

# Resettlement Plan (Draft)

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January 2015

## MYA: Power Transmission Improvement Project

Thida – Thaketa Transmission Line

## TABLE OF CONTENTS

	Page
TABLE OF CONTENTS	II
LIST OF TABLES	III
LIST OF FIGURES	IV
ABBREVIATIONS	V
DEFINITION OF TERMS	VI
EXECUTIVE SUMMARY	IX
I. INTRODUCTION	12
A. Project background	12
B. Description of Thida-Thaketa TL alignment	12
C. Civil works to be undertaken	13
D. Measures to minimize resettlement impacts	13
II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT	19
A. Sources of data on project impacts	19
B. Right-of-way (ROW) / Corridor of impact (COI)	19
C. Data gathering instrument in the IOL and SES	20
D. Replacement cost study	20
E. Affected fixed assets	20
III. SOCIO-ECONOMIC PROFILE OF AFFECTED HOUSEHOLDS	26
A. Demographic information	26
B. Livelihood and household income	27
C. Health and sanitation	27
D. Amenities in the AHs	29
IV. CONSULTATION, PARTICIPATION AND DISCLOSURE	30
V. GRIEVANCE REDRESS MECHANISM	33
A. On the results of the detailed measurement survey (DMS)	33
B. On ownership over an affected asset	33
C. On non-compliance with the terms of the negotiated settlement	33
D. On the implementation of the RP and impacts during construction	34
VI. LEGAL AND POLICY FRAMEWORK	35
A. Relevant laws and regulations	35
B. ADB policies	37
C. Gaps analysis and project principles	37
D. Project resettlement policy and principles	40
E. Cut-off-date for eligibility to project entitlements	42
VII. PROJECT ENTITLEMENTS	43
A. Strategy to address gender issues	46
B. Strategy to address IP/EM issues	47
C. Strategy to assist vulnerable households	47
D. Temporary impacts	47
E. Unforeseen impacts	47
VIII. RESETTLEMENT STRATEGY	48
A. Compensation and allowances of AHs	48
B. RP updating and implementation	50
IX. RESETTLEMENT COSTS	51
A. Procedures for flow of funds	51
B. Cost estimates and inflation adjustment	51

C.	Implementation, administration and contingency costs	51
D.	Estimated cost of resettlement	51
X.	INSTITUTIONAL ARRANGEMENTS	52
A.	Executing agency and implementing agency	52
B.	Land acquisition committee	52
C.	Project implementation consultant	52
D.	Capacity of the staff of MOEP and MEPE	52
E.	Implementation schedule of resettlement	52
XI.	MONITORING AND EVALUATION	54
APPENDICES		55
APPENDIX 1	IOL AND SES QUESTIONNAIRE	56
APPENDIX 2	UNIT COSTS OF STRUCTURES	60
APPENDIX 3	HIGHLIGHTS OF CONSULTATIONS HELD	62
APPENDIX 4	ATTENDANCE IN TOWNSHIP BRIEFINGS	68
APPENDIX 5	ATTENDANCE IN NGO CONSULTATION	69
APPENDIX 6	HIGHLIGHTS OF POST-IOL CONSULTATION	69
APPENDIX 7	PROJECT INFORMATION BOOKLET	71

## LIST OF TABLES

Table 1: Routing of the Thida- Thaketa TL .....	13
Table 2: Affected Land .....	21
Table 3: Totally Affected Main Structures .....	21
Table 4: Partially Affected Main Structures .....	22
Table 5: Count of Affected Perennials .....	22
Table 6: Location of Affected Billboards .....	23
Table 7: Average Monthly Income of Totally Affected AHs .....	24
Table 8: Summary of Impacts .....	24
Table 9: Marital Status, Age, and Physical Condition of AH Heads .....	26
Table 10: Ethnic and Religious Affiliations of AH Heads .....	26
Table 11: Educational Attainment of AH Heads .....	26
Table 12: Persons Living with the AHs and Number of Working Members .....	27
Table 13: Primary Occupation of AH Heads .....	27
Table 14: Combined Monthly Income of AHs (Kyat) .....	27
Table 15: AHs Afflicted with Common (not serious) Ailments the Past Year .....	27
Table 16: Afflicted with Serious and Chronic Ailments the Past Year .....	28
Table 17: Main Source of Water for Drinking and Washing .....	28
Table 18: Toilet Facilities Used .....	28
Table 19: Bathing Facilities Used .....	28
Table 20: Garbage Disposal Method Practiced .....	29
Table 21: Main Sources of Fuel/Power for Lighting of the AHs .....	29
Table 22: Main Sources of Fuel/Power for Cooking of the AHs .....	29
Table 23: Home Appliances of the AHs .....	29
Table 24: Ownership of Means of Transportation .....	29
Table 25: Roles of Key Stakeholders in RP Preparation and Implementation .....	31
Table 26: Gap Analysis .....	38
Table 27: Entitlement Matrix .....	43

Table 28: Replacement Costs of Main Structures that might be affected Totally .....	48
Table 29: Replacement Costs of Main Structures that could be affected Partially .....	48
Table 30: Market Cost of Affected Perennials .....	49
Table 31: Summary of Resettlement Costs .....	51
Table 28:Preliminary Schedule of Resettlement Activities .....	53

## **LIST OF FIGURES**

Figure 1: Screenshot of Thida-Thaketa TL (Frame 1).....	15
Figure 2: Screenshot of Thida-Thaketa TL (Frame 2).....	16
Figure 3: Screenshot of Thida-Thaketa TL Frame 3).....	16
Figure 4: Screenshot of Thida-Thaketa TL (Frame 4).....	17
Figure 5: Screenshot of -Thida-Thaketa TL (Frame 5) .....	18
Figure 6: Screenshot of Thida-Thaketa TL (Frame 6).....	18
Figure 7: Screenshot of Thida-Thaketa TL (Frame 7).....	19
Figure 8: Affected Billboard on Shukhinthar Mayopat Road .....	23

## ABBREVIATIONS

ADB	Asian Development Bank
AH/AP	affected household/person
AT	angle tower
COI	corridor of impact
DMS	detailed measurement survey
EA	executing agency
ESE	electricity supply enterprise
ft	foot/feet
GAO	General Administration Office
ha	hectare
IA	implementing agency
IOL	inventory of losses
Km	kilometer
LAC	Land Acquisition Committee
m	meter
MEPE	Myanmar Electric Power Enterprise
MOECAP	Ministry of Environmental Conservation and Forestry
MOEP	Ministry of Electric Power
MOT	Ministry of Transport
PPTA	project preparatory technical assistance
PIC	Project Implementation Consultant
PIU	Project Implementation Unit
RF	resettlement framework
ROW	right-of-way
RP	resettlement plan
SES	socioeconomic survey
SS	substation
SPS	Safeguard Policy Statement (ABD)
TL	transmission line
YCDC	Yangon City Development Council
YESB	Yangon City Electricity Supply Board

## NOTES

In this report, "K" refers to Myanmar Kyat  
1 US\$ = K1,000  
1 meter = 3.28084 feet  
1 acre = 4,04686 m<sup>2</sup> (0.404686 hectare)

## DEFINITION OF TERMS

Affected person (AP) / Affected Household (AH)	-	Refers to any person or persons, household, firm, private or public institution that, on account of changes resulting from the Project, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (e.g., residential, commercial, agricultural, and/or grazing land), water resources or any other fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without physical displacement.  In the case of affected household (AH), it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by the project.
Compensation	-	This is payment given in cash or in kind to affected households or persons (AHs/APs) at replacement cost or at current market value for assets and income sources acquired or adversely affected by the project.
Corridor of impact (COI)	-	This is the area inside the statutory 45.7 m (150 ft.) right-of-way (ROW) of the 230 and 66 kV power transmission lines that will be cleared of structures and trees permanently or temporarily at the location of each monopole or steel lattice tower and between monopoles and towers. An area of 6~8 m x 6~8 m is needed in the construction of the foundation of each monopole, of which 4~6 m x 4~6 m will be acquired permanently for the monopole's concrete foundation. In addition, a lateral safety clearance of 3.5 m between a power cable (230 kV or 66 kV) and a building/tree for 230 kV cable will be cleared. Also, all structures and trees within the vertical safety clearance of 7.6 m at the sag of the transmission line (i.e., closest part of the power cable to the ground between two poles/towers) will be cleared. For steel lattice towers, an area of 30.38 m x 30.48 m is needed in the construction of the foundation of each tower, of which 10.668 m x 10.668 m will be acquired permanently for the steel lattice tower's foundation. During pole and tower stringing, a corridor of about 15 m between two poles or towers be affected temporarily, unless scaffolding are erected to prevent structures and plants/trees from being damaged during pole and tower stringing.
Cut-off date	-	The cut-off date falls on the date of the conclusion of the inventory of losses (IOL) following the holding of consultation with representatives of the Yangon City Development Council (YCDC), the General Administration Office (GAO) of the townships of Dawbon and Thaketa, and the wards traversed by the transmission line on 2 October 2014. The IOL for the Thida-Thaketa Transmission Line was completed on 14 October 2014. Only those persons or organizations that have been identified during the IOL as having fixed assets and sources of income

		inside the project impact area (e.g., COI) are eligible to project entitlements.
Detailed Measurement Survey (DMS)	-	With the use of the approved detailed engineering drawings and following the demarcation of the TL alignment and the location of the footings of the monopoles and steel lattice towers on the ground, this activity involves identification of affected fixed assets (i.e., land used for residence, commerce, agriculture; dwelling units; stalls and shops; secondary structures, such as fences, wells; and trees with commercial value; etc.) and sources of incomes, and identification of persons and organizations that stand to lose assets and sources of incomes due to the project. The severity of impact on the affected assets and the severity of impact on the livelihood and productive capacity of the APs or AHs are likewise determined.
Entitlement	-	Refers to a range of measures, such as compensation in cash or in kind, income restoration support, transfer assistance, livelihood substitution, relocation support, etc., which are provided to the APs or AHs depending on the type and severity of their losses to restore their economic and social base.
Income restoration program	-	This involves re-habilitating the sources of income and livelihoods of severely affected and vulnerable APs and AHs to supplement compensation received for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
Involuntary Resettlement	-	It is the displacement of people, not of their own volition but involuntarily, from their homes, assets, sour or the ROW in connection with the power transmission project.
Land acquisition	-	In this project, it refers to the process whereby a person or organization is compelled by the government through the MOEP and the MEPE to relinquish partially or entirely the land that s/he or it occupies or owns back to the government in return for compensation at replacement cost, including the replacement cost of improvements (e.g., structures, trees, and crops) found thereon.
Negotiated settlement	-	In lieu of involuntary acquisition of assets, this is a process where MEPE will negotiate with APs/AHs the amount of compensation for their affected assets in a manner that is transparent, free from coercion, and where the APs/AHs are aware of the various options available to them to make an informed decision. MEPE will engage an independent third party to document the negotiation and settlement processes.
Relocation	-	This is the physical displacement of an AP or AH from his/her pre-project place of residence and/or business.
Replacement cost	-	Means the amount in cash or in kind needed to replace an asset, without deduction for transaction costs or depreciation, at prevailing market value, or its nearest equivalent, at the time of compensation payment.
Replacement Cost Study	-	This refers to the process involved in determining the amount needed to replace affected assets based on empirical data gathered for the purpose.

Resettlement	-	Refers to various measures provided to APs or AHs to mitigate the adverse social impacts of the project, including compensation, relocation (where relevant), and income restoration, as needed.
Resettlement Plan	-	This is a time-bound action plan with budget that spells out the resettlement objectives and strategies, entitlements, resettlement activities and responsibilities, resettlement monitoring, and resettlement evaluation.
Severely affected APs/AHs	-	This refers to APs and AHs who will (i) lose 10% or more of their total productive assets; (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources because of the project.
Vulnerable groups	-	These are distinct groups of APs/AHs who might suffer disproportionately or face the risk of further marginalization due to the project, such as (i) households headed by women with dependents, (ii) household heads with disabilities, (iii) poor households, (iv) elderly households with no other means of support, and (v) landless APs.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.



## EXECUTIVE SUMMARY

### A. Background

1. The Republic of the Union of Myanmar, through the Ministry of Electric Power (MOEP), requested the Asian Development Bank (ADB) for a project preparatory technical assistance (PPTA) to prepare the Power Transmission and Distribution Improvement Project (ADB TA-8342 MYA). The proposed project involves the construction of a (a) new double circuit 230/66 kV overhead transmission line (TL) between Thida Substation (SS) and Thaketa SS; (b) single circuit 230 kV overhead TL between Kyaikasan Substation and Thaketa Substation, including the expansion of the 230 kV Thaketa SS and the expansion and upgrading of the Kyaikasan SS into a 230/66/11 kV, 2 x 150 MVA substation; (c) construction of a new 230/66/11 kV, 2 x 150 MVA, South Oakkalapa SS; and (d) construction of a new 230/33/11 kV, 2 x 150 MVA West University SS. MOEP is the executing agency of the project, while the Myanmar Electric Power Enterprise (MEPE), is the implementing agency.

2. This resettlement plan (RP) is for the overhead double circuit 230/66 kV TL between Thida SS and Thaketa SS. It has been prepared based on the results of the inventory of losses (IOL) and socioeconomic survey (SES) of the AHs, and consultation with the affected households (AHs), consistent with applicable laws of Republic of the Union of Myanmar and with the 2009 ADB Safeguard Policy Statement (SPS).

### B. Scope of Resettlement Impacts

3. It is estimated that an aggregate of 2,412 m<sup>2</sup> of land will be acquired permanently (i.e., ownership thereof will be transferred to MOEP/MEPE and its use restricted) for the foundations of 67 monopoles. Similarly, an aggregate of 227.62 m<sup>2</sup> will be acquired permanently for the footings of 2 steel lattice towers.

4. During construction, a work area bigger than what must be acquired permanently for foundation and footing of each monopole and tower, is needed, albeit temporarily, until completion of each foundation or footing. Following completion of each pole foundation or tower footing, the work area beyond or outside of the area acquired permanently for the pole foundation or tower footing will be restored to pre-construction condition and returned to its owner. It is estimated that an aggregate of 1,876 m<sup>2</sup> of work area around and beyond the land to be acquired permanently for the foundations of the 67 monopoles is needed temporarily during the construction of the foundations of said monopoles. Also, an aggregate of 1,630.44 m<sup>2</sup> of work area around the land to be acquired permanently for the footings of the 2 steel lattice towers is needed temporarily during the construction of said towers. The locations of the foundations of the 67 monopoles and footings of the 2 steel lattice towers, including work areas, are on empty plots of land belonging to the government (i.e., Yangon City Development Council or YCDC and the Ministry of Transport or MOT).

5. A total of 25 main structures (i.e., houses and shops) are adversely affected by the project. Of these, 24 are to be affected during the stringing of monopoles and steel lattice towers, while 1 is affected because it breaches both the vertical (7.5 m) and lateral (3.5 m) safety clearance limits to the power cable. MEPE intends to erect scaffoldings over the 24 main structures that are to be adversely affected during pole and tower stringing in order to protect them from actually getting damaged during stringing. But, for the purpose of this RP, it assumed that all 25 main structures are adversely affected. Of the 25 main structures, 10 will be affected

totally, while the remaining 15 will be affected partially. Two of the main structures belong to the government (i.e., YCDC), 1 of which will be affected totally. The other 23 main structures each belong to a private affected household (AH). In addition, 39 perennials will also have to be removed from under the alignment of the TL. During the IOL, the survey team was able to conduct the SES on 22 AHs only because 1 affected main structure was locked during the time of the IOL and SES. Nonetheless, the survey team was able to get the name of the owner of the locked affected main structure from the ward official that accompanied the team. The 22 interviewed AHs were made up of 114 persons.

### **C. Legal and Policy Framework**

6. The legal and policy framework for carrying out resettlement and rehabilitation in the project is defined by relevant laws and regulations of the Republic of the Union of Myanmar, particularly the 2008 State Constitution, the Electricity Law of 1984 and the Electricity Rules of 1985, and the Farmland Law of 2011; and the ADB 2009 SPS. The objectives of the Project resettlement policy are to avoid, if not minimize resettlement impacts, restore livelihoods, and improve the living standards of vulnerable households.

### **D. Project Entitlements**

7. AHs are entitled to compensation at full replacement cost for their permanently and temporarily affected assets, incomes and businesses. Depending on the severity of impact on their livelihood and income capacity, AHs will be provided with rehabilitation measures to improve or restore their pre-project living standards, income-earning capacity and production levels.

### **E. Ethnicity, Vulnerability and Gender Issues**

8. Nine AHs stand to lose totally their main structures. There are 4 women-headed AHs. Likewise, there are 2 male AH heads and 1 woman AH head that are aged 60 years or older. Six of the AH heads belong to one of the following ethnic minority groups: Rakhnie, Mon, Indian, and Karen. Two of the AHs, both male-headed, are deemed to live below the poverty line of K145,000 per month per household.

### **F. Participation, Disclosure, and Grievance Redress**

9. AHs and local officials were met and interviewed during the preparation of this RP, particularly prior to and after the conduct of the IOL. Their concerns and suggestions were incorporated in this RP. A grievance mechanism will be set up to help ensure that complaints of AHs are resolved in a timely and satisfactory manner. A summary of the draft and agreed RP in Burmese language will be posted in township and ward offices, in addition to the distribution of a project information booklet (PIB) to each AH. The complete version of the draft and agreed RP will be posted on the ADB website.

### **G. Implementation Arrangements**

10. MEPE will be over-all responsible for the implementation of the project and which will liaise between MOEP and other concerned government agencies. Assisted by the Project Implementation Consultants (PIC), it will update the RP following the conduct of a detailed measurement survey (DMS) that is based on the approved detailed engineering designs. Moreover, MEPE will establish a project implementation unit (PIU) that will be responsible for

the day-to-day implementation of the project and in the preparation of technical, safeguards, and financial reports. The PIU will have a section that will primarily handle safeguards concerns.

## **H. RP Budget**

11. The estimated cost of resettlement for the Thida-Thaketa TL is K187,820,770 (US\$187,820.80). MOEP is responsible for ensuring that funds for resettlement are sufficient and are available on a timely manner.

## **I. Monitoring**

11. MEPE will serve as the project internal monitoring body. MEPE, assisted by the Project Implementation Consultant (PIC), will prepare semi-annual monitoring reports to be submitted to MOEP and ADB starting from the commencement of the updating of the RP. MEPE will include updates on resettlement in its regular progress reports to ADB. These progress reports will be submitted to ADB for web posting.

## **J. Implementation Schedule**

12. A preliminary schedule of RP preparation and implementation is presented in table below. Contracts of civil works contractors will not be awarded until the RP, per approved final detailed engineering design, has been updated and agreed between MOEP and ADB. Construction of monopoles and steel lattice towers and their stringing may be done section by section, starting in areas where there are no resettlement impacts, but only after MEPE is able to conclude satisfactorily with concerned government agencies the negotiation for the locations of the foundation of monopoles or footing of steel lattice towers. Also, stringing of monopoles and steel lattice towers in sections with resettlement impacts may only commence after the civil works contractor have erected scaffoldings over structures found between TL poles and towers. The schedule of the start of civil works in any section or segment of the Thida-Thaketa TL will be coordinated and planned with the participation of the concerned township and ward local governments and the AHs.

