

The Rural Development Law
(The Pyidaungsu Hluttaw Law No.39, 2019)
The 2nd Waxing Day of Pyatho, 1381 M.E.
(27 December 2019)

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter I

Title and Definitions

1. This Law shall be called **the Rural Development Law**.
2. The following expressions in this Law shall have the meanings given below:
 - (a) **State** means the Republic of the Union of Myanmar;
 - (b) **Government** means the Union Government of the Republic of the Union of Myanmar;
 - (c) **Rural Area** means all areas designated as villages or village tracts excluded from the areas designated as towns, municipalities, and cantonments;
 - (d) **Infrastructure** means facilities and structures required for rural development;
 - (e) **Rural Electrification Service** means a service providing electricity to off-grid area according to the arrangements or with the permission of the Department in accordance with the policy of National Electrification Project;
 - (f) **Rural Housing** means housings constructed in rural areas according to the arrangements or with the permission of the Department;
 - (g) **Farm Road and Bridge** means roads and bridges on those roads constructed by the Department in support of transport of agricultural, livestock and other businesses products and produce produced by people living in rural areas;
 - (h) **Village Road and Bridge** means roads and bridges on those roads within village boundaries, and jetties and bridges constructed to use as roads in villages;
 - (i) **Revolving Fund** means a fund established as a common fund for livelihood and income generating activities for the purpose of poverty reduction in rural areas;
 - (j) **Central Supervisory Committee** means the supervisory committee on rural development activities formed under this Law;

- (k) **Ministry** means the Ministry of Agriculture, Livestock and Irrigation, the Union Government;
- (l) **Department** means the Department of Rural Development;
- (m) **Supervisory Committee** means the Region or State or the Union Territory Supervisory Committee on rural development activities formed under this Law.

Chapter II

Objectives

3. The objectives of this Law are as follows:

- (a) to implement sustainable rural and socioeconomic development activities for people living in rural areas;
- (b) to narrow down the socio-economic gap between urban and rural areas;
- (c) to use available human and financial resources effectively and efficiently in rural development activities through public participation;
- (d) to enhance the capacity of people living in rural areas, and to create resilience communities in times of natural disasters;
- (e) to promote public participation in implementing rural development activities;
- (f) to implement rural development activities in accordance with environmental conservation plans; and
- (g) to ensure the cooperation of the relevant government departments, government organizations and non-governmental organizations with the Department in prevention of indoor air pollution and personal hygiene in rural areas.

Chapter III

Formation of the Central Supervisory Committee and its functions

4. The Government:

(a) shall form the Central Supervisory Committee as follows:

- (i) Union Minister Ministry Chairperson
- (ii) Deputy Minister Ministry Vice-Chairperson
- Officials from the relevant government departments and
- (iii) government organizations whose positions are not lower than Members
Director-General

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|---|-----------------|
| (iv) external experts not more than three persons | Members |
| (v) Deputy Director-General Department | Joint-Secretary |
| (vi) Director-General Department | Secretary |

(b) may re-form the Central Supervisory Committee formed under sub-section (a).

5. The functions of the Central Supervisory Committee are as follows:

- (a) adopting rural development policies and programmes with the approval of the Government;
- (b) developing annual, short-term and long-term plans after assessing rural development activities approved by supervisory committees and submitting the plans to the Government;
- (c) supervising the implementation of annual, short-term and long-term plans approved by the Government to be finished within the specified period, coordinating with the supervisory committee, relevant government departments and government organizations, and assigning the task to the Department;
- (d) coordinating with the United Nations Agencies, international organizations, foreign countries, local and international non-governmental organizations, civil society organizations, community based organizations and individuals to obtain financial and technical assistance from them with the approval of the Government in accordance with law;
- (e) establishing revolving fund to create job opportunities for people living in rural areas and to increase their income;
- (f) forming supervisory committees required for implementation of rural development activities and prescribing their functions and supervising them;
- (g) coordinating with the Nay Pyi Taw Council or relevant Region or State Government as may be necessary;
- (h) performing other duties in relation to rural development assigned by the Government from time to time.

