

Chapter Ten

10. SOCIAL ADJUSTMENT ISSUES

10.1 Consultation and Participation

The ADB policy on involuntary resettlement states that, "affected people should be fully informed and closely consulted on resettlement and compensation options". In case of STDP, consultation with all stakeholders including APs has been started from May 2000. Information 'brochure and leaflets' has been distributed in the AP areas. People affected by the Project are now less apprehensive in regard to their livelihoods and communities. Although the resettlement policy framework has been derived from the ADB Handbook on involuntary resettlement, but it has been fine-tuned in the light of discussion with the APs at the grassroots level. The institutional framework, resettlement policy, delivery mechanism and the relocation program largely reflect the desires of the APs. Now that with wide range of consultation, initial opposition to a project has been transformed into constructive participation.

10.1.1 Consultation and Participation During Resettlement Planning

Consultation and participation during this resettlement planning stage has consisted of the following activities:

During Preliminary and Detailed Design

- a) **Awareness program prior to finalizing the alignment;** The awareness program has been implemented since October 1999, The RU Project Implementation Officer organized many awareness meetings from May 2000 to till date. The objective of the meetings was to share information about the resettlement plan and entitlements. A brochure about the Project and compensation package was distributed among the people, however, the brochure specified that APs would be compensated for all losses at replacement cost. The awareness program started after the appointment of two consultants directly reporting to Director LARD - one for the ADB section and one for the JBIC section. Meetings were usually chaired by the respective Divisional Secretaries and attended by Provincial Councilors, Grama Niladaris, Viharadhipathis (temple chiefs), community leaders and the general public within a 3-km. Meetings were also held with the Superintendent of Surveys, the Land Valuation Officer, and the Director of the Land Reform Commission. The number of Group Meetings as follows:

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	ADB Section	JBIC Section
• Senior Government Managers (PP)	20	18
• Junior Officials (G)	58	31
• Grama Niladaris (PP & G)	238	250
• Temple Leaders (PP) (each temple was visited)	122	56
• Community Leaders (PP & G)	872	41
• People (G)	1933	753

RDA has published brochures explaining the impact of the Project, the compensation policy for APs, resettlement options/strategies, and tentative implementation schedule and development benefits of the Project.

The objectives and number of the various meetings were as follows:

Dates	Activities
October- November 1999	Awareness meetings about the RP
December 1999	Awareness meetings about the RP
January 2000	Awareness meetings about the RP
February 2000	Awareness meetings about the RP
March 2000	Awareness meetings about the RP
April 2000	Awareness meetings about the RP
May 2000	Awareness meetings about the RP
June 2000	Awareness meetings about the RP
July 2000	Awareness meetings about the RP

August 2000	Awareness meetings about the information about the information about surveys, monumenting and IOL
September 2000	Awareness meetings about the RIP; information about surveys, monumenting and IOL
October 2000	Awareness meetings , monumenting and IOL
November 2000	Information dissemination about the RoW
December 2000 (planned)	Consultation about entitlements, resettlement sites, income restoration programs

b) Information dissemination about surveys and monumenting:

The issuance of Section 2 Notices was accompanied by information dissemination by the Grama Niladaris about the pending surveys.

c) Information dissemination about the RoW:

The next step in the information dissemination program has been to inform the various stakeholders and APs about the RoW. This is done before preparation of the Land Acquisition Plan. RoW drawings have been sent to the Grama Niladaris and introduced by the RDA Technical Officers. Information about the RoW is being given to APs during the Inventory of Losses and boundary surveys. The RoW drawings itself speak (the jig-Jug direction) as to how the involuntary displacement has been avoided. This happened largely because of the participation of the APs in the selection process of the RoW.

d) Information dissemination and consultation during the social impact study:

During the social impact study, the Social Impact Study Team interviewed 413 (30 percent) affected households, as well as community leaders and a!! Grama Niladaris along the Project corridor. They gave the various stakeholders general information about the Project. The Team also consulted all stakeholders interviewed about their concerns and preferences. This information has been essential for preparation of a RIP that is relevant to the actual people affected.

The stakeholders appreciated the sharing of information and all those consulted during the Social Impact Study declared their support for the Project.

e) Consultation during preliminary and detailed engineering:

The Design Consultant's engineers consulted residents, community leaders and local authorities along the proposed alignment as an integral part of their methodology for preparing the design for the Project Road. The methodologies included transect walks by the engineers together with the social and environmental specialists and community leaders. Their findings influenced the alignment and the design of mitigation measures such as including underpasses and relocating and restoring local roads. **As a result**, the effects of community severance have been reduced to a minimum, and existing communication routes will be maintained and improved. Their findings also resulted in minimizing the severity of land acquisition, by reducing the acquisition of productive paddy land and residential land and structures. Construction of large number of vehicle and pedestrian underpasses clearly demonstrates the influence of the Aps in project design.

Consultation During RIP Preparation

f) Information dissemination and consultation about project scope, entitlements, compensation rates, resettlement site locations, and income restoration: This has already started with the APs in Divitura-Polgahawila (Km 4+400 to Km 14+100) on November 30, 2000 and continue until all APs are consulted along both the ADB and JBIC funded sections. The objectives of the consultation are to achieve the following:

- Provide APs and host villagers with full information about the project scope and schedule.
- Provide APs and host villagers with full information about proposed entitlements including compensation at full replacement cost for all losses, proposed resettlement site locations, income restoration and rehabilitation measures.
- Discuss the APs of their choice of particular location of interchanges and get feed back.
- Obtain feedback from APs on what they have heard.
- Create goodwill for RDA.
- Obtain necessary opinions of APs to prepare the RIP.

10.1.2 Consultation and Participation During RIP implementation

Consultation and participation shall continue during RIP implementation to ensure APs and other stakeholders are kept aware of Project activities and schedule. This will also provide them with opportunities to voice their concerns and have them put at ease. It is expected that during

implementation the APs and the host villagers will continue to be supportive and cooperative. The grievance redress mechanism is also designed as a participatory approach.

During the Income Restoration Program and RIP the Social Mobilizers will be responsible for facilitating group formation of APs and mobilizing them to plan, implement and monitor their own programs.

