်သည့်အချက်များကို စာပိုဒ်နှစ်ထဲကို ကြည့်ရပ်ထားပါသည်။

(2) ကျေးဇူးဖျင်သည့်အချက်များကို စာပိုဒ်နှစ်ထဲကို ကြည့်ရပ်ထားပါသည်။

(3) ကျေးဇူးဖျင်သည့်အချက်များကို စာပိုဒ်နှစ်ထဲကို ကြည့်ရပ်ထားပါသည်။

(4) ကျေးဇူးဖျင်သည့်အချက်များကို စာပိုဒ်နှစ်ထဲကို ကြည့်ရပ်ထားပါသည်။

(5) ကျေးဇူးဖျင်သည့်အချက်များကို စာပိုဒ်နှစ်ထဲကို ကြည့်ရပ်ထားပါသည်။

(6) ကျေးဇူးဖျင်သည့်အချက်များကို စာပိုဒ်နှစ်ထဲကို ကြည့်ရပ်ထားပါသည်။

မြန်မာ အသုံးပြုသူအားလုံးက စာပိုဒ်နှစ်ထဲကို ကြည့်ရပ်ထားပါသည်။
မြန်မာအမျိုးအစား သို့မဟုတ် သူ့ဖြစ်ကြောင်း ဥပဒေအရ နေထိုင်ရာ နေရာတွင် ဗျူဟာများတွင် ခြောက်ခြောက်ကို သိမ်းပေးနေသော လေးမျိုးကို ထိုက်ခိုက်ချေမည်။

ကယ်ဆုံးအရ ဖြစ်သော ကျင်းပမှုဆိုင်ရာ သို့မဟုတ် သူ့ဖြစ်ကြောင်း ဥပဒေအရ နေထိုင်ရာ နေရာတွင် ဗျူဟာများတွင် ခြောက်ခြောက်ကို သိမ်းပေးနေသော လေးမျိုးကို ထိုက်ခိုက်ချေမည်။

စာရင်း အမျိုးအစားများကို သိမ်းပေးနေသော လေးမျိုးကို ထိုက်ခိုက်ချေမည်။

(၃) “စာရင်းအမျိုးအစား” သို့မဟုတ် သို့မဟုတ် သို့မဟုတ် သို့မဟုတ် သိမ်းပေးနေသော လေးမျိုးကို ထိုက်ခိုက်ချေမည်။

(၄) “စာရင်းအမျိုးအစား” သို့မဟုတ် သို့မဟုတ် သို့မဟုတ် သိမ်းပေးနေသော လေးမျိုးကို ထိုက်ခိုက်ချေမည်။

(၅) “စာရင်းအမျိုးအစား” သို့မဟုတ် သို့မဟုတ် သို့မဟုတ် သိမ်းပေးနေသော လေးမျိုးကို ထိုက်ခိုက်ချေမည်။

(၆) “စာရင်းအမျိုးအစား” သို့မဟုတ် သို့မဟုတ် သို့မဟုတ် သိမ်းပေးနေသော လေးမျိုးကို ထိုက်ခိုက်ချေမည်။

(၇) “စာရင်းအမျိုးအစား” သို့မဟုတ် သို့မဟုတ် သို့မဟုတ် သိမ်းပေးနေသော လေးမျိုးကို ထိုက်ခိုက်ချေမည်။

(၈) “စာရင်းအမျိုးအစား” သို့မဟုတ် သို့မဟုတ် သို့မဟုတ် သိမ်းပေးနေသော လေးမျိုးကို ထိုက်ခိုက်ချေမည်။
(ဗ) သောင်ကြီးအနှောင်တွင် သွားစေရန် အခြေခံချက်များကို မျှဝေ
သောင်းရပ်သွက်ရန် ဆောင်ရွက်ရန် အတွက်
(ဗ) သောင်ကြီးအနှောင်တွင် သိုးဖြင့် မျှဝေသွင်းရန် ဆောင်ရွက်ရန် အတွက်

(၁၁) သောင်ကြီးအနှောင်တွင် သိုးဖြင့် မျှဝေသွင်းရန် ဆောင်ရွက်ရန် အတွက်

(၁၂) သောင်ကြီးအနှောင်တွင် သိုးဖြင့် မျှဝေသွင်းရန် ဆောင်ရွက်ရန် အတွက်

(၁၃) သောင်ကြီးအနှောင်တွင် သိုးဖြင့် မျှဝေသွင်းရန် ဆောင်ရွက်ရန် အတွက်
၁၁ အဆင့်တိုက်ယံသောစူးစမ်းစွာ စီးပွားရေးဆိုင်ရာ စစ်ဆေးရေး စစ်သုံးကူးနိုင်ရန် အကြောင်းအရာကို ပြုလုပ်ရာ စီးပွားရေး ဆိုင်ရာ လူမှုနှင့် စီးပွားရေး ဆိုင်ရာ ကောက်ရွက်ရေး အတွက် စီးပွားရေး ဆိုင်ရာ လူမှုအဖွဲ့ ရေးသားခြင်း

၁၂ အဆင့်တိုက်ယံသောစူးစမ်းစွာ စီးပွားရေးဆိုင်ရာ စစ်ဆေးရေး စစ်သုံးကူးနိုင်ရန် အကြောင်းအရာကို ပြုလုပ်ရာ စီးပွားရေး ဆိုင်ရာ လူမှုနှင့် စီးပွားရေး ဆိုင်ရာ ကောက်ရွက်ရေး အတွက် စီးပွားရေး ဆိုင်ရာ လူမှုအဖွဲ့ ရေးသားခြင်း

၁၂. (၁) အကြောင်းအရာအများအပြား စီးပွားရေးဆိုင်ရာ စစ်ဆေးရေး စစ်သုံးကူးနိုင်ရန် အကြောင်းအရာကို ပြုလုပ်ရာ စီးပွားရေး ဆိုင်ရာ လူမှုနှင့် စီးပွားရေး ဆိုင်ရာ ကောက်ရွက်ရေး အတွက် စီးပွားရေး ဆိုင်ရာ လူမှုအဖွဲ့ ရေးသားခြင်း

၁၂. (၂) အကြောင်းအရာအများအပြား စီးပွားရေးဆိုင်ရာ စစ်ဆေးရေး စစ်သုံးကူးနိုင်ရန် အကြောင်းအရာကို ပြုလုပ်ရာ စီးပွားရေး ဆိုင်ရာ လူမှုနှင့် စီးပွားရေး ဆိုင်ရာ ကောက်ရွက်ရေး အတွက် စီးပွားရေး ဆိုင်ရာ လူမှုအဖွဲ့ ရေးသားခြင်း

၁၂. (၃) အကြောင်းအရာအများအပြား စီးပွားရေးဆိုင်ရာ စစ်ဆေးရေး စစ်သုံးကူးနိုင်ရန် အကြောင်းအရာကို ပြုလုပ်ရာ စီးပွားရေး ဆိုင်ရာ လူမှုနှင့် စီးပွားရေး ဆိုင်ရာ ကောက်ရွက်ရေး အတွက် စီးပွားရေး ဆိုင်ရာ လူမှုအဖွဲ့ ရေးသားခြင်း
(9) ဗိုလ်ချင်းမှာ မျှော်လင်းရေးရာ ပြည်သူများ အကျဉ်းမှ ပြောက်သွားရေး ရေးရာတွင် စိတ်ဝင်စားသူများ သက်ဆိုင်ရာ ဗိုလ်ချင်းများ မီးရှားခြင်း

(10) ဗိုလ်ချင်းမှာ မျှော်လင်းရေးရာ ပြည်သူများ အကျဉ်းမှ ပြောက်သွားရေး ရေးရာတွင် စိတ်ဝင်စားသူများ သက်ဆိုင်ရာ ဗိုလ်ချင်းများ မီးရှားခြင်း

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<th>အားကြီးအရေအတွက်</th>
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စာမေးခွန် II
(ချင်း ကျော်)
စီးပွားရေးအားလုံးအများပြည်၏
စီးပွားရေးမှု့စီမံခန့်ခွဲခြင်း

(ကိုယ်စားလှယ်)________

စာမေးခွန် II
(ချင်း ကျော်)
ပြည်ထောင်စုပြည်သူများ၏

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ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များနှင့် အခုများ

[ဗောဂူ မိသားစု သင်သူ အား] (ဗောဂူ မိသားစု သင်သူ အား)

ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များနှင့် အခုများ ဗောဂူ မိသားစု သင်သူ အား ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များ ချင်းစွဲမည်ကို အထောက်အမှန် ချင်းစွဲပါ။ ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များ ၏ အခုများ ဗောဂူ မိသားစု သင်သူ အား ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များ ချင်းစွဲမည်ကို အထောက်အမှန် ချင်းစွဲပါ။

အချက် ၁ အတွက်

(၁) ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များ ဗောဂူ မိသားစု သင်သူ အား ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များ ချင်းစွဲမည်ကို အထောက်အမှန် ချင်းစွဲပါ။

(၂) ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များ ဗောဂူ မိသားစု သင်သူ အား ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များ ချင်းစွဲမည်ကို အထောက်အမှန် ချင်းစွဲပါ။

(၃) ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များ ဗောဂူ မိသားစု သင်သူ အား ပညာရေးတွေ့ရစ်မှုစွမ်းအင်များ ချင်းစွဲမည်ကို အထောက်အမှန် ချင်းစွဲပါ။

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(၁) အဝတ်ရေးရာတွင် ပါဝင်သော အခြေအနေများကို ရှာဖွေ နှင့် အသိပေးချက်များ အများအားဖြင့် ရိုက်ခွဲပါမည်။

(၂) အဝတ်ရာတွင် ပါဝင်သော အစား၊ အလောက်အရေး အခြေအနေများကို ရှာဖွေ နှင့် အသိပေးချက်များ အများအားဖြင့် ရိုက်ခွဲပါမည်။

(၃) ဦးဆောင်သော အခြေအနေများကို ရှာဖွေ နှင့် အသိပေးချက်များ အများအားဖြင့် ရိုက်ခွဲပါမည်။

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(၁) ဆိုက်ကလေးပုံပြန်လည်သင့်ကြားအားဖြင့် ကြည့်လှမ်းပါ 
(၂) စာရင်းရေးအကြောင်း လုပ်ဆောင်ပါသူက 
(၃) ကာလစီးရိုက်သင့်ထိုက်ပါသည်။ 
(၄) စာရင်းကြိုးကျင်ခြင်းသင့်ကြည့်လှမ်းမည်။ 
(၅) စာရင်းအတွက် ပြည်ထောင်စုလိုအပ်ခြင်းသင့်ကြည့်လှမ်းသည်။

(၆) ကိုယ်စားလိုသည့်သော စာရင်းအချက်များမှ အကြဵတမ်းဖော်ပြပါသည်။

(၇) အကြောင်းအရင်းအမျိုးအမားများအတွက် သင့်၏ကြောင်းများသည် အကြောင်းချင်ရန်များဖြစ်သည်။

(၈) ကိုယ်စားလိုသည့်သော စာရင်းအချက်များမှ အကြဵတမ်းဖော်ပြပါသည်။

စာရင်းမှာ ပြည်ထောင်စုလိုအပ်ခြင်းသင့်ကြည့်လှမ်းသည်။
(3) ဒီမိုင်းတွင်ယူဆစ်ရမှာ
(4) သီးငါးဖုံးပိုက်ကိုရှာအောင်
(5) ဗိသုကာနည်းအပေါ်များရှိသော နေရာများကိုလည်း
(6) ရေးသားပါသည်။

(7) ပြင်သူများသည် အချင်းအလေးများသို့မဟုတ် ပြောင်းလဲသော စာကြောင်းများကိုဖော်ပြထားသည်။

(8) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(9) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(10) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(11) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(12) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(13) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(14) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(15) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(16) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(17) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(18) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(19) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(20) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(21) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(22) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(23) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(24) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(25) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(26) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(27) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(28) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(29) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(30) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(31) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(32) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(33) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(34) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(35) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(36) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(37) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။

(38) ပြင်သူများသည် အချင်းအလေးများအားဖော်ပြသည်။
(1) ဒီဇာတ်လမ်းချက်တို့ကို အတူပေးသောအချက်အလက်များ၌ ဆည်းကပ်သော စာကြောင်းတို့မှာ အမှန်တကယ်အောင် လျှင်လျင်ရရှိသည်။

(2) ဒီဇာတ်လမ်းချက်များကို ပြောင်းလဲကြည့်ရှု၍ အကြံပေးချက်များ အလိုအလျောက်လုပ်သူများအနေဖြင့် လျှင်လျင်လျင်ရရှိသည်။

(3) ကျွန်ုပ်တို့က လူမှုများကို ပြောင်းလဲကြည့်ရှု၍ အချက်အလက်များကို ကျန်ရှိစေရန် မည်သည့်အခါများကို လျှင်လျင်ရရှိသည်။

(4) ကျွန်ုပ်တို့၏ လူမှုများကို ပြောင်းလဲကြည့်ရှု၍ အချက်အလက်များကို ထိန်းသိမ်းစေရန် မည်သည့်အခါများကို လျှင်လျင်ရရှိသည်။
စစ်တမ်းများ သည် စာပေအရေအတွက် အဘယ်ကြောင်း အနေဖြင့် ကြည့်ရှုနိုင်သော သိစရာများဖြစ်သည်။ စဉ်းစားစေရန် စာပေအရေအတွက် အနေဖြင့် ကြည့်ရှုနိုင်သော သိစရာများဖြစ်သည်။

စဉ်းစားစေရန် စာပေအရေအတွက် အနေဖြင့် ကြည့်ရှုနိုင်သော သိစရာများဖြစ်သည်။

စဉ်းစားစေရန် စာပေအရေအတွက် အနေဖြင့် ကြည့်ရှုနိုင်သော သိစရာများဖြစ်သည်။

စဉ်းစားစေရန် စာပေအရေအတွက် အနေဖြင့် ကြည့်ရှုနိုင်သော သိစရာများဖြစ်သည်။

စဉ်းစားစေရန် စာပေအရေအတွက် အနေဖြင့် ကြည့်ရှုနိုင်သော သိစရာများဖြစ်သည်။

စဉ်းစားစေရန် စာပေအရေအတွက် အနေဖြင့် ကြည့်ရှုနိုင်သော သိစရာများဖြစ်သည်။

စဉ်းစားစေရန် စာပေအရေအတွက် အနေဖြင့် ကြည့်ရှုနိုင်သော သိစရာများဖြစ်သည်။
(1) သူ့အကြောင်းအမှတ်ကို ဖြည့်ပေးနေသောအချက်အလက်များကို ရှာဖွေနိုင်သည်။

(2) သူ့အကြောင်းအမှတ်ကို ဖြည့်ပေးနေသောအချက်အလက်များကို သိမ်းဆည်းနိုင်သည်။

(3) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။

(4) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။

(5) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။

(6) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။

(7) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။

(8) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။

(9) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။

(10) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။

(11) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။

(12) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။

(13) "သောဘို့စာများ" ဖြစ်ပြီး လူ့အကြောင်းအမှတ်ကို စာရင်းပေးရသည်။
(ဗ)  “သံစွယ်အားဖော်” ဆိုရင်မှာ စိုးစွဲဖော်ရေးစီရင်စီရင်မှုပြည့်မှုသော စိုးစွဲဖော်ရန် များစွာ ဖော်ပြထားပါသည်။ ဒီနေရာသို့မဟုတ် အခြား ပြည့်မှုများ ဖော်ပြထားသည်။ သားသမီးများကို ပြည့်စုံစမ်းစေခြင်းသည် အခြေအကြောင်း များစွာ ဖော်ပြထားပါသည်။

(ဗ)  “စိုးစွဲကိုင်ရာသားဖော်ပြရန်” ဆိုရင်မှာ များ စွာထွက်ဖော်ရန် များစွာ ဖော်ပြထားပါသည်။ ဒီနေရာသို့မဟုတ် အခြား ပြည့်မှုများ ဖော်ပြထားသည်။ သားသမီးများကို ပြည့်စုံစမ်းစေခြင်းသည် အခြေအကြောင်း များစွာ ဖော်ပြထားပါသည်။

(ဗ)  “ကူးကူး” ဆိုရင်မှာ များ စွာထွက်ဖော်ရန် များစွာ ဖော်ပြထားပါသည်။ ဒီနေရာသို့မဟုတ် အခြား ပြည့်မှုများ ဖော်ပြထားသည်။ သားသမီးများကို ပြည့်စုံစမ်းစေခြင်းသည် အခြေအကြောင်း များစွာ ဖော်ပြထားပါသည်။

(ဗ)  “ရှေးဟောင်း” ဆိုရင်မှာ များ စွာထွက်ဖော်ရန် များစွာ ဖော်ပြထားပါသည်။ ဒီနေရာသို့မဟုတ် အခြား ပြည့်မှုများ ဖော်ပြထားသည်။ သားသမီးများကို ပြည့်စုံစမ်းစေခြင်းသည် အခြေအကြောင်း များစွာ ဖော်ပြထားပါသည်။
(၂) “ဖူးရှင်” စာရင်းကြားဖြစ်သော စာရင်းအပေါ် ပြောသည်။

(၃) “ဖူးရှင်ဒီမိုကရေစီ” စာရင်းကြားဖြစ်သော စာရင်းအပေါ် ပြောသည်။

(၂) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၃) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၄) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၅) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၆) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၇) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၈) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၉) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၁၀) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၁၁) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၁၂) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၁၃) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၁၄) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၁၅) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၁၆) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၁၇) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၁၈) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၁၉) စာရင်းများ စာရင်းအပေါ် ပြောသည်။

(၂၀) စာရင်းများ စာရင်းအပေါ် ပြောသည်။
(1) အပေါ်စာသီးစာကို နောက်ကိုယ်ပိုင်အားဖော်ပေး လျှင် သင်ယူချင်သောအချက် ပြုလုပ်မည်

(2) အချိုး (2) ဖော်ပေး

(3) အချိုး (3) ဖော်ပေး

(4) အချိုး (4) ဖော်ပေး

(5) အချိုး (5) ဖော်ပေး

(6) အချိုး (6) ဖော်ပေး

(7) အချိုး (7) ဖော်ပေး

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(17) အချိုး (17) ဖော်ပေး
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(၂) ဒါနှစ်သက်တမ်း အတိုက်အတွင်း စက်မှတ်ချက်များ အတိုက်အတွင်း စာသင်္ချာ
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(၄) ဒါနှစ်သက်တမ်း အတိုက်အတွင်း စက်မှတ်ချက်များ အတိုက်အတွင်း စာသင်္ချာ
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(၅) စာသင်္ချာစောင်းခွင်နှင့် စက်မှတ်ချက်များ အတိုက်အတွင်း စာသင်္ချာ
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(3) မိန့်ဆိုများကို စိတ်ချင်းစားသူများ စီစဉ် မိမိတို့၏သော်ပြုများကို သိန်းသောက်များသောပြီး ဖွင့်ဆိုမှုတွင် အစီအစဉ် ဖော်ပြသော စိတ်ချင်းစားသူများ ကျောင်းသိမ်းဖွင့်ဆိုမှုတွင် အစီအစဉ်ကို ဖွင့်ဆိုပါစေ။

(4) မိန့်ဆိုများကို စိတ်ချင်းစားသူများ အစီအစဉ် ဖော်ပြသော စိတ်ချင်းစားသူများ ကျောင်းသိမ်းဖွင့်ဆိုမှုတွင် အစီအစဉ်ကို ဖွင့်ဆိုပါစေ။

(5) အစီအစဉ်ပြုများကို စိတ်ချင်းစားသူများ ကျောင်းသိမ်းဖွင့်ဆိုမှုတွင် အစီအစဉ်ကို ဖွင့်ဆိုပါစေ။

(j) စိတ်ချင်းစားသူများ ကျောင်းသိမ်းဖွင့်ဆိုမှုတွင် အစီအစဉ်ကို ဖွင့်ဆိုပါစေ။
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(3) စာသင်္ချာသင်တန်းကြီးမှ အသင်းဝင်များက အနေနောက်အား စုစုပေါင်းကြည့်ရှုအတွက် ပြသရန် ကြိုတင်ဆောင်ရန် အစီအစဉ်များဖြင့် ပြသနိုင်သည်။

(4) စာသင်္ချာသင်တန်းဝင်များက အသင်းဝင်များက အနေနောက်အား စုစုပေါင်းကြည့်ရှုအတွက် ပြသရန် ကြိုတင်ဆောင်ရန် အစီအစဉ်များဖြင့် ပြသနိုင်သည်။

(5) စာသင်္ချာသင်တန်းဝင်များက အသင်းဝင်များက အနေနောက်အား စုစုပေါင်းကြည့်ရှုအတွက် ပြသရန် ကြိုတင်ဆောင်ရန် အစီအစဉ်များဖြင့် ပြသနိုင်သည်။

(6) စာသင်္ချာသင်တန်းဝင်များက အသင်းဝင်များက အနေနောက်အား စုစုပေါင်းကြည့်ရှုအတွက် ပြသရန် ကြိုတင်ဆောင်ရန် အစီအစဉ်များဖြင့် ပြသနိုင်သည်။
B.—LEGISLATURE.

THE ANTI-BOYCOCT ACT.

[Burma Act V, 1922.] (24th June, 1922.)

Whereas it is expedient to protect all persons in the exercise of their lawful rights against those who seek to bring improper pressure to bear on them for the furtherance of political purposes; it is hereby enacted as follows:—

1. This Act shall extend to such areas as the President of the Union may, by notification, direct.

2. A person shall be deemed to boycott another who—
   (a) refuses to let or use or occupy any house or land, or to deal with, work for hire or do business with another person, or to render to
him or receive from him any customary service, or refuses to do any of the said things on the terms on which such things would commonly be done in the ordinary course of business, or

(b) abstains from such social, professional or business relations as he would, having regard to existing customs in the community, ordinarily maintain with such other person, or

(c) in any way injures, annoys or interferes with such other person in the exercise of his lawful rights.

3. Whoever, in consequence of any person having done any act which he was legally entitled to do or of his having omitted to do any act which he was legally entitled to omit to do, or with intent to cause any person to do any act which he is not legally bound to do or to omit to do any act which he is legally entitled to do, or with intent to cause harm to such person in body, mind, reputation or property, or in his business or means of living, boycotts such person or any person in whom such person is interested, shall be punished with imprisonment which may extend to six months or with fine or with both:

Provided that no offence shall be deemed to have been committed under this section if the Court is satisfied that the accused person has not acted at the instigation of or in collusion with any other person or in pursuance of any conspiracy or of any agreement or combination to boycott

4. Whoever—

(a) publicly makes or publishes or circulates a proposal for, or

(b) makes, publishes or circulates any statement, rumour or report with intent to, or which he has reason to believe to be likely to, cause, or

(c) in any other way instigates or promotes, the boycotting of any person or class of persons, shall be punished with imprisonment which may extend to two years or with fine or with both.

Explanation.—An offence under this section shall be deemed to have been committed although the person affected or likely to be affected by any action of the nature referred to herein is not designated by name or class but only by his acting or abstaining from acting in some specified manner.

5. Whoever, in consequence of any person having done any act which he was legally entitled to do or of his having omitted to do any act which he was legally entitled to omit to do, or with intent to cause any person to do any act which he is not legally bound to do, or to omit to do any act which he is legally entitled to do, threatens to cause such person, or any person in whom such person is interested, to be boycotted shall be punished with imprisonment for a term which may extend to two years or with fine or with both.

6. No offence shall be deemed to have been committed under sections 3, 4 or 5 if the Court is satisfied that the accused has not acted for the furtherance of a political purpose or from political motives.

7: Nothing in this Act shall be deemed to make unlawful—

(a) any act done by any person for bona fide religious purposes in accordance with the tenets, or with the established religious custom or usage, of the religious body to which such person belongs, or

(b) any act done in the furtherance of a bona fide labour dispute, or

(c) any act done in the ordinary course of business competition, including the promotion of indigenous industries.
Explanations.—Nothing in this section shall be deemed to make lawful any act punishable under or prohibited by any enactment for the time being in force or any act amounting to an actionable wrong.

8. (1) In any case in which a person has been convicted of an offence under this Act the Magistrate may, in lieu of or in addition to any sentence passed thereunder, require such person to execute a bond, with or without sureties, to be of good behaviour for such period, not exceeding one year as the Magistrate thinks fit.

(2) The provisions of Chapter XLII of the Code of Criminal Procedure shall apply to all bonds taken under this section.

9. (1) No Magistrate shall take cognizance of an offence punishable under this Act unless upon complaint made by order of or under authority from the President of the Union, which order or authority shall not be given after the lapse of more than three months from the date on which the offence is alleged to have been committed.

(2) No offence punishable under this Act shall be triable except by a Subdivisional Magistrate, a Magistrate of the first class or a Magistrate specially empowered by the President of the Union in this behalf.

10. Notwithstanding anything in the Code of Criminal Procedure to the contrary, an offence punishable under this Act shall be deemed for the purposes of Chapter XIV thereof to be cognizable:

Provided that no measures shall be taken for the arrest of a person suspected of the commission of an offence except under the orders of the District Magistrate.
ပေးထားသည်ကို သိရာသီးသားစာမျက်နှာများဖြင့် မိမိကိုးကွယ်ပေးပါ။
(၇) ပညာရေးနှင့်ပျော်ရွှင်းလာရောက် ပြည်သူများ၏ ဖွဲ့စည်းမှု နှင့် ဖွဲ့စည်းမှုဆောင်ရွှင်မှုအရှိန်အား ခြမ်းစားပေးခြင်း

(၈) ပညာရေးနှင့်ပျော်ရွှင်းလာရောက် ပြည်သူများ၏ ဖွဲ့စည်းမှု နှင့် ဖွဲ့စည်းမှုဆောင်ရွှင်မှုအရှိန်အား ခြမ်းစားပေးခြင်း
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(m) "ယောက်ချက်" စာရင်း ဖော်ပြထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသည်

(2) "ယောက်ချက်" စာရင်း ဖော်ပြထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသည်

(3) "ယောက်ချက်" စာရင်း ဖော်ပြထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသည်

(4) "ယောက်ချက်" စာရင်း ဖော်ပြထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသည်

(5) "ယောက်ချက်" စာရင်း ဖော်ပြထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသည်

(6) "ယောက်ချက်" စာရင်း ဖော်ပြထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသည်

(7) "ယောက်ချက်" စာရင်း ဖော်ပြထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထားသောစာရင်းမှ စီစဉ်ထားသောစာရင်းကို စီစဉ်ထာေသောစာရင်းမှ စီစဉ်ထာေသောစာရင်းကို စီစဉ်ထားသည်

(8) "ယောက်ချက်" စာရင်း ဖော်ပြထားသောစာရင်းမှ စီစဉ်ထာေသောစာရင်းမှ စီစဉ်ထာေသောစာရင်းကို စီစဉ်ထာေသောစာရင်းမှ စီစဉ်ထာေသောစာရင်းကို စီစဉ်ထာေသည်

(9) "ယောက်ချက်" စာရင်း ဖော်ပြထာေသောစာရင်းမှ စီစဉ်ထာေသောစာရင်းမှ စီစဉ်ထာေသောစာရင်းကို စီစဉ်ထာေသောစာရင်းမှ စီစဉ်ထာေသောစာရင်းကို စီစဉ်ထာေသည်

(10) "ယောက်ချက်" စာရင်း ဖော်ပြထာေသောစာရင်းမှ စီစဉ်ထာေသောစာရင်းမှ စီစဉ်ထာေသည်

(11) "ယောက်ချက်" စာရင်း ဖော်ပြထာေသည်

(12) "ယောက်ချက်" စာရင်း ဖော်ပြထာေသည်

(13) "ယောက်ချက်" စာရင်း ဖော်ပြထာေသည်
रेखाघड़ी

रेखाघड़ी

क्षेत्र: रेखाघड़ी

क्षेत्र: रेखाघड़ी

क्षेत्र: रेखाघड़ी

क्षेत्र: रेखाघड़ी
(1) အလိုအတောင်သရုပ်ဆောင်ရာမှုများကို ဗိပျားများနှင့် ပြိုင်ပြောင်းလဲရန်၀င်ရိုက်ကူးမှုမှာ ကြိုးစားမှုအား ထောက်ပံ့သော ရှေးဟောင်းများမှာ ရှိသည်။

(2) အလိုအတောင်မှုကို ဗိပျားများကို ပြိုင်ပြောင်းလဲရန် အလိုအတောင်ကြိုးစားမှုမှာ ကြိုးစားမှုအား ထောက်ပံ့သော ရှေးဟောင်းများမှာ ရှိသည်။

အတည်ပြုပြီး ပြိုင်ပြောင်းလဲရန် အလိုအတောင်မှုကို ပြိုင်ပြောင်းလဲရန် အလိုအတောင်ကြိုးစားမှုမှာ ကြိုးစားမှုအား ထောက်ပံ့သော ရှေးဟောင်းများမှာ ရှိသည်။
“အမြဲသောသူ”မှာ နောက်ဆုံးဖြင့်တွေ့ရှိရန် အခြားသော အရာများကိုစီမံပေးသည်

“စိုက်”ဖြစ်ပါက နောက်ဆုံးဖြင့်လည်းကောင်း၊ ကိုယ်စီးယားလိုက်ရစ်ရှု ရှိနေသော

ပြောသည့်အပေါ် ကြေညာရန် အခြေခံသည်

ရှိသောအရာများကို ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်

(၁) ကြိယ်စီးယားသော အလုပ်အဖွဲ့ ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်

(၂) ကြိယ်စီးယားသော အလုပ်အဖွဲ့ ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်

(၃) ကြိယ်စီးယားသော အလုပ်အဖွဲ့ ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်

(၄) ကြိယ်စီးယားသော အလုပ်အဖွဲ့ ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်

(၅) ကြိယ်စီးယားသော အလုပ်အဖွဲ့ ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်

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(၈) ကြိယ်စီးယားသော အလုပ်အဖွဲ့ ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်

(၉) ကြိယ်စီးယားသော အလုပ်အဖွဲ့ ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်

(၁၀) ကြိယ်စီးယားသော အလုပ်အဖွဲ့ ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်

(၁၁) ကြိယ်စီးယားသော အလုပ်အဖွဲ့ ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်

(၁၂) ကြိယ်စီးယားသော အလုပ်အဖွဲ့ ကိုယ်စီးယားထားသော အချိန်ကိုစီမံပေးသည်
(3) သင်ကြားသော စာလောက်စစ်ပါးစာရင်းမှာ အခြား စာရင်းများနှင့် အစီအစဉ်များအတွက် အဆုံးများစွာ တည်ဆောက်ထားပါသည်။

(4) ဝက်ဆီးစာကြောင်းသို့ ပြန်လည်စာရင်းစာမျက်နှာများငါးမျိုးကို ပြုပြင်သွင်းထားပါသည်။

(5) ကျန်သူများ၏ ပြင်သူများနှင့် အခြေခံသော အချက်များအားဖော်ထားသော စာရင်းများကို တည်ဆောက်လျှင် အရေးကြီးသော အချက်များစွာ သေချားနိုင်သည်။

(6) သင်ကြားသော အချက်များကို များစွာ ပြည်သူ၏ အချက်များကို အခြေခံသော အချက်များအားဖော်ထားသော စာရင်းများကို တည်ဆောက်ထားပါသည်။

(7) အခြေခံသော စာရင်းများကို ပြည်သူ၏ အချက်များကို တည်ဆောက်ထားပါသည်။

(8) ကျန်သူများ၏ ပြင်သူများနှင့် အရေးကြီးသော အချက်များအားဖော်ထားသော စာရင်းများကို တည်ဆောက်လျှင် အခြေချပေးထားသည်။

(9) စာရင်းများကို ပြည်သူ၏ အချက်များကို အသေးစိုက်ထားပါသည်။

(10) ကျန်သူများ၏ ပြင်သူများနှင့် အရေးကြီးသော အချက်များအားဖော်ထားသော စာရင်းများကို တည်ဆောက်ထားပါသည်။
(က) အခေါ်မှန်ကန်သော ရေးတွေ့ရစ်အရေအတွက် အခြေခံပူးပေါင်းသော အချက်အလက်များ စီမံခန့်ခွဲလိုအပ်သည်။

(ခ) အခေါ်မှန်ကန်သော ရေးတွေ့ရစ်အရေအတွက် အခြေခံပူးပေါင်းသော အချက်အလက်များ စီမံခန့်ခွဲလိုအပ်သည်။

(ဂ) အခေါ်မှန်ကန်သော ရေးတွေ့ရစ်အရေအတွက် အခြေခံပူးပေါင်းသော အချက်အလက်များ စီမံခန့်ခွဲလိုအပ်သည်။

(ဗ) အခေါ်မှန်ကန်သော ရေးတွေ့ရစ်အရေအတွက် အခြေခံပူးပေါင်းသော အချက်အလက်များ စီမံခန့်ခွဲလိုအပ်သည်။

(ဗ) အခေါ်မှန်ကန်သော ရေးတွေ့ရစ်အရေအတွက် အခြေခံပူးပေါင်းသော အချက်အလက်များ စီမံခန့်ခွဲလိုအပ်သည်။
(၃) အခြားသောအရာရှိများသည် အားပေးချက်တစ်ခု ဖြစ်ရပ်များအားထောင်ချက်ပြုချက်များအပေါ် အားပေးချက်ပြုချက်အဖြစ်အမျိုးမျိုး ထောင်ချက်တင်ခဲ့ပါသည်။

(၄) အခြေခံပြိုလဲ ရှာဖွေရေး အစိတ်အပိုင်းများ ဖြစ်ရပ်များအား အားပေးချက်ပြုချက်များအပေါ် အားပေးချက်ပြုချက်မှာ အခြေခံပြိုလဲကို ဖြစ်ရပ်များအား ဖြစ်ရပ်များအား အားပေးချက်ပြုချက်များအဖြစ် ထောင်ချက်တင်ခဲ့ပါသည်။

ရှောင် ခြင်း ၁

ကတိုးငါးအကြမ်းဖျင် ဆောင်ရွက်ချက်တစ်ခု အားပေးချက်ပြုချက်များသည် ဆောင်ရွက်ချက်များတွင် ပြောပြောပေးချက်တစ်ခုပါ။

(၁) ကလေးများကြား အကြမ်းဖျင် ဆောင်ရွက်ချက်ချက်များ အကြမ်းဖျင် ဆောင်ရွက်ချက်များတွင် ပြောပြောပေးချက်တစ်ခု။

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(၄) ကလေးများကြား အကြမ်းဖျင် ဆောင်ရွက်ချက်ချက်များ အကြမ်းဖျင် ဆောင်ရွက်ချက်များတွင် ပြောပြောပေးချက်တစ်ခု။

ရှောင် ခြင်း ၂

ကတိုးငါးအကြမ်းဖျင် ဆောင်ရွက်ချက်တစ်ခု အားပေးချက်ပြုချက်များသည် ဆောင်ရွက်ချက်များတွင် ပြောပြောပေးချက်တစ်ခုပါ။

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(၂) ကလေးများကြား အကြမ်းဖျင် ဆောင်ရွက်ချက်ချက်များ အကြမ်းဖျင် ဆောင်ရွက်ချက်များတွင် ပြောပြောပေးချက်တစ်ခု။

(၃) ကလေးများကြား အကြမ်းဖျင် ဆောင်ရွက်ချက်ချက်များ အကြမ်းဖျင် ဆောင်ရွက်ချက်များတွင် ပြောပြောပေးချက်တစ်ခု။

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(၅) ကလေးများကြား အကြမ်းဖျင် ဆောင်ရွက်ချက်ချက်များ အကြမ်းဖျင် ဆောင်ရွက်ချက်များတွင် ပြောပြောပေးချက်တစ်ခု။
(ဗ) သစ်သားနှင့် ပတ်သက်နေသော ဆိုင်ရာ အချက်အလက် ကြောင့် အခြေကြိုးပြောင်မှုများ အပေါ် လေ့လာခြင်း ဖြစ်သည်။

(ဗ) သစ်သားနှင့် ပတ်သက်နေသော ဆိုင်ရာ အချက်အလက် ကြောင့် အခြေကြိုးပြောင်မှုများ အပေါ် လေ့လာခြင်း ဖြစ်သည်။
(၇) အဖောင်ရောင်းမှုတွင်မှ အခြေခံမှုများကို လက်ရှိရေးအားဖြင့် အဖောင်ချုပ်ရေးအဖောင်ရောင်းမှုအပေါ် ရေးမှုကြောင်း ပြောပြထားပါသည်။

(၈) အဖောင်ချုပ်ရေးရောင်းမှုကို အခြေခံမှုများကို လက်ရှိရေးအားဖြင့် အဖောင်ချုပ်ရေးအဖောင်ရောင်းမှုအပေါ် ရေးမှုကြောင်း ပြောပြထားပါသည်။

(၉) အဖောင်ချုပ်ရေးရောင်းမှုကို အခြေခံမှုများကို လက်ရှိရေးအားဖြင့် အဖောင်ချုပ်ရေးအဖောင်ရောင်းမှုအပေါ် ရေးမှုကြောင်း ပြောပြထားပါသည်။

(၁၀) အဖောင်ချုပ်ရေးရောင်းမှုကို အခြေခံမှုများကို လက်ရှိရေးအားဖြင့် အဖောင်ချုပ်ရေးအဖောင်ရောင်းမှုအပေါ် ရေးမှုကြောင်း ပြောပြထားပါသည်။

(၁၁) အဖောင်ချုပ်ရေးရောင်းမှုကို အခြေခံမှုများကို လက်ရှိရေးအားဖြင့် အဖောင်ချုပ်ရေးအဖောင်ရောင်းမှုအပေါ် ရေးမှုကြောင်း ပြောပြထားပါသည်။

(၁၂) အဖောင်ချုပ်ရေးရောင်းမှုကို အခြေခံမှုများကို လက်ရှိရေးအားဖြင့် အဖောင်ချုပ်ရေးအဖောင်ရောင်းမှုအပေါ် ရေးမှုကြောင်း ပြောပြထားပါသည်။
(၁) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်းနှစ်များ

(၂) တွေ့ရေးအချက်အချက် သုံးစွဲနိုင်သည်ကို အကြောင်းရင်းနှစ် ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၃) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၄) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၅) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၆) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၇) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၈) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၉) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၁၀) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၁၁) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၁၂) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၁၃) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၁၄) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၁၅) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း

(၁၆) ပါဝင်နေသူများသည် ကြိုးစားနိုင်သည်ကို အကြောင်းရင်းနှစ်များ ဖျင်သွယ်ပါက သုံးစွဲနိုင်သည်ကို ဖျင်သွယ်ပါက အကြောင်းရင်း
မြန်မာစာအုပ်နှစ်ပေါင်းအထိတော်မူသည်။

ထို့နောက် အခြေခံသောလေးကို စစ်ဆေးနိုင်သည်။

သစ်ကြောင်းများကို စစ်ဆေးနိုင်သည်။
เหตุผลว่าควรตัดสินใจให้ แต่ละท่าน ซื้อหรือ ขาย หรือ ให้ ใช้ ผลิตภัณฑ์ อินเทอร์เน็ต ที่มี ผลลัพธ์ ดี การวิจัย ที่มี ผลลัพธ์ ดี หรือ ไม่ดี

เหตุผลว่าควรตัดสินใจให้ แต่ละท่าน ซื้อหรือ ขาย หรือ ให้ ใช้ ผลิตภัณฑ์ อินเทอร์เน็ต ที่มี ผลลัพธ์ ดี การวิจัย ที่มี ผลลัพธ์ ดี หรือ ไม่ดี
(c) ถ้าผู้ต้องการขอรับการส่งมอบสารเคมีใด ๆ ให้เจ้าหน้าที่เจ้าของบ้านหรือผู้แทนของเจ้าของบ้านส่งมอบให้ได้ต้องมีการยืนยันต่อเจ้าหน้าที่เจ้าของบ้านว่า มีการรับสารเคมีนั้นหรือไม่ ถ้ายืนยันแล้ว ให้เจ้าหน้าที่เจ้าของบ้านส่งมอบสารเคมีนั้นให้แก่ผู้ต้องการ แต่ถ้าไม่ยืนยัน ให้ผู้ต้องการแสดงหลักฐานว่า มีการรับสารเคมีนั้นหรือไม่ ถ้าไม่สามารถแสดงหลักฐานได้ ให้ผู้ต้องการแสดงหลักฐานว่า มีการรับสารเคมีนั้นหรือไม่ ถ้าไม่สามารถแสดงหลักฐานได้ ให้เจ้าหน้าที่เจ้าของบ้านส่งมอบสารเคมีนั้นให้แก่ผู้ต้องการ

(6) ถ้าผู้ต้องการขอรับการส่งมอบสารเคมีใด ๆ ให้เจ้าหน้าที่เจ้าของบ้านหรือผู้แทนของเจ้าของบ้านส่งมอบให้ได้ต้องมีการยืนยันต่อเจ้าหน้าที่เจ้าของบ้านว่า มีการรับสารเคมีนั้นหรือไม่ ถ้ายืนยันแล้ว ให้เจ้าหน้าที่เจ้าของบ้านส่งมอบสารเคมีนั้นให้แก่ผู้ต้องการ แต่ถ้าไม่ยืนยัน ให้ผู้ต้องการแสดงหลักฐานว่า มีการรับสารเคมีนั้นหรือไม่ ถ้าไม่สามารถแสดงหลักฐานได้ ให้ผู้ต้องการแสดงหลักฐานว่า มีการรับสารเคมีนั้นหรือไม่ ถ้าไม่สามารถแสดงหลักฐานได้ ให้เจ้าหน้าที่เจ้าของบ้านส่งมอบสารเคมีนั้นให้แก่ผู้ต้องการ
(1) ကသိုလ်ဝင်တွင် ကမ္ဘာပေါ်သို့ ဗုဒ္ဓဟူး မိသားစုနှင့် အိမ်ထောင်စု မိသားစု ပြိုလဲလိုသော လူမှုများ ကိုးကွယ်ရန် အခြား လုပ်ငန်းများကို အပေါ် အကြောင်းရှင်းလွယ်စေရန် ပြီးစီးလျက် သို့မဟုတ် ပစ္စည်းများ သို့မဟုတ် အခြေခံလိုသော အစိတ်အပိုင်းများကို များစွာ ရှိနေရန် ရှိသည်။

(2) အမှတ်(၁) အပေါ် သို့မဟုတ် အိမ်ထောင်စု ကိုးကွယ်ရန် လုပ်ငန်းများကို အခြား လုပ်ငန်းများကို အပေါ် အကြောင်းရှင်းလွယ်စေရန် ပြီးစီးလျက် သို့မဟုတ် ပစ္စည်းများ သို့မဟုတ် အခြေခံလိုသော အစိတ်အပိုင်းများကို များစွာ ရှိနေရန် ရှိသည်။

(3) အမှတ်(၂) အပေါ် သို့မဟုတ် အိမ်ထောင်စု ကိုးကွယ်ရန် လုပ်ငန်းများကို အခြား လုပ်ငန်းများကို အပေါ် အကြောင်းရှင်းလွယ်စေရန် ပြီးစီးလျက် သို့မဟုတ် ပစ္စည်းများ သို့မဟုတ် အခြေခံလိုသော အစိတ်အပိုင်းများကို များစွာ ရှိနေရန် ရှိသည်။

(4) အမှတ်(၃) အပေါ် သို့မဟုတ် အိမ်ထောင်စု ကိုးကွယ်ရန် လုပ်ငန်းများကို အခြား လုပ်ငန်းများကို အပေါ် အကြောင်းရှင်းလွယ်စေရန် ပြီးစီးလျက် သို့မဟုတ် ပစ္စည်းများ သို့မဟုတ် အခြေခံလိုသော အစိတ်အပိုင်းများကို များစွာ ရှိနေရန် ရှိသည်။
(၃) သင်္ချောင်းတစ်စုံ ဒေသများတွင် အရေးကြီးမှု့အဖြစ် စီမံကိန်းချုပ် ပြည်သူများကို အထူးအရေအတွက် ပြန်လည် သတင်းစာထောင်သည်။ အရေးကြီးမှု့အဖြစ် စီမံကိန်းချုပ်ရှိပြီးတစ်စုံ ဒေသများတွင် အရေးကြီးမှု့အဖြစ် စီမံကိန်းချုပ်ကြည့်သည်။

(၄) သင်္ချောင်းတစ်စုံ ဒေသများတွင် အရေးကြီးမှု့အဖြစ် စီမံကိန်းချုပ် ပြည်သူများကို အထူးအရေအတွက် ပြန်လည် သတင်းစာထောင်သည်။ အရေးကြီးမှု့အဖြစ် စီမံကိန်းချုပ်ရှိပြီးတစ်စုံ ဒေသများတွင် အရေးကြီးမှု့အဖြစ် စီမံကိန်းချုပ်ကြည့်သည်။

(၅) အခြေခံ (၁) အခြေခံမှ သို့မဟုတ် အခြေခံမှ သို့မဟုတ် သဘာဝပြောင်းလဲမှု နှင့် အင်အယ်ဒေသများ ပြည်သူများကို အထူးအရေအတွက် ပြန်လည် သတင်းစာထောင်သည်။

(၆) အခြေခံ (၁) အခြေခံမှ သို့မဟုတ် အခြေခံမှ သို့မဟုတ် သဘာဝပြောင်းလဲမှု နှင့် အင်အယ်ဒေသများ ပြည်သူများကို အထူးအရေအတွက် ပြန်လည် သတင်းစာထောင်သည်။

(၇) ပေါင်းစည်းမှု့အဖြစ် စီမံကိန်းချုပ်တစ်စုံ ဒေသများတွင် အရေးကြီးမှု့အဖြစ် စီမံကိန်းချုပ်ကြည့်သည်။
THE CONSTITUTION AMENDMENT ACT, 1951. ¹

[Act LXII, 1951.] (7th November, 1951.)