Chapter IV

Formation of the Supervisory Committees and their functions

6. The Central Supervisory Committee:

(a) shall form the relevant supervisory committee as follows:

- (i) A member of the Nay Pyi Taw Council or the relevant minister from Chairperson the Region or State Government
 - (ii) Officials from the relevant government departments and government Members organizations whose positions are not lower than the Director
 - (iii) external experts not more than three persons nominated by the Nay Members Pyi Taw Council or the Region or State Government
 - (iv) Director Department Secretary
- (b) may re-form the supervisory committee formed under sub-section (a).

7. The functions of supervisory committees are as follows:

- (a) adopting programmes on rural development activities in accordance with the policies of the Central Supervisory Committee;
- (b) developing and approving project plans on rural development and submitting the plans to the Central Supervisory Committee;
- (c) submitting budget proposal required for project plans on rural development to the Nay Pyi Taw Council or relevant Region or State Government;
- (d) supervising implementation of annual, long-term and short-term plans approved by the Government to be finished within the specified period in accordance with the policies of the Central Supervisory Committee, and coordinating with the Nay Pyi Taw Council or relevant Region or State Government and non-governmental organizations;
- (e) supervising livelihood development programmes and capacity-building programmes;
- (f) monitoring the implementation of annual, short-term and long-term plans and programmes on rural development activities of the relevant Region or State or the Union Territory, and evaluating the outcomes of such activities.

Chapter V

Functions and Powers of the Department

8. The functions and powers of the Department are as follows:

- (a) implementing plans relating to rural development activities adopted by the Central Supervisory Committee and relevant supervisory committee;

- (b) developing village development project plans based on the needs of villages proposed and formulated by people living in rural areas in coordination with the relevant government departments and government organizations, and submitting them to the relevant supervisory committee for the approval and implementing them;
- (c) creating a budget estimate for the project plans approved by the Central Supervisory Committee and relevant supervisory committee, and submitting it to such committees;
- (d) carrying out the following activities by the Union budget or relevant Region or State budget or the international aid or the aid from the relevant government departments, government organizations, non-governmental organizations and individuals and contributions of local people:
 - (i) supply of drinking water in rural areas, and environmental sanitation;
 - (ii) cooperation with the relevant government departments, government organizations and non-governmental organizations for prevention of inner air pollution and personal hygiene in rural areas;
 - (iii) rural electrification;
 - (iv) construction of rural housings;
 - (v) establishment of revolving fund in accordance with the stipulations for job creation for people living in rural areas and doing businesses;
 - (vi) coordination with the relevant government departments, government organizations and non-governmental organizations to get technical and financial capital and sustainable market for cottage industries, and to produce value-added products;
 - (vii) coordination with the relevant government departments, government organizations and non-governmental organizations to open on the vocational training for small industry, livelihood training and capacity-building training for people living in rural areas;
 - (viii) encouraging small-scale infrastructure development activities, income generating activities, and livelihood development activities which can be implemented by the participation of people living in rural areas.

- (e) coordinating with the relevant government departments and government organizations for construction and maintenance of farm roads and bridges constructed under the supervision of the Department, of village roads and bridges constructed under public decision according to community-based projects and of village access roads and bridges included in comprehensive projects implemented by the international aid;
- (f) cooperating with government departments, government organizations and non-governmental organizations for health, educational and socio-economic development of people living in rural areas;
- (g) in times of natural disasters in rural areas:
 - (i) supporting to create resilience communities;
 - (ii) cooperating with the relevant government departments, government, organizations and non-governmental organizations;
- (h) monitoring and evaluation of rural development activities, and preparing and submitting a report to the Central Supervisory Committee and relevant supervisory committee;
- (i) collecting data on rural development activities with representatives from the relevant government departments, government organizations, non-governmental organizations and ward and village tract committees;
- (j) doing research on rural development;
- (k) obtaining financial and technical assistance from international organizations and individuals with the approval of the Government through the Central Supervisory Committee in accordance with law and cooperating with them;
- (l) forming, assigning and supervising working committees, sub-committees or working groups required for the relevant township and village in implementing rural development activities;
- (m) reacquiring the whole or a part of fund from the relevant working committee, sub-committee or working group running by the Union budget or Region or State budget with the approval of the Department if they cannot implement the rural development activities or they do not comply with the instructions;

