# APPENDEX XI.

## SINO-BURMESE BOUNDARY TREATY[1]

The President of the Union of Burma and the Chairman of Burma and the Chairman of the People"s Republic of China, being of the agreed opinion that the long outstanding question of the boundary between the two countries is a question inherited from history, that since the two countries successively won independence, the traditional friendly and good-neighbourly relations between the two countries have undergone a new development, and the fact that the Prime Ministers of the two countries jointly initiated in 1954 the Five Principles of Peaceful Co-existence among nations with different social systems as principles guiding relations between the two countries has all the more greatly promoted the friendly relations between the two countries and has created conditions for the settlement of the question of the boundary between the two countries;

Noting with satisfaction that the successive Governments of the Union of Burma and the Government of the People's Republic of China, conducting friendly consultation and showing mutual understanding and mutual accommodation in accordance with the Five Principles of Peaceful Coexistence, have overcome various difficulties, and have eventually reached a successful and over-all settlement of the question of the boundary between the two countries; and

Firmly believing that the formal delimitation of the entire boundary between the two countries and its emergence as a boundary of peace and friendship not only represent a milestone in the further development of the friendly relations between Burma and China, but also constitute an important contribution to the safeguarding of Asian and world peace;

Have resolved for this purpose to conclude the present Treaty on the basis of the Agreement on the Question of the Boundary Between the Two Countries signed by Prime Minister Ne Win and Premier Chou En-lai on January 28, 1960 and appointed their respective plenipotentiaries as follows:

U Nu, Prime Minister, for the President of the Union of Burma, and Chou-En-lai, Premier of the State Council, for the Chairman of the People's Republic of China,

Who, having mutually examined their full powers and found them in good and due form, have agreed upon the following:

---

1. Guardian issue for the 1st January, 1961.

ARTICLE I

In accordance with the principle of respect for sovereignty and territorial integrity and in the spirit of friendship and mutual accommodation, the Union of Burma agrees to return to China the area of Hpimaw, Gawlum and Kangfang (measuring about 153 square kilometres, 59 square miles, and as indicated in the attached map) which belongs to China; and the People's Republic of China agrees to delimit the section of the boundary from the junction of the Nam Hpa and the Nam Ting Rivers to the junction of the Nàm Hka and the Nam Yung Rivers in accordance with the notes exchanged between the Chinese and the British Governments on June 18, 1941, with the exception of the adjustments provided for in Article II and III of the present Treaty.

ARTICLE II

In view of the relations of equality and friendship between Burma and China, the two Parties decide to abrogate the "perpetual lease" by Burma of the Meng-Mao Triangular area"(Namwan Assigned Tract) which belongs to China. Taking into account the practical needs of the Burmese side, the Chinese side agrees to turn over this area (measuring about 220 square kilometres, 85 square miles, and as indicated in the attached map) to Burma to become part of the territory of the Union of Burma. In exchange, and having regard for historical ties and the integrity of the tribes, the Burmese side agrees to turn over to China to become part of Chinese territory the areas (measuring about 189 square kilometres, 73 square miles, and as indicated in the attached map) under the jurisdiction of the Panhung and Panlao tribes, which belong to Burma according to the provision in the notes exchanged between the Chinese and the British Governments on June 18, 1941.

ARTICLE III

For the convenience of administration by each side and having regard for the intratribal relationship and production and livelihood needs of the local inhabitants, the two parties agree to make fair and reasonable adjustments to a small section of the boundary line as defined in the notes exchanged between the Chinese and the British Governments on June 18, 1941, by including in China Yawng Hok and Lungnai Villages and including in Burma Umhpa, Pan Kung, Pan Nawng and Pan Wai Villages, so that these boundary-line-intersected Villages will no longer be intersected by the boundary line."

ARTICLE IV

The Chinese Government, in line with its consistent policy of opposing foreign prerogatives and respecting the sovereignty of other countries, renounce China's right of participation in mining enterprises at Lufang of Burma as provided in the notes exchanged between the Chinese and the British Governments on June 18, 1941.

