

[ Amendment : 18.06.1989 ]

Amending Law

No.83.- In exercise of the power conferred by sections 4 and 5 of the Upper Myanmar Ruby Regulation (XII of 1887) and with the previous sanction of the Governor-General in Council, the Chief Commissioner is pleased to make the following rules in respect of the Mongmit stone-tract.

#### **PART I. - Definitions.**

- 1.** In these rules, unless there is something repugnant in the subject or context,-
  - (i) "the Regulation" means the Upper Myanmar Ruby Regulation, 1887.
  - (ii) "stone" means a stone as defined in section 3 of the Regulation and, in any place where the word occurs in these rules, may be declared, by a subsidiary rule under section 5, sub-section (3), of the Regulation, to include, for any purpose stated in the rule, such a parcel of stones as may be described therein;
  - (iii) other expressions defined in section 2 of the Regulation have the meanings assigned them in that section;
  - (iv) "part" means a part of these rules;
  - (v) "Deputy Commissioner" means the Deputy Commissioner of the Ruby Mines district;
  - (vi) the "stone-tract" means the Mongmit stone-tract.

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#### **PART II.-Residence in the Stone-tract.**

- 2.** (1) A person who is not a native of the stone-tract may reside therein unless ordered to depart by the Deputy Commissioner.

#### **PART III.-Raising of Stones.**

- 3.** Stones may be dug for or raised in pursuance of a license granted under this part.
- 4.** (1) Licenses to dig for or raise precious stones shall be either ordinary or extraordinary.
  - (2) An ordinary license shall be a license to dig for or raise precious stones by the native methods, and shall not authorize the use of any explosive substance or machinery.
  - (3) An extraordinary license shall be a license to dig for or raise precious stones by any method.
- 5.** (1) An ordinary license to dig for or raise precious stones in the stone-tract may be granted by the Deputy Commissioner to any person who resides in the tract.
  - (2) An extraordinary license to dig for or raise precious stones in the stone-tract may, with the previous sanction of the Chief Commissioner, be granted by the Deputy Commissioner to any person.

(3) The Chief Commissioner may empower any Assistant Commissioner, Extra Assistant Commissioner, or Myook, or any Police Officer not below the rank of Inspector, to grant ordinary licenses.

- 6. (1) An application for an ordinary license shall be made in writing to the Deputy Commissioner or officer empowered under Rule 5 (3).  
(2) An application for an extraordinary license shall be in writing and may be made to the Deputy Commissioner, or to the Commissioner of the Northern Division.
- 7. (1) An ordinary license may be granted for any period not exceeding one year on application made therefor at such time as may be appointed by the Chief Commissioner in this behalf.  
(2) The form and conditions of the license, and the payments, if any, to be made therefor, shall be such as the Chief Commissioner may from time to time prescribe.
- 8. An extraordinary license may be granted at any time for such period, in such form, on such conditions, and in consideration of such payments as the Chief Commissioner in each case directs.

#### **PART IV.-Cutting of Stones.**

- 9. Any person may cut or dress precious stones.

#### **PART V.-Possession of Stones.**

- 10. Any person may possess in the stone-tract, or for the purposes of trade in any place beyond the limits of the stone-tract, any precious stone which has been raised by the holder of a license under these rules.

#### **PART VI.-Buying and Selling Precious Stones.**

- 11. Any person may buy or sell, or be otherwise a party to the transfer of any precious stone which has been raised by the holder of a license under these rules.

#### **PART VII.-Transport of Precious Stones.**

- 12. Any person may transport any precious stone which has been raised by the holder of a license under these rules.

#### **PART VIII.-Supplemental Rules.**

- 13. (1) If the holder of any license under these rules, other than an extraordinary license granted under Part III, contravenes any rule under the Regulation or commits any breach of, or fails to fulfil, any condition of his license, or fails to make any payment in respect of the license at the time for the making thereof, the Deputy Commissioner may cancel the license.  
(2) The Deputy Commissioner may, in his discretion, instead of cancelling the license, permit the licensee to compound the contravention, breach, or default by payment of such sum as the Deputy Commissioner thinks fit.  
(3) Orders made by the Deputy Commissioner under this rule shall be subject to revision by the Commissioner.

**14.** If the holder of an extraordinary license granted under Part III contravenes any rule under the Regulation, or commits any breach of, or fails to fulfil, any condition of his license, or fails to make any payment in respect of the license at the time for the making thereof, the Deputy Commissioner shall report the contravention, breach, or default to the Commissioner, and the Commissioner may thereupon, with the previous sanction of the Chief Commissioner, cancel the license, or, in his discretion permit the contravention, breach, or default to be compounded by payment of such sum as he thinks fit.

F. C. GATES,  
Revenue Secretary.