

GENERAL DEPARTMENT.

(Rules for regulating the appointment of Headmen under the Upper Myanmar Village Regulation, Regulation XIV of 1887.)

NOTIFICATIONS.

No. 203

The 17th September 1891.

[Amendment : 18.06.1989]

Amending Law

No. 203. - In exercise of the power conferred by section 17, subsection (1), of the Upper Myanmar Village Regulation, 1887, the Chief Commissioner is pleased to make the following rules for carrying into effect the purposes of that Regulation:-

Rules for regulating the appointment of Headmen under the Upper Myanmar Village Regulation, Regulation XIV of 1887.

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Section 3, Regulation XIV, 1887.

- ☐ I. - The headman of a village or group of villages appointed under the Upper Myanmar Village Regulation shall be known by the title of ywathugyi. The use of the designation taik or daing thugyi is forbidden.
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- ☐ II. - The ywathugyi is personally responsible for the performance of the duties imposed upon him by the Regulation. Therefore no Villages shall be included in a group under one ywathugyi unless all are so situated that the ywathugyi can personally and efficiently perform those duties.
- ☐ III. - Groups now existing, which have not been formed in accordance with Rule II, shall be broken up and separated so as to bring the ywathugyi's jurisdiction into conformity with the rule.
- ☐ IV. - Every ywathugyi shall reside within his jurisdiction.
- ☐ V. - In appointing ywathugyis the Deputy Commissioner shall attach special weight to hereditary claims; but in special cases, and with the written sanction of the Commissioner, a candidate otherwise better qualified may be preferred to the hereditary claimant.
- ☐ VI. - The ywathugyi shall collect the revenue and discharge all revenue duties for the village or villages in his charge.
- ☐ VII. - Except as hereinafter provided the ywathugyi during his tenure of office shall receive the commission on the revenue collected by him according to such rate as the Financial Commissioner, with the sanction of the local Government, may from time to time direct, and shall hold and enjoy the land, if any, assigned for the support of the office.

- ☐ VIII. - Every ywathugyi shall be entitled to carry a silver-mounted da; and ywathugyis selected by the Deputy Commissioner, with the Commissioner's approval, shall be entitled to have carried before them a red umbrella as the insignia of their office. Ywathugyis shall be entitled to attend durbars held in their districts by the Chief Commissioner, and shall be treated by all officers of Government with consideration.

Ywagaungs.

- ☐ IX.- If a Ywathugyi holds charge of more than one village, he may appoint for each village a person to be his agent. The person so appointed shall be designated ywagaung.
- ☐ X. - The ywagaung shall be appointed by the ywathugyi subject to the approval of the Deputy Commissioner, which shall not be withheld unless the nominee is a bad character or otherwise disqualified for the performance of the duties of his post.
- ☐ XI. - The ywagaung cannot be invested with the powers of a headman under the Regulation. He is bound under section 8(i) to assist the headman in the execution of his public duties.

Cases in which there are several headmen of different grades, section 3 (4).

- ☐ XII. - When in any village or group of villages there are two or more headman, the Deputy Commissioner shall be guided by Rule II in deciding which shall be the ywathugyi. The headman who by custom exercises authority over the other or others shall be appointed ywathugyi for the village in which the resides, and for such others only as can be grouped in accordance with Rule II.
- ☐ XIII. - The headman who by custom exercises authority over the other or others shall be called myothugyi for the purposes of these rules. For other purposes he may be known by his customary local appellation.

Section 3 (2).

- ☐ XVI. - The Deputy Commissioner shall appoint ywathugyis to those villages in the myothugyi's circle to which he has not been appointed ywathugyi. If by custom the ywathugyi has been nominated or appointed by the myothugyi, the myothugyi will be allowed to nominate a person for the appointment and , unless there is good reason to the contrary, the Deputy Commissioner shall accept his nomination. The provisions of Rule V shall apply to ywathugyis appointed under this rule.
- ☐ XV. - The provisions of Rule VII shall ordinarily apply to ywathugyis appointed under the preceding rule and, except in cases where the myothugyi has been accustomed to receive the commission or any part of the commission under the Myanmar Government, or in other cases where the Commissioner shall for special reasons otherwise order, the ywathugyis shall draw the whole of the commission on the revenue collected by them.

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- ☐ XVI. - The myothugyi shall exercise a power of control and supervision over the ywathugyis in his circle, and shall be held responsible for their good conduct, and they shall be subordinate to him and shall be bound to obey him in all lawful matters.

- ☐ XVII. - A myothugyi may at any time apply to the Deputy Commissioner to be relieved of his responsibility under the preceding rule and thereupon his connection with the sub-ordinate ywathugyi shall cease, and he shall no longer receive the commission, or the share thereof, which may have been hitherto payable to him on account of the villages under those ywathugyis.
- ☐ XVIII. - On the death, dismissal, or resignation of a myothugyi no successor shall be appointed to his myothugyiship without the previous sanction of the Chief Commissioner. His heirs or successors shall not succeed to any part of his authority or emoluments as myothugyi. But this shall not affect the claim of any person to succeed him as ywathugyi under the provisions of Rule V.
- ☐ XIX. - No new myothugyiship or circle thugyiship, under whatever designation, shall be created without the previous sanction of the Chief Commissioner. Neither shall several ywathugyis be grouped together in subordination to another ywathugyi for revenue or other purposes, nor the commission payable to a ywathugyi be subdivided or taken away without the same sanction.

Revenue Department Notification No. 170, dated the 6th October 1890, and General Department Notification No.120, dated the 11th June 1891, are hereby cancelled.

E. S. SYMES,
Chief Secretary.