**Preliminary Resettlement Schedule**

Activities	Schedule
MOEP to submit the RP to ADB for concurrence	February 2015
Distribution of PIB to AHs and posting of RP in relevant government offices and on ADB website	February 2015
Project approval	2 <sup>nd</sup> quarter 2015
Detailed measurement survey and RP updating	3 <sup>rd</sup> quarter 2015
MOEP to submit the updated RP to ADB for concurrence	3 <sup>rd</sup> quarter 2015
Implementation of the RP	4 <sup>th</sup> quarter 2015
Internal monitoring (submission of quarterly reports)	Start on 3 <sup>rd</sup> quarter 2015
Post-resettlement implementation evaluation	2016

## I. INTRODUCTION

### A. Project background

1. The Republic of the Union of Myanmar, through the Ministry of Electric Power (MOEP), requested the Asian Development Bank (ADB) for a project preparatory technical assistance (PPTA) to prepare the Power Transmission and Distribution Improvement Project (ADB TA-8342 MYA). In the proposed project, the MOEP is the executing agency (EA), while the Myanmar Electric Power Enterprise (MEPE) is the implementing agency (IA).

2. The proposed project involves the construction of a (a) new double circuit 230/66 kV overhead transmission line (TL) between Thida Substation (SS) and Thaketa SS; (b) single circuit 230 kV overhead TL between Kyaikasan Substation and Thaketa Substation, including the expansion of the 230 kV Thaketa SS and the expansion and upgrading of the Kyaikasan SS into a 230/66/11 kV, 2 x 150 MVA substation<sup>1</sup>; (c) construction of a new 230/66/11 kV, 2 x 150 MVA, South Okkalapa SS; and (d) construction of a new 230/33/11 kV, 2 x 150 MVA West University SS. This resettlement plan (RP) is for the overhead double circuit 230/66 kV TL between Thida SS and Thaketa SS.<sup>2</sup>

### B. Description of Thida-Thaketa TL alignment

3. The alignment of the approximately 8.5 km Thida-Thaketa TL starts from the Thida SS and crosses the Ngamoeyeik Creek to the north through the property of the Ministry of Transport (MOT). From the MOT property, the TL straddles the approach of the Maha Bandula Bridge up to the intersection of Maha Bandula Road and Yamonar Road in Dawbon Township. From this point, the Thida-Thaketa TL runs parallel with Yamonar Road inside the property YCDC about 20 m from the left-hand shoulder of Yamonar Road in a southeasterly direction for about 1.6 km. The TL then turns northeast and cuts through a plant nursery of YCDC for about 144 m before emerging on the left-hand shoulder of Shukhinthar Mayopat Road. The Thida-Thaketa TL straddles for about 1.4 km the left-hand and right-hand shoulders of Shukhinthar Mayopat Road in a northwardly direction, crossing the road twice to avoid tight and built-up areas, before crossing Shukhinthar Mayopat Road for the third time and cuts through the Yuzana housing complex<sup>3</sup>, following the existing 66 kV TL. At the eastern side of the Yuzana housing complex where the new Thida-Thaketa TL emerges, the TL will follow a creek in a

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<sup>1</sup> The Thaketa SS and Kyaikasan SS are not associated facilities relative to the project. They are presently in operation and they can continue to operate even without the project.

<sup>2</sup> Only a due diligence report has been prepared for the single circuit 230 kV overhead TL between Kyaikasan SS and Thaketa SS because the location of a steel lattice tower that will affect 1 private household could be shifted in the event that negotiated settlement with the household fails. Similarly, a due diligence report has been prepared for the West University SS since the location of the alignment of the proposed access road to site of the substation could be shifted if negotiation with the 2 households that stand to lose a portion of their rice paddies in the construction of an access road fails. MEPE will also negotiate with the Ministry of Defense for the proposed site of the South Okkalapa SS, and in the event this fails, MEPE will look for another location for the substation. Thus, only a due diligence report has also been prepared for the South Okkalapa SS.

<sup>3</sup> The approximately 10 ha Yuzana housing complex was built on a property of YCDC in Shukhinthar Ward. YCDC contracted Yuzana Corporation to develop the property and construct 6-storey apartment buildings. Work on the housing complex began in 1997, and in 2002, 32 apartment buildings were ready for occupancy. The existing 66 kV TL from Thida to Thaketa crosses the housing complex. It must be pointed out, though, that the 66 kV TL was constructed in 1988-89. A safety corridor of 22.86 m wide (75 ft.) from the center of the TL route was maintained during the construction of the apartment buildings. Presently (2014), the housing complex is home to 1,556 households (more than 6,000 persons). The ward General Administration Officer, who holds office in the housing complex, oversees the maintenance of the housing complex.

northward direction inside the perimeter fence of the MOT before rejoining Shukhinthar Mayopat Road.

4. The TL runs for about 204 m adjacent to the right-hand shoulder of Shukhinthar Mayopat Road before crossing beyond the left hand shoulder of the road to avoid a pagoda that has encroached into the road's shoulder. After crossing Shukhinthar Mayopat Road, the Thida-Thaketa TL goes deeper for about 100 m from the road into the village. It crosses swampy or waterlogged empty stretch of land of YCDC that is also parallel with the road but behind buildings and houses. After running for about 850 m, the Thida-Thaketa TL rejoins Shukhinthar Mayopat Road near the property of the Ministry of Forestry and then crosses over to the right-hand shoulder of the road. From this point, the Thida-Thaketa TL follows the right-hand shoulder of Shukhinthar Mayopat Road going on a north-north east direction for about 1 km before crossing Thanlyin Road. The Thida-Thaketa TL then straddles for about 500 m on a northward direction a vacant stretch of land between the right-hand shoulder of Thanlyin Bridge Approach Road and the left-hand embankment of a railway track. The TL then crosses over the railway track on a vacant waterlogged land of YCDC on the right-hand side of the railway track's embankment to avoid a settlement of informal settlers and monasteries. From this point, the railway track veers to the east. The TL crosses again the railway track into the left-hand side of the track's embankment. From there, the Thida-Thaketa TL hugs the left-hand shoulder of the railway track embankment for about 130 m before deviating to the north onto an empty plot of YCDC. From here the Thida-Thaketa TL runs for about 370 m on a north-north-west direction, crossing Ayer Wun Road, into the Thaketa SS. (See end of Chapter 1 for screen shots of the TL alignment on Google Earth).

### C. Civil works to be undertaken

5. In addition to the expansion of the switchyard at Thaketa SS within the existing property of the MOEP, civil works include the construction of a double circuit 230/66 kV overhead transmission line between Thida SS and Thaketa SS to replace an existing 66 kV overhead TL. Based on the preliminary routing of the TL alignment, it is estimated that 67 monopoles and 2 steel lattice towers will be needed to connect Thida SS and Thaketa SS.

### D. Measures to minimize resettlement impacts

6. The routing of the Thida-Thaketa TL alignment was guided by one principal consideration – avoid or minimize land acquisition and resettlement. The TL alignment straddles the shoulder of city roads, crossing from the left-hand shoulder of the road to the right, and even traversing swampy areas that belong to YCDC, to avoid tight and built-up areas. Also, the foundations of monopoles and footings of steel lattice towers will all be constructed on empty plots belonging to national and local government institutions, particularly MOT and YCDC. Thus, only 10 out of 25 main structures (i.e., 23 private homes and shops and 2 YCDC buildings) stand to be affected totally during the stringing of the monopoles and steel lattice towers. Bamboo scaffoldings will be constructed above these structures in order to protect the same from actually being damaged during the stringing of the monopoles and steel lattice towers.

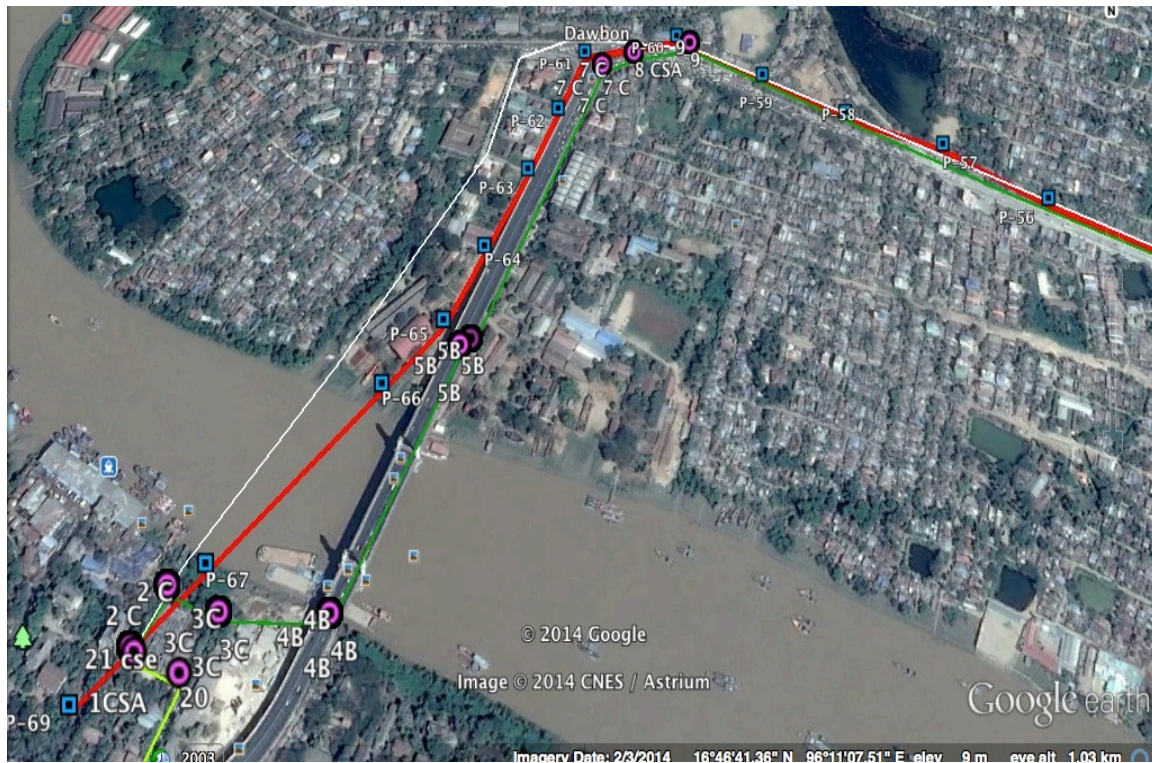
**Table 1: Routing of the Thida- Thaketa TL**

Location/Name of Road	Pole/tower Number	Approximate Length (m)
Thida SS	69 to 67	175
Crossing Ngamoeyek River	67 to 66	257
Inside MOT property adjacent to Maha Bandula Bridge	66 to 64	208
On left-hand shoulder of service adjacent to Maha Bandula Bridge	64 to 61	324

Location/Name of Road	Pole/tower Number	Approximate Length (m)
Crossing from service road to left-hand shoulder of Yamonar Road	61 to 60	135
On left-hand shoulder of Yamonar Road	60 to 57	400
On left-hand shoulder of Yamonar Road	57 to 48	1,244
Crossing YCDC plant nursery; left-hand shoulder of Yamonar Road	48 to 47	146
On left-hand shoulder of Shukhinthar Mayopat Road	47 to 42	662
Crossing from left-hand shoulder to right-hand shoulder of Shukhinthar Mayopat Road	42 to 41	130
On right-hand shoulder of Shukhinthar Mayopat Road	41 to 38	350
Crossing from right-hand shoulder to left-hand shoulder of Shukhinthar Mayopat Road	38 to 37	120
On left-hand shoulder of Shukhinthar Mayopat Road	37 to 36	121
Crossing from left-hand shoulder to right-hand shoulder of Shukhinthar Mayopat Road	36 to 35	120
Crossing Yuzana housing complex following existing 66 kV alignment	35 to 32	332
Straddles perimeter fence of Yuzana housing complex and land of MOT	32 to 30	185
On right-hand shoulder of Shukhinthar Mayopat Road	30 to 28	206
Crossing from right-hand shoulder to left-hand shoulder of Shukhinthar Mayopat Road	28 to 27	134
Crossing behind houses through swampy land of YCDC	27 to 20	838
Crossing from left-hand shoulder to right-hand shoulder of Shukhinthar Mayopat Road	20 to 19	105
On right-hand shoulder of Shukhinthar Mayopat Road until it crosses Thanlyin Road	19 to 12	1,030
On right-hand shoulder of Thanlyin Bridge Approach Road	12 to 8	470
Crossing left-hand shoulder of embankment of railway track onto the right-hand shoulder	8 to 7	150
Crossing right-hand shoulder of embankment of railway onto the left-hand shoulder	7 to 6	123
On left-hand shoulder of embankment of railway track	6 to 5	128
Straddles western periphery of a vacant land of YCDC	5 to 2	340
Crossing Ayer Wun Road into Thaketa SS	2 to 1	128
<b>Approximate total length</b>		<b>8.561</b>



**Figure 1: Screenshot of Thida-Thaketa TL (Frame 1)**





**Figure 2: Screenshot of Thida-Thaketa TL (Frame 2)**



\*Red line is the TL alignment used in the IOL.

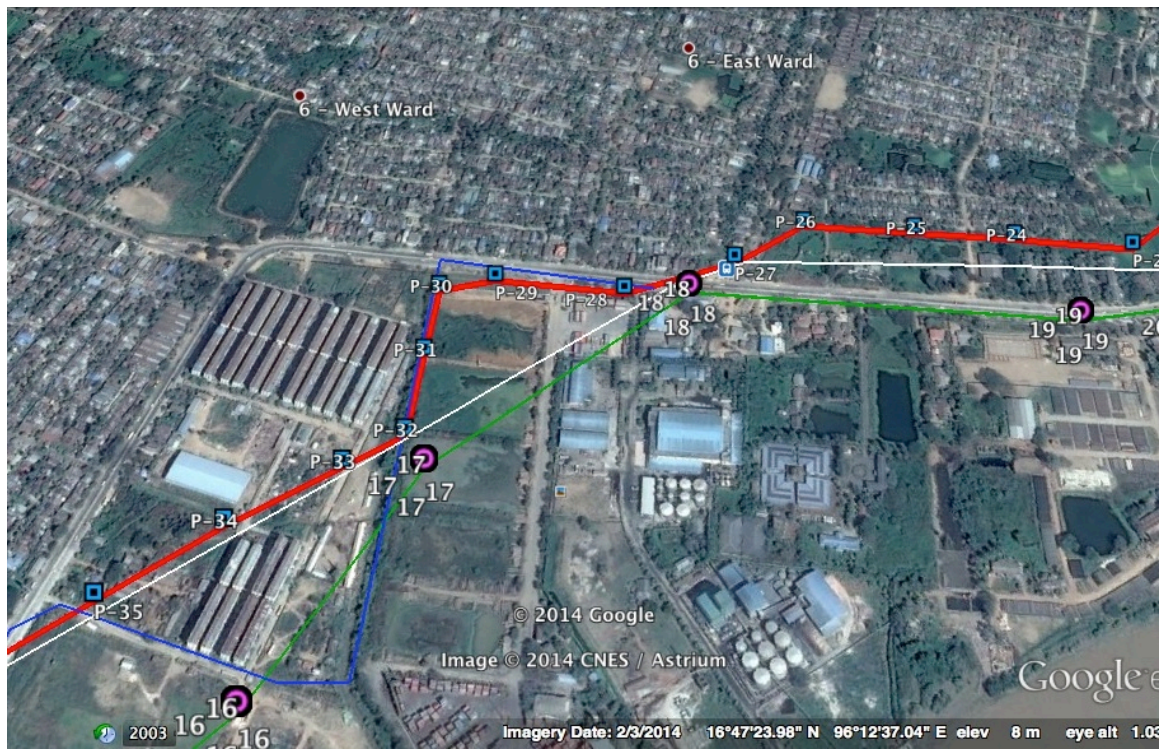
**Figure 3: Screenshot of Thida-Thaketa TL Frame 3)**



\*Red line is the TL alignment used in the IOL.



Figure 4: Screenshot of Thida-Thaketa TL (Frame 4)



\*Red line is the TL alignment used in the IOL.



**Figure 5: Screenshot of -Thida-Thaketa TL (Frame 5)**



\*Red line is the TL alignment used in the IOL.

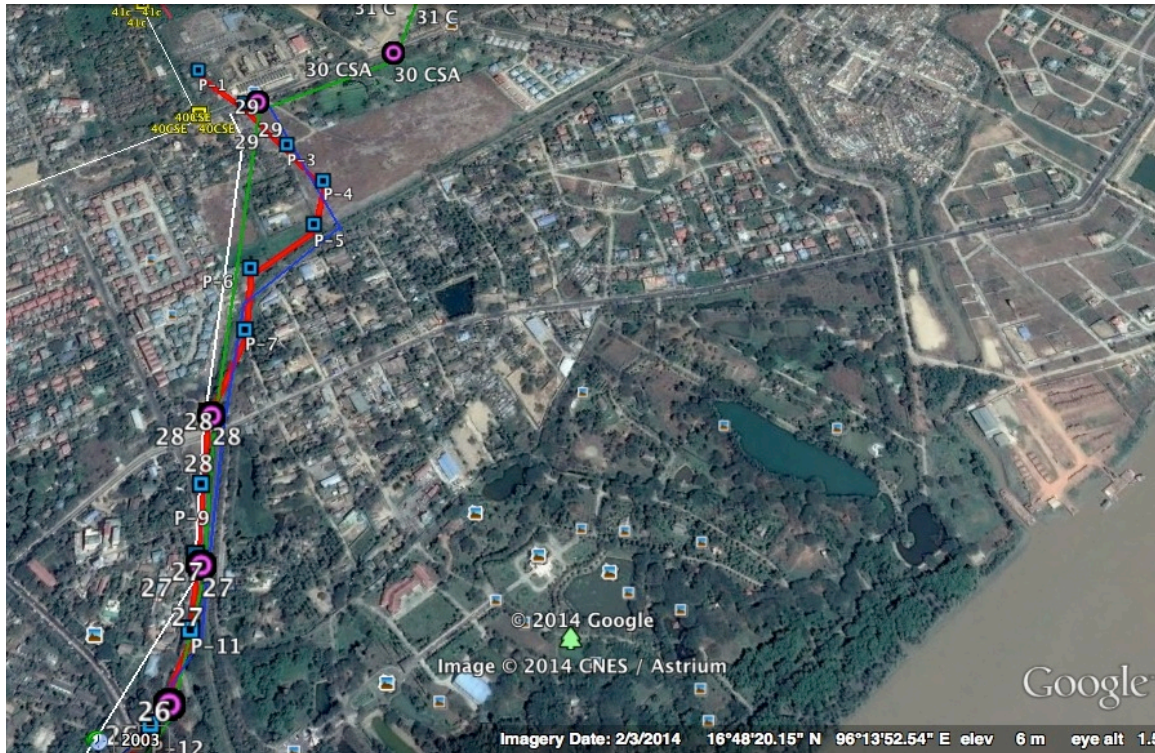
**Figure 6: Screenshot of Thida-Thaketa TL (Frame 6)**



\*Red line is the TL alignment used in the IOL.



