

Land Acquisition and Resettlement Plan

Project Number:
November 2013

Indonesia: Java-Bali 500 kV Power Transmission
Crossing Project

ABBREVIATIONS

AC	Alternate Current
ADB	Asian Development Bank
AH	Affected Household
AMDAL	Analisis Mengenai Dampak Lingkungan
AP	Affected People
CSR	Corporate Social Responsibility
DC	Double Circuit
DFR	Draft Final Report
DMS	Detailed Measurement Survey
DWRD	Department of Water Resources Development
EA	Executing Agency
EIA	Environmental Impact Assessment
EMF	Electromagnetic Field
EHT	Elevated High Tension
GDP	Gross Domestic Product
GOI	Government of Indonesia
ha	hectare
HHs	Households
HV	High Volt
HVAC	High Volt Alternate Current
HVDC	High Volt Direct Current
IA	Implementing Agency
IOL	Inventory of Losses
IPDP	Indigenous Peoples Development Plan
IPs	Indigenous peoples
IPSA	Initial Poverty and Social Analysis
KV	Kilo Volt
LARP	Land Acquisition and Resettlement Plan
LV	Low Volt
MOF	Ministry of Forestry
MVMC	Multi-Voltage Multi Circuit
NGOs	Non-governmental Organizations
PDD	Project Design Document
PIB	Public Information Booklet
PLN	Perusahaan Listrik Negara
PLN UIP JJB	PLN Unit Induk Pembangunan Java – Bali
PMU	Project Management Unit
RKL	Rencana Pengelolaan Lingkungan
RoW	Right of Way
Rp	Rupiah
SES	Socio-Economic Survey
SPRSS	Summary Poverty Reduction and Social Strategy
SPS	Safeguard Policy Statement
SRPs	Summary Resettlement Plans
TL	Transmission Lines
ToR	Terms of Reference

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DEFINITION OF TERMS

Affected persons (APs) / households (AHs)	All the people affected by the project through land acquisition, relocation, or loss of incomes and include any person, household, firms, or public or private institutions. APs/AHs therefore include: (i) persons affected directly by the safety corridor, right-of-way, tower or pole foundations or construction work area; (ii) persons whose agricultural land or other productive assets such as trees or crops are affected; (iii) persons whose businesses are affected and who might experience loss of income due to the project; (iv) persons who may lose work or employment as a result of project impact; and (v) people who lose access to community resources as a result of the project.
Compensation	Payment in cash or kind for an asset to be acquired or affected by a project at replacement cost based on current market value.
Cut-off-date	The date prior to which the occupation or use of the project area makes residents or users of the same eligible to be categorized as AP. The cut-off date will coincide with the census of AP and the inventory of losses (IOL) that will be conducted by the national agency implementing land acquisition. Persons not covered in the census would not be eligible for compensation and other entitlements unless they can provide evidence that (i) they have been inadvertently left out during the census and the IOL; or (ii) they have lawfully acquired the affected assets following completion of the census and the IOL and prior to the conduct of the detailed measurement survey (DMS).
Eminent domain	The right of the state or the government using its sovereign power to acquire land for public interest in accordance with appropriate regulatory provisions.
Encroachers	Those people who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project.
Entitlement	The range of measures for compensation and other forms of assistance provided to the APs in the respective eligibility criteria.
Income restoration	This is the re-establishment of sources of income and livelihood of the affected households.
Inventory of losses (IOL)	The process where all fixed assets and sources of income and livelihood inside the project right-of-way (ROW) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated.
Land acquisition	The process of acquiring all or part of the land and other assets attached to the land owns or possesses, to the ownership and possession of that agency, for public purposes, in return for fair compensation. The land acquisition and resettlement plan is known as LARP.
Meaningful	A process that (i) begins early in the project preparation stage and is carried out on ongoing basis throughout the project cycle; (ii)

consultation	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.
Non-titled	Those who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant i.e. those people without legal title to land and/or structures occupied or used by them.
Relocation	This is the physical relocation of an AP from her/his pre-project place of residence and/or business.
Rehabilitation	This refers to additional support provided to APs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of pre-project living standards and quality of life.
Replacement cost	The method of valuing assets to replace the loss at current market value, or nearest equivalent, and is the amount of cash or kind needed to replace an asset in its existing condition, without deduction of transaction costs or for any material salvaged.
Resettlement Field Surveys	The detailed IOL that is completed after detailed design and marking of project boundaries on the ground and includes socioeconomic data on the affected households/families, and stakeholder consultations.
Severely AP or AH	This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the project.
Sharecropper	The same as tenant collector or tenant farmer, and is a person who cultivates land they do not own for an agreed proportion of the crop or harvest.
Significant impact	Means 200 people or more will experience major impacts, which are defined as; (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).
Vulnerable groups	These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) female headed households, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) elderly households head (more than 70 years), (v) landless households, and (vi) ethnic minorities.

I. EXECUTIVE SUMMARY

1. **Project Description.** To meet the long term plan of Perusahaan Listrik Negara (PLN), the Government of Indonesia has requested the Asian Development Bank (ADB) help prepare and finance the power transmission interconnection project from Java (Paiton) to Bali (New Kapal). The Java-Bali 500kV Power Transmission Crossing Project will consist of construction of 500kV power transmission line (TL) from Paiton in East Java Province to New Kapal in Bali Province and associated sub-stations at New Kapal (Antosari) as well as extension of Paiton sub-station. The project along 219.16 km with 512 towers will traverse East Java and Bali Provinces covering three regencies (Probolinggo, Situbondo and Banyu Wangi) in East Java Province and two regencies (Jembrana and Tabanan) in Bali Province. The overall power interconnection system between Java and Bali divided into seven components and will be financed as follows:

Component	Project	Financing
Component 1	Extension of Paiton 500kV substation	ADB and PLN
Component 2	Paiton-Watudodol 500 kV Transmission Line (130.60 km),	ADB and PLN
Component 3	Watudodol - Segara Rupek 500 kV Overhead Sea Crossing (2.68 km),	PLN
Component 4	Segara Rupek – Gilimanuk 500 kV Transmission Line (10.44 km),	PLN
Component 5	Gilimanuk – New Kapal 500 kV Transmission Line (75.44km),	ADB and PLN
Component 6	New Kapal 500 kV and 150 kV substations.	ADB, AIF, PLN
Component 7	Extension of 150 kV Substation	ADB and PLN

2. **Land Acquisition and Resettlement Impacts.** The Land Acquisition and Resettlement Plan (LARP) covers four components that impact to the land acquisition and resettlement (component 1, 2, 5, and 6). The four components will require a total of 711 hectares (ha) of land comprising forestry land (169 ha), PLN-owned land (2 ha for component 1), and private or company land (542 ha). Of the 711 ha, only about 42 ha will be permanently acquired, while the 661 ha will only be restricted in land use. Of 540 ha of private land, 41 ha will be permanently acquired for towers (component 2 and 5) and 5,8 ha for substation (component 6), while the 499.5 ha will only be restricted in use.

3. The identification of affected persons (APs) and Inventory of Loss (IOL) for the four components carried out in the period of November 2010 – May 2011 and November 2013 (cf. Note of **Table 12: Summary of Land Acquisition and Project Impacts** Table 12) identified a total of 1,194 HHs with 3,884 APs in the two provinces (East Java and Bali) will be affected by the project. Each of the 1,194 AHs may lose single or multiple types of land that include residential areas, crop land, and forestry land.

4. No houses or structures will be totally or partially demolished by any component. Therefore, no physically relocation will be required. However, there are about 128 structures, mostly boundary walls located within RoW of TL. There may be some temporary impacts during the project construction. Approximately 58,585 trees/plants will be affected due to the installation of towers, 34 m of RoW alignment, and substation. Approximately 10,802,542 m² of crop area will also be cleared due to TL and New Kapal substations. The affected crops are dominated by paddy fields followed by other crops such as banana, coffee, chocolate and others local crops. The data may change following the LARP updating that will refer to the final detailed engineering design.

5. **Socio-Economic Profile.** A socio-economic survey (SES) was carried out in conjunction with the IOL survey. In East Java province, a total 17 sub-districts in three districts will be affected by the project whereas in Bali province 8 sub-districts of three districts will be directly affected. In East Java, most of AHs are farmers (78%) and have elementary school level (61%). A similar picture occurred in Bali, in which 62% of AHs are farmers and 59% AHs have elementary school level.

6. **Gender Issues and Vulnerability.** Gender strategies are included in LARP, which include the active participation of women in resettlement activities ranging from consultation to monitoring and capacity-building programs. For effective implementation of gender strategies, monitoring indicators by gender will be developed. There are 191 AHs in East Java and 114 AHs in Bali considered vulnerable groups. These vulnerable AHs (305 AHs) and severely AHs (139 AHs) are entitled for livelihood/income restoration program. No indigenous people (IP) have been identified living in the project area

7. **Information Disclosure, Consultation and Participation.** Consultation meetings were held since March 2010 at all affected districts and towns with participation of local authorities and affected households. The consultations will continue during the project implementation. The draft LARP will be made available at the Land Agency and PLN Project Offices. Key information of the LARP in the form of Public Information Booklet (PIB) will also be provided to the affected households. The following information contained in the PIB include: (i) a brief background of the Project, specifically the civil works to be undertaken and the adverse social impacts; (ii) potential impacts; (iii) IOL results; (iv) basis used for asset valuations; (v) the resettlement entitlements; (vi) resettlement activities schedule including the timing of payments; (vii) grievance redress mechanism; and (ix) contact persons of PLN project staff handling land acquisition and the land agency if necessary.

8. **Grievance Mechanism.** To ensure that all APs' grievances and complaints related to land acquisition process and compensation are addressed in a timely and satisfactory manner, a well-defined grievance redress mechanism has been established. All APs can lodge the verbally or in writing to implementing agency. Complaints will pass through stages such as Land Agency handling land acquisition implementation and could be elevated to a court of law as a last resort. The grievance handling mechanism will consider local mechanism including complaint handling through customary mechanism.

9. **Legal Framework.** The LARP has been prepared in compliance with *the 2009 ADB Safeguard Policy Statement (SPS)* and be harmonized with the current Government of Indonesia laws and regulations on land acquisition and resettlement. The main legal instrument that will be reference for involuntary resettlement would be *Act No. 2/2012 on Land Acquisition for Development in the Public Interest*. The prevailing *Presidential Regulation No. 36/2005* as amended by *Presidential Regulation No. 65/2006 on Land Acquisition for Development Purposes in the Public Interest* are still valid as long as not contrary to law and until the enabling regulations are issued. The Act stipulates clear time frame of land acquisition process, consultation with APs on the project location and compensation, lost land and non-land valuation by independent appraisers, budget, and monitoring to pursue development projects for public interest. Other key laws and regulations which will be referred for land acquisition and resettlement are including *Act No. 30/2009 on Electricity* stipulating provisions on land acquisition and compensation for electricity projects including compensation for land use restriction in *the ROW*; *Act No. 41/2009 on Sustainable Food Protection of Agricultural Land* and *Act No. 41/1999 on Forestry* that regulate land replacement for acquired land; *Keputusan Parisada Hindu Dharma Indonesia Pusat, No.11/Kep/1/PHDIP/1994*; and *Provincial Regional Government Decree of Bali No 4/1996 on Regional Spatial Planning* of Bali Province.

10. **Resettlement Policy and Entitlements.** One of key resettlement policy objectives of the Project is to replace or compensate any lost land and non-land assets at replacement cost and to ensure that the living of the AP is improved or at least equal to the standard before the project compensation and assistance will be provided and income restoration programs will be put in place prior to displacement of affected households from their houses (if any). The severely APs and vulnerable households including poor affected households, household headed by women and elderly are assisted to help improve their socio-economic status.

11. **Income Restoration and Rehabilitation.** The provision of restoration of livelihoods and income will be provided to the severely APs and vulnerable AHs to ensure that they are able to at least regain their previous standards of living. Employment opportunity will be provided to the local people based on the required qualification by the project during the construction phase which will enable them to be benefited from the project and provide the local communities a greater stake and sense of ownership in the project.

12. **Resettlement Budget and Financing Plan.** The tentative total cost of land acquisition is Rp 365,595,058,619 (\$ 33,235,914 equivalent) PLN will ensure the timely provision of counterpart funds for resettlement to meet any unforeseen obligations in excess of the resettlement budget estimates in order to satisfy resettlement requirements and objectives.

13. **Institutional Arrangement.** The main institutions involved in the preparation and implementation of the LARP are: i) PT PLN Head Quarter (PLN Pusat) as the Executing Agency. PLN Unit Induk Pembangunan Jawa – Bali (PLN UIP JJB) as the Implementing Agency. PLN UIP JJB will closely coordinate with PLN UPK (Unit Pelaksana Konstruksi) East Java and Bali; ii) National Land Agency (BPN) handling land acquisition; iii) Local government (provincial and district governments) and civil society organizations as necessary. PT PLN will closely cooperate and coordinate with the Project Implementation Consultant (will include resettlement consultant), Land Agency (National land Agency/BPN), provincial and district governments as necessary to update the LARP and implement resettlement activities.

14. **Updating and Implementation Strategy.** This draft LARP will be updated following the final detailed engineering design. During LARP Updating, PLN assisted by the consultant, together with the Land Agency will ensure that steps such as final alignment and tower schedule; census and detailed measurement surveys; SES; consultation with affected people; establishment of compensation rate; agreements with affected people on compensation; finalization of resettlement budget; approval of updated LARP and disbursement of compensation payment to APs are undertaken.

15. **Implementation Plan and Schedule.** The total LARP implementation time has been decided as approximately 18 months. A composite implementation schedule for resettlement activities including various sub tasks and time line matching with civil work schedule is prepared. However, the sequence may change or delays may occur due to circumstances beyond control of executing agency. Adjustments in implementation schedule would be done as necessary.

Table 1: Tentative schedule of Land Acquisition and Resettlement Activities

No.	Activities	Tentative schedule
1	RP updating	October 2013 – April 2014
	Socialization/initial consultation	October 2013 – April 2014
	Detailed Measurement Survey, cost replacement survey	October 2013 – January 2014
	Consultation and negotiation	February – April 2014
	Finalization of updated RP	April 2014
	Disclosure of updated RP	May 2014
2	Implementation of the approved updated RP	May – December 2014
	Disbursement of the compensation to APs	May – October 2014
	Implementation of Livelihood /Income Restoration Program	October – December 2014
3	Internal monitoring	January 2015 – resettlement completion
4	External monitoring	May 2014 - 6 month after resettlement completion

5	Civil work construction commencement	July 2014

16. **Monitoring and evaluation.** Both internal and external monitoring of the Resettlement Plan need to be carried out. Internal monitoring will be conducted by PLN. External monitoring will be assigned to an external monitoring agency, such as a qualified NGO or a university. The IMA will monitor the compensation and resettlement process, verify the internal monitoring information, and conduct post-implementation evaluation of the resettlement program six month after the completion of resettlement. to assess whether the resettlement objectives have been achieved or not. A semiannual monitoring report will be prepared and submitted to PLN and ADB for website posting

II. PROJECT DESCRIPTION

A. Background

17. Bali Island is an international tourism center, and has a quite large power demand growth. The proposed power transmission interconnection project from Java to Bali systems is aimed at building the power capability and reliability of the electrical system in Bali and meeting the increasing demand for power in the island. The project is identified as a national priority and it will contribute to alleviation of poverty by contributing to regional and national socio-economic development. The project is of key importance for the Bali province as well as for the country's economic activities, as Bali Island will face acute shortage of power in the near future. At the same time, surplus power in Java province will be utilized in best possible way by supplying it to Bali. The interconnection of Java system and Bali system will address this issue.

18. The Java-Bali 500kV Power Transmission Crossing Project will construct 500kV power TL from Paiton in East Java Province to New Kapal in Bali Province and sub-stations at New Kapal (Antosari), extension of Paiton sub-station, and extension/uprating of 11 substations located in Bali and East Java Province. The overhead TL is approximately 219.16 km. The towers to be installed for 500kV TL are lattice steel frame towers with 500 double circuit conductors. The height of towers will be 75-84 m with minimum ground clearance of 12.5 m. The average span between two 500kV towers is 450 m, whereas the average distance between two towers is 300 m.

B. Description of Project and Resettlement

19. The project consists of seven components.

Table 2: Project's Components and Resettlement Impact

Component	Description	Resettlement Impact (Yes/No)
Component 1	Extension of Paiton 500 kV substation	No
Component 2	Paiton-Watudodol 500 kV Transmission Line (130.60 km)	Yes
Component 3	Watudodol - Segara Rupek 500 kV Overhead Sea Crossing (2.68 km)	Yes (1 property)
Component 4	Segara Rupek – Gilimanuk 500 kV Transmission Line (10.44 km)	No
Component 5	Gilimanuk – New Kapal 500 kV Transmission Line (75.44 Km)	Yes
Component 6	New Kapal 500 kV & 150 kV substations	Yes
Component 7	Extension of 150 kV substations	No

20. Components 1, 2, 5, 6 and 7 are proposed for financing by ADB/co-financer, and Component 3, 4 will be financed by PLN. As the component 3 and 4 are part of the project, ADB SPS (2009) applies for these components. **Table 3** summarizes the information on the areas traversed by the components.

Table 3: Project Location and Area Traversed by Components

No.	Component	District/City and Province	Subdistrict
1	Component 1:	Probolinggo, East Java	Paiton
2	Component 2:	Probolinggo, East Java	1. Paiton
		Situbondo, East Java	1. Banyu glugur 8. Panji 2. Besuki 9. Kapongan

No.	Component	District/City and Province	Subdistrict
			3. Jatibanteng 10. Arjasa 4. Mlandingan 11. Jangkar 5. Bugatan 12. Asembagus 6. Kendit 13. Banyuputih 7. Panarukan
		Banyuwangi, East Java	1. Wonsorejo 3. Giri 2. Kalipuro
3	Component 3:	Banyuwangi, East Java	1. Giri
		Buleleng, Bali	1. Gilimanuk
4	Component 4:	Buleleng, Bali	1. Gilimanuk
5	Component 5:	Jembrana, Bali	1. Melaya 4. Medoyo 2. Jembrana 5. Pekutatan 3. Negara
		Tabanan, Bali	1. Selamadeg Barat
6	Component 6:	Tabanan, Bali	1. Selamadeg Barat
7	Component 7:	<u>Bali Province</u> Gianyar Jembrana <u>East Java Province</u> Jember Mojokerto Lumajang Nganjuk Surabaya Ngawi Pamekasan Bojonegoro Sampang Pacitan Gresik	

1. Component 1: Extension of Paiton 500 Kv Substation

21. Paiton, located in Probolinggo District is a major 500kV pooling sub-station in East Java presently receiving power from six generating units (unit size of 400 to 660 MW) with a total capacity of 3,440 MW. The substation is built with outdoor 500kV GIS along with two 500MVA, 500/150kV power transformers with associated 150kV line bays (open terminal bays). The planned 500kV double circuit TL to Bali (this Project) will be approaching the Paiton station from the eastern side. The extension of the Paiton substation will require approximately 2.0 ha of land.

2. Component 2: Paiton - Watudodol 500 kV Transmission Line

22. This component includes the construction of 130.60 kms, Paiton-Watudodol 500kV double circuit TL on Quadruple Zebra (400 mm²) conductor within the East Java Province. The project takes off from Paiton substation and will terminate at Watudodol which is landing point of the Java-Bali strait. The proposed alignment, running parallel to the existing 150kV TL at some places, passes through generally plain terrain. The proposed TL with a total of 308 transmission towers has been included in the district's spatial planning and will traverse three districts, namely Probolinggo, Situbondo, and Banyuwangi.

