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THE  
**LOWER BURMA TOWN AND VILLAGE  
LANDS MANUAL**

CONTAINING THE

LOWER BURMA TOWN AND VILLAGE  
LANDS ACT, 1898, AS AMENDED BY  
BURMA ACT I OF 1907, TOGETHER  
WITH THE NOTIFICATIONS, RULES,  
DIRECTIONS AND FORMS THEREUNDER



*(Corrected up to the 31st July 1913)*

RANGOON

OFFICE OF THE SUPERINTENDENT, GOVERNMENT PRINTING, BURMA

1913

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## PREFACE.

THIS is the second edition of the Lower Burma Town and Village Lands Manual. It supersedes that issued in 1908.

It differs from its predecessor in the following respects:—

(a) The Upper and Lower Burma Town and Village Lands directions have been consolidated, opportunity being taken to assimilate them wherever possible and to make slight modifications in the directions where necessary.

(b) The forms reproduced bear their respective guard-book numbers only, no separate serial number being given.

(c) The directions concerning Town Land tenure enquiry and the revised directions for demarcation, confirmation of boundaries and for the preparation of the roll of town lands recently issued are embodied as Appendix II.

(d) Appendices III and V have been corrected up to date.

(e) A new index has been prepared.

2. Correction slips will be issued from the Financial Commissioner's office not more frequently than once a quarter, in the months of January, April, July and October. Each Deputy Commissioner in Lower Burma will be supplied with as many copies of each correction slip as there are copies of the Manual in his district and it will rest with him to distribute these copies among his subordinates.

3. All communications pointing out errors in this Manual or asking for an increase in the number of correction slips supplied should be addressed to this office. Indents for new copies of the Manual should be addressed to the Superintendent of Government Printing and be sent through this office. Indents for a supply of correction slips to replace any which have already been supplied but which have been lost or destroyed should be sent direct to the Superintendent of Government Printing.

RANGOON, *the 1st August 1913.*

I. G. LLOYD,  
*Secy. to the Finl. Comr.*





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**PART I.**  
**THE LOWER BURMA TOWN AND VILLAGE**  
**LANDS ACT, 1898 (BURMA ACT IV OF 1898).**

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**THE**  
**LOWER BURMA TOWN AND VILLAGE LANDS**  
**ACT, 1898.**

**(BURMA ACT IV of 1898.)**

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# THE LOWER BURMA TOWN AND VILLAGE LANDS ACT, 1898.

[BURMA ACT No. IV OF 1898.]

PASSED BY THE LIEUTENANT-GOVERNOR OF BURMA IN COUNCIL.

*(Received the assent of the Lieutenant-Governor on the 7th March  
1898 and of the Governor-General on the 5th May 1899.)*

## ✓ An Act to declare and amend the law relating to interests in land in Towns and Villages in Lower Burma.

WHEREAS it is expedient to declare and amend the law relating to interests in land in towns and villages in Lower Burma, and to provide for the assessment and recovery of the revenue and other Government demands in respect thereof, and for other matters connected therewith; It is hereby enacted as follows:—

### CHAPTER I.

#### Preliminary.

1. (1) This Act may be called the Lower Burma Town and Village Lands Act, 1898;

(2) It extends to the whole of Lower Burma except the hill district of Arakan; and

(3) It shall come into force on such date \* as the Local Government may, by notification, appoint in this behalf.

2. The provisions of this Act shall apply only to land in towns and villages.

3. (1) Nothing in Chapter II shall apply to the following lands, namely:—

(a) the soil of any river, canal, tank, drain, embankment, public road or natural water-course;

(b) land included in any cantonment.

---

\* See Notification A, page 19.

- (c) land occupied at the commencement of this Act for the purposes of any monastery, pagoda or other sacred building, and continuing to be used for the purposes of such monastery, pagoda or building ;
- (d) land included in any fisheries as defined in the Burma Fisheries Act, 1875.\*

VII o.  
1875.

(2) When the boundaries of any land exempt under this section from the operation of Chapter II need definition, and no other mode of defining them is provided by law, they shall be defined by the Revenue-officer.†

(3) If before they are defined any question arises as to whether any land is included within them, such question shall be decided by the Revenue-officer.†

(4) Nothing in Chapter IV shall apply to land included in any cantonment.

4. In this Act, unless there is anything repugnant in the subject or context,—

(1) “**State land**” means all land of which no absolute and revenue-free grant has been made, recognised or continued by or on behalf of the British Government :

(2) “**land at the disposal of Government**” means—

- (a) land in respect of which no person has acquired a landholder's right ;
- (b) land in respect of which no person holds any right created by grant or lease made by or on behalf of the British Government :

(3) “**town**” ‡ means an area declared by the Local Government by notification § to be a town for the purposes of this Act, or constituted a municipality or town for the purposes of the Burma Municipal Act, 1898, or of the Lower Burma Towns Act, 1892 ¶ :

Bur. Act  
III of 1898.  
IX of  
1892.

(4) “**scheduled town**” means a town specified in the schedule :

\* Now 1905.

† For Revenue-officers appointed under the Act, see Notifications B—D at pages 19—24.

‡ When a town is constituted a Municipality, this Act applies automatically to the whole area included within the Municipality. A notified area is not a town within the meaning of this sub-section.

§ Draft notifications proposed under this sub-section are submitted by Commissioners direct to the Local Government and not to the Financial Commissioner.

¶ See now the Burma Towns Act, 1907.

(5) "**village**" means an area appropriated to dwelling-places not included in the limits of a town:

(6) \* "**Revenue-officer**" means any person whom the Local Government may appoint by name or as holding an office to do anything to be done by a Revenue-officer under this Act, or under any rule thereunder:

(7) "**license**" means a license in writing to use and occupy State land granted by a Revenue-officer authorized to grant the same:

(8) "**possession**" means the occupation of land by any person or by his servant, agent, guardian, trustee, mortgagee, tenant or licensee:

(9) "**continuous possession**" includes occupation of land by another person through whom or in whose right the present occupier has immediately succeeded in occupation, or by the servant, agent, guardian, trustee, mortgagee, tenant or licensee of any such person: and

(10) "**landholder's right**" means a permanent heritable and transferable right of use and occupancy in land in the landholder's possession, subject only—

(a) to the payment of all such revenue†, taxes, cesses, rates and other impositions† as may from time to time be imposed on such land under any law for the time being in force;

(b) to the reservation in favour of Government of all mines and mineral products and of all buried treasure, <sup>a</sup>with all the powers conferred by Chapter VIA.<sup>a</sup>

5. When the boundaries of any town or village need definition for the purposes of this Act, the Local Government may by notification define the same.

## CHAPTER II.

### Of Rights in Land.

6. Subject to the provisions of section 3, this Chapter shall apply to all lands in all towns and villages.

\* For Revenue-officers appointed under the Act, see Notifications B—D at pages 19—24.

† See Direction 23, page 61.

<sup>a</sup>—<sup>a</sup> Inserted by Burma Act I of 1907.

7. No right of any description as against the Government shall be deemed to have been, or shall hereafter be, acquired by any person over any land in any town or village except the following, namely :—

- (a) rights created by grant or lease made by or on behalf of the British Government;
- (b) rights acquired as against the British Government under the Indian Limitation Act, 1877;
- (c) rights originating and acquired in any of the modes specified in the next following section, or in section 9 or section 10;
- (d) rights legally derived from any right mentioned in clauses (a), (b) and (c) of this section.

8. Except in land in any scheduled town, and in land \* which the Local Government may, by notification, specially exempt from the operation of this section, a landholder's right shall be acquired by every person who, otherwise than under a grant or lease made by the British Government,—

- (a) has had continuous possession of land for twelve years immediately preceding the commencement of this Act;
- (b) having had continuous possession of any land for less than twelve years immediately preceding the commencement of this Act, shall have continuous possession thereof for twelve years computed from the date of original entry into possession;
- (c) shall, after the commencement of this Act, have continuous possession under a license of any land at the disposal of Government, and pay all land-revenue and other public demands (if any) in respect thereof for twelve years.

9. In the towns of Akyab, Bassein and Prome every person who from the following dates, namely,—

- (a) in the case of Akyab, the first day of April 1852;
- (b) in the case of Bassein, the first day of January 1876;
- (c) in the case of Prome, the first day of January 1870;

has been in continuous possession of any land otherwise than under a grant or lease of the same from the British Government up to the commencement of this Act, shall be deemed to have acquired a landholder's right in respect of such land.

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\* See Notification E, page 25, and Appendix V, page 159; see also Direction 28, page 61.

**10. (1)** The extension of the limits of any town or village shall not affect the rights which a person in possession of land included within the extended limits may have acquired prior to such extension under any law for the time being in force.

(2) If, under the law applicable to any such land before such extension, the person in possession of the land at the time when the extension was made could by continuous possession for a period of twelve years have acquired a right thereto equivalent to a landholder's right under this Act, any such person or his successor in continuous possession shall, after such period of twelve years' continuous possession computed from the date of original entry into possession, be deemed to have acquired a landholder's right under this Act in respect of such land.

### CHAPTER III.

#### General Provisions in regard to a Landholder's Right.

**11.** A landholder's right in respect of any land shall cease if the landholder abandons possession of the land for two years continuously.

**12.** Any person who is in possession of any land and asserts that he has acquired a landholder's right in respect of the same may apply to the Revenue-officer\* to record in a roll to be kept for this purpose a declaration of the fact of his having acquired such right.

Form Land  
Rev. I—  
L. B. Land  
Roll 1, page  
90.

**13.** On receipt of any such application, the Revenue-officer\* shall cause public notice thereof to be given in such manner and for such period as the Local Government may by rule† prescribe, and, if after inquiry he is satisfied that the applicant has acquired such right, he shall record a declaration to that effect in the said roll and shall furnish the applicant, if he requires it, with a certified copy of such declaration.

Form Land  
Rev. III—  
L. B. Notice  
9, page 126.

**14. (1)** If, within five years from the date on which a declaration has been recorded under the last foregoing section, the Revenue-officer\* is satisfied that it is erroneous, he may cancel it :

Provided that no declaration shall be cancelled until notice of the Revenue-officer's proposal to cancel it has been published in such manner and for such period as the Local Government may by rule† prescribe, and until all persons claiming an

Form Land  
Rev. III—  
L. B. Notice  
10, page 127.

\* See Notification B, page 19.

† See Rules 1—5, pages 29 and 30.

interest in the land shall have had an opportunity of showing cause against the proposal.

(2) While any such declaration remains on the roll uncanceled, no fresh declaration inconsistent therewith shall be recorded in the roll.

**15.** (1) Whenever a question arises in any proceeding before a Civil Court as to whether any person has acquired a landholder's right in respect of any land, and it appears that a declaration of the fact of such acquisition has been made and recorded by the Revenue-officer not less than five years before the commencement of such proceeding and is still uncanceled, the Court shall decide in accordance with such declaration.

(2) Whenever any such question arises in any such proceeding and it appears that no such declaration has been so made, or that, if made, it was made less than five years before the commencement of such proceeding, or that it has been cancelled, and whenever any question arises as to whether a landholder's right, having been acquired, has been subsequently lost the Court shall refer such question to the Revenue-officer,\* and shall give judgment in accordance with his decision thereon:

Provided that, where an appeal from the decision of the Revenue-officer on any question so referred lies to a Revenue-officer of a higher grade, the Court shall, on such conditions as to the furnishing of security or otherwise as it thinks fit, defer its judgment so as to allow time for preferring an appeal, and, in the event of a decision being given in appeal different from that given by the Revenue-officer to whom the question was originally referred, shall give judgment in accordance with the decision given in appeal.

#### CHAPTER IV.

#### Disposal of Land.

**16.** Land at the disposal of Government may be disposed of—

(a) by grant or lease, conferring such interests therein and on such conditions as the Local Government may by rule prescribe ;

(b) by license of the Revenue-officer.\*

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\* See Notification B, page 19.

17. (1) Subject to the control of the Governor-General in Council, the Local Government may make rules \* for the disposal of land at the disposal of Government.

(2) Such rules may provide, amongst other matters, for the following :—

- (a) the amount or kind of interest to be created in such land by grants or leases and the conditions (if any) subject to which such interest may be conferred ;
- (b) the mode in which, and the Revenue-officers by whom, such grants or leases may be given ;
- (c) the Revenue-officers by whom, the manner in which, and the conditions subject to which licenses to use and occupy land may be given ;
- (d) the rates of revenue to be levied or rent to be reserved in respect of land disposed of by grant or lease or occupied under license, as the case may be ; and
- (e) the cases in which such land may be disposed of revenue-free.

#### CHAPTER V.

#### Eviction from and unauthorized possession and use of State Land.

18. (1) Every person who—

- (a) at the commencement of this Act is in possession of State land in respect whereof he has not then acquired a landholder's right, or
- (b) after the commencement of this Act enters into possession of such land under a license from the Revenue-officer, †

shall, until he acquires a landholder's right in respect of such land, be liable to be evicted therefrom after three months' notice ‡ from the Revenue-officer † to quit the same :

Provided that every person so evicted shall be entitled to receive from Government such compensation as the Revenue-officer may determine for the expense of removing and re-erecting elsewhere the buildings (if any) on the land, and for any loss or injury to any crop, garden produce and productive trees planted or grown by him or by previous occupants of the land.

\* As regards the disposal of land in towns other than Rangoon and Thandaung see Rules 6—40, pages 30—40. As regards disposal of land (1) in Rangoon, (2) to Joint Stock Companies, see (1) Direction 30, page 62, (2) Direction 31, page 63. Rules for Civil Stations are contained in Chapter VII, page 45, and for Thandaung, in Chapter IX, page 50.

† See Notification B, page 19.

‡ See section 21 (1), page 9.

(2) Nothing in this section shall apply to any person holding State land under a grant or lease made by or on behalf of the British Government.

**19.** Any person who after the commencement of this Act—

- (a) enters into possession of any land at the disposal of Government except under a grant or lease from the Government, or under a license from the Revenue-officer,\* or
- (b) remains in possession of such land after any such grant, lease or license has been cancelled, or has expired, or has otherwise become void, and possession has been demanded on behalf of Government, shall be liable—
  - (i) to be summarily evicted therefrom :
  - (ii) to pay five times the amount of revenue or rent assessable or payable in respect of the land during the period of his unauthorized occupation ; and
  - (iii) to pay such fine as the Revenue-officer\* may determine as a further penalty for such unauthorized occupation or possession.

**20.** When the Revenue-officer\* is satisfied that any State land of which a grant or lease has been made, or in respect of which a license has been given, limited to any specific purpose has been or is being used without the permission of the Revenue-officer for any other purpose, the person in possession of the land shall be liable—

- (1) to pay such revenue or rent, or enhanced rate of revenue or rent, in respect of the land as the Revenue-officer shall determine from the time when the land was first used for such other purpose ;
- (2) to pay such fine as the Revenue-officer may determine as a further penalty for the unauthorized use of the land ;
- (3) to have the grant, lease or license of or for the land cancelled by the Revenue-officer and to be evicted therefrom :

Provided that no final order under this section shall be made until the person in possession of the land has had an opportunity of showing cause against the imposition of any penalty, and that no order shall be enforced until it has been confirmed by the Commissioner of the Division.

\* See Notification B, page 19.



21. (1) When any person is liable under this Act to be evicted from State land, the Revenue-officer\* may issue an order requiring him and any other person (if any) occupying the land to quit the same, and to remove therefrom all property other than Government property within a specified time.

Form  
Land Rev.  
III—L. B.  
Notice 5,  
page 124.

A copy of such order shall be posted up in some conspicuous position on the land or upon a building thereon.

(2) If after the time specified in the order any person remains upon or in occupation of the land, the Revenue-officer may, by warrant under his hand, cause such person to be arrested and may commit him to imprisonment in the civil jail for such period, not exceeding thirty days, as the Revenue-officer may consider necessary for the purpose of preventing resistance or obstruction to his order.

Form  
Land Rev.  
III—L. B.  
Warrant 3  
page 125.

(3) If any property other than Government property remains on the land after the time specified in the order, the Revenue-officer may cause the same to be removed and sold for the purpose of defraying the cost of its removal, custody and sale; and thereupon the surplus proceeds of the sale (if any) shall be paid to the owner of the property.

(4) Nothing shall be deemed to be Government property within the meaning of this section merely by reason of its having been put into or affixed to the soil.

## CHAPTER VI.

### Assessment of Land Revenue.

22. All State land † shall be liable to be assessed to land-revenue, except—

- (a) land which at the commencement of this Act belongs to the site of any monastery, pagoda or other sacred building and which continues to be used for the purpose of such monastery, pagoda or sacred building;
- (b) land exempt from assessment under the express terms of any grant or lease made or to be made by or on behalf of the British Government, so long as the conditions (if any) subject to which the grant or lease has been or shall be made are fulfilled; ‡

\* See Notification B, page 19.

† See the definition of "State land" in section 4 (1), page 2.

‡ For further powers of exemption, see Direction 50, page 70.

Form  
Land Rev.  
I—Land  
Roll 1,  
page 90.

28. There shall be kept by the Revenue-officer\*, for every town to which this Chapter applies, a roll of town lands, in which shall be entered the names of the persons for the time being in possession of all lands within the town, together with such particulars as the Local Government may by rule† prescribe.

29. Whenever any document affecting the title or right to possession of any land in any such town as aforesaid shall be registered under the Indian Registration Act, 1877, the officer registering the same shall send to the Revenue-officer\* a true copy of the entries in the indexes kept under the said Act relating to such document.

30. Whenever the title or right to possession of any land in any such town as aforesaid shall be transferred otherwise than by a registered document, the transferor and transferee shall give notice to the Revenue-officer\* of the change in possession within thirty days from the date on which the transferee enters into possession.

31. Whenever any person acquires possession of land in any such town as aforesaid otherwise than by transfer or assignment from the person previously in possession of such land, he shall, within thirty days from the date on which he enters into possession, give notice to the Revenue-officer\* of the change in possession and of the right under which he claims possession.

32. The Revenue-officer\* may in any case before altering the roll of town lands, make a summary inquiry into the circumstances of any alleged transfer, devolution of title, or acquisition of possession of any land, and may refuse to enter the name of any person on the roll as being in possession of any land until he shall have been declared by the decree of a competent Civil Court to be entitled to possession thereof.

33. Whoever, being bound by section 30 or section 31 to give notice to the Revenue-officer of a change in possession, shall fail to give such notice within the time prescribed therefor, shall be liable to such fine, not exceeding one hundred rupees, as the Revenue-officer\* may impose.

34. The Revenue-officer\* may at any time hold a summary inquiry in order to ascertain who is in fact in possession of any land, and may enter in the roll of town lands the name of the person whom he finds to be in possession.

\* See Notifications C and D, pages 20—24.

† No rule has been made under this section. For directions for the preparation of the roll, see Appendix II, page 137.

35. An entry in the roll of town lands of the name of any person as being in possession of any land shall be presumptive evidence that such person was, or is, in possession of the land, as the case may be.

Form  
Land  
Revenue  
I—Land  
Roll I  
page 30.

36. (1) The person whose name is for the time being entered in the roll of town lands as being in possession of any land, shall be liable to pay all revenue, taxes, rent and other Government demands in respect of such land, whether he is in fact in possession of such land or not.

(2) Nothing in this section shall be taken to exempt from liability any other person who under this Act or under any other enactment for the time being in force may be liable to pay any such revenue, taxes, rent or other demand.

37. Nothing in this Chapter shall apply to land held from the Government on a lease from month to month or under a tenancy determinable at will.

## CHAPTER IX.

### Miscellaneous.

<sup>a</sup>38. (1) A Revenue-officer\* may summon any person whose attendance he considers necessary for the purpose of any business before him as a Revenue-officer. Such summons shall be issued and served in accordance with the provisions of the Code of Civil Procedure regarding the service of summonses.

(2) Every person so summoned shall be bound to appear at the time and place mentioned in the summons in person or, if the summons so allows, by his recognized agent or legal practitioner.

(3) In addition to the powers conferred by this section, the Local Government may invest any Revenue-officer with any power exercised by a Civil Court in the trial of suits for the purpose of all or any particular cases or classes of cases coming before such Revenue-officer.

38A. Every person attending in obedience to a summons issued by a Revenue-officer\* and every applicant or other person appearing before a Revenue-officer, shall be bound to state the

\*See notification B, page 19.

<sup>a-a</sup> Substituted by Burma Act I of 1907.

truth upon any matter respecting which he is examined or makes statements, and to produce such documents and other things relating to any such matter as the Revenue-officer may require<sup>a</sup>.

39. An appeal shall lie from the orders and decisions of Revenue-officers in respect of matters dealt with under this Act in such cases, to such officer, and subject to such limitations as to time and such other conditions, as the Local Government may by rule\* determine.

40. Notwithstanding that no appeal may lie to him, the Financial Commissioner may call for and revise the proceedings of any Revenue-officer in any case dealt with under this Act, and may pass such orders thereon, consistent with the provisions of this Act, as he may think fit.

41. No Civil Court shall have jurisdiction to determine—

- (a) any matter which, under this Act, is to be determined by the Revenue-officer;
- (b) any claim to any right over land as against the Government.

42. The Financial Commissioner may, subject to the control of the Local Government, make rules prescribing the forms of all rolls, registers, notices and other documents to be used under this Act.†

43. In addition to the rules concerning matters in respect of which the Local Government is by section 17 expressly empowered to make rules, the Local Government may, subject to the control of the Governor-General in Council, make rules to prescribe—

- (a)‡ the manner in which, and the period for which, notice of receipt of an application under section 12 shall be given by the Revenue-officer under section 13.
- (b)§ the manner in which, and the period for which, notice of the Revenue-officer's proposal to cancel a declaration under section 14 shall be published;
- (c) the particulars|| to be entered in the roll of town lands to be kept under section 28;

\*See Rule 75, page 49.

†Some of the forms prescribed by the Financial Commissioner are reproduced in Part V.

‡See Rules 1-2, page 29 and 4-5, page 30; and section 44.

§See Rules 1-3 and 4-5, pages 29 and 30; and section 44.

||No rule has been made under this section. For directions for the preparation of the roll, see Appendix II, page 137.

- (d) \* the cases in which, the officers to whom, and the limitations and conditions subject to which, appeals shall lie from orders and decisions of Revenue-officers ;
- (e) the person or persons by whom, and the manner in which, anything required by this Act to be done and not therein specially provided for shall be done ; and
- (f) generally, to carry out the provisions and objects of this Act.

44. The power to make rules conferred on the Local Government by section 17, section 28, and section 43, clauses (c), (d), (e), and (f), shall be subject to the condition of the rules being made after previous publication and the rules so made shall not take effect until after they have been published in the gazette.

45. No civil suit shall lie against any Revenue-officer in respect of anything done or purporting to have been done by him in good faith under the provisions of this Act.

46. All sums levied by Government before the commencement of this Act in respect of lands in any town or village shall be deemed to have been lawfully levied, and no civil suit shall lie against the Secretary of State for India in Council, or against any public servant, in respect of any such sum, or in respect of anything done in levying and realizing it which might lawfully have been done for the purpose of enforcing a lawful demand.

47. On and from the date of the commencement of this Act in any town or village, all enactments, rules and regulations (if any) relating to any of the matters provided for by this Act and then having the force of law shall be repealed.

## THE SCHEDULE.

[See section 4, clause (4).]

### Scheduled Towns.

|           |  |          |
|-----------|--|----------|
| Rangoon.  |  | Bassein. |
| Moulmein. |  | Prome.   |
| Akyab.    |  |          |

\* See Rule 75, page 49.



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**PART II.**  
**NOTIFICATIONS UNDER THE LOWER**  
**BURMA TOWN AND VILLAGE LANDS ACT,**  
**1898.**

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**NOTIFICATIONS UNDER THE LOWER  
BURMA TOWN AND VILLAGE LANDS ACT,  
1898.**

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[UNDER SECTION 1 (3).]

**Notification A.**

Government Revenue Department Notification No. 344, dated the 7th September 1899.

In exercise of the power conferred by section 1 (3) of the Lower Burma Town and Village Lands Act, 1898, the Lieutenant-Governor directs that the said Act shall come into force on the 9th September 1899.

[NOTIFICATIONS UNDER SECTION 4 (3) ARE NOT  
REPRODUCED.—FOR LIST OF TOWNS, *see*  
APPENDIX III.]

[UNDER SECTION 4 (6).]

**Notification B.**

Government Revenue Department Notification No. 70, dated the 9th November 1908.

With reference to section 4, sub-section (6) of the Lower Burma Town and Village Lands Act, 1898 (Burma Act IV of 1898), the Lieutenant-Governor is pleased—

- (i) to appoint the officers mentioned in the first column of the subjoined table to exercise or perform within their respective jurisdictions the powers conferred or the duties imposed on Revenue-officers by the

## Notification C.

sections of the Act mentioned in the second column of the table, subject to such restrictions as may be mentioned in the rules under the Act :—

| Officers.   | Sections of the Act.  | Officers.   | Sections of the Act.  |
|---|---|---|---|
| 1   | 2   | 1   | 2   |
| Financial Commissioner.                                 | 38 and 38A.   | Assistant Commissioners, Extra Assistant Commissioners and Myoóks.                                      | Such of the powers exercised by Subdivisional Officers, except powers under Chapter III, within such local areas as the Deputy Commissioner may from time to time specially direct. |
| Commissioners of Divisions.                             | 23, 38 and 38A.   |   |   |
| Commissioner of Settlements and Land Records            | 23, 38 and 38A.   |   |   |
| Deputy Commissioners.                                   | 3 (2), 3 (3), 12, 13, 14, 15 (2), 16 (b), 18, 19, 20, 21, 23, 38 and 38A. | The Registrar, Rangoon Town Lands, and the Superintendents of Land Records of districts in Lower Burma. | 38 and 38A.   |
| Settlement Officers.                                    | 3 (2), 3 (3), 23, 38 and 38A.   | Township Officers.  | 16 (b), 18 (1) (l), 19 (a), 23, 38 and 38A.   |
| Deputy Director and Assistant Director of Land Records. | 23, 38 and 38A.   | Village Headmen.  | 16 (b), 18 (1) (b) 19 (a) and 23  |
| Assistant Settlement Officers.                          | 3 (2), 3 (3), 38 and 38A.   | Revenue Surveyors.  | 23.   |
| Subdivisional Officers.                                 | 3 (2), 3 (3), 12, 13, 14, 15 (2), 16 (b), 18, 19, 20, 21, 23, 38 and 38A. |   |   |

(ii) to empower the Financial Commissioner, each Commissioner of a Division, and each Deputy Commissioner to do any of the acts which may be done by any Revenue-officer whose orders he has power to vary either on appeal or on revision.

This department notifications Nos. 454 and 455, dated the 12th December 1899, 19, dated the 3rd January 1906, 571, dated the 21st November 1906, 183, dated the 30th March 1906, and 249, dated the 2nd May 1906, are hereby superseded.

## Notification C.

Government Revenue Department Notification No. 8, dated the 20th January 1910.

With reference to sub-section (6) of section 4 of the Lower Burma Town and Village Lands Act, 1898, the Lieutenant-Governor appoints the officers mentioned in the first

## Notification D.

21

column of the subjoined schedule to be the Revenue-officers who shall keep the rolls of town-lands prescribed by section 28 of the Act in respect of the towns mentioned in the second column, and to exercise the powers conferred by sections 29, 30, 31, 32, 33 and 34 of the Act.

### SCHEDULE.

| Designation of Officer.                       | Name of Town. |
|---|---------------|
| 1   | 2             |
| The Registrar of Rangoon Town Lands.          | Rangoon.      |
| The Superintendent of Land Records, Akyab.    | Akyab.        |
| The Superintendent of Land Records, Prome.    | Prome.        |
| The Superintendent of Land Records, Bassein.  | Bassein.      |
| The Superintendent of Land Records, Moulmein. | Moulmein.     |

[UNDER SECTIONS 4 (6) AND 27.]

### \* Notification D.

Government Revenue Department Notification No. 57 dated the 28th April 1913.

In exercise of the powers conferred by section 27 and sub-section (6) of section 4, of the Lower Burma Town and Village Lands Act, 1898, the Lieutenant-Governor is pleased to direct that the provisions of Chapter VIII of the said Act shall apply to the towns mentioned in the second column of the subjoined schedule, and appoints the officers named in the third column to keep the roll of town lands prescribed by section 28 of the Act and to exercise the powers conferred and perform the duties imposed by sections 29, 30, 31, 32, 33 and 34 of the Act. This department notifications cited † in the margin are hereby superseded.

\* Correction slips will not be issued for this notification.

† Not reproduced.

## SCHEDULE.

| District.                | Name of town.              | Designation of officer.                      |
|--------------------------|----------------------------|--|
| 1                        | 2                          | 3  |
| Kyaukpyu ...             | Kyaukpyu ...               | Superintendent of Land Records, Kyaukpyu.    |
| Sandoway ...             | Sandoway ...               | Superintendent of Land Records, Sandoway.    |
| Insein: ...              | Insein ...                 | } Township Officer, Insein.                  |
|                          | Kamayut ...                |  |
|                          | Dabein ...                 | } Township Officer, Hlègu.                   |
|                          | Ledaunggan ...             |  |
|                          | Hlègu ...                  | } Township Officer, Taikkyi.                 |
|                          | Paukkôn ...                |  |
|                          | Taikkyi ...                | } Township Officer, Tantabin.                |
| Tantabin ...             |                            |  |
| Hanthawaddy (Syriam) ... | Twante ...                 | Township Officer, Twante.                    |
|                          | Kungyangôn ...             | Township Officer, Kungyangôn.                |
|                          | Kyauktan ...               | } Township Officer, Kyauktan.                |
|                          | Syriam ...                 |  |
|                          | Thôngwa ...                | Township Officer, Thôngwa.                   |
|                          | Kayan ...                  | } Township Officer, Kayan.                   |
|                          | Thabyegan ...              |  |
| Tharrawaddy ...          | Tharrawaddy ...            | Superintendent of Land Records, Tharrawaddy. |
|                          | Thônzè ...                 | } Township Officer, Tharrawaddy.             |
|                          | Inywa ...                  |  |
|                          | Letpadan ...               | } Township Officer, Letpadan.                |
|                          | Sitkwin ...                |  |
|                          | Zibyugôn ...               | } Township Officer, Minhla.                  |
|                          | Minhla ...                 |  |
|                          | Othegôn ...                | } Township Officer, Gyobingauk.              |
|                          | Ôkpo ...                   |  |
|                          | Gyobingauk ...             | } Township Officer, Nattalin.                |
| Zigôn ...                |                            |  |
| Nattalin ...             |                            |  |
| Pegu ...                 | Pegu ...                   | Superintendent of Land Records, Pegu.        |
|                          | Pyinbôngyi ...             | } Township Officer, Pegu.                    |
|                          | Payagyi ...                |  |
|                          | Thanatpin ...              | } Township Officer, Kawa.                    |
|                          | Tawa ...                   |  |
|                          | Tawa Lock ...              | } Township Officer, Nyaunglebin.             |
|                          | Tôngyi ...                 |  |
|                          | Kawa ...                   | } Township Officer, Nyaunglebin.             |
|                          | Penwegôn ...               |  |
|                          | Kyauktaga ...              | } Township Officer, Nyaunglebin.             |
|                          | Peinzalôk ...              |  |
|                          | Nyaunglebin ...            | } Township Officer, Daiku.                   |
|                          | Pyuntaza ...               |  |
| Daiku ...                | } Township Officer, Daiku. |  |
| Paungdawthi ...          |                            |  |
| Kadôk ...                |                            |  |

SCHEDULE—continued.

| District.          | Name of town.                     | Designation of officer.                    |
|--------------------|-----------------------------------|--|
| 1                  | 2                                 | 3  |
| Prome              | Hmawza ...                        | } Township Officer, Hmawza.                |
|                    | Simmizwè ...                      |  |
|                    | Padigôn ...                       | } Township Officer, Thègôn.                |
|                    | Thègôn ...                        |  |
|                    | Paungdè ...                       | Township Officer, Paungdè.                 |
| Shwedaung ...      | Township Officer, Shwedaung.      |  |
| Bassein            | Kangyidaung ...                   | Township Officer, Bassein.                 |
|                    | Ngathainggyaung ...               | Subdivisional Officer, Ngathainggyaung.    |
|                    | Yegyi ...                         | Township Officer, Ngathainggyaung          |
|                    | Kyaunggôn ...                     | Township Officer, Kyaunggôn.               |
| Henzada            | Kyônpyaw ...                      | Township Officer, Kyônpyaw.                |
|                    | Henzada ...                       | Superintendent of Land Records, Henzada.   |
|                    | Kyangin ...                       | Township Officer, Kyangin.                 |
|                    | Lemyethna ...                     | } Township Officer, Lemyethna.             |
|                    | Aingthabyu ...                    |  |
|                    | Myanaung ...                      | Subdivisional Officer, Myanaung.           |
|                    | Kanaung ...                       | Township Officer, Myanaung.                |
|                    | Ingabu ...                        | Township Officer, Ingabu.                  |
| Neikban ...        | Township Officer, Henzada.        |  |
| Daunggi ...        | } Township Officer, Zalun.        |  |
| Zalun ...          |                                   |  |
| Myaungmya          | Myaungmya ...                     | Superintendent of Land Records, Myaungmya. |
|                    | Wakèma ...                        | } Township Officer, Wakèma.                |
|                    | Shwelaung ...                     |  |
|                    | Thayetkôn ...                     | } Township Officer, Einmè.                 |
|                    | Einmè ...                         |  |
| Mawlmyainggyun ... | Township Officer, Mawlmyainggyun. |  |
| Ma-ubin            | Ma-ubin ...                       | Superintendent of Land Records, Ma-ubin.   |
|                    | Pantanaw ...                      | Township Officer, Pantanaw.                |
|                    | Sagayi ...                        | } Township Officer, Danubyu.               |
|                    | Danubyu ...                       |  |
| Yandoon ...        | Township Officer, Yandoon.        |  |
| Pyapôn             | Pyapôn ...                        | Superintendent of Land Records, Pyapôn.    |
|                    | Kyaiklat ...                      | Township Officer, Kyaiklat.                |
|                    | Dedayè ...                        | Township Officer, Dedayè.                  |
|                    | Bogale ...                        | Township Officer, Bogale.                  |

## SCHEDULE—concluded.

| District. | Name of town. | Designation of officer.                           |
|-----------|---------------|---|
| 1         | 2             | 3   |
| Toungoo   | Toungoo       | ... Superintendent of Land Records,<br>Toungoo.   |
|           | Shwegyin      | ... Township Officer, Shwegyin.                   |
|           | Yedashe       | ... } Township Officer, Yedashe.                  |
|           | Myohla        | ... }   |
|           | Swa           | ... }   |
|           | Ôktwin        | ... } Township Officer, Ôktwin.                   |
|           | Kywèbwè       | ... }   |
|           | Nyaungchidauk | ... }   |
|           | Pyu           | ... } Township Officer, Pyu.                      |
| Thatôn    | Kanyutkwin    | ... }   |
|           | Thatôn        | ... Superintendent of Land Records,<br>Thatôn.    |
|           | Paung         | ... } Township Officer, Paung.                    |
|           | Martaban      | ... }   |
|           | Pa-an         | ... Township Officer, Pa-an.                      |
|           | Hlaingbwè     | ... Township Officer, Hlaingbwè.                  |
|           | Kyaikto       | ... } Township Officer, Kyaikto.                  |
| Môpalin   | ... }         |   |
| Amherst   | Bilin         | ... } Township Officer, Bilin.                    |
|           | Hninpalè      | ... }   |
| Amherst   | Amherst       | ... Township Officer, Kyaikkami.                  |
|           | Kawkareik     | ... Township Officer, Kawkareik.                  |
| Tavoy     | Tavoy         | ... Superintendent of Land Records,<br>Tavoy.     |
| Mergui    | Mergui        | ... Superintendent of Land Records,<br>Mergui.    |
|           | Palaw         | ... Township Officer, Palaw.                      |
| Thayetmyo | Thayetmyo     | ... Superintendent of Land Records,<br>Thayetmyo. |
|           | Allanmyo      | ... Subdivisional Officer, Myedè.                 |

**Notification E.\***

[UNDER SECTION 8.]