ARTICLE V

The Contracting Parties agree that the section of the boundary from the High Conical Peak to the western extremity of the Sino-Burmese boundary, with the exception of the area of Hpimaw, Gawlum and Kangfang, shall be fixed along the traditional customary line, i.e., from the High Conical Peak northward along the watershed between the Taping, the Shweli and the Nu Rivers and the section of the Tulung (Taron) River above Western Chingdam Village on the one hand and the Nmai Hka River on the other, to a point on the south bank of the Tulung (Taron) River west of Western Chingdam Village, thence across the Tulong (Taron) River and then further along the watershed between the section of the Tulung (Taron) River above Western Chingdam Village and the Tsayul (Zayul) River on the one hand and all the upper tributaries of the Irrawaddy River excluding the section of the Tulung (Taron) River above Western Chingdam Village on the other, to the Western extremity of the Burmese-Chinese boundary.

ARTICLE VI

The Contracting Parties affirm that the two sections of the boundary from the High Conical Peak to the junction of the Nam Hpa and the Nam Ting Rivers and from the junction of the Nam Hka and the Nam Yung Rivers to the south eastern extremity of the Sino-Burmese boundary at the junction of the Nam La and the Lanchang (Mekong) Rivers were already delimited in the past and require no change, the boundary being as delineated in the maps attached to the present Treaty.

ARTICLE VII

1. In accordance with the provisions of Articles I and V of the present Treaty, the alignment of the section of the boundary line from the High Conical Peak to the western extremity of the Sino-Burmese boundary shall be as follows:

(1) From the High Conical Peak (Mu Lang Pum, Manang Pum) the line runs northwards, then southeastwards and then northeastwards along the watershed between the Taping River (Ta Ying

Chiang), the Lung Chuan Chiang (Shweli) and the Nu (Salween) Rivers on the one hand and the Nmai Hka River on the other, passing through Shuei Cheng (Machyi Chet) Pass, Panwa Pass, Tasamin Shan, Hpare (Yemawlaunggu Hkyet) Pass and Chitsu (Lagwi) Pass to the source of the Chu-Ita Ho (Chu-iho Ta Ho).

(2) From the source of the Chu-i Ta Ho (Chu-iho Ta Ho) the line runs northwestwards along the Chu-i Ta Ho (Chu-iho Ta Ho) to its junction with its tributary flowing in from the north, thence northwards along this tributary to a point on the watershed between the tributaries of the Hpimaw (Htangkyam Kyaung) River on the one hand and the Wang Ke (Moku Kyaung) River and its tributary, the Chu-i Ta Ho (Chu-iho Ta Ho) on the other, thence westwards along this watershed, passing through Ma Chu Lo Waddy (Height 2423 metres, 7950 feet), thence northwards till it crosses the Hpimaw (Htangkyam Kyaung) River west of Hpimaw Village; thence northwards along the ridge, passing through Luksang Bum and crossing the Gan (Kang Hao) River to reach the Wu Chung (Wasok Kyaung) River; thence westwards along the Wu Chung (Wasok Kyaung) River to its junction with the Hsiao Chiang (Ngawchang Hka) River; thence northwards up the Hsiao Chiang (Ngawchang Hka) River to its junction with the Ta Hpawte (Hpawte Kyaung) River. Thence the line runs north of Kangfang Village generally eastwards and then southeastwards along the watershed between the Hsiao Hpawte (Hpawshi Kyaung) River and the Wu Chung (Wasok Kyaung) River on the one hand and the Ta Hpawte (Hpawte Kyaung) River on the other, to a point on the watershed between the Nu (Salween) and the Nmai Hka Rivers.

(3) From the above mentioned point on the watershed between the Nu (Salween) and the Nmai Hka Rivers, the line runs generally northwards along the watershed between the Nu (Salween) River and the section of the Tulung (Taron) River above Western Chingdam Village on the one hand and the Nmai Hka River on the other, passing through Kia Ngo Tu (Sajyang) Pass, Sala Pass, Ming Ke (Nahke) Pass, Ni Chi Ku (Gi Gi Thara) Pass, Kawchi Thara Pass, Jongit L'ka, and Maguchi Pass; thence the line continues to run northwards and then generally westwards, passing through Alang L'ka, mawa L'ka, Pan Tang Shan (Pumtang Razi), Lonlang L'ka, Hkora Razi to Tusehpong Razi.

