

# Resettlement Planning Document

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Resettlement Plan - Addendum  
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## Sri Lanka: Southern Transport Development Project

Prepared by Road Development Authority, Ministry of Highways and Road Development,  
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# **Loan 1711-SRI: Southern Transport Development Project**

## **Resettlement Implementation Plan**

### **Addendum**

June 2007

## 1. Introduction

The Resettlement Implementation Plan (RIP) of the Southern Transport Development Project was approved by the Government of Sri Lanka (GOSL) and Asian Development Bank (ADB) in October 2002. It was formulated to address involuntary resettlement impacts of the expressway from Kottawa (Colombo district) to Godagama (Matara district) and of the Galle Access Road.

The 'final trace' of the expressway was finalized in January 2000. The GOSL acquired land for six lane expressway. However, additional land acquisition became necessary during the construction of the expressway. The need for such land acquisition arises from a variety of technical reasons such as land filling and cuts, water logging, rock blasting, additional lands required for underpasses and bridges, and also from some difficulties in accessing private land adjoining the right-of-way of the expressway. The Road Development Authority (RDA), the executive agency (EA) of the expressway has acquired such additional land following the procedures of Land Acquisition Act and the procedures of 'land purchase' introduced by the Ministry of Highways in 2006. The Secretary, Ministry of Highways, issued the Circular No.MH/W/1/93 of 8 September 2006 incorporating all entitlements listed in the RIP. This Circular facilitates the sale of economically unviable or minute land parcels (of less than 15 perches each) that were left after the acquisition of land for the project. (a copy is attached to this addendum).

This addendum to the RIP provides additional information of resettlement impacts arising from the acquisition of land and other assets which were not originally listed for acquisition. Two categories of people and assets are affected by such additional land and asset acquisition: 1) owners of residential houses and agricultural land who opted for selling their lands to GOSL, 2) and owners of residential houses and agricultural land who have requested GOSL to acquire their land. About two hectares of residential land with 31 houses, and 14 hectares of agricultural land have been acquired as additional acquisitions. The RDA has identified several other land plots as required to be acquired soon. A significant number of affected persons have voluntarily agreed to sell their remaining unviable agricultural lands to GOSL. The estimated cost of land acquisition and payment for structures and rehabilitation assistance is about Rs. 50 million.

## 2. Resettlement impacts from additional land acquisition

Table I presents a summary of additional land acquisition and associated resettlement impacts, as at 28 February 2007.

**Table 1: Resettlement impacts from additional land acquisition (2004 to 2007)**

Resettlement impact	ADB section	JBIC section	Total
House plots (Ha.)	2.1	0.1	2.2
Houses	29	2	31
House owners	42	6	48
Agricultural land lots	38	55	93
Agricultural lands (Ha.)	7.3	6.5	13.8
Agricultural land owners	43	115	158

Source: Project Management Unit, RDA

The total extent of additional land purchased and acquired, and the extent of land to be purchased and acquired as of the end of April 2007 was estimated at 16 hectares. It was estimated in the RIP that 951 hectares of land were to be acquired for the expressway based on 'advance tracing' maps on ROW and Inventory of Losses survey data collected from 2000 to 2002.

### 3. Acquisition of house plots and payment of houses under the Land Acquisition Act and purchasing

The legal owners (with clear land titles) of minute land parcels, houses and house plots required for the expressway are given the option of selling their land to GOSL, as per the Ministry's Circular No. MH/W/1/93 (if the land parcel is less than 15 perches) through negotiations at the Super LARC meetings. In order to expedite land acquisition and compensation payment, several processes including land surveys, ownership verification, preparation of 'condition reports' and taking over the possession of land are being carried out simultaneously. To facilitate negotiations between GOSL and land owners, land and house values are determined based on the previous LARC payments, if any, or by reference to the value of adjoining land parcels and houses. Any owner who does not want to sell his land could certainly follow the normal procedures of land acquisition stipulated under the Land Acquisition Act. And they too are entitled to LARC assistance as stipulated in RIP. Table 2 presents the number of houses acquired, removed and paid under the above two procedures.

**Table 2: Acquisition of Residential Houses**

DS Division	No. of houses	No. of owners	Purchased	Paid under LA Act	Under negotiations	To be acquired and removed
Karadeniya	3	4	1	2	1	-
Welivita-Divitura	4	4	1	1	1	1
Bope-Poddala	1	1	1	-	-	-
Akmeemana	7	8	2	2	1	2
Imaduwa	8	18	3	4	1	-
Welipitiya	4	7	2	1	-	1
Baddegama	2	4	-	2	-	-
Millniya (JBIC)	1	1			1	
Karadeniya (JBIC)	1	1				1
<b>Total</b>	<b>31</b>	<b>48</b>	<b>10</b>	<b>12</b>	<b>5</b>	<b>4</b>

Source: Project Management Unit, Road Development Authority

The majority of houses and residential plots are located in Divisional Secretaries areas of Karadeniya, Welivita-Divitura, Akmeemana, Imaduwa, Baddegama, Welipitiya and Baddegama.