23. The land is mostly agricultural with some plantations and production forest areas. Approximately 17 km of TL in this component passes through special zone of the Baluran National Park. A collaborative permit for the component that traverses the two national parks (Baluran National Park and Bali Barat National Park) was issued by Ministry of Forestry on 16 January 2012. To minimize the forest land requirement, a new 500kV and 500&150kV (multi-

voltage multi circuit (MVMC)) double circuit (DC) TL adjacent to the existing 150 kV TL and extending the existing 20 m wide corridor to 34 m in the 17 Km stretch of special zone (Zkh) within Baluran National Park (Java), shifting 150 kV circuits on 500 kV MVMC towers, thus keeping the 150kV Paiton-Banuwangi-Bali power transmission system intact for future. The scope will cover (i) the construction of 500kV DC Paiton-Watudodol Transmission Line of 114Km and, (ii) the construction of 500 & 150kV (MVMC) DC TL of 17Km.

3. Component 3: Watudodol - Segara Rupek 500 kV Transmission Line

24. The main tower for Bali crossing at Watudodol in Banyuwangi District will be constructed on a private land (1,000 m²) owned by one household. The land is being cultivated with crops (corns and cassava) and occupied by one household with a small kiosk. While, two anchor towers will be located on forestry land. On the Bali side, at Segara Rupek, the main tower and two anchor towers will be located within Bali Barat National Park in Buleleng District. The main tower and the two anchor towers at Segara Rupek are within a distance of 200-300 m from the two nearby temples (Pura Payagan and Pura Pasiraman). Provincial spatial planning requires a clearance of about 2 km from any temple for construction of high rise buildings. However, a representative institution (Persatuan Hindu Dharma Indonesia) and the Provincial Government of Bali have approved the construction plan. In Bali side, there is no people cultivating the Bali Barat National Park land to be used for towers either for agricultural production or livelihood, therefore the project will not trigger the involuntary resettlement and has no involuntary impact. The construction of overhead tower is expected to be completed by 2016 and while waiting the completion of the 500 kV TL construction, PLN will build a substation on PLN's land located next to the main tower in Watudodol.

4. Component 4: Segara Rupek - Gilimanuk 500 kV Transmission Line

25. The 10.44 km revised alignment of the TL from Segara Rupek to Gilimanuk consists of 26 towers. All the 26 towers fall within the Buleleng District and traverse Bali Barat National Park. The collaborative Permit for the component was issued by the Ministry of Forestry on 16 December 2012. No people occupying and relying their livelihood on the land along the ROW transmission line in the national park, thus involuntary resettlement safeguards are not triggered for this component.

5. Component 5: Gilimanuk - New Kapal 500 kV Transmission Line

26. This Component includes the construction of 75.44km (Gilimanuk-New Kapal) of combine run of 500kV Quadruple, Double Circuit and 150kV twin, double circuit overhead line within Bali province. This Component takes off from Gilimanuk and will terminate at Desa Antosari (New Kapal). The proposed alignment mostly running parallel to the existing alignment of 150kV TL passes through generally plain terrain traversing Jembrana and Tebenan kabupatens. This land is dominantly used for agriculture with some areas under forestry land, provincial plantation and mixed land use.

6. Component 6: New Kapal 500 kV and 150 kV Substations (Antosari)

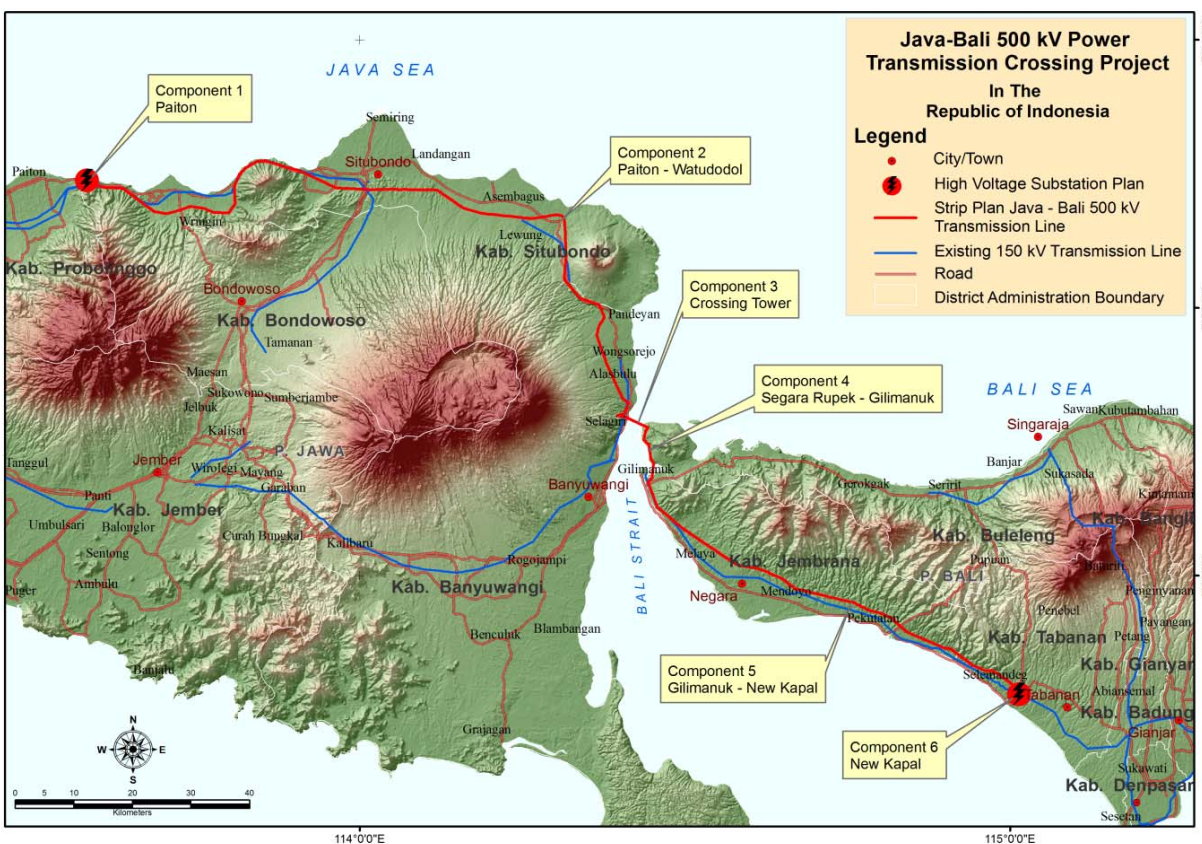
27. A new substation will be constructed at New Kapal (Bali) for reliable transmission (500kV to 150kV) of power from Paiton (Java) to Bali through 500kV double circuit Paiton (Java)-New Kapal TL and onward transmission to proposed 500kV Kapal sub-station and various 150kV sub-stations of Bali. About 5.86 ha of private land will be required for the location of substation. The land use of proposed site is irrigated agricultural and non productive land owned by around 20 HHs. PLN is in the process of initiating tasks for the acquisition of this land.

7. Component 7: Extension of 150 kV Sustation.

28. The extension and upgrading of 150Kv substations are to ensure capacity enhancement of the substation in Bali to distribute transmitted power and to improve the reliability, quality, and efficiency of power supply in the Java – Bali Grid. The 11 proposed substations are located in 11 districts/cities under the two provinces (2 in Bali and 9 in East Java Province). A joint assessment conducted by ADB and PLN on 1 – 5 August 2012 to the selected substations identified that additional lands required for the extension have been available in the existing substations, therefore the project will not impact to resettlement. However, during project implementation, similar assessment and report for each substation are required and submit them to ADB prior to the contract award. If any resettlement issues are identified, ADB SPS (2009) will apply. Prior to disbursement of fund, ADB will receive documentation from PLN demonstrating the legally land ownership.

8. Project Location and Map

29. The project location map is shown as Figure 1. Locations of components 1 – 6 are shown on Figure 2 and 3.



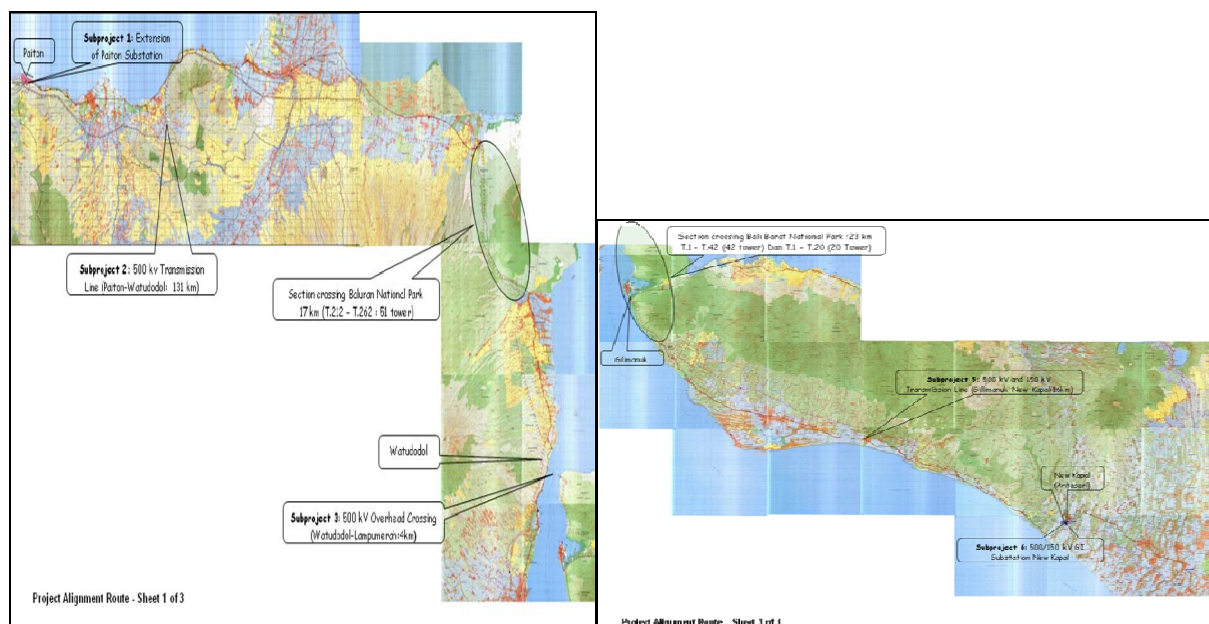


Figure 2: Location Map of the Component 1 – 6

C. Scope of Land Acquisition and Resettlement Plan

30 This LARP is based on the preliminary design and tower schedule provided by PLN. The scope of the LARP covers all components and based on the assessment of impacts, the Project is categorized as 'Category A' for Involuntary Resettlement (IR) impact as per the SPS (2009). It is intended to ensure that land acquisition and resettlement for all the components is conducted in a manner consistent with the laws and regulations of Indonesian Government and the ADB SPS (2009). The LARP has taken into account the findings of the preliminary IOL survey, data from census and SES, field visits, and meetings with stakeholders and affected people in the Project area.

III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Potential Impacts

31. Activities under the project will have positive social benefits and will contribute towards improving the operating efficiency of the Java-Bali power grid system. From a social perspective, making the existing transmission infrastructure more efficient will be appealing to the residents of Bali and East Java as well. Generally speaking, any electricity supplying project to Bali will benefit the local people in various ways: i) increased access to electricity and reduction in power interruption, ii) better economic opportunity, iii) better social services including education and health, iv) job opportunity in the Project, v) scope for improving quality of life, vi) exposure to awareness programs and hence updating knowledge. However, the project may also have some adverse social impacts involving land acquisition, resettlement and rehabilitation, safety issues, reduced income during the construction as there might be impact on livelihood, and certain other social implications related to gender issues, occupational health and child labor etc.

B. Measures to Minimize Resettlement Impacts

32. PLN attempts to take all possible steps to reduce land acquisition and minimize the likely adverse impacts on the local communities in the design and implementation of its power transmission interconnection components. Based on consultation with various stakeholders and the project engineering team, the following measures were and will be undertaken to minimize likely resettlement impacts:

- For TLs, considerable re-routing was undertaken following an initial field appraisal to minimize the impact in the national parks and to avoid congested areas, paddy, and plantation land to the extent possible,
- For the new sub-station at New Kapal, built-up areas were avoided and extension of Paiton sub-station were accommodated on area available within exiting substation,
- Where government owned or non-agricultural/uninhabited land was not available, suitable private land was sought to minimize number of APs,
- If a location required relocation of APs, it was avoided to the extent possible,
- For TL towers, houses and structures were avoided and unused land was selected as much as practicable,
- Permanent land requirements for tower footings were minimized by adopting MVMC towers. MVMC combined (500kV and 150kV) towers were adopted for 10 km section in Baluran National Park and for entire length (92.4 km) of TL in Component 6.
- All efforts will be made to reduce negative impacts during detailed engineering design and throughout the project implementation process.

33. To minimize impacts associated with the construction stage, following measures are considered.

- During the detail technical design, PLN and its EPC Contractor will reinvestigate the routes and make certain modification, if necessary, for optimal results.
- Suitable measures and optimum arrangements for the project construction are considered, i.e. construction would be carried out right after the harvest of crops and terminated before the next sowings. To achieve such target, apt workforces with working shifts would be scheduled to shorten the temporarily affected period.
- The construction camps for workers in the construction period shall be located on the bare or public lands nearby headquarters of districts. The camps shall not be built in populated areas.

- In order to minimize the temporary impact by access roads during the construction period, canals, existing roads, paths are considered for the access roads.

C. Resettlement Field Survey

34. The resettlement and SES team along with the technical surveyor of PLN-Engineering conducted the fieldwork in Component 1, 2, 5 and 6 areas in November 2010 – May 2011 and November 2013 (cf. Note of **Table 12: Summary of Land Acquisition and Project Impacts** Table 12). The field activities included (i) preparation of IOL of land and non-land assets, including structures, crops and trees; (ii) full census of affected households due to the acquisition of land for the towers, substation, and transmission lines; (iii) consultations at the village level with APs, community members, and other concerned parties. The calculation of impacts were based on best possible estimates as the alignment of the TL still needs to be marked on the ground.

D. Cut-Off Date

35. The cut-off date for the components will be established at the time of the final survey for updating the LARP. This survey will be conducted by Land Agency following finalization of technical design, alignment of the TL and precise location of the towers.

E. Type of Impacts

36. The proposed high voltage 500kV TLs and 500/150kV substation project will cause the following types of impacts:

- Permanent land acquisition for tower foundations and substation location.
- Lost trees and crops in permanently acquired land.
- Restricting usability of land/houses/structures in ROW for safety of the line.
- Lost trees, crops in temporarily required land for construction activities and within the ROW of more than 3 m height.

1. Impacts due to acquisition of land for the Towers

37. For transmission towers, physical construction involves permanent land acquisition (mainly agricultural but some homestead, garden and residential) for about 481 tower footings (tension and suspension towers for Component 2 and Component 5). The area required for the tower footings is calculated based on the average footing size of 32m x 32m (1024 m²) for a tension tower and 28m x 28m (784 m²) for a suspension tower. Additionally, crops/trees, structures on the land would also need to be compensated. The project will also require temporary access roads to straining towers during line stringing. Such temporary land acquisition may affect crops which will be compensated as per the provisions of this LARP.

2. Land Use Restriction Traversed by the Transmission Lines and ROW

38. The construction of TL will not cause direct impacts on crops and smaller trees below the height of 6 m. There will be no changes in the existing land use within the RoW. However, some landholders will be required to remove or trim back trees which would interfere the lines. The construction of TLs will restrict the use of land falling within the ROW due to the restriction on height of structures and tall trees (coconut, commercial wood forest trees, etc.).

3. Construction Work

39. Construction activities during the construction phase of the project will require temporary acquisition of land labor camps, storage of material and equipment which may cause impacts on environment through vegetation clearance, compaction of land, and improper management of wastes. Problems such as disruption of traffic, threat to the safety of local inhabitants and workers may be faced during the construction phase of the project. Clearing of vegetation, site compaction and land acquisition can change land use patterns.

F. Detailed Impacts by Components

1. Number of APs

40. Components 2, 5, and 6 to be financed by the ADB/cofinancier will impact to a total of 1,194 HHs. Component 1 will not impact any household as the land for the proposed sub-station at Paiton is owned by PLN. The distribution of affected households by provinces is in **Table 4**.

Table 4: Distribution of Affected Households by Provinces

No.	Province	District	No. of Households	Total No. of Persons	Remarks
01.	East Java		789 (66%)	2,227	Impacts due to the Component 2
		Situbondo	789		
02.	Bali		405 (34%)	1,657	Impacts due to the Components 5 and 6
		Tabanan	235		
		Jembrana	170		
Total			1,194	3,884	

41. Of the total 1,194 AHs, 481 AHs would be affected by permanent acquisition of land for the towers and substation. Of these, 301 AHs are in East Java and the remaining 180 AHs are from Bali province. Of the 481 AHs, 139 AHs would be severely affected by loss of more than 10% of their productive land holdings. The distribution of severely households by percentage of total land holding is shown in **Table 5**. (cf. Note of **Table 12: Summary of Land Acquisition and Project Impacts**Table 12)

Table 5: Distribution of AHs by Percentage of Affected Permanent Land

Component No.	< 10 %	10- 20 %	20-30%	> 30%	Total
Component 1	0	0	0	0	0
Component 2	245	35	8	13	301
Component 5	97	31	6	26	160
Component 6	0		20	0	20
Total	342	66	34	39	481

Source: IOL carried out by the Consultant in November 2010 - May 2011

42. Of the 481 HHs with permanent affected land in East Java and Bali Provinces, the 472 HHs are titleholders over their affected properties, notably productive and residential land. While the 9 HHs are the customary leaders (*pemangku adat*) in Bali who have right to cultivate the affected land owned by customary village (*Desa Adat* or *Desa Pakraman*). In Bali, the customary land is also called as village land (*tanah desa/Pakraman land*). This land can be acquired in consultation and agreement with the customary village.

2. Permanent Loss of Land for Tower Foundations and New Kapal substation

43. Total area of land affected by permanent loss is estimated to be 538,106 m² (53.8 ha) comprising 418,106 m² (41.8 ha) for towers and 58.600 m² (5.86 ha) for New Kapal substation.

Of 418,106 m² land for towers, 347,806 m² (34.8 ha) land is privately owned land and 70,300 m² (7 ha) belong to forestry. Detailed information on lost land for each component is as follows.

Component 1: No land required for extension of Paiton sub-station as the proposed extension work will be carried out on the open land adjacent to exiting Paiton sub-station. This 2 ha of open land is owned by PLN and will be used for the proposed extension work.

Component 2: A total of 269,131 m² (26.9 ha) will be permanently acquired for the transmission towers consisting of 57,900 m² (5.8 ha) of forestry land and 211,231 m² (21.1 ha) of private land. Nearly 301 HHs will be affected for the TL towers under Component 2 located in Situbondo District of East Java Province. Most of the affected land is productive land. Out of 301 AHs, 56 AHs would be severely affected due to loss of more than 10% of their total productive land.

Component 5: A total of 148,975 m² (14.9 ha) land will be permanently acquired for the transmission towers comprising 12,400 m² (1.2 ha) of forestry land and 136,575 m² (13.7 ha) of private land. Nearly 160 HHs will be affected for the TL towers in three districts: Tabanan, Jembrana and Buleleng, of Bali Province. Out of the affected land, 128, 326 m² (97%) is productive land. About 63 HHs would be severely affected.