(4) From Tusehpong Razi, the line runs generally north-westwards along the ridge, passing through height 2892 metres and height 2140.3 metres, to a point on the south bank of the Tulung (Taron) River west of the Western Chingdam Village. Thence it crosses the Tulung (Taron) River to its junction with its tributary on its northern bank, and thence north-westwards along the ridge to Kundam Razi (Lungawng Hpong).

(5) From Kundam Razi (Lungawng Hpong) the line runs generally northwards and north-westwards along the watershed between the section of the Tulung (Taron) River above Western Chingdam Village on the one hand, and the upper tributaries of the Irrawaddy

River (excluding the section of the Tulung (Taron) River above Western Chingdam Village) on the other passing through Thala Pass, Sungya (Amansan) L'Ka to Yulang Pass.

(6) From Yulang Pass the line runs generally south-westwards along the watershed between the Tsayul (Zayul) River on the one hand and the upper tributaries of the Irrawaddy River on the other, passing through Gamlang L'ka to the western extremity of the Sino-Burmese boundary.

2. In accordance with the provisions of Article I, II, III and VI of the present Treaty, the alignment of the section of the boundary line from the High Conical Peak to the southeastern extremity of the Sino-Burmese boundary shall be as follows:

(1) From the High Conical Peak, the line runs generally south-westwards along the watershed between the upper tributaries of the Taping River, the Mong Ka Hka and the upper tributaries of the Ta Pa Chiang (Tabak Hka) Rivers on the one hand and the lower tributaries of the Nmai Hka River on the other, passing through Ta Ya Kou (Lunghkyen Hkyet) and thence northwestwards to Hsiao Chueh Pass (Tabak-Hku Hkyet).

(2) From Hsiao Chueh Pass (Tabak-Hku-Hkyet) the line runs down the Ta Pa Chiang (Tabak Hka), the Mong Ka Hka and up the Shih Tzu (Pankoi Hka) River (the upper stretch of which is known as the Hkatong Hka River) to its source.

(3) From the source of the Shih Tzu (Paknoi Hka) River the line runs southwestwards and then westwards along the watershed between the Monglai Hka on the one hand and the Pajao Hka, the Ma Li Ka River and the Nan Shan (Namsang Hka) River on the other to the source of the Laisa Stream.

(4) From the source of the Laisa Stream, the line runs down the Laisa Stream and up the Mu Lei Chiang (Mole Chaung) and the Ga Yang Hka (Cheyang Hka), passing through Ma Po Tzu (A-law-Hkyet), and then runs southwards down the Nan Pen Chiang (Nampaung Hka) to its junction with the Taping River; thence eastwards up the Taping River to the point where the Taping River meets a small ridge west of the junction of the Kuli Hka Stream with the Taping River1

(5) From the point where the Taping River meets the above-mentioned small ridge, the line runs along the watershed between the Kuli Hka Stream, the Husa (Namsa Hka) River and the tributaries of the Namwan River on the one hand and the tributaries of the Taping River west of the Kuli Hka Stream on the other, up to Pang Chien Shan (Pan Teng Shan).

(6) From Pang Chien Shan (Pan Teng Shan), the line runs southwards to join the Kindit Hka then down the Kindit, Hka and the Nam Wa Hka (Pang Ling River) to a point on the south bank of the Nam

Wa Hka (Pang Ling River) southeast Man Yung Hai Village and north of Nawang Sa Village, thence in a straight line southwestwards and then southwards to the Nam Sah (Manting Hka) River; then it runs down the course of the Nam Sah (Manting Hka) River as at the time when the boundary was demarcated in the past, to its junction with the Namwan River, thence down the course of the Namwan River as it was at that time, to its junction with the course of the Shweli River as it was at that time.

