THE SHAN STATE PENSIONS ACT, 1951. *  

[SAMN STATE ACT II, 1951.] (1st January, 1951.)

It is hereby enacted as follows:—

1. (i) This Act shall be called “The Shan State Pensions Act, 1951” and it shall come into force with effect from the 1st January 1951.  
(ii) This Act shall be applicable to those persons employed by the Shan State Government as may be mentioned by the Shan State Government in the rules made under this Act.

2. All rules in regard to the award and payment of pensions or grants of money or land-revenue, and the identification of the persons entitled to receive them, made under any enactment, shall be deemed to have been made under this Act so far as they are consistent therewith.

3. In this Act, the expression “grant of money or land-revenue” includes anything payable on the part of Government in respect of any right, privilege, perquisite or office.

II. RIGHTS TO PENSIONS.

4. Except as hereinafter provided, no civil Court shall entertain any suit relating to any pension or grant of money or land-revenue conferred or made by the Shan State Government, whatever may have been the consideration for any such pension or grant, and whatever may have been the nature of

Published in Burman Gazette, 1951, Part I, page 732.
the payment, claim or right for which such pension or grant may have been 
substituted.

5. Any person having a claim relating to any such pension or grant 
may prefer such claim to the Collector of the district or Deputy Com-
mis sioner or other officer authorized in this behalf by the Shan State Govern-
ment, and such Collector or other officer shall dispose of such claim in 
accordance with such rules as the Head of State may, from time to time,
prescribe.

6. A civil Court, otherwise competent to try the same, shall take 
cognizance of any such claim upon receiving a certificate from the Collector 
of a district or Deputy Commissioner or other officer authorized in that 
behalf by the Shan State Government that the case may be so tried, but shall 
not make any order or decree in any suit whatever by which the liability 
of Government to pay any such pension or grant as aforesaid is affected 
directly.

III. MODE OF PAYMENT.

7. All pensions or grants by Government of money or land-revenue shall 
be paid by the Secretary, Shan State Government, subject to such rules as 
may, from time to time, be prescribed by the Head of the State.

8. Nothing in sections 4 and 7 shall affect the right of grantee of 
land-revenue, whose claim to such grant is admitted by Government, to 
recover such revenue from the persons liable to pay the same under any law 
for the time being in force for the recovery of the rent of land.

9. The Head of the State may, with the consent of the holder, order 
the whole or any part of his pension or grant of money or land-revenue to 
be commuted for a lump sum on such terms as may seem fit.

IV. MISCELLANEOUS.

10. No pension, pay or allowance [1] or continued by Government 
under this Act shall be liable to seizure, attachment or sequestration by 
process of any Court at the instance of a creditor, for any demand against the 
pensioner, or in satisfaction of a decree or order of any such Court.

11. All assignments, agreements, orders, sales and securities of every 
kind made by the person entitled to any pension, pay or allowance mentioned 
in section 10, in respect of any money not payable at or before the making 
thereof, on account of any such pension, pay or allowance, or for giving or 
assigning any future interest therein, are null and void.

---

[1] The word "granted" has probably been omitted through inadvertence.
Shan State Pensions.

12. Whoever proves to the satisfaction of the Head of the State that any pension is fraudulently or unduly received by the person enjoying the benefit thereof, shall be entitled to a reward equivalent to the amount of such pension for the period of six months.

13. The Head of State may, from time to time, make rules consistent with this Act respecting all or any of the following matters:—

(1) the place and times at which, and the person to whom, any pension shall be paid;
(2) inquiries into the identity of claimants;
(3) records to be kept on the subject of pensions;
(4) transmission of such records;
(5) correction of such records;
(6) delivery of certificates to pensioner;
(7) registers of such certificates;
(8) reference to the civil Court, under section 6, of persons claiming a right of succession to, or participation in, pensions or grants of money or land-revenue payable by Government;

and generally for the guidance of officers under this Act.

All such rules shall be published in the Gazette, and shall thereupon have the force of law.

---

THE FREE MEDICAL ATTENDANCE ACT. 1951.

[Shan State Act III, 1951.]

It is hereby enacted as follows:—

1. (a) This Act may be called "The Free Medical Attendance Act, 1951."

(2) It shall come into force on such date as the Head of the Shan State may, by notification, appoint in this behalf.

2. In this Act—

(a) "State Minister" means a Minister of the Shan State Government and includes the Chairman of the Shan State Council.
(b) "Medical Officer" means the Civil Surgeon of the district in which the State Minister is stationed, or in the absence of the