An Act to amend the Constitution of the Union of Burma.

It is hereby enacted as follows:—

1. (1) This Act may be called The Constitution Amendment Act, 1951.
     (2) It shall come into force on the date of promulgation except sections 3
         and 7 which shall come into force on the date of the dissolution of the Parliament
         following the first general elections held under section 233 of the Constitution.

2. In section 8 of the Constitution, for the expression "Section 180" the
   expression "Sections 180 and 181" shall be substituted.

3. In sub-section (1) of section 83 of the Constitution, the last sentence
   shall be deleted.

4. For the provisions in sections 180 and 181 of the Constitution, the
   following shall be substituted, namely:—

   "180. (1) The territory hitherto known as the Salween District shall form
       a constituent unit of the Union of Burma and be hereafter known as
       'The Karen State'. It shall also include such adjacent areas occu­
       pied by the Karens as may be determined by an Act of Parliament.
       (2) All the members of the Parliament representing the Karen State shall
           constitute the Karen State Council.
       (3) Any member of the State Council who shall have ceased to be a
           member of the Parliament shall be deemed to have vacated his seat
           in the Council, but may continue to carry on his duties until his
           successor shall have been elected.
       (4) The State Council may recommend to the Parliament the passing
           of any law relating to any matter in respect of which the Council
           is not competent to legislate.
       (5) When a Bill has been passed by the State Council it shall be presented
           to the President for his signature and promulgation. The President
           shall sign the Bill within one month from the presentation of the
           Bill, unless he refers the Bill to the Supreme Court for its decision
           under sub-section (6).
       (6) The President may, in his discretion, refer any Bill presented to him
           under sub-section (5) to the Supreme Court for decision on the
           question whether such Bill or any specified provision thereof is
           repugnant to this Constitution.
       (7) The Supreme Court, consisting of not less than three judges, shall
           consider the question referred to it and after such hearing as it
           thinks fit, shall pronounce its decision on such question in open
           Court as soon as may be and in any case not later than thirty days
           after the date of such reference. The decision of the majority of
           the judges shall, for the purpose of sub-section (6), be the decision
           of the Court.
       (8) In every case in which the Supreme Court decides that any provision
           of the Bill, the subject of a reference to the Supreme Court under
           sub-section (6), is repugnant to this Constitution, the President shall

¹ Published in Burma Gazette, 1951, Part I, page 899.
Constitution Amendment.

return the Bill to the State Council for reconsideration and shall decline to sign it unless the necessary amendments shall have been made thereto.

(9) In every other case, the President shall sign the Bill and promulgate the Act as soon as may be after the decision of the Supreme Court shall have been pronounced.

(10) When the President has signed a Bill presented to him under sub-section (5) whether without or after a reference to the Supreme Court, the validity of any provision of the Bill shall not be called in question on the ground that it was beyond the competence of the State Council.

(11) The signed text of every Act shall be enrolled for record in the office of the Registrar of the Supreme Court and a copy of the same shall be enrolled for record in the office of the Minister for the Karen State.

(12) The Head of the Karen State may, from time to time, summon and prorogue the State Council:

Provided that there shall be a session of the State Council once at least in every year so that a period of twelve months shall not intervene between the last sitting of the Council in one session and its first sitting in the next session.

Government of the Karen State

181. (1) A member of the Union Government to be known as the Minister for the Karen State shall be appointed by the President on the nomination of the Prime Minister acting in consultation with the Karen State Council from among the members of the Parliament representing the Karen State. The Minister so appointed shall also be the Head of the Karen State for the purpose of this Constitution.

(2) The Head of the State shall be in charge of the administration of the State; that is to say, the executive authority of the State shall be exercised by the Head of the State either directly or through officers subordinate to him.

(3) Without prejudice to the generality of the provisions of sub-section (4), the said executive authority shall extend to all matters relating to recruitment to the State civil services, to postings and transfers and to disciplinary matters relating to these services.

(4) Subject to the provisions of this Constitution, the executive authority of the State extends to the matters with respect to which the State Council has power to make laws, and in all such matters the decision of the Council shall be binding on the Head of the State.

(5) The Head of the State shall consult the State Council in all other matters relating to the State.

(6) In order to facilitate the communication of the decisions and the views of the State Council to the Head of the State, the Council shall at its first meeting after a general election elect from among its members or otherwise a Cabinet of State Ministers to aid and advise the Head of the State in the exercise of his functions.

(7) The Head of the State shall give or cause to be given an account of his work to the State Council in each ordinary session, present or cause to be presented to the Council a report upon all matters relating to the State, and recommend for the consideration of the Council such measures as he thinks fit for promoting the general welfare.
(8) The Head of the State shall prepare or cause to be prepared the estimates of the receipts and of the expenditure of the State for each financial year and shall present them or cause them to be presented to the State Council for consideration.

(9) Subject to any conditions that may be imposed by the Union in respect of any contributions from the Union, the State Council shall have power to approve the budget of the State; and in order to enable the President to satisfy himself that the conditions have been duly observed, such budget shall be incorporated in the Union budget.

(10) The provisions of Chapter X of this Constitution shall not apply to the Karen State.

(11) Subject to the provisions of this Constitution all matters relating to the Constitution of the State including those relating to the powers and duties of the Head of the State, of the State Council and of the Cabinet of State Ministers and their relations to each other and to the Union Government shall be determined by law:

Provided that until the date of the dissolution of the Parliament constituted following the first general elections held under section 233 of the Constitution, the Karen State Council shall be constituted with all the members of the Parliament representing Karens."

5. Section 195 of the Constitution shall be deleted.

6. In sub-section (5) of section 209 of the Constitution, the expression "Karens or" shall be deleted.

7. In the Second Schedule to the Constitution,—

(i) for clause (e) the following shall be substituted, namely:

"(e) fifteen seats shall be filled by representatives from the Karen State;"

and

(ii) in clause (f) for the words "fifty-three seats" the words "sixty-two seats" shall be substituted.

8. In the Constitution, for the expression "Karenni State" wherever it occurs, the expression "Kayah State" shall be substituted.
ပညာ့ပေါ်တွင် လူသိများစွာ ပြီးစီးမှု စိုးရိုးချက် ပြုသူ လေးတွေ ရေစီး ချက် ဆောင်ရွက်ပါသည်။ ပြည်သူ့ ပြည်သူ့ ဝင်ရောက် လေးတွေ ပြုသူ လေးတွေ ရေစီး ချက် ဆောင်ရွက်ပါသည်။

(၁) အသိပေးရန် ပြည်သူ့ ပြည်သူ့ ဝင်ရောက် လေးတွေ ရေစီး ချက် ဆောင်ရွက်ပါသည်။

(၂) အသိပေးရန် ပြည်သူ့ ပြည်သူ့ ဝင်ရောက် လေးတွေ ရေစီး ချက် ဆောင်ရွက်ပါသည်။

သင်ကြားးသွားသော ကျန်ရှားနေရာများ စွဲမှန်ကန်မှု အားလုံးနှင့် ပြည်သူ ဝင်ရောက် လေးတွေ ရေစီး ချက် ဆောင်ရွက်ပါသည်။

(၃) အသိပေးရန် ပြည်သူ့ ပြည်သူ့ ဝင်ရောက် လေးတွေ ရေစီး ချက် ဆောင်ရွက်ပါသည်။
(၃)  "၁၃ ၁၇" သိုင်းတင် ပြောင်းလဲသော လက်ရှိပုံစံတွေနဲ့ အခြေခံ ပြောင်းလဲမှုကို အောက်ပါဝင် စိတ်ချ ချိုးဖော်တွေကို ထိန်းချုပ်ပါ။ ပြောင်းလဲမှု အခြေအနေအတွက် ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။

(၄)  ပြောင်းလဲ ပြီး ၁၀၈ မိုင်

(၅)  ၁၃ ၁၇ သိုင်းတင် ပြောင်းလဲသော လက်ရှိပုံစံတွေ အခြေခံ ပြောင်းလဲမှုကို အောက်ပါဝင် စိတ်ချ ချိုးဖော်တွေကို ထိန်းချုပ်ပါ။ ပြောင်းလဲမှု အခြေအနေအတွက် ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။

(၆)  ပြောင်းလဲမှုကို မြှင့်တင်ခြင်း နှင့် အခြေခံ ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။ ပြောင်းလဲမှု အခြေအနေအတွက် ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။

(၇)  ပြောင်းလဲမှုကို မြှင့်တင်ခြင်း နှင့် အခြေခံ ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။ ပြောင်းလဲမှု အခြေအနေအတွက် ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။

(၈)  ပြောင်းလဲမှုကို မြှင့်တင်ခြင်း နှင့် အခြေခံ ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။ ပြောင်းလဲမှု အခြေအနေအတွက် ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။

(၉)  ပြောင်းလဲမှုကို မြှင့်တင်ခြင်း နှင့် အခြေခံ ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။ ပြောင်းလဲမှု အခြေအနေအတွက် ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။

(၁၀)  ပြောင်းလဲမှုကို မြှင့်တင်ခြင်း နှင့် အခြေခံ ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။ ပြောင်းလဲမှု အခြေအနေအတွက် ပြောင်းလဲမှုကို ထိန်းချုပ်ပါ။

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C.—JUDICIAL.

THE CONTEMPT OF COURTS ACT.

[India Act XII, 1926.] (1st May, 1926.)

1.

2. The High Court shall have and exercise the same jurisdiction, powers and authority, in accordance with the same procedure and practice, in respect of contempts of Courts subordinate to it as it has and exercises in respect of contempts of itself:

Provided that the High Court shall not take cognizance of a contempt alleged to have been committed in respect of a Court subordinate to it where such contempt is an offence punishable under the Penal Code.
3. Save as otherwise expressly provided by any law for the time being in force, a contempt of Court may be punished with simple imprisonment for a term which may extend to six months, or with fine, which may extend to two thousand rupees, or with both:

Provided that the accused may be discharged or the punishment awarded may be remitted on apology being made to the satisfaction of the Court:

Provided further that notwithstanding anything elsewhere contained in any law the High Court shall not impose a sentence in excess of that specified in this section for any contempt either in respect of itself or of a Court subordinate to it.

THE RANGOON CITY CIVIL COURT ACT.

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THE RANGOON CITY CIVIL COURT ACT.

[Burma Act VII, 1920.] (25th October, 1922.)

Chapter I.

Preliminary.

1 Whereas it is expedient to establish a Civil Court for the City of Rangoon, it is hereby enacted as follows:

1. This Act may be called the Rangoon City Civil Court Act.

2. * * * *

3. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Act" includes rules;
(b) * * * *
(c) "City of Rangoon" means the local limits of the [ordinary original civil jurisdiction] of the High Court;
(d) "the Court" means the Rangoon [City Civil Court] established under the provisions of this Act;
(e) "Registrar" includes a "Deputy Registrar";
(f) "Rules" means rules and forms contained in Schedule I or made or prescribed under section 32.

* Inserted by Act XV, 1945 which came into force on 1st November 1945.
* Substituted by Act V, 1950.
* Substituted for the words "Small Cause Court" by Act XV, 1945.
CHAPTER II.

CONSTITUTION OF THE COURT.

4. There shall be established in the City of Rangoon a Court to be called the Rangoon [City Civil Court].

5. The Court shall be deemed to be a Court subject to the superintendence and to be a Court subordinate to the High Court within the meaning of the Code of Civil Procedure and the Courts Act, and to be a Court subordinate to the High Court within the meaning of section 6 of the Legal Practitioners Act.

6. (1) There shall be a Chief Judge for the Court and so many other Judges as the President of the Union may, from time to time, determine.

(2) No person shall be appointed to be a Judge of the Court (other than the Chief Judge [and the Second Judge]) unless he is an advocate of the High Court or a judge of a Court of civil judicature of not less than five years standing.

(3) Of the judges (including the Chief Judge) not less than one-third shall be advocates of the High Court.

7. An additional judge or judges may be appointed for a period not exceeding six months whenever the President of the Union thinks it necessary or expedient that such an appointment or appointments should be made.

8. The Chief Judge, whether permanent or officiating, shall be the first of the Judges in rank and precedence.

The other Judges shall have rank and precedence as the President of the Union may, from time to time, direct.

9. (1) During any absence of the Chief Judge the President of the Union may appoint any person, having the requisite qualifications, to act as Chief Judge. During any absence of any other Judge or during the period for which any Judge is acting as Chief Judge, the President of the Union may appoint any person, having the qualifications required by section 6, to act as a Judge of the Court.

(2) Every person appointed under sub-section (1) of this section shall be authorized to perform the duties of the Chief Judge or a Judge of the Court. as the case may be, until the return of the absent Chief Judge or Judge, or the reversion of the Judge acting as Chief Judge, or until the President of the Union sees cause to cancel the appointment of such acting Chief Judge or Judge, as the case may be.

10. (1) No Judge or other officer appointed under this Act shall, during his continuance as such Judge or officer, either by himself or as partner of any other person, practice or act, either directly or indirectly, as an advocate, attorney, pleader or other legal practitioner; or be concerned, either on his own account or for any other person, or as the partner of any person, in any trade, business or profession.

(2) Any such Judge or officer so practising, acting or concerned, shall be deemed to have committed an offence under section 168 of the Penal Code.

(3) Nothing contained in sub-section (1) shall be deemed to prohibit any such Judge or officer from being a shareholder in any company [incorporated under any law for the time being in force].

1 Substituted for the words "Small Cause Court" by Act XV, 1945.
2 Inserted by Act V, 1950.
3 Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.
CHAPTER III.

LAW TO BE ADMINISTERED.

11. All questions, other than questions relating to procedure or practice, which arise in suits or other proceedings under this Act in the Court shall be dealt with and determined according to the law for the time being administered by the High Court in exercise of its ordinary original civil jurisdiction.

CHAPTER IV.

JURISDICTION WITH RESPECT TO SUITS.

12. (1) The Court shall exercise jurisdiction within the City of Rangoon.

(2) Save as expressly provided by this Act or by any other enactment for the time being in force, a suit cognizable by the Court shall not be tried by any other Court having jurisdiction within the same local limits.

13. Subject to the provisions contained in section 14 and to the provisions of the Code of Civil Procedure the Court shall have jurisdiction to try all suits of a civil nature when the amount or value of the subject-matter does not exceed rupees ten thousand.

14. The Court shall have jurisdiction as a Court of Small Causes to try in a summary manner suits not exceeding rupees one thousand in value provided that the Court in the exercise of its jurisdiction as a Court of Small Causes shall not try suits of the following classes or proceedings arising out of such suits, namely:

(a) suits concerning the assessment or collection of revenue;
(b) suits concerning any act ordered or done by or under the authority of the President of the Union;
(c) suits concerning any act ordered or done by any Judge or judicial officer in the execution of his office or by any person in pursuance of any judgment or order of any Court or any such Judge or judicial officer;
(d) suits for the recovery of immovable property;
(e) suits for the partition of immovable property;
(f) suits for the foreclosure or redemption of a mortgage of immovable property;
(g) suits for the determination of any other right to or interest in immovable property;
(h) suits for the specific performance or rescission of contracts;
(i) suits to obtain an injunction;
(j) suits for the cancellation or rectification of instruments;
(k) suits to enforce a trust;
(l) suits for a general average loss and suits on policies of insurance on seagoing vessels;

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1 Substituted by Act LXXXVII, 1947.
2 Substituted by Act XV, 1945.
3 Deleted by the Union of Burma (Adaptation of Laws) Order, 1948.
suited for compensation in respect of collisions on the high seas or in any inland waters;
(n) suits for compensation for the infringement of a patent, copyright or trade mark;
(o) suits for a dissolution of partnership or for an account of partnership transactions;
(p) suits for an account of property and its due administration under the decree of the Court;
(q) suits for compensation for libel, slander, malicious prosecution, adultery, seduction or breach of promise of marriage;
(r) suits for declaratory decrees;
(s) suits for possession of a hereditary office;
(t) suits against Sovereign Princes or Ruling Chiefs, or against Ambassadors or Envoys of Foreign States;
(u) suits on foreign judgments;
(v) suits the cognizance whereof by the Court is barred by any law for the time being in force.

15. The High Court, either of its own motion or on the application of any party, may remove any suit or other proceeding pending before the Court for trial before itself in the exercise of its ordinary original civil jurisdiction.

16. Nothing in this Chapter shall be deemed to preclude the Court from trying such suit or proceeding as it may from time to time be specially authorized to try by any other enactment.

CHAPTER V.

EJECTMENT AND DISTRESSES.

17. (f) When—

(a) any person has had possession of any immoveable property in the City of Rangoon of which the annual rental value does not exceed ten thousand rupees, as the tenant or by permission of another person, or of some person through whom such other person claims, and

(b) such tenancy or permission has determined or been withdrawn, and

(c) such tenant or occupier or any person holding under or by assignment from him (in this Act called the occupant) refuses to deliver up such property in compliance with a request made to him in this behalf by such other person,

such other person (in this Act called the applicant) may apply to the Court in accordance with the provisions of this Act for an order of ejectment of the occupant and for delivery of possession of the property.

18. No suit or prosecution shall be maintainable against any Judge or officer of the Court by whom any order was issued in pursuance of section 17 or against any bailiff or other person for any act or omission incidental to the execution thereof by reason only that the applicant was not entitled to the possession of the property.

1 Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.
2 Substituted by Act XV, 1945.
3 Substituted for the words "five thousand rupees" by Act LXXXVII, 1947.
4 Substituted by Act XV 1945.
19. (1) Nothing in this Act shall be deemed to protect any applicant obtaining possession of any property under this Act from a suit by any person deeming himself aggrieved thereby, when such applicant was not at the time of applying for an order under section 17 entitled to the possession of such property. (2) And when the applicant was not, at the time of applying for any such order as aforesaid, entitled to the possession of such property, the application for such order, though no possession is taken thereunder, shall be deemed to be an act of trespass committed by the applicant against the occupant.

20. (1) Whenever on an application being made under section 17 the occupant binds himself in a bond, with or without sureties as the Court may direct, and for such amount as the Court thinks reasonable, to institute without delay a suit against the applicant for compensation for trespass and to pay all the costs of such suit and any compensation which he may be ordered to pay under sub-section (3) in case he does not prosecute the same or in case judgment therein is given for the applicant, the Court shall stay the proceedings on such application until such suit is disposed of. (2) If the occupant obtains a decree in any suit against the applicant, such decree shall supersede the order (if any) made on an application under section 17. (3) If the suit referred to in sub-section (1) fails and it appears to the trial Court that there was no reasonable or probable ground for instituting the same, the applicant may apply to such Court and such Court may award to the applicant such compensation as it deems reasonable, not exceeding one thousand rupees or the annual rental value of the property, whichever is less.

21. Recovery of the possession of any immovable property under this Act shall be no bar to the institution of a suit for trying the title thereto.

22. (1) Any person claiming to be entitled to arrears of rent of any house or premises [within the city of Rangoon], or his duly constituted attorney, if any, may apply to the Court for a distress warrant in accordance with the provisions of this Act. (2) Nothing in this section applies— (a) to any rent due to Government; (b) to any rent which has been due for more than twelve months before the application mentioned in sub-section (1); (c) to any rent of house or premises the rent of which exceeds one hundred rupees per month.

CHAPTER VI.

PROCEDURE.

23. (1) The procedure prescribed in the Code of Civil Procedure shall, save in so far as is otherwise provided by this Act, be the procedure to be followed by the Court in all suits cognizable by it and in all proceedings arising out of such suits.

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1 The words "in the High Court" were deleted by Act LXV, 1947.  
2 Substituted for the word "High" by ibid.  
3 Substituted by Act V, 1950.  
4 Inserted by ibid.  
5 Substituted by Act XV, 1945.  
6 The words "by that Code, or" were deleted by Act V, 1950.
(2) The following sections of the Code of Civil Procedure shall not extend to the Court in the exercise of its jurisdiction as a Court of Small Causes, namely:

Sections 7, 9, 91, 92;
Sections 94 and 95 so far as they authorize or relate to—
(i) orders for the attachment of immovable property;
(ii) the appointment of a receiver of immovable property;
(iii) injunctions;
(iv) interlocutory orders referred to in clause (e) of section 94;
Sections 96 to 112 inclusive, and 115.

CHAPTER VII.

APPEALS AND REVISIONS.

24. (1) An appeal shall lie to the High Court—
(a) from any decree made by the Court in exercise of its ordinary civil jurisdiction when the amount or value of the subject-matter of the suit exceeds two hundred rupees;
(b) from any order of the kind specified in clauses (a) to (e) and (f) of Rule 1 of Order XLI of Schedule I to the Code of Civil Procedure passed by the Court in suits the decree in which are appealable or in proceedings arising therefrom, and
(c) from any order passed under clauses (g) and (h) of sub-section (1) of section 104 of the said Code.

(2) The period of limitation for an appeal under sub-section (1) shall be thirty days and in the computation thereof and in all other respects the provisions of the Limitation Act shall apply.

25. The High Court, for the purposes of satisfying itself that a decree or order (which was made in any case by the Court and is not appealable under the provisions of section 24) was according to law, may call for the case and pass such order with respect thereto as it thinks fit.

26. Save as otherwise provided by this Act or by any other enactment for the time being in force, every decree and order of the Court shall be final.

CHAPTER VIII.

FEES AND COSTS.

27. *(l)  
*(

(2) For the purposes of the Court Fees Act an application under section 17 shall be deemed to be a suit of a value equal to the annual rental value of the property in respect of which the application is made.

1 Substituted by Act V, 1950
2 The words "and conclusive" by Act XV, 1954.
3 Deleted by Act Y, 1946.
CHAPTER IX.

CONTROVERS OF COURT.

28. (1) Whenever any suit or proceeding is settled by agreement of the parties before any evidence is recorded, half the amount of all Court fees paid up to that time shall be repaid by the Court to the parties by whom the same have been respectively paid.

(2) Whenever an order for repayment is made under sub-section (1), the Court shall grant to the party entitled to be repaid a certificate authorizing him to receive back from the Collector the amount payable to such party.

29. If any witness before the Court refuses to answer such questions as are put to him, or to produce any document in his possession or power which the Court requires him to produce, and does not offer any reasonable excuse for such refusal, the Court may sentence him to simple imprisonment, or commit him to the custody of an officer of the Court, for any term not exceeding seven days, unless in the meantime such person consents to answer such questions or to produce such document, as the case may be, after which, in the event of his persisting in his refusal, he may be dealt with according to the provisions of section 480 or 482 of the Code of Criminal Procedure.

30. Any person deeming himself aggrieved by an order under section 29 may appeal to the High Court, and the provisions of the Code of Criminal Procedure relating to appeals shall, so far as may be, apply to appeals under this section.

CHAPTER X.

RULES.

31. The rules in Schedule I shall have effect as if enacted in the body of this Act until annulled or altered in accordance with the provisions of section 32.

32. The High Court may, from time to time, by rules having the force of law—

(1) provide for the exercise by one or more of the Judges of the Court of any powers conferred on the Court by this Act or any other enactment for the time being in force;

(2) regulate the procedure of the Court in the exercise of its jurisdiction under (this Act); and may by such rules (after previous publication thereof) annul, alter or add to all or any of the rules in Schedule I;

(3) provide for the delegation to any ministerial officer of the Court of any non-judicial or quasi-judicial duties which this Act or the Code of Civil Procedure requires to be performed by a Judge:

Provided that no rule made under this section shall be inconsistent with the provisions in the body of this Act.

1 Substituted by Act V, 1950.
CHAPTER XI.

MINISTERIAL OFFICERS.

33. (1) An officer may be appointed to be called the Registrar of the Court, and to be the chief ministerial officer of the Court; and
(2) There may also be appointed a Deputy Registrar and as many clerks, bailiffs and other ministerial officers as may be sanctioned by the President of the Union for the administration of justice by the Court and for the exercise and performance of the powers and duties conferred and imposed on it by this Act or any other law for the time being in force.
(3) The Registrar and other officers so appointed shall exercise such powers and discharge such duties, of a ministerial nature, as the Chief Judge may, from time to time, direct.

34. (1) The President of the Union may invest the Registrar with the powers of a Judge under this Act for the trial of suits in which the amount or value of the subject-matter does not exceed [one hundred and fifty rupees] [one hundred and fifty rupees] and for hearing and disposal of execution and other proceedings arising out of such suits.
(2) Subject to the orders of the Chief Judge, any Judge of the Court may, whenever he thinks fit, transfer from his own file to the file of the Registrar any suit which the latter is competent to try.
(3) For the purposes of this section an application for possession under section 17 shall be deemed to be a suit.

35. If any bailiff, clerk, or other inferior ministerial officer of the Court, who is employed as such in the execution of any order or warrant, loses, by neglect, connivance or omission, an opportunity of executing such order or warrant, he shall be liable, by order of the Chief Judge, to pay to the person injured by such neglect, connivance or omission, such sum, not exceeding in any case the sum for which the said order or warrant was issued, as, in the opinion of the Chief Judge, appears reasonable.

36. If any clerk, bailiff or other inferior ministerial officer of the Court is charged with extortion or misconduct while acting under colour of its process, or with not duly paying or accounting for any money levied by him under its authority, the Court may inquire into such charge, and may make such order for the repayment or payment of any money so extorted, or of any money so levied as aforesaid, and of damages and costs, by such officer, as it thinks fit.

37. For the purposes of any inquiry under this Chapter, the Court shall have all the powers of summoning and enforcing the attendance of witnesses and compelling the production of documents which it possesses in suits under this Act.

38. Any order under this Chapter for the payment or repayment of money may, in default of payment of the amount payable thereunder, be enforced by the person to whom such amount is payable as if the same were a decree of the Court in his favour.

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1 Substituted for the words "fifty rupees" by Act LXXXVII, 1947.
2 Inserted by Act V, 1950.
CHAPTER XII.

Miscellaneous.

\[ 39-40. \]

SCHEDULE 1.

ORDER LIII 7.

RANGOON CITY CIVIL COURT RULES.

Part I.

Preliminary.

1. These rules may be called the Rangoon City Civil Court Rules and shall apply to all proceedings hereafter to be instituted in the Rangoon City Civil Court, and, as far as may be, to all proceedings that may be transferred to it under section 39 of the Rangoon City Civil Court Act.

2. In these rules unless there be something repugnant in the subject or context,—

(1) "The Act" means the Rangoon City Civil Court Act.
(2) "Bailiff" means any Bailiff of the Court.
(3) "The Code" means so much of the Code of Civil Procedure together with the Schedules and Appendices thereto, as is not expressly or impliedly excluded by the Act or these rules.
(4) "Prescribed" means prescribed by these or any duly authorized rules or orders or by the Code.
(5) "Process" includes a summons to a defendant or to a witness, a notice or any other process (not being a warrant) which has to be served through the Court.

3. The procedure to be followed in the Court shall be that laid down in the Code, subject to the provisions of the Act and of these rules.

4. All plaints, written statements, affidavits, petitions and other proceedings presented to the Court shall be in English and written or typewritten or printed, fairly and legibly, and in the prescribed form:

Provided always that in proceedings to which all the parties are Burmans and in which the relief sought does not exceed Rs. 500, all pleadings, petitions and affidavits may be written, typed or printed in Burmese.

5. Written statements, petitions and affidavits, unless filed in Court or before the Registrar, shall be presented to the Chief Clerk or to such other officer as may be appointed in that behalf, in like manner as is hereinafter provided for the presentation of plaints.

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1 Repealed by Act LXXXVII, 1947.
2 These rules were made by the High Court in exercise of the powers conferred by s. 122 of the Code of Civil Procedure and s. 32 of the Rangoon City Civil Court Act; [see High Court Notification No. 1 (Schedule), dated 27th February 1946]
3 See new section 216 of the Constitution of the Union of Burma, which lays down that the official language of the Union shall be Burmese: provided that the use of the English language may be permitted.
6. It is competent for the Chief Clerk to administer oaths to the deponents of affidavits to be filed in Court.

7. Copies of pleadings, petitions and affidavits must be served on the opposite party not less than 48 hours before the date fixed for hearing.

8. Unless the necessary process fees payable on a plaint or petition are paid within 48 hours from its admission, the suit or petition may be dismissed.

_Institution of Suits—The Plaint, its Presentation and Admission._

9. Every suit shall be instituted by the presentation of a plaint.

10. The subject-matter of the plaint shall be divided into paragraphs numbered consecutively and each paragraph shall contain as nearly as may be a single allegation. Where a Burmese or Indian date is given the corresponding English date shall be added. The names, descriptions and places of residence of the parties must be fully set out in the title or the omission to do so must be satisfactorily explained.

11. A plaint shall be presented to the Chief Clerk of the Court or to such other officer as the Chief Judge may from time to time appoint in that behalf. If the plaint be reasonably legible and be properly stamped, signed and verified and otherwise admissible in accordance with the provisions of the Code and of these rules it shall be received and a receipt shall be granted to the person presenting it. A diary form for the suit shall thereupon be opened by such Chief Clerk or other officer, who shall enter therein the name of the person presenting the plaint, the date of presentation and the documents (if any) produced or filed with the plaint.

12. There shall be filed with the plaint as many copies thereof as there are defendants to the suit. And the Chief Clerk or such other officer as aforesaid shall thereupon place the plaint with the diary form before the Registrar for his written order for the admission of the plaint and his direction for summons to issue upon payment of the necessary fees.

13. If it appears to the Registrar that the plaint should for any reason be amended or rejected, the matter shall be placed in the daily cause list on a suitable date before the Registrar for admission and the Registrar shall then deal with the matter in question or (if so desired) place the matter for admission before the Judge to whom such case would ordinarily be assigned.

14. If the person desiring to verify a plaint is not a party to the suit he shall obtain leave from the Registrar to verify and his application in that behalf shall be supported by affidavit showing his connection with the case and how the allegations made come within his knowledge or belief.

15. An agent desiring to institute a suit shall at the time of presenting the plaint produce his power of attorney for the scrutiny of the Chief Clerk or such other officer as aforesaid who shall examine it and note its production in the diary, and the power of attorney shall be returned with a warning that it must be produced on the day of hearing for inspection.

16. (1) When an original document is produced by the plaintiff under Order VII, Rule 14, of the Code, the Chief Clerk shall put thereon his initials and a note of the date of presentation.

(2) If a copy of such document is delivered to be filed with the plaint instead of the original, the Chief Clerk shall compare the copy with the original and certify as to its correctness by endorsement.
17. When a plaint has been admitted it shall be numbered and registered as a suit duly instituted and the Chief Clerk or other officer as aforesaid shall upon receipt of the proper fees issue a summons directed to each defendant.


18. The summons to the defendant shall require the defendant or defendants to enter appearance before the Registrar upon a date to be therein mentioned.

19. (1) In all suits for sums not exceeding Rs 150 the summons shall be for final disposal.

(2) In all suits the value of which exceeds Rs. 1,000 the summons shall be for the settlement of issues.

(3) And in all other suits the Registrar shall determine, at the time of issuing the summons, whether it shall be for the settlement of issues only or for the final disposal of the suit; and the summons shall contain a direction accordingly.

20. (1) In all suits in which summons is for the settlement of issues the defendant when he enters appearance shall be given an opportunity of filing a written statement in answer to the plaintiff’s claim and the suit shall be assigned to a particular judge for trial and a date fixed for hearing.

(2) In all other suits a verbal defence may be recorded unless for any reason the Court considers a written statement desirable in the circumstances.

21. Ordinarily the interval between the date of issue of a summons and the day fixed for the appearance of the defendant or defendants shall not be less than—

(a) where all the defendants reside within the local limits of the jurisdiction of the Court—

(1) in suits the value of which exceeds Rs.1,000—fourteen days ;

(2) in all other cases—ten days ;

(b) where any one defendant resides in the Union of Burma but beyond the local limits of the jurisdiction of the Court—twenty-eight days; 

(c) where any one defendant resides in India or Pakistan—eight weeks; 

(d) where any one defendant resides out of India or Pakistan and the Union of Burma—three months.

22. Ordinarily a defendant residing within the local limits of the jurisdiction of the Court shall not be deemed to have had sufficient time to appear and answer unless the process was served on him not less than three clear days before the day fixed for appearance.

23. All processes and warrants, except committal and release warrants, shall be signed, sealed and issued by the Chief Clerk. Committal and release warrants and commissions shall be signed by the Judge who ordered their issue or by the Registrar on his behalf.

24. Processes or warrants for service or execution within the local limits of the jurisdiction of the Court shall be delivered for service or execution to the Bailiff, who shall endorse thereon the date of receipt by him. If the person to be served is known to the Bailiff, or to any of his staff, the Bailiff shall cause the process to be served forthwith. If the person to be served is not so known the Bailiff shall require the party applying for the process to provide some person to identify the person to be served and shall fix a time when one of the officers will be ready to proceed to effect service.
25. Processes for service in the Union of Burma but beyond the local limits of the jurisdiction of the Court shall, unless otherwise directed, be sent by post to a Court at the headquarters of a township in which the person to be served resides. If the process is to be served out of the Union of Burma it shall be served in the manner prescribed by Order V, Rules 21, 21A, 25, 25A and 26 of the Code, and if the process has to be sent to any Court having jurisdiction in the place where the defendant resides, the party at whose instance the process is issued shall name such Court.

26. Unless otherwise ordered a second or subsequent process shall not be issued until the previous one has been returned.

27. Proof of service may be made by affidavit. Such affidavits must state fully all particulars which must necessarily be proved before the summons or process can be held to have been duly served. The Bailiff is empowered to administer the oath to the deponents of such affidavits.

28. No summons or other process shall be served or executed on a Sunday, Christmas Day or Good Friday except by the special leave of the Court.

**Appearance.**

29. If the defendants or any of them do not appear and the Court is satisfied that they have been duly served with the summons the suit shall be heard *ex-parle* as regards such defendants or any of them.

30. If the defendants or any of them do appear and wish to defend the suit, the Registrar shall either direct such defendants or defendant to file a written statement before the Judge to whom such case is assigned for trial, allowing such time as may be reasonable for the purpose, or direct that the case be placed before such Judge the following Court day for orders.

31. Advocates or pleaders instructed to appear and defend on behalf of any one or more defendants in a suit may enter appearance on his or their behalf at any time before the date for appearance by formal notice in writing addressed to the Chief Clerk and may at the same time file written statements in answer to the plaintiff's claim and the case will thereupon be placed for orders before the Registrar.

32. (1) A minor can only enter appearance by his guardian *ad litem*. And the Court shall, upon being satisfied of such incompetence, appoint a proper person to be such guardian upon application made to it either in the name or on behalf of such minor or by the plaintiff.

(a) If on an application by the plaintiff, and after due notice to the proposed guardian and to the minor, the proposed guardian is not appointed, the Court may appoint one of its officers to act as guardian *ad litem*.

(b) In such case no notice need issue save to the officer concerned, and upon his signifying to the Court his consent to act as a guardian the order appointing him shall be made, and he shall thereupon endeavour to get into communication with the minor's natural guardian or relatives with a view to ascertaining what defence should be pleaded in answer to the plaintiff's claim.

(c) The Court may at any time direct the plaintiff or other party having the conduct of the case to pay into Court a sum sufficient to defray such minor's expenses in defending the suit.
(3) The procedure provided for by this rule with regard to minors shall be adopted mutatis mutandis, with regard to persons of unsound mind.

33. Upon a written statement being filed or a verbal defence recorded the Judge to whom such case is assigned shall fix a date for trial, unless the matter can be disposed of on the pleadings.

34. Subject to the control of the High Court, the Chief Judge may from time to time make such arrangements as he thinks fit for the distribution of the business of the Court among the various Judges thereof. And he may withdraw any suit or proceeding from any Judge and transfer it to himself or to any other Judge for disposal.

Daily File and Cause Lists.

35. All pending cases shall be entered in the daily file under the respective dates fixed for hearing.

36. A daily cause list for each Judge and one for the Registrar shall be prepared from the daily file and shall show the matters for disposal in such order as the Chief Judge shall direct.

37. Cases in the daily list shall be called on in turn in the order in which they appear in the list.

38. The daily cause lists shall be affixed to the Court notice boards daily before the Court opens.

Documents filed in Court.

39. The Chief Clerk is authorized to permit a party or his pleader to inspect in his presence or in the presence of an officer of the Court any document filed in a suit or proceeding in which he is a party or pleader.

40. Subject to the provisions of Order XIII, Rule 9, of the Code, documents filed in Court may be returned after fifteen days from the date of judgment unless the proceedings have in the meanwhile been sent for by the High Court.

41. No document not in the English language shall (unless the Court otherwise orders) be read or received in evidence without an authorized translation thereof:

Provided that in cases in which the pleadings may be in Burmese, translations shall not be required of documents written in the Burmese language.

42. The Bench Clerks shall make and sign the endorsements required by Order XIII, Rules 4 and 6, of the Code, on documents admitted or rejected.

Summons to Witnesses.