Component 6: For the proposed 500/150kV sub-station in Tabanan District, an agricultural plot and non productive land of 58,600 m² (5.86 ha) would need to be acquired affecting 20 HHs. Some parts of the land are irrigated and cultivated by rice while the other parts are non productive lands. The 20 AHs are considered severely affected. (cf. Note of **Table 12**)

44. In addition, the construction of transmission towers in Component 2 will cause impacts on 5.7 ha of forestry land owned by Perhutani and Baluran National Park in East Java. While for Component 5 is 1.2 ha. An estimated 59,422 m² (5.9 hectares) land may be additionally required for Components in Bali side if the tower design is changed to MVMC (combined tower for 500 kV and 150 kV line for which tower spacing is less, i.e. 300 m).

3. Land Use Restriction in RoW

45. Community-utilized plantations and forest land, paddy fields, and residential land traversed by the TLs will be affected by restricted use. A preliminary estimate shows that approximately 6,610,052 m² area will be affected by restricted use. Of this, 1,614,786 m² is forestry land. In project component 2, of 4,198,069 m², the 3,304,169 m² is private land, while 893,900 m² is forestry land¹. In component 5, of 2,411,983 m², the 1,691,115 m² is private land (34 m RoW for 75 km length) and the remaining of 720,686 m² is forestry land (please see **Table 6**). The affected land belongs to 713 HHs in which 488 HHs are from East Java province and 225 HHs are from Bali province. The impacts estimated are based on a detailed land use assessment along the route given a 34 m wide ROW for the TL.

Table 6: Land area and Status to be Acquired

Component	Land Acquisition for Substation (m ²)		Land Acquisition for Towers (m ²)			Land Use Restriction in ROW (m ²)			Total (m ²)
	Private	PLN	Private	Forest	Total	Private	Forest	Total	
Component 1	0	20,000	0			0		0	20,000
Component 2	0	0	211,231	57,900	269,131	3,304,169	893,900	4,198,069	4,467,200
Component 5	0	0	136,575	12,400	148,975	1,691,115	720,868	2,411,983	2,560,958
Component 6	58,600	0	0	0	0	0	0	0	58,600
Total	58,600	20,000	347,806	70,300	418,106	4,995,284	1,614,768	6,610,052	7,106,758

¹ About 23 km length of TL passes through forest area. This will be compensated as per *forest regulation of Government of Indonesia* and therefore excluded from the scope of the resettlement plan. The amount of permanent affected land (for tower base) is deducted for estimation of area affected by restricted use.

4. Affected Structures for Towers Base and RoW

46 The IOL identifies no building will be affected for towers base and New Kapal substation. However, a total of 128 structures owned by 128 HHs including boundary walls, gates, etc. fall within the ROW and they would be affected by restriction on their height. The owners could still live at those buildings or homes and none of the structure would be demolished, partially or entirely and therefore, no relocation of any structure/household would be necessary. Some of these structures may however, be temporary affected during the stringing activities. **Table 7** shows the details of such structures.

Table 7: Type of Structures within RoW

Component	Temporary	Semi-Permanent	Permanent	Total
Component 1	0	0	0	0
Component 2	10	0	2	12
Component 5	34	24	58	116
Component 6	0	0	0	0
Total	44	24	60	128

Source: IOL carried out by the Consultant in November 2010 – May 2011

Note: Temporary - thatched/wooden wall; Semi-Permanent - Mixed between thatched/wooden and concrete wall; Permanent - Whole is concrete wall.

5. Impacts on Crops and Trees

47. Crops, trees and plants would be permanently affected due to the acquisition of land for tower footings. Further, all trees and plants growing over the height of 3 m within the ROW would be affected and would need to be cut. All affected trees/crops both for tower foundation and TL (trees and crops more than 3 m height and which may grow above 3 m height) will be compensated at replacement cost. Additionally, crops may also be damaged during stringing activities.

48. Based on preliminary estimates approximately 10,802,542 m^2 of crop area will be cleared due to construction of tower footings, TL and New Kapal substation. Of these affected crop area 10,590,900 m^2 (98%) belong to Bali province while 211,642 m^2 crop area belong to East Java. Crop area affected by Antosari Substation is 50,000 m^2 . The affected crops are dominated by paddy fields followed by other crops such as banana, coffee, chocolate and others local crops. **Table 8** shows the details of affected trees.

Table 8: Affected Crops Area (m^2)

Component	Small	Medium	Large	Total
Component 1	0	0	0	0
Component 2	81,949	42,414	87,280	211,642
Component 5	3,184,694	1,822,795	5,533,411	10,540,900
Component 6	0	0	50,000	50,000
Total	3,266,642	1,865,209	5,670,691	10,802,542

Source: IOL carried out by the Consultant in November 2010 – May 2011

49. In addition to loss of crops, trees and plants will be affected due to the tower footings and 34 m wide TL ROW. It is estimated that approximately 58,585 numbers of trees and plants of small, medium and large sizes will be cut due to installation of towers and clearing of 34 m RoW along the TL alignment. Estimated number of trees and plants of small (< 3 m height), medium and large trees by Components is shown in **Table 9**. Affected trees include commercial wood trees and fruit bearing trees consisting of coconut, mango, banana plantation, chocolate, teak, bamboo plantation, wood trees etc. Most of these trees are located individually or in clusters, mostly on field boundaries and plantation areas.

Table 9: Affected Trees and Plant

Component	Small	Medium	Large	Total
Component 1	0	0	0	0
Component 2	11,638	15,059	9,247	35,944
Component 5	1,580	6,281	14,720	22,581
Component 6	0	27	33	60
Total	13,218	21,367	24,000	58,585

Source: IOL carried out by the Consultant in November 2010 – May 2011

Note: Small Size Tree/Plant are those with < 3 m height), Medium size trees are those now fully grown and large trees fully grown which can be used for good quality timber.

6. Temporarily Affected Land

50. Some private assets (land, structures, crops, etc.) may be affected temporarily during the stringing operations and other construction activities particularly for access roads and establishment of construction facilities such as borrow area, workers camps etc. such impacts will be identified during the detailed engineering and LARP will be updated and compensation shall be paid as per project policy.

7. Loss of Income Business and Employment

51 Preliminary IOL conducted in 2010 indicates that no APs will lose their business/employment income due to the project. However, final data on the loss of income will be confirmed on LARP updating. Permanent loss: cash compensation of two months' net business income, wage or salary as validated by the Appraisal Agency, while temporary loss: cash compensation of net income, salary or wage for the number of months of stoppage, to a maximum of two months. Evidence of income level to be provided, but at least Government – decreed minimum wage to be paid.

8. Impact on State Land and Public Infrastructure

52. In addition to the affected forestry land that PLN would be required to compensate in accordance with the forestry policy, the TL will cross-over several public infrastructure facilities such as: national highways, railway tracks, rivers and irrigation canals, etc. Advance notice will be required for crossing over minor infrastructure i.e. smaller rural access roads or watercourses. For crossing major infrastructure, PLN will continue consultation, obtain formal permission from each concerned agency and provincial government agencies, and provide advance notice of commencement of works. PLN will not be required to pay a fee or compensation for it. Official clearances will be required for this purpose from the concerned state and provincial agencies. Only a small portion of the boundary wall of a school will be getting affected in Component 2. During the final alignment, PLN will attempt to realign TL to avoid crossing over the boundary wall. Some irrigation channels in component 6 might be permanently affected and need to be rebuilt by PLN.

Table 10: Affected Public Infrastructure

Infrastructure	Component 2	Component 5	Component 6
River/Irrigation Channel	1	7	2
Road	5	13	1
Transmission Line	2	14	0
Railway Track	2	2	0
School boundary wall	1	0	0

Source: IOL carried out by the Consultant in November 2010 – May 2011

9. Vulnerable Groups = Kelompok Rentan

53 Based on the SES, a total of 305 HHs are identified as vulnerable groups. Of these, 235 HHs fall below the defined national poverty line, i.e. Rp. 211,730 per capita per month. Another 33 HHs are women headed households without support of any other earning members. These vulnerable households would be entitled to participate in the livelihood restoration program. Distribution of vulnerable groups by provinces is outlined in **Table 11**.

Table 11: Vulnerable Groups

Province	HH below Poverty Line		Women Headed HH		Elderly headed HH		Total
East Java	150	64%	23	70%	18	49%	191
Bali	85	36%	10	30%	19	51%	114
Total	235	100%	33	100%	37	100%	305

10. Ethnic Minorities and Indigenous People (IP)

54. Javanese in the East Java section of the project and Balinese on the Bali Component of the project form the dominant groups affected by the project. National Map on Remote Indigenous Communities issued by the Ministry of Social, 2004 identified that some IP groups such as Osing Community in Banyuwangi District, Tengger Community (Bromo) in Probolinggo District of East Java and Trunyan and Songan Communities in Bangli District – Bali Province are located away from the project areas and they will not be affected in any way due to the project. Muslims form the majority in Java Island, while Hindus are predominant group in Bali Island. So the Project will consider their traditions with respect and accordingly design a strategy to formulate a suitable awareness program.

55. The project will not cause any adverse impacts on any ethnic minority. Affected households belong to the major ethnic groups like Javanese, Madura in East Java and Balinese in Bali. None of these groups would be affected differentially and none have attachment to ancestral land, although they do have unique religious and cultural practices, particularly the Balinese. None of the project affected households satisfy the criteria for applicability of ADB's policy on IPs.

11. Relocation Requirements

56. Based on the preliminary survey and analysis of impacts, no relocation of any AP would be necessary in the project. However, following the DMS and analysis of data, the need for relocation would be determined.

12. Summary of Impacts

57. **Table 12** gives the summary of land acquisition and other social impacts of the Project.

Table 12: Summary of Land Acquisition and Project Impacts

Loss Category	Unit	Quantity	Remarks
Component 1: Extension of substation at Paiton			
Number of Households	Nos.	0	No land acquisition. Extension of substation will be accommodated in existing land owned by PLN
No of Affected People	Nos.	0	
Loss of Land (Permanent)	m ²	0	
No. of Affected Structures (Building etc.)	Nos.	0	
No. of Severely Affected Households (>10% affected land)	Nos.	0	
No. of Houses to be Resettled	m ²	0	
Loss of Trees and Crops	m ²	0	
Component 2: Paiton - Watudodol 500 kV Overhead Transmission Line			

Loss Category	Unit	Quantity	Remarks
Total Number of Households Towers : 301 AHs ROW : 488 Ahs	Nos.	789	
No. of Affected People	Nos.	2,227	
Loss of Land (Permanent) Private land : 211,231 Forestry : 57,900	m ²	269,131	
No. of Affected Structures (Building etc.)	Nos.	12	Structures under the Transmission line ROW
No. of Severely Affected Households (>10% of land getting affected)	Nos.	56	
No. of Vulnerable Households: Poor, Women Headed Households and elderly	Nos.	191	
No. of Houses to be Resettled	Nos.	0	No Resettlement
Loss of Trees and Plants	Nos.	35,944	
Loss of Crops	m ²	211,642	
Restricted Use (Traversed by Transmission Lines) Private land : 3,304,169 Forestry land: 893,900	m ²	4,198,069	Land by RoW Use
Component 5: Gilimanuk - New Kapal Overhead Transmission Line (500 kV cum 150 kV MVMC)			
Total Number of Households Towers : 160 AHs ROW : 225 Ahs	Nos.	385	
No. of Affected People	Nos.	1,577	
Loss of Land (Permanent) Private land: 136,675 Forestry land: 12,400	m ²	148,975	
No. of Affected Structures (Building etc.)	Nos.	116	Structures under the Transmission line ROW
No. of Severely Affected Households (>10% affected land)	Nos.	63	
No. of Vulnerable Households: Poor, Women Headed Households, and Elderly	Nos.	144	
No. of Houses to be Resettled	Nos.	0	No Resettlement
Loss of Trees and Plants	Nos.	22,581	
Loss of Crops	m ²	10,540,900	
Restricted Use (Traversed by Transmission Lines) Private land: 1,691,115 Forestry land: 720,868	m ²	2,411,983	Land by RoW Use
Component 6: 500/150 kV substation at New Kapal			
Number of Households	Nos.	20	
No. of Affected People	Nos.	80* **	IOL has not been done for the new location
Loss of Land (Permanent)	m ²	58.600	
No. of Affected Structures (Building etc.)	Nos.	0	
No. of Severely Affected Households (>10%	Nos.	20* ***	Based on brief IOL

Loss Category	Unit	Quantity	Remarks
affected land)			done for the new location
No. of Women Headed Households	Nos.	NA*	
No. of Houses to be Resettled	Nos.	0	
Loss of Trees and Plants	Nos.	60****	Estimated number. Details of IOL has not been done for the new location
Loss of Crops	m ²	50,000****	Details of IOL has not been done for the new location
Restricted Use (nearby agriculture area)	m ²	0	

Source: IOL carried out by the Consultant in November 2010 – May 2011

Note:

* The location of Component 6 (500/150 kV substation at New Kapal) was changed in August 2013, after the initial IOL was conducted in November 2010 – May 2011. In November 2013, brief IOL was conducted for the new location, and (i) the number of AHs, (ii) the area of the loss of land (permanent), (iii) number of affected structures (building etc.), (iv) the area of restricted use were identified as shown in the table. The number of APs, severely affected HHs, and vulnerable AHs including women headed HHs, and loss of trees/plants and crops will be surveyed during LARP updating after the DMS is completed.

The new location is just across the previous location, so the APs in the new location have been consulted about the project during public consultation in Tabanan District in year 2010.

** In this LARP, the number of affected people for Component 6 is estimated on an assumption that each AH in this area consists of 4 members; the average family size in the Project area (See Para.66).

*** In this LARP, the number of severely affected HHs for Component 6 is estimated, in order to be on the safe side, on an assumption that all the AHs are severely affected.

**** The loss of crops for component 6 is estimated on the assumption that the most of affected area is irrigated land.

IV. SOCIOECONOMIC INFORMATION AND PROFILE

A. Methodology Used for Socio-economic Survey

58. The discussion in this section is based on the data/information collected through the census of AHs. The survey team also carried out in-depth interviews with many leaders and representatives of the affected regencies on their socioeconomic conditions and obtained additional detailed information on their opinion with regard to relocation and income restoration. In addition, the team also collected some socio-economic data from Statistical books of affected districts in East Java and Bali Provinces.

B. Project Areas

59. The TL will pass through three districts in East Java and two districts of Bali provinces. Project affected area, population and number of electricity consumers in these provinces is given in **Table 13**.

Table 13: Profile of Direct Project Influence Area

Regency	Total Land Area of Regency (km ²)	Population Density (nos./km ²)	Affected Sub-districts (nos.)	Total Population of affected Sub-districts	Population below Poverty Line	Electricity Consumers (Households)
East Java Province						
Probolinggo	1696	685	1	72,566	8,680	6,797
Situbondo	1639	391	11	417,415	1,68,506	1,38,135

Banyuwangi	57825	274	3	1,70,153	70,656	25,681
Sub-Total				6,60,134	2,47,842	1,70,613
Bali Province						
Jembrana	841	261	5	304,956	6,444	38,253
Tabanan	893	460	4	414,220	11,624	78,905
Sub-Total				719,176	180,68	1,17,158

Source: Digest of Regencies in Figure, 2009

C. Socio-Economic Characteristic

60. Based on the collected data, total number of 1,194 HHs would be affected by the project comprising 405 HHs (34%) in the province of Bali and 789 HHs (66%) in East Java Province.

1. Socio-Economic Profile of Affected Household in East Java Province

61. **Origin and Ethnicity.** There are 789 AHs. Most families live in nuclear type of family structure. Out of total 789 AHs, 304 HHs (39%) were identified as not originally from the area where they live now and the 215 HHs (27%) are originally from the area, while 34 % of them did not answer. From the ethnicity, 27% were identified Maduranese, 17% are Java-Maduranese, 2% are Javanese, and the remaining are others.

62. **Religion.** In East Java, majority of households (556 HHs, 68.22%), follows Islam religion, followed by 4 Christians, 1 Hindu family and one did disclose the religion but responded having faith in universal God. 253 HHs (31%), though mostly Muslims, didn't respond explicitly.

63. **Education and Occupation.** All children of school going age in project affected families were attending school. Out of total respondents, more than 86 % heads of affected households were literate. However, majority (63%) have only basic education (completed elementary and secondary schools). It's only 8% completed high school and 2% finished college, while 8% did not provide response. In East Java, majority household heads (78%) have farming and livestock raring as main occupation and 5% is unemployed.

64. The average family income of HHs in East Java from all sources including wages and sales of agriculture product was Rp 1,396,944 with range of Rp 16,600 lowest to Rp 76,000,000 highest. Out of total HHs, 150 families have per capita monthly income less than defined national poverty line, i.e. Rp. 211,730 per capita per month². The figures for monthly household income of project affected households may be revealed as low as some households did not disclose their all sources of income.

65. There are total 23 women headed HHs (3%) in East Java of the total number of AHs. They are considered vulnerable group. The range of monthly income earned by the women headed households is from Rp 265,000 to Rp 1,250,000. Their main source of income is farming/livestock (43%), diver/laborer (20%), business/trader/shop owner (10%), Employ and retired (6%), unemployed (6%), and others (12%).

2. Socio-Economic Profile of Affected Households (AHs) in Bali Province

66. **Origin and Religion.** There are 395 AHs surveyed. The survey identified that the average family size in the project area is 4 persons per household. Families live in both joint and nuclear type of family structure. Out of total 395 HHs, 256 HHs consider themselves as non-original inhabitants from the area where they live now, 72 HHs stated as original inhabitants while the remaining 67 HHs did not disclose statue of their place of origin. The majority of Balinese are Hindu (376 HHs or 95%). Only 2 % are Muslim, 1% is Christian. 2% did not respond to the question.

² BPS (Central Statistics Agency) Indonesia, 2010

67. **Education and Occupation.** Over 96 % of AHs head in Bali are literate. However, majority (63 %) of heads of affected households just completed basic education (elementary and secondary schools). It's only 19% completed high school and 8% finished college. In every household all school age children were attending school. Majority of AHs occupation in Bali are farming and livestock (62%), followed by employee (15%), diver/laborer (8%), business/trade/small shop (5%), retired (5%) and only 1% unemployed. The rest (8%) is other occupations and did not answer.

68. The average family income of HHs in Bali province from all sources including sales of agriculture products and other sources was Rp 2,315,253 with range of Rp 10,000 lowest to Rp 18,000,000 highest. Average per capita monthly income of 85 HHs is less than defined national poverty line, i.e. Rp 211,730. However, the households below national poverty line reported to have sufficient food items required for their family members for a year.

69. The majority of HHs in Bali province was headed by males (more than 94 %) and only 15 HHs (3.8%) were headed by females. Most of women heading are farmers and employees as the main source of income, while the range of monthly income is from Rp 102,000 (farmer) - Rp 4,600,000.

70. **Gender issues.** Explicit consideration of social aspects of development has been undertaken with issues such as people's participation, poverty reduction, and enhancing role of women in development as priorities. Apart from family responsibilities both in Bali and East Java Provinces, women play an active role in the agricultural and forestry production processes, both on farm and in non-agricultural activities. Balinese women actively work in public sector such as construction workers, home industrial workers, farmers, and traders. Women may be disadvantaged by the Project activities by losing land or income from land. Besides, they may face exposure to / threats of sexually transmitted infection or HIV/AIDS as it is well established fact that because of development activities mobility of truck drivers and commercial sex workers increases intensifying chances of transmission and spread of these diseases.

71. Care needs to be taken to support them to maintain their sources of livelihood and traditional production pattern. Particular attention shall be paid to the needs of women in general, and women-headed households in particular, in formulation of appropriate programs such as employment opportunities provided by the project to ensure that women will equally benefit from the project. Other social issues related to vulnerable groups, such as poor households, child labor, HIV/AIDS, human trafficking and resettlement effects will also be duly considered for this project preparation.