Government Revenue Department Notification No. 437, dated the 8th November 1900.

In exercise of the powers conferred by section 8 of the Lower Burma Town and Village Lands Act, 1898, the Lieutenant-Governor exempts† from the operation of that section the following classes of land :—

- (a) All lands within the limits of the Railway towns as defined in Revenue Department Notification No. 206, dated the 26th May 1896.
- (b) All the foreshore lying within 100 feet<sup>a</sup> of the sea or<sup>a</sup> of the bank of any navigable river or stream,—measurements to be taken from ordinary high flood-level.
- (c) All lands lying within 150 feet of the bazaar fence in towns which have been notified as such under section 4 (3) of the Act.
- (d) All lands in towns other than Railway towns which have been specially acquired by Government for disposal as building sites or for any other purpose.

[UNDER SECTION 23.]

**Notification F.**

Financial Commissioner's Notification No. 63, dated the 3rd May 1912.

In exercise of the power conferred by section 23 of the Lower Burma Town and Village Lands Act, 1898, and with the previous sanction of the Local Government, the Financial Commissioner prescribes the rates set out in the subjoined schedule‡ as the rates at which land revenue shall, subject to the provisions of section 22 of the said Act and with effect from the 1st July 1912, be assessed, according to the classification adopted at the last settlement by the Settlement or Revision Settlement Officer, on land of the classes and situated within

‡ Schedule not reproduced.

\* Notifications exempting individual towns from the operation of section 8 are not reproduced. For list of towns exempted up till 1st January 1912, see Appendix V, page 159.

† See Direction 28, page 61.

a—<sup>a</sup> Inserted by Revenue Department Notification No. 29, dated the 14th February 1907.

**Notification G.**

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the limits of the towns or portions of towns specified in the schedule. In towns or portions of towns not specified in the said schedule, land revenue shall, subject to the provisions of section 22, be levied at the same rates and in the same manner\* as at the time of coming into force of the Act. This office notifications No. 45, dated the 12th May 1903, and No. 7, dated the 13th January 1911, are hereby superseded.

**Notification G.**

Financial Commissioner's Notification No. 13, dated the 24th January 1908.

In exercise of the powers conferred by section 23 of the Lower Burma Town and Village Lands Act, 1898, in modification of the Financial Commissioner's notification No. 45, dated the 12th May 1903, and with the previous sanction of the Local Government, the Financial Commissioner directs that, with effect from the 1st July 1908, the rate of land revenue in Bassein Town shall be Rs. 3-12-0 per acre.

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\* See Direction 43, page 68.



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**PART III.**  
**RULES UNDER THE LOWER BURMA TOWN**  
**AND VILLAGE LANDS ACT, 1898.**

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## RULES.

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**\* Rules under the Lower Burma Town and Village Lands Act, 1898.**

*{These rules may be cited as the Town and Village Lands Rules, 1907.}*

**CHAPTER I.**

**Rules for regulating the publication of public notices (sections 13 and 14).**

**1.** A public notice issued by a Revenue-officer under section 13 or section 14 shall invite all persons who may have objections to make to the issue or cancelment of a declaration, as the case may be, to make such objections at a place and on a date to be specified in the notice, but such date shall be so fixed as not to be less than thirty days subsequent to the date on which copies of the notice—

Contents of a public notice.

Forms Land Rev. III.—L. B. Notice 9 and 10, pages 126 and 127.

(i) are posted in the manner provided in Rule 2 in the case of a notice issued under that rule ; and

(ii) are served and posted as provided in Rule 3, in the case of a notice issued under that rule.

**2.** One copy of a public notice issued under section 13 shall be posted at each of the following places namely :—

Posting of notice under section 13.

(i) on the land ;

(ii) on the house of the headman of the village, or ward of the town, in which the land is situated ;

(iii) at the bazaar of the town or village in which the land is situated, if there be one ; and

(iv) at the office of the Revenue-officer issuing the notice.

**3.** A public notice issued under section 14 of the Act shall be served—

Serving and posting of notice under section 14.

(a) on the person in whose favour a declaration sought to be cancelled was made, or on his heir or assign if he is dead or has ceased to have an interest in the land ; and

(b) on every other person who is ascertained, after enquiry, to have an interest in the land ;

\* Published in Government Revenue Department Notification No. 30, dated the 14th February 1907, and subsequently amended.

and one copy shall be posted at each of the following places namely :—

(c) on the house of the headman of the village, or ward of the town, in which the land is situated ;

(d) at the bazaar of the town or village in which the land is situated, if there be one ; and

(e) at the office of the Revenue-officer issuing the notice.

4. If the land in respect of which a public notice is issued under sections 13 or 14 is situated in a town in which a newspaper is published, the notice shall be published in at least one issue of such English or Vernacular local newspaper as the Revenue-officer may decide by general order or with reference to the particular notice.

Publication of notice in local newspaper, if any, in the case of town land.

5. A duplicate copy of a public notice issued under Rule 2 or 3 shall be given to each officer or process-server deputed to post or serve such notices under Rule 1, 2 or 3, and such duplicate shall be returned by him with an endorsement stating the manner and date on which each copy was posted or served.

Endorsement as to posting and service.

## CHAPTER II.

**Rules with respect to leases of land at the disposal of Government in towns other than Rangoon and Thandaung for building residential or industrial purposes (sections 16 and 17).**

6. Leases of land at the disposal\* of Government may be made for building, residential or industrial purposes in any town except Rangoon.

Purposes for which lease may be made.

<sup>a</sup> Provided that in the town of Thandaung such leases shall be regulated by the rules in Chapter IX and not by the rules in this Chapter.<sup>a</sup>

7. A lease of land on which the applicant proposes to erect a building of wood or other durable material shall not ordinarily be made for a shorter period than thirty years, and shall in all cases provide for renewal on the expiry of the

Period of lease and renewals, if durable building contemplated.

<sup>a</sup>—<sup>a</sup>Inserted by Government Revenue Department Notification No. 102, dated the 10th December 1908.

\* See section 4 (2), page 2, and Direction 55, page 72.

original term up to a maximum period of ninety years from the commencement of the original lease or in special cases under the Financial Commissioner's orders in perpetuity.

**8.** A lease of land on which the applicant proposes to erect a building of any other description shall be made for such period, not less than three and not more than fifteen years, as the officer granting the lease may determine. Such lease shall not provide for renewals. No lease shall be made under this rule of an area exceeding one-quarter of an acre in extent.

Period of lease and extent of area, if proposed building is not of durable nature.

**9.** The Deputy Commissioner may make a lease to any one person\* or set of persons up to a limit of one-quarter of an acre. If the application is for a lease of land exceeding one-quarter of an acre, it shall be submitted to the Commissioner of the Division with the Deputy Commissioner's recommendations for orders. The Commissioner may sanction a lease up to one acre, and if the area exceeds one acre, the sanction of the Financial Commissioner shall be obtained. A lease in excess of five acres requires the sanction of the Local Government.

Deputy Commissioner to obtain sanction before making lease if area exceeds one-quarter of an acre.

**10.** A lease of any land of the following descriptions shall not be made without the previous sanction of the Local Government, and when so sanctioned shall only be made subject to such conditions as may be prescribed by the Local Government :—

Other cases in which sanction of Local Government is necessary.

- (a) Land with a frontage on a navigable river or stream or on the sea ; or
- (b) Land required for industrial purposes † in towns to which the Burma Municipal Act, 1898, applies ; or
- (c) Land situated within a distance of 100 yards from any cemetery.

\* There are special orders regarding the disposal of land to Joint Stock Companies, *vide* Direction 31, page 63.

† The expression "industrial purposes" refers, *e.g.*, to mills, godowns and other trade buildings. Land required solely for the erection of residential buildings, such as quarters for the employes of an industrial firm, should not be regarded as required for an industrial purpose, even though the application for lease is made in the name of such firm.

**11.** Any person desiring to obtain a lease of any land at the disposal of Government for building, residential or industrial purposes may apply in writing to the Deputy Commissioner of the district or to the officer in charge of the subdivision or township of the district in which the land is situated.

Application for lease and particulars to be contained in application and plan to be attached.

Such application shall contain the following particulars :—

- (a) Name, residence and designation of applicant ;
- (b) Quarter, road or locality in which the land applied for is situated ;
- (c) The boundaries thereof ;
- (d) The approximate size of the house to be erected and the materials of which it is to be built ;
- (e) The purpose for which the lease is sought, whether building, residential or industrial ; and
- (f) A declaration that the land applied for has been demarcated.

If the land has been surveyed by Government, a plan shall be attached which shall be copied from the Government map.

**12.** In cases in which a survey of the land is necessary, the officer receiving the application may require prepayment of a survey fee\* of such amount as he deems reasonable in each case, provided that, where the survey is to be made by a salaried Government surveyor, no fee shall be taken.

**13.** [*Cancelled*].

**14.** The Officer receiving the application may scrutinize any existing survey of the ground and shall, if a survey is necessary, cause the plot for which a lease is sought, to be surveyed. He shall verify the fact that the land is apparently at the disposal of Government and shall make such further enquiries as he may think necessary, and if the land is a municipal town or notified area, he shall consult the municipal or town committee.

If such officer is the Deputy Commissioner or the Subdivisional Officer, he may then, if he thinks it necessary, request the applicant to modify the application, whilst, if such officer is a Township Officer, he shall submit the proceedings with his recommendations to the Subdivisional Officer for orders.

\* For procedure regarding levy of fees and payment of surveyors, see Burma Land Revenue directions 25—29.

**15.** If the Deputy Commissioner or the Subdivisional Officer does not approve of the application, he may reject it any time and shall record his reason for so doing.

Rejection of application if not approved by Deputy Commissioner or the Subdivisional Officer.

**16. \*** If the Deputy Commissioner or the Subdivisional Officer approves the application either with or without modification, and if the land does not exceed one-quarter of an acre, he shall fix the annual rent in the manner prescribed in Rule

Fixing of rent if Deputy Commissioner or Subdivisional Officer approves.

**17.** Any Subdivisional Officer who acts under this rule shall inform the applicant that the rent fixed by him is subject to the approval of the Deputy Commissioner.

If the land exceeds one-quarter of an acre, the application shall be referred to the Commissioner with the recommendations of the Deputy Commissioner.

**17.** The rent fixed for the land shall be—

- Amount of rent.
- (a) not less than 75 per cent.† of the full letting value of similar private sites : or
  - (b) if the full letting value is not ascertainable, not less than 6 per cent. of the selling value of similar private sites : or
  - (c) if neither the selling nor letting value is ascertainable, at such rate as the Financial Commissioner may by general or special order determine :

Provided that it shall not be less than the highest rate at which revenue is assessed on cultivated lands in the neighbourhood.

**18.** In addition to the rent reserved by the lease, a premium may be made payable as part of the consideration for the lease when there are more applicants for it than one and the Subdivisional Officer, Deputy Commissioner or Commissioner decides to sell it by auction as hereinafter provided.

Premium.

**19.** (1) After fixing the rent under Rule 16, where the land applied for does not exceed one-quarter of an acre, or after receiving the orders of the Commissioner where the land applied for exceeds one-quarter of an acre, the Deputy

After fixation of rent, public notice to be given of application.

Form  
Land Rev.  
111—L. B.  
Notice 2,  
page 131.

\* Substituted by Government Revenue Department Notification No. 67, dated the 14th October 1909.

† The full letting value should ordinarily be taken as rent in respect of lands referred to in clauses (a) and (b) of rule 10, (letter No. 76—5T.-21, dated 6th September 1897, from the Revenue Secretary to Government to the Financial Commissioner).

Commissioner or the Subdivisional Officer shall cause public notice to be given of the fact of the application having been made. Such notice shall fix a date not less than fifteen days after the publication of such notice, on or before which any person may show cause to the Deputy Commissioner or the Subdivisional Officer or some other officer (not below the rank of a Myoök) to be named in the notice, why the lease should not be made, and shall state that, if no such cause is shown, the lease will be made. Such notice shall contain all the information furnished by the applicant under Rule 11 as corrected by the measurements made under Rule 14, and shall state the amount of rent which will be imposed in case the lease is made.

The notice shall further invite any person other than the applicant who may wish to obtain the lease to send to the Deputy Commissioner or the Subdivisional Officer on or before the fifteenth day after the date of the notice, applications in writing, stating whether they are willing to pay any, and, if so, what premium in order to obtain the lease on the terms notified.

(2) Copies of such notice shall be fixed—

- (a) on the land applied for ;
- (b) at the house of the headman of the ward in which the land is situated ;
- (c) at the bazaar of the town in which the land is situated if there be one ;
- (d) at the court-house of the Township Officer within whose jurisdiction the land is situated ; and
- (e) at the District court-house.

If the land is situated in a town where a newspaper is published, an abstract notice of the application, etc., shall be advertised in at least one issue of such English or Vernacular local newspaper as the Deputy Commissioner may, by general order or with reference to the particular application, decide.

20. Where the land applied for does not exceed one-quarter of an acre, if no cause be shown to the satisfaction of the Deputy Commissioner or the Subdivisional Officer why the lease should not be made, he shall, after considering the applications, if any, made by persons other than the original applicant, decide whether the lease shall be disposed of by private contract to the original applicant or by public

Consideration of application and objections, and decision as to mode of disposal.



auction. He shall not dispose of it by private contract to any person other than the original applicant, unless the original applicant refuses the terms as to premium or rent which the Deputy Commissioner or the Subdivisional Officer may offer under the next succeeding rule.

**21.** (1) Where the land applied for does not exceed one-quarter of an acre, if the Deputy Commissioner or the Subdivisional Officer decides to dispose of the lease by private contract, he shall communicate the terms on which he is willing to dispose of it to the original applicant, that is to say, he shall send an authorized form of lease to the applicant with all the blanks filled in, and shall fix a time within which the original applicant shall communicate to the Deputy Commissioner or the Subdivisional Officer his acceptance or refusal of the terms.

Provided that the Subdivisional Officer shall, before taking such action, first submit the proceedings to the Deputy Commissioner and obtain his approval.

(2) If the original applicant refuses the terms offered by the Deputy Commissioner or Subdivisional Officer under sub-rule (1), the Deputy Commissioner or Subdivisional Officer may offer similar terms to any of the other applicants.

**22.** \* When the land applied for exceeds one-quarter of an acre, the proceedings shall be submitted to the Commissioner after the due publication of the notice ordered by Rule 19. The Commissioner shall proceed in the same manner as the Deputy Commissioner is directed to do by Rules 20 and 21, provided that he may depute to the Deputy Commissioner or Subdivisional Officer the doing of any of the acts specified in these rules.

**23.** If the Deputy Commissioner decides, or is ordered by the Commissioner, to dispose of the lease by public auction, he shall give public notice, in the manner provided by Rule 19, sub-rule (2), that the lease will be sold. If the Subdivisional Officer decides to dispose of the lease by public auction, he shall submit the proceedings to the Deputy Commissioner, and if the Deputy Commissioner approves, the Subdivisional Officer shall give

Form  
Land  
Rev. III—  
L. B.  
Notice 3.  
page 122.

\* Substituted by Government Revenue Department Notification No. 67, dated the 14th October 1909.

public notice in the manner provided by Rule 19, sub-rule (2), that the lease will be sold. The notice shall specify the day of sale (not being less than ten days from the date of the publication of the notice) and the time and place and conditions of sale. The notice shall contain a complete copy of the authorised form of lease to be sold with the schedule thereto and with all blanks, except the amount to be paid by way of premium, filled up.

Condition of  
auction sale. **24.** The conditions of a sale by auction shall be as follows :—

- (a) The highest bidder shall be the purchaser, and if any dispute shall arise between two or more bidders, the lease shall be put up again at the last undisputed bidding. The Deputy Commissioner or the Sub-divisional Officer reserves the right to bid.
- (b) The purchaser shall immediately after the sale pay a deposit of 25 per cent. on the amount of his purchase-money, or, if the purchase money does not exceed Rs. 5, the whole thereof; and shall sign an agreement to complete the purchase according to these conditions.
- (c) The remainder, if any, of the purchase-money shall be paid on the tenth day after the sale at the office of the Deputy Commissioner or the Subdivisional Officer. The purchaser shall be entitled to possession of the land from the day on which the whole of the money is paid. Upon such payment the Deputy Commissioner and the purchaser shall sign the authorised form of lease. When payment has been made to the credit of the Subdivisional Officer, the proceedings shall thereupon be sent to the Deputy Commissioner for signature of the lease.
- (d) If the purchaser fails to comply with these conditions his deposit money shall be forfeited to the Deputy Commissioner or the Subdivisional Officer, who shall be at liberty to re-sell either by public auction or by private contract, and the deficiency, if any, occasioned by such second sale, together with all charges attending the same, shall immediately after such re-sale be made good by the defaulter at the original sale, and in case of non-payment of the same the whole shall be recoverable under section 24 of the Act.

Provided that in any case in which the land exceeds one-quarter of an acre, the Deputy Commissioner shall submit the proceedings to the Commissioner for orders before he re-sells the land.

**25.** The Deputy Commissioner or the Subdivisional Officer may refuse to accept any bid or may exclude any person from the auction without assigning any reason to such person; but he shall record his reason for such refusal or exclusion in a memorandum which shall be attached to the proceedings.

**26.** The agreement \* referred to in Rule 24, clause (b), shall be in such form as may be prescribed under section 42 of the Act.

Form  
Land  
Rev. 11.—  
L. B.  
Bond 2,  
page 92.

**27.** After disposal of a lease the particulars of such lease shall be entered in a register to be kept in the office of the Deputy Commissioner.

Form  
Land  
Rev. 1.—  
Land  
Regr. 3,  
page 84.

**28.** In case of an application by a lease-holder to the Deputy Commissioner to allow him to sub-divide his leasehold or to transfer or sub-let a part of the same, the Deputy Commissioner shall pass his order on such application in writing, and in case of refusal an appeal shall lie to the Commissioner of the Division.

**29.** A counterpart of the lease, which shall be in such form as may be prescribed under section 42 of the Act, shall be filed in the Deputy Commissioner's office. If in any case the authorised form is not suitable, the Financial Commissioner, subject to the control of the Local Government, may sanction an alteration thereof.

Forms  
Land  
Rev. 11.—  
Lease 1  
and 2 &  
L. B.  
Lease 1,  
pages 87,  
101 & 113.

A correct plan of the land drawn to scale shall be attached to the lease and its counterpart. When the land has been included in a Government survey, the plan shall be an extract from the Government map.

\* This agreement requires an eight-anna stamp. An impressed label (adhesive, non-judicial) should be used or the agreement may be written on a non-judicial impressed sheet.

## CHAPTER III.

Rules for the issue of licenses for building, residential or industrial purposes in towns other than Rangoon and Thandaung sections 16 and 17).

Form  
Land  
Rev. II—  
L. B.  
License 2,  
page 118.

30. The Deputy Commissioner may issue a license to occupy land at the disposal of Government,\* which is not of a description specified in Rule 10, for building, residential or industrial purposes, in cases in which the applicant proposes to build a house of mat, bamboo or other rapidly perishable materials or in which he proposes to occupy the land for some industrial purpose of a purely temporary kind.

31. The procedure prescribed in Rule 11 to 14 of these rules shall be followed, *mutatis mutandis*, in the case of applications under this Chapter.

Application for license, survey and procedure of officer receiving application.

Form  
Land  
Rev. III—  
L. B.  
Notice 1,  
page 120.

32. If the Deputy Commissioner approves of the application, either with or without modification, he shall cause public notice to be given of the fact that the application has been made. Such notice shall be published in the manner prescribed in Rule 19, sub-rule (2), and shall fix a date not less than fifteen days after the publication of such notice, on or before which any person may show cause to the Deputy Commissioner or some other officer (not below the rank of a Myoðk) to be named in the notice why the license should not be issued.

33. If cause is shown to the satisfaction of the Deputy Commissioner why the license should not be issued, he shall reject the application. If no satisfactory cause is shown, he may grant it.

Order granting or rejecting application.

34. A license issued under this Chapter shall be expressed so as to expire on a certain date not more than three years from the date of issue.

Period for which license may be granted.

\* See section 4 (2), page 2, and Direction 55, page 72.

**35.** If, for the purpose for which a license is granted under this Chapter, it is necessary to disturb the surface of the soil to such an extent as to render it unfit for any other purposes, the Deputy Commissioner, before issuing a license, may require the applicant to enter into a bond to restore the land within a month from the date of expiry of the license to its condition at the date on which the license was granted either wholly or to such an extent as the Deputy Commissioner may consider advisable in each case.

Power to require applicant to enter into bond to restore land to same condition.

Form Land Rev. 11—L. B. Bond 1, page 91.

**36.** The rent payable for land in respect of which a license is issued under this Chapter shall be such sum as the Deputy Commissioner may, by general or special order, determine:

Rent.

Provided that it shall not be less than—

- (i) four annas per month in the case of a license issued for a period of less than a year;
- (ii) twice the rent payable on similar land leased under the provisions of Chapter II in the case of licenses issued for a period of a year or more than a year.

#### CHAPTER IV.

### Rules for the issue of licenses for agricultural purposes in towns other than Rangoon and Thandaung (sections 16 and 17).

**37.** The Deputy Commissioner may issue a license to occupy for agricultural purposes any land at the disposal of Government\* other than land of a description specified in Rule 10.

Licenses for agricultural purposes.

Form Land Rev. 11—L. B. License 1, page 117.

Application for license, survey, procedure of officers and public notice of application.

**38.** The procedure prescribed in Rules 11 to 14, 32 and 33 of these rules shall be followed in the case of applications under this Chapter.

**39.** A license granted under this Chapter shall be expressed so as to expire on a certain date not more than three years from the date of issue.

Period for which licenses may be granted.

\* See section 4 (2), page 2, and Direction 55, page 72.

**40.** When land revenue is levied on land in respect of which a license is issued under this Chapter, rent shall not be charged. When land revenue is not levied, the rent shall be such sum as the Deputy Commissioner may, by general or special order, determine :

Rent only chargeable if land not assessed to land revenue and amount thereof.

Provided that it shall not be less than the amount of the land revenue levied on similar land in the neighbourhood.

## CHAPTER V.

### Rules for the disposal of lands in villages (sections 16 and 17).

**41.** Any person desiring to occupy any land in a village as a site for the erection of a dwelling house or paddy godown, or for any other purpose approved by the Deputy Commissioner by general or special order, may apply either verbally or in writing to the headman of the village, who shall thereupon personally satisfy himself that the land applied for is at the disposal of Government, that it is suitable for the purpose applied for, and that there is no objection on public grounds to the use of the land for that purpose or for any purpose.

**42.** In the case of an application for a site for a dwelling house, if the applicant is already in occupation of a sufficient site for his own dwelling house, or if he is not a resident of the village and the headman sees fit to refuse permission under section 12 of the Lower Burma Village Act, 1889,\* the headman shall decline to take any action on the application.

**43.** If a headman decides to take action on an application he shall require the applicant to demarcate the site, and when this has been done, shall issue notice in such form as may be prescribed under section 42 of the Act, informing all whom it may concern that he will receive objections to the application being granted on or before a date fixed in the notice and which shall not be less than 15 days after the date of its publication.

Form  
Land  
Rev. III—  
L. B.  
Notice 4,  
page 188.

Demarcation of  
site and public  
notice of applica-  
tion.

\* See now Burma Act VI of 1907, section 17.

Such notice shall be affixed at the land and on the house of the headman.

44. If no objection is received on or before the date fixed therefor in the public notice (which shall be not less than fifteen days after the date of publication), the headman shall issue to the applicant a license in such form as may be prescribed under section 42 of the Act [a] or, where the land applied for is land acquired by Government for the extension of an old or the provision of a new village site, a grant in such form as may be prescribed under section 42 of the Act[a].

Form Land Rev. 11—L.B. License 8, page 120.

Form Land Rev. 11—L.B. Grant 8, page 98.

45. [b] For each grant issued under Rule 44 in respect of land acquired for village sites, such fee or premium may be charged as the Deputy Commissioner may fix. The fee shall be calculated so that the cost of acquiring the land for the extension of an old or the establishment of a new village site, including the necessary roads and paths, may be met by the fees for the grants. The fee or premium shall be paid in such instalments as the Deputy Commissioner may fix. The Deputy Commissioner, may, in his discretion, remit the whole or any part of the fee or premium for a house building lot, when the applicant for the lot is, in his opinion, a proper person to obtain the lot and is too poor to pay the whole of the fee or premium.

45A. No lot granted under Rule 45 shall be transferred within five years from the date of the grant without the sanction of the Township Officer or Subdivisional Officer endorsed on the instrument of grant. [b].

46. In areas specially notified\* by the Local Government in this behalf the license shall be so expressed as to expire on a certain date not more than three years from the date of issue.

47. The boundaries of the land shall always be clearly given in the license, and, where possible, a plan of the land should be drawn on it.

48. (1) If objections are received, the headman shall refer the parties to the Township Officer with a report of the circumstances.

[a]—[a] Added by Revenue Department Notification No. 135, dated the 19th November 1907.

[b]—[b] Substituted by Revenue Department Notification No. 135, dated the 19th November 1907.

\* No notification has yet been issued under this rule.

(2) On the receipt of this report the Township Officer shall proceed to dispose of the case on its merits.

49. The counterfoils of all licenses issued by the headman shall be preserved by him.  
Headman to preserve counterfoil of licenses.

## CHAPTER VI.

### Rules for the disposal of land, revenue-free, in towns other than Rangoon, and in villages [sections 16 (a) and 17].

50. \* The Deputy Commissioner may make a grant, free of land revenue, of land at the disposal of Government † for a religious edifice—

- (a) on his own authority, if the value of the site does not exceed Rs. 100;
- (b) with the previous sanction of the Commissioner, if the value of the site exceeds Rs. 100 but does not exceed Rs. 200; and
- (c) with the previous sanction of the Financial Commissioner, if the value of the site exceeds Rs. 200 but does not exceed Rs. 500.

In calculating the value of a site for the purposes of this rule, the rent assessed thereon, or, if the site is not assessed, the rent assessable at the rates paid for similar land in the neighbourhood, where such land exists, shall be capitalised at twenty-five times the annual assessment. When no such land exists, the value shall be determined in such manner as the Financial Commissioner may decide, having regard to all the circumstances of the case.

51. (1) Cases in which the value of the land exceeds Rs. 500 shall be reported by the Financial Commissioner for the orders of the Local Government.  
Cases in which sanction of Local Government is necessary.

(2) A grant of land with a frontage on a navigable river or stream or on the sea shall not be made without the previous sanction of the Local Government.

52. Rules 50 and 51 are applicable, whatever the religious creed may be, for the purposes of which the grant is made.  
Application of above rules irrespective of creed.

\* Substituted by Government Revenue Department Notification No. 27, dated the 25th March 1911.

† See section 4 (2) page 2 and Direction 55, page 72.



**53.** Subject to the sanction of the \* Financial Commissioner, the Deputy Commissioner may make a revenue-free grant † for public purposes of land at the disposal of Government which is not at the time assessed to land revenue and the value of which does not exceed Rs. 100. The value of the land shall be determined in the manner stated in Rule 50.

Free grants for public purposes.

**54.** Any land granted under this Chapter shall be resumable if at any time it be used for any other purposes ‡ than those for which it was granted, or if the buildings are used for any other than religious or public purposes.

Resumption of land granted under Rules 50 to 53 if used for other purposes.

**55.** The application for grants under this Chapter shall be made in writing to the Deputy Commissioner of the district in which the land is situated, after the land has been demarcated.

Application for grant.

**56.** Applications § for such grants shall contain the following particulars :—

Particulars to be contained in application and plan to be attached.

(a) Name, residence, and designation of the applicant ;

(b) Quarter or locality in which the land applied for is situated ;

(c) Area of land applied for ;

(d) Boundaries of land applied for ; and

(e) A declaration that the land has been so demarcated as to be readily capable of identification.

If the land has been surveyed by Government, a plan shall be attached which shall be copied from the Government map.

**57.** The Deputy Commissioner on receiving the application shall cause the plot for which a grant is sought to be surveyed, if a survey is necessary, or may scrutinize any existing survey and shall cause a plan || of the land to be placed on the record.

Survey.

**58.** The Deputy Commissioner shall further cause notice to be issued informing all whom it may concern that an application has been made. Such notice shall specify the name of the applicant and his residence, the approximate area and locality of the land, the purpose for which the land is required, and

Public notice of application.

Form Land Rev. II—LB. Notice 8, page 125.

\* See Direction 33, page 64, and Burma Land Revenue Direction 32.

† As regards sales and gifts of land to public bodies and to private persons for public purposes otherwise than under these rules, see Appendix 1, page 135.

‡ Cf. Direction 50 and form Land Revenue II—Grant 1.

§ The application should bear an eight-anna court-fee stamp.

|| See also Direction 32, page 63.

shall notify that, if within thirty days after date of the publication of the notice no objection is made, the land will be granted to the applicant. The notice shall also specify the place at which the Deputy Commissioner will receive objections and the date on which they will be heard.

The notice shall be affixed—

- (a) on the land ;
- (b) on the house of the headman of the ward or village in which the land is situated ;
- (c) at the court-house of the Township Officer within whose jurisdiction the land is situated ;
- (d) at the bazaar in the town where the land is situated if there be one ; and
- (e) at the District court-house.

**59.** (1) After expiry of the period named in the notice, if no objection is made to the grant of the land to the applicant, the Deputy Commissioner may make a grant of the land to the applicant, and in that case shall give a deed of grant where the value of the land is within his power of granting and, where it is beyond, shall forward the proceedings to the Commissioner.

(2) If any objections are lodged on or before the date fixed for issue of the grant, the Deputy Commissioner shall hear the objections and decide them on their merits. If he considers a grant should be made and the value of the land is beyond his power of granting he shall forward the proceedings to the Commissioner.

**60.** Grants of land for consecration as *theins* will, if the applicant so desires, be made in a special form by the Lieutenant-Governor. Where such desire is not expressly stated, they will ordinarily be made by the Deputy Commissioner.

Applications\* for such grants may be made by laymen only.

In cases in which the applicant desires that the grant should be made by the Lieutenant-Governor, the Deputy Commissioner, when submitting the application, shall submit a note over his signature containing the following particulars, namely,—

- (a) the name and residence of the applicant ;
- (b) the area of the land applied for and its value calculated according to Rule 50 ;

\* See Direction 33, page 64, and Burma Land Revenue Direction 30A.

- (c) the town or village and *kwin* in which it is situated ;
- (d) whether notices calling for objections to the grant of the land have duly issued ;
- (e) if the land is situated within a *kyauing* enclosure, the name of the presiding *pôngyi* and whether he consents to the grant ; and
- (f) plans in triplicate and a statement showing the names of *kwin*, circle, and township, the area of the land, the *kwin* rate, and the value of the land.

\* CHAPTER VII.

**Rules for the disposal of land in Civil Stations  
(sections 16 and 17).**

61. The rules in this Chapter shall be in force in those areas to which the Financial Commissioner may by notification apply them. In such areas the rules contained in Chapters II, III, IV and V shall not be in force. Such areas shall be called ' Civil Stations.'

62. Leases of land at the disposal of Government † may be made for residential purposes only.

63. The lease shall be for a term of thirty years and shall provide for renewals at intervals of thirty years so long as the conditions of the lease are fulfilled. The lease shall be revocable at any time for breach of the conditions.

Forms  
Land  
Rev. II,  
Lease 3  
and 4,  
pages 105  
and 109.

64. The Deputy Commissioner may, on his own authority, make a lease to any one person up to a limit of three acres. If the application is for a lease of land exceeding three acres, it shall be submitted to the Commissioner with the Deputy Commissioner's recommendations for orders. The Commissioner may sanction a lease up to six acres ; and if the area exceeds six acres, the sanction of the Financial Commissioner shall be obtained.

65. No plot shall be leased to any person who already holds another plot in the same Civil Station. And if any person acquires the leases of more than one plot, any of such leases shall be revocable by order of the Deputy Commissioner.

66. No land shall be leased to a Government servant in any Civil Station in which he is not actually serving.

\* Added by Revenue Department Notification No. 13, dated the 19th February 1908.

† See section 4 (a), page 2, and Direction 55, page 72.

67. Any person who desires to obtain a lease of a plot of land in a Civil Station may apply in writing to the Deputy Commissioner of the district. The application\* shall contain the following particulars :—

- (a) Name, residence, designation of applicant.
- (b) Occupation of applicant.
- (c) The lot number, if any, and the boundaries of the land desired.
- (d) The approximate size of the house to be erected and the materials with which it is to be built.
- (e) The approximate cost of the house to be erected.
- (r) A reference to the standard plan of the Civil Station, if such plan has been prepared; if such plan has not been prepared, a reference to a map to be attached to the application.

68. If a survey of the land is necessary, the officer who receives the application may require prepayment of a survey fee † of such amount as he deems reasonable in each case: provided that, where the survey is to be made by a salaried Government surveyor, no fee shall be taken.

69. The officer who receives the application shall verify the fact that the land applied for is at the disposal of Government, and shall make such further enquiries as he may think necessary, and may, for reasons to be recorded, reject the application, or require the applicant to modify the application, or may approve the application.