**Figure 7: Screenshot of Thida-Thaketa TL (Frame 7)**



\*Red line is the TL alignment used in the IOL.

## **II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT**

### **A. Sources of data on project impacts**

7. An inventory of losses (IOL), that includes a census and socioeconomic survey (SES) of all affected persons (APs) and households (AHs), was conducted on October 13-14, 2014. A team of local enumerators, guided by resettlement specialist consultants and accompanied by MEPE survey staff and local government representatives, carried out the IOL and SES.

### **B. Right-of-way (ROW) / Corridor of impact (COI)**

8. The statutory right-of-way for the transmission line is 45.7 m (150 feet); i.e., 22.85 m (75 feet) each way from the transmission line's center. As mentioned in the preceding chapter, the Thida-Thaketa TL, to the extent possible, will straddle closely the shoulder of city roads to avoid land acquisition and resettlement impacts. In defining the impact areas of the Thida-Thaketa TL, the following parameters guided the IOL survey team:

1. Area of land to be acquired permanently for the foundation of each suspension monopole: 4 m x 4 m; construction area for the foundation of each suspension monopole, inclusive of the area that will be acquired permanently: 6 m x 6 m.

2. Area of land to be acquired permanently for the foundation of each tension monopole: 6 m x 6 m; construction area for the foundation of each suspension monopole, inclusive of the area that will be acquired permanently: 8 m x 8 m.
3. Area of land to be acquired permanently for the footing of steel lattice tower: 35 ft. x 35 ft. (1,225 ft<sup>2</sup>) or 10.668 m x 10.668 m (113.81 m<sup>2</sup>); construction area for the footing of each tower, inclusive of the area that will be acquired permanently: 100 ft. x 100 ft. (10,000 ft<sup>2</sup>) or 30.38 m x 30.48 m (929.03 m<sup>2</sup>).
4. Lateral safety clearance for 230 kV from the tip of the arm (i.e., from the power cable) of a monopole to a building: 3.5 m. Average distance between two monopoles: 150 m.
5. Lateral safety clearance for 66 kV from the tip of the arm (i.e., from the power cable) of a monopole to a building: 3.5 m.
6. The sag point (i.e., closest part of the power cable to the ground between two poles/towers) is 7.6 m (25 ft.). At the sag point, only structures and low-lying crops of up to a maximum height of 4.8 m (16 ft.) are allowed.

### **C. Data gathering instrument in the IOL and SES**

9. The questionnaire used in the IOL included items regarding the present socioeconomic status of the AHs. The IOL questionnaire is divided into 6 sections. The first 2 sections concern information related to the affected assets, while the third section revolves around the socioeconomic situation of the AHs. The fourth section is concerned about the relocation preferences of those affected by the entire loss of their houses or shops; the fifth is concerned about the views of the AHs regarding the project; and, the sixth, on suggestions on ways to address complaints of the AHs. (See **Appendix 1** for a copy of the IOL and SES questionnaire).

### **D. Replacement cost study**

10. A retired construction engineer of the Ministry of Construction (MOC) was hired in October 2014 to calculate the replacement cost of affected structures based on prevailing market costs of construction materials and labor. Buildings were classified according to the dominant construction materials and the volume of construction materials used. (See **Appendix 2** for a copy of the unit rates suggested by the retired construction engineer for each building category). No replacement cost for land was carried out because all lands required for the foundations of monopoles and footings of steel lattice towers belong to the government, particularly YCDC and MOT.

### **E. Affected fixed assets**

#### **1. Land**

11. It is estimated that an aggregate of 2,412 m<sup>2</sup> of land will be acquired permanently (i.e., ownership thereof will be transferred to MOEP/MEPE and its use restricted) for the foundations of 67 monopoles. Similarly, an aggregate of 227.62 m<sup>2</sup> will be acquired permanently for the footings of 2 steel lattice towers.

12. During construction, a work area bigger than what must be acquired permanently for the foundation and footing of each monopole and tower, is needed, albeit temporarily, until completion of each foundation or footing. Following completion of each pole foundation or tower footing, the work area beyond or outside of the area acquired permanently for the pole foundation or tower footing will be restored to pre-construction condition and returned to its

owner. It is estimated that an aggregate of 1,876 m<sup>2</sup> of work area around and beyond the land to be acquired permanently for the foundations of the 67 monopoles is needed temporarily during the construction of the foundations of said monopoles. Also, an aggregate of 1,630.44 m<sup>2</sup> of work area around the land to be acquired permanently for the footings of the 2 steel lattice towers is needed temporarily during the construction of said towers. It should be pointed out that the locations of the foundations of the 67 monopoles and footings of the 2 steel lattice towers, including work areas, are on empty plots of land belonging to the government (i.e., Yangon City Development Council or YCDC and the Ministry of Transport or MOT).

13. MEPE will negotiate with YCDC, MOT, and MOC, on whose properties the foundations and footings of the monopoles and towers are located, for the transfer of ownership of the affected plots of land.

**Table 2: Affected Land**

Tower	Count	Area of Affected Land			
		Area of Land to be acquired permanently for the foundation or footing of each pole/tower	Area of land affected temporarily (i.e., work area) during construction of each pole/tower*	Aggregate area of land to be acquired permanently for the foundation or footing of pole or tower	Aggregate area of land affected temporarily during construction of pole or tower
Monopole	67	36 m <sup>2</sup> **	28 m <sup>2</sup>	2,412 m <sup>2</sup>	1,876 m <sup>2</sup>
Steel lattice tower	2	113.81 m <sup>2</sup>	815.22 m <sup>2</sup>	227.62 m <sup>2</sup>	1,630.44 m <sup>2</sup>
Total				2,639.62	3,506.44

NOTES: \*This excludes the area that will be acquired permanently.

\*\* For the purpose of this RP, the area needed for the foundation of a suspension monopole is used.

## 2. Main structures

14. A total of 25 main structures<sup>4</sup> are found inside the COI, 2 of which are located in Dawbon Township and they belong to YCDC. The other 23 affected main structures are located in Thaketa Township and they belong to private individuals and households. Fifteen of the affected main structures in Thaketa Township are located in one block between monopoles 57 and 56 on Yamonar Road.<sup>5</sup>

15. Ten of the main structures are entirely right in the route of the TL and, as consequence thereof, are affected totally during TL stringing. One of these structures is a concrete toilet inside the compound of YCDC in Dawbon Township. The 9 other structures belong to private households, one of which is a house-cum-shop shanty. The rest of the totally affected structures are made of timber materials.

**Table 3: Totally Affected Main Structures**

Name of AP	Survey Code	Township	Building Classification	Building Use	Total Area (ft <sup>2</sup> )	Area to be Acquired (ft <sup>2</sup> )
Confidential	-	Dawbon	Concrete	Toilet	86.11	86.11
Confidential	TKT-018	Thaketa	Timber	House-store	290.63	290.63
Confidential	TKT-009	Thaketa	Timber	House-store	452.08	452.08
Confidential	TKT-008	Thaketa	Timber	Eatery	1,033.34	1,033.34

<sup>4</sup> In this RP, this refers to structures or buildings, regardless of structural condition and construction materials used, that are fixed on the ground with at least four posts, with roof, and used as domicile, office, shop or place of commerce, and house-cum-shop.

<sup>5</sup> It should be pointed out that the entire stretch of land bordering the left-hand shoulder of Yamonar Road from monopoles 60 to 48 belongs to YCDC. The City government about 2 decades ago built roadside wooden stalls and leased them to private individuals. Many lessees have since converted the stalls into homes-cum-shops, constructing rooms, kitchens, and toilets behind the stalls. These extended sections of the stalls are the ones located right under the route of the overhead TL. A few lessees have also introduced improvements to the stalls, using more permanent construction materials.

Name of AP	Survey Code	Township	Building Classification	Building Use	Total Area (ft <sup>2</sup> )	Area to be Acquired (ft <sup>2</sup> )
Confidential	TKT-010	Thaketa	Timber	Teashop	1,130.21	1,130.21
Confidential	TKT-005	Thaketa	Timber	House	365.97	365.97
Confidential	TKT-004	Thaketa	Timber	House	320.23	320.23
Confidential	TKT-001	Thaketa	Timber	House	565.11	565.11
Confidential	TKT-002	Thaketa	Shanty	House-shop	1,819.10	1,819.10
Confidential	TKT-003	Thaketa	Timber	House	384.81	384.81
Total					6,447.59	6,447.59

16. Fifteen main structures are affected partially, of which 14 structures are affected during the stringing of the monopoles and towers, while 1 is affected because it breaches both the vertical (7.5 m) and lateral (3.5 m) safety distance for a power cable. One of these 15 partially affected main structures is an office of YCDC in Dawbon Township and its building classification is brick-nogging. Thirteen of the partially affected main structures are of timber building classification, while 1 (i.e., the one the breaches the vertical and lateral safety distance from a power cable) is of metal sheet classification.

**Table 4: Partially Affected Main Structures**

Name of AP	Survey Code	Township	Building Classification	Building Use	Total Area (ft <sup>2</sup> )	Area Acquired (ft <sup>2</sup> )
Confidential	-	Dawbon	Brick-nogging	Office	1,550	645.84
Confidential	TKT-017	Thaketa	Timber	House-store	1,033.34	258.33
Confidential	TKT-013	Thaketa	Timber	House-store	775.00	258.33
Confidential	closed	Thaketa	Timber	House-store	581.25	258.33
Confidential	TKT-021	Thaketa	Timber	House-store	581.25	258.33
Confidential	TKT-016	Thaketa	Timber	Residence	516.67	172.22
Confidential	TKT-014	Thaketa	Timber	House-store	290.63	129.17
Confidential	TKT-020	Thaketa	Timber	House-store	1291.67	258.33
Confidential	TKT-022	Thaketa	Timber	Store	581.25	172.22
Confidential	TKT-012	Thaketa	Timber	House-store	1,162.50	387.50
Confidential	TKT-019	Thaketa	Timber	House-store	871.88	387.50
Confidential	TKT-023	Thaketa	Timber	House-store	678.13	301.39
Confidential	TKT-015	Thaketa	Timber	Eatery	581.25	258.33
Confidential	TKT-011	Thaketa	Timber	Store	387.50	129.17
Confidential	TKT-024	Thaketa	Metal sheet	Store	2325	387.50
Total					13,207.32	4,262.49

### 3. Perennial and timber trees

17. A total of 39 perennials, all in Thaketa Township, were found right under the route of the overhead TL; they will have to be removed before TL stringing. Twenty-nine of these trees were already bearing fruit, while the other 10 were still very young.

**Table 5: Count of Affected Perennials**

Name of perennial	Young and not yet bearing fruit	Fruit Bearing
Banda	4	18
Coconut	0	2
Betel nut	0	1
Mango	3	1
Starflower	1	2
Guava	1	2

Padauk	0	1
Neem	1	0
Banyan	0	2
<b>Total</b>	<b>10</b>	<b>29</b>

#### 4. Billboards

18. Five metal advertisement billboards on concrete foundations leased by YCDC to private businesses are within or close to breaching the lateral and vertical safety distance to the TL. These billboards are of varying sizes and are leased for at least Ks20,000/ft<sup>2</sup> per month. Picture below shows a billboard that runs parallel to the road and the existing 66 kV TL. It is reported that big billboards in strategic road intersections are leased for \$15,000 per year.

**Table 6: Location of Affected Billboards**

Location vis-à-vis TL Pole Number	Count	Orientation vis-à-vis Road	Orientation vis-à-vis TL Route
6	1	Parallel	Blocking
17	1	Perpendicular	Blocking
Between 17-18	1	Perpendicular	Blocking
26	1	Parallel	Does not block
36	1	Parallel	Blocking

**Figure 8: Affected Billboard on Shukhinthar Mayopat Road**



#### 5. Business disruption

19. Five of the main structures that stand to be affected totally during pole and tower stringing are used for business. One of these is a house-cum-shop in the block of stalls between monopoles 57 to 56. Three others, a house-cum-shop; an eatery; and a teashop, are all located on YCDC land close to the location of monopole 27. Another house-cum-shop (a tire repair shop) is located close to a roadside property of the Ministry of Forestry (MOF) where monopole 20 is located. Business operation of these shops will be disrupted for about 1 month. Table below provides the reported monthly income of the 5 AHs whose shops will be totally affected.

**Table 7: Average Monthly Income of Totally Affected AHs**

Name of AP	Survey Code	Building Use	Monthly AH Income (Ks)
<i>Confidential</i>	TKT-018	House-store	600,000 ~ 1,200,000
<i>Confidential</i>	TKT-009	House-store	150,000 ~ 300,000
<i>Confidential</i>	TKT-008	Eatery	600,000 ~ 1,200,000
<i>Confidential</i>	TKT-010	Teashop	600,000 ~ 1,200,000
<i>Confidential</i>	TKT-002	House-shop	300,000 ~ 600,000

20. Owners of partially affected main structures that are used for business are not expected to experience disruption in operation during the stringing of poles and towers. As explained in footnote 4, only the extended sections of their shops are in the route of the TL alignment.

## **6. Public structures and facilities**

21. No other public facilities except for the 2 YCDC-owned main structures and the advertisement billboards mentioned previously are affected by the project.

## **7. Impacted population**

22. Twenty-two of the 23 AHs that stand to be affected by the partial or total loss of their main structures were interviewed during the IOL/SES. The owner of 1 partially affected main structure in Thaketa was locked at the time of the IOL. The 22 interviewed AHs were made up of 114 persons, for an average household size of 5.18 persons.

## **8. Severely affected and vulnerable AHs**

23. As mentioned previously, 9 AHs (i.e., excluding YCDC) stand to lose totally their main structures, 5 of which are also used as place for business. Four of the AH heads are women, 1 of whom is more than 60 years old.<sup>6</sup> There are 2 male AH heads that are aged 60 years or older. Six of the AH heads belong to one of the following ethnic minority groups: Rakhnie, Mon, Indian, and Karen. Two of the AHs, both male-headed, are deemed to live below the estimated monthly household poverty line of K145,000.<sup>7</sup>

## **9. Summary of impacts**

24. Table below lists down the adverse social impacts of the Thida-Thaketa TL project.

**Table 8: Summary of Impacts**

Items	Unit	Quantity
<b>Land</b>		<b>6,146.06</b>
Permanent acquisition (government property)	m <sup>2</sup>	2,639.62
Temporary impact during construction of monopoles and towers (government property)	m <sup>2</sup>	3,506.44
Count of affected main structures		25

<sup>6</sup> The official retirement age is 60.

<sup>7</sup> The estimated poverty line in Yangon is K354,860 per person per year, or K29,572 per month. (Source of information: A regional perspective on poverty in Myanmar by Stephan Schitt-Degenhard, Aug. 2013. Research commissioned by based on the data of the Integrated Households and Conditions Assessment (IHCA) conducted under the support of UNDP, NICEF and SIDA.) The Average household size used in this RP in determining poverty line is 4.9, based on the 2014 national census that calculated the average HH size in Dawbon as 5.04 and that of Thaketa as 4.67.



Items	Unit	Quantity
Totally affected house	no.	4
Totally affected house-cum-shop	no.	3
Totally affected eatery/teashop	no.	2
Totally affected toilet (government property)	no.	1
Partially affected house	no.	1
Partially affected house-cum-shop	no.	9
Partially affected regular shop	no.	3
Partially affected eatery	no.	1
Partially affected office (government property)	no.	1
<b>Other structures</b>		
Advertisement billboards (government property)	no	5
<b>Perennials of various species</b>	<b>no.</b>	<b>39</b>
<b>Severely affected and vulnerable households*</b>		
Affected by total loss of main structure	no.	9
Women-headed household	no.	4
AHs headed by the elderly	no.	3
Poor households	no.	2
Ethnic minority	no.	6

\*Multiple count in some cases

### III. SOCIO-ECONOMIC PROFILE OF AFFECTED HOUSEHOLDS

25. As mentioned in the preceding chapter, the IOL questionnaire included questions on the socioeconomic situation of the AHs. Some of the AH heads were not present during the survey, and members of the AHs who were around provided the needed information. One affected house-cum-shop in the block of shops on Yamonar Road between monopolos 57 and 56 was closed during the 2 days the IOL was conducted. The ward official that accompanied the survey team could only provide the name of the owner of said house-cum-shop. Thus, socioeconomic information on the households was gathered from 22 AHs only. There are no AHs in Dawbon Township. Information gathered in the SES provides an overview of the general socioeconomic situation of the AHs. This information will be used as benchmark for assessing, following completion of RP implementation, on whether or not the objectives of resettlement have been met.

#### A. Demographic information

26. There are 4 women AH heads, 2 of whom are widows. All 18 male AH heads and 2 women AH heads are married. Two of the male AH heads, and 1 woman AH head, are 60 years of age or older. None of the AH heads has physical disability.

**Table 9: Marital Status, Age, and Physical Condition of AH Heads**

Gender of AH Head	Marital Status			Age		Physical Condition	
	Married	Single	Widow	<60	60 and above	Normal	Disabled/ Sickly
Male	18	0	0	16	2	18	0
Female	2	0	2	3	1	4	0
Total	20	0	2	19	3	22	0

27. Sixteen (72.73%) of the surveyed AH heads, 3 of whom women, are Bamar. The ethnic affiliation of the other AH heads are Rakhine (9.09%), Indian (9.09%), Karen (4.55%), and Mon (4.55%). Twenty (90.91%) of the AH heads are Buddhists, while 2 (9.09%) are Muslims.

**Table 10: Ethnic and Religious Affiliations of AH Heads**

Gender of AH Head	Ethnic Affiliation					Religion	
	Bamar	Rakhine	Karen	Mon	Indian	Buddhism	Islam
Male	13	2	1	1	1	17	1
Female	3	0	0	0	1	3	1
Total	16	2	1	1	2	20	2

28. Ten (45.45%) of the AH heads reached middle school, while 8 (36.36%) reached high school. Three (13.64%) of the AH heads, all males, went to college.

**Table 11: Educational Attainment of AH Heads**

Gender of AH Head	No Education	Primary	Elementary	Middle School	High School	University
Male		0		9	6	3
Female		1		1	2	0
Total		1		10	8	3

29. The 22 AHs interviewed are made up of 114 persons, or an average household size of 5.18. Eight AHs have 4 persons each, while 3 AHs have 7 persons each. Two AHs, one male-

and another female-headed, have 11 persons each. Fifty-eight of the members of the AHs are reportedly working for a living. Five of the AHs each reported to have 4 members that work for a living. One female-headed AH has 7 members working for a living.

**Table 12: Persons Living with the AHs and Number of Working Members**

Gender of AH Head	Number of Persons Living with the AH								Number of Working Members of the AH						
	2	3	4	5	6	7	10	11	1	2	3	4	5	6	7
Male	1	3	7	1	1	3	1	1	7	4	1	4	1	1	0
Female	1		1	1	0	0	0	1	2	0	0	1	0	0	1
Number of AHs	2	3	8	2	1	3	1	2	9	4	1	5	1	1	1
Sum	4	9	32	10	6	21	10	22	9	8	3	20	5	6	7

## B. Livelihood and household income

30. Most (18 persons or 81.82%) of the AH heads surveyed derive their primary livelihood from operating roadside shops. The primary occupation of a male and a female AH head is working as all-around hired labor. Another female AH head is a teacher, while 1 male AH head is an office employee.

