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ပြည်ထောင်စုဘဏ္ဍာရန်ပုံငွေသို့ ပေးသွင်းရမည့်အခွန်အခများ

၂၃၁။ (က) ပြည်ထောင်စုသည် တိုင်းဒေသကြီး သို့မဟုတ် ပြည်နယ်များကကောက်ခံခွင့်ရှိသော ဇယား ၅ ပါ အခွန်အခများမှအပ အခြားအခွန်အခများကို ဥပဒေနှင့်အညီကောက်ခံ၍ ပြည်ထောင်စုဘဏ္ဍာရန်ပုံငွေသို့ ပေးသွင်းရမည်။

(ခ) တိုင်းဒေသကြီး သို့မဟုတ် ပြည်နယ်များက ကောက်ခံရန်သတ်မှတ်ထားသည့် ရငွေများနှင့် အခွန်အခအမျိုးအစားများကို ပြည်ထောင်စုနယ်မြေများအတွက် ကောက်ခံရန်ရှိပါက ပြည်ထောင်စုက ဥပဒေနှင့်အညီကောက်ခံပြီး ပြည်ထောင်စုဘဏ္ဍာရန်ပုံငွေသို့ ပေးသွင်းရမည်။

(ဂ) ပြည်ထောင်စုသည် ပြည်ထောင်စုဘဏ္ဍာရန်ပုံငွေကို ဥပဒေနှင့်အညီ သုံးစွဲခွင့်ရှိသည်။

ပြည်ထောင်စုဝန်ကြီးများနှင့် ဒုတိယဝန်ကြီးများ

ပြည်ထောင်စုဝန်ကြီးများ ခန့်အပ်တာဝန်ပေးခြင်း

၂၃၂။ (က) နိုင်ငံတော်သမ္မတသည် အောက်ဖော်ပြပါ အရည်အချင်းများနှင့်ပြည့်စုံသူများကို ပြည်ထောင်စုဝန်ကြီးများအဖြစ် ခန့်အပ်တာဝန်ပေးနိုင်သည်။

(ခ) အသက် ၄၀ နှစ် ပြည့်ပြီးသူ၊

(၂) အသက်ကန့်သတ်ချက်မှအပ ပုဒ်မ ၁၂၀ တွင်ဖော်ပြထားသည့် ပြည်သူ့လွှတ်တော် ကိုယ်စားလှယ်များအတွက် သတ်မှတ်ထားသည့် အရည်အချင်းများနှင့် ပြည့်စုံသူ၊

(၃) ပုဒ်မ ၁၂၁ တွင် ဖော်ပြထားသည့် ပြည်သူ့လွှတ်တော်ကိုယ်စားလှယ်များအဖြစ် ရွေးကောက်တင်မြှောက်ခံပိုင်ခွင့်မရှိစေသော ပြဋ္ဌာန်းချက်များနှင့်လည်း ငြိစွန်းခြင်းမရှိသူ၊

(၄) နိုင်ငံတော်နှင့် နိုင်ငံသားများအပေါ် သစ္စာရှိသူ။

(ခ) နိုင်ငံတော်သမ္မတသည် ပြည်ထောင်စုဝန်ကြီးများအဖြစ် ခန့်အပ်တာဝန်ပေးရန် -

(ဂ) လွှတ်တော်ကိုယ်စားလှယ်များထဲက ဖြစ်စေ၊ လွှတ်တော်ကိုယ်စားလှယ်မဟုတ်သူများထဲကဖြစ်စေ ပုဒ်မ ၂၃၁ (က) ပါ သတ်မှတ်ထားသည့် အရည်အချင်းများနှင့်ပြည့်စုံသော သင့်လျော်သည့် ပုဂ္ဂိုလ်များကို ရွေးချယ်ရမည်။

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Taxes and revenues to be paid to the Union Fund

231. (a) The Union shall, with the exception of the taxes and revenues listed in Schedule Five to be collected by Regions or States, collect all other taxes and revenues in accord with the law and deposit them in the Union Fund.

(b) If it is necessary to collect designated receipts or incomes and taxes and revenues to be collected by the Regions or States for the Union territories, the Union shall collect them in accord with the law and deposit them in the Union Fund.

(c) The Union has the right to expend the Union Fund in accord with the law.

The Union Ministers and the Deputy Ministers

Appointment of the Union Ministers

232. (a) The President shall appoint the Union Ministers who possess the following qualifications:

(i) person who has attained the age of 40 years;

(ii) person who has qualifications, with the exception of age limit, entitled to be elected as Pyithu Hluttaw representatives prescribed in Section 120;

(iii) person whose qualifications does not breach the provisions under Section 121 which disqualify the person from standing for election as the Pyithu Hluttaw representative;

(iv) person loyal to the Union and its citizens.