70. The rent fixed for the land shall be—

- (a) not less than 50 per cent. of the full letting value of similar private sites, or
- (b) if the full letting value is not ascertainable, not less than 4 per cent. of the selling value of similar private sites, or
- (c) if neither the selling nor letting value is ascertainable, at such rate as the Financial Commissioner may, by general or special order, direct, provided that it shall not be less than the highest rate at which revenue is assessed on cultivated lands in the neighbourhood.

71. After fixing the rent the Deputy Commissioner shall cause public notice to be given of the application. Such notice shall fix a date not less than 15 days after the publication of

\* Requires an eight-anna Court-fee stamp.

† See Burma Land Revenue directions 25—29.

such notice, on or before which any person may show cause to the Deputy Commissioner or some other officer, not below the rank of a Myoðk, to be named in the notice, why the lease should not be made, and shall state that if no such cause is shown, the lease will be made. Such notice shall contain the information furnished by the applicant under Rule 67 with such modifications as may have been made in the course of dealing with the application and shall state the amount of rent which will be imposed in case the lease is made. Copies of the notice shall be affixed at the Deputy Commissioner's office, and if the land is not at the headquarters of the district, at the office of the Subdivisional Officer. Copies of the notice shall be served upon the occupants of any plots adjoining the plot applied for.

72. If there are more than two applicants for the same plot, the Deputy Commissioner shall decide to which applicant the lease shall be made, having regard—

- (i) to priority of application ;
- (ii) to the nature of the house proposed to be built ;
- (iii) to the official rank of the respective applicants ; and
- (iv) to the question whether the applicant proposes to build for his own residence or for lease to others.

Ordinarily an official of higher rank shall be preferred to an official of lower rank, and a Government servant shall be preferred to a non-official.

73. It shall be a condition of the lease that no native huts or houses shall be erected on the land except such as in the opinion of the Deputy Commissioner may be required for servants' quarters.

74. Leases to officials and non-officials, respectively, shall be made in forms prescribed under section 42 of the Act.

Forms  
Land  
Rev. II,—  
Lease 3  
and 4,  
pages 105  
and 109.

## CHAPTER VIIA.\*

### Extraction of Minerals and Levy of Royalties thereon [Section 23A (3) clauses (a), (b) and (c)].

74A. No person shall mine, quarry, dig for, excavate or collect stone, laterite (whether in blocks, gravel, or sand), limestone, sandstone, marble, gypsum, clay, or other minerals (not being minerals or metals to which the special mining rules

\* Added by Government Revenue Department Notification No. 89, dated the 7th December 1908.

sanctioned by the Secretary of State for India in Council or any rules in force under the Burma Forest Act apply) on land wherein the right to such minerals is reserved to or otherwise belongs to Government except under a license granted under the provisions of this Chapter.

*Explanation.*—The special mining rules provide for coal, oil, gold, silver, precious stone, iron and all metals. In reserved forests the disposal of the minerals provided for by this rule is in the hands of the Forest Officers. In disposing of these minerals in reserves the Forest Officer is enjoined not to charge lower rates than are charged outside the reserves.

**74B.** Subject to the provisions of Rules 74C and 74D, the Deputy Commissioner, or any Subdivisional Officer generally or specially authorised by him, may issue licenses for the extraction from a specified area † of any mineral for which a license is necessary under Rule 74A, at such rent, royalty or fee, if any, as the Financial Commissioner may by general or special order prescribe. ‡

**74C.** Where the surface of a parcel of land is occupied by a landholder, grantee, lessee, or licensee, the Deputy Commissioner or other officer authorised under Rule 74B shall not issue a license for the extraction from such land of such minerals as aforesaid until the landholder, grantee, lessee or licensee of such land has had an opportunity of showing cause against the issue of such license, and until the person to whom it is proposed to issue a license has given such security as the said officer may deem sufficient for the payment of adequate compensation for occupation or disturbance of the surface of such land under the provisions of section 23A, sub-section (2), of the Act.

**74D.** If the area specified under Rule 74B is within a municipality constituted under the Burma Municipal Act, 1898, or within a notified area declared under Chapter X of the said Act, a license to extract minerals shall not be issued until the Municipal Committee or Town Committee, as the case may be, has had an opportunity of objecting to the grant of such license. If the Municipal Committee or Town Committee objects to the issue of such a license, the license shall not be issued except by the Deputy Commissioner, and if the municipality or notified area is at the headquarters of a district and such objection as aforesaid is made, the license shall not be issued without the previous sanction of the Commissioner.

† See Direction 62, page 75.

‡ See Direction 63, page 75.

**74E.** Every license granted under the provisions of this Chapter shall, in the absence of an express provision therein to the contrary, expire on the 30th June next following the date on which it was granted, and shall then be returned to the officer who issued it.

**74F.** Every licensee shall, if so required by the officer issuing the license, fill up or drain the cavities resulting from his operations at his own expense and to the satisfaction of such officer.

**74G.** The rules in this Chapter shall not apply to the extraction of minerals from land which is—

- (a) held under a grant given in accordance with Rule 17 of the Lower Burma Waste Land Grant Rules, 1865 ;
- (b) vested in a Municipal Committee or in the Rangoon Port Commissioners under the provisions of the Burma Municipal Act, 1898, or of the Rangoon Port Act, 1905, respectively, or of any other enactment for the time being in force, except where rights to minerals specified in Rule 74A have, by the grant or lease, been expressly reserved to Government ;
- (c) held under special grants or leases in which rights to these minerals are not reserved ;
- (d) held by the Burma Railways Company under its contract with Government ;
- (e) assessed at the settlement to brick-field rates during the currency of the settlement.

**74H.** Revenue on account of minerals and mines shall be payable on the date or dates and in the manner specified in the license and shall be paid to the persons specified in the license, or in the absence of any such provision, at the office of the Revenue Officer who issued the license, or as the Financial Commissioner directs.

## CHAPTER VIII \*.

### Appeals.

**75. (1)** Appeals shall lie—

- (a) to the Deputy Commissioner—from the orders and decisions of all officers subordinate to him ;

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\* Added by Government Revenue Department Notification No. 30, dated the 15th April 1908.

- (b) to the Settlement Officer,—from the orders and decisions of all officers subordinate to him ;
- (c) to the Commissioner,—from all orders and decisions passed by Deputy Commissioners and Settlement Officers.

(2) Appeals to Deputy Commissioners and Settlement Officers shall not be admitted after the expiration of sixty days from the date of the order or decision appealed against, and appeals to Commissioners shall not be admitted after the expiration of ninety days from the date of the order or decision appealed against, unless the appellant shall satisfy the Deputy Commissioner or the Settlement Officer or the Commissioner, as the case may be, that he had good cause for not presenting the appeal within the period.

Subject to revision by the Financial Commissioner, in exercise of the power conferred by section 40, the orders and decisions of Commissioners shall be final.

#### CHAPTER IX \*

### Rules with respect to leases of land at the disposal of Government in the Town of Thandaung.

76. In the town of Thandaung, in the Toungoo District, leases of land at the disposal of Government † may be made for building or for other purposes in accordance with the rules in this Chapter.

77. A lease for house-building of any site demarcated by the Deputy Commissioner for that purpose and shewn on the plan of the town approved by the Financial Commissioner may be granted by the Deputy Commissioner without restriction as to its area.

In areas which are not so demarcated and which have not in the approved plan of the town been reserved against house-building, a lease for house-building may be granted by the Deputy Commissioner if the area does not exceed 3 acres; but if the area applied for exceeds 3 acres, the Deputy Commissioner shall submit the application to the Commissioner with his recommendations for orders, and if the area applied for exceeds 5 acres, the application shall be submitted for the orders of the Financial Commissioner.

\* Added by Government Revenue Department Notification No. 102, dated the 19th December 1908.

† See Section 4 (2), page 2 and Direction 55, page 72.



78. (1) Leases for building shall ordinarily be for a period of thirty years, and shall provide for renewal on the expiry of the original term up to a maximum period of 90 years.

Form  
Land  
Revenue  
II—Lease  
I, page 97.

(2) The yearly rent payable shall be fixed by a general or special order of the Financial Commissioner and shall be liable to revision at each renewal of the lease.

79. Every applicant for a lease for house-building purposes shall attach to his application a plan of the building specifying the materials to be used and the estimated cost of such building, and the lease shall not be issued unless the plan and specification of such buildings have been approved by the Deputy Commissioner.

Such lease shall be subject to the conditions that no buildings shall be erected unless the same shall have been approved by the Deputy Commissioner.

80. If the land applied for is not one of the sites demarcated and shown on the approved plan of the town, the Deputy Commissioner may require prepayment of a survey fee of such amount as he deems reasonable in each case. On payment of the fee, the Deputy Commissioner shall cause the plot to be surveyed, and may either reject the application, or after verifying that the ground is at the disposal of Government and, after making such further enquiry as he thinks necessary, may reduce, extend or alter the proposed site as he deems fit. No lease of a site not demarcated and shown in the approved plan of the town shall be made until the Executive Engineer has certified that there is no objection to the lease of the site.

81. The instrument of lease, which shall be in the prescribed form, shall be executed in duplicate, and the counterpart shall be filed in the Deputy Commissioner's office.

Land  
Revenue  
II—Lease  
I, page 97.

82. When application is made for land for any purpose other than house-building, the Deputy Commissioner may grant a lease of an area not exceeding 5 acres for a period not exceeding ten years on such conditions as may appear suitable. Leases of larger areas or for longer periods may be granted with the approval of the Financial Commissioner.

Provided that without the sanction of the Financial Commissioner no land shall be so leased which has been demarcated and is shown as a house-site on the approved plan of the town.

83. The provisions of Chapter VI of these rules shall apply to grants for religious and public purposes of waste land at the disposal of Government in the town of Thandaung.



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**PART IV.**  
**THE BURMA TOWN AND VILLAGE LANDS**  
**DIRECTIONS, 1912.**

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## DIRECTIONS.

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## DIRECTIONS \*

UNDER THE

### UPPER BURMA LAND AND REVENUE REGULATION, 1889 LOWER BURMA TOWN AND VILLAGE LANDS ACT, 1898 AND THE RULES THEREUNDER.

- (i) These Directions may be cited as the  
**Burma Town and Village Lands Directions, 1912**
- (ii) In these Directions—
- (a) where there are alternatives in the same line, the upper wording refers to Upper Burma and the lower wording refers to Lower Burma ;
- (b) where there are alternatives in parallel columns, the left-hand refers to Lower Burma and the right-hand to Upper Burma ;
- (c) directions which are wholly printed in the left-hand column refer exclusively to Lower Burma, and directions which are wholly printed in the right-hand column refer exclusively to Upper Burma ;
- (d) the word “ **Section** ” used in conjunction with a number refers to the section bearing that number in the Upper Burma Land and Revenue Regulation, 1889 ;  
Lower Burma Town and Village Lands Act, 1898
- (e) the word “ Regulation ” used alone refers to the Upper  
Act Lower  
Burma Land and Revenue Regulation, 1889 ;  
Burma Town and Village Lands Act, 1898
- (f) the word “ **Rule** ” when used in conjunction with a number refers to the rule bearing that number in the rules under the Upper Burma Land & Revenue Regulation, 1889  
Lower Burma Town & Village Lands Act, 1898  
published with the Government of Burma's Revenue Department Notification No.  $\frac{148}{30}$ , dated the  $\frac{10\text{th May } 1892}{14\text{th Feby. } 1907}$  as amended up to date ;
- (g) all other words have the meaning, if any, assigned to them in the Regulation  
Act or rules thereunder, unless the contrary appears from the context.

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\* Referred to by Financial Commissioner's Notification No.103, dated the 7th August 1913 which superseded previous directions.

## CHAPTER I.

**Provision of Village-Sites and Recovery of cost of Acquisition.**

1. The Local Government has declared, under section 3 (f) of the Land Acquisition Act, 1894, that it is customary for Government to provide village-sites in all districts—see Revenue (Land Acquisition) Department notifications No. 49, dated the 30th January 1907, and No. 256, dated the 15th July 1899.

Rule 45 enables Government to recover the cost of acquisition, and the following instructions are issued for the guidance of District Officers in utilizing the rule.

2. When a Deputy Commissioner considers that land is required for a village site or for the extension of an existing site and that there is no Government land available for the purpose, he may submit proposals for the acquisition of private land.

3. After the land has been acquired the Subdivisional Officer or Township Officer shall divide it into house-building lots and roads and cause a map to be prepared of it as so divided. Lots shall ordinarily be laid out, so as to be 40 feet distant from the banks of the nearest creek with, if practicable, 30 feet frontage and 50 feet depth. Roads shall be as far as possible 50 feet wide. Ordinarily there shall be between every two roads only two rows of building lots and between the two rows a back drainage space 20 feet wide. The map should be on the scale of 32 or 64 inches to the mile according to requirements, and it must show clearly the different sites and roads. All sites shall be demarcated with brick or stone posts or pipes. A notice shall then be published for twenty-one days in such manner as the Deputy Commissioner prescribes with the map or a copy thereof attached calling on persons desiring to have building lots allotted to them to appear on a specified day and hour at a specified place on or near the land.

4. At the said place and time the Subdivisional Officer or Township Officer shall draw up a list of persons who desire to obtain house-building lots, and shall proceed to allot the available lots to the most suitable persons. The allotment should be made with the help of the headman and elders. If two or more equally suitable applicants desire the

same building site, lots may be drawn to decide which is to get it. The presiding officer will record the name of the person to whom each lot is allotted, and on receipt of the fee required by Rule 45, or the first instalment of it, if the Deputy Commissioner permits payment by instalments, will enter the name in a form of grant, as mentioned below. A form of allotment proceeding (form Land Revenue III—L. B. Misc. 6, page 131), is prescribed for optional use.

5. In token of allotment the presiding officer shall cause the headman to give the allottee a grant in form Land Revenue II—L. B. Grant 3, page 95.

6. After the lots, or at least half of them, have been allotted, the proceedings, *i.e.*, the map, list of lots, and purchasers, counterparts of grants and chalans crediting fees, shall be submitted for the Deputy Commissioner's confirmation.

7. The proceedings shall be kept in the Deputy Commissioner's office after confirmation and shall be preserved permanently.

8. For the purpose of recording the recoveries of the cost of acquisition, the Deputy Commissioner shall maintain a register in forms Land Revenue I—L. B. Account Register 1 and 2, pages 86 and 87. It shall be kept by the agricultural year. Instructions are attached to it.

9. Where the fees are recovered in instalments the headman shall be allowed 5 per cent. commission for the collection of the instalments not paid immediately.

10. A six-monthly return shall be submitted on the 15th January and 15th July of each year to the Commissioner, in the form of the register of recoveries, but showing the total of recoveries only, the entries relating to the various areas being entered together, in form Land Revenue 4—L. B. Return 1, page 89. It shall first be verified by the Treasury Officer.

11. The Deputy Commissioner may write-off irrecoverable fees up to any amount.

12. The cost of acquisition shall be debited to Provincial funds under the head "3, Land Revenue, Charges of District Administration, Supplies and Services, Compensation for land taken up for public purposes," and the fees recovered shall be credited thereto under the head "1, Land Revenue, Miscellaneous, Other Sources," in the Classified List of Revenue Account heads prescribed by the Financial Commissioner's Circular No. 5 of 1902.

## CHAPTER II.

## Directions regarding Civil Stations.

**13.** The Local Government considers it expedient to reserve areas at all important towns as Civil Stations.

**14.** The Deputy Commissioner of each district should, after a personal inspection made for this specific purpose, decide whether reservation is necessary or not in the case of each town in his district. Ordinarily it will not be necessary to make such reservations except at the headquarters of districts and of the more important subdivisions.

**15.** Having decided that reservation is necessary, the Deputy Commissioner should mark out an area for reservation consisting of land on which he can control building operations.

**16.** If all the land is at the disposal of Government, no difficulty need arise. If it is necessary to acquire land for the purpose, the sanction of Government will be necessary and the project must be sent up for orders in the usual way, the cost of the proposed acquisition being reported. If the proposed area is within a municipality or a small town, the Deputy Commissioner should consult the Municipal Committee or Town Committee as to whether they have any objections to the reservation of the area.

**17.** If the Civil Station is in a municipality or a notified area [small town], the erection of buildings, etc., will be subject to bye-laws, if any, framed by the Municipal or Town Committee, and the Deputy Commissioner should address the Municipal Committee or Town Committee with a view to their drawing up suitable building bye-laws or revising existing bye-laws so as to secure that houses in the Civil Station shall be built or rebuilt in a style not out of keeping with surrounding dwellings. Whether the Civil Station is in a municipality or small town or not, the Deputy Commissioner should move the Municipal or Town Committee to make suitable bye-laws for land in the municipality or small town which is adjacent to the Civil Station.

**18.** If the Municipal Committee or Town Committee is unwilling to comply with the wishes of the Deputy Commissioner, the matter shall be reported to the Commissioner, who will take such action under the Municipal Act either on his own motion or after report to Government as may be expedient.



19. But apart from the municipal law, section 26, sub-section 2, clause 1 section 17, sub-section 2, clause (a) provides for the imposition of conditions relating to the lease of land, and Rule 51M. (1) and provisos (a) and (b) under Rule Rules 62, 63, 65, 66 and 73 under the Lower Burma, 51M (3) under the Upper Burma Land and Revenue Regulation Town and Village Lands Act have prescribed conditions to be observed in Civil Stations.

20. It is not necessary that the whole of the area reserved as a Civil Station should be vacant land. There is no objection to the inclusion therein of land occupied by Government buildings, either official or residential, or even the inclusion of land held in private ownership or on lease from Government. The object to be attained is that the area included in the Civil Station should be reserved for houses of a European type. The area should therefore not include any houses of a non-European type unless it is proposed to acquire such houses and to pull them down. Where land held in private ownership is included, there is some danger of its being diverted at a future date to objectionable uses, but the danger can be mitigated by appropriate building bye-laws, if the area is in a municipality or notified area.

21. When the Deputy Commissioner has decided upon the area to be reserved for a Civil Station and when he has obtained such sanction as may be necessary for the acquisition of any land included in such area, he shall report the boundaries of the land to the Financial Commissioner through the Commissioner of the Division. It is the practice for the Financial Commissioner to notify under Rule 1, clause 2 (g), and Rule 51L. (1) Rule 61. the areas to which the rules for the disposal of land in the Civil Station are to apply, and the Deputy Commissioner's report shall be accompanied by a draft notification \* which shall give the boundaries of such land.

At the same time the Deputy Commissioner shall report whether he considers it expedient to issue in respect of the land a notification under section 8 † of the Act in order to preclude the acquisition of landholder's rights in the area.

\* See instructions in Appendix IV, page 158.

† Land in towns other than railway towns specially acquired by Government are already exempted, see notification E, page 25.

The Deputy Commissioner shall also report whether the area is in a "town" constituted under section 3 (2) of the Upper Burma Land and Revenue Regulation 1389 as defined in section 4 (3) of the Lower Burma, Town and Village Lands Act 1898, and, if not, whether he recommends its addition to an existing town or its separate notification.

22. When the Financial Commissioner has notified the area to be a Civil Station, the area shall be marked out by the Deputy Commissioner and the Executive Engineer and shall be divided into lots. The external boundaries of the Civil Station shall be demarcated permanently with stone or iron pillars of a distinctive shape.

23. A map shall be prepared showing such boundary marks and the roads and lots within the Civil Station, and the prominent features of the land adjoining it on all sides. Copies of the map shall be supplied to the Subdivisional Officers and Township Officers, Executive Engineer, and Municipal Committee or Town Committee.

24. At the same time as he marks out the Civil Station into lots, the Deputy Commissioner should prepare a scheme showing the class of houses to be erected in the Civil Station. The Civil Station may be divided into sections, two or more in number as may be convenient, and the regulations regarding the minimum size of house, the minimum area to be left uncovered by buildings, and the minimum cost, may vary in the different sections. One section of the Civil Station may, for example, be reserved for European Gazetted Officers and others who desire to live in the same style of building. Another section may be reserved for Burman Gazetted Officers, Myoôks and the like. And a third section may be reserved for clerks, lower subordinates of the Public Works Department and so on. The scheme of allotment should be sent to the Commissioner and may be modified by him as he thinks fit. The scheme when sanctioned should be communicated to all services and departments interested, and no departure from the scheme should be permitted without the special sanction of the Commissioner in the case of any new building.

25. It will sometimes happen that a Civil Station includes buildings erected under leases which were issued under old rules but which contain conditions rendering it possible to bring the buildings into conformity with the general scheme sanctioned for the Civil Station. In other cases where there are no such conditions there may be opportunities for imposing such conditions upon the expiry or renewal of leases, as for example

where under the terms of a lease, sanction is required for the reconstruction of a building. In such cases District Officers should take advantage of the conditions or of the expiry or renewal of leases, to impose conditions preventing new houses or existing houses from being put to uses which interfere with the amenities of the remainder of the inhabitants of the station or section of the station; to provide against the erection of cooly barracks or similar objectionable buildings, and generally to bring the plots under such leases into conformity with the Civil Station rules.

26. The forms of leases provide for the control of the kind of buildings to be erected and for the prevention of overcrowding.

Land Revenue II—Lease 3 and 4, pages 108 and 109.

27. It is the duty of Deputy Commissioners from time to time, and at least once a year, to verify that the conditions of the leases are being complied with.

## CHAPTER IIA.

### Leases of Sites for Clubs.

27A. Leases of sites for clubs, *i.e.*, places for outdoor as well as in-door recreation, if for purposes other than building or if the area exceeds 3 acres, require the Financial Commissioner's sanction and should be made in form Land Revenue II—U. B. Lease 1.

As it is the duty of the Deputy Commissioner to see that the covenants and conditions of the lease are observed it is necessary that the lease should be made out in the name of some other resident who is prepared to accept the position of the trustee of the club. The instrument is liable to stamp duty as a lease and to a stamp duty of Rs. 15 on account of the declaration of trust in covenant 12.

## CHAPTER III.

### Land-holders' Rights [Section 8].

28.\* In areas exempted from the operation of the Act by Government Revenue Department Notification No. 437†, dated the 8th November 1900, rights

\* Letter No. 534—5T.-2, dated the 19th August 1901, from the Revenue Secretary to the Government of Burma to the Financial Commissioner.

† See page 25.

which had been acquired before the 9th September 1899 under section 8 (a) of the Act, and before the 8th November 1900 under section 8 (b) thereof, are not affected by the orders in that notification.

\* The word "revenue" in section 4 (10) (a) may be taken to have the meaning of "land revenue" in the (Lower) Burma Land and Revenue Act, 1876, and the words "other impositions" cover rent on town and village lands.

29. † If a person who is believed to have acquired land-holder's rights in a certain area under section 8 applies for a lease, he should be informed that if he chooses to apply under section 12, he may be placed in a position superior to that of a lessee; if he consents, proceedings should be taken under that section and no lease given. If he still prefers a lease he should be told that the effect of a lease is a waiver of the landholder's right and that on the expiry of the term of the lease he cannot claim the right of land-holdership. If in spite of this he still desires a lease, he may have it.

## CHAPTER IV.

### Disposal of Land in Rangoon, Maymyo and Thandaung.

30. Chapters VIA and VIB of the Upper Burma Land Revenue II to V and VII of the Lower Burma Town Village Lands rules do not apply to Maymyo Rangoon and Thandaung. The rules for the disposal of land in Maymyo Rangoon and Thandaung were published in the Financial Commissioner's Notification No. 55, dated the 8th March 1904, Government Revenue Department Notifications No. 67, dated the 18th August 1911, and 102, dated the 19th December 1908 ‡, respectively.

Chapters VIIA and VIII apply to the entire area of the Rangoon Municipality (including the area transferred from Hanthawaddy).

\* Letter No. 48—5T.31, dated the 1st April 1903, from the Secretary to the Financial Commissioner to the Commissioner, Irrawaddy Division.

† Letter No. 144—5T.83, dated the 5th October 1900, from the Secretary to the Financial Commissioner to the Commissioner, Irrawaddy Division.

‡ See page 50.

## CHAPTER V.

**Disposal of Land to Joint-Stock Companies.**

31. According to Rule IV of the statutory rules made under section 1 of the Government of India Act, 1859 (22 and 23 Victoria, Chapter 41) by the Secretary of State in Council, the sanction of the Government of India was required for any grant or lease, which was not covered by some special legislative sanction, to a joint-stock company for any mining, milling, or other industrial or manufacturing purpose. Rules made under powers granted by an Act or Regulation are a "special legislative sanction". Hence the powers of lease given by the rules issued under <sup>Regulation III of 1839</sup> <sup>Burma Act IV of 1898</sup> are not restricted by Rule IV above cited.

Before the enactment of Burma Act IV of 1898, certain rules for the lease of land by the Financial Commissioner\* to joint-stock companies were made in the Government of India's Finance and Commerce Department letter No. 5289-Ex., dated the 9th December 1897. They will apply only to towns in Lower Burma (including Rangoon) and though still in force are seldom used and are not reproduced.

## CHAPTER VI.

**Grants of Land [Rules <sup>52-55</sup><sub>50-52</sub>].**

32.\* When a grant of land requires the sanction of the Financial Commissioner, of the Local Government or of the Government of India, care should be taken to specify clearly the part of the town in which the land applied for is situate and its present condition. When necessary, a small scale map should be forwarded.

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\* Letter No. 2225—320-2, dated the 15th October 1901, from the Secretary to the Government of India, Revenue and Agricultural Department, to the Secretary to the Government of Burma.

33. Burma Land Revenue Directions 30—34 apply *mutatis mutandis* to town and village lands.

## CHAPTER VII.

### Acquisition of Land for the formation of Towns.

34. The following extract from paragraph 2 of the directions under the Land Acquisition Act, 1894, published with the Financial Commissioner's notification No. 150, dated the 10th October 1907, explains on what principles land may be acquired for the formation of towns:—

“In towns, while it is not admissible for Government to acquire lands solely as a financial speculation in the hope of being able ultimately to make a profit on the transaction, yet where any real public purpose can be served, it is open to Government to acquire land under the Act to be subsequently let out on building leases. For instance, the acquisition of land in order that a town may be laid out on sanitary and convenient lines is acquisition for a public purpose, and acquisition of land by a Municipal Committee in accordance with section 83 of the Burma Municipal Act (III of 1898) may be made under the Land Acquisition Act.

“In the case of proposed acquisitions at railway stations in the Pegu Division, Government accepted the principle that it might be desirable to acquire the whole of the land to be laid out for a town, in order to recoup its expenditure by the sale of leases; but Government insisted that there should be reasonable certainty of recouping the expenditure within one or two years and that this certainty should be based either on the fact that the town had already extended over the area to be taken up or on the expectation that the area would be so occupied within a short time.\* The existence of exceptional cases where sanitary grounds might justify an acquisition financially unprofitable was nevertheless admitted. An alternative system which has been approved as an experiment is as follows:—

“Land-owners give up free of cost sufficient land for roads and drainage spaces and the  $\frac{\text{District Fund}}{\text{District Cess Fund}}$  bears the cost of constructing roads. Land-owners balance the additional value imparted by roads and drains to their lands against the value of

\* But see also Direction 37.

the lands surrendered for roads and drains. Notifications are required for acquiring formally the lands given up by the land-owners for roads and drainage spaces.”

**Cost of Acquisition of Land how met.**

**35.\*** Except in the case of the towns where town land rents are cre-  
dited to local funds mentioned in Direction 47 the cost of acquiring land in towns shall be debited as follows :—

- (a) The cost of acquiring land from which rents are to be derived, or on which Provincial or Imperial buildings, such as court-houses, police-stations, etc., are to be built should be debited to Provincial or Imperial.
- (b) The cost of acquiring land for making roads or municipal buildings, such as bazaars, slaughter-houses, etc. should be debited to the Municipal Fund if the town is a Municipality, to the Town Fund if the town is administered by a Town Committee, and to the District Fund if no separate fund is maintained for the town.
- (c) When a large area of land is acquired for the purpose of laying out a town, a rough calculation should be made of the area which will be occupied by roads, houses, and public buildings, and the total cost of acquisition should be divided between Provincial or Imperial and Local in such a manner that the sum debited to each head of account bears the same proportion to the total cost of acquisition as the area to be appropriated to the various purposes corresponding to those heads of account bears to the total area.

**36.\*** In the case of the towns where town land rents are credited mentioned in to local funds Direction 47 the cost of acquiring land from which rents are to be derived, as well as the cost of acquiring land for municipal buildings, should be debited to local funds. The cost of acquiring land to be used for non-municipal buildings should be met from Provincial or Imperial. When a portion of the cost is to be borne by Imperial or Provincial and a portion by local funds, the portion payable by each should be calculated in the manner indicated in Direction 35 (c).

## CHAPTER VIII.

## Railway Towns.

37. The term "Railway Town" was formerly applied in Lower Burma to areas near railway stations—

(a) where special rules (circulated with the Chief Commissioner's letter No. 6579—4L., dated the 21st September 1881), applied to the lease of sites;

(b) where some or all of the land had been acquired under the Land Acquisition Act;

(c) which were laid out on a standard plan.

Since the passing of the Lower Burma Town and Village Lands Act, 1898, the term "Railway Town" has been used in Revenue Department Notification No. 437, dated the 8th November 1900.\*

After the promulgation of the Land Acquisition Directions of September 1894, the practice of acquiring land at railway stations in order to forestall a probable demand for dwelling-house sites and warehouse sites and to obtain for Government the benefit of the unearned increment was discontinued. But acquisition is admissible if any real public purpose can be served, *vide* Direction 34. A "Railway Town" is now simply a town on the railway line, and is of special importance because the opening of a railway station attracts population with unusual rapidity, so that an exceptional opportunity for laying out a town on sanitary lines presents itself.

## CHAPTER IX.

## Sites for Railway Towns.

38.† The arrangements suggested in the plan and memorandum in Appendix VI for laying out railway towns should be followed as closely as possible when future railway towns are laid out.

\* See page 25.

† Letters No. 422—3Z.-11, dated the 13th February 1899, and No. 747—4Z.-10, dated the 22nd May 1905, from the Secretary to the Government of Burma, to the Financial Commissioner, Burma.



**39.\*** Each project for starting a railway town should be submitted by the Deputy Commissioner, through the Commissioner, for the approval of the Sanitary Board, which, before passing orders, will consult the Sanitary Engineer.† The site plan of the proposed town should be submitted together with a report from the Civil Surgeon based on personal inspection as to the suitability of the proposed site from a sanitary point of view, and the arrangements which are proposed for—

water-supply,  
drainage,  
disposal of sewage, night-soil, rubbish, etc.,  
burial and burning-grounds,

should be fully reported.

**40.\*** No railway town should be started until the project has been considered and approved by the Sanitary Board as above, and until such roads, drains, etc., as are necessary at first have been completed and arrangements made for general sanitation and the protection of the water-supply.

**41.** While proposals for laying out a railway town are being matured, the following action should be taken :—

(a) A tenure map should be prepared.

(b) Notices of eviction under sections 18 or 19 of the Act, if the area which it is proposed to lay out is already a village, or under section 19 of the (Lower) Burma Land and Revenue Act, 1876, and Rules 51 and 52 thereunder should be issued.

(b) Notices of eviction under section 25 (d) of the Regulation should be issued.

**42.** Government Revenue Department notification No. 437, dated the 8th November 1900‡, excludes from the general law relating to the acquisition of landholder's rights certain areas specified and defined in 1896 under the designation of "railway towns." For other areas near railway stations which it is desired so to exclude, a special notification under section 8 of the Act should be proposed in each case.

\* Letters No. 422—3Z.-11, dated the 13th February 1899, and No. 747—4Z.-10, dated the 22nd May 1905, from the Secretary to the Government of Burma, to the Financial Commissioner, Burma.

† The Sanitary Engineer is now a member of the Board (*vide* Government's General Department Circular No. 56 of 1906).

‡ See notification E, page 25.

## CHAPTER X.

**Revenue and Rent, and the Funds to which they are creditable.**

**Rent and Revenue from Fruit Trees.**

**Exemption from land revenue assessment of Land devoted to Public Purposes.**

**Preparation of assessment rolls and tax receipts.**

**Recovery, remission and refund of Revenue and Rent.**

**Rates of Commission.**

43. The Local Government has decided \* not to levy land revenue on house-sites in order to recoup the cost of the surveys on the scale of 64 inches to the mile which have been executed in practically all towns of any importance, and to make no change for the present in the existing practice of assessment.

In his notification No. 68,† dated the 3rd May 1912, the Financial Commissioner has prescribed rates of land revenue leviable on cultivated lands in the towns or portions of towns specified, and directed that on land in other towns or portions of towns, land revenue shall, subject to the provisions of section 22, be leviable at the same rates and in the same manner as at the time of coming into force of the Act. Hence it is leviable only on culturable land or land which was culturable on the 1st February 1879, when the (Lower) Burma Land and Revenue Act, 1876, came into force, *vide* section 23 of that Act.

44. Land revenue is not to be assessed on the land provided by Government for the Burma Railways Company.

\* Letter No. 838—5T-83, dated the 23rd August 1907, from the Revenue Secretary to the Government of Burma to the Financial Commissioner.

† See page 25.

45. Section 22 of the Lower Burma Town Village Lands Act, 1898, exempts from assessment.

45. Government has directed the exclusion from assessment of—

- (i) Plots of land in villages not exceeding one-quarter of an acre each in extent and occupied by or appertaining to buildings ; and
- (ii) Plots of land in towns not exceeding one-quarter of an acre each in extent and occupied by or appertaining to buildings which are assessed to one of the taxes specified in section 46, sub-section (1), Division (A), clause (a), clause (b), clause (c) or clause (d) of the Burma Municipal Act of 1898.

46. Land revenue should not be credited to Local Funds.

47\*. Municipal Committees have no authority to levy rents from town lands which belong to Government. Town-land rents, as well as land revenue, belong to Provincial revenues and should not be credited to local funds,

except in the case of the following towns :—

|             |             |
|-------------|-------------|
| Rangoon.    | Pegu.       |
| Akyab.      | Letpadan.   |
| Moulmein.   | Zigôn.      |
| Bassein.    | Sitkwin.    |
| Gyobingauk. | Minhla.     |
| Thônzè.     | Ôkpo.       |
| Prome.      | Nattalin.   |
| Henzada.    | Tharrawaddy |
| Toungoo.    | Mergui.†    |

48. Rents or premia derived from land acquired for roads and buildings in the towns specified in the preceding direction, but temporarily let out for agricultural purposes, should be credited to local funds, less the amount payable as land revenue.