**Table 13: Primary Occupation of AH Heads**

Gender of AH Head	Office Employee (government or private)	Teacher	Operate shops*	All-around hired labor
Male	1	0	16	1
Female	0	1	2	1
Total	1	1	18	2

NOTE: \*Include those selling foodstuff and household items, service providers, motor vehicle/tire repair shop, eateries and teashops, etc.

31. Two AHs reported a monthly household income of K144,900 or less, below the estimated monthly household poverty threshold in Yangon. As explained in the previous chapter, the estimated poverty line in Yangon is K145,000 per month per household. The median average monthly household income is K300,001 ~ 600,000.

**Table 14: Combined Monthly Income of AHs (Kyat)**

Gender of AH Head	144,900 or less*	144,901 ~ 300,000	300,001 ~ 600,000	600,001 ~ 1,200,000	1,200,001 ~ Higher
Male	2	4	5	4	3
Female	0	2	0	2	0
Total	2	6	5	6	3

## C. Health and sanitation

32. Fever, cold and arthritis are the most common and non-life threatening ailments that afflicted members of the surveyed AHs.

**Table 15: AHs Afflicted with Common (not serious) Ailments the Past Year**

Gender of AH Head	Fever	Cold	Arthritis
Male	5	5	2
Female	0	2	2
Total	5	7	4

NOTE: multiple answers per AH are possible.

33. Among serious ailments that afflicted members of the surveyed AHs, hypertension was the most common (8 cases), followed by heart disease (5 cases). The afflicted AHs reportedly sought medical help for their ailments.

**Table 16: Afflicted with Serious and Chronic Ailments the Past Year**

Gender of AH Head	Heart Disease	Hyper-tension	Diabetes	Neurosis
Male	2	4	2	2
Female	3	4	1	
<b>Total</b>	<b>5</b>	<b>8</b>	<b>3</b>	<b>2</b>

NOTE: multiple answers per AH are possible.

34. Most of those surveyed (20 AHs or 90.91%) reportedly buy water for drinking. One AH each reportedly gets drinking water from a pump well and piped water from public utility provider. With regard water for washing, 8 AHs reportedly buy from retailers, while 7 AHs get this from the public utility provider, and 5 from their own pump wells.

**Table 17: Main Source of Water for Drinking and Washing**

Gender of AH Head	Ground (open) well of AH	Pump well of AH	Piped (faucet) water from Public Utility Provider	Communal/ Neighbor's Open Well	Buy
<b>Water for Drinking</b>					
Male		0	1		17
Female		1	0		3
<b>Total</b>		<b>1</b>	<b>1</b>		<b>20</b>
<b>Water for Washing</b>					
Male	1	4	7	1	5
Female	0	1		0	3
<b>Total</b>	<b>1</b>	<b>5</b>	<b>7</b>	<b>1</b>	<b>8</b>

35. Eleven AHs (50.00%) reportedly use closed pit (i.e., concrete squat type that is not water sealed) toilets, while 10 AHs (45.45%) reportedly use simple water-sealed toilets (flushing is done manually by pouring a pale of water).

**Table 18: Toilet Facilities Used**

Gender of AH Head	Simple water sealed	Water sealed with flush	Closed pit
Male	8	1	9
Female	2	0	2
<b>Total</b>	<b>10</b>	<b>1</b>	<b>11</b>

36. Most of the surveyed AHs (18 households or 81.82%) take a bath in open area outside their homes, while 4 have bathrooms in their homes.

**Table 19: Bathing Facilities Used**

Gender of AH Head	Enclosed room inside the house	Open bathing area outside the house
Male	4	14
Female	0	4
<b>Total</b>	<b>4</b>	<b>18</b>

37. With the exception of 1 AH, the rest of those surveyed dispose of their garbage through the local government's garbage collection system.

**Table 20: Garbage Disposal Method Practiced**

Gender of AH Head	Collected by government	Throw indiscriminately anywhere
Male	18	
Female	3	1
<b>Total</b>	<b>21</b>	<b>1</b>

**D. Amenities in the AHs**

38. Power for lighting for 19 AHs (86.36%) comes from the local utility provider. Six AHs reportedly use solar-powered rechargeable batteries for lighting.

**Table 21: Main Sources of Fuel/Power for Lighting of the AHs**

Gender of AH Head	Electricity from Utility Provider	Rechargeable Battery	Own Generator
Male	16	4	3
Female	3	2	0
<b>Total</b>	<b>19</b>	<b>6</b>	<b>3</b>

\* Multiple responses possible

39. The most common source of power or fuel used by the AHs for cooking is electricity (15 households), followed by charcoal (14 households), and liquefied petroleum gas (10 households).

**Table 22: Main Sources of Fuel/Power for Cooking of the AHs**

Gender of AH Head	Electricity	Charcoal	LPG	Wood
Male	12	10	9	2
Female	3	4	1	1
<b>Total</b>	<b>15</b>	<b>14</b>	<b>10</b>	<b>3</b>

\* Multiple responses possible

40. Telephone (landline and/or cellular) is the most common appliance, with 20 of the AHs reportedly owning one, followed by electric fan (19 AHs), television set (18 households), and refrigerator (14 households).

**Table 23: Home Appliances of the AHs**

Gender of AH Head	TV	Fridge	Radio/Cassette Recorder	Phone	DVD/CD Player	Oven/Stove	Electric Fan	Computer	Air condition
Male	14	11	3	17	13	6	16	2	4
Female	4	3	1	3	3	1	3		1
<b>Total</b>	<b>18</b>	<b>14</b>	<b>4</b>	<b>20</b>	<b>16</b>	<b>7</b>	<b>19</b>	<b>2</b>	<b>5</b>

\* Multiple responses possible

41. The bicycle is the most common means of transportation among the surveyed AHs, with 11 reportedly owning one. Four AHs reported owning a car; 3 AHs, a pick-up; and 1 AH a motorbike. Six AHs reportedly do not own any means of transportation.

**Table 24: Ownership of Means of Transportation**

Gender of AH Head	Car	Pick-up	Motorbike	Bicycle	None
Male	4	3	1	7	6
Female				4	
<b>Total</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>11</b>	<b>6</b>

\* Multiple responses possible

#### IV. CONSULTATION, PARTICIPATION AND DISCLOSURE

42. The views and suggestions of AHs and local authorities have been incorporated in this RP. On 30 May 2014, MEPE conducted preliminary consultations with government stakeholders at the office of the Yangon Electricity Supply Board (YESB) to introduce the proposed power transmission project and to solicit their views and suggestions. In that consultation, representatives from YCDC, YESB, and the general administration office (GAO) of townships traversed by Thida-Thaketa TL and Thaketa-Kyaikasan TL suggested that the preliminary TL alignments proposed by design consultants Fichtner be reviewed on the ground with the active participation of local governments. The participants in that consultation argued the need for such a review and the revision of the TLs' alignments, as needed, to ensure the safety of residents and to minimize adverse social impacts of the project.

43. On 2 October 2014, MEPE carried out at the MEPE Project Manager Office No. 1 (Yangon) a second consultation with representatives of YCDC and GAOs of Thaketa, Dawbon, and administrators of various wards traversed by the 2 TLs to discuss the project and to present a revised routing of the TLs for the purpose of arriving at a consensus on the alignments of the same, ensuring the least adverse social impacts as possible. The government representatives were also informed on the schedule of the conduct of the IOL/SES – i.e., October 13-14 in Thida-Thaketa TL and October 15-16 in Thaketa-Kyaikasan TL. (See **Appendix 3** for the highlights of these consultations).

44. On 4 October 2014, MEPE survey engineer and resettlement consultants carried out a walk-through inspection of the proposed route of the TLs, fine-tuning the locations of poles and towers as discussed during the 2 October consultation. MEPE subsequently plotted the proposed TL alignment on Google Earth map. For the Thida-Thaketa TL, the IOL/SES was carried out in Thaketa Township section on 13 October, and in Dawbon Township section on 14 October. For the Thaketa-Kyaikasan TL, the IOL/SES was carried out in Thingunyun Township section on 15 October, and in Yankin Township section on 16 October. Prior to the conduct of the IOL/SES in each township, the survey team, headed by representatives of MEPE, held further briefing with officials of the township and the wards traversed by the TLs. In each briefing, the alignment of the TLs was discussed and the township GAO appointed ward officials that would accompany the survey team. (See **Appendix 4** for the list of participants in the township briefings).

45. In an effort to reach out to as many stakeholders as possible, ADB social and environmental safeguard consultants on 7 November 2014 met with non-government organizations (NGOs) at the headquarters of Myanmar Engineering Society. Discussed during the consultation were the project components, the due diligence activities being carried out for the project, and the views and suggestions of the participants relative to minimizing and mitigating project impacts, among others. Seven NGOs were represented in that consultation. (See **Appendix 5** for the list of participants in the NGO consultation).

46. On 19 December 2014, MEPE officials, headed by Project Manager U Thet Paing Myo, and accompanied by MEPE surveyor U Tun Tun Naing and ADB social and environmental safeguard consultants, met with the AHs at the Yanpyay Manpyay Community Center, Thaketa Township, to present the results of the IOL, explain the project resettlement policy, including the policy on cut-off date for eligibility to project entitlements, measures that will be adopted during pole and tower stringing to avoid actually damaging the structures and places of

business of the AHs, and to solicit the views and suggestions of the AHs on mitigating project impacts and on enhancing public participation. (See **Appendix 6** for the highlights and list of participants in the post-IOL consultation).

47. Consultations and discussions will continue to be carried out with the AHs during RP updating and implementation. Table below lists the activities that have been carried out and those that have yet to be done to ensure that APs/AHs are always updated about the project and that their opinions and suggestions are taken into consideration.

**Table 25: Roles of Key Stakeholders in RP Preparation and Implementation**

Project Process Stage	Participatory Activities and Participants	Responsible Institution	Date/Additional Notes
Preparation			
<u>During feasibility study stage</u>	Consultation with government stakeholders (YCDC, YESB, GAOs of townships) about the project and preliminary TL alignments prepared by Fichtner	MEPE, with TA consultants	30 May 2014
	General consultation with YCDC, officials of townships and wards about the MEPE-revised TL alignments and schedule of the IOL/SES	MEPE with TA consultants	2 October 2014
	Pre-IOL/SES briefing of township and ward officials	MEPE with TA consultants	13-16 October 2014
	Conduct of IOL/SES, fine-tuning of locations of poles and towers during the survey	MEPE with TA consultants and ward officials	13-16 October 2014
	Consultation with NGOs	TA consultants	7 November 2014
	Meeting with MEPE officials to agree on the project resettlement policy	MEPE management and ADB, with participation of TA consultants	9-10 December 2014
	Consultation with AH to discuss the results of the IOL, project resettlement policy, and suggestions of AHs	MEPE, Thaketa Township officials, AHs, and TA consultants	19 December 2014
	Drafting of the RP and project information booklet (PIB) for preliminary review of ADB resettlement specialist	TA consultants	December 2014
	Review by ADB resettlement specialist of the draft RP and due diligence reports	ADB	1 <sup>st</sup> half January 2015
	Revision of draft RP and due diligence reports and submission to MEPE	TA consultants	2 <sup>nd</sup> half January 2015
	Endorsement of the RP to ADB for concurrence	MOEP MEPE	1 <sup>st</sup> half February 2015

Project Process Stage	Participatory Activities and Participants	Responsible Institution	Date/Additional Notes
	Distribution of PIB to the AHs and posting of summary RP at Township and ward offices, posting of draft RP on ADB website		1 <sup>st</sup> half February 2015
<b>Updating and Implementation</b>			
<u>Updating of RP</u>	Demarcation of the alignments of the TLs	MEPE, assisted by Project Implementation Consultants (PIC)	
	Holding of public consultation before commencement of detailed measurement survey (DMS)	MEPE, and GAOs, with assistance from PIC	
	Setting-up the Land Acquisition Committee (LAC) in each township	MEPE	
	Conducting of DMS	LAC with the participation of the APs	
	Updating of the RP and submission to MOEP/MEPE and ADB for review and approval	MEPE, assisted by the PIC	
	Posting of the summary updated RP at YCDC, Township, and ward offices	Project Implementation Unit (PIU)	
<u>RP implementation</u>	Implementation of the RP (i.e., payment of compensation, handing-over of acquired properties, etc.)	PIU, assisted by PIC	
	Receipt and resolution of grievances of APs/AHs	PIU, Township GAO	
<u>Monitoring and evaluation</u>	Monitoring of the implementation of land acquisition	MEPE, assisted by PIC	

48. Copies of the draft RP in Burmese language endorsed by MOEP to ADB will be made available in YCDC, township, and ward offices. The draft RP will be uploaded on the ADB website. Likewise, copies of the project information booklet (PIB), also in Burmese language, will be distributed to the APs/AHs following submission by MOEP of the draft RP to ADB in February 2015. MEPE will ensure that the PIBs are distributed to the APs/AHs. The PIB will include the following information: (i) description of the project TL and its adverse social impacts, (ii) measures to avoid impacts, including entitlements of APs/AHs, (iii) consultation and grievance redress procedures, (iv) schedule of clearing of the COI, and (v) names officials to contact for any queries (see **Appendix 7** for a copy of the PIB).

49. Copies of the updated RP in Burmese language will be made available in YCDC, township, and ward offices. The updated RP will be uploaded on the ADB website. Social monitoring reports on RP implementation will also be made available at ward offices and will be uploaded on the ADB website.



## **V. GRIEVANCE REDRESS MECHANISM**

50. The primary approach at resolving complaints of AHs and APs in connection with the Project is through negotiation at various levels of the grievance redress process before the same are elevated to the courts for adjudication. An aggrieved AP may also bring his/her complaint directly to the ADB's Energy Division, Southeast Asia Department, through the Myanmar Resident Mission. If the AP is not satisfied with the response of the Resident Mission, he/she can directly contact the ADB Office of the Special Project Facilitator.

51. In the event that an aggrieved AP lacks writing skills or is unable to express his/her complaint verbally, the AP may seek assistance from any recognized local group, NGO, family member, village elders and village GAO to have his/her complaint written for him/her. MEPE will shoulder all costs involved (i.e., for meetings, consultations, communication and reporting/information dissemination) in resolving the complaints of APs. Below are the procedures to be followed in the grievance redress process:

### **A. On the results of the detailed measurement survey (DMS)**

1. An AP who is not satisfied with the results of the DMS of his/her affected assets will indicate so in the signed accomplished DMS form and will request the LAC for a review and re-evaluation by another LAC survey team of the results of the DMS of his/her affected assets.
2. If the AP is still not satisfied with the review and re-evaluation of the results of the DMS, he/she will indicate so in the signed accomplished DMS form and will request verbally or in writing the concerned MEPE project office (i.e., at Project Management Office Yangon) for a re-survey and re-evaluation of the AP's affected assets.
3. MEPE project office has 15 days upon receipt of the complaint to constitute a new LAC to do another DMS of the affected assets and to make revisions/corrections, as needed. If the AP is still not satisfied with the findings or actions taken by the MEPE project office, the AP may bring the matter to the MEPE District Office.
4. MEPE District Office has 15 days within which to resolve the complaint. If the AP is still not satisfied with the action taken by the MEPE District Office, the AP may bring the matter to MEPE Headquarters in Nay Pyi Taw.
5. MEPE Headquarters in Nay Pyi Taw has 15 days within which to resolve the complaint. If the AP is still not satisfied with the action taken by MEPE Headquarters in Nay Pyi Taw, the AP may elevate the complaint to the court for resolution.

### **B. On ownership over an affected asset**

1. If the complaint concerns ownership/control of affected assets, LAC will seek a settlement with the contending parties through consultation.
2. If the consultation does not produce a settlement, LAC will advise the APs to bring the case to the court.

### **C. On non-compliance with the terms of the negotiated settlement**

1. An AP who feels there is a breach of the terms of the negotiated settlement agreed with LAC may refuse to handover his/her affected assets and will notify verbally or in

writing the MEPE project office about the alleged breach of the terms of the negotiated settlement.

2. MEPE project office has 15 days upon receipt of the complaint to address the complaint of the AP. If the AP is still not satisfied with the action taken by the MEPE project office, the AP may bring the matter to the MEPE District Office.
3. MEPE District Office has 15 days within which to resolve the complaint. If the AP is still not satisfied with the action taken by the MEPE District Office, the AP may bring the matter to MEPE Headquarters in Nay Pyi Taw.
4. MEPE Headquarters in Nay Pyi Taw has 15 days within which to resolve the complaint. If the AP is still not satisfied with the action taken by MEPE Headquarters in Nay Pyi Taw, the AP may elevate the complaint to the court for resolution.

**D. On the implementation of the RP and impacts during construction**

52. The procedures for complaints related to the implementation of resettlement plan and in connection with un-anticipated project impacts during construction will follow the same procedures as those of complaints connected with the breach of the terms of the negotiated settlement.

## **VI. LEGAL AND POLICY FRAMEWORK**

### **A. Relevant laws and regulations**

53. The Electricity Law of 1984, along with the Electricity Rules<sup>8</sup> of 1985, provides the main framework for the exploration, production, transmission, distribution and usage of electricity in Myanmar.<sup>9</sup> The Electricity Rules of 1985 sets the right-of-way (ROW) for 230 kV power transmission lines at 45.7 m (150 feet) wide, and the standard horizontal distance between a power cable and a building or a tree for a 230 kV TL, both for lattice steel towers and monopoles, at 15.24 m (50 ft.). The sag point of a 230 kV power cable between two towers or poles is set at 7.6 m (25 feet) minimum. In theory, structures and low-lying crops of up to a maximum height of 4.8 m (16 ft.) are allowed under a TL. However, owning a residential or commercial land within the ROW of a TL is not sustainable because the landowner cannot make full use of his/her property due to building restrictions.

54. The Electricity Law of 1984 does not include any provisions for carrying out land acquisition for the ROW of power projects. In view thereof, this section discusses in brief the laws of the country that have bearing on land acquisition in connection with the acquisition of the ROW of government projects.

55. The 2008 State Constitution<sup>10</sup> of the Republic of the Union of Myanmar mandates that the State “is the ultimate owner of all lands and all natural resources above and below the ground, above and beneath the water and in the atmosphere in the Union”. The 2008 constitution further states that existing laws govern the rights of citizens to own and inherit private property, and the right to settle in any place within country. These existing laws include, among others: (i) the Transfer of Property Act (1882); (ii) the Land Acquisition Act (1894) that empowers the State to acquire land where it is needed for any public purpose; (iii) the Land Nationalization Act of 1953, (iv) the Disposal of Tenancies Law of 1963, (v) Towns Act of 1907, (vi) Village Act of 1907, (vii) Farmland Law of 2011, and (viii) Vacant, Fallow and Virgin Lands Management Law of 2012.

56. The Land Nationalization Act of 1953 nationalized all agricultural lands and abolished all lease, rental and sharecropping agreements. In effect, all farmers became tenants of the State. The Disposal of Tenancies Law of 1963 enhanced the power of the State in the management of agricultural lands. The Disposal of Tenancies Law of 1963 vested the government the power to prescribe to farmers the type and volume of crops, particularly rice, which they could plant on their allocated agricultural land and which have to be sold exclusively to the government.