10.1.3 Consultation and Participation During Resettlement Monitoring

Involvement of affected people and hosts in the Monitoring and Evaluation (M&E) process will be ensured during implementation of the RIP. General APs and the self-help groups of APs will be involved. Participatory rapid appraisal (PRA) techniques will be used in both the internal and external M&E, including key informant interviews, focus group discussions, community public meetings, structured direct observations, informal surveys/interviews, and in-depth case studies.

10.2 Public Opinion on Resettlement and Related Issues in the Project Area

The main concerns of the APs, which were surfaced during the socioeconomic survey of 30 percent of APs was in regard to their loss of income sources from land and businesses that would be affected by land acquisition. The survey revealed that APs generally support the Project as long as they are fully informed about what it means for them, and as long as they know that their rights, living standards and income levels will be protected.

The JICA-funded Master Plan Study for Southern Area Development included a participatory social survey of 55 persons in 3 GNs in Galle District and 47 persons in 3 GNs in Matara District. During the survey respondents revealed their concerns about the effects of the STDP, which were direct damages to their life and livelihoods such as displacement and loss/disruption of livelihoods, and the indirect damage of increased expenses due to loss of fields and fruit trees. They also pointed out about the possible environmental impacts such as deforestation, water shortage, noise and dust pollution. In regard to other disturbances, which may be caused by the Project, breaking of cultural and social affinities and possibility of penetration of immoral activities.

While on the other hand the participants recommended highly that communication that has been established among the affected people and the planners/implementers. But they particularly specified the need for information on displacement and possible relocation, compensation and resettlement, and countermeasures against anticipated adverse effects. Boxes 10.1, 10.2, and 10.3 provide a summary of public opinion as expressed during the Master Plan Study, participatory social survey about the STDP.

Box 10.1
Summary of Public Opinion Survey on Adverse Effects of the STDP

1. Displacement:
 - a. Difficulty in resettlement: no alternative residences & properties; high cost of new lands and new construction
 - b. Dislocation of subfamilies: loss of ownership of houses and lands
 - c. Fear of disrupting children's education: relocation from present residences

2. Loss/disruption of livelihoods:
 - a. Loss of income and economic activities: loss of cultivated and fertile lands
 - b. Drainage problems: blocking of drainage systems

3. Increased expenditures: having to buy produce that was freely available:
loss of paddy fields, fruit and other food items

4. Damaged resources:
 - a. Clearing forests and trees, causing drying of streams and water ways

5. Disrupting cultural & social ties:
 - a. Breaking of cultural and social affinities: bisecting villages, loss of ancestral properties, leaving traditional
 - b. habitats & loved/affectionate relatives & neighbor. b. Possibility of penetration of immoral activities:
 - c. urbanization and close connection with towns/ sub-urban centers

Box 10.2
Summary of Public Opinion Survey on Recommendation and Suggestions for the STPP

1. Access to information:
 - d. Launch an awareness program for the affected people
 - e. Avoid misunderstandings through group discussions

2. Compensation / Distribution of positive effects to affected people:
 - a. Method of paying compensation should be clearly explained and a justifiable method should be adopted in an acceptable manner and without delay
 - b. Create immediate alternative Job opportunities (for those who would lose their jobs)
 - c. Priority should be given to suitable persons of affected families in relation to jobs created as a result of the Project

3. Other countermeasures against the adverse effects:
 - a. Construct proper drainage system and culverts etc.
 - b. Social forestry programs or replanting programs should be started using suitable bare or unutilized lands

4. Countermeasures before/ during construction:
 - a. Strict instructions should be given to responsible government officers who work with villagers to be human and empathetic
 - b. Proper supervision should be carried out to avoid inconveniences and disturbance of day-to-day life.

Box 10.3

Summary of Public Opinion Survey on Information Needs About the STDP

1. Displacement:

- a. What are the extents earmarked for acquisition?
- b. Will the owners of demolished houses be allowed to remove timber and other materials from them?
- c. What notice will be given to vacate (duration)?

- d. Will the houses on the reservations on either side of roads also be demolished?
- e. If a large number of houses are affected, will the road be diverted?

2. Compensation & Resettlement:

- a. How will compensation be paid for land/ plantation/ houses?
- b. Will it be paid before and after acquisition and outright or in installments?
- c. Will compensation be paid at market rates or Government valuations?
- d. Will land from other areas be provided for those losing their houses and where?
- e. What course of action will be taken for tenant cultivators?

3. Distribution of positive effects:

- a. Will permission be granted to start small businesses on either side of the roads?

4. Countermeasures:

- a. What steps will be taken against lands becoming barren as a result of the Project?
- b. What action will be taken against shortage of water resulting from jungle clearing?
- c. How will the embankments and precipices resulting from road construction be developed?
- d. How will pedestrian crossings be constructed? 2

10.3 Grievance Redress Mechanisms

Four Grievance Redress Committees have been appointed for the STDP to deal with any disputes relating to land acquisition compensation, relocation, titles, land tenure compensation allocation among joint owners. The GRCs comprise both Government officials and civil society .

10.4 Local Support Organizations

To minimize adverse impacts on relocating APs and to facilitate the resettlement process, local welfare societies and other community-based organizations has been included in resettlement planning and implementation. The socio-economic survey has identified the main organizations present in each section. These will be investigated during resettlement planning. The organizations will be consulted about ways in which they could provide support to APs.

10.5 Impact of Resettlement Program on Host Areas

Due to strip acquisition over a length of 128Km, the impact of STDP caused by displacement of population on host community will be minimum. More than 50% homestead losing APs have opted for self-relocation in their surrounding host villages.

Regardless of whether they resettle in the same village or on a resettlement site in another village, every effort will be made to assist the APs to integrate socially and economically within the host population. The host population is the community residing in or near the area to which affected people are to be relocated.

Infrastructure and support services at the resettlement sites would be shared with any host communities wherever possible. Host populations shall be included in consultation meetings with APs regarding relocation to a particular site. Host populations will also participate with the relocatees in income restoration programs, which will eventually help for social integration.

10.6. Summary of Consultations

People resist change, this is a natural phenomenon, it applies to individuals as well as to societies. Employees resist change when the management introduces changes to work norms, to the structure of the organization, to the introduction of new technology, due to perceived fear of losing privileges, positions, recognition and social networks.

Shelter is one of the basic needs of the people, next to food and clothing, shelter comes next in the hierarchy of needs of the human beings, according to the theory of Maslow.