48A. Rents on leased lands in towns are payable on the date determined by the instrument of lease (generally the 3rd of January). The assessment is made by the Land Records department and the collection by the revenue collecting agency under the *Akunwun*. When a new lease is sanctioned it is desirable that the rent for the broken period of the year between

\* See Local Government Financial Department Circulars Nos. 3 and 10 of 1893, and 46 of 1894.

† In part only, see letter No. 548—3R.-2, dated the 31st May 1892, from the Secretary to the Chief Commissioner to the Commissioner, Tenasserim Division.

the issue of the lease and the date on which the rent for the ensuing year is made payable in advance, should be realised by the *Akunwun* before the issue of the lease. The amount paid should at once be entered in the supplementary assessment roll of town land rents and a note should be made in the diary of the lease proceeding that this has been done.

### Rent and Revenue from Fruit Trees.

49. The assessment of fruit trees and palms belonging to private persons is governed by sections 22 and 23 of the Lower Burma Town Village Lands Act, 1898. Hence—

(i) Fruit trees in homestead plots exceeding a quarter of an acre should be assessed to revenue in the ordinary way as being part of the land or if the owner of the tree be not the owner or occupier of the land at the fixed revenue rate per tree.

(ii) Fruit-trees standing in homestead plots of one-quarter of an acre or less should enjoy to the full the exemption conferred by clauses (c) and (d) of section 22.

The disposal of the right to collect the produce of Government fruit trees or palms is governed by Burma Land Revenue Directions 110, 111, and 113. The sale or lease of permission to collect fruit or sap should be confined to trees standing on unoccupied land which is the property of Government. Even where Government is believed to be the owner of trees standing on land privately occupied, the right of the occupier to the yield of the trees is to be admitted.

### Exemption from land revenue assessment of Land devoted to Public Purposes.

50. (1) Lands, such as roads, sites of hospitals, dispensaries, schools, churches, *theins* and the like, which yield no return to private individuals or local bodies and are devoted to public

purposes, may, so long as they are utilised for purposes of the character indicated, be exempted from assessment of land revenue:—

- (a) With the previous sanction of the Deputy Commissioner, when the annual amount of land revenue to be remitted does not exceed Rs. 10;
- (b) With the previous sanction of the Commissioner, if such amount of land revenue exceeds Rs. 10, but does not exceed Rs. 25; and
- (c) With the previous sanction of the Financial Commissioner, if such amount of land revenue exceeds Rs. 25, but does not exceed Rs. 100.

Cases in which the annual land revenue exceeds Rs. 100 should be reported for the orders of the Local Government.

(2) The above orders apply to the remission of land revenue only and do not authorize the remission of rent payable to Government on account of land utilised for public purposes, where such rent is, or would ordinarily be, leviable.

(3) Lands appropriated for markets, cart-stands and similar objects, from which an income is raised, should contribute their share of land revenue.

(4) Redemption of land revenue in cases where it is leviable under the instructions in sub-paragraph (3) above, is contrary to the policy of the Government of India and should not be permitted.

### Preparation of assessment rolls and tax receipts.

51. Burma Land Revenue Directions 123—130 apply to land revenue assessment rolls in towns. Rent demand rolls should be prepared in a similar manner, but the rent receipts and notices of demand should be prepared in forms Land Revenue III—Receipt 1 and L. B. Notice 11 respectively.

### Recovery, remission and refund of Revenue and Rent.

52. By virtue of section 24 of the Lower Burma Town and Village Lands Act, 1898, the provisions of Chapter XVI of the Rules under the Lower Burma Land and Revenue Act, 1876, apply *mutatis mutandis* to the recovery of sums payable to Government under the Lower Burma Town and Village Lands Act. Chapters VII and VIII of the Burma Land Revenue

53. Town land rents in Upper Burma being included under the definition of 'revenue' in section 37 (1) (f) of the Upper Burma Land and Revenue Regulation, the provisions of Chapter XVIII of the Rules under the Regulation, and of Chapters VII and VIII of the Burma Land Revenue Directions, 1911, so far as they deal with revenue in general, apply to

Directions, 1911, are also intended to apply *mutatis mutandis* to such sums.

town land rents. It is intended also that the portions of Chapter VII of the Land Revenue Directions which deal specifically with land revenue should apply *mutatis mutandis* to town land rents.

### Rates of Commission.

54. Commission is paid to ward headmen\* or village headmen for collecting land revenue or town land rents at the rate of 4 per cent. on total collections. Such commission should be paid by cheque and should not be deducted from the amount collected. The cheques should be drawn upon local funds where they get the rents.

The commission for collecting land rate in lieu of capitation-tax is the same as for land revenue.

*Taikthugyis* who collect town land rents get 5 per cent. on total collections. These orders do not apply to Rangoon, where special rates are in force.

## CHAPTER XI.

### Disposal of Land generally.

*Pre cautions to be observed in granting or leasing land.*

55.† To ensure that land which may shortly be needed for Government purposes is not alienated and that no land is granted or leased in the neighbourhood of Government buildings in such a way as to endanger such buildings through risk of fire, the Local Government has directed that Revenue Officers shall be guided by the following instructions in the future disposal of waste lands:—

(i) The Executive Engineer will keep the Deputy Commissioner informed from time to time of the areas of waste land in towns which, in his opinion, should be kept in the possession of Government as being likely to be needed in future for Government buildings or other public purposes, and within such areas no grant or lease will be given by the Deputy Commissioner or a subordinate Revenue Officer without prior reference to the Executive Engineer.

\* The *thugyis* in Mandalay Town will be paid commission on land revenue at the rate of 10 per cent. on total collections up to Rs. 1,000 and at 5 per cent. on total collections over that amount; and on town land rents at 5 per cent. on total collections.

† Local Government's Revenue Department Circular No. 59 of 1903.

(ii) No grant or lease of waste land for building or other purposes shall be made in any town or village within 50 yards of land occupied as the site of a Government building without prior reference to the Executive Engineer. The boundaries of land so occupied should be demarcated where this has not already been done.

(iii) If in any case referred to the Executive Engineer as above the Deputy Commissioner does not agree in the views of the Executive Engineer, the case should be submitted to the Commissioner for orders.

**56.\*** The Executive Engineer's letters notifying the areas which he considers should be reserved should be filed in the main file containing the standing orders under the Act; the original letter should be placed in the Deputy Commissioner's main file and copies should be placed in the main files of the Subdivisional Officers and Township Officers concerned. The areas should also be marked in a distinctive colour on the existing maps of towns. In the case of scheduled towns and those towns to which the provisions of Chapter VIII of the Act have been applied, Directions 10 and 15 of Chapter II and 5 of Chapter VI of Appendix II† provide sufficiently for a record of the information received from the Executive Engineer.

**56A.** A register in form Land Revenue I. Land Register 8 will be kept up in the district revenue office, if the Deputy Commissioner considers it necessary, to show at a glance the leases in respect of which action will be required in any year, either to revise the rent demand on the expiry of a period of favourable assessment or to renew a lease or to prevent continued occupation without authority of land for which a lease has expired. This register serves as an index, according to the year in which further action will be required, to the general Lease Register in form Land Revenue II and Register 3, and is intended to ensure that proceedings shall be put up for the Deputy Commissioner's orders in due time. It will not ordinarily be necessary for it to be kept up except where leases are numerous. It should not be sent to the record-room, but should be kept permanently in the revenue office. When all the years for which entries have been made in one volume have passed, that volume may be destroyed.

\* Letter No. 864—871—5T.-6, dated the 26th October 1906, from the Secretary to the Financial Commissioner to Commissioners.

† See pages 139, 142, 150.

All orders passed by the Deputy Commissioner regarding the revised rent to be assessed on the expiry of a lease or a period of favourable assessment, should be communicated to the revenue surveyor concerned, and a certificate should be obtained from him that he has made entries accordingly in his Holding Register and Assessment Roll. The certificate should then be filed in the proceedings.

## CHAPTER XII.

### Surveys.

57. [*For Instructions concerning the crediting and debiting of survey fees, see Burma Land Revenue Directions, 1911, paragraphs 25—29.*]

58. Rule 11 requires the applicant for a lease to attach to his application a plan copied from the Government map. These orders apply only where the area applied for is a definite lot which has been demarcated and plotted on the Government map. In other cases, though a map of the town may exist, the boundaries of the area applied for require to be specially demarcated and mapped in each case.

## CHAPTER XIII.

### Grant of copies and inspection of Town Land Records.

59. [*For directions regarding copies and inspections of maps and other records, see the Land Records Manual, Chapter VII.*]

## CHAPTER XIV.

### Return of Agricultural Stock.

60. [*See Burma Land Revenue Directions 278—281.*]

## CHAPTER XV.

### Plaints in Revenue Cases.

61. [*See Burma Land Revenue Direction 1.*]



CHAPTER XVI.

**Extraction of minerals and levy of royalties thereon.**

62. The extraction of minerals generally results in leaving unsightly and insanitary pits and causes the accumulation of stagnant water. Such pits may have to be drained or filled up in the interests of sanitation at considerable expense. Licenses to extract minerals in or under lands in towns and villages should therefore be issued only in very exceptional circumstances and should be restricted to localities where excavations are unobjectionable on sanitary grounds.

Licenses to extract minerals, free of royalty, are forbidden except in the case of laterite or stone-metal required for municipal or local public roads.

63. Licenses for the extraction of minerals shall be in one or other of the forms\* shown in the subjoined table against each mineral, and shall specify the rent, royalties, or fees to be paid by the licensee therefor at the rate shown in the following scale for the extraction of such mineral under such form of license, or at such other rate as the Financial Commissioner may, by general or special order, prescribe :—

| Name of Mineral.   | Form of License.         | Amount payable.                                |
|--|--------------------------|--|
| Laterite or stone-metal for municipal or local public roads. | Land Rev. IV, Minerals 1 | Exempt from royalty.                           |
| Laterite for other purposes.                                 | Land Rev. IV, Minerals 1 | Rupee 1 per 100 cubic feet.                    |
| Limestone ...  | Land Rev. IV, Minerals 1 | Rupees 2 per 100 cubic feet extracted.         |
|  | Land Rev. IV, Minerals 3 | Rupees 20 per kiln in advance.                 |
| Stone for irrigation works, railway ballast or public works. | Land Rev. IV, Minerals 1 | Rupee 1 per 100 cubic feet.                    |
| Sandstone ...  | Land Rev. IV, Minerals 1 | Rupee 1 per 100 cubic feet extracted.          |
|  | Land Rev. IV, Minerals 2 | Rupees 10 per annum for each workman employed. |
| Clay ...   | Land Rev. IV, Minerals 1 | Rupee 1 per 100 cubic feet.                    |
|  | Land Rev. IV, Minerals 4 | Rupees 10 per annum for each workman employed. |

\* Forms not reproduced ; see Lan<sup>u</sup> Revenue Guard-book, Part IV

| Name of Mineral.  | Form of License.         | Amount payable.  |
|---|--------------------------|--|
| Clay ...  | Land Rev. IV, Minerals 5 | Rupees 100 per pugmill.  |
|   | Land Rev. IV, Minerals 6 | A rent per acre calculated as follows:—<br>Let P = twice the highest rate per acre of land revenue in the <i>kwān</i> .<br>Let T = the term of years within which the clay will be completely removed from an acre, with the number of workmen and the appliances specified by the applicant.<br>Then $P + \frac{P \times 30}{T}$ shall be the rent per acre.<br><i>N.B.</i> — One man can remove 13,200 cubic feet of clay in one year. |
| Marble ...  | Land Rev. IV, Minerals 1 | Rupees 4 per 100 cubic feet extracted.   |
|   | Land Rev. IV, Minerals 2 | Rupees 10 per annum for each workman employed.   |
| Gypsum and other minerals in respect of which special rules do not exist. | Land Rev. IV, Minerals 1 | The royalty or fee payable under either form to be determined by the Commissioner in each instance, subject to the approval of the Financial Commissioner.   |
|   | Land Rev. IV, Minerals 2 |  |
| Granite ...   | Land Rev. IV, Minerals 1 | Rupees 2 per 100 cubic feet extracted.   |

### Explanations—

(a) For the purpose of determining the license fee in cases where women and children are employed, two women or four children may be taken as equal to one man.

(b) When alternative licenses are shown against a mineral, the Deputy Commissioner may decide in which form the license shall be granted.

(c) Royalties or fees shall be charged in respect of all minerals extracted by a Government department for sale, whether the minerals are extracted from land held by the department or from other land. Except in the cases where laterite or stone is required for municipal or local public roads, royalties or fees shall be levied on all minerals when extracted by private persons, including contractors, even though said to be intended for sale to a public department.

64. In lands to which Rule 17 of the Lower Burma Waste Land Grant Rules, 1865, applies, a royalty not exceeding 5 per cent. *ad valorem* shall be charged on the extraction of all lime-stone, sandstone, marble, gypsum, clay or other minerals in respect of which special rules do not exist.

65. The royalties and rents payable under licenses granted in form Land Revenue IV, Minerals 1, or Land Revenue IV, Minerals 6, shall be payable direct into the district treasury or the sub-treasury.

66. Licenses must be returned on expiry to the officer by whom they were issued, who will check the entries made on the reverse of licenses in form Land Revenue IV, Minerals 1, with the payments into the Government treasury.

67. Applications for licenses may be made either direct to the Deputy Commissioner, or to an officer empowered by him to issue them, or to the *thugyi* or ward-headman within whose charge the applicant resides. The *thugyi* or ward-headman shall forthwith submit to the Deputy Commissioner or the officer empowered by him any application made to him for a license, showing the kind of mineral for which the license is required, together with a rough sketch or description of the place selected for excavation, and a report as to the advisability of granting the application. The Deputy Commissioner or other officer, as the case may be, will then note on the application the amount of rent or fee payable in advance and also the royalty chargeable under the form of license which it is proposed to issue and will inform the applicant of the amount so payable. When the fees or rents noted have been paid into the treasury or sub-treasury, the applicant shall submit the receipted chalan to the Deputy Commissioner or other officer, who will fill in the licenses and counterfoils and deliver the former to the applicant.

*Thugyis* and ward-headmen should also be required to give a list of the names of persons who have not applied but who are believed to be extracting or are likely to extract minerals during the course of the year. Officers should make use of the list when on tour in order to ascertain whether unlicensed extraction of minerals is being carried on in towns and villages.

68. No penalty is provided in the Act or in the rules for unauthorised extraction of minerals in contravention of Rule 74A. If minerals are thus extracted from land wherein the minerals belong to Government, a prosecution for theft of the minerals can be instituted, as they become moveable property as soon as they are extracted. In some cases, sections 18 to 21 of the Act might be applicable.

69. Penalty for unauthorised extraction of minerals in contravention of Rule 91A is provided for in Rule 91G.

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**PART V.**

**FORMS PRESCRIBED UNDER THE LOWER  
BURMA TOWN AND VILLAGE LANDS  
ACT, RULES AND DIRECTIONS.**

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**Forms under the Lower Burma Town and Village Lands Act,  
Rules and Directions.**

**LAND REVENUE I.****Land Register 1.**

*Register of Lands alienated for Religious, Public, and other  
purposes.\**

[Rule 59 of the Rules under the Lower Burma Town and Village Lands Act,  
1898.]

| District. | Locality.        |           | Area.      | Estimated yearly rent value. | Estimated market value. | Price received if land alienated by sale. | Name of grantee. | Class of alienation.    |                               | Grounds for alienating. | Authority sanctioning grant. | No. and date of order. |       | Remarks. |
|-----------|------------------|-----------|------------|------------------------------|-------------------------|---|------------------|-------------------------|-------------------------------|-------------------------|------------------------------|------------------------|-------|----------|
|           | Town or village. | Township. |            |                              |                         |   |                  | For religious purposes. | For public or other purposes. |                         |                              | No.                    | Date. |          |
| 1         | 2                | 3         | 4          | 5                            | 6                       | 7   | 8                | 9                       | 10                            | 11                      | 12                           | 13                     | 14    | 15       |
|           |                  |           | Acre. Dcs. | Rs. A. P.                    | Rs. A. P.               | Rs. A. P.                                 |                  |                         |                               |                         |                              |                        |       |          |
|           |                  |           |            |                              |                         |   |                  |                         |                               |                         |                              |                        |       |          |

**Instructions.**

All grants of land free of revenue sanctioned by the Deputy Commissioner or by higher authorities should be entered in this register. Where land is sold for a public purpose, with the sanction of the Local Government or of the Government of India in accordance with Government of India's† Resolution No. 1-141-51, dated the 6th February 1872, the price received should be shown in column 7 of the register. It should also be stated in the column of remarks whether the land was sold at full market value or on favourable terms, and whether revenue-free or not.

\* Prescribed by Financial Commissioner's Notification No. 181, dated the 2nd December 1907.

† See Appendix I, page 135.

## LAND REVENUE I.

## Land Register 2.

Register of Licenses to occupy land for agricultural, building, residential or industrial purposes in Town Ward\*

[Rules 33, 34, 37 and 39 under the Lower Burma Town and Village Lands Act.]

| Serial No. | Term of License. |       | Number and year of proceedings. | Description of land in respect of which license is granted. |   |       | Name of holder of license. | Residence of holder of license. | Monthly rent land revenue payable. | Initials of Deputy Commissioner. | Remarks. |
|------------|------------------|-------|---------------------------------|---|---|-------|----------------------------|---------------------------------|------------------------------------|----------------------------------|----------|
|            | Begins.          | Ends. |                                 | Block, <i>kwin</i> .  | Holding number and year of such number. | Area. |                            |                                 |                                    |                                  |          |
| 1          | 2                | 3     | 4                               | 5   | 6                                       | 7     | 8                          | 9                               | 10                                 | 11                               | 12       |
|            |                  |       |                                 |   |   |       |                            |                                 | Rs. A.                             |                                  |          |

*N.B.*—Four entries only should be made on each page.

Instructions for the upkeep of Register—*Land Revenue I*  
*Land Register 2* (Register of Licenses).

This register is to be maintained only in the Deputy Commissioner's Office. A separate volume should be kept up:—

- for each ward of the town where licenses are numerous ;
- in the case of small towns for each separate town, separate parts of the same volume being allotted to different wards ;
- for all lands outside towns.

*Column 1.*—The serial number entered in this column should ordinarily run in a separate unbroken series for each ward or *kwin* ; in other words, licenses should be numbered consecutively for each ward or *kwin* regardless of years. If assessment or demand rolls are made out by any unit other than a ward or *kwin*, these instructions should be read as referring to that unit, *e.g.*, if an assessment or demand roll is issued for a whole town, there should be one serial number of licenses for the whole town and entries in the register for all wards should be made consecutively. It is essential that assessment or demand rolls should be capable of ready check with the register.

\* Prescribed by Financial Commissioner's Notification No. 10, dated the 28th January 1909.



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*Columns 5, 6, and 7.*—Where it is not practicable to identify a site by reference to holding numbers, the description of the land exactly as entered in the license should be written across these three columns.

*Column 10.*—Here enter the rent, etc., retained under the license.

*Column 12.*—Entries should be made in this column regarding the purpose for which the land covered by the license is occupied, and if the license be cancelled or renewed, the fact and date of cancellation or renewal should be entered, with a reference to the proceedings, and in the case of renewal to the serial number of the renewed license.

*N.B.*—In the case of land in towns, a copy of the town or ward map, if any, should be pasted at the beginning of the register kept up for each town or ward.

**LAND REVENUE I.**  
**Land Register 3.**  
**REGISTER OF LEASES OF LAND FOR BUILDING SITES \* TOWN**  
**WARD.**  
*(Rule 27 of the Rules under the Lower Burma Town and Village Lands Act, 1898.)*

| Serial No. | Term of lease. |       | Number and year of proceedings. | Description of land leased. |      |       | Name of lessee. | Residence of lessee. | Annual rent payable. | Initials of Deputy Commissioner. | Particulars of transfers. |                     |                          |                              | Remarks. |
|------------|----------------|-------|---------------------------------|-----------------------------|------|-------|-----------------|----------------------|----------------------|----------------------------------|---------------------------|---------------------|--------------------------|------------------------------|----------|
|            | Begins.        | Ends. |                                 | Block.                      | Lot. | Area. |                 |                      |                      |                                  | Date.                     | Name of transferee. | Residence of transferee. | No. and year of proceedings. |          |
| 1          | 2              | 3     | 4                               | 5                           | 6    | 7     | 8               | 9                    | 10                   | 11                               | 12                        | 13                  | 14                       | 15                           | 16       |
|            |                |       |                                 |                             |      |       |                 |                      | Rs. A.               |                                  |                           |                     |                          |                              |          |

*N.B.—Four entries only should be made on each page.*

**Instructions for the upkeep of the Register of leases of land for building sites within Towns (Form LAND REV. I. Lower Burma Town and Village Lands Act.)**

This register is to be maintained only in the Deputy Commissioner's office. A separate volume should be kept up for each separate town and where leases are numerous for each ward of the town. In the case of small towns, it will suffice to allot separate parts of the same volume to the different wards. Four entries only should be made on each page.

*Column 1.*—The serial number entered in this column should be ordinarily run in a separate unbroken series for each ward; in other words leases should be numbered consecutively for each ward, regardless of years. If assessment rolls are made out by any unit other than a ward, these instructions should be read as referring to that unit, *e.g.*, if an assessment roll is issued for a whole town, there should be one serial number of leases for the whole town and entries in the register for all wards should be made consecutively. It is essential that assessment rolls should be capable of ready check with the register.

\* Prescribed by Financial Commissioner's Notification No. 7, dated 31st January 1902.

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*Columns 5, 6 and 7.*—Where the town has not been surveyed and it is not practicable to identify a site by reference to block and lot numbers, the description of the land exactly as entered in the schedule of the lease should be written across these three columns.

*Column 10.*—In order to facilitate calculation, rents should be fixed at multiples of four annas, no rent being less than eight annas, and all rents should be made payable annually in advance.

*Column 16.*—Entries should be made in this column regarding the amount of premium (if any) paid for the lease, and if the lease be cancelled or renewed, the fact and date of cancellation or renewal with a reference to the proceedings and in the case of renewal to the serial number of the renewed lease.

A copy of the town or ward map, if any, should be pasted at the beginning of the register.

**LAND REVENUE I.**

L. B. Account Reg. 1.

**DETAILED REGISTER OF RECOVERY OF FEES FOR LOTS IN  
NEW VILLAGE SITES. \***

Township \_\_\_\_\_, Village \_\_\_\_\_, Proceeding No. \_\_\_\_\_  
District Office  
Subdivisional Office  
Township Office.

V of 19 \_\_\_\_\_  
 No. of lot \_\_\_\_\_ Total fee for lot Rs. \_\_\_\_\_ first instalment paid at sale  
 Rs. credited in chalan No. \_\_\_\_\_, dated \_\_\_\_\_ 19 \_\_\_\_\_; instalments  
 due, second Rs. on \_\_\_\_\_ 19 \_\_\_\_\_, third Rs. on \_\_\_\_\_ 19 \_\_\_\_\_, fourth  
 Rs. on \_\_\_\_\_ 19 \_\_\_\_\_.

| Date of payment. | Amount. | No. and date of chalan. | Remission. |                       |                                      | Number and page of Deputy Commissioner's proceeding. | Date on which fee is fully recovered or remitted. | Akunwun's initials. |
|------------------|---------|-------------------------|------------|-----------------------|--------------------------------------|--|---|---------------------|
|                  |         |                         | Amount.    | For which instalment. | Date of Deputy Commissioner's order. |  |   |                     |
| 1                | 2       | 3                       | 4          | 5                     | 6                                    | 7  | 8   | 9                   |
|                  | Rs.     |                         | Rs.        |                       |                                      |  |   |                     |
|                  |         |                         |            |                       |                                      |  |   |                     |

[ON THE REVERSE OF THE FORM.]

*Instructions for detailed register of recovery of fees for lots in new village sites.*

**Title.**—The register should be used for extensions of old as well as for entirely new village sites, if the land is acquired at Government expense.

**Preamble.**—This should be filled up from the relevant proceeding, the entries in the blanks being checked by the *Akunwun*.

**Column 8.**—Before the *Akunwun* initials this entry he should see that the total in column 2 plus the total in column 4 equals the amount of the fee stated in the preamble.

\* Prescribed by Financial Commissioner's Notification No. 183, dated the 2nd December 1907.

**LAND REVENUE I.**  
**L. B. Account Reg. 2.**  
**ABSTRACT REGISTER OF RECOVERY OF FEES FOR HOUSE-BUILDING LOTS IN NEW VILLAGE-SITES PROVIDED BY**  
**GOVERNMENT AFTER ACQUISITION. \***

District, **Township,** Village. Cost of acquisition was Rs. 523 made up by voucher No. 21, dated the 3rd April 1907, for Rs. 223, No. 35, dated the 5th April 1907, for Rs. 300.  
 See Deputy Commissioner's Town Land Proceeding No. 65 of 1906-07.

The area is divided into 10 lots at a fee of Rs. 20 each, 20 at a fee of Rs. 10 each, and 25 at a fee of Rs. 5 each. Total of fees realizable is Rs. 525. See Deputy Commissioner's Order, dated the 15th May 1907, at page 89 of his Town Land Proceeding No. 65 of 1906-07.

The instalments for lots are Rs.  $\frac{5}{20}$  at sale, Rs.  $\frac{5}{3}$  on the 2-1-1908 Rs. ... on the ... 19 and Rs. ... on the ...

the ... 19, where payment by this method is allowed.

| Date of transaction. | Number of lots sold for and rate of fee for each. | Total of fees due for lots entered in column 2. | Amount of fees entered in column 3 realized at once. | Amount of fees entered in column 3 to be paid by instalments, and number of lots concerned. | Amount of receipt on account of later instalments. | Number and page of Proceedings.                     | Number and date of chalan.         | Out-standing grants issued. | Out-standing on area acquired. | Ator-son's initials. | Deputy Commissioner's initials and date. |
|----------------------|---|---|--|---|--|---|------------------------------------|-----------------------------|--------------------------------|----------------------|--|
| 1                    | 2   | 8   | 4  | 5   | 6  | 7   | 8                                  | 9                           | 10                             | 11                   | 12                                       |
| 21st May 1907.       | Sold { 4 at 20...<br>13 at 10...<br>19 at 5... }  | Rs. 80<br>120<br>95<br>Total 295                | Rs. 80<br>100<br>57<br>Total 237                     | Rs. 20 for 4<br>Rs. 38 for 19<br>Total 58   | Rs. ...<br>...<br>...<br>Total 58                  | (211, V of 1906-07 of Deputy Commissioner, page 15. | 516 } 1st May 1907.<br>521 }       | 88                          | 288                            | M. T.                | C. D., 3rd June 1907.                    |
| 21st November 1907.  | Sold { 2 at 20...<br>9 at 10...<br>4 at 5... }    | 40<br>90<br>20<br>Total 90                      | 40<br>15<br>16<br>Total 71                           | Rs. 15 for 3<br>Rs. 4 for 2<br>Total 19   | ...<br>...<br>...<br>Total 19                      | Ditto, page 20.                                     | 600, dated the 21st November 1907. | 77                          | 217                            | M. T.                |  |
| 3rd January 1908.    | Paid for 2 at 5                                   | .....   | .....  | Total to date 77  | 10   | Ditto, page 24.                                     | 20, dated the 3rd January 1908.    | 67                          | 207                            | M. T.                | C. D., 6th January 1908.                 |
| 5th January 1908.    | Paid for 17 at 2                                  | .....   | .....  | .....   | 34   | Ditto, page 25.                                     | 33, dated the 5th January 1908.    | 33                          | 173                            | M. T.                |  |
|                      |   | .....   | .....  | .....   | Total 44   |   |                                    |                             |                                |                      |  |

\* Prescribed by Financial Commissioner's Notification No. 189, dated the 2nd December 1907.

## [ON THE REVERSE OF THE FORM.]

*Instructions for Abstract Register of Recovery of fees for house-building lots in new village-sites provided by Government after acquisition.*

*Title.*—The register should be used for extensions of old as well as for entirely new village-sites, if the land is acquired at the Government's expense.

*Preamble.*—This should be filled up from the relevant proceeding, the entries in the blanks being checked by the *Akunwun*.

*Column 2.*—In this column note whether the transaction was sale or a payment.

*Columns 3 and 4.*—It will be found convenient to strike totals in these columns for each date and also to enter the total to date.

*Column 5.*—The entries in this column should be made thus—"Rs. 15 for 3," and they should be checked with the information given in the preamble and in the allotment proceeding. Totals for each date and up to each date should be entered.

*Column 6.*—In this also totals for each date and up to each date should be entered. Amounts remitted should be entered in this column and the word "remission" should then be entered in column 8 against them.

*Column 9.*—The entry in this column is found thus—total of column 3 up to date, *minus* total of column 4 up to date, *minus* total of column 6 up to date.

*Column 10.*—The entry in this column is found thus—total of fees realizable, as mentioned in the preamble, *minus* total of column 4 up to date, *minus* total of column 6 up to date.

*Column 11.*—The *Akunwun* should initial the entries for each date as soon as made.

*Column 12.*—The Deputy Commissioner is expected to check the register twice a year.

*General.*—Specimen entries have been made in order to assist officers and clerks to understand the form.

**LAND REVENUE I.****L. B. Return 1.**

*Statement of Recoveries of fees for house-building lots in village-sites acquired by Government for the six months ending on*  
31st December  
30th June 19 . \*

| Name of village-site. | Total of fees realizable. | Outstanding at end of previous statement or added during period of statement. |                   | Received in the period of statement. |                       | Outstanding at end of period of statement. |                   |
|-----------------------|---------------------------|---|-------------------|--------------------------------------|-----------------------|--|-------------------|
|                       |                           | On grants issued.   | On area acquired. | By payment at sales.                 | By later instalments. | On grants issued.                          | On area acquired. |
| 1                     | 2                         | 3   | 4                 | 5                                    | 6                     | 7  | 8                 |
|                       |                           |   |                   |                                      |                       |  |                   |

[ON THE REVERSE OF THE FORM.]

*Instructions for Statement of Recoveries of fees for house-building lots in village-sites acquired by Government.*

*Column 2.*—This should be entered from the preamble of register in Form Land Revenue I.  
L. B. Acct. Reg. 2.

*Column 3.*—For village-sites acquired during the last six months this entry should be taken from the total up to date of column 3 of the register. For village-sites previously acquired it should be the figure entered in column 7 of previous six months' statement *plus* total of entries of sale in column 3 of register during the six months.

*Column 4.*—For village-sites acquired during the last six months this entry should be the same as column 2. For village-sites acquired previously the entry should be taken from column 8 of the previous six months' statement.

*Column 5.*—This entry should equal the total of the entries in column 4 of the register during the period of statement.

*Column 6.*—This entry should equal the total of entries in column 6 of the register during the period of statement.

*Columns 7 and 8.*—These entries should be taken from columns 9 and 10 of the register respectively. If there have been any remissions (*see* instructions for column 6 of register in Form Land Revenue I.  
L. B. Acct. Reg. 2.), their amount can be deducted from these columns and the fact explained in a foot-note.

\* Prescribed by Financial Commissioner's Notification No. 183, dated the 2nd December 1907.

**LAND REVENUE I****L. B. Land Roll 1.****ROLL OF PERSONS DECLARED LANDHOLDERS IN****TOWN****WARD\****(Section 12, Lower Burma Town and Village Lands Act, 1898.)*

| Serial Number. | Description of land. |      |       | Date of declaration. | Person declared landholders. |                |            | Number and year of proceedings. | Initials of Revenue Officers. | Remarks. |
|----------------|----------------------|------|-------|----------------------|------------------------------|----------------|------------|---------------------------------|-------------------------------|----------|
|                | Block.               | Lot. | Area. |                      | Name.                        | Father's name. | Residence. |                                 |                               |          |
| 1              | 2                    | 3    | 4     | 5                    | 6                            | 7              | 8          | 9                               | 10                            | 11       |
|                |                      |      |       |                      |                              |                |            |                                 |                               |          |

Six entries only should be made on each page.

\* Prescribed by Financial Commissioner's notification No. 7, dated the 31st January 1902.



## LAND REVENUE II.

## L. B. Bond 1.

## FORM OF BOND.\*

(Rule 35 of the Rules under the Lower Burma Town and Village Lands Act, 1898.)

Know all men by these presents that I \_\_\_\_\_ of \_\_\_\_\_ block \_\_\_\_\_ ward \_\_\_\_\_ town am held and firmly bound unto the Secretary of State for India in Council in the sum of Rupees \_\_\_\_\_ to be paid to the Secretary of State his successors or assigns and his or their certain attorney or attorneys for which payment well and truly to be made I bind myself my heirs and legal representatives firmly by these presents.

Whereas the above bounden \_\_\_\_\_ has applied to the Deputy Commissioner of \_\_\_\_\_ for a license to occupy temporarily until the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ for the purpose of \_\_\_\_\_ the land situated in \_\_\_\_\_ ward \_\_\_\_\_ town measuring \_\_\_\_\_ acres or thereabouts and bounded as follows:—

*North.—*

*South.—*

*East.—*

*West.—*

And it is necessary for the carrying into effect of the aforesaid purpose to disturb the surface of the soil to such an extent as to render it unfit for any other purpose. And whereas the said Deputy Commissioner has consented to grant the license for the said purpose upon the said \_\_\_\_\_ entering into a bond to secure that the land so licensed is restored within a month from the date of expiry of the license to its condition at the date on which the license was granted either wholly or to such an extent as the said Deputy Commissioner may consider advisable. Now the condition of the above written bond is such that if within a month from the date of expiry of the license the land shall have been restored to its original condition in the manner hereinbefore provided for then the above written obligation shall be void and of no effect but otherwise the same shall be and remain in full force and virtue.

Signed by the said \_\_\_\_\_ }

in the presence of

(1)

(2)

*Signature of Licensee.*

\* Prescribed by Financial Commissioner's Notification No. 39, dated the 15th April 1907.

**LAND REVENUE II****L. B. Bond 2.****AGREEMENT BY PURCHASER OF LEASE.\***

*(Rule 26 of the Rules under the Lower Burma Town and Village Lands Act, 1898.)*

AT the sale by auction made this \_\_\_\_\_ day of \_\_\_\_\_ of the lease of the land described in the notice of sale attached hereto (name) \_\_\_\_\_ of \_\_\_\_\_ (residence) was the highest bidder for and was declared the purchaser of the said lease at the premium therefor of Rs. \_\_\_\_\_ and the said \_\_\_\_\_ has paid to the Deputy Commissioner of the \_\_\_\_\_ district the sum of Rs. \_\_\_\_\_ by way of deposit and he hereby agrees to complete the purchase according to the conditions of sale published in the notice of the sale and the said Deputy Commissioner hereby confirms the sale and acknowledges the receipt of the said deposit.