43. A party or his pleader may apply for a summons to a witness in any suit or proceeding at any time after its institution and during its pendency. The application shall be presented to the Chief Clerk. If he thinks that for any reason it should not be granted, he shall take the orders of the Registrar on the point.
44. The party applying shall, within twenty-four hours from the time when
the application is filed, pay to the Bailiff such sum for the travelling and other
expenses of the person or persons summoned as the Bailiff may direct according
to the following scale:

<table>
<thead>
<tr>
<th>Category</th>
<th>Maximum</th>
<th>Minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rs. A. P.</td>
<td></td>
<td>Rs. A. P.</td>
</tr>
<tr>
<td>Soldiers, mariners, labourers, carriers,</td>
<td>2 0 0</td>
<td>1 2 0</td>
</tr>
<tr>
<td>domestic servants, sircars, etc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tradesmen</td>
<td>6 0 0</td>
<td>2 0 0</td>
</tr>
<tr>
<td>Merchants, managers of banks, zemindars,</td>
<td>16 0 0</td>
<td>4 0 0</td>
</tr>
<tr>
<td>gentlemen of property</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auctioneers, brokers, professional</td>
<td>10 0 0</td>
<td>3 0 0</td>
</tr>
<tr>
<td>accountants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional men</td>
<td>16 0 0</td>
<td>4 0 0</td>
</tr>
<tr>
<td>Editors, engineers and surveyors</td>
<td>10 0 0</td>
<td>4 0 0</td>
</tr>
<tr>
<td>Officers in civil employ drawing not less</td>
<td>16 0 0</td>
<td>6 0 0</td>
</tr>
<tr>
<td>than Rs. 500 a month, according to rank</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shroffs, bunnias, schoolmasters, commanders</td>
<td>8 0 0</td>
<td>3 0 0</td>
</tr>
<tr>
<td>and officers of ships</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Articled and other clerks</td>
<td>8 0 0</td>
<td>3 0 0</td>
</tr>
<tr>
<td>Police Inspectors, petty officers, military</td>
<td>6 0 0</td>
<td>3 0 0</td>
</tr>
<tr>
<td>and marine</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Customs-house officers and engine-drivers</td>
<td>6 0 0</td>
<td>3 0 0</td>
</tr>
<tr>
<td>Godown sircars</td>
<td>3 0 0</td>
<td>1 8 0</td>
</tr>
<tr>
<td>Females according to station</td>
<td>6 0 0</td>
<td>1 2 0</td>
</tr>
</tbody>
</table>

In special cases or in cases not provided for in the scale, the Court shall
allow such fees as it thinks fit:

Provided—

Firstly,—that in cases to which Government or a Local Authority is a party—

(a) no payment into Court will be required for the travelling and other expenses
    of a servant of Government or of a Local Authority who may be required to be summoned at the instance of Government
    or the Local Authority respectively to give evidence in his official capacity;

(b) the amount to be paid into Court for the travelling and other expenses
    of a servant of Government or of a Local Authority whose salary exceeds Rs. 30 and who may be required to be summoned at the instance of a party other than the Government or the Local Authority respectively to give evidence in his official capacity in a Court situate at a distance of more than five miles from his headquarters shall be equivalent to the travelling and halting allowances admissible under the rules applicable to him in his official capacity.

Secondly,—a servant of Government or of a Local Authority whose salary exceeds Rs. 30 per mensem giving evidence in his official capacity in a suit to which Government or the Local Authority respectively is a party—

(a) when giving evidence at a place more than five miles from his headquarters shall not receive anything under these rules, but shall be given a certificate of attendance;

(b) when giving evidence at a place not more than five miles from his headquarters shall, in cases where the Court considers it necessary, receive under these rules actual travelling expenses, but shall not receive subsistence, special nor expert allowances.

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1 This scale was substituted by High Court Notification No. 3 (Schedule), dated the 8th October 1948.
Thirdly,—a servant of Government or of a Local Authority whose salary does not exceed Rs 30 per mensem giving evidence in his official capacity shall receive his expenses from the Court.

[Note.—When the journey has to be performed partly by rail or steam-boat and partly by road or by boat, the fare shall be paid in respect of the former and the mileage or boat allowance in respect of the latter part of the journey.]

Railway servants summoned by the Court as witnesses, and travelling by rail to attend the Court, shall be paid the railway fare to which they are entitled under the rules for the payment of witnesses without regard to the fact that they may have travelled under a pass and not on actual payment of the fares.

45. The Chief Clerk shall issue summonses as soon as possible after the Bailiff has endorsed on the application his receipt for the money paid.

46. Fees paid to witnesses otherwise than through the Bailiff shall be certified to the Court before a witness is examined, and if not so certified shall not be allowed in taxation of costs.

47. In cases where the witnesses reside beyond the local limits of the jurisdiction of the Rangoon City Civil Court, the Bailiff shall remit the expenses of the witnesses by money order to the Court to which the summons is to be sent for service.

48. The Bailiff shall receive all money sent by other Courts as expenses of witnesses and commissions.

49. On receipt of a summons to a witness issued by another Court, the Chief Clerk shall send it to the Bailiff, who shall note on it whether any and, if so, what money has been received as expenses of the witness. If the money received as expenses are sufficient, the Chief Clerk shall then make an order for the issue of the summons.

50. On receiving a commission for the examination of a witness from another Court, the Chief Clerk shall send it to the Bailiff, who shall note on it whether any and, if so, what money has been received as expenses of the witness. If sufficient money has been received, the Chief Clerk shall make an order for the issue of the summons to the witness.

51. Any money received as expenses of witnesses which remains unexpended shall be returned by the Bailiff to the Court of issue, under the orders of the Registrar.

Commissions.

52. The hearing of a suit in which a commission has been issued under Order XXVI of the Code shall be postponed until the return of the commission, unless the Court otherwise directs.

53. An application for commission shall be made promptly after the grounds on which it is asked for are known, and shall be accompanied by an affidavit or affidavits, setting out the facts relied upon as grounds for the issue of the commission, and stating when they first became known to the applicant.
54. In commissions for the examination of witnesses which are addressed to Court and in which the delegation of the Commissioner’s duties to an advocate or pleader has not been authorized, the Court or the Registrar shall have power to appoint such advocate or pleader or official of the Court as he may determine to execute the commission.

55. (1) When an order for the issue of a commission to take evidence on interrogatories has been made, the party obtaining the order shall, within seven days from the date thereof, file his interrogatories, and the documents, if any, to accompany the commission, and shall serve a copy of the interrogatories on the other party or his pleader, who shall file his cross-interrogatories, with the documents, if any, to accompany the same, within seven days from such service, and shall serve a copy on the other party or his pleader.

(2) If the commission is for the examination of witnesses *viva voce* the party obtaining the order shall file a list of witnesses, and all necessary papers and documents, within seven days from the date of the order.

56. The party obtaining an order for a commission shall pay the necessary costs of and incident to the same within seven days of the date of the order.

57. On default in the observance of these rules by a party obtaining an order for a commission, the commission shall not issue without leave of the Court, and on default by the opposite party he shall not be allowed to join in the commission without such leave.

Hearing.

58. Proper time must be taken to see that parties are actually joined and that the real points in issue are settled; but when the case has once been set down for trial and the parties with their witnesses are in attendance, the case should be tried the same day and continued from that day to the next and so on until the hearing of evidence is completed, unless there are reasons, which must be recorded in writing, for an adjournment.

Judgments, Orders and Decrees.

59. (1) In all suits of over Rs. 1,000 in value the evidence shall be recorded in manner provided by Order XVIII, Rule 5, and the judgments shall contain the particulars required by Order XX, Rule 4 (2), of the Code.

(2) In all other suits Order XVIII, Rules 5 to 12, shall not apply and judgments shall be in accordance with the provisions of Order XX, Rule 4 (1), of the Code.

60. (1) Except orally delivered judgments taken down in shorthand, judgments and orders shall be pronounced only after they are written. All judgments and orders shall bear the date on which they are delivered.

(2) Decrees shall bear the date of delivery of judgment, and also the date of signature in the hand of a Judge.

(3) If a party or his pleader intimates to the Chief Clerk immediately after a judgment or order has been passed by a Judge that he wishes to see the formal decree or order before it is submitted for signature, he may be allowed to do so, and if there is any disagreement as to the form of decree or order, or the taxing of the costs, the case shall be set down on the daily list, on as early a date as may be convenient, to speak to the minutes of decree.
61. When the Court directs that any decree may be paid by instalments, such instalments shall, in the absence of any direction to the contrary, be paid into Court monthly, and, in default of payment of any one instalment, the whole decree or the balance thereof shall become due.

Execution Proceedings

62. Every application for executing a decree shall be in the prescribed form and shall be presented to the Chief Clerk, or such other officer as the Chief Judge may appoint in that behalf, and the application shall after examination and check by the Execution Clerk, be put up for orders before the Registrar or the Judge who passed the decree with a report endorsed thereon as to whether the requirements of the Code and of these rules have been complied with.

63. Applications under section 39 of the Code to send a decree or order for execution to another Court shall be made by verified petition, and shall be accompanied by a certified copy of the decree or order.

64. The certified copy, together with the other documents mentioned in Order XXI, Rule 6, of the Code, shall be sent by registered post.

65. The process fees prescribed for the warrant of attachment and for the order of sale shall be annexed to every application for execution by attachment and sale of property.

66. In every application for the attachment of moveable property the approximate value of the property sought to be attached shall be stated according to the best of the applicant's belief.

67. In applications for execution by attachment of moveable property it shall be expressly stated whether the property sought to be attached is in the possession of the judgment-debtor or not, and the place where the property is to be found shall be clearly indicated.

68. A warrant issued under Order XXI, Rule 24, of the Code, shall be returnable within one month from the date thereof.

Sale of Attached Moveable Property.

69. As soon as possible after an attachment of moveable property, the Bailiff shall report to the Court the fact of the attachment and shall furnish a list of the articles attached and their approximate value, and shall note if any of them are not liable to attachment or sale.

If any of the articles or things fall within the proviso of Order XXI, Rule 43, of the Code, it shall be so stated in the report and list.

70. The report and list shall be submitted to the Court concerned which shall pass such order for sale as it may think fit, although the decree-holder may not apply for a sale order. A warrant for sale shall be sent to the Bailiff who shall forthwith prepare and issue a proclamation.

71. Every proclamation shall be advertised in a local newspaper or advertiser for at least fifteen days (except in the case of property mentioned in the proviso to Order XXI, Rule 43, of the Code), and no proclamation shall issue until the person applying for sale has deposited with the Bailiff an amount sufficient to defray the expense of advertising.
72. Moveable property falling within the proviso to Order XXI, Rule 43, of the Code, shall be sold as soon as may be convenient after it has been attached. Other moveable property shall be sold on the third Saturday after the day on which the proclamation shall have been affixed on the Court house.

**Security to Court.**

73. When security is required to be given it shall be taken either in cash or in the form of a bond. Such bond shall be with or without sureties as the Judge may direct, and shall be in favour of the Bailiff of the Court.

74. When sureties are required and persons resident within the jurisdiction of the Court are tendered, the Bailiff shall report whether the principal and sureties possess within the jurisdiction of the Court property of value equal to the amount of the security required.

75. No sureties shall, without the order of the Judge, be accepted unless they make an affidavit or affidavits stating that the property which each of them possesses, or that their properties combined, are equal in value to the amount of the security demanded, over and above any incumbrance to which such properties may be liable, and over and above the amount for which they have previously given security in the Court or in any other Court and for which they are at the time liable as sureties.

76. On the application of the Bailiff summons may be issued to persons named by him to appear before him or to produce before him documents of title for the purpose of his enquiry into the value of the property of any person tendered as a surety.

**Bailiff’s Commission on Sales of Attached Property.**

77. The Commission to be drawn by the Bailiff on sales of attached property shall be at the rate of 5 per cent. The fees paid each month shall be drawn and disbursed to the Bailiff at the end of the month under the orders of the Registrar.

**Applications generally.**

78. All applications arising out of a suit shall bear the number of such suit unless they be applications for execution, for attachment, or arrest before judgment, or removal of attachment, or for review of judgment, or for sanction to prosecute, or miscellaneous applications which necessitate separate judicial proceedings, or in which the petitioner is not a party to the suit.

79. Every application in writing shall be in the form of a petition signed by the applicant or his recognized agent, or his pleader, and if the Court requires it to be verified shall be verified in the same manner as a plaint.

80. On receiving an application the Court shall (if necessary) direct notice to issue for service on the respondent together with a copy of the application, to be supplied by the applicant. The notice shall be served in the same manner as a summons and shall fix a date for the hearing of the application.

**Applications to set aside Dismissal Orders or ex parte Decrees.**

81. The Court may, at any time after an application to set aside an order of dismissal or an *ex parte* decree is presented to the Court, put the parties on such terms as to furnishing costs or for security for the amount of the claim and costs by payment into Court or otherwise as it shall think fit.
PART II.

Summary Procedure in Certain Cases.

82. This Part shall apply to suits on negotiable instruments when the value of the subject-matter does not exceed Rupees one thousand.

83. (1) All suits upon bills of exchange, hundis or promissory notes may, in case the plaintiff desires to proceed hereunder, be instituted by presenting a plaint in the form prescribed with the original bill of exchange, hundi or promissory note annexed, together with as many copies thereof as there are defendants to the suit. The summons shall be in Form G in the Appendix and it shall not be necessary to serve a copy of the plaint on the defendant.

(2) In any case in which the plaint and summons are in such forms, respectively, the defendant shall not appear or defend the suit unless he obtains leave from the Court as hereinafter provided so to appear and defend; and in default of his obtaining such leave or of his appearance and defence in pursuance thereof, the allegations in the plaint shall be deemed to be admitted and the plaintiff shall be entitled to a decree—

(a) for any sum not exceeding the sum mentioned in the summons with the interest at the rate specified (if any) to the date of the decree; and

(b) for such sum for costs as may be prescribed:

Provided that if the plaintiff claims more than such sum fixed for costs, the costs shall be ascertained in the ordinary way.

(3) A decree passed under this rule may be executed forthwith.

Explanation.—For the application of this rule the summons to the defendant shall, unless otherwise ordered by the Court, have been served upon him:

(a) if he resides and is served within the local limits of the jurisdiction of the Court, at least ten clear days before the returnable date of the summons;

(b) if he resides and is served without such local limits but in the Union of Burma, at least fifteen clear days before the returnable date of the summons;

(c) if he resides and is served in India or Pakistan, at least one month before the returnable date of the summons.

84. (1) The Court shall, upon application by the defendant, give leave to appear and to defend the suit upon affidavits which disclose such facts as would make it incumbent on the holder to prove consideration or such other facts as the Court may deem sufficient to support the application.

(2) Leave to defend may be given unconditionally or subject to such terms as to payment into Court, giving security, framing or recording issues or otherwise as the Court thinks fit.

85. After decree the Court may under special circumstances set aside the decree, and, if necessary, stay or set aside execution, and may give leave to the defendant to appear to the summons and to defend the suit, if it seems reasonable to the Court so to do, and on such terms as the Court thinks fit.

86. In any proceeding under this Part the Court may order the bill, hundi or note, on which the suit is founded, to be forthwith deposited with an officer of the Court and may further order that all proceedings shall be stayed until the plaintiff gives security for the costs thereof.
87. The holder of every dishonoured bill of exchange or promissory note shall have the same remedies for the recovery of the expenses incurred in noting the same for non-acceptance or non-payment or otherwise by reason of such dishonour as he has under this Part for the recovery of the amount of such bill or note.

88. Save as provided by this Part the procedure in suits hereunder shall be the same as the procedure in suits instituted in the ordinary manner.

PART III.

Miscellaneous.

89. All acts which may be done by the Court in regard to the appointment or removal of a guardian ad litem under Order XXXII, Rules 4 and 11, of the Code or in regard to the substitution or addition of parties to a suit may be done by the Registrar.

90. Any of these rules which require a Judge of the Court to do any act or thing shall be read as applying equally to a Registrar when exercising any of the powers conferred upon him under sub-section (1) of section 34 of the Act or by these rules.

The Registrar is authorized to grant certificates under section 28 of the Act to parties in cases which have been disposed of by him.

91. Whenever any judgment-debtor who has been arrested or whose property has been seized in execution of a decree of the Court, or a decree of another Court transferred to it for execution, offers security to the satisfaction of the Court for payment of the amount which he has been ordered to pay and the costs, the Court may order him to be discharged or the property to be released upon his furnishing such security.

92. Subject to the approval of the High Court, the Court shall frame such forms as it may think necessary for any proceeding before it and may from time to time alter any of such forms.

93. After the disposal of every suit in which a pauper is concerned the Chief Clerk shall send to the Collector of Rangoon a memorandum of the Court-fees due and payable by the pauper.

94. The following portions of Schedule I to the Code shall not extend to the Court, that is to say:

(a) Order XLVII, Rules 6 and 7; and,
(b) Order XLIX and L; and

the following portions of the said Schedule shall not extend to the Court in the exercise of its jurisdiction as a Court of Small Causes, namely:

(a) so much of the said Schedule as relates to—

(i) suits excepted from the cognizance of the Court or the execution of decrees in such suits;
(ii) the execution of decrees against immoveable property or the interest of a partner in partnership property; and

(b) Order X, Rule 3 (record of examination of parties), and Order XIV.

95. The forms prescribed in the Appendix, with such variation as the circumstances may require, shall be used for the purposes therein mentioned.
**APPENDIX.**

**Forms.**

**A**

**TABULAR FORM OF APPLICATION FOR EXECUTION—PART I (RULE 62).**

**IN THE RANGOON CITY CIVIL COURT.**

The Petition of

[Holders of the Decree in Civil No.] RESPECTFULLY SHEWETH—

That your petitioner, the Decree-holder abovenamed, hereby applies for execution of the said Decree upon the Judgment-Debtor, according to the particulars given in accordance with Order XXI, Rule 11 (2), of the Code of Civil Procedure.

**Rangoon,** 195  

<table>
<thead>
<tr>
<th>The number of suit.</th>
<th>The names of parties.</th>
<th>The date of the Decree.</th>
<th>Whether any appeal has been preferred from Decree.</th>
<th>Whether any and what adjustment has been made between the parties since the Decree.</th>
<th>The amount of the debt or compensation with the interest if any due upon the Decree or relief granted by Decree.</th>
<th>The amount of costs if any awarded.</th>
<th>The name of person against whom enforcement of Decree is sought.</th>
<th>The mode in which the assistance of the Court is sought; whether by the delivery of property specifically decreed, by the arrest and imprisonment of the person named in the application or by the attachment of the property or otherwise.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
<td>(5)</td>
<td>(6)</td>
<td>(7)</td>
<td>(8)</td>
<td>(9)</td>
</tr>
<tr>
<td>Civil Number 195</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| 195 |

I, the Petitioner, do declare that the contents in columns 1 to 10 of this Petition are true to the best of my own knowledge and belief, and I sign this verification at Rangoon, the day of 195 .
## B

**SUIT BY PAYEE OF PRO-NOTE AGAINST MAKER (RULE 83).**

(Cause Title.)

<table>
<thead>
<tr>
<th>Particulars</th>
<th>Rs. A. P.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td></td>
</tr>
<tr>
<td>Costs</td>
<td></td>
</tr>
</tbody>
</table>

The Plaintiff abovenamed states as follows:

1. By a Promissory Note, dated the day of annexed hereto and marked with the letter A and duly executed by the Defendant in Rangoon for value received the Defendant promised to pay to the Plaintiff or order the sum of Rs. on demand together with interest at the rate of per cent per annum.
2. The Defendant has not paid the same or any part thereof (or except the sum of Rs. for principal and Rs. for interest).
3. The sum of Rs. is now due to Plaintiff for principal and costs. The Plaintiff claims judgment for the sum of Rs. and for the costs, etc.

I, A. B., the Plaintiff abovenamed, do solemnly declare that I am personally acquainted with the facts of the case and that the facts stated in this Plaint are true to my knowledge.

(Signed) A. B.,

Plaintiff.

## C

**SUIT BY ENDORSEE OF A PRO-NOTE AGAINST MAKER AND ENDORSER (RULE 83).**

(Cause Title.)

<table>
<thead>
<tr>
<th>Particulars</th>
<th>Rs. A. P.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td></td>
</tr>
<tr>
<td>Costs</td>
<td></td>
</tr>
</tbody>
</table>

The Plaintiff abovenamed states as follows:

1. By the pro-note, dated the day of annexed hereto and marked with the letter A, which was, as I am informed by C.D. and truly believe, duly executed by the first Defendant at Rangoon for value received the said first Defendant promised to pay to the second Defendant the sum of Rs. on demand together with interest thereon at the rate of per cent per annum.
2. On the day of 19 , the second Defendant duly endorsed the pro-note to me for valuable consideration.
3. The sum of Rs. is now due to Plaintiff for principal and costs, etc.

The Plaintiff claims judgment for the sum of Rs. and for the
I, A. B., the Plaintiff abovenamed, do hereby declare that except as to the matters stated to be on information and belief, which I believe to be true, I am personally acquainted with the facts of this case, and the facts stated in the Plaint are true to my knowledge.

(Signed) A. B.,
Plaintiff.

D

SUITE BY PAYEE OF CHEQUE AGAINST DRAWER (RULE 83).

(Cause Title.)

<table>
<thead>
<tr>
<th>Particulars</th>
<th>Rs. A. P.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td></td>
</tr>
<tr>
<td>Costs</td>
<td></td>
</tr>
</tbody>
</table>

The Plaintiff abovenamed states as follows:—

1. On the day of 19, the Defendant for value received duly signed and delivered to the Plaintiff the cheque, dated the day of and drawn on the Bank for the sum of Rs. which is annexed hereto and marked with the letter A.
2. On the day of the said cheque was duly presented to the said Bank and was dishonoured of which due notice was given to the Defendant.
3. The sum of Rs. is now due to Plaintiff for principal and Rs. for interest.

The Plaintiff claims judgment for the sum of Rs. and for costs, etc.

E

SUITE BY THE ENDORSEE OF A BILL OF EXCHANGE AGAINST THE ACCEPTOR AND PAYEE (RULE 83).

(Cause Title.)

<table>
<thead>
<tr>
<th>Particulars</th>
<th>Rs. A. P.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td></td>
</tr>
<tr>
<td>Costs</td>
<td></td>
</tr>
<tr>
<td>Notarial charges</td>
<td></td>
</tr>
</tbody>
</table>

The Plaintiff abovenamed states as follows:—

1. The Bill of Exchange, dated the day of hereunto annexed and marked with the letter A was drawn by X. Y. of upon the first Defendant for the sum of Rs. payable three months after date with interest at the rate of per cent per annum, and was accepted by the first Defendant and endorsed by the second Defendant to the Plaintiff.
2. The said bill was duly presented for payment on the day of and was dishonoured and the Plaintiff has incurred the following Notarial charges:
3. The sum of Rs. is now due to Plaintiff for principal and Rs. for interest.

The Plaintiff claims judgment for the sum of Rs. and for costs, etc.
SUMMONS (RULE 80).

(Cause Title.)

To A. B. of (address and description of Defendant).

Whereas has instituted a suit against you under Part II of the Rangoon City Civil Court Rules for Rs. balance of principal and interest due to him as the payee (or endorsee or as the case may be) of a Pro-note (or Bill of Exchange or hundi or as the case may be) of which a copy is hereto annexed, you are hereby summoned to obtain leave from the Court to appear and defend the suit. In default whereof the Plaintiff will be entitled to obtain a decree for the said sum and costs as mentioned below.

Leave to appear may be obtained on an application to the Court supported by affidavit showing that there is a defence to the suit on the merits or that it is reasonable that you should be allowed to appear in the suit.

The day of 19 is fixed for your appearance before the Judge of this Court.

Particulars of Claim.

Given under my hand and the seal of the Court this day of 19.

Chief Clerk.

Note.—(1) If you admit the claim you should pay the money into Court together with the costs of the suit to avoid execution of the decree which may be against your person and property or both.

(2) The address for service of Plaintiff is:— (Insert address.)

THE RANGOON CITY CIVIL COURT (RECOVERY OF POSSESSION AND DISTRESS) RULES.

Part I.

Preliminary.

1. These rules may be called the Rangoon City Civil Court (Recovery of Possession and Distress) Rules.

2. In these rules unless there be something repugnant in the subject or context:—

(1) "The Act" means the Rangoon City Civil Court Act.

(2) "Bailiff" means any Bailiff of the Court.

(3) "The Code" means so much of the Code of Civil Procedure, together with the Schedules and Appendices thereto, as is not expressly or impliedly excluded by the Act or these or any duly authorized rules.

(4) "Prescribed" means prescribed by these or any duly authorized rules or orders or by the Code.

These rules were made by the High Court in exercise of the powers conferred by s. 32 (2) of the Rangoon City Civil Court Act; see High Court Notification No. 1 (General), dated the 27th February 1946.
PART II.

Recovery of Possession of Immovable Property.

3. An application under section 17 of the Act shall be in the form of a plaint in which the applicant shall be the plaintiff and the occupant the defendant and the matter shall be treated as a suit. For the purpose of ascertaining the value of the suit the annual rental value of the property in respect of which the claim is made shall be deemed to be the value of such suit and such annual value shall be stated in the application.

4. When an application has been made under section 17 of the Act, the Court shall by summons call upon the defendant to show cause why he should not be ejected from the property and compelled to deliver it up to the plaintiff.

5. The summons shall be served on the defendant in the manner provided by the Code for the service of summons on a defendant.

6. If the defendant does not appear at the time appointed and show cause to the contrary, the plaintiff shall, if the Court is satisfied that he is entitled to apply under section 17 of the Act, be entitled to an order addressed to the Bailiff directing him to eject the defendant and to give possession of the property to the plaintiff on such a day as the Court thinks fit to name in such order.

7. Any such order shall justify the Bailiff in entering after the hour of eight in the morning and before the hour of six in the afternoon upon the property named therein, with such assistants as he thinks necessary, and giving possession of such property to the Plaintiff, after removing, if necessary, the Defendant and anything found on the property.

8. When the Plaintiff, at the time of applying for any such order as aforesaid, was entitled to the possession of such property, neither he nor any person acting in his behalf shall be deemed, on account of any error, defect or irregularity in the mode of proceeding to obtain possession thereunder, to be a trespasser; but any person aggrieved may institute a suit for the recovery of compensation for any damage which he has sustained by reason of such error, defect or irregularity.

When no such damage is proved, the suit shall be dismissed; and when such damage is proved but the amount of the compensation assessed by the Court does not exceed ten rupees, the Court shall award to the plaintiff no more costs than compensation, unless the Judge who tries the case certifies that in his opinion full costs should be awarded to the plaintiff.

PART III.

Distress Warrants.

9. Every application for a distress warrant under section 22 of the Act shall be accompanied by an affidavit in the prescribed form.

10. The Court may issue a warrant under its seal and returnable within six days, in the prescribed form, addressed to the Bailiff. The Court may, at its discretion, upon personal examination of the person applying for such warrant, decline to issue the same.

11. Every distress shall be made after sunrise and before sunset, and not at any other time.

---

1 As amended by High Court Notification No. 11 (General), dated the 8th October 1947.
12. The Bailiff directed to make the distress may enter any dwelling-house in respect of which the distress is to be effected, and may if necessary, break open any outer or inner door of the property or stable or out-house or any annexe thereof for the purpose of seizing property liable to be seized:

Provided that he shall not enter or break open the door of any room appropriated for the residence of women, which by the usage of the country is considered private.

13. In pursuance of the warrant the Bailiff shall seize the moveable property found in or upon the house or premises mentioned in the warrant and belonging to the person from whom the rent is claimed (hereinafter called the debtor), or such part thereof as may, in the Bailiff's judgment, be sufficient to cover the amount of the said rent, together with the costs of the said distress.

14. The Bailiff may impound or otherwise secure the property so seized in or on the house or premises chargeable with the rent.

15. On seizing any property under Rule 13 the Bailiff shall make an inventory of such property and shall give notice in writing in the prescribed form to the debtor, or to any other person on his behalf in or upon the said house or premises, that such property will be sold pursuant to the provisions of the Act. The date on which the sale will be held shall be stated in the notice and shall be not less than seven days after the date of seizure.

The Bailiff shall, as soon as may be, file in the Court copies of the said inventory and notice.

16. The debtor or any other person alleging himself to be the owner of any property seized, or the duly constituted attorney of such debtor or other person, may apply to the Court to discharge or suspend the warrant, or to release a distrained article, and the Court may discharge or suspend such warrant or release such article accordingly, upon such terms as it thinks just, and may in its discretion give reasonable time to the debtor to pay the rent due from him.

Upon any such application, the costs attending it and attending the issue and execution of the warrant shall be in the discretion of the Court, and shall be paid as the Court directs.

17. If any claim is made to, or in respect of, any property seized under these provisions or in respect of the proceeds or value thereof by any person not being the debtor, the Registrar, upon the application of the Bailiff who seized the property, may issue a summons calling before the Court the claimant and the person who obtained the warrant.

And thereupon any suit which may have been brought in the High Court in respect of such claim shall be stayed and the High Court, on proof of the issue of such summons and of the distraint, may order the plaintiff to pay the costs of all proceedings in such suit after the issue of such summons.

And the Court shall adjudicate upon such claim and make such order between the parties in respect thereof and of the costs of the proceedings as it thinks fit: and such order shall be enforced as if it were an order made in a suit brought in the Court.

The procedure under this rule shall conform, as far as may be, to the procedure in an ordinary suit in the Court.

18. In any case under Rule 16 or 17 the Judge by whom the case is heard may award such compensation by way of damages to the applicant or claimant (as the case may be) as the Judge thinks fit, and may for that purpose make such enquiry as he thinks necessary;

and the order of the Judge awarding or refusing such compensation shall bar any suit for the recovery of compensation for any damage caused by the distress.
19. In default of any order to the contrary made by the Court or by the High Court, the distrained property shall be sold on the day mentioned in the notice prescribed by rule and the Bailiff shall, on realizing the proceeds, pay the amount thereof into judicial deposit; and such amount shall be applied first in payment of the Bailiff's commission and the costs of the said distress and then in satisfaction of the debt; and the surplus, if any, shall be paid to the debtor.

20. No costs of any distress under these provisions shall be taken or demanded except those mentioned in the scale of fees prescribed in Appendix I of these Rules.

The Chief Judge may apply the sum so obtained as costs towards the payment of the contingent charges and Bailiff's renumeration as appears to the said Judge expedient.

21. The Registrar shall keep a book in which all sums received as costs upon distresses made, and all sums paid as remuneration to the Bailiff, and all contingent charges incurred in respect of such distresses, shall be duly entered. He shall also enter in the said book all sums realized by sale of the property distrained and paid over to landlords under these provisions.

22. No distress shall be levied for arrears of rent except under these provisions.

23. The forms prescribed in Appendix II, with such variation as the circumstances may require, shall be used for the purposes therein mentioned.

APPENDIX I (RULE 20).

Scale of Fees to be levied in Distresses for House-rent.

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Rs.</td>
<td>Rs. A. P.</td>
<td>Rs. A. P.</td>
<td>Rs. A. P.</td>
<td>Rs. A. P.</td>
</tr>
<tr>
<td>1 and under 5</td>
<td>0 4 0</td>
<td>0 8 0</td>
<td>0 8 0</td>
<td>1 4 0</td>
</tr>
<tr>
<td>5 and under 10</td>
<td>0 8 0</td>
<td>0 8 0</td>
<td>1 0 0</td>
<td>2 0 0</td>
</tr>
<tr>
<td>10 and under 15</td>
<td>0 8 0</td>
<td>0 8 0</td>
<td>1 8 0</td>
<td>2 8 0</td>
</tr>
<tr>
<td>15 and under 20</td>
<td>0 8 0</td>
<td>1 0 0</td>
<td>2 0 0</td>
<td>3 8 0</td>
</tr>
<tr>
<td>20 and under 25</td>
<td>0 12 0</td>
<td>1 0 0</td>
<td>2 8 0</td>
<td>4 8 0</td>
</tr>
<tr>
<td>25 and under 30</td>
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<td>1 0 0</td>
<td>3 0 0</td>
<td>5 0 0</td>
</tr>
<tr>
<td>30 and under 35</td>
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<td>3 8 0</td>
<td>5 8 0</td>
</tr>
<tr>
<td>35 and under 40</td>
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<td>6 8 0</td>
</tr>
<tr>
<td>40 and under 45</td>
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<td>4 8 0</td>
<td>7 2 0</td>
</tr>
<tr>
<td>45 and under 50</td>
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<tr>
<td>60 and under 80</td>
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</tr>
<tr>
<td>80 and under 100</td>
<td>3 0 0</td>
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<td>7 0 0</td>
<td>13 0 0</td>
</tr>
<tr>
<td>100 and under 1,000</td>
<td>3 0 0</td>
<td>3 0 0</td>
<td>7 per centum</td>
<td>13 0 0</td>
</tr>
<tr>
<td>Upwards of 1,000</td>
<td>3 0 0</td>
<td>3 0 0</td>
<td>7 per centum</td>
<td>14 0 0</td>
</tr>
</tbody>
</table>

The above scale includes all expenses except in suits where the tenant disputes the landlord's claim and witnesses have to be summoned, in which case each summons in cases where the amount claimed is Rs. 40 or under must be paid for at four annas each, and twelve annas where the amount claimed is above that amount; and also where peons are kept in charge of property distrained, rupees * two per day must be paid per man.

* As amended by High Court Notification No. 2 (General), dated the 29th March 1946.
APPENDIX II (RULE 23).

FORMS.

A

FORM OF AFFIDAVIT (RULE 9).

IN THE RANGOON CITY CIVIL COURT.

A.B. Plaintiff.

C.D. versus Defendant.

I, A.B. of in the town of make oath (or affirm) and say that C.D., of 1 is justly indebted to in the sum of Rs. for arrears of rent of the house and premises No. in , due for months, to wit, from to , at the rate of Rs. per mensem.

Sworn or affirmed before me this day of 19 .

Commissioner for Oaths and Affidavits.

B

FORM OF WARRANT (RULE 10).

IN THE RANGOON CITY CIVIL COURT.

I hereby direct you to distrain the moveable property of C.D., in the house and premises situate at No. for the sum of rupees, the costs of the distress, according to the provisions of Part III of the Rangoon City Civil Court (Recovery of Possession and Distress) Rules.

Dated day of 19 . Signed and sealed.

To E.F., Bailiff.

C

FORM OF INVENTORY AND NOTICE (RULE 15).

IN THE RANGOON CITY CIVIL COURT.

(State particulars of property seized.)

Take notice that I have this day seized the moveable property contained in the above inventory for the sum of rupees being the amount of months' rent due to A.B. on and that unless you pay the amount thereof, together with the costs of this distress, or obtain an order from one of the Judges or the Registrar of the Rangoon City Civil Court to the contrary, the same will be sold, pursuant to the provisions of Part III of the Rangoon City Civil Court (Recovery of Possession and Distress) Rules, at (1) o'clock on the day of 19 .

Dated the day of 19 .

(Signed) E.F., Bailiff.

To C.D.
THE BURMA SMALL CAUSE COURTS ACT.

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THE SECOND SCHEDULE.—Suits excepted from the cognizance of a Court of Small Causes.

THE BURMA SMALL CAUSE COURTS ACT.
[India Act IX, 1887.] (1st July, 1887.)

CHAPTER I.
Preliminary.

1—3. *
4. In this Act, unless there is something repugnant in the subject or context, "Court of Small Causes" means a Court of Small Causes constituted under this Act, and includes any person exercising jurisdiction under this Act in any such Court.

CHAPTER II.
CONSTITUTION OF COURTS OF SMALL CAUSES.

5. (1) The President of the Union may, by order in writing, establish a Court of Small Causes at any place in the Union of Burma outside Rangoon.
   (2) The local limits of the jurisdiction of the Court of Small Causes shall be such as the President of the Union may define, and the Court may be held at such place or places within those limits as the President of the Union may appoint.

6. When a Court of Small Causes has been established, there shall be appointed, by order in writing, a Judge of the Court:
   Provided that if the President of the Union so directs, the same person shall be the Judge of more than one such Court.

7. (1) A Judge who is the Judge of two or more such Courts may, with the sanction of the District Court, fix the times at which he will sit in each of the Courts of which he is Judge.
   (2) Notice of the times shall be published in such manner as the High Court from time to time directs.
8. (1) If the President of the Union so directs, there may be appointed, by order in writing, Additional Judges of a Court of Small Causes or of two or more such Courts.

(2) An Additional Judge shall discharge such of the functions of the Judge of the Court or Courts as the Judge may assign to him, and in the discharge of those functions shall exercise the same powers as the Judge.

(3) The Judge may withdraw from an Additional Judge any business pending before him.

(4) When the Judge is absent, the senior Additional Judge may discharge all or any of the functions of the Judge.

9.

10. The President of the Union, after consultation with the High Court, may, by order in writing, direct that two Judges of Courts of Small Causes or a Judge and an Additional Judge of a Court of Small Causes shall sit together for the trial of such class or classes of suits or applications cognizable by a Court of Small Causes as may be described in the order.

11. (1) If two Judges, or a Judge and an Additional Judge, sitting together under the last foregoing section, differ as to a question of law or usage having the force of law, or in construing a document the construction of which may affect the merits, they shall draw up and refer, for the decision of the High Court, a statement of the facts of the case and of the point on which they differ in opinion, and the provisions of Order XLVI of the Code of Civil Procedure shall apply to the reference.

(2) If they differ on any matter other than a matter specified in sub-section (1), the opinion of the Judge who is senior in respect of date of appointment as Judge of a Court of Small Causes, or, if one of them is an Additional Judge, then the opinion of the Judge sitting with him, shall prevail.

(3) For the purposes of sub-section (2), a Judge permanently appointed shall be deemed to be senior to an officiating Judge.

12. (1) There may be appointed to a Court of Small Causes an officer to be called the Registrar of the Court.

(2) Where a Registrar is appointed, he shall be the chief ministerial officer of the Court.

(3) The President of the Union may, by order in writing, confer upon a Registrar within the local limits of the jurisdiction of the Court the jurisdiction of a Judge of a Court of Small Causes for the trial of suits of which the value does not exceed twenty rupees.

13.

14. (1) The ministerial officers of a Court of Small Causes shall, in addition to any duties mentioned in this Act or in any other enactment for the time being in force as duties which are or may be imposed on any of them, discharge such duties of a ministerial nature as the Judge directs.

(2) The High Court may make rules, consistent with this Act and with any other enactment for the time being in force, conferring and imposing on the ministerial officers of a Court of Small Causes such powers and duties as it thinks fit, and regulating the mode in which powers and duties so conferred and imposed are to be exercised and performed.
BURMA SMALL CAUSE COURTS.

CHAPTER III.

JURISDICTION OF COURTS OF SMALL CAUSES.

15. (1) A Court of Small Causes shall not take cognizance of the suits specified in the second schedule as suits excepted from the cognizance of a Court of Small Causes.

(2) Subject to the exceptions specified in that schedule and to the provisions of any enactment for the time being in force, all suits of a civil nature of which the value does not exceed five hundred rupees shall be cognizable by a Court of Small Causes.

(3) Subject as aforesaid, the President of the Union may, by order in writing, direct that all suits of a civil nature of which the value does not exceed one thousand rupees shall be cognizable by a Court of Small Causes mentioned in the order.

16. Save as expressly provided by this Act or by any other enactment for the time being in force, a suit cognizable by a Court of Small Causes shall not be tried by any other Court having jurisdiction within the local limits of the jurisdiction of the Court of Small Causes by which the suit is triable.

CHAPTER IV.

PRACTICE AND PROCEDURE.

17. (1) The procedure prescribed in the Code of Civil Procedure shall, save in so far as is otherwise provided by that Code or by this Act, be the procedure followed in a Court of Small Causes in all suits cognizable by it and in all proceedings arising out of such suits:

Provided that an applicant for an order to set aside a decree passed ex parte or for a review of judgment shall, at the time of presenting his application, either deposit in the Court the amount due from him under the decree or in pursuance of the judgment, or give security to the satisfaction of the Court for the performance of the decree or compliance with the judgment, as the Court may direct.

(2) Where a person has become liable as surety under the proviso to subsection (1), the security may be realized in manner provided by section 145 of the Code of Civil Procedure.

18. (1) Suits cognizable by the Registrar under section 12, sub-section (3) shall be tried by him and decrees passed therein shall be executed by him, in like manner in all respects as the Judge might try the suits and execute the decrees, respectively.

(2) The Judge may transfer to his own file, or to that of the Additional Judge if an Additional Judge has been appointed, any suit or other proceeding pending on the file of the Registrar.

19. (1) When the Judge of a Court of Small Causes is absent, and an Additional Judge has not been appointed or, having been appointed, is also absent, the Registrar may admit a plaint, or return or reject a plaint for any reason for which the Judge might return or reject it.

(2) The Judge may, of his own motion or on the application of a party, return or reject a plaint which has been admitted by the Registrar, or admit a plaint which has been returned or rejected by him:

Provided that where a party applies for the return or rejection or the admission of a plaint under this sub-section, and his application is not made at the first
sitting of the Judge after the day on which the Registrar admitted, or returned or rejected, the plaint, the Judge shall dismiss the application unless the applicant satisfies him that there was sufficient cause for not making the application at that sitting.

20. (1) If, before the date appointed for the hearing of a suit, the defendant or his agent duly authorized in that behalf appears before the Registrar and admits the plaintiff's claim, the Registrar may, if the Judge is absent, and an Additional Judge has not been appointed or, having been appointed, is also absent, pass against the defendant, upon the admission, a decree which shall have the same effect as a decree passed by the Judge.

(2) Where a decree has been passed by the Registrar under sub-section (1), the Judge may grant an application for review of judgment, and re hear the suit, on the same conditions, on the same grounds and in the same manner as if the decree had been passed by himself.

21. (1) If the Judge is absent, and an Additional Judge has not been appointed or, having been appointed, is also absent, the Registrar may, subject to any instruction which he may have received from the Judge or, with respect to decrees or orders made by an Additional Judge, from the Additional Judge, make any orders in respect of applications for the execution of decrees and orders made by the Court of which he is Registrar, or sent to that Court for execution, which the Judge might make under this Act.

(2) The Judge, in the case of any decree or order with respect to the execution of which the Registrar has made an order under sub-section (1), or the Additional Judge, in the case of any such decree or order which has been made by himself and with respect to which proceedings have not been taken by the Judge under this sub-section, may, of his own motion, or an application made by a party within fifteen days from the date of the order of the Registrar or of the execution of any process issued in pursuance of that order, reverse or modify the order.

(3) The period of fifteen days mentioned in sub-section (2) shall be computed in accordance with the provisions of the Limitation Act, as though the application of the party were an application for review of judgment.

22. When the Judge of a Court of Small Causes is absent and an Additional Judge has not been appointed or, having been appointed, is also absent, the Registrar or other chief ministerial officer of the Court may exercise from time to time the power which the Court possesses of adjourning the hearing of any suit or other proceeding, and fix a day for the further hearing thereof.

