

Resettlement Implementation Plan

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May 2019

Sri Lanka: Mahaweli Water Security Investment Program – Tranche 1

North West Province Canal Project (Civil Works Package NWPCP-ICB-2)

Prepared by the Ministry of Mahaweli Development and Environment with the assistance of the Project, Management, Design and Supervision Consultant (Joint Venture Lahmeyer International GmbH – GeoConsult ZT GmbH) for the Democratic Socialist of Sri Lanka and the Asian Development Bank.

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Mahaweli Water Security Investment Program

RESETTLEMENT IMPLEMENTATION PLAN No 1: NORTH WEST-ERN PROVINCE CANAL ICB-2 – HOMBAWA, RANWEDIYAWA AND NABADAGAHAWATTA GNDs



Ministry of Mahaweli
Development and Environment
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Final Report

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No 1**

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ABBREVIATIONS

ADB	Asian Development Bank
BoQ	Bill of Quantities
CAPC	Cabinet Appointed Procurement Committee
CEA	Central Environmental Authority
DPC	Department Procurement Committee
EIA	Environmental Impact Assessment
EOI	Expression of Interest
FAM	Facility Administration Manual
GBL	Geotechnical Baseline Report
GOSL	Government of Sri Lanka
IA	Implementing Agency
ICTAD	Institute for Construction Training and Development
ID	Irrigation Department
ISEWP	Improving system efficiencies and water productivity
km	Kilometre
KMTC	Kalu Ganga-Moragahakanda Transfer Canal
m ³ /s	Cubic metres per second
masl	Metres above mean sea level
MASL	Mahaweli Authority of Sri Lanka
MCB	Mahaweli Consultancy Bureau
MCM	Million m ³
MDP	Mahaweli Development Program
MIWRM	Ministry of Irrigation and Water Resources Management
MLBCR	Minipe Left Bank Canal Rehabilitation
MFF	Multitranchise financing facility
MFP	Ministry of Finance and Planning
MMDE	Ministry of Mahaweli Development and Environment
MPC	Ministry Procurement Committee
MPP	Master Procurement Plan
MRB	Mahaweli River Basin
NCPCP	North Central Province Canal Project
NPA	National Procurement Agency
NWPC	North Western Province Canal
PD-MWSIP	Program Director Mahaweli Water Security Investment Program
PD-UEC	Project Director –Upper Elahera Canal
PMDSC	Program Management, Design and Supervision Consultant
PPTA	Project Preparatory Technical Assistance
PSC	Program Steering Committee
RF	Resettlement Framework
RIP	Resettlement Implementation Plan
RPC	Regional Procurement Committee
SBD	Standard Bid Documents
SIWRM	Strengthening Integrated Water Resources Management
ToR	Terms of Reference
UEC	Upper Elahera Canal
GND	Grama Niladari Division
DSD	Divisional Secretariat Division
NIRP	National Involuntary Resettlement Policy

GLOSSARY

Acre-Rood-Perch: Measurement of land size commonly used in land registration data. Conversion of these units is as follows: 1 acre = 4 roods; 1 rood = 40 perches, and 1 acre is equivalent of approximately 0.4 hectares (ha)

Cut-off-date: For land to be acquired from titled landowners, the date of notification for acquisition under the Land Acquisition Act (LAA) will be treated as the cut-off date. For non-titleholders such as squatters, encroachers, the starting date of the project census or a designated date declared by the executing agency in consultation with Divisional Secretaries will be considered as the cut-off date.

Disturbance: Disturbances caused to normal living of a person arising from compulsory acquisition of private land.

Encroacher: A person who has illegally occupied state land. Any legal title holder to a piece of land becomes an encroacher if he/she establishes boundaries of the holding to include adjacent state land without prior approval.

Entitlement: A variety of measures including compensation, income restoration and interim support, transfer assistance, relocation and other benefits given to project-affected-persons (PAPs) to restore and improve their post-displacement socio-economic conditions.

Entitlement matrix: It identifies categories of eligible persons and their specific entitlements under the project, and what agency/department is responsible to deliver them on time.

Host population: Persons, households and communities who reside in resettlement areas where PAPs are relocated.

Income restoration: Re-establishing income sources and livelihoods of project-affected persons to pre-project level in real terms.

Injurious affection: Adverse impact on the value of the remaining land due to acquisition of a part of a land.

Inventory of losses: Complete and accurate count of houses, land, business structures and other assets on land that will be affected by the project.

Involuntary Resettlement: The unavoidable physical or economic displacement of persons arising from a development project. In case of physical displacement, PAPs need assistance to rebuilding their livelihood, income and asset bases and social and cultural systems. If economically displaced, PAPs still need assistance to restore their livelihood and assets.

Jayabhoomi: Land entitlement granted for long-term use with limited outright to sell. Jayabhoomi was granted as part of land grant program between 1994 and 2002. The previous grant is known as "Swarnabhoomi" that was granted between 1978 and 1994, "Isurubhoomi" granted between 2002 and 2004 and the most recent grant program known as Jayabhoomi (2005 till today)

Project-affected persons (PAPs): Any person, who as a result of the implementation of a project, losses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.

Rehabilitation: Re-establishing and improving incomes, livelihoods and social systems of PAPs.

Relocation: Moving PAPs and their moveable assets, rebuilding their houses, developing new land, and providing public infrastructure at the relocation site.

Replacement cost: The method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets are not to be taken into account. For losses that cannot easily be valued or compensated in monetary terms such as access to public services, customers and suppliers; to fishing, grazing or forest areas, the project will establish access to equivalent and culturally acceptable resources and earning opportunities.

Resettlement: Involuntary physical or economic displacement of persons caused by a project that covers compensation, relocation and rehabilitation measures to mitigate the effects of such displacement.

Resettlement Budget: A detailed breakdown of all costs of a resettlement implementation plan (RIP). This is a part of project costs.

Resettlement effects: Loss of physical and non-physical assets, including homes, communities, productive land, income earning assets and sources, resources, cultural sites, social structures, networks and ties, cultural identity and mutual help mechanisms.

Resettlement Implementation Plan: The government document as described in the National Involuntary Resettlement Policy. The contents of the document include time bound action plan with a budget setting out compensation, and resettlement strategy, objectives, entitlement, actions, responsibilities, monitoring, evaluation, and reporting.

Resettlement Plan: Time bound action plan with a budget setting out compensation, and resettlement strategy, objectives, entitlement, actions, responsibilities, monitoring, evaluation and reporting, as described in the ADB Safeguards Policy Statement 2009. The RIP and RP cover the same contents, and RIP will be used in the report instead of RP.

Samurdhi: Refers to those APs that live below the poverty line and are below a threshold level set by the GoSL. These APs may also register for Special Social Assistance under a “Samurdhi Program.

Severance: Dividing a landholding into two or several parts due to acquisition of the middle portion for a public purpose.

Servitude: In terms of land and property law, “servitude” is a right of some benefit or beneficial use out of, or over, the land of another person, including an “easement”. It may also restrict the rights of the owner in property use.

Social preparation: A process of consultations with PAPs conducted before key involuntary resettlement decisions are decided

Squatter: A person who occupies a piece of land without a title or any recognizable legal rights to that land.

Value to owner: Valuation based on actual cost to the landowner.

Vulnerable groups: Distinct groups of poor people who might suffer disproportionately from resettlement effects. Among them are the old, the young, the handicapped, the poor, isolated groups, female-headed of households and whose conditions overall suggest marginal high risk, such as the landless.

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1 EXECUTIVE SUMMARY

1. This Resettlement Implementation Plan (RIP) document is an update of the NWPC RIP¹ that was prepared for Tranche 1 at Program PPTA stage of the Project. Due to design changes, this RIP specifically focusses on Hombawa, Ranwediya and Nabadagahawatta GND locations, while the GNDs of Pahala Bambawa, Kospotha, Aluthawewa, Danduyaya, Pibidunugama, of the NWPC ICB-2 Sub-project main canal Nabadagahawatta to Mahakithula Reservoir (5+250 km to 22+500 km) of the NWPC Project had no design changes but are covered by the 2015 PPTA RIP. This RIP is being submitted to ADB for approval and disclosure, encompassing the results of GoSL LAA processes and any allowances and additional requirements in compliance with GoSL legal framework and ADB SPS, 2009.

1.1 Mahaweli Water Security Investment Program

2. The MWSIP aims to improve the water security and agricultural productivity of communities living in the northern provinces of Sri Lanka. This will be achieved through the investment in infrastructure, reservoirs and canals, for water storage and conveyance of water from the Mahaweli river basin to communities in the 'dry zone' of the northern provinces, and through improvements in capacity for the water resource management.

3. Phase 1 of the program comprises of three projects; (i) Minipe Left Bank Canal Rehabilitation Project (MLBCRP) for the heightening of the Minipe anicut and rehabilitation of the Minipe Left Bank canal, (ii) North Western Province Canal Project (NWPCP) for the construction of two reservoirs and canal construction and rehabilitation, and (iii) Upper Elaheera Canal Project (UECP) for construction of canal (and tunnels) linking the Kalu Ganga and Moragahakanda reservoirs and conveyance of water from the Moragahakanda reservoir to the Huruluwewa, Manankattiya, Eurawewa and Mahakanadawara reservoirs in the north. The packages are being implemented under three program financing tranches.

1.2 North Western Province Canal Project

4. The NWPCP will construct approximately of 87 km of new and upgraded canals (including 2.3 km of tunnels) for transfer of water from the Dambulu Oya River and the existing Nalanda and Wemedilla Reservoirs to the cascade irrigation systems and Mahakithula and Mahakirula Reservoirs with a combined storage volume of approximately 26 MCM linked to the NWPC. The Project is to be constructed through five civil works contracts – one national (NCB) and four international (ICB).

5. The NWPC-ICB-2 contract package includes the construction of Main Canal, of length approximately 17 km, from Nabadagahawatta to Mahakithula Reservoir inlet tunnel (5+250 km to 22+300 km of which 20+600 km to 22+300 km falls within the Kahalle-Pallekele wildlife reserve).

1.3 Resettlement Plan

6. A Resettlement Plan for the whole of the NWPC project area, including proposed future Tranches' Subprojects, was prepared during the PPTA stage and disclosed at Loan Processing in 2015. This Draft Updated Resettlement Implementation Plan is consistent and compliant with Government of Sri Lanka policies and legislation on involuntary land acquisition and resettlement, and the ADB Safeguard Policy Statement (SPS) (2009). It covers three points where the design has been changed since the PPTA RIP

¹ Resettlement Implementation Plan (RIP) is the legally accepted term in Sri Lanka for a Land Acquisition and Resettlement Plan (LARP) or Resettlement Plan (RP). RP is used in this document, since valuations did not use Government legal valuation processes.

was produced in 2015. This includes the addition of two tunnels, at Ranwediya and Nilagama (Ranwediya and Hombawa GNDs) and alignment variation at chainage 5+250 km to 6+040 km at Nabadagahawatta GND. It is to be approved by ADB and disclosed, prior to construction occurring in the impacted areas, as stipulated by ADB SPS 2009. Refer to Figure E2, and the end of this Executive Summary.

1.4 RIP Implementation Conditions

7. The following Project implementation conditions related to this RIP have been established:

- (i) **Provision of no objection to the initiation of civil works in non-resettlement GND Sectors** is subject to the condition that accessibility to the non-resettlement impact site does not run through impacted areas, where Resettlement is required or ongoing;
- (ii) **Provision of written ADB no objection to the RIP for the 3 GNDs included in this RIP:** is conditional on the delivery of the compensation/rehabilitation program detailed in this updated RIP, in impacted areas.
- (iii) **Draft RIP Disclosure** – this Draft RIP shall be disclosed on the ADB website and MWSIP Website subject to ADB approval of this Draft RIP.
- (iv) **The Draft RIP will be finalized and disclosed:** following completion of all valuation processes of all affected people throughout the length of NWPC ICB-2 Sub-project, so that impacts and budgets will be accurate.
- (v) **ADB letter of no-objection to Contractor's mobilization for continued civil works** based on proof provided by a Checklist (**Annex C**) prepared by the PMU/PIU indicating that all compensation and allowances under GoSL and ADB laws and policies have been fully implemented and completed.
- (vi) **Concurrence of RIP with CEA**, as required by GoSL environmental legislation, where applicable.

1.5 Resettlement Impacts

8. A total of 225 plots of land were identified, including private and Government lands. Of these 72 plots were identified as Government and 153 plots of land were identified as impacted by resettlement in the 3 GND areas, where there are detailed design changes. The number of APs total 92, counting the GoSL as a whole as one AP, and a total of 9.151 Hectares of land to be acquired, including 3.4249 Hectares of Government land and 6.0367 Hectares of non-Government land to be acquired (**Table E1**).

Table E1: Affected Plots, Affected People Land Acquisition

GND	Number of Affected Households	No. of Affected Land Lots		Total Land to be Acquired (ha)	
		Private / non-Government	GoSL	Private / non-Government	GoSL
Nabadagahawatta	7	10	6	0.6409	0.2113
Ranwediya	26	31	10	0.7520	0.1002
Hombawa	58	112	55	4.6447	3.1134
Total	91	153	72	6.0376	3.4249

1.6 Impact on Trees and Crops

9. A total of 178 APs will be impacted by crops and tree losses due to the Project development. Across all three GNDs, the highest impact crop impact in the GNDs are Gardens, followed by paddy land (**Table E2**). A total of 699 trees, consisting of 23 types of trees, will be impacted by the project in Hombawa and Ranwawediya GNDs, while no tree impacts in Nabadagahawatta GND. The most impacted tree types to be removed are Coconut (355), Teak (161), Mango (28), Dammunaya (24), Jackfruit (22), Karaw (22), and Mahogany (12).

Table E2: Impacts on Crops (no. of Plots)

SN	Crops \ GND	Nabadagahawatta	Ranwediya	Hombawa	Total
1	Garden	-	9	68	77
2	Mixed Cropping	-	-	32	32
3	Paddy Land	3	18	39	60
4	Chana lands	-	-	7	7
5	Bare Land	-	1	1	2
Total		3	28	147	178

1.7 Impacts on Structures

10. **Table E3** presents the impacts on the various types of structures, both major and minor within the 3 affected GNDs. There is a total of 29 affected structures, of which, one household with structure, will be relocated from their current house structure; and no structures affected in Nabadagahawatta GND.

Table E3: Impacts on Structures

SN	Structures \ GND	Nabadagahawatta	Ranwediya	Hombawa	Total
1	Toilet	-	-	1	
2	Water Tank	-	-	2	
3	Wells	-	1	2	
4	Fence	-	-	2	
5	Concrete poles with fence	-	-	17	
6	Permanent Residences relocation	-	-	1	
7	Permanent buildings (shed structures)	-	-	2	
8	Permanent buildings (Partial impact)	-	1	-	
	Total	-	2	27	29

1.8 Severity of Impacts

11. Severe impact is defined as loss of 10% or more of land, of income and/or households who are temporarily or permanently relocated because of large impacts to dwelling structures, making them inhabitable or livelihoods untenable, thus a need necessity to relocate (temporarily or permanently) or be restored. Within the 3 GNDs, no vulnerable APs were identified to be impacted.

1.9 Vulnerability, Ethnic and Indigenous peoples Composition of Affected Persons

12. Based on the PMU Database, sourced from Line agencies (ie. DSD), there were no APs in the three GNDs that would be defined as vulnerable. Furthermore, there are no groups within the resettlement and land acquisition or project area who display enough unique features to classify them as a distinct minority or indigenous group. The preparation of an Indigenous Peoples Plan or Framework is therefore not required, according to the ADB Safeguards definitions on Indigenous Peoples (SPS, 2009).

1.10 Contractor Leasing Land

13. The Contractor's / main Engineer's / Employer's/ main offices, camp and workshop are not based within the 3 GNDs covered by the RIP. However, the Contractor shall identify locations of the batching plant and other temporary storage and muck stockpiling areas. These areas shall be rented by mutual negotiation at the going market rate between landowner and contractor. The land will be brought back to its original condition or better than pre-project and to the satisfaction of the landowners. All lease agreements and identifications of land areas shall be incorporated in civil works contracts and be available for inspection by the Engineer and Employer. Leasing agreements shall be at market rates and strictly in accordance with Sri Lankan laws.

1.11 Compensation and Entitlements

14. This RIP and resettlement procedural guidelines will apply to the proposed Subproject. This will ensure that all persons affected by fixed assets and loss of business or livelihood by the project activities will be compensated as permissible. All APs are eligible for compensation and rehabilitation assistance irrespective of their land ownership status, to ensure that those affected by the Project shall be at least as well off, if not better off, than they would have been without the Project.

15. The following groups of following groups of APs are included in the RIP for this Project:

- (i) All APs losing land either with legal title, lease holding land rights or without legal status;
- (ii) Owners of crops, trees or other objects attached to the land; and
- (iii) APs losing business, income, and salaries temporarily or permanently.
- (iv) Other physical or economic displacement which may arise as result of this Project.
- (v) Lack of formal title will not prevent reviving compensation edibility.

16. Compensation eligibility is limited by an approved cut-off date to be established at the time of Section 2 notice in implementing the Land Acquisition Procedures. Those who encroach into the project area after the cut-off date will not be entitled to compensation or any other assistance.

17. The entitlement provisions for APs affected by the different types of losses, including land, crops and trees as well as allowances for vulnerable and rehabilitation are provided in the entitlement matrix (**Table E4**), presenting the provisions for compensation and entitlements as described in the updated RPF that is relevant for the NWPC-ICB 2 contract package of the project.

Table E4: Entitlement Matrix

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
1. Agricultural land					
1.1 Permanent loss of agricultural land	Land involuntarily acquired for the canal and related facilities such as service roads	Owner of private titled land or state grant land	a) Compensation for land at replacement cost (statutory compensation) based on LAA, Regulations, 2008 under LAA and NIRP. b) 50% of statutory compensation as additional payment. c) Compensation for land developments (trees and structures) d) Additional payment for document collection	MMDE/ PMU/ PIU	
		Lease holder of private titled land or state grant land	Compensation for land developments (trees and structures)		
		User/leaser of public trust (temple) land	a) 50% of value of statutory compensation. b) Compensation for land developments (trees and structures) d) Additional payment for document collection		
		Users of private and state grant lands without title-deed or users of government lands (i.e.	a) Compensation for land developments (trees and structures)		

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
		lands of Wildlife or Forest Departments, Divisional Secretaries, etc.) without title deed.			
1.2 Temporary loss of agricultural land	Land involuntarily acquired for the canal and related facilities such as service roads	Owner, Lessee, Sharecrop tenant, non-titles land user	a) Compensation for land development losses (see entitlements 2-7). b) Loss of income (crop value) during the temporary acquisition c) Restoration of land to original state	MMDE/ PMU/ PIU	
1.3 Loss of access to agricultural land (temporary)	Land involuntarily acquired for the canal and related facilities such as service roads	Owner, Lessee, Sharecrop tenant, non-titles land user	a) Alternate access to agricultural land will be provided for duration of civil works b) Restoration of land to original state c) Loss of income (crop value) during the temporary loss of access	MMDE/ PMU/ PIU	
2. Residential and Commercial Land and Structures					
2.1 Full and partial loss of Residential land and primary structure	Land involuntarily acquired for the canal and related facilities such as service roads	Owner of private titled-land	Compensation for residential land based on LAA Regulations 2008 under LAA and NIRP (statutory compensation). 50% of statutory compensation as additional payment. Compensation for structure/s at replacement cost. Physically displaced households will receive cash grant to purchase land plot according to the following basis of portion of land acquired: 0-20 perch – LKR 750,000/-	MMDE PMU/ PIU	

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
			<p>21-40 perch – LKR 1,250,000/-</p> <p>41-60 perch – LKR 1,750,000/-</p> <p>61+ perch – LKR 2,000,000/-</p> <p>If partial loss of structure or land will deem remaining structure and/or land unusable then full replacement cost will be provided.</p> <p>Salvage materials free of charge (structures and trees).</p>		
		<p>User/leaser of public trust (temple) land</p>	<p>50% of statutory compensation for land.</p> <p>Physically displaced households will receive cash grant to purchase land plot according to the following basis of portion of land acquired:</p> <p>0-20 perch – LKR 750,000/-</p> <p>21-40 perch – LKR 1,250,000/-</p> <p>41-60 perch – LKR 1,750,000/-</p> <p>61+ perch – LKR 2,000,000/-</p> <p>Salvage materials belonging to the leaseholder/tenant free of charge (structures and trees)</p>	MMDE PMU/ PIU	
		<p>Users of private or state grant lands without title-deed or users of government lands (i.e. lands of Wildlife or Forest</p>	<p>No compensation for land value</p> <p>Compensation for all land development including:</p> <p>Replacement cost of primary and secondary structure(s)</p> <p>Replacement value of crop and trees</p> <p>Physically displaced households will receive</p>		

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
		Departments, Divisional Secretaries, etc.) without title deed.	cash grant to purchase land plot according to the following basis of portion of land acquired: 0-20 perch – LKR 750,000/- 21-40 perch – LKR 1,250,000/- 41-60 perch – LKR 1,750,000/- 61+ perch – LKR 2,000,000/- If partial loss of structure will deem remaining structure unusable then replacement cost for full structure will be provided Salvage materials free of charge (structures and trees)		
3. Secondary Structures					
3.1 Loss of secondary structure	Land acquired for canals, related facilities that result in loss of secondary structures	Owners of structures regardless of land titles	Replacement cost for secondary structure (i.e. sheds, wells, outdoor latrines, rice stores, animal pens, tombs etc.) Salvage materials free of charge	MMDE PMU/ PIU	1. Compensation rates are determined based on NIRP, LAA, and LA Regulations, 2008 2. Other assistance outlined in RIP will also be provided by PMU/PIU
4. Relocation and Rehabilitation Assistance					
4.1 Materials Relocation Allowance	Loss of house and other primary and secondary structures	Physically displaced households	One-time lump sum transport allowance LKR, 25,000/- per household	MMDE PMU/ PIU	1. As determined with MLLD, MMDE and approved by ADB

Type of Loss	Application	Entitled persons	Entitlements	Implementa- tion Agency	Implementation Procedures
4.2 Resettlement Rehabilitation Allowance	Permanent displacement	Physically displaced households	One-time lumpsum of LKR 50,000/- per affected household to construct a temporary house and a toilet. One-time lumpsum of LKR 450,000/- per sub-family (excluding the main family) for transitional support (as per 3.1.7 Approved Cabinet Paper) Maximum six months' rental allowance of LKR 15,000/- per family (including sub-family) calculated from displacement date. One monthly food coupon for a period of 12 months per family (including sub-family): A monthly food coupon of LKR 5,000/- for a family with two adults and one child. A monthly food coupon of LKR 6,000/- for a family with two adults and two children. A monthly food coupon of LKR 7,000/- for a family with two adults and three children.		2. Other assistance outlined in RIP will also be provided by PMU/PIU
	Temporary displacement	Physically displaced households	Monthly rent of LKR 15,000/- per sub-family from the date of commencement of construction works.		
5. Livelihood Restoration					
5.1 Crops	Affected crop	Cultivator /Parties to sharecrop arrangement	Compensation for loss of crops at replacement value Notice to harvest (at least 30 days)	MMDE PMU/ PIU	

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
5.2 Trees	Affected trees	Cultivator /Parties to sharecrop arrangement	Compensation for loss of crop at replacement value Notice to harvest (at least 30 days)		
5.3 Permanent loss of livelihood	Partial or full loss of agricultural or commercial land	Owner, Lessee, Sharecrop tenant, non-titles land user	a) Benefiting from livelihood restoration activities b) Preference for work at project sites	MMDE PMU/PIU	
5.4 Businesses	Temporary business loss due to project activities	Owner of business (registered and informal) established before cut-off date	Monthly rental allowance from time of shifting the business into another place: Registered business LKR 20,000/- Informal business LKR 5,000/-	MMDE PMU/PIU	1. As determined with MLLD, MMDE and approved by ADB 2. Other assistance outlined in RIP will also be provided by PMU/PIU
	Permanent business loss due to project activities	Owner of business (registered and informal) established before cut-off date	Compensation to restore business in another location Compensation amount is subject to a maximum of LKR 600,000/- to purchase a land and re-open the business.		
5.5 Employment	Temporary employment loss due to project activities	All laid-off employees of affected businesses	a) Benefiting from livelihood restoration activities b) Preference for work at project sites		
	Permanent employment loss due to project activities without possibility of re-employment	All laid-off employees of affected businesses	a) Benefiting from livelihood restoration activities b) Preference for work at project sites		

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
6. Public Services and Facilities					
6.1 Loss of community assets, services and facilities	Permeant or temporary loss of local roads, footpaths, bridges, irrigation, wells, water ways, community facilities (e.g. hall), cemetery/ tombs	Divisional Secretary's Division, Local Authority and local community	All lost community facilities and services will be rehabilitated and/or replaced Temporary and/or alternate access to facilities and services (i.e. drinking water, electricity, community hall) will be provided during the interrupted period.	MMDE PMU/ PIU	1. As determined with MLLD, MMDE and approved by ADB
7. Special Provisions					
7.1 Vulnerable Affected People	Economic and physical displacement	Households living below the national poverty line (LKR 4,752 per month/ person as of Jan 2019) People over 60 years old Female-headed households Disabled people	a) LKR 50,000/- cash grant per vulnerable person (can be more than one person per household) b) Priority in membership in Income restoration and improvement programs c) Assistance in official document search and registration. d) For female-headed households all compensation will be provided in the name of the female	MMDE PMU/ PIU	Affected households will demonstrate eligibility for the disability allowance with medical records or a certificate. The PMU will assist an affected person with logistics and/or financial assistance to obtain a medical certificate if required by the affected person.
8. Unforeseen Impacts					
8.1 Update of the Resettlement Plan	Unanticipated identified impacts and negotiated changes to entitlements	All displaced people	To be determined in accordance with the IR safeguard requirements of the ADB SPS and local legal framework Resettlement Plan and specific sub-project to be updated and disclosed on	MMDE PMU/ PIU	As per above entitlement categories

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
			ADB website and with affected people Standards of this entitlement matrix not be lowered.		