V. PUBLIC CONSULTATION, PARTICIPATION AND DISCLOSURE

72. Participation provides for the occasion and the process by which stakeholders influence and become co-responsible for development initiatives and decisions that affect them. Through participation, the needs and priorities of the local population are expressed and can be addressed in project and resettlement planning. The affected households and other stakeholders will continue to be consulted during LARP updating and implementation, following a two-way process – information dissemination and gathering of feedback and suggestions.

A. Public Consultations

73. During preparation of the project and this draft LARP, Consultant paid great attention and efforts on public and stakeholder's consultation. The methods adopted for project information and public consultation included group and focus discussion, public meetings, key informant interviews and HH's SES. The consultation activities started from the Inception stage (March 2010) and continued till census and SES in the months of November 2010 – May 2011. Consultations and focus-group discussions were held with (i) local authorities of different levels-provincial, district and sub-district, (ii) local community and groups of affected HHs; (iii) local non-government organizations such as Women's Association, Farmer's Association, etc.

74. Consultation sessions were also held with the representatives of the village administration and neighbors of the Affected Persons in order to understand community's response to the project, perceived benefits and impacts, local needs/options, project options and choices. This included participatory discussions and key informant interviews as part of the social assessment carried out for the Project. The scope of the key informant interview included: a) capacity of local governments on social safeguards implementation, and b) the possibility of pursuing livelihood restoration programs for APs and vulnerable groups.

75. The purpose of these meetings was to enable the provincial committees and relevant agencies to become familiar with the project, its general TLs and facilities, as well as understand clearly the probable resettlement, socio and environment issues that may evolved during the implementation of the Components.

76. During the meetings, the consultant teams relayed to participants the following topics:

- General information of the Components, its route and features;
- List of project
- affected regencies, districts, sub-districts and the scale of possible land acquisition for the project TLs and sub-station;
- Potential impacts on crops, trees, plantations and structures under the ROW;
- Objectives and Principles of LARP according to the requirements of Government of Indonesia and ADB's policy on involuntary resettlement;
- Schedules of census, SES and IOL;
- Livelihood restoration program, its scope and entitlements;
- Compensation and entitlements (options for cash and/or in-kind compensation);
- Gender and vulnerable group issues; and
- Mechanisms of APs participation, grievance redress, monitoring and evaluation through all phases of LARP preparation, updating and implementation

77. Details of various public consultations carried out in the process of preparation of resettlement plan in summarized in **Table 14**. The information gathered from the consultation process has been used for assessing project resettlement impacts and clarifying recommended measures mitigating potential negative resettlement impacts on local population.

Table 14: Summary of Public Consultations

Date	Project Component	Venue / No. of Participants	Issues discussed / remarks ³
October–November 2010	500kV Transmission Line	Situbondo District / 49	General information of the Components, its route and features; List of project affected areas and the scale of possible land acquisition for the project TLs and sub-station; Objectives and Principles of LARP according to the requirements of Government of Indonesia and ADB's policy on involuntary resettlement; Livelihood restoration program; Compensation and relocation modes (options for cash and/or in-kind compensation); Ethnic, gender and vulnerable group issues; and Mechanisms of APs participation, grievance redress, monitoring and evaluation.
October – November 2010	500kV Transmission Line	Badung District / 03	
October – November 2010	500kV Transmission Line	Buleleng district / 01	
October – November 2010	500kV Transmission Line	Jembrana district / 30	
October – November 2010	500kV Transmission Line	Tabanan district/ 32	
27 May 2010	500kV Transmission Line	District, Bali (Buupaties) / 31	
27 May 2010	500kV Transmission Line	Banzar Village (Affected people) / 20	
10 January 2012	500kV Transmission Line	Provincial Office of Land National Agency, East Java	Consultation on land acquisition under the new land acquisition law
11 January 2012	500kV Transmission Line	Probolinggo District, Situbondo District, Banyuwangi District in East Java	Consultation with local governments and local leaders related to project potential impacts; safety, land acquisition/resettlement
12 January 2012	500kV Transmission Line	Office of Baluran National Park in East Java and Bali Barat National Park in Bali.	environmental and resettlement issues
14 January 2012	500kV Transmission Line	Tabanan District	Consultation with APs and village office on project potential impact; land acquisition, land rate, etc.
16 January 2012	500kV Transmission Line	Land Office-BPN RI in Tabanan District.	Practicees on land acquisition in Tabanan District, land acquisition process

Note: Minutes of the stakeholders meetings and public consultations including signed attendance sheets are attached as Annexure 3.

1. Key Findings of Consultations

78. **Social Impacts.** Major social issues with the proposed TL and sub-station were identified mainly in Bali. According to the local beliefs, no structure should be taller than a coconut tree as that indicates disrespect for God. In Kapal expressed their reservation on the proposed 500 kV TL due to the perceived negative affect on their health. However, most of the respondents interviewed in Bali support the project due to the benefits will bring to them.

2. Community Consultation

79. During the various consultation sessions most people both in East. Java and Bali fully supported the project. However, people in East Java hoped that PLN will maintain transparency in regard to land acquisition and payment of compensation for impacted land and other assets, if any. The villagers also hoped that the incoming power plant will be safer than that in Paiton in East Java as the investor will implement state of the art technology and the generator will be silent, so that there is no chance of noise pollution. A summary of key issues raised during focus group discussions is in **Table 15**.

Table 15: Issues from Consultation with Stakeholders

Issues	Stakeholders' Suggestion	Proposed Action
Forestry Agency of Bali Province. The Agency complained that there were pegs set up in their area without coordination and permission from them.	It was decided to take the Forestry Agency of Bali Province in confidence and they were invited for discussion	PLN agreed to better coordinate with the Forestry Department.
Shepherd boys while playing might reach/climb transmission tower which will be built in pasture.	The people expect that the incoming transmission tower which will be built in pasture is secured by fence	PLN agreed to put in place anti-climbing devices on the towers.
Land acquisition	The public expect that PLN maintains transparency in case of land acquisition and payment of compensation for affected land. PLN should pay land owner directly under knowledge of the concerned heads of the locality.	LARP provides for transparent compensation payment procedures.
People blaming either village head or head of sub district in case of any crisis.	Concerned heads should be involved in coordination and information dissemination to public, to develop partnership between PLN and local government.	PLN will coordinate with local leaders and community representatives.
Some misunderstanding with local people.	If the project team needs to enter the sites for any project related activities, it is expected that PLN and all of its counterparts to work in coordination with the local heads	PLN will ensure coordination with local authorities
	PLN Paiton will recruit more people of Situbondo and Banyuwangi Sub Districts as labor in construction of coal fired power plant and its high voltage transmission.	
	Provide community development program in and around transmission areas, as CSR or as such.	
	Provide continuous assistance for affected people to keep up supporting the community development program, to avoid temporal responsibility of PLN side.	
Acquiring fertile land, impact people around, won't exacerbate scenery and won't disturb sustainability of flora and fauna in Bali Barat National Park Region	People think that it is better to build 500kV transmission in the same route as the existing route of 150 kV TL. Other way is to do by using underground cable instead of overhead cable	<p>Final decision on the tower design will be based on careful consideration of technical aspects. Proposed route would be decided to cause least impact on the national park.</p> <p>Wherever critical areas are encountered alternative measures will be suggested.</p> <p>Laying of underground cable for a long distance is not technically possible and comparatively its cost is very</p>

Issues	Stakeholders' Suggestion	Proposed Action
		high.
Problem in uniformity of payment	If it takes compensation for land along the transmission, the compensation should be equal for plantation field and paddy field. If it is considered to paddy price, no wonder the compensation for it would be lower than the price of plantation products such as coconut, clove, durian, mangos teen, cacao, etc.	Resettlement policy in the LARP is consistent with the provisions of the ADB SPS (2009). The policy requires compensation for all assets at replacement cost based on the current market prices.
Compensation for lands within Right of Way (RoW) along the transmission should take a serious concern. It is due to the anxiety and fear of negative impacts; moreover the land within RoW is very cheap, even unwanted.	Compensation should be paid for lands around the RoW which is considered impacted by electricity induction.	The resettlement policy in the LARP provides for compensation for land acquired for the tower footings only. All other private land falling within the ROW will be paid an easement fee equivalent to the 10% of compensation at replacement cost.
Compensation should be paid for lands around the RoW which is considered impacted by electricity induction.	Tower higher than coconut tree is not a problem as long as it is located away from religious site. In accordance with regional regulation, building should not be higher than coconut tree (approximately 15 m)	PLN has assured that there are no ill-effects due to induction. PLN will carry out public awareness program during the final survey.
To conduct further dissemination to affected areas, so that the impacted people can understand clearly the risks and the compensation they receive.	it should not use representative for impacted people,	PLN plans to conduct public consultations
	Besides providing proper compensation, it is required that the impacted people along the TL are also provided with assurance fee for health, death and any destruction on building, plants and pets that may be caused by the transmission (such as collapsing tower, broken cable, etc.). The assurance fee should be legalized in written and detail per item.	PLN will conduct public awareness program to inform people that there are no adverse impacts on health and safety of people and domestic animals due to the TL.
Staff of Bali Barat National Park suggested that TL should not pass through the national park area. They were anxious about any negative impact on the Park.	Even if it is possible technically, transmission cables shall not stretch overhead but planted underground, so that they won't exacerbate natural scenery and dangerous effects are eliminated.	The proposed route would be decided in such a manner that it has the least impact on the national park.
The participants felt that visitors of the Park will mostly complain if TL stretches over the park (it is moreover high voltage transmission). It will affect the national park directly and image of its management indirectly		The proposed route would be decided in such a manner that it has the least impact on the national park.
All the villagers are willing to participate if PLN and investor maintain coordination with the	a.To pay more attention to matters of safety, conduciveness, security and health of local community during construction and	Resettlement policy in the LARP provides for:

Issues	Stakeholders' Suggestion	Proposed Action
community and keep their word that the development of power plant will not adversely affect the community	<p>operation of power plant.</p> <p>b. Conduct continuous information dissemination, particularly concerning its negative effect.</p> <p>c. Valuation, grievance redress and compensation of affected land, plant, building, etc. These should be assessed based on market price.</p> <p>d. For the construction local people should be deployed as labor.</p>	<p>a. Public consultation and participation;</p> <p>b. Public awareness program on people health safety issues;</p> <p>c. Compensation for all affected assets at replacement cost based on market prices;</p> <p>d. Preference to local people for jobs in the project</p>
Compensation for lands along the previous TL project has not been paid yet and complaints are not redressed.	This compensation has to be paid before any other transmission system gets constructed.	PLN promised to look into the issue and redress any outstanding claims and disputes.
<p>1. Children with lesser IQ and vulnerable to diseases are due to existing TL that passes over community settlements.</p> <p>2. Some TL Towers are so short in some regions that their cables touch plants (particularly the bamboo plantation).</p> <p>3. The participants wanted the pending complaints/problems to be resolved before coming up with planned transmission (SUTET).</p> <p>4. Conduct comprehensive information dissemination involving APs. There were following suggestions for the upcoming SUTET:</p>	<p>a) To involve related stakeholders, so that positive and negative effects such as induction impact on health and so on, are known.</p> <p>b) Decide the upcoming TL and location for the towers in coordination with villagers along the TL.</p> <p>c) Any decision regarding tolerance or resistance for upcoming SUTET project depends on villagers' conference.</p> <p>d) To explore the possibility of upcoming planned transmission and existing transmission (SUTT) in the same route.</p>	PLN will assure people that there will be no ill-effect on health and safety of the people. PLN plans to carry out public awareness program in conjunction with consultations during the final survey.
<p>The villagers communicated that paddy crops have failed as lights from SUTT Transmission Project attracts insect and pests as a consequence rice production is declining.</p> <p>1. They have some feeling that negative effects emerged from overhead transmission, but not yet complained firmly.</p> <p>2. Electricity is a basic need of people</p> <p>3. Seeking possibility that upcoming TL is constructed to cross over or get through the mountains in order</p>		<p>There is no negative health effect along the TL.</p> <p>Also see above on proposed actions by PLN to address these issues.</p>

Issues	Stakeholders' Suggestion	Proposed Action
to avoid community settlement. 4. Information dissemination to community, so that the safety matter and health impact could be considered. PLN need to inform about the dangers that might emerge from sparks from transmission cable.		
a) People who have agriculture field, fish pond and house near the power plant site face the fear of losing livelihood. Even though provided compensation or land bought by government, people were not convinced. b) People are worried about long-term negative impact on health, destruction of surrounding environment (surrounding plantation is wilted and dried off due to heat).		See above on the perceived ill-effect by the TL. Severely affected APs will be entitled to income rehabilitation assistance over and above compensation and other assistance they are entitled to for their lost assets.
Provision of job opportunity and social grant (CSR) to community.	It Is necessary to create more awareness for community of Sukadana Village and villages surrounding it (there are 4 villages) regarding positive and negative effects of power transmission on community surrounding power plant. For land acquisition or redress, the investor should directly be connected with land owner. During implementation of the Project priority should be accorded to local labor/manpower as per their ability/skill.	PLN agreed to take appropriate action.

80. People in Bali consider that current electric supply is sufficient for household purposes, but not for hotel and commercial needs. They think that it will be better to build 500kV TL in the same route as the existing route of 150kV TL in order to reduce the requirement of fertile land. Alternate way is to use underground cable instead of overhead cable, so that it does not impact people around, their surroundings and will not disturb flora and fauna in Bali Barat National Park as well. They recommend that:

- Compensation should be equal for plantation field and paddy field.
- Determination of land rate should not only refer to NJOP (Price Based on Scat), but should refer to recent market price in the locality.
- It is essential that transaction for land acquisition is dealt by land owner and PLN only, not by broker.
- Compensation for lands within Right of Way (RoW) along the transmission should take a serious concern.

- Transmission line should not cross over temple as well as other religious sites in order to avoid electrical negative impact and to keep the sanctity in faith of Hindu People of Bali.
- Besides providing proper compensation, it is required that the impacted people along the TL are also provided with and any destruction of building, plants and animals that may be caused by the transmission.

81. All the villagers are willing to participate in the project activities if PLN maintain coordination with the community and take such care that the project will not adversely affect the villagers. The group strongly suggested:

- To pay more attention to matters of safety, conduciveness, security and health of local community during construction and operation of power plant.
- Conduct continuous information dissemination, particularly concerning its negative effect.
- Valuation, redress and compensation of affected land, plant, building, etc. should be assessed based on market price.
- For the construction local people should be given priority to get deployed as labor.

3. Consultation and Participation Plan

82. The consultation process will be carried out throughout the planning and implementation phase of the project, as shown in

Table 16. Follow up consultations shall be carried out during the census and SESs for updating LARP. During implementation, the focus will be on public participation in the implementation of the community development plan (

Table 16).

Table 16: Public Participation Plan

Purpose of Event	Form of Event	Implementing Agencies	Target Participants	Remarks
Before Implementation of Resettlement Plan				
Disclosure of LARP	<ul style="list-style-type: none"> • Posted leaflets/ public information booklet (PIB) on village offices/ Adat Villages and made available to the APs • Uploaded on PLN website • Copies made available at PLN project offices, and BPN's local offices. 	PT PLN Project Office, Village Head (<i>Kepala Desa Dinas</i>)/Adat Village Head (<i>Ketua Desa Adat</i>)	All APs	<ul style="list-style-type: none"> • disclosure of LARP • distribution of information booklet to APs • Draft PIB is attached (annexure 2)
During Implementation of Resettlement Plan/RP updating				
Inform APs and beneficiaries of project progress, final design, land acquisition, and timing	Community meetings and focus group discussions	PT PLN Project Office, Land Agency, PIC, Village Head/ Adat Village Head	APs, stakeholders, beneficiaries	<ul style="list-style-type: none"> • meetings to be held with APs and with beneficiary population
Inform APs on DMS, finalize the identification of losses, project	Face to face meeting, community meetings	PT PLN Project Office, Land Agency supported by PIC	APs,	

Purpose of Event	Form of Event	Implementing Agencies	Target Participants	Remarks
benefit, and grievance redress mechanism		and village head/Adat Village Head		
Consultation/negotiation on compensation, income restoration, and payment mechanism	Community meetings, stakeholders meetings	PT PLN Project Office, Land Agency supported by PIC and village head/Adat Village Head	APs,	<ul style="list-style-type: none"> Will ensure participation of women and vulnerable groups in the consultation meetings. Consultations on income restoration/livelihood restoration will be conducted with those who are entitled for this program (vulnerable groups and severely APs/AHs).
Disclosure of updated RP	<ul style="list-style-type: none"> Posted updated leaflets/ public information booklet on village offices/ Adat Villages and made available to the APs Uploaded on PLN website Copies made available at PLN project offices, and BPN's local offices. 	PT PLN Project Office, Land Agency, supported by PIC, Village Head (<i>Kepala Desa Dinas</i>)/Adat Village Head (<i>Ketua Desa Adat</i>)	All APs	
After Compensation				
Consultation on income restoration/livelihood restoration program	Community meetings/focus group discussion		Vulnerable groups and severely APs/AHs	<ul style="list-style-type: none">
Monitoring and evaluation (during resettlement)	Household interviews, group discussion, site investigation	PT PLN Project Office, Land Agency, PIC, external monitor	All APs or random sample depending on number of APs	<ul style="list-style-type: none"> Monitoring of compensation payments and compensation in kind Monitoring of land evacuation Monitoring of rehabilitation measures
Monitoring and evaluation (six months after end of resettlement)	Household interviews, group discussion, site investigation	PT PLN Project Office, independent external monitor	All APs or random sample depending on number of APs	<ul style="list-style-type: none"> Monitoring of rehabilitation measures Monitoring of any grievances
Monitoring and evaluation (after the end of construction)	Household interviews, group discussion, site investigation	Independent external monitor	All APs or random sample depending on number of APs	<ul style="list-style-type: none"> Monitoring of results of the resettlement program Assessment of rehabilitation and satisfaction of APs

83. Consultation will be conducted by taking into account the culture and institutional structure in the project area. In Bali, considering the strong culture and role of traditional institutional structures, consultation will be carried out not only through the government institutions, but also through the customary institutions especially at village level (*desa adat* or

desa pakraman). The consultation will also be carried out not in the days of customary/traditional ceremonies and celebrations as all citizens will be busy with the celebration. The consultation will also take into consideration of participation of women, therefore consultation on the days when Balinese women cannot leave the house because they have to prepare a customary ceremony will be avoided.

4. Public Information Booklet

84. A draft public information booklet (PIB) has been prepared and will be distributed to the affected households at the Public Consultation (Annexure 2). The following information will be provided in the PIB: (i) a brief background of the Project, specifically the civil works to be undertaken; (ii) potential social impacts; (iii) Key provisions of the compensation policy including income rehabilitation and assistance to vulnerable groups; (iv) basic principle of asset valuation and compensation; (v) resettlement schedule including timing of payments and the schedule of displacement; (vi) grievance redress mechanism; and (vii) contact persons at PLN and concerned local authorities. Upon finalization, PLN will translate the PIB in Bahasa Indonesia for distribution to the APs during the final survey.

5. Disclosure of the Resettlement Plan

85. Copies of the approved draft and updated LARPs will be uploaded on the PLN and ADB websites. They will be made available at PLN Project and local government offices that are traversed by the project including provincial government and Land Agency. The final updated LARP will also be uploaded on the ADB and the PLN website. Additionally, summary of the LARP (including project potential impacts, census, asset inventory and valuation) and the key provisions of the compensation policy and resettlement entitlements in the form of Public Information Booklet will be translated in Bahasa Indonesia and will be placed at the village office and made available to the APs .

B. Grievance Redress Mechanisms

86. In order to ensure that all APs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs to air their grievances, a well-defined grievance redress mechanism needs to be established. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition, resettlement, allowance and income restoration.

