

The Myanmar Military Police Force (Leave and Travelling Allowance) Rules.

No. 47

The 26th April 1939.

[Amendment : 18.06.1989]

No. 47. - The Governor hereby makes the following rules to regulate the grant of leave and travelling allowance to the members of the Myanmar Military Police Force:-

Definition:- In these rules the term “members of the Force” includes all Military Police Officers as defined in the Myanmar Military Police Act, XII of 1928 and Veterinary Assistance and Armourers.

PART I.

LEAVE RULES - SECTION I.

1. The rules in this section shall apply to all members of the Force except Myanmar, Karens, Gurkhas and Kumaonis domiciled in Myanmar, and to members of the Force who are Myanmar, Karens, Gurkhas or Kumaonis domiciled in Myanmar, and have made or make the election allowed in the Exception to Rule 1 in Section II.

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2. Members of the Force to whom the rules in this section apply are eligible for leave of the following kinds only:

(a)	Furlough.	(d)	Special leave.
(b)	Medical leave.	(e)	Extraordinary leave.
(c)	Hospital leave.	(f)	Disability leave.

Except as provided in these rules the sanction of any one in combination with any other of the above kinds of leave is prohibited.

3. Furlough may be sanctioned by Battalion Commandants on the following conditions:-

(a) that the order in which members of the Force may be allowed to proceed on furlough shall be determined by their position on the roster to be maintained for this purpose by the Battalion Commandant; and

(b) that, except in cases covered by Note 2 to this rule, no member of the Force shall be allowed to proceed on Furlough if by so doing he would cause the total number of members in his Battalion simultaneously absent either on Furlough or on Medical leave to exceed 7(1/2) per cent of its total strength.

NOTE 1.- If the prescribed percentage is exceeded owing to the subsequent grant of Medical leave or for any other cause, the excess shall, unless the Inspector-General of Police for special reasons, which shall be communicated to Government in the Finance Department, otherwise directs, be adjusted by a corresponding reduction in the number allowed to proceed on furlough during the next financial year.

NOTE 2.- Save as is otherwise provided in Rule 9, a member of the Force who proceeds on leave on Medical certificate when he is already due for Furlough is regarded for all purposes of these rules as having proceeded as Furlough and not on Medical leave.

4. Furlough may not be granted in extension of any other kind of leave except Hospital leave or Disability leave.
5. Full pay is admissible as leave salary during Furlough; and the maximum period of Furlough which may be granted at any one time is six months in the case of Gurkhas, Garhwalis, Kumaonis and residents of the Poonch State (Kashmir) and five months in all other cases:
6. Subject to compliance with ordinary rules regulating the grant and extension of leave on medical certificate, Medical leave may be sanctioned by Battalion Commandants for not more than six months in the first instance to members of the Force who are not already due for Furlough and may be extended from time to time for not more than six months on each occasion. The grant of Medical leave involves the removal of the member's name to the bottom of the Furlough roster.
7. Medical leave may not be granted in extension of any other kind of leave except Furlough, Hospital leave or Disability leave. If it becomes necessary for a member of the Force who is on Special leave to obtain Medical leave, the whole period of absence shall be converted retrospectively into Medical leave; and subject to proviso (i) in Rule 7 in Part II of these rules, all the provisions of these rules relating to Medical leave taken alone shall apply to the leave so converted.

8. Leave salary on Medical leave is regulated as follows:-

(a) If the leave is taken alone or in extension of Hospital leave or Disability leave, full pay may be granted for a period equivalent to one-twelfth of the total service on duty since the last return from Furlough or Medical leave, or, if no such leave has ever been taken, since the date of enlistment, subject to a maximum limit of four months' Medical leave on full pay. During the remaining period of the first six Months of medical leave, half pay may be granted. Thereafter, quarter pay only is admissible for a further period of 18 months, after which leave salary ceases absolutely to be admissible.

(b) If the leave is taken in extension of Furlough, quarter pay only is admissible for a period not exceeding 18 months after which leave salary ceases absolutely to be admissible.