HH = household; PIU = Project Implementation Unit, EA = Executive Agency

1.12 Consultation

18. The affected persons and associated local Government (Divisional Secretariat – DSD, and GNDs), have been consulted through formal consultation. The PMU conducted four Project awareness programs in the three GNDs. The PMU and PIU-NWPC met with people that could potentially be displaced by the Project, local religious and community leaders, political representatives and other leaders, and some community-based organizations. In the meetings, they offered their views, opinions, and recommendations on the compensation packages, relocation programmes, and issues relating to the location.

1.13 Disclosures

19. The Draft RIP shall be disclosed on the ADB and MWSIP websites in May 2019. The finalized RIP will be completed and disclosed online once all the valuations are complete for the full length of the NWPC ICB-2 and the final budget is received from the Divisional Secretary.

20. This Executive Summary of the Draft RIP shall be translated into both Sinhalese and Tamil and distributed to Affected People in the ICB-2 package in May 2019. And will be disclosed with affected people. The summary of RIP will disclose in the DS office and Pradeshiya Saba office of Galewela. Copies of the approved RIP shall be made available to stakeholders and the public, from the PMU, PIU and Grama Niladari and District Secretary levels, as well as disclosed on the websites of ADB and MMDE.

1.14 Grievance Redress Mechanism

21. In order to receive and facilitate the resolution of possibly affected peoples' concerns, complaints, and grievances concerning the project's performance, a Grievance Redress Mechanism (GRM) has already been established for the project, and is being enhanced at local and PIUs level, at the Project sites. The GRM addresses potentially affected people's concerns and complaints proactively and promptly, using an understandable, communicated and transparent process that is gender responsive, culturally appropriate and readily accessible to all community members at no costs and without retribution. The mechanism will not impede access to the Country's judicial or administrative remedies.

22. There are 4 levels of grievance redress plus the additional systems through the Land Acquisition Act and the courts. Many grievances arise because of inadequate understanding of policies and procedures but can be promptly resolved by proper explanation of the situation to the complainant. The four levels of the Project Grievance Redress Mechanism are as follows:

- (i) **Grievance Redress Committee – Grama Niladari Level** - The complainant may submit a Grievance² either in writing or orally to the PIU's Resettlement Officer or the PIU's Environmental

² A Grievance or complaint may be Project related, environmental or Social

- Officer or to the Grama Niladari (GN). The Grama Niladari is the closest community administrative representative to the affected household and is under the Divisional administration. It is expected that most complaints will be resolved at this level. A resolution will be determined within 1-week. However, if the complaint cannot be resolved through the Grama Niladari GRC, then the grievance is passed to the GRC – PIU level.
- (ii) **Grievance Redress Committee – Project Implementation Unit (PIU) Level** – A resolution will be determined within one week. If a resolution cannot be determined, then the complaint will be passed to the GRC - Divisional Secretary level by the Project Director.
 - (iii) **Grievance Redress Committee – Divisional Secretary Level** At this level the grievance is considered by representatives of Program-related Government agencies such as Land Registration Office, Inland Revenue Office, Forest Department, Wildlife Department, Samurdhi Officer, surveyor and PIU staff. A resolution is expected to be determined within one week. In case the Divisional Secretary cannot resolve the complaint, the Project Director will then bring the complaint to the Executive Agency GRC.
 - (iv) **Grievance Redress Committee – Executive Agency (PMU) at Ministry Level** - In case the complaint cannot be resolved, a resolution could take up to four weeks (inclusive of GRC levels i-iv). This is the final level of the GRM system. However, there are still the law courts, although this is time consuming, costly and often not used.

23. The GRM does not cover matters pending in the courts or any disputes concerning compensation rates. However, compensation rate disputes do fall under the LAA. Under the LAA, an Appeal must be constituted to deal with appeals against compensation offers. This process will minimize the grievances. However, a person who does not agree with the decision of the Board of Appeal may still take the case before the Supreme Court claiming a higher amount of compensation. This option is costly and time consuming and is rarely used.

24. To date, there have been one grievance submitted through the GRM, in Ranwadiyawa, in May 2017 and was satisfactorily resolved in August 2017.

1.15 Resettlement Budget and Financing

25. The funds for the provision of rehabilitation allowances for loss of land use and for crops and trees compensation will be provided by GoSL, namely MMDE and the respective GND administrations. The DSD and Valuations Department, with the PMU and PIU NWPC, have assessed unit compensation costs taking into consideration of GoSL laws, ADB SPS, 2009 and replacement rates for each household. These have been calculated based GoSL DSD/GND and Valuations Department surveys conducted with each of 100% of Affected Persons.

1.16 Compensation for Loss of Land

26. The loss of agricultural, paddy, and other land will be calculated based on the price agreed between the AHs and the local government based on a square meter unit rate. The value of land for compensation and allowance is determined based on, statutory compensation required under the auspices of LAA, NIRP, LDO and LA Regulations, 2009, stipulating compensation at “Market Value”, plus a “special grant” valued the 50% of the statutory compensation rate for land. While it is possible. Physically displaced, shall receive additional grant for land purchase of a specified rate, depending on the extent of land that is acquired, ranging from LKR 750,000 up to LKR 2 million. Structures, trees and crops are generally valued combined with the land and given as one whole valuation amount to the AP (refer to **Table E4** Section 1 and 2 for more details).

1.17 Compensation for Loss Trees and Crops

27. Compensation for trees and crops, except for paddy, shall be calculated at replacement cost. The value for each tree is based on rates provided to the Valuation Department by the Department of Agriculture (refer to **Table E4** Section 5 for more details). APs will be given 30-days' notice and will be allowed to harvest the existing crop, or, if not possible, will be paid accordingly for this loss.

1.18 Compensation for Structures

28. Compensation for structures will follow same approach as for Loss of land (see above). Partial structure losses shall be paid at replacement value and salvageable materials collected by AP shall be free of charge. Loss of secondary such as structures sheds, wells, outdoor latrines, rice stores, animal pens, tombs etc. shall be compensated at replacement cost (refer to **Table E4** Section 1 and 2 and 3 for more detail).

1.19 Allowances for Vulnerable

29. Based on the various categories of vulnerability, "Vulnerable" APs are entitled to a one-off lump-sum disturbance allowance of LKR 50,000/- per vulnerable person. And will receive priority in livelihood programs conducted by the Project (refer to **Table E4** Section 7 for more details).

1.20 Other Allowances

30. APs shall be eligible for compensation for expenses related to the GoSL land acquisition processes (refer to **Table E4** Section 7 for more details). This includes (but not limited to: Travel expenses of LKR 25,000/-, one-time lump-sum allowances for household relocations, temporary accommodation, sub-family transitional support, up to 6 months' rental allowance, food coupons for family at a rate depending on family size, and expenses incurred during appearing under LAA Section 9 Inquiry for each household. Assistance shall also be provided for the cost incurred to change of property titles and other registration requirements, to be paid based on the nature of the occupation.

1.21 Implementation and Administration costs

31. The Resettlement Plan shall be finalized, implemented and monitored (internal monitoring) using human resources through budget allocated to the NWP-PIU, PMU and PMDSC in accordance with the Specialist roles on each team. Additionally, budget for carrying out internal monitoring is also already included in the Project implementation budget, therefore, not included in this RP budget.

1.22 Summary Costs and Total Budget

32. The summary of costs and total Resettlement and Land Acquisition budget, for the 3 GNDs where there has been design changes in NWPC ICB-2, has been calculated as LKR 84,693,295 or USD 481,548. Land Acquisition and Resettlement Budget Value is summarized in **Table E5**. The Final RIP submission will provide more detailed and disaggregated budget, once all valuations in all NWPC ICB-2 are completed.

Table E5: Summary Resettlement Costs

SN	Component	LKR	Extent of Affected Hectares	Unit Value LKR
1	Statutory compensation	51,079,130	11.3812	4,488,027
2	Development value	5,392,600		
3	Additional payment	641,000		
4	Cash grant for purchase a land plot	1,725,000		
5	Cash grant for temporary shed	50,000		
6	50% additional compensation	21,318,565		
7	Food allowance	72,000		
8	Rental allowance	90,000		
9	Transport	25,000		
10	Livelihood Rehabilitation	4,300,000		50,000
	Total	80,393,295	11.3812	

Source: PMU data base

* Rate Sri Lanka LKR 153.68 = 1 USD (www.xe.com 16 July 2017)

1.23 Resettlement Implementation Schedule

33. The implementation Schedule is presented in **Figure E1**, but assumes, as per ADB policy that full RIP implementation is completed before any civil works commences, rather than releasing in sections.

34. This RIP preparation in April 2019, is an updated Draft RIP to be approved and disclosed by ADB, using estimates, as agreed between ADB and the PMU, in order to reduce construction delays. A “Final RIP” will be submitted with full and accurate real valuations in September 2019. Civil Works will be implemented only after this draft RIP implementation is carried out, all APs in the 3 GNDs are compensated and a specially prepared “checklist”, confirming the various processes of resettlement and compensation are completed and ADB has given concurrence.

1.24 Monitoring and Evaluation

35. There is only a very small proportion of DPs identified as affected, and the Project is IR category B, which normally does not trigger the requirement for an External Monitoring Agency to be recruited per ADB policy.

36. Therefore, unless otherwise specified subsequently by ADB or the EA, the results of internal monitoring only, will be the basis for ADB's approval and for issuance of Notice to Proceed (NTP) to the Contractor to proceed with construction in LAR impacted areas.

37. Implementation progress of the RIP will be monitored by PMU/PIU internally, assisted by the PMDSC Specialists. The monitoring team will report overall progress through the PMDSC. Semi-annual Resettlement Monitoring and Evaluation Reports and through the Monthly Progress Reporting of PMDSC. After implementation of the RIP, a compliance report by the PMU/PIU, with the PMDSC shall be prepared. The Final Internal Monitoring Report will be used as basis for allowing civil works to occur in the impacted sections.

38. Financing for this internal monitoring are incorporated into the NWPC ICB-2 Project's budget.

Figure E1: Resettlement Plan Implementation Schedule

GoSL LAA Section	Process\Months	2017	2018												2019											
		Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
	Census (ADB required) and update																									
	Inventory of assets (ADB required) and update																									
	Land Acquisition Application																									
2	Notice																									
	Advance Tracing																									
	Land Acquisition Plan																									
4	Inform DP and Objections Inquiry																									
5	Minister MMLD approval, Gazette																									
6	Final acquisition Plan prepared																									
7	Claims on ownership of lands/assets																									
9	Inquiry into title & ownership status																									
10	Confirm ownership																									
	Valuation																									
	Prepare Draft RIP (using estimates)																									
	Submit to ADB for Approval / disclosure																									
17	Award of compensation																									
38	Possession of land / assets																									
	Submission of Monitoring Reports																									
	Final Resettlement Plan																									
	Notice to proceed Construction in the 3 GNDs																									

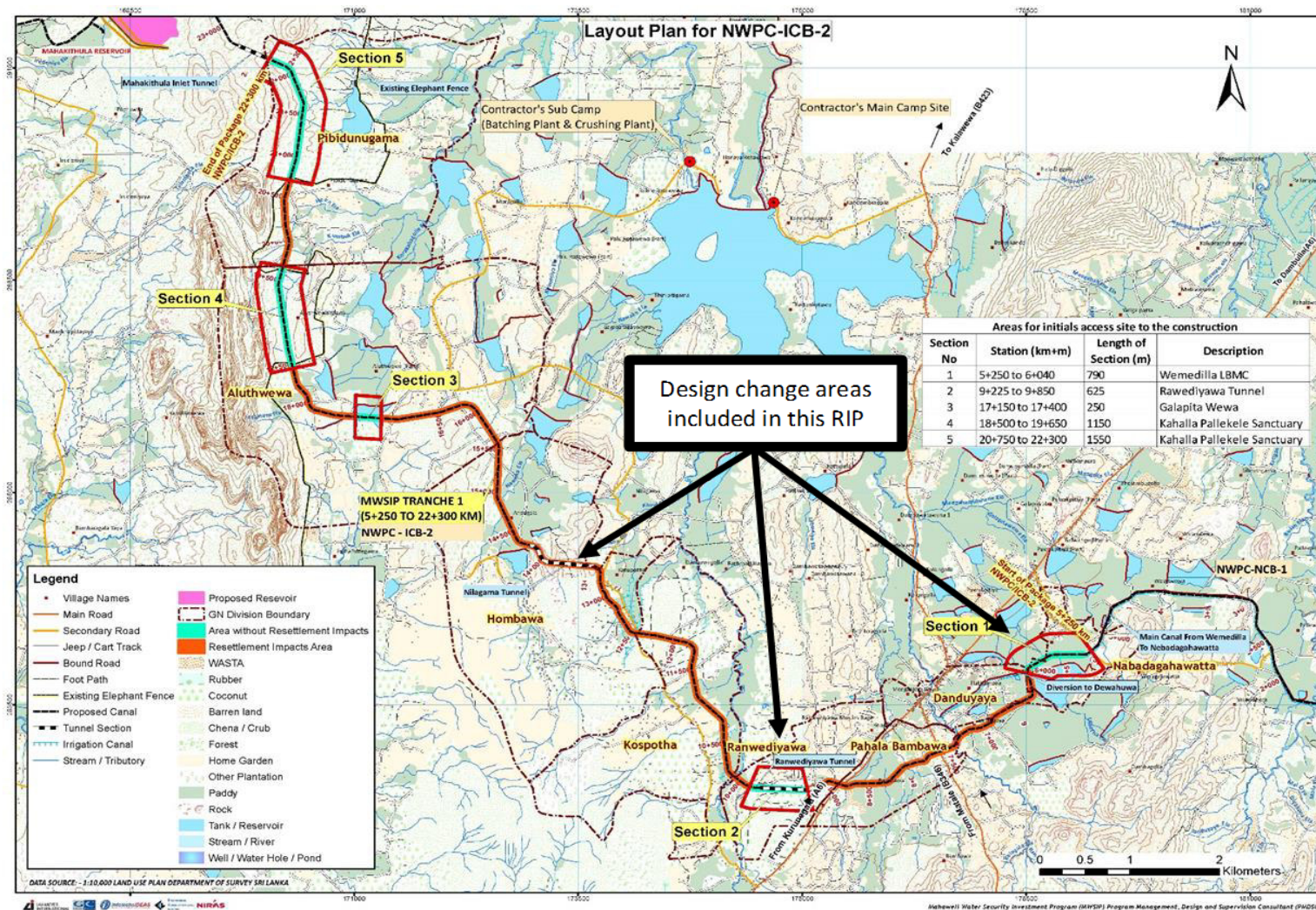


Figure E2: Resettlement Areas on NWPC ICB-2

2 INTRODUCTION

39. The Mahaweli River is the largest river basin in Sri Lanka, with a catchment of 10,300 km² and an average flow volume of 5,474 MCM (more than 10% of the national annual renewable water). The headwaters originate in the highlands of the wet zone, and the river flows to the northeast. It represents a large and strategically important water resource, which is being developed to meet the country's energy, water and food needs.

40. The Mahaweli Development Program (MDP) (**Figure 3**) was initiated in the early 1960s with the objective of developing the water and land resources of Mahaweli River Basin and the dry zone of the northern provinces for irrigation and power generation. The North Central Province Canal Project (NCPCP), the final stage of the Mahaweli Development Plan, has been split into two Phases (1 and 2) by the Ministry of Mahaweli Development and Environment (MMDE), with the aim of implementing the final stages of the MDP. Phase 1 (**Figure 4**) is the "Mahaweli Water Security Investment Program" (MWSIP), which is being financed through a Multi-Tranche Finance Facility (MFF) modality of 3 tranches from ADB (**Annex A**) and Government of Sri Lanka (GoSL). It is pivotal in meeting Sri Lanka's national development goals of food security, social development, energy production and environmental protection.

41. Phase 1 Program (MWSIP) Outputs include construction of new and improved water conveyance and storage infrastructure. There are five Projects listed under the Program, three of which involve civil works, and have land acquisition and resettlement impacts³. **Annex A** presents how the three construction Projects are split into several subprojects comprising International (11) and National (6) Competitive Bidding Contracts⁴:

1. Minipe Anicut Heightening and Left Bank Canal Rehabilitation Project (MLBCRP)
2. North Western Province Canal Project (NWPCP)
3. Upper Elahera Canal Project (UECP)

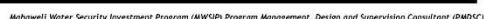
42. The Executing Agency (EA) is the MMDE on behalf of the Government of Sri Lanka (GoSL) and the Implementing Agency (IA), responsible for day-to-day management, is the Program Management Unit (PMU), based in Colombo, and Project Implementation Units (PIU) for each of the three construction implementation component Projects.

43. This Resettlement Implementation Plan (RIP) document is an update of the NWPC RIP⁵ that was prepared for Tranche 1 at Program PPTA stage of the Project. Due to design changes, this RIP specifically focusses on Hombawa, Ranwediya and Nebadagahawatta GND locations, while the GNDs of Pahala Bambawa, Kospotha, Aluthawewa, Danduyaya, Pibidunugama, of the NWPC ICB-2 Sub-project main canal Nebadagahawatta to Mahakithula Reservoir (5+250 km to 22+500 km) of the NWPC Project had no design changes but are covered by the 2015 PPTA RIP. This RIP is being submitted to ADB for approval and disclosure, encompassing the results of GoSL LAA processes and any allowances and additional requirements in compliance with GoSL legal framework and ADB SPS, 2009. It covers the construction of surface and cut & cover canal and associated reserve areas and tunnel portal sites and construction space. **Figure 5** and **Figure 6** show the project location and impact sites. Approval of this RP, and its satisfactory implementation, is a condition for construction to commence in the impacted areas of the three GNDs listed above. The ADB will only finance projects and programs that fully comply with its SPS (2009).

³ The other two of the five Projects will not involve any involuntary Resettlement: "Improving System Efficiencies and Water Productivity (SEWP)" and "Strengthening Integrated Water Resources Management" (SIWRM)

⁴ For more detailed descriptions of the 3 construction projects please refer to Section 2 and 3.

⁵ Resettlement Implementation Plan (RIP) is the legally accepted term in Sri Lanka for a Land Acquisition and Resettlement Plan (LARP) or Resettlement Plan (RP). RP is used in this document, since valuations did not use Government legal valuation processes.