57. Even with the repeal of the Land Nationalization Act of 1953 and the Disposal of Tenancies Law of 1963 by the Farmland Law of 2011, the effects of these repealed laws remain unchanged. This is best illustrated by examining the prevailing land classifications scheme in the country. There are basically 11 general classifications of land in the country; namely: freehold land; grant land; agricultural land; garden land; grazing land; culturable land, fallow

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<sup>8</sup> Issued by the Ministry of Industry, which at that time also exercised overall jurisdiction over power generation and transmission.

<sup>9</sup> A new electricity law is currently being drafted to replace the Electricity Law of 1984. A draft of the new law includes the formation of a regulatory body that is tasked to come up with a national policy on electricity, and set rules for a systematizing electric power rates, among others.

<sup>10</sup> The new constitution came into force in 2010 following the holding of national elections.

land and waste land; forest land; town land; village land; cantonments; and monastery.

- a. Freehold land can be likened to ancestral land, and ownership of such land is transferable and the owner is not required to pay land tax. Most freehold lands are located in big cities, such as Yangon.
- b. Grant land belongs to the government and is leased to private individuals for a renewable period of 10 years or more. The lease is transferable and the leaseholder is bound to pay land tax. Grant lands are found in cities and towns and, in very few cases, in villages.
- c. Agricultural land belongs to the State and farmers who have been granted plots to till, mostly rice crops, are tenants. The Village Tract General Administration Office (GAO) is responsible for allocating agricultural land, which has to be approved and confirmed by the concerned Township GAO. In 1988, the government set rice quotas farmers have to produce from their allocated field in a year before they could plant other crops on their landholdings. Tenants also pay land revenue and until the promulgation of the Farmland Law of 2011, agricultural Land was not transferable.<sup>11</sup>
- d. Garden land is legally part of agricultural land. However, the crops that are grown on garden lands are different, and the land revenue is higher than agricultural land. Until the promulgation of the Farmland Law of 2011, garden land was also non-transferrable.
- e. Grazing land belongs to the government and designated by the Village Tract GAO. No residences are allowed on grazing land, which is reserved for the exclusive use of the village residents for their cattle.
- f. Culturable land, fallow land and wasteland are plots of land that the government may grant government and private enterprises the right to use for commercial use.
- g. The Ministry of Forestry administers forestland in accordance with the Forestry Law.
- h. Town land includes Freehold Land, Grant Land, and La 39 Land. Landholdings of residents in new towns or those that are still expanding are usually the La Na 39 type (which may be converted to grant land).
- i. Village lands are those located outside the towns and are either grant land or La Na 39 land. Village land is transferrable. Village land that is less than 100 m<sup>2</sup> and which has a building (residence) thereon is exempt from land revenue.
- j. Cantonments are lands are government lands used and administered by the military.
- k. Monastery lands are plots of land that the Ministry of Home Affairs may grant to religious organizations. Freehold land, grant land, or La Na 39 land that is designated by the Ministry of Home Affairs as monastery land will be acquired through the Land Acquisition Act and for which compensation is given to the landholder. No compensation is given to the holder of affected agricultural land, however. Monastery land is exempted from land revenue.

58. The Farmland Law of 2011 covers agricultural land, garden land, and other types of land that are used for cultivation, including orchards and those used to grow vegetables and flowers.

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<sup>11</sup> Agricultural land may be used for other purposes, but subject to the approval of the Ministry of Agriculture and Irrigation. After approval of change of use is given, the State/Division Development Committee will issue a document called La 39 (with reference to the requirements of Article 39 of the Land Nationalization Act of 1953). Land with La Na 39 document is transferable and may be upgraded to Grant Land.

Farmers that are holding or have been allocated the aforementioned types of agricultural lands may secure a land use certificate (LUC). The Farmland Law of 2011 does not clearly stipulate the procedures for acquiring an LUC, however. Those with LUC may transfer, lease, sell, or use as collateral their agricultural lands, provided that the government is informed about these transactions. The holder of the LUC cannot change the use of the allocated land other than what is provided in the LUC. Neither can the holder of the LUC allow the farmland to fallow for no valid reason. Violation of the conditions set in the LUC could lead to the revocation of the LUC and the confiscation of the farmland.

59. In other words, the Farmland Law of 2011 did not change the basic land tenure arrangements in the country. With the exception of freehold lands, all other types of lands technically belong to the State. What the Farmland Law of 2011 provides is the right of the holder to transfer, lease, sell, or mortgage their agricultural land.

## **B. ADB policies**

60. The new **ADB Safeguard Policy Statement (SPS)** of 2009 consolidates three existing safeguard policies: involuntary resettlement (IR), indigenous peoples (IP), and environment.<sup>12</sup> The objectives of the IR policy are to (i) avoid involuntary resettlement, (ii) explore alternatives to avoid, (iii) restore livelihoods and (iv) improve living standards of poor and vulnerable households. The IP policy objectives are to (i) design and implement projects that fosters full respect for IP's identity, dignity, human rights, livelihoods systems, and cultural uniqueness as defined by the IP themselves and (ii) ensure that IPs receive culturally appropriate social and economic benefits, do not suffer adverse impacts as a result of projects, and can participate actively in projects that affect them.

61. The **ADB Policy on Gender and Development** (2006) adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate in, and that their needs are explicitly addressed in the decision-making process for, development activities. The new safeguard policy also reiterates the importance of including gender issues in the preparation of safeguards documents at all stages to ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights and restoration/improvement of their living standards; and to ensure that women will receive project benefits. Other policies of the ADB that have bearing on resettlement planning and implementation are the (i) Public Communications Policy (2011), and (ii) Accountability Mechanism (2012).

## **C. Gaps analysis and project principles**

62. Myanmar does not have any law that protects the rights of citizens affected by the loss of assets when lands legally occupied or held are expropriated by the government for public use. Table below highlights the gaps between ADB safeguards policy and existing applicable laws of Myanmar.

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<sup>12</sup> The policy on environment is discussed in a separate environment report.

**Table 26: Gap Analysis**

ADB Involuntary Resettlement Policy/Principle	Relevant Laws of Myanmar	Project Resettlement Policy
Screen the project early on to identify past, present, and future involuntary resettlement impacts and risk. Where acquisition or restriction to assets will occur, a land acquisition and resettlement plan (RP) is required to be submitted by the project owner to ADB for concurrence	None	Project components will be screened during the feasibility phase to identify involuntary resettlement impacts and risks. A resettlement plan (RP) will be prepared for APs where negotiated settlement of properties needed by the project fails.
<p>Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations.</p> <p>Meaningful consultation, as defined in the ADB SPS (2009), is: A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues</p>	The Land Acquisition Act (1894) provides for the procedures for notifying citizens about a government project requiring land acquisition, valuation of affected assets, and procedures for raising objections to land acquisition.	Key stakeholders will be informed and consulted about the project and the due diligence activities of the TA consultants during project preparation. During project implementation, a core group of stakeholders (e.g., relevant government departments, including General Administration Office or GAO of local governments, village elders, and key NGO partners) will validate the alignments of the TLs. This will be followed by public consultations in townships to discuss the project, scope of land acquisition, and to solicit the opinions and suggestions of stakeholders, especially affected persons of APs, on measures to minimize and mitigate project impacts.
Improve, or at least restore, the livelihoods of all displaced persons. Compensation in cash or in kind and at replacement cost will be paid to the AHs.	<p>The Land Acquisition Act (1894) empowers the State to acquire land for public purpose. The Act provides for the relevant procedures, including the required notice to be given, procedures for raising objections to land acquisition, the method of valuation of land, the process for taking possession of land, court processes and appeals, procedures for the temporary occupation of land and the acquisition of land for corporations. The Act requires the authorities to provide compensation to the original owners of the land.</p> <p>However, subsequent laws, such as the Land Nationalization Act of 1953 that</p>	APs residing, working, doing business and/or cultivating land within the corridor of impact (COI) of the TLs' ROW on the date the MOEP and MEPE announce in a general public consultation the approval of the power transmission project (i.e., the cut-off-date for eligibility to project entitlements) and prior to the holding of the demarcation of the TL alignments and the conduct of detailed measurement survey (DMS) of affected private and public assets, are entitled to compensation for lost assets, incomes and businesses at full replacement cost based prevailing market rates at the time of compensation, and, depending on the severity of impact on their

ADB Involuntary Resettlement Policy/Principle	Relevant Laws of Myanmar	Project Resettlement Policy
	<p>nationalized all agricultural lands and abolished all lease, rental and sharecropping agreements, and the Disposal of Tenancies Law of 1963, have weakened the application of the Land Acquisition Act of 1894.</p> <p>Under the Farmland Law of 2011, people with land use certificate (LUC) for their agricultural lands may transfer, lease, sell, or use as collateral their agricultural lands, provided that the government is informed about these transactions. Technically, however, all agricultural lands still belong to the State. Thus, only on freehold lands citizens exercise absolute ownership.</p>	livelihood and income capacity, will be provided with rehabilitation measures to improve or restore their pre-project living standards, income-earning capacity and production levels.
Provide physically and economically displaced persons with needed assistance. AHs should not be worse off on account of the project. Assistance should be provided to the AHs to help them rehabilitate themselves.	None	As above
Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	None	The project will help establish links between the vulnerable AHs and existing government and NGO livelihood and micro-finance programs. Preference will be provided to members of the AHs in the hiring of unskilled labor during road construction.
Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement	The Land Acquisition Act (1894) empowers the State to acquire land for public purpose. The Act provides for the relevant procedures, including the required notice to be given, procedures for raising objections to land acquisition, the method of valuation of land, the process for taking possession of land, court processes and appeals, procedures for the temporary occupation of land and the acquisition of land for corporations.	The primary method MOEP and MEPE will use to acquire land and other assets is negotiated settlement, based on meaningful consultation with APs, including those without legal title to assets, consistent with the process described in ADB SPS 2009. <sup>13</sup>
Lack of formal legal title to land is not a bar to entitlement. Ensure that displaced persons without titles to land or any recognizable legal rights to land are	None	APs without legally recognizable proof of ownership will be paid compensation for affected non-land assets.

<sup>13</sup> As per ADB SPS (2009) Safeguard Requirements 2: Involuntary Resettlement, Section D (Requirements), Item 4 (Negotiated Land Acquisition)

ADB Involuntary Resettlement Policy/Principle	Relevant Laws of Myanmar	Project Resettlement Policy
eligible for resettlement assistance and compensation for loss of non-land assets		
Prepare a time-bound resettlement plan with budget that spells out the resettlement objectives and strategies, entitlements, activities and responsibilities, resettlement monitoring, and resettlement evaluation.	None	A resettlement plan (RP) will be prepared for each of the 3 power transmission line components. The RP will require the concurrence of the EA and ADB before land acquisition may commence.
Disclose the draft resettlement plan, including documentation of the consultation process in a timely manner. The draft and agreed Resettlement Plan (RP) during the PPTA, and the draft and agreed updated RP during project implementation will be disclosed to the APs/AHs and other stakeholders in accessible forms, languages and places. The same will be posted on the ADB website.	None	Pre- and post-DMS consultations will be held with stakeholders and the APs. The draft and agreed RP during project implementation will be disclosed to the APs and other stakeholders in accessible forms, languages and places. The same will be posted on the ADB website. Monitoring reports during Project implementation will likewise be posted on the ADB website.
Conceive and execute involuntary resettlement as part of a development project or program. The full cost of resettlement is included in the presentation of project's costs and benefits.	None	The cost resettlement is part of the project's costs.
Pay compensation and provide other resettlement entitlements before physical or economic displacement.	None	Civil works contractors will not be issued a notice of possession or notice to proceed (NTP) for any section or segment of the project TLs until (i) compensation for affected assets in that area has been completed satisfactorily; (ii) agreed rehabilitation measures are in place; and (iii) the area is free of encumbrances.
Monitor and assess resettlement outcomes	None	MEPE will internally monitor RP implementation. Monitoring reports will be posted on the ADB website.

## D. Project resettlement policy and principles

63. The project resettlement policy will help ensure that persons, households, and public and private entities affected by the loss of assets and sources of incomes are not worse off because of the project. This is achieved by mitigating their losses through the provision of compensation and other forms of assistance that will allow them to improve or at least restore their standards of living to their pre-project levels. The project should also provide the opportunity for the local population, especially those affected by the loss of assets, to derive



benefits from it. The following principles will be followed in the acquisition of assets and sources of livelihood of persons, households, and public and private entities in connection with the project:

- a. Acquisition of land, structures and other fixed assets, either permanently or temporarily, will be minimized where possible by exploring all alternative options in the routing of the transmission lines, in the location of transmission poles or towers, and in the choice of poles and towers to use. The use of scaffoldings over structures located between poles or towers will be used where feasible in order to avoid damaging said structures during the stringing of the poles.
- b. Following MOEP and ADB's approval of the project, and with the use of the approved final detailed engineering design, MEPE and the project implementation consultants (PIC) will conduct a detailed measurement survey (DMS) to identify conclusively the plots of land, structures, and other fixed assets, including sources of income (i.e., businesses) that need to be acquired before construction works could begin.
- c. Persons affected by the acquisition of fixed assets, including sources of income, identified in the DMS are entitled to be compensated for their permanently or temporarily affected assets and sources of incomes at full replacement cost.
- d. Full replacement cost means that the amount in cash or in kind to be given to APs for their losses should be based on prevailing market rates at the time of compensation payment, and should be sufficient to replace an affected asset with the same quality without deduction for transaction costs, tax, or depreciation.
- e. Contracts of civil works contractors will not be awarded until the RP, per approved final detailed engineering design, has been updated and agreed between the MOEP and ADB.
- f. Construction of monopoles and steel lattice towers and their stringing may be done section by section, starting in areas where there are no resettlement impacts, but only after MEPE is able to conclude satisfactorily with concerned government agencies the negotiation for the locations of the foundation of monopoles or footing of steel lattice towers.
- g. No demolition or site clearing of the corridor of impact or COI may be done until after all entitlements (i.e., compensation and other forms of assistance) due to the APs identified in the DMS have been provided.
- h. Civil works for each transmission tower or monopole may only begin after APs with fixed assets at the location of the tower or monopole have been paid their compensation in full and after the site of said tower or monopole is free from encumbrances (i.e., physical and legal obstacles).
- i. Stringing activities between 2 transmission towers or monopoles may only begin after scaffolding over shops and low-lying buildings between said towers or monopoles have been erected to protect the shops and low-lying buildings from being damaged.
- j. Any structure and source on income (i.e., place of business) damaged during the stringing of towers will be compensated for at full replacement cost.
- k. Compensation will be paid for income loss arising from the demolition of shops equivalent to the net daily income of the affected shop as reflected in tax receipts multiplied by the number of days of temporary disruption. If the business disruption is more than 3 months, or permanent, the AP will be paid compensation for income loss equivalent to the AP's net income as reflected in tax receipts multiplied by 6 months. In the absence of a tax receipt as proof of income, the prevailing legislated minimum monthly wage of an office worker in the township will be used as basis for

computing income loss.

- l. MOEP and MEPE commit sufficient resources to cover resettlement costs within the agreed implementation period, and adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities.
- m. Meaningful consultation will be carried out with AHs and other stakeholders to ensure their participation during Project planning and implementation.
- n. Grievance mechanism will be established to address the concerns of APs.
- o. Special measures will be incorporated in the RP to protect socially and economically vulnerable groups who face greater risk of further hardship, such as ethnic minorities, households headed by women and/or the disabled, landless households, children and elderly people without support structures, and people living in poverty.
- p. Resettlement identification, planning and monitoring will ensure that gender concerns are incorporated.
- q. The RP endorsed by MOEP to ADB will be posted on the ADB website. A summary version of the endorsed RP, in Burmese language, will be posted at the GAO of townships and wards affected by the project, and at relevant offices of MOEP and MEPE. A project information booklet (PIB), in Burmese language, that contains information on project activities; scope of land acquisition; project entitlements; grievance redress mechanism; and schedule of project implementation, will be distributed to each AP.

#### **E. Cut-off-date for eligibility to project entitlements**

64. The cut-off date falls on the date of the conclusion of the inventory of losses (IOL) subsequent to the holding of consultation with representatives of YCDC, the GAO of Dawbon and Thaketa, and the wards traversed by the transmission line on 2 October 2014. The IOL for the Thida-Thaketa Transmission Line was completed on 14 October 2014, while the IOL for Thaketa-Kyaikasan Transmission Line was completed on 16 October 2014. Only those persons or organizations that have been identified during the IOL as having fixed assets and sources of income inside the project impact area (e.g., COI) are eligible to project entitlements. Persons and organizations that will subsequently encroach into the project area and build any new structures after the cut-off date are not entitled to compensation or other assistance unless they are able to show proof, through the grievance redress mechanism, that they have been missed out inadvertently during the IOL.

## VII. PROJECT ENTITLEMENTS

65. APs identified in the project-impacted areas as of the cut-off date for eligibility are entitled to compensation and/or assistance for their affected assets as described below. Those who encroach into the project area and build any new structures after the cut-off date are not entitled to compensation or other assistance. Even after MOEP and ADB have agreed to this RP, the entitlement matrix may still be revised, as needed, to better respond to the needs of the APs/AHs, when the RP is updated. However, the entitlements provided in this RP may not be downgraded.