It is natural that some people are objecting to the acquisition of their property for the construction of Colombo Matara Expressway. It is not an exception, it happened everywhere and every time, when a new project was to be commissioned not only in Sri Lanka, but all over the world except in regimes where dissent is not tolerated.

In this natural scenario what is important, is how to manage this change, how to convince the dissenters, the importance of the project to the society, to the national economy, "the schemes designed by the Implementing Agency to mitigate the impacts caused to the AP's; the strategies of the Implementing Agency to translate the negative impacts to positive gains.

The plans to be implemented and the strategies to be adopted by the RDA, to resolve the problems faced by the AP's is discussed in this chapter of this report.

As expected disputes arose in few locations along the ROW. Households in dispute are as follows;

10.6.1. JBIC Section

Name	Address
Mrs. Lalani Chandrika	Bataketiya, Weedagama, Bandaragama
Mrs. H. Mundy	Bataketiya, Weedagama, Bandaragama
Mrs. U.K.D. Nancynona	Undupitigoda, Gamagoda
Mrs. U.K.D. Amaradasa	Temple Road, Undupitigoda, Gamagoda
Mrs. U.K.D. Nalani Manike	Undupitigoda, Gamagoda

Total number of Ap's 05

Of a total 2774 households of all categories affected in JBIC section, only 5 Ap's have protested, this is just 0.18 % of the total AP's affected.

10.6.1.Consultations to Resolve Disputes

Consultations have been conducted individually and in groups, by the officials of the RDA and by the political leaders together with the officials.

Summary of consultation done with AP's is given in table 04,

The major concerns raised by the AP's as follows,

Kahathuduwa

Date :-03.03.2002

Venue ;- Vijaya Nandaramaya, Undurugoda.

Grievance

At Kahathuduwa people objected to the Kahathuduwa interchange which results in demolition of large number of houses. They also objected to the curve at Kahathuduwa . Originally planned interchange was a double trumpet type.

Explanations and Decisions

The consultant Mr.Takeda explained that, if the design is changed to avoid the curve, it will result in demolition of more houses. This reasoning was accepted by the APs It was decided to change the Double Trumpet type interchange to Diamond type to minimize the demolition of houses. This decision also resulted in reducing, the number of houses to be demolished for the widening of the Colombo-Horana Access Road.

Rerukana-Gelanigama

Date :-06~02-2002 & 03.03.2002

Venue :-The Auditorium of the Ministry of Highways and Wijayanandaramaya, Undurugoda

Mr & Mrs Mundy complained that the proposed alignment is not within the area subjected to EIA study, that the RDA has violated JBIC guide lines, Bolgoda wetlands are not much of a significance, that the decision of the CEA is incorrect, to shift the alignment to the combined trace.

People objected to the decision to adopt the original trace of the RDA, which was an outcome of the conditions laid down by the CEA, Some people recommended the adoption of the Combined Trace, certain other people proposed that the trace be shifted to Kolamadiyia paddy fields (towards Weedagama junction, north wards of proposed trace) to avoid the demolition of houses.

The Explanation and Decision Taken.

The CEA explained that they scrupulously followed the rules in giving the approval to the alignment, representative of the JBIC said the statement made by Mr. Mundy is his own opinion. Mr.Takeda, explained that even internationally there are concerns regarding the preservation of wetlands. Mr.& Mrs Mundy agreed to discuss with the AP's at Gelanigama, the idea of time bound committee headed by a third party to mediate on the issues raised by them, and he would communicate to the RDA within 07 days.

Mr.Takeda the Consultant explained that the best possible trace has been designed to minimize the economic and social impacts and the cost within the guidelines stipulated; by the CEA.

Kolamadiyia

Date :-03.03.2002

Venue ; - Vijayanandaramaya-Undurugoda

Grievance

AP's requested to change the alignment to save few houses. There has been no substantial protest from the AP's of Kolamadiyia, they appear to be reacting to the protest of AP's at Gelanigama led by Mr & Mrs Mundy

Present Position

According to the Resettlement Officer of RDA stationed at Bandaragama the AP*s at Kolamadiyia is not pressing hard for a deviation of the alignment,

Gama Surakeeme Sanvidanaya of Kolamadiriya adjacent to Gelanigama

Date :-03,03.2002

Venue :- Vijayanandaramaya, Undurugoda.

Grievance

Members of the Gama Surakeeme Sanvidanaya of Kolamadiriya requested the shifting of the interchange southwards of proposed trace.

Explanations and Decisions

This request will be considered if it is feasible, technically and, economically once the Supervision Contractors are in place.

Mahadeniya

Date :- 03.03.2002

Venue :- Mahadenjya

The allegation of the AP's at Mahadeniya is that the alignment had been deviated resulting in demolition of 07 houses. They suggested that the trace be shifted eastwards to save the houses.

Explanation and Decision

Only six households are objecting; this may be more a protest to maintain harmonious relations with neighbouring villagers of Gelanigama than a necessity of their own. The protest is lukewarm. They were told that deviation would result in demolition of more houses. They appear to have understood the implications.

Pelpola

Date :- 03.03.2002

Venue :- Pelpola

The request of people at Pelpola was to shift the alignment East of the Kodigala Kanda

Decision

RDA agreed to explore the possibility

Punsiripura

Date :-03.03.2002

Venue :- Alignment Site at Punsiripura.

Protesting AP's requested the alteration to the alignment in order to save few houses.

Explanation and Decision

Mr.Takaeda, the Consultant explained to the protesting AP's that if alignment is changed the bridge location at Kapu Ela and Kaluganga also have to be changed, it will also Involve extra rock excavation at Kodigalakanda adding to the cost of the project.

Dodammulla

Date :-03.03.2002

Venue :-Dodammulla

Inspection was done with the participation of Hon Lakshman Wijemanne ,M.P.for Kalutara District ,Hon.Hemantha Wickremaratne, Member Western Provincial Council And affected people's representatives. The protesting AP's request was to shift the alignment towards the flood protection bund to reduce the demolition of houses and to minimize the flooding of the area as a result of the construction of the Expressway.

Explanations and Decisions

The Consultant explained that adequate measures have been taken when designing the road trace to mitigate the threat of floods. Consultations continues

Gomagoda (Koraketiya and Undupiligoda)

Date :-03.03.2002

Venue :-Ministry of Lands

Secretary Highways and officials of the RDA were present .Representatives of lthe AP's of the above villages who participated at the meeting suggested ,that the alignment be shifted to save few houses that would be affected.