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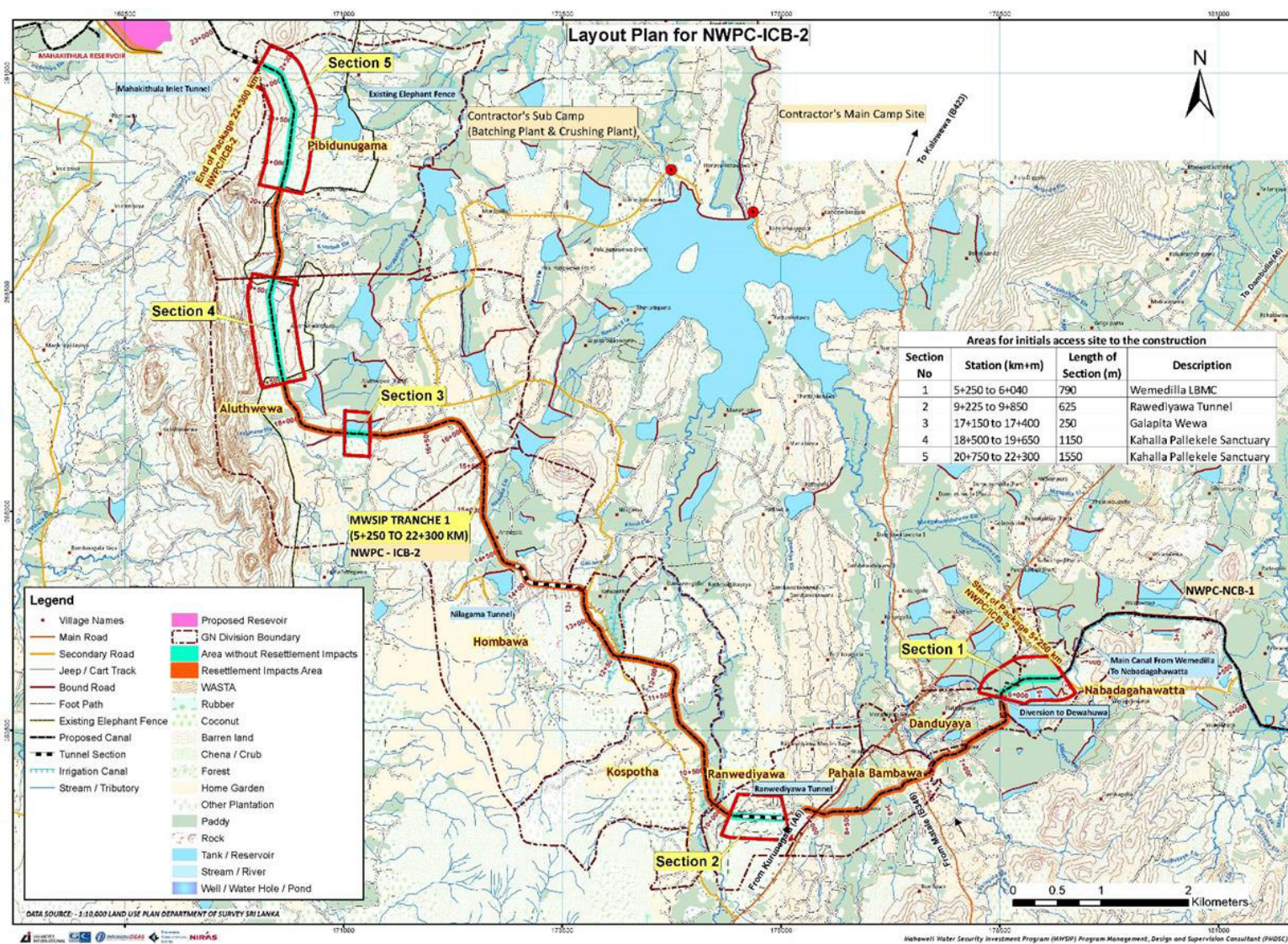


Figure 6: Resettlement Areas on NWPC ICB-2

3 PROGRAM DESCRIPTION

44. This section describes the MWSIP's three construction Projects and presents a detailed description of works required under NWPC ICB-2. This is to provide a context to the resettlement impacts raised in this RIP. Resettlement and land acquisition in the project will cause social and livelihood losses to affected people. Project activities will also cause displacement impacts for the clearing of canals, bridges, reservoirs etc.; space for legal reservation or way leave; space for construction and health and safety purpose; and enough room for road access, materials stockpiles, workshops/ camps and temporary waste areas.

3.1 Minipe Anicut heightening and Left bank Canal rehabilitation (MLBCR)

45. The MLBCR component of the program includes the heightening of the Minipe diversion weir (anicut) (downstream of the Rantembe Dam) by approximately 3.5 metres, construction of new intake gates to the Minipe Left Bank system, construction of emergency side spillways on both the Left and Right Bank systems, and rehabilitation of approximately 74 km of the Left Bank system to improve conveyance and reliability of service to existing irrigated lands. All civil works contracts (one international and five National) are covered by Tranche 1.

3.2 Upper Elahera canal (UEC)

46. The UEC includes KMTC and comprises the construction of approximately 101 km of canal (including 37 km of tunnels) connecting the Kalu Ganga Reservoir via Moragahakanda Reservoir to the existing tanks of Huruluwewa, Eruwewa and Mahakanadarawa. The Kalu Ganga-Moragahakanda Transfer Canal (KMTC) under this component will include the construction of approximately 9 km of conveyance infrastructure (including 8 km of tunnels) for the transfer of water between Kalu Ganga and Moragahakanda Reservoirs. The civil works will be carried out through six international contracts – one contract under Tranche 1; two in Tranche 2 (which will also finance cost overruns from Tranche 1); and three in Tranche 3 (Figure 4).

3.3 North Western Province Canal (NWPC)

47. NWPC includes the construction of 87 km of new and upgraded canals (including 2.3 km of tunnels) for transfer of water from the Dambulu Oya River and the existing Nalanda and Wemedilla Reservoirs to the cascade irrigation systems and Mahakithula and Mahakirula Reservoirs with a combined storage volume of approximately 26 MCM linked to the NWPC. The Project is to be constructed through five civil works contracts – one national and two international contracts in Tranche 1; and two international contracts for civil works proposed for Tranche 3. (Figure 5).

3.3.1 NWPC-ICB-2: GNDs

48. The NWPC-ICB-2 contract package includes the construction of Main Canal, of length approximately 17 km, from Nebadagahawatta to Mahakithula Reservoir inlet tunnel (5+250 km to 22+300 km of which 20+600 km to 22+300 km falls within the Kahalle-Pallekele wildlife reserve. The NWPC-ICB-2 section has the highest magnitude of resettlement impacts of all three Tranche 1 Projects, with 3 GNDs having design changes for which an RIP update is required.

49. The scope of works of this contract package NWPC-ICB-2 is summarized, as per the bidding documents as follows:

- (i) Tunnels, at Ranwediya and Nilagama cross-section circular with horizontal invert (base width 2.83 m, clear height 3.45 m), lengths ca. 740 m and 800 m respectively, with associated inlet and outlet structures.
- (ii) Concrete lined trapezoidal open canal.
- (iii) Reinforced concrete long crested weir.
- (iv) Drop structures.
- (v) Reinforced concrete rectangular open canal.

4 BASIS AND CONDITIONS FOR THIS RESETTLEMENT PLAN

4.1 Basis for This RIP

50. A Resettlement Plan for the whole of the NWPC project area, including proposed future Tranches' Subprojects was prepared during the PPTA stage and disclosed at Loan Processing in 2015 (Annex B presents the Executive Summary). However, ADB SPS 2009 stipulates that a trigger for an updated RIP, approved by ADB and disclosed, includes variations in detailed design and/or a variation or new impacts are identified during construction. This Draft Updated Resettlement Implementation Plan is designed to cover only the NWPC-ICB-2 Subproject areas, in which there has been detailed design changes⁶.

51. There are three points where the design has been changed since the PPTA RIP was produced in 2015. This includes the addition of two tunnels, at Ranwediya and Nilagama (Ranwediya and Hombawa GNDs) and alignment variation at chainage 5+250 km to 6+040 km at Nabadagahawatta GND.

4.2 Measures to Minimize Land Acquisition and Resettlement Impact

52. In accordance with ADB SPS 2009 requirements efforts were made to avoid or minimize land acquisition and resettlement impacts as much as possible. The following measures were adopted to minimize project impacts:

- (i) Where applicable, existing alignments have been used. Therefore, impacts on acquiring land and removal of trees and crops has been minimized by keeping within the existing canal alignments, where available. This has also meant a reduction in structures that are affected.
- (ii) The two tunnels incorporated into the design and this RIP, although changing some of the affected households, has also led to a reduction of permanent resettlement impact and the impact on a cultural site in Hombawa GND.
- (iii) Wherever possible, Government owned land has been selected where the need has arisen

4.3 RIP Implementation Conditions

53. Based on ADB policy and operational procedures the following Project implementation conditions related to this RIP have been established:

- (i) **Provision of no objection to the initiation of civil works in non-resettlement GND Sectors** is subject to the condition that accessibility to the non-resettlement impact site does not run through impacted areas, where Resettlement is required or ongoing:
- (ii) **Provision of written ADB no objection to the RIP for the 3 GNDs included in this RIP:** is conditional on the delivery of the compensation/rehabilitation program detailed in this updated RIP, in impacted areas.
- (iii) **Draft RIP Disclosure** – this Draft RIP shall be disclosed on the ADB website and MWSIP Website subject to ADB approval of this Draft RIP.

⁶ The Draft RIP shall be finalized to cover the design changes and the full length of the NWPC ICB-2 once the full set valuations and impacts data collection are completed

- (iv) ***The Draft RIP will be finalized and disclosed:*** following completion of all valuation processes of all affected people throughout the length of NWPC ICB-2 Sub-project, so that impacts and budgets will be accurate.
- (v) ***ADB letter of no-objection to Contractor's mobilization for continued civil works*** based on proof provided by a Checklist (**Annex C**) prepared by the PMU/PIU indicating that all compensation and allowances under GoSL and ADB laws and policies have been fully implemented and completed.
- (vi) **Concurrence of RIP with CEA**, as required by GoSL environmental legislation⁷.

4.4 Objectives of the Resettlement Plan

54. The key objective of this RIP is to provide an effective and practical planning document for the implementation of the Land Acquisition and Resettlement (LAR) program for the MWSIP NWPC-ICB-2 three affected GNDs in compliance with the requirement of Sri Lankan laws and ADB SPS 2009. The key principles that will guide the compliance with LAR aspects during the Sub-Project include:

- (i) Land acquisition will be avoided or at least minimized;
- (ii) Compensation will ensure maintenance of pre-project living standards of Affected Persons (APs);
- (iii) APs will be fully consulted/informed on compensation options;
- (iv) APs socio-cultural institutions will be supported/used;
- (v) LAR procedures will equally apply to women and men;
- (vi) Lack of formal title will not prevent compensation rights under the entitlement's matrix;
- (vii) LAR will be conceived and executed as an integral part of the Project and budgets for LAR will be included in Project costs;
- (viii) Impact to structures will be avoided at all costs;
- (ix) All LAR and compensation and allowance payments will be completed and endorsed by ADB prior to civil works commencement in the impact areas.

55. This Resettlement Plan has been prepared considering the general findings of the Survey data, field visits and consultation with stakeholders in the subproject areas. The RP identifies:

- (i) Affected Households (AHs), impacts an extent of losses;
- (ii) Principles and the legal framework applicable to compensate and/or rehabilitate the AHs;
- (iii) The responsibilities and mechanisms for the implementation of the compensation – rehabilitation process;
- (iv) Land Acquisition schedules and costs, including compensation valuations by GoSL and any supplementary allowances owed to each individual household and AP to ensure compliance with ADB SPS 2009; and
- (v) Monitoring responsibilities and tasks.

⁷ This RIP will not need to be submitted to CEA for concurrence. However, the Final RIP, to cover the full length of the NWPC ICB-2 (refer to point iv above) may need to be submitted to CEA for concurrence.

5 SCOPE OF LAND ACQUISITION AND RESETTLEMENT

56. This section discusses the baseline information on the Project's land acquisition and resettlement impacts, identified by the detailed measurement surveys, along the NWPC-ICB-2 Canal Alignment within the 3 impacted GNDs. The data presented below, except for Vulnerability, has been collected through legally mandated official agencies of the DSD/GNDs and Valuations Department. The compensation and rehabilitation measures and costs are based on this information captured by the DSD/GND, the Valuations Department and by the Resettlement Framework.

57. The Project development has chosen the alignments of the canal to cover as much GoSL owned land as possible, as opposed to privately occupied lands and tunneling for the purpose of reduce land acquisition and environmental impacts. However, the design of the canal trace and reserve areas corridor requirements did have to consider engineering compliances as well as safety of local residents, hence acquisition and resettlement could not be fully avoided.

5.1 Census and Inventory of Assets Surveys

58. The inventory of impacts is held in a database at the PMU, collected through the GNDs and DSD land acquisition authorities on all areas of land acquisition and resettlement impacts, covering 100% of affected persons. Surveys commenced with the land survey and acquisition Plan of the GoSL in May-July 2016 after completing the engineering preliminary detailed design and when all design changes were finalized along the entire NWPC-ICB-2 canal length.

59. According to ADB requirements, the end of the Census normally marks the cut-off date for entitlement eligibility. Combined with GoSL processes, the cut-off date may be announced after the Section 2 Notice (June-July 2016), when areas for acquisition are identified and recorded by MLLD (refer to Section 11.2 below). For Land to be acquired, the date of notification for acquisition under the LAA will treated as the cut-off date. The MLLD, MMDE and the PMU are responsible for making this public announcement on-site to, and conduct consultations with, the local project communities and DPs. Each GND, that is responsible for the land acquisition records under GoSL law is conducting the acquisition procedures at their own pace. Therefore, the cut-off dates may differ for each GND. **Table 6** indicates the cut-off date for each GND, based on the date at which Section 2 Notice was completed.

Table 6: Cut-off Dates for each GND

DSD	GND	Cut-off Date
Galewela	Nabadagahawatta	July 2016 (Section 2 Notice)
	Ranwediya	May 2016 (Section 2 Notice)
	Hombawa	July 2016 (Section 2 Notice)

60. Although the normal period under GoSL acquisition processes is often 2 weeks, APs will, however, be given at least 30 days' notice to vacate the land area to be acquired and, where possible, will be given time to harvest any crops that are under acquisition, after compensation is paid and prior to construction commencement in the affected area. There are structures affected, for which the AP will be allowed to recover any salvageable materials, without cost. APs shall not be liable for any resettlement and land acquisition taxes, fees, registration charges, fines or sanctions through land, trees, crops or structures acquired or economic displacement.

5.2 Impact Assessment

61. The results below are sourced from the existing PMU//NWPC PIU Database. A Census/Socioeconomic and Inventory of losses data will be updated for a Final RIP that shall be submitted in the 4th Quarter of 2019, once all GNDs of ICB-2 have completed valuations⁸.

5.2.1 Impacts on Land

62. After the detailed design was completed, a total of 225 plots of land were identified, including private and Government lands. Of these 72 plots were identified as Government and 153 plots of land were identified as impacted by resettlement in the 3 GND areas, where there are detailed design changes. The number of APs total 92, counting the GoSL as a whole as one AP, and a total of 9.151 Hectares of land to be acquired, including 3.4249 Hectares of Government land and 6.0367 Hectares of non-Government land to be acquired (Error! Reference source not found., Error! Reference source not found. **and Table 9**)⁹. The EA is responsible for arranging permission to use land and/or to arrange transfer of land ownership responsibility between the Government agencies.

Table 7: Definition of Assets

GND	Number of Affected Land Lots	Number of Affected Households
Nabadagahawatta	10	7
Ranwediya	31	26
Hombawa	112	58
Total	153	91

Table 8: Total Extent of Land to be Acquired

GND	Number of Affected Land Lots	Total Land to be Acquired (ha)
Nabadagahawatta	10	0.6409
Ranwediya	31	0.7520
Hombawa	112	4.6447
Total	153	6.0376

⁸ The Draft RIP shall be finalized to cover the design changes and the full length of the NWPC ICB-2 once the full set valuations and impacts data collection are completed. The Socioeconomic Survey/Census and Inventory of assets will cover 100% of APs, and shall be conducted by the PIU, with assistance from the PMU and PMDSC along with contributions by Valuation Department and DSD.

⁹ Some APs possess more than one plot, while some also possess a share of one plot area.

Table 9: Government Land Areas Impacted

GND	No. of plots	Area (ha)
Nabadagahawatta	6	0.2113
Ranwediya	10	0.1002
Hombawa	55	3.1134
Total	72	3.4249

5.2.2 Impacts on Trees and Crops

63. Error! Reference source not found. presents the number of plots where there are impacts on gardens and crops in each of the three GNDs. The highest impact is Gardens, followed by paddy land. Error! Reference source not found. shows the number and type of trees affected in each of the three GNDs. A total of 699 trees will be impacted by the project in Hombawa and Ranwawediyawa GNDs, while no tree impacts in Nabadagahawatta GND. The most impacted tree types to be removed are Coconut, Karaw, Mango, Teak and Mahogany.

64. It should be noted that in some of the individual plots, there were a combination of crops and trees affected. GoSL valuations are normally calculated combining both land and landuse as one value and separated. The “Final RIP” to be prepared for the full length of NWPC ICB-2 shall provide more details on these impacts, where possible, including accounting for cases of double counting in affected land areas.

Table 10: Impacts on Crops (no. of Plots)

SN	Name of Trees \ GND	Nabadagahawatta	Ranwediya	Hombawa	Total
1	Garden	-	9	68	77
2	Mixed Cropping	-	-	32	32
3	Paddy Land	3	18	39	60
4	Chana lands	-	-	7	7
5	Bare Land	-	1	1	2
Total		3	28	147	178

Table 11: Impacts on Trees

SN	Name of Trees \ GND	Nabadagahawatta	Ranwediya	Hombawa	Total
1	Katakala	-	1	12	13
2	Dammunaya	-	2	22	24
3	Cococnut	-	90	265	355
4	Mara	-	-	11	11
5	Kohomba	-	-	9	9
6	Mango	-	16	12	28
7	Damba	-	-	2	2
8	Jack fruit	-	7	15	22
9	Halmilla	-	4	11	15
10	Cashw nut	-	1	5	6
11	Mee	-	-	1	1
12	Banana	-	-	3	3
13	Linumidalla	-	-	2	2
14	Madan tree	-	2		2
15	Woodapple	-	-		
16	Arricanut	-	6		6
17	Butter fruit	-	1		1
18	Karaw	-	22		22
19	Abaralla	-	1		1
20	Beli fruit	-	3		3
21	Teak	-	4	157	161
22	Mahogany	-	-	12	12
23	Madilla	-	-		
24					
Total		0	160	539	699

5.2.3 Impact on Structures

65. Error! Reference source not found. presents impacted structures, mostly minor structures such as toilets, fences with posts. One household, however, will be relocated from their current house structure.

Table 12: Impacts on Structures

SN	Name of Trees \ GND	Nabadagahawatta	Ranwediya	Hombawa	Total
1	Toilet	-	-	1	
2	Water Tank	-	-	2	
3	Wells	-	1	2	
4	Fence	-	-	2	
5	Concrete poles with fence	-	-	17	
6	Permanent Residences relocation	-	-	1	
7	Permanent buildings (shed structures)	-	-	2	
8	Permanent buildings (Partial impact)	-	1	-	
	Total	-	2	27	29

5.2.4 Severity of Impact

66. Severity of impacts may be described as severe or marginal. Severe impact is defined as loss of 10% or more of land, of income and/or households who are temporarily or permanently relocated because of large impacts to dwelling structures, making them inhabitable or livelihoods untenable, thus a need necessity to relocate (temporarily or permanently) or be restored. There is only one affected household located in Hombawa, which will be physically displaced. No other severely impacted APs were identified within the 3 GNDs.

5.2.5 Number of Vulnerable Households

67. Vulnerability is defined as marginal APs whose circumstances would prevent them from being able to maintain their livelihoods, and/or at high risk of not being able to end the same or better off after the Project as pre-project. The definitions of vulnerability are as follows:

- (i) Poverty – based on official poverty in Sri Lanka, as income being less than Rs 4752 per month per household.
- (ii) Single female headed household with dependents.
- (iii) Physically Disabled – Households with a family member that has a physical disability.
- (iv) Mentally Disabled - Households with a family member that has a mental disability.
- (v) Elderly – Over 60 years of age, without means of support.
- (vi) Widowed – male or female that is widowed, without means of support.

- (vii) Indigenous – Households, in accordance with ADB SPS 2009, having a distinct culture from the mainstream society that continuously live as a distinct group of homogenous society.
- (viii) Additional APs, whose conditions overall suggest marginal high risk, such as the landless.

68. Based on the PMU Database, sourced from Line agencies (i.e. DSD), there were no APs in the three GNDs that would be defined as vulnerable.

5.3 Contractor Leasing of Land

69. The Contractor's / main Engineer's / Employer's/ main offices, camp and workshop are not based within the 3 GNDs covered by the RIP. However, the Contractor shall identify locations of the batching plant and other temporary storage and muck stockpiling areas. These areas shall be rented by mutual negotiation at the going market rate between land owner and contractor. The land will be brought back to its original condition or better than pre-project and to the satisfaction of the land owners. All lease agreements and identifications of land areas shall be incorporated in civil works contracts and be available for inspection by the Engineer and Employer. Leasing agreements shall be at market rates and strictly in accordance with Sri Lankan laws.

6 SOCIOECONOMIC PROFILE OF AFFECTED HOUSEHOLDS

70. This section presents the results of the socioeconomic survey totaling 37% of APs in Nabadagahwatta, Ranwediya and Hombawa GNDs. The socioeconomic survey was conducted in April to May 2017 by the PMDSC. The final RIP for the full length of NWPC-ICB-2, shall include a full 100% socioeconomic/census survey and inventory of impacts, to be used as a baseline during the Project implementation to ensure all APs remain in the same or in better condition than in the pre-project construction stage. The surveys shall be conducted by the PIU's with support of PMU and PMDSC.

71. Before conducting the survey, some consultation meetings were held with the village leaders in order to decide the time period for the survey and appraise the types of data to be collected (see Appendix 5). When the survey was conducted, data was collected from the households or close family members on one to one meeting and discussion.

6.1 Population

72. **Table 13** indicates that a majority of APs (household heads) are within the working age (19-60 years) and just 4 households were over 61 years of age. No Household heads were identified and underage.

Table 13: Numbers of Affected Persons by Age and Gender Distribution by GND

GND	Age Below 18 years			Age 19 – 60 years			Age over 61years			Grand total
	male	female	subtotal	male	female	Sub total	male	female	subtotal	
Nabadagahawatta	-	-	-	1	2	3	-	-	-	3
Ranwediya	-	-	-	7	12	19	2	1	3	22
Hombawa	-	-	-	4	4	8	-	1	1	9
Total	-	-	-	12	18	30	2	2	4	34

73. Error! Reference source not found. presents the Ethnicity and religion. The population is made up of Sinhala (57%) and Moor (43%) ethnicity and no Tamil populations affected (**Table 14**). Similarly, the 57% of the APs surveyed were Buddhist and 43% were Muslim.

74. None of the identified groups may be considered to have a specific social or cultural identity distinct from each other to be at any disadvantage but will benefit as the dominant or mainstream Sri Lankan Society. The only indigenous population in Sri Lanka are the "Vedda" or forest dwellers. The Vedda population live in the areas of Bintenna, Rathugala and Nilgala communities of Badulla and Monaragalla Districts. These are not located with the NWPC Project area. Therefore, there are no groups within the resettlement and land acquisition or Project area who display sufficient unique features to classify them as a distinct minority or indigenous group. The preparation of an Indigenous Peoples Plan or Framework is therefore not required, according to the ADB Safeguards definitions on Indigenous Peoples (SPS, 2009).

6.2 Education and Literacy

75. shows educational levels of APs, with 20% not going to school but just 2% (1 AP) not able to read/write effectively. Livelihood restoration activities and methods of disclosure of the RIP to the APs will need to consider these levels of education status for effectivity.

