

FINANCE DEPARTMENT.

THE MYANMAR MILITARY POLICE FORCE (LEAVE AND TRAVELLING ALLOWANCE) RULES.

No. 46.

Dated Rangoon, the 19th November 1927.

[Amendment : 18.06.1989]

In exercise of the powers conferred by rule 4 (1) of the Civil Services (Governors' Provinces) Delegation Rules, 1926, made by the Secretary of State in Council under section 96B of the Government of India Act, and in supersession of the rules in Chapter XXXVII of the Civil Service Regulations, the Governor in Council hereby makes the following rules to regulate the grant of Leave and Travelling Allowance to the members of the Myanmar Military Police force. Part I of the rules relating to Leave shall have effect from the 1st March 1928 and Part II relating to Travelling Allowance from the 1st January 1928.

PART I.

LEAVE RULES.

1. In these rules the term "Members of the force" includes all Military Police Officers as defined in Section 3 (1) of the Myanmar Military Police Act XV of 1887, and Veterinary Assistants and Armourers.

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2. Members of the force to whom these rules 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.

The sanction of any one in combination with any other of the above kinds of leave is prohibited.

3. (1) Except as is provided in sub-rule (2), members of the force are permitted to be absent on Furlough during the Furlough season only which extends from the 1st May to 31st October for the Frontier and Reserve Battalions and from the 1st April to 31st December for the Garrison Battalions.

(2) Members of the force who are certified to have been prevented by the exigencies of the public service from proceeding on the Furlough due to them during the Furlough season may, with the special sanction in each case of the Deputy Inspector-General of Military Police, be permitted to be absent on Furlough outside the Furlough season, provided that every such case shall count against the percentages prescribed in rule 4 below in respect of the immediately preceding Furlough season.

4. Subject to the provisions of rule 3 (2) above, 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-

(i) in the case of a Frontier or a Reserve Battalion, - 15 per cent of its total strength;

(ii) in the case of a Garrison Battalion, - 7 per cent. of its total strength in the months of April to June and October to December, 7 per cent. plus half the number of Gurkhas and Garhwalis on Furlough in excess of five months in the months of July and September, and 15 per cent. in the month of August.

Note 1.- No account need be taken of any excess over the prescribed limit in a Garrison Battalion during July or September, provided that it is covered by an equal saving in the corresponding month of September or July, as the case may be, of the same Furlough season. But if the prescribed percentage is in any other case 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 the Local Government in the Finance Department otherwise directs, be adjusted by a corresponding reduction in the number allowed to proceed on Furlough during the next Furlough season.

Note 2.- Save as is otherwise provided in rule 10, 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 on Furlough and not on Medical leave.

5. Furlough may not be granted in extension of any other kind of leave except Hospital leave or Disability leave.
6. 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 and Garhwalis and five months in all other cases.
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 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.
8. 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 26, all the provisions of these rules relating to Medical leave taken alone shall apply to the leave so converted.
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 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.
10. 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 of the Provincial and Subordinate services to duty from leave on medical certificate.
11. 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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12. Hospital leave may not be granted in extension of any other kind of leave.
13. Full pay 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.
14. 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 per cent. of the total strength of the Battalion shall be simultaneously absent on Special leave.
15. Special leave may not be granted in extension of any other kind of leave.
16. Full pay is admissible as leave salary during Special leave.
17. 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.
18. No leave salary is admissible during Extraordinary leave.
19. Members of the force are eligible for Disability leave under the rules applicable to other Government servants of the Provincial and Subordinate services 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.

PART II.

TRAVELLING ALLOWANCE.

A.- Journeys on Duty.

20. (1) Travelling Allowance under the provisions of Chapter III of the rules published in this Department Notification No. 45 of the 19th November 1927 is admissible-

- (a) to Indian 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 authorised 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 Officer and 13 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
- (iii) free transport by rail for the members of their families authorised to accompany them to or from Maymyo, if the journey is performed while accompanying the escort of His Excellency the Governor between Rangoon and Maymyo.

21. 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 authorised 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 concessions 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.

22. 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 authorised 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.

23. With reference to rule 72 of the rules published in Finance Department Notification No. 45 of the 19th November 1927 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.

24. The provisions of rule 108 of the rules published in Finance Department Notification No. 45 of the 19th November 1927 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.

25. 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 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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26. 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 or Medical leave taken alone; or
- (b) Furlough extended by Medical or Extraordinary leave;

provided-

- (i) that the retrospective conversion of Special leave into Medical leave under the provisions of rule 8 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.

27. (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 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 third class fares by rail and deck passages by steamer and launch from their homes to Battalion Headquarters; provided that in the case of the family of an Indian Officer the Travelling Allowance otherwise admissible shall be reduced by one-third.
- (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 sepoy of the Battalion.

(2) If a member of the force whose family has been permitted by the Battalion Commandant to occupy quarters in the Police lines dies during the period of such occupation, they shall be granted single fares of the third class by rail and deck passages by steamer and launch from the place where they are quartered to their homes.

28. 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 ex-member 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 26.

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By order of the Governor in Council,

A. E. GILLIAT,

Secretary to the Govt. of Myanmar,

Finance Dept.