Explanation and Decision

The Consultant said shifting the terrain eastwards will involve tunneling, which will add to the already escalated cost of the project.

Thudugala East

Date :- 03.03.2002

Venue :- Divisional Secretary's Office-Dodangoda.

Hon. Minister of Lands, Secretary Highways, officials of the RDA, and AP's of Thudugala East participated.

Grievance

Only three houses are situated within the ROW. The AP's requested, the alignment to be shifted towards West, this suggestion will result in demolition of more houses, and therefore AP's proposal will result in greater resettlements.

Millaniya and Dodangoda D.S Areas

Date :- 03.03.2002

Venue:- D.S.Office Dodangoda

Grievance

Very small number of people objected on the grounds that the alignment has been changed to avoid properties of influential people of the area.

Explanation and Decisions

The consultant. Mr. H. Takcda explained that the road trace traverses through the properties of the influential people mentioned by the AP's. It is the best possible trace that could be considered taking in to consideration all technical and financial factors.

10.6.2. ADB - Section

Name	Address
1..Mr. G Gunadasa	Polgahaowita, Ankokkawila.
2..Mr. M.P.G. Premadasa	Medawatta , Ankokkawila.
3.Mr. Sarath Athukorala	Ihalagoda, Akmeemana.
4.Mr. M. W. Nandasiri	Ambagahawila, Akmeemana.
5.Mr. R, L. Athukorala	Ambagahawila, Akmeemana.
6.Mr. G.W. Saranadasa	Ihalagoda, Akmeemana.
7.Ms. K.M. Lalitha Padmini	309/4/1, Rathjambugaha Junction, Ihalagoda.
8.Mr. Raja Dahanayaka	Rathjambugaha Junction, Ihalagoda, Akmeemana.
9.Mrs. Ramya Chandrani	Rathjambugaha Junction, Ihalagoda, Akmeemana.
10.Mrs. A.N.Sriyalatha	Rajagahawatta, Finance Kande, Ihalagoda, Akmeemana.
11.Mr. J. Abeygunawardene	"Dhammika" Pinnaduwa, Walahanduwa.
12.Mrs. Nadeera Pathirana	Kabarayamulla, Pinnaduwa
13.Mr. H.G. Premasiri	"Pinimuthu Uyana", Pinnaduwa.
14.Mrs.Menaka Dilrukshi	Dorape, Angulugaha.
15.Mr. Bhatiya Alwis	Ihalagoda South, Akmeemana.

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16.Mr. P.A.Chandrapala	Ihalagoda South, Akmeemana.
17.Mrs.A.K.Gunawathie	Ihalagoda South, Akmeemana.
18.Mrs.A.A.Ramani	Maddigewatta, Ihalagoda South, Akmeemana.
19.Mr.Manil Amarathilaka	Rathjambugaha Junction, Ihalagoda South, Akmeemana.
20.Mr. S.A. Dahanayaka	Ihalagoda West, Akmeemana
21.Mr.G.M.Koralage	Ihalagoda , Akmeemana
22.Mr.A Weerapala	Pitagunawatta,Ihalagoda , Akmeemana
23.Mr.S.A.Charles	Ihalagoda , Akmeemana
24.Mr.V.G.Somadasa	Maddigewatta, Ihalagoda , Akmeemana
25.Mr.A.A.Chandrasoma	Rathjambugaha Junction, Ihalagoda Akmeemana
26.Mrs.W.A.K.Somawathie	Ihalagoda West, Akmeemana

From a total of 2909 AP's only 26 AP*s are protesting against the alignment being taken over their properties, this number is approximately 1% of the total number affected. It is noted that the number of protesters are gradually decreasing in number due to the awareness programme initiated by the RDA by meeting people at their original habitats along with the political leaders to arrive at a solution by consensus.

Following Consultative Meetings were held at the respective locations to explain to the affected people the steps taken by the RDA to minimize the losses to properties, and the compensation package that has been approved by the cabinet to adequately compensate the AP's for loss of property and employment etc, are given below.

A list of participants, the issues raised by the AP's, explanations provided, decisions taken at such meetings are given below.

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Date :-02.04.02

Venue :-Committee Room No.02 Parliament

Participants

Hon. Bandula Gunawardena	Minister of Rural Economic Affairs and Dep. Minister of Finance
Hon. Rajitha Senaratne	Minister of Land
Hon. Gamini Lokuge	Minister of Tourism
Hon. Richard Pathirana	Member of Parliament
Hon. Hemakumara Nanayakkara	- do –
Mr. Cicil Amarasinghe	Secretary, Transport, Highways and Civil Aviation
Mr.W.K.K.Kumarasiri	Secretary Lands
Mr.Upasena Senanayaka	Secretary Highways and other Senior officials of the RDA

Hon. Bandula Gunawardene explained the purpose of the meeting and invited Mr. Upasena Senanayake to make his presentation. Mr. Senanayake made his presentation under following sub headings.

- a) Description of the Project,
- b) Objectives of the Project
- c) History of the Project
- d) Benefits
- e) Financing
- f) Current position of the Project
- g) Problems and issues in Kahatuduwa, Gelanigama, Millaniya, Gamagoda, Bope-Poddala and Akmeemana
- h) Compensation Package.

At the end of his presentation Hon. H. Nanayakkara proposed for the establishment of a Grievance Committee. On the request of the Hon. MPP for Galle and Kalutara Districts namely Hon. Hemakumara Nanayakkara and Ananda Abeywickrema following meetings were arranged to discuss the contentious issues with the public. MPP. -P.C Members, Chairmen and Leaders of Opposition, Pradeshiya Sabhas and other people's representatives were to be invited.

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Date	Time	Venue
29.04.2002	9.30 a.m	Karandeniya DS office Covering Karandeniya /Elpitiya /Divitura /Welivitiya
	2.00 p.m	Baddegama DS Office
	4.00 p.m	Bope poddala DS Office Covering Bope Poddala and Akmeemana DS Office
03.05.2002	10.00 a.m	Bandaragama DS Office Covering Bandaragama Millaniya
	1.00 p.m	Dodangoda DS Office

Karandeniya

Date :- 29.04.2002

Venue :- Karandeniya Pradeshiya Sabah Office

The meeting was held with the participation of political leaders, local officials, the RDA officials and thee concerned AP's. Hon Jayantha Jayaweera, Member of Parliament for Galle district presided.