87. Consultation with and participation of the APs should serve to minimize the occurrence of major grievances. However, in order to ensure that the affected people have avenues for redressing their grievances, procedures have been established for the Project, in accordance with Law on Land Acquisition for the Development in the Public Interest, the prevailing Presidential Decree No. 36 Year 2005, Art. 17 – 18 and Presidential Decree No. 65 Year 2006 Art 18A and Head of BPN regulation No. 3/2007 Art. 23 and 24 which outlines:

88. An aggrieved AP may bring the grievance/complaint either verbally or in writing directly to PLN or Land Agency through the village chief and/or customary village chief who will submit it to the PLN or Land Agency either in writing or verbally. Where the complaints are received verbally, it will be written down for documentation purposes. PLN/Land Agency together with the village chief/adat village chief will attempt to seek consensus to achieve an acceptable settlement with the aggrieved AP.

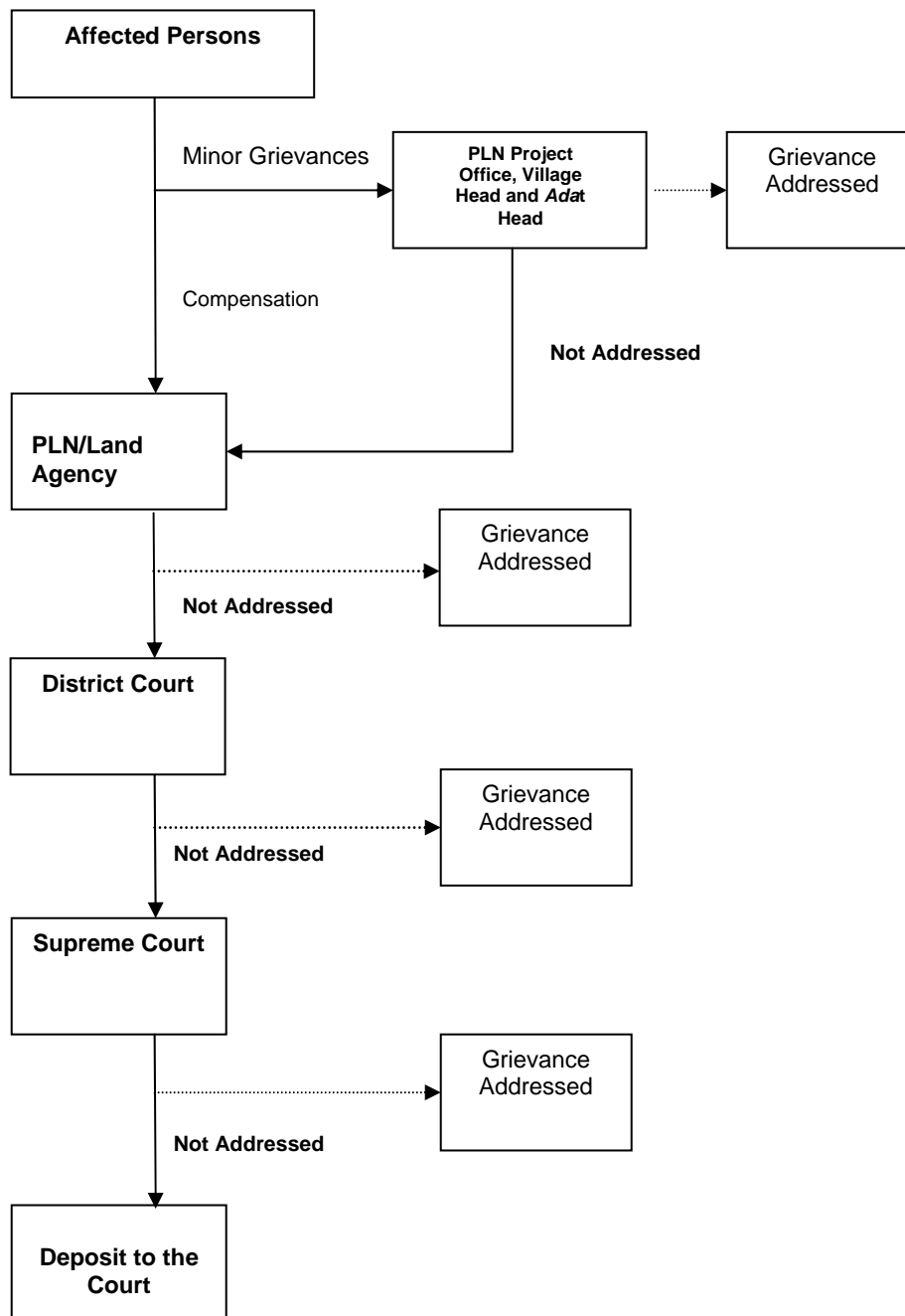
89. In case of complaints related to project construction and other resettlement matters (not compensation rate), the aggrieved party may bring the complaint – that made through the village chief/customary village chief -either to the contractor or to the PLN project office or to the Land Agency so long as the complaint is in line with the concerned agency's mandate for resolution. The contractor and PLN project office will coordinate with village office/customary village office and Sub District office if necessary to settle the complaint acceptable to the aggrieved APs.

90. In term of the compensation form and rate, if the aggrieved AP does not accept the compensation, the aggrieved APs may bring the case to the district court within 14 working days after deliberation to determine compensation form and rate. The court will determine the case not later than 30 working days from the receipt of grievance submission.

91. If the aggrieved AP is not satisfied with the decision of the court, the aggrieved AP may bring the case to the Supreme Court within 14 working days after the court decision. The Supreme Court must decide the case not later than 30 working days from the request for appeal is received. The final decision of the district court/Supreme Court will be the legal basis for compensation payment to the APs who lodged the grievance. If the aggrieved still refuse the decision of the district court/Supreme Court, the Land Agency will deposit the compensation money in the court. The PLN/Land Agency shall be responsible for recording and keeping file of all complaints that it handles. PLN project staff will make efforts and work with village and religious heads, where applicable, to address all complaints at the local level to preclude their elevation to higher level.

92. PLN project staff will maintain full record of all complaints received, date and place, and actions taken. Complaints received verbally will be written down. Figure 4 shows the proposed grievance redress mechanism.

Figure 4: Grievance Redress Process



93. For handling the grievances of APs in Bali, attention will be paid to several crucial items. Bali has a dual governance structure, namely government structure and traditional/customary structure. Traditional/customary leaders (*pemangku adat*) plays significant role in the normal day-to-day life of the Balinese particularly concerning adat affairs. Traditional governance structure also exist from village to provincial level (*Desa Adat* or *Desa Pakraman* at village level, *Desa Adat Madya* at sub district level, and *Desa Adat Agung* at district level) As the traditional/customary structure in Bali has significant role for the Balinese, the grievance redress

mechanism in Bali will take into consideration the traditional structure existence. Therefore, it is necessary that all complaints are also directed to respective *Desa Adat* Head (*Kepala Desa Adat*) at village level, in addition to *Desa Dinas* Head (*Kepala Desa Dinas*). At the local level, both the *kepala desa adat* and *kepala desa dinas* will coordinate among themselves to address the complaints together with project staff of the PLN. When the complaints are elevated at sub district level, *Majelis Desa Adat Madya* at sub district level would also be member of team addressing the complaints at that level. Taking into account the fact, the grievance redress mechanism provides for important role to be played by *Kepala Adat* in Bali.

94. Balinese people have strong customary bond with their living place. What makes them bound are customary values associated with shrine, cemetery activities, social connections and social activities. All of those values have been determined in customary statute (*awig-awig*) prevailing within each customary village. A customary village can consist of several administrative villages. Every person / household moving out from their customary village, either by their own willingness or involuntary displacement, has to find a new customary village to live in. Balinese people are able to run customary values in their life if only they have become member of a customary community and fulfill the obligations determined in the *awig-awig*.

95. Balinese people are able to move in to another customary community in another customary village with requisite of paying "*penanjung batu*". It is a fee (in form of *kepeng* money which can be converted into IDR rate) in amount equal to total value of customary village's assets divided by the number of member of the customary village. The amount of the customary village's assets is relative. It can be estimated into IDR rate if the customary village has customary rural microloan institution (LPD), land, shire structure, village hall, facilities, infrastructures, etc. The customary village located in tourism area may have assets worth billions IDR, such as customary village of Sanur, Legian, Kuta, Jimbaran, Ubud, Mengwi, Denpasar Kota, etc. The customary village located more to the rural area, like from Tabanan heading to Gilimanuk, mostly doesn't have asset with high rate, so the fee for becoming the customary village member does not cost much. However, the physical and psychological difficulties to the new customary member are certainly priceless. Thus, the case of Balinese people's shifting to another customary village is not common.

96. The acquisition of land from Balinese APs is not likely to pose any problem if the replacement land is in the area of the same customary village (*wewidangan*) or the APs is not losing all their land and thus not getting completely displaced from the project area. As the APs don't have to move in to another customary village, the acquisition of land won't involve the customary institutions.

VI. LEGAL FRAMEWORK

97. This chapter discusses the national, provincial, Project level resettlement policies and legal issues involved in land acquisition and compensation. The chapter describes the principles and approach to be followed in minimizing and mitigating negative social and economic impacts by the Project.

A. Policy and Regulatory Background of Government of Indonesia

98. The principal laws and acts of Government of Indonesia in regard to land acquisition, compensation and resettlement include the following; i) Law on Land Acquisition for Development in the Public Interest; ii) Indonesian National Electric Act; iii) The current Presidential Decree (Keppres) of Indonesia in case the Government Regulation for the Land Acquisition Law has not been issued; iv) Other relevant national and local laws and regulations

99. The Indonesian National Electric Act Number 30, Year 2009 states that Indonesian government is responsible for providing safe, reliable, efficient and environment friendly power supply. To provide such power supply, Indonesian government establishes the Act and the regulations in which the installation and maintenance of electric power plant, transmission, distribution, receiving facilities in building are required to follow the existing regulations, standards and codes especially design, technology, and health, safety and environmental requirements.

100. The main legal tool that is currently prevailing in Indonesia and suitable for involuntary resettlement would be 36/2005, entitled "Provision of Land for Realizing the Development for Public Interests", as amended by Presidential Regulation No. 65/2006, entitled "On Land Acquisition for Development Purposes in the Public Interest", and National Land Agency (BPN) Regulation No.3/2007 on Land Acquisition Implementation Guideline for Presidential Decrees 65/2006 and 36/2005. These regulations provides for various forms of compensation for private assets needed to pursue Government development projects. These regulations will be still valid until the government regulation under the Land Acquisition Law is issued.

101. In January 2012, the land acquisition for development in the public interest was promulgated, and the enabling regulations will be issued within one year after its enactment. The act provides a clear procedure and timeframe for land acquisition. Transitional provision of the law regulates that land acquisition that is being done prior to the promulgation of the Act will be completed by referring to the previous regulations/provisions. The remaining land that has not been acquired, the acquisition will be completed based on provisions regulated in the Land Acquisition Act. Regulations on land acquisition procedures remain valid as long as not contrary or not yet replaced with new regulations based on the Act provisions. This LARP is prepared with reference to the new Act including the grievance redress mechanism.

102. The Act further regulates that land acquisition is undertaken through a planning by involving all concerned stakeholders and taking into account the interests of development and community. In addition, land acquisition is conducted by providing fair and adequate compensation. The Act also recognizes that i). residents controlling and utilizing land are entitled to compensation; ii) valuation for all losses (lost land and non-land assets, other losses that can be valued) by appraiser plot by plot; iii) requirement of project location permit that should refer to the spatial planning prior to land acquisition; iv) land acquisition implementation by Land Agency (National Land Agency/BPN); and vii) monitoring of land acquisition and acquired land.

103. The 2012 act has been is in line with the ADB SPS (2009) and just a few gaps are identified and need to be addressed, including the principle of no depreciation for compensation of lost structures, clear provisions on livelihood restoration programs for severely affected

persons and vulnerable groups to ensure that their living standard will not be worse off, assistance for relocation (transition allowance), and requirement for external monitoring.

104. Additional relevant regulations include:

- (i) Law of the Republic of Indonesia, Number 41 Year 2009, on Sustainable Food Protection of Agricultural Land that regulates on requirement of replacement land for the acquired agricultural land for sustainable food
- (ii) Provincial Regional Government Decree of Bali, No-4 1996 Regional Spatial Planning of Bali Province
- (iii) Law of the Republic of Indonesia Number-41, Year-1999 on Forestry governing on compensation and land replacement for acquired forestry land;
- (iv) Law No. 11 Year 2011 on Economic, Social, and Cultural Rights that protects people rights including rights to decent living.

B. Asian Development Bank Policy

105. The aim of ADB Policy on Involuntary Resettlement is to avoid or minimize the impacts on people, households, businesses and others affected by the acquisition of land and other assets, including livelihood and income. Where resettlement is not avoidable, the overall goal of the ADB policy is to help restore the living standards of the affected people to at least their pre-Project levels by compensating for lost assets at replacement costs and by providing, as necessary, various forms of support.

106. ADB SPS (2009) consolidates three existing safeguard policies: Involuntary Resettlement (IR), Indigenous Peoples (IP), and environment. The objectives of the IR policy are:

- To avoid involuntary resettlement wherever possible;
- To minimize involuntary resettlement by exploring project and design alternatives;
- To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and,
- To improve the standards of living of the displaced poor and other vulnerable groups.

107. Involuntary resettlement covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas – regardless of whether such losses and involuntary restrictions are full or partial, permanent or temporary.

108. The provisions of the 2012 land acquisition act are generally has been in line with the provisions of the ADB SPS (2009) with only minor gaps including requirement of SES, principle of compensation for affected structures without depreciation, provision of livelihood restoration programs for severely affected persons, special attention to severely affected persons and vulnerable groups to ensure that they are not worse off due to the project, and assistance for relocation and (transition allowance). The land acquisition and resettlement policy for the project will be generally guided by the provisions of the Land Acquisition Bill of 2012 with procedural amendments, where necessary, consistent with the objectives and requirements of the ADB SPS (2009).

Table 17: Comparison of Government Law and Regulations with ADB and Project

Principles	Government Policies and Best Practices	ADB Policy	Project Policy
Eligible persons	Persons who own, control, use, and utilize land	The IR applies to (i) persons with formal land legal rights;	No gap

Principles	Government Policies and Best Practices	ADB Policy	Project Policy
	acquisition object are entitled for compensation	(ii) persons who have no formal legal rights but who have claims to such lands recognized under national laws; (iii) persons who have neither legal rights nor recognized claims to such land.	
Compensation	<p>Compensation will be provided based on valuation of independent appraiser for i) land; ii) trees/crops; iii) building; iv) other things at above and underground; v) land use restriction; vi) other losses that can be valued such as job and income losses</p> <p>Tax incentive will be provided for land acquisition</p> <p>Building will be valued based on condition of building/structure</p>	<p>Compensation at replacement cost will be provided for loss of physical assets and economical losses as well as restriction of access to protected area and parks</p> <p>No deduction of taxes and administrative cost</p> <p>No depreciation for compensation of structure or deduction for salvaged material</p>	<p>No gap</p> <p>No gap</p> <p>Depreciation for acquired building and deduction for salvaged material will not apply</p>
High risk of Impoverishment	Aims to improve the welfare and prosperity of community while ensuring the interest of entitled parties. No special attention for vulnerable group and severely affected	Aim to improve the living standards of the poor and otherwise vulnerable to at least national minimum standards	Severely APs are entitled for livelihood restoration program. Special assistance will also be provided for vulnerable groups including household headed by women, elderly, poor household, and ethnic minority.
Relocation assistance	Resettlement is one of the compensation options, yet no clear provisions for the relocation assistance including transition and moving allowance	Provide assistance for physically or economically displaced persons including i) secure tenure to land and housing with comparable access to employment and production opportunities; ii). assist to integrate and share benefits with hosts, iii) restore social amenity; iv) provide moving and transitional support e.g. land preparation, training, access to credit, civic infrastructure and community services if required.	Transition and moving allowance will be provided for relocating AHs.
Monitoring	<p>Land Agency will monitor land that have handed over to institutions in land need</p> <p>Government will monitor land acquisition process</p>	<p>Monitoring is required to assess resettlement outcomes, their impacts on standards of living of APs, and whether the objectives of the LARP have been achieved.</p> <p>For projects with significant IR</p>	External and independent monitoring agency will be mobilized to ensure that the objectives of project resettlement principles and policy are achieved and to verify internal monitoring results.

Principles	Government Policies and Best Practices	ADB Policy	Project Policy
		impact, qualified and experienced external experts is required to be mobilize for verifying the monitoring information	
Public disclosure	<p>During the planning of land acquisition, provincial government and institution in land need will announce the location for development for the public interest.</p> <p>Land Agency (BPN) will disclose the list of eligible persons and their losses to communities for</p>	The draft and final LARP are to be disclosed to APs and other stakeholders in accessible forms, languages and places in timely manner	<p>Summary of LARP in the form of leaflet will be distributed and posted to the strategic places at village level</p> <p>LARP and IMA report will be posted on ADB website</p>

C. Compensation and Resettlement Policy for the Project

109. Where possible, PLN will explore all opportunities to avoid land acquisition and displacement through engineering alternatives. Where impacts are unavoidable, PLN will ensure that all adverse impacts are mitigated and affected persons are able to improve, or at least restore their livelihood to pre-project level.

110. Compensation for all assets acquired by PLN will be provided at their replacement cost. Calculation of full replacement cost will be based on the following elements: (i) fair current market value at the time of compensation; (ii) transaction costs; (iii) transitional and restoration costs; and (iv) other applicable payments, if any. The compensation for affected structures will be paid without depreciation and deductions for salvaged material. It is expected that qualified and experienced experts will undertake the valuation of acquired assets.

111. The policy covers all people affected by PLN TL projects, irrespective of their land tenure status. Persons or households without formal legal rights or recognizable claims to the acquired land are still entitled to be compensated for their loss of assets other than land, such as dwellings or other improvements on the land at full replacement cost, provided that they have occupied/used the land or structures in the affected land prior to the cut-off date. Where resettlement is necessary PLN will develop resettlement options that can include cash payments or equivalent, replacement land or other forms of assistance based on discussions with the affected families.

D. Key Principles for Project

112. The key policy principles governing the land acquisition and resettlement activities in the project and, components to be financed by the ADB including associated facilities that are financed by the Government or other sources, are as follows:

- i. Screen early to identify involuntary resettlement impacts and risks and determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- ii. PLN will carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options and ensure their participation in various stages of the project

especially vulnerable and poor groups. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population.

- iii. Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation, assistance at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation, assistance at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- iv. Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- v. Improve the standards of living of the displaced poor and other vulnerable groups, including women head of households, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- vi. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- vii. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- viii. Disclose both the draft and final Land Acquisition and Resettlement Plan (LARP) in a form and language understandable to displaced persons and other stakeholders.
- ix. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of Project's costs and benefits.
- x. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- xi. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.
- xii. No physical or economic displacement will occur until compensation at replacement cost has been paid to all APs.

VII. ENTITLEMENTS AND ASSISTANCE

A. Eligibility

113. All affected persons losing land, buildings, plants and other objects related to the land will be compensated and rehabilitated in accordance to the type and amount of their losses (Land Acquisition Law No. 2/2012). Eligibility will be determined with regard to the cut-off date, which is taken to be the date of completing detailed measures survey for which land and/or assets affected by the projects are measured. The APs will be informed of the cut-off date for each project component, and any people who settle in the project area illegally after the cut-off date will not be entitled to compensation and/or assistance under the project.

114. In addition, the extent of eligibility for compensation with regard to land is determined by legal rights to the land concerned. There are three types of APs: i) persons with legal rights to land lost in entirety or partially, ii) persons who lost land they occupy in its entirety or partially who do not currently possess a legal rights but have a claim that is recognizable under national laws, or, iii) persons who lost land they occupy in its entirety or partially who do not have any recognizable claim to that land. APs included under i) and ii) above shall be compensated for the affected land and assets upon land. APs included under iii) shall not be compensated for the affected land, but for the affected assets upon land and are entitled to assistance if they have to relocate.

