

- (ဂ) ပုဒ်မ ၃၊ သို့မဟုတ် ၁၁ အရ ကျေညာထားသည့် မြေနေရာအတွင်း၊ မည်သည့်ရာသီအတွင်း၊ မည်ကဲ့သို့ မီးကိုမွှေးခြင်း၊ ထားရှိခြင်း၊ သို့မဟုတ် ယူဆောင်သွားခြင်းများအတွက် ကျေညာနိုင်ခွင့်အာဏာ၊
- (ဆ) ဤအက်ဥပဒေအရ ပစ္စည်းများကိုသိမ်းယူနိုင်ခွင့်အာဏာ၊ ၎င်းပြင်
- (င) သိမ်းယူသည့်ပစ္စည်းများကို လွှတ်ရန်၊ သို့မဟုတ် စွဲချက်များကို ရုပ်သိမ်းရန် ညွှန်ကြားခွင့်အာဏာ။

ပြစ်ဒဏ်များ။

၂၇။ ။မည်သူမဆို၊ ပုဒ်မ ၃ အရ ကျေညာချက်ထုတ်ပြန်ထားသော မြေနေရာများ အတွင်း၊ ကျေညာထားသည့် ပြုပြင်စီမံခြင်း၊ စည်းကမ်းသတ်မှတ်ခြင်း၊ တားမြစ်ခြင်းများကို ဖောက်ဖျက်ကျူးလွန်ခဲ့လျှင်၊ သို့မဟုတ် ပုဒ်မ ၅၊ ၆၊ ၇ နှင့် ၁၀ အရ ထုတ်ပြန်ထားသောအမိန့်များ ကို ဆန့်ကျင်ခဲ့လျှင်၊ ထောင်ဒဏ် ၆ လအထိသော်၎င်း၊ ငွေဒဏ် ၅၀၀ အထိသော်၎င်း၊ သို့မဟုတ် ဒဏ်နှစ်ရပ်လုံးသော်၎င်း ကျခံစေရမည်။

၂၈။ ။ဤအက်ဥပဒေကိုစွဲအလို့ငှါ ခန့်ထားခြင်းခံရသူ အရာရှိအား လုံး တို့ သည် ရာဇသတ်ကြီးဥပဒေအမိန့်ပွယ်အရ ပြည်သူ့ဝန်ထမ်းများဟု မှတ်ယူစေရမည်။

**THE SHAN STATE PENSIONS ACT, 1951. \***

[SHAN STATE ACT II, 1951.] (1st January, 1951.)

It is hereby enacted as follows :—

1. (i) This Act shall be called “ The Shan State Pensions Act, 1951 ” and it shall come into force with effect from the 1st January 1951.

(ii) This Act shall be applicable to those persons employed by the Shan State Government as may be mentioned by the Shan State Government in the rules made under this Act.

Saving of rules.

2. All rules in regard to the award and payment of pensions or grants of money or land-revenue, and the identification of the persons entitled to receive them, made under any enactment, shall be deemed to have been made under this Act so far as they are consistent therewith.

Interp: eta- tion 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.

**II. RIGHTS TO PENSIONS.**

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 Shan State 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.

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 Shan State Government, and such Collector or other officer shall dispose of such claim in accordance with such rules as the Head of State may, from time to time, prescribe.

Claims to be made to authorized officer.

6. A civil Court, otherwise competent to try the same, shall take cognizance of any such claim upon receiving a certificate from the Collector of a district or Deputy Commissioner or other officer authorized in that behalf by the Shan State Government 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.

Civil Court empowered to take cognizance of such claims.

### III. MODE OF PAYMENT.

7. All pensions or grants by Government of money or land-revenue shall be paid by the Secretary, Shan State Government, subject to such rules as may, from time to time, be prescribed by the Head of the State.

Payment to be made by the Secretary, Shan State Government.

8. Nothing in sections 4 and 7 shall affect the right of 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.

Saving of rights of grants of land-revenue.

9. The Head of the State 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.

Commutation of pensions.

### IV. MISCELLANEOUS.

10. No pension, pay or allowance [ ]<sup>1</sup> or continued by Government under this Act shall be liable to seizure, attachment or sequestration by process of any Court at the instance of a creditor, for any demand against the pensioner, or in satisfaction of a decree or order of any such Court.

Exemption of pension from attachment

11. All assignments, agreements, orders, sales and securities of every kind made by the person entitled to any pension, pay or allowance mentioned in section 10, 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.

Assignments, etc. in anticipation of pensions, to be avoided.

<sup>1</sup> The word "granted" has probably been omitted through inadvertence.

Reward to informers.

12. Whoever proves to the satisfaction of the Head of the State 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.

Power to make rules.

13. The Head of State may, from time to time, make rules<sup>1</sup> 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 pensioner ;
  - (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.

## THE FREE MEDICAL ATTENDANCE ACT, 1951.

[SHAN STATE ACT III, 1951.]

It is hereby enacted as follows :—

1. (1) This Act may be called "The Free Medical Attendance Act, 1951."

(2) It shall come into force on such date as the Head of the Shan State may, by notification, appoint in this behalf.

2. In this Act—

(a) "State Minister" means a Minister of the Shan State Government, and includes the Chairman of the Shan State Council,

(b) "Medical Officer" means the Civil Surgeon of the district in which the State Minister is stationed, or in the absence of the

<sup>1</sup> See Shan State Government, Finance and Revenue Department Notification No. 1, dated the 2nd January 1952, *Burma Gazette*, 1952, Part I-A, page 3.