The main issue was the quantum of compensation payable to them and the acquisition of resettlement sites, there was a suggestion to change the alignment to avoid the disruption of commercial activities in the Kurudugahahatekma town.

Explanation and Decision

The Secretary Highways assured the AP's that the quantum of compensation each AP entitled to, will be paid no sooner the awards are made under section 17 of the LAA and the LARC committee. The resettlement sites will be selected in consultation with the affected AP's and this process is ongoing.

Baddegama

Date :-29.04.2002

Venue :- Baddegama DS Office

The request of the affected people was to change the alignment to save their houses being demolished. They insisted that RDA should revert back to the original trace without giving into pressures from interested parties.

Explanation and Decision

The RDA officials explained to the AP's that within a corridor of three kms surveys and investigations were done to select the best trace taking into consideration the cost and the minimal damage to the properties. The present trace is the one recommended by the Consultants as most suitable alignment. Negotiations and awareness programmes are continuing.

Akmecmana and Bope-Poddala

Date :-29.04.2002

Venue : " Divisional Secretary's Office-Bope-Poddala.

Grievance

The request by the AP's was to change the alignment, they were accusing the RDA that the original trace had been changed to save the properties of politically connected people.

Explanation and Decision

Investigations were done within a corridor of three kms, to locate the best possible alignment to minimize resettlements and cost of the project. Negotiations at political level continues.

Other Consultations Meetings held with the AP's and the summary of the minutes are given below.

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Date : 06.02.02.

Venue : Gelanigama in Bandaragama Resettlement Officer's Division.

Participants

- | | |
|---------------------------|---------------------------------------|
| 1. Mr. Kei Seiyama | Japanese Embassy |
| 2. Mr. & Mrs. Mundy | Gama Surakeema Sanvidanaya-Gelanigama |
| 3. Mr. Nandasana | -do- |
| 4. Mr. Upesena Senanayake | Secretary Highways |
| 5. Mr. S Opanayake | Dy Project Director /STDP |
| 6. Mr. Jagath Paththawadu | JBIC |
| 7. Mr. Toyoma | JBIC |

Representatives of the "Gama Surakeeme Sanvidanaya" are under the impression, that Gelanigama village has not been covered by the EIA study. This was not so EIA study covered the Gelanigama area too.

Date :-19.02.02

Venue :—Ministry of Lands

Participants

- | | |
|--|------------------------------------|
| 1 .Hon Minister of Lands | |
| 2.Mr.W.K.K.Kumarasiri | Secretary Lands, |
| 3.Mr.Upasena Senanayake | Secretary Highways, |
| 4.Mr-D.P.Mallawaarachchi | G-M.RDA |
| 5.Mr.Gunasena Imaduwa | Director Lands & Resettlement, RDA |
| 6.Mr.S.OPanayake | Project Manager — RDA |
| 7.Mr.H.Takaeda | Project Manager -PCI |
| 8.Mr.C.Gamage | Divisional Secretary-Bandaragama |
| 9.Mr.K.Chandrasena | Divisional Secretary, Millaniya. |
| 10.Mr. S.A.D.Suraweera | Director, Ministry of Lands. |
| 11. Mr. & Mrs. Mundi and representatives of Bandaragama and Millaniya villages | |

Hon- Minister explained to the representatives of the two villages that it is their duty to allow the acquisition of lands for the construction of Colombo - Matara Highway, which is a current need to develop the Southern Province but if any injustice has been caused to any section of the population by the RDA such shortcomings could be remedied.

Secretary Highways stressed that the alignment was selected taking into consideration the following salient features.

1. To minimize the destruction of number of houses and other buildings.
2. To minimize the construction expenditure as the project is financed by foreign loans
3. To minimize environmental impacts.

Mr. Mundy is of the opinion, that KIA has come to its conclusion based on wrong information and he does not accept the statistics furnished by the RDA on the number of houses to be demolished.

Hon Minister decided to summon officials of EIA and architects of EIA report for a meeting to clarify the issues raised.

Date :- 25.02.02

Venue :- Ministry of Lands,

Participants

- | | |
|--------------------------|--------------------------------------|
| 1.Hon Minister of Lands | |
| 2.Mr.W.K.K.Kumarasiri | Secretary Ministry of Lands |
| 3.Mr-Upasena Senanayake, | Secretary Highways, |
| 4.Mr.Gunasena Imaduwa | Director, Lands and Resettlement-RDA |
| 5.Mr.D.P.Mallawaarachchi | G.M.RDA |
| 6. Mr. Wijesooriya | Director EIA |
| 7. Mr. S. OPanayake | Project Manager STDP/RDA |
| 8. Mr. W.H. Jayatilake | Senior Asst. Secretary M/Lands |
| 9. Mr. S.A.D. Suraweera | Director – M/Lands |

10. **Mr&Mrs Mundy** and representatives of the villages concerned.

Mr. Mundy who spoke on behalf of the villagers emphasized, that the alignment has been designed outside the area subjected to investigations for environmental impact assessment. If they knew that the alignment would run through their lands they would have objected to acquisition of their property at the outset. RDA officials explained to Mr. Mundy regarding the work done in this respect.

Date :- 05.03.02 :-

Venue :- Central Environmental Authority- **Auditorium**

- | | |
|--------------------------------|---|
| 1. Mr.AjitaDe Costa | Chairman / CEA |
| 2-Mr.Lionel Jayasinghe | D.G./CBA |
| 3.Mr.Upasena Senanayake | Secretary — Highways |
| 4.Mr.Laxhman Wijemanne | Member of Parliament-Kalutara District. |
| 5.Mr.Dixon J Perera | Chairman .Western Provincial Council Hon |
| 6.Hon K.Kahatapitiya | Member - do - Hon |
| 7-Hon.Hernantha Wickremaratne | Member - do – |
| 8. Mr.Jagath Peththawadu | Project Officer-JBIC |
| 9.Mr-N.M.Zarook | Project Director-STDP |
| 10.Mr.S.Opanayake | Project Manager-RDA |
| 11. Mr. Takeda | Design Consultant - (STDP), PCI |
| 12.Mrs.Ramani EHepola | DDG (EIA) CEA |
| 13.Mr.W.A.D.D. Wijesooriya | Director (EIA)/CEA |
| 14. Mrs.C.L.Panditharatne | Director Legal |
| 15.Mr&Mrs Cyril Mundy | Representative/ Gama Surekeeme Sanvidanaya |
| 16.A.U.K.Ethugala | Bandaragama, E.O. (EIA) CEA DEO / CEA |
| 17.Miss Malkanthi Karunatilake | |

Hon, Lakshman Wijemanne opined that changes might be required to the alignment to redress the grievance of Affected People in Kalutara District. The officials of the RDA and the Ministry of Highways expressed concern over the long delay in implementing the project due to protests by certain Affected People. According to officials this situation might adversely affect donor funding for future projects

Within the approvals given by the CEA, the RDA has no objection to explore the possibility of further reducing the adverse social impacts if any.