B. Entitlements

115. According to Acts no. 2 of 2012 and existing presidential decree No.36/2005 and Presidential Decree No.65/2006, affected persons are entitled to compensation in the form of (i) cash, (ii) land for land, (iii) resettlement (substitution for houses), or (iv) other form of compensation which are agreed by both parties concerned. Valuation of land acquisition objects will be done by a certified professional appraiser / Independent appraiser agency. The valuation results will be used by Land Agency as the basis of negotiation with the affected persons to determine the final fair compensation value and ensuring that the agreed compensation is at least at replacement cost. Act no. 30/2009 on Electricity regulates that compensation will be provided for the land traversed by the TL that will resulting in decline in its value.

116. The entitlements for different Aps are summarized as follows:

- APs affected by permanent loss of land and assets due to the tower footings will be compensated at replacement cost, without any deduction for taxes and administrative cost based on Indonesian government's tax regulation.
- APs affected by permanent loss of trees/crops will be compensated at market rate taking into account the productivity.
- APs affected by permanent loss of building/structure will be compensated at replacement cost without depreciation or deduction for salvaged material.
- Severely affected APs, with loss of >10% of their total productive land or household income due to the tower footings will also be entitled to income rehabilitation assistance.
- APs affected by impact on their agricultural, garden, residential/commercial land within the ROW will be entitled to an 'easement fee' equivalent to 10% of current land value for tower bases without any deduction of administrative cost and taxes based on the government's regulation.

- APs affected by permanent loss of commercial and fruit trees above the 3 m height, within the ROW will be entitled to compensation at market price; r
- APs with structures within the ROW that will not be demolished will be entitled to compensation for their structures equivalent to building use restriction as per independent appraiser result. PLN's best practices indicates that compensation is provide in the amount of Rp 40,000 per sq. m for permanent building; RP 20,000,- per sq. m for semi permanent building, and Rp 15.000 per sq. m for non-permanent building. Construction of structures within the ROW will be restricted to a height of 6 m. Affected structures will not be relocated.
- All crops, trees, structures, etc, affected due to the stringing activities during the implementation phase will be compensated at replacement cost. PLN will coordinate with APs to minimize impacts on standing crops by carrying out stringing activities after the harvesting of crops.
- Loss of business income will be compensated in cash at replacement cost .
- Temporary acquisition of land and or other assets for access roads, storing of equipment and material, labor camps etc. will be compensated according the policy in this LARP and contractors will make good the assets before returning to the owners.

117. Based on the analysis of the impact of the project, an entitlement matrix has been prepared as a guide to compensation payments (**Table 18**). The matrix describes eligibility and payments according to the type of loss.

Table 18: Entitlement Matrix by Type of Loss

Type of Losses	Entitled Persons	Entitlements
I. Permanent Acquisition for the Tower Foundations and substation		
A. Agricultural Land	Legal owner or traditional title holders .	Cash compensation at replacement cost based on a valuation of independent appraiser and without deduction for taxes (base on tax regulation) and administrative costs, including cost for updating land ownership document based on government regulation. Remaining land that is no longer viable, the project, at the informed request of the household, will acquire the entire land at replacement cost.
B. Permanent Acquisition of Residential Land for the TL Towers	Legal owner or traditional title holder. i	Cash compensation at replacement cost which is equivalent to the current land market value with similar type and category, and free from administrative costs and deduction for taxes including updating land ownership document based on government regulation. Remaining land that is no longer viable, the project, in consultation with the APs will acquire the entire land at replacement cost.
C. Crops and trees	Owners of Crops and Trees , regardless of tenure status, including sharecroppers (penggarap) /adat land users.	Perennial crops : cash compensation at replacement cost taking into account the productivity Cash compensation to the replacement value of the tree lost based on government regulation estimate, related to type, age and productive value The APs will be provided opportunity to harvest prior to the construction commencement with 30 days advanced notice.
II. Restricted Use on Land Traversed by Transmission Lines (ROW)		
A. Private residential and nonresidential land.	Land owners with legal title or traditional title (customary land)	Compensation in the amount of 10% current land value for tower bases without any deduction of administrative cost and taxes based on government tax regulation.

Type of Losses	Entitled Persons	Entitlements
B. Crops and trees	Land owners with legal title or traditional title (customary land)	<p>Tree will be compensated. The value of compensation will be based on Government regulation. .</p> <p>No compensation for seasonal crop.</p> <p>Advance notice of at least 30 days (or based on agreement with APs) to harvest tree products.</p>
C. Structure/ building	Legal owner or occupant	Structure still can be used by AP however additional levels cannot be added. Compensation will be paid for this permanent restriction based on the government valuation.
D. Income Loss	Losers of business or employment income for the business established more than 6 months	<p>Permanent loss: cash compensation of two months' net business income loss.</p> <p>Temporary loss: cash compensation based on the duration of the stoppage, to a maximum of two months.</p> <p>Evidence of income level to be provided, but at least Government – decreed minimum wage to be paid</p>
III. Public Facilities		
Community Facilities, Public infrastructures	Local communities/Government agencies	Rebuild the facilities at least as per pre project condition based on agreement by both parties.
IV. Temporary Loss of Land & Impacts on Non-Land Assets during Construction		
Temporary loss of Land	To be determined during final detailed measurement survey and during construction	<p>APs whose land is taken temporarily due to civil work under the payment for land based on prevailing rental cost and agreed by</p> <p>Restoration of land will be done as pre project condition.</p>
Impacts on Non-Land Assets (crops, trees, houses, structures)	Owner regardless of tenure status including sharecroppers	<p><u>Trees/Crops</u>: Compensation will be provided at replacement cost (see I C)</p> <p><u>Structure</u>: Compensation to the affected assets at full replacement cost based on actual market prices of materials and labor for dismantling, transfer, and rebuild based on government regulation. No deduction for depreciation, transaction cost or value of salvaged material. If remaining structure is no longer viable, entirely structure will be acquired with compensation at replacement cost.</p> <p>Restoration of the land to pre-project condition or better Advance notice of at least 30 days to harvest the crops or to fell the trees.</p>
V. Special Attention to Severely Affected and Vulnerable Groups, including Women, IPs, and Poor People		
	<p>APs that lose more than 10% of their total productive land/assets .</p> <p>APs who are categorized vulnerable groups regardless of severity of impacts including elderly (more than 70 years) household heads , disabled household head, poor, landless, households headed by women</p>	<p><u>Severely APs</u>: Aside of receiving compensation for lost assets , they are entitled for income restoration program agreed by the APs.</p> <p><u>Vulnerable</u>: Aside of receiving compensation for lost assets , they are entitled for rehabilitation program agreed by the APs.</p> <p>Based on project needs, opportunities will be provided for project employment of APs having appropriate qualification and skills.</p>

VIII. INCOME RESTORATION AND REHABILITATION

118. In addition to compensation of loss of land and non-land assets, the Affected Persons (APs) will be entitled to other assistance. Severely affected APs with loss of more than 10% of their productive assets or total household income will be entitled to income rehabilitation assistance. . The LARP therefore includes possible income and livelihood restoration activities that are based on the inventory during the social survey for initial planning. During the conduct of detailed measurement survey, PLN project will coordinate with PLN Regional Office responsible to implement the program PLN and Land Agency, will further review and develop appropriate income restoration programs in consultation with severely affected APs by evaluating their needs and priorities. PLN regional office will investigate and evaluate possible employment, credit facility and provider of training when conducting needs and opportunities assessment for each participating eligible household.

119. Based on finding of the IOL, 139 HHs are estimated to be severely affected due to loss more than 10% of their productive assets, most of which are agriculture land (paddy and crop land). The loss of these lands will directly reduce their capacity to produce commodities for their sustenance, as well as sell surpluses to the market. In order to address loss of livelihood due to land loss, they will be provided with income/livelihood restoration program. In addition, vulnerable households comprising 23 women headed households and 18 elderly headed households in East Java and 10 women headed households and 19 elderly headed household in Bali will be entitled to participate in income/livelihood restoration programs. About 235 households falling below poverty line will also be entitled to participate in livelihood restoration program.

120. In order to assist APs restore livelihoods and income levels, the project will provide an income restoration program that is adapted to the needs and situation of the APs as determined in the SESs. The APs covered by the income restoration program are identified in the entitlement matrix and will be further scrutinized (diteliti) during the detailed measurement survey.

121. The scope of the entitlements includes income-generating activities or transition to new income-generating activities. In-kind assistance to strengthen or initiate income-generating activities will also be provided and will be decided in consultation with local authorities and APs eligible for the income restoration. The economic rehabilitation measures include the following.

1. Economic Rehabilitation Measures

122. Severely affected APs due to the loss of productive assets and/or income would be provided with *any one* of the following two options:

a. Training and Training Allowance:

123. The training and allowance are intended for severely affected APs affected by the loss of incomes due to displacement and the income derived from cultivation only. One member of each severely affected household will be entitled to training (plus training subsistence allowance) either in their current occupation to enhance their existing skills to be able to improve their productivity or training in a new occupation which could put them in a position to increase household income.

b. Agriculture Extension and Inputs

124. The project will coordinate with local agencies to facilitate the provision of agricultural extension services to all severely affected farmers who derive their incomes primarily from agriculture, in order to enhance their productivity on their land. Agricultural extension services

may also include training in new cropping methods. These will assist farmers to improve the productive capacity of their land. Agriculture inputs and/or implements of a maximum value of Rp. 5,000,000 per household will be provided to severely affected APs. The agriculture Extension services and input package will be developed in coordination with the agricultural department in consultation with each APs who opt for this option.

c. Facilitate access to credit facilities

125. Training without the necessary materials or equipment practicing the new skills will reduce the potential benefit from the training. Post-training credit assistance is very important, particularly for APs who would like to start small business. While the project cannot provide post-training credit assistance, APs will be facilitated to obtain credit assistance. Project authorities will arrange with credit institutions to set up short-term credit program to offer credit at low-interest Low-collateral basis if APs meet the criteria. APs will be informed of how and where to apply for credit assistance. Credit facilities will be offered to all the APs and beneficiary population. The budget for income or livelihood restoration program in the form of training, credit facilities, agriculture inputs will be allocated by PLN project.

126. As the PLN project unit has a well-established planning division handling community program that will be responsible for the implementation of income restoration and rehabilitation activities under the project. The planning division may engage a consulting firm To implement the program.

d. Gender Strategy

127. The needs of women affected by the project are likely to be different from men and may experience more adverse impacts from the project than man. To ensure that women will be benefited by the project, the following gender strategy will be implemented in planning and implementation of resettlement activities:

- While updating resettlement plan, women including women headed households will be consulted;
- Socio-economic profile of the affected people will be disaggregated by gender;
- Women's participation, especially poor women and female headed households will be ensured in consultation meetings, on resettlement planning, and implementation. Consultation meetings in Bali will consider the time when most of women in Bali should be at home to prepare the ceremony;
- Where Project involves granting new land or replacement of land for acquired land, the title of land will be in the name of both spouses;
- The Project staff will be oriented towards dealing with gender issues and resettlement checklist of ADB to ensure that gender strategy is implemented in resettlement activities;
- Gender disaggregated indicators will be developed for monitoring resettlement activities in terms of women's participation in the consultation for detail management survey, disclosure meetings, land titling, compensation, and to measure the impact of resettlement on poor women.

IX. RESETTLEMENT BUDGET AND FINANCING

A. Legal basis

128. The basis of determination of compensation rate is Act no. 2/2012 and related prevailing regulations. The land acquisition act regulates that valuation for land will be carried out by an appraisal agency plot by plot and will cover valuation for (i) land; (ii) space of above and undergrounds; (iii) buildings; (iv) plants; (v) objects relating to land and other losses that can be valued including job and income losses. Where there are remaining lands that are not economically viable, the land owners have rights to request the compensation for the entire parcel of land. Forms of compensation offered include cash, replacement land, resettlement, ownership of shares, and other forms agreed by both parties. There will be no deduction for taxes and transaction cost for the compensation and no depreciation for lost building/structure. As per PLN's best practices, Land under transmission line will be compensated 10% of land market rate for the tower base at the nearest location. For budget calculation, compensation rate for land is based on information on land market rate in the project area collected from the communities in the project area (**Table 19**).

Table 19: Land Market Rate

District	Sub District	Market rate (Rp per sq. m)	Rate used for budget calculation (IDR) in 2012	Rate used for budget calculation with inflation rate of 10% of the rate in 2012
East Java Province				
Situbondo	Kapongan	100,000	100,000	110,000
Banyuwangi	Wosorejo	100,000		
Bali Province				
Jembrana	Melaya	70,000 – 100,000	150,000	165,000
	Negara	120.000 – 150,000		
	Medoyo	100,000 – 150,000		
Tabanan	Selamadeg Barat	120,000 – 150,000		
	Selamadeg Timur	100,000 – 350,000	350,000	385,000
	Antosari	600,000 – 750,000	750,000	825,000

129. The indicated price or standard tree pricing released by district governments will be a reference for valuation of lost trees by independent appraiser. The market value of crops or produce lost at the value of the season of acquisition. In case the lost production has not been harvested, plant owners will be given one-time harvest compensation.

130. Compensation for lost building will be provided at replacement cost. A decree related to pricing standard of buildings material and other assets issued by district governments will be one of the references used by the appraisers. Where the regulation with depreciation value to any structure affected applies, other measures will be devised to meet replacement cost principle. The pricing standard has considered the repair and restoration costs of structures. The remaining building that is no longer economic viable as per relevant government regulation (Minister of Public Work Decree 403/KPTS/M/2002 concerning Technical Guidelines Development Simple Healthy House), the Acquisition of the whole parcel of structure/building will be done in close consultation with the APs.

B. Budget and financing plan

131. The budget for implementation of LARP of Java-Bali 500kV Power Transmission Line and substation rests with PLN. The PLN will be responsible for channeling funds for the compensation for land acquisition and resettlement to Land Agency that will be responsible for delivering payment directly to APs with respect to affected land, structures, crops and trees. The cost given in this LARP is an estimate only. During the LARP's implementation stage, a full replacement cost survey will need to be conducted by district committees to ensure that compensation for land and assets are made at replacement costs.

C. Total estimated cost for LARP implementation

132. The tentative cost of land acquisition is estimated at US\$ 33,945,936. The proposed budget includes compensation and allowances, management cost, appraisers, capacity building, cost of external monitoring and income restoration program. The estimated resettlement cost is shown in **Table 20**.

Table 20: Estimated Resettlement Cost

No	Components	Unit	Unit rate (IDR)	Quantity	Amount (IDR)	Amount (USD)
						1 USD = Rp 11,000
A	Compensation cost					
I	Compensation for permanent land					
	Component 2	Sq.m	110,000	231,211	25,433,210,000	
	Sub project 5					
	a. Jembrana Regency	Sq.m	165,000	61,311	10,116,315,000	
	b. Tabanan Regency	Sq.m	385,000	75,264	28,976,640,000	
	Component 6					
	a. Tabanan	Sq.m	825,000	58,600	48,345,000,000	
					112,871,165,000	
II	Compensation for ROW: Land Use					
	Component 2					
	a. East Java	Sq.m	11,000	3,304,169	36,345,859,000	
	Component 5					
	a. Jembrana Regency	Sq.m	16,500	1,356,775	22,386,787,500	
	b. Tabanan Regency	Sq.m	38,500	334,340	12,872,090,000	
	Sub total II				71,604,736,500	
III	Compensation for ROW: Trees					
	Component 2					
	a. Trees	Trees	252,584	35,944	9,078,896,175	
	b. Crops	Sq.m	10,000	211,642	2,116,420,000	
	Component 5					
	a. Trees	Trees	285,024	22,581	6,436,125,154	
	b. Crops	Sq.m	10,000	10,540,900	105,409,000,000	
	Sub project 6					
	a. Trees	Trees	213,917	60	12,835,000	
	b. Crops	Sq.m	10,000	50,000	500,000,000	
	Sub total III:				123,553,276,329	

IV	Compensation for ROW: Building (average, 100 sq.m)					
	a. Permanent	Sq.m	40,000	60	2,400,000	
	b. Semi permanent	Sq.m	20,000	24	480,000	
	c. Non permanent	Sq.m	15,000	44	660,000	
	Sub total IV				3,540,000	
	Sub total A: III – IV/				308,032,717,829	
B	Livelihood Restoration Program (package)					
I	Transaction Allowance/Income Restoration Program					
	Component 2					
	a. Severely APs	HH	4,000,000	63	252,000,000	
	b. Vulnerable APs	HH	4,000,000	191	764,000,000	
	Component 5					
	a. Severely APs	HH	4,000,000	63	252,000,000	
	b. Vulnerable APs	HH	4,000,000	114	456,000,000	
	Component 6					
	a. Severely APs	HH	4,000,000	20	80,000,000	
	b. Vulnerable APs	HH	4,000,000	20	80,000,000	
	Sub total B				1,884,000,000	
C	Monitoring					
I	IMA		1,500,000,000	1	1,500,000,000	
	Sub total C				1,500,000,000	
	Sub total A - C				311,416,717,829	
D	Administrative Cost					
	Land Agency: 4% of t A & C				12,456,668,713	
	Administrative cost: 2% of total				6,228,334,357	
	Appraiser 2% of land rate				2,257,423,300	
	Sub total D				20,942,426,370	
	Sub total A - D				332,359,144,199	
	Contingency (8%)				33,235,914,420	
E	GRAND TOTAL				365,595,058,619	33,235,914

Note: 1 USD = IDR 11,000

This budget does not include cost for two resettlement consultants as it has been included in the team of project implementation consultant.

D. Institutional Arrangement

133. An institutional framework has been developed for this Project in order to ensure timely establishment and effective functioning of appropriate organizations mandated to plan and implement land acquisition, compensation, income restoration and livelihood programs. The main institutions involved in the preparation and implementation of the LARP are:

- PT PLN Head Quarter (PLN Pusat) will be the Executing Agency with a Social Development Unit and an Environment Unit. PLN will act as the PMU. Key capabilities and activities of the Office are management of social impact assessments, environmental impact assessments, initial social and environmental examinations, monitoring, auditing, and associated project studies. This office is responsible for the overall coordination of organizations involved in resettlement, and supervision and management of LARP implementation. The Environmental Office will work in close conjunction with the Project PMU.
- PLN Unit Induk Pembangunan Jawa – Bali (PLN UIP JJB) will act as the Implementing

Agency and will closely coordinate with PLN UPK (Unit Pelaksana Konstruksi) East Java and Bali in implementing all LARP activities.

- The Land Agency will be responsible for land acquisition implementation.

Provincial government in case of the project location permit has not been obtained by PLN

134. A dual administrative system exists in Bali, especially at village level. There are both government structures ('*Desa Dinas*') and local village level institution ('*Desa Adat*'). The *Desa Adat* is village unit in which customary symbols and regulations play an important role in community life and for social integration. The *Desa Adats* are indigenous groups sharing common origin or social bonds and are distinguished from village administrative units or other local government entities determined by territorial lines. This has strong function in the local development and in decision making. Keeping this in mind the Project has designed a proper strategy to engage with dual administrative system at village level. Efforts were taken to consult and coordinate with *Desa Dinas* and related institutions in the project area. The local decision makers were also consulted and their suggestions are incorporated in the Project planning.

135. As per Act No. 2/2012 on Land Acquisition for Development in the Public Interest, PLN will use the mechanism of compulsory land acquisition in acquiring the land both for the substations and TL. The roles of respective institutions in the resettlement process are summarized in **Table 21**.