(7) From the junction of the courses of the Namwan River and the Shweli River as at the time when the boundary was demarcated in the past, to the junction of the Shweli and the Wanting (Nam Yang) Rivers, the location of the line shall be as delineated on the maps attached to the present Treaty. Thence the line runs up the course of the Wanting (Nam Yang) River as at the time when the boundary was demarcated in the past, and the Weilshang Hka, then turns northwestwards along a tributary of the Nam Che Hka (Nam Hse) River to its junction with the Nam Che Hka (Nam Hse) River, thence eastwards up the Nam Che Hka (Nam Hse) River, passing through Ching Shu Pass, and thence along the Monglong Hka and the course of Mong Ko (Nam Ko) River as at the time when the boundary was demarcated in the past, thence up the Nam Hkai and the Nam Pang Wa Rivers, passing through a pass, and then along the Man Hsing (Nam Hpawn) River (whose upper stretch is known as the Nam Tep (Nam Lep) River) to its junction with the Nu (Salween) River, thence eastwards up the Nu (Salween) River, thence eastwards up the Nu (Salween) River to its junction with the Ti Kai Kou (Nan Men) Stream.

(8) From the junction of the Nu (Salween) River with the Ti Kai Kou (Nan Men) Stream, the line runs southwards along the Ti Kai Kou (Nan Men) Stream, then southwards along the watershed between the Meng Peng Ho (the upper stretch of the Nam Peng River) on the one hand and the tributaries of the Nu (Salween) River on the other, up to Pao Lou Shan.

(9) From Pao Lou Shan, the line runs southeastwards along the Wa Yao Kou Stream, the ridge south of the Mai Ti (Mai Ti Ho) River, the Pan Chiao Ho and the Hsiao Lu Chang (Hsin Chai Kou) Stream up to the source of the Hsiao Lu Chang (Hsin Chai Kou) Stream. From the source of the above stream to the junction of the Nam Hpa and the Nam Ting Rivers, the location of the line shall be as delineated on the maps attached to the present Treaty. The line then runs eastwards for about four kilometres (about three miles) up the Nam Ting River and thence southeastwards along the northwest slope of the Kummuta Shan (Loi Hseng) to the top of Kummuta Shan (Loi Hseng).

(10) From the top of Kummuta Shan (Loi Hseng) the line runs southeastwards along a tributary of the Kung Meng Ho (Nam Loihsa) River to its junction with another tributary flowing in from the southeast; thence up the latter tributary to a point northwest of Maklawt (Ma-Law) Village. Thence, the line runs in a straight line to a point southwest of Maklawt (Ma-Law) Village, and again in a straight line across a

tributary of the Yun Hsing (Nam Tap) River to Shien Jen Shan, located east of the junction of the above mentioned tributary with another tributary of the Yun Hsing (Nam Tap) River; thence along the watershed between the above two tributaries of the Yun Hsing (Nam Tap) River to the source of the one to the west and then turns westwards and south-westwards along the Mong Ling Shan ridge, up to the top of Mong Ling Shan. Thence it runs eastwards and southeastwards along the Nam Pan River to its junction with a tributary, northeast of Yakaw Chai (Ya Kou Sai) Village, which flows in from the southwest; thence in a southwesterly direction up that tributary, to a point northeast of Yakaw Chai (Ya Kou Sai) Village, from where it turns southwards passing through a point east of Yakaw Chai (Ya Kou Sai) Village, and crosses a tributary of the Nam Pan River south of Yakaw Chai (Ya Kou Sai) Village, thence westwards to the source of the Nam It River a little east of Chao Pao (Taklyet No) Village. Thence the line runs southwards along the Nam It and the Nam Mu Rivers, and then turns eastwards along the Nam Kunglong and the Chawk Hkrak River.