The CEA made it clear that it has observed all procedures and legal requirements in granting EIA clearance to Colombo-Matara Expressway Highway. Two public meetings were held by the CEA at Panadura and Galle though granting a hearing to the public is not mandatory. The Supreme Court upheld the decision taken by CEA when the CEA decision was contested by the public.

Mr. Mundy contended that "so called Bolgoda Wetlands " consists of only abandoned paddy fields and questioned the decision of the RDA to abandon the road trace over Bolgoda Wetlands. Mr. Mundy accused RDA for violating the guidelines given by JBIC .The representative of the

JBIC explained the correct situation to Mr. Mundy. Mr. & Mrs. Mundy agreed to discuss with the affected people at Galanigama within 07 days the idea of a time bound committee chaired by a third party.

Date : 03-03-2002
Venue : Undurugoda, Wijayanandaramaya,

Participants

1. Hon. Gamini Lokuge - Minister of Tourism
2. Hon . Bandula Gunawardena - Minister of Rural Economic Affairs & Deputy Minister of Finance
3. Hon. Lakshman Wijemanne - MP for Kalutara District
4. Hon. Kithsiri Kahatapitiya - Leader of Opposition – Western Provincial Council
5. Hon. Hemantha Wickremaratne - Member –do-
6. Hon. Lakshman Abeygunawardena - -do-
7. Hon. Mrs. Sirima Kariyawasam - -do-

Prominent members of the public present

1. Ven Aththudawe Nandasiri Thero
2. Mr. & Mrs. Mundi
3. Mr. Piyatissa De Alwis Pelpola
4. Mr. M.S. Perera Hon Secretary, Organisation of Persons affected by Expressways and Entranceways

Hon. Bandula Gunawardene explained the importance of the project to the participants, The RDA officials agreed to consider the request made by Hon Gamini Lokuge subject to the concurrence of the donors to allow the present occupants to use their lands on lease until such time lands are required for construction work. was not to be avoided. After the discussion the team left for field inspections,

Request by him to deviate the alignment at Kahatuduwa to avoid the curve At Gelanigama, Kolamediriya.and Mahadeniya same problems were surfaced, the decision taken and explanations provided are mentioned etel.

Arakagoda

People complained that the alignment was changed to save the lands of Messer's Thilak Karunaratne and Punchihewa. Mr. Takeda (Consultant) explained the road trace was not altered and the ROW traverses the lands belonging to both the gentlemen.

Diyagama

AP's requested to re-examine the trace when the construction commence

Return visit to Undurugoda Wijayanandaramaya.

Secretary Highways and RDA officials met Ven Athathudawe Nandasara Thero and Mr. Karunadasa, they requested the officials to stick to the original trace to avoid the destruction of more houses.

10.6.2.1 **Summary of Main Issues Raised by the Affected Persons at Consultations**

Except for a few individuals vast majority of people who were consulted are in favour of having the Southern Express Highway to run through their villages.

They are of the opinion that a Highway is central to any mode of development and their areas, which were hitherto not developed to its full potential, will be ,as a result of the proposed High Way.

The most vociferous opponents to the project while, welcoming the proposal, demands that the alignment should be changed to avoid the acquisition of their properties. The opponents are mainly from the villages of GeIenigama, Homagama, Kahathuduwa in the JBIC section. Bope-poddala and Akmeemana from the ADB section.

Majority of the affected persons desire to have the project implemented early without prevaricating on minor issues,

In addition to individual consultations, group Consultations were conducted in the following locations.

- Karandeniya Pradeshiya Sabha Office.
- Baddegama Divisional Secretariat.
- Bope-Poddala Divisional Secretariat.
- Bandaragama Divisional Secretariat.
- Dodangoda Divisional Secretariat.
- Pinnaduwa Divisional Secretariat.

At these meetings Honourable Members of Parliament and representatives of other local authorities, Secretary of Highways and other relevant officials of RDA were present.

Most of the discussions centred around the issues of payment of compensation selection of re-settlement sites, changes to be effected to the alignment to cater to parochial interests of certain individuals.

Summary of Issue raised at the public meetings held.

The main issues raised by the AP's are given in a nutshell below

Date :-29 04.2002

- I. Karandniya - Main issue raised by the affected person was to change the alignment to avoid acquisition of property at Kurundugahahetakma, and expedite the payment of compensation.
- II Bandaragama -The request by participants (AP's) was to change the alignment. They mistakenly believe that the trace close to Bolgoda Lake is the ideal trace that has been recommended by the foreign experts.
- III Dodangoda - Request by Ven. Rangalle Pannasekara Thero to change the alignment from 26.000 km to 29 - 800 km toward the East.

Summary of Issues, Raised at Individual Consultations.

1. Areas where surveying is not completed, AP's request this process to be expedited and determine the extents of land that would come with in the ROW.
2. Whether it is possible to negotiate with the RDA quantum of compensation payable on the land to be acquired.
3. Whether compensation would be paid in one installment.
4. Will the affected persons get preference on the -allocation of stalls in the proposed Super Markets that are to be constructed at inter changes.
5. The interest rates on the loans to *be* given on income restoration scheme.
6. Those houses that have been constructed on loans obtained from banks, they inquire whether concessions would be available, when settling the loans obtained.