23. (1) Notwithstanding anything in the foregoing portion of this Act, when the right of a plaintiff and the relief claimed by him in a Court of Small Causes depend upon the proof or disproof of a title to immoveable property or other title which such a Court cannot finally determine, the Court may at any stage of the proceedings return the plaint to be presented to a Court having jurisdiction to determine the title.

(2) When a Court returns a plaint under sub-section (1), it shall comply with the provisions of Order VII, rule 10, of the Code of Civil Procedure and make such order with respect to costs as it deems just, and the Court shall, for the purposes of the Limitation Act, be deemed to have been unable to entertain the suit by reason of a cause of a nature like to that of defect of jurisdiction.
24. Where an order specified in clause (f) or clause (h) of sub-section (i) of section 104 of the Code of Civil Procedure is made by a Court of Small Causes, an appeal therefrom shall lie to the District Court on any ground on which an appeal from such order would lie under that section.

25. The High Court, for the purpose of satisfying itself that a decree or order made in any case decided by a Court of Small Causes was according to law, may call for the case and pass such order with respect thereto as it thinks fit.

26. *

27. Save as provided by this Act, a decree or order made under the foregoing provisions of this Act by a Court of Small Causes shall be final.

CHAPTER V.

SUPPLEMENTAL PROVISIONS.

28. (1) A Court of Small Causes shall be subject to the administrative control of the District Court and to the superintendence of the High Court, and shall—

(a) keep such registers, books and accounts as the High Court from time to time prescribes, and

(b) comply with such requisitions as may be made by the District Court, the High Court or the President of the Union for records, returns and statements in such form and manner as the authority making the requisition directs.

(2) The relation of the District Court to a Court of Small Causes, with respect to administrative control, shall be the same as that of the District Court to a Civil Court of the lowest grade competent to try an original suit of the value of five thousand rupees.

29. A Court of Small Causes shall use a seal of such form and dimensions as are prescribed by the President of the Union.

30. The President of the Union may, by order in writing, abolish a Court of Small Causes.

31. (1) Nothing in this Act shall be construed to prevent the appointment of a person who is a Judge or Additional Judge of a Court of Small Causes to be also a Judge of any other Civil Court or to be a Magistrate of any class or to hold any other public office.

(2) When a Judge or Additional Judge is so appointed, the ministerial officers of his Court shall, subject to any rules which the President of the Union may make in this behalf, be deemed to be ministerial officers appointed to aid him in the discharge of the duties of the other office.

32. (1) So much of Chapters III and IV as relates to—

(a) the nature of the suits cognizable by Courts of Small Causes,
(b) the exclusion of the jurisdiction of other Courts in those suits,
(c) the practice and procedure of Courts of Small Causes,
(d) appeal from certain orders of those Courts and revision of cases decided by them, and
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(c) the finality of their decrees and orders subject to such appeal and revision as are provided by this Act, applies to Courts invested with the jurisdiction of a Court of Small Causes so far as regards the exercise of that jurisdiction by those Courts.

(2) Nothing in sub-section (1) with respect to Courts invested with the jurisdiction of a Court of Small Causes applies to suits instituted or proceedings commenced in those Courts before the date on which they were invested with that jurisdiction.

33. A Court invested with the jurisdiction of a Court of Small Causes with respect to the exercise of that jurisdiction, and the same Court with respect to the exercise of its jurisdiction in suits of a civil nature which are not cognizable by a Court of Small Causes, shall, for the purposes of this Act and the Code of Civil Procedure, be deemed to be different Courts.

34. Notwithstanding anything in the last two foregoing sections,—

(a) when in exercise of the jurisdiction of a Court of Small Causes, a Court invested with that jurisdiction sends a decree for execution to itself as a Court having jurisdiction in suits of a civil nature which are not cognizable by a Court of Small Causes, or

(b) when a Court, in the exercise of its jurisdiction in suits of a civil nature which are not cognizable by a Court of Small Causes, sends a decree for execution to itself as a Court invested with the jurisdiction of a Court of Small Causes,

the documents mentioned in Order XXI, rule 6, of the Code of Civil Procedure shall not be sent with the decree unless in any case the Court, by order in writing, requires them to be sent.

35. (1) Where a Court of Small Causes, or a Court invested with the jurisdiction of a Court of Small Causes, has from any cause ceased to have jurisdiction with respect to any case, any proceeding in relation to the case, whether before or after decree, which, if the Court, had not ceased to have jurisdiction, might have been had therein, may be had in the Court which, if the suit out of which the proceeding has arisen were about to be instituted, would have jurisdiction to try the suit.

(2) Nothing in this section applies to cases for which special provision is made in the Code of Civil Procedure as extended to Courts of Small Causes or in any other enactment for the time being in force.

36. * * *

37. All orders required by this Act to be made in writing by the President of the Union shall be published in the Gazette.

THE SECOND SCHEDULE.

Suits excepted from the cognizance of a Court of Small Causes.

(See section 15.)

(1) A suit concerning any act done or purporting to be done by or under the authority of the President of the Union;

(2) a suit concerning an act purporting to be done by any person in pursuance of a judgment or order of a Court or of a judicial officer acting in the execution of his office:
(3) a suit concerning an act or order purporting to be done or made by any other officer of the Government in his official capacity;

(4) a suit for the possession of immovable property or for the recovery of an interest in such property;

(5) a suit for the partition of immovable property;

(6) a suit by a mortgagee of immovable property for the foreclosure of the mortgage or for the sale of the property, or by a mortgagor of immovable property for the redemption of the mortgage;

(7) a suit for the assessment, enhancement, abatement or apportionment of the rent of immovable property;

(8) a suit concerning the liability of land to be assessed to land-revenue;

(9) a suit to restrain waste;

(10) a suit for the determination or enforcement of any other right to or interest in immovable property;

(11) a suit for the possession of an hereditary office or of an interest in such an office, including a suit to establish an exclusive periodically recurring right to discharge the functions of an office;

(12) a suit to enforce payment of cesses or other dues when the cesses or dues are payable to a person by reason of his interest in immovable property or in an hereditary office or in a shrine or other religious institution;

(13) a suit to recover from a person, to whom compensation has been paid under the Land Acquisition Act, the whole or any part of the compensation;

(14) a suit for the specific performance or rescission of a contract;

(15) a suit for the rectification or cancellation of an instrument;

(16) a suit to obtain an injunction;

(17) a suit relating to a trust, including a suit to make good out of the general estate of a deceased trustee the loss occasioned by a breach of trust, and a suit by a co-trustee to enforce against the estate of a deceased trustee a claim for contribution;

(18) a suit for a declaratory decree, not being a suit instituted under Order XXI, rule 63 or rule 103, of the Code of Civil Procedure;

(19) a suit instituted under Order XXI, rule 63, of the Code of Civil Procedure, in respect of any immovable property, or a suit instituted under Order XXI, rule 103, of the said Code;

(20) a suit to set aside an attachment of any immovable property by a Court or a revenue authority, or a sale, mortgage, lease, or other transfer of any such property by a Court or a revenue authority or by a guardian;

(21) a suit for property which the plaintiff has conveyed while insane;

(22) a suit to alter or set aside a decision, decree or order of a Court or of a person acting in a judicial capacity;

(23) a suit to contest an award;

(24) a suit upon a foreign judgment as defined in the Code of Civil Procedure or upon a judgment obtained in the Union of Burma;

(25) a suit to compel a refund of assets improperly distributed under section 73 of the Code of Civil Procedure;

(26) a suit to compel a refund by a person to whom an executor or administrator has paid a legacy or distributed assets;

(27) a suit for a legacy or for the whole or a share of a residue bequeathed by a testator, or for the whole or a share of the property of an intestate;

1 Deleted by Act XVI, 1945.
2 Substituted by ibid.
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(29) a suit—
(a) for a dissolution of partnership or for the winding up of the business of a partnership after its dissolution;
(b) for an account of partnership transactions; or
(c) for a balance of partnership account, unless the balance has been struck by the parties or their agents;
(30) a suit for an account of property and for its due administration under decree;
(31) any other suit for an account, including a suit by a mortgagor, after the mortgage has been satisfied, to recover surplus collections received by the mortgagee, and a suit for the profits on immovable property belonging to the plaintiff which have been wrongfully received by the defendant;
(32) a suit for a general average loss or for salvage;
(33) a suit for compensation in respect of collision between ships;
(34) a suit on a policy of insurance or for the recovery of any premium paid under any such policy;
(35) a suit for compensation—
(a) for loss occasioned by the death of a person caused by actionable wrong;
(b) for wrongful arrest, restraint or confinement;
(c) for malicious prosecution;
(d) for libel;
(e) for slander;
(f) for adultery or seduction;
(g) for breach of contract of betrothal or promise of marriage;
(h) for inducing a person to break a contract made with the plaintiff;
(i) for obstruction of an easement or diversion of a water-course;
(j) for an act which is, or, save for the provisions of Chapter IV of the Penal Code, would be, an offence punishable under Chapter XVII of the said Code;
(k) for illegal, improper or excessive distress, attachment or search, or for trespass committed in, or damage caused by, the illegal or improper execution of any distress, search or legal process;
(l) for improper arrest under the Code of Civil Procedure or in respect of the issue of an injunction wrongfully obtained under that Code; or
(36) a suit by a Muhammadan for exigible (mu'ajjal) or deferred (mu'waij) dower;
(37) a suit for the restitution of conjugal rights, for the custody of a minor, or for a divorce;
(38) a suit relating to maintenance;
(39) a suit for arrears of land-revenue, village-expenses or other sums payable to the representative of a village-community or to his heir or other successor in title;
(40) a suit for profits payable by the representative of a village community or by his heir or other successor in title after payment of land-revenue, village-expenses and other sums;
(41) a suit for contribution by a sharer in joint property in respect of a payment made by him of money due from a co-sharer, or by a manager of joint property, or a member of an undivided family in respect of a payment made by him on account of the property or family;
(42) a suit by one of several joint mortgagors of immoveable property for contribution in respect of money paid by him for the redemption of the mortgaged property;
(43) a suit against the Government to recover money paid under protest in satisfaction of a claim made by a revenue-authority on account of an arrear of land-revenue or of a demand recoverable as an arrear of land-revenue;
(43a) a suit to recover property obtained by an act which is, or, save for the provisions of Chapter IV of the Penal Code, would be, an offence punishable under Chapter XVII of the said Code;
(44) a suit the cognizance whereof by a Court of Small Causes is barred by any enactment for the time being in force.

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**THE JUDICIAL OFFICERS PROTECTION ACT.**

[**India Act XVIII, 1850.**] (4th April, 1850.)

For the greater protection of Magistrates and others acting judicially; It is enacted as follows:—

1. No Judge, Magistrate, Collector or other person acting judicially shall be liable to be sued in any civil Court for any act done or ordered to be done by him in the discharge of his judicial duty, whether or not within the limits of his jurisdiction; provided that he at the time, in good faith, believed himself to have jurisdiction to do or order the act complained of; and no officer of any Court or other person, bound to execute the lawful warrants or orders of any such Judge, Magistrate, Collector or other person acting judicially, shall be liable to be sued in any civil Court for the execution of any warrant or order, which he would be bound to execute if within the jurisdiction of the person issuing the same.

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**THE DESTRUCTION OF RECORDS ACT.**

[**India Act V, 1917.**] (28th February, 1917.)

1-2.

3. (1) The authorities hereinafter specified may, from time to time, make rules for the disposal, by destruction or otherwise, of such documents as are, in the opinion of the authority making the rules, of sufficient public value to justify their preservation.
(2) The authorities shall be—

(a) in the case of documents in the possession or custody of the High Court or of the Courts of civil or criminal jurisdiction subordinate thereto,—the High Court;
(b) in the case of documents in the possession or custody of revenue Courts and officers,—the Financial Commissioner; and
(c) in the case of documents in the possession or custody of any other public officer,—the President of the Union or any officer specially authorized in that behalf by the President of the Union.

(3) Rules made under this section otherwise than by the President of the Union shall be subject to the previous approval of the President of the Union.
Destruction of Records.

4. Saving of certain documents.

5. Nothing in this Act shall be deemed to authorize the destruction of any document which, under the provisions of any law for the time being in force, is to be kept and maintained.
(c) အားလုံးကို အစိတ်အပိုင်းများ ဖော်ပြထားသော ဆက်စပ်ခြင်းမှ ဖော်ပြထားသော အရာအတွက် အကြောင်းအရာများ ဖော်ပြထားသည်။

(b) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(a) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(b) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(c) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(d) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(e) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(f) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(g) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(h) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(i) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(j) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(k) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(l) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(m) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(n) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(o) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(p) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(q) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(r) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(s) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(t) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(u) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(v) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(w) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(x) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(y) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

(z) ပိုမိုသော ပညာရေးသားများ ဖော်ပြထားသော အရာအတွက် ဖော်ပြထားသည်။

* အတော်ပြို အကြောင်းအရာများ ဖော်ပြထားသည်။
စာမားပါးသရုပ်ဖော်တော်မူ အကြောင်း

[စာမားပါးသရုပ်ဖော်တော်မူ အကြောင်း]

(၁) စစ်ဆေးသောစာမားပါးသရုပ်ဖော်တော်မူ အကြောင်း

(၂) စစ်ဆေးသောစာမားပါးသရုပ်ဖော်တော်မူ အကြောင်း

"စာမားပါးသရုပ်ဖော်တော်မူ အကြောင်း" မှာ အဓိကကိုယ်စားလှယ်

"စာမားပါးသရုပ်ဖော်တော်မူ အကြောင်း" မှာ အဓိကကိုယ်စားလှယ်

(၁) စစ်ဆေးသောစာမားပါးသရုပ်ဖော်တော်မူ အကြောင်း

(၂) စစ်ဆေးသောစာမားပါးသရုပ်ဖော်တော်မူ အကြောင်း

* စာမားပါးသရုပ်ဖော်တော်မူ အကြောင်း မှာ အဓိကကိုယ်စားလှယ်
သင်တင်ပြချက်များ

ပေးထားသောကြည့်ချက်များအားလုံးကို များစွာသော ကြည့်ရှုမှုများနှင့် ပြန်လည်အသုံးပြုနိုင်သည်။ လူမှုများကို အသေကြားမှုများနှင့် ပြုလုပ်နိုင်သည်။

(၃) သင်တင်ပြချက်များမှာ အခြားသောကြည့်ချက်များအားဖြင့် ပြန်လည်အသုံးပြုနိုင်သည်။

(၄) သင်တင်ပြချက်များကို အခြားသောကြည့်ချက်များအားဖြင့် ပြန်လည်အသုံးပြုနိုင်သည်။

(၅) သင်တင်ပြချက်များကို အခြားသောကြည့်ချက်များအားဖြင့် ပြန်လည်အသုံးပြုနိုင်သည်။

(၆) သင်တင်ပြချက်များကို အခြားသောကြည့်ချက်များအားဖြင့် ပြန်လည်အသုံးပြုနိုင်သည်။

(၇) သင်တင်ပြချက်များကို အခြားသောကြည့်ချက်များအားဖြင့် ပြန်လည်အသုံးပြုနိုင်သည်။
(1) အာဆိုပါအလိုအလျော်စွာ အခြေခံသောအချက်အလက်များ လူမှုကျန်ရှားခြင်း မှုဖြစ်စေရန် သိမ်းပို့ထားခြင်းဖြင့် အာင်လိုင်စားသော လူမှုအာဏာအရှင်များကို ပြုလုပ်လိုက်ရန် ပြောပြပါသည်။

(2) အာဆိုပါအလိုအလျော်စွာ အခြေခံသောအချက်အလက်များ လူမှုကျန်ရှားခြင်း မှုဖြစ်စေရန် သိမ်းပို့ထားခြင်းဖြင့် အာင်လိုင်စားသော လူမှုအာဏာအရှင်များကို ပြုလုပ်လိုက်ရန် ပြောပြပါသည်။

ယခုအချက်အလက်များကို ပြုလုပ်ရန် အသုံးပြုသော လူမှုအာဏာအရှင်များကို ပြုလုပ်လိုက်ရန် ပြောပြပါသည်။

(3) အာဆိုပါအလိုအလျော်စွာ အခြေခံသောအချက်အလက်များ လူမှုကျန်ရှားခြင်း မှုဖြစ်စေရန် သိမ်းပို့ထားခြင်းဖြင့် အာင်လိုင်စားသော လူမှုအာဏာအရှင်များကို ပြုလုပ်လိုက်ရန် ပြောပြပါသည်။

(4) အာဆိုပါအလိုအလျော်စွာ အခြေခံသောအချက်အလက်များ လူမှုကျန်ရှားခြင်း မှုဖြစ်စေရန် သိမ်းပို့ထားခြင်းဖြင့် အာင်လိုင်စားသော လူမှုအာဏာအရှင်များကို ပြုလုပ်လိုက်ရန် ပြောပြပါသည်။

(5) အာဆိုပါအလိုအလျော်စွာ အခြေခံသောအချက်အလက်များ လူမှုကျန်ရှားခြင်း မှုဖြစ်စေရန် သိမ်းပို့ထားခြင်းဖြင့် အာင်လိုင်စားသော လူမှုအာဏာအရှင်များကို ပြုလုပ်လိုက်ရန် ပြောပြပါသည်။

(6) အာဆိုပါအလိုအလျော်စွာ အခြေခံသောအချက်အလက်များ လူမှုကျန်ရှားခြင်း မှုဖြစ်စေရန် သိမ်းပို့ထားခြင်းဖြင့် အာင်လိုင်စားသော လူမှုအာဟာရှင်များကို ပြုလုပ်လိုက်ရန် ပြောပြပါသည်။
(၇) မြန်မာအုပ်စုများကို စီးပွားရေးသားတာဝန်ရှိ စီမံကိန်းသားများကို အမှတ်တံဆာပြု၍ ကိုလိုင်းဘာသာစကားအဖြစ် ရောင်းချပါသည်။ သင်္ကေတများကို အများအားဖြင့် အသုံးပြုသူများကို မော်ချပါသည်။

(၈) မြန်မာနိုင်ငံတော်အတွက် ပြည်သူများကို အမှတ်တံဆာပြု၍ ကိုလိုင်းဘာသာစကားအဖြစ် ရောင်းချပါသည်။ သင်္ကေတများကို အများအားဖြင့် အသုံးပြုသူများကို မော်ချပါသည်။

(၉) မြန်မာနိုင်ငံတော်အတွက် ပြည်သူများကို အမှတ်တံဆာပြု၍ ကိုလိုင်းဘာသာစကားအဖြစ် ရောင်းချပါသည်။ သင်္ကေတများကို အများအားဖြင့် အသုံးပြုသူများကို မော်ချပါသည်။

(၁၀) မြန်မာနိုင်ငံတော်အတွက် ပြည်သူများကို အမှတ်တံဆာပြု၍ ကိုလိုင်းဘာသာစကားအဖြစ် ရောင်းချပါသည်။ သင်္ကေတများကို အများအားဖြင့် အသုံးပြုသူများကို မော်ချပါသည်။

(၁၁) မြန်မာနိုင်ငံတော်အတွက် ပြည်သူများကို အမှတ်တံဆာပြု၍ ကိုလိုင်းဘာသာစကားအဖြစ် ရောင်းချပါသည်။ သင်္ကေတများကို အများအားဖြင့် အသုံးပြုသူများကို မော်ချပါသည်။
မြန်မာစာမျက်နာမှု စိတ်ဝင်စားမှု တွေ့ရှိနေသည်။ သို့သော်လည်း ဒါမှမားကြောင်း တိုးတက်လိုသည်။

ပြုလုပ်ချက်များကို ဖော်ပြပေးသည်။ ပြုလုပ်ချက်များကို ဖော်ပြပေးသည်။

မြန်မာစာမျက်နာမှု စိတ်ဝင်စားမှု တွေ့ရှိနေသည်။ သို့သော်လည်း ဒါမှမားကြောင်း တိုးတက်လိုသည်။

ပြုလုပ်ချက်များကို ဖော်ပြပေးသည်။ ပြုလုပ်ချက်များကို ဖော်ပြပေးသည်။
(၁) ပြည်သူ၏သဘောတူညီချက်များကို တွေ့ရှိပြီး ပြည်သူ၏သဘောတူညီချက်များကို ပြောပြပါသည်။
(၂) ပြည်သူ၏သဘောတူညီချက်များကို ပြည်သူ၏သဘောတူညီချက်များကို မှန်ကန်စွာ ပြောပြပါသည်။
(၃) ပြည်သူ၏သဘောတူညီချက်များကို ပြည်သူ၏သဘောတူညီချက်များကို မှန်ကန်စွာ ပြောပြပါသည်။
(၄) ပြည်သူ၏သဘောတူညီချက်များကို ပြည်သူ၏သဘောတူညီချက်များကို မှန်ကန်စွာ ပြောပြပါသည်။
(၅) ပြည်သူ၏သဘောတူညီချက်များကို ပြည်သူ၏သဘောတူညီချက်များကို မှန်ကန်စွာ ပြောပြပါသည်။
ရောဂါများအား အခြေခံရန် အသုံးပြုသော စာရင်းအချက် သိပ္ပံပညာရပ်များ ဖော်ပြသည်။ သူတို့သည် စာရင်းအချက်များကို အရေအတွက် ရွေးချယ်နေသည်။

(1) ပြုစုရေးပိုးပေးသူအား စာရင်းအချက်များဖော်ပြသည်။

(2) စာရင်းအချက်များကို အထောက်အကူပြုစုသူသည် စာရင်းအချက်များကို ပြုစုရေးပိုးပေးသူအား စာရင်းအချက်များဖော်ပြသည်။

စာရင်းအချက်များကို စုစုပေါင်းထားသော စာရင်းအချက်များဖော်ပြသည်။

(1) စာရင်းအချက်များကို စုစုပေါင်းထားသော စာရင်းအချက်များဖော်ပြသည်။

(2) စာရင်းအချက်များကို စုစုပေါင်းထားသော စာရင်းအချက်များဖော်ပြသည်။
THE UNION JUDICIARY ACT.


Whereas it is expedient to make provision for certain matters relating to the Supreme Court and the High Court established by the Constitution;

It is hereby enacted as follows:

PART I.

Preliminary.

1. (1) This Act may be called the Union Judiciary Act, 1948.
(2) It shall be deemed to have come into force from the fourth day of January 1948.
Definitions.

2. In this Act, unless the context otherwise requires,—

"Constitution" means the Constitution of the Union of Burma as in force for the time being;

"High Court" means—

(i) as respects anything done before the commencement of the Constitution, the High Court of Judicature at Rangoon;

(ii) as respects anything done or to be done after the commencement of the Constitution, the High Court established by the Constitution.

PART II.

The Supreme Court.

3. The Supreme Court shall consist of the Chief Justice of the Union and such number of other Judges as the President may deem necessary, but unless and until a resolution in this behalf is passed by the Union Parliament at a joint sitting recommending an increase in the number of Judges, the number of puisne Judges shall not exceed four.

4. The Supreme Court shall be a Court of Record and shall have supervision over all Courts in the Union. It shall sit in the capital city of the Union and at such other place or places as the President may, after consultation with the Chief Justice of the Union from time to time, appoint.

5. Save where an appeal lies to the High Court itself under the provisions of section 20, an appeal shall lie to the Supreme Court from the judgment, decree, or final order of the High Court (whether passed before or after the commencement of the Constitution) in any civil, criminal, or other case, if the High Court certifies—

(a) that the case involves a question as to the validity of any law having regard to the provisions of the Constitution, or

(b) that the amount or value of the subject-matter of the dispute in the Court of first instance and still in dispute on appeal was and is not less than ten thousand rupees, or

(c) that the judgment, decree, or final order involves directly or indirectly some claim or question respecting property of the like amount or value

and, where the judgment, decree, or final order appealed from affirms the decision of the Court immediately below in any case other than the one referred in clause (a), if the High Court further certifies that the appeal involves some substantial question of law.

6. Notwithstanding anything contained in section 5, the Supreme Court may, in its discretion, grant special leave to appeal from any judgment, decree, or final order of any Court (whether passed before or after the commencement of the Constitution) in any civil, criminal or other case.

7. (1) Whoever desires to obtain execution of any order of the Supreme Court shall apply by petition, accompanied by a certified copy of the decree or order made in appeal and sought to be executed, to the Court from which the appeal to the Supreme Court was preferred.

(2) Such Court shall transmit the order of the Supreme Court to the Court which made the first decree appealed from, and shall (upon the application of either party) give such directions as may be required for the execution of the
same, and the Court to which the said order is so transmitted shall execute it accordingly, in the manner and according to the provisions applicable to the execution of its original decrees.

8. All authorities, civil and judicial, throughout the Union shall act in aid of the Supreme Court.

9. The Supreme Court shall, as respects the whole of the Union, have power to make any order for the purpose of securing the attendance of any person, the discovery or production of any document or the investigation or punishment of any contempt of Court; and any such orders and any orders of the Supreme Court as to the costs of and incidental to any proceedings therein, shall be enforceable by all Courts and authorities in every part of the Union as if they were orders duly made by such Courts or authorities themselves.

10. (1) The Supreme Court may, from time to time, make rules consistent with the Constitution and this Act, for the purpose of enabling it more effectively to exercise the jurisdiction and the power of supervision conferred upon it by or under the Constitution or any other law for the time being in force.

(2) In particular, and without prejudice to the generality of the foregoing power, the Supreme Court may, from time to time, make rules—

(a) for regulating generally the practice and procedure of the Court;
(b) as to the time within which appeals to the Court are to be entered;
(c) as to the costs of and incidental to any proceedings in that Court;
(d) as to the fees to be charged in respect of proceedings therein;
(e) as to the grant of bail and stay of proceedings; and
(f) providing for the summary determination of any appeal which appears to the Court to be frivolous or vexatious or brought for the purpose of delay.

(3) Rules made under this section may provide that one or more than one Judge as may be specified, shall sit for the purpose of admitting appeals, granting special leave to appeal or granting bail, or for the purpose of disposing of other interlocutory or miscellaneous applications.

(4) Subject to the provisions of any rules made under sub-section (3), all Judges of the Supreme Court (save such as may be disqualified by reason of some personal interest or some part which they have already taken as Judge, advocate or otherwise in or in relation to the case) shall be entitled to sit for the disposal of any case, and no case shall be decided by less than three Judges.

(5) The decision of the majority of the Judges of the Court (including any such Judge as is mentioned in section 146 of the Constitution or in the proviso to section 34 of this Act) shall be the decision of the Court and shall be pronounced by such one of the Judges as the Chief Justice shall direct.

11. Appointments to the staff of the Supreme Court shall be made by the Chief Justice of the Union who may, with the previous approval of the President, frame such rules as may be necessary for regulating their emoluments and other conditions of service:

Provided that the Chief Justice of the Union may, in his discretion, require that in such cases as he may direct no person shall be appointed to any office connected with the Court save after consultation with the Public Service Commission.
Proceedings pending in the Judicial Committee.

12. All appeals, applications or other proceedings whatsoever pending immediately before the commencement of the Constitution before the Judicial Committee of His Britannic Majesty’s Privy Council in the exercise of any jurisdiction vested in it by law as the appellate Court for Burma shall be continued and concluded in the Supreme Court as if the same had been instituted in the Supreme Court.

PART III.

The High Court.

13. There shall be a High Court for the Union consisting of the Chief Justice of the High Court and such number of other Judges as the President may fix; but unless and until a resolution in this behalf is passed by the Union Parliament at a joint sitting recommending an increase in the number of Judges, the number of puisne Judges shall not exceed ten.

14. The High Court shall have and exercise ordinary original civil jurisdiction within such local limits as may from time to time be declared by the President and until such local limits shall be so declared, within the limits of the ordinary original civil jurisdiction of the High Court of Judicature at Rangoon immediately before the commencement of the Constitution.

15. The High Court in the exercise of its ordinary original civil jurisdiction shall have power to receive, try and determine suits of every description if, in the case of suits for land or other immovable property such land or property shall be situated, or in all other cases if the cause of action shall have arisen either wholly or, in case the leave of the High Court shall have been first obtained, in part within the local limits of the ordinary original civil jurisdiction of the High Court, or if the defendant at the commencement of the suit shall dwell or carry on business, or personally work for gain within such limits:

Provided that if the High Court sits in Rangoon it shall not have such original jurisdiction in cases falling within the jurisdiction of the Rangoon City Civil Court; and if it sits in any other place it shall not have such original jurisdiction in cases falling within the jurisdiction of any other Court of civil judicature in such place.

16. The High Court shall have power to remove and to try and determine, as a Court of extraordinary civil jurisdiction, any suit being or falling within the jurisdiction of any Court subordinate thereto, when the High Court may think proper to do so, either on the agreement of the parties to that effect, or for purposes of justice, the reasons for so doing being recorded on the proceedings of the High Court.

17. The High Court shall have ordinary original criminal jurisdiction within the local limits of its ordinary original civil jurisdiction; and in the exercise of such jurisdiction shall have power to try all persons brought before it in due course of law.

18. The High Court shall have extraordinary original criminal jurisdiction over all persons residing in places within the jurisdiction of any Court subordinate
thereto and shall have authority to try at its discretion any such persons brought before it on a charge preferred by any Magistrate or other officer specially empowered by the Government in that behalf.

19. (1) The High Court shall have and exercise all such civil and maritime jurisdiction as might have been exercised by the High Court of Judicature at Rangoon had the Constitution not come into operation.

(2) The High Court shall have and exercise all such criminal jurisdiction as might have been exercised by the High Court of Judicature at Rangoon as a Court of Admiralty or otherwise in connection with maritime matter or matters of prize had the Constitution not come into operation.

20. An appeal shall lie to the High Court from the judgment of a single Judge of the High Court sitting in the exercise of its original jurisdiction or in the exercise of its appellate jurisdiction, not including revisional jurisdiction; provided that in the latter case the Judge declares that the case is a fit one for appeal.

21. The High Court shall be a Court of Appeal from all the civil Courts of the Union other than the Supreme Court.

22. Subject to the provisions contained in the Code of Criminal Procedure, there shall be no appeal to the High Court from any sentence or order passed or made in any criminal trial before the Court or original criminal jurisdiction, which may be constituted by one or more Judges of the High Court:

Provided that any such Court may reserve any point or points of law for the opinion of the High Court.

23. The High Court shall be a Court of Criminal Appeal from the criminal Courts subordinate thereto and from all other Courts for which the High Court shall be declared to be a Court of appeal by any law for the time being in force.

24. The High Court shall be a Court of reference and revision from the criminal Courts subject to its appellate jurisdiction, and shall have power to hear and determine all such cases as may be referred to it by any Judge or other authority in accordance with law; or to revise all such cases as are subject to revision under any law.

25. The High Court may transfer any criminal case or appeal from one subordinate Court to any other subordinate Court of equal or superior jurisdiction, and also direct the preliminary investigation or trial of any criminal case by any officer or Court otherwise competent to investigate or try it, though such case belongs in ordinary course to the jurisdiction of some other officer or Court.

26. (1) Persons enrolled to be Advocates under the law for the time being in force shall be entitled to appear for the suitors of the High Court, and to plead or to act or to plead and act for the said suitors, according as the High Court may by its rules and directions determine, and subject to such rules and directions.

(2) No person who is not admitted or enrolled as an Advocate under the provisions of sub-section (1) shall be allowed to act or to plead for any suitor, except that any suitor shall be allowed to appear, plead or act on his own behalf or on behalf of a co-suitor.

1 Amended by Act VIII, 1951.
27. The High Court has superintendence over all Courts in the Union for the time being subject to its appellate jurisdiction and may, in particular, do any of the following things:—

(a) call for returns;
(b) make and issue general rules and prescribe forms for regulating the practice and proceedings of such Courts;
(c) prescribe forms in which books, entries and accounts shall be kept by the officers of any such Courts;

Provided that such rules, forms and tables shall not be inconsistent with any law for the time being in force.

28. (1) The High Court may, from time to time, make rules consistent with the Constitution and any other law for the time being in force applicable to the High Court for the purpose of enabling it more effectively to exercise the jurisdiction conferred upon it by or under the Constitution and this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

(a) regulate the practice and procedure of the Court generally in respect of all civil proceedings including proceedings in its admiralty jurisdiction;
(b) prescribe a seal for the Court and regulate its use and custody;
(c) prescribe the qualifications for admission of proper persons to be advocates or pleaders;
(d) delegate to the Registrar or any other officer of the Court any judicial, quasi-judicial or non-judicial duties;
(e) prescribe the Court fees or other fees that may be leviable in respect of any proceedings in the High Court;
(f) regulate the costs of and incidental to any proceeding in the High Court;
(g) subject to the provisions of any other law, regulate the time within which any action permitted by law may be taken in the High Court.

(3) Rules may be made under this section for the performance by the High Court of its functions in the exercise of its original or appellate jurisdiction by any Judge or Judges thereof:

Provided that where a Court is composed of two or more Judges and the Judges are divided in opinion as to the decision to be given on any point, such point shall be decided according to the opinion of the majority of the Judges, if there be a majority, but, if the Judges shall be equally divided, they shall state the point upon which they differ and the case shall then be heard upon that point by one or more of the other Judges and the point shall be decided according to the opinion of the majority of the Judges who have heard the case including those who first heard it.

29. (1) The Chief Justice of the High Court may, subject to such rules and restrictions as may be prescribed by the Parliament, appoint so many and such clerks and other ministerial officers as may be found necessary for the administration of justice and the due execution of all the powers and authorities granted to the High Court.

(2) The High Court may frame such rules as may be necessary with the previous approval of the President, prescribing the terms and conditions of service of all persons appointed to the staff of the High Court in pursuance of this section.

30. Subject to the provisions of the Constitution and to the provisions of this Act or any other law for the time being in force, the jurisdiction of and the law to
be administered in the High Court and the respective powers of the Judges thereof in relation to the administration of justice in the Court, including any power to make rules of Court, and to regulate the sittings of the Court and of members thereof sitting alone or otherwise, shall be the same as immediately before the commencement of the Constitution.

31. All suits, appeals, revisions, applications, reviews, executions and other proceedings whatsoever pending immediately before the coming into operation of the Constitution in the High Court of Judicature at Rangoon in the exercise of any jurisdiction vested in it by law, shall, subject to any other provision that may be expressly made by law, be continued and concluded in the High Court as if the same had been instituted in the High Court.

PART IV.

MISCELLANEOUS.

32. (1) The Chief Justice of the Union shall be entitled to receive a salary of Rs. 3,500 and each of the other Judges of the Supreme Court to Rs. 3,000 per month.

(2) The Chief Justice of the High Court shall be entitled to receive a salary of Rs. 3,000 and each of the other Judges of the High Court to Rs. 2,500 per month.

(3) The President may by rule fix the allowances including leave allowances, retiring pensions, compensations and gratuities of the Judges of the Supreme Court and the High Court.

33. (1) The Chief Justice of the Union shall take precedence over all other Judges and the other Judges of the Supreme Court shall take precedence according to the seniority of their appointment.

(2) The Chief Justice of the High Court shall take precedence over all other Judges of the High Court and the other Judges of the High Court shall take precedence according to the seniority of their appointment.

34. Subject to the provisions of the Constitution, every Judge of the Supreme Court and every Judge of the High Court shall hold office until he attains the age of sixty-five years and sixty years, respectively:

Provided that any person who has retired from service as a Judge of the Supreme Court may, on the request in writing by the Chief Justice of the Union, attend such sittings of the Supreme Court as the Chief Justice may specify; and such person, while so attending, shall have all the powers and privileges and discharge all the duties of a Judge of the Supreme Court:

1 Provided further that every Judge of the Supreme Court or of the High Court may, with the consent of the President, retire at any time before he attains the age of compulsory retirement.

35. No Judge of the Supreme Court or of the High Court shall hold any other office or position of emolument.

36. (1) Appointments of persons to be, and the posting and promotion of District Judges shall be made by the President in consultation with the Chief Justice of the Union and the Chief Justice of the High Court.

(2) A person not already holding a judicial office in the service of the Government shall not be eligible to be appointed a District Judge, unless he has

1 Inserted by Act XXVIII, 1954.
been an advocate for not less than five years and unless he is recommended by the Chief Justice of the Union in consultation with the Chief Justice of the High Court.

(3) The expression "District Judge" includes District and Sessions Judge, Sessions Judge, Chief Judge and Second Judge of the City Civil Court, Rangoon, Additional District Judge and Additional Sessions Judge.

37. (1) The High Court shall be consulted before rules are made by the President defining the standard of qualifications to be attained by persons desirous of entering a service consisting of persons intended to fill civil judicial posts subordinate to that of District Judge.

(2) The posting and promotion of, and the grant of leave to, persons referred to in sub-section (1) shall be in the hands of the High Court, but nothing in this section shall be construed as authorizing the High Court to deal with any such person otherwise than in accordance with the condition of his service prescribed under any rules for the time being in force.
(1) သတိပေးအချက်အလက် မေးခွန်း (၁) အတွက် (၃) ပြုစုထားသော အခြေခံအတွက် ကြိုးစားသော အခြေအနေများကို မေးခွန်း၌ (၂) မေးခွန်းအတွက် အက္ခာမြောက် ဖော်ပြသော အခြေအနေများကို ပြထားသည်။

(2) အထောက်အကူသည် အခြေခံအတွက် အမြောက်မြောက်များ ပြုစုထားသော အခြေအနေများကို ပြပါသည်။

(3) အထောက်အကူသည် အခြေအနေများကို အမြောက်မြောက်များ ပြုစုထားသော အခြေအနေများကို ပြပါသည်။

(4) အထောက်အကူသည် အခြေအနေများကို အမြောက်မြောက်များ ပြုစုထားသော အခြေအနေများကို ပြပါသည်။

(5) အထောက်အကူသည် အခြေအနေများကို အမြောက်မြောက်များ ပြုစုထားသော အခြေအနေများကို ပြပါသည်။

(6) အထောက်အကူသည် အခြေအနေများကို အမြောက်မြောက်များ ပြုစုထားသော အခြေအနေများကို ပြပါသည်။
(j) အပြုပြင်တင်ခိုးစီးခွင်းစာရင်းတွင် ထုတ်ပြန်ချက်များကို အပေါ် အထောက်အပြောက်ရေး အစီအစဉ်ကို အသုံးပြုစေရန် ဆိုလိုသော ကိစ္စနည်းအရ အခြေခံသော အချိန်များကို အလိုအများပြောပြပါသည်။

(ii) အပြုပြင်တင်ခိုးစီးခွင်းစာရင်းတွင် ထုတ်ပြန်ချက်များကို အပေါ် အထောက်အပြောက်ရေး အစီအစဉ်ကို အသုံးပြုစေရန် ဆိုလိုသော ကိစ္စနည်းအရ အခြေခံသော အချိန်များကို အလိုအများပြောပြပါသည်။

(iii) အပြုပြင်တင်ခိုးစီးခွင်းစာရင်းတွင် ထုတ်ပြန်ချက်များကို အပေါ် အထောက်အပြောက်ရေး အစီအစဉ်ကို အသုံးပြုစေရန် ဆိုလိုသော ကိစ္စနည်းအရ အခြေခံသော အချိန်များကို အလိုအများပြောပြပါသည်။

(iv) ယခုခေတ် အပြုပြင်တင်ခိုးစီးခွင်းစာရင်းတွင် ထုတ်ပြန်ချက်များကို အပေါ် အထောက်အပြောက်ရေး အစီအစဉ်ကို အသုံးပြုစေရန် ဆိုလိုသော ကိစ္စနည်းအရ အခြေခံသော အချိန်များကို အလိုအများပြောပြပါသည်။

(v) ယခုခေတ် အပြုပြင်တင်ခိုးစီးခွင်းစာရင်းတွင် ထုတ်ပြန်ချက်များကို အပေါ် အထောက်အပြောက်ရေး အစီအစဉ်ကို အသုံးပြုစေရန် ဆိုလိုသော ကိစ္စနည်းအရ အခြေခံသော အချိန်များကို အလိုအများပြောပြပါသည်။
D.—THE POLICE SERVICES.

THE RANGOON POLICE ACT.

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FORM.
THE RANGOON POLICE ACT.

[BURMA ACT IV, 1899.] (15th June, 1899.)

PART I.

PRELIMINARY.

1. This Act extends to the Town of Rangoon.\(^1\)

2. (1) Except as provided in section 48 of the Police Act, and in section 3 of this Act, the Police Act shall cease to take effect within the limits of Rangoon Town.

(2) Subject to the provisions of section 3 of this Act, the police-force employed in the cantonment of Rangoon shall, for the purposes of this Act, be deemed to be part of the police establishment constituted under this Act.

3. (1) Notwithstanding anything in this Act, the Police Act shall apply to all military and civil police-officers of the general police district of the Union of Burma stationed or employed within the limits of Rangoon Town, for the purposes of the organization, regulation and control of such police and of the discharge by them, within such limits, of police functions connected with the administration of any parts of the Union of Burma beyond such limits.

(2) Subject to any orders which the President of the Union may make in this behalf, any such police-officer may discharge any functions of a police-officer in Rangoon Town and shall, while so discharging any functions not provided for in sub-section (1), be deemed to be a member of the police establishment constituted under this Act and be vested with the powers, functions and privileges and be subject to the liabilities of a police-officer appointed under this Act.

4. In the event of the limits of Rangoon Town being altered at any time hereafter,—

(a) this Act shall be deemed to extend to any area thereby included within such limits from the date of such inclusion; and

(b) this Act shall cease to be operative within, and the Police Act shall extend to, any area thereby excluded from Rangoon Town from the date of such exclusion,

unless it be otherwise expressly expressly provided in the notification or enactment altering such limits.

5. In this Act, unless there is anything repugnant in the subject or context,—

(a) "Cattle" includes (besides horned cattle) elephants, camels, horses, asses, mules, sheep, goats and swine:

(b) "Police" includes—

(1) all persons appointed under this Act; and

(2) any member of any other police establishment so far as may be necessary for the purposes of sub-section (2) of section 3 of this Act, or of section 48 of the Police Act:

(3) "Shop" includes dwelling-house and warehouse or other place of business, or place where business is transacted:

(3A) "Subordinate ranks" of the police-force means members of the police-force below the rank of the Superintendent:

\(^1\) For a definition of this expression, see the Burma General Clauses Act, s. 2 (49).