(11) From the northwest source of the Chawk Hkrak River, the line runs southwards and eastwards along the watershed between the upper tributaries of the Nam Kunglong River on the one hand and the southern tributaries of the Chawk Hkrak River and the Nan Tin (Nam Htung) River on the other, to a point on the west side of Umhpa Village. Thence it runs eastwards passing a point 100 metres north of Umhpa Village, and then eastwards up to the source of a small river, on the above-mentioned watershed; then along the ridge eastwards to the source of a tributary of the Mongtum (Nam Tum) River (the upper stretch of which is called the Ta Tung River), which it follows in an easterly and north-easterly direction to its junction with another tributary of the Mongtum (Nam Tum) River flowing in from the southeast; thence it follows this tributary to its source on the watershed between the Mongtum (Nam Tum) and the Lung Ta Hsiao Ho (Nam Lawng) Rivers. It then crosses the watershed in an easterly direction to the source of the Lung Ta Hsiao Ho (Nam Lawng) River which it follows to its junction with its tributary flowing in from the north, thence in northerly direction along the above-mentioned tributary, passing through a point on the Kanpinau ridge, thence generally eastwards along a valley, crossing the junction of two sub-tributaries of a tributary of the Lung Ta Hsiao Ho (Nam Lawng) River, then northeastwards to the watershed between the Mongtum (Nam Tum) River on the one hand, and the Nam Ma River on the other, until it reaches height 194188 metres (6370 feet). Thence the line runs eastward, then southwards and then northwestwards along the watershed between the Mongtum (Nam Tum) the La Meng (Nam Meng Ho), the He (Hei Ho), the Ku Hsing Ho (Nam Hka Lam) and the Nam Hka Hkao (Nam Hsiang Ho) Rivers on the one hand and the Nam Ma River on the other, up to a point on this watershed northwest of La Law Village.

(12) From the point on the above-mentioned watershed northwest of La Law Village, the line runs down the nearest tributary of the Nam Hka Hkao River and thence down the Nam Hka Hkao

River to its junction with a tributary flowing in from the southwest. Thence the line runs generally southwestwards up that tributary to its source, which is northeast of and nearest to height 2180 metres (7152 feet). Thence it crosses the ridge at a point 150 metres (492 feet) southeast of the above-mentioned height and then turns southwards to the source of the nearest tributary of the Nam Lung (Nam Sak) River, rising at the above-mentioned height. Thence it runs along this tributary to its junction with the Nam Lung (Nam Sak) River, from where it proceeds along the Nam Lung (Nam Sak), the Nam Hse and the Nam Hka Rivers to the junction of the Nam Hka and the Nam Yung Rivers, and thence up the Nam Yung River, to its source.

(13) From the source of the Nam Yung River the line runs in southeasterly direction to the watershed between the Na-Wu (Nam Wong) and the Nam Pei (Nam Hpe) Rivers; thence generally eastwards along the above-mentioned watershed and then eastwards along the Na Wu (Nam Wong) River, which it follows to its junction with the Nan Lai (Nam Lai) River, thence along the watershed between the Na Wu (Nam Wong) and the Nan Lai (Nam Lai) Rivers to the Anglang Shan (Loi Ang Lawng) ridge; thence northwards along the ridge to the top of Anglang Shan (Loi Ang Lawng), thence generally eastwards along the ridge, crosses the Nam Tung Chik (Nam Tonghkek) River and then follows the watershed between the tributaries on the west bank of the Nam Lei (Nam Lwe) River at the north of the La Ting (Hwe-kye-tai) River and the Nan La Ho (a tributary of the (Nan Ma) River) on the one hand and the tributaries of the west bank of the Nam Lei (Nam Lwe) River at the south of the La Ting (Hwe-kye-tai) River on the other, up to the top of Pang Shun Shan (Loi Pang Hsun).

(14) From the top of Pang Shun Shan (Loi Pang Hsun) the line runs generally eastwards along the La Ting (Hwe-kye-tai) River, the Nam Lei (Nam Lwe) River, the course of the Nan Lo (Nam Law) Stream as at the time when the boundary was demarcated in the past, and the Nan Wo (Nambok) River to the source of the Nan Wo (Nambok) River at Nan Wo Kai Nan Shan (Loi Kwainang).

(15) From the source of the Nan Wo (Nambok) River at Nan Wo Kai Nai Shan (Loi Kwainang) the line runs generally eastwards along the watershed between the Nan La (Nam Lak) (a tributary of the Nam Lei (Nam Lwe) River), the Nan Pai (Nam Hpe) and the Nam Hsi (Nam Hok) Rivers on the one hand and the Nan Ping (Nam Hpen), the Nan Mau (Nam Mawng) and the Nan His Pang (Nam Hsi Pang) Rivers on the other, up to San Min Po (Loi Hsammong).