*(for the Deputy Commissioner, \_\_\_\_\_ District.)*  
*(Purchaser.)*

\* Prescribed by Financial Commissioner's Notification No. 7, dated the 31st January 1902.

Blank copies of Form Land Revenue II—L. B. Bond 2 are stamped with adhesive labels in Rangoon without payment and transferred from the stock of stamps in Rangoon to District Treasuries for sale. (Letter No. 346—2S.-12, dated the 13th February 1905, from the Revenue Secretary to Government to the Financial Commissioner, Burma.) See Stamp Direction 198.

LAND REVENUE II

## Grant I.

INSTRUMENT OF GRANT FOR RELIGIOUS PURPOSES.\*  
PUBLIC

(Rule 59 of the Rules under the Lower Burma Town and Village  
Lands Act, 1898.)

THIS INSTRUMENT OF GRANT made the \_\_\_\_\_ day of \_\_\_\_\_  
between the Secretary of State for India in Council of  
the one part and \_\_\_\_\_ of the other part  
WITNESSETH that the said Secretary of State for India in Council doth  
hereby grant unto the said \_\_\_\_\_ and the  
survivor of them or other the trustees or trustee for the time being of  
the trust hereby created (hereinafter called the trustees) all that piece  
of land situate in

and containing an area of \_\_\_\_\_ or thereabouts which said  
piece of land is delineated in the plan hereto annexed and therein  
coloured \_\_\_\_\_ TO HOLD the same upon trust for the purpose  
of † \_\_\_\_\_ and with the following liberties and  
subject to the following conditions that is to say—

- (1) that the said premises shall be free of all Government land revenue taxes assessments and dues whatever so long as they are used for the purpose of †
- (2) that the said premises shall be liable to be assessed to land revenue if the whole or any portion thereof is used for any purpose other than the specific purpose or purposes for which they are hereby granted
- (3) that the said premises together with all buildings erected or other works executed thereon shall be liable to be resumed by the Government if used for any purpose other than the specific purpose or purposes for which they are hereby granted and
- (4) that the said premises may at any time be resumed by Government provided that if they are resumed otherwise than under the condition last abovementioned the trustees shall be entitled to compensation not exceeding the cost or their present value whichever shall be the less of any buildings erected or other works executed on the said premises by the grantees in pursuance of the purpose for which this grant is made.

\* Prescribed by Financial Commissioner's Notification No. 110, dated the 2nd July 1912.

† Here enter the specific purpose, e.g., for building a *sayat, thein, church, etc.*

IN WITNESS WHEREOF \_\_\_\_\_ Deputy  
Commissioner of the \_\_\_\_\_ District on behalf of the Secretary  
of State for India in Council by order of the Lieutenant-Governor of  
Burma and \_\_\_\_\_ have hereunto set their  
hands.

\_\_\_\_\_  
*Deputy Commissioner.* } \_\_\_\_\_  
*Witness.*  
\_\_\_\_\_  
*Grantee.* } \_\_\_\_\_  
*Witness.*

[On the reverse of the Counterpart of Grant.]

To

THE REVENUE SURVEYOR, \_\_\_\_\_ TOWN.

Please plot the area granted as shown in the attached plan on the town map, and return this copy of the deed with a certificate that you have done so.

*Dated* \_\_\_\_\_ } \_\_\_\_\_  
*The* \_\_\_\_\_ 19 . } *Officer issuing Grant.*  
*(Designation.)*

FROM

THE REVENUE SURVEYOR, \_\_\_\_\_ TOWN.

To

- (1) Counterpart of deed of grant, with map attached, received on \_\_\_\_\_  
(2) Returned on \_\_\_\_\_

Certified that I have plotted the area granted as shown in the attached plan on the town map.

*Dated* \_\_\_\_\_ } \_\_\_\_\_  
*The* \_\_\_\_\_ 19 . } *Revenue Surveyor.*

Received on \_\_\_\_\_  
File in proceedings.

*Dated* \_\_\_\_\_ 19 . } \_\_\_\_\_  
*Officer issuing Grant.*

LAND REVENUE II.L. B. Grant 3.INSTRUMENT OF GRANT BY HEADMAN FOR HOUSE SITE IN LAND  
ACQUIRED BY GOVERNMENT FOR A NEW VILLAGE OR EXTENSION  
OF VILLAGE. \*

No.            OF 19 .

*(Rule 44 and Direction 5.)**Revenue Proceedings No.            of 19            of*

Grant of the land comprising the area and on the conditions  
described below is hereby made to            , son of            ,  
of            Village,            Township,  
District.

## DESCRIPTION OF LAND GRANTED.

District            , Township            , Village  
*Kwin* name            , *Kwin* No.            . Area of land  
granted            Acres            decimals.  
Being on the North            feet, on the South            feet, on the  
East            feet, on the West            feet; and bounded on the North,  
by            , on the South by  
on the east by            and on the West by  
As per certified copy of plan attached.

## CONDITIONS OF GRANT.

The lot shall be used only for a house-site and for such buildings  
as may be appurtenant to a house, including a granary. The grantee  
shall not transfer his lot within five years from the date of the grant,  
without the written consent of the Township Officer or Subdivisional  
Officer endorsed on the grant. If the lot is transferred within such  
period without such consent, the grant shall be liable to revocation.

This grant is made in accordance with Rules 45 and 45A of the  
Rules under the Lower Burma Town and Village Lands Act, 1898.

*Dated at**(Signature)**Headman of            village.**The            19 .*

\* Prescribed by Financial Commissioner's Notification No. 183, dated the 2nd  
December 1907.

[ON THE REVERSE OF THE GRANT.]

*Extract of Rules 45 and 45A.*

45. For each grant issued under Rule 44 in respect of land acquired for village-sites, such fee or premium may be charged as the Deputy Commissioner may fix. The fee shall be calculated so that the cost of acquiring the land for the extension of an old or the establishment of a new village-site, including the necessary roads and paths, may be met by the fees for the grants. The fee or premium shall be paid in such instalments as the Deputy Commissioner may fix. The Deputy Commissioner may, in his discretion, remit the whole or any part of the fee or premium for a house-building lot, when the applicant for the lot is, in his opinion, a proper person to obtain the lot and is too poor to pay the whole of the fee or premium.

45A. No lot granted under Rule 45 shall be transferred within five years from the date of the grant without the sanction of the Township Officer or Subdivisional Officer endorsed on the instrument of grant.

[ON THE REVERSE OF THE COUNTERPART.]

Received the grant of which this is a counterpart.

*(Signature of Grantee.)*

*Dated*            19 .

Forwarded to Township Officer.

*(Signature of Headman.)*

Filed in Proceeding No.            of 19 .

*(Signature of Township Officer.)*

**LAND REVENUE II****Lease I & I(a).****FORM OF LEASE OF TOWN LANDS WITH THE POWER OF RENEWAL  
UP TO NINETY YEARS\*.**

[*Rule 29 of the Rules under the Lower Burma Town and Village  
Lands Act, 1898.*]

THIS LEASE made the \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
nine hundred and \_\_\_\_\_ **BETWEEN THE SECRETARY OF  
STATE FOR INDIA IN COUNCIL** (hereinafter called "the Lessor" which  
expression shall be taken to mean and include the said Secretary of  
State for India in Council and his successors in office and assigns except  
when the context requires another and different meaning) of the one  
part and \_\_\_\_\_ of \_\_\_\_\_ son of \_\_\_\_\_ (hereinafter  
called "the Lessee" which expression shall be taken to mean and  
include the said \_\_\_\_\_ his heirs executors administrators  
representatives and assigns except when the context requires another  
and different meaning) of the other part: WITNESSETH that in  
consideration of the rent hereinafter reserved and of the covenants by  
the Lessee hereinafter contained the Lessor DOETH hereby lease unto  
the Lessee all that piece of land described in the schedule hereto  
together with all rights easements and appurtenances to the same  
belonging save and except all mines and mineral products buried  
treasure coal petroleum oil and quarries whatsoever in under or within  
the said land with liberty for the Lessor and his lessees licensees  
agents and workmen and all other persons acting on his behalf to dig  
search for obtain and carry away the same on making reasonable  
compensation to the Lessee on account of any disturbance or damage  
that may be caused thereby to the surface of the said land and that  
such compensation shall in case of dispute be determined by the Deputy  
Commissioner of \_\_\_\_\_ as nearly as may be in accordance  
with the provisions of the Land Acquisition Acts or Regulations for  
the time being in force TO HOLD the said land unto the Lessee for the  
term of thirty years from the date of this lease with the option for the  
Lessee to renew this lease for two successive terms of thirty years as  
hereinafter provided YIELDING and PAYING therefor the clear yearly  
rent of Rupees \_\_\_\_\_ payable in advance on the third day of  
January of each year and the Lessee doth hereby to the intent that the  
burden of the covenants may run with the said land and may bind the  
owners thereof for the time being covenant with the Lessor:

1. To pay the said rent on the days and in the manner hereinbefore  
appointed for payment thereof and also to pay all taxes rates and  
assessments that now are or may hereafter during the said term be  
imposed upon the said land or any buildings that may be erected  
thereupon or upon the Lessee in respect thereof.

\* Prescribed by Financial Commissioner's Notification No. 118, dated the 23rd  
June 1910. Exempted from Registration, *vide* Registration Act, 1877, section 90,  
clause (d). Blank copies are stamped with adhesive labels in Rangoon without  
payment and transferred from the stock of stamps in Rangoon to District  
Treasuries for sale. See Direction 198 of the Directions regarding Stamps, 1902.

2. To commence to erect upon the said land within \_\_\_\_\_ months from the date hereof the buildings the measurements, elevation and materials of which shall receive the previous approval in writing of the Deputy Commissioner and to complete such buildings within \_\_\_\_\_ months from the date hereof and during the currency of this lease to keep such buildings in good repair to the satisfaction of the said Deputy Commissioner.

3. Not to alter the position mode of construction or materials of the said buildings or of any other buildings that may hereafter be erected on the said land without the consent in writing of the said Deputy Commissioner and not to erect any other building upon the said land without first obtaining such consent.

4. Not to use the said land and buildings that may be erected thereon during the said term for a lodging-house or for a cooly-barrack or for any other purpose than \_\_\_\_\_ without the consent in writing of the said Deputy Commissioner.

In the event of the Lessee obtaining subject to any further restrictions and conditions or subject to enhanced rent the consent of the Deputy Commissioner to erect maintain keep or use buildings on the land for the purpose of a lodging-house or a cooly-barrack to comply with all such restrictions and conditions and to pay on the dates aforesaid such enhanced rent as if they were part of this indenture.

5. Without first obtaining such consent not to subdivide the said land or to part with the possession of transfer or sublease a part only of the said land.

6. To register all changes in the possession of the whole of the said land or of the buildings thereon whether by transfer succession or otherwise in the register of the said Deputy Commissioner within one calendar month from the respective dates of such changes and if the Lessee shall without sufficient cause neglect to register such changes the said Deputy Commissioner may impose on him for each such case of neglect a penalty not exceeding Rs. 100 and a further monthly penalty not exceeding Rs. 50 for each month that such breach shall continue and the said Deputy Commissioner may enforce the payment of such penalties in the same manner as arrears of revenue on the land may be recovered.

7. That the said Deputy Commissioner and all persons acting under his orders shall be at liberty at all reasonable times in the day time during the said term to enter upon the said land or any buildings that may be erected thereon for any purpose connected with the lease.

8. At the expiration of the said term hereby granted quietly to surrender and deliver up possession of the said land but not the buildings or fixtures that may then be thereon to the Lessor provided that if the Lessor shall re-enter upon the said land and determine this lease under clause 9 hereof the Lessee shall thereupon quietly deliver up possession of the said land and buildings and fixtures that may then be thereon to the Lessor.

9. Provided always that if the said rent or any part thereof shall be in arrear and unpaid for one calendar month after the same shall have become due whether the same shall have been demanded or not or if



the Lessee shall not observe and perform the covenants hereinbefore contained the said Deputy Commissioner may immediately and notwithstanding the waiver of any previous breach or right of re-entry cancel this lease and take possession of the land and the buildings and fixtures that may then be thereon.

And the Lessor doth hereby covenant with the Lessee—

10. That the Lessee may at the expiration of the said term hereby granted if this lease shall not have been previously cancelled under clause 9 hereof and if the Lessee shall have paid the said rent and duly observed and performed the covenants by the Lessee herein contained up to the expiration of the said term take away and dispose of all buildings and fixtures that may then be erected and fixed to the said land provided that the Lessee makes good and repairs any damage that may be caused to the said land by such removal.

11. That if the Lessee shall be desirous of taking a renewed lease of the said piece of land for the further term of thirty years from the expiration of the said term hereby granted and such desire shall prior to the expiration of such last-mentioned term give to the Lessor three calendar months' previous notice in writing and shall pay the rent hereby reserved and observe and perform the several covenants and conditions herein contained and on the part of the Lessee to be observed and performed up to the expiration of the said term hereby granted the Lessor will upon the request and at the expense of the Lessee and upon his signing and delivering to the Lessor a counterpart thereof sign and deliver to the Lessee a renewed lease of the said piece of land for a further term of thirty years at a rent to be fixed by the Lessor and under and subject to similar covenants and provisions or such of them as shall be then subsisting or capable of taking effect and that after the expiration of such second term of thirty years the Lessor will similarly grant to the Lessee a renewed lease of the said piece of land for a third term of thirty years at a rent to be fixed by the Lessor.

12. Provided also and it is hereby agreed that the Lessor his successors or assigns may at the expiration of the said term hereby granted if the Lessee shall not have obtained a renewal of this lease under clause 11 hereof elect to purchase the said buildings and fixtures that may then be in or upon the said land on giving to the Lessee one calendar month's previous notice in writing of such his intention and the price shall in case of dispute be determined by the Executive Engineer of the said district according to the actual value of such buildings and fixtures and his decision shall be final and conclusive and altogether binding upon the Lessee.

IN WITNESS WHEREOF

acting for and on behalf of the Secretary of State for India in Council  
and have hereunto set their hands.

THE SCHEDULE ABOVE REFERRED TO.

ALL that piece of land situate in the  
ward of the town of

known as lot

No. \_\_\_\_\_ in Block No. \_\_\_\_\_ containing  
or thereabouts bounded as follows:—

*North—*

*South—*

*East—*

*West—*

and shown in the annexed plan marked *red.*

Signed by the said \_\_\_\_\_ }  
in the presence of \_\_\_\_\_ } *Deputy Commissioner, P.R.D.*  
*Witnesses.* } *District.*

Signed by the said \_\_\_\_\_ }  
in the presence of \_\_\_\_\_ } *Signature of Lessee.*  
*Witnesses.*

[On the reverse of Counterpart of Lease.]

To

THE REVENUE SURVEYOR, DISTRICT  
TOWN.

Please enter the particulars of this lease, *i.e.*, name of lessee, area and description of the land leased, rental and serial number and form of lease, dates of issue and expiry in your rent demand roll now under preparation, or in the copy of the last roll returned to you, and plot the area leased as shown in the attached plan on the Town map, and return this copy of the deed with a certificate that you have done so.

Dated \_\_\_\_\_ : } *Officer making Lease.*  
The \_\_\_\_\_ 19 : } *(Designation.)*

FROM

THE REVENUE SURVEYOR, DISTRICT  
TOWN.

To

- (1) Counterpart of lease, with map attached, received on
- (2) Returned on

Certified that I have entered the particulars of this lease in the rent demand roll, and that I have plotted the area leased as shown in the attached plan on the Town map.

Dated \_\_\_\_\_ : } *Revenue Surveyor.*  
Received. }  
File in proceedings.

*Dated* \_\_\_\_\_ 19 . *Officer making Lease.*

## LAND REVENUE II

## Lease 2 &amp; 2 (a).

## FORM OF LEASE OF TOWN LANDS WITH POWER OF RENEWAL IN PERPETUITY\*.

[Rule 29 of the Rules under the Lower Burma Town and Village Lands Act, 1898.]

THIS LEASE made the \_\_\_\_\_ day of \_\_\_\_\_ one thousand nine hundred and \_\_\_\_\_ BETWEEN THE SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter called "the Lessor" which expression shall be taken to mean and include the said Secretary of State for India in Council and his successors in office and assigns except when the context requires another and different meaning) of the one part and \_\_\_\_\_ of \_\_\_\_\_ son of \_\_\_\_\_ (hereinafter called "the Lessee" which expression shall be taken to mean and include the said \_\_\_\_\_ his heirs executors administrators representatives and assigns except when the context requires another and different meaning) of the other part: WITNESSETH that in consideration of the rent hereinafter reserved and of the covenants by the Lessee hereinafter contained the Lessor DOETH hereby lease unto the Lessee all that piece of land described in the schedule hereto together with all rights easements and appurtenances to the same belonging save and except all mines and mineral products buried treasure coal petroleum oil and quarries whatsoever in under or within the said land with liberty for the Lessor and his lessees licensees agents and workmen and all other persons acting on his behalf to dig search for obtain and carry away the same on making reasonable compensation to the Lessee on account of any disturbance or damage that may be caused thereby to the surface of the said land and that such compensation shall in case of dispute be determined by the Deputy Commissioner of \_\_\_\_\_ as nearly as may be in accordance with the provisions of the Land Acquisition Acts, or Regulations for the time being in force TO HOLD the said land unto the Lessee for the term of thirty years from the date of this lease with the option for the Lessee to renew this lease in perpetuity for successive terms of thirty years as hereinafter provided YEILDING and PAYING therefor the clear yearly rent of Rupees \_\_\_\_\_ payable in advance on the third day of January of each year and the Lessee doth hereby to the intent that the burden of the covenants may run with the said land and may bind the owners thereof for the time being covenant with the Lessor.

1. To pay the said rent on the days and in the manner herein before appointed for payment thereof and also to pay all taxes rates and assessments that now are or may hereafter during the said term be imposed upon the said land or any buildings that may be erected thereon or upon the Lessee in respect thereof.

\* Prescribed by Financial Commissioner's Notification No. 118, dated the 23rd June 1910. Exempted from registration, *vide* Registration Act, 1877, section 90, clause (d). Blank copies are stamped with adhesive labels in Rangoon without payment and transferred from the stock of stamps in Rangoon to District Treasuries for sale. See Direction 19B of the Directions regarding Stamps, 1902.

2. To commence to erect upon the said land within months from the date hereof the buildings the measurements elevation and materials of which shall receive the previous approval in writing of the Deputy Commissioner and to complete such buildings within months from the date hereof and during the currency of this lease to keep such buildings in good repair to the satisfaction of the said Deputy Commissioner.

3. Not to alter the position mode of construction or material of the said building or of any other buildings that may hereafter be erected on the said land without the consent in writing of the said Deputy Commissioner and not to erect any other building upon the said land without first obtaining such consent.

4. Not to use the said land and buildings that may be erected thereon during the said term for a lodging-house or for a cooly-barrack or for any other purpose than without the consent in writing of the said Deputy Commissioner.

In the event of the Lessee obtaining subject to any further restrictions and conditions or subject to enhanced rent the consent of the Deputy Commissioner to erect maintain keep or use buildings on the land for the purpose of a lodging-house or a cooly-barrack to comply with all such restrictions and conditions and to pay on the dates aforesaid such enhanced rent as if they were part of this indenture.

5. Without first obtaining such consent not to subdivide the said land or to part with the possession of transfer or sublease a part only of the said land.

6. To register all changes in possession of the whole of the said land or of the buildings thereon whether by transfer succession or otherwise in the register of the said Deputy Commissioner within one calendar month from the respective dates of such changes and if the Lessee shall without sufficient cause neglect to register such changes the said Deputy Commissioner may impose on him for each such case of neglect a penalty not exceeding Rs. 100 and a further monthly penalty not exceeding Rs. 50 for each month that such breach shall continue and the said Deputy Commissioner may enforce the payment of such penalties in the same manner as arrears of revenue on the land may be recovered.

7. That the said Deputy Commissioner and all persons acting under his orders shall be at liberty at all reasonable times in the day time during the said term to enter upon the said land or any buildings that may be erected thereon for any purpose connected with this lease.

8. At the expiration of the said term hereby granted quietly to surrender and deliver up possession of the said land but not the buildings or fixtures that may then be thereon to the Lessor provided that if the Lessor shall re-enter upon the said land and determine this lease under clause 9 hereof the Lessee shall thereupon quietly deliver up possession of the said land and the buildings and fixtures that may then be thereon to the Lessor.

9. Provided always that if the said rent or any part thereof shall be in arrear and unpaid for one calendar month after the same shall have become due whether the same shall have been demanded or not or if

the Lessee shall not observe and perform the covenants hereinbefore contained the said Deputy Commissioner may immediately and notwithstanding the waiver of any previous breach or right of re-entry cancel this lease and take possession of the land and the buildings and fixtures that may then be thereon.

And the Lessor doth hereby covenant with the Lessee—

10. That the Lessee may at the expiration of the said term hereby granted if this lease shall not have been previously cancelled under clause 9 hereof and if the Lessee shall have paid the said rent and duly observed and performed the covenants by the Lessee herein contained up to the expiration of the said term take away and dispose of all buildings and fixtures that may then be erected and fixed to the said land provided that the Lessee makes good and repairs any damage that may be caused to the said land by such removal.

11. That if the Lessee shall be desirous of taking a renewed lease of the said piece of land for the further term of thirty years from the expiration of the said term hereby granted and of such desire shall prior to the expiration of such last-mentioned term give to the Lessor three calendar months' previous notice in writing and shall pay the rent hereby reserved and observe and perform the several covenants and conditions herein contained and on the part of the Lessee to be observed and performed up to the expiration of the said term hereby granted the Lessor will upon the request, and at the expense of the Lessee and upon his signing and delivering to the Lessor a counterpart thereof sign and deliver to the Lessee a renewed lease of the said piece of land for a further term of thirty years at a rent to be fixed by the Lessor and under and subject to similar covenants and provisions or such of them as shall be then subsisting or capable of taking effect and will thereafter under the like conditions grant to the Lessee renewed leases for successive terms of thirty years in perpetuity at rents to be fixed by the Lessor at or before the commencement of each such terms.

12. Provided also and it is hereby agreed that the Lessor his successors or assigns may at the expiration of the said term hereby granted if the Lessee shall not have obtained a renewal of this lease under clause 11 hereof elect to purchase the said buildings and fixtures that may then be in or upon the said land on giving to the Lessee one calendar month's previous notice in writing of such his intention and the price shall in case of dispute be determined by the Executive Engineer of the said district according to the actual value of such buildings and fixtures and his decision shall be final and conclusive and altogether binding upon the Lessee.

IN WITNESS WHEREOF

acting for and on behalf of the Secretary of State for India in Council  
and have hereunto set their hands.

THE SCHEDULE ABOVE REFERRED TO.

ALL that piece of land situate in the

ward of the

town of containing known as lot No. in Block No.  
or thereabouts bounded as follows :—

- North.*—
- South.*—
- East.*—
- West.*—

and shown in the annexed plan marked *red.*

Signed by the said } *Deputy Commissioner,*  
in the presence of } *District.*

*Witnesses.*

Signed by the said } *Signature of Lessee.*  
in the presence of }

*Witnesses.*

(On the reverse of Counterpart of Lease.)

To

THE REVENUE SURVEYOR, DISTRICT  
TOWN

Please enter the particulars of this lease, *i.e.*, name of lessee, area and description of the land leased, rental and serial number and form of lease, dates of issue and expiry in your rent demand roll now under preparation, or in the copy of the last roll returned to you, and plot the area leased as shown in the attached plan on the Town map, and return this copy of the deed with a certificate that you have done so.

Dated } *Officer making Lease.*  
*The* 19 . } *(Designation.)*

FROM

THE REVENUE SURVEYOR, DISTRICT  
TOWN

To

- (1) Counterpart of lease, with map attached, received on
- (2) Returned on

Certified that I have entered the particulars of this lease in the rent demand roll, and that I have plotted the area leased as shown in the attached plan on the Town map.

Dated } *Revenue Surveyor.*  
*The* 19 . }

Received  
File in proceedings.

*Dated* 19 . *Officer making Lease.*

LAND REVENUE II.

## Lease 3.

## FORM OF LEASE OF LAND IN CIVIL STATION TO A GOVERNMENT OFFICER.\*

[Rule 74 under the Lower Burma Town and Village Lands Act, 1898.]

THIS INSTRUMENT made the \_\_\_\_\_ day of \_\_\_\_\_ one thousand nine hundred \_\_\_\_\_ between the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter called the Lessor) of the one-part and \_\_\_\_\_ (hereinafter called the Lessee)

Name and official title of Lessee. of the other part Witnesseth that in consideration of the rent hereinafter reserved and of the covenants by the Lessee hereinafter contained the said Lessor doth hereby demise and lease unto the Lessee his executors administrators and assigns ALL that piece or parcel of land situate in the

Enter full description of land and boundaries. TOGETHER WITH all rights easements and appurtenances to the same belonging or reputed to belong thereto or usually held or enjoyed therewith except and reserving unto the Lessor all mines and minerals within or under the said piece of land with liberty to enter thereon to work get and carry away the same TO HAVE and TO HOLD the premises hereinbefore expressed to be hereby demised and leased unto the Lessee his executors administrators and assigns for the term of thirty years from the date of this instrument yielding and paying therefor during the said term the clear annual rent of Rupees \_\_\_\_\_ payable in advance on the third day of January of each year AND the Lessee doth hereby for himself his heirs executors administrators and assigns covenant with the Lessor and his successors in office and assigns THAT he the Lessee his executors administrators or assigns will during the said term pay the said rents hereinbefore reserved at the times hereinbefore appointed for payment thereof clear of all deductions AND pay all existing and future taxes cesses rates and assessments of whatever kind in respect of or charged upon the said piece of land AND will at his or their expense and within one year from the date of this instrument erect upon the said piece of land upon a site and according to plans and elevations to be first approved of in writing by the Commissioner for the time being of the \_\_\_\_\_ division Lower Burma one and not more than one good and substantial dwelling-house with proper and sufficient out-buildings and conveniences thereto fit for use and occupation and expend in such erection the sum of Rupees \_\_\_\_\_ at the least AND will at the like expense throughout the said term as often as need shall be as the said Commissioner may require maintain and keep in good and substantial repair the said dwelling-house and all other buildings which shall be built upon the said piece of land AND will not allow natives' huts or houses to be

\* Prescribed by Financial Commissioner's Notification No. 65, dated the 7th April 1908.

erected on the said piece of land without the consent of the Deputy Commissioner for the time being of the district Lower Burma AND will keep the said piece of ground cleared and free from vegetable undergrowth AND will not acquire the lease of another plot of land in the same Civil Station and will not without the consent in writing of the said Commissioner sell or let the said dwelling-house during his or their residence in the station except to a Government officer and will on his or their leaving the station give the refusal of purchasing the said dwelling-house and out-buildings to the officer for the time being holding the appointment of the Lessee at such price as in case of dispute may be determined by the Secretary to the Local Government in the Public Works Department: PROVIDED that the price shall not be less than the actual cost price of the said buildings after deducting therefrom such allowance for wear and tear as the said Secretary shall consider fair AND will in the event of the officer for the time being holding the Lessee's appointment refusing to purchase the said dwelling-house and out-buildings sell the same at a price to be determined as aforesaid to such Government officer as the said Commissioner may name to him or them as being willing to purchase the same and in any event will not if a Government officer sell the same to any one not a Government officer contrary to the general orders of Government regarding sale of property to or purchase of property from natives of the country AND will unless he or they reside in the said dwelling-house let the same when required so to do by the said Commissioner to such Government officer as the said Commissioner may name to him or them on a monthly tenancy at such rent as in case of dispute may be determined by the said Secretary to the Local Government AND will at the expiration or sooner determination of the said term deliver up to the said Lessor the said land and all buildings thereon: PROVIDED always and it is hereby agreed and declared that the aforesaid covenants on the part of the Lessee shall run with the land and shall be binding upon all persons for the time being having any rights under this lease or in or to the buildings on the said piece of land AND provided further and these presents are upon this express condition that if and whenever any part of the said rent shall be in arrear for one month whether the same shall have been demanded or not or if and whenever there shall be a breach of any of the covenants by the Lessee herein contained the Lessor and his successors in office and assigns may notwithstanding the waiver of any previous cause or right of re-entry re-enter upon any part of the said land in the name of the whole and thereupon the said term of thirty years shall absolutely determine AND the Lessor doth hereby for himself his successors in office and assigns covenant with the Lessee his executors administrators and assigns that he and they paying the rent hereby reserved and performing and observing the several covenants by the Lessee hereinbefore contained may peaceably hold and enjoy the said piece of land hereby leased during the said term without any interruption by the Lessor his successors in office or assigns or any persons lawfully claiming through him them or any of them AND that if the Lessee his executors administrators or assigns shall be desirous



of taking a renewed lease of the said piece of land for the further term of thirty years from the expiration of the said term hereby granted and of such desire shall give notice in writing to the Lessor his successors in office or assigns prior to the determination of the term hereby granted AND shall pay the rent hereby reserved and observe and perform the several covenants and agreements herein contained on the part of the Lessee his executors administrators or assigns to be observed and performed up to the expiration by efflux of time of the said term hereby granted he the Lessor his successors in office or assigns will upon the request and at the expense of the Lessee his executors administrators or assigns execute and deliver to the Lessee his executors administrators or assigns a renewed lease of the said piece of land for the further term of thirty years at a rent to be determined by the Lessor his successors in office or assigns and under and subject to the same covenants provisos and agreements including this present covenant as are herein contained.

IN WITNESS WHEREOF

on behalf of the Secretary of State for India in Council by order of the Lieutenant-Governor of Burma and \_\_\_\_\_ have hereunto set their hands the day and year first above written.

*Witnesses—*

..... On behalf of the Secretary of State  
 ..... for India in Council by order of  
 ..... the Lieutenant-Governor of  
 ..... Burma.

*(Signature of Lessee with his official title.)*

(a) [On the reverse of the Counterpart of Lease.]

To

THE TOWN SURVEYOR,

DISTRICT.  
TOWN.

Please enter the particulars of this lease, *i.e.*, name of lessee, area and description of the land leased, rental and serial number and form of lease, dates of issue and expiry in your assessment roll now under preparation, or in the copy of the last roll returned to you, and plot the area leased as shown in the attached plan on the Town map, and return this copy of the deed with a certificate that you have done so.

Dated \_\_\_\_\_ }  
 The 19 . }

*Officer making Lease.*  
*(Designation.)*

(a)—(a) Added by Financial Commissioner's Notification No. 103, dated the 15th June 1908.

FROM

THE TOWN SURVEYOR,

DISTRICT.  
TOWN

To

(1) Counterpart of lease, with map attached, received on

(2) Returned on

Certified that I have entered the particulars of this lease in the assessment roll, and that I have plotted the area leased as shown in the attached plan on the Town map.

Dated

*The*19 . }  
.*Town Surveyor.*

Received

File in proceedings.

*Dated*

19 .

*Officer making Lease. (a)*


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(a)---(x) Added by Financial Commissioner's Notification No. 103, dated the 15th June 1908.

LAND REVENUE II.

## Lease 4.

## FORM OF LEASE OF LAND IN CIVIL STATION TO A NON-OFFICIAL.\*

[*Rule 74 under the Lower Burma Town and Village Lands Act, 1898*].

THIS INSTRUMENT made the \_\_\_\_\_ day of \_\_\_\_\_ one thousand nine hundred \_\_\_\_\_ between the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter called the Lessor) of the one part and \_\_\_\_\_ (hereinafter called the Lessee) of the other part Witnesseth that in consideration of the rent hereinafter reserved and of the covenants by the Lessee hereinafter contained the said Lessor doth hereby demise and lease unto the Lessee his executors administrators and assigns ALL that piece or parcel of land situate in the \_\_\_\_\_ TOGETHER WITH all rights easements and appurtenances to the same belonging or reputed to belong thereto or usually held or enjoyed therewith except and reserving unto the Lessor all mines and minerals within or under the said piece of land with liberty to enter thereon to work get and carry away the same TO HAVE and TO HOLD the premises hereinbefore expressed to be hereby demised and leased unto the Lessee his executors administrators and assigns for the term of thirty years from the date of this instrument yielding and paying therefor during the said term the clear annual rent of Rupees \_\_\_\_\_ payable in advance on the third day of January of each year upon and subject always to the following condition namely that the Lessee shall not at any time sell or part with his interest in the premises hereby demised (including the dwelling-house to be erected thereon) or any part thereof without the consent in writing of the Commissioner of the \_\_\_\_\_ division for the time being first obtained and that if the Lessee shall at any time be desirous of parting with his interest therein the Lessor shall have the option of acquiring the same on paying therefor the value of the buildings then standing upon the land such value being determined in case of dispute by such officer as the Government of Burma may nominate in that behalf AND the Lessee doth hereby for himself his heirs executors administrators and assigns covenant with the lessor and his successors in office and assigns THAT he the Lessee his executors administrators or assigns will during the said term pay the rents hereinbefore reserved at the times hereinbefore appointed for payment thereof clear of all deductions AND pay all existing and future taxes cesses rates and assessments of whatever kind in respect of are charged upon the said piece of land AND will at his or their expense and within one year from the date of this instrument erect upon the said piece of land upon a site and according to plans and elevations to be first approved of in writing by the said Commissioner

\* Prescribed by Financial Commissioner's Notification No. 65, dated the 7th April 1908.

ere and not more than one good and substantial dwelling-house with proper and sufficient out-buildings and conveniences thereto fit for use and occupation and expend in such erection the sum of Rupees at the least AND will at the like expense throughout the said term as often as need shall be as the said Commissioner may require maintain and keep in good and substantial repair the said dwelling-house and all other buildings which shall be built upon the said piece of land AND will not allow natives' houses or huts to be erected on the said piece of land without the consent of the Deputy Commissioner for the time being AND will keep the said piece of ground cleared and free from vegetable undergrowth AND will not acquire the lease of another piece of land in the same Civil Station and will not without the consent in writing of the said Commissioner first obtained use or permit to be used the premises hereby demised (including the dwelling-house) except for residential purposes and will not without such consent first obtained let the said dwelling-house or the said premises to any person whomsoever AND if at any time the said dwelling-house shall not be occupied by the Lessee or by some person to whom he shall have let the same with the consent of the Commissioner as aforesaid will if required to do so by the said Commissioner let the same together with all the premises demised until such time as the Lessee shall desire to reoccupy the same himself to any officer of Government named by the Commissioner on a monthly tenancy at a rent to be fixed in case of dispute by such officer as the Government of Burma may nominate in that behalf AND will at the expiration or sooner determination of the said term deliver up to the said Lessor the said land and all buildings thereon: PROVIDED always and it is hereby agreed and declared that the aforesaid covenants on the part of the Lessee shall run with the land and shall be binding upon all persons for the time being having any rights under this lease or in or to the buildings on the said piece of land AND provided further and these presents are upon this express condition that if and whenever any part of the said rent shall be in arrear for one month whether the same shall have been demanded or not or if and whenever there shall be a breach of any of the covenants by the Lessee herein contained the Lessor and his successors in office and assigns may notwithstanding the waiver of any previous cause or right of re-entry re-enter upon any part of the said land in the name of the whole and thereupon the said term of thirty years shall absolutely determine AND the Lessor doth hereby for himself his successors in office and assigns covenant with the Lessee his executors administrators and assigns that he and they paying the rent hereby reserved and performing and observing the several covenants by the Lessee hereinbefore contained may peaceably hold and enjoy the said piece of land hereby leased during the said term without any interruption by the Lessor his successors in office or assigns or any persons lawfully claiming through him them or any of them AND that if the Lessee his executors administrators or assigns shall be desirous of taking a renewed lease of the said piece of land for the further term of thirty years from the expiration of the said term hereby granted and of such desire shall give notice in writing to the Lessor his successors in office or assigns prior to the determination of the term hereby granted.

and shall pay the rent hereby reserved and observe and perform the several covenants and agreements herein contained and on the part of the Lessee his executors administrators or assigns to be observed and performed up to the expiration by efflux of time of the said term hereby granted he the Lessor his successors in office or assigns will upon the request and at the expense of the Lessee his executors administrators or assigns execute and deliver to the Lessee his executors administrators or assigns a renewed lease of the said piece of land for the further term of thirty years at a rent to be determined by the Lessor his successors in office or assigns and under and subject to the same covenants provisos agreements including this present covenant as are herein contained.