\(^2\) Inserted by Act VII, 1945.
PART II.

CONSTITUTION, REGULATION AND POWERS OF THE POLICE.

6. The superintendence of the police in Rangoon Town shall vest in, and shall be exercised by, the President of the Union.

7. The President of the Union shall appoint a Commissioner of Police for Rangoon Town, and in him shall be vested the administration of the police of that town subject to the direct control of the President of the Union.

The President of the Union may appoint so many Superintendents of Police as he thinks fit.

8. The Commissioner of Police—
   (1) shall have the powers of a Magistrate so far as may be necessary for the purposes of preserving the peace, preventing crime, and detecting, apprehending and detaining offenders in order to their being brought before a Magistrate and so far as may be necessary for the performance of the duties assigned to the Commissioner of Police by this Act;
   (2) shall perform the duties and exercise the powers of the Deputy Commissioner under the Towns Act;
   (3) shall likewise exercise the full powers conferred on the District Superintendent of Police by any law or regulation in force in Rangoon Town;
   (4) may, when the holder of a license granted under the Arms Act is within the limits of Rangoon Town, cancel or suspend such license, if, for reasons to be recorded in writing, he deems it necessary to do so for the security of the public peace;
   (5) may, whenever sanction is necessary under section 29 of the Arms Act for the institution of proceedings in respect of an offence under section 19, clause (f), of the said Act, give such sanction, notwithstanding anything contained in such sections; and
   (6) may do any acts which a Magistrate is authorized or required to do under the Lunacy Act.

8A. Every Superintendent of Police may exercise the powers conferred on a District Superintendent of Police by sections 6 and 6A of the Gambling Act.

9. (1) The Rangoon police-force shall be a separate police establishment and shall consist of such number of officers and men, and shall be constituted in such manner, and the members of such force shall receive such pay as shall from time to time be ordered by the President of the Union.

1 Deleted by the Union of Burma (Adaptation of Laws) Order, 1948.
2 Section 9 was renumbered as sub-section (1) of section 9 and sub-section (2) inserted by Act VII, 1945.
1 (2) Every police-officer appointed under this Act shall make and subscribe an oath according to the form set out in Schedule I to this Act, and shall receive on his appointment a certificate in the form set out in Schedule II to this Act under the seal of the Commissioner of Police.

2 10. The police-force shall be under the exclusive direction and control of the Commissioner of Police who may, subject to the previous approval of the President of the Union, frame such orders and rules as he shall deem expedient relative to the organization, classification and distribution of the police-force, the places at which members of the force shall reside, and the particular services to be performed by them; their inspection, the description of arms, accoutrements and other necessaries to be furnished to them; the collecting and communicating by them of intelligence affecting the public peace; and all such other orders and rules relative to the police-force as the Commissioner of Police shall deem expedient for preventing abuse or neglect of duty, and for rendering the force efficient in the discharge of its duties.

2 11. (1) Subject to the control of the President of the Union, the appointment, promotion and posting of all police-officers of the subordinate ranks shall be made by the Commissioner of Police, who may at any time suspend, reduce, remove or dismiss any such officer whom he thinks remiss or negligent in the discharge of his duty or unfit for the same; or may award to any such police-officer who discharges his duty in a careless or negligent manner, or who by any act of his own renders himself unfit for the discharge thereof, any one or more of the punishments prescribed by rules made under sub-section (2).

(2) Subject to the previous approval of the President of the Union, the Commissioner of Police may make rules,—

(a) prescribing the punishments which may be awarded to a police-officer of the subordinate ranks under sub-section (1);

(b) delegating his powers under sub-section (1) in respect of police-officers of such rank or ranks as may be prescribed to any police-officer not below the rank of Inspector;

(c) prescribing the procedure to be followed in inquiries into the conduct of police-officers of the subordinate ranks;

(d) prescribing the cases in which and the authorities to whom a police-officer of the subordinate ranks shall be entitled to appeal from an order which is to his disadvantage:

Provided that no such officer shall be entitled to more than one appeal in respect of the same order.

12. Every police-officer appointed under section 7 shall, by virtue of his appointment, and every police-officer holding a certificate under [section 9][2] shall, by virtue of such certificate, be vested with the powers, functions and privileges of a police-officer.

Such certificate or appointment shall cease to have effect when the person named in it ceases for any reason to be a police-officer.

13. A police-officer shall not, by reason of being suspended from office, cease to be a police-officer. During the term of such suspension the powers, functions and privileges vested in him as a police-officer shall be in abeyance, but he shall continue subject to the same responsibilities, discipline and penalties and to the same authorities as if he had not been suspended.

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1 Inserted by Act VII, 1945.

2 Substituted by ibid.
14. No police-officer shall engage in any employment or office whatever, other than his duties under this Act, unless expressly permitted in writing by the Commissioner of Police to do so.

15. Every police-officer shall, for the purposes of this Act, be considered to be always on duty, and may at any time be employed as a police-officer in any part of Rangoon Town.

16. It shall be the duty of every police-officer promptly to obey and execute all orders and warrants lawfully issued to him by any competent authority, and to take lawful measures for—

(1) collecting and communicating intelligence affecting, and otherwise preserving, the public peace;
(2) preventing the commission of offences and public nuisances;
(3) detecting and bringing offenders to justice;
(4) apprehending persons whom he is legally authorized to apprehend, and for whose apprehension sufficient ground exists;
(5) regulating processions and assemblies in public places;
(6) regulating the traffic upon public thoroughfares and removing obstructions therefrom;
(7) preserving order and decorum in public places, in places of public resort and in assemblies for public amusements;
(8) protecting unclaimed or lost property, and finding the owners thereof;
(9) taking charge of and impounding stray animals;
(10) inspecting weights and measures and instruments for weighing;
(11) assisting in the protection of life and property at fires;
(12) protecting public property from loss or injury;
(13) attending the criminal Courts and keeping order therein;
(14) escorting and guarding prisoners to and from prisons and places of detention; and
(15) executing warrants of arrest, and serving summonses and notices whenever specially directed by a Magistrate to do so.

17. No police-officer appointed under section 11 shall be at liberty to withdraw himself from the duties of his office, unless expressly allowed to do so by the Commissioner of Police, nor without the leave of the Commissioner of Police to resign his office unless he shall have served continuously for at least eighteen months in the police-force and unless he shall have given to his superior officer notice in writing, for a period of not less than two months, of his intention to resign.

18. Every person, who ceases to be a police-officer appointed under section 11, shall forthwith deliver up to the Commissioner of Police or to a Superintendent of Police his certificate and the clothing, accoutrements, appointments, and other articles which have been supplied to him for the execution of his duty.

If he neglects or refuses to do so, he shall be liable, on conviction, to imprisonment for a term which may extend to six months, or to a fine not exceeding two hundred rupees, or to both.
19. Any person who knowingly makes a false statement or uses a false document for the purpose of obtaining for himself or any other person employment or release from employment as a police-officer shall be liable to imprisonment which may extend to three months, or to fine which may extend to one hundred rupees, or to both.

20. Any police-officer who—

(a) shall engage in any employment or office contrary to the provisions of section 14;
(b) shall withdraw himself from the duties of his office contrary to the provisions of section 17;
(c) being absent on leave shall fail, without reasonable cause, to report himself for duty on the expiration of such leave;
(d) shall be guilty of any violation of duty, or willful breach or neglect of any rule or lawful order made by competent authority;
(e) shall be guilty of cowardice; or
(f) shall offer any unwarrantable personal violence to any person in his custody;

shall be liable, on conviction, to imprisonment for a term which may extend to three months, or to fine not exceeding three months' pay or to both.

21. * * * * * *

PART III.

SPECIAL PROVISIONS FOR ADDITIONAL POLICE AND DISTURBED AREAS.

22. It shall be lawful for the Commissioner of Police, on the application of any person showing the necessity thereof, to depute or appoint any additional number of police-officers to keep the peace at any place within his jurisdiction. Such force shall be exclusively under the orders of the Commissioner of Police and shall be at the charge of the person making the application:

Provided that it shall be lawful for the person on whose application such deputation or appointment shall have been made, on giving one month's notice in writing to the Commissioner of Police, to require that the police-officers so deputed or appointed shall be withdrawn; and such person shall be relieved from the charge of such additional force from the expiration of such notice.

23. Whenever any railway, canal or other public work, or any manufactory or commercial concern shall be carried on or be in operation in any part of Rangoon Town, and it shall appear to the Commissioner of Police that the employment of an additional police-force in such place is rendered necessary by the behaviour or reasonable apprehension of the behaviour of the persons employed upon such work, manufactory or concern, it shall be lawful for the Commissioner of Police, with the consent of the President of the Union, to appoint or depute such additional force to such place, and to employ the same so long as such necessity shall continue, and to make orders, from time to time, upon the person having the control or custody of the funds used in carrying on such work, manufactory or concern, for the payment of the extra force so rendered necessary, and such person shall thereupon cause payment to be made accordingly.

1 Substituted by Act VII, 1945.
24. (1) It shall be lawful for the President of the Union, by proclamation to be notified in the Gazette and in such other manner, if any, as the President of the Union shall direct, to declare that any area has been found to be in a disturbed or dangerous state, or that, from the conduct of the inhabitants of such area or of any class or section of them, it is expedient to increase the number of police.

(2) It shall thereupon be lawful for the Commissioner of Police, with the sanction of the President of the Union, to employ any police-force in addition to the ordinary fixed complement to be quartered in the area specified in such proclamation as aforesaid.

(3) Subject to the provisions of sub-section (5) of this section, the cost of such additional police-force shall be borne by the inhabitants of such area described in the proclamation.

(4) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such cost among the inhabitants who are, as aforesaid, liable to bear the same, and who shall not have been exempted under the next succeeding sub-section. Such apportionment shall be made according to the Magistrate’s judgment of the respective means within such area of such inhabitants.

(5) It shall be lawful for the President of the Union by order to exempt any persons or class or section of such inhabitants from liability to bear any portion of such cost.

(6) Every proclamation issued under sub-section (1) of this section shall state the period for which it is to remain in force, but it may be withdrawn at any time or continued from time to time for a further period or periods as the President of the Union may in each case think fit to direct.

Explanation.—For the purposes of this and the next succeeding section, “inhabitants” shall include persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents direct from occupiers in such area, notwithstanding that they do not actually reside therein.

25. (1) If, in any area in regard to which any proclamation notified under the last preceding section is in force, death or grievous hurt, or loss of or damage to property has been caused by or has ensued from the misconduct of the inhabitants of such area, or any class or section of them (whether before or during the period for which the proclamation is in force) in the course of the disturbed conditions to which the proclamation relates, it shall be lawful for any person who claims to have suffered injury from such misconduct to make, within one month from the date of the injury or such shorter period as may be prescribed, an application for compensation to the District Magistrate.

(2) It shall thereupon be lawful for the District Magistrate, with the sanction of the President of the Union, after such enquiry as he may deem necessary, and whether any additional police-force has or has not been quartered in such area under the last preceding section, to—

(a) declare the persons to whom injury has been caused by, or has ensued from, such misconduct;

(b) fix the amount of compensation to be paid to such persons and the manner in which it is to be distributed among them; and

(c) assess the proportion in which the same shall be paid by the inhabitants of such area, other than the applicant, who shall not have been exempted from the liability under the next succeeding sub-section:

Provided that the Magistrate shall not make any declaration or assessment under this sub-section unless he is of opinion that such injury as aforesaid has arisen from a riot or unlawful assembly within such area and that the person who suffered the injury was himself free from blame in respect of the occurrences which led to such injury.
(3) It shall be lawful for the President of the Union, by order, to exempt any persons or class or section of such inhabitants from liability to pay any portion of such compensation.

(4) Every declaration or assessment made or order passed by the District Magistrate under sub-section (2) shall be subject to revision by the President of the Union, but save as aforesaid shall be final.

(5) No civil suit shall be maintainable in respect of any injury for which compensation has been awarded under this section.

26. (1) All moneys payable under sections 22, 23, 24 and 25 shall be recoverable by the District Magistrate as a fine, or by a suit in any competent Court.

(2) All moneys paid or recovered under sections 22, 23, and 24 shall form part of the revenues of the Union of Burma.

(3) All moneys paid or recovered under section 25 shall be paid by the District Magistrate to the persons to whom and in the proportions in which the same are payable under that section.

SPECIAL POLICE-OFFICERS.

27. The Commissioner of Police may of his own authority appoint special police-officers to assist the police-force on any temporary emergency.

28. Every special police-officer so appointed shall have the same powers, privileges and protection, and shall be liable to perform the same duties and shall be amenable to the same penalties, and be subordinate to the same authorities, as the ordinary officers of police.

29. If any person, being appointed a special police-officer under section 27, shall, without sufficient excuse, neglect or refuse to serve as such, or to obey any lawful order or direction, he shall be liable, on conviction, to a fine not exceeding fifty rupees for every such neglect or refusal or disobedience.

PART IV.

PROVISIONS FOR THE PRESERVATION OF PEACE AND ORDER AND FOR OTHER PURPOSES.

Provisions against Thieves and Vagabonds.

30. (a) Any person found armed with any dangerous or offensive instrument whatsoever, and who is unable to give a satisfactory account of his reasons for being so armed;

(b) any reputed thief found between sunset and sunrise lying or loitering in any bazaar, street, road, yard, thoroughfare or other place, who shall not give a satisfactory account of himself;

(c) any person found between sunset and sunrise having his face covered or otherwise disguised and who is unable to give a satisfactory account of himself;

(d) any person found within the precincts of any dwelling-house or other building whatsoever, or in any back-drainage space, or on board any vessel, without being able satisfactorily to account for his presence therein; and
(e) any person having in his possession, without lawful excuse, any
implement of house-breaking,
may be taken into custody by any police-officer without a warrant, and shall be
liable to imprisonment which may extend to three months.

31. Whoever has in his possession or conveys in any manner anything
which may reasonably be suspected to be stolen property as defined in section
410 of the Penal Code shall, if he fails to account satisfactorily for his possession
of the same, be punished with imprisonment which may extend to three months,
or with fine, or with both.

31A. (1) Whenever any person is convicted of an offence under section 30
or section 31 before the High Court, or the Court of the District Magistrate or
of a Subdivisional Magistrate or Magistrate of the first class,
and it is deemed necessary to require such person to execute a bond for his
good behaviour,
the convicting Court may, at the time of passing sentence on such person,
and the High Court may, on appeal or in exercise of its revisional powers, order
him to execute a bond, with or without sureties, for his good behaviour during
such period not exceeding one year, and for such amount, as it thinks fit to fix:

Provided—

firstly, that the amount of such bond shall be fixed with due regard to
the circumstances of the case and shall not be excessive; and

secondly, that when the person so convicted is a minor, the bond shall be
executed only by his sureties.

(2) If the conviction is set aside on appeal or otherwise, the bond so executed
shall become void.

(3) The provisions of sections 120 to 126, 514 and 515 of the Code of Criminal
Procedure shall apply in the case of any security so required under this section:

Provided that the imprisonment for failure to give the security so required
shall always be rigorous.

31B. (1) The Commissioner of Police may, by a notification publicly pro-
mulgated or addressed to individuals,—

(a) prohibit the carrying of das of a kind exempted from the provisions of
the Arms Act, bludgeons, loaded sticks, hunting crops, clasp-
knives of a specified size, or other offensive instruments, in any public
place;

(b) whenever and for such time as he shall consider necessary for the
preservation of the public peace or safety, prohibit—

(i) the carrying, collection and preparation of stones or other missiles
or instruments or means of casting or impelling missiles;

(ii) the exhibition of persons or of corpses, or figures or effigies, in any
public place;

(iii) the public utterance of cries, singing of songs, playing of music; and

(iv) the delivery of harangues, the use of gestures or mimetic representa-
tions and the preparation, exhibition or dissemination of pictures,
symbols, placards or of any other object or thing when such action,
object or thing may be of a nature to outrage morality or decency,
or, in the opinion of the Commissioner of Police, may probably
inflame religious animosity or hostility between different classes,
or incite to the commission of an offence, to a disturbance of the
public peace or to resistance to or contempt of the law or of a
lawful authority.
(2) Whoever contravenes a prohibition under this section shall be punished with imprisonment for a term which may extend to three months or with fine which may extend to one hundred rupees, or with both.

Powers of Entry and Inspection.

32 It shall be lawful for every police-officer, for any of the purposes mentioned in section 16, without a warrant to enter and inspect any pawn-shop, licensed lodging-house, public-house or bar, and any place of resort of loose or disorderly characters.

33. (1) It shall be lawful for any police-officer, generally or specially deputed to that duty by the Commissioner of Police, to enter without a warrant any shop for the purpose of inspecting the weights and instruments for weighing kept or used therein; and to seize any weight, measure or instrument for weighing which he may have reason to believe is false or, within the limits of the City of Rangoon, not in accordance with bye-laws made by the Municipal Corporation for prescribing the standard weights and measures to be used within the municipality.

(2) The police-officer making a seizure under sub-section (1) shall forthwith give information of such seizure to the Magistrate having jurisdiction; and if such weights, measures or instruments shall be found by the Magistrate to be false, they shall be destroyed.

34. Police-officers on duty shall have free admission to all places of public resort and assemblies for public amusement while open to any of the public.

Additional Powers to Arrest.

35. Whoever—

(a) commits an offence on or with respect to the person or property of another; or

(b) in committing any offence described in this Act, injures or damages the person or property of another,

may, if his name and address be unknown, be apprehended by the person injured or by any person using the property to which the injury may be done, or by the servant of either of such persons, or by any person authorized by or acting in aid of him; and may be detained until he gives his name and address, and satisfies such person that the name and address so given are correct, or until he can be delivered into the custody of a police-officer.

36. If any person, lawfully apprehended under the last preceding section, shall assault or forcibly resist the person by whom he shall be so apprehended, or any person acting in his aid, he shall be liable to a fine not exceeding two hundred rupees.

36A. (1) Any police-officer may arrest without a warrant any person committing in his view any of the offences described or referred to in this Act, if the name and address of such person be unknown to such police-officer and cannot be ascertained by him then and there.
(2) When the true name and residence of such person have been ascertained, he shall be released on his executing a bond, with or without sureties, to appear before a Magistrate if so required; provided that, if such person is not resident in the Union of Burma, the bond shall be secured by a surety or sureties resident in the Union of Burma.

(3) Should the true name and residence of such person not be ascertained within twenty-four hours from the time of arrest or should he fail to execute the bond, or, if so required, to furnish sufficient sureties, he shall forthwith be forwarded to the nearest Magistrate having jurisdiction.

Regulation of Crowds, Traffic, etc.

37. (1) The Commissioner of Police may, as occasion requires, direct the conduct of all assemblies and processions on the public roads, streets and thoroughfares, and prescribe the routes by which, and the times at which, such processions may pass.

(2) He may also, on being satisfied that it is intended by any persons or classes of persons to convene or collect an assembly in any such road, street or thoroughfare, or to form a procession which would, in his judgment, if uncontrolled, be likely to cause a breach of the peace, require, by general or special notice that the persons convening or collecting such assembly or directing or promoting such procession [shall apply for and obtain a license.]

(3) On such application being made, he may issue a license specifying the names of the licensees, and defining the conditions on which alone such assembly or such procession is to be permitted to take place, and otherwise giving effect to this section.

(4) He may also regulate the extent to which music, torches or other naked lights may be used in the streets on the occasions of festivals and ceremonies.

38. (1) Any Magistrate, or the Commissioner of Police or a Superintendent or Inspector of Police, or any police-officer in charge of a station, may stop any procession which violates the conditions of a license granted under the last preceding section, and may order it or any assembly which violates any such conditions as aforesaid to disperse.

(2) Any procession or assembly which neglects or refuses to obey any order given under sub-section (1) shall be deemed to be an unlawful assembly within the meaning of section 141 of the Penal Code.

39. Any police-officer may, subject to the general or special orders of the Commissioner of Police, give all proper orders and directions to any persons for the purpose of—

(a) keeping order on the public roads, streets, thoroughfares and landing-places, and at all other places of public resort; and

(b) preventing obstructions on the occasions of assemblies and processions on the public roads and streets, or in the neighborhood of places of worship during the times of public worship, and in any case when any road, street, thoroughfare or landing-place may be thronged or may be liable to be obstructed.

1 Substituted by Act VII, 1945.
40. Every person opposing or not obeying the orders issued under the last three preceding sections, or violating the conditions of any license granted by the Commissioner of Police for the use of music, torches or naked lights, or for the conduct of assemblies and processions, shall be liable to a fine not exceeding two hundred rupees, or to imprisonment for a term not exceeding three months, or to both.

Levy of fees from private persons for employment of police in special cases.

40A. When police-officers are specially deputed on the application of any person for the purpose of preserving order or regulating the traffic at any public or private entertainment, meeting or other assembly, fees may be levied from the person at whose request or on whose behalf they are so deputed in accordance with a scale to be prescribed by the Commissioner of Police, and such fees shall be disposed of in such manner as the President of the Union may direct.

Punishment for certain offences on roads and public places.

Driving elephant or wild animal.

Driving a vehicle without sufficient lights.

Riding or driving otherwise than on the left side of road.

Furious riding or driving.

Exposing horses for sale, training animals, and cleaning or repairing vehicles.

Negligence in driving cattle.

Leaving cart, etc., without control.

41. Whoever, within such limits as shall be, from time to time, and in respect of any of the following offences, defined by the Commissioner of Police, in any public street, road, thoroughfare or place of public resort, commits any of the following offences, shall be liable to fine which shall not exceed fifty rupees, or to imprisonment not exceeding eight days, or to both:

(1) Whoever drives, rides or leads any elephant or wild animal without the permission of the Commissioner of Police.

(2) Whoever drives or otherwise propels any vehicle of any description between half an hour after sunset and half an hour before sunrise, without sufficient and proper lights:

(3) Whoever, without reasonable cause, rides, drives or otherwise propels any vehicle or cattle otherwise than on the left or near side of the road so as to cause any obstruction, inconvenience, risk, danger or damage to any person:

(4) Whoever rides or drives or otherwise propels any vehicle or cattle recklessly or furiously:

(5) Whoever, to the obstruction, inconvenience, risk, danger or damage of any person—

(a) exposes for show, hire or sale any horse or other animal; or

(b) cleans or dresses any horse or other animal, or cleans any carriage or other conveyance; or

(c) makes or repairs any part of any cart or carriage except in cases of accident where repairs on the spot are necessary; or

(d) trains or breaks any horse or other animal;

except in such places and at such times as may be allowed by the Commissioner of Police:

(6) Whoever, by negligence or ill-usage in driving cattle, causes any mischief to be done by such cattle, or in anywise misbehaves himself in the driving, management or care of such cattle so as to cause mischief or obstruction:

(7) Whoever, being in charge of a cart, carriage or horse, leaves it at such a distance as not to have the same under due control.

8) Whoever causes any cart or truck, with or without horses or cattle, to remain or stand longer than may be necessary for loading or unloading, except at places lawfully appointed for the purpose; or leaves any cart, carriage or truck, or fastens any horse or other animal, so as to cause any obstruction in any thoroughfare; or leads thereon more cattle than two at once:

9) Whoever leads or rides any horse or other animal, or draws, drives or otherwise propels any vehicle, upon any foot-way, or fastens any animal so that it can stand across or on any foot-way:

10) Whoever causes obstruction or inconvenience to any person by placing any goods on the streets or foot-way, whether for sale or otherwise, longer than is necessary for loading or unloading, except as permitted under the City of Rangoon Municipal Act:

11) Whoever beats a drum, tem-tom or gong, or blows a horn, shell or trumpet, or sounds any brass or other metal instrument or utensil to the annoyance of any person, except at such times and places as shall be, from time to time, allowed by the Commissioner of Police:

12) Whoever, without the consent of the Commissioner of Police, puts up any post or other thing on the side of any public street for the purpose of fixing lamps or illuminations unless authorized to do so under the City of Rangoon Municipal Act:

13) Whoever bathes or washes himself in any public place not set apart for such purpose:

14) Whoever is found drunk or riotous or incapable of taking care of himself:

15) Whoever wilfully and indecently exposes his person or cases himself in a place not set apart for the purpose:

16) Whoever behaves in a disorderly manner or uses any abusive, insulting or obscene words or gestures whereby a breach of the peace or a public nuisance may be caused:

17) Whoever neglects to fence in or protect any excavation, well or other dangerous place or structure over which he has control:

18) Whoever flies kites or plays foot-ball or other games.

41A. Save as provided by the Cinematograph Act, whoever, without a license issued by the Commissioner of Police or otherwise than in accordance with such conditions as may from time to time be imposed by him, plays or operates or permits to be played or operated in furtherance of or in connection with or in the pursuance of his trade or business any mechanical instrument or any device for the production of music or of the sound of the human voice or of other sounds shall be liable to a fine which shall not exceed rupees one hundred or to imprisonment not exceeding eight days, or to both:

Provided that nothing in this section shall apply to the playing or operating of such instruments or devices by professional musicians or actors for the purposes of bona fide rehearsals in the pursuance of their profession.

41B. Whoever—

(i) begs or applies for alms; or

(ii) seeks, for or obtains alms by means of any false statement or pretence; or

Obstructing thoroughfare by vehicle or anim. l.

Obstructing foot-way by vehicle or animal.

Exposing goods.

Beating drums, etc.

Illuminations.

Bathing in public.

Being drunk and incapable.

Indecent exposure of person.

Behaving in disorderly manner, etc.

Neglecting to fence dangerous places.

Flying kites or playing foot-ball.

Penalty for begging or seeking for alms.
41C. (1) The Commissioner of Police may direct any person who has been twice convicted of an offence under section 41B to remove himself to such place by such route and within such time as he may prescribe.

(2) If any person so directed under sub-section (1) fails or refuses to remove himself within the time specified, the Commissioner of Police may cause such person to be arrested and removed in police custody to such place as he may in each case direct.

(3) If any person who has been directed to remove himself or has been removed under the foregoing sub-sections returns to any place within Rangoon Town without the permission in writing of the Commissioner of Police, he shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

41D. Whenever the District Magistrate or a Subdivisional Magistrate receives information that any person within the town of Rangoon lives wholly or in part by importing crippled or diseased beggars or on the proceeds of the beggary of others, he may deal with such person as nearly as may be as if the information received about him was of the description mentioned in section 109 of the Code of Criminal Procedure; and for the purposes of any proceeding under this section the fact that a person lives as aforesaid may be proved by evidence of general repute or otherwise.

42. Whoever, within such times and limits as shall be, from time to time, defined by the Commissioner of Police,—

(a) sets fire to or burns any straw or other matter to the risk or damage of any person; or

(b) sends up any fire-balloon; or

(c) in or near any public street, road or thoroughfare lights any bonfire, or wantonly discharges any fire-uniform or air-gun, or lets off or throws any fire-work,

shall be liable to fine which shall not exceed fifty rupees, or to imprisonment for a term not exceeding eight days, or to both.

43. Whoever, without the consent of the owner or occupier, affixes or authorizes the affixing of any poster, advertisement or notice against or upon any building, wall, fence or property, or writes upon, defaces or marks any such building, wall, fence or property with chalk or paint or in any way whatsoever, and whoever does the like upon any public property of any description without the permission of the person in charge of such property,

shall be liable to a fine which shall not exceed fifty rupees, or to imprisonment for a term not exceeding eight days, or to both.

43A-43C.

43D. Notwithstanding anything contained in section 65 of the Penal Code, any person sentenced to fine only as a substantive sentence for any offence under sections 41, 41A, 41B, 42 or 43 may be imprisoned in default of payment of such fine for any period not exceeding the maximum term of imprisonment fixed for such offence.
44. For every license granted by the Commissioner of Police under this Act, there shall be levied a fee of two rupees.

Protection of Unclaimed and Lost Property.

45. It shall be the duty of every police-officer to take charge of all unclaimed property and furnish an inventory thereof to the Commissioner of Police.

46. The Commissioner of Police may proclaim the property and issue a proclamation specifying the articles of which it consists and requiring any person who has any claim thereto to appear and establish his right to the same within six months from the date of such proclamation.

47. If the person entitled to the possession of such property is unknown or absent and the property is subject to a speedy and natural decay, or the Commissioner of Police is of opinion that its sale would be for the benefit of the owner, the Commissioner of Police may at any time direct it to be sold, and shall hold the net proceeds of such sale in deposit until the expiration of six months from the date of the proclamation under section 46.

48. (1) If no person shall within the period allowed claim such property, it may, if not already sold, be sold under the orders of the Commissioner of Police. (2) The sale-proceeds of property sold under the provisions of sub-section (1) or of section 47, to which no claim has been established, shall be at the disposal of Government.

49. (1) Whenever any person dies intestate in Rangoon Town leaving moveable property therein, the total value of which is under two hundred rupees, and the property is, in the absence of any person entitled thereto, taken charge of by the police for the purpose of safe custody, it shall be lawful for the Commissioner of Police to order the said property to be delivered, without letters of administration having been taken out, to any person claiming to be entitled to the whole or any part thereof:

Provided that he shall be satisfied of the title of the claimant:

Provided also that the Commissioner of Police may, before making any order under this section, take security for the due administration and distribution of the property.

(2) Nothing contained in sub-section (1) shall affect the right of any person to recover the whole or any part of such property from the person to whom it may have been delivered pursuant to such order.

Destruction of Stray Dogs.

50. The Commissioner of Police may by public notice appoint, from time to time, certain periods within which any dogs found straying may be destroyed, and ten days after the issue of such notice any dog found straying, without a collar or other mark of ownership, beyond the enclosure of the house of his owner may be destroyed by such person and in such manner as the Commissioner of Police may direct.
PART V.

LIMITATION OF PROCEEDINGS.

51. All criminal proceedings against any person which may be lawfully brought for anything done or intended to be done under the provisions of this Act, or under the general police-powers hereby given, shall be commenced within three months after the act complained of shall have been committed, and not otherwise.

52. No suit shall be instituted in any civil Court against any person for anything done or intended to be done under the provisions of, or under the general police-powers given by, this Act, unless notice in writing of such suit and of the cause thereof shall have been given to the defendant or to the Commissioner of Police one month at least before the commencement of such suit:

Provided always that no suit shall in any case lie where such person shall have been prosecuted criminally for the same act.

53. No Court shall take cognizance of an offence punishable under section 20, clause (a), (b), (c) or (d) or section 29 without the previous sanction of the Commissioner of Police.

54. When any action or prosecution shall be brought, or any proceedings held, against any police-officer for any act done by him in such capacity, it shall be lawful for him to plead that such act was done by him under the authority of a warrant issued by a Magistrate.

Such plea shall be proved by the production of the warrant directing the act and purporting to be signed by such Magistrate, and the defendant shall thereupon be entitled to a decree in his favour notwithstanding any defect of jurisdiction in such Magistrate. No proof of the signature of such Magistrate shall be necessary unless the Court shall see reason to doubt its being genuine:

Provided always that any remedy which the party may have against the authority issuing such warrant shall not be affected by anything contained in this section.

PART VI.

POWER TO MAKE RULES.

55. The President of the Union may, from time to time, by notification, make rules consistent with this Act—

(a) to regulate the procedure to be followed by Magistrates and police-officers in the discharge of any duty imposed upon them by or under this Act;

(b) to prescribe the time, manner and conditions within and under which claims for compensation under section 25 are to be made, the particulars to be stated in such claims, the manner in which the same are to be verified, and the proceedings (including local enquiries if necessary) which are to be taken consequent thereon; and

(c) generally for giving effect to the provisions of this Act.
Rangoon Police.

SCHEDULE I.¹
(See section 9.)

I have read (or had read over to me) Chapter III of the Police Act, 1945, and on being appointed under the said Act, I do hereby swear solemnly affirm that I will truly and faithfully maintain the Constitution of the Union and discharge all powers and duties vested in me faithfully and according to law.

SCHEDULE II.
(See section 9.)

A.B. has been appointed a member of the police-force under the Police Act, 1945, and is vested with the powers, functions and privileges of a police-officer.

Commissioner of Police,
Rangoon.

THE POLICE (INCITEMENT TO DISAFFECTION) ACT.

[INDIA ACT XXII, 1922] (28th November, 1922.)

1. This Act shall extend to such parts of the Union of Burma as the President of the Union may, by notification, direct.⁸

2. In this Act, the expression "member of a police-force" means any person appointed or enrolled for the performance of police duties under any enactment in force in the Union of Burma.⁹

3. Whoever intentionally causes or attempts to cause, or does any act which he knows is likely to cause, disaffection towards the Government established by law in the Union of Burma amongst the members of a police-force, or induces or attempts to induce, or does any act which he knows is likely to induce, any member of a police-force to withhold his services or to commit a breach of discipline, shall be punished with imprisonment which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

Explanation.—Expressions of disapprobation of the measures of the Government with a view to obtain their alteration by lawful means, or of disapprobation of the

* Here enter the rank to which appointed.
¹ Substituted by Act VII, 1945.
² Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.
³ This Act came into force in Burma on 28th November, 1922 (Burma Gazette, 1922, Part I, p 1053).
⁴ Deleted by the Union of Burma (Adaptation of Laws) Order, 1948.
Police (Incitement to Disaffection).

administrative or other action of the Government, do not constitute an offence under this section unless they cause, or are made for the purpose of causing, or are likely to cause disaffection.

4. Nothing shall be deemed to be an offence under this Act which is done in good faith—
   
   (a) for the purpose of promoting the welfare or interests of any member of a police-force by inducing him to withhold his services in any manner authorised by law; or
   
   (b) by or on behalf of any association formed for the purpose of furthering the interests of members of a police-force as such, where the association has been authorised or recognised by the Government and the act done is done under any rules or articles of the association which have been approved by the Government.

5. No Court shall proceed to the trial of any offence under this Act except with the previous sanction, or on the complaint, of the District Magistrate or, in the case of the town of Rangoon, of the Commissioner of Police.

6. (1) No Court inferior to that of a Magistrate of the first class shall try any offence under this Act.

   (2) Notwithstanding anything contained in Chapter XXII of the Code of Criminal Procedure, no offence under this Act shall be triable summarily.

THE DISPOSAL OF POLICE OFFICERS’ ESTATES ACT.

[Burma Act VIII, 1922.] (7th October, 1922.)

1. This Act shall apply only to the estates of such persons or class of persons who die while serving in the Burma Military or Civil Police Forces as the President of the Union may, by notification, specify.

2. In this Act, unless there is anything repugnant in the subject or context,—

   (a) “Committee” means a Committee constituted under this Act;

   (b) “next-of-kin” means the person nominated by the deceased as his heir or the person designated by him as the person to whom his estate might be delivered in the event of the nominated heir being untraceable or dead: provided that the name of the person so nominated or designated has been entered in an official document maintained for that purpose;

   (d) “prescribed” means prescribed by rules made under this Act.

3. The President of the Union may make rules for the appointment of one or more Committees throughout the Union of Burma for the purpose of disposing, in accordance with the provisions of this Act, of the estate of any person to whom this Act applies.

1 Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.
2 Omitted by Ibid.
4. On the death of any such person, a Committee shall, as soon as possible and in the manner prescribed,—
   (a) secure and make an inventory of all such moveable property of the deceased as is situated in the Union of Burma (hereinafter referred to as the said property); and
   (b) publish a notice in the prescribed form calling upon all creditors of the deceased to lay their claims, with all evidence in support thereof, before the Committee within the period prescribed.

5. The Committee shall, in regard to the said property, be deemed to have all the rights and powers and be subject to all the liabilities of a person holding letters of administration thereto.

6. (1) In the event of any person claiming, during the period prescribed, to be entitled by succession to the said property, the Committee may at their discretion (after such inquiry as they think necessary)—
   (a) make over the residue thereof in their hands to such person, or
   (b) direct such claimant to produce probate or letters of administration in respect thereof.

   (2) On the grant of probate or letters of administration to the estate of the deceased the Committee shall hand over the residue thereof in their hands to the executor or administrator, as the case may be.

7. If within the period prescribed in that behalf—
   (a) no person has made a claim under section 6, sub-section (1), or
   (b) every person making a claim under that section and required to obtain probate or letters of administration has failed to take reasonable steps to obtain the same,
the Committee shall proceed to wind up the estate, and make up and publish an account of the same in the manner prescribed; and (i) shall, if the identity of the next-of-kin of the deceased has been ascertained and he is still alive, forward the residue of the estate to him in the manner prescribed; or (ii) may, in all other cases at their discretion, either forward the residue to the person who is, in their opinion, best entitled thereto, or realize the saleable assets and deposit the cash in the Treasury and articles of sentimental value with the Bailiff of the High Court or the District Court.

8. On the handing over of the residue of the estate to a claimant under section 6, sub-section (1), or to a person producing probate or letters of administration under section 6, sub-section (2), or on the disposal thereof under section 7, the Committee shall be deemed to be discharged as administrators of the estate and (except in respect of acts already committed by them) shall be no longer subject to any liabilities in regard thereto.

9. No suit shall be maintainable against the Committee or against any member of the Committee in respect of anything lawfully and without negligence done under this Act or any rule made thereunder.

10. (1) The President of the Union may make rules—
   (a) prescribing the constitution, jurisdiction and procedure of Committees appointed under section 3;  
   (b) prescribing the periods within which creditors or others must make claims;
(c) prescribing the form of notice and of accounts; and
(d) generally for carrying out the purposes of this Act.

(2) All such rules shall be published in the Gazette and shall thereupon have the same effect as if enacted in this Act.

THE POLICE ACT, 1945

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THE POLICE ACT, 1945.

[Burma Act VI, 1945.] (19th March 1946.)

Whereas it is expedient to amend and re-enact the law relating to the police in order to make it a more efficient instrument for the prevention and detection of crime: *  *  *  *  * It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Act may be called the Police Act, 1945.
(2) It shall come into force on such date as the President of the Union may, by notification, direct: *

Provided that the President of the Union may, by notification, direct that all or any of the provisions of this Act shall not apply to any local area specified in the notification:

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1 Published in Home Department Notification No. 107, dated the 14th August 1945.
2 Omitted by the Union of Burma (Adaptation of Laws) Order, 1948.
3 The Act has been applied to the whole of the Tenasserim area, See Home Dept, Notification No. 303, dated the 19th March 1946. Section 34 has been extended to certain towns and local areas, See same Dept. Notification No. 422, dated the 22nd May 1947.
Provided further that the provisions of sections 35 to 41, inclusive, shall extend only to those towns or other local areas to which these sections or any of them are specially extended by the President of the Union by notification.¹

2. In this Act, unless there is anything repugnant in the subject or context,—

(i) the word "police" shall include all persons who shall be enrolled under this Act;
(ii) the words "general police-district" shall mean the Union of Burma except any place to which this Act does not extend;
(iii) the word "cattle" shall, besides horned cattle, include elephants, camels, horses, asses, mules, sheep, goats and swine;
(iv) the words "District Superintendent" and "District Superintendent of Police" shall include any Assistant or Deputy Superintendent of Police or other person appointed by general or special order of the President of the Union to perform all or any of the duties of a District Superintendent of Police in any district;
(v) the word "property" shall include any moveable property, money or valuable security; and
(vi) references to the subordinate ranks of the police shall be construed as references to members of the police below the rank of Deputy Superintendent.

CHAPTER II.

CONSTITUTION AND REGULATION OF THE POLICE.

3. The entire police establishment, except the police establishment constituted under the Rangoon Police Act, shall, for the purposes of this Act, be deemed to be one police-force, and shall be formally enrolled; and shall consist of such number of officers and men, and shall (subject to the provisions of section 6) be constituted in such manner, and the members of such force shall receive such pay, as shall from time to time be ordered by the President of the Union * * * * 2.

4. (1) The superintendence and administration of the police throughout the general police-district shall, subject to the control of the President of the Union, * * * * be vested in an officer to be styled the Inspector-General of Police.
(2) The President of the Union may appoint so many Deputy Inspectors-General of Police and Assistant Inspectors-General of Police as he may deem fit, to assist the Inspector-General in the superintendence and administration of the Police. Such Deputy and Assistant Inspectors-General shall be subordinate to and under the control of the Inspector-General, and shall exercise and discharge such duties, powers and functions as the President of the Union may, by order, vest in or impose upon them.

5. (1) The administration of the police of each district shall be vested in a District Superintendent of Police, who shall be solely responsible for the administration of the police-force of the district, but in matters affecting the responsibility of the District Magistrate for the peace and good order of the district shall be subject to the control of the District Magistrate.

¹ For a list of towns and local areas to which sections 35 to 41 have been extended, See Home Dept. Notification No. 421, dated the 22nd May 1947.
² Deleted by the Union of Burma (Adaptation of Laws) Order, 1948.
(2) If any difference of opinion arises between the District Magistrate and the District Superintendent of Police as to whether any matter is or is not a matter affecting the responsibility of the District Magistrate for the peace and good order of the District, the dispute shall be referred by the District Magistrate to the President of the Union, whose decision thereon shall be final.

(3) The President of the Union may appoint in any district one or more Assistant or Deputy Superintendents of Police, as he may deem fit, to assist the District Superintendent of Police in the exercise and discharge of his duties, powers and functions. Such Assistant or Deputy Superintendents shall exercise and discharge such of the duties, powers and functions of the District Superintendent of Police as may be conferred or imposed upon them by general or special order of the Inspector-General, and they shall be subordinate to and under the control of the District Superintendent.

(4) Nothing in this section shall be deemed to authorize the District Magistrate to exercise any control over the internal management and discipline of the police-force.

6. (1) There shall be the following grades of police-officers subordinate to District Superintendents, Assistant Superintendents and Deputy Superintendents, namely:

(i) Inspectors ;
(ii) Sub-Inspectors ;
(iii) Station-writers ;
(iv) Head Constables ;
(v) Constables.