(16) From San Min Po (Loi Hsammong) the line runs in a general northeasterly direction to a point on the west bank of the Nam Lam River. Thence it descends the Nam Lam River to the foot of Chiu Na Shan (Kyu-nak) on the south bank of the Nam Lam River and then runs in a general southeasterly direction passing through Hue Ling Lang (Hwe Mawk-hkio), La Ti (La Tip), Nan Meng Hao (Nammong Hau) to Mai Niu Tung (Mai Niu-tawng); thence the line runs in a general northeasterly

direction passing through Lang Man Tang (Longman Tawng) to the Hui La (Hwe-La) Stream, which it follows northwards to its junction with the Nam Lam River. Thence the line runs eastwards and southwards along the Nam Lam, the Nan Chih (Nam Se) Rivers and the Nam Chia (Hwe Sak) Stream, to Lei Len Ti Fa Shan (Loi Len Ti Hpa). The line then follows the Nam Mot (Nan Mai) the Nam Tung (Nam Tung) and the Nam Ta Rivers to Hsing Kang Lei Shan (Loi Makhinkawng).

(17) From Hsing Kang Lei Shan (Loi Makhinkawng) the line runs eastwards along the watershed between the Nam Nga River and its upper tributaries on the one hand and the Nam Loi River (including its tributary the Nam He River) on the other, to the top of Kwang Pien Nei Shan (Kwang Peknoi).

(18) From the top of Kwang Pien Nei Shan (Kwang Peknoi) the line runs generally northeastwards along the Hu Le (Nam Luk) River and the course of the Nam Nga River as at the time when the boundary was demarcated in the past, to the junction of the NamtNga and the Lanchang (Mekong) Rivers; thence down the Lanchang (Mekong) River up to the southeastern extremity of the Sino-Burmese boundary line at the junction of the Nam La and the Lanchang (Mekong) Rivers.

3. The alignment of the entire boundary line between the two countries described in this Article and the location of the temporary boundary marks erected by both sides during joint survey are shown on the 1/250,000 maps indicating the entire boundary and on the 1/50,000 maps of certain areas, which are attached to the present Treaty.

## ARTICLE VIII

The Contracting Parties agree that wherever the boundary follows a river, the mid-stream line shall be the boundary in the case of an unnavigable river, and the middle line of the main navigational channel (the deepest watercourse) shall be the boundary in the case of navigable rivers. In case the boundary of the river changes its course, the boundary line between the two countries shall remain unchanged in the absence of other agreements between the two sides.

## ARTICLE IX

The Contracting Parties agree that:

(1) Upon the coming into force of the present Treaty, the Meng-Mao Triangular Area to be turned over to Burma under Article II of the present Treaty shall become territory of the Union of Burma;

(2) The area of the Hpimaw, Gawlum and Kangfang to be returned to China under Article I of the present Treaty and the areas under the jurisdiction of the Panhung and Panlao tribes to be turned over to China under Article II shall be handed over by the Burmese Government to the Chinese Government within four months after the present Treaty comes into force;

(3) The areas to be adjusted under Article III of the present Treaty shall be handed over respectively by the Government of one Contracting Party to that of the other within four months after the present Treaty comes into force.

ARTICLE X

After the signing of the present Treaty, the Burmese-Chinese Joint Boundary Committee constituted in Pursuance of the Agreement between the two Parties on the Question of the Boundary Between the Two Countries of January 28, 1960, shall continue to carry out necessary surveys of the boundary line between the two countries, to set up new boundary markers and to examine, repair and remould old boundary markers, and shall then draft a protocol setting forth in detail the alignment of the entire boundary line and the location of all the boundary markers, with detailed maps attached showing the boundary line and the location of the boundary markers. The above-mentioned protocol, upon being concluded by the Governments of the two countries, shall become an annex to the present Treaty and the detailed maps shall replace the maps attached to the present Treaty.

Upon the conclusion of the above-mentioned protocol, the tasks of the Burmese-Chinese Joint Boundary Committee shall be terminated, and the Agreement between the two Parties on the Question of the Boundary Between the Two Countries of January 28, 1960 shall cease to be in force.

ARTICLE XI

The Contracting Parties agree that any dispute concerning the boundary, which may arise after the formal delimitations of the boundary between the two countries shall be settled by the two sides through friendly consultations.

ARTICLE XII

The present Treaty is subject to ratification and the instruments of ratification will be exchanged in Rangoon as soon as possible.