7. Does the RDA have a scheme to help the tenants, who have paid advances to the house owner.
8. Once compensation is paid after deduction of the outstanding loan component payable to the banks, how do I get a fresh loan to construct a house.
9. Due to the delays in acquiring the lands for Re-Settlement, AP's perceive that they might not get alternate lands.
10. Areas where survey of ROW is not yet completed, people are uncertain about the locations of the alternate lands.
11. Uncertainty regarding the arrangement of training programmes to those AP*s who have being identified, as would be recipient of income restoration assistance.
12. Lack of suitable locations to re-establish business.
13. It would be a problem to re-pay the loans that have been obtained to establish businesses,
14. Lessees and their employees have begun to leave the business establishments in anticipation of the acquisition of such premises for the ROW. They request the return of advances paid by them to the owners. Owners are not in a position to return such advances till they get compensation for their holdings.
15. To expedite the payment of compensation.
16. Even though arrangements have been made to purchase alternate properties, they fear, that they would not be able to purchase the earmarked locations, due to the delay in settling compensation by RDA.
17. Whether permission will be given to fill the paddy lands to re-locate businesses.
18. Those who live on the income derived from agriculture are concerned about their future once they lose their agricultural land to the ROW.
19. The main grievance of the AP's of the Divisional Secretariat Division of Matugama is that the construction of the Express Highway to Matara has been in the pipeline for a very long period they request an immediate solution to their suffering.
20. When will the RDA pay the compensation due, hand over the alternate allotments, we are concerned of our future.

21. Since there is no objection from people of Matugama, to the construction of Southern Express Way, their main request is to finalize the payment of compensation and the allocation of alternate sites.
22. Most of the lands are co-owned, they feel they would be in a disadvantageous position when the quantum of compensation is determined due to unclear state of the ownership. If the acquisition was not contemplated, we would not anticipate any problems regarding ownership. Request assistance to construct houses at alternate locations.
23. The Request of 90% of the people in Matugama, is that, if the Express Way is to be constructed, compensation should be paid as soon as possible, or in the alternative they should be allowed to live peacefully.
24. People of Bentota DS Division regret to part with their ancestral properties, but they feel it is a wise move to sacrifice them, for the sake of their children's future, as the Express Way will help to improve their villages, which in turn will allow their children upward mobility in life. Therefore, their request to authorities is
 - (a) Please finalize the ROW as early as possible, because of the uncertainty in the minds of the people regarding the final trace most of the construction activities have come to a halt.
 - (b) Pay the compensation quickly to the Affected Persons to enable them to plan their future activities.
25. Since the ROW has been surveyed few times, a doubt has been created in their mind whether it has been done to satisfy parochial needs of the politicians.
26. Some AP's feel that twenty perches for a homestead is inadequate.
27. They believe since they were not adequately informed about the benefits of the project and the compensation package, they began to distrust the officers, which led to the creation of hatred towards them.
28. An element of doubt in their minds as to whether they would get a reasonable valuation for their lost properties.
29. They have no trust in the Government Valuation Process.
30. Long procrastination has diluted their desire to have the Express Way.
31. People are unsure whether this project would materialize, they even have postponed the marriages of their children expecting compensation for the properties to be acquired.

Date :-16.06.2002

Venue :- Bope Poddala and Alcmeemana D.S. Div. Offices

Participants

Hon. Vajira Abeywardena	Minister of Public Administration Reforms and Management Service
Chairman	Bope Poddala and Akmeemana Pradeshiya Sabah
Secretary	Ministry of Highways
Chairman	RDA and Officials
Government Agent	Galle
D.S.S	Bope-Poddala and Akmmemana

Affected Persons of Bope Poddala including following prominent members

Mr. Sarath Atukorale
Mr. Raja Athukorale
Mrs S.M.Lekamwasam
Ms. S.M-Dahanayake
Mr. Lalith Jayaratne

Hon Minister explained in detail the benefits that would accrue to the local population as a result of the construction of the Colombo-Matara Expressway during the construction phase, and the benefits that would bring to the South after the construction, as faster transport systems encourage the entrepreneurs, to invest in new ventures, and the tourists to flock to numerous places of interest in the area

He explained the position of the government with regard to the Colombo- Matara Express way, to the people present at both venues. He emphasized that the government has taken a firm decision to proceed with the construction of the highway and requested the participating AP's to render their cooperation to commence the project as early as possible.

During the course of his speech he told the people the enormous sacrifices made by the people of the other areas for the sake of development of the country citing examples especially from the Accelerated Mahaweli Development Programme. And requested the AP's to present their grievances for discussion.

Mr. Lalith Jayaratne requested the RDA to answer the following questions.

1. What is the width of the road.
2. What is the height of the road surface from the ground level
3. Is it a controlled access road.
4. Is it a toll road
5. Do you erect fences on either side of the ROW.

Chairman of the RDA answered the questions and explained him the difference between normal highway and an express highway

Mr. Jayaratne expressed concerns about the development of salinity in the area due to intended use of sea sand to fill the marshy and low lying areas.

The Chairman of the RDA explained to him, that there is no proposal to use sea sand to fill marshy areas within the ROW.

Mr.. Wasantha Gamudagama, He requested the Hon minister to direct the officials to change the Alignment by 100 meters to minimize the demolition of houses in Narawala area.

Then he was told that the deviation will result in demolition of a hermitage and the trace has to traverse through a hillock, that involve deep cuts or tunneling. He told the Minister that -the resident monk has no objection to the trace been taken over the hermitage.

Mrs. S.M. Dhanayake and.Mr.Sarath Atukorale insisted that the road trace should be shifted to the combined trace ,this was their stand even in the past.Hon Minister explained that there was a Parliamentary debate on this issue and requested five representatives each from the two areas (Bope-Poddala and Akmmemana) to come to Colombo to discuss the unresolved issues with the Hon Minister of Transport, Highways and Civil Aviation, Hon Minister of Public Administration will request a date from the Hon Mister of Transport, Highways and Civil Aviation.

Strategies Being Adopted To Resolve The Disputes

- 1 .Person to person consultations by personnel of the Ministry of Highways and the Road Development Authority.
2. Public awareness programme conducted by the RDA
3. The mediation process undertaken by the parliamentarians and local political leaders.
4. Public awareness campaign being conducted by the External Agency hired by the RDA.
5. Programme that is underway to harness the assistance of the AP's supporting the project.

Plan for the Resolution of Residual Disputes.

