Memorandum of Understanding

Between

The Embassy of India, Yangon

The Government of the Republic of India

And

The Progress of Border Areas and National Races Department

Ministry of Border Affairs

The Government of the Republic of the Union of Myanmar

for

"Construction of 20 feet Bailey bridge and four (5x5x26) feet Box Culverts from 3/6 miles junction road of Lahe-Nanyun to Laungkyannaukkone-Taikyan-Lanhtain junction in Naga Self-Administered Zone"

Under Quick Impact Projects (QIP)

Preamble

The Embassy of India, Yangon (EoI) of the Government of the Republic of India (GoI) and the Progress of Border Areas and National Races Department (PBANRD), Ministry of Border Affairs (MoBA) of the Government of the Republic of the Union of Myanmar (GoM), hereinafter collectively referred to as the "Parties" and individually as a "Party";

Bearing in mind the friendly relations between the two countries;

Desirous of jointly working towards successful implementation of short gestation projects that could directly benefit local communities, with results that are immediate and visible, which contribute significantly to economic and social development and improvement of public welfare and would give fresh impetus to cooperation between GoI and GoM under Mekong Ganga Cooperation;

Recalling the Agreement signed on 27th February 2020 between the Government of the Republic of the Union of Myanmar and the Government of the Republic of India on Indian grant assistance for the implementation of Quick Impact Projects (QIP) for a period of five 5 years from the date of signing the Umbrella Agreement;

Have reached the following understanding:

Article I

GoI will provide grant assistance of US$ 48,000/- (US Dollars Forty Eight Thousand only) for the project **"Construction of 20 feet Bailey bridge and four (5x5x26) feet Box Culverts from 3/6 miles junction road of Lahe-Nanyun to Laungkyannaukone- Taikyan-Lanhtain junction in Naga Self-Administered Zone"** (hereinafter referred to as the 'Project') by PBANRD, MoBA. The implementation modality of this project will be "Government of India funded, Government of Myanmar implemented".

Article II

The list of items, goods and materials to be procured for the Project are detailed in the project proposal. These are based on the projected requirements by PBANRD, MoBA. MoBA shall be fully responsible for the implementation of the Project by following the existing laws, rules and regulations of GoM as per the terms and specifications contained in this MoU.

Article III

GoM shall provide exemption from payment of all levies, duties, taxes and cesses of any kind including VAT on any goods, materials, equipment purchased locally or imported for the implementation of the Project under this MoU in accordance with the existing laws, rules, regulations and directives of GoM. PBANRD, MoBA shall also provide necessary assistance to ensure successful, timely and quality implementation of the Project.

Article IV

i. A Joint Project Monitoring Committee (JPMC) shall be constituted by MoBA comprising of representative(s) from Embassy of India and other members of the Committee shall be decided by MoBA. The JPMC shall be constituted before the release of the first instalment of the grant assistance.

ii. The JPMC will meet regularly to ensure timely implementation of the Project and proper utilization of the grant assistance. For this purpose, PBANRD, MoBA shall

maintain regular records of the expenditure incurred on the Project and progress achieved.

iii. Payment of the grant assistance shall be released in 3 instalments (40/40/20%) through EoI. Release of the first instalment on receipt of demand as approved by JPMC and release of second and final instalment will be based on utilization certificate of previous release. Unutilized grants shall be returned to EoI on termination of MoU or where they remain unutilized for any reason whatever, after the time limits prescribed, unless otherwise agreed by JPMC.

iv. The grant shall be strictly applied for the purpose determined by JPMC. Any deviant application of funds shall be excluded from the grant.

v. PBANRD, MoBA shall follow its rules and regulations for all procurement, supply and installation/ construction activities through tender process. PBANRD, MoBA shall also ensure to procure Indian-made goods wherever possible or only local goods for the implementation of the project.

vi. Upon the completion of the Project, appropriate permanent signage indicating that the project has been implemented under "Quick Impact Project from the Government of India" will be put up in an appropriate location at the project site(s).

Article V

The Parties shall settle any disagreement or dispute amicably through mutual consultations and negotiations.

Article VI

This MoU may be amended by the mutual consent of the Parties in writing, through an exchange of letters between PBANRD and EoI. The exchange of letters to this effect shall become an integral part of the MoU.

Article VII

This MoU shall come into force on the day of its signature by duly authorised representatives of the Parties and shall be in force for one year. The term of this MoU may be extended by mutual consent of the Parties in writing. The Project shall be implemented within one year from the signing of this MoU. Either Party may terminate this MoU by giving one month advance written notice of its intention to terminate, to the other Party. Such termination shall not affect the obligations of the Parties under

this MoU in regard to liabilities incurred bona fide by any of them under this MoU prior to such termination. Unless or upon termination, this MoU shall remain in force till the Project is completed or the obligations as envisaged by the Parties are fulfilled.

IN WITNESS THEREOF, the undersigned being duly authorized by their respective Governments have signed this MoU.

Signed on this 9th Day of January 2024 at Nay Pyi Taw in two originals in the English language with each Party receiving one original copy.

For and on behalf of
The Government of the Republic of India

Ashish Sharma
Deputy Chief of Mission
Embassy of India, Yangon

Date- 9-1 -2024

For and on behalf of
The Government of the Republic of The Union of Myanmar

9 1 11 2024.

Sai Tun Nyo
Director General
Progress of Border Areas and National Races Department
Ministry of Border Affairs
The Republic of the Union of Myanmar
Date- 9 -1 -2024

PROGRESS OF BORDER AREAS AND NATIONAL RACES DEPARTMENT
Ref No.....
Date .....