The present Treaty shall come into force on the day of the exchange of the instruments of ratification.

Upon the coming into force of the present Treaty, all part treaties, exchanged notes and other documents relating to the boundary between the two countries shall no longer be in force, except as otherwise provided in Article X of the present Treaty with regard to the Agreement between the two Parties on the Question of the Boundary Between the Two Countries of January 28, 1960.

Done in duplicate in Peking on October 1, 1960, in the Burmese, Chinese and English languages, all three texts being equally authentic.

Plenipotentiary of the Union of Burma:

(Signed) U Nu

Plenipotentiary of the People's Republic of China:

(Signed). Chou-En-lai.

## APPENDIX XII9

Commuted lump-sum pensions for Shan Chiefs who have surrendered executive powers with their states.[1]

| States | Pensions based on 15 years of Land Revenue | Pensions based on 15 years of Forest Revenue | Total pension | Total pensions as decided by the Union Cabinet at its 88th sitting |
|---|---|---|---|---|
| | Ks | Ks | Ks | Ks |
| 1. Sakoi | 13,815 | 15 | 13,830 | 50,000 |
| 2. Pangmi | 33,585 | ... | 33,585 | 50,000 |
| 3. Kyon | 46,200 | ... | 46,000 | 50,000 |
| 4. Samka | 1,20,780 | ... | 1,20,780 | 1,20,776 |
| 5. Banyen | 1,22,445 | ... | 1,22,445 | 1,22,438 |
| 6. Baw | 1,36,680 | 6,990 | 1,43,670 | 1,43,666 |
| 7. Mongpai | 1,44,585 | ... | 1,44,585 | 1,44,581 |
| 8. Ywangan | 1,55,670 | 360 | 1,56,030 | 1,56,026 |
| 9. Pwehla | 1,57,350 | ... | 1,57,350 | 1,57,350 |
| 10. Namkhok - Nawngwawn | 1,91,745 | ... | 1,91,745 | 1,91,741 |
| 11. Mongpawn | 2,15,040 | ... | 2,15,040 | 2,15,044 |
| 12. Panglawng | 2,39,070 | ... | 2,39,070 | 2,39,070 |
| 13. Hopong | 2,50,125 | ... | 2,50,125 | 2,50,125 |
| 14. Hsahtung | 2,62,620 | 2,355 | 2,64,975 | 2,64,968 |
| 15. Kesi-Bansam | 2,63,595 | ... | 2,63,595 | 2,63,595 |
| 16. Monghsu | 2,64,030 | ... | 2,64,030 | 2,64,023 |
| 17. Pangtara | 2,70,135 | ... | 2,70,135 | 2,70,139 |
| 18. Kokang | 3,32,520 | ... | 3,32,520 | 3,32,524 |
| 19. Mongpan | 3,65,890 | 41,955 | 4,07,845 | 4,07,846 |
| 20. Mongnawng | 3,72,975 | 10,050 | 3,83,025 | 3,83,021 |
| 21. Hsamongkham | 3,78,915 | 79,350 | 4,58,265 | 4,58,258 |
| 22. Mawkmai | 3,90,465 | 18,240 | 4,08,705 | 4,08,709 |
| 23. Lauksauk | 4,13,670 | 13,605 | 4,27,275 | 4,27,279 |
| 24. Manglon | 4,47,510 | ... | 4,47,510 | 4,47,506 |
| 25. Mongnai | 6,40,140 | 22,245 | 6,62,385 | 6,62,385 |
| 26. South Hsenwi | 9,48,105 | 17,805 | 9,65,910 | 9,65,914 |
| 27. Laikha | 9,79,875 | 14,610 | 9,94,485 | 9,94,481 |
| 28. Mongkung | 10,50,375 | 28,695 | 10,79,070 | 10,79,066 |
| 29. Yawnghwe | 12,45,870 | 2,205 | 12,48,075 | 12,48,075 |
| 30. Mongmit | 13,13,512 | 45,170 | 17,64,682 | 17,64,683 |
| 31. Tawngpeng | 17,02,665 | 2,235 | 17,04,900 | *18,67,914 |
| 32. Hsipaw | 27,63,960 | 1,09,920 | 28,73,880 | 28,73,881 |
| 33. North Hsenwi | 34,63,920 | 62,985 | 35,26,905 | 35,26,910 |
| 34. Kengtung | 50,60,490 | 540 | 50,61,030 | 50,61,035 |
| Total .. | 2,47,58,327 | 8,85,330 | 2,56,43,657 | 2,58,63,029 |

* Including Mine Revenue K.1,63,012 for Tawngpeng State.