(2) Each grade of officer mentioned in the list in sub-section (1) shall be of a lower grade than the grade mentioned immediately above it, and shall be subordinate to the grades above it in the said list.

7. (1) The appointment and promotion of Deputy Superintendents of Police shall be made by the President of the Union, who may at any time suspend, reduce, remove or dismiss any Deputy Superintendent whom he thinks remiss or negligent in the discharge of his duty or unfit for the same.

(2) The posting of Deputy Superintendents of Police shall be made by the Inspector-General, subject to the control of the President of the Union.

8. (1) Subject to the control of the President of the Union, the appointment, promotion and posting of all police-officers of the subordinate ranks shall be made by the Inspector-General, and he may at any time suspend, reduce, remove or dismiss any such police-officer whom he thinks remiss or negligent in the discharge of his duty or unfit for the same; or may award to any such police-officer who discharges his duty in a careless or negligent manner, or who by any act of his own shall render himself unfit for the discharge thereof, any one or more of the punishments prescribed by rules made under the provisions of sub-section (2).

(2) Subject to the previous approval of the President of the Union the Inspector-General may make rules:

(a) prescribing the punishments which may be awarded to a police-officer of the subordinate ranks under sub-section (1);
(b) delegating his powers under sub-section (1), in respect of police-officers of such rank or ranks as may be prescribed, to any police-officer not below the rank of Inspector;
(c) prescribing the procedure to be followed in inquiries into the conduct of police-officers of the subordinate ranks;
(d) prescribing the cases in which and the authorities to whom a police-officer of the subordinate ranks shall be entitled to appeal from an order which is to his disadvantage:

Provided that no such officer shall be entitled to more than one appeal in respect of the same order.

9. Every police-officer appointed under this Act shall make and subscribe an oath according to the form set out in Schedule I to this Act, and shall receive on his appointment a certificate in the form set out in Schedule II under the seal of the Inspector-General, or such other officer as the Inspector-General may appoint in this behalf, by virtue of which the person holding such certificate shall be vested with the powers, functions and privileges of a police-officer.

Such certificate shall cease to have effect whenever the person named in it ceases for any reason to be a police-officer.

10. Every person who ceases to be a police-officer shall forthwith deliver up to the District Superintendent of the district in which he is serving at the time when he so ceases to be a police-officer the certificate granted to him under section 9 and the clothing, accoutrements, appointments and other articles which have been supplied to him for the execution of his duty.

11. A police-officer shall not by reason of being suspended from office cease to be a police-officer. During the term of such suspension the powers, functions and privileges vested in him as a police-officer shall be in abeyance, but he shall continue subject to the same responsibilities, discipline and penalties as if he had not been suspended.

12. (1) No police-officer shall be at liberty to withdraw himself from the duties of his office, unless expressly allowed to do so by the District Superintendent or by some other officer authorized by the District Superintendent to grant such permission, or, without the leave of the District Superintendent, to resign his office, unless he shall have served continuously for at least eighteen months in the police-force in the Union of Burma and unless he shall have given to the District Superintendent notice in writing, for a period of not less than two months, of his intention to resign.

(2) No police-officer shall engage in any employment or office whatever other than his duties under this Act, unless expressly permitted to do so in writing by the Inspector-General.

13. The Inspector-General of Police may, from time to time, subject to the approval of the President of the Union, frame such order and rules as he shall deem expedient relative to the organization, classification and distribution of the police-force, the places at which the members of the force shall reside, and the particular services to be performed by them; their inspection, the description of arms, accoutrements and other necessaries to be furnished to them; the collecting and communicating by them of intelligence and information; and all such other orders and rules relative to the police-force as the Inspector-General shall, from time to time, deem expedient for preventing abuse or neglect of duty, and for rendering such force efficient in the discharge of its duties.

14. Nothing in this Act shall affect any village police-officer unless such officer shall be enrolled as a police-officer under this Act. When so enrolled, such officer shall be bound by the provisions of section 16.

No village police-officer shall be enrolled without his consent.
15. Notwithstanding anything contained in this Act or in the Rangoon Police Act, but subject to any general or special orders which the President of the Union may make in this behalf, a member of the police-force of any part of the Union of Burma may discharge the functions of a police-officer in any other part of the Union of Burma, and shall, while so discharging such functions, be deemed to be a member of the police-force of such other part and be vested with the privileges, powers and functions, and be subject to the liabilities, of a member of the police-force of such other part.

CHAPTER III.

POWERS AND DUTIES OF POLICE-OFFICERS.

16. Police-officers enrolled under this Act shall not exercise any authority except the authority provided for a police-officer under this Act and any other law for the time being in force.

17. Every police-officer shall, for all purposes, be considered to be always on duty, and may at any time be employed as a police-officer in any part of the general police-district.

18. It shall be the duty of every police-officer promptly to obey and execute all orders and warrants lawfully issued to him by any competent authority, and to, take lawful measures—

(i) to collect and communicate intelligence affecting the public peace;
(ii) to prevent the commission of offences and public nuisances;
(iii) to detect and bring offenders to justice;
(iv) to apprehend all persons whom he is legally authorized to apprehend and for whose apprehension sufficient ground exists;
(v) to regulate processions and assemblies in public places;
(vi) to regulate the traffic upon public thoroughfares and remove obstructions therefrom;
(vii) to preserve order and decorum in public places, in places of public resort and in assemblies for public amusements;
(viii) to protect unclaimed or lost property and to find the owners thereof;
(ix) to take charge of and impound stray animals;
(x) to assist in the protection of life and property at fires;
(xi) to protect public property from loss or injury;
(xii) to attend criminal Courts and assist the Magistrates in keeping order therein;
(xiii) to execute warrants of arrest and serve summonses and notices wherever specially directed by a Magistrate to do so.

It shall be lawful for every police-officer, for any of the purposes mentioned in this section, without warrant to enter and inspect any pawnshop, drinking-shop, gaming-house or other place of resort of loose and disorderly characters.

19. Police-officers shall in the performance of their duties have free admission to all places of public resort and assemblies for public amusement while open to any section of the public.
Police.

20. It shall be the duty of every police-officer to take charge of all unclaimed property, and to furnish an inventory thereof to the District Magistrate, and he shall be guided as to the disposal of such property by such orders as he shall receive from the District Magistrate.

21. (1) The District Magistrate may detain any such property as is referred to in section 20, and issue a proclamation, specifying the articles of which it consists, and requiring any person who has any claim thereto to appear and establish his right to the same within six months from the date of such proclamation.

(2) The provisions of section 525 of the Code of Criminal Procedure shall be applicable to property referred to in this section.

22. (1) If no person shall within the period allowed claim such property, or the proceeds thereof, if sold, it may, if not already sold under sub-section (2) of the last preceding section, be sold under the orders of the District Magistrate.

(2) The sale-proceeds of property sold under the preceding sub-section, and the proceeds of property sold under section 21, to which no claim is established shall be at the disposal of the Government.

CHAPTER IV.

SPECIAL PROVISIONS FOR ADDITIONAL POLICE AND DISTURBED AREAS.

23. Whenever any railway, canal or other public work, or any manufactury or commercial concern shall be carried on, or be in operation in any part of the Union of Burma, and it shall appear to the Inspector-General that the employment of an additional police-force in such place is rendered necessary by the behaviour or reasonable apprehension of the behaviour of the persons employed upon such work, manufactury or concern, it shall be lawful for the Inspector-General, subject to the control of the President of the Union, to depute such additional force to such place, and to employ the same so long as such necessity shall continue, and to make orders, from time to time, upon the person having the control or custody of the funds used in carrying on such work, manufactury or concern, for the payment of the extra force so rendered necessary, and such person shall thereupon cause payment to be made accordingly.

24. (1) Subject to the control of the President of the Union, the Inspector-General of Police, and any Deputy Inspector-General or Assistant Inspector-General, may, on the application of any person showing the necessity thereof, depute any additional number of police-officers to keep the peace at any place within the general police-district, and for such time as shall be deemed proper, and such force shall be exclusively under the orders of the District Superintendent of Police of the district in which the said force is serving. Such force shall be at the charge of the person making the application:

Provided that it shall be lawful for the person on whose application such deputation shall have been made, on giving one month's notice in writing to the Inspector-General, Deputy Inspector-General or Assistant Inspector-General, as the case may be, to require that the police-officers so deputed shall be withdrawn, and such person shall be relieved from the charge of such additional force from the expiration of such notice.
(2) Subject to the control of the District Magistrate, a District Superintendent of Police may exercise the powers conferred on the Inspector-General by subsection (1) within the limits of his district.

25. (1) The President of the Union may, by proclamation to be published in the Gazette and in such other manner as the President of the Union shall direct, declare that any area specified in the proclamation has been found to be in a disturbed or dangerous state, or that, from the conduct of the inhabitants of such area or of any class or section of such inhabitants, it is expedient to increase the number of police.

(2) On the issue of such a proclamation, the Inspector-General of Police, or any other police-officer authorized by the President of the Union in this behalf, may, with the sanction of the President of the Union, employ any police-force in addition to the ordinary fixed complement, to be quartered in the area specified in such proclamation as aforesaid.

(3) Subject to the provisions of sub-section (5) of this section, the cost of such additional police-force shall be borne by the inhabitants of the area specified in the proclamation.

(4) The District Magistrate, after such enquiry as he may deem necessary, shall apportion such cost among the inhabitants who are, as aforesaid, liable to bear the same and who shall not have been exempted under the next succeeding sub-section. Such apportionment shall be made according to the Magistrate's judgment of the respective means within such area of such inhabitants.

(5) The President of the Union may, by order in writing, exempt any person or class or section of such inhabitants from liability to bear any portion of such cost.

(6) Every proclamation issued under sub-section (1) shall state the period for which it is to remain in force, but it may be withdrawn at any time or continued from time to time for a further period or periods, as the President of the Union may in each case think fit to direct.

Explanation.—For the purposes of this section and of section 26, "inhabitants" shall include persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents direct from tenants or occupiers in such area, notwithstanding that they do not actually reside therein.

26. (1) If, in any area in regard to which any proclamation published under section 25 is in force, death or grievous hurt or loss of, or damage to, property has been caused by or has ensued from the misconduct of the inhabitants of such area, or any class or section of them, any person, being an inhabitant of such area, who claims to have suffered injury from such misconduct may make, within one month from the date of the injury or such shorter period as may be prescribed, an application for compensation to the District Magistrate of the district within which such area is situated.

(2) Thereupon the District Magistrate may, with the sanction of the President of the Union, after such enquiry as he may deem necessary, and whether any additional police-force has or has not been quartered in such area under section 25,—

(a) declare the persons to whom injury has been caused by or has ensued from such misconduct;

(b) fix the amount of compensation to be paid to such persons and the manner in which it is to be distributed among them; and
(c) assess the proportion in which the same shall be paid by the inhabitants of such area (other than the applicant) who shall not have been exempted from liability to pay under sub-section (3):

Provided that the District Magistrate shall not make any declaration or assessment under this sub-section unless he is of opinion that such injury as aforesaid has arisen from a riot or unlawful assembly within such area, and that the person who suffered the injury was himself free from blame in respect of the occurrences which led to such injury.

(3) The President of the Union may, by order in writing, exempt any persons or class or section of such inhabitants from liability to pay any portion of such compensation.

(4) Every declaration or assessment made or order passed by the District Magistrate under sub-section (2) shall be subject to revision by the President of the Union, but save as aforesaid shall be final.

(5) No civil suit shall be maintainable in respect of any injury for which compensation has been awarded under this section.

27. When it shall appear that any unlawful assembly, or riot or disturbance of the peace has taken place, or may be reasonably apprehended, and that the police-force ordinarily employed for preserving the peace is not sufficient for its preservation and for the protection of the inhabitants and the security of property in the place where such unlawful assembly or riot or disturbance of the peace has occurred, or is apprehended, any police-officer not below the rank of Inspector may apply to the nearest Magistrate to appoint so many of the residents of the neighbourhood as such police-officer may require to act as special police-officers for such time and within such limits as he shall deem necessary; and the Magistrate to whom such application is made shall, unless he sees cause to the contrary, comply with the application.

28. (1) The District Magistrate may, on the application of the District Superintendent of Police, appoint so many of the inhabitants of the district as the District Superintendent may require to be special police reserve officers, notwithstanding that a breach of the public peace has not taken place or is not reasonably apprehended:

Provided that no person shall be appointed as a special police reserve officer against his will.

(2) Every special police reserve officer may be called out by the District Superintendent of the district in which he resides, for training or for the protection of its inhabitants and the security of property therein, and for the general preservation of the public peace therein; but no such officer shall be employed for any other purpose without his consent and the District Magistrate's permission in writing.

29. The Inspector-General of Police may, subject to the control of the President of the Union, frame such orders and rules as he shall deem expedient relating to the organization, conditions of appointment and service, duties, discipline, arms, accoutrements and clothing of the special police reserve officers appointed under section 28, and generally for the purpose of rendering such officers efficient in the discharge of their duties and for preventing abuse of power or neglect of duty.

30. Every special police-officer appointed under section 27, and every special police reserve officer who has been called out under sub-section (2) of section 28, shall have the same powers, privileges and protection, be amenable to the same
penalties, be subordinate to the same officers of police, and be liable to perform the same duties in connection with the preservation of the public peace and the protection of life and property in the district in which he resides, as the ordinary officers of police.

CHAPTER V.

MAINTENANCE OF LAW AND ORDER.

31. (1) The District Superintendent or any Assistant or Deputy Superintendent of Police, may, as occasion requires, direct the conduct of all assemblies and processions on the public roads, or in the public streets or thoroughfares, and prescribe the routes by which, and the times at which, such processions may pass.

(2) The District Superintendent or any Assistant or Deputy Superintendent may also, on being satisfied that it is intended by any persons or class of persons to convene or collect an assembly in any such road, street or thoroughfare, or to form a procession, which would, in his opinion, be likely to cause a breach of the peace if uncontrolled, require by general or special notice that the persons convening or collecting such assembly or directing or promoting such procession shall apply for and obtain a licence.

(3) On such application being made, he may issue a licence specifying the names of the licensees and defining the conditions on which alone such assembly or such procession is to be permitted to take place and otherwise giving effect to this section.

(4) The District Superintendent or any Assistant or Deputy Superintendent may also regulate, by the issue of a licence or otherwise, the extent to which music may be used in the streets on the occasion of festivals and ceremonies.

32. (1) Any Magistrate or District Superintendent or Assistant or Deputy Superintendent of Police, or Inspector or officer in charge of a police-station, may stop any procession which violates the conditions of a licence granted under section 31 and may order it or any assembly which violates any such condition as aforesaid to disperse.

(2) Any procession or assembly which neglects or refuses to obey any order given under sub-section (1) shall be deemed to be an unlawful assembly.

33. It shall be the duty of the police to keep order on the public roads, and in the public streets, thoroughfares, bathing and landing places, and at all other places of public resort, and to prevent obstruction on the occasions of assemblies and processions on the public roads and in the public streets, or in the neighbourhood of places of worship during the time of public worship, and in any case when any road, street, thoroughfare, bathing or landing place may be thronged or may be liable to be obstructed.

34. No person shall, on any road or in any open place or street or thoroughfare within the limits of any local area to which this section has been extended, commit any of the following acts to the obstruction, inconvenience, annoyance, risk, danger or damage of the residents or passers-by, namely:

(1) riding or driving any cattle recklessly or furiously or training or breaking any horse or other cattle;
(2) slaughtering any cattle or cleaning any carcase;
(3) wantonly or cruelly beating or torturing any animal;
Police.

(4) keeping any cattle or conveyance of any kind standing longer than is required for loading or unloading or for taking up or setting down passengers or leaving any conveyance in such a manner as to cause, any inconvenience or danger to the public;

(5) exposing any goods for sale;

(6) throwing or placing any dirt, filth, rubbish, or any stones or building materials, or constructing any cow-shed, stable or similar structure, or causing any offensive matter to run from any house, factory, dungheap or other place;

(7) being found drunk or riotous or incapable of taking care of himself, or behaving in a disorderly manner or using any abusive, insulting or obscene words or gestures whereby a breach of the peace or a public nuisance may be caused;

(8) wilfully and indecently exposing his person, or any offensive deformity or disease or committing nuisance by easing himself, or by bathing or washing in any tank or reservoir not being a place set apart for that purpose; or

(9) neglecting to fence in or duly protect any well, tank or other dangerous place or structure.

35. (a) Any person found armed with any dangerous or offensive instrument whatsoever, who is unable to give a satisfactory account of his reasons for being so armed;
(b) any reputed thief found between sunset and sunrise remaining or loitering in any bazaar, street, road, yard, thoroughfare or other place, who is unable to give a satisfactory account of himself;
(c) any person found between sunset and sunrise having his face covered or otherwise disguised, who is unable to give a satisfactory account of himself;
(d) any person found within the precincts of any dwelling-house or other building whatsoever, or in any back-drainage space, or on board any vessel, without being able satisfactorily to account for his presence therein; and
(e) any person having in his possession, without lawful excuse, any implement of house-breaking,

may be taken into custody by any police-officer without a warrant, and shall be punishable on conviction with imprisonment for a term which may extend to three months.

36. Whoever has in his possession or conveys in any manner anything which may reasonably be suspected to be stolen property, as defined in section 410 of the Penal Code, may be taken into custody by any police-officer without a warrant, and shall, if he fails to account satisfactorily for his possession of the same, be punishable with imprisonment for a term which may extend to three months, or with fine, or with both.

37. (f) Whenever any person is convicted of an offence under section 35 or section 36, and it is deemed necessary to require such person to execute a bond for his good behaviour, the conviting Court at the time of passing sentence on such person, or an appellate Court on appeal, or the High Court in exercise of its revisional powers, may order such person to execute a bond, with or without sureties, for his good behaviour during such period not exceeding one year, and for such amount, as it thinks fit to fix:
Provided that—

(i) the amount of such bond shall be fixed with due regard to the circumstances of the case and shall not be excessive; and
(ii) when the person so convicted is a minor, the bond shall be executed only by his sureties.

(2) If the conviction is set aside on appeal or otherwise, the bond so executed shall become void.

(3) The provisions of sections 120 to 126A, inclusive, and 514, 514A, 514B, 515 of the Code of Criminal Procedure shall apply in the case of any security so required under this section,

Provided that the imprisonment for failure to give the security so required shall always be rigorous.

38. The District Magistrate may, by an order in writing publicly promulgated or addressed to individuals,—

(a) prohibit the carrying of dhas of a kind exempted from the provisions of the Arms Act, bludgeons, loaded-sticks, hunting crops, clasp-knives of a specified size, or other offensive instruments, in any public place;
(b) whenever and for such time as he shall consider necessary for the preservation of the public peace or safety, prohibit—
(i) the carrying, collection and preparation of stones or other missiles or instruments or means of casting or impelling missiles;
(ii) the exhibition of persons or of corpses, or figures or effigies, in any public place;
(iii) the public utterance of cries, singing of songs and playing of music;
and
(iv) the delivery of harangues, the use of gestures or mimetic representations, and the preparation, exhibition or dissemination of pictures, symbols, placards, or of any other object or thing, when such action, object or thing may be of a nature to outrage morality or decency, or, in the opinion of the District Magistrate, may probably inflame religious animosity or hostility between different classes, or incite to the commission of an offence, to a disturbance of the public peace, or to resistance to or contempt of the law or of any lawful authority.

39. Save as provided by any other law for the time being in force, no person shall, without a licence issued by the District Superintendent of Police or otherwise than in accordance with such conditions as may from time to time be imposed by him, play or operate or permit to be played or operated, in furtherance of or in connection with or in pursuance of his trade or business, any mechanical instrument or any device for the production of music or of the sound of the human voice or of other sounds:

Provided that nothing in this section shall apply to the playing or operating of such instruments or devices by professional musicians or actors for the purposes of bona fide rehearsals in the pursuance of their profession.

40. Whoever—

(i) begs or applies for alms for himself, or
(ii) seeks for or obtains alms by means of any false statement or pretence, or
(iii) exposes or exhibits any sore, wound, bodily ailment or deformity with
the object of exciting charity or of obtaining alms,
shall be punishable with fine which may extend to fifty rupees, or with
imprisonment which may extend to one month, or with both.

41. (1) The District Magistrate may direct any person who has been twice
convicted of an offence under section 40 to remove himself to such place by
such route and within such time as he may prescribe.

(2) If any person so directed under sub-section (1) fails or refuses to remove
himself within the time specified, the District Magistrate may cause such person
to be arrested and removed in police custody to such place as he may in each
case direct.

(3) If any person who has been directed to remove himself or has been
removed under the foregoing sub-sections returns to any place from which
he was directed to remove himself or was removed, without the permission
in writing of the District Magistrate, he shall be punishable with imprisonment
for a term which may extend to two years, or with fine, or with both.

CHAPTER VI.

Penalties.

42. Every person, having ceased to be a police-officer under this Act,
who shall not forthwith deliver up the certificate granted to him under section 9
and the clothing, accoutrements, appointments and other articles, which shall
have been supplied to him for the execution of his duty, shall be punishable
with fine not exceeding two hundred rupees, or with imprisonment for a term
which may extend to six months, or with both.

43. Any police-officer who—
(a) shall withdraw himself from the duties of his office contrary to the
provisions of sub-section (1) of section 12;
(b) shall engage in any employment or office contrary to the provisions
of sub-section (2) of section 12;
(c) being absent on leave shall fail, without reasonable cause, to report
himself for duty on the expiry of such leave;
(d) shall be guilty of any violation of duty or wilful breach or neglect
of any rule or order made by a competent authority;
(e) shall be guilty of cowardice; or
(f) shall offer any unwarrantable personal violence to any person in his
custody;
shall be punishable with imprisonment for a term which may extend to three
months, or with fine not exceeding three months' pay, or with both.

44. Any person who knowingly makes a false statement or uses a false
document for the purpose of obtaining for himself or any other person
employment or release from employment as a police-officer shall be punishable
with imprisonment for a term which may extend to three months, or with fine
not exceeding one hundred rupees, or with both.

45. Any person appointed as a special police-officer, or any special police
reserve officer being called out under sub-section (2) of section 28, who, without
sufficient excuse, neglects or refuses to act as such, or to obey such rule, order
or direction as may be given to him for the performance of his duties, shall be
punishable with fine not exceeding fifty rupees for every such neglect, refusal or
disobedience.
46. Every person opposing or not obeying any order issued under section 31, 32 or 33, or violating the conditions of any licence granted by a District Superintendent or Deputy or Assistant Superintendent of Police for the use of music, or for the conduct of assemblies and processions, shall be punishable with imprisonment for a term which may extend to three months, or with fine not exceeding two hundred rupees, or with both.

47. Any person committing any act prohibited by section 34 shall be punishable with fine not exceeding fifty rupees or with imprisonment not exceeding eight days; and it shall be lawful for any police-officer to take into custody, without a warrant, any person who within his view commits any of the acts specified in the said section:

Provided that, notwithstanding anything contained in section 65 of the Penal Code, any person sentenced to fine under this section may be imprisoned in default of payment of such fine for any period not exceeding eight days.

48. Whoever contravenes a prohibition under section 38 shall be punishable with imprisonment for a term which may extend to three months, or with fine not exceeding one hundred rupees, or with both.

49. Whoever plays or operates, or permits to be played or operated, any mechanical instrument or device, in contravention of the provisions of section 39, shall be punishable with fine not exceeding one hundred rupees, or with imprisonment not exceeding eight days, or with both.

CHAPTER VII.

MISCELLANEOUS.

50. (1) All moneys payable under sections 23, 24, 25 and 26 shall be recoverable by the District Magistrate in the manner provided by sections 386 and 387 of the Code of Criminal Procedure for the recovery of fines, or by suit in any competent Court.

(2) All moneys paid or recovered under sections 23, 24 and 25 shall form part of the revenues of the Union of Burma.

(3) All moneys paid or recovered under section 26 shall be paid by the District Magistrate to the persons to whom and in the proportions in which the same are payable under that section.

51. All sums paid for the service of process by police-officers, and all rewards, forfeitures and penalties, or shares of rewards, forfeitures and penalties, which, by law, are payable to informers shall, when the information is laid by a police-officer, form part of the revenues of the Union of Burma.

52. All criminal proceedings against any person which may be lawfully brought for anything done or intended to be done under the provisions of this Act, or under the general police powers hereby given, shall be commenced within three months after the act complained of shall have been committed and not otherwise.
Notice of civil suits.

53. No suit shall be instituted in any civil Court against any person for anything done or intended to be done under the provisions of, or under the general police powers given by this Act, unless notice in writing of such suit and of the cause thereof shall have been given to the defendant, or to the District Superintendent of Police to whom the defendant is subordinate, one month at least before the commencement of such suit:

Provided that no suit shall in any case lie where any such person shall have been prosecuted criminally for the same act.

Plea that act was done under warrant.

54. When any suit or criminal prosecution is brought against any police-officer for any act done by him in such capacity, it shall be lawful for him to plead that such act was done by him under the authority of a warrant issued by a Magistrate.

Such plea shall be proved by the production of the warrant directing the act and purporting to be signed by such Magistrate, and the suit shall thereupon be dismissed or the accused shall be discharged, as the case may be, notwithstanding any defect of jurisdiction in the Magistrate who issued the warrant:

Provided always that any remedy which the party may have against the authority issuing such warrant shall not be affected by anything contained in this section.

Police-station officers to keep diary.

55. It shall be the duty of every officer in charge of a police-station to keep a general diary in such form as shall, from time to time, be prescribed by the President of the Union, and to record therein all complaints and charges preferred, the names of complainants, the names of all persons arrested, the offences charged against them and the weapons or property that shall have been taken from their possession or otherwise.

The District Magistrate shall be at liberty to call for and inspect such diary.

Power to make rules.

56. (1) The President of the Union may make rules to carry into effect the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the President of the Union may make rules to provide for all or any of the following matters, namely:

(a) directing the submission of such returns by the Inspector-General and other police-officers as to him shall seem proper, and prescribing the forms in which such returns shall be made;

(b) regulating the procedure to be followed by Magistrates and police-officers in the discharge of any duty imposed upon them by or under this Act;

(c) prescribing the time, manner and conditions within and under which claims for compensation under section 26 are to be made, the particulars to be stated in such claims, the manner in which the same are to be verified, and the proceedings (including local inquiries, if necessary) which are to be taken consequent thereon;

(d) prescribing the form in which general diaries shall be kept; and

(e) prescribing the fee for any licence that may be granted under this Act.

(3) All rules made under this Act shall be published in the Gazette.

57. * * * * * *

1 Deleted by the Union of Burma (Adaptation of Laws) Order, 1948.
SCHEDULE I.

(See section 9.)

I have read (or had read over to me) Chapter III of the Police Act, 1945, and on being appointed\* under the said Act, I do hereby solemnly affirm that I will truly and faithfully \[maintain the Constitution of the Union\] and discharge all powers and duties vested in me faithfully and according to law.

SCHEDULE II.

(See section 9.)

A. B. has been appointed a member of the police-force under the Police Act 1945, and is vested with the powers, functions and privileges of a police-officer.

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**THE UNION MILITARY POLICE ACT.**

[Burma Act II, 1948.] (2nd January, 1948.)

It is hereby enacted as follows:—

**PART I.**

1. This Act may be called the Union Military Police Act.

2. It shall come into force on such date as the President of the Union may, by notification, direct.

3. This Act applies to the Union Military Police Force and persons attached to, employed with or following, the Force, wherever they may be.

**SUPERINTENDENCE AND COMMAND.**

4. The superintendence and general administration of the Force shall be exercised subject to the control of the President of the Union by the Inspector-General of Police.

5. The President of the Union may appoint so many officers as he may deem fit, to assist the Inspector-General in the superintendence and administration of the Force. Such officers shall be subordinate to and under the control of the Inspector-General, and shall exercise and discharge such duties, powers and functions as the President of the Union by order, vest in or impose upon them.

\* Here enter the rank to which appointed.

\[ Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.\]
6. Except as respects magisterial powers, orders passed by any authority under this Act shall be subject to revision by such other authority as the President of the Union may by rule or order prescribe.

7. The President of the Union may invest any officers of the Force with any or all of the powers of the Police and may define the circumstances in which such powers may be exercised. As respects the exercise of such powers every such officer shall have the privileges and protection afforded by law to police officers.

MEMBERS OF THE FORCE.

8. The term "Member of the Force" shall mean any person who is enrolled under this Act and is a rifleman or a public follower or a Non-Commissioned Officer of the rank of Lance-Corporal, Corporal or Sergeant or of the rank of Warrant Officer I or Warrant Officer II.

ENROLMENT.

9. Any person who is qualified for enrolment in the Force in accordance with such conditions as the President of the Union may prescribe may apply to a Commandant, or any other enrolling officer appointed for this purpose by the Inspector-General, to be enrolled as a member of the Force subject to the provisions of this Act.

10. The enrolment paper shall be in a form prescribed by the President of the Union setting forth—

(a) questions (to which the answers of the applicant shall be recorded) ascertaining the qualifications of the applicant; and

(b) a statement (to be read and explained to the applicant and signed by him) that, on enrolment, the applicant will become a member of the Force and will be subject to the provisions of this Act, that he will be liable for service in the Union of Burma and adjacent countries, and that he will not be entitled to obtain his discharge from the Force for three years, or if on active service, or if the members of the Force are for the time being less than nine-tenths of the sanctioned strength.

11. (1) The applicant for enrolment shall present himself to the enrolling officer.

(2) The enrolling officer (after warning the applicant of the punishment provided by this Act for the offence of giving false answers on enrolment) shall put to the applicant each question on the enrolment paper and record on the paper the answer to each question and (if satisfied that the applicant is qualified for enrolment) shall read and explain (or cause to be read and explained) to the applicant the statement on the enrolment paper.

(3) The enrolling officer shall take the signature of the applicant on the enrolment paper as assenting thereto, and shall authenticate the entries in the prescribed manner; and shall inform the applicant that he has become a member of the Force.

12. Notwithstanding the foregoing provisions, every person who has for the space of six months been in receipt of Union Military Police pay and been borne on the rolls of any Union Military Police battalion, shall be deemed to have been duly enrolled in the Union Military Police as from the date on which his name was first borne on the rolls.
13. A member of the Force shall not be entitled to obtain his discharge for three years from the date of enrolment and in the case of Specialist personnel five years from the date of enrolment.

14. (1) At any time after the expiration of his period of service, any member of the Force who is not on active service shall, on application in routine manner, be entitled, after the expiration of two months from the date of application, to be discharged by the Commandant of his unit unless the members of the unit have fallen below nine-tenths of the sanctioned strength.

(2) Any member of the Force who is not on active service may be discharged at any time by the Inspector-General.

14A. No member of the Force or person attached to or employed with the Force shall, during a period of war, be entitled to claim his discharge.

General Provisions.

15. No member of the Force may accept or hold any employment or office other than under this Act except with the written permission of the Inspector-General.

16. The Inspector-General of Police shall make rules (subject to the approval of the President of the Union) for the subdivision into grades of any of the ranks mentioned in section 8 and for the promotion and appointment to any of such ranks.

17. (1) Orders and rules may be issued and made by the Inspector-General of Police (subject to the approval of the President of the Union) relating to—

the places at which members of the Force shall reside, and the particular services to be performed by them, the description of arms, accoutrements and other necessaries to be furnished to them, and their inspection,

the collection and communication of information by members of the Force, and

the efficiency of the Force and preventing neglect of duty or abuse of powers.

(2) Orders and rules may be issued and made by the President of the Union relating to—

the pay, allowances, pension, leave and other conditions of service of the personnel of the Force,

the organization, classification and distribution of the Force,

the employment of the Force on military service, and

the operation of military law in the case of personnel of the Force serving with any military force.

Estates of Deceased.


Police Powers.

19. (1) Every member of the Force (except public followers) shall have the powers of a police officer appointed under section 8 of the Police Act, 1945, and shall, in the exercise of such powers, have the privileges and protection afforded by law to police officers.
(2) Orders and rules relating to the exercise of police-powers by members of the Force may be issued and made by the Inspector-General, subject to the approval of the President of the Union.

**Collective Fines.**

20. Whenever any weapon or part of a weapon forming part of the equipment of a company, garrison of a post, or other unit is lost or stolen, the Inspector-General may, on the report of a Court of Enquiry, impose a collective fine on the members of the Force composing such unit or upon such of them as, in his judgment, should be held responsible for such loss or theft.

**PART II.**

**Union Military Police Discipline.**

21. This part applies (where appropriate) to every member of the Force and every person, who, on active service, in camp, on the march or at any post specified by the President of the Union in this behalf, is employed with or following any portion of the Force.

22. (a) “Active service”, as applied to a person subject to this Act, means the time during which such person is attached to, or forms part of, a force which is engaged in operations against any enemy, or is engaged in military operations in, or is on the line of march to, a country or place wholly or partly occupied by an enemy, or is in military occupation of any foreign country; it also includes service at an outpost other than an outpost in permanent occupation;

(b) “enemy” includes all armed mutineers, armed rebels, armed rioters, pirates and any person in arms against whom it is the duty of a person subject to this Act to act;

(c) the expressions “assault”, “criminal force”, “fraudulently reason to believe” and “voluntarily causing hurt” have the meanings assigned to them, respectively, in the Penal Code;

(d) “superior officer” as respects any member of the Force includes any person of higher rank in the Police, and as respects any member of the Force other than a rifleman includes any member of the Force of longer service or higher grade in the same rank.

23. (1) A Commandant, or an officer of the Force commanding a separate detachment or an outpost or in temporary command at the headquarters of a district or battalion during the absence of the aforesaid officers may, without an order from a Magistrate and without a warrant, cause to be arrested any person subject to this Act who has been concerned in any offence under this Act or against whom reasonable complaint has been made or credible information has been received or reasonable suspicion exists of having been so concerned, and may cause the person so arrested to be confined in the quarter-guard or such other place as he may consider suitable.

(2) For the purpose of the detention of the person arrested and investigation of a case punishable on conviction under this Act the member of the Force for the time being in immediate charge of the place or station where the person arrested is detained in Force custody shall, except in cases speedily disposed of under section 43 or 44, be deemed to be an officer in charge of a police-station acting under the Code of Criminal Procedure and shall be bound by the provisions of sections 61, 62 and 167 of that Code.
(3) Notwithstanding anything contained in the Code of Criminal Procedure, no officer or Court shall be bound to release on bail any person arrested and confined under the powers conferred by this section.

24. (1) The Inspector-General, Commandants and officers officiating in such appointments shall have the powers of a Magistrate of the first class and may try any offences under this Act; provided that the President of the Union may impose limits upon the exercise of such powers.

(2) The President of the Union may invest any officers of the Force with like powers.

(3) Where an offence under this Act is committed at any place outside the Union of Burma and cannot adequately be dealt with at that place the offender shall, on return to the Union of Burma, be dealt with by the appropriate Court in the Union of Burma having local jurisdiction at the place to which he returns.

Offences Punishable on Trial and Conviction.

25. Any person subject to this Act who commits any of the following offences, that is to say,—

(a) shamefully abandons or delivers up any garrison, fortress, post or guard committed to his charge, or which it is his duty to defend; or

(b) in presence of an enemy, shamefully casts away his arms or ammunition, or intentionally uses words or any other means to induce any person subject to Military or Union Military Police law to abstain from acting against the enemy, or to discourage such person from acting against the enemy, or misbehaves in such a manner as to show cowardice; or

(c) directly or indirectly holds correspondence with, or communicates intelligence to, the enemy, or any person in arms against the State, or who, coming to the knowledge of any such correspondence or communication, omits to disclose it immediately to his commanding or other superior officer; or

(d) treacherously makes known the watch-word to any person not entitled to receive it; or

(e) directly or indirectly assists or relieves with money, victuals or ammunition, or knowingly harbours or protects any enemy or person in arms against the State; or

(f) in time of war or during any military operation, intentionally occasions a false alarm in action, camp, garrison or quarters, or spreads reports calculated to create alarm or despondency; or

(g) being a sentry in time of war or alarm, or over any prisoner, treasure, magazine or dockyard, sleeps upon his post, or quits it without being regularly relieved or without leave; or

(h) in time of action, leaves his commanding officer or his post or party to go in search of plunder; or

(i) in time of war, quits his guard, picquet, party or patrol, without being regularly relieved or without leave; or

(j) in time of war or during any military operation, uses criminal force to, or commits an assault on, any person bringing provisions or other necessaries to the camp or quarters of any part of the forces, or forces a safe, or guard, or breaks into any house or any other place for plunder, or plunders, injures or destroys any field, garden or other property of any kind;

shall, on conviction, be liable to suffer transportation which may extend to life, or such less punishment as is provided in this Act.
26. Any person subject to this Act who commits any of the following offences, that is to say,—

(a) strikes, or forces or attempts to force, any sentry; or
(b) in time of peace, intentionally occasions a false alarm in camp, garrison or cantonment; or
(c) being a sentry, or on guard, plunders or wilfully destroys or injures any property placed under charge of his guard; or
(d) being a sentry, in time of peace, sleeps upon his post, or quits it without being regularly relieved or without leave;

shall, on conviction, be punished with imprisonment, which may extend to two years, or with such less punishment as is provided in this Act.

27. Any person subject to this Act who commits any of the following offences, that is to say,—

(a) begins, excites, causes or joins in any mutiny; or
(b) being present at any mutiny, does not use his utmost endeavour to suppress the same;
(c) knowing or having reason to believe in the existence of any mutiny, or of any intention to mutiny, or of any conspiracy against the State, does not, without delay, give information thereof to his commanding or other superior officer; or
(d) uses or attempts to use criminal force to, or commits an assault on, his superior officer, whether on or off duty, knowing or having reason to believe him to be such; or
(e) disobeys the lawful command of his superior officer;

shall, on conviction, be punished with transportation, which may extend to life, or with such less punishment as is provided in this Act.

28. Any person subject to this Act who commits any of the following offences, that is to say,—

(a) is grossly insubordinate or insolent to his superior officer in the execution of his office, or
(b) refuses to superintend or assist in the making of any field-work or other, military work of any description ordered to be made either in quarters or in the field,

shall, on conviction, be liable to suffer imprisonment, which may extend to two years, or such less punishment as is provided in this Act.

29. Any person subject to this Act who deserts or attempts to desert the service shall, on conviction, be liable to suffer imprisonment or such less punishment as is provided in this Act.

30. Any person subject to this Act who commits any of the following offences, that is to say,—

(a) knowingly harbours any deserter, or who knowing, or having reason to believe, that any other person has deserted, or that any deserter has been harboured by any other person, does not without delay give information thereof to his own or some other superior officer, or use his utmost endeavours to cause such deserter to be apprehended; or
(b) knowing, or having reason to believe, that a person is a deserter, procures or attempts to procure the enrolment of such person; or
(c) without having first obtained a regular discharge from the battalion to which he belongs, enrols himself in the same or any other battalion; or
(d) absents himself without leave, or without sufficient cause overstays leave granted to him; or
being on leave of absence and having received information from proper authority that the battalion or the portion of a battalion or any department to which he belongs has been ordered on active service, fails, without sufficient cause, to rejoin without delay; or

(f) without sufficient cause, fails to appear at the time fixed at the parade or place appointed for exercise or duty; or

(g) when on parade or on the line of march, without sufficient cause or without leave from his superior officer, quits the parade or line without leave; or

(h) in time of peace, quits his guard, picquet or patrol without being regularly relieved or without leave; or

(i) without proper authority is found two miles or more from camp or outpost; or

(j) without proper authority is absent from his lines after tattoo, or from camp or outpost after retreat-beating;

shall, on conviction, be liable to suffer imprisonment, which may extend to two years, or such less punishment as is provided in this Act.

31. Any person subject to this Act who commits any of the following offences, that is to say,—

(a) dishonestly misappropriates or converts to his own use any money, provisions, forage, arms, clothing, ammunition, tools, instruments, equipments or Union Military stores of any kind, the property of Government entrusted to him; or

(b) dishonestly receives or retains any property in respect of which an offence under clause (a) has been committed, knowing or having reason to believe the same to have been dishonestly misappropriated or converted; or

(c) wilfully destroys or injures any property of Government entrusted to him; or

(d) commits theft in respect of any property of Government, or of any Force mess, band or institution, or of any person subject to this Act; or

(e) dishonestly receives or retains any such property as is specified in clause (d) knowing or having reason to believe it to be stolen; or

(f) does any other thing with intent to defraud, or to cause wrongful gain to one person or wrongful loss to another person; or

(g) malingers or feigns or produces disease or infirmity in himself, or intentionally delays his cure or aggravates his disease or infirmity; or

(h) with intent to render himself or any other person unfit for service, voluntarily causes hurt to himself or any other person; or

(i) commits any offence of a cruel, indecent or unnatural kind or attempts to commit any such offence and does any act towards its commission;

shall, on conviction, be punished with imprisonment, which may extend to seven years, or with such less punishment as is provided in this Act.

32. Any person subject to this Act who is in a state of intoxication, whether on duty or off duty shall, on conviction, be punished with imprisonment, or with such less punishment as is provided in this Act.

33. Any person subject to this Act who, without proper authority, releases any State prisoner, enemy or person taken in arms against the State, placed under his charge, or who negligently suffers such prisoner, enemy or person to escape shall, on conviction, be punished with transportation or with such less punishment as is provided in this Act.
34. Any person subject to this Act who commits any of the following offences, that is to say,—
   (a) being in command of a guard, picquet, or patrol, neglects duly to post a sentry at the appointed time and place; or
   (b) being in command of a guard, picquet, or patrol, refuses to receive any prisoner or person duly committed to his charge; or
   (c) without proper authority releases any prisoner or person placed under his charge, or negligently suffers any such prisoner or person to escape; or
   (d) being in Force custody, leaves such custody before he is set at liberty by proper authority;
shall, on conviction, be liable to suffer imprisonment or such less punishment as is provided in this Act.