Table 21: Institutional Framework for Resettlement Issues

Institution/Organization	Responsibilities
PL PLN HQ	<ul style="list-style-type: none"> • Responsible for all resettlement activities including budgeting, financing, implementation and coordination for project and resettlement activities. • Endorse LARP document and submit it to ADB for approval.
PLN Social Development Unit (SDU) and Environment Unit (EU) within central Project Management Unit (PMU)	<ul style="list-style-type: none"> • co-ordination of all LARP activities within the sector project • internal monitoring and appointment of NGOs for external monitoring of resettlement activities • review of monitoring reports and remedial actions, when necessary reporting to ADB • Updating of LARP
PLN UIP JJB and PLN UPK East Java and Bali (Local PMU)	<ul style="list-style-type: none"> • detailed census surveys, in association with respective levels of governments. • obtaining of authorization for land use and house/structure demolition • implementation of all LARP activities for the respective project • special measures for the income and livelihood rehabilitation of APs • public consultation and participation programs • participate in direct negotiation of compensation with AP by the Land Agency • witnessing of disbursement of compensation payments by Land Agency to AP • internal monitoring • handling all activities to obtain project location permit issues by provincial government including prepare resettlement plan, conduct initial identification of land acquisition object, conduct consultation meeting on the project location in conjunction with provincial government.
Provincial government (for project location permit)	<ul style="list-style-type: none"> • In conjunction with PLN UIP JJB and PLN UPK to conduct an initial identification of project location, public consultation with APs and concerned stakeholders, notification to the APs on project/development location plan.
Land Agency its member organizations/agencies	<ul style="list-style-type: none"> • detailed inventory survey on land, buildings, vegetation, and other assets • identification of the legal status of the land • determination of the compensation value of the land and other assets • information of the land owners about the development plan and the objectives of land acquisition • negotiations with the APs on the compensation options and rate • disbursing and witnessing delivery of compensation money to the owners of

Institution/Organization	Responsibilities
	land and other assets <ul style="list-style-type: none"> • Receive complaints raised by the APs • Monitoring use of land that has been delivered to PLN
External Monitoring Agency	<ul style="list-style-type: none"> • external monitoring for implementation of resettlement plan and achievement of resettlement objectives.

X. IMPLEMENTATION ARRANGEMENT AND SCHEDULE

A. Capacity Building

136. In preparation for resettlement implementation, PLN will, together with respective local government and project implementation consultant, ensure that the key steps of resettlement implementation are undertaken. One or more of the activities may be carried out simultaneously. In order to streamline the implementation, PLN will provide capacity building training on Involuntary Resettlement to all concerned parties handling land acquisition and RP updating including PLN staff working for land acquisition and resettlement both at Head Office and Project Office, resettlement specialist consultant (PIC), Land Agency staff/team handling land acquisition for this project⁵.

137. The training will be organized before resettlement implementation. Specific contents of the training would need to be designed at the time of such training. However, the focus of the training would be on the resettlement implementation issues and will, in general, include the following:

- a. Design and finalization of questionnaire for DMS to ensure all types of impacts are recorded;
- b. Analysis and tabulation of impacts with gender perspective; identification of severity and vulnerability
- c. Key issues of entitlements including entitlements to those without tenure rights, relocation issues and income rehabilitation assistance;
- d. Replacement cost study and finalization of entitlements;
- e. Sequence of activities in resettlement implementation;
- f. Public consultation and participation; disclosure and cutoff date
- g. Grievance Redress Mechanism, procedures for documentation; and
- h. Monitoring and supervision.

1. Concession Application

138. Before any RoW issue is addressed, and prior to implementation of land acquisition, PLN must apply for a concession for the project from the government including approval on the project location permit by Governor (referring to the new Act No. 2/2012 on Land Acquisition) or *Bupati* (if the location permit has been processed or obtained prior to the issuance of the Act No. 2/2012). Additionally, PLN will need to obtain approval from the Ministry of Forests for the project that will run to the forestry land.

2. Updating of LARP

139. This draft LARP has been prepared based on a preliminary design and comprises as thorough assessment as can be undertaken in the absence of a detailed design and without marking of ROW boundary on the ground. When the detailed engineering design is completed, alignment of the TL is finalized and boundaries marked on the ground, a detailed measurement survey will be undertaken to update census and IOL details based on which the LARP will be updated. The update will involve AP and community consultation; IOL; new compensation rates for lost assets (including land, structures, crops and trees); assessment of relocation requirements and preparation of relocation plan, where necessary; preparation of a detailed

⁵ PLN has been implementing TL and other power sector projects funded by multilateral agencies for over 15 years now and have accumulated adequate experience in planning and implementation of resettlement. PLN staff also participated in two 3-days training workshops organized by the ADB under the TA in 2010. However, PLN will conduct a short training course/workshop on resettlement implementation.

livelihood restoration plan, if necessary; updates on resettlement cost and implementation schedule. The standard set in the updated LARP will not be lower than the standard set in the original LARP. The updated LARP will be submitted to the ADB for final approval prior to start-up of its implementation and initiating civil works.

140. LARP should be updated, reviewed and found acceptable by the ADB, and endorsed by the PLN prior to the award of civil work contracts. Once approved, the LARP will become legally enforceable. Implementation of the LARP can begin as soon as the approval from the Government and the ADB is received. For updating and implementation of the LARP following activities will take place sequentially. However, it is emphasized that PLN should make concerted efforts to consult Land Agency and concerned local government officials and the APs to inform them about the LARP and the policy provisions as soon as the LARP is finalized. The LARP updating and implementation schedule is shown in Figure 4.

B. LARP Updating Activities

1. Finalization of TL Alignment and Tower Locations

141. The final location of transmission towers and route will be identified before the LARP updating process begins. The recommended route, from the project preparation stage, based on minimizing loss of land, trees, crops and structures, and utilizing existing access roads wherever possible, will be taken into account to minimize, if not avoid resettlement impacts. Once PLN has evaluated the contractors' bids and awarded the contract/s, the contractor will conduct a detailed line route survey, identifying a center line. PLN will provide the contractor preliminary topographic survey and schedule of towers to facilitate access to the land of the affected people. The contractor will then design the TL route, sub-station, required RoW, number and location of towers, and location of access roads. The contractor's tower positions may differ from those identified at this stage due to a more rigorous and time consuming methodology (in many cases involving ground testing).

2. Census and Detailed Measurement Survey

142. Following contractor's final transmission route and the location of tower foundations, Land Agency in coordination with PLN will carry out census and profiling of APs and detailed measurement survey to quantify all categories of losses. The initial database created with the assistance of the TA consultant during LARP preparation will be updated to include information on:

- Total and affected areas of land, by type of land assets
- Total and affected areas of structures, by type of structure (main or secondary)
- Legal status of affected land and structure assets, and duration of tenure and ownership
- Quantity and types of affected crops and trees
- Quantity of other losses, e.g., business or other income, jobs or other productive assets; estimated daily net income from informal shops
- Quantity/area of affected common property, community or public assets, by type
- Summary data on AP households, by gender of head of household, household size, primary and secondary source of household income vis-à-vis poverty line, income level, whether household is headed by women, elderly, disabled and poor peoples
- Identify whether affected land or source of income is primary source of income

- AP preferences for compensation and, where necessary, relocation options and rehabilitation measures.

3. Information Dissemination, Consultation and Public Participation

143. In parallel with the detailed design, census and DMS activities, PLN in conjunction with staff of Land Agency in East Java and Bali will continue to consult and disseminate project and resettlement-related information to APs via local authorities. PLN in coordination with Land Agency will provide a copy of the PIB to each AP. Community meetings will be held and opinions and suggestions elicited from the APs will be reflected in the Updated LARP. Land Agency and PLN will inform all APs about the line route RoW, number and location of towers, location of access roads, restrictions on land use in the project RoW following construction, compensation principles and appeal procedures. All consultations with APs, including questions asked and answers provided, will be recorded. Particular efforts will be made to ensure women are consulted and informed.

4. Establishing Cut-off Date

144. Land Agency in coordination with PLN will establish a cut-off-date and inform all APs accordingly. APs will also be informed that no new houses or structures are to be built, or trees exceeding the maximum TL height limit, will be planted within the transmission ROW. Land Agency will inform the APs that anyone settling within the project area after the cut-off-date or constructing any new structures will not be entitled to any compensation and assistance in the project.

5. Replacement Cost Survey and Valuation of Assets

145. The land agency will mobilize a professional appraiser agency to conduct valuation of the land acquisition objects to determine lost land and non-land assets value as well as economic losses value that should be compensated. . The replacement cost survey will be undertaken in parallel with DMS activities by verifying the rates provided in this LARP. Activities include: collecting information from both secondary sources and primary sources (direct interviews with people in the affected area, recent land transactions, material suppliers, house contractors) from both those affected and those not affected. Standard pricing for plants and building materials established by local government at district level will be a reference in determining the value.

6. Submission of Updated LARP to ADB for Approval

146. Based on the final market rates, PLN will determine estimated resettlement cost and update the LARP. The key information of the LARP will be disclosed to the APs before submission of the same to the ADB for review and approval. Compensation payment will not commence until the updated and final LARP has been approved.

7. Resettlement Implementation

147. PLN will use a compulsory land acquisition/eminent domain approach in acquiring the land and non-land assets both for substations and TL. After receiving project location determination, PLN will propose to Land Agency to facilitate land acquisition that will cover i) identification and inventory of land acquisition objects; ii) valuation of compensation; iii) deliberations for establishing and determining compensation; iv) delivery of compensation; v) handover of land from Land Agency to PLN. In addition with the Act provision, PLN will conduct internal monitoring and will mobilize external monitoring experts/agency to ensure that objectives of resettlement are achieved.

148. If relocation is required, Land Agency in close coordination with PLN will carry out extensive consultation with the Aps entitled to relocation and income rehabilitation measures to determine their choice of relocation site and selected option for income rehabilitation. Final selection of type of intervention should be based on AP's needs and priorities. These choices will be recorded on the 'Summary Compensation Form'.

149. The land agency in conjunction with PLN will issue a RoW notice to land owners who have had their land traversed by the TL, but on which no towers will be located. The RoW notice will contain the obligations of the land owner and restrictions imposed on the 34 m wide RoW, such as:

- No planting of trees/crops which will grow higher than 3 m
- No burning within the RoW
- No piling of earth or other deposits, or construction of buildings within the RoW
- No excavations around or near towers.

150. Once approval has been gained, the PLN Finance Section releases funds for compensation payments, and PLN in coordination with Land Agency disburses the funds to APs, obtaining the necessary receipts. Compensation shall be paid in a public meeting in the presence of community representatives. The compensation amounts would be in accordance with the 'Summary Compensation Form' distributed to each AP. Once compensation has been received, APs will hand over/vacate the land within three months. The title of the land is then transferred to PLN by the Land Agency/BPN. PLN will maintain file copies of all AP contracts, compensation receipts and RoW notices, and furnish the same to AP signatories.

8. Resettlement Implementation Linked to Civil Works

151. Land clearing will not be commence unless the above steps have been completed, an agreement on compensation has been reached, and compensation and/or allowances have been paid in cash or in land-for-land. All compensation payments for a section of the TL must be satisfactorily completed and income restoration measures be put in place at least one month before commencement of civil works for that section or part thereof. The proposed resettlement implementation schedule is shown in Figure 5.

Figure 5: Schedule of Resettlement Implementation

Activity	2013 2014																								2015
	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	
i. Solicitation to Land Agency for facilitating Land Acquisition	♦																								
ii. Establishment LAT in Land Agency	♦	♦																							
iii. Socialization and consultation			♦	♦	♦	♦																			
iv. DMS by Land Agency to be used for the RP updating				♦	♦	♦	♦																		
v. Mobilization of professional appraiser for valuation of assets by Land Agency				♦	♦	♦	♦																		
vi. Finalization of compensation rates by Land Agency								♦	♦	♦															
vii. Consultation and Negotiation on compensation								♦	♦	♦	♦														
viii. LARP updating**										♦	♦	♦	♦	♦	♦	♦	♦								
ix. LARP review and approval by ADB												♦	♦	♦	♦	♦	♦								
x. Issue notice to APs																	♦	♦							
xi. Compensation payment																	♦	♦	♦	♦	♦	♦			
xi. Skills training as required –consultation with Aps on their needs and priorities –finalize training programs for APs/ groups of APs																		♦	♦	♦	♦	♦	♦	♦	
xii. Takeover possession of acquired property																♦	♦	♦							
xiii. Internal monitoring				♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	
xiv. Handover land to contractors																			♦	♦	♦	♦	♦	♦	
xv. Start of civil works																			♦						
xvi. External monitoring***																			♦	♦	♦	♦	♦	♦	
xvii. Rehabilitation of temporarily occupied lands																									

** The LARP will be updated based on final detailed design and AP census and surveys.

*** External monitoring will be conducted along the project implementation and 6 – 12 months after completion of resettlement activities

XI. MONITORING AND EVALUATION

152. The implementation of resettlement will be regularly supervised and monitored by PLN through its local project staff to ensure that the LARP is implemented as planned and that mitigating measures designed to address adverse social impacts are adequate and effective. PLN will also contract an experienced consultant group as an external monitor. External monitoring and evaluation, in particular, will focus on social impacts on APs and whether or not APs have been able to restore a standard of living equal to, if not better than, that which they had before the project. For external monitoring an independent agency would be contracted.

153. The objectives of the monitoring and evaluation are to (i) ensure that the standard of living of APs is restored or improved; (ii) monitor whether the time lines of resettlement activities are being met; (iii) assess if compensation, rehabilitation measures and social development support programs are sufficient; (iv) identify problems or potential problems; and (v) identify methods and required corrective actions to mitigate problems if any in timely manner during project implementation.

A. Internal Monitoring

154. The PLN will conduct the internal monitoring of LARP implementation regularly to assess the progress of resettlement implementation and problems and delays encountered, if any, in the implementation of LARP. Related information will be collected monthly from the field to assess the progress of LARP implementation and will be consolidated every quarter.

157. An initial key indicator will be the payment of compensation, relocation to new sites, and rehabilitation assistance being in place before award of civil contracts and these will be monitored under each of the Civil Contracts. The other main indicators that will be monitored regularly are:

- Payment of compensation to all APs in various categories, according to the compensation policy described in the LARP.
- Delivery of technical assistance including transitional and other allowances; .
- Delivery and progress of income/livelihood restoration programs and social support entitlements.
- Public information dissemination and consultation procedures.
- Consultation meetings, participation of APs including women, and knowledge of the APs on the resettlement entitlements and grievance.
- Adherence to grievance procedures and outstanding issues requiring management's attention.
- Priority of APs regarding the options offered.
- Coordination and completion of resettlement activities and award of civil works contract
- The PLN will incorporate the status of LARP implementation in the overall quarterly project progress Report to the ADB.

B. External Monitoring

158. The general objective of the external monitor is i) to provide an independent verification of the PLN's internal monitoring information to assess whether resettlement objectives have been met and whether livelihood and living standards have been restored or enhanced, including those of the non-titled displaced persons; ii) advise PLN on safeguard compliance

issues identified during monitoring. If compliance issues are identified, a corrective action plan (CAP) will be prepared. Strategic lessons learned will also be drawn for future resettlement policy formulation and planning;

159. The PLN will retain the services of an external entity or institute as the qualified experienced external monitoring agency to undertake objective monitoring and evaluation of LARP implementation of project in the two provinces. The external monitoring activities will be conducted on a semi-annual basis after compensation payment and during the project construction. The sample Terms of Reference for external monitoring agency is included in Annexure 4.

160. The following indicators will be monitored and verified by the external monitoring agency.

- All APs recorded as of the cut-off-date are entitled to compensation, allowances and other assistance in accordance of the policy in the LARP irrespective of their tenure status.
- Payment of compensation will be as follows: (a) Full payment to be made to all affected persons sufficiently before land acquisition; adequacy of payment to replace affected assets; and (b) Compensation for affected structures should be equivalent to the replacement cost of materials and labor based on standards and special features of construction with no deductions made for depreciation or the value of salvageable materials.
- Verify that all APs have received a copy of the 'Summary Compensation Form'
- Coordination of resettlement activities with construction schedule: the completion of land acquisition and resettlement activities for any component should be completed at least one month prior to start-up of civil works for that component.
- Provision of technical assistance for house construction to APs who are rebuilding their structures on their remaining land, or building their own structures in new places as arranged by the project, or on newly assigned plots.
- Provision of income restoration assistance under the income restoration program.
- Public consultation and awareness of compensation policy: (a) All APs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) The monitoring team should attend at least one public consultation meeting each month to monitor public consultation procedures, problems and issues that arise during the meetings, and solutions that are proposed; (c) Public awareness of the compensation policy and entitlements will be assessed among all APs; (d) Assessment of awareness of various options available to APs as provided for in the LARP; and € all APs have received a copy of the PIB.
- Affected persons should be monitored regarding restoration of productive activities.
- The level of satisfaction of APs with various aspects of the LARP will be monitored and recorded. The operation of the mechanisms for grievance redress, and the speed of grievance redress will be monitored. Verify that the documentation of grievances received and actions taken are maintained properly at each village and sub district level.

- Throughout the implementation process, the trends of living standards will be observed and surveyed. Any potential problems in the restoration of living standards will be reported. .

Effectiveness of resettlement planning including whether the APs and their assets were correctly enumerated, time frame and budget was sufficient to meet the resettlement objectives, vulnerable groups were identified and assisted, and how did resettlement implementation deal with unforeseen problems.

161. The external monitoring agency shall submit semiannual reports to the PLN and ADB for review that will include the progress in compensation payment and other resettlement activities. One post- resettlement implementation evaluation will be undertaken by the external monitoring agency within 6 to 12 months after completion of resettlement activities. The monitoring reports and CAP if any will be uploaded on ADB website upon receipt.

ANNEXURE**Inventory of Loss and Impacts**
(Seperate File)

Annexure 2: Public Information Booklet

1. QUESTION: WHAT IS JAVA-BALI 500 kV POWER TRANSMISSION CROSSING PROJECT?

ANSWER: Java-Bali 500 kV Power Transmission Crossing Project is the proposed power transmission interconnection project between Java and Bali power systems. It is aimed at building the power capability and reliability of the electrical system in Bali and meeting the increasing demand for power in the island. It is a 500 kV interconnection between Paiton to Kapal with 500 kV TL on Bali side. It will guarantee reliable electricity supply to Bali. The project is composed of following seven Components:

<u>Component</u>	<u>Project</u>	<u>Financing</u>
Component 1	Extension of Paiton 500kV substation	ADB and PLN
Component 2	Paiton-Watudodol 500 kV Transmission Line (130.60 km),	ADB and PLN
Component 3	Watudodol - Segara Rupek 500 kV Overhead Sea Crossing (2.68 km),	PLN
Component 4	Segara Rupek – Gilimanuk 500 kV Transmission Line (10.44 km),	PLN
Component 5	Gilimanuk – New Kapal 500 kV Transmission Line (75.44km),	ADB and PLN
Component 6	New Kapal 500 kV and 150 kV substations.	ADB, AIF, PLN
Component 7	Extension of 150 kV Substation	IDB and PLN

2. QUESTION: WILL WE BE AFFECTED BY THE TRANSMISSION LINE?

ANSWER: The project will attempt to avoid or minimize wherever possible the impacts of the TL to the people along the Right of Way (RoW) by selecting a suitable alternative. Based on the census and inventory of potential losses of assets conducted in November 2010 – May 2011 and brief IOL in November 2013 referring the initial technical detailed design, there are about 1,194 affected households/AHs (3,884 affected persons/APs) whose agricultural land, structures, trees, etc will be affected by the project. This data will updated following the final technical detailed design. During the updating the affected land and non-land assets including trees/crops and structures will be marked so that people will know if they are affected and the losses.