Table 14: Numbers of Affected Population by Ethnicity and Religion by GND (Households, Spouses and Children)

GND	Population	Ethnicity			Religion		
		Sinhala	Tamil	Moor	Buddhist	Hindu	Islam
Nabadagahawatta	12	-	-	12	-	-	12
Ranwediya	72	40	-	32	40	-	32
Hombawa	17	17	-	0	17	-	-
Total	101	57	-	44	57	-	44

Table 15: Percentage (%) Respondents of Education Level of Affected Households by GND

GND	Year 1-5	Year 6-11	GCE O level	GCE A level	1.Non schooled read and write	2.Non schooled	Total
Nabadagaswewa	66	0	34	-	-	-	-
Ranwediya	5	28	39	11	11	6	100
Hombawa	-	12	12	25	51	-	100

6.3 Employment, Income and Expenditure

76. **Table 16** and **Table 17** presents the type of employment in which surveyed APs are involved. Most of the APs are in agriculture and government sectors, with some private businesses affected.

Table 16: Percentage (%) Respondents in a Specific Employment Category by GND

GND	Employment category						Total
	Govern-ment	Part time	Private	Farming	Trading	Animal Husbandry	
Nabadagahawatta	-	-	-	100	-	-	100
Ranwediya	25	-	25	50	-	-	100
Hombawa	65	-	35	-	-	-	100

Table 17: Percentage (%) Respondents with Specific Employment Type by GND

GND	Farmer	Trader	Security Officer	Teacher	Total
Nabadagahawatta	100	-	-	-	100
Ranwediya	60	30	-	10	100
Hombawa	-	35	65	1	100

77. **Table 18** present income/expenditure of the surveyed APs. Hombawa GND, indicates most APs are expending as much as their income and not saving. Nabadagahawatta GND, data indicates 60% of APs surveyed are able to save some of their income while 20% in Ranwediya are expending above their income they disclosed in the survey.

Table 18: Percentage (%) of Respondents by level Income/Expenditure in Each Affected GND

GND	Income					Total
	Below LKR 48,876/-	LKR 48,877/- to 100,000/-	LKR 100,001/- to 250,000/-	LKR 250,001/- to 500,000/-	LKR 500,001/- above	
Nabadagahawatta	-	-	-	-	100	100
Ranwediya	-	30	52	18	-	100
Hombawa	-	30	14	28	28	100

GND	Expenditure					Total
	Below LKR 50,000/-	LKR 50,001/- to 100,000/-	LKR 100,001/- to 250,000/-	LKR 250,001/- to 500,000/-	LKR 500,001/- above	
Nabadagahawatta	-	-	-	60	40	100
Ranwediya	-	23	45	12	20	100
Hombawa	-	30	14	28	28	100

78. **Table 19** presents percentage of surveyed APs that had access to vehicles, which allow access to social services and markets. Nabadagahawatta APs did not respond to this question. However, the highest number of APs had access to wither motor cycles of lorry transport.

Table 19: Percentage (%) of Respondents with Vehicle Access by GND

GND	Lorry	Tractor	Three-wheeler	Motor cycle	Bicycle	Total
Nabadagahawatta	-	-	-	-	-	-
Ranwediya	12	7	12	57	12	100
Hombawa	25	-	-	53	12	100

6.4 Access to Utilities

79. The Socioeconomic survey recorded access to utilities by affected persons. All respondents in the 3 GNDS indicated that they had access to electricity, water supply and had mobile phones access, but no land line telephones.

6.5 Membership of Organization

80. **Table 20** presents the key organization to which APs are members. Although Nabadagahawatta GND APs did not respond, during the socioeconomic survey, it is assumed that the farmer APs would have close links to Farmers' Organizations. However, the listed CBOs in the Table are often useful to provide social support to APs, provide support in community mobilization and as independent witnesses during land acquisition, resettlement and due diligence studies. No NGOs could be identified. Only existence of CBOs could be found, but not identified by name.

Table 20: Percentage (%) of Respondents with CBO Membership by GND

GND	Death donation Society	Farmers' Society	Budhist	Samurdhi	Total
Nabadagahawatta	-	-	-	-	-
Ranwediya	63	-	12	25	100
Hombawa	63	10	9	18	100

7 LEGAL AND POLICY FRAMEWORK

7.1 Legal and Policy Commitment

81. The executing agency is responsible for applying the provisions of the LAA and its regulations, NIRP policy principles and ADB SPS 2009, for the benefit of the affected people of the project. Land Acquisition, compensation, relocation and income and livelihood restoration of the subproject will be guided by the MWSIP Resettlement Framework (2019), which was prepared in accordance with the: LAA, 1950 and its amendments; National Involuntary Resettlement Policy (NIRP), 2001; National Policy for Payment of Compensation, 2008; the Land Acquisition Regulations of 2009 (LA regulations of 2009); National Environmental Act of 1980 and its amendments; and ADBs Safeguards Policy Statement 2009 (SPS, 2009).

7.2 Land Acquisition Act (LAA)

82. The LAA provides a legal framework for acquisition of land for public purpose. It provides detailed procedures for land acquisition, consultations, calculation of compensation for land, structures and crops at market value and assistance packages. It guarantees that no person is deprived of his land except under the provisions of LAA, and provides a compensation package for acquired land, structures, damaged crops and disturbances caused by the project. The normal procedure for land acquisition and involuntary relocation through the LAA is by application of the Ministry of Land and Land Development (MLLD) and once acquired, land is vested in the government agency which made the application. **Annex D** shows the processes of the RIP process as required by the Laws of Sri Lanka.

83. Provisions of the LAA are inadequate to address all adverse impacts associated with land acquisition and relocation. The LAA is indifferent to affected people's socioeconomic conditions and long-term adverse impacts on their incomes and livelihoods. The LAA prescribes that the market value of land should be paid as compensation which amounts to the price of property the owner could expect if sold in the open market. ADB SPS 2009 stipulates that replacement cost should be paid as compensation which includes market value and other resettlement assistance packages. Post-acquisition monitoring of IR impacts is not part of the LAA.

7.3 National Involuntary Resettlement Policy

84. The government adopted NIRP in 2001 to ensure that:

- (i) PAPs are fairly and adequately compensated, relocated, and rehabilitated;
- (ii) delays in project implementation and cost overruns are reduced; and
- (iii) better community relations are restored among PAPs and host communities.

85. The NIRP is based on LAA and its amendments, National Environmental Act of 1980 (amended in 1988), and several other applicable laws such as Urban Development Authority Act and Coastal Conservation Act, Regulations of the Acts, and on legal opinions of courts on land acquisition, compensation, consultation, and income restoration.

86. Objectives of the Policy are to:

- (i) Avoid, minimize, and mitigate negative IR impacts by facilitating the rehabilitation of PAPs on a productive and self-sustaining basis. Ensure that they are fully and promptly compensated, and successfully resettled. The livelihoods of the displaced persons should be re-established and the standard of living improved.

- (ii) Ensure that no impoverishment of PAPs shall result as a consequence of compulsory land acquisition by the State for development purposes.
- (iii) Assist PAPs in dealing with the psychological, cultural, social and economic impacts caused by compulsory land acquisition.
- (iv) Make all PAPs aware of processes available for the redress of grievances that are easily accessible and immediately responsive.
- (v) Have in place a consultative, transparent and accountable IR process with a time frame agreed to by the project executing agency and PAPs.

87. Principles of the Policy are:

- (i) IR should be avoided as much as possible by reviewing alternatives to the project as well as alternatives within the project.
- (ii) Where IR is unavoidable, PAPs should be assisted to re-establish themselves and improve their quality of life.
- (iii) Gender equality and equity should be ensured and adhered to throughout.
- (iv) PAPs should be fully involved in the selection of relocation sites, livelihood compensation, and development options at the earliest opportunity
- (v) Replacement land should be an option for compensation in the case of loss of land, and in the absence of replacement, land cash compensation should be an option for all PAPs.
- (vi) Compensation for loss of land, structures, other assets and income, and livelihood losses should be based on full replacement cost and should be paid promptly. This should include transaction costs.
- (vii) Resettlement should be planned and implemented with full participation of the provincial and local authorities.
- (viii) Participatory measures should be designed and implemented to assist those economically and socially affected to be integrated into their host communities.
- (ix) Common property resources and community and public services should be provided to resettled.
- (x) Resettlement should be planned as a development activity for PAPs.
- (xi) PAPs who do not have title deeds to land should receive fair and just treatment.
- (xii) Vulnerable groups should be identified and given appropriate assistance to improve their living standards.

(xiii) Project EAs should bear the full costs of compensation and resettlement.

88. The Policy applies to:

- (i) All development-induced land acquisition or recovery of possession by the State.
- (ii) All projects regardless of the source of funding.
- (iii) All projects in the planning phase on the date the policy came into effect and all future projects.

89. The MOL is responsible for implementation of the NIRP. This is done in collaboration with a wide network of public agencies including CEA, Survey Department, Valuation Department, Ministries concerned, and divisional secretariats.

90. The NIRP ensures that PAPs are treated in a fair and equitable manner, and that they are not impoverished in the process of land acquisition and resettlement. The Policy also enables establishing a framework for project planning and implementation that would meet international best practices in involuntary resettlement including involuntary resettlement safeguard policy principles and requirements of ADB.

7.4 National Policy on Payment of compensation (2008) and LA Regulation (2008)

91. The Cabinet of Ministers approved the National Policy on Payment of Compensation (NPPC) in November 2008 in order to establish a uniform system of adequate compensation payment, based on LAA, NIRP and several other laws applicable to land acquisition and resettlement, and also to supersede all other ad hoc and special compensation packages used by government agencies such as Road Development Authority. The LA Regulations 2008 ratified by the Parliament of Sri Lanka in 2009 as Regulations of the LAA gave effect to both NIRP and NPPC. The LA Regulations 2008 incorporated NIRP and NPPC principles into Sri Lanka's legal framework thereby improving the congruence between local regulatory framework for land acquisition and resettlement, and international best practices for involuntary resettlement.

7.5 National Environmental Act (NEA) 1980 and 1988

92. The National Environmental Act (NEA), No.47 of 1980, amended by Act No.56 of 1988, and its regulations are applicable to involuntary resettlement. The Gazette Notification No.859/14 of 23 February 1995 determined the projects and undertakings for which CEA approval is needed in terms of Part IV – C of the NEA. Item 12 in the Schedule requires the formulation of a RIP to address involuntary resettlement of 100 or more households¹⁰.

93. The NEA further requires an assessment of project impacts on relocating households and other community groups in sufficient detail. This assessment should identify anticipated social problems, proposed mitigation measures, estimated cost involved, and an entitlements package. This assessment should be based on information collected from PAPs, census and survey data, and on interviews with community leaders and site visit or field surveys. The assessment will demonstrate that every possible action has been taken to avoid the relocation of households and businesses. Where relocation is found to be unavoidable, the following issues are to be addressed with an action plan. These requirements are compatible with that of involuntary resettlement safeguard requirements of the SPS of ADB.

¹⁰ This RIP will not need to be submitted to CEA for concurrence. However, the Final RIP, to cover the full length of the NWPC ICB-2 (refer to point iv above) may need to be submitted to CEA for concurrence

- (i) Number of households to be relocated and their socio-economic profiles. A distinction should be made between rented properties and owned properties.
- (ii) Availability of comfortable, safe, and affordable housing for the displaced households. This discussion should include the prices, size of house (number of rooms), location relative to present houses and accessibility, anticipated loss of employment caused by acquisition of business, industrial or domestic premises.
- (iii) Number of commercial and industrial ventures to be relocated: their descriptions, size of premises, number of employees, their income, sales and special needs such as water and power.
- (iv) Availability of sites for relocating displaced businesses and the cost/benefit analysis of relocating them.
- (v) A statement that acquisition of property and relocation will be conducted in accordance with the existing laws and regulations such as an Urban Development Law No.141 of 1978 and resources available for compensating all residential and commercial displacements without discrimination.
- (vi) A discussion on the financial and other incentive programs that will be developed to minimize the impact must be included regardless of whether alternative sites and/or buildings are available. This discussion may also consider other sources of assistance available to the displaced persons.
- (vii) The NEA requires that the resettlement implementation plan outlining the above be submitted for review and approval.

7.6 Attorney General Office Letter on Valuing Temple Land Development (2006)

94. In 2006 the Attorney General issued a letter that legally requires that land development, by lease holders and encroachers on land owned by the temple, shall no longer be given to the people, but shall be paid to Temple. That is, payment to the "Public Trustee." This is most likely the most significant reason for valuation of Temple Lands in Bambawa DSD being extremely low.

7.7 Paddy Land Act (1958)

95. Although an old legal Act, it is still currently in force. Under the Agrarian Services Department, it is required that all land used for farming paddy is registered as paddy land under this act. This registration assumes this land will only be used for rice cropping. Therefore, it does have an impact on valuing land on those who grow alternative crops during the year.

7.8 Regulation on Tax (2009)

96. This regulation includes clauses which require a minimum of the past 2-years of tax records must be considered in valuation business losses. Furthermore, the regulation also requires that those without the past two years tax records shall be paid an allowance for business loss of LKR 15,000/-.

7.9 Legal framework to compensate housing with title/without title

97. Under the provisions of the LAA and LAR 2008, replacement value should be paid for structures on the land that is acquired, including houses. Valuation amounts are to be determined by the Chief Valuer based on the condition's reports prepared by officers of the Valuation Department. At the Section 9 inquiry under the LAA, the acquiring officer decides on the ownership status of the buildings. If it relates to private property with a deed

and is owned and occupied by the owner, he or is entitled to receive compensation at replacement value. If the property is leased or rented out, the compensation should be divided between the owner and lessee/tenant according to the conditions of the lease agreement or the provisions of the Rent Act, 1972 respectively.

98. The LAR 2008 provides authority to pay compensation to non-title holders of buildings at replacement value. If the occupants are living on State land without any legal document, they are entitled to receive compensation only for the building/s at replacement value. An encroacher is not entitled to compensation for the area of State land that he or she is occupying. Where the occupant is settled on private land, compensation for the land is not permitted in the absence of a court decision.

7.10 Legal framework for compensation to businesses

99. Under the LAA, businesses are entitled to receive compensation for the loss of income due to land acquisition. However, there are limitations on the payment of such compensation. Formal business owners are required to produce the last three years of tax returns as evidence of tax paid to the Inland Revenue Department (IRD). Based on the tax paid to the IRD, the Valuation Department determines the annual turnover of the business and pays the loss of business compensation accordingly.

100. An informal business is defined as a business that is not registered with the Registrar of Companies, nor registered with the Divisional Secretary's office in the division where the business has been established and does not pay tax to the IRD. Informal businesses that have not paid taxes to the IRD are not entitled to receive loss of business compensation under the LAA. Under the LAR 2008 and the entitlement matrix of the RPF, informal businesses are eligible for some moderate compensation. However, the amount of compensation paid out will be less than is paid formal business owners.

101. All businesses (formal and informal) are entitled to receive compensation for affected land, structures, and any trees on the acquired land under the provisions of the LAA.

7.11 Legal framework to compensate cultural sites

102. Temples are entitled to receive compensation according to the LAA. Temples are categorised into: (i) Old temples (Rajamahaviharaya) established during the period of the Sinhala kingdom; and (ii) Temples established after Sinhala kingdom, which are not considered as Rajamahaviharaya. Compensation for Rajamahaviharaya is paid to the Public Trustee under the provisions of Temple Land Ordinance. Other temples are entitled to receive compensation directly from the acquiring officer. In practice, the temple committee (Dayakasabawa) receives the compensation on behalf of the temple.

103. The Pradeshiya Sabhas are the custodians of cemeteries and community facilities that are entitled for compensation under the LAA. In the Project, However, construction on cemeteries is prohibited.

7.12 Legal framework for compensation for temporary impacts

104. The RF specifies that the temporary adverse impacts of civil works, such as the loss of access, damage to property or land, safety hazards, and impact on mobility need to be adequately compensated. Such impacts will identify the resident engineer RE and the record the detail on the impact before the civil work start. RE should inform to DS and PMU for their intervention to resolve issue DS and resettlements specialist on PMU should discuss with the affected party for dissolving the issue amicably. Once a decision taken to compensate the impacts DS/PMU should inform to the contractor through RE the allocation should be made available in the contact package for the placement of nature impacts.

7.13 Valuation of Lands and Structures

105. The Divisional Secretary is responsible for issuing a Section 7 notice under the LAA requesting the production of documents as evidence of the ownership of the land/property to be acquired and compensation for those who seek it. Once a claim is made, the DS/acquiring officer is responsible for calling a Section 9 acquisition inquiry in order to determine the ownership of the land/property to be acquired. The inquiry is similar to the court procedure which determines owners/co-owners of the property. Owner/s land and property are responsible to submit the ownership claims and compensation claims within the stipulated time periods 21 days. If the owner of the land does not make the claim on ownership and compensation acquiring officer is responsible to hold and exactly inquire and report to the district court. This may lead to delay acquisition process.

106. The DS/acquiring officer issues a decision on ownership under Section 10.1 of the LAA and sends a copy to the Chief Valuer. The DS also sends a copy of the inquiry proceedings and the compensation amounts claimed to the Valuation Department.

107. The valuation officers identify the land plots and structures, subject to acquisition which are then marked in the Section 6 survey plans prepared by the Survey Department. Other features are also given under a tenement list, which a document is attached to the survey plan. In the tenement list, the extent of the land and its boundaries, the structures available on the land plot, and other details are recorded.

108. Based on these details, the valuation officer prepares a condition report on the land, taking into consideration the status of the buildings and their floor area, materials used, and other features. The land value for a property with full legal ownership is assessed considering the potential value of the land, following international standards and direct comparison with other, similar plots or properties. The concept of potential value is that a plot subject to acquisition is considered as being offered for sale. For example, if rubber land is converted to real estate land, the price of such land will increase. The value of the structures is determined according to the rate of square feet on permanent, semi-permanent, and temporary buildings based on the condition reports prepared by the valuation officer. Compensation is determined according to the replacement value. Once the valuation officer prepares a valuation report for land and structures, it is sent to a higher officer in the department to be checked and rechecked. Once the Valuation Department determines the amount to be paid, the valuation reports are sent to the DS/acquiring officer. The DS/acquiring officer is responsible for offering compensation under Section 17 of the LAA. If the claimant disagrees with the amount, he or she can appeal to the Board of Review for higher compensation. The Board of Review has the right to increase or decrease the amount of compensation offered.

7.14 Valuation of Trees, Crops, and Agricultural Infrastructure

109. The identification of trees, crops, and agricultural infrastructure follows the same procedures described above. However, the methodology for valuation of trees, crops, and agriculture infrastructure has to take their condition into account.

110. Trees: Based on the preliminary plan and tenement list, information, including the tree species, the number of trees, the annual production, and the age of each tree are recorded by the valuation officer. Timber and fruit trees are recorded separately. For fruit trees, compensation is determined according to the annual production of fruit. Data is collected from sources, such as the Agriculture Department and the Coconut Cultivation Board, to determine the value of fruit. For timber trees, data is collected from the Forests Department and State Timber Corporation. The valuation officer collates all the collected data and makes an assessment for compensation for each category of tree species.

111. Crops: The assessment of crops is based on annual production per acre and whether the crop is rain fed or irrigated, and is collected from the Agrarian Services Department and the Agriculture Research and Training

Institute. An assessment is made based on the average or expected yield of the crop on rain fed as compared to irrigated land, and the market prices paid for the crops and are determined by the Valuation Department.

112. Agriculture infrastructure: Data is collected from sources that include the Agriculture Department and the Department of Census and Statistics. Based on the data and information collected, valuation officers determine the amounts of compensation to be paid.

7.15 Damages Occurred during construction

113. Compensation for damages during construction may need to go through the process under GRC. The Contractor is responsible for compensation payments under such circumstances. The Contractor can apply for a negotiated settlement for compensation payment under mutually agreed terms.

7.16 Allowances for Owners of Land and Structures

114. The statutory compensation for land and structures is determined by the LAA and LAR 2008. It includes the following:

- a) Replacement value for structures;
- b) Market value for land, trees, and crops;
- c) Cost of attending the Section 9 inquiry;
- d) Cost for selection of alternative sites;
- e) Cost for transportation to new sites;
- f) Cost incurred for publicity of commercial establishments;
- g) Cost for fixing of furniture (this is a cost for refixing furniture once HH moves to new house);
- h) Cost of travelling, where relevant;
- i) Cost of loss of business;
- j) Cost of working capital for re-establishment of business;
- k) Cost of assessment tax and rent; and
- l) Costs incurred by the claimant for acquiring of land.

115. The replacement value paid for structures and the compensation paid for land, trees, and crops, and the loss of business are included in the statutory compensation. The amount varies according to the status of the structures, land, trees, and crops, and the value of the business. The loss of business is also entitled to receive compensation. An additional entitlement is the use of materials salvaged from the structures that have been compensated.

7.17 ADB Safeguards Policy Statement, 2009 (SPS, 2009)

7.17.1 Loan Agreement

116. The Loan agreement signed between the GoSL and the ADB, stipulates that any Involuntary Land Acquisition and Resettlement (LAR) and Environmental safeguards issues that arise during project implementation will require a Resettlement Implementation Plan (RIP), Initial Environmental Examination (or Environmental and Social Impact Assessment), or other appropriate document showing all impacts are mitigated in accordance with the Government's relevant legislation and policies, and the existing (or updated) Program Resettlement Framework (RF) and Environment and Social Management Framework (ESMF) documents, and particularly with ADB's Safeguard Policy Statement (SPS) 2009 and within the legal framework of Sri Lanka. The ADB will only finance projects and programs that fully comply with its SPS 2009.