35. Any person subject to this Act who commits any of the following offences, that is to say,—
   (a) commits extortion, or without proper authority extorts from any person, carriage, porterage or provisions; or
   (b) commits house-breaking for the purpose of plundering or plunders; or
   (c) designedly or through neglect kills, injures, makes away with, ill-treats or loses his horse or animal used in the public service; or
   (d) makes away with, or is concerned in making away with, his arms, ammunition, equipment, instruments, tools, clothing or Force necessaries; or
   (e) loses by neglect anything mentioned in clause (d); or
   (f) wilfully injures anything mentioned in clause (d) or any Government property or that of any Force band, institution, mess or belonging to any person subject to this Act; or
   (g) sells, pawns, defaces or destroys any medal or decoration granted to him;
shall, on conviction, be liable to suffer imprisonment or such less punishment as is provided in this Act.

36. Any person subject to this Act who commits any of the following offences, that is to say,—
   (a) makes a false accusation against any person subject to this Act, knowing such accusation to be false; or
   (b) in making any complaint, knowingly makes any false statement affecting the character of any person subject to this Act, or knowingly and wilfully suppresses any material fact; or
   (c) obtains or attempts to obtain for himself, or for any other person, any pension, allowance or other advantage or privilege by a statement which is false, and which he either knows or believes to be false or does not believe to be true, or by making or using a false entry in any book or record or by making any document containing a false statement, or by omitting to make a true entry or document containing a true statement; or
   (d) knowingly furnishes a false return or report of the number or state of any men under his command or charge, or of any money, arms, ammunition, clothing, equipments, stores or other property in his charge, whether belonging to such men or Government or to any
person in or attached to the Force, or who, through design or culpable neglect, omits or refuses to make or send any return or report of the matters aforesaid;

shall, on conviction, be punished with imprisonment, which may extend to five years, or such less punishment as is provided in this Act.

37. Any person having become subject to this Act who is discovered to have made a wilfully false answer to any question set forth in the prescribed form of enrolment which has been put to him by the enrolling officer before whom he appears for the purpose of being enrolled shall, on conviction, be punished with imprisonment, which may extend to three years, or with such less punishment as is provided in this Act.

38. Any person subject to this Act who commits any of the following offences, that is to say,—

(a) being of the rank of Warrant Officer, behaves in a manner unbecoming his position and character; or

(b) strikes or otherwise ill-treats any person subject to this Act being his subordinate in rank or position; or

(c) being in command at any post or on the march, and receiving a complaint that any one under his command has beaten or otherwise maltreated or oppressed any person, or has disturbed any fair or market, or committed any riot or trespass, fails to have due reparation made to the injured person or to report the case to the proper authority; or

(d) by defiling any place of worship, or otherwise, intentionally insults the religion or wounds the religious feelings of any person; or

(e) attempts to commit suicide and does any act towards the commission of such offence; or

(f) being below the rank of a Warrant Officer, directly or indirectly accepts or obtains, or agrees to accept or attempts to obtain, for himself or for any other person, any gratification as a motive or reward for procuring the enrolment of any person in the service; or

(g) gambles or induces any other member of the Force to gamble; or

(h) neglects to obey any general or other orders; or

(i) is guilty of any act or omission which, though not specified in this Act, is prejudicial to good order and Force discipline;

shall, on conviction, be punished with imprisonment, which may extend to two years, or with such less punishment as is provided in this Act.

Penal Deductions.

39. The following penal deductions may be made from the pay and allowances of a person subject to this Act, that is to say,—

(a) all pay and allowances for every day of absence either on desertion or without leave and for every day of imprisonment awarded by a criminal Court, or under this Act;

(b) all pay and allowances for every day whilst he is in custody on a charge for an offence of which he is afterwards convicted by a criminal Court or on a charge of absence without leave for which he is afterwards awarded imprisonment under this Act;

(c) all pay and allowances for every day on which he is in hospital on account of sickness or other cause certified by the proper medical officer attending on him at the hospital to have been caused by an offence under this Act committed by him;

(d) all pay and allowances ordered to be forfeited under this Act;
any sum ordered to be stopped under this Act;
(f) any sum required to make good such compensation for any expenses caused by him, or for any loss or damage or destruction done by him to any arms, ammunition, equipment, clothing, instruments, battalion necessaries or military decoration, or to any building, or property, as may be awarded by his commanding officer;

(g) any sum required to pay a fine awarded by a criminal Court or under this Act:

Provided that the total deductions from the pay and allowances of a person subject to this Act made under clauses (e) to (g) shall not (except in the case of a person sentenced to dismissal or whose sentence involves dismissal) exceed in any one month one-half of his pay and allowances for that month.

Explanation._For the purpose of clauses (a) and (b)—

(i) absence or custody for six consecutive hours or upwards, whether wholly in one day or partly in one day and partly in another, may be reckoned as absence or custody for a day;

(ii) absence or custody for twelve consecutive hours or upwards may be reckoned as absence or custody for the whole of each day during any portion of which the person was absent or in custody, and any absence or custody for less than a day may be reckoned as absence or custody for a day if such absence or custody prevented the absentee from fulfilling any force duty which was thereby thrown upon some other person.

Punishments.

40. Punishments may be inflicted in respect of offences committed by persons subject to this Act, and convicted of an offence, according to the scale following, that is to say,—

(a) transportation for life or for any period exceeding seven years;
(b) imprisonment (with or without solitary confinement) for any term not exceeding fourteen years;
(c) dismissal from the service;
(d) removal from the service;
(e) fine;
(f) the punishments mentioned in section 44;
(g) reduction in the case of a Warrant Officer to a lower rank;
(h) reduction of a Non-Commissioned Officer to a lower grade or to the ranks;
(i) forfeiture in the case of Warrant Officers and Non-Commissioned Officers of seniority of rank;
(j) in the case of Warrant Officers and Non-Commissioned Officers reprimand and severe reprimand;
(k) forfeiture of service for the purpose of promotion, increased pay, pension or other purpose;
(l) forfeiture, in the case of any one dismissed from the service, of all arrears of pay, allowances and any public money due at the time of dismissal;
(m) stoppages of pay and allowances to make good any damage done in committing the offence of which he is convicted:

Provided that in the case of Warrant Officers the trial under this Act and the punishments provided for in this section can only be carried out with the approval of the Inspector-General.
41. Where in respect of any offence under this Act there is specified a particular punishment or such less punishment as is in this Act mentioned, there may be awarded in respect of that offence instead of such particular punishment (but subject to the other provisions of this Act as to the punishments and regard being had to the nature and degree of the offence) any one punishment lower in the above scale than the particular punishment.

42. A Non-Commissioned Officer sentenced by a Court to transportation or imprisonment or dismissal from the service shall be deemed to be reduced to the ranks.

Summary Punishment.

43. (1) A Commandant of the Union Military Police, may summarily award to any Warrant Officers and Non-Commissioned Officers or other persons subject to this Act, any of the following punishments for the commission of any offence against discipline of the Force, which is not otherwise provided for in this Act, or which is not of a sufficiently serious nature to call for a trial, that is to say,—

(a) to Non-Commissioned Officers or Riflemen—

(i) reprimand ;
(ii) severe reprimand ;
(iii) reduction to a lower rank or grade ;
(iv) removal from any office of distinction or special emolument ;
(v) stoppages of pay and allowances to make good any damage done to the property of Government or the Force ;
(vi) admonition ;
(vii) forfeiture of pay for absence without leave ;
(viii) fine up to one month's pay ;
(ix) stoppage of special pay or allowances for a period not exceeding three months to make good any loss or damage or on account of inefficiency, slackness, or other sufficient reason ;

(b) to Non-Commissioned Officers only—

(i) reprimand ;
(ii) severe reprimand ;
(iii) reduction to a lower rank ;
(iv) reduction to a lower grade ;
(v) reduction to a lower place in the rank or grade in which he is serving ;
(vi) reduction to the ranks ;

(c) to Riflemen—

(i) extra-guards, picquets or patrols ;
(ii) confinement to the lines for any period not exceeding 30 days carrying with it punishment drill not exceeding 15 days, and thereafter fatigue duty ;
(iii) imprisonment to the extent of 28 days in the quarter-guard or such other place as may be considered suitable, with forfeiture of all pay and allowances during its continuance ;

(d) to public Followers—

(i) admonition ;
(ii) forfeiture of pay for absence without leave ;
(iii) fine up to one month's pay ;
(iv) reduction to a lower grade where two or more grades exist ;
(v) confinement to the lines for any period not exceeding 30 days carrying with it fatigue duty ;
(vi) imprisonment to the extent of 28 days in the quarter-guard or such other place as may be considered suitable, with forfeiture of all pay and allowances during its continuance;

(2) Any of the above punishments may be awarded separately or in combination with any one or more of the others, but the carrying out of imprisonment must precede confinement to the lines, and no award or awards including imprisonment and confinement to the lines shall exceed 30 consecutive days. When an award includes imprisonment and a minor punishment, the latter will take effect at the termination of the imprisonment.

(3) Suspension may be awarded to any Warrant Officer or Non-Commissioned Officer as a preliminary to an enquiry, but it shall not be awarded as a substantive punishment.

(4) (a) An officer of the Force commanding a separate detachment or an outpost or in temporary command at the headquarters of a district or battalion during the absence of the aforesaid officers may, when in temporary command at Battalion Headquarters or when on detached duty, exercise the powers specified in sub-section (1).

(b) Subject to confirmation or revision by the Battalion Commandant, the powers specified in sub-section (1) may be exercised by officers when in temporary command at Battalion Headquarters or when on detached duty.

(c) An officer who is not in independent command may, if authorized by his Battalion Commandant, award to any Rifleman confinement to the lines for periods not exceeding ten days, and extra-guards not exceeding four in number.

(5) Commandants may authorize Warrant Officers to exercise the powers specified in clause (c) of sub-section (1) in respect of Riflemen under their command.

 Field Punishment.

44. Any person subject to this Act not above the rank of Rifleman, who, while on active service, commits any offence, may, in lieu of any punishment to which he is liable thereunder, be subjected to such field punishment other than flogging as may be directed by rules to be made by the President of the Union and such field punishment shall be of the character of personal restraint or of hard labour but shall not be of a nature to cause injury to life or limb.

 Place of Imprisonment.

45. A person sentenced under this Act to imprisonment for a period not exceeding three months shall, when he is also dismissed or removed from the Force, be imprisoned in the nearest or such other jail as the President of the Union may, by general or special order, direct, but when he is not also dismissed or removed from the Force he may, if the convicting officer or Deputy Commissioner so directs, be confined in the quarter-guard or such other place as the convicting officer or the Deputy Commissioner may consider suitable.

 Discretionary Powers.

46. Notwithstanding anything contained in this Act relating to conviction and punishment, the Inspector-General may dismiss or remove from the service any member of the Force.

 Repeal of Previous Acts.

47. The Military Police Act and the Burma Frontier Force Act are hereby repealed.
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THE PRISONS ACT.

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Definitions.

1. In this Act—

(1) "prison" means any jail or place used permanently or temporarily under the general or special orders of the President of the Union for the detention of prisoners, and includes all lands and buildings appurtenant thereto, but does not include—
   (a) any place for the confinement of prisoners who are exclusively in the custody of the police;
   (b) any place specially appointed by the President of the Union under section 541 of the Code of Criminal Procedure; or
   (c) any place which has been declared by the President of the Union, by general or special order, to be a subsidiary jail;

(2) "criminal prisoner" means any prisoner duly committed to custody under the writ, warrant or order of any Court or authority exercising criminal jurisdiction, or by order of a Court-martial;

(3) "convicted criminal prisoner" means any criminal prisoner under sentence of a Court or Court-martial, and includes a person detained in prison under the provisions of Chapter VIII of the Code of Criminal Procedure;

(4) "civil prisoner" means any prisoner who is not a criminal prisoner;

(5) "remission system" means the rules for the time being in force regulating the award of marks to, and the consequent shortening of sentences of, prisoners in jails;

(6) "history-ticket" means the ticket exhibiting such information as is required in respect of each prisoner by this Act or the rules thereunder;

(7) "Inspector-General" means the Inspector-General of Prisons;

(8) "Medical Subordinate" means an Assistant Surgeon, Apothecary or qualified Hospital Assistant; and

(9) "prohibited article" means an article the introduction or removal of which into or out of a prison is prohibited by any rule under this Act.
CHAPTER II.

MAINTENANCE AND OFFICERS OF PRISONS.

4. The President of the Union shall provide, for the prisoners in the Union of Burma, accommodation in prisons constructed and regulated in such manner as to comply with the requisitions of this Act in respect of the separation of prisoners.

5. An Inspector-General shall be appointed for the Union of Burma, and shall exercise, subject to the orders of the President of the Union, the general control and superintendence of all prisons situated in the Union of Burma.

6. For every prison there shall be a Superintendent, a Medical Officer (who may also be the Superintendent), a Medical Subordinate, a Jailer and such other officers as the President of the Union thinks necessary.

7. Whenever it appears to the Inspector-General that the number of prisoners in any prison is greater than can conveniently or safely be kept therein, and it is not convenient to transfer the excess number to some other prison, or whenever from the outbreak of epidemic disease within any prison, or for any other reason, it is desirable to provide for the temporary shelter and safe custody of any prisoners,

provision shall be made, by such officer and in such manner as the President of the Union may direct, for the shelter and safe custody in temporary prisons of so many of the prisoners as cannot be conveniently or safely kept in the prison.

CHAPTER III.

DUTIES OF OFFICERS.

8. All officers of a prison shall obey the directions of the Superintendent; all officers subordinate to the Jailer shall perform such duties as may be imposed on them by the Jailer with the sanction of the Superintendent or be prescribed by rules under section 59.

9. No officer of a prison shall sell or let, nor shall any person in trust for or employed by him sell or let, or derive any benefit from selling or letting, any article to any prisoner or have any money or other business dealings directly or indirectly with any prisoner.

10. No officer of a prison shall, nor shall any person in trust for or employed by him, have any interest, direct or indirect, in any contract for the supply of the prison; nor shall he derive any benefit directly or indirectly, from the sale or purchase of any article on behalf of the prison or belonging to a prisoner.

11. (1) Subject to the orders of the Inspector-General, the Superintendent shall manage the prison in all matters relating to discipline, labour, expenditure, punishment and control.
(2) Subject to such general or special directions as may be given by the President of the Union, the Superintendent of a prison other than a central prison shall obey all orders not inconsistent with this Act or any rule thereunder which may be given respecting the prison by the District Magistrate, and shall report to the Inspector-General all such orders and the action taken thereon.

12. The Superintendent shall keep, or cause to be kept, the following records:

(1) a register of prisoners admitted;
(2) a book showing when each prisoner is to be released;
(3) a punishment-book for the entry of the punishments inflicted on prisoners for prison-offences;
(4) a visitors' book for the entry of any observations made by the visitors touching any matters connected with the administration of the prison;
(5) a record of the money and other articles taken from prisoners;

and all such other records as may be prescribed by rules under section 59.

Medical Officer.

13. Subject to the control of the Superintendent, the Medical Officer shall have charge of the sanitary administration of the prison, and shall perform such duties as may be prescribed by rules made by the President of the Union under section 59.

14. Whenever the Medical Officer has reason to believe that the mind of a prisoner is, or is likely to be, injuriously affected by the discipline or treatment to which he is subjected, the Medical Officer shall report the case in writing to the Superintendent, together with such observations as he may think proper.

This report, with the orders of the Superintendent thereon, shall forthwith be sent to the Inspector-General for information.

15. On the death of any prisoner, the Medical Officer shall forthwith record in a register the following particulars, so far as they can be ascertained, namely:

(1) the day on which the deceased first complained of illness or was observed to be ill;
(2) the labour, if any, on which he was engaged on that day;
(3) the scale of his diet on that day;
(4) the day on which he was admitted to hospital;
(5) the day on which the Medical Officer was first informed of the illness;
(6) the nature of the disease;
(7) when the deceased was last seen before his death by the Medical Officer or Medical Subordinate;
(8) when the prisoner died; and
(9) (in cases where a post-mortem examination is made) an account of the appearances after death;

Together with any special remarks that appear to the Medical Officer to be required.

Jailer.

16. (1) The Jailer shall reside in the prison, unless the Superintendent permits him in writing to reside elsewhere.
(2) The Jailer shall not, without the Inspector-General's sanction in writing, be concerned in any other employment.
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17. Upon the death of a prisoner, the Jailer shall give immediate notice thereof to the Superintendent and the Medical Subordinate.

18. The Jailer shall be responsible for the safe custody of the records to be kept under section 12, for the commitment warrants and all other documents confided to his care, and for the money and other articles taken from prisoners.

19. The Jailer shall not be absent from the prison for a night without permission in writing from the Superintendent; but, if absent without leave for a night from unavoidable necessity, he shall immediately report the fact and the cause of it to the Superintendent.

20. Where a Deputy Jailer or Assistant Jailer is appointed to a prison, he shall, subject to the orders of the Superintendent, be competent to perform any of the duties, and be subject to all the responsibilities, of a Jailer under this Act or any rule thereunder.

Subordinate Officers.

21. The officer acting as gate-keeper, or any other officer of the prison, may examine anything carried in or out of the prison, and may stop and search or cause to be searched any person suspected of bringing any prohibited article into or out of the prison, or of carrying out any property belonging to the prison, and, if any such article or property be found, shall give immediate notice thereof to the Jailer.

22. Officers subordinate to the Jailer shall not be absent from the prison without leave from the Superintendent or from the Jailer.

23. Prisoners who have been appointed as officers of prisons shall be deemed to be public servants within the meaning of the Penal Code.

CHAPTER IV.

Admission, Removal and Discharge of Prisoners.

24. (1) Whenever a prisoner is admitted into prison, he shall be searched and all weapons and prohibited articles shall be taken from him.

(2) Every criminal prisoner shall also, as soon as possible after admission, be examined under the general or special orders of the Medical Officer, who shall enter or cause to be entered in a book, to be kept by the Jailer, a record of the state of the prisoner's health, and of any wounds or marks on his person, the class of labour he is fit for if sentenced to rigorous imprisonment, and any observations which the Medical Officer thinks fit to add.

(3) In the case of female prisoners the search and examination shall be carried out by the matron under the general or special orders of the Medical Officer.

25. All money or other articles in respect whereof no order of a competent Court has been made, and which may with proper authority be brought into the prison by any criminal prisoner or sent to the prison for his use, shall be placed in the custody of the Jailer.
26. (1) All prisoners previously to being removed to any other prison, shall be examined by the Medical Officer.

(2) No prisoner shall be removed from one prison to another unless the Medical Officer certifies that the prisoner is free from any illness rendering him unfit for removal.

(3) No prisoner shall be discharged against his will from prison, if labouring under any acute or dangerous distemper, nor until, in the opinion of the Medical Officer, such discharge is safe.

CHAPTER V.

DISCIPLINE OF PRISONERS.

27. The requisitions of this Act with respect to the separation of prisoners are as follows:

(1) In a prison containing female as well as male prisoners, the females shall be imprisoned in separate buildings, or separate parts of the same building, in such manner as to prevent their seeing, or conversing or holding any intercourse with, the male prisoners;

(2) In a prison where male prisoners under the age of eighteen are confined, means shall be provided for separating them altogether from the other prisoners and for separating those of them who have arrived at the age of puberty from those who have not;

(3) Unconvicted criminal prisoners shall be kept apart from convicted criminal prisoners;

(4) Civil prisoners shall be kept apart from criminal prisoners.

28. Subject to the requirements of the last foregoing section, convicted criminal prisoners may be confined either in association or individually in cells or partly in one way and partly in the other.

29. No cell shall be used for solitary confinement unless it is furnished with the means of enabling the prisoner to communicate at any time with an officer of the prison, and every prisoner so confined in a cell for more than twenty-four hours, whether as a punishment or otherwise, shall be visited at least once a day by the Medical Officer or Medical Subordinate.

30. (1) Every prisoner under sentence of death shall, immediately on his arrival in the prison after sentence, be searched by, or by order of, the Jailer and all articles shall be taken from him which the Jailer deems it dangerous or inexpedient to leave in his possession.

(2) Every such prisoner shall be confined in a cell apart from all other prisoners, and shall be placed by day and by night under the charge of a guard.

CHAPTER VI.

FOOD, CLOTHING AND BEDDING OF CIVIL AND UNCONVICTED CRIMINAL PRISONERS.

31. A civil prisoner or an unconvicted criminal prisoner shall be permitted to maintain himself, and to purchase or receive from private sources at proper hours food, clothing, bedding or other necessaries, but subject to examination and to such rules as may be approved by the Inspector-General.
32. No part of any food, clothing, bedding or other necessaries belonging to any civil or unconvicted criminal prisoner shall be given, hired or sold to any other prisoner; and any prisoner transgressing the provisions of this section shall lose the privilege of purchasing food or receiving it from private sources, for such time as the Superintendent thinks proper.

33. (1) Every civil prisoner and unconvicted criminal prisoner unable to provide himself with sufficient clothing and bedding shall be supplied by the Superintendent with such clothing and bedding as may be necessary.

(2) When any civil prisoner has been committed to prison in execution of a decree in favour of a private person, such person, or his representative, shall, within forty-eight hours after the receipt by him of a demand in writing, pay to the Superintendent the cost of the clothing and bedding so supplied to the prisoner; and in default of such payment the prisoner may be released.

**CHAPTER VII.**

**Employment of Prisoners.**

34 (1) Civil prisoners may, with the Superintendent’s permission, work and follow any trade or profession.

(2) Civil prisoners finding their own implements, and not maintained at the expense of the prison, shall be allowed to receive the whole of their earnings; but the earnings of such as are furnished with implements or are maintained at the expense of the prison shall be subject to a deduction, to be determined by the Superintendent, for the use of implements and the cost of maintenance.

35. (1) No criminal prisoner sentenced to labour or employed on labour at his own desire shall, except on an emergency with the sanction in writing of the Superintendent, be kept to labour for more than nine hours in any one day.

(2) The Medical Officer shall from time to time examine the labouring prisoners while they are employed, and shall at least once in every fortnight cause to be recorded upon the history-ticket of each prisoner employed on labour the weight of such prisoner at the time.

(3) When the Medical Officer is of opinion that the health of any prisoner suffers from employment on any kind or class of labour, such prisoner shall not be employed on that labour but shall be placed on such other kind or class of labour as the Medical Officer may consider suited for him.

36. Provision shall be made by the Superintendent for the employment (as long as they so desire) of all criminal prisoners sentenced to simple imprisonment; but no prisoner not sentenced to rigorous imprisonment shall be punished for neglect of work excepting by such alteration in the scale of diet as may be established by the rules of the prison in the case of neglect of work by such a prisoner.

**CHAPTER VIII.**

**Health of Prisoners.**

37. (1) The names of prisoners desiring to see the Medical Subordinate or appearing out of health in mind or body shall, without delay, be reported by the officer in immediate charge of such prisoners to the Jailer.
(2) The Jailer shall, without delay, call the attention of the Medical Subordinate to any prisoner desiring to see him, or who is ill, or whose state of mind or body appears to require attention, and shall carry into effect all written directions given by the Medical Officer or Medical Subordinate respecting alterations of the discipline or treatment of any such prisoner.

38. All directions given by the Medical Officer or Medical Subordinate in relation to any prisoner, with the exception of orders for the supply of medicines or directions relating to such matters as are carried into effect by the Medical Officer himself or under his superintendence, shall be entered day by day in the prisoner’s history-ticket or in such other record as the President of the Union may by rule direct, and the Jailer shall make an entry in its proper place stating in respect of each direction the fact of its having been or not having been complied with, accompanied by such observations, if any, as the Jailer thinks fit to make, and the date of the entry.

39. In every prison a hospital or proper place for the reception of sick prisoners shall be provided.

CHAPTER IX.

Visits to Prisoners.

40. Due provision shall be made for the admission, at proper times and under proper restrictions, into every prison of persons with whom civil or unconvicted criminal prisoners may desire to communicate, care being taken that, so far as may be consistent with the interests of justice, prisoners under trial may see their duly qualified legal advisers without the presence of any other person.

41. (1) The Jailer may demand the name and address of any visitor to a prisoner, and, when the Jailer has any ground for suspicion, may search any visitor, or cause him to be searched, but the search shall not be made in the presence of any prisoner or of another visitor.

(2) In case of any such visitor refusing to permit himself to be searched, the Jailer may deny him admission; and the grounds of such proceeding, with the particulars thereof, shall be entered in such record as the President of the Union may direct.

CHAPTER X.

Offences in relation to Prisons.

42. Whoever, contrary to any rule under section 59, introduces or removes, or attempts by any means whatever to introduce or remove, into or from any prison, or supplies or attempts to supply to any prisoner outside the limits of a prison, any prohibited article, and every officer of a prison who, contrary to any such rule, knowingly suffers any such article to be introduced into or removed from any prison, to be possessed by any prisoner, or to be supplied to any prisoner outside the limits of a prison, and whoever, contrary to any such rule, communicates or attempts to communicate with any prisoner, and whoever abets any offence made punishable by this section, shall, on conviction before a Magistrate, be liable to imprisonment for a term not exceeding six months, or to fine not exceeding two hundred rupees, or to both.
43. When any person, in the presence of any officer of a prison, commits any offence specified in the last foregoing section, and refuses on demand of such officer to state his name and residence, or gives a name or residence which such officer knows, or has reason to believe, to be false, such officer may arrest him, and shall without unnecessary delay make him over to a police-officer, and thereupon such police-officer shall proceed as if the offence had been committed in his presence.

44. The Superintendent shall cause to be affixed, in a conspicuous place outside the prison, a notice in English and the vernacular setting forth the acts prohibited under section 42 and the penalties incurred by their commission.

CHAPTER XI.

Prison-offences.

45. The following acts are declared to be prison-offences when committed by a prisoner:

(1) such wilful disobedience to any regulation of the prison as shall have been declared by rules made under section 59 to be a prison-offence;
(2) any assault or use of criminal force;
(3) the use of insulting or threatening language;
(4) immoral or indecent or disorderly behaviour;
(5) wilfully disabling himself from labour;
(6) contumaciously refusing to work;
(7) filing, cutting, altering or removing handcuffs, fetters or bars without due authority;
(8) wilful idleness or negligence at work by any prisoner sentenced to rigorous imprisonment;
(9) wilful mismanagement of work by any prisoner sentenced to rigorous imprisonment;
(10) wilful damage to prison-property;
(11) tampering with or defacing history-tickets, records or documents;
(12) receiving, possessing or transferring any prohibited article;
(13) feigning illness;
(14) wilfully bringing a false accusation against any officer or prisoner;
(15) omitting or refusing to report, as soon as it comes to his knowledge, the occurrence of any fire, any plot or conspiracy, any escape, attempt or preparation to escape, and any attack or preparation for attack upon any prisoner or prison-official; and
(16) conspiring to escape, or to assist in escaping, or to commit any other of the offences aforesaid.

46. The Superintendent may examine any person touching any such offence, and determine thereupon, and punish such offence by—

(1) a formal warning;

Explanation.—A formal warning shall mean a warning personally addressed to a prisoner by the Superintendent and recorded in the punishment-book and on the prisoner’s history-ticket;
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(2) change of labour to some more irksome or severe form for such period as may be prescribed by rules made by the President of the Union;

(3) hard labour for a period not exceeding seven days in the case of convicted criminal prisoners not sentenced to rigorous imprisonment;

(4) such loss of privileges admissible under the remission system for the time being in force as may be prescribed by rules made by the President of the Union;

(5) the substitution of gunny or other coarse fabric for clothing of other material, not being woollen, for a period which shall not exceed three months;

(6) imposition of handcuffs of such pattern and weight, in such manner and for such period, as may be prescribed by rules made by the President of the Union;

(7) imposition of fetters of such pattern and weight, in such manner and for such period, as may be prescribed by rules made by the President of the Union;

(8) separate confinement for any period not exceeding three months;

Explanation.—Separate confinement means such confinement with or without labour as excludes a prisoner from communication with, but not from sight of, other prisoners, and allows him not less than one hour's exercise per diem and to have his meals in association with one or more other prisoners;

(9) penal diet,—that is, restriction of diet in such manner and subject to such conditions regarding labour as may be prescribed by the President of the Union:

Provided that such restriction of diet shall in no case be applied to a prisoner for more than ninety-six consecutive hours, and shall not be repeated except for a fresh offence nor until after an interval of one week;

(10) cellular confinement for any period not exceeding fourteen days:

Provided that after each period of cellular confinement an interval of not less duration than such period must elapse before the prisoner is again sentenced to cellular or solitary confinement;

Explanation.—Cellular confinement means such confinement with or without labour as entirely excludes a prisoner from communication with, but not from sight of, other prisoners;

(11) penal diet as defined in clause (9) combined with cellular confinement;

(12) whipping, provided that the number of stripes shall not exceed thirty:

Provided that nothing in this section shall render any female or civil prisoner liable to the imposition of any form of handcuffs or fetters, or to whipping.

47. (I) Any two of the punishments enumerated in the last foregoing section may be awarded for any such offence in combination, subject to the following exceptions, namely:

(1) formal warning shall not be combined with any other punishment except loss of privileges under clause (4) of that section;

(2) penal diet shall not be combined with change of labour under clause (2) of that section, nor shall any additional period of penal diet awarded singly be combined with any period of penal diet awarded in combination with cellular confinement;

(3) cellular confinement shall not be combined with separate confinement, so as to prolong the total period of seclusion to which the prisoner shall be liable;
(4) whipping shall not be combined with any other form of punishment except cellular and separate confinement and loss of privileges admissible under the remission system;

(5) no punishment shall be combined with any other punishment in contravention of rules made by the President of the Union.

(2) No punishment shall be awarded for any such offence so as to combine, with the punishment awarded for any other such offence, two of the punishments which may not be awarded in combination for any such offence.

48. (1) The Superintendent shall have power to award any of the punishments enumerated in the two last foregoing sections, subject, in the case of separate confinement for a period exceeding one month, to the previous confirmation of the Inspector-General.

(2) No officer subordinate to the Superintendent shall have power to award any punishment whatever.

49. Except by order of a Court of Justice, no punishment other than the punishments specified in the foregoing sections shall be inflicted on any prisoner, and no punishment shall be inflicted on any prisoner otherwise than in accordance with the provisions of those sections.

50. (1) No punishment of penal diet, either singly or in combination, or of whipping, or of change of labour under section 46, clause (2), shall be executed until the prisoner to whom such punishment has been awarded has been examined by the Medical Officer, who, if he considers the prisoner fit to undergo the punishment, shall certify accordingly in the appropriate column of the punishment-book prescribed in section 12.

(2) If he considers the prisoner unfit to undergo the punishment, he shall in like manner record his opinion in writing and shall state whether the prisoner is absolutely unfit for punishment of the kind awarded, or whether he considers any modification necessary.

(3) In the latter case he shall state what extent of punishment he thinks the prisoner can undergo without injury to his health.

51. (1) In the punishment-book prescribed in section 12 there shall be recorded, in respect of every punishment inflicted, the prisoner's name, register number and the class (whether habitual or not) to which he belongs, the prison-offence of which he was guilty, the date on which such prison-offence was committed, the number of previous prison-offences recorded against the prisoner, and the date of his last prison-offence, the punishment awarded, and the date of infliction.

(2) In the case of every serious prison-offence, the names of the witnesses proving the offence shall be recorded, and, in the case of offences for which whipping is awarded, the Superintendent shall record the substance of the evidence of the witnesses, the defence of the prisoner, and the finding with the reasons therefor.

(3) Against the entries relating to each punishment the Jailer and Superintendent shall affix their initials as evidence of the correctness of the entries.

52. If any prisoner is guilty of any offence against prison-discipline which by reason of his having frequently committed such offences or otherwise, in the opinion of the Superintendent is not adequately punishable by the infliction of any punishment which he has power under this Act to award, the Superintendent may forward such prisoner to the Court of the District Magistrate or of any Magistrate...
of the first class having jurisdiction, together with a statement of the circumstances, and such Magistrate shall thereupon inquire into and try the charge so brought against the prisoner, and, upon conviction, may sentence him to imprisonment which may extend to one year, such term to be in addition to any term for which such prisoner was undergoing imprisonment when he committed such offence, or may sentence him to any of the punishments enumerated in section 46:

Provided that any such case may be transferred for inquiry and trial by the District Magistrate to any Magistrate of the first class; and

Provided also that no person shall be punished twice for the same offence.

53. (1) No punishment of whipping shall be inflicted in instalments, or except in the presence of the Superintendent and Medical Officer or Medical Subordinate.

(2) Whipping shall be inflicted with a light ratan not less than half an inch in diameter on the buttocks, and in case of prisoners under the age of sixteen it shall be inflicted, in the way of school discipline, with a lighter ratan.

54. (1) Every Jailer or officer of a prison subordinate to him who shall be guilty of any violation of duty or wilful breach or neglect of any rule or regulation or lawful order made by competent authority, or who shall withdraw from the duties of his office without permission or without having given previous notice in writing of his intention for the period of two months, or who shall willfully overstay any leave granted to him, or who shall engage without authority in any employment other than his prison-duty, or who shall be guilty of cowardice, shall be liable, on conviction before a Magistrate, to fine not exceeding two hundred rupees, or to imprisonment for a period not exceeding three months, or to both.

(2) No person shall under this section be punished twice for the same offence.

CHAPTER XII.

MISCELLANEOUS.

55. A prisoner, when being taken to or from any prison in which he may be lawfully confined, or whenever he is working outside or is otherwise beyond the limits of any such prison in or under the lawful custody or control of a prison-officer belonging to such prison, shall be deemed to be in prison and shall be subject to all the same incidents as if he were actually in prison.

56. Whenever the Superintendent considers it necessary (with reference to the state of the prison or the character of the prisoners) for the safe custody of any prisoners that they should be confined in irons, he may, subject to such rules and instructions as may be laid down by the Inspector-General with the sanction of the President of the Union, so confine them.

57. (1) Prisoners under sentence of transportation may, subject to any rules made under section 1 [59], be confined in fetters for the first three months after admission to prison.

(2) Should the Superintendent consider it necessary, either for the safe custody of the prisoner himself or for any other reason, that fetters should be retained on any such prisoner for more than three months, he shall apply to the

1 Substituted for the figure "60" by Act II, 1945.
Inspector-General for sanction to their retention for the period for which he considers their retention necessary, and the Inspector-General may sanction such retention accordingly.

58. No prisoner shall be put in irons or under mechanical restraint by the Jailer of his own authority, except in case of urgent necessity, in which case notice thereof shall be forthwith given to the Superintendent.

59. The President of the Union may make rules consistent with this Act—

(1) defining the acts which shall constitute prison-offences;
(2) determining the classification of prison-offences into serious and minor offences;
(3) fixing the punishments admissible under this Act which shall be awardable for commission of prison-offences or classes thereof;
(4) declaring the circumstances in which acts constituting both a prison-offence and an offence under the Penal Code may or may not be dealt with as a prison-offence;
(5) for the award of marks and the shortening of sentences;
(6) regulating the use of arms against any prisoner or body of prisoners in the case of an outbreak or attempt to escape;
(7) defining the circumstances and regulating the conditions under which prisoners in danger of death may be released;
(8) for the classification of prisons, and description and construction of wards, cells and other places of detention;
(9) for the regulation by numbers, length or character of sentences, or otherwise, of the prisoners to be confined in each class of prisons;
(10) for the government of prisons and for the appointment of all officers appointed under this Act;
(11) as to the food, bedding and clothing of criminal prisoners and of civil prisoners maintained otherwise than at their own costs;
(12) for the employment, instruction and control of convicts within or without prisons;
(13) for defining articles the introduction or removal of which into or out of prisons without due authority is prohibited;
(14) for classifying and prescribing the forms of labour and regulating the periods of rest from labour;
(15) for regulating the disposal of the proceeds of the employment of prisoners;
(16) for regulating the confinement in fetters of prisoners sentenced to transportation;
(17) for the classification and the separation of prisoners;
(18) for regulating the confinement of convicted criminal prisoners under section 28;
(19) for the preparation and maintenance of history-tickets;
(20) for the selection and appointment of prisoners as officers of prisons;
(21) for rewards for good conduct;
(22) for regulating the transfer of prisoners whose term of transportation or imprisonment is about to expire;
(23) for the treatment, transfer and disposal of criminal lunatics or recovered criminal lunatics confined in prisons;
(24) for regulating the transmission of appeals and petitions from prisoners and their communications with their friends;
(25) for the appointment and guidance of visitors of prisons;
(26) for extending any or all of the provisions of this Act and of the rules thereunder to subsidiary jails or special places of confinement appointed under section 541 of the Code of Criminal Procedure, and to the officers employed, and the prisoners confined, therein;

(27) in regard to the admission, custody, employment, dieting, treatment and release of prisoners; and

(28) generally for carrying into effect the purposes of this Act.

60. * * * *

61. Copies of rules under section 59, so far as they affect the government of prisons, shall be exhibited, both in English and in the vernacular, in some place to which all persons employed within a prison have access.

62. All or any of the powers and duties conferred and imposed by this Act on a Superintendent or Medical Officer may in his absence be exercised and performed by such other officer as the President of the Union may appoint in this behalf either by name or by his official designation.

THE PRISONERS ACT.

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THE FIRST SCHEDULE.

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THE PRISONERS ACT

[India Act III, 1900.] (2nd February, 1900.)

PART I.

PRELIMINARY.

1. Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

   (a) "Court" includes any officer lawfully exercising civil, criminal or revenue jurisdiction; and

   (b) "prison" includes any place which has been declared by the President of the Union, by general or special order, to be a subsidiary jail.
Prisoners.

PART II.
General.

3. The officer in charge of a prison shall receive and detain all persons duly committed to his custody, under this Act or otherwise, by any Court, according to the exigency of any writ, warrant or order by which such person has been committed, or until such person is discharged or removed in due course of law.

4. The officer in charge of a prison shall forthwith, after the execution of every such writ, order or warrant as aforesaid, other than a warrant of commitment for trial, or after the discharge of the person committed thereby, return such writ, order or warrant to the Court by which the same was issued or made, together with a certificate, endorsed thereon and signed by him, showing how the same has been executed, or why the person committed thereby has been discharged from custody before the execution thereof.

PART III.

5—13.

PART IV.

14.

15. Officers in charge of prisons may give effect to any sentence or order or warrant for the detention of any person passed or issued by any Court or tribunal acting, whether within or without the Union of Burma, under the general or special authority of the President of the Union.

16. A warrant under the official signature of an officer of such Court or tribunal as is referred to in section 15 shall be sufficient authority for holding any person in confinement, or for sending any person for transportation, in pursuance of the sentence passed upon him.

17. (1) Where an officer in charge of a prison doubts the legality of a warrant or order sent to him for execution under this Part, or the competency of the person whose official seal or signature is affixed thereto to pass the sentence and issue the warrant or order, he shall refer the matter to the President of the Union, by whose order on the case he and all other public officers shall be guided as to the future disposal of the prisoner.

(2) Pending a reference made under sub-section (1), the prisoner shall be detained in such manner and with such restrictions or mitigations as may be specified in the warrant or order.

18.

1 Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.
2 Deleted by the Union of Burma (Adaptation of Laws) Order, 1948.
Removal of prisoners. 

PART VI. 

Removal of Prisoners. 

1 29. (1) The President of the Union and (subject to the orders of the President of the Union) the Inspector-General of Prisons may, by general or special order, provide for the removal of any prisoner confined as aforesaid in a prison in the Union of Burma to any other prison in the Union of Burma, or to any lunatic asylum in the Union of Burma for the purpose of observation as to the mental condition of any such prisoner.

30. (1) Where it appears to the President of the Union that any person detained or imprisoned under any order or sentence of any Court is of unsound mind, the President of the Union may, by a warrant setting forth the grounds of belief that the person is of unsound mind, order his removal to a lunatic asylum or other place of safe custody within the Union of Burma, there to be kept and treated as the President of the Union directs during the remainder of the term for which he has been ordered or sentenced to be detained or imprisoned, or, if on the expiration of that term it is certified by a medical officer that it is necessary for the safety of the prisoner or others that he should be further detained under medical care or treatment, then until he is discharged according to law.

Where it appears to the President of the Union that the prisoner has become of sound mind, the President of the Union shall, by a warrant directed to the person having charge of the prisoner, if still liable to be kept in custody, remand him to the prison from which he was removed, or to another prison within the Union of Burma, or, if the prisoner is no longer liable to be kept in custody, order him to be discharged.

The provisions of section 31 of the Lunacy Act shall apply to every person confined in a lunatic asylum under sub-section (2) after the expiration of the term for which he was ordered or sentenced to be detained or imprisoned; and the time during which a prisoner is confined in a lunatic asylum under that sub-section shall be reckoned as part of the term of detention or imprisonment which he may have been ordered or sentenced by the Court to undergo.

PART VII. 

Persons under Sentence of Transportation. 

32. (1) The President of the Union may appoint places within the Union of Burma to which persons under sentence of transportation shall be sent; and the President of the Union or some officer duly authorized in this behalf by the President of the Union, shall give orders for the removal of such persons to the places so appointed, except when sentence of transportation is passed on a person already undergoing transportation under a sentence previously passed for another offence.

1 Deleted by the Union of Burma (Adaptation of Laws) Order, 1948.
PART VIII.

DISCHARGE OF PRISONERS.

33. The High Court may, in any case in which it has recommended to
the President of the Union [1] the granting of a free pardon to any prisoner,
permit him to be at liberty on his own recognizance.

PART IX.

PROVISIONS FOR REQUIRING THE ATTENDANCE OF PRISONERS AND OBTAINING THEIR EVIDENCE.

Attendance of Prisoners in Court.

34. * * *

35. Subject to the provisions of section 39, any civil Court may, if it thinks
that the evidence of any person confined in any prison within the local limits of the
appellate jurisdiction of the High Court is material in any matter pending before
it, make an order in the form set forth in the first schedule, directed to the officer
in charge of the prison.

