

**THE ADVANCES TO CULTIVATORS (RECOVERY) ACT, 1946.**

**[BURMA ACT NO. XXXI OF 1946.]**

**The 3rd September 1946.**

The following Act is published for general information:-

WHEREAS the British Military Administration, Burma, has issued certain advances to cultivators under its Proclamation No.15 of 1945, and that Administration has now ceased to exist;

WHEREAS it is expedient to make provision for the recovery by the Government of Burma of those advances from persons from whom repayment is due under the British Military Administration Proclamation aforesaid;

AND WHEREAS by Proclamation, dated the tenth day of December, 1942, the Governor of Burma has assumed to himself all powers vested by or under the Government of Burma Act, 1935, in the Legislature or in either Chamber thereof;

NOW, THEREFORE, in exercise of the said powers, it is hereby enacted by the Governor of Burma as follows:-

1. (1) This Act may be called **the Advances to Cultivators (Recovery) Act, 1946.**

(2) It shall remain in force until the Governor, by notification, declares it to be no longer in force.

2. (1) All cultivators in any one group to whom advances are made under the British Military Administration Proclamation No.15 of 1945 shall be jointly and severally liable for the repayment to the Government of Burma on the date prescribed by the said Proclamation of the total amount so advanced to them together with all interest due thereon in accordance with the terms under which the advance is given:

Provided that the Deputy Commissioner in charge of the district may, in lieu of repayment in cash, direct that repayment shall be made in kind at such place and on such date as he may determine after the harvest of the main crop of the village-tract immediately following the making of the said advances:

Provided also that where the Deputy Commissioner in charge of the district is satisfied that because of the failure of crop or other sufficient cause hardship will be caused by immediate recovery such recovery may be postponed by him up to and including the 15th May 1947 subject to interest being charged at the prescribed rate for the extended period.

(2) Where repayment is in kind the value thereof shall be fixed in accordance with the market rate current in the District on the date fixed for repayment.

3. In the event of default in repayment, the amount due may be recovered from any one or more of the persons jointly liable therefor under section 2 as if it were an arrear of Land Revenue.

4. A statement showing the amount of the advances made to individual cultivators and signed or marked by each of them, or by the cultivator's wife or adult child on his behalf, and by the officer making the advances shall be conclusive evidence of the amounts so advanced and the total thereof shall be conclusive evidence of the principal amount for the repayment to which the cultivators named therein are jointly and severally liable.

In the name of His Majesty I assent to this Act.

H. F. KNIGHT,  
Governor of Burma.

RANGOON, the twenty-fourth day of August 1946.

By order,  
M. PAING,  
Secretary to the Govt. of Burma,  
Judicial Dept.