117. The Loan Agreement(s) set out a number of "Loan Covenants" which are legally enforceable. For the MWSIP, Tranche 1, the following Covenants related to Resettlement and Land acquisition are as follows:

- (i) Para. 2, Schedule 5 - The Borrower and MMDE shall ensure that the PMU and the PIUs employ sufficient staff for the duration of the Project with adequate and relevant expertise in the field of project management, financial management, engineering, procurement, contract management, construction management, communications, and environmental and social safeguards assessments, monitoring and implementation. The Borrower and MMDE shall keep the PMU and the PIUs equipped with the necessary office space, facilities, equipment, support staff and management information systems for the duration of the Project.
- (ii) Para. 5, Schedule 5 - The Borrower shall make available to MMDE, and MMDE shall provide, all counterpart funds required for timely and effective implementation of the Project, including, without limitation, any funds required to keep the PMU and PIUs fully equipped and fully staffed in accordance with the requirements set out in the FAM, to mitigate foreseen and unforeseen environmental and social impacts, and to meet additional costs arising from design changes, price escalation in construction costs and/or unforeseen circumstances. The Borrower shall make the resources thus required available to MMDE on a quarterly basis for each fiscal year, or more frequently as required.
- (iii) Para. 10, Schedule 5 - The Borrower and MMDE shall ensure that all land and all rights-of-way required for all Project facilities are made available to the Works contractor in accordance with the schedule agreed under the related Works contract and all land acquisition and resettlement activities are implemented in compliance with (a) all applicable laws and regulations of the Borrower relating to land acquisition and involuntary resettlement; (b) the Involuntary Resettlement Safeguards; (c) the RF; and (d) all measures and requirements set forth in the respective RPs, and any corrective or preventative actions set forth in a Safeguards Monitoring Report.
- (iv) Para. 11, Schedule 5 - Without limiting the application of the Involuntary Resettlement Safeguards, the RF or the RPs, the Borrower through MMDE shall ensure that no physical or economic displacement takes place in a project area until:
 - a) compensation and other entitlements have been provided to affected people in accordance with the relevant RP; and
 - b) a comprehensive income and livelihood restoration program has been established in accordance with the relevant RP
- (v) Para. 14, Schedule 5 - The Borrower shall cause MMDE to ensure that all bidding documents and contracts for Works contain provisions that require contractors to:
 - a) comply with the measures and requirements relevant to the contractor set forth in the EIAs, IEE, EARF and the EMP, and any corrective or preventative actions set out in a Safeguards Monitoring Report;
 - b) make available a budget for all such environmental and social measures
 - c) provide MMDE with a written notice of any unanticipated environmental or resettlement risks or impacts that arise during construction, implementation or operation of the Project that were not considered in the EIAs, IEE, EMP, RPs or the RF;
 - d) adequately record and inventory the condition of roads, agricultural land and other infrastructure prior to starting to transport materials and construction; and
 - e) fully reinstate pathways, other local infrastructure, and agricultural land to at least their pre-project condition upon the completion of construction unless alternative mitigation is provided as included in the design of the project.
- (vi) Para. 15, Schedule 5 - The Borrower shall cause MMDE to do the following:
 - a) submit semi-annual Environmental Monitoring Reports to ADB for the Upper Elahera Canal and North Western Province Canal projects and annual Environmental Monitoring Reports for the Minipe Left Bank Canal project, and disclose relevant information from such reports to affected persons promptly upon submission

- b) submit semi-annual Resettlement Monitoring Reports for each of the Upper Elahera Canal project, North Western Province Canal project and Minipe Left Bank Canal project;
 - c) if any unanticipated environmental and/or social risks and impacts arise during construction, implementation or operation of the Project that were not considered in the EIAs, IEE, EMP, EARF, RPs or the RF, promptly inform ADB of the occurrence of such risks or impacts, with detailed description of the event and proposed corrective action plan; and
 - d) report any actual or potential breach of compliance with the measures and requirements set forth in the EMP promptly after becoming aware of the breach
- (vii) Para. 23, Schedule 5 - The Borrower, MMDE, and other relevant government agencies, shall provide sufficient extension services to farmers located within the Project's beneficiary areas to educate and encourage them to (a) improve their application of irrigation water to crops and reduce water consumption; (b) apply water saving practices such as Alternate Wetting and Drying, and System for Rice Intensification; (c) improve crop yields; (d) grow higher valued crops during the Yala season; and (e) reduce application of fertilizers and pesticides.

7.17.2 ADB SPS 2009

118. As per ADB Safeguards Policy Statement (2009), important elements of the resettlement policy are:

- (i) Avoid and minimize land acquisition and resettlement impacts;
- (ii) Compensate for lost assets at replacement cost;
- (iii) Livelihood and income restoration;
- (iv) Assistance for relocation, including provision of relocation sites with appropriate facilities and services; and
- (v) Assistance for rehabilitation to achieve at least the same level of well-being with the project as without it.

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

120. The ADB Policy on Involuntary Resettlement (SPS, 2009) is based on the following principles:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs.
- (iii) Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations.
- (iv) Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.
- (v) Support the social and cultural institutions of displaced persons and their host population.

- (vi) Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (vii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (viii) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance such as land development, credit facilities, training or employment opportunities, and (iii) civic infrastructure and community services, as required.
- (ix) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (x) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status. This includes cases of voluntary donation.
- (xi) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (xii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (xiii) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- (xiv) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant IR impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xv) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xvi) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring.
- (xvii) Disclose monitoring reports.

7.18 Comparison Between GoSL Legal framework, NIRP and the ADB Policy

121. There are similarities and differences in the principles contained in the NIRP and the ADB 2009 safeguard policy. Further, the provisions of the LAA also affect the resettlement programme, in particular, the payment of compensation. A detailed comparison is given below in **Table 21**.

122. Both the NIRP and the ADB 2009 policy provide entitlements for affected people that are not covered by the LAA. These include compensation for non-titleholders; the requirement to prepare a Resettlement Action Plan; stakeholder consultations; participation of affected people in project planning, monitoring of involuntary resettlement; cut-off dates for eligibility; rehabilitation, livelihood restoration, and income restoration; grievance redress mechanisms; payment of compensation at replacement cost; and special assistance for vulnerable people. The provision of alternative resettlement sites is envisaged in both the NIRP and the ADB 2009 policy principles. However, the identification of affected people through a baseline survey for title and non-title holders and the disclosure of the Resettlement Plan are only contained in the 2009 policy principles. Options for taking possession of land and other property before payment of compensation are contemplated in contained in the LAA.

Table 21: Comparison of GOSL legal framework, the NIRP, and the ADB SPS 2009 policy principles

Aspect	GOSL legal framework	GOSL NIRP	ADB 2009 policy principles
Avoid or minimize involuntary resettlement	No provision	Avoid, minimize, and mitigate impacts	Avoid where feasible or minimize involuntary resettlement
Compensation for non-titleholders	No provision	Non-titleholders are entitled to fair compensation	Fair entitlements must be offered to allow non-title holders to improve or at least recover their standard of living
Requirement for a RAP	No provision	Where 20 or more families are affected by a development project, a full RAP is required. Where less than 20 families are affected, a less-detailed RAP is sufficient.	A comprehensive RAP is required for any project that requires resettlement of more than 200 people. Where impacts are minor and less than 200 people are affected, an abbreviated RAP (A-RAP) is required.
Stakeholder consultation	No provision	Required.	Consultation is required with PAPs and stakeholders
Participation of PAPs in project planning, implementation, and monitoring of involuntary resettlement	No provision	Required.	Required.
Identification of affected people through baseline survey for title and non-titleholders	No provision	Not stipulated.	Required.

Aspect	GOSL legal framework	GOSL NIRP	ADB 2009 policy principles
Cut-off date	No provision	Required under appendix 13 of guidelines for the preparation of a resettlement plan	Eligibility cut-off date is required
Information disclosure to public as well as disclosure of RAP	Acquisition of land to be disclosed	Information dissemination is a requirement (figure 5.2 of appendix G: guidelines for a participatory resettlement process), no provision on disclosure of RAP	Public disclosure is required
Rehabilitation, livelihood restoration, and income restoration	No provision	Required under 6.8 of the guidelines for the preparation of a RAP	Income should be restored
Taking over the possession before payment of compensation	LAA contains provision	Does not allow	Does not allow
Grievance redress mechanism	Limit to compensation amounts under legally established appeal process	Required under RAP recommendations	Required
Replacement cost	LAR 2008 contains a provision	Required	Full replacement cost for acquired land and assets
Assistance to Vulnerable people	No provision	Required	Special assistance scheme is a required
Provision of alternative resettlement sites	No provision	Required	Alternative resettlement sites to be considered

7.19 Involuntary Land Acquisition and Resettlement Principles

123. The ADB can only finance projects that comply with its Safeguards Policy Statement (2009). If gaps exist between ADBs safeguards requirements and country' laws, specific gap-filling measures need to be made to ensure policy and safeguards requirements are achieved. Based on the differences between the legal framework of Sri Lanka and ADB SPS (2009), the following principles relevant to the Land Acquisition and Resettlement, are as follows:

- (i) Screen each project of the investment program to determine whether it triggers the Involuntary resettlement principles (below) and determine the scope of resettlement planning required.
- (ii) Take every effort to avoid physical displacement and/or any other adverse impacts on livelihood and income sources and community resources and infrastructure. If physical displacement and economic

displacement are unavoidable, the actions (below) will be taken to ensure that they improve or at least restore their income and livelihoods and rebuild their socio-cultural systems.

- (iii) Consult and inform all APs on land acquisition, compensation, and rehabilitation, and their entitlement and grievance redress mechanism.
- (iv) Provide special project assistance to meet the needs of affected vulnerable people such as poor, landless, elderly, woman -headed households, informal settlers and squatters.
- (v) Improve or at least restore livelihoods of all affected households through cash-for-land compensation at replacement cost for acquired or damaged non-land property, and cash—for-land or land-for-land acquired.
- (vi) Provide well-planned and budgeted income restoration and improvement programs for the benefits of APs, especially for the poor and vulnerable groups.
- (vii) All common property resources lost due to the project will be replaced or compensated by the project.
- (viii) If land acquisition is through negotiated acquisition, the project will ensure that APs who enter into negotiated acquisition will maintain the same or better income and livelihood status.
- (ix) APs without title to land are eligible for resettlement assistance.
- (x) Disclose resettlement information and RIPs including consultation documentation to APs in a language accessible to the APs and other stakeholders. The final RIPs and their updates, if any, will also be disclosed fully to APs and other stakeholders in the same manner.
- (xi) The full cost of resettlement will be included in Project costs.
- (xii) Pay compensation and provide other entitlement to each eligible displaced person before displacement and construction commences.
- (xiii) Monitor and assess the progress of RIP implementation and prepare monitoring reports to share with ADB, PAPs and other stakeholders.

124. In accordance with IR principles outlined above, all APs are entitled to a combination of compensation packages and resettlement assistance according to the nature of ownership/occupier rights and interests on lost assets and degree of project impacts on socio-economic conditions and vulnerability of Aps.

8 ELIGIBILITY AND ENTITLEMENTS: COMPENSATION AND ASSISTANCE

125. This Chapter presents the eligibility, legal framework and the current Entitlement Matrix, as per the 2019 Updated Resettlement Framework entitlements (compensation and assistances) of people affected by involuntary land acquisition and resettlement in NWPC ICB-2.

8.1 Eligibility

126. The following groups of APs are included in the RIP for this Project:

- (i) All APs losing land either with legal title, lease holding land rights or without legal status;
- (ii) Owners of crops, trees or other objects attached to the land; and
- (iii) APs losing business, income, and salaries temporarily or permanently.
- (iv) Other physical or economic displacement which may arise as result of this Project.
- (v) Lack of formal title will not prevent reviving compensation edibility

127. Compensation eligibility is limited by an approved cut-off date that was established at the time of Section 2 notice in implementing the GoSL Land Acquisition procedures. Those who encroach into the project area after the cut-off date will not be entitled to compensation or any other assistance (Refer to Annex D for the LAA “Sections”).

8.2 Entitlements, Assistance and Benefits

128. The LAA, NIRP and LA Regulations 2009, outlined in section -- above, constitute the resettlement regulatory framework for determining the replacement cost. Replacement cost comprises fair market value of the property and other compensation packages that are elaborated in NIRP and LA Regulations 2009 (see below). The valuation of acquired property will be done by the Valuation Department on the request of the Divisional Secretary of the area where land is located. DS is the land acquiring officer. The compensation package has two components: compensation package under the LAA, and special assistance scheme under the LA Regulations 2009. The latter is given regardless of the type of land tenure of the affected households. Both packages together amount to the replacement cost of a property acquired; and in some cases, such as annual permit holders, exceeding the replacement cost. The entitlement matrix reflects these compensation packages and who is responsible for distributing these packages to Aps.

8.2.1 Assessment of Replacement Cost

129. LAA provides for determining compensation based on ‘market value’. It defines market value as ‘the amount which the land might be expected to have realized if sold by a willing seller in the open market as a separate entity on the date of publication of that notice in the Gazette ...’ [Section 46(1)]. The NIRP states that compensation will be based on ‘replacement cost’ of acquired land and structures. ‘Compensation for loss of land, structures, other assets and income should be based on full replacement cost and should be paid promptly. This should include transaction costs’ [Principle 6].

130. The LA Regulations of 2009 under section 63(2) (f) of the LAA did not adopt ‘replacement cost’ as the basis for compensation as LAA does not use the concept; instead it used ‘market value’ as defined in LAA

together with several safeguard provisions to eliminate inequities arising from methods of valuation and determining 'market value' thereby upgrading compensation to the level of replacement cost.

131. The current IR regulatory framework ensures that persons affected by land acquisition receive replacement cost, so that they could maintain the same socio-economic status that they enjoyed prior to land acquisition, or that their living standards are raised to a higher level compared with the pre-acquisition level particularly in case of the poor. As outlined above, LA Regulations of 2009 under 'Disturbances' make the necessary provisions for compensating every possible cost incurred by an AP during the acquisition of their properties. Section 3.11 of the LA Regulations 2009 provides a range of compensation for 'disturbances' that are caused by land acquisition. The total package of compensation and other payments would bring compensation to the level of 'replacement cost' which is also a best international practice in involuntary resettlement. The LA Regulations 2009 provides the following compensation packages to those who lost land to a public project.

- a) Where part of a land is acquired and when its value as a separate entity deems to realize a value proportionately lower than the market value of the main land, the compensation will be proportionate to the value of the main land.
- b) A building used for occupation or for business purpose, or was intended to be used for occupation or business purpose on the date the intention to acquire was published, the difference between the cost of re-construction and the value of building based for determination of market value will be paid as additional compensation.
- c) Value based on 'development potential' is considered in determining the value of land when a paddy land plot is acquired if the Agrarian Services Commissioner General's approval has already been obtained to convert it into a non-agricultural land.
- d) Where an acquired building is occupied by a tenant/statutory tenant protected under the provision of the Rent Act No 7 of 1972 (as amended thereafter) compensation will be ascertained in proportion having regard to the provisions of Rent (amendment) Act No 26 of 2006.

132. Damages caused by injurious affection and severance should be allowed fully. Compensation for disturbance is based on the "value to owner" will be paid based on written claims:

- a) Expenses incurred during appearing under LAA section 9 Inquiry: maximum payment is LKR 10,000/-.
- b) Expense of finding an alternative accommodation: maximum rental of LKR 15,000/- per month for the period of six months. If the anticipated physical displacement is temporary, monthly rent of LKR 15,000/-; if the anticipated physical displacement is permanent, a maximum of 6 months rental of LKR 15,000/- per month is payable for a house.
- c) Cost of advertising: permanent displacement of informal business establishment will get LKR 5,000/- and a formal business establishment, LKR 20,000/-.
- d) Re-fixing cost of fixtures and fittings; transport expenses: LKR 25,000/- for a house/residence. In case of a business premises or any other structure of specific nature, the amount should be based on actual expenses.
- e) Loss of earnings from business: LKR 5,000/- a month for informal businesses. For formal businesses compensation amount is based on accounts and tax returns pertaining to preceding three years or LKR 20,000/-.
- f) Increased overhead expenses: will be paid according to the circumstances.

- g) Double payments, for example, rent or rates: This is to be calculated based on actual expenditure; all other expenses incurred by the owner in relation to the acquisition: losses sustained because of the compulsory sale of the business due to the acquisition, for example, sale of livestock.
- h) Other additional expenses for disturbance or compensation not considered under any other compensation item above: disturbance experienced by tenants fall into this category. A payment in respect of vulnerable persons such as old and disabled people who are dependent on affected persons. Another category is self-employment. The maximum payment for any of these disturbances is LKR 15,000/-.
- i) When an owner of a house or of an investment property is displaced, additional 10% of the market value is paid as compensation. This is conditional upon leaving the acquired property on the stipulated date.
- j) When a value of a piece of land is acquired based on its agricultural potential, the displacement cost and loss of income will be taken into consideration in determining its value.
- k) For the purchase of relocation land, cash grant is paid on disaggregated basis according to the extent of land acquired which is vary from LKR 750,000 to LKR 2,000,000 as per 2.1 of EM.
- l) For the construction of temporary hut at relocation site LKR 50,000/- is paid for the physically displaced household.
- m) Additional 50% from the statutory compensation be paid.
- n) Disaggregated monthly food ration of LKR 5,000/- to 7,000/- is received by a physically displaced household for a year.
- o) Statutory compensation is paid for the acquired land that include structures, trees and crops.

133. Having considered the above regulatory framework and the desire of the Cabinet of Ministers to provide adequate assistance to all APs of the Project, the following compensations package area approved for the Project.

8.3 Compensation Package for Land and Resettlement

134. Grievance Redress Committees (GRCs) were established in each affected GND to assist affected households and APs in compensation determination, payment, appeals, housing and income restoration programmes. GRCs are also helping affected households in finding alternative lands and in re-investment of cash compensation in productive activities especially in income -generating programmes. (Refer to grievance redress mechanism in Section 9).

135. The one household, who lost their house fully, is considered as a severely affected household. This household is entitled to a compensation package under Land Acquisition Act and the Special Assistance Scheme at least to restore their livelihood at pre-project status. These entitlements were given to them on a priority basis. Therefore, compensation and special cash grant to purchase replacement lands were released to them on priority basis.

136. The one household has opted to rebuild their new house on the newly purchased residential allotments. Stakeholder consultation is ongoing to find suitable lands to construct the new house.

8.4 Damages Caused During Construction

137. Project Contractors will avoid damaging public and private property during the construction work.

8.5 Entitlement Matrix

138. The entitlement matrix (**Table 22**) provides provisions for compensation and entitlements as described in the updated RPF that is relevant for the NWPC-NCB 1 contract package of the project.

Table 22: Entitlement Matrix

Type of Loss	Application	Entitled persons	Entitlements	Implement Agency	Implementation Procedures
1. Agricultural land					
1.1 Permanent loss of agricultural land	Land involuntarily acquired for the canal and related facilities such as service roads	Owner of private titled land or state grant land	a) Compensation for land at replacement cost (statutory compensation) based on LAA, Regulations, 2008 under LAA and NIRP. b) 50% of statutory compensation as additional payment. c) Compensation for land developments (trees and structures) d) Additional payment for document collection	MMDE/ PMU/ PIU	
		Lease holder of private titled land or state grant land	Compensation for land developments (trees and structures)		
		User/leaser of public trust (temple) land	a) 50% of value of statutory compensation. b) Compensation for land developments (trees and structures) d) Additional payment for document collection		
		Users of private and state grant lands without title-deed or users of government lands (i.e. lands of Wildlife or Forest Departments,	a) Compensation for land developments (trees and structures)		

Type of Loss	Application	Entitled persons	Entitlements	Implement ation Agency	Implementation Procedures
		Divisional Secretaries, etc.) without title deed.			
1.2 Temporary loss of agricultural land	Land involuntarily acquired for the canal and related facilities such as service roads	Owner, Lessee, Sharecrop tenant, non-titles land user	a) Compensation for land development losses (see entitlements 2-7). b) Loss of income (crop value) during the temporary acquisition c) Restoration of land to original state	MMDE/ PMU/ PIU	
1.3 Loss of access to agricultural land (temporary)	Land involuntarily acquired for the canal and related facilities such as service roads	Owner, Lessee, Sharecrop tenant, non-titles land user	a) Alternate access to agricultural land will be provided for duration of civil works b) Restoration of land to original state c) Loss of income (crop value) during the temporary loss of access	MMDE/ PMU/ PIU	
2. Residential and Commercial Land and Structures					
2.1 Full and partial loss of Residential land and primary structure	Land involuntarily acquired for the canal and related facilities such as service roads	Owner of private titled-land	Compensation for residential land based on LAA Regulations 2008 under LAA and NIRP (statutory compensation). 50% of statutory compensation as additional payment. Compensation for structure/s at replacement cost. Physically displaced households will receive cash grant to purchase land plot according to the following basis of portion of land acquired: 0-20 perch – LKR 750,000/- 21-40 perch – LKR 1,250,000/- 41-60 perch – LKR 1,750,000/-	MMDE PMU/ PIU	

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
			<p>61+ perch – LKR 2,000,000/-</p> <p>If partial loss of structure or land will deem remaining structure and/or land unusable then full replacement cost will be provided.</p> <p>Salvage materials free of charge (structures and trees).</p>		
		<p>User/leaser of public trust (temple) land</p>	<p>50% of statutory compensation for land.</p> <p>Physically displaced households will receive cash grant to purchase land plot according to the following basis of portion of land acquired:</p> <p>0-20 perch – LKR 750,000/-</p> <p>21-40 perch – LKR 1,250,000/-</p> <p>41-60 perch – LKR 1,750,000/-</p> <p>61+ perch – LKR 2,000,000/-</p> <p>Salvage materials belonging to the leaseholder/tenant free of charge (structures and trees)</p>	MMDE PMU/ PIU	
		<p>Users of private or state grant lands without title-deed</p> <p>or</p> <p>users of government lands (i.e. lands of Wildlife or Forest Departments, Divisional Secretaries, etc.)</p>	<p>No compensation for land value</p> <p>Compensation for all land development including:</p> <p>Replacement cost of primary and secondary structure(s)</p> <p>Replacement value of crop and trees</p> <p>Physically displaced households will receive cash grant to purchase land plot according to the following basis of portion of land acquired:</p>		

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
		without title deed.	0-20 perch – LKR 750,000/- 21-40 perch – LKR 1,250,000/- 41-60 perch – LKR 1,750,000/- 61+ perch – LKR 2,000,000/- If partial loss of structure will deem remaining structure unusable then replacement cost for full structure will be provided Salvage materials free of charge (structures and trees)		
3. Secondary Structures					
3.1 Loss of secondary structure	Land acquired for canals, related facilities that result in loss of secondary structures	Owners of structures regardless of land titles	Replacement cost for secondary structure (i.e. sheds, wells, outdoor latrines, rice stores, animal pens, tombs etc.) Salvage materials free of charge	MMDE PMU/PIU	1. Compensation rates are determined based on NIRP, LAA, and LA Regulations, 2008 2. Other assistance outlined in RIP will also be provided by PMU/PIU
4. Relocation and Rehabilitation Assistance					
4.1 Materials Relocation Allowance	Loss of house and other primary and secondary structures	Physically displaced households	One-time lump sum transport allowance LKR 25,000/- per household	MMDE PMU/PIU	1. As determined with MLLD, MMDE and approved by ADB

Type of Loss	Application	Entitled persons	Entitlements	Implementa- tion Agency	Implementation Procedures
4.2 Resettlement Rehabilitation Allowance	Permanent displacement	Physically displaced households	One-time lumpsum of LKR 50,000/- per affected household to construct a temporary house and a toilet. One-time lumpsum of LKR 450,000/- per sub-family (excluding the main family) for transitional support (as per 3.1.7 Approved Cabinet Paper) Maximum six months' rental allowance of LKR 15,000/- per family (including sub-family) calculated from displacement date. One monthly food coupon for a period of 12 months per family (including sub-family): A monthly food coupon of LKR 5,000/- for a family with two adults and one child. A monthly food coupon of LKR 6,000/- for a family with two adults and two children. A monthly food coupon of LKR 7,000/- for a family with two adults and three children.		2. Other assistance outlined in RIP will also be provided by PMU/PIU
	Temporary displacement	Physically displaced households	Monthly rent of LKR 15,000/- per sub-family from the date of commencement of construction works.		
5. Livelihood Restoration					
5.1 Crops	Affected crop	Cultivator /Parties to sharecrop arrangement	Compensation for loss of crops at replacement value Notice to harvest (at least 30 days)	MMDE PMU/ PIU	

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
5.2 Trees	Affected trees	Cultivator /Parties to sharecrop arrangement	Compensation for loss of crop at replacement value Notice to harvest (at least 30 days)		
5.3 Permanent loss of livelihood	Partial or full loss of agricultural or commercial land	Owner, Lessee, Sharecrop tenant, non-titles land user	a) Benefiting from livelihood restoration activities b) Preference for work at project sites	MMDE PMU/PIU	
5.4 Businesses	Temporary business loss due to project activities	Owner of business (registered and informal) established before cut-off date	Monthly rental allowance from time of shifting the business into another place: Registered business LKR 20,000/- Informal business LKR 5,000/-	MMDE PMU/PIU	1. As determined with MLLD, MMDE and approved by ADB 2. Other assistance outlined in RIP will also be provided by PMU/PIU
	Permanent business loss due to project activities	Owner of business (registered and informal) established before cut-off date	Compensation to restore business in another location Compensation amount is subject to a maximum of LKR 600,000/- to purchase a land and re-open the business.		
5.5 Employment	Temporary employment loss due to project activities	All laid-off employees of affected businesses	a) Benefiting from livelihood restoration activities b) Preference for work at project sites		
	Permanent employment loss due to project activities without possibility of re-employment	All laid-off employees of affected businesses	a) Benefiting from livelihood restoration activities b) Preference for work at project sites		

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
6. Public Services and Facilities					
6.1 Loss of community assets, services and facilities	Permeant or temporary loss of local roads, footpaths, bridges, irrigation, wells, water ways, community facilities (e.g. hall), cemetery/tombs	Divisional Secretary's Division, Local Authority and local community	<p>All lost community facilities and services will be rehabilitated and/or replaced</p> <p>Temporary and/or alternate access to facilities and services (i.e. drinking water, electricity, community hall) will be provided during the interrupted period.</p>	MMDE PMU/PIU	1. As determined with MLLD, MMDE and approved by ADB
7. Special Provisions					
7.1 Vulnerable Affected People	Economic and physical displacement	<p>Households living below the national poverty line (LKR 4,752 per month/ person as of Jan 2019)</p> <p>People over 60 years old</p> <p>Female-headed households</p> <p>Disabled people</p>	<p>a) LKR 50,000/- cash grant per vulnerable person (can be more than one person per household)</p> <p>b) Priority in membership in Income restoration and improvement programs</p> <p>c) Assistance in official document search and registration.</p> <p>d) For female-headed households all compensation will be provided in the name of the female</p>	MMDE PMU/PIU	Affected households will demonstrate eligibility for the disability allowance with medical records or a certificate. The PMU will assist an affected person with logistics and/or financial assistance to obtain a medical certificate if required by the affected person.
8. Unforeseen Impacts					
8.1 Update of the Resettlement Plan	Unanticipated identified impacts and negotiated changes to entitlements	All displaced people	<p>To be determined in accordance with the IR safeguard requirements of the ADB SPS and local legal framework</p> <p>Resettlement Plan and specific sub-project to be updated and disclosed on</p>	MMDE PMU/PIU	As per above entitlement categories

Type of Loss	Application	Entitled persons	Entitlements	Implementation Agency	Implementation Procedures
			ADB website and with affected people Standards of this entitlement matrix not be lowered.		