**Table 27: Entitlement Matrix**

Losses	Entitled APs	Project Entitlements	Implementation Issues
<b>Land</b>			
Permanent loss of land for the foundation of monopoles and steel lattice towers: residential, commercial, swamp	Those who have formal legal rights (title or land use certificate) or those with customary rights over the affected land.	<ul style="list-style-type: none"> <li>• Cash compensation at replacement cost that is based on the valuation of a licensed independent property appraiser and reflective of prevailing market rates at the time of payment of compensation.</li> <li>• No deduction for taxes, such as capital gains tax, and any administrative costs for the transfer of land titles or for amending land ownership documents (certificate and title) for the residual area of the AP's land.</li> </ul>	<ul style="list-style-type: none"> <li>• All permanently affected plots of land (for the foundation of the footing of the transmission towers and monopoles) belong to the Yangon City Development Council (YCDC) and the Ministry of Transport (MOT). MEPE will negotiate with YCDC and MOT in the acquisition of plots for the footing of the poles and towers, including easement for transmission cables to pass over YCDC and MOT properties.</li> <li>• An area of 113.81 m<sup>2</sup> (or 1,225 ft<sup>2</sup>) will be acquired permanently for the footing of each steel lattice tower; an area of 16 m<sup>2</sup> ~ 36 m<sup>2</sup> (172.22 ft<sup>2</sup> ~ 387 ft<sup>2</sup>) will be acquired permanently for the foundation of each monopole.</li> </ul>
	Informal settlers land users/renters	<ul style="list-style-type: none"> <li>• Cash compensation for affected non-land assets</li> </ul>	<ul style="list-style-type: none"> <li>• See entitlements for affected non-land assets</li> </ul>
Temporary loss of land	Same as above	Same as above	<ul style="list-style-type: none"> <li>• Around the area to be acquired permanently for the footing of each steel lattice tower, an additional 815.22 m<sup>2</sup> (8,775 ft<sup>2</sup>) work area will be required temporarily during the construction of each steel lattice</li> <li>• An additional 20 m<sup>2</sup> (215.28 ft<sup>2</sup>) ~ 28 m<sup>2</sup> (301.39 ft<sup>2</sup>) work area around the area to be acquired permanently for the foundation of each monopole will be required temporarily during the construction of each monopole.</li> </ul>
<b>Structures</b>			
Loss of main structures (houses, offices, shops, warehouse) and	Owners of affected structures, regardless of land tenure and whether or not the affected	<ul style="list-style-type: none"> <li>• Cash compensation at full replacement cost that is based on prevailing (i.e., at the time of delivery of compensation) market</li> </ul>	<ul style="list-style-type: none"> <li>• Only structures that are located at the site of the footings of towers and monopoles, including those that are located between</li> </ul>

Losses	Entitled APs	Project Entitlements	Implementation Issues
secondary structures (fences, driveways, extended eaves, sheds, etc.)	structure is covered with a building permit.	<p>prices of materials and cost of labor for dismantling, transferring and rebuilding.</p> <ul style="list-style-type: none"> <li>For partially affected structures, the cost of repairing the residual unaffected portion of the structure in addition to the compensation at replacement cost for the affected portion of the same.</li> <li>The value of salvageable materials will <b>not</b> be deducted from the compensation at full replacement cost that will be paid to the AP for the affected structures.</li> <li>If the impact on main the structure is more than 50%, the entire structure will be acquired at full replacement cost.</li> <li>If the impact on the main structure is less than 50% but will compromise the stability of the residual area of the main structure, i.e., structurally not stable, the project will acquire the entire structure at full replacement cost.</li> <li>3 months advance notice on the date APs have to re-organize or demolish their affected main structures.</li> <li>Compensation will be paid for affected electric, telephone, and other services based on prevailing cost of disconnection and re-installation.</li> </ul>	<p>towers and monopoles where protective scaffoldings are not feasible, as identified during the DMS will be compensated for upfront prior to the start of construction works.</p> <ul style="list-style-type: none"> <li>Structures that will be damaged during the stringing of the towers and monopoles, notwithstanding the scaffoldings, will be compensated for.</li> </ul>
Public infrastructure and facilities	Government (e.g., YCDC, MOT) properties and assets (e.g., advertisement billboards, buildings, water line, etc.).	<ul style="list-style-type: none"> <li>Cash compensation at replacement cost, including income loss for adversely affected advertisement billboards of YCDC, or the project will rebuild the facilities based on agreement with the affected parties.</li> </ul>	<ul style="list-style-type: none"> <li>Efforts will be exerted to avoid disrupting existing power and water services.</li> </ul>
		<b>Trees</b>	
Trees	Owners, regardless of land tenure status (with certificate or recognizable rights, informal dwellers, occupants).	<ul style="list-style-type: none"> <li>Perennial crops: compensation at replacement cost taking into account their productivity and age.</li> <li>Timbers/trees: compensation at current market rate based on age, type of trees and diameter</li> </ul>	

Losses	Entitled APs	Project Entitlements	Implementation Issues
		<ul style="list-style-type: none"> <li>of trunk at breast height.</li> <li>AP will be provided advance notice of at least 3 months on the schedule of the construction and stringing of the transmission towers and monopoles.</li> </ul>	
		<b>Assistances to Relocating APs</b>	
Relocation of APs due to the entire loss of main structures (e.g., houses, and shops)	Owners of entirely affected main structures	<ul style="list-style-type: none"> <li>Cash assistance equivalent to the costs of 1-day truck rental and labor for relocating house and shop owners, if the project cannot provide the use of trucks or other means of transport to haul belongings to new place.</li> <li>Transition subsistence cash allowance equivalent to the monthly household poverty line multiplied by 3 months.</li> </ul>	<ul style="list-style-type: none"> <li>For purposes of calculating the cost of resettlement, the average household size to use is 5 persons. This is close to the 5.18 average household size of 23 households interviewed during the IOL/SES in October 2014.</li> </ul>
	House/shop renters	<ul style="list-style-type: none"> <li>Cash assistance equivalent to the costs of 1-day truck rental and labor for relocating house and shop owners.</li> <li>Transition subsistence cash allowance equivalent to \$1.25 per household member per day multiplied by 30 days for 3 months.</li> <li>3 months advance notice on the date renter AP has to transfer location.</li> </ul>	<ul style="list-style-type: none"> <li>Same as above</li> </ul>
<b>Income Loss to the Disruption of Business Operation and Employment</b>			
Impact due to temporary or permanent disruption of business operation of shops and places of work	Owners of shops and places of work, including employees	<ul style="list-style-type: none"> <li>For businesses and employment that will be disrupted temporarily, financial assistance equivalent to the daily net income of each affected shop owner or paid employee multiplied by the duration in days or months (but not to exceed 3 months) of disruption of the business or employment as follows: <ul style="list-style-type: none"> <li>➤ Paid employee: pay slip, or in the absence of pay slip, the legislated minimum wage of an office worker in the township multiplied by the number of days the workplace will be closed but not to exceed 3 months.</li> <li>➤ Temporarily affected shops: daily net income as reflected in tax receipt multiplied by the number of</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>In the absence of tax receipts, compensation for income loss of affected shops will be calculated using the prevailing legislated minimum daily wage of an office worker in the township.</li> </ul>

Losses	Entitled APs	Project Entitlements	Implementation Issues
		<p>days the shop will be closed but not to exceed 3 months.</p> <ul style="list-style-type: none"> <li>• For businesses and places of employment that will cease operation by more than 3 months or even permanently, financial assistance equivalent to the daily net income of each affected shop owner or paid employee (as reflected in tax receipts or pay slips) multiplied by 6 months.</li> <li>• Entitled to participate in the income restoration program to be designed during project implementation</li> </ul>	
<b>High Risk of Impoverishment</b>			
Loss of resource bases	APs/AHs that lose 10% or more of total productive assets or sources of income; poor and vulnerable AHs, regardless of severity of impacts	<ul style="list-style-type: none"> <li>• Entitled to participate in the income restoration program to be designed during project implementation</li> <li>• Preferential opportunity for employment of a household member in project-related jobs.</li> </ul>	

## A. Strategy to address gender issues

66. The Project includes the following specific actions to address gender issues during resettlement planning and implementation:

- a. Women and men representatives of the community will participate in consultations on resettlement activities and relocation options.
- b. For married APs, both husband and wife will be present when the Land Acquisition Committee (LAC) conducts the DMS and when the LAC negotiates the amount of compensation for the couple's affected assets and income sources.
- c. For married APs, both husband and wife will be present to receive the couple's compensation and allowances for their affected assets and income sources.
- d. During project implementation, gender issues, including HIV/AIDS and human trafficking prevention measures, will be included in the training and information campaign to be conducted by the Project Implementation Consultants (PIC) for the staff of the Project Implementation Unit (PIU), including local communities and workers of the civil works contractors.
- e. Women will be given equal chance in getting hired for unskilled labor and to receive equal remuneration for the same work as the men.
- f. Special measures will be adopted to help elderly-, disabled-, and women-headed households relocate or reconstruct their affected structures.

## **B. Strategy to address IP/EM issues**

67. During the IOL/SES, 6 AHs were identified as belonging to one of the following ethnic minority groups: Rakhnie, Mon, Indian, and Karen. However, these AHs live and conduct business along with the Bamar ethnic group (i.e., the predominant ethnic group in Myanmar) in Thaketa Township. Nonetheless, all efforts will be exerted to ensure that these AHs are aware of and updated about the project and that they actively participate in the implementation of the RP.

## **C. Strategy to assist vulnerable households**

68. Vulnerable APs include the following: (i) households headed by women with dependents, (ii) household heads with disabilities, (iii) poor households, (iv) elderly households with no other means of support, and (v) landless APs. Vulnerable APs that are affected by the partial or entire loss of main structures and productive assets will be given priority for employment in project-related works.

## **D. Temporary impacts**

69. It is estimated that about 3,506.44 m<sup>2</sup> of land of YCDC and MOT will be affected temporarily (i.e., works area) during the construction of the monopoles and towers. Temporarily affected plots of land will be restored to their pre-project condition and turned over to their owners following construction of each monopole and tower.

## **E. Unforeseen impacts**

70. New APs/AHs that will emerge due to changes in project design or alignment prior to or even during construction works are entitled to the same entitlements as those of the other APs/AHs. Project entitlements will not apply to new occupants of the ROW after the cut-off date.

## VIII. RESETTLEMENT STRATEGY

### A. Compensation and allowances of AHs

#### 1. Compensation for land

71. MEPE will negotiate with concerned government agencies (i.e., YCDC, MOT, etc.) for the permanent acquisition and temporary use of plots of land in the construction of monopoles and towers. Since government entities are the parties involved in the permanent acquisition and temporary use of plots of land, the transaction will be carried out through negotiated settlement where cash payment from one branch of government to another may not even occur.

#### 2. Compensation for structures

72. For budget panning purposes, the replacement costs of the 25 fixed structures identified in the IOL have been calculated.<sup>14</sup> Structures that will be damaged during the stringing of the towers and monopoles, despite the use of protective scaffoldings, will be compensated for. Below are the estimated replacement costs of the 25 structures.

73. The replacement cost of the 10 structures that stand to be affected totally is estimated at K76,170,900 (US\$76,170.90).

**Table 28: Replacement Costs of Main Structures that might be affected Totally**

Name of AP	Survey Code	Building Classification	Building Use	Area to be Acquired (ft <sup>2</sup> )	Unit Cost (K/(ft <sup>2</sup> ))	Total Cost (K)
Confidential	-	Concrete	Toilet	86.11	31,000	2,669,410
Confidential	TKT-018	Timber	House-store	290.63	14,000	4,068,820
Confidential	TKT-009	Timber	House-store	452.08	14,000	6,329,120
Confidential	TKT-008	Timber	Eatery	1,033.34	14,000	14,466,760
Confidential	TKT-010	Timber	Teashop	1,130.21	12,000	13,562,520
Confidential	TKT-005	Timber	House	365.97	14,000	5,123,580
Confidential	TKT-004	Timber	House	320.23	14,000	4,483,220
Confidential	TKT-001	Timber	House	565.11	13,000	7,346,430
Confidential	TKT-002	Shanty	House-shop	1,819.10	7,000	12,733,700
Confidential	TKT-003	Timber	House	384.81	14,000	5,387,340
Total						76,170,900

74. The replacement cost of the 15 structures that stand to be affected partially is estimated at K57,946,615 (US\$57,946.62).

**Table 29: Replacement Costs of Main Structures that could be affected Partially**

Name of AP	Survey Code	Building Classification	Building Use	Area Acquired (ft <sup>2</sup> )	Unit Cost (K/(ft <sup>2</sup> ))	Total Cost (K)
Confidential	-	Brick-nogging	Office	645.84	15,000	9,687,600
Confidential	TKT-017	Timber	House-store	258.33	14,000	3,616,620
Confidential	TKT-013	Timber	House-store	258.33	14,000	3,616,620
Confidential	closed	Timber	House-store	258.33	14,000	3,616,620
Confidential	TKT-021	Timber	House-store	258.33	14,000	3,616,620
Confidential	TKT-016	Timber	Residence	172.22	14,000	2,411,080
Confidential	TKT-014	Timber	House-store	129.17	14,000	1,808,380
Confidential	TKT-020	Timber	House-store	258.33	14,000	3,616,620
Confidential	TKT-022	Timber	Store	172.22	14,000	2,411,080

<sup>14</sup> During the IOL, no fixed structures were found on the spots where the foundations of monopoles and footings of steel lattice towers will be built.



Name of AP	Survey Code	Building Classification	Building Use	Area Acquired (ft <sup>2</sup> )	Unit Cost (K/(ft <sup>2</sup> ))	Total Cost (K)
Confidential	TKT-012	Timber	House-store	387.50	14,000	5,425,000
Confidential	TKT-019	Timber	House-store	387.50	14,000+10%	6,021,750
Confidential	TKT-023	Timber	House-store	301.39	14,000	4,219,460
Confidential	TKT-015	Timber	Eatery	258.33	14,500	3,745,785
Confidential	TKT-011	Timber	Store	129.17	14,000	1,808,380
Confidential	TKT-024	Metal sheet	Store	387.50	6,000	2,325,000
Total						57,946,615

### 3. Compensation for trees

75. Trees are not supposed to grow below the power cable because they could easily grow and breach the safety distance of 7.6 m below a power cable. The estimated cost of the 39 trees found inside the TL's COI is K445,000 (US\$445).

**Table 30: Market Cost of Affected Perennials**

Name of perennial	Young and not yet bearing fruit	Unit Cost (K)	Total Cost (K)	Fruit Bearing	Unit Cost (K)	Total Cost (K)
Banda	4	5,000	20,000	18	10,000	180,000
Coconut	0	10,000	0	2	40,000	80,000
Betel nut	0	10,000	0	1	20,000	20,000
Mango	3	10,000	30,000	1	30,000	30,000
Starflower	1	5,000	5,000	2	10,000	20,000
Guava	1	5,000	5,000	2	10,000	20,000
Padauk	0	5,000	0	1	10,000	10,000
Neem	1	5,000	5,000	0	10,000	0
Banyan	0	5,000	0	2	10,000	20,000
Total	10		65,000	29		380,000

### 4. Transition subsistence allowance for AHs losing entire main structures

76. On top of compensation, a budget amounting to the estimated K145,000 monthly household poverty line multiplied by 3 months is set aside for the 9 AHs (i.e., excluding YCDC) whose houses and shops stand to be totally affected during pole and tower stringing. However, this subsistence allowance will only be given to AHs if their houses or structures are actually damaged totally during pole and tower stringing. An amount of K3,915,000 is set aside for this purpose.

### 5. Billboards

77. Cognizant of the fact that the 5 billboards found in the route of the Thida-Thaketa TL are income-generating assets of YCDC, engineering solutions will be devised in order to avoid impacting any of the billboards.

### 6. Business disruption

78. None of the partially-affected shops and house-cum-shops will encounter disruption in business operation because only the extended sections behind these shops stand to be affected during pole and tower stringing. However, the 3 house-cum-shops, 1 teashop, and 1 eatery that stand to be affected totally during pole and tower stringing will encounter business

disruption. It is estimated that the disruption in their operation will be for 1 month, which covers the period to reconstruct their businesses on the same spot where they are presently located.

79. According to the project entitlements, AHs affected by the temporary disruption of business operation (i.e., not to exceed 3 months) are entitled to receive cash assistance equivalent to the daily net income of their shop as reflected in their tax receipt multiplied by the number of days the shop will be closed. However, in the absence of tax receipts, compensation for income loss of shop owners will be calculated using the prevailing legislated minimum daily wage of an office worker in the township multiplied by the number of days of business disruption but not to exceed 3 months.

80. For budget planning purposes, it is presumed in this RP that the owners of the 5 shops pay taxes. Assuming that each of these shops generate a net income of K1,200,000 a month<sup>15</sup>, cash assistance to the owners of the 5 shops for business disruption for 1 month will amount to an aggregate of K6,000,000.

## **B. RP updating and implementation**

81. MEPE will inform AHs about the schedule of civil works in their area at least 3 months in advance. This will provide the AHs ample time to demolish their structures and shift, as needed.

### **1. Detailed measurement survey, updating and implementation of the RP**

82. MEPE will be responsible for updating the RP, with assistance from the Project Implementation Consultants (PIC). Only after ADB gives its concurrence to the updated RP could RP implementation commence. MEPE will set-up a project implementation unit (PIU) that will be responsible for the day-to-day implementation of the project and in the preparation of technical, safeguards, and financial reports. The PIU, PIC, and civil works contractor(s) will convene a meeting with the AHs in each township specifically to discuss the schedule of civil works, that include the clearing of the locations of the foundations and footings of poles and towers, and the construction of scaffoldings between towers and monopoles. Clearing of the sites of foundations and footings of poles and towers may commence only after compensation and allowances have been paid to the AHs with affected fixed assets thereat.<sup>16</sup> Similarly, stringing of poles and towers in sections of the TL where scaffoldings cannot be erected may only commence after payment of compensation and allowances have been given to owners of fixed assets thereat. In sections between poles and towers where scaffoldings could be erected, payment of compensation and allowances will only be given to owners of fixed assets that get actually damaged during stringing.

### **2. Income restoration program**

83. No income restoration program is envisaged since none of the AHs may actually be affected severely by the total loss of their main structures and place of business.

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<sup>15</sup> The AH heads that own the 5 shops reported during the IOL/SES that their monthly incomes range from K150,000 to K1,200,000.

<sup>16</sup> It should be reiterated here that during the IOL, no fixed structures were found at the locations of the foundations and footings of monopoles and towers.

## IX. RESETTLEMENT COSTS

84. Funds for land acquisition and implementation of resettlement are part of the project budget. Costs have been estimated based on the results of the IOL and the RCS done in October 2014. During RP updating, MEPE, with assistance from the PIC, will determine whether or not a new RCS will have to be carried out to ensure that compensation for affected assets reflect prevailing market rates.

### A. Procedures for flow of funds

85. MOEP and MEPE will bear the full cost of resettlement. MOEP is responsible for ensuring that funds for resettlement are sufficient and are available on a timely manner. The PIU, with assistance from the Land Acquisition Committee (LAC), is tasked to deliver compensation and allowance of the AHs at the township GAO. AHs will be notified in advance on the date of payment of compensation and allowance. AHs will likewise be advised to bring with them their copy of the signed accomplished DMS. MEPE will monitor payment of compensation.

### B. Cost estimates and inflation adjustment

86. MEPE will ensure that adjustments are made to compensation rates and to other cash entitlements to reflect current market rates when payment of compensation and allowance is not done within the year of the conduct of the RCS.

### C. Implementation, administration and contingency costs

87. Implementation costs cover payment of allowances and per diem of concerned MEPE staff, members of the LAC, and township and ward personnel, involved in the updating and implementation of the RP. Administrative costs and contingencies amounting to 15% each have been added on top of the cost of resettlement.

### D. Estimated cost of resettlement

88. The cost of implementing resettlement for the Thida-Thaleta TL, excluding the negotiated permanent and temporary acquisition of the sites of the foundations and footings of poles and towers, is estimated at K187,820,770 (US\$187,820.80). Table below gives a breakdown of resettlement costs.

**Table 31: Summary of Resettlement Costs**

Particulars/Items	Estimated Cost (K)
Compensation for land	To be negotiated
Cash compensation for structures	134,117,515
Cash compensation for trees	445,000
Transition subsistence allowance for 9 AHs with totally affected main structures	3,915,000
Assistance for income loss	6,000,000
Monitoring and evaluation	Internal by MEPE
<b>Sub-total (direct costs)</b>	<b>144,477,515</b>
Cost contingencies (15% of direct costs)	21,671,627.25
Administrative costs (15% of direct costs)	21,671,627.25
<b>Grand Total (rounded)</b>	<b>187,820,770</b>

## **X. INSTITUTIONAL ARRANGEMENTS**

### **A. Executing agency and implementing agency**

89. The Ministry of Electric Power (MOEP) is the executing agency (EA) of this Project, while the Myanmar Electric Power Enterprise (MEPE) is the implementing agency (IA). As the IA, MEPE will be over-all responsible for the implementation of the project. MEPE will set-up a project implementation unit (PIU) that will be responsible for the day-to-day implementation of the project and in the preparation of technical, safeguards, and financial reports. The PIU will have a section that will primarily handle safeguards concerns.

