

APPOINTMENT BRANCH.

APPOINTMENTS POSTINGS AND TRANSFERS.

(THE MYANMAR CIVIL SERVICE (CLASS I) (PROBATIONARY SERVICE AND SENIORITY OF RECRUITS)
RULES, 1946.)

No. 742

Rangoon, the 7th October 1946.

[Amendment : 18.06.1989]

No. 742. - The following rules viz., "The Myanmar Civil Service, Class I (Probationary Service and Seniority of Recruits) Rules, 1946" made by the Secretary of State are published for general information:-

I, Baron Pethick-Lawrence of Peaslake, one of His Majesty's Principal Secretaries of State, in virtue of the powers conferred by section 105 (1) (a) and (b) of the Government of Myanmar Act, 1935, hereby make, with the concurrence of my Advisers, the following rules, namely:-

THE MYANMAR CIVIL SERVICE (CLASS I) (PROBATIONARY SERVICE AND SENIORITY OF RECRUITS) RULES,
1946. DATED AUGUST 19, 1946.

<Amendment 18.06.1989>

1. (i) These rules may be cited as "The Myanmar Civil Service, Class I (Probationary Service and Seniority of Recruits) Rules, 1946."
- (ii) They shall apply to persons hereinafter called probationers appointed to the Myanmar Civil Service (Class I) after the 1st June, 1945.

<Amendment 18.06.1989>

2. In these rules "date of beginning probation" mean the date on which probationers report themselves for duty in accordance with the provisions of Rule 6.
3. All persons selected for appointment to the Service shall be appointed on probation.
4. On appointment a probationer shall be paid an outfit all allowance of £ 30 and shall execute an agreement binding himself and one surety jointly and severally to refund-
 - (i) any monies paid to him and any sum paid for his passage, in the event of his failing to proceed to Myanmar or take up his appointment; and

(ii) the cost of his passage to Myanmar in the event of his voluntarily resigning the service within three years from the date of his appointment on grounds other than ill-health certified to the satisfaction of the Government, or in this event of his being dismissed or removed from the service within the same period on account of misconduct or any breach of the rules and regulations applicable to him.

[<Amendment 18.06.1989>](#)

5. Probationers resident in the United Kingdom at the date of their appointment shall be provided by the High Commissioner for India with a first-class passage to Myanmar and shall proceed to Myanmar on such date and in such vessel as the Secretary of State may direct.

[<Amendment 18.06.1989>](#)

6. On arrival in Myanmar probationers shall report themselves for duty. They shall perform for a period on one year such duties as the Government of Myanmar made decide, at the end of which they shall be required to pass such examination as the Government may prescribe.

[<Amendment 18.06.1989>](#)

7. A probationer who fails to comply with the provisions of these rules or to obey any order which he may receive from the Secretary of State or any other duty constituted authority in Myanmar or who wilfully neglect his probationary studies or duties or fails to satisfy the Secretary of State at the examination referred to Rule 6, or is guilty of conduct unbecoming an officer of the Myanmar Civil Service (Class I) shall be liable the removal from the Service or other disciplinary penalty.

[<Amendment 18.06.1989>](#)

8. Probationers whose performance at the examination referred to in Rule 6 above is such as to satisfy the Secretary of State and who have also satisfied him as a their eligibility in respect of nationality, age, health character and conduct shall be confirmed in the Myanmar Civil Service (Class I) and shall thereafter be governed by such rules and regulations in force at the date of their appointment as may be applicable to them.

[<Amendment 18.06.1989>](#)

9. All probationers will be treated for the purposes of seniority as though they had been appointed in the year in which they attained or attain the age of 23 and shall be placed below those officers, appointed before these rules came into force, who joined their appointments or would normally have done so in that year, provided that no probationer shall rank for purposes of seniority above an officer appointed on probation in or before the year 1939.

The seniority of probationers inter se will be determined according to their age.

10. The service of probationers shall begin from the date of beginning probation and they shall begin to draw pay with effect from the same date.

11. The stage at which a probationer shall enter the time-scale for officers of the Myanmar Civil Service (Class I) shall be determined according to his age as follows:-

| Age at date of beginning probation. | Stage of time-scale. |
|-------------------------------------|----------------------|
| Under 24 | 1st year |
| Over 24 but under 25 | 2nd year |
| Over 25 but under 26 | 3rd year |
| Over 26 but under 27 | 4th year |
| Over 27 but under 28 | 5th year |
| Over 28 but under 29 | 6th year |
| Over 29 but under 30 | 7th year |
| Over 30 but under 31 | 8th year |
| Over 31 but under 32 | 9th year |

12. A probationer of non-Asiatic domicile who is compelled by ill-health duly certified to the satisfaction of the Government to quit the Service prior to his confirmation or whose appointment is terminated during or at the end of his period of probation on grounds other than misconduct, may, unless he has obtained other employment in Myanmar be provided with a first- class passage to England if he leaves Myanmar within three calendar months of the termination of his appointment.

[<Amendment 18.06.1989>](#)

13. Should any question arise as to the interpretation or application of these rules, the decision of the Secretary of State shall be final.

14. Nothing in the foregoing rules shall be construed as limiting the power of the Secretary of State to remove, at any time, a probationer from the Myanmar Civil Service (Class I) if reasons exist which in his judgment justify such action.

[<Amendment 18.06.1989>](#)

15. The Myanmar Civil Service (Class I) (Probationary Service) Rules 1938 are hereby repealed.

Given under my hand this 19th day of August, 1946.

[<Amendment 18.06.1989>](#)

PETHICK-LAWRENCE,

One of His Majesty's Principal
Secretaries of State.