9. The return of a member of the Force to duty from Medical leave or from Furlough granted on medical certificate is governed by the ordinary rules regulating the return of Government servants to duty from leave on medical certificate.

10. Members of the Force detained in a Myanmar hospital as in-patients in circumstances which do not entitle them to Disability leave may be granted Hospital leave by Battalion Commandants for the period of such detention.

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11. Hospital leave may not be granted in extension of any other kind of leave.

12. Full day is admissible as leave salary during the first two months of any period of Hospital leave and thereafter half pay only, provided that, if the sickness or injury is certified by the Medical Officer in charge of the hospital to be due to self-indulgence or to be self-inflicted as the case may be, the leave salary shall, during no period of the leave exceed half pay and may, at the discretion of the Battalion Commandant, be fixed at any less amount.

NOTE.- For purposes of this rule venereal diseases shall not be regarded as due to self-indulgence provided the member of the Force affected reports sick promptly and no attempt is made at concealment.

13. Special leave for not more than one-eleventh of the total service on duty since the last return from leave of any kind other than Hospital or Disability leave, or, if no such leave has been taken since the date of enlistment, may be sanctioned at the discretion of the Battalion Commandant: provided-

(i) that Special leave shall not be granted for more than four months at a time; and

(ii) that not more than 2 (1/2) per cent of the total strength of the Battalion shall be simultaneously absent on Special leave.

NOTE.- Special leave, to which the restriction in clause (ii) above shall not apply, may be granted to members of the Force whose services are dispensed with under the class reorganization scheme sanctioned by Government.

14. Special leave may not be granted in extension of any other kind of leave.

15. Full pay is admissible as leave salary during Special leave.

NOTE.- Veterinary Assistants and Armourers of the Myanmar Military Police Force are entitled to draw Compensatory Local Allowance subject to the restrictions imposed by Supplementary Rules 135 to 137 during Special leave on the ground that this leave corresponds to the old "privilege leave" under the Civil Service Regulations and to "leave on average pay" under the Fundamental Rules.

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16. In special cases and when no leave of any other kind is admissible, Battalion Commandants may sanction Extraordinary leave in extension of Furlough or Special leave or Disability leave, but not otherwise.

17. No leave salary is admissible during Extraordinary leave.

18. Members of the Force are eligible for Disability leave under the rules applicable to other Government servants subject to the modifications-

(a) that the combination of such leave with leave of any other kind is prohibited;

(b) that the leave salary admissible to members of the Force during such leave shall be full pay or half pay instead of average pay or half average pay, as the case may be; and

(c) that no option is accorded to any member of the Force to elect to draw leave salary in excess of half pay during any period of Disability leave subsequent to the first four months of such leave,

LEAVE RULES – SECTION II.

1. The rules in this section shall apply, subject to the exception mentioned below, to members of the Force who are Myanmar, Karens, Gurkhas or Kumanos domiciled in Myanmar.

Exception.- Any Myanmar, Karen, Gurkha or Kumaoni domiciled in Myanmar, who was a member of the Myanmar Military Police Force on the 27th May 1930 and elected for the rules in Section I of the Myanmar Military Police Force (Leave and Travelling Allowance) Rules.

NOTE.- The elections specified in the Exception above must have been made or must be made in writing within six months from the 1st May 1932, (or, if the member of the Force was on leave on

the 1st May 1932, within six months from the date of his return from leave) or the date of enlistment, whichever was or may be later; and an election once made shall be final.

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2. Members of the Force to whom the rules in this section apply are eligible for leave of the following kinds only:-

- (a) Special leave.
- (b) Medical leave.
- (c) Hospital leave.
- (d) Extraordinary leave.
- (e) Disability leave.

The sanction of any one in combination with any other of the above kinds of leave, except in cases for which provision is made in the rules, is prohibited.