- (n) carrying out rural infrastructure development activities through the Government, public and private cooperation;
 - (o) arranging local and international trainings, workshops, seminars and technical exhibitions and study tours for the capacity building for staff, and members of working committees, sub-committees and working groups;
 - (p) cooperating in rural development activities implemented by international organizations in Myanmar;
 - (q) coordinating with the relevant Hluttaw representatives, government departments, government organizations and non-governmental organizations in implementing rural development activities;
 - (r) assessing and permitting a request for permission letter for rural private water supply service;
 - (s) performing other duties assigned by the Central Supervisory Committee, the Ministry and relevant supervisory committee.
9. The Department may implement rural development activities by any of the following manner under the approval of the Central Supervisory Committee or relevant supervisory committee:
- (a) commissioning private companies to implement the activities by calling tender in accordance with the stipulations;
 - (b) allowing United Nations Agencies, local and international non-governmental organizations or community based organizations to implement the activities by concluding agreement;
 - (c) implementing directly by the Department according to technical requirements;
 - (d) forming working committees, sub-committees or working groups in the relevant villages and commissioning them to implement the activities with the technical assistance of the Department;
 - (e) commissioning the relevant government departments and government organizations to implement the activities that require technical assistance;
 - (f) implementing the activities by any other ways.

Chapter VI

Responsibilities and Rights of People Living in Rural Areas

10. The responsibilities of people living in rural areas are:

- (a) to maintain infrastructures constructed for rural development and dispose garbage properly;
- (b) to implement the specified activities mentioned in credit agreement if any loan is received for rural development;
- (c) to collect, use and maintain fund in accordance with the stipulations when implementing rural development activities by themselves;
- (d) in relation to a loan received under subsection (b), and interest:
 - (i) to repay such loan and interest within the stipulated period;
 - (ii) to pay the stipulated fine if the payment is overdue.
- (e) to cooperate with the relevant departments and organizations in rural development activities;
- (f) to participate in mobilizing and educating for rural development;
- (g) to settle any issues arising from implementing rural development activities, that may affect solidarity of rural people, under the guidance of the relevant committees.

11. The rights of people living in rural areas are as follows:

- (a) right to participate in formulating their village development plans;
- (b) right to make a request to the relevant government department and government organizations to implement rural development activities in their villages;
- (c) right to participate in, observe, request for information and give suggestions freely on rural development activities;
- (d) right to implement rural development activities by themselves after submitting the plan to the Department;
- (e) right to take a loan from revolving fund in accordance with the provisions relating to establishment of revolving fund in this law and use it in the appropriate activities;
- (f) right to use the interest obtained from the activities in sub-section (e) in rural development activities in accordance with the provisions of this Law;
- (g) right to raise questions on the use of fund for rural development activities;

- (h) right to participate in study tours on local and foreign rural developments activities arranged by the Ministry;
- (i) other rights relating to rural development activities without discrimination.

Chapter VII

Drinking Water Supply and Environmental Sanitation Services

12. The Department may:

- (a) provide new water supply services, maintain and upgrade existing rural water supply services;
- (b) receive donations, loans, technologies and aid from local and international organizations and individuals, including Union budget and State or Region budget.

13. The Department may:

- (a) allow to distribute water with charges or free of charge in providing drinking water supply services for rural areas;
- (b) form committees on rural drinking water supply and environmental sanitation and allow to collect water charges and regular maintenance fees including expenditures on drinking water supply services and maintenance;
- (c) allow the person or organization permitted to provide the water supply service to collect water charges in accordance with the stipulations after inspection of private water supply services.

14. The Department shall, in accordance with the stipulations, develop plans on drinking water supply for rural areas, schools in rural areas, hospitals and clinics, and environmental sanitation in coordination with the relevant government departments, government organizations and non-governmental organizations.

15. The Department shall form village water user committees to provide rural drinking water supply service and support such committees to obtain land use right for water resources and drinking water supply service in accordance with law.