36. (1) Where an order under section 35 is made in any civil matter
pending—
(a) in a Court subordinate to the District Judge, or
(b) in a Court of Small Causes,
it shall not be forwarded to the officer to whom it is directed, or acted upon by
him, until it has been submitted to, and countersigned by,—
(i) the District Judge to which the Court is subordinate, or
(ii) the District Judge within the local limits of whose jurisdiction the
Court of Small Causes is situate.

(2) Every order submitted to the District Judge under sub-section (1) shall
be accompanied by a statement, under the hand of the Judge of the subordinate
Court or Court of Small Causes, as the case may be, of the facts which in his
opinion render the order necessary, and the District Judge may, after considering
such statement, decline to countersign the order.

1 Amended by the Union of Burma (Adaptation of Laws) Order, 1948.
2 Substituted by ibid.
Prisoners.

37. Subject to the provisions of section 39, any criminal Court may, if it thinks that the evidence of any person confined in any prison within the local limits of the appellate jurisdiction of the High Court is material in any matter pending before it, or if a charge of an offence against such person is made or pending, make an order in the form set forth in the first or second schedule, as the case may be, directed to the officer in charge of the prison:

Provided that if such criminal Court is inferior to the Court of a Magistrate of the first class, the order shall be submitted to, and countersigned by, the District Magistrate to whose Court such criminal Court is subordinate or within the local limits of whose jurisdiction such criminal Court is situated.

38. Where any person, for whose attendance an order as in this Part provided is made, is confined in any district other than that in which the Court making or countersigning the order is situate, the order shall be sent by the Court by which it is made or countersigned to the District or Subdivisional Magistrate within the local limits of whose jurisdiction the person is confined, and that Magistrate shall cause it to be delivered to the officer in charge of the prison in which the person is confined.

39. (1) Where a person is confined in a prison more than one hundred miles distant from the place where any Court, subordinate to the High Court, in which his evidence is required, is held, the Judge or presiding officer of the Court in which the evidence is required, shall, if he thinks that such person should be removed under this Part for the purpose of giving evidence in such Court, and if the prison is within the local limits of the appellate jurisdiction of the High Court to which such Court is subordinate, apply in writing to the High Court, and the High Court may, if it thinks fit, make an order in the form set forth in the first schedule, directed to the officer in charge of the prison.

(2) The High Court making an order under sub-section (1) shall send it to the District or Subdivisional Magistrate within the local limits of whose jurisdiction the person named therein is confined, and such Magistrate shall cause it to be delivered to the officer in charge of the prison in which the person is confined.

40. *

41. Upon delivery of any order under this Part to the officer in charge of the prison in which the person named therein is confined, that officer shall cause him to be taken to the Court in which his attendance is required, so as to be present in the Court at the time in such order mentioned, and shall cause him to be detained in custody in or near the Court until he has been examined or until the Judge or presiding officer of the Court authorizes him to be taken back to the prison in which he was confined.

42. The President of the Union may, by notification in the Gazette, direct that any person or any class of persons shall not be removed from the prison in which he or they may be confined; and thereupon, and so long as such notification remains in force, the provisions of this Part, other than those contained in sections 44 to 46, shall not apply to such person or class of persons.

43. In any of the following cases, that is to say,—

(a) where the person named in any order made under section 35, section 37 or section 39 appears to be, from sickness or other infirmity, unfit to be removed, the officer in charge of the prison in which he is confined shall apply to the District or Subdivisional Magistrate within the local limits of whose jurisdiction the prison is situate and if such Magistrate, by writing under his hand, declares himself to be of
opinion that the person named in the order is, from sickness or other infirmity, unfit to be removed; or

(b) where the person named in any such order is under committal for trial; or

(c) where the person named in any such order is under a remand pending trial or pending a preliminary investigation; or

(a) where the person named in any such order is in custody for a period which would expire before the expiration of the time required for removing him under this Part and for taking him back to the prison in which he is confined;

the officer in charge of the prison shall abstain from carrying out the order, and shall send to the Court from which the order has been issued a statement of the reason for so abstaining:

Provided that such officer as aforesaid shall not so abstain where—

(i) the order has been made under section 37; and

(ii) the person named in the order is confined under committal for trial, or under a remand pending trial or pending a preliminary investigation, and does not appear to be, from sickness or other infirmity, unfit to be removed; and

(iii) the place, where the evidence of the person named in the order is required, is not more than five miles distant from the prison in which he is confined.

Commissions for Examination of Prisoners.

44. In any of the following cases, that is to say,—

(a) where it appears to any civil Court that the evidence of a person confined in any prison within the local limits of the appellate jurisdiction of the High Court who, for any of the causes mentioned in section 42 or section 43, cannot be removed, is material in any matter pending before it; or

(b) where it appears to any such Court as aforesaid that the evidence of a person confined in any prison so situate and more than ten miles distant from the place at which such Court is held, is material in any such matter; or

(c) where the District Judge declines, under section 36, to countersign an order for removal;

the Court may, if it thinks fit, issue a commission, under the provisions of the Code of Civil Procedure, for the examination of the person in the prison in which he is confined.

45. * * * *

46. Every commission for the examination of a person issued under section 44 shall be directed to the District Judge within the local limits of whose jurisdiction the prison in which the person is confined is situate, and the District Judge shall commit the execution of the commission to the officer in charge of the prison, or to such other person as he may think fit.

Service of Process on Prisoners.

47. When any process directed to any person confined in any prison is issued from any criminal or revenue Court, it may be served by exhibiting to the officer in charge of the prison the original of the process and depositing with him a copy thereof.
48. (1) Every officer in charge of a prison upon whom service is made under section 47 shall, as soon as may be, cause the copy of the process deposited with him to be shown and explained to the person to whom it is directed, and shall thereupon endorse upon the process and sign a certificate to the effect that such person as aforesaid is confined in the prison under his charge and has been shown and had explained to him a copy of the process.

(2) Such certificate as aforesaid shall be prima facie evidence of the service of the process, and, if the person to whom the process is directed requests that the copy shown and explained to him be sent to any other person and provides the cost of sending it by post, the officer in charge of the prison shall cause it to be so sent.

Miscellaneous.

50. No order in any civil matter shall be made by a Court under any of the provisions of this Part until the amount of the costs and charges of the execution of such order (to be determined by the Court) is deposited in such Court:

Provided that, if upon any application for such order it appears to the Court to which the application is made that the applicant has not sufficient means to meet the said costs and charges, the Court may pay the same out of any fund applicable to the contingent expenses of such Court, and every sum so expended may be recovered by the Government from any person ordered by the Court to pay the same, as if it were costs in a suit recoverable under the Code of Civil Procedure.

51. (1) The President of the Union may make rules—

(a) for regulating the escort of prisoners to and from Courts in which their attendance is required and for their custody during the period of such attendance;

(b) for regulating the amount to be allowed for the costs and charges of such escort; and

(c) for the guidance of officers in all other matters connected with the enforcement of this Part.

(2) All rules made under sub-section (1) shall be published in the Gazette, and shall, from the date of such publication, have the same force as if enacted by this Act.

52. The President of the Union may declare what officer shall, for the purposes of this Part, be deemed to be the officer in charge of a prison.

THE FIRST SCHEDULE.

(See sections 35 and 37.)

Court of

To the officer in charge of the (state name of prison).

You are hereby required to produce , now a prisoner in , under safe and sure conduct before the Court of on the day of next by of the clock in the forenoon of the same day, there to give evidence in a matter now pending before the said Court, and after the said has
then and there given his evidence before the said Court, or the said Court has dispensed with his further attendance cause him to be conveyed under safe and sure conduct back to the prison.

The day of

A.B.

(Countersigned) C.D.

THE SECOND SCHEDULE.

(See section 37.)

Court of

To the officer in charge of the (state name of prison).

You are hereby required to produce , now a prisoner in , under safe and sure conduct before the Court of at on the day of next by of the clock in the forenoon of the same day, there to answer a charge now pending before the said Court, and after such charge has been disposed of or the said Court has dispensed with his further attendance cause him to be conveyed under safe and sure conduct back to the said prison.

The day of

A.B.

(Countersigned) C.D.

THE IDENTIFICATION OF PRISONERS ACT.

[India Act XXXIII, 1920.] (9th September, 1920.)

1. * * * *

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) "measurements" include finger impressions and foot-print impressions;
(b) "police officer" means an officer in charge of a police-station, a police officer making an investigation under Chapter XIV of the Code of Criminal Procedure, or any other police officer not below the rank of sub-inspector;
(c) "prescribed" means prescribed by rules made under this Act; and
(d) "specimen" of a person's handwriting means such words or figures or both, written by that person, as may be sufficient for the comparison of that person's handwriting with another.

3. Every person who has been—

(a) convicted of any offence punishable with rigorous imprisonment for a term of one year or upwards, or of any offence which would render him liable to enhanced punishment on a subsequent conviction, or

Taking of measurements, etc., of convicted persons.
Identification of Prisoners.

(b) ordered to give security for his good behaviour under section 118 of the Code of Criminal Procedure, or
(c) ordered to remove himself or cause to be removed from the Union of Burma under section 3 or 17 of the Foreigners Act,

shall, if so required, allow his measurements and photograph to be taken by a police officer in the prescribed manner.

4. Any person who has been arrested in connection with an offence punishable with rigorous imprisonment for a term of one year or upwards shall, if so required by a police officer, allow his measurements to be taken in the prescribed manner.

4A. Any person who has been arrested in connection with an offence punishable with imprisonment for a term of six months or upwards shall, if so required by a police officer, furnish a specimen of his handwriting or signature in the prescribed manner:

Provided that if the person refuses to comply with such requisition he shall be taken before a Magistrate of the first class for an order determining whether, in the circumstances of the case, the requisition is reasonable; and if the Magistrate determines that the requisition is not reasonable, no further action shall be taken.

5. If a Magistrate is satisfied that, for the purposes of any investigation or proceeding under the Code of Criminal Procedure, it is expedient to direct any person to allow his measurements or photograph to be taken or to furnish a specimen of his handwriting or signature, he may make an order to that effect, and in that case the person to whom the order relates shall be produced or shall attend at the time and place specified in the order and shall comply with the order:

Provided that no order shall be made directing any person to be photographed or to furnish a specimen of his handwriting or signature except by a Magistrate of the first class:

Provided, further, that no order shall be made under this section unless the person has at some time been arrested in connection with such investigation or proceeding.

6. (1) If any person who under this Act is required to allow his measurements or photograph to be taken resists or refuses to allow the taking of the same, it shall be lawful to use all means necessary to secure the taking thereof.

(2) Resistance to or refusal to allow the taking of measurements or photographs or to furnish a specimen of his handwriting or signature under this Act shall be deemed to be an offence under section 186 of the Penal Code.

7. Where any person who, not having been previously convicted of an offence punishable with rigorous imprisonment for a term of one year or upwards, has had his measurements taken or has been photographed in accordance with the provisions of this Act is released without trial or discharged or acquitted by any Court, all measurements and all photographs (both negatives and copies) so taken shall, unless the Court or (in a case where such person is released without trial) the District Magistrate or Subdivisional Officer for reasons to be recorded in writing otherwise directs, be destroyed or made over to him.

8. (1) The President of the Union may make rules for the purpose of carrying into effect the provisions of this Act.
(2) In particular, and without prejudice to the generality of the foregoing provisions, such rules may provide for—

(a) restrictions on the exercise of powers under this Act;
(b) the places at which measurements and photographs may be taken;
(c) the nature of the measurements that may be taken;
(d) the method in which any class or classes of measurements shall be taken;
(e) the dress to be worn by a person when being photographed under section 3;
(f) the preservation, safe custody, destruction and disposal of records of measurements and photographs; and
(g) the manner in which specimens of handwriting or signatures shall be furnished.

9. No suit or other proceeding shall lie against any person for anything done or intended to be done, in good faith, under this Act or under any rule made thereunder.

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THE YOUNG OFFENDERS ACT.

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THE YOUNG OFFENDERS ACT. 1

[Burma Act III, 1930.] (5th April, 1930.)

Whereas it is expedient to provide for the training and care of young persons who are by their circumstances likely to enter upon a life of crime, for the custody, trial, and control of young persons who have committed offences, and for the punishment of offences against young persons;

It is hereby enacted as follows:—

PART I.

1.

2. In this Act, unless there is anything repugnant in the subject or context,—

(a) a "person under (a specified age)" means an individual who has not attained that age,

(b) a "person between (specified ages)" means an individual who has attained the lesser age but has not attained the greater,

(c) "guardian" means a person having the actual control or charge of another,

(d) "training school" means a school established or certified under this Act being a "junior school" if for the reception of persons under 14, a "senior school" if for the reception of persons between 14 and 16, and a "borstal school" if for the reception of persons between 16 and 21,

(e) "prescribed" means prescribed by rules made under this Act, and

(f) "brothel" means any house, room or place which the occupier or person in charge thereof habitually allows to be used by any other person for the purposes of prostitution.

3. Notwithstanding anything contained in section 29B of the Code of Criminal Procedure, any offence, other than one punishable with death or transportation for life, committed by any person who at the date when he appears or is brought before the Court is under the age of sixteen years, may be tried by any Magistrate empowered to exercise all or any of the powers conferred on Courts by Part II of this Act.

5.

PART II.

6. The President of the Union may establish and maintain one or more training schools for the reception of persons dealt with under this Part and shall appoint, for each such school, a Superintendent and a Committee of Visitors who shall be the managers of the school and responsible for the conduct thereof in the prescribed manner.

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1 Part I of this Act was applicable to the whole of Burma from the date of its enactment (Section 1) and by notification No. 230, dated the 21st July, 1931 (Burma Gazette, 1931, Part I, p. 5731 sections 6 to 20 and 22 to 48 of this Act were extended to the whole of Burma and to all classes of persons therein.

* Section 5 of this Act, now deleted by the Burma Laws (Adaptation) Act, 1940, said that when sections 15 and 16 have been applied to any local area the provisions of the Reformatory Schools Act, 1897 (India Act VIII, 1897) except section 15, shall cease to be applicable to such area. Section 15 of that Act is, by its terms, inapplicable to Burma. The Reformatory Schools Act, 1897, is, therefore, no longer law in Burma.
7. (1) If the President of the Union is satisfied that any institution is fit for the reception of persons dealt with under this Part and has a governing body fit to be the managers of the school and to conduct it in the prescribed manner, the President of the Union may certify such institution to be a training school of a specified class or classes.

(2) The managers of a training school certified under sub-section (1) may decline to receive any person under this Part; but having received any such person, the managers shall be deemed to have undertaken to teach, train, lodge, clothe and feed him in proper manner until he is duly discharged or transferred.

(3) The President of the Union may, by notice served on the managers of any such school, prohibit for such time as may be specified in the notice the reception in such school of persons sent to a training school under this Part.

(4) The managers of any such school may, after six months' notice in writing given to the President of the Union, surrender the certificate of the school.

(5) The President of the Union may withdraw the certificate of any such school by notice of withdrawal served on the managers.

(6) No person shall be received into any such school under this Part after notice has been given of surrender or withdrawal of the certificate of the school; but the obligation of the managers in respect of the persons detained in the school shall, except in so far as the President of the Union may otherwise direct, continue until such persons are discharged or transferred by the President of the Union.

8. The President of the Union may direct that any training school shall be a junior school, a senior school or a borstal school or any two of such schools combined.

9. (1) If any person under arrest appears to the officer in charge of the police-station to which he is brought, or to the Court before which he is brought, to be under 16 he shall (notwithstanding the provisions of section 497, sub-section (1), of the Code of Criminal Procedure), be released on bail unless such officer or Court believes, for reasons to be recorded, that such release would defeat the ends of justice or would bring such person into association with any reputed criminal.

(2) When any such person is not released on bail he shall be detained in custody in the manner prescribed.

10. The powers and duty conferred and imposed on Courts by this Part may be exercised and performed by any of the Courts hereunder mentioned, in original, appellate and revisional jurisdiction, in cases within their powers and jurisdictions as defined by other laws:—

(a) the High Court,
(b) Courts of Session,
(c) District and Additional District Magistrates,
(d) Subdivisional Magistrates, and
(e) Magistrates or Benches of Magistrates having first class powers authorized by the President of the Union to exercise powers under this Part either generally or as to specified matters, areas or persons.

Explanation.—Nothing in this section shall be deemed to limit the exercise by any Court of the jurisdiction conferred on it by any other law except in so far as such jurisdiction is expressly limited by this Act.

11. When any Court not empowered under this Part is of opinion that any person brought before it or tried by it should be dealt with under this Part, it shall record such opinion and submit its proceedings and forward the person to the nearest Magistrate so empowered having jurisdiction in the case; and such
Magistrate may continue the proceedings or commence them anew as he thinks fit, and may pass any order which he might have passed if the person had originally been brought before or tried by him.

12. Every Court trying or holding an inquiry against any person under 16 who is not dealt with jointly with any person of the age of 19 or more shall, whenever practicable, sit in a building or room other than that in which the ordinary sittings of the Court are held or on days or times other than those on or at which such sittings are held; and, except by leave of the Court, no person other than the members and officers of the Court, the parties to the case and their pleaders, and other persons directly concerned with the case shall be present during such proceedings.

13. In addition to the right of appeal provided in ordinary course by the Code of Criminal Procedure, every person affected by an order made under this Part, except on a finding as to age under 14 or an order under section 11, by any Court subordinate to a Court of Session, may appeal therefrom to the Court of Session, but subject to any time-limit prescribed for the presentation of such appeals.

14. When any person is brought before any Court empowered under this Part in circumstances indicating that, by reason of his age, he should be dealt with by such Court under this Part, the Court shall, after making such inquiry as it may deem sufficient, record a finding as to the age of such person; and such finding shall be final.

15. (1) Notwithstanding anything contained in any other law, no person under 16 shall be sentenced to death or transportation, and no person under 16 shall be sentenced to imprisonment except by a Court empowered under this Part and on the certificate of the Court that the offence is so serious or the offender is of so unruly or depraved a character that the methods of dealing with him provided by this Part are not suitable.

(2) If any person under 16 is convicted by any Court empowered under this Part of an offence which, by any other law, is punishable with death or transportation only, the Court may, on certificate as aforesaid, sentence him to imprisonment for not more than 10 years.

16. If any person under 16 is convicted by any Court empowered under this Part of an offence punishable with death, transportation or imprisonment, and is not sentenced to imprisonment on a certificate under section 15, the Court may—

(a) discharge him after due admonition; or
(b) sentence him to fine; or
(c) sentence him to whipping, if such sentence may be legally imposed under any other law; or
(d) by an order, hereinafter called a "custody order", commit him to the custody of his parent or guardian or an adult relative (if any such person can be found who in the opinion of the Court is fit to be the custodian) or to the custody of any trustworthy person; provided that in the case of a custody order made under this clause the custodian shall if the Court so orders execute a bond, with or without sureties as the Court shall think fit, to be responsible for the good behaviour of the person so entrusted to him according to the conditions of the bond for a period not exceeding twelve months; or
(e) order him to be sent to a training school; or
(f) use the powers specified in clauses (b) and (d) combined.
17. (1) When any person under 16 is convicted of an offence punishable with fine only and is sentenced to fine, the Court may add a sentence of whipping in default of payment of fine unless action against his parent or guardian under sub-section (2) of section 22 is practicable.

(2) If in any case such as is described in sub-section (1) the offender has previously undergone a sentence of whipping passed under that sub-section, he may, in default of payment of fine, be sent to a training school for a period of two years.

18. Where a person under 16 is convicted of any offence and is not sentenced to imprisonment on certificate under section 15, the conviction shall not have effect under section 75 of the Penal Code or section 565 of the Code of Criminal Procedure, or operate as a disqualification for office or election under any law.

18A. Where any person between 14 and 16 has failed to furnish security in pursuance of any order made against him under Chapter VIII of the Code of Criminal Procedure, or any of the provisions of that Chapter as applied by any law to persons who earn a livelihood by unlawful means, the Court shall order him to be sent to a training school, and he shall be detained until he furnishes the security ordered, or until two years shall expire: provided that, if the Court certifies that such person is of scandalous or depraved a character that he ought not to be sent to a training school, the Court may commit him to prison according to law.

19. No person under 14 shall be dealt with under Chapter VIII of the Code of Criminal Procedure, or under any of the provisions of that Chapter as applied by any law to persons who earn a livelihood by unlawful means.

20. (1) If any Court has reason to believe that any person under 14, within the local limits of its jurisdiction—

(a) has neither parent nor guardian nor home, or
(b) has no legitimate means of subsistence, or
(c) has a parent or guardian who, by reason of criminal or drunken habits or insanity or disease or other cause, is unfit to exercise proper guardianship, or
(d) frequents the company of any reputed criminal, prostitute, or brothel-keeper, or
(e) is otherwise likely to fall into bad association or to be exposed to moral danger or to enter upon a life of crime,

the Court may, by a summons directed to the parent or guardian of such person or a warrant to be executed in the prescribed manner by a police-officer not below the rank of Sub-Inspector, cause such person to be produced in Court.

(2) Any person authorized in this behalf in the prescribed manner may, without warrant, arrest and bring before any Court, to be dealt with under this section, any person under 14 whom he has reasons to believe to be in circumstances such as are described in sub-section (1).

(3) When any person is brought before any Court under this section, the Court shall inquire into the case and, if satisfied by evidence of repute or otherwise that such person is in circumstances such as are described in this section, the Court may order him to be sent to a junior school, or make a custody order for him to be detained in custody for any period up to the age of 16

21. Where the parent or guardian of a person under 14 proves to a Court that he is unable to control such person and satisfies the Court that he desires such person to be sent to a junior school, the Court may, if after inquiry it thinks fit so to deal with such person, order him to be sent to a junior school.
22. (1) In any trial or proceedings in which any person under 16 is to be dealt with under this Part, the Court may, in so far as it deems reasonable, cause the parent or guardian of such person, or both the parent and the guardian, to attend at all stages of the trial or proceedings.

(2) No order under this Part shall be made against any parent, guardian or other person without giving him an opportunity of being heard, unless his absence is due to failure, without reasonable cause, to attend the Court on being duly required so to do.

(3) If a Court convicting any person under 16 of any offence is of opinion that a fine would be a suitable punishment, whether with or without any other punishment, the Court may, and if such person is under 12 shall, order that the fine shall be paid by the parent or guardian, unless the Court is satisfied that the parent or guardian cannot be found or has not conduced to the commission of the offence by neglecting to exercise due care of the person convicted.

(4) If a person under 16 is convicted of any offence, the Court may, in addition to or in substitution for any other sentence or order which the Court may pass, direct the parent or guardian of such person to pay compensation for any loss or damage caused by such person in the commission of the offence and any costs of the trial which the Court may deem reasonable.

(5) Any Court which makes an order sending any person under 16 to a training school or committing him to custody may, at the time of making the order or thereafter, direct that such payments as the Court may deem reasonable for his maintenance shall be made by the person who, from the evidence in the case or after such further inquiry as the Court may deem reasonable, appears to be responsible for such maintenance, and the Court may vary any maintenance order made in respect of the person first mentioned under section 488 of the Code of Criminal Procedure, provided that the Court may, at any time on proof of change of circumstances, vary any order made under this sub-section or cancel such order or substitute therefor any other order of like nature.

(6) All moneys ordered to be paid by a parent or guardian or other person under this section shall be recoverable in the manner provided by the Code of Criminal Procedure for the recovery of fines: provided that imprisonment shall not be awarded in default of payment.

And the Court may at any time order that any such moneys shall be payable in instalments covering a period not exceeding six months.

(7) Any moneys recovered under this section may be applied, under the direction of the Court, in the manner described in sections 545 and 546A, and subject to the provisions of section 54, of the said Code.

23. (1) A custody order shall take effect over the right of parent or guardian to have the custody of the person in respect of whom the order is made, and the custodian named in the order shall have a right, equal to and in supersession of the right of the parent or guardian, to exercise discipline and control over such person.

(2) It shall be deemed to be a condition of the bond, if any, executed by the custodian under a custody order, that he shall feed, clothe and house in suitable manner the person committed to his custody, and shall cause him to be brought up in accordance with his religion as ascertained by the Court and mentioned in the order.

(3) In the event of a custodian failing to observe or perform the conditions of any bond executed by him in pursuance of a custody order, the Court which made the order may, in addition to or in substitution for enforcing the penalty of the bond, cancel the custody order and substitute therefor any other order which the Court might have passed in its stead.
24. Every order sending a person under 16 to a training school shall specify—

(a) the school by name, being such as in the opinion of the Court is best suited to the age, religion and class of such person: provided that a person under 12 shall be sent to a junior school and a person between 12 and 14 shall, on conviction, be sent to a senior school, unless the Court, for reasons to be recorded, thinks fit to send him to a junior school; and

(b) the period for which the person shall be detained in the school subject to the provisions of this Part for dealing with persons so detained: provided that the period shall be such as the Court deems proper for his training, being not less than two years and not extending beyond the age of (i) 16, in the case of a person sent to a junior school, and (ii) 18, in the case of a person sent to a senior school.

25. (1) In any trial against any person between 16 and 19 where a sentence of imprisonment would ordinarily be passed, the Court may, instead of passing such sentence, direct that such person shall be sent to a Borstal school for a period of not less than two years and not extending beyond the age of 21:

Provided that the President of the Union may, by notification, declare that any ages other than 19 and 21 shall be substituted therefor in this section.

(2) * * *

(3) When any person between 16 and 19 has failed to furnish security in pursuance of any order made against him under Chapter VIII of the Code of Criminal Procedure or any of the provisions of that Chapter, as applied by any law to persons who earn a livelihood by unlawful means, the Court shall order him to be sent to a Borstal school, and he shall be detained until he furnishes the security ordered, or until two years shall expire: provided that, if the Court certifies that such person is of so unruly or depraved a character that he ought not to be sent to a Borstal school, the Court may commit him to prison according to law.

26. Without prejudice to the powers of Courts of appeal and revision, any custody order may be amended by the Court which made the order in respect of the person named as custodian and in respect of such matters of detail as may be prescribed.

27. The provisions of sections 513, 514, 514A and 516 of the Code of Criminal Procedure shall, so far as may be, apply to bonds taken under this Part.

28. For the purpose of determining the sentence or order which a Court ought to pass or make under this Part against any person tried by or brought before it, the Court shall, after recording its finding on the facts of the case, have regard to the character of the person and the circumstances in which he is living as disclosed by the facts of the case or, on further inquiry, by any other evidence whether based upon direct knowledge, or information, or general repute.

29. Notwithstanding the requirements of sub-section (1) of section 401 of the Code of Criminal Procedure as to the acceptance of the conditions for the suspension of sentences, the President of the Union may direct—

(a) that any person under 16 who is undergoing transportation or imprisonment under the sentence or order of any Court in the Union of Burma shall be sent to a senior school for any period not extending beyond the end of his sentence; or

* * * 1 By Judicial Department Notification No. 124, dated the 9th April, 1934, the age of 23 has been substituted for the age of 21.
(b) that any person of an age suitable for Borstal training who is sentenced to transportation or imprisonment, or is ordered to undergo imprisonment, or is undergoing transportation or imprisonment under the sentence or order of any Court in the Union of Burma, shall be sent to a Borstal school for any period not extending beyond the end of his sentence.

30. The President of the Union may order—

(a) that any person detained in a senior school shall be transferred to another senior school; or
(b) that any person under 14 detained in a senior school shall be transferred to a junior school; or
(c) that any person over 12 detained in a junior school shall be transferred to a senior school; or
(d) that any person detained in a training school shall be transferred to a prison.

31. (1) The President of the Union, acting with the managers of any senior school, may consent to the transfer to that school of any person under 16 in respect of whom an order has been made by proper authority in any part of India or Pakistan of the nature of an order under this Part directing him to be sent to a training school.

(2) The President of the Union may order any person under 16 to be transferred from any senior school to any school of like nature in India or Pakistan in respect of which arrangements in this behalf have been made between the President of the Union and the appropriate Government in India or Pakistan.

32. (1) Any person under 10 who is detained in a training school may, with the consent of the Chief Inspector of Training Schools appointed under this Part, be placed by the managers under the care of any suitable person outside the school.

(2) Every person so boarded out shall, except in so far as may be prescribed, be subject to the authority of the managers as if he were in the training school, and may be recalled by them whenever they think fit.

33. (1) The managers of any training school may, by license, permit any person detained in the school for any period to live outside the school for the remainder of the period with any trustworthy person named in the license and on the prescribed conditions: provided that such license shall not, except with the sanction of the Chief Inspector of Training Schools, be granted before 18 months of the period have expired.

(2) The managers of any training school may, by an emergency parole license, permit any person detained in the school for any period to visit his parent or near relative who may be seriously ill.

(3) The managers of any training school may, by an ordinary parole license, grant any person detained in the school, who is considered fit to be discharged on license under sub-section (1), leave of absence for any period which the manager consider necessary.

(4) Every such license shall be revoked by the managers if the person named in the license so requires or if the managers for any other reason deem it advisable to revoke it, and on such revocation the person so licensed shall return to the training school and if he delays in so doing the period for his detention shall be extended to cover such delay.

34. The President of the Union may order that any person detained in any training school, or licensed out or committed to custody under this Part shall be discharged either absolutely or subject to conditions.
35. (1) The President of the Union may appoint a person to be Chief Inspector of Training Schools and such other persons as may be necessary to act as his deputy and assistants as may be prescribed.

(2) Every training school shall be inspected by a duly appointed Inspector at least once a year, and the managers of the school shall give the Inspector access to every part of the school and to all papers, registers and accounts, at all reasonable hours.

(3) Where any training school is for the reception of girls only, the inspection shall, where practicable, be made by the Chief Inspector or by a Woman Inspector.

(4) The President of the Union may appoint any registered medical practitioner to inspect any training school and report on the health of the inmates and the sanitary condition of the school.

36. The President of the Union may authorize any person to inspect any institution for the reception of poor persons under 16 which is supported wholly or partly by voluntary contributions and which does not come within any other scheme of inspection by Government:

Provided that, where such institution is carried on in accordance with the principles of any religious denomination, the managers may require that the Inspector shall be a person of that denomination, and where the institution is for the reception of girls only the Inspector shall be a woman.

37. Whoever obstructs an Inspector in the execution of his duties under this Part shall be punishable with fine not exceeding fifty rupees.

38. (1) Where any person who is ordered or is required by this Part to be detained in a training school or in custody avoids or escapes from such detention, he may be apprehended by or under the authority of the managers of the school or the custodian, as the case may be, and such managers or custodian may apply to a Court for the arrest of the fugitive and for such order on the parent or guardian to produce the fugitive as the Court, after such inquiry as it may deem necessary, finds suitable to the circumstances of the case.

(2) Whoever, without reasonable excuse, fails to comply with an order for the production of a fugitive under this section shall be punishable with fine not exceeding fifty rupees.

(3) Whoever knowingly assists or induces directly or indirectly any person to avoid or escape from detention or custody under this Part, or to commit any breach of any license under which he was released from such detention shall, on conviction, be punishable with imprisonment which may extend to two months or with fine which may amount to two hundred rupees, or with both.

39. (1) The President of the Union may make rules generally for the purpose of carrying into effect the provisions of this Part.

(2) In particular, and without prejudice to the generality of the foregoing provision, the President of the Union may make rules for all or any of the following matters, namely:

(a) the appointment and remuneration of the managers of training schools established by Government; the conditions to be satisfied before any place is certified as a training school; the manner in which a training school shall be conducted; and the circumstances in which the certificate of a training school may be withdrawn;

(b) the place and manner of custody of persons under 16 who are under arrest;

(c) subject to the local limits of the jurisdictions of Courts, the time, place and mode of trial of persons under 16;

(d) the time-limit for appeals from orders under this part;
(e) the persons by whom and the manner in which the arrest of persons under 14 may be made under section 20;
(f) the conditions of bonds to be executed in pursuance of custody orders;
(g) the matters in respect of which custody orders may be amended by a Court;
(h) the transfer of persons from one training school to another, or to a prison; their boarding out and licensing to live outside the training schools; the grant of emergency and ordinary parole licenses; and the care of persons discharged from training schools;
(i) the appointment, remuneration and duties of Inspectors of Training Schools and of private institutions.

PART III.

40. (1) Whoever, being the parent or guardian of a person under 16, abandons, exposes, or wilfully neglects or ill-treats such person in a manner likely to cause unnecessary suffering or injury to the health of such person, shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to two hundred rupees, or with both.

(2) For the purpose of this section, injury to health includes injury to or impairment of any function of the body or mind, and a parent or guardian being legally liable to maintain a person under 16 shall be deemed to neglect or ill-treat him if he fails to provide him with such food, clothing, medical aid and lodging as would, in the opinion of the Court which hears the case, be suitable to his condition in life.

(3) Nothing in this section shall be deemed to affect the right of a parent or guardian to administer reasonable punishment to a person in his charge.

41. Whoever for his own profit causes, or being the parent or guardian allows, any person under 16 to beg in any public place shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one hundred rupees or with both.

42. Whoever, being the parent or guardian of any person between 14 and 16, allows that person to reside in or frequent a brothel shall be punishable with imprisonment which may extend to two years or with fine which may extend to one thousand rupees or with both.

43. (1) Whoever, being the parent or guardian of a girl under 16, causes or encourages the prostitution of the girl, or causes or encourages anyone other than her husband to have sexual intercourse with her, shall be punishable with imprisonment for a term which may extend to three years or with fine, or with both.

(2) For the purposes of sub-section (1) the parent or guardian shall be deemed to have caused or encouraged the mischief therein mentioned if it has occurred after he has knowingly allowed the girl to consort with any prostitute or person of like character.

44. In any case in which a police-officer not below the rank of Sub-Inspector, or a person authorized in this behalf in the prescribed manner, is of opinion that an offence under this Part has been, or is likely to be, committed in relation to any person under 16, he may cause such person to be placed in safety in such manner as the President of the Union may, by rule, prescribe; provided that such person shall not, without an order of a Court empowered under Part II, be detained for more than twenty-four hours in addition to the time necessary to produce him before such Court.
45. In any case in which any Court empowered under Part II has reason to believe that an offence under this Part has been or is likely to be committed in relation to any person under 16 within its jurisdiction, the Court may cause the production of such person by a search warrant and the provisions of the Code of Criminal Procedure shall apply to such warrant as if it were under section 100 of the said Code.

46. (1) If any Court empowered under Part II, after such inquiry as the Court thinks reasonable, is of opinion that a person under 16 is allowed by the parent or guardian to be in circumstances conducive to the commission of an offence under this Part, the Court may, after giving the parent or guardian an opportunity of being heard, require such parent or guardian to enter into a bond with or without sureties to exercise proper care to prevent the commission of any such offences in relation to such person, and in default of his furnishing such security the Court may order him to suffer simple imprisonment for a term which may extend to six months or to pay a fine which may extend to one hundred rupees.

(2) The provisions of sections 513, 514, 514A and 516 of the Code of Criminal Procedure shall, so far as may be, apply to bonds taken under this section.

47. Where the parent or guardian of a person under 16 is convicted of an offence under this Part or under Chapter XVI of the Penal Code in relation to such person the Court shall have power (in addition to powers of sentencing the offender) to make a custody order in respect of such person or to send him to a training school as if he were dealt with under Part II.

48. If in any case dealt with under this Part the Court is of opinion that the case was instituted without reasonable cause or on frivolous information given by any person not empowered under section 44, the Court, after calling upon him to show cause, may order that he shall pay such compensation not exceeding one hundred rupees as the Court may deem reasonable to the person against whom the case was instituted or the information given, and such compensation shall be recoverable as a fine under the Code of Criminal Procedure.

THE STATE PRISONERS REGULATION,

[Bengal Regulation 111, 1818.] (16th September, 1875.)*

1. Whereas reasons of State, embracing the due maintenance of the alliances formed [with foreign powers and the security of the Union of Burma], and from internal commotion, occasionally render it necessary to place under personal restraint individuals against whom there may not be sufficient ground to institute any judicial proceeding, or when such proceeding may not be adapted to the nature of the case, or may for other reasons be unadvisable or improper; and whereas it is fit that, in every case of the nature herein referred to, the determination to be taken should proceed immediately from the authority of the President of the Union; and whereas the ends of justice require that, when it may be determined that any person shall be placed under personal restraint otherwise than in pursuance of some judicial proceeding, the grounds of such determination should from time to time come under revision, and the person affected thereby should at

* The repealed section 8 of the Burma Laws Act, 1898, said that this Regulation shall, mutatis mutandis, be deemed to extend to Lower Burma with effect from 16th September, 1875; and by section 411 of the said Act and the Schedule thereto (now repealed) this Regulation also became applicable to Upper Burma.

1 Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.
all times be allowed freely to bring to the notice of the President of the Union all circumstances relating either to the supposed grounds of such determination, or to the manner in which it may be executed;

and whereas the ends of justice also require that due attention be paid to the health of every State prisoner confined under this Regulation, and that suitable provision be made for his support according to his rank in life and to his own wants and those of his family;

It is enacted as follows —

2. First.—When the reasons stated in the preamble of this Regulation may seem to the President of the Union to require that an individual should be placed under personal restraint, without any immediate view to ulterior proceedings of a judicial nature, a warrant of commitment under the authority of the President of the Union shall be issued to the officer in whose custody such person is to be placed.

Second.—The warrant of commitment shall be in the following form: —

"To the [here insert the officer’s designation].

"Whereas the President of the Union, for good and sufficient reasons, has seen fit to determine that [here insert the State prisoner’s name] shall be placed under personal restraint at [here insert the name of the place], you are hereby required and commanded, in pursuance of that determination, to receive the person above named into your custody, and to deal with him in conformity to the orders of the President of the Union, and the provisions of the State Prisoners Regulation."

Third.—The warrant of commitment shall be sufficient authority for the detention of any State prisoner in any fortress, jail or other place within the Union of Burma.

3. Every officer in whose custody any State prisoner may be placed shall on the first of January and first of July of each year, submit a report to the President of the Union on the conduct, the health and the comfort of such State prisoner in order that the President of the Union may determine whether the orders for, his detention shall continue in force or shall be modified.

4. When any State prisoner is placed in custody, the President of the Union will instruct a Judge or some other public officer, not being the person in whose custody the prisoner is placed, to visit the prisoner at stated periods and to submit a report to the President of the Union regarding the health and treatment of the prisoner.

5. The officer in whose custody any State prisoner may be placed is to forward, with such observations as may appear necessary, every representation which such State prisoner may from time to time be desirous of submitting to the President of the Union.

6. Every officer in whose custody any State prisoner may be placed shall as soon after taking such prisoner into his custody as may be practicable report to the President of the Union whether the degree of confinement to which he may be subjected appears liable to injure his health, and whether the allowance fixed for his support be adequate to the supply of his own wants and those of his family, according to their rank in life.

7. Every officer in whose custody any State prisoner may be placed shall take care that the allowance fixed for the support of such State prisoner is duly appropriated to that object.
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(ความหมายของที่ด้านซ้าย: J = จันทร์, P-M = จันทร์-ศุกัน)
CORRIGENDA

Page 3.—Section 2, clause (29), marginal caption, for “im-able” read “immoveable”.

Page 4.—Section 2, clause (60), first line, for “sub-secion” read “sub-section”, and for “secttion” read “section”.

Page 9.—Section 13, sub-section (3), first line, for “enactmen” read “enactment”.

Page 24.—Section 5, sixth line, for “no ification” read “notification”.

Page 35.—Section 17, sub-section (1), second line, insert a closing round bracket (“)”) after the word “not”.

Page 42.—Section 10, second line, for “reasonably” read “reasonably”.

Page 43.—Section 15, sub-section (2), second line, for “fails” read “fails”.

Page 65.—Section 1, first line, for “judicial” read “juridical”.

Page 66.—Section 8, third line, for “imovable” read “immovable”.

Page 66.—Section 11, clause (a), first line, for “the i” read “their”.

Page 71.—Section 9, marginal caption, for “Sa ing” read “Saving”.

Page 78.—Section 22, fifth line, for “d rected” read “directed”.

Page 139.—Contents, section 11, first line, for “aw” read “law”.

Page 143.—Section 5, marginal caption, for “deeme” read “deemed”.

Page 147.—Second foot-note, insert the words “were deleted” between the words “conclusive” and “by”; and for “1954” read “1945”.

Page 150.—Third foot-note, for “new” read “now”.

Page 170.—Contents, section 17, for “Court” read “Code”.

Page 174.—Section 21, sub-section (2), fifth line, for “an” read “on”.

Page 193.—Section 9, first line, for “powe” read “power”.

Page 194.—Section 13, last line, for “exceed” read “exceed”.

Page 195.—Section 22, third line, for “or” read “of”.

Page 214.—Section 12, fifth line, for “pers n” read “person”.

Page 220.—Section 36, third line, for “sh ll” read “shall”.

Page 229.—Section 7, seventh line, for “identity o” read “identity of”.

Page 230. Contents, section 12, first and second lines, insert “to” after “not” and before “engage”.

Page 240. Section 37, third line, for “coviting” read “convicting”.

Page 242. Section 41, sub-section (3), third line, for “removed” read “removed”.

Page 248. Section 23, sub-section (2), last line, for “sections” read “sections”.

Page 261. Section 7, marginal caption, for “Temporary” read “Temporary”.

Page 262. Section 15, clause (5), insert a semi-colon (;) at the end of the clause.

Page 276. Section 30, sub-section (3), first line, for “Lunacy Act” read “Lunacy Act”.

Page 277. Section 32, sub-section (2), sixth line, for “officer” read “officer”.

Page 286. Section 7, marginal caption, for “raining” read “training”.

Page 290. Section 27, first line, for “Criminal” read “Criminal”.

Page 291. Section 33, sub-section (1), fifth line, for “Inspector” read “Inspector”.

Page 291. Section 33, sub-section (3), second and third lines, for “discharges” read “discharged”; and for “managers” read “managers”.

Page 295. Section 3, insert a comma after “prisoner” in third line, and delete the comma after “for” in fourth line.