3. Leave may be sanctioned by Battalion Commandants on the following conditions:-

- (a) that the order in which the members of the Force to whom the rules in this section apply, may be allowed to proceed on Special leave, shall be determined by the position on a separate leave roster to be maintained for this purpose by Battalion Commandants, and
- (b) that, except in cases covered by Note 2 to this rule, no member of the Force shall be allowed to proceed on Special leave if by doing so he would cause the total number of members in his Battalion simultaneously absent on Furlough, Special leave or Medical leave, including those to whom the rules in Section I apply, to exceed 15 per cent of the total strength.

NOTE 1.- Battalion Commandants may grant Special leave, if due, to members of the Force, irrespective of their position in their leave roster, in cases of urgent private affairs. Such leave shall not be granted to more than 2(1/2) per cent of the total strength of the Battalion but this percentage may be in addition to the 15 per cent prescribed in Rule 3 (b) above.

NOTE 2.- Save as is otherwise provided in Rule 10 in this section a member of the Force who proceeds on leave on medical certificate when he is already due for Special leave is regarded for all purposes of this rule as having proceeded on Special leave and not on Medical leave.

4. Special leave up to not more than one-eleventh of the total service on duty since last return from any kind of leave other than Hospital or Disability leave, or (if no such leave has been taken) since the date of

enlistment, up to a limit of three months, may be sanctioned at the discretion of the Battalion Commandant.

5. Special leave may not be granted in extension of any other kind of leave except Hospital leave and Disability leave.

6. Full pay is admissible as leave salary during Special leave.

NOTE.- Veterinary Assistants and Armourers of the Myanmar Military Police Force are entitled to draw Compensatory Local Allowance subject to the restrictions imposed by Supplementary Rules 135 to 137 during Special leave on the ground that this leave corresponds to the old "Privilege leave" under the Civil Service Regulations and to "Leave on average pay" under the Fundamental Rules.

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7. Subject to compliance with the ordinary rules regulating the grant and extension of leave on medical certificate, Medical leave may be sanctioned by Battalion Commandants for not more than six months in the first instance to members of the Force who are not already due for Special leave and may be extended from time to time for not more than six months on each occasion. The grant of Medical leave involves the removal of the member's name to the bottom of the Special leave roster.

8. Medical leave may not be granted in extension of Extraordinary leave.

9. Leave salary on Medical leave is regulated as follows:-

(a) If the leave is taken alone or in extension of Hospital leave or Disability leave, full pay may be granted for a period equivalent to one-twelfth of the total service on duty since the last return from Special leave or Medical leave or, if no such leave has been taken, since the date of enlistment, subject to a maximum limit of three months' Medical leave on full pay.

During the remaining period of the first six months of Medical leave, half pay may be granted. Thereafter quarter pay only is admissible for a further period of eighteen months after which leave salary ceases absolutely to be admissible.

(b) If the leave is taken in extension of Special leave quarter pay is admissible for a period not exceeding eighteen months after which leave salary ceases absolutely to be admissible.

10. The return of a member of the Force to duty from Medical leave or from Special leave granted on medical certificate is governed by the ordinary rules regulating the return of Government servants to duty from leave on medical certificate.

11. Hospital and Disability leave for members of the Force to whom the rules in this section apply shall be regulated by Rules 10, 11, 12 and 18 in Section I.
12. In special cases when no leave of any other kind is admissible Battalion Commandants may sanction Extraordinary leave in extension of Special leave or Disability leave but not otherwise.
13. No leave salary is admissible during Extraordinary leave.

PART II.

TRAVELLING ALLOWANCE.

A. – Journeys on Duty.

1. (1) Travelling Allowance under the provisions of Chapter III of the Myanmar Travelling Allowance Rules in admissible-
 - (a) to Indian or Myanmar Officers, Veterinary Assistants and Armourers for all journeys performed on inspection or special duty;
 - (b) to all members of the Force and public followers for so much of any authorized journey to attend or from attending a Durbar as is performed by public conveyance.- (2) For all other journeys on duty performed otherwise than on transfer members of the Force and public followers are not entitled to any Travelling Allowance except-
 - (i) free carriage of kit throughout within a maximum limit of 18 viss for each Indian or Myanmar Officer and 12 viss for other ranks;
 - (ii) either free transport on a warrant or free pass or single fare, if the journey is performed by public conveyance; and

NOTE 1.- A member of the Force not otherwise entitled to a single fare by the second class is entitled to such fare when he is requized to escort a prisoner permitted to travel by the second class.