16. The Department shall submit proposal to the Central Supervisory Committee to issue instructions in coordination with the relevant government departments and government organizations, that need to be followed in conservation of water resources including spring sources utilizing in rural drinking water supply and forests in rural areas.

17. The Department:

- (a) shall test quality of water resources utilizing in rural drinking water supply whether it is consistent with water quality standards;
- (b) may suspend or prohibit drinking water supply service if the water quality is inconsistent with the specified quality when testing under sub-section (a);
- (c) shall arrange for drinking water supply by any other means in accordance with national drinking water quality standards after suspending or prohibiting under sub-section (b).

18. The Department shall promptly supply drinking water to water shortage areas due to any reason in coordination with the relevant government departments, government organizations, non-governmental organizations and individual donors.

19. The Department shall collect data on management and maintenance of water resources and educate people living in rural areas relating to management and maintenance of water resources.

20. The Department shall carry out the following in coordination with the relevant government departments, government organization and non-governmental organizations:

- (a) training people living in rural areas to practise good environmental sanitation practices;
- (b) educating and mobilizing people living in rural areas relating to pruning bushes, reduction of garbage, designation of places to dispose plastics and garbage properly, recycling and reuse of garbage, and classification of recyclable waste and non-recyclable waste;
- (c) educating and mobilizing people living in rural areas relating to water flow, disposal of waste water properly or recycling and reusing of it;
- (d) advocating people living in rural areas to use fly-proof latrines for health;
- (e) educating people living in rural areas not to cause and to minimize air pollution in rural housings and buildings.

Chapter VIII

Rural Electrification Service

21. For rural electrification, the Department shall:

- (a) coordinate with the relevant government departments and government organizations;
 - (b) form the relevant Village Electrification Committee.
22. (a) A person who wishes to provide, or wishes to obtain a permit for rural electrification service shall apply to the Department in accordance with the stipulations. The Department shall facilitate to obtain a permit in accordance with relevant laws, rules and procedures.
- (b) A person who obtains a permit under sub-section (a) shall collect the specified electricity tariffs in accordance with the procedures with the approval of the Department and Village Electrification Committee.
- (c) A person who obtains a permit under sub-section (a) shall take into account specified standards, impact on environment and safety in providing electrification service.
23. After completion of the construction, the person who provides electrification service by any ways in section 9 except self-reliant person shall:
- (a) transfer the rural electrification service to the relevant Village Electrification Committee in accordance with the stipulations as soon as the project is completed if the private investment is not included;
 - (b) in case of the private investment is included, when the stipulated period for collection of electricity tariffs is expired:
 - (i) transfer the rural electrification service to the relevant Village Electrification Committee in accordance with the stipulations;
 - (ii) apply for permission to the Department in accordance with stipulations to obtain a permit if he/she wishes to continue the rural electrification service.
24. The relevant Village Electrification Committee may, in accordance with the stipulations of the Department, collect the maintenance cost of rural electrification service provided by local and international support.

Chapter IX

Construction of Rural Housings

25. The Department shall emphasis on the following when constructing rural housings:
- (a) to support people living in rural areas in order to acquire their own houses;

- (b) to withstand natural disaster, to have good ventilation and to harmony with respective traditions and culture;
 - (c) to prescribe land ownership in accordance with law.
26. The Department shall coordinate with the relevant government departments and government organizations in accordance with law in choosing suitable land in disaster affected areas and areas where new villages are established for any causes, and constructing rural housings.
27. The Department shall carry out the construction of rural housings by any ways in section 9 in accordance with the stipulations.
28. A person who constructs rural housings by any ways in section 9 shall transfer the housings to the Department in accordance with the stipulations after completion of the construction. The Department shall also transfer the completed housings with records of construction to the relevant organization.