(b) In order to appoint the Union Ministers, the President shall :

(i) select suitable persons who have qualifications prescribed in Sub-Section (a) from among the Hluttaw representatives or persons who are not Hluttaw representatives;

U Thein Lwin Oo, Page 85 (Article 232)

Arrested in 1970 for 2 years and 3 months for being a relative of U Nu, the first democratically elected Prime Minister of Burma. Arrested again in June 2005 for 6 years and 4 months for contacting the International Labour Organization to denounce that wages in Myanmar were very low. The ILO is a specialized agency of the United Nations (UN) dedicated to improving labour conditions and living standards throughout the world.

PAGE 85 OF THE 2008 CONSTITUTION. ARTICLE 232(b). The military’s control over home affairs gives the Defence Services broad power over the lives of ordinary citizens in their daily life.

NAME OF POLITICAL PRISONER: U Thein Lwin Oo

GENDER: Male ETHNICITY: Burmese RELIGION: Buddhism DATE OF BIRTH: 17.3.1936 Age 79 EDUCATION: Higher Grade Pleader (Lawyer) OCCUPATION BEFORE PRISON: Politician OCCUPATION AFTER PRISON: Politician, in farmers’ issues. He is head of the Farmers’ Right Action group.

FIRST TIME IN PRISON
ARRESTED on December 1970 for 2 years and 3 months for being a relative of U Nu, the first democratically elected Prime Minister of Burma

SECOND TIME IN PRISON
ARRESTED on June 2005 for 6 years and 4 months for contacting the International Labour Organization (ILO), specialized agency of the United Nations (UN) dedicated to improving labour conditions and living standards throughout the world, to denounce that wages in Myanmar were very low.

OTHER: The Farmers’ Right Action group, headed by U Thein Lwin Oo, is in discussions with the 88 Generation and National Democratic Force to seek the release of those in prison because of farmland disputes. By the end of February 2014, and despite the government claiming it had released all political prisoners, 43 activists and farmers involved in farmland disputes remained behind bars, many jailed for trespassing after they ploughed fields that had been confiscated from them by the military government. U Thein Lwin Oo has started a campaign to collect signatures in support of changing some of the Articles of the 2008 Constitution, which would improve farmers’ rights.

WISHES FOR 2015: He wants to change the 2008 Constitution.

HISTORY CLOSE-UP: LAND CONFISCATION AND HUMAN RIGHTS

Myanmar remains a mostly rural country, in which the majority of the population relies on small farms for their livelihoods. Since Ne Win’s coup d’état in 1962, the small and poor farmers have suffered unrestricted confiscation of land for development ventures and natural resource extraction projects. Regrettably, under the current quasi-civilian government, the rate of landless farmers has been on the rise for several years. The unfair practice may grow because of a latest legal structure that guarantees less safeguard towards deprived farmers than before, as well as the escalating foreign investment concerning military conglomerate and cronies. Simultaneously, conflicts taking place out of land utilization are mounting especially in natural resource extraction sectors, which have caused more aggressive violence in several unusual cases. As the President U Thein Sein Government gains recognition right through the international sphere, villagers in country’s rustic parts are being displaced and their lands confiscated due to development projects, which give little benefit to them. Together with land grabbing, local inhabitants frequently suffer serious extra human rights abuses, including forced labour, environmental degradation, bodily terrorization and improper detention. And their capacity to prevent these impacts is restrained by the lack of information on respective projects, and also legal barriers made by the authorities get in their way to regain the location. Besides, there are threats of bloodshed, and the remaining effects of past sufferings. Whereas international mind-set urges to keep land in the hands of local communities and implement genuine agrarian reform in order to ensure equitable access to land and natural resources, Myanmar government’s reform process seems to be against this. Following the quasi-civilian government’s reforms, many business and development projects have been started in Myanmar. Millions of ethnic people have been expelled from their homes to make way for development projects such as hydropower dams, reservoirs and seaports. However, construction and engineering companies close to the government enjoy profits from those projects. They receive millions of dollars for designing and building development projects. The high-ranking officials of the military-dominated Burmese government take advantage of the development plans in many ways -- illegal taxes, kickbacks and inducement -- during construction of a development project. Quite the opposite, the local inhabitants, especially ethnic people, have lost their homes and livelihoods. Consequently, their children cannot go to school, cannot enjoy healthcare and they have to live under poverty line for life. Despite the promise of the change in Myanmar, the human rights situation remains serious. The Government of Myanmar must be convinced to take necessary measures for the improvement of its human rights situation related to the land grabbing issues. Maybe the UN should also consider establishing a Commission of Inquiry into the illegitimate land confiscation business in Myanmar that caused not only armed conflict but also produced several thousands of landless farmers, refugees and internal displaced population...