IN WITNESS WHEREOF

on behalf of the Secretary of State for India in Council by order of the Lieutenant-Governor of Burma and

have hereunto set their hands the day and year first above written.

*Witnesses—*

..... On behalf of the Secretary of State for  
..... India in Council by order of the  
..... Lieutenant-Governor of Burma.

*(Signature of Lessee with his occupation and address.)*

(a) [On the reverse of the Counterpart of Lease.]

To

THE TOWN SURVEYOR,

DISTRICT.  
TOWN

Please enter the particulars of this lease, *i.e.*, name of lessee, area and description of the land leased, rental and serial number and form of lease, dates of issue and expiry in your assessment roll now under preparation, or in the copy of the last roll returned to you, and plot the area leased as shown in the attached plan on the Town map, and return this copy of the deed with a certificate that you have done so.

Dated }  
The 19 }

*Officer making Lease.*  
*(Designation).*

(a)—(a) Added by Financial Commissioner's Notification No. 103, dated the 15th June 1908.

---

 FROM

THE TOWN SURVEYOR,

 DISTRICT.  
 TOWN

TO

(1) Counterpart of lease, with map attached received on

(2) Returned on

Certified that I have entered the particulars of this lease in the assessment roll, and that I have plotted the area leased as shown in the attached plan on the Town map.

Dated

The 19 }

Town Surveyor.

Received.

File in proceedings.

Dated

19 .

 \_\_\_\_\_  
 Officer making Lease. (a)

LAND REVENUE II.

L. B. Lease I &amp; 1(a).

FORM OF LEASE FOR SHORT TERM WITHOUT POWER OF RENEWAL  
UNDER THE LOWER BURMA TOWN AND VILLAGE LANDS ACT.\*[Rules 8 and 29 of Rules under the Lower Burma Town and  
Village Lands Act, 1898.]

THIS LEASE made the \_\_\_\_\_ day of \_\_\_\_\_ one thousand  
 nine hundred and \_\_\_\_\_ BETWEEN THE SECRETARY OF  
 STATE FOR INDIA IN COUNCIL (hereinafter called "the Lessor" which  
 expression shall be taken to mean and include the said Secretary of  
 State for India in Council and his successors in office and assigns,  
 except when the context requires another and different meaning) of the  
 one part and \_\_\_\_\_ of \_\_\_\_\_ son of  
 (hereinafter called "the Lessee" which expression shall be taken to  
 mean and include the said \_\_\_\_\_ his heirs executors,  
 administrators representatives and assigns except when the context  
 requires another and different meaning) of the other part: WITNESSETH  
 that in consideration of the rent hereinafter reserved and of the  
 covenants by the Lessee hereinafter contained the Lessor DOth hereby  
 lease unto the Lessee all that piece of land described in the schedule  
 hereto together with all rights easements and appurtenances to the  
 same belonging save and except all mines and mineral products buried  
 treasure coal petroleum oil and quarries whatsoever in under or within  
 the said land with liberty for the Lessor and his lessees licensees agents  
 and workmen and all other persons acting on his behalf to dig search  
 for obtain and carry away the same on making reasonable compensa-  
 tion to the Lessee on account of any disturbance or damage that may  
 be caused thereby to the surface of the said land and that such com-  
 pensation shall in case of dispute be determined by the Deputy Com-  
 missioner of \_\_\_\_\_ as nearly as may be in accordance with  
 the provisions of the Land Acquisition Acts or Regulations for the  
 time being in force TO HOLD the said land unto the Lessee for the term  
 of \_\_\_\_\_ years from the date of this lease YIELDING and PAYING  
 therefor the clear yearly rent of Rupees \_\_\_\_\_ payable in advance  
 on the 3rd day of January of each year and the Lessee doth hereby  
 to the intent that the burden of the covenants may run with the said  
 land and may bind the owners thereof for the time being covenant with  
 the Lessor.

1. To pay the said rent on the days and in the manner hereinbefore  
 appointed for payment thereof and also to pay all taxes rates and  
 assessments that now are or may hereafter during the said term be  
 imposed upon the said land or any buildings that may be erected  
 thereon or upon the Lessee in respect thereof.

\* Prescribed by Financial Commissioner's Notification No. 118, dated the 23rd  
 June 1910. Exempted from Registration, *vide* Registration Act, 1877, section 90,  
 clause (d). Blank copies are stamped with adhesive labels in Rangoon without  
 payment and transferred from the stock of stamps in Rangoon to District Treasuries  
 for sale. See Direction 19B of the Directions regarding Stamps, 1902.

2. To commence to erect upon the said land within \_\_\_\_\_ months from the date hereof the buildings the measurements elevation and materials of which shall receive the previous approval in writing of the Deputy Commissioner and to complete such buildings within \_\_\_\_\_ months from the date hereof and during the currency of this lease to keep such buildings in good repair to the satisfaction of the said Deputy Commissioner.

3. Not to alter the position mode of construction or materials of the said buildings or any other buildings that may hereafter be erected on the said land without the consent in writing of the said Deputy Commissioner and not to erect any other building upon the said land without first obtaining such consent.

4. Not to use the said land and buildings that may be erected thereon during the said term for a lodging-house or for a cooly-barrack or for any other purpose than,

without the consent in writing of the said Deputy Commissioner.

In the event of the Lessee obtaining subject to any further restrictions and conditions or subject to enhanced rent the consent of the Deputy Commissioner to erect maintain keep or use buildings on the land for the purpose of a lodging-house or a cooly-barrack to comply with all such restrictions and conditions and to pay on the dates aforesaid such enhanced rent as if they were part of this indenture.

5. Without first obtaining such consent not to subdivide the said land or to part with the possession of transfer or sublease a part only of the said land.

6. To register all changes in the possession of the whole of the said land or of the buildings thereon whether by transfer succession or otherwise in the register of the said Deputy Commissioner within one calendar month from the respective dates of such changes and if the Lessee shall without sufficient cause neglect to register such changes the said Deputy Commissioner may impose on him for each such case of neglect a penalty not exceeding Rs. 100 and a further monthly penalty not exceeding Rs. 50 for each month that such breach shall continue and the said Deputy Commissioner, may enforce the payment of such penalties in the same manner as arrears of revenue on the land may be recovered.

7. That the said Deputy Commissioner and all persons acting under his order shall be at liberty at all reasonable times in the daytime during the said term to enter upon the said land or any buildings that may be erected thereon for any purpose connected with the lease.

8. At the expiration of the said term hereby granted quietly to surrender and deliver up possession of the said land but not the buildings or fixtures that may then be thereon to the Lessor provided that if the Lessor shall re-enter upon the said land and determine this lease under clause 9 hereof the Lessee shall thereupon quietly deliver up possession of the said land and buildings and fixtures that may then be thereon to the Lessor.

9. Provided always that if the said rent or any part thereof shall be in arrear and unpaid for one calendar month after the same shall have become due whether the same shall have been demanded or not



or if the Lessee shall not observe and perform the covenants therein before contained the said Deputy Commissioner may immediately and notwithstanding the waiver of any previous breach or right of re-entry cancel this lease and take possession of the land and the buildings and fixtures that may then be thereon.

And the Lessor doth hereby covenant with the Lessee—

10. That the Lessee may at the expiration of the said term hereby granted if this lease shall not have been previously cancelled under clause 9 hereof and if the Lessee shall have paid the said rent and duly observed and performed the covenants by the Lessee herein contained up to the expiration of the said term take away and dispose of all buildings and fixtures that may then be erected and fixed to the said land provided that the Lessee makes good and repairs any damage that may be caused to the said land by such removal.

11. Provided also and it is hereby agreed that the Lessor his successors or assigns may at the expiration of the said term hereby granted elect to purchase the said buildings and fixtures that may then be in or upon the said land on giving to the Lessee one calendar month's previous notice in writing of such his intention and the price shall in the case of dispute be determined by the Executive Engineer of the said district according to the actual value of such buildings and fixtures and his decision shall be final and conclusive and altogether binding upon the Lessee.

IN WITNESS WHEREOF \_\_\_\_\_ acting for and on behalf of the Secretary of State for India in Council and have hereunto set their hands

THE SCHEDULE ABOVE REFERRED TO.

ALL that piece of land situate in the \_\_\_\_\_ ward of the town of \_\_\_\_\_ known as lot No. \_\_\_\_\_ in Block No. \_\_\_\_\_ containing \_\_\_\_\_ or thereabouts bounded as follows:—

*North.—*

*South.—*

*East.—*

*West.—*

and shown in the annexed plan marked *red*.

Signed by the said \_\_\_\_\_ }  
in the presence of \_\_\_\_\_ } *Deputy Commissioner,*  
*District.*

*Witnesses.*

Signed by the said \_\_\_\_\_ }  
in the presence of \_\_\_\_\_ } *Signature of Lessee.*

*Witnesses.*

(On the reverse of Counterpart of Lease.)

To

THE REVENUE SURVEYOR,

DISTRICT  
TOWN

Please enter the particulars of this lease, *i.e.*, name of lessee, area and description of the land leased, rental and serial number and form of lease, dates of issue and expiry in your rent demand roll now under preparation, or in the copy of the last roll returned to you, and plot the area leased as shown in the attached plan on the Town map, and return this copy of the deed with a certificate that you have done so.

Dated  
The

19 . }

*Officer making Lease.*  
*(Designation.)*

FROM

THE REVENUE SURVEYOR,

DISTRICT  
TOWN

To

- (1) Counterpart of lease, with map attached, received on  
(2) Returned on

Certified that I have entered the particulars of this lease in the rent demand roll, and that I have plotted the area leased as shown in the attached plan on the Town map.

Dated  
The

19 . }

*Revenue Surveyor.*

Received  
File in proceedings.

Dated

19 .

*Officer making Lease.*

LAND REVENUE II.L. B. License I.

## LICENSE TO OCCUPY LAND FOR AGRICULTURAL PURPOSES. \*

(Rules 37 and 39 of the Rules under the Lower Burma Town and Village Lands Act, 1898.)

Permission has this day been granted to \_\_\_\_\_ of \_\_\_\_\_ block \_\_\_\_\_ ward \_\_\_\_\_ town to occupy temporarily until the \_\_\_\_\_ day † of \_\_\_\_\_ 19 \_\_\_\_\_ for the purpose of \_\_\_\_\_ the land situated in \_\_\_\_\_ ward \_\_\_\_\_ town, measuring \_\_\_\_\_ acres or thereabouts and bounded as follows:—

*North.*—

*South.*—

*East.*—

*West.*—

on the following conditions:—

1. The licensee shall pay ‡ for the said land the clear monthly rent of Rupees \_\_\_\_\_ payable in advance on the date of issue of this license and on the first day of each subsequent month.

2. The licensee is liable to be evicted after three months' notice from the Revenue Officer to quit the land on payment of such compensation as may be determined by the said Revenue Officer for any loss or injury to any crop, garden produce and productive trees on the land.

Dated \_\_\_\_\_ 19 \_\_\_\_\_ Deputy Commissioner.

[On the Reverse of the Counterpart of License.]

To

THE TOWN SURVEYOR,

DISTRICT.  
T C W N

Please enter the particulars of this license, *i.e.*, name of its holder, area and description of the land to which it refers, rental, and serial number and form of license, dates of issue and expiry, in your assessment roll now under preparation, or in the copy of the last roll returned to you, and plot the area as shown in the attached plan on the Town map, and return this copy of the deed with a certificate that you have done so.

Dated \_\_\_\_\_ }  
The \_\_\_\_\_ 19 \_\_\_\_\_ }

Officer issuing License.  
(Designation.)

\* Prescribed by Financial Commissioner's Notification No. 39, dated the 12th April 1907, as amended by Financial Commissioner's Notification No. 103, dated the 15th June 1908.

† See Rule 39.

‡ If Land Revenue is levied on the land no rent shall be charged.

FROM

THE TOWN SURVEYOR,

DISTRICT  
TOWN

To

- (1) Counterpart of license, with map attached, received on  
(2) Returned on

Certified that I have entered the particulars of this license in the assessment roll, and that I have plotted the area to which it refers, as shown in the attached plan on the Town map.

Dated

The 19 . }

Town Surveyor.

Received

File in proceedings.

Dated 19 .

Officer issuing License.

LAND REVENUE II.

L. B. License 2.

LICENSE TO OCCUPY LAND FOR BUILDING, RESIDENTIAL OR  
INDUSTRIAL PURPOSES IN TOWNS.\*

(Rules 33 and 34 of the Rules under the Lower Burma Town and  
Village Lands Act, 1898.)

Permission has this day been granted to \_\_\_\_\_ of  
\_\_\_\_\_ block \_\_\_\_\_ ward \_\_\_\_\_ town,  
to occupy temporarily until the \_\_\_\_\_ day † of  
19 \_\_\_\_\_ for the purpose of \_\_\_\_\_ the land situated  
in \_\_\_\_\_ ward \_\_\_\_\_ town measuring  
\_\_\_\_\_ acres or thereabouts and bounded as follows:—

North.—

South.—

East.—

West.—

on the following conditions:—

1. The licensee shall pay for the said land the clear monthly rent of Rupees \_\_\_\_\_ payable in advance on the date of issue of this license and on the first day of each subsequent month.

2. The licensee is liable to be evicted after three months' notice from the Revenue Officer to quit the land on payment of such compensation as may be determined by the said Revenue Officer for the expense of removing and re-erecting elsewhere the buildings (if any) on the land.

3. ‡

Dated 19 .

Deputy Commissioner.

\* Prescribed by Financial Commissioner's Notification No. 39, dated the 12th April 1907.

† See Rule 34.

‡ Here enter any other condition or conditions not expressly forbidden or enjoined by the rules which the Deputy Commissioner, subject to the approval of the Commissioner, may think fit to impose.

[On the reverse of the Counterpart of License.]

To

THE TOWN SURVEYOR,

DISTRICT  
TOWN

Please enter the particulars of this license, *i.e.*, name of its holder area and description of the land to which it refers, rental and serial number and form of license, dates of issue and expiry, in your assessment roll now under preparation, or in the copy of the last roll returned to you, and plot the area as shown in the attached plan on the Town map, and return this copy of the deed with a certificate that you have done so.

Dated  
*The*

19 . }

*Officer issuing License.*  
*(Designation.)*

FROM

THE TOWN SURVEYOR,

DISTRICT .  
TOWN

To

- (1) Counterpart of license, with map attached, received on
- (2) Returned on

Certified that I have entered the particulars of this license in the assessment roll, and that I have plotted the area to which it refers, as shown in the attached plan on the Town map.

Dated  
*The*

19 . }

*Town Surveyor.*

Received

File in proceedings.

*Dated*

19 .

*Officer issuing License.*

**LAND REVENUE II.**

**L. B. License 3.**

**FORM OF LICENSE TO OCCUPY VILLAGE LAND \*.**  
(Rule 44 of the Rules under the Lower Burma Town and Village Lands Act, 1898.)

In consequence of an application made by \_\_\_\_\_ of \_\_\_\_\_ village on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ waxing/waning of \_\_\_\_\_ 12 for a license to occupy a piece of land situated in \_\_\_\_\_ village and bounded as below for the purpose of notice calling for objections was published for 15 days, and as no objection has been made a license to occupy the said land is hereby issued to \_\_\_\_\_ of \_\_\_\_\_ village.

|         |          |
|---------|----------|
| North.— | East.—   |
| South.— | West.—   |
|         | Thugyi,  |
|         | Village. |

The \_\_\_\_\_ day of \_\_\_\_\_ 19 .  
The \_\_\_\_\_ increase/decrease of \_\_\_\_\_ 12 .

**LAND REVENUE III**

**L. B. Notice 1.**

**NOTICE OF APPLICATION FOR LICENSE IN TOWNS. \***

(Rules 32 and 38 of the Rules under the Lower Burma Town and Village Lands Act, 1898).

Notice is hereby given that \_\_\_\_\_ of \_\_\_\_\_ has applied for a license of lot No. † \_\_\_\_\_ block \_\_\_\_\_ on the road of \_\_\_\_\_ quarter in \_\_\_\_\_ town, bounded:—

|                  |                  |
|------------------|------------------|
| On the north by, | On the south by, |
| On the east by,  | On the west by,  |

for the purpose of (a) \_\_\_\_\_ and that, if no cause is shown on or before (b) \_\_\_\_\_ why the license should not be issued, the license will be issued to the applicant at an annual rent of Rs. \_\_\_\_\_ for \_\_\_\_\_ years for the purpose specified.

Any person desirous of obtaining the license for the site applied for must submit his application to me on or before the above date stating the description of the building which he desires to erect on the land or the industrial or agricultural purpose for which he requires it, if the license is given to him on the terms set out above.

Dated \_\_\_\_\_ 19 \_\_\_\_\_ Signature of Officer. \_\_\_\_\_  
Designation. \_\_\_\_\_

\* Prescribed by Financial Commissioner's Notification No. 39, dated the 12th April 1907.

† NOTE.—The lot number, block name, number or letter and boundaries as verified by the Officer concerned under Rules 14, 31 and 38, should be given.

(a) Here enter description of building, e.g., house of mat, bamboo, etc., and the industrial or agricultural purpose intended.

(b) Not less than 15 days from date of publication.

**LAND REVENUE III****L. B. Notice 2.****NOTICE OF APPLICATION FOR LEASE\*.**

(Rule 19 of the Rules under the Lower Burma Town and Village Lands Act, 1898.)

Notice is hereby given that \_\_\_\_\_ of  
has applied for a lease of lot No. \_\_\_\_\_ Block  
on the \_\_\_\_\_ road of \_\_\_\_\_ town, bounded:— quarter in

On the North by—

On the East by—

On the South by—

On the West by—

for the purpose of building (a)  
measuring approximately \_\_\_\_\_  
feet in breadth, and \_\_\_\_\_  
ing materials:—

\_\_\_\_\_ feet in length,  
feet in height, with the follow-

Posts

Roof

Walls

Floor

and of the value of Rs. \_\_\_\_\_  
or before (b)

and that, if no cause is shown on

why the lease should not be made, the lease will be made to the  
applicant

on payment of premium of Rs. \_\_\_\_\_ at an annual rental of Rs. \_\_\_\_\_

for \_\_\_\_\_ years, on condition that (c)

of the above description be built within six months  
from the date of lease.

Any other person desirous of obtaining the lease for the site applied  
for must submit his application to me on or before the above date  
stating what premium he is willing to pay, and the description and  
value of the building which he is prepared to erect on the land, if the  
lease is given to him on the terms set out above.

*Dated*

19 .

*Signature of Officer.*

*Designation.*

*Note.—*  
The lot  
number  
block  
name,  
number or  
letter and  
boundaries  
as verified  
by the  
officer  
concerned  
under  
Rule 14,  
should be  
given.

(a) Here  
enter  
description  
of building,  
e.g.,  
house,  
sawpit, or  
oil-mill,  
etc.

(b) Not  
less than  
15 days  
from date  
of publi-  
cation.

(c) Same  
as in (a)  
above.

\* Prescribed by Financial Commissioner's Notification No. 39, dated the 12th April 1907.

LAND REVENUE IIIL. B. Notice 3

## NOTICE OF SALE OF LEASE BY PUBLIC AUCTION\*.

(Rule 23 of the Rules under the Lower Burma Town and Village Lands Act, 1898.)

Notice is hereby given that the lease of a piece of a land, measuring acres, more or less, situated in ward,

lot No. and bounded as follows:—  
<sup>block</sup>  
<sup>street</sup> town, known as

North—

South—

East—

West—

which has been applied for for the purpose of a building site by  
of ward, block, town, and for  
which a rent of Rs. a year has been fixed, will be sold by  
public auction on the day\* of at the

\* Not less than 10 days from date of publication.

The conditions of sale are—

- (a) The highest bidder shall be the purchaser, and if any dispute shall arise between two or more bidders, the lease shall be put up again at the last undisputed bidding. The Deputy Commissioner or the Subdivisional Officer reserves the right to bid.
- (b) The purchaser shall, immediately after the sale, pay to the auctioneer a deposit of 25 per cent. on the amount of his purchase-money, or, if the purchase-money does not exceed Rs. 5, the whole sum, and shall sign an agreement to complete the purchase according to these conditions.
- (c) The remainder, if any, of the purchase-money shall be paid on the tenth day after the sale at the office of the Deputy Commissioner or the Subdivisional Officer. The purchaser shall be entitled to the possession of the land from the day on which the whole of the money is paid. Upon such payment the Deputy Commissioner and the purchaser shall sign the authorized form of lease when payment has been made to the credit of the Subdivisional Officer, the proceedings shall thereupon be sent to the Deputy Commissioner for signature of the lease.

\* Prescribed by Financial Commissioner's Notification No. 39, dated the 12th April 1907.



- (d) If the purchaser fails to comply with these conditions, his deposit-money shall be forfeited to the Deputy Commissioner or Subdivisional Officer, who shall be at liberty to re-sell either by public auction or by private contract, and the deficiency, if any, occasioned by such second sale, together with all charges attending the same, shall immediately after such re-sale be made good by the defaulter at the original sale, and in case of non-payment of the same the whole shall be recoverable under section 24 of the Act.

A copy of the authorized form of lease to be sold, with the schedule thereto, is published below for information.

Dated . . . . . 19 . . . . .

Deputy Commissioner,  
District.

### LAND REVNUH III.

#### L. B. Notice 4.

##### NOTICE \*.

(Rule 43 of the Rules under the Lower Burma Town and Village Lands Act, 1898.)

Notice is hereby given that of \_\_\_\_\_ village has applied to me for a license to occupy a piece of land situated in \_\_\_\_\_ village and bounded as follows:—

North.—  
South.—  
East.—  
West.—

The land is required for the purpose of \_\_\_\_\_. Any person who has cause to show why the license applied for should not be issued to \_\_\_\_\_ is hereby informed that objections should be presented to me on the \_\_\_\_\_ waxing \_\_\_\_\_ waning of \_\_\_\_\_

The day of \_\_\_\_\_ 19 .  
The \_\_\_\_\_ of \_\_\_\_\_ 12 .  
The \_\_\_\_\_ of \_\_\_\_\_ 12 .

##### NOTICE \*.

(Rule 43 of the Rules under the Lower Burma Town and Village Lands Act, 1898.)

Notice is hereby given that of \_\_\_\_\_ village has applied to me for a license to occupy a piece of land situated in \_\_\_\_\_ village of and bounded as follows:—

North.—  
South.—  
East.—  
West.—

The land is required for the purpose of \_\_\_\_\_. Any person who has cause to show why the license applied for should not be issued to \_\_\_\_\_ is hereby informed that objections should be presented to me on the \_\_\_\_\_ waxing \_\_\_\_\_ waning of \_\_\_\_\_

The day of \_\_\_\_\_ 19 .  
The \_\_\_\_\_ of \_\_\_\_\_ 12 .  
The \_\_\_\_\_ of \_\_\_\_\_ 12 .

\* Prescribed by Financial Commissioner's Notification No. 39, dated the 12th April 1907, as amended by Notification No. 105, dated the 20th July 1909.

† This date shall be not less than 15 days after date of publication of the notice.

LAND REVENUE III.

L. B. Notice 5.

NOTICE UNDER SECTION 21 (1) OF THE LOWER BURMA TOWN AND  
VILLAGE LANDS ACT, 1898. \*

TO

*and other residents of* town *township.*  
village

TAKE notice that you are hereby required, under section 21 of the Lower Burma Town and Village Lands Act, to vacate the land of which you are now in unauthorized occupation, measuring          acres more or less, situated in          and bounded as follows:—

*North.—**South.—**East.—**West.—*

and to remove therefrom all property other than Government property within          days from this date.

If you fail to comply with the requisition made in this notice, you will be liable to be arrested and committed to imprisonment in the Civil Jail for 30 days.

GIVEN under my hand and the seal of the Court  
this          day of          19         .

*Signature of Officer.**Designation.*

\* Prescribed by Financial Commissioner's Notification No. 7, dated the 31st January 1902.

LAND REVENUE III.L. B. Notice 8.

## NOTICE CALLING FOR OBJECTIONS TO A GRANT OF LAND.\*

*(Rule 58 of the Rules under the Lower Burma Town and Village Lands Act, 1898.)*

| <i>District</i>  | <i>Township</i> | <i>Village</i>                   |
|------------------|-----------------|----------------------------------|
| The residents of | <u>town</u>     | are hereby informed that         |
| of               | <u>village</u>  | has applied to me for a grant of |
| land measuring   |                 | acres more or less situated in   |
| block            | ward            | <u>town</u>                      |
|                  |                 | <u>village</u> and bounded as    |
| follows—         |                 |                                  |

*North.—**South.—**East.—**West.—*

The land is required for the purpose of

Any person who has cause to show why the land applied for should not be granted is hereby informed that objections to the grant will be received by me at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ or elsewhere before that date. All objections must be in writing. No objections made after the date above mentioned will be received. If no objections are received on or before the \_\_\_\_\_ the land will be granted to the said \_\_\_\_\_

*Dated*

19 .

*Signature of Officer,  
Designation.*

\* Prescribed by Financial Commissioner's Notification No. 39, dated the 12th April 1907.

**LAND REVENUE III**

L. B. Notice 9.

**NOTICE TO SHOW CAUSE WHY DECLARATION OF LANDHOLDERSHIP  
SHOULD NOT BE MADE.\****(Section 13, Lower Burma Town and Village Lands Act, 1898.)*

THE residents of town District town  
village are hereby informed that village  
of town has applied to me to record a  
village declaration that he has acquired the right of a landholder in respect of  
the land situated in ward, block, of  
street  
town measuring acres or thereabouts, known as  
village No. and bounded as follows:—

*North.—**South.—**East.—**West.—*

THE application will be heard and determined at  
on the day of 19 . Objections to such  
declaration being recorded must be made to me in writing on or before  
that date.

*Dated*

19 .

*Signature of Officer.**Designation.*

\* Prescribed by Financial Commissioner's Notification No. 7, dated the 31st  
January 1902.

LAND REVENUE IIIL. B. Notice 10NOTICE OF INTENTION TO CANCEL DECLARATION OF LAND-  
HOLDERSHIP.\**(Section 14, Lower Burma Town and Village Lands Act, 1898.)*

THE residents of \_\_\_\_\_ district \_\_\_\_\_  
 \_\_\_\_\_<sup>town</sup> are hereby informed that the <sup>village</sup>\_\_\_\_\_ that the  
 declaration made on the \_\_\_\_\_ day of \_\_\_\_\_ 19 stating  
 that \_\_\_\_\_ of \_\_\_\_\_<sup>town</sup> had acquired the  
 right of a landholder in respect to the land situated in \_\_\_\_\_  
 ward, \_\_\_\_\_<sup>block</sup> of \_\_\_\_\_<sup>town</sup>, measuring  
 \_\_\_\_\_<sup>street</sup>, of \_\_\_\_\_<sup>village</sup>, measuring  
 acres or thereabouts, known as \_\_\_\_\_  
 and bounded as follows:—

*North.—**South.—**East.—**West.—*

is erroneous, and that the Deputy Commissioner  
Subdivisional Officer intends to cancel the said  
 declaration if within 30 days from the date of service and posting under  
 rules 2 and 3 of the present notice cause against such order is not  
 shown.

*Dated* \_\_\_\_\_ 19 .*Signature of Officer.**Designation.*

\* Prescribed by Financial Commissioner's Notification No. 7, dated the 31st  
 January 1902, as amended by Notification No. 105, dated the 20th July 1909.

LAND REVENUE III.L. B. Warrant 3.

WARRANT OF ARREST UNDER SECTION 21 (2) OF THE LOWER  
BURMA TOWN AND VILLAGE LANDS ACT, 1898. \*

To

WHEREAS of village, township, has  
town,  
remained in occupation of land bounded as follows:—

*North.—**South.—**East.—**West.—*

after the time specified in the order of ejection which was served on  
him on the you are hereby required to arrest the said  
and to produce him before me.

Herein fail not.

The day of 19 .

*Signature of Officer.**Designation.*

\* Prescribed by Financial Commissioner's Notification No. 7, dated the 31st  
January 1902.



**LAND REVENUE III.**

**Receipt 1.**

**MEMORANDUM OF DEMAND AND COLLECTION OF TOWN LANDS RENT.**

District .....

Town .....

Ward .....

Block or street .....

House or Lot No.....

Name of person from whom rent due .....

Amount Rs. ....

Date of service of notice .....

Date of payment .....

**RECEIPT FOR PAYMENT OF TOWN LANDS RENT.\***

District      Town      Ward

19 -19 .

THIS Receipt is given to  
for rupees  
only duly paid by him on account of town  
lands rent due by him for the year 19 -  
19 , as noted hereunder—

|                     |                                 |                      |   |                     |
|---------------------|---------------------------------|----------------------|---|---------------------|
| Serial No. in roll. | Name or No. of street or block, | No. of house or lot. | Register No. and year of lease, if any. | Amount of rent due. |
|                     |                                 |                      |   | Rs.    A. P.        |

..... } Signature of Thugyi  
or Ward headman.  
Dated.....19 .

**NOTICE OF DEMAND FOR TOWN LANDS RENT.\***

(This is not a receipt.)  
District      Town      Ward

19 -19 .

NOTICE is hereby given to  
that rupees  
only are now demanded from him on  
account of town lands rent due by him for  
the year 19 -19 , as noted hereunder—

|                     |                                 |                      |   |                     |
|---------------------|---------------------------------|----------------------|---|---------------------|
| Serial No. in roll. | Name or No. of street or block, | No. of house or lot. | Register No. and year of lease, if any. | Amount of rent due. |
|                     |                                 |                      |   | Rs.    A. P.        |

and that he must pay the amount due to  
me on or before the 10<sup>th</sup> failing  
which he will be treated as a defaulter.  
..... } Signature of Thugyi  
or Ward headman.  
Dated.....19 .

\* Prescribed by Financial Commissioner's Notification No. 7, dated the 31st January 1902.



LAND REVENUE III.

L. B. Miscellaneous 6.

**FORM OF PROCEEDING RELATING TO THE ALLOTMENT OF BUILDING LOTS IN A VILLAGE SITE. \***

*Proceeding of the* Township *Officer of* \_\_\_\_\_ *on the* \_\_\_\_\_ *190 at*  
*Subdivisional*

Notices having been duly published under the Lower Burma Town and Village Lands Direction No. 3, the persons named in the annexed list in Form No. \_\_\_\_\_ have petitioned for house-building lots. In the presence of and with the help of Headman Maung \_\_\_\_\_ and elders Maung \_\_\_\_\_

I allot the sites as shown in the annexed list in Form No. \_\_\_\_\_

LAND REVENUE III.

L. B. Miscellaneous 7.

*List of applicants for house-building lots in* \_\_\_\_\_ *village-site*  
*Township* \_\_\_\_\_ *District.\**

| Name of applicant. | Present residence. | Father's name. | Remarks. |
|--------------------|--------------------|----------------|----------|
| 1                  | 2                  | 3              | 4        |
|                    |                    |                |          |

\* Prescribed by Financial Commissioner's Notification No. 183, dated the 2nd December 1907.

**LAND REVENUE III.**  
**L. B. Miscellaneous 8.**

**ALLOTMENT PROCEEDING FOR NEW VILLAGE-SITE. \***

| No. of lot. | Total fee for each lot. | Grantees. |                | Whether fee is to be paid at once or by instalments. | If fee is to be paid by instalments, amount of each instalment and date on which due. |                    |                   |                    | Page of Detailed Register of recovery of fees where lot is entered, if instalments are allowed. | Chalan No. for payments on account of total fees paid at once and on account of first instalments. |
|-------------|-------------------------|-----------|----------------|--|---|--------------------|-------------------|--------------------|---|--|
|             |                         | Name.     | Father's name. |  | First instalment at sale.   | Second instalment. | Third instalment. | Fourth instalment. |   |  |
| 1           | 5                       | 3         | 4              | 5  | 6   | 7                  | 8                 | 9                  | 10  | 11   |

\* Prescribed by Financial Commissioner's Notification No. 183, dated the 2nd December 1907.

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**PART VI.**  
**APPENDICES.**

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## APPENDIX I.

### Powers of Local Government to sell or grant Government land otherwise than under the Rules.

*Resolution of the Government of India, in the Department of Revenue, Agriculture and Commerce, No. 1-141-51, dated the 6th February 1872, as amended by Resolution No. 1-127-4, dated the 28th February 1912.*

In \* \* \* it was ruled that the sanction of the Government of India should be obtained to the alienation of all Government land whether actually paying revenue or not except grants of waste land made under the approved rules ; and that Government land, whether paying revenue or not, should not be parted with save under the rules applicable to the expenditure of public money. It was also laid down that if the sale of small plots of escheated land for the benefit of local funds has not been duly sanctioned, it must be considered subject to the above restrictions.