Chapter X

Establishing Revolving Fund

29. The Department, with the permission of the Central Supervisory Committee or relevant supervisory committee:
- (a) shall establish revolving fund with the Union budget, Region or State budget, donations from local donors, international governments, non-governmental organizations and individuals for the following activities:
 - (i) creating job opportunities and household income generating activities to reduce rural poverty;
 - (ii) encouragement of subsistence farming for food security;
 - (iii) encouragement of people living in rural areas to implement village development activities by themselves with the money accrued from the revolving fund;
 - (iv) promoting the capacity of people living in rural areas, and creating resilient rural communities to respond to the unexpected disaster effectively.
 - (b) may form required working groups to carry out project activities under sub-section (a) and may issue operational guidelines which include functions and powers of working groups, regulated measures and fund management.

30. The Department shall supervise respective village working groups in use of fund, keeping accounts and their work performance to be able to prevent loss of revolving fund.
31. If it is found that any person misuses revolving fund or a person who borrows revolving fund fails to pay back borrowed fund and its interest in accordance with the set guidelines, the Village Working Group shall sue him/her at the relevant court.
32. If it is found that a Village Working Group or any member misuses revolving fund, the township level working group shall sue the village working group or person at the relevant court.
33. The people living in rural areas:
- (a) have the right to borrow revolving funds in their respective villages;
 - (b) may borrow revolving fund to carry out agricultural activities, livestock breeding activities, fisheries, rural electrification, village production, small scale trading and other livelihood activities in accordance with the set guidelines;
 - (c) shall repay the borrowed fund and its interest in accordance with the set guidelines;
 - (d) shall use the interest mentioned in sub-section (c) in the implementation of rural development activities in accordance with the set guidelines upon receiving the approval of the Department.

Chapter XI

Control of Fund and Auditing

34. The Ministry and the Department shall use approved budget for rural development activities in accordance with the financial regulations.
35. The Ministry shall accept, control and use money and assets including foreign currencies received as local and international aid for rural development activities in coordination with the relevant government departments, government organizations and non-governmental organizations and with the approval of the Government.
36. The Department shall open the designated account for money including foreign currencies received as local and international aid under section 35 in accordance with the stipulations with the permission of the Ministry and use it in accordance with law.

37. The Department shall provide money and assets which are directly received and permitted for rural development activities to local people and shall supervise use of fund and work performance.
38. The Department shall manage to disclose the statement of expenditure within the specified period at the village bulletin relating to rural development activities which are carried out cooperatively with the relevant village working committee or working groups.
39. The Department including Working Committees, sub-committees and working groups formed under this Law shall be audited by the Office of the Auditor General of the Union relating to the use of money and assets for rural development activities.

Chapter XII

Offences and Penalties

40. (a) Anyone who uses criminal force to the person who implements rural development activities according to their duty shall, on conviction, be punished with imprisonment for a term not exceeding two years or with a fine not exceed two hundred thousand kyats or with both;
- (b) Anyone who threatens, interferes, obstructs or deters the person who implements rural development activities according to their duty shall, on conviction, be punished with imprisonment for a term not exceeding one year or with a fine not exceeding one hundred thousand kyats or with both.
41. Anyone who violates or fails to follow any rules, regulations or bye-laws issued under this Law shall, on conviction, be punished with imprisonment not exceeding one year or with a fine not exceeding one hundred thousand kyats or with both.

Chapter XIII

Miscellaneous

42. The Department shall carry out activities to promote knowledge of socioeconomics among people living in rural areas.
43. Rural Development Village Committees or groups shall include women.
44. The Department may coordinate with the relevant government departments, government organizations and non-governmental organizations as may be necessary for the development activities implemented by such organizations.

45. The Department shall announce use of money and assets received as local and international aid for rural development and work performance.

46. If anyone misuses assets or money for rural development, he/ she shall be taken-action under the existing law.

47. The offences in sections 40 and 41 in this Law are recognized as cognizable offences.

48. In implementing provisions of this Law:

(a) the Ministry may issue rules, regulations and bye-laws with the approval of the Government;

(b) the Ministry and the Central Supervisory Committee may issue notifications, orders, directives and procedures;

(c) the Department may issue orders and directives with the approval of the Ministry.

I hereby sign under the constitution of the Republic of the Union of Myanmar.

(Sd.) Win Myint

President

The Republic of the Union of Myanmar