NOTE 2.- The cost of single railway fares from Prome Road Station to Okkyin Station and vice versa may be paid to the Battalion Fund in respect of Military Policemen of the 1st Rangoon Battalion actually coveyed by the Battalion Fund omnibus from the Military Police Lines to the Okkyin Rifle Range and back.

NOTE 3.- Members of the Force returning from Special leave granted under Rule 13, Section I, Part I of these rules, who bring with them a party of not less than two recruits for the Myanmar Military Police shall be treated as travelling on duty for the purpose of drawing Travelling Allowance admissible under Rule 1 (2) (i) and (ii) above subject to the following conditions:-

- (a) that the recruits are medically examined in India;
- (b) that they are considered suitable by the Battalion Commandant concerned; and
- (c) that they are found to be medically fit in Myanmar.

NOTE 4.- Members of the Force who appear for the First Class School Certificate (Oral) Examination at Mandalay shall be treated as travelling on duty for the purpose of drawing Travelling Allowance admissible under Rule 1 (2) (i) and (ii) above. Travelling Allowance for the journey to undergo this examination is admissible on the first occasion only.

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2. When proceeding on transfer in the public interest a member of the Force in superior service is entitled to the following concessions:-

(a) For himself-

- (i) in respect of so much of the journey as he performs by any means other than public conveyance, to free carriage of kit within a maximum limit of 80 viss;
- (ii) in respect of so much of the journey as he performs by public conveyance, to three times the ordinary single fare;
- (iii) in respect of so much of the journey as he performs by Government transport or on foot, to Daily Allowance;
- (iv) in respect of so much of the journey as he performs otherwise, to Mileage Allowance.

(b) For the members of his family authorized to accompany him on transfer-

- (i) in respect of so much of the journey as they perform by any means other than public conveyance, to free carriage of kit within a maximum limit of 40 viss;
- (ii) in respect of so much of the journey as they perform by public conveyance, to the actual fares of the class by which the officer is himself entitled to travel both due and paid on their account;
- (iii) in respect of so much of the journey as they perform by Government transport, to free conveyance.

NOTE.- The concession admissible under clauses (a) (ii) and (b) (ii) above are subject to reduction by the full value of all warrants or free passes issued in favour of the member of the Force and of the members of his family accompanying him.

3. When proceeding on transfer in the public interest members of the Force in inferior service and public followers are entitled-

- (i) to free transport for themselves, except in so far as they are required to proceed on foot, and for all members of their families authorized to accompany them on transfer;
- (ii) to free carriage of kit within a maximum limit of 60 viss or 40 viss according as the inferior servant is or is not with due authority accompanied by his family; and
- (iii) to daily allowance for each day covered by the journey including halts necessitated in awaiting the departure of a steamer.

B.- Journeys otherwise than on Duty.

4. With reference to Rule 72 of the Myanmar Travelling Allowance Rules regulating the grant of Travelling Allowance to a person proceeding to join his first post in Government service, the provisions of Rule 71 of those rules are hereby extended to all persons recruited in India as members of the Force.

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5. The provisions of Rule 108 of the Myanmar Travelling Allowance Rules regulating the grant of Travelling Allowance to Government servants after termination of their employment in Government service are applicable to members of the Force with the following modifications:-

- (a) the authority empowered to sanction travelling allowance under that rule shall be the Battalion Commandant;
- (b) the condition that the journey in respect of which the claim is made must have been performed before the claim can be admitted is waived; and
- (c) the proviso that the claim shall not exceed the travelling allowance admissible from the place where the employment terminated to the place in India from which travelling allowance for the journey to join the Government servant's first post was calculated is also waived.