In case the effects on land and structures cannot be avoided, APs will be compensated either in cash or in kind for their losses at replacement cost. This will allow the APs to restore their lost assets, resources or incomes. Income rehabilitation/restoration assistance will also be provided to the APs considered severely affected and vulnerable. The project will purchase the land at the substation sites and where towers will be built, but other land in the ROW will remain with the present owner.

3. QUESTION: WHAT IF MY LAND IS AFFECTED BY THE TRANSMISSION LINE?

ANSWER: The project will acquire land for the towers construction and will provide compensation either in the form of replacement land with similar attributes or even better or in cash at current market values without any deduction of taxes and administrative cost. Compensation shall also be paid for any damage to trees or crops during construction

4. QUESTION: DO WE NEED TO HAVE A LAND TITLE IN ORDER TO BE COMPENSATED?

ANSWER: No; land owners (APs) with land legal title or traditional title holders are entitled to receiving compensation, allowances, and rehabilitation assistance. Non-titled land users and occupants including tenants are also entitled to compensation for lost assets and economic income and assistance.

5. WHAT ABOUT MY LAND AND ASSETS LOCATED IN THE RIGHT OF WAY OF THE TRANSMISSION LINE?

ANSWER: Land located in the ROW of TL will not be acquired by the project, therefore APs can still use the land for production. However, the use of the land will be restricted to meet the safety standard

requirement for TL. Trees/timber with more than 3 meters of high cannot be planted and the height of house cannot be more than the permitted height under the standard safety. Compensation for land use restriction will be provided in the amount of 10% of the land market rate for the tower at the nearest. Although structures/buildings in the ROW will not be demolished and APs will still live in, allowance will be provided for the affected structures.

6. QUESTION: DOES COMPENSATION APPLY TO MY AFFECTED HOUSE OR OTHER STRUCTURES?

ANSWER: Yes. Houses and structures such as wells, animal pens, fences etc that will be affected by the Project for towers and substation and need to be demolished shall be compensated at replacement cost without deduction for depreciation or salvageable materials in order to allow you rebuilding a new structure.

7. QUESTION: WHAT ABOUT MY CROPS AND TREES?

ANSWER: Affected crops and trees will be compensated for at current market value. Compensation for annual crops will be based on the anticipated harvest at market value while trees will be based on type, age and productivity. Compensation for perennial crops and trees will be compensated at market value.

8. QUESTION: WHAT ABOUT OUR COMMON PROPERTY?

ANSWER: For common property resources, the affected land will be replaced in areas identified in consultation with affected communities and relevant organizations. Affected buildings and structures will be restored to original and better condition.

9. QUESTION: HOW DO YOU DETERMINE REPLACEMENT COST OR CURRENT MARKET VALUE FOR OUR LAND AND OTHER ASSETS?

ANSWER: The Project has carried out a Replacement Cost Study. For land, structure and other types of losses for the Project. These rates will be updated by a professional independent appraiser hired during the Detailed Design Phase and final compensation rates will be established. The established rates that will be proposed during the Design Phase of the Project must be acceptable to both APs and the project.

10. QUESTION: DOES THAT MEAN ANYBODY IN OUR COMMUNITY CAN CLAIM FOR COMPENSATION?

ANSWER: No. Entitled APs are those persons who will have been surveyed during a final Detailed Measurement Survey (DMS) based on the actual location of the Right of Way and substations. The cut-off date for determining eligibility for compensation shall be at the completion of the AP Census that will take place after Detailed Design and pegging of the ROW and substation sites and on its approval by the ADB and the Indonesian Government. Persons who try to use the surveyed area after the cut-off date will not be entitled to compensation or any other form of resettlement assistance. A list of permitted land uses for the Right-of-Way will be issued to all owners of lands affected.

11. QUESTION: WHAT IF I HAVE BEEN TOLD TO MOVE BUT WAS NOT INCLUDED IN THE SURVEY?

ANSWER: During the detailed design some minor changes to the position of some infrastructure may occur. This could affect people who were not included in the original inventory survey. These APs will be entitled to the same compensation as all other APs. Once the actual position and alignment of infrastructure is known, a detailed measurement survey will be undertaken in the presence of APs to inventory the losses for compensation and rehabilitation.

12. QUESTION: DO WE NEED TO CLEAR THE AFFECTED AREA IMMEDIATELY ONCE OUR LAND, HOUSES, OR STRUCTURES HAVE BEEN IDENTIFIED AS AFFECTED?

ANSWER: No; clearing of the Project area will only take place after compensation for affected land and other lost assets has been received by APs. After the AP has acknowledged receipt of payment, the Project shall provide a reasonable time and assistance for APs to clear the area in order for construction activities to commence. Effective dates will be notified to affected land owners and users.

13. QUESTION: DO WE NEED TO PAY ANY ADMINISTRATIVE OR SERVICE FEES TO THE PROJECT ONCE WE RECEIVE OUR COMPENSATION?

ANSWER: No; the APs need not pay any service fees or donations. APs who are asked for service fees or donations by any government or Project staff in the area must report this directly to the Provincial authority, the Project Management Organization, or to the External Monitoring Agency (EMA), would be hired to monitor the Project's resettlement activities.

14. QUESTION: IF THERE WILL BE DISAGREEMENTS OR PROBLEMS THAT ARISE DURING PROJECT IMPLEMENTATION SUCH AS COMPENSATION, TECHNICAL AND GENERAL PROJECT-RELATED DISPUTES? DO I HAVE THE RIGHT TO VOICE OUT MY COMPLAINT?

ANSWER: Yes; any AP may file a complaint. The APs may present their complaints to PLN and or Land Agency handling Land Acquisition. The complaint can be filed first at the ward/commune level and can be elevated to the highest level and then taken to a court of law, if the AP is not satisfied with the decision made by the commune and district level committee. APs will be exempted from any taxes, administrative or legal fees associated with their complaint. Attempts will be made to settle the issues at the commune level through community consultation by the supervising engineer, IMA, or facilitators if required. The concerned Land Agency will properly document all complaints and resolutions.

15. QUESTION: WHEN IS THE PROJECT EXPECTED TO COMMENCE?

ANSWER: The Project will start soon after Asian Development Bank and the Indonesian Government approval, which may be in 2013. The detailed measurement survey will begin after the detailed design is completed. Construction of the infrastructure is most likely to begin July 2014 and be completed in 2016. It is expected to take about 18 months to complete.

16. QUESTION: AS A RESIDENT OF ONE OF THE AFFECTED PROVINCES, HOW CAN I HELP?

ANSWER: We would like you, both men and women, to participate fully in all consultation meetings and other Project related activities to ensure that you are fully informed and your view are known and taken into account. Your active participation during the survey (DMS), detailed design and implementation will allow us to determine measures to accurately assess and pay compensation, mitigate impacts, to identify problems or potential problems, and to identify methods of responding immediately to solve any new problems.

17. QUESTION: HOW WILL YOU KNOW IF THE OBJECTIVES OF THIS PROJECT ARE MET?

ANSWER: The Project Management Unit will monitor all Project activities. An External Monitoring Agency (EMA) will be engaged by the implementing Agency to monitor and report on compensation payments, Resettlement Plan implementation and recommend solutions to problems that APs may raise. Semiannual Reports will be prepared and submitted to ADB. A post-resettlement impact evaluation will also be undertaken to assess whether impacts of the Project have been mitigated adequately and the pre-Project standard of living of APs has been restored as a result of the Project's Resettlement Plan implementation. The ADB will also monitor these activities in their regular supervision missions during the Project's implementation.

18. Question: WHEN WILL THE RESETTLEMENT ACTIVITIES BE IMPLEMENTED?

ANSWER: The resettlement activities will be tentatively implemented from the period May – December 2014. Detailed schedule of resettlement activities is as follows

No	Activities	Tentative schedule
1	RP updating	October 2013 – April 2014
	Socialization/initial consultation	October 2013 - April 2014
	Detailed Measurement Survey, cost replacement survey	October 2013 – January 2014
	Consultation and negotiation	February – April 2014
	Finalization of updated RP	April 2014
	Disclosure of updated RP	April 2014
2	Implementation of the approved updated RP	May – December 2014
	Disbursement of the compensation to APs	May – October 2014
	Implementation of Livelihood /Income Restoration Program	October – December 2014
3	Internal monitoring	May 2014 – project completion
4	External monitoring	May 2014 – 6 month after completion of resettlement activities
5	Civil work construction commencement	July 2014

For further queries and suggestions, please contact us at:

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Badung, Indonesia

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Phone/Fax : 0341 419681

Annexure 3: Consultation Meetings Documentation

A. Photographic Record



Image 1: Discussions with Village Head at Paitan

Image 2: Orientation of Team for Public Consultation and Focus Group Discussions



Image 3: Discussion with Head of General Affair of Bali Barat National Park



Image 4: Focus Group Discussion at Sub District of Mlandingan





Image 5: Public Consultation in Progress in Bali Province

Image 6: Public Consultation in Sub district of Jembrana, Jembrana Regency



Image 7: Public Consultation in Progress in Sub District of Selemadeg, Tabanan Regency








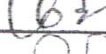
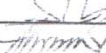





Image 8: Discussion with Head Village of Sudimara, Tabanan Sub District, Tabanan regency






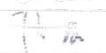









B. Signed attendance sheets

4. List of Participants (Daftar Peserta)

SI No	Name (Nama)	Profession (Pekerjaan)	Age (Umur)	Sex (L / P)	Signature (Tanda tangan)
1	I Wayan Suardana	Kaur PM	47	L	
2	Esti Pt Winda	Km PMD	42	L	
3	I Nyk Rani Jativa	Sekdes DT. Ma	46	L	
4	I Kom Cakra	Sekdes Pakutatan	45	L	
5	I Nyk Maitra	Sekdes Yp Kiri	47	L	
6	I Gusti Sudendia	Sekdes Panyarung	47	L	
7	I Nyk Sunara	Min. Sekdes Panyarung	45	L	
8	Kamarudin	Kaur Inanis	41	L	
9	Wido. Boster	Sekdes Panyarung	50	L	
10	Harudin	Sekdes Panyarung	49	L	
11	I Nyk Nani Wway	Sekdes Panyarung	48	L	
12	I Putu Widiyana	Kaur Panyarung	40	L	

4. List of Participants (Daftar Peserta)

SI No	Name (Nama)	Profession (Pekerjaan)	Age (Umur)	Sex (L / P)	Signature (Tanda tangan)
1	I Way. Guntur	Pertanian	43	L	
2	I Way. Dika-S	MAM	48	L	
3	I PT. SUANTARA	...	47	L	
4	I PT. SUANTARA	...	47	L	
5	I PT. SUANTARA	...	47	L	
6	I PT. SUANTARA	...	47	L	
7	I PT. SUANTARA	...	47	L	
8	I PT. SUANTARA	...	47	L	
9	I PT. SUANTARA	...	47	L	
10	I PT. SUANTARA	...	47	L	
11	I PT. SUANTARA	...	47	L	
12	I PT. SUANTARA	...	47	L	
13	I PT. SUANTARA	...	47	L	
14					
15					
16					

4. List of Participants (Daftar Peserta)

Kec. KEDIRI - TABARAN

Sl No	Name (Nama)	Profession (Pekerjaan)	Age (Umur)	Sex (L / P)	Signature (Tanda tangan)
1	NY Muliarta	Dokter Nyitda	32 th	L	[Signature]
2	I Gd. Pt. Friesakalra	Pekerja Kel. Budak	52 th	L	[Signature]
3	INDA ARANDA	ELIR DES. Beupel	ASTG	L	[Signature]
4	U.P. PURGATI	Perbekel Bawit	46 th	L	[Signature]
5	IDA BAGUS MADE SURDATA	PERBEKEL KABA	46 TH	L	[Signature]
6	IKI SUHARJANA	PERBEKEL CEPAN	41 th	L	[Signature]
7	ND. SUBARATA	CAMAT KEDIRI		L	[Signature]
8					
9					
10					
11	DESA BUDUK - MENGWI, BADUNG				
12	RT. PUJITRAMANA	SEKDES. BUDUK	60 th	L	[Signature]
13					
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C. List of Participants in Focused Group Discussions

FGD GROUP I

4. List of Participants (Daftar Peserta)

No	Nama	Pekerjaan	Usia	Jenis Kelamin	No. Telp/ HP	Tanda Tangan
1.	Hermanto	Kades Bungatan	48	LK		
2.	Ahmad	Kades Blimbing	46	LK		
3.	Saleh Hartadi	KAdes	43	LK		
4.	Suyono	Kades Suboh	35	LK		
5.	Sidi yanto	BPD Jetis	40	LK		
6.	Edy Santoso	Sekdes Pasir Putih	42	LK		
7.	Ridwan	Sekdes Langkap	42	LK		
8.	Asfandi	Kades Bloro	51	LK		
9.	Agus Suhartono	Kades Langkap	45	LK		
10.	Subkhan	Kades Mlandingan	51	LK		
11.	Djainul	Kades Bletok	55	LK		
12.	Burhanuddin	Kades Kalimas	44	LK		
13.	Mulani Fatah	Kades Mlandingan Wetan	44	LK		
14.	Jayandi	Kades banyuglugur	48	LK		
15.	Sholehuddin	Kades Mlandingan Kulon	47	LK		
16.	Fauzan	Kades Bhinar	48	LK		
17.	Sutoyo	Kades Selo Mukti	43	LK		

Note: Use additional sheets for information and list of participants

(Catatan : Gunakan lembar tambahan untuk informasi dan daftar peserta)

FGD GROUP II

4. List of Participants (Daftar Peserta)

No	Nama	Pekerjaan	Usia	Jenis Kelamin	No. Telp/ HP	Tanda Tangan
18.	Yoyok	Kepala desa klastakan		Laki2	081358079555	
19.	Andi Zakas	Sekdes Paowan		Laki2	0888 0360 7271	
20.	H. Sukarto	Kep.des Sumber kalak panarukan		Laki2	0812 49945 896	
21.	Badri	Kaur ardirejo		Laki2	081358 1091 28	
22.	Usman	Kepdes Panji Lor		Laki2	0852 339 18877	
23.	Untung S	Kep.des Kapongan		Laki2	0852 32 631593	
24.	H. Ferzia	Kepdes Pelean		Laki2	08125123772 7	
25.	Subiantoro	Kepdes Arjasa		Laki2	081 33615 6550	
26.	Yoyok	Kep des ketowan, arjasa		Laki2	0813 580 79 555	
27.	Moh Hafit	Kedung dowo, arjasa		Laki2	81 336 754 119	
28.	Sukarwi	Cukahkalak Asembagus		Laki2	081336 211 591	
29.	H. Kholili	mojosari		Laki2	0812348 6037	
30.	Basriyanto	Awor-awor		Laki2	0338 5503556	
31.	Ina kusweni	PKK Kec. panji		Pr	0817 969 1546	
32.	amiharjuni	PPL		Laki2	08525826181 6	
33.	sahur	Tokoh masy		Laki2		
34.	sugeng	Tokoh masy		Laki2	08525882704 9	
35.	a. pujiarto	Tokoh masy		Laki2	08125269173 7	
36.	mirjo	Tokoh masy		Laki2		
37.						
38.						
39.						

Note: Use additional sheets for information and list of participants

(Catatan : Gunakan lembar tambahan untuk informasi dan daftar peserta)

FGD GROUP III

4. List of Participants (Daftar Peserta)

No	Nama	Pekerjaan	Usia	Jenis Kelamin	No. Telp/ HP	Tanda Tangan
40.	H. Didik Santoso, SH	Bag. Pemerintahan	43	LK		
41.	M. Rochim	PLN AJB Banyuwangi	38	LK		
42.	Andik Harianto	PLN AJB Banyuwangi	35	LK		
43.	Sugiharto	PLN UPT Jember	49	LK		
44.	Busaini	BPD	53	LK		
45.	M. Basuni	Kades Kelir	40	LK		
46.	Slamet Utomo	Kades Ketapang	38	LK		
47.	Ahmad S.	Kec. Kalipuro	42	LK		
48.	Hariono	Kec. Kalipuro	40	LK		
49.	Budi Priyambodo	Kel. KAlipuro	40	LK		
50.	A. LATif	Kel. Giri	36	LK		
51.	Idhum Kholid	Polri	50	LK		
52.	Suko Proyanto	Kel. Klatak	49	LK		
53.	Agus Setyabudi	Baluran	50	LK		
54.	Sumaryono	Kalipuro	55	LK		
55.	H. Kamari	Tomas	56	LK		
56.	Kunawi	BPD	45	LK		
57.	Noviyani Utami	TN Baluran	41	PR		
58.	Sulistowati	DS. wongsorejo	38	PR		
59.	Heni W	Ds. Alas buluh	35	PR		
60.	Abdul HAdi	Ds. Alas Buluh	32	LK		
61.	Imam Eka Martin	Kades Wonorejo	42	LK		
62.	Abdurahman	kades	35	LK		
63.	Ach Toha	Kades	40	LK		
64.	Suparto	Kades	35	LK		

Note: Use additional sheets for information and list of participants

(Catatan : Gunakan lembar tambahan untuk informasi dan daftar peserta)

Annexure 4: Sample TOR for External Monitoring Agency

1. Introduction

An External Monitoring Agency (EMA) shall be appointed to monitor the Land acquisition and Resettlement process compensation process, and to verify that compensation resettlement and rehabilitation have been implemented in accordance with the agreed Land Acquisition and Resettlement Plan.

2. Scope of Works

The appointed EMA shall undertake the following tasks to independently, externally monitor the Project Land Acquisition and Resettlement Plan implementation and associated mitigation measures:

a. Baseline

Internal monitoring reports will be verified by:

- i. Random review of DMS forms for correct inventory of assets and entitlements. This review shall cover 20% of all the DMS forms;
- ii. Random review of entitlement and compensation documents to ensure that the assessment of compensation is based on the agreed entitlement matrix and that all entitlements have been accurately applied.
- iii. Random review on livelihood restoration/income rehabilitation program and other required assistance if any to ensure that the the APs standard of living and livelihood are not worse off.
- iv. Random review of status of affected households within the LAR impact areas.

b. Evaluation of Delivery

The delivery of entitlements will be monitored as followed:

- i. Field check, site visits coordinated with the resettlement activities that are taking place.
- ii. Evaluation of the quality and timeliness of delivering entitlements.

c. Evaluation of Consultation and Grievance Procedures

Consultation and grievance procedures will be monitored to:

- i. Assess if grievance procedures are adequately implemented,
- ii. Identify, quantify and qualify the types of conflicts and grievances (if any) reported and resolved.
- iii. Provide assistance when required to APs to address grievances, as required, and act as observers on the grievance procedure.

d. Declaration of Successful Implementation and follow-up actions

The EMA will provide a report to:

- confirm all compensation has been paid;
- Make recommendations for follow-up actions; and
- Identify lessons learned.

3. Implementation schedule

The EMA will be hired by the PLN in time for LARP implementation. The EMA will conduct formal M&E activities until compensation payments are completed.

4. Reporting

The following reports will be required for submission from the EMA:

- i. Baseline and Inception Report (1) – to be submitted within 1 week of mobilization to the PLN and ADB.
- ii. Monitoring Reports – to be formally submitted by the EMA directly after compensation has been distributed in each of the affected areas. The Monitoring Reports should particularly focus on:
 - A description of M&E activities;
 - A report on implementation of all aspects of the LARP;
 - Deviations, if any, from the provisions and principles of the resettlement policy specified in the LARP;
 - Identification of problems, issues and recommended solutions; and,
 - Description of findings in relation to whether the project activities have been completed as planned and budgeted, and recommendations, timetable and budget for addressing outstanding problems;
- iii. Formal Verification Report to verify successful LARP implementation to be issued within 1 week after compensation and LAR procedures all affected areas is completed and prior to construction.