### **B. Land acquisition committee**

90. MEPE will initiate the formation of a Land Acquisition Committee (LAC) for each township traversed by the project TL. Members of the LAC will come from the Land Use Department, Agriculture Department, Forestry Department, General Administration Office, and MEPE. The LAC will assist MEPE in the conduct of the detailed measurement survey (DMS) and in the process of arriving at negotiated settlement with the AHs. LAC will also assist in the resolution of complaints of the AHs.

### **C. Project implementation consultant**

91. The Project implementation consultants (PIC) will include one international resettlement consultant and a national resettlement consultant to assist in the updating and implementation of the RP.

### **D. Capacity of the staff of MOEP and MEPE**

92. MOEP and MEPE at the national and project (Yangon) levels do not have a social or environmental office. Environmental and social safeguard concerns are new to them. At the onset of project implementation, the PIC will provide capacity building trainings on social safeguards to relevant personnel of the MOEP and MEPE.

### **E. Implementation schedule of resettlement**

93. Table below is a tentative schedule of RP planning and implementation

**Table 32:Preliminary Schedule of Resettlement Activities**

Activities	Schedule
MOEP to submit the RP to ADB for concurrence	February 2015
Distribution of PIB to AHs and posting of RP in relevant government offices and on ADB website	February 2015
Project approval	2 <sup>nd</sup> quarter 2015
Detailed measurement survey and RP updating	3 <sup>rd</sup> quarter 2015
MOEP to submit the updated RP to ADB for concurrence	3 <sup>rd</sup> quarter 2015
Implementation of the RP	4 <sup>th</sup> quarter 2015
Internal monitoring plus submission of quarterly reports	Start on 3 <sup>rd</sup> quarter 2015
Post-resettlement implementation evaluation	2016

## **XI. MONITORING AND EVALUATION**

94. MEPE will serve as the project's internal monitoring body. Semi-annual monitoring reports will be submitted to MOEP and ADB commencing from the start of the updating of the RP. Also, MEPE will include updates on resettlement in its regular progress reports to ADB. These progress reports will be submitted to ADB for web posting.

95. Internal monitoring and supervision will look into the following concerns:

- a. That resettlement is carried out diligently, consistent with the project resettlement policy;
- b. Public information, public consultation and grievance redress procedures are followed as described in the RP;
- c. Special attention is provided to the severely affected and vulnerable AHs.
- d. Affected public facilities and infrastructure are restored promptly; and
- e. The transition between site clearing and the commencement of civil works is smooth and that sites are not handed over for civil works until the COI in a particular segment of the TL has been cleared, as needed, and the AHs have been assisted in dismantling and relocating their affected structures.

## **APPENDICES**

## APPENDIX 1 IOL AND SES QUESTIONNAIRE

### INVENTORY OF LOSSES AND SOCIOECONOMIC SURVEY OF AHs

**INSTRUCTION:** To be accomplished for all persons/households and organizations/institution with affected assets (e.g., land, houses, shops, waiting sheds, and trees) located within the construction area of 5.3 m from the center of a monopole for a 66 kV line or 9.3 m from the center of a monopole for a 230 kV line on the side of the tower that is facing built-up area (i.e., not facing the road), and 4 m from the center of the monopole on the side of the tower that is facing the road. Between 2 monopole towers, which are 150 m apart, the safety limit is 11.3 m from the center of the transmission line.

Survey Code of AP/AH: \_\_\_\_\_

#### I. Location of the affected asset of the affected person (AP), affected household (AH), or organization

A. Location of affected asset(s): Township:	Ward:	Tower number:
B. Name* of Occupant/Owner of the Affected Asset(s):		

\*NOTE: If a single-person household, write the name of the AP; if an AH, write the name of the head of the AH; if an institution or organization, write the name of the institution or organization. A person who lives alone by himself/herself is considered a single-person household.

#### II. Affected Assets (This section WILL BE filled-up for all AHs and organizations or institutions affected by the loss of assets)

##### A.1 Land:

Classification* of affected land	Total area (m <sup>2</sup> ) of Land	Area (m <sup>2</sup> ) of the land to be acquired permanently	Area (m <sup>2</sup> ) of the land to be affected temporarily**	Type of Land Certificate with the Land Owner***
				Find out if occupant is owner or renter. If renter, find out how much is monthly rent

\*Classification: According to what is written in the land certificate, it could be agricultural, residential, commercial, etc.

\*\*Affected temporarily: After construction, the land will be returned to its owner.

\*\*\*Type of land certificate: Could be Freehold, Gay-an, La Na 39, etc.

##### B.1 Main structures\*

Type or use of the affected main structure**	Structure Classification***	Total area (m <sup>2</sup> ) of the Structure	Area (m <sup>2</sup> ) of the affected portion of the structure	State whether the structure will have to be acquired/affected PARTIALLY or TOTALLY
	Describe materials and floors if no classification		If the structure is affected entirely, then the total area is indicated here	

\*Main structures: Regardless of structural condition and construction materials used, these are buildings that are fixed on the ground with at least four posts, with roof, and used as residence, shop or place of commerce, residence and shop at the same time, etc.

\*\* Use of main structure: Examples are "house", "shop", "house-shop".

\*\*\*Specifics of classification: Use structure classification system of the local government (district or township).

##### B.2 Tenure status over the affected main structures:

Main Structure	Tenure (check the appropriate box below)			
	Owner	Tenant/ Renter	Occupying WITH permission of owner	Occupying WITHOUT permission of owner
	[ ]	[ ]	[ ]	[ ]

##### B.3 If the affected house/store/building does not belong to the AP/AH:

1. Name of owner of affected main structure	Address of owner of affected main structure	Paying Rent? Check appropriate box below		If Paying Rent, How much is Monthly Rent? (Indicate in Kyat)
		No	Yes	
U/Daw _____		[ ]	[ ]	
2. Does the tenant AH own a house/building elsewhere? [ ] No [ ] Yes, location: _____				

#### C. Secondary structures\*:

Type of affected secondary structure	Structure	Total area (m <sup>2</sup> ) / length (lm) of the	Affected area (m <sup>2</sup> ) / length (lm) of
--------------------------------------	-----------	---	--



	Classification**	structure	the structure
1.	Describe materials and floors if no classification		If the structure is affected entirely, then the total area or length is indicated here
2.			
3.			

\*Secondary structures: Structures that are not moveable and not part of the main structures, such as fence, driveway, waiting sheds, farm sheds, irrigation canal, etc.

\*\* Specifics of classification: Use structure classification system of the local government (district or township).

**D. Type and number (count) of perennials:**

Name of perennial	Young and not yet bearing fruit	Bearing fruit (within age of peak production)	Bearing fruit (old)
1.			
2.			
3.			
4.			
Total			

**E. Count of timber trees of commercial value:**

Name of tree	Count
Total	

**F. Loss of business and income:**

Nature of Business*	Net Monthly Income (Kyat)	Duration of Disruption in Business Operation (Check appropriate box)	
		Permanent**	Temporary
		[ ]	[ ]

\*Examples of business: motor vehicle repair shop, grocery store, eatery, etc.

\*\*Permanent: No more space to re-organize the business. Therefore, it will stop operation permanently even after construction.

**III. Socioeconomic information:** (This section WILL NOT be filled-up if the affected asset belongs to an organization or institution)

**A. Basic information about the head of the AH**

1. Name:		2. Home address: Ward:		Township:	
3. Gender: a. Male b. Female		4. Age: _____		5. Physical condition: a. Normal b. Disabled	
6. Civil status: a. Single b. Married c. Widow/Widower d. Divorced				7. Religion: _____	
8. Ethnic affiliation: a. Bamar/Burman b. Shan c. Rakhine d. Karen e. Chinese f. Mon g. Indian h. Other (specify) _____					
9. Educational attainment:			10. Main livelihood activity of the head of AH: a. _____ (specify) b. No work/looking for work c. Retired/not looking for work		

**B. Socioeconomic information on the AH**

1. Number of persons presently living with the household: 1 2 3 4 5 6 7 8 9 10 Other (specify number) _____						
2. Basic information on persons <i>presently and actually</i> living with the AH:						
Household member	Relationship with head of AH	Age	Gender	Educational attainment	Livelihood activity	
1						
2						
3						
4						
5						

6					
7					
8					
9					
10					

3. Average monthly income of the AH (combined from all members): Kyat _____			4. Average monthly savings: a. Kyat _____ b. None		
5. Please estimate how much of the average monthly income of the AH goes to the following expense items (in kyats): a. Food: _____ b. Clothing: _____ c. Health: _____ d. House maintenance: _____ e. Education: _____ f. Savings/investment: _____					
6. Health concerns: a. Most common ailments (not-serious) that afflicted members of the AH the past one year: i. _____ ii. _____ b. Serious (acute) and chronic ailments of members of the AH the past year: i. _____ ii. _____ c. For serious and chronic ailments that afflicted members of the AH the past year, did you go to a doctor, medical clinic, or hospital? i. Yes ii. No Why not? _____ d. Where is the nearest medical clinic or hospital located from where you live? i. Same village/ward of the AH ii. In another village/ward in the same township iii. In the district/town center					
7. Sanitation concerns: a. Source(s) of water for drinking: i. Ground well belonging to the AH ii. Pump well belonging to the AH iii. Piped water from public provider iv. Public/neighbor's open well v. Public/neighbor's pump vi. River/canal vii. Buy from retailers viii. Other (specify) _____ b. Source(s) of water for washing: i. Ground well belonging to the AH ii. Pump well belonging to the AH iii. Piped water from public provider iv. Public/neighbor's open well v. Public/neighbor's pump vi. River/canal vii. Buy from retailers viii. Other (specify) _____ c. Toilet facility used by the AH: i. Simple water sealed (use pail for flushing) ii. Water sealed with flushing mechanism iii. Open pit iv. Closed pit v. None d. Bathing facility used by the AH: i. Enclosed bathroom in the house ii. Open bathing area beside the house iii. River/canal e. Garbage disposal practice: i. Burry by the AH ii. Collected by local government iii. Burn by the AH iv. Throw indiscriminately anywhere					
8. Main fuel/power used for lighting: i. Electricity from public provider ii. Kerosene iii. Rechargeable battery iv. Own generator v. Other _____					
9. Main fuel/power used for cooking: i. Electricity ii. Charcoal iii. LPG iv. Wood v. Other _____					
10. Ownership of home appliances: i. Television ii. Refrigerator iii. Radio/cassette recorder iv. Telephone/cellphone v. DVD/CD player vi. Oven/stove vii. Electric fan viii. Computer ix. Air conditioner v. Others (specify) _____					
11. Ownership of transportation i. Car ii. Pick-up iii. Truck iv. Motorcycle v. Bicycle vi. Tricycle vii. Other (specify) _____ viii. None					

**IV. Reconstruction option of AH losing entire house and/or store** (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution):

- |   |   |
|---|---|
| 1. Build on the remaining area of land outside of the COI             | 2. Build on land of another person outside of the COI |
| 3. Relocate on another land owned by the AH unaffected by the project | 4. Nowhere to go (landless informal setter)           |

**V. Public Participation and perception about the Project** (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution):

1. Are you aware of the proposed construction of the power transmission line that is partly located in your village/ward?  
a. Yes Where or how did you learn about the proposed construction of the power transmission line? \_\_\_\_\_

---

b. No

2. What are your positive and/or negative views, if any, about the proposed power transmission line that is partly located in your village/ward?

a. Positive: \_\_\_\_\_

b. Negative: \_\_\_\_\_

**VI. Grievance redress** (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution):

1. If you have any complaint or concern regarding any aspect related to the proposed construction of the power transmission line that is partly located in your village/ward, such as accuracy of the inventory of your affected assets; amount or level of compensation for your affected assets; construction activities of the civil works contractor; etc.

a. To whom do you think your complaint or concern should be brought to? \_\_\_\_\_

b. In what way should you bring forward your complaint or concern?    b.1 Verbal    b.2 Written

2. In the event that you are not satisfied with the action taken by the person or office where you first brought your complaint or concern, to whom do you want to bring your complaint or concern next for appropriate action? \_\_\_\_\_

\_\_\_\_\_  
Name and Signature of head of AH or a representative

\_\_\_\_\_  
Relationship of representative with the AH

\_\_\_\_\_  
Name and Signature of Enumerator

Date accomplished: \_\_\_\_\_

## APPENDIX 2

## UNIT COSTS OF STRUCTURES

P.A.E Rates For  
Different Types Of Buildings

SN No.	Type Of Bldg	Specification	Rate per 1 sqft
1	R.C	Foundation – Independent col; footing with brick R/wall Wall – brick Roof – C.G.I Sheet Ds&ws – Teak / glass	Ks 18000
2	Steel Structure	Foundation - Independent Col; footing with brick R/w Floor - concrete Wall - brick Roof - C.G.I Sheet Ds&Ws - Teak /glass Alu;/ glass	Ks 17000
3	Brick –nogging	Foundation - post footing With brick R/ wall Floor – concrete Wall - 4 ½ " brick Roof – C. G. I Sheet Ds&Ws - Teak / glass	Ks 15000



Sr.No	Type of bldg	Specification	Rate per 1 sqft
4	Brick	Foundation - Brick R/wall Floor - concrete Wall - brick with pillar Roof - C. G. I Sheet Ds & Ws - Teak / Alu;	Ks 17000
5	Metal sheet	Foundation - brick R/ Wall Floor - Concrete Wall - 4 angle metal sheet With hollow frame Roof - do Ds & Ws - Amcan sheet	Ks 6000
6	Toilet	Foundation - Post footing with brick R/wall Floor - concrete Wall - 4 ½ brick Roof - C. G. I Sheet Ds & Ws - Teak Septic tank - R.C. spun pipe With all necessary pipe fittings & I. W.C pans	Ks 31000
7	Timber	Foundation - brick /conc ;footing Wood work - all hard wood work Floor - timber ✓ Wall - timber x Ceiling - A.C.sheet Roof - C.G.I Sheet Ds&Ws - plywood /glass	Ks 14000 12000/

13000/

## APPENDIX 3 HIGHLIGHTS OF CONSULTATIONS HELD

### 1. Yangon Electric Service Board, Ahlone Township, Yangon, May 30

The public consultation meeting was held at the YESB Conference Room, Yangon. Representatives from the townships of Thaketa, Ahlone, Botataung, and Tamwe, various departments of the Yangon City Development Committee (YCDC), MOECAP and Yangon Electricity Supply Board (YESB) attended the meeting. The proposed project was presented by U Thet Paing Myo, Project Manager, Power Transmission Project Department, MEPE. After which, the purpose of the public consultation and the environment safeguards and the initial alignment of the transmission line were presented by Cherry Rivera, ADB Consultant. The following are the comments and issues raised during the meeting:

Stakeholder	Comment	Response of MEPE
YESB	The existing lines in Yangon are already overloaded. The decision of MEPE to extend the Thida substation is principally to supply power for Yangon downtown area. The towers should be kept as high as possible. Pile driving should be done first before the monopoles are put in place.	
	Although MOEP is the project implementing agency, the beneficiary of the project is the Yangon area, therefore, YESB is also involved. There are areas where safety clearance is not being met because of houses and other structures. The townships should be informed first about the importance of the safety clearance. This public consultation is being conducted to inform the township of safety clearance problems when the project is implemented.	
YESB	The YESB has no previous experience on EIA and SIA. One of the technical solutions is to use the existing route for the new 230kV transmission line. The design of the project should consider the wind load since this will be higher than the existing lines.	
YESB	YESB requests MEPE to coordinate with them in all steps of the project.	
YESB	When the existing lines were installed, there was not have much issue on agriculture or settlements area. The 66kV line was implemented about 30 – 40 years ago. After the line was built, houses and	

Stakeholder	Comment	Response of MEPE
	<p>structures began to be built near the 66kV line. If the 230kV line will be installed, this will be more dangerous for houses. Therefore, some houses will have to be removed.</p> <p>In the past, YESB tried to remove the houses by submitting a letter to the authorities but no action was done. Houses like brick houses are difficult to remove in the area.</p> <p>For sure there will be many complaints from affected households. MEPE should deal and coordinate with the townships at every stage of the project.</p>	
YCDC	The area near the Thida substation is very crowded and has many houses. Some towers are close to the bridge.	
YCDC	Along Strand Road, there is underground sewerage and drainage system. This should be considered in the design of the towers.	MEPE will refer to map of the utilities from YCDC.
YCDC	<p>At the center island of Ahlone between two existing roads are drainage and many cables. The area of Ahlone substation also experiences flooded.</p> <p>When YCDC conducts declogging of drainage lines, they are faced with danger because of the presence of cables and clogged canals.</p>	MEPE will avoid the drainage area.
YESB	MEPE should study every pole position. MEPE should also conduct the detailed survey and discuss this with the communities.	
YCDC	All engineers and survey group need to survey the alignment together with YCDC land use and housing department. If faced with difficulties on resettlement of structures, the MEPE and the YCDC should coordinate and work out feasible solutions.	
YESB	The Project Implementation Consultant (PIC) from the technical assistance and during implementation should be utilized by the project since they have limited experience with 230kV underground line.	There should be closer link between Fitchner group, the local townships and YCDC to factor in concerns of the townships in the design of the 230kV transmission line.
YESB	In Yangon, there are many informal settlers. MEPE needs to work closely with YESB regarding this. In Thaketa, there are houses along the line. If the line is to be upgraded to 230kV, the houses should be	

Stakeholder	Comment	Response of MEPE
	removed.	
	There are health and safety concerns of the community and public. Followup meeting should be conducted after MEPE knows the exact alignment and location of towers.	
MOECAF	There are no major environmental impacts of the project except for potential electromagnetic field (EMF) and electric shocks. The project needs to refer to applicable guidelines of ADB and other international guidelines to address this problem.	

## 2. MEPE Project Manager Office 1 (Yangon), 02 October 2014 (Thursday)

Time: 10.00 a.m

List of Participants deleted for confidentiality (Total 40 persons)

Objective: To discuss the concerns of the stakeholders regarding the proposed 230 kV transmission line and two new sub-stations in Yangon

### Highlights:

The meeting started at 10:00 a.m. in the Project Manager office (1), Yangon. After consensus on the holding of the project components focus on Transmission Lines, Thida-Thaketa and Thaketa-Kyaikasan, opinions and suggestion from the participants continued to discuss technical details, possibility and less impact to the RCS social point of view by ADB policy. Highlights of the meetings are provided below:

1. The Mission explained to MEPE officials the need for the holding of the consultations as required by ADB policy. Almost all of them aware about high demand of power in Yangon urban area, pub consultations as a requirement of the Bank and future task of ADB mission.
2. First section from Thida S/S to pass across the Bandula Bridge, it is very difficult to get the agreement from Ministry of Construction not only to put cable tray system underneath of the bridge but also to run over bridge. So MEPE Survey Engineer Mr. Nyunt Wai and MEPE Township officer find the way to pass over creek. (See attached proposed Red Line in the map).
3. Similarly, due to very congested area, in front of the Dawbon Market and Dawbon township YCDC office, new red proposed TL should be better to avoid negative impact. Point 6C should be used Special Tower.
4. After that, TL will be followed along the road area the same as Fitchner's proposed TL until point 9.
5. 9-11 area might not the problem since the land is owned by YCDC park and playground department. These buildings are nursery selling shops as temporary structures. From 11 to 14 also green light area.