1. The RDA has planned to continuously seek the assistance of the respective Members of Parliament of the dispute areas to convince the people to agree to the proposed acquisition of their property for the ROW.
2. Continuation of the person-to-person consultations
3. Continuously seek the assistance of the Affected Property Owners Committee to meet the people for individual consultations.
4. Establishment of Mobile Help Desk to assist the AP's by the External Agency hired by the RDA to conduct a public awareness programme.
5. To conduct a series of public awareness programmes by the External Agency (public relations)
6. Series of field visit by the Hon Minister of Lands, Secretary Lands, Survey General and the staff of the RDA, beginning from the 04th Week of June to meet AP's of the disputed areas.
7. In extreme cases seek the help of the highest authorities of the state to mediate with the respective AP's.
8. Great effort has been made to resolve the disputes in order to reduce them to a small number. Basically most of the disputes that still exist are based on the view held by those APP in the disputed sections that they could continue with their resistance to any sort of dialogue with the government and ultimately avoid their houses and property been taken over for the project. Most of these APP are requesting a change in the trace which as you know has been finalized by the Design Consultants after a detailed topographical, geo-technical investigation and taking into consideration factors such as environment impacts, social impacts and cost,

The Addendum gives the total number of disputes as at 10th October 2002 the date on which it was prepared as 31. 26 in the ADB section and 05 in the JBIC section. According to the classification suggested in the MOU the project falls under category 3. However we are pursuing our mediation efforts through the political leadership of the Kulutara and Galle Districts and have made substantial progress. On 2nd June 2002 meetings were held in the Divisional Secretaries Divisions of Bope Poddala and Akmeemana with the participation of the APP, local politicians and Honourable Minister Vijira Abeywardena. He explained the importance of the Highway to the Southern Province and that the Government is committed to implement the project. Some of the APP continued with their objections to the designed trace.

On the 9th of June 2002 meetings were held in the DSS Divisions of Bandaragama and Dodangoda with the APP and the Hon. Minister of Lands Dr Rajitha Senaratne. The meeting was followed by field visits and Hon Minister explained that he came forward to assist the App in getting their problems resolved through a process of discussion with the RDA. However he stated that the Government has decided to implement the project and this will be done with least damage to houses and property. App informed the Minister their grievances and made some suggestions regarding the trace. Hon Minister finally requested all APP to allow the topo survey in the 200m corridor so that details could be taken.

On the 09th July 2002 a meeting was held in parliament with Deputy Minister of Finance Hon. Bandula Gunawardena, the App in Akmeemana and Bope Poddala and attended by Hon Hemakumara Nanayakkara MP for Galle. At this meeting the App protested to the designed alignment of the Highway. However Hon MP informed the APP that the Highway is very important to the Southern Province and we should not let the project to be stalled or delayed.

On the 15 of July 2002 a meeting was held in the DS Division of Milleniya where the Hon Minister of lands informed the people to assist the Construction of the Highway by cooperating with the authorities in the land acquisition and resettlement. He said the Government has offered an attractive compensation and resettlement package. APP were convinced of the benefits that will be derived to their areas and in general to the Country and offered to support the project. Field visits were made after the meeting and Hon Minister wanted the Survey department to commence work immediately. The Hon Minister visited the Polwathagoda area and even here the people said they are agreeable for the surveys to start. As an outcome of this consultation process it is estimated that the number of APP who continue to oppose is close upto 50% of the number on 31st May 2002.

On the 16th of July 2002 a meeting was held in the office of the Prime Minister regarding the project. The meeting was attended by Hon Vajira Abeywardena Minister of Public Administration, Hon Rajilha Senaratne, Minister of Lands, Hon. Tilak Marapana, Minister of Transport, Highways and Civil Aviation, Hon Hemakumara Nanayakkara MP for Galle District, ST, DST, Secretary Highways, Chairman RDA and Project Director. Hon. Prime Minister informed the Hon Ministers to settle all disputes by the end of July 2002.

The mediation process is continuing. We are strongly of the view that the mediation process with the political leadership of the area will be the most effective way of resolving the disputes. Mediation boards functioning under the Ministry of Justice do not mediate for State Agencies.

The total numbers of disputes that have been resolved due to the political mediation are as follows;

Bandaragama	88
Millaniya	17
Polwathagoda	03
Bope-Poddala	30
Kalutara	15
Dodangoda	18
Niyagama	8
Akmeemana	29

Disputes have reduced to below 32 due to the above mediation and by continuation of this mediation it could be reduced further.

The mediation process will continue even after loan effectiveness to get the support of everyone of the APP.

STDP RESETTLEMENT IMPLEMENTATION PLAN : CONSULTATION

Divisional Secretary Division	Total APs	Total APs consulted	Cosulted period	Main issues raised by APs (Summary)	Referance to MIS Database
JBIC Section					
Maharagama	145	145	20.07.01 to data	Details attached	
Homagama	372	372	20.07.01 to data	Details attached	
Horana	140	140	20.07.01 to data	Details attached	
Bandaragama	369	369	20.07.01 to data	Details attached	
Millaniya	123	123	20.07.01 to data	Details attached	
Kalutara	147	147	20.07.01 to data	Details attached	
Dodangoda	410	410	20.07.01 to data	Details attached	
Matugama	241	241	20.07.01 to data	Details attached	
Walallawita	238	238	20.07.01 to data	Details attached	
Bentota	258	258	20.07.01 to data	Details attached	
Elpitiya	261	261	20.07.01 to data	Details attached	
Karandeniya	95	95	20.07.01 to data	Details attached	
JBIC Total	2799	2799			
ADB Section					
Karandeniya	135	135	20.07.01 to data	Details attached	
Divithura	312	312	20.07.01 to data	Details attached	
Baddegama	396	396	20.07.01 to data	Details attached	
Bope Poddala	121	121	20.07.01 to data	Details attached	
Akmeemana	486	486	20.07.01 to data	Details attached	
Imaduwa	676	676	20.07.01 to data	Details attached	
Welipitiya	430	430	20.07.01 to data	Details attached	
Malimboda	178	178	20.07.01 to data	Details attached	
Thihagoda	44	44	20.07.01 to data	Details attached	
Matara	98	98	20.07.01 to data	Details attached	
Galle Four Gravets	66	66	20.07.01 to data	Details attached	
ADB Total	2942	2942			
Grand Total	5741	5741			