2. Several Local Governments and Administrations having represented the inconveniences arising from a strict adherence to these orders, the Governor-General in Council has been pleased to modify them as follows—

3. Lands to be disposed of\* will necessarily divide themselves into two classes—

- (1) those which are the property of the State ;
- (2) those which, under competent authority, have been constituted the property of a municipality or other local body.

4. Lands of the first class may be disposed\* of in various ways :

- (i) by sale at full market value,
- (ii) by sale on favourable terms to a public body or association, or to an individual for a public purpose ;
- (iii) by a gift or grant to—
  - (a) a public body or association, or to an individual, for a public purpose ;
  - (b) private individuals in remuneration for public services to be performed ;
  - (c) † private individuals for their private benefit without reference to future services.

5. As regards lands falling into the second of the above classes which have been under a competent authority constituted the property of a local body, the Government of India will exercise no interference. It will be the duty of Local Governments and Administrations to satisfy themselves that the lands in question have been transferred under proper authority, and this having been ascertained the sanction of the Local Government or Administration will be sufficient for the disposal of the lands.

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\* Land disposed of under this resolution remains liable to the payment of land revenue, subject to the provisions of section 22 of the Act, unless the land has been exempted by competent authority under the orders in Direction 50.

† Under this head are included sales of land on favourable terms to individuals for their private benefit without reference to public services to be performed by them, e.g., sales of extra strips of land in unauthorized occupation to occupiers of neighbouring freeholds in Rangoon [see Government of India resolution No. 653 (Land Revenue and Settlements), dated the 31st August 1877]. The sanction of the Government of India, unless specifically declared to be unnecessary in certain cases, must be obtained to all such alienations.

6. As regards lands the property of the State, such of them as are governed by the rules for the grant of waste lands will continue to be dealt with under the rules on this subject in force for the time being.

7. As regards lands the property of the State other than waste lands, which are sold for full value, no reference to the Government of India need be made where the full value does not exceed Rs. 25,000. Up to this amount the sanction of the Local Government or Administration will in all cases be sufficient. The amount realized by the sale of the land should invariably be credited to the general revenues, and the sale should be duly noticed in the proceedings of the Local Government or Administration.

8. As regards the sale of lands on favourable terms for a public purpose, in no case should the recipient pay less than half the full market value of the lands granted; and whenever such full value exceeds the sum of Rs. 25,000 the sanction of the Government of India should be previously obtained. The amount realized by the sale should in all cases be credited to the general revenues, and the sale should be noticed in the proceedings of the Local Government or Administration.

9. As regards the gift or grant of lands, the previous sanction of the Government of India should be obtained in cases where the value of the grant exceeds Rs. 10,000 when given as a site for the construction of Government schools, hospitals, dispensaries, or other public works at the cost of recognized local funds; where it exceeds Rs. 1,000 when given for any other public purpose, or to a private individual for services to be performed to the States;\* or where it exceeds Rs. 500 when the services are to be performed to the community; and in all cases of grants to individuals for their private benefit irrespective of any services to be performed.

\* N.B.— This does not refer to cases in which the Local Governments may have been separately authorized to dispose of lands under special rules sanctioned by the Government of India.

*Government of India, Revenue and Agriculture Department Circular  
No. 8-20-3, dated the 29th May 1906.*

A Local Government may without the previous sanction of the Government of India in recognition of special services rendered to the police or to the criminal administration by a private person, inclusive of the village headman or watchman, make a gift to that person, or to his heir or widow, of State land of a value not exceeding Rs. 500, or may grant him or his heir or widow an assignment of land revenue not exceeding Rs. 15 a year for one life or for a term of twenty-five years, whichever period may be the longer. The grant may be made partly in the form of a gift of land and partly in the form of an assignment, either of the land revenue of that land or of other land; but the total estimated value of the grant should not exceed Rs. 500. The grant should be made on the condition that it will not be alienated without the sanction of the Collector and when it is in the form of an assignment of land revenue, it should be subject to the condition of loyalty and good conduct.

**Extract from the Directions\* for Town Land Tenure Enquiry,  
Demarcation, Survey, Confirmation of Boundaries, Prepara-  
tion of the Town Lands Roll, and Supplementary Survey.**

CHAPTER I.

Introductory.

Tenure Enquiry. The two main objects of a tenure enquiry are:—

(1) to discover encroachments on Government land and to bring to a definite issue disputes between Government and the occupiers of land ; and

(2) to determine on the ground by visible marks the limits of holdings not defined by proper boundaries.

2. Procedure under the Boundaries Act will after completion of the tenure enquiries ensure that the limits of all holdings (including those determined by the Tenure Officer) are properly demarcated on the ground and indicated on a map and will bring to light disputes between private individuals.

3. Survey should follow demarcation at an interval of one or two months before the demarcation pipes have time to disappear, and the map made by the survey party will show all holdings properly numbered and coloured and in case of disputes will show the limits as alleged by the rival occupiers.

4. The Boundary Officer will next proceed to confirm or modify the boundaries as laid down by the Demarcation Officer and to pass orders on disputes on the basis of possession. After passing his orders he will make the modifications necessary to bring the survey map into conformity with his orders.

5. The preparation of the Town Lands Roll from the corrected map and the Tenure Officer's proceedings will be simple. This Roll will be a permanent register of title and possession at the date of compilation ; no further entries will be made in the roll and no alteration of existing entries will be allowed. If any error is subsequently discovered a reference to the proceedings in which the error is dealt with may be made in the remarks column.

6. All changes in title or possession effected after the compilation of the Town Lands Roll will be shown in the annual registers connected therewith, and the map will be kept up to date by supplementary survey.

\* Circulated with letter No. 690—698—6T.24, dated the 23rd September 1912.

## CHAPTER II.

**Directions for tenure enquiries in Towns.**

1. When it is intended to have a survey made of a town or part of a town for the purpose of recording rights in a Town Lands Roll, the first step is the determination of tenures. The legal basis of this work will vary in different towns. But, generally, it may be said that the power of the Revenue-officer to eject persons in unauthorized possession of land and to make investigations before ordering ejectment is the foundation of tenure enquiries.

2. Ordinarily this work should be done by local Revenue-officers, but if the work is heavy it may be necessary to employ a special Tenure Officer who will work under the supervision and orders of the Deputy Commissioner of the district.

3. The Tenure Officer must investigate the tenure on which each plot of land is held and enquire into encroachments and unauthorised occupation of land ; and for this purpose should examine the registers of leases of town lands, the registers of lands acquired by Government and lands alienated for religious, public and other purposes, and in Lower Burma the roll of persons declared landholders. All the lease, acquisition, grant and declaration proceedings relating to the town should be consulted.

4. He should carry out his enquiries block by block according to the existing divisions of the town. If no such division exists, he will obtain the Deputy Commissioner's approval of the divisions to be made. Administrative divisions (*e.g.*, under the Towns Act) should be followed as much as possible.

5. He will use the existing maps (if any) of the block, and if there are no such maps he will make a rough sketch of each block and will divide it into holdings. A separate holding number should be given to each area of land within the same boundary held by the same person on the same tenure, *e.g.*, if the area within a fence consists partly of land over which rights have been acquired, partly of land held under lease and partly of land occupied without authority, the separate portions will each bear a holding number although the whole area is comprised within the same boundary and is held by the same man.

Separate holding numbers should, however, be given in the case of public roads, streets, lanes and the like, in sections or otherwise, as may be found convenient, to facilitate entries in the various records. The holding numbering should start from the north-west corner of the block, proceed zig-zag and end at the south-east corner.

6. When a holding as above defined is not clearly separated from the adjoining land by a visible boundary on all sides the Tenure Officer will determine the limits of the holding and have them clearly marked on the ground by means of trenches or posts and will enter such limits on his map or rough sketch.



## (Tenure enquiries.)

7. He will then draw up a list of all the holdings in the block and against each will show the name of the person in possession and the nature of title in the following form—

..... TOWN.....BLOCK , No.....

| Holding No. | Name and residence of person (if any) in possession next under Government by grant, lease, license or otherwise. | Nature of title of person recorded in column 2. | Remarks. |
|-------------|--|---|----------|
| 1           | 2  | 3   | 4        |

8. This list of holdings with the rough sketch or tracing of the block on which holdings have been painted with the colour appropriate to each as prescribed in Chapter XIV of the Land Records Manual will constitute the Tenure Officer's "Block proceeding", while in cases where the Tenure Officer has had the limits of holdings marked on the ground there will be a separate proceeding for each dispute or group of disputes.

9. If there appears to be an encroachment on any Government land or on any land purporting to be under the control of a Government department or of a local authority, the Tenure Officer should advise the Government department or local authority of the existence of an adverse claim.

10. The manner in which various kinds of tenures should be entered in column 3 of the list is described below :—

(a) *Land in towns in Lower Burma.*

- (i) Land held under grant conveying a permanent, heritable and transferable right [section 7 (a) of the Lower Burma Town and Village Lands Act] ;  
(The date and nature of grant should be entered.)
- (ii) Land to which a right has been acquired under the Indian Limitation Act, 1877 [section 7 (b)] ;  
(It is improbable that any entries will have to be made under this class.)
- (iii) Land held under landholder's right (section 8) ;  
(The word " Landholder's right " should be entered.)
- (iv) Land held under lease [section 16 (a)] ;  
(The number and year of the lease, the period for which the lease was made, and the rules under which it was made, when known, should be entered.)
- (v) Land held under license [section 16 (b)] ;  
(Similar particulars should be entered.)

## (Tenure enquiries.)

(vi) Land of which a revenue-free grant for religious or public purposes has been given ;  
 (This land should be entered as " Religious (or public) purposes grant land," and the same particulars should be given about the grant as are required for leases or licenses.)

(vii) Land occupied without a grant for religious purposes since before the commencement of the Act [section 3 (r) (c)] ;  
 (This land should be entered as " Religious land.")

(viii) Land occupied without title (section 18) ;  
 [In this class is included land (not falling under the next preceding clause) which is not held under document, and in respect of which a land-holder's right has not been acquired. The entry which should be made in respect of such land is " Squatter " and the date from which the squatting commenced should be entered.]

(ix) Land allotted for Government purposes or for the Railways Company. (Enter the word " Allotted.")

(x) Land vested by the Municipal Act in a Municipal or Town Committee. (Enter the word " Vested.")

(xi) Waste land reserved for Government purposes under Town Lands Direction 55.

(The words " Waste reserved for Government " should be entered.)

(xii) Waste land not so reserved.

(The words " Unreserved waste " should be entered.)

*(b) Land in towns in Upper Burma.*

(i) Land adjudicated non-State under section 24, sub-section (2) of the Land and Revenue Regulation, 1889.  
 (Enter the words " Non-State.")

(iv) \* Land held under lease.

[The entry should be as for Lower Burma (iv)].

(v) Land held under license.

[The entry should be as for Lower Burma (v)].

(vi) Land of which a revenue-free grant for religious or public purposes has been given.

[The entry should be as for Lower Burma (vi)].

(vii) Land occupied without a grant for religious or public purposes since before the commencement of the Upper Burma Land and Revenue Regulation [section 27 (6) (a)].

(The land should be entered as " Religious land. "

(viii) Land occupied without a title and adjudicated State under sub-section (2) or sub-section (3) of section 24 of the Regulation.

[The entry should be as for Lower Burma (viii)].

(ix) Land allotted for Government purposes or for the Railways Company.

(Enter the word " Allotted.")

(x) Land vested by the Municipal Act in a Municipal or Town Committee.

\* Nos. (ii) and (iii) are omitted, so as to preserve comparison with Lower Burma.

## (Tenure enquiries).

(Enter the word "Vested.")

(xi) Waste land reserved for Government purposes under Town Lands Direction 55.

(The words "Waste reserved for Government" should be entered).

(xii) Waste land not so reserved.

(The words "Unreserved waste" should be entered.)

Where none of the classifications given above applies, the entry should be "Tenure undetermined."

11. *Column 2.*—In making entries in this column the definition of "possession" in section 4 (8) of the Lower Burma Town and Village Lands Act, must be borne in mind. The entry in column 2 must be the full name and address of the person who has the highest right in the land *next below Government*; he is not necessarily the person actually in occupation. If the land is held by a Government department or public body enter the name of the department or public body utilising the land.

12. In filling up columns 2 and 3 the Tenure Officer may make an enquiry to ascertain the name of the person in possession and the nature of his title to the land. He must not settle disputes as to title between private parties. In cases in which such disputes arise or in which the tenure of the land is the subject of proceedings pending before the Revenue or Civil Courts or when the land is alleged to be held under leases or grants which are believed by the Tenure Officer to exist but are not available at the time of preparing the roll, the Tenure Officer may instead of recording any specific tenure enter the words "enquiry pending" in the column of remarks. Such lands shall be delineated on the map as if they were lands occupied without title.

In Upper Burma the officer will proceed similarly. In the case of disputes between private persons, when the land in dispute is generally admitted to be State, he will report the case to the Collector; when the tenure is undetermined he will leave the parties to take such action as they see fit.

13. The class of case in which the question of title will most frequently present itself for consideration in Lower Burma will be cases in which it is doubtful whether or not the person in possession has acquired the landholder's right. In such cases the Tenure Officer should ascertain, so far as possible, by reference to headmen and elders, Land Records maps and registers (if any), assessment rolls for local taxes and similar sources, the length of possession of the person in possession, and should enter the title accordingly.

Landholder's rights cannot be acquired after the 8th November 1900 in land of the following classes, namely:—

(a) All lands within the limits of the railway towns as defined in Revenue Department notification No. 206, dated the 26th May 1896\*;

(b) All the foreshore lying within 100 feet of the sea † or of the

\* Since November 1900 certain other notifications have issued with respect to towns constituted later. See Town Land Direction 42.

† The reference to the sea was not inserted till the 14th February 1907, but there will be few cases in which any distinction arises from this fact.

## (Tenure enquiries.)

bank of any navigable river or stream, measurements to be taken from ordinary high flood level;

- (c) All lands lying within 150 feet of the bazaar fence in towns which have been notified as such under section 4 (3) of the Lower Burma Town and Village Lands Act, 1898;
- (d) All lands in towns other than railway towns which have been specially acquired by Government for disposal as building sites or for any other purpose.

If the Tenure Officer decides that a person claiming the landholder's right is merely a squatter, he should fill up column 3 accordingly, and he should inform the claimant that it is open to him to proceed under section 12 of the Act with a view to establishing his claim. In the centre of old established towns minute enquiry about land not held under documentary title is unnecessary. A landholder's right must generally have accrued.

14. Besides land occupied by individuals, towns include land occupied for Government, municipal or railway purposes and waste land. In order that the record may be complete such land should be entered as "Government", "Municipal", "Railway" or "Government waste", as the case may be, in column 2. Areas reserved for Government purposes under Town Land Direction 55, which reproduces Local Government's Circular No. 59 of 1903, should be entered as "waste reserved for Government".

15. In some towns land has been acquired by Government with a view to leasing it as house-sites. In the case of all such land the fact of acquisition, together with the number and date of the notification in the *Gazette*, should be entered in the remarks column.

## CHAPTER III.

## Town Land Demarcation Directions.

1. The second step in the survey (whether original or revision) of a town is the demarcation of holdings in the town under authority of the Boundaries Act. It must then be considered whether operations under Chapter II of that Act are necessary or whether operations under section 28 will suffice. The decision will depend on the importance of the survey. One advantage of operations under Chapter II of that Act is that they secure that the survey shall eventually, after such action as may be taken in the Civil Courts, correctly indicate the titles of holdings.

2. In making proposals, the approximate number of house-sites and the average size of each holding for each ward separately should be reported.

Proposals for demarcation and for survey should be accompanied by nominations of the officers to be appointed under section 2 or section 28 of the Boundaries Act.

When operations have been sanctioned, and shortly before they begin, Government will publish notifications under sections 2 and 3.

## (Demarcation.)

The Financial Commissioner will forward copies of these with forms of model boundary proceedings to the Deputy Commissioner of the district, who will send them to the officers appointed.

3. For operations under this Chapter a senior Inspector of Land Records is usually appointed Demarcation Officer, and given a staff of a clerk and two peons and the Subdivisional Officer or Deputy Commissioner is usually appointed Boundary Officer. Operations under the Boundaries Act are however under the control of the Deputy Commissioner, and he is responsible for their inception and proper conduct.

4. Town land demarcation does not need to be preceded by the elaboration of comprehensive schemes for the re-arrangement of streets and houses.

5. The approximate cost of the demarcation operations should be reckoned separately from that of the survey.

A suitable standard scale for a town of 10,000 inhabitants is—

|   | Rs.   |
|---|-------|
| One Demarcation Officer on Rs. 80 <i>plus</i> Rs. 16 for three months ...     | 283   |
| One clerk on Rs. 40 for four months (goes to Boundary Officer afterward). ... | 160   |
| Two messengers on Rs. 12 for three months ...                                 | 72    |
| Cost of pipes ...   | 3,000 |
| Total ...   | 3,520 |

6. The stages of demarcation as prescribed by the Boundaries Act and rules are clearly marked—

- (1) Notification by Government.
- (2) Appointment of officers.
- (3) Publication of general notices ordering boundaries to be pointed out. (Attendance is not obligatory).
- (4) Marking out of boundaries by Demarcation Officer.
- (5) (a) Reports to Boundary Officer, consisting of statements for each block in form Land Revenue IV and a rough sketch map of each block showing the numbers of the plots demarcated and the approximate location of the demarcation pipes laid down. (See also Rule 1 under the Boundaries Act) •  
Boundaries 3
- (b) Special reports to the Boundary Officer contained in the separate proceedings opened for each disputed case in which an enquiry has been held.

7. When Government has published the notifications under sections 2 and 3, a copy is sent to the Deputy Commissioner. The Deputy Commissioner should first read the Act and rules and these directions carefully and should then send for the Demarcation Officer, explain to him his duties, and see that he reads and understands these directions.

## (Demarcation.)

and instruct him to open a proceeding \* in form Land Revenue IV.  
Boundaries I

The Boundary Officer is responsible for the correctness of the procedure, but until he is appointed his place must be taken by the Deputy Commissioner or the Subdivisional Officer.

8. After the expiry of the period, prescribed by Boundaries Rule 11, of one month from the date of publication of the general notice, the Demarcation Officer will proceed to demarcate by putting down pipes. He should procure the rough trace used by the Tenure Officer and on it note the approximate position of the pipes.

The pipes used are of the following pattern : earthen pipes, twelve inches in length, three inches in diameter at either end, and half an inch in thickness. The cost is recovered from the owners of the land demarcated. The Boundaries Act contemplates the erection of temporary marks by the Demarcation Officer and their subsequent replacement by permanent marks when the Boundary Officer has passed orders. But this course involves unnecessary labour. The usual practice is for the Demarcation Officer to put down permanent pipes and for the Boundary Officer to have such moved as he finds to be necessary.

9 The Demarcation Officer will divide the town into survey-blocks, following administrative divisions so far as possible. He should obtain the approval of the Deputy Commissioner to this division. He will see that all holdings including those in respect of which special orders were passed by the Tenure Officer are separately demarcated.

There is one universal proceeding and one demarcation trace for each block.

10. The enquiries previously held by the Tenure Officer will have determined the limits of all holdings. A holding is a continuous area of land held by the same person on the same tenure. For the purposes of these directions, the Public Works Department or any other department of Government, the Railways Company and the Municipal or Town Committee should be regarded each as a separate person.

The Demarcation Officer should start at the north-west corner of a block, proceed zig-zag and close at the south-east corner, putting down pipes at all the angles and conspicuous bends and also at suitable intervals on lengthy boundary lines of each holding.

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\* Boundary proceedings are of two kinds : Block and Special. Every special proceeding arises out of a block proceeding. There is one universal proceeding for each block and one special proceeding for each disputed case. The block proceedings and the special proceedings are both revenue proceedings and should be numbered and registered as such. They can, if convenient, bear additional numbers for showing their relationship to the blocks. Every special proceeding should contain a reference to the number of the block proceeding from which it branches off. Boundary proceedings are opened by the Demarcation Officer and closed by the Boundary Officer.

## (Demarcation.)

11. The Demarcation Officer has the following powers :—

- (a) To compel attendance (section 6).
- (b) To compel clearing of boundary (section 7).
- (c) To compel provision of labour (section 7).
- (d) To hire labour and assess and recover cost (section 7).
- (e) To compel attendance for the purpose of giving information or producing a document (section 9).
- (f) To award compensation for damage done (section 8).

[NOTE.—Service of special notice is the method of exercising powers under sections 5 and 6, and compliance is compulsory.]

12. If, in passing from holding to holding, his operations are hampered through the absence of owners or through obstruction of jungle, fences, etc., he should secure the attendance of the owner by service of special notice under section 6 and ask him to do the necessary demarcation or clearing. If this is ineffective, he may require clearance under section 7 and, in the last resort, may hire labour and recover the cost under section 7.

If any demand for compensation is made by any owner or occupier for any damage or loss occasioned by reason of the clearance of a boundary line under section 7, the Demarcation Officer should assess compensation at once and offer the amount to the owner at once and, if the money is accepted, take his receipt in form Land Revenue IV.  
Boundaries 22

A Demarcation Officer should not be overbearing in his dealings. He will ordinarily find owners willing themselves to help or to send a son or a servant.

He should ask the owner to do the work of imbedding the pipes, and only when the owner is not there or refuses to imbed them, should he employ labour and recover the cost. In the latter case, he should make the charge at once and, if the money is paid, should give a receipt in form Land Revenue IV.  
Boundaries 23

The cost of imbedding a pipe should not exceed one anna.

13. The cost of pipes is determined by the Deputy Commissioner, and the Demarcation Officer should recover the cost, where possible, at the time of embedding, and must give a receipt in form Land Revenue IV.  
Boundaries 23

*Disputes.*

14. It is not the function of the Demarcation Officer to settle disputes. He must demarcate what he sees. Ordinarily in towns the dividing line between one man's property and another's is marked by a fence or a ditch or a line of trees, and the parties will point to that as their boundary and the Demarcation Officer will put down pipes accordingly. The pipes should be imbedded in the ground so as to

## (Demarcation.)

leave three inches of their length projecting above the surface and should be in the middle of the fence or close up to the corner of a wall or on the edge of a ditch, because it is the centre of the pipe which marks the boundary and not a line to one side of it. Where this is impossible, two pipes should be put down and the map should show the boundary as passing half-way between them.

15. When there is no visible boundary between one holding and another, the neighbouring occupiers should be asked to place pegs or bamboos along the boundary or to show the Demarcation Officer personally where to put the pipes.

If they do not comply, the Demarcation Officer should make an enquiry and demarcate the boundary between the two holdings as best he can in the absence of the parties.

16. In the case of open spaces, compounds of public buildings, roads, drainage spaces, rubbish depôts, cemeteries and similiar lands of which the boundary is not marked, he should require \* the Government officers or local authority in charge either to demarcate their land with pegs or posts or to send a representative to be present when he puts down the demarcation pipes. Even there is no representative present and the Demarcation Officer notices what appear to be demarcation posts or marks (*e.g.*, the street alignment) according to which the boundary pointed out by another party appears to constitute an encroachment, he should serve a special notice under section 6 on the Government officers or local authority requiring them to demarcate their boundary in that particular place. Section 6 refers to all the purposes of section 5 and under that the Demarcation Officer can compel persons to point out boundaries personally or to demarcate them. He can do this with Government officers and local authorities, and the Boundary Officer and Deputy Commissioner should see that the necessary action is taken.

17. If there appears to be an encroachment on any Government land or on any land purporting to be under the control of a Government department or of a local authority, he must decide only who is in possession of the disputed land and demarcate accordingly and, if his decision is adverse to the Government department or local authority, he should advise the Government department or local authority that it is out of possession. If they object to his demarcation, he should form a special proceeding and submit it to the Boundary Officer either before or at the same time as he submits the universal proceeding for the block.

But if one person disputes the boundary pointed out by another, he should demarcate both claims temporarily and note on his trace the position of his marks and of neighbouring features and submit the trace with an accurate plan of the disputed boundary and a brief statement of the case to the Boundary Officer in a special proceeding. All special proceedings must be completed by the Boundary Officer before the block proceeding can be completed. If therefore the demarcation of the holdings in a block is likely to take some time, the

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\* Special notices under section 7 or 6.



## (Demarcation.)

Demarcation Officer should forward special proceedings to the Boundary Officer as soon as they are opened and before the block proceedings are submitted. The Demarcation Officer should mention the fact if any party claims on a document, such as a decree of Court, a previous order of demarcation, or a deed of transfer. It will rarely be necessary for the Demarcation Officer to require production of documents under section 9.

18. At such intervals as may be ordered by the Boundary Officer or Deputy Commissioner, the Demarcation Officer will submit a progress report in form  $\frac{\text{Land Revenue, IV}}{\text{Boundaries 3}}$  and the counterfoils of receipts in form  $\frac{\text{Land Revenue, IV}}{\text{Boundaries 23}}$  in support of the amounts noted as paid. Treasury chalans in support of credit\* of the amounts received must also be submitted.

The Demarcation Officer should not take steps to recover outstandings on account of the cost of pipes recoverable, as this will be done by the Boundary Officer.

19. When the Demarcation Officer has completely demarcated the holdings in a block, he should write a report for the block in form  $\frac{\text{Land Revenue, IV}}{\text{Boundaries 5}}$  and attach thereto (a) a demarcation trace of the block ( $\frac{\text{Land Revenue, IV}}{\text{Boundaries 4}}$ ), and (b) the special proceedings with a list in form  $\frac{\text{Land Revenue, IV}}{\text{Boundaries 5}}$ , and submit the whole to the Boundary Officer, or if the Boundary Officer has not already been appointed, to the Deputy Commissioner pending the arrival of the Boundary Officer, who takes all further action.

## CHAPTER IV.

## Town Survey Directions.

[See section (t), pages 43 et seq., of Survey Manual.]

## CHAPTER V.

## Directions for Boundary Officers in Towns.

1. After the tenure enquiry and the operations of the Demarcation Officer have been completed, the boundaries of holdings have to be confirmed by the Boundary Officer. Pending the appointment of this officer the Demarcation Officer's proceedings may on completion be submitted to the Deputy Commissioner.

\* The amounts should be credited to the head "1, Land Revenue—Miscellaneous—Recoveries on account of survey charges."

## (Boundary Officers.)

2. The steps to be taken by the Boundary Officer are :—
- (i) The issue of general and special notices under section 11.
  - (ii) Determination of disputes;
  - (iii) Determination of appeals;
  - (iv) Confirmation of boundaries and tenures.

3. The Boundary Officer is responsible for the correctness of the procedure of the Demarcation Officer. Demarcation is essentially outdoor work and the Boundary Officer must check the actual demarcation on the ground. In a disputed case the Boundary Officer should generally visit the spot but a few such cases can be disposed of without a personal inspection.

4. On receipt from the Demarcation Officer of the block proceeding and subsidiary special proceedings relating to a block of the town, the Boundary Officer must scrutinise the proceedings to see that the general notice under section 5 was correctly issued and that a special notice has been served in every case where one appears necessary. He should question the Demarcation Officer personally, if necessary, about the boundaries shown in the trace.

He should see that the serial numbering of the holding has been correctly done and that each holding appears as under one tenure and possessed by one person. If he detects any mistakes he should go to the place and verify for himself and correct them.

The Boundary Officer will check the treasury chalang submitted by the Demarcation Officer, and will take steps to recover any amounts still outstanding.

5. If the Demarcation Officer's proceedings appear to be correct, the Boundary Officer must then issue general notices in form Land Revenue IV Boundaries 9. This notice is most important, as on it depends the validity of all subsequent proceedings.

The process-server should be examined on oath and the method of publication noted in the proceeding. One copy of the notice endorsed by the elder of the block and by the process-server must be filed in the proceedings.

6. At the same time the Boundary Officer should determine by a perusal of the proceedings and the demarcation trace and by questioning the Demarcation Officer what persons are likely to object to the boundaries demarcated. All persons concerned in boundaries disputed at demarcation by the Demarcation Officer are persons likely to object. On all these persons a special notice in form Land Revenue IV Boundaries 1 should be served at once and a special proceeding should be opened, if not already opened by the Demarcation Officer.

7. The special proceedings must be completed before the block proceeding can be finished and, therefore, the special notices should issue as early as possible.

The Boundary Officer should proceed to determine these cases without delay.

## (Boundary Officers.)

8. When the special notice has been published for one month, if no written statement is put in, the special proceeding should be closed by the Boundary Officer with an order on a separate sheet of paper in these words or in words to the same effect "Service of the special

notices under section 11 was duly effected [a]—\_\_\_\_\_and one month has elapsed. No written statement of objections has been received and therefore this proceeding is closed." On the diary he should note "Proceeding closed; note made in block proceeding No. \_\_\_\_\_page 5." If a written statement of objections has been received, the Boundary Officer must hold an enquiry. This enquiry may be summary, that is the evidence need not be recorded at length, but the names of the witnesses and the substance of their statements should be recorded; documents tendered should be described and, if necessary, copied and the copy attested by the Boundary Officer. When the evidence has been taken and the parties have been heard the Boundary Officer should record an order stating briefly the claims of the parties and the reasons for his decision and pass a final order laying down the boundaries which he accepts.

9. His enquiry is to be directed to discover who was in possession at the time of the Demarcation Officer's report. He must confirm boundaries according to possession and should make the necessary alterations in the map. If he finds that the person in possession has obtained it by wrongful dispossession of the lawful occupants of the land within a period of three months previous to the commencement of the enquiry, he should put the person so dispossessed in possession and confirm the boundary accordingly. If he is unable to satisfy himself who is in possession, he should determine by summary enquiry who is best entitled to the land and shall put such person in possession.

He is not to enquire into title. But if a person not in possession according to the Boundary Officer's finding claims that the land is his and seeks possession, the Boundary Officer should refer him to the Revenue Officer or the Civil Court, whichever has jurisdiction.

10. When all special proceedings have been completed the Boundary Officer should have the demarcation of the Demarcation Officer and the map altered, if necessary, to conform with the orders passed in the special proceedings. When this has been done and when the general notice under section 11 has been published for one month, and when all appeals have been decided or the period of appeal has passed, the Boundary Officer shall pass a final order in the block proceeding.

The final order shall recite the fact of due publication of notices, of the settlement of all disputed boundaries, that the prescribed period since publication of the notices has expired, and shall then proceed to confirm the boundaries as demarcated by the Demarcation Officer, if these remain unaltered, or to confirm the boundaries demarcated by the Demarcation Officer as altered by the Boundary Officer on the ground and indicated in demarcation traces.

11. The final order shall recite the fact of due publication of notices, of the settlement of all disputed boundaries, that the prescribed period since publication of the notices has expired, and shall then proceed to confirm the boundaries as demarcated by the Demarcation Officer, if these remain unaltered, or to confirm the boundaries demarcated by the Demarcation Officer as altered by the Boundary Officer on the ground and indicated in demarcation traces.

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## (Boundary Officers.)

A copy of the map on which all changes effected by the Boundary Officer's orders have been entered shall then be signed by that Officer and bound up with the proceedings.

11. When the block proceedings have been closed the Boundary Officer must consider what action, if any, is necessary under sections 22 to 25 of the Act.

The Act contemplates temporary demarcation by the Demarcation Officer and subsequent erection of permanent marks. This course involves double labour and in Burma is not necessary. The Demarcation Officer usually makes permanent demarcation at once with pipes. In the comparatively few cases of dispute some of the pipes may have to be moved after the decision of the Boundary Officer.

12 But in particular cases it may be necessary to require the erection of visible boundary marks above the ground to indicate to all where the permanent marks are situated.

This may often be advisable where boundaries have been vigorously contested, but compulsory erection should not ordinarily be resorted to.

13. The amended Act provides for appeals in the matter of possession, and there may also be under other enactments appeals in the matter of title. But the work of the Boundary Officer is completed when the appeal under the Boundaries Act is decided and action has been taken to erect permanent marks in accordance therewith and to arrange for their future maintenance.

14. Boundary proceedings of all kinds must be kept permanently. Notices issued under the Act with proof of service are A papers and must not be filed on the process file. Summonses to parties to attend enquiries and summonses to witnesses need not be kept permanently and should be filed on the process record.

## CHAPTER VI.

**Directions for the preparation of the Roll of Town Lands.**

1. The Roll of Town Lands is a record of possession and tenure of all land within the limits of towns at the time of its compilation. The entries therein should include every single plot of land in the town whether it is held by private persons, public bodies, or Government departments, or is Government waste. Loose sheets of the prescribed form will be used during the course of the compilation of the roll and on completion will be bound up into volumes, a separate volume being made for each block of the town. Not more than six entries should be made on each page. Specimen entries are given in the form attached.

2. Government Revenue Department Notification No. 4, dated the 9th January 1908\* specifies the Revenue Officers appointed to keep the rolls of towns in Lower Burma.

\* See now notifications C and D at pages 20—24.

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**(Roll of Town Lands.)**

3. The Revenue Officer will be supplied by the survey officer with a trace or printed map of the block as finally passed by the Boundary Officer. The map will eventually form part of the Town Lands Roll.

4. Columns 1—3 will be entered up plot by plot by the surveyor attached to the Revenue Officer for the purpose on loose sheets of the prescribed form, which will then be made over to the Revenue Officer who will enter up the remaining columns of the form.

5. Columns 4 and 5 will be copied from the Tenure Enquiry records and checked with the map as finally passed by the Boundary Officer and filed in his general proceedings.

6. Where the entry "Enquiry pending" has been made by the Tenure Officer, the officer preparing the Town Lands Roll shall make further enquiry. If the dispute has been settled, or the revenue proceedings or the documents not forthcoming at the time of the tenure enquiry are produced, the necessary entries shall be made in the Town Lands Roll and the map of the block shall be altered accordingly by the Revenue Officer; otherwise the entry "Enquiry pending" shall be reproduced.

7. On the block map referred to in Direction 3 above, the details already recorded in the roll of the block shall be delineated in the manner prescribed in paragraph 8 of Chapter II by the surveyor under the supervision of the Revenue Officer, who shall on completion of the map sign it and attach it to the roll, the inside of the cover of which should contain a pocket for the purpose.

8. The map and the original Roll of Town Lands will then be sent to the Land Records record-room for permanent preservation.

No further entries may be made in the roll and no alteration of existing entries is to be permitted. If any error is discovered a reference to the proceeding in which the error is dealt with may be made in the remarks column.