6. 15-16 should be moved a little bit East because of the shoulder of the waste water outlet from nearby area. According to Ward Level Administrator's suggestion, can be negotiated with Ministry of transport because of Land ownership.
7. Between 23 and 24 section should be followed by Railway and enough area far away from Railway fairway. But, for 26 and 27 will need to negotiate with Railway department.
8. Entrance of the Tharketa S/S will be the problem area due to squatter. But, it can be solved by YCDC.
9. For Kyaikkasan-Tharketa TL should be changed new proposed TL that is red color in attached document. Due to very congested and high buildings in the junction of Thuwunna near Orange Super market and Pyitharyar Road entrance. It will be submitted to Chief Engineer of MEPE Nay Pyi Taw for consideration and checking with MEPE focal Survey Engineer within this week.
10. Then, detail survey schedule has been discussed with 2 MEPE focal persons particularly for two TLs. It will be checked by focal persons and two ADB consultants on 4-5Oct 2014 Saturday and Sunday. Then IOL survey will be conducted from 09-15 Oct 2014 in all affected five townships.

**Registration of Participants 2 October 2014 Pre-IOL Consultation  
(Deleted for confidentiality)**

## **APPENDIX 4            ATTENDANCE IN TOWNSHIP BRIEFINGS**

### **TA-8342 MYA: Preparing the Power Transmission and Distribution Improvement Project Public Consultation Meeting for Social Impact Assessment**

Venue: Thaketa Township General Administration Office      Date: 13-10-2014      Time: 10:00a.m  
(Deleted for confidentiality)

Venue: Dawbon Township General Administration Office      Date: 14-10-2014      Time: 10:00a.m  
(Deleted for confidentiality)

Venue: Thingyungun Township General Administration Office      Date: 15-10-2014      Time: 10:00a.m  
(Deleted for confidentiality)

Venue: Yankin Township General Administration Office      Date: 16-10-2014      Time: 10:00a.m  
(Deleted for confidentiality)

## **APPENDIX 5      ATTENDANCE IN NGO CONSULTATION**

((Deleted for confidentiality))

## APPENDIX 6 HIGHLIGHTS OF POST-IOL CONSULTATION

Meeting Title : Post Inventory of Losses Public Consultation  
 Project Title : TA 8342 MYA- Preparing the Power Transmission and Distribution Improvement Project  
 Meeting Place : Yanpyay Manpyay Community Center, Thekata Township, Yangon  
 Date : 19-12-2014 (Friday)  
 Time : 10: 30 AM - 11:30 AM

Attendance:

**(Deleted for confidentiality)**

Discussions:

No.	Discussion Subject	Discussed by
1.	<b>Brief introduction of the project</b> Due to the high demand of electricity in Yangon, the main substations and transmission lines are necessary to be upgraded and increased with the aid of ADB. The proposed transmission line route is carefully assessed. Field studies were done by the experts and technicians. The effected persons who were defined during the field study are being invited to this meeting. If there is any loss due to the project, the MEPE will compensate for it.	Deleted for confidentiality
2.	The field study was done in October. As the electricity demand in Yangon is high, the proposed projects are considered. The transmission line of Thekata-Thida will pass through Thekata and Dawpon townships. The positions of some existing towers as well as new positions will be used. The proposed design is being assessed to avoid resettlement. The Thida TL distance in Dawpon township is short. On October 2 <sup>nd</sup> , a meeting was held with the townships' general administrative officers. The possible loss and impacts due to the proposed lines were discussed in that meeting. From October 13 to 16, field study and household interviews in 4 townships were done and the invited persons at this meeting were interviewed.  The rare part of the shops of the invited persons will be effected during construction especially in the line stringing process. MEPE has the standards for the clearance area and distance for 230 kV TL. According to the requirement of ADB's guideline, this public consultation is necessary. Some structures which are within 15 feet will be a bit effected. MEPE will negotiate the compensation of the structures and building with the standard price/cost defined by the government. The discussions during this meeting will be submitted to ADB. There will be no permanent loss or effects due to the proposed project. But due to the construction works during construction phase, some structures will be necessary to be moved or removed. The study for Thida-Thekata TL was done on 13 and 14 Oct. MEPE will arrange as necessary and you all will be notified in advance. The individual effected structures, area and locations are different. Thus, I would like to inform that the compensation amount will not be the same. The effects and impacts will be only temporary during construction phase.	Deleted for confidentiality
3.	If it is "MUST" to move from our own place, I would just like to move back as there is enough area about 200 feet at the back of my shop. If it is not necessary to move, it is good but if it is necessary to do so, I would just move to the back. We like the works of MEPE and we agree the proposed project.	Deleted for confidentiality
4.	It is necessary only for the line stringing. If it is necessary, MEPE will inform the housing department of YCDC and discuss for that first.	
5.	In the Ward 13, Thekata township, is it necessary to remove the whole shop or just for during construction phase?	Deleted for confidentiality

6.	As I said before, it will be only for temporary and will take only 1 to 2 weeks upmost. No one will be moved permanently or there will be no permanent loss. And the project will not be started now.	Deleted confidentiality	for
7.	Besides, the accidental damage caused by the construction works will also be compensated by MEPE. And the project will be implemented only in 2016 approximately.	Deleted confidentiality	for
8.	Currently, MEPE is trying it's best to fulfill the electricity demand in this summer. 50 MV and 100 MV power plants are being installed now.		
9.	We all agree the proposed TL project. As this project is essential for country's development, we agree.	Deleted confidentiality	for
		Deleted confidentiality	for
		All participant.	

## APPENDIX 7 PROJECT INFORMATION BOOKLET

### *What is the Power Transmission and Distribution Improvement Project?*

The Ministry of Electric Power (MOEP), as the executing agency, and the Myanmar Electric Power Enterprise (MEPE), as the implementing agency, are carrying out the Power Transmission and Distribution Improvement Project with funding assistance from the Asian Development Bank (ADB). The project includes the construction of a (a) new double circuit 230/66 kV overhead transmission line (TL) between Thida Substation (SS) and Thaketa SS; (b) single circuit 230 kV overhead TL between Kyaikasan Substation and Thaketa Substation; (c) expansion of the 230 kV Thaketa SS; (d) expansion and upgrading of the Kyaikasan SS into a 230/66/11 kV, 2 x 100 MVA substation; (e) construction of a new 230/66/11 kV, 2 x 100 MVA, South Oakkalapa SS; and (f) construction of a new 230/33/11 kV, 2 x 100 MVA West University SS.

### *How extensive are the adverse impacts to people's assets and livelihood of Power Transmission and Distribution Improvement Project?*

The alignment of the approximately 8.5 km Thida-Thaketa TL starts from the Thida SS and crosses the Ngamoeyeik River to the north before joining Yamonar Road. From there, the Thida-Thaketa TL straddles for most of its entire length the shoulder of Shukhinthar Mayopat Road and Thanlyin Bridge Approach Road before entering Thaketa SS. Sixty-seven monopoles and 2 steel lattice towers will be constructed for the Thida-Thaketa TL.

Based on an inventory of losses (IOL) and socioeconomic survey (SES) conducted in October 2014, it is estimated that an aggregate of 2,639.62 m<sup>2</sup> of land will be acquired permanently (i.e., ownership thereof will be transferred to MOEP/MEPE) for the foundations of 67 monopoles and 2 steel lattice towers. In addition, an aggregate of 3,506.44 m<sup>2</sup> of workspace around the land that will be acquired permanently will be needed temporarily during the construction of the foundations of the monopoles and towers. All plots of land needed for the construction of the foundations and footing of the monopoles and towers belong the government, particularly, the Yangon City Development Council (YCDC) and the Ministry of Transport (MOT).

A total of 25 main structures (i.e., houses and shops) stand to be affected during the stringing of monopoles and steel lattice towers, unless scaffoldings are constructed between monopoles and towers where said structures are located to protect them from actually getting damaged during stringing. Of the 25 main structures, 10 could potentially be affected totally, while the remaining 15 would only be damaged partially. Two of the main structures that stand to be adversely affected by the stringing of the poles and towers belong to YCDC in Dawbon Township. The rest of the main structures belong to private entities or affected households (AHs) in Thaketa Township. In addition, 39

perennials will also have to be removed from under the alignment of the TL. Twenty-two of the 23 AHs that stand to be affected by the partial or total loss of their main structures were interviewed during the IOL/SES. The interviewed AHs are made up of 114 persons.

### *Are the affected people entitled to anything for their losses?*

Yes. Under the project resettlement policy, AHs are entitled to compensation at full replacement cost for their permanently and temporarily affected assets, incomes and businesses. Depending on the severity of impact on their livelihood and income capacity, AHs will be provided with rehabilitation measures to improve or restore their pre-project living standards, income-earning capacity and production levels. Specifically, the following entitlements of the AHs will apply:

#### Project Entitlements

Type of Impact	Entitlements
Permanent loss of land: agricultural, forest, pond, residential, or commercial	<p><i>For APs with legal or customary rights of the affected land:</i></p> <ul style="list-style-type: none"> <li>• Cash compensation at replacement cost that is based on the valuation of a licensed independent property appraiser and reflective of prevailing market rates at the time of payment of compensation.</li> <li>• No deduction for taxes, such as capital gains tax, and any administrative costs for the transfer of land titles or for amending land ownership documents (certificate and title) for the residual area of the AH's land.</li> <li>• If the remaining land is no longer viable (i.e., the residual unaffected area is not sustainable), the project will acquire the entire land at replacement cost.</li> <li>• If the affected land is agricultural land, AH will be provided advance notice of at least 6 months on the schedule of the construction and stringing of the transmission towers and monopoles.</li> </ul> <p><i>For lease holders:</i></p> <ul style="list-style-type: none"> <li>• Cash compensation for affected non-land assets</li> <li>• Reimbursement of rent paid in advance for the remaining un-used period of the lease.</li> </ul> <p><i>For informal settlers/land users:</i></p> <ul style="list-style-type: none"> <li>• Cash compensation for affected non-land assets</li> </ul>
Loss of main structures (houses, offices, shops, warehouse) and secondary structures (fences, driveways, extended eaves, sheds, etc.)	<ul style="list-style-type: none"> <li>• Cash compensation at full replacement cost that is based on prevailing (i.e., at the time of delivery of compensation) market prices of materials and cost of labor for dismantling, transferring and rebuilding.</li> <li>• For partially affected structures, the cost of repairing the residual unaffected portion of the structure in addition to the compensation at replacement cost for the affected portion of the same.</li> </ul>

Type of Impact	Entitlements
	<ul style="list-style-type: none"> <li>The value of salvageable materials will not be deducted from the compensation at full replacement cost that will be paid to the AH for the affected structures.</li> <li>If the impact on main the structure is more than 50%, the entire structure will be acquired at full replacement cost.</li> <li>If the impact on the main structure is less than 50% but will compromise the stability of the residual area of the main structure, i.e., structurally not stable, then the project will acquire the entire structure at full replacement cost.</li> <li>3 months advance notice on the date they have to re-organize or remove their affected main structures.</li> <li>Compensation will be paid for affected electric, telephone, and other services based on prevailing cost of disconnection and re-installation.</li> </ul>
Crops and trees	<ul style="list-style-type: none"> <li>Perennial trees: compensation at replacement cost taking into account their productivity and age.</li> <li>Timbers/trees: compensation at current market rate based on age, type of trees and diameter of trunk at breast height.</li> </ul>
Relocation of AHs due to the entire loss of main structures (e.g., houses, shops, factories, warehouse)	<p><i>Owners of entirely affected main structures:</i></p> <ul style="list-style-type: none"> <li>Cash assistance equivalent to the costs of 1-day truck rental and labor for relocating house and shop owners; and 3 days truck rental allowance and labor for relocating factory or warehouse owner, if the project cannot provide the use of trucks or other means of transport to haul belongings to new place.</li> <li>Transition subsistence cash allowance equivalent to the estimated monthly household poverty line in Yangon multiplied by 3 months.</li> </ul> <p><i>For house/shop renters:</i></p> <ul style="list-style-type: none"> <li>Cash assistance equivalent to the costs of 1-day truck rental and labor for relocating house and shop owners; and 3 days truck rental allowance and labor for relocating factory or warehouse owner, if the project cannot provide the use of trucks or other means of transport to haul belongings to new place.</li> <li>Transition subsistence cash allowance equivalent to the estimated monthly household poverty line in Yangon multiplied by 3 months.</li> <li>3 months advance notice on the date renter AP has to transfer location.</li> </ul>
Impact due to temporary or permanent disruption of business operation of	<ul style="list-style-type: none"> <li>For businesses and employment that will be disrupted temporarily, financial assistance equivalent to the daily net income of each affected shop owner (as reflected in tax</li> </ul>

Type of Impact	Entitlements
shops and places of work	<p>receipt) or paid employee (per legislated minimum daily wage for a worker in the township) multiplied by the duration in days or months (but not to exceed 6 months) of disruption of the business or employment as follows:</p> <ul style="list-style-type: none"> <li>➤ Paid employee: pay slip, or in the absence of pay slip, the legislated minimum wage in the locality multiplied by the number of days the workplace will be closed.</li> <li>➤ Temporarily affected shops: daily net income as reflected in tax receipt (in the absence of tax receipt, the legislated minimum daily wage of an office worker in the township) multiplied by the number of days of disruption but not to exceed 3month.</li> <li>For businesses and places of employment that will cease operation by more than 3 months or even permanently, financial assistance equivalent to the daily net income of each affected shop owner or paid employee, as reflected in tax receipts or pay slips (in the absence of tax receipt, the legislated minimum daily wage of an office worker in the township), multiplied by 6 months.</li> <li>Entitled to participate in the income restoration program to be designed during project implementation</li> </ul>
APs/AHs that lose 10% or more of total productive assets or sources of income; poor and vulnerable AHs, regardless of severity of impacts	<ul style="list-style-type: none"> <li>Entitled to participate in the income restoration program to be designed during project implementation</li> <li>Preferential opportunity for employment of a household member in project-related jobs.</li> </ul>
Loss of public infrastructure and facilities	Cash compensation at replacement cost, or project will rebuild the facilities based on agreement with the affected parties.

#### ***Who are eligible to the above-mentioned entitlements under the Project?***

All affected persons, households, and institutions/organizations that satisfy the cut-off date for eligibility to project date of the conclusion of the inventory of losses (IOL) The IOL for the Thida-Thaketa Transmission Line was completed on 14 October 2014.

#### ***How can we ensure that the APs/AHs are adequately informed and are actively involved in the planning and implementation of resettlement, in particular, and of the project, in general?***

MEPE held consultations with representatives of YCDC, and official of the General Administration Office (GAO) and wards of Dawbon Township and Thaketa Township on October 2, 13 and 14, 2014 before the IOL was carried out. MEPE also met with AHs on 19 December 2014 to present the results of the IOL, discuss the project resettlement



policy, and to solicit their opinions and suggestions on how to mitigate project impacts. These consultations will continue until project completion. Likewise, relevant project documents will be posted in township and ward offices.

***How are the grievances of affected persons (or households) heard and resolved?***

The primary approach at resolving complaints of AHs in connection with the Project is through negotiation at various levels before the same are elevated to the courts for adjudication. In lieu of the courts as a last resort at resolving a complaint, an aggrieved AH may also bring its complaint directly to the ADB's Energy Division, Southeast Asia Department through the Myanmar Resident Mission. If the AH is still not satisfied with the response of the Resident Mission, it can directly contact the ADB Office of the Special Project Facilitator. The Office of the Special Project Facilitator procedure can proceed based on the accountability mechanism in parallel with the project implementation. Below are the procedures to be followed in the grievance process:

**a. On the results of the detailed measurement survey (DMS) of affected assets:**

- An AH who is not satisfied with the results of the DMS of its affected assets will indicate so in the signed accomplished DMS form and will request the land acquisition committee (LAC) for a review and re-evaluation by another LAC survey team of the results of the DMS of its affected assets.
- If the AH is still not satisfied with the review and re-evaluation of the results of the DMS, it will indicate so in the signed accomplished DMS form and will request verbally or in writing the concerned MEPE project office (i.e., at Project Management Office Yangon) for a re-survey and re-evaluation of the AH's affected assets.
- The MEPE project office has 15 days upon receipt of the complaint to constitute a new LAC to do another DMS of the affected assets and to make necessary revisions/corrections, as needed. If the AH is still not satisfied with the findings or actions taken by the MEPE project office township/city level, it may bring the matter to the MEPE District Office.
- The MEPE District Office has 15 days within which to resolve the complaint. If the AH is still not satisfied with the action taken by the MEPE District Office, it may bring the matter to MEPE Headquarters in Nay Pyi Taw.
- MEPE Headquarters in Nay Pyi Taw has 15 days within which to resolve the complaint. If the AH is still not satisfied with the action taken by the MEPE Headquarters in Nay Pyi Taw, the AH may elevate the complaint to the court for resolution.

**b. On ownership over an affected assets:**

- If the complaint concerns ownership/control of affected assets, the LAC will seek a settlement with the contending parties through consultation.
- If the consultation does not produce a settlement, the LAC will advise the AHs to bring the case to the court.

**c. On non-compliance with the terms of the negotiated settlement:**

- An AH that feels there is a breach of the terms of the negotiated settlement agreed with LAC may refuse to handover its affected assets and will notify verbally or in writing MEPE project office in the township/city about the breach of the terms of the negotiated settlement.
- The MEPE project office has 15 days upon receipt of the complaint to address the complaint of the AH. If the AH is still not satisfied with the action taken by the MEPE project office at the township/city level, it may bring the matter to the MEPE District Office.
- The MEPE District Office has 15 days within which to resolve the complaint. If the AH is still not satisfied with the action taken by the MEPE District Office, it may bring the matter to MEPE Headquarters in Nay Pyi Taw.
- MEPE Headquarters in Nay Pyi Taw has 15 days within which to resolve the complaint. If the AH is still not satisfied with the action taken by the MEPE Headquarters in Nay Pyi Taw, it may elevate the complaint to the court for resolution.

On the implementation of the RP and impacts during construction:

- The procedures for complaints related to the implementation of resettlement plan and in connection with un-anticipated project impacts during construction follow the same procedures as those of complaints connected with the breach of the terms of the negotiated settlement.

***What is the tentative schedule for implementing resettlement?***

Activities	Schedule
MOEP to submit the RP to ADB for concurrence	February 2015
Distribution of PIB to AHs and posting of RP in government offices	February 2015
Project approval	2 <sup>nd</sup> quarter 2015
Detailed measurement survey and RP updating	3 <sup>rd</sup> quarter 2015
MOEP to submit the updated RP to ADB for concurrence	3 <sup>rd</sup> quarter 2015
Implementation of the RP	4 <sup>th</sup> quarter 2015
Internal monitoring	Start 3 <sup>rd</sup> quarter 2015
Post-resettlement implementation evaluation	2016

***Who might be contacted for any inquiries about the Project?***

U Thet Paing Myo, MEPE Project Manager (Yangon), telephone no. 098601031