Twenty-two houses were removed after the payment of statutory compensation, LARC payments and other entitlements. Each house owners received the entitlement certificate. Ten

house owners were paid compensation under willing seller-willing buyer procedure and 12 house owners were paid compensation under the LA Act and provided other LARC entitlements. Under willing seller-willing buyer scheme, the entitlements specified in the RIP were paid but the procedures in land surveys and valuation were different from the procedures adopted in the LA Act. The major difference between the two methods is that legal owners of houses were given the option to accept cash compensation and remove the structures within about 3 to 4 months because of damages to the houses from rock blasting, land filling and cuts etc. and the danger to which they were exposed by living in their houses. The RDA expedited the payment of cash compensation and the provision of LARC entitlements early for self relocation. Under the willing seller-willing buyer scheme, it is not necessary for the legal owner to follow all the steps in the LA Act for land acquisition and payments. The Super LARC paid LARC payments and other entitlements after the approval of the Minister of Highways. Titled house owners and residential land plots largely adopted the procedure of willing seller-willing-buyer. This enabled house owners to build their houses at new locations without much delay. On average, land acquisition took about 4 months to complete the process of acquisition, payment of statutory compensation, and the provision of LARC entitlements..

**Table 3: House Ownership by Gender and Tenure**

Ownership type	ADB Section		JBIC Section		Male	Female
	Male	Female	Male	Female		
Single-owner	14	7	2	-	16	7
Shared-owner	4	4	-	-	4	4
Total	18	11	2		20	11

Table 3 shows that women own more than one-third of the affected land and houses. There were no tenants or non-titled landholders among the affected. About 20 percent of the affected persons had already lost agricultural land to the project during 2000 to 2002. All affected persons are Sinhalese.

#### **4. Progress of compensation payment**

The RDA has completed the payment of statutory compensation and the provision of LARC entitlements to 26 owners of affected 23 houses totaling Rs.28 million. The payments for the remaining acquired houses and land are under different stages of land acquisition or the willing seller-willing buyer scheme and would cost about additional Rs 22 million. The RDA has sufficient funds for this purpose.

#### **5. Consultation**

Although RDA offered land plots at some resettlement sites to the displaced households to build their new houses, the majority of them have opted for self-relocation. The RDA consulted them on the options available for land acquisition and resettlement and informed them of the Circular of the Ministry of Highways on the acquisition of additional land for the project and its key provision on the willing seller-willing buyer scheme. The PMU staff and Management Consultants frequently visited the affected household sat their residences and communities to explain the established procedures of land acquisition and purchasing.

## 6. Acquisition of house plots and agricultural land

Ninety-three agricultural land lots and 31 residential plots were identified for acquisition. The total extent of lands to be acquired is 13.8 hectares of agricultural lands and 2.2 hectares of house plots, a total of 16 hectares in the ADB and JBIC sections of the expressway. Most of these agricultural plots were unviable minute land parcels. Some of them were the residual plots after the land acquisition process, conducted during 2002 and 2003. Some affected persons requested RDA to acquire such plots, as they could not use them for any productive purpose.

**Table 4: Acquisition of agricultural lands**

DS Division	No. of agricultural land lots	No. of agricultural land owners	Purchased	Acquired under LA Act	Under negotiations	To be acquired
Karandeniya	5	12		1	2	2
Welivita-Divitura	7	7			5	2
Bope-Poddala	2	2	1	-	-	1
Akmeemana	9	9	1		3	5
Imaduwa	4	5	1		1	2
Welipitiya	4	12	-		2	2
Baddegama	6	6	-		2	4
Malimbada	2	2				2
Homagama	10	37			6	4
Horana	9	10			9	
Bandaragama	18	32			8	10
Millaniya	4	4			3	1
Matugama	3	3			1	2
Elpitiya	1	1			1	
Dodangoda	7	12			3	4
Walallawita	1	3			1	
<b>Total</b>	<b>93</b>	<b>157</b>	<b>3</b>	<b>1</b>	<b>47</b>	<b>41</b>

Source: Project Management Unit, Road Development Authority

The average size of the majority of agricultural land plots (60 percent) acquired through purchasing is was about 5 perches.

## 7. Progress of house plots and agricultural land acquisition land payment

RDA has completed the payment of statutory compensation and LARC allowances for only 5 agricultural lots out of 93 lots. So far, RDA has issued the section 2 notices for 18 land plots in the ADB section and 12 land plots in the ADB section.

## 8. Lands to be acquired for interchanges and development of industries and commercial activities in identified locations

Lands required for twelve interchanges (RIP, 1.5.4) were acquired as indicated in the RIP and therefore, there is no need for additional land acquisition for interchanges. However, the Urban Development Authority is responsible for planning and preparing Land use zoning plans, 3 Km urban development region along the expressway including the interchanges and some locations identified as potential service centers, commercial and industrial enterprises. Such plans will be prepared to control land uses including imposing restrictions on land use in

the demarcated region along the expressway, but no land acquisition is envisaged. However, Urban Development Authority has not yet finalized the details of restricted land uses in different locations.

## **9. Income Restoration**

The Income Restoration Program began in September 2006. The APs were informed to contact the field officers of the NGO, Sarvodaya Economic Enterprises Development Society (SEEDS) to obtain assistance under the programs of home garden improvement, skills training and enterprise development. Those APs who lost land and houses owing to additional land acquisition for the project have still not been consulted to include in the income restoration program. But once the needs assessment is completed, eligible households will be included in the programs.

## **10. Monitoring and Evaluation**

The Management Consultants and Supervision Consultants have been conducting internal monitoring of land acquisition, compensation payment, and resettlement. They produce monthly monitoring reports and SLRM has requested PMU to document the progress of resettlement, land acquisition and resettlement of additional numbers of households and persons affected. The PMU has revised the reporting format to include these new categories of affected persons. Social Impact Monitoring Assistants of RDA are also engaged in internal monitoring.