## LAND REVENUE I.

## Land Roll I.B.

*Form of Roll of Town Lands with specimen entries.*

| Holding No. | Survey plot.     |             | Name and residence (if any) in possession next under Government by grant, lease, license or otherwise. | Nature of title of person recorded in column 4.     | Remarks.                       | Date of record of columns 4 to 6.   | Initials of Revenue Officer preparing the roll. |   |
|-------------|------------------|-------------|--|---|--------------------------------|---|---|---|
|             | No.              | Area.       |  |   |                                |   |   |   |
| 1           | 2                | 3           |  | 4   | 5                              | 6   | 7   | 8 |
|             |                  | Acres.      | Dec.   |   |                                |   |   |   |
| 25          | { 31<br>32       | 1<br>3      | 318<br>251   | { Maung Mya,<br>Kaladan Quarter,<br>Bassein.        | Land-holder.                   |   |   |   |
| 26          | 33               | 0           | 9.7  | Do.   | Lease ...                      | Lease No. 17 of 1904-10 for thirty years from the 17th May 1909, under L. B. T. V. L. Rule 9. |   |   |
| 27          | { 34<br>35       | 3<br>1      | 204<br>803   | { Maung Maung,<br>7th Street, Bassein.              | Squatter ...                   | From 7th March 1916.<br>From November 1 19.   |   |   |
| 28          | 36               | 1           | 251  | .....   | Un-reserved waste.             |   |   |   |
| 29          | { 37<br>38<br>39 | 1<br>2<br>2 | 818<br>007<br>538  | { Fongyi U Thiri,<br>Thondat<br>Kyaung,<br>Bassein. | Religious grant land.          | Grant No. 5 of 1907-08 under L. B. T. V. L. Rule 60.  |   |   |
| 30          | 40               | 4           | 511  | P. W. D. ...  | Waste reserved for Government. | Government Circular No. 69 of 1908.   |   |   |
| 31          | 41               | 5           | 871  | Bassein Municipality.                               | Vested ...                     | Road area transferred under section 78, Municipal Act.  |   |   |
| 32          | { 42<br>43       | 1<br>1      | 827<br>174   | { Maung Pyu, 10th<br>Street, Bassein.               | .....                          | Enquiry pending.  |   |   |

## CHAPTER VII.

## Directions for upkeep of Annual Maps and Registers.

[See Chapter XIV, page 127 et. seq. of the Burma Land Records Manual.]

# APPENDIX III.

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*\* List of Towns for the purposes of the Lower Burma Town and Village Lands Act, 1898.*

| Division.    | District.    | Town.                                 | How constituted a town.† | Notification declaring boundaries.               |                        |                 |                |                        | Remarks. |            |             |     |    |    |      |
|--------------|--------------|---------------------------------------|--------------------------|--|------------------------|-----------------|----------------|------------------------|----------|------------|-------------|-----|----|----|------|
|              |              |                                       |                          | Department. No.                                  |                        | Dated.          |                |                        |          |            |             |     |    |    |      |
|              |              |                                       |                          |  |                        | Day.            | Month.         | Year.                  |          |            |             |     |    |    |      |
| 1            | 2            | 3                                     | 4                        | 5  | 6                      | 7               | 8              | 9                      | 10       |            |             |     |    |    |      |
| ARAKAN       | Akyab        | Akyab ...                             | M.                       | General<br>Municipal<br>and Local.<br>Revenue... | } 1<br>3<br>95         | } 2<br>28<br>29 | } 1<br>8<br>11 | } 1885<br>1908<br>1908 |          |            |             |     |    |    |      |
|              |              | Minbya ...                            | S.                       |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              |              | Maungdaw<br>Kyauktaw...<br>Buthidaung | S.                       |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              | Kyaukpyu     | Kyaukpyu...                           | M.                       | General ...                                      | 300                    | 31              | 8              | 1895                   |          |            |             |     |    |    |      |
|              |              | Ramree ...                            | S.                       | Revenue ..                                       | 100                    | 29              | 12             | 1908                   |          |            |             |     |    |    |      |
|              | Sandoway     | Sandoway                              |                          |  | } 139<br>138           | } 4<br>24       | } 6<br>9       | } 1885<br>1886         |          |            |             |     |    |    |      |
|              |              |                                       |                          |  |                        |                 |                |                        |          | M.         | General ... |     |    |    |      |
|              | Rangoon      | Rangoon ‡                             |                          | M.   | } 1<br>63<br>46        | } 2<br>28<br>19 | } 1<br>6<br>9  | } 1885<br>1901<br>1903 |          |            |             |     |    |    |      |
|              |              |                                       |                          | S.   |                        |                 |                |                        |          | Revenue .. |             |     |    |    |      |
|              |              |                                       |                          | S.   | Revenue...             | 99              | 29             | 12                     | 1908     |            |             |     |    |    |      |
|              |              |                                       | S.                       | Revenue...                                       | 99                     | 29              | 12             | 1908                   |          |            |             |     |    |    |      |
|              |              |                                       | (South)                  | M.   | Municipal<br>and Local | 47              | 18             | 4                      | 1912     |            |             |     |    |    |      |
|              |              |                                       | Syriam.                  | S.   | Revenue...             | 100             | 29             | 12                     | 1908     |            |             |     |    |    |      |
| Pegu         | Hanthawaddy. | Kyauktan ...                          | } S.                     | } Revenue  | } 100                  | } 29            | } 12           | } 1908                 |          |            |             |     |    |    |      |
|              |              | Thongwa ...                           |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              |              | Thabyegan                             |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              |              | Kayan ..                              |                          |  |                        |                 |                |                        |          | S.         | Revenue ..  | 100 | 29 | 13 | 1908 |
|              |              | Twante ...                            |                          |  |                        |                 |                |                        |          | S.         | Revenue ..  | 48  | 13 | 4  | 1913 |
|              | Kungyangon   | S.                                    | Revenue ..               | 100  | 29                     | 12              | 1908           |                        |          |            |             |     |    |    |      |
|              | Insein       | Insein                                |                          | T.   | } General ..           | } 222           | } 23           | } 6                    | } 1908   |            |             |     |    |    |      |
|              |              |                                       |                          | S.   |                        |                 |                |                        |          |            | Revenue ..  |     |    |    |      |
|              |              |                                       |                          | S.   | Revenue ..             | 1.0             | 29             | 12                     | 1908     |            |             |     |    |    |      |
|              |              |                                       |                          | S.   | Revenue ..             | 8               | 2              | 2                      | 1909     |            |             |     |    |    |      |
|              |              |                                       | S.                       | Revenue...                                       | 67                     | 25              | 7              | 1910                   |          |            |             |     |    |    |      |
| Tharrawaddy. | Tharrawaddy. | Tantabin ...                          | S.                       | Revenue...                                       | 163                    | 10              | 12             | 1910                   |          |            |             |     |    |    |      |
|              |              | Thingangyun                           | S.                       | Revenue ..                                       | 154                    | 16              | 10             | 1912                   |          |            |             |     |    |    |      |
|              |              | Hlawga ...                            | } S.                     | } Revenue ..                                     | } 100                  | } 29            | } 12           | } 1908                 |          |            |             |     |    |    |      |
|              |              | Hnawbi ...                            |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              |              | Wanetchaung                           |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              |              | Taikyit ...                           |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              |              | Thanatchaung                          |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              |              | Palon ...                             |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              |              | Paukka ...                            |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              |              | Ledaunggan                            |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
| Dabein ...   |              |                                       |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
| Hlegu ...    |              |                                       |                          |  |                        |                 |                |                        |          |            |             |     |    |    |      |
|              | M.           | Municipal<br>and Local.               | 163                      | 4  | 11                     | 1896            |                |                        |          |            |             |     |    |    |      |
|              | S.           | Revenue...                            | 100                      | 29   | 12                     | 1908            |                |                        |          |            |             |     |    |    |      |

\* Correction slips will not be issued for this Appendix. Each officer must correct so much as he needs.

† M. = Municipality under the Burma Municipal Act, 1878.

‡ These two areas constitute the scheduled town of Rangoon.

T. = Town under the Burma Towns Act, 1907.

S. = Specially notified as a Town under the Lower Burma Town and Village Lands Act, 1898.

NOTE.—All Municipalities have been declared towns under section 4 of the Burma Towns Act, 1907 by General Department Notification No. 179, dated the 22nd May 1908.

*\*List of Towns for the purposes of the Lower Burma Town and Village Lands Act, 1898—continued.*

| Division.       | District.  | Town.                                 | How constituted a t. wn.† | Notification declaring boundaries. |             |              |        |                     | Remarks.     |            |            |        |        |              |  |
|-----------------|--|---------------------------------------|---------------------------|------------------------------------|-------------|--------------|--------|---------------------|--------------|------------|------------|--------|--------|--------------|--|
|                 |  |                                       |                           | Department.                        | No.         | D.ted.       |        |                     |              |            |            |        |        |              |  |
|                 |  |                                       |                           |                                    |             | Day.         | Month. | Year.               |              |            |            |        |        |              |  |
| 1               | 2  | 3                                     | 4                         | 5                                  | 6           | 7            | 8      | 9                   | 10           |            |            |        |        |              |  |
| Pegu—<br>concd. | Tharra-<br>waddy.  | Letpadan ...                          | M.                        | Municipal and Local.               | 132         | 6            | 1      | 1834                |              |            |            |        |        |              |  |
|                 |  | Sitkwin ...                           | S.                        | Revenue ..                         | 100         | 29           | 12     | 1838                |              |            |            |        |        |              |  |
|                 |  | Mihlia ...                            |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 |  | Othōōn ...                            |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 |  | Okpe ...                              |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 |  | Gyobingauk                            | M.                        | Municipal and Local.               | { 17<br>108 | 13<br>19     | ...    | 6                   | 1894<br>1907 |            |            |        |        |              |  |
|                 |  | Gamousek                              | S.                        | Revenue...                         | 84          | 27           | 11     | 1811                |              |            |            |        |        |              |  |
|                 |  | Tapun ...                             | S.                        | Revenue ..                         | 100         | 23           | 12     | 1908                |              |            |            |        |        |              |  |
|                 |  | Zigon ...                             |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 |  | Nattalin ...                          |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 | Promé  | Paungdā ...                           | M.                        | General ...                        | 1           | 2            | 1      | 1895                |              |            |            |        |        |              |  |
|                 |  | Padigon ...                           | S.                        | Revenue...                         | 100         | 29           | 12     | 1808                |              |            |            |        |        |              |  |
|                 |  | Thegon ...                            |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 |  | Shwedaung                             |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 |  | Sinmizwē ..                           |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
| Hmawza ..       |  |                                       |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
| Prome ...       | M.   | { General ...<br>Municipal and Local. | 1<br>169                  | 2<br>13                            | 1<br>12     | 1885<br>1907 |        |                     |              |            |            |        |        |              |  |
| Pegu            | Tōngyi ...<br>Tawa ...<br>Tawa-Loek ...<br>Kawa ...<br>Thauatpin ... | S.                                    | Revenue ..                | 130                                | 23          | 12           | 1908   |                     |              |            |            |        |        |              |  |
|                 |  |                                       |                           |                                    |             |              |        | Pegu ...            | M.           | General .. | { 1<br>116 | 2<br>8 | 1<br>4 | 1885<br>1886 |  |
|                 |  |                                       |                           |                                    |             |              |        | Pegu Civil Station. | S.           | Revenue .. | 14         | 4      | 2      | 1869         |  |
|                 |  |                                       |                           |                                    |             |              |        | Payayyi ...         | S.           | Revenue... | 100        | 29     | 12     | 1908         |  |
|                 |  |                                       |                           |                                    |             |              |        | Pyinbōngyi          |              |            |            |        |        |              |  |
|                 | Kadōc ...  |                                       |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 | Panngdawthi  |                                       |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 | Dalk ...   |                                       |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 | Pyuntaza ...   |                                       |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
|                 | Nyaunglabin  |                                       |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
| Peinzadōk ...   |  |                                       |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
| Kyauktaga       |  |                                       |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |
| Pēnwēōn ..      |  |                                       |                           |                                    |             |              |        |                     |              |            |            |        |        |              |  |

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 † M. = Municipality under the Burma Municipal Act, 1873.  
 T. = Town under the Burma Towns Act, 1877.  
 S. = Specially notified as a Town under the Lower Burma Town and Village Lands Act, 1898.  
 Note.—All Municipalities have been declared towns under section 4 of the Burma Towns Act, 1877, by General Department Notification No. 179, dated the 22nd May 1878.



*\*List of Towns for the purposes of the Lower Burma Town and Village Lands Act, 1898—continued.*

| Division    | District.            | Town.  | How constituted a town.† | Notification declaring boundaries.     |  |            |          |         | Remarks. |              |
|-------------|----------------------|--|--------------------------|--|--|------------|----------|---------|----------|--------------|
|             |                      |  |                          | Department.                            | No.                                    | Dated.     |          |         |          |              |
|             |                      |  |                          |  |  | Day.       | Month.   | Year.   |          |              |
| 1           | 2                    | 3  | 4                        | 5                                      | 6                                      | 7          | 8        | 9       | 10       |              |
| IRRA-WADDY. | Bassein ...          | Z-yathla ...<br>Yegyi Station<br>Yegyi ...<br>Kyonpyaw ...<br>Athok<br>Appinhpasè<br>Kyaunggôn<br>Daga ...<br>Kangyidaung<br>Konzingôa ... | S.                       | Revenue...                             | 100                                    | 29         | 12       | 1908    |          |              |
|             |                      | Begayét ...  |                          |  |  |            |          |         |          | S.           |
|             |                      | Ngathoing-gyaung.<br>Daunggyi ...  | M.                       | General ...                            | 358                                    | 24         | 8        | 1887    |          |              |
|             |                      | Bassein ...  |                          |  |  |            |          |         |          | M.           |
|             |                      | Kamauksu...<br>Neikban ...   | S.                       | Revenue...                             | 100                                    | 29         | 12       | 1908    |          |              |
|             |                      | Henzada ...  |                          |  |  |            |          |         |          | M.           |
|             |                      | Zalun ...  | M.                       | General ...<br>Municipal<br>and Local. | 318<br>128                             | 3          | 10       | 1899    |          |              |
|             |                      | Myanaung...  |                          |  |  |            |          |         |          | M.           |
|             |                      | Henzada...   | Kyàngin ...              | M.                                     | General ...<br>Municipal<br>and Local. | 283<br>165 | 12<br>9  | 7<br>12 |          | 1886<br>1907 |
|             |                      |  |                          |  |  |            |          |         |          |              |
|             | Kanyin-ngu<br>Tugyi. |  | S.                       | Do. ...                                | 7                                      | 25         | 1        | 1911    |          |              |
|             | Inbin ...            |  | S.                       | Do. ...                                | 11                                     | 14         | 2        | 1911    |          |              |
|             | Zaungdan ...         |  | S.                       | Do. ...                                | 13                                     | 16         | 2        | 1911    |          |              |
|             | Taubingon...         |  | S.                       | Do. ...                                | 20                                     | 16         | 2        | 1911    |          |              |
|             | New Zalun            |  | S.                       | Do. ...                                | 63                                     | 6          | 6        | 1913    |          |              |
|             | Myaung-myá.          |  | Myaungmyá                | M.                                     | General ...<br>Municipal<br>and Local. | 423<br>103 | 30<br>13 | 11<br>7 |          | 1885<br>1897 |
|             |                      |  |                          |  |  |            |          |         |          |              |

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 ‡ T. = Town under the Burma Towns Act, 1907.  
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 NOTE.—All Municipalities have been declared towns under section 4 of the Burma Towns Act, 1907, by General Department Notification No. 179, dated the 22nd May 1908.

\* List of Towns for the purposes of the Lower Burma Town and Village Lands Act, 1898—continued.

| Division.             | District.          | Town.                                | How constituted a town.†   | Notification declaring boundaries. |                                |        |        |       | Remarks. |  |
|-----------------------|--------------------|--------------------------------------|----------------------------|------------------------------------|--------------------------------|--------|--------|-------|----------|--|
|                       |                    |                                      |                            | Department.                        | No.                            | Dated. |        |       |          |  |
|                       |                    |                                      |                            |                                    |                                | Day.   | Month. | Year. |          |  |
| 1                     | 2                  | 3                                    | 4                          | 5                                  | 6                              | 7      | 8      | 9     | 10       |  |
| IRRAWADDY<br>conclid. | Myaungmya—conclid. | Einmè ... } S.                       | Revenue...                 | 100                                | 29                             | 12     | 1908   |       |          |  |
|                       |                    | Shwelaung... } S.                    | Do. ...                    | 23                                 | 9                              | 5      | 1910   |       |          |  |
|                       |                    | Mawla-myainggyun<br>Thayetkò... } S. | Do. ...                    | 100                                | 29                             | 12     | 1908   |       |          |  |
|                       | Ma-ubin...         | Ma-ubin ... } M.                     | { Municipal and Local,     | 110                                | 1                              | 10     | 1888   |       |          |  |
|                       |                    | Yandoon ... } M.                     | { General ..               | 1                                  | 2                              | 1      | 1885   |       |          |  |
|                       |                    | Pantanaw ... } S.                    | Revenue...                 | 100                                | 29                             | 12     | 1908   |       |          |  |
|                       | Toungoo ...        | Pyapòn ...                           | Pyapòn ... } M.            | { Municipal and Local,             | 85                             | 6      | 8      | 1905  |          |  |
|                       |                    |                                      | Pyapòn Civil Station. } S. | Revenue ...                        | 65                             | 8      | 10     | 1909  |          |  |
|                       |                    |                                      | Kyaiklat ... } M.          | Municipal and Local,               | 89                             | 27     | 5      | 1905  |          |  |
|                       |                    | Dedayè ... } S.                      | Revenue...                 | 100                                | 29                             | 12     | 1908   |       |          |  |
|                       |                    |                                      | Shwegyin ... } M.          | Municipal and Local,               | 83                             | 26     | 4      | 1883  |          |  |
|                       |                    | Toungoo ...                          | Kanyutkwin } S.            | Revenue ..                         | 100                            | 29     | 12     | 1908  |          |  |
|                       |                    |                                      | Thandaung ... } S.         | Revenue...                         | 52                             | 28     | 7      | 1909  |          |  |
|                       |                    | THANABERIM.                          | Thaton ...                 | Toungoo ... } M.                   | { General Municipal and Local, | 143    | 8      | 9     | 1889     |  |
|                       |                    |                                      |                            | Toungoo Ex-Cantonment } S.         | Revenue...                     | 100    | 29     | 12    | 1908     |  |
| Thaton ...            |                    |                                      | Mopalin ... } S.           | Revenue...                         | 100                            | 28     | 12     | 1908  |          |  |
|                       | Kyaikto ... } M.   |                                      | { Municipal and Local,     | 86                                 | 12                             | 7      | 1900   |       |          |  |
|                       | Hrinpale ... } S.  |                                      | Revenue...                 | 100                                | 29                             | 12     | 1908   |       |          |  |

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 Note.—All Municipalities have been declared towns under section 4 of the Burma Towns Act, 1907, by General Department Notification No. 179, dated the 22nd May 1908.

*\* List of Towns for the purposes of the Lower Burma Town and Village Lands Act, 1898—concluded.*

| Division.             | District.       | Town.   | How constituted a town.† | Notification declaring boundaries.   |  |                           |                |              | Remarks.             |              |
|-----------------------|-----------------|---|--------------------------|--------------------------------------|--|---------------------------|----------------|--------------|----------------------|--------------|
|                       |                 |   |                          | Department.                          | No.                                    | Dated.                    |                |              |                      |              |
|                       |                 |   |                          |                                      |  | Day.                      | Month.         | Year.        |                      |              |
| 1                     | 2               | 3   | 4                        | 5                                    | 6                                      | 7                         | 8              | 9            | 10                   |              |
| TENAS-SERIM—concl'd.  | Thatón—concl'd. | Thatón ...                                      | M.                       | Municipal and Local.                 | 21                                     | 17                        | 11             | 1887         |                      |              |
|                       |                 | Hlaingbwè...<br>Pa-an ...<br>Martaban ...       | } S.                     | Revenue...                           | 100                                    | 29                        | 12             | 1908         |                      |              |
|                       |                 | Paung ...                                       |                          | Revenue ...                          | 53                                     | 6                         | 8              | 1909         |                      |              |
|                       |                 | Sa'ween ...                                     |                          | Papun ...                            | { T.<br>S.                             | General ...<br>Revenue... | 264<br>98      | 4<br>30      | 8<br>11              | 1909<br>1911 |
|                       | Amherst ...     | Moulmein ...                                    | M.                       | {<br>Municipal and Local {           | General ...                            | 1                         | 2              | 1            | 1835                 |              |
|                       |                 | Amherst ...<br>Kawkareik...<br>Kya-la Seik-gyi. | S.<br>S.<br>S.           |                                      | Revenue...<br>Revenue...<br>Revenue... | 100<br>69<br>26           | 29<br>28<br>20 | 12<br>1<br>5 | 1908<br>1909<br>1.10 |              |
|                       |                 | Tavoy ...                                       | Tavoy ...                | M.                                   | { General...<br>Municipal and Local.   | 270<br>130                | 7<br>15        | 6<br>12      | 1887<br>1886         |              |
|                       | Mergui ...      | Mergui ...                                      | M.                       | { General...<br>Municipal and Local. | 154<br>101                             | 21<br>29                  | 9<br>7         | 1887<br>1899 |                      |              |
|                       |                 | Palaw ...                                       | S.                       | Revenue...                           | 100                                    | 29                        | 12             | 1908         |                      |              |
|                       | MAGWE ...       | Thayetmyo                                       | Thayetmyo...             | M.                                   | General ...                            | 408                       | 6              | 10           | 1887                 |              |
| Allanmyo<br>Ywataung. |                 |   | M.                       | Municipal and Local.                 | 163                                    | 28                        | 9              | 1905         |                      |              |
| Thayetmyo Cantonment  |                 |   | S.                       | Revenue...                           | 100                                    | 29                        | 12             | 1908         |                      |              |

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T. = Town under the Burma Towns Act, 1907.

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NOTE—All Municipalities have been declared Towns under section 4 of the Burma Towns Act, 1907 by General Department Notification No. 179, dated the 22nd May 1908.

**Instructions concerning the preparation of statements of  
boundaries of Towns.**

Government's Revenue Department Circular No. 16 of 1910.

1. The description of the boundaries should start from the western extremity of the northern boundary and should indicate in succession the northern, eastern, southern and western boundaries.

2. Where a boundary does not follow a natural feature, *i.e.*, a well-defined and permanent road or a permanent stream, a bund or a *kazin*, the notification should state whether it follows a straight or a demarcated line between the points mentioned; unless for very strong reasons a demarcated line should never be proposed.

3. If permanent survey marks or the numbers of survey plots are referred to in the draft notification, the names and numbers of the *kwins* in which they are situated should be mentioned. If streams are referred to, their names should be given.

4. Where the boundary follows a road or a stream, the notification should indicate whether the road or stream is within or without the boundary. Where the boundary crosses a road, stream or a railway line, the crossing should be accurately defined by distances from mile-posts or telegraph posts, and should always be the nearest line across and at right angles to it. The point of crossing each side should be demarcated by a post.

5. Where in the absence of land marks of a permanent nature, the boundaries have to be described with reference to pillars, the boundary pillars should be constructed of masonry or iron or reinforced concrete, and should bear marks, A, B, C, or 1, 2, 3, and so on.

6. The position of a point must be fixed by giving its distance and direction from two fixed points or its location on some fixed line and its distance from one fixed point, *e.g.*, in the case of a point on a *kazin*, its distance from the corner of the field.

7. As far as possible provision should be made for expansion of a town and for re-arrangement of streets and houses in order to comply with the requirements of sanitation and public convenience; and opportunity should be taken to round off town boundaries.

# APPENDIX V.

*List of towns exempted from the operation of section 8 of the Act.*

**R. T.** = Railway Town as defined in Revenue Department Notification No. 205, dated the 26th May 1896.

**NOTE.**—Correction slips will not be issued for this Appendix. Each officer must correct so much as he needs.

| Division.                  | District.              | Town.                     | Revenue Department Notification. |        |              |              |     |      |    |      |
|----------------------------|------------------------|---------------------------|----------------------------------|--------|--------------|--------------|-----|------|----|------|
|                            |                        |                           | No.                              | Dated. |              |              |     |      |    |      |
|                            |                        |                           |                                  | Day.   | Month.       | Year.        |     |      |    |      |
| PKGU ...                   | Hantha-waddy (Syriam). | Syriam ... ..             | 5                                | 23     | I            | 1911         |     |      |    |      |
|                            |                        | Kyauktan ... ..           |                                  |        |              |              |     |      |    |      |
|                            |                        | Thongwa ... ..            |                                  |        |              |              |     |      |    |      |
|                            |                        | Thabyegan ... ..          |                                  |        |              |              |     |      |    |      |
|                            |                        | Kayan ... ..              |                                  |        |              |              |     |      |    |      |
|                            |                        | Twantè ... ..             |                                  |        |              |              |     |      |    |      |
|                            |                        | Kungyangôn ... ..         |                                  |        |              |              |     |      |    |      |
|                            |                        | Wanetchaung ... ..        |                                  |        |              |              |     |      |    |      |
|                            |                        | Thanatchaung ... ..       |                                  |        |              |              |     |      |    |      |
|                            |                        | Palôn ... ..              |                                  |        |              |              |     |      |    |      |
|                            | Insein ...             | Kanbè ... ..              | 6                                | 23     | I            | 1911         |     |      |    |      |
|                            |                        | Kamayut ... ..            |                                  |        |              |              |     |      |    |      |
|                            |                        | Paukkôn ... ..            |                                  |        |              |              |     |      |    |      |
|                            |                        | Taikkyi ... ..            |                                  |        |              |              |     |      |    |      |
|                            |                        | Insein ... ..             |                                  |        |              |              |     |      |    |      |
|                            |                        | Taikkyi (R. T.) ... ..    |                                  |        |              |              |     |      |    |      |
|                            |                        | Hmawbi (R. T.) ... ..     |                                  |        |              |              |     |      |    |      |
|                            |                        | Ôkkan (R. T.) ... ..      |                                  |        |              |              |     |      |    |      |
|                            |                        | Hlawga (R. T.) ... ..     |                                  |        |              |              | 437 | 8    | II | 1900 |
|                            |                        | Insein (R. T.) ... ..     |                                  |        |              |              |     |      |    |      |
|                            |                        | Ledaunggan (R. T.) ... .. |                                  |        |              |              |     |      |    |      |
|                            |                        | Dabein (R. T.) ... ..     |                                  |        |              |              |     |      |    |      |
|                            |                        | Nattalin (R. T.) ... ..   |                                  |        |              |              |     |      |    |      |
| Zigôn (R. T.) ... ..       |                        |                           |                                  |        |              |              |     |      |    |      |
| Gyi bingauk (R. T.) ... .. |                        |                           |                                  |        |              |              |     |      |    |      |
| Ôkpo (R. T.) ... ..        |                        |                           |                                  |        |              |              |     |      |    |      |
| Othêgôn (R. T.) ... ..     | 437                    | 8                         | II                               | 1900   |              |              |     |      |    |      |
| Minhla (R. T.) ... ..      |                        |                           |                                  |        |              |              |     |      |    |      |
| Sitkwin (R. T.) ... ..     |                        |                           |                                  |        |              |              |     |      |    |      |
| Ietpadan (R. T.) ... ..    |                        |                           |                                  |        |              |              |     |      |    |      |
| Tharrawaddy Civil Station. |                        |                           |                                  |        |              |              |     |      |    |      |
| Thônzè (R. T.) ... ..      |                        |                           |                                  |        |              |              |     |      |    |      |
| Inywa ... ..               |                        |                           |                                  |        | 3            | 18           | I   | 1911 |    |      |
| Zibyugôn ... ..            |                        |                           |                                  |        |              |              |     |      |    |      |
| Tharra-waddy               |                        |                           |                                  |        | Tharra-waddy | Inywa ... .. | 3   | 18   | I  | 1911 |

R. T. = Railway Town as defined in Revenue Department Notification No. 206 dated the 26th May 1896.

NOTE.—Correction slips will not be issued for this Appendix. Each office must correct so much as he needs.

| Division.            | District. | Town.                     | Revenue Department Notification. |        |        |       |
|----------------------|-----------|---------------------------|----------------------------------|--------|--------|-------|
|                      |           |                           | No.                              | Dated. |        |       |
|                      |           |                           |                                  | Day.   | Month. | Year. |
| PEGU<br>(concl.)     | Pegu ...  | Tôngyi (R. T.) ...        | 437                              | 8      | 11     | 1900  |
|                      |           | Tawa (R. T.) ...          |                                  |        |        |       |
|                      |           | Payagyi (R. T.) ...       |                                  |        |        |       |
|                      |           | Pyinbôngyi (R. T.) ...    |                                  |        |        |       |
|                      |           | Paungdawthi (R. T.) ...   |                                  |        |        |       |
|                      |           | Daiku (R. T.) ...         |                                  |        |        |       |
|                      |           | Pyuntaza (R. T.) ...      |                                  |        |        |       |
|                      |           | Nyaunglebin (R. T.) ...   |                                  |        |        |       |
|                      |           | Peinzalok (R. T.) ...     |                                  |        |        |       |
|                      |           | Kyauktaga (R. T.) ...     |                                  |        |        |       |
| Panwegon (R. T.) ... |           |                           |                                  |        |        |       |
| Prome                | Prome     | Hmawza (R. T.) ...        | ...                              | 8      | 11     | 1900  |
|                      |           | Sinmizwe (R. T.) ...      |                                  |        |        |       |
|                      |           | Thègôn (R. T.) ...        |                                  |        |        |       |
|                      |           | Padigôn (R. T.) ...       |                                  |        |        |       |
| MRA-<br>WADDY.       | Bassein   | Daga ...                  | 84                               | 10     | 11     | 1910  |
|                      |           | Athok ...                 |                                  |        |        |       |
|                      |           | Apinhnasè ...             |                                  |        |        |       |
|                      |           | Zayathla ...              |                                  |        |        |       |
|                      |           | Konzingôn ...             |                                  |        |        |       |
|                      |           | Yegyi Station ...         |                                  |        |        |       |
| Henzada              | Henzada   | Kamauksu ...              | 2                                | 17     | 1      | 1911  |
|                      |           | Neikban ...               |                                  |        |        |       |
|                      |           | Ingabu ...                |                                  |        |        |       |
|                      |           | Tègyigôn ...              |                                  |        |        |       |
|                      |           | Inbin ...                 |                                  |        |        |       |
|                      |           | Zaungdan ...              |                                  |        |        |       |
|                      |           | Tanbingôn ...             |                                  |        |        |       |
| Toungoo              | Toungoo   | Kanyutkwin (R. T.) ...    | 437                              | 8      | 11     | 1900  |
|                      |           | Pyu (R. T.) ...           |                                  |        |        |       |
|                      |           | Nyaungchidauk (R. T.) ... |                                  |        |        |       |
|                      |           | Kywebwè (R. T.) ...       |                                  |        |        |       |
|                      |           | Okwin (R. T.) ...         |                                  |        |        |       |
| Thatôn               | Thatôn    | Martaban ...              | 84                               | 10     | 11     | 1910  |
|                      |           | Hninpalè ...              |                                  |        |        |       |

### Memorandum\* with plan showing arrangements suggested for laying out Railway Towns.

The following notes have been drawn up in connection with the accompanying plan, and it is suggested that, when circumstances admit, railway towns should be laid out accordingly:—

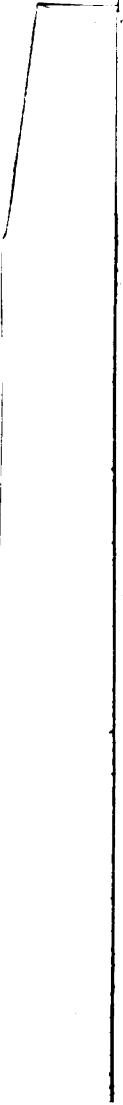
- (a) At minor stations there are usually only two authorized entrances to railway premises, both situated on the road leading from the level-crossing: one leading to the station-house for passengers and the other to the goods-yards. Other entrances are occasionally allowed opposite the station or into the goods-yard, but these should not be taken as part of the scheme.
- (b) The main road of the town should be aligned with the level-crossing of the station, whether this be to the north or south.
- (c) When the ground is suitable the houses should generally be situated on the same side of the line as the station-house. On the other side, godowns for paddy, salt, or general goods, and timber yards may be allowed.
- (d) At some stations the station-yard is of greater extent than shown on the plan owing to more land having been acquired in anticipation of considerable trade springing up with the Shan States or elsewhere, when passes are improved, feeder-roads constructed, and the means of communication generally facilitated. At stations where, in the opinion of the District Officers, this does not appear to have been sufficiently provided for, the Manager of the Railway will be exceedingly obliged if they will advise him accordingly.
- (e) A strip of land 50 feet wide from fencing or edge of borrow-pits is shown on the plan outside the goods-yard. This should be kept clear in case it be hereafter found necessary to put down a railway siding on to which wagons can be shunted to load or unload goods opposite godowns which merchants may erect on the ground beyond for general goods, salt, paddy, etc. The siding might also be used for loading or unloading timber.
- (f) In laying out railway towns it is very desirable that a clear space should be reserved as shown outside railway limits, both near the station-yard and on either side of the main line as far as the town extends, within which no houses of inflammable material should be permitted, as these might be ignited by sparks from the engines, especially in the dry weather.
- (g) The space reserved on the town side of the station-yard might be occupied by public buildings, such as court-houses, markets, schools, post office, police thanas, *sayats* for travellers, etc., and police quarters should, if convenient, be in the vicinity of the station.

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\* See Direction 38, page 66.

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- (h) The space on the goods-yard side would serve for godowns or timber, or as yard-space for traders where carts or pack-bullocks, etc., could be accommodated; there also might be *sayats* for those in charge and cattle-pens, etc.
  - (i) The size of blocks may vary. As shown they would usually bring a 75 foot road opposite the station-house when a second entrance gate could be put up.
  - (j) The space outside railway fencing beyond the station-yard might be used for goods-houses with corrugated-iron or tile roofs. If this were done, a road might run outside the fencing which the houses would face. It is not desirable to have the back premises of houses with their unsavoury adjuncts visible from the trains.
  - (k) The plan shows blocks of houses on the goods side. It is improbable that the towns will extend so far, as it is found they are usually confined to the one side only.
  - (l) Where houses of inflammable material already exist within the prescribed limits, it is desirable that they should be moved, or protected with proper roofing when this cannot be arranged.





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S. = Section, R. = Rule, D. = Direction, Nfn. = Notification, App. = Appendix.

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S. = Section, R. = Rule, D. = Direction, Nfn. = Notification, App. = Appendix.

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S. = Section, R. = Rule, D. = Direction, Nfn. = Notification, App. = Appendix.

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S. = Section, R. = Rule, D. = Direction, Nfn. = Notification, App. = Appendix.

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