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6. The Battalion Commandant may in his discretion grant free passages by sea, river and rail to any member of the Force or follower who has been discharged on account of the reduction of establishment or for misconduct or incapacity: provided that this concession shall not, without the special sanction of the Inspector-General of Police in each case, be extended to followers who have been recruited in Myanmar.

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7. Single fares by sea, river and rail to and from their homes are admissible to members of the Force when proceeding on and returning from-

(a) Furlough under Section I or Special leave under Section II of Part I of these rules or Medical leave taken alone, or

(b) Furlough under Section I or Special leave under Section II of Part I of these rules extended by Medical or Extraordinary leave:

Provided-

- (i) that the retrospective conversion of Special leave into Medical leave under the provisions of Rule 7 in Section I, Part I, of these rules, shall not entitle the member concerned to claim the concession accorded by this rule in respect of the journey already performed by him when proceeding on leave;
- (ii) that it shall be within the discretion of the Battalion Commandant to withhold the concession in respect of the return journey, if the original period of leave taken is extended to a total period in excess of six months; and
- (iii) that in the case of a member proceeding on Medical leave whom the Civil Surgeon certifies to be unable to proceed on foot, the actual cost of his conveyance by road may also be paid under the sanction of the Battalion Commandant.

8. Single fares by public conveyance are admissible to members of the Force when proceeding from their headquarters to another station to undergo medical treatment and returning to headquarters:-

Provided that the Civil Surgeon certifies-

- (i) that the disease or injury is not caused by the negligence or misconduct of the member concerned;
- (ii) that such medical treatment is necessary to prevent loss of health and efficiency of such member; and
- (iii) that there are no adequate local facilities for such treatment.

9. (1) Travelling Allowance is admissible as follows to families of members of the Force who are permitted in writing by the Battalion Commandant to occupy quarters in the Military Police lines:-

- (a) For the purpose of this rule, the term "family" includes only one wife, the legitimate children and not more than one other relative of the member of the Force;
- (b) The Travelling Allowance admissible is the same as that admissible under the provisions of Rules 2 and 3 (i) and (ii) in this part according to whether the head of the family is in superior or inferior service, the free carriage of kit in the case of the family of an inferior servant being limited to 20 viss; it is admissible from their homes to the place where the head of the family is quartered;

(c) Travelling Allowance shall not be granted under this rule to the families of more than 20 per cent of the non-commissioned officers and armourers and of 5 per cent of the sepoys of the Battalion.

(2) If a member of the Force whose family has been permitted by the Battalion Commandant to occupy quarters in the Military Police lines dies during the period of such occupation, they shall be granted the same concessions as are admissible under Rule 9 (1) (b) from the place where they are quartered to their homes.

10. A Nepali Gurkha recruited for service in the Myanmar Military Police Force before the 1st October 1929, who, on retirement on a pension payable in Nepal, becomes eligible for the concession under Rule 5 or who, on discharge for misconduct or incapacity, is granted a free passage under Rule 6 may further draw for one wife and his legitimate children if they accompany him to Nepal-

(1) if of commissioned rank, single second class fares by rail and second class passages by steamer and launch; and

(2) if of lower rank, single third class fares by rail and deck passages by steamer and launch.

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11. A member of the Force whose services are dispensed with under the class reorganization scheme sanctioned by Government may be granted for his family from the headquarters from which he is discharged to the place in India where he takes up permanent residence within six months of discharge the same concessions mutatis mutandis as those admissible under Rule 10 to the family of a Nepali Gurkha.

12. A single third class fare by rail and a deck passage by steamer and launch are admissible to any person deputed by the Battalion Commandant either-

(a) to accompany to their homes the family of a deceased member of the Force whose home is in India outside Myanmar, or

(b) to accompany to his home any exmember of the Force whom the Civil Surgeon has certified to be too ill to travel alone.

Travelling Allowance is admissible under this rule, when necessary, for the return journey as well as the outward journey. It may not be claimed in addition to Travelling Allowance under Rule 7.

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By order,

SEIN NYO TUN,
Deputy Secy. to the Govt. of Myanmar,
Finance Dept.

Myanmar Law Information System (MLIS)