HH = household; PIU = Project Implementation Unit, EA = Executive Agency

9 INFORMATION, CONSULTATION AND DISCLOSURE

9.1 Information Sharing and Meaningful Consultation

139. **Objectives:** the main objectives of the consultations with people that may be affected by the contract package area and other stakeholders in the project area are:

- a) To provide clear information about Project entitlements and eligibility criteria, including the compensation package and resettlement assistance schemes;
- b) To obtain comments from local people and others on how to improve the resettlement process and specifically the draft Resettlement Implementation Plan (RIP);
- c) To encourage open dialogue and to create an atmosphere of good will and trust between the affected people and the Project personals;
- d) To clearly set out the facts and details about the Project and Project benefits, to ensure people living in the area and other stakeholders understand the Project. This will reduce the risk that vested interest or others will try to present a false or distorted versions of the Project and draft resettlement plan.

9.2 Initial Consultation with Line Agencies and Representatives

140. The PMU/PIU contacted people living in the ICB-2 potential land acquisition and resettlement affected project area and other associated stakeholders through the Divisional Secretaries and Grama Niladharis in order to discuss the scope of the Project, its benefits, potential adverse impacts, and proposed mitigation measures. The PMU is actively engaged in examining approaches to expedite the land acquisition process to minimize time line of land acquisition.

141. The PMU conducted four Project awareness programmes in the three GNDs. The PMU and PIU-NWPC met with people that could potentially be displaced by the Project, local religious and community leaders, political representatives and other leaders, and some community-based organizations. In the meetings, they offered their views, opinions, and recommendations on the compensation packages, relocation programmes, and issues relating to the location. Representatives of relevant local government agencies (GNs, representative of the Divisional Secretary of the area) and the Farmer community also participated in the meetings.

142. These local-level awareness meetings were organized by the GNDs with the support of the Divisional Secretary of Galewela, GNDs of Nabadagahawatta, Hombawa and Ranwediya and Officers from the Irrigation Department, Resettlement and Communication Officers of PIU and officers of the PMU also attended these meetings (See Annex F).

9.3 Resettlement Plan Disclosure

143. **Disclosure of RIP to the ADB Website.** The Draft RIP shall be disclosed on the ADB website in May 2019. The finalized RIP will be completed and disclosed online once all the valuations are complete for the full length of the NWPC ICB-2 and the final budget is received from the Divisional Secretary.

144. **Disclosure of the RIP Executive Summary to Affected People in Local Language.** The Executive Summary of the Draft RIP shall be translated into both Sinhalese and Tamil and distributed to Affected People in the ICB-2 package in May 2019. When the ICB-2 RIP is finalized, the Executive Summary of the finalized RIP will be disclosed with affected people. The summary of RIP will disclose in the DS office and Pradeshiya Saba office of Galewela.

9.4 On-going Information Sharing and Consultation

145. The continuous consultation with the affected people shall be carried out in order to ensure APs are fully involved in the RIP implementation process and are aware of their rights, including entitlements and access to the Grievance Redress Mechanism as required.

146. Consultations during and post RIP implementation shall also assess the improvement of livelihood particularly on physically displaced households. The economic rehabilitation of the displaced people needs to be improved with the delivery of assistance and technical advices. The PMU and PIU will continuously monitor the progress of the resettled people who were affected in the ICB-2 package area and report the same within the bi-annual safeguard monitoring reports. Affected households that are experiencing significant impacts (physical displacement/economic losses) will be continuously monitored through the income restoration program.

147. Any package or project-wise updates will be provided to affected people in community meetings and/or with information pamphlets. Affected people can access information about the project at any time when contacting the Grievance Redress Mechanism (GRM). Details for the GRM have been distributed with all affected households.

10 GRIEVANCE REDRESS

10.1 Types of Grievance

148. In order to receive and facilitate the resolution of affected peoples' concerns, complaints, and grievances concerning the project's performance, a Grievance Redress Mechanism (GRM) has already been established for the project and is being disclosed to affected households (**Annex E**). The GRM addresses affected people's concerns and complaints proactively and promptly, using an understandable, communicated and transparent process that is gender responsive, culturally appropriate and readily accessible to all community members at no costs and without retribution. The mechanism will not impede access to the Country's judicial or administrative remedies.

149. The GRM is has been set up by the PMU, with PMDSC support in the MLBRC, UEC and NWPC Project areas. The GRM is designed to resolve the legal and practical issues presented in **Table 23**.

Table 23: Types of Grievances

Legal Issues	Practical Issues
<ul style="list-style-type: none"> i) Application of the Land Acquisition Act (LAA) and its limitations to arrive at replacement cost of acquired property. ii) Difficulties in obtaining abstracts of deeds from Land Registry. iii) Rules and regulations determining the ownership of land and amount of compensation: 	<ul style="list-style-type: none"> i) Lack of knowledge on the acquisition process and how to present claims. ii) Delays in payment of compensation iii) Delays in payments of resettlement assistance and provision of benefits. iv) Most contracts on leased land are verbal. Difficulty in transforming into written contracts. v) Inability to find new land for building new houses vi) Inability to construct new houses in a short period of time vii) During the construction period temporary disruptions viii) Cracks in structures ix) Noise pollution x) Environmental Pollution xi) Dust problems xii) Other environmental issues

10.2 Levels of Grievance

150. This section outlines the 4 levels of grievance redress on the Project plus the additional systems through the Land Acquisition Act and the courts. Many grievances arise because of inadequate understanding of Program policies and procedures but can be promptly resolved by proper explanation of the situation to the complainant. The four levels of the Program's GRM are as follows:

- (i) **Grievance Redress Committee – Grama Niladari Level** - The complainant may submit a Grievance¹¹ either in writing or orally to the PIU's Resettlement Officer or the PIU's Environmental Officer or to the Grama Niladari (GN). The Grama Niladari is the closest community administrative representative to the affected household and is under the Divisional administration. It is expected that most complaints will be resolved at this level. A resolution will be determined within 1-week. However, if the complaint cannot be resolved through the Grama Niladari GRC, then the grievance is passed to the GRC – PIU level.
- (ii) **Grievance Redress Committee – Project Implementation Unit (PIU) Level** – A resolution will be determined within one week. If a resolution cannot be determined, then the complaint will be passed to the GRC - Divisional Secretary level by the Project Director.
- (iii) **Grievance Redress Committee – Divisional Secretary Level** At this level the grievance is considered by representatives of Program-related Government agencies such as Land Registration Office, Inland Revenue Office, Forest Department, Wildlife Department, Samurdhi Officer, surveyor and PIU staff. A resolution is expected to be determined within one week. In case the Divisional Secretary cannot resolve the complaint, the Project Director will then bring the complaint to the Executive Agency GRC.
- (iv) **Grievance Redress Committee – Executive Agency (PMU) at Ministry Level** - In case the complaint cannot be resolved, a resolution could take up to four weeks (inclusive of GRC levels i-iv). This is the final level of the GRM system. However, there are still the law courts, although this is time consuming, costly and often not used.

151. ADB's SPS 2009 requires that the Project level system should not impede access to the country's judicial or administrative systems and thus the complainant has the right to access the legal court system at any time of the resolution process. Therefore, the four levels mentioned above are authorized under the Project to consider grievances in relation to land acquisition cases, compensation payments, resettlement issues, ownership disputes, delays of payment of compensation, rehabilitation assistance programs and environmental concerns related to the Project.

152. The GRM does not cover matters pending in the courts or any disputes concerning compensation rates. However, compensation rate disputes do fall under the LAA. Under the LAA, an Appeals Board must be constituted to deal with appeals against compensation offers. This process will minimize the grievances. However, a person who does not agree with the decision of the Board of Appeal may still take the case before the Supreme Court claiming a higher amount of compensation. This option is costly and time consuming and is rarely used.

10.3 Grievances Submitted to Date in the Three GNDs

153. There has been just one grievance submitted through the GRM, in May 2017 and resolved in August 2017, recorded on the Grievance Register held by the Program Management Unit. The Grievance, in Ranwadiyawa, involved a request to change the alignment of the canal to avoid the complainant's land. However, based on consultations with the complainant, technical studies related to canal re-alignment and in accordance with SPS 2009 (minimise land acquisition and resettlement), the issue was resolved to take no further action, but to continue the land acquisition process for the planned detailed designed canal alignment because if the alignment was adjusted to avoid the complainants' property, then this would have increased the land acquisition and resettlement impacts significantly.

154. It will be necessary, to continue consultations and ensure that this AP is better off post-project than before the Project commenced and the land acquisition and resettlement process occurred.

¹¹ A Grievance or complaint may be Project related, environmental or Social

11 ENVIRONMENTAL SAFEGUARDS PROTECTION

11.1 Introduction

155. Environmental Safeguards are being managed and monitored through the project' Environmental Management Plans and Environmental Monitoring Plans and reported to ADB on a semi-annual basis. This section aims to draw the attention to ensuring actions of Land Acquisition and Resettlement also consider environmental protection in accordance with the Project Environmental Management and Monitoring Plans, Grant Agreement environmental and social safeguards, SPS 2009 requirement and Sri Lankan laws.

156. safeguards, SPS 2009 requirement and Sri Lankan laws.

11.2 Environmental Safeguards Compliance

157. The area in which this RIP is to be implemented is a rural area with agricultural areas and communities sharing available environmental resources. The measures and activities conducted during implementation of the RIP shall maintain a high level of environmental and social performance, as per the NWPC-ICB-2 Project EMP, the FAM and Grant Agreement and Sri Lankan Law, in order to reduce social and environmental impacts as much as possible, at the same time assisting APs that have been physically and/or economically displaced by the Project to restore their livelihoods to the same or better than prior to the commencement of the Project. Some key safeguards in implementation of the RP to consider include (but limited to):

- (i) All RIP measures and activities recommended are, and will continue to be, such that they will not lead to environmental or social impact or disruption.
- (ii) RIP implementation shall not cause pollution or damage to environment, environmental resource depletion or hazards to community or workers without having appropriate social and environmental mitigation measures in place, such as appropriate PPE, protection of critical community environmental resources and waste management.
- (iii) Any environmental damage caused by and during RIP implementation will need to be reinstated to previous condition or better.
- (iv) The measures and activities conducted under the RIP shall follow a policy of reuse and recycle before landfill disposal, including excavated spoil material from road accesses rehabilitation and from Tunnel excavation, if material is engineering appropriate quality.
- (v) That which cannot be recycled and reused can only be disposed of in an appropriate landfill, approved by GoSL Environmental authorities, per the EMP, that is located away from surface water and drainage, away from any shallow ground water or seepage areas or areas where groundwater is extracted for use, in soil with high clay content and without geological fractures, away from residences and sensitive land uses.
- (vi) Direct run-off contamination into the river/canal/drainage waterways and other surface and ground water bodies shall be prevented or controlled, especially in case of demolition of structures and other material remaining from land acquisition for resettlement.
- (vii) As much as possible NO hazardous materials will be used, especially (but not limited to) such items as legally banned substances and chemicals (including agricultural chemicals), PCB contaminated materials, asbestos-based products, oils and other hazardous materials.
- (viii) Measures will adopt high core labour standards in compliance with GoSL labour laws and in line with ADB SPS 2009 requirements, which have been incorporated into the Grant Agreement and Project Administration Manual.

- (ix) A high standard of applicable workforce occupational safety, especially in use of PPE, handling materials and waste management, in accordance with the MWSIP Health and Safety Manual (2016) and the Environmental Management Plan.
- (x) There will be no differentiated compensations made between men and women for replacement of asset/economic displacement compensation, of the same value.
- (xi) No child labour will be permitted under any measures or activities of the RIP.
- (xii) There will be no forced or compulsory labour and no employment discrimination, in accordance with the Loan Agreement and FAM.
- (xiii) Full health and safety measures, such as PPE for workers and risk mitigation preventing health and safety impacts on the public and community will be implemented and maintained on all RP related sites.
- (xiv) Implementation of this RIP shall also comply with conditions set out by GoSL Environmental authorities.
- (xv) The Final RIP shall be prepared and submitted to CEA for Concurrence as per GoSL legal requirements.

12 INSTITUTIONAL FRAMEWORK

158. Timely and effective RIP preparation and implementation require the involvement of several agencies and units as well as time to go through the GoSL processes as per the LAA and its amendments and other legal processes (also refer to Section 6), which can take up to 18 months. This section describes the roles of the numerous parties that are involved in land acquisition and resettlement preparation and implementation.

12.1 MMDE, PMU and PIU

159. The MWSIP, including the NWPC ICB-2 Project is implemented by the MMDE which has set up a Program Management Unit (PMU) and an NWP Project Implementation Unit (PIU). The roles of each of these institutions are outlined below.

12.1.1 Ministry of Mahaweli Development and Environment (MMDE)

160. The MMDE, as the Program Executing Agency, will have overall responsibility for RIP implementation and financing. It will exercise its functions via the Project Management Unit (PMU), based in Colombo and NWPC Project Implementation Unit (PIU), with dedicated Resettlement Specialist and Resettlement Officer, respectively. The MWSIP, of which NWPC ICB-2 is a proposed subproject, has an established PMU at the MMDE and a PIU in the NWPC area.

12.1.2 Project Management Unit (PMU)

161. The Program Management Unit (PMU) has been established in Colombo by the MMDE, as Implementing Agency for the whole MWSIP. Its establishment commenced with implementing the ongoing 10-subproject Tranche 1 of the Program. It will oversee social safeguards compliance during social impact assessments, formulation of RIPs, their implementation and monitoring of implementation progress, supported by PMDSC. It is supported by the NWPC PIU in the field (refer to 10.1.3). The PMU will assist with the formulation of RIPs and their updates, as required, assist to arrange and monitor progress of compensation payment, prepare resettlement due diligence reports and resettlement monitoring reports.

162. The PMU has an existing resettlement unit with a full-time specialist being responsible for management of social and resettlement safeguards compliances. Key activities include

- (i) Screening of proposed projects for potential resettlement and land acquisition impacts and risks.
- (ii) Reviewing of project alternatives to avoid or minimize resettlement and land acquisition impacts.
- (iii) Assessing social impacts of the Projects.
- (iv) Formulating appropriate strategy for public consultations and resettlement and land acquisition disclosure.
- (v) Formulating RIPs with support of PIU and PMDSC, in compliance with GoSL laws and ADB SPS, 2009.
- (vi) Establishing the GRM and monitoring of its effectiveness.
- (vii) Undertaking day-to-day monitoring, including progress on compensation payments.

12.1.3 Project Implementation Unit (NWPC-PIU)

163. The PMU is supported by a PIU in NWPC, currently managing the NWPC Tranche 1 NWPC ICB-2 Sub-project implementation and at the forefront on site for preparing proposed MWSIP Tranche 3 NWPC Projects. The NWPC-PIU is working under the supervision of the PMU of the investment program, with the support from the PMDSC. A Resettlement officer, Land Acquisition Officer and an Assistant have been recruited for the PIU for conducting social impact assessments, formulation of RIPs and their implementation and monitoring, with assistance of the PMDSC and PMU.

12.2 Sri Lankan Government Institutions and Processes

164. **Table 24** presents the stages of the GoSL process along with the agencies involved and average number of weeks each part of the process takes to complete (also refer to Section 6).

Table 24: Chart of Sri Lankan resettlement activities, responsibilities and timing

SN	Acquisition Process	Activity/Step	Responsible Institution	Time frame (weeks)
01	Section 2	Preparation acquisition proposal on lands/property to be acquired Authorization to start acquisition Publication of section 2 notice indicating particular land/property is subject to acquisition Issue of survey requisition by DS to survey superintendent in the district where particular land/property is located for preparation an advance tracing on land/property to be acquired Survey the land/property and prepare an advance tracing which sends to DS	Executing agency (Department/Institution/project and ministry) Minister of land and ministry of land Ministry of land and divisional secretary (Sec. 2 notice published at the land by Gramaniladari) Divisional secretary(DS)/Acquiring officer Survey department	12
02	Section 3	Claim for damage caused to the land during section 2 surveys.	Land owner Divisional secretary/Acquiring officer Executing agency	01

SN	Acquisition Process	Activity/Step	Responsible Institution	Time frame (weeks)
03	Section 4	Decision to acquire the land/property and direct to divisional secretary for inform to owner/s of land/property Publication a notice which is given details in the advance tracing on land/property need to be acquired and call for objection Making objection Conducting objection inquiry Making recommendation to land ministry on outcome of objection inquiry whether land/property should acquire or not	Minister of land and Ministry of land Divisional secretary/acquiring officer Land/property owner/s Executing agency (Secretary or his nominee should conduct the objection inquiry) Secretary of line ministry	17
04	Section 5	Make decision to acquire land/property Printing notice on decision to acquire land/property Publication the notice on decision to acquire land/property	Minister of land Government printing department Divisional secretary	02
05	Section 6	Issue survey requisition for prepare a preliminary plan (PP) Preparation of PP	Divisional secretary/Acquiring officer Survey department	16
06	Section 7	Call for claims on ownership and compensation by gazette and newspapers in Sinhala, Tamil and English Publication of notice in gazette and newspapers on ownership claim/s	Divisional secretary/acquiring officer Government printing department and press	04
07	Section 8	Direct person/s for submit the ownership status for the land/property	Divisional secretary/Acquiring officer	01
08	Section 9	Conducting inquiry	Divisional secretary/acquiring officer	07
09	Section 10	Determination of ownership and inform to claimant/s with a copy to valuation department	Divisional secretary/acquiring officer	04

SN	Acquisition Process	Activity/Step	Responsible Institution	Time frame (weeks)
		If claimants are not satisfied with the decision of acquiring officer, they should inform to acquiring officer on not acceptance of ownership determination	Claimants of land and property Valuation department	
10	Section 11 to 15	Appeal procedure (once objection made on decision of ownership of land/property by claimant/s, acquiring officer should be filed a case before district court.	Divisional secretary/acquiring officer Claimant/s District court and supreme court	-
11	Section 16	Acquiring officer can entertain and conduct an inquiry at any time on ownership claims before he concluded the ownership status of land/property	Divisional secretary/Acquiring officer Claimant/s	-
12	Section 17	Award of compensation Payment of compensation	Divisional secretary/Acquiring officer Claimant	04
13	Section 18	Restart inquiry before making payment under section 17 If lapses occurred by acquiring officer	Divisional secretary/Acquiring officer	02
14	Section 19 to 28	Appeal procedure for higher compensation	Claimant/s Board of appeal Supreme court	-
15	Section 29	Payment of compensation after appeal procedure	Board of appeal Divisional secretary/Acquiring officer Claimant/s	-
16	Section 38 Section 38 A	Request to issue 38 order for take over possession. Decision to take over possession of land/property. Preparation of 38 order notice Printing of 38 order notice Taken over of possession of land/property	Divisional secretary/Acquiring officer Minister of land and ministry of land Ministry of land Government printing department Divisional secretary/Acquiring officer	04

SN	Acquisition Process	Activity/Step	Responsible Institution	Time frame (weeks)
		Hand over the land/property to executing agency Under urgent situation possession of land/property can take over under section 38 A provision	Divisional secretary and Officer in charge of executing agency Claimant/s	
17	Section 44	Issue vesting order/release acquired land to executing agency Preparation of plan for vesting order	Divisional secretary/Acquiring officer Survey department Secretary to line ministry/Head Line agency	02
			Total	76

* Please note that time period cannot define for complete the sections 11 to 16 and 19 to 29

12.3 Project Management, Design and Supervision Consultant (PMDSC)

165. The PMDSC will assist the PMU and PIU in updating as needed, implementation, supervision, internal monitoring and evaluation of the RP. In particular, the Consultant will assist the PMU and PIU in:

- (i) Implementation of the final RIP, as approved by ADB and MMDE.
- (ii) Ensure complete relocation or reconstruction of affected structures, business before civil works commencement and that payments for compensation has occurred prior to displacing of APs.
- (iii) Monitoring RIP implementation process, provide data and support to PIU during preparation of quarterly/semi-annual monitoring reports on RIP implementation and monitoring activities;
- (iv) Informing the PMU on the issues and bottlenecks that arise during RIP implementation and monitoring and provide recommendations and suggestions on solutions to such issues.
- (v) Control of the activities of the Contractor and Sub-contractors, including implementation of mitigation measures, temporary land acquisition etc.
- (vi) Providing advice to PMU and PIU on Land Acquisition and Resettlement issues and grievance redress.
- (vii) Studying, communicating to PMU and implement immediate remediation in case of any non-compliance with the RIP.

12.4 Civil Society and Community-Based Organizations

166. Involuntary resettlement is a sensitive process. In order to facilitate good rapport with affected communities and oversee resettlement implementation, experienced, well qualified civil society organization may be recruited, as required, to assist in RIP preparation and implementation. Such organization may be effective in assisting:

- (i) Playing the role of facilitator and as a link between community and the Project
- (ii) Assist in community consultation and awareness

- (iii) Act as third-party to sensitive issues such as Grievance Redress, negotiated land and assets acquisition for the project etc.
- (iv) Provide income restoration assistance through training skills development and accessing government programs in SME development.

12.5 Asian Development Bank (ADB)

167. The function of the ADB regarding this Resettlement and Land Acquisition Plan is, through regular monitoring missions, to:

- (i) Review, consider and provide approval of the Resettlement Plans, ensuring compliance with ADB SPS (2009) and other requirements.
- (ii) Review, consider and provide approval of Internal Resettlement Monitoring, through Resettlement Monitoring and Evaluation Reports ensuring compliance with ADB SPS (2009).
- (iii) Providing no objection, indicating concurrence with contract award and construction commencement in resettlement impacted areas
- (iv) Ensure approved RIP, including this draft, is disclosed on the ADB website.

12.6 External Monitor

168. An External Monitor is not necessary for Category B Projects with such a small number of severely impacted affected people and just 1 AP with potentially severe impacts. External monitoring is not recommended for this Project, unless unforeseen circumstances are subsequently observed that warrant a change in IR Category (ie. to a Category A). However, internal monitoring is recommended and detailed in Section 12.

13 RESETTLEMENT BUDGET AND FINANCING

169. This section presents the summary total budget for land acquisition and resettlement in the three GNDs. The total Resettlement and Land Acquisition budget, for the 3 GNDs where there has been design changes in NWPC ICB-2, has been calculated as LKR 84,693,295 or USD 481,548. The Final RIP submission will provide more detailed and disaggregated budget, once all valuations in all NWPC ICB-2 are completed.

13.1 Compensation and Allowances

170. **Table 25** below summarises the compensation and allowances, as per the impacts and Entitlement Matrix presented in the above sections of this Draft RIP.

Table 25: Summary of compensation and allowances

SN	Component	LKR	Extent Affected Hectares	Unit Value LKR
1	Statutory compensation	51,079,130	11.3812	4,488,027
2	Development value	5,392,600		
3	Additional payment	641,000		
4	Cash grant for purchase a land plot	1,725,000		
5	Cash grant for temporary shed	50,000		
6	50% additional compensation	21,318,565		
7	Food allowance	72,000		
8	Rental allowance	90,000		
9	Transport	25,000		
	Total	80,393,295	11.3812	

Source: PMU data base

13.2 Livelihoods Training

171. **Table 26** summarises the budget for Livelihoods rehabilitation through training. It is estimated that one member of an AP family will take part in the training.

Table 26: Cost of Livelihoods Rehabilitation and Training

SN	No. of Households Affected	Per person Training Allowance LKR	Total LKR
1	86	50,000	4,300,000
		Total	4,300,000

Source: PMU data base

14 IMPLEMENTATION SCHEDULE

172. The implementation Schedule is presented in **Figure 7**, but assumes, as per ADB policy that full RIP implementation is completed before any civil works commences, rather than releasing in sections. Implementation for resettlement and land acquisition, commenced with the GoSL process in late 2017 and is ongoing in the two GND areas. The current schedule for the LARP implementation was expected to take 18 months. The length of time is particularly long because of land acquisition process under Sri Lankan Law being a lengthy process.

173. This RIP preparation in April 2019, is an updated Draft RIP to be approved and disclosed by ADB, using estimates, as agreed between ADB and the PMU, in order to reduce construction delays. A “Final RIP” will be submitted with full and accurate real valuations in September 2019.

174. Civil Works will be implemented only after this draft RIP implementation is carried out, all APs in the 3 GNDs are compensated and a specially prepared “checklist”, confirming the various processes of resettlement and compensation are completed and ADB has given concurrence.

GoSL LAA Section	Process\Months	2017	2018												2019											
		Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
	Census (ADB required) and update																									
	Inventory of assets (ADB required) and update																									
	Land Acquisition Application																									
2	Notice																									
	Advance Tracing																									
	Land Acquisition Plan																									
4	Inform DP and Objections Inquiry																									
5	Minister MMLD approval, Gazette																									
6	Final acquisition Plan prepared																									
7	Claims on ownership of lands/assets																									
9	Inquiry into title & ownership status																									
10	Confirm ownership																									
	Valuation																									
	Prepare Draft RIP (using estimates																									
	Submit to ADB for Approval / disclosure																									
17	Award of compensation																									
38	Possession of land / assets																									
	Submission of Monitoring Reports																									
	Final Resettlement Plan																									
	Notice to proceed Construction in the 3 GNDs																									

Figure 7: Resettlement Plan Implementation Schedule

15 MONITORING

175. There is only a very small proportion of APs identified as affected, and the Project is IR category B, which normally does not trigger the requirement for an External monitoring Agency to be recruited per ADB policy.

176. Therefore, unless otherwise specified subsequently by ADB or the EA, the results of internal monitoring only, will be the basis for ADB's approval and for issuance of Notice to Proceed (NTP) to the Contractor to proceed with construction in LAR impacted areas.

177. Implementation progress of the RIP will be monitored by PMU/PIU internally, assisted by the PMDSC Specialists. Overall progress through the PMDSC Semi-annual Resettlement Monitoring and Evaluation Reports and through the Monthly Progress Reporting of PMDSC. After implementation of the RIP, a compliance report by the PMU/PIU, with the PMDSC shall be prepared. The Final Internal Monitoring Report may be used, along with the specially prepared checklists, as basis for allowing civil works to occur in the impacted sections. Financing for this internal monitoring are incorporated into the MWSIP Program budget.

178. If any significant resettlement issues or any unanticipated impacts are identified, the monitoring team will advise on safeguard compliance issues and prepare a corrective action plan to address such issues. Such planning document should be approved and disclosed before proceeding for the implementation of the specific project components for which involuntary resettlement impacts are identified.

179. **Table 27** shows a general system of monitoring indicators to be periodically reported to ADB.

Table 27: Resettlement Plan Monitoring

Purpose	Activities	Monitoring Indicators
Identification of compensation recipients	Verify the list of compensation recipients against eligibility criteria for compensation.	<ul style="list-style-type: none"> Number of persons in the list of compensation recipients, who do not like eligibility criteria (included by mistake).
	Identification of persons who may claim eligibility for compensation but are not included in the lists of compensation recipients. Separate verification should be performed on each type of compensation.	<ul style="list-style-type: none"> Number of persons who meet the criteria but are not included in the list of compensation recipients (excluded by mistake).
Verification of affected area	Confirmation of the areas of affected assets (including land plots and real property) against the RIPP.	<ul style="list-style-type: none"> Area of land subject to acquisition, for which compensation has been paid.
		<ul style="list-style-type: none"> Area of structures subject to acquisition for which compensation has been paid.

Purpose	Activities	Monitoring Indicators
Verification of compensation amount, processing and payment	Examination of financial documents.	<ul style="list-style-type: none"> Number of persons who received compensation in time and in full amount, disaggregated by compensation types.
	Identification and analysis of reasons for compensations not being paid in full amount and in time.	<ul style="list-style-type: none"> Number of persons who did not received compensation in time and in full amount, disaggregated by compensation types.
		<ul style="list-style-type: none"> Amount of funding allocated for payment of compensation.
	Identification of reasons for which funds for compensations have been under/overspent.	<ul style="list-style-type: none"> Rate of spending allocated compensation; percentage of amount envisaged in the LARP.
Verification of compensation timeline	Identification of reasons for which payment of compensation was delayed (e.g. due to legal process, law courts decisions, inheritance etc).	<ul style="list-style-type: none"> Number of persons who received compensation that was delayed – disaggregated by compensation types, reason for delay, changes in amount of compensation (if any) should also be noted.
Verification of consultation and participation	Determine the level of involvement and identification of reasons of inadequate participation.	<ul style="list-style-type: none"> Number of compensation recipients who participated in consultations and coordination meetings at each stage of land acquisition.
	Examination of grievance cases; analysis of disputes and complaints content; and resolution of conflicts.	<ul style="list-style-type: none"> Number of complaints received.
		<ul style="list-style-type: none"> Number of complaints resolved.
Verification of income restoration	Socioeconomic survey of affected households and businesses (after implementation of LARP is completed) to indicate if DPs are socioeconomically better off than pre-project status.	<ul style="list-style-type: none"> Changes in household income / livelihood.
		<ul style="list-style-type: none"> Changes in business, profit and income.
Agreement to use specific sites	Measure numbers of those impacted, but volunteering land/assets areas	<ul style="list-style-type: none"> Number of Affected encroacher households Number of affected encroachment plots Area of Land to be taken from each encroacher. Crops areas and number of each type of tree to be lost permanently from each encroacher. Additional area and assets requirement for footprint, compared to that agreed.

Purpose	Activities	Monitoring Indicators
		<ul style="list-style-type: none"> Decision to go to RIP (further monitoring of this is separate, if situation eventuates).
	Verify agreement with owners volunteering land/assets	<ul style="list-style-type: none"> Set-out footprint of affected areas Verification of land area being taken is within that identified in agreements Verification of crop and tree losses being same or less than that measured Changes in measured areas and assets/crops/trees affected.
	Socio-economic - the affected household must be the same or better off than prior to the project.	<ul style="list-style-type: none"> Crop yields Income changes and poverty levels Changes in livelihood status. Land area existing for livelihood.

Annex A Disaggregation of MWSIP Program into Project and Sub- Projects with each Tranche*

SN	Tranche	Project	Sub-project
1	Tranche 1	MLBRC	<ul style="list-style-type: none"> • ICB-1 - Heightening of the Minipe Diversion Weir (Anicut)", • NCB 1 - Minipe Anicut Heightening and Left Bank Canal Rehabilitation Project - MLBCRP Stage 1 • NCB-2 - Minipe Anicut Heightening and Left Bank Canal Rehabilitation Project - MLBCRP Stage 2 • NCB-3 - Minipe Anicut Heightening and Left Bank Canal Rehabilitation Project - MLBCRP Stage 3 • NCB-4 - Minipe Anicut Heightening and Left Bank Canal Rehabilitation Project - MLBCRP Stage 4 • NCB-5 - Minipe Anicut Heightening and Left Bank Canal Rehabilitation Project - MLBCRP Stage 5
		UEC	<ul style="list-style-type: none"> • UEC- ICB-1 – Stage 1 – Minneya-Girihala Wildlife Reserve.
		NWPC	<ul style="list-style-type: none"> • NCB-1 - Wemedilla Sluice and LBMC from reservoir to Nabadagawatta • ICB-1 - Mahakithula Inlet Tunnel, Mahakithula and Mahakirula Reservoirs and Feeder Canal • ICB-2 - Main canal Nabadagawatta to Mahakithula Reservoir
2	Tranche 2	UEC	<ul style="list-style-type: none"> • ICB 2A - Tunnel 3 and 4 – Kilometre 27+509 to Kilometre 55+600 • ICB 2B (KMT) – Kalu Ganga – Moragahakanda Transfer Canal
3	Tranche 3	UEC	<ul style="list-style-type: none"> • ICB-3 - Kongetiya reservoir-Bogahawewa-Madethawewa Km +226 to 27+509 • ICB-4 – Yakalla Hurulu wewa to Tunnel No. 4 km 55+600 to 65+500 • ICB-5 – Eruwewa Right Bank Canal-Maminy Oya - Yakalla Mahakanadarawa Diversion
		NWPC	<ul style="list-style-type: none"> • ICB 3 – Mahakirula to kaduruwewa Feeder Canal and Pothuwila, Mediyawa and Yapahuwa feeder Canals. • ICB 4 – Dambulu Oya to WemedillaLB Main Canal

* Some of the ICB's in Tranche 2 and 3 have been varied and split between each Tranche for budgetary purposes

Annex B Summary of NWPC RIP (April 2015)

1. In 2015 a Resettlement Implementation Plan (RIP) for the NWCP was prepared and endorsed by the MMDE and approved by ADB. Below is a copy of the “Executive Summary” extracted from the NWCP RIP. Updated RIPs will be prepared, as detailed designs are finalized and prior to contract award for various contract stages.

1.1.1 Project Description

2. The North Western Province Canal Project (NWPCP) Stage 1 is part of the Tranche 1, SRI: Mahaweli Water Security Investment Program (MWSIP). This Stage 1 will construct 29-kilometer (km) of open canals between the existing Wemedilla tank and the Mahakithula and mahakirula reservoirs. The 30-metree wide canal at Stage 1 will start at the Welamitiyawa Grama Nilandhare (GND) in Dambulla, and it will flow through jungles and a few human settlements before reaching the Mahakirula Reservoir in Palagala Divisional Secretary Division (DSD) in Anuradapura District.

1.1.2 Objectives of the resettlement Implementation Plan

3. The objective of this RIP is to mitigate physical and economic involuntary displacement impacts caused by the Project and provide adequate compensation and rehabilitation assistance to the affected households to restore or improve their pre-project standard of living.

1.1.3 Scope of Resettlement Impacts

4. It is estimated that 29 acres and 46 perches of land (around 11.78 hectares{ha}) will be acquired from 128 households: 4.25 acres are paddy lands; 24.20 acres are highland allotments; and 1.01 acres are homesteads. There will be 119 households who will lose some part of their land but less than 10% of their productive land, and 9 households with 2 households having 2 families each, will be physically displaced. These physically displaced families are categorized as severely impacted group. In addition, there will be no resettlement site as the displaced households have opted cash payment.

5. The resettlement census also identified that around 3,136 perennial trees and 360 non-perennial trees will be uprooted for the canal. Most perennial trees are valuable trees which brought periodic income to households.

1.1.4 Socio-economic Profile of the Displaced Households

6. Only 27 persons live in the 9 physically displaced households. The average household size is 4. The population is largely a young population. They are all Sinhala Buddhists. There are no female-headed households among the physically displaced households. One family is categorized as vulnerable, because their income is below the poverty line. All PAPs are in good health, and the census found no disabled PAP. The census did not find a household with divorced or separated parents.

1.1.5 Public Consultation, Information Dissemination and Disclosure

7. Several grassroots level consultation meetings with the PAPs were held in March and April 2014 by the Grama Nilandhare officers with the support of Divisional Secretaries of Dambulla, Galewela, Polpithigama and Mahawa DSD. Also in attendance were: officers of (i) department of Irrigation (DOI), (ii) Economic Development Officers, (iii) Grama Nilandhare secretary and officers of the Mahaweli Consultancy Bureau. Representatives of ADB participated in the small group discussions held in Pannampitiya and Lenadora South Grama

Nilandhares (GNDs). A series of project awareness creation workshops were held at the Galgamuwa Irrigation Training Institute for Divisional Secretaries (DSs), Chairmen of Pradeshiya Sabhas and officials of the Agrarian Development Department, DOI, Department of Wildlife Conservation, Forest Department, Mahaweli Authority of Sri Lanka at Dambulla, Gelewela and Polpithigama Divisional Secretariats.

8. The Tranche 1 project's cut-off date is 1 July 2014 as the date when the resettlement census was completed on this date. This applies to titleholders, non-titleholders such as squatters and informal settlers, encroachers, tenants and leaseholders. The relevant local authorities have been requested through GN officers to refrain from granting approvals for new constructions within the subproject area after the cut-off-date. The MMDE, the Projects executing agency, has disseminated information regarding the cut-off date throughout the Project area through GN officers and DSs.

1.1.6 Legal framework

9. The RIP was prepared in accordance to the Resettlement Framework (RF) formulated based on the Government Land Acquisition Act, National Involuntary Resettlement Policy (NIRP), National Policy on Payment of Compensation and Amendment of Land Acquisition Act (2009), and also based on the ADB principle on involuntary resettlement described in ADB SPS 2009.

1.1.7 Entitlement and Compensation Strategy

10. The compensation for any loss associated with land acquisition under the first tranche of the NWPCP was calculated based on entitlement matrix described in the RF. The compensation of loss property will be at replacement cost. The compensation under this RIP include compensation package for land and resettlement, compensation for lost houses and other structures, compensation for lost trees and crops. There are also several allowances provided in the entitlement matrix such as allowance for temporary sheds, relocation, and incentive allowance to urge displaced households to timely move out from affected areas. For displaced households, a program has been designed to assist them in livelihood improvement or income restoration.

1.1.8 Resettlement Budget and Financing

11. The estimate total cost for implementing RIP is about LKR 171,798,331. This covers cost for (i) compensation land, structures and trees, (ii) relocation, (iii) income restoration program, (iv) monitoring and evaluation, and (v) institutional development.

12. The full budget will be provided by the government through MMDE. The final budget will become available only after the Survey Department and Chief Value determine the value of land, houses, crops and trees affected.

1.1.9 Implementation Arrangement and Monitoring

13. While MMDE will be responsible for overall coordination, planning, and financing of resettlement program, the implementation of RIP is the responsibility of the Program Management Unit (PMU) that will be supported by Project Implementation Unit (PIU). The PMU will have resettlement unit or cell with a full time specialist(s) who will assist the formulation of RIPs and updated RIPs as required, monitoring implementation of RIP including monitoring on payment of compensation, and will prepare report on RIP monitoring reports.

14. The PMU/PIU monitoring RIP implementation will also determine whether resettlement goals have been achieved and that livelihood and living standards have been restored. They will also recommend how to further improve implementation, if required. The PMU/PIU will prepare semi-annual monitoring reports to submit to MMDE and ADB. This report will also provide a summary of grievances or complaints lodged by PAPs and actions taken to redress. The monitoring report will also provide information on the implementation of RIPs including payment of compensation and implementation of the income restoration program and its results.

Annex C **Checklist for Verification of Resettlement and Land Acquisition Completion**

Mahaweli Water Security Investment Program North Western Province canal Project

Check list for verification completion of data collection (Socio Economic Survey, Inventory losses) RIP preparation and Disclosed Contract package Chainage from km. ----- to km.-----

SN	Component/task	yes	No	Remarks
1	Resettlement Impacts and Data collection surveys			
1.1	Project Awareness meeting – including on Resettlement and Land Acquisition process			Shall include claimants and dates.
1.2	Identification of households / DSD Acquisition Survey			
1.3	Marking and tagging Affected areas			
1.4	Conducting Census / Inventory of Losses / Socioeconomic Surveys (100% of APs)			
1.5	RIP completed and submitted to ADB prior to compensation payments			
1.6	ADB approved prior to compensation/ ADB disclosed			
1.7	Monitoring and Evaluation conducted			

Signature of the Program Director -----

Mahaweli Water Security Investment Program**Checklist for confirming Aps Awareness Creation, Entitlements, Compensation, Income Restoration and Takin of possession.****Contract package** **Chainage** from km. ----- to km.-----**DSD.** **GND.** **FVP/PP. No.** **Lot No.**

SN	Component/Task	Yes	No	Remarks
1	Conducting awareness meeting			
1.1	Participated to the awareness meeting meetings. (Project awareness, GRM, LA & Resettlement Process)			
1.2	Disclosed of individual entitlement to APs			
2	Establishment of Grievance Redress mechanism			
2.1	Participated in GRM awareness Program			
2.2	Have you made any grievance to GRC			
2.3	Did you receive a solution			
3	Payment of compensation under LAA/ other entitlement based on the Entitlement Metrix			
3.1	Received of compensation under LAA			Statutory Com/ Development cost/ 50% of statutory Com
3.2	Received of compensation as EM			Cash to buy a land lot/ Cash for temporary. Hut, disable person, sub family, rental allowance, transport cost and food allowance.
3.3	Quantum of compensation received fully/partially			
3.4	Any grant received under livelihood restoration program			
3.4.1	Type of grant received (please note)			
4	Taking over the possession of land			
4.1	Official Notices received from DSD			
4.2	Signing of "takin over possession" letter			
4.3	No objection for commencement of construction			

I hereby Certify the above information true and correct.

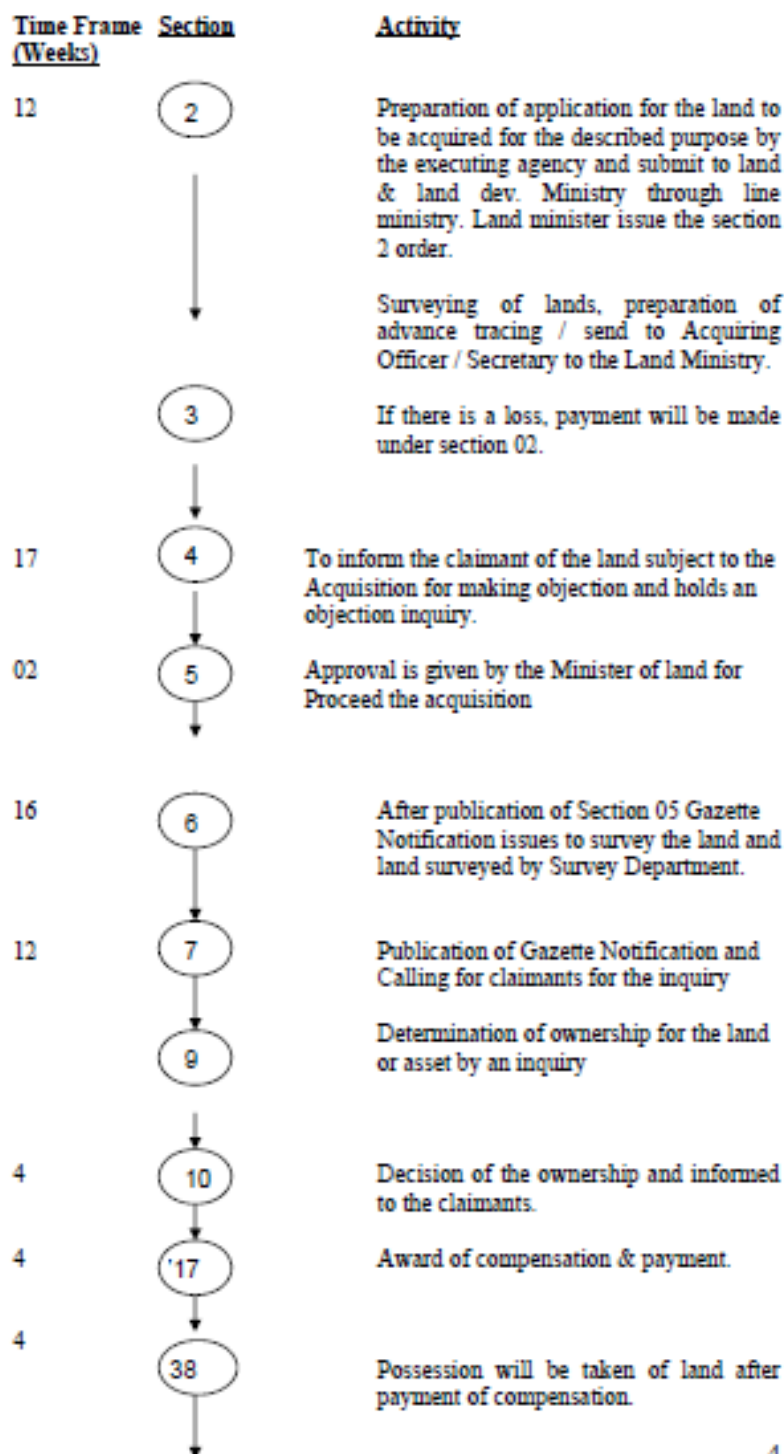
Signature and date of the Affected Person (claimant) -----

Certification

Signature and date of the Sen. Resettlement Officer/ NWPCP- PIU -----

Signature and date of the Project Director/ NWPCP- PIU -----

Annex D **Flowchart for Land Acquisition Procedure**



4

Total 71

38A

if necessary possession can be taken under 38 a after publication of Section 02. But interest should be paid until such time compensation will be made.

18
(Months)

1

There are no claimants.

Annex E **Grievance Redress Mechanism Brochure**

GRC at Executing Agency (PMU) (Ministry level) :-Members

1. Program Director (Chairman)
2. District Secretary
3. Divisional Secretary
4. Resettlement Specialist, Environment Specialist
5. Project Director for respective project
6. Four members of CBO or representatives of PAPs (two should be women)
7. Two Representatives (Contractor, Consultant)

- ❖ GRC meeting will be held once a month at PIU office



- ❖ All complaint will be recorded in GRM Registry Book, and all steps taken to resolve the complaint will be recorded in the GRM file that will be kept in the PIU or PMU and Divisional Secretary



The Mahaweli Water Security Investment Program is giving a win-win solution for PAPs.

PAPs are the most important people of the project. Hence we are in a position to solve your issues at any time.

For More Information:-

1. **Project Director,**
Minipe Left Bank Canal Project,
Divisional Irrigation Engineer's
Premises,
Hasalaka.
055-2258977
2. **Project Director,**
Upper Elahera Canal Project,
Mahaweli Authority of Sri Lanka,
Madatugama.
025-2054896
3. **Project Director,**
North Western Province Canal Project,
Department of Irrigation,
P.O.Box 44, Kurunegala
Tel: 037 - 3970783, Mobile No: 0714432826
4. **Resettlement Specialist,**
PMU, MWSIP.
Tel: 011-2675810
Mobile No: 0715206541
5. **Environment specialist,**
PMU, MWSIP.
Tel: 011-2675810
Mobile No: 0771035020

Mahaweli Water Security Investment Program
No. 493/11, T.B. Jayah Mawatha,
Colombo 10
Tel: - 011-2675810
Fax: - 011-2675227

MAHAWELI WATER SECURITY INVESTMENT PROGRAM (MWSIP)

MINISTRY OF MAHAWELI DEVELOPMENT AND ENVIRONMENT

**GRIEVANCE REDRESS MECHANISM (GRM)****About MWSIP**

Asian Development Bank supports the government of Sri Lanka to implement the Mahaweli Water Security Investment Program through the Ministry of Mahaweli Development and Environment by financing the following three projects

- ❖ Upper Elahera Canal Project (UECP)
- ❖ North Western Province Canal Project (NWPCP)
- ❖ Minipe Left Bank Canal Rehabilitation Project (MLBCRP)

The investment program will accelerate the economic activities of Sri Lanka's Northern Dry Zone region by transferring surplus water of the Mahaweli River basin for irrigation, drinking and commercial purposes.



What is GRM?

The GRM provides an avenue for adversely project affected people (PAPs) to raise their concerns and to seek solutions to their problems. There will be no cost for PAPs to bring their concerns and it is accessible for all PAPs.

What concerns or complaints are eligible to be brought under the GRM?

1. Land acquisition cases.
2. Compensation payment packages
3. Resettlement issues
4. Ownership disputes
5. Delay of payment of compensation
6. Rehabilitation assistance Program
7. Social Environment concerns related to the project

What concerns that are not going to be dealt by GRM

1. Matters pending in the court
2. Disputing the agreed compensation rate

How to file complaints or submit concerns to GRM

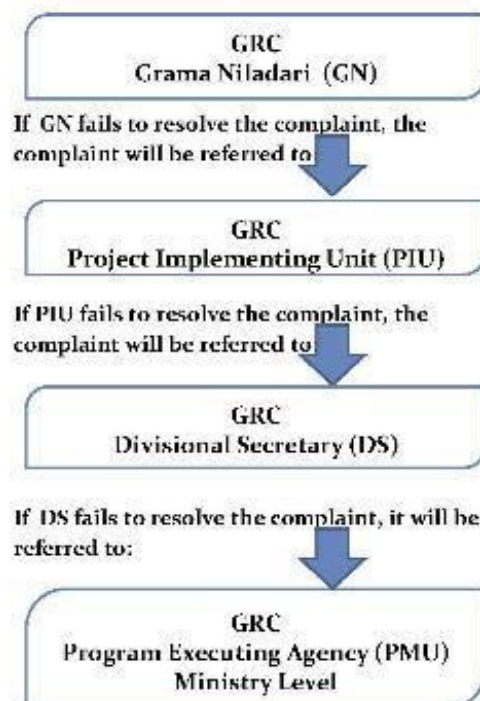
Grievances can be presented either in writing or verbally to the Project Resettlement Officer (PRO) or Project Environment Officer (PEO) or to the Grama Niladari (GN). Complaint forms are available with GN and Project Office.

The PRO or PEO with the guidance of the Project Director, will resolve the PAP's complaints within one week. However, if the problem cannot be solved, the Project Director will bring the complaint to the Executing Agency.

In this case, the whole process to provide a solution will take a maximum of 4 weeks.

Grievance Redress Committees (GRC) will be established at all levels mentioned below.

Complaints from the PAPs could be submitted to PIU staff, PMU staff, GN or Divisional Secretary
Complaints will be recorded and filed in PIU office (PAP)

**COMPLAINT HANDLING PROCEDURES****GRC at Grama Niladari Level:-****Members**

1. Grama Niladari (Chairman)
2. Village Level Officers
3. Village Level Priest (Buddhist, Hindu, Christian, Islam)
4. Resettlement Officer, Environment Officer
5. Community Leaders
6. Two Representatives (Contactor, consultant)

GRC at Project Implementation Unit (PIU)**Level:- Members**

1. Project Director (Chairman)
2. Secretary – Pradesiya saba
3. Resettlement Officer and Environment Officer
4. Grama Niladari
5. Four members of CBO or representatives of PAPs (two should be women)
6. Two Representatives (Contactor, consultant)

GRC at Divisional Secretary Level:-**Members**

1. Divisional Secretary (Chairman)
2. Secretary – Pradesiya saba
3. Surveyor
4. Grama Niladari (relevant area)
5. Resettlement Officer and Environment Officer from PIU
6. Four PAPs (two should be women)
7. Two Representatives (Contactor, consultant)

ව්‍යාපෘති කළමනාකරණ ඒකකයේ දුක්ගැනවිලි විසඳීමේ කමිටු සාමාජිකයින්

1. වැව්පවහන් අධ්‍යක්ෂ (පහසුකම්)
 2. දිප්තින් ලොකුම්මි
 3. ප්‍රාදේශීය ලේකම්
 4. සැවසන සඳිංග කිරීමේ විකේෂක, පරිසර විකේෂක
 5. ව්‍යාපෘති අධ්‍යක්ෂවරු (අදාළ ව්‍යාපෘතියෙන්)
 6. ප්‍රජා මූලික සංවිධාන නිලධාරීන් 04ක් (02 නෛමික කාර්යාලයන් විය යුතුය)
 7. සීමාසහිත (ලාභදේශක ඇතුළත්, ඉදිරිපිටම ඇතුළත්)
- ❖ දුක් ගැනවිලි විසඳීමේ කමිටුව පහත පරිදි ව්‍යාපෘතියේ ක්‍රියාත්මක කිරීමේ ඒකකයේ දී රැස් වේ.



- ❖ සියලුම ගැමියෝ හා ඒවා විශේෂයෙන්ම නෛමික ලද පියවරේ ක්‍රියාකාරීව දුක්ගැනවිලි විසඳීමේ ප්‍රවේශයෙන් ප්‍රවේශයක් ලෙසට. මෙම ලේඛන ව්‍යාපෘතියේ ක්‍රියාත්මක කිරීමේ ඒකකයේ හා ප්‍රාදේශීය ලේකම් කාර්යාලයෙන් ස්ථානගත වෙත.



මහවැලි පල සුරක්ෂිතතා පාලකයාගේ වැඩසටහන මගින් විධිවිධ පත් වන සියලුම ප්‍රජාවට විසඳුම් ලබා දේ. මෙම ව්‍යාපෘතියේ ඉතා වැදගත්ම සාධකය ප්‍රජාව වන අතර මෙම ගැටලු විසඳීමට අති බැඳී සිටිමු.

වැඩි දුරටත් තොරතුරු ලබා ගැනීමට

1. ව්‍යාපෘති අධ්‍යක්ෂ,
මේම්බර් එම් ඉවුරු ඇළ, ව්‍යාපෘතිය,
ප්‍රාදේශීය වාරිමාර්ග ඉංජිනේරු කාර්යාලය සම්ප්‍රදාය, ගාල්ල.
දුරකථන අංකය: 055- 2258977
2. ව්‍යාපෘති අධ්‍යක්ෂ,
ඉහළ ඇලගැට ඇළ ව්‍යාපෘතිය,
ශ්‍රී ලංකා මහවැලි අධිකාරිය, මහවැලිගම,
දුරකථන අංකය: 025- 2054896
3. ව්‍යාපෘති අධ්‍යක්ෂ,
විසම් සමූහ ඇළ ව්‍යාපෘතිය,
වාරිමාර්ග ලදායාර්මයෙන්ම, ගාල්ල, 44, සුරේෂ්වරයා,
දුරකථන අංකය: 037-3970783
මොබි දුරකථන: 071-4452826
4. මහවැලි පල සුරක්ෂිතතා ආයතනය වැඩසටහන,
අංක 493 1/1, එ.පී. සහ සංවිධාන, කොළඹ 10,
දුරකථන අංකය: 011-2675810
මොබි දුරකථන: 071-5206541
5. පරිසර විකේෂක,
මහවැලි පල සුරක්ෂිතතා ආයතනය වැඩසටහන,
අංක 493 1/1, එ.පී. සහ සංවිධාන, කොළඹ 10,
දුරකථන අංකය: 011-2675810
මොබි දුරකථන: 077-1035020

මහවැලි පල සුරක්ෂිතතා පාලකයාගේ වැඩසටහන
අංක 493 1/1, එ.පී. සහ සංවිධාන, කොළඹ 10,
දුරකථන 011 2675810
මොබි 011 2675810

මහවැලි පල සුරක්ෂිතතා පාලකයාගේ වැඩසටහන

මහවැලි සංවර්ධන හා පරිසර අමාත්‍යාංශය



දුක්ගැනවිලි විසඳීමේ යාන්ත්‍රණය

මහවැලි පල සුරක්ෂිතතා පාලකයාගේ වැඩසටහන

සාමාන්‍ය සංවර්ධන වැඩසටහනක් ආධාර ඇතිව ශ්‍රී ලංකා රජය විසින් මහවැලි සංවර්ධන හා පරිසර අමාත්‍යාංශය යටතේ ක්‍රියාත්මක කරනු ලබන වැව්පවහන මහවැලි පල සුරක්ෂිතතා පාලකයාගේ වැඩසටහන වේ. මේ යටතේ සහන පදනම් ව්‍යාපෘති තුළ සඳහා මුදල් ආධාර ලැබේ.

- ❖ ඉහළ ඇලගැට ඇළ ව්‍යාපෘතිය
- ❖ විසම් සමූහ ඇළ ව්‍යාපෘතිය
- ❖ මේම්බර් එම් ඉවුරු ඇළ ප්‍රතිසංස්කරණ ව්‍යාපෘතිය

මෙම පාලකයාගේ වැඩසටහන මගින් ශ්‍රී ලංකාවේ ලකුරු වියළි කලාපයට මහවැලි පල සුරක්ෂිතතා වාරිමාර්ග දියුණු කිරීම, පාරිසරික පල සුරක්ෂිතතා හා වාරිමාර්ග කඩදාසි පදනම් කර ගනිමින් ශ්‍රී ලංකාවේ සංවර්ධන පරිසරයේ දියුණුවක් කරා ගොඩ නැගීමට අවස්ථා වෙත.



දැන් ගැනවිල්ලි චිප්පිලම් යාන්ත්‍රණය යනු

විශාසනීය නිකාය ලිඛාටට පත්වන ප්‍රතිචාර සහ ද්‍රව්‍ය ලැබැවිලි ඉටුවෙන් පසුව ඒ සඳහා විසඳුම් ලබා ගැනීමට අනිකුත් වාර්තාවකි. නිව්ට් රිචර්ඩ්ස්ගේ පොතට ලිඛාටට පත් වූ සතුන් ප්‍රධානවශයෙන්ම පෙරළා හරින ලද පොතකට රිච් ආනිඩ්.

දුක් හැටළු විසඳීමේ යෝජනා මගින් විසඳුම් ලබා ගත හැකි වූයේ

- [illegible]

දුක්ගැනවිලි වියද්දීමේ යහන්ප්‍රණය මගින් වියදුම ලබා ගත
ගතාභාවි ෫=෧

1. ප්‍රාදේශීය විද්‍යාල ලබා ඇතිව පොත්තර ඇති නැවත.
2. ලබා දීමට යෝජිත වන්නේ ප්‍රධාන සහ අනුප්‍රාප්ති ඇතිව.

දුස් ලැහවිලි වියදිමෙහි යාන්ත්‍රණයට ලැබුණු පොත්පත් නිර්මාණය

[illegible]

මෙම අදිර්ශ්ට නිර්මාණය ඉදිරිපත් කළේ ප්‍රකාශන අධ්‍යක්ෂවරයා වන ආචාර්ය ආර්ථික විද්‍යාඥ ඩී.බී.එස්. සේනාරත්න මහතා වන බව සඳහන් වේ.

පළමු විදේශ තොරතුරු ගැලපු විටාසයක් නැවත පදිංචි කිරීමේ නිලධාරීන් සේවා විසඳාදීමේ අවසරය ලැබුවේ විශේෂ විධායක ක්‍රියාත්මක කිරීමේ ඒකකය වෙත යොමු කෙරේ. ඒ අදහස යනි දෙපාර්තමේන්තුවක් සැමරීමටය.

පළමු විකේෂණ කොන්දාසි ඇවිල්ල ප්‍රභූතමයෙන් අල්ලාපි අවතල කොන්දාසි කොන්දාසි. අවිනිශ්චිත කාලයකින් විකේෂණ ලබා දිය යුතු අතර එමගින් විකේෂණ කොන්දාසි ඇවිල්ල නිවැරදිව කළමනාකරණය වන්නාය. පවතින පොදුකුලය යුතුයි. මෙම සමයවූර්ණ ක්‍රියාදාමය ලබාදීම සඳහා අතරමගින් නිම කළ යුතුය.

මෙම කමිටුව පත් කිරීම පහත පදනම් ආකාරයට සිදු වනවේ.

ප්‍රජාතන්ත්‍රවාදී මැතිවරණ ක්‍රියාවලියේ නිරත වීමට පොදු ජනතාවගේ සහභාගිත්වය අත්‍යවශ්‍ය වේ. එමෙන්ම, තෝරා ගන්නා නියෝජිතයින්ගේ විධිමත් කළ කාර්යයක් ලෙස, ආණ්ඩුවේ ක්‍රියාකාරීත්වය සහ දේශපාලනික ස්ථාවරත්වය රැක ගැනීමට ඔවුන්ගේ කාර්යයන් සාර්ථක කර ගැනීමට ඉඩ ඇත.



ମୁଖ୍ୟମନ୍ତ୍ରୀ ପିଙ୍କିଦେବୀ କୁମାରୀଙ୍କ

දුන් ගැනවිලි විසඳීමට කමිටුව
ඉන්ම නිලධාරී

ශ්‍රාම නිලධාරී වර්ගයින් ඇවිල්ල නොවිසදුනාහොත්

2. 3. 5.

ව්‍යාපෘතිය ක්‍රියාත්මක කිරීමේ ඒකකය

ව්‍යාපෘති ක්‍රියාත්මක කිරීමේ ඒකකය වට්ටමින්
ගැටලු නොවිසඳුනාහොත්

५. ६. ७.

ସୁଚର୍ଚ୍ଚିତ ଚର୍ଚ୍ଚା

ප්‍රාදේශීය පලිකම් මිටිමළුන් හැසිරුම නොවිසඳුනාහොත්,

5. 12. 19.

ව්‍යාපෘති කළමනාකරණ ඒකකය
ලංකා පාලන මධ්‍යස්ථානය

ශ්‍රාවණ, නිලධාරී මට්ටමින් දුක්ගැනවිලි වියදීමේ කමිටුවේ සාමාජිකයින්

1. ග්‍රාම නිලධාරී (සභාපති)
2. ග්‍රාමීය මට්ටමේ රජයේ නිලධාරීන්
3. ග්‍රාමීය මට්ටමේ පුද්ගල පුස්තක පක්ෂ (සෛද්ධි, මිත්තු, කානොලික, ඩිජිටල්)
4. ප්‍රජා නියෝජිතයින් (ප්‍රජා මූල සංවිධාන)
5. නියෝජිත (උපදේශන සංගම, ඉතිහාසික සංගම)
6. පරිසර නිලධාරී, නාවල පරිසර කිහිපයක් නිලධාරී

විශාලතම ක්‍රියාත්මක කිරීමේ ඒකකයේ අත්හැරීලි විසඳීමේ කමිටුවේ සාමාජිකයින්,

1. ව්‍යාපෘති ක්‍රියාත්මක (සහායක)
2. ප්‍රාදේශීය සහායක පද්ධති
3. නැවත පිහිටි කිරීමේ නිලධාරී, පරිසර නිලධාරී
4. ප්‍රාග් නිලධාරී
5. ප්‍රජා මූලික සංවිධාන නිලධාරීන් 4ක් (1/2 කොන් කාන්තාවන් විය යුතුය)
6. නිවැරදිවූ (උපදෙස් ලබා දෙන, දැනුම්දීම සංකල්ප)

ප්‍රාදේශීය ලේකම් මට්ටමින් දැන් ගැනවිලි විසඳීමේ කඩිටුමට යාමට සිදු වේ.

1. ප්‍රාදේශීය පල්ලීන් (සහයෝගී)
2. ප්‍රාදේශීය කොමිටි පල්ලීන්
3. පිළුබිලි නිලධාරීන්
4. ප්‍රාථමික පිලිබිලි (අදාළ ප්‍රාදේශයන්)
5. නැවත පදිංචි කිරීමේ නිලධාරීන්, පරිසර නිලධාරීන්
6. ප්‍රජාසූල සංවිධාන පිලිබිලි 4ක් (02 කොතලාස්, 02 කොළඹ)
7. නිවැරදිව ප්‍රාදේශීය අංශය, දිනිකිමි අංශය

Annex F **Consultations Notes of Meetings**

Awareness of the Land Acquisition Nabadagahawatta Grama Niladari Division ICB-2

Date	2017.06.13
Time	10.00 am
Venue	Nabadagahawatta Community Centre.
Participants	Irrigation Engineer – Dulangen Wijesingha Resettlement Officer- Malani Gunathilaka Environment Officer – PIU Communication Officer – PIU Gram Niladari- Nabadagahawatta
Purpose of the meeting	Mad aware the affected community members about the land acquisition section 4 inquiry and future process of the land acquisition.
Matter discussed	<ul style="list-style-type: none"> • 25 land lots will be affected due to project. • Make aware about the notice of section 4 gazette • Process of the land acquisition after completion of the section 4
Suggestions	<p>They requested water to Nabadagahawatta Main Tank. But The Engineer explained that is impossible due to technical issues.</p> <p>Then the community member requested water to paddy area located in the downstream of the main canal to cultivate Yala and maha two season.</p>



වයඹ පළාත් ඇළ ව්‍යාපෘතිය

ඇතුළත් කිරීමේ වැඩසටහන . සිංගාමල්ගල



දිනය 2017/07/18

ස්ථානය: සිංගාමල්ගල

අනු අංකය	නම	තනතුර	ලිපිනය	දුරකථන අංකය	අත්සන
01.	01.0.0. නිවැරදි	ග්‍රාම නිලධාරී	සිංගාමල්ගල	071-1348989	රාජිව්
02	සංවිකල්පයේ නිලධාරී	ආ. නිලධාරී	සිංගාමල්ගල	077-2571024	රාජිව්
03	02A අදාළ		සිංගාමල්ගල	066568757	රාජිව්
04	03.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
05	04.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	05.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	06.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	07.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	08.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	09.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	10.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	11.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	12.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	13.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	14.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	15.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	16.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	17.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	18.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	19.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	20.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	21.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	22.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	23.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	24.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	25.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	26.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	27.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	28.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	29.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්
	30.02 නව නිවෙස්		සිංගාමල්ගල	071679344	රාජිව්

[illegible]

Awareness Meeting and Appointing Committee Member- Divisional Secretariat Office Galewela**Hombawa Grama Niladari Division - ICB 2 (14+700km to 15+440km)**

Date	2017.07.28
Time	at 1.30 p.m
Venue	at Grama Niladari Division - Hombawa
Purpose of the meeting	Awareness for the Affected persons and Appointing committee Members for GRC
Participants	Resettlement Officer - PIU
	Environment Officer - PIU
points of the discussion	<ul style="list-style-type: none"> Made aware about the project.
	<ul style="list-style-type: none"> Made them aware about the Grievance Reader Mechanism and nominate the Committee members for GRC
Committee Members of the GRC	Secretary - Hombawa Grama Niladari Division
	W.M.M.G.Senarathna - Member
	G.K.M.Jayarathna - Member
	W.D.Kusumlatha - Member
	W.M.Rathnayake - Member
	A.M.Bisomenike - Member
	W.D.Banda - Member
Remarks	All the participants appreciated the NWPC project

දැනුවත් කිරීමේ රැස්වීම හොම්බාව ග්‍රාම නිලධාරී වසම - පැමිණීමේ ලේඛනය

දිනය