1. Information Department, G.U.B. (GUB Printing & Stationery, Rangoon, 1959), pp. 10-11.

## APPENDIX XIIIn

## AGREEMENT BETWEEN SHAN STATE GOVERNMENT AND THE SAOPHAS[1]

THIS AGREEMENT is made the ..... 1959 between the Government of the Shan State represented by the Head of the Shan State and the Saopha of ..... hereinafter referred to as the Saopha.

WHEREAS in the immediate and the best interests of the ..... State and its people as well as of the Government of the Shan State, the Saopha of ..... State is desirous that the administration of the said Statenshould vest solely in the Government of the Shan State without any reserve of power, authority or jurisdiction in favour of the said Saopha.

AND WHEREAS the Government of the Shan State and the Government of the Union of Burma welcome the said transfer of power, authority and jurisdiction.

IT IS HEREBY AGREED AS FOLLOWS:-

### ARTICLE 1

The Saopha of the ..... State hereby transfers to and vests in the Government of the Shan State all his power, authority and jurisdiction in relation to the Government of his State as from the ..... day of .....

### ARTICLE 2

In consideration of the said transfer the Saopha shall be entitled to receive as his commuted pension an outright payment of the sum of K ..... (Kyats ..... only) free of all taxesn

The amount so paid is intended to cover payments by the Saopha to his relatives of such sums of money and in such manner as he may think fit in lieu of pension received by them prior to this Agreementn The said amount is also intended to cover expenses for the maintenance of the Saopha's personal body guards (if any) maintained by himn

---

1. Information Department, G.U.B. (GUB Printing & Stationery, Rangoon, 1959), p. 29.

ARTICLE 3

Without prejudice to any future amendment of the Constitution of the Union of Burma, the Saopha shall be entitled to enjoy the use of the title of Saopha.

ARTICLE 4

The Saopha shall subject to law be entitled to the full ownership, use and enjoyment of all his private properties, e.g., Haws, Private Houses, paddy fields, gardens, plantations, arms, etc., belonging to him on the date of this Agreement as distinct from the properties, e.g., Offices, Schools, Jails, Lock-ups, Bungalows, Hospitals, other buildings, lands, etc., of the ..... State.

The Saopha will furnish to the Government of the Shan State befor the ..... day of ..... 1959 an inventory of all the immovable property, held by him as his private property.

ARTICLE 5

No enquiry shall be made by or under the authority of the Government of the Shan State and no proceedings shall lie in any court in the Shan State against the Saopha in respect of anything done or omitted to be done by him in bona fide exercise of his powers, authority or jurisdiction as Saopha or under his authority as such during the period of his administration of the .....".....". State.

ARTICLE 6

Except with the previous sanction of the Government of the Shan State, no criminal proceedings shall be instituted against any person in respect of any act done or purported to be done in the exercise of his duties as a servant of the ..... State before the day on which the Saopha transfers the administration of the said State to the Government of the Shan State.

ARTICLE 7

(1) The Government of the Shan State hereby guarantees either the continuance in service of the permanent members of the ..".....
..".....". State Service on such condition as are not less advantageous than those under which they were serving before the 1st June 1959 or the payment to them of reasonable compensation.

(2) The Government of the Shan State further guarantees the continuance of pensions and leave salaries sanctioned by the Saopha to members of the ..... State Service who have

retired or proceeded on leave preparatory to retirement, before the 1st June, 1959.

IN WITNESS WHEREOF the Head of the Shan State for and on behalf of the Government of the Shan State and the Saopha on behalf of himself, his heirs and successors have hereunder set their hands at ....n..... the day, month and year first above written.

Sd/- Sao Hom Hpa.
Head of the Shan Staten
(For and on behalf of the Government of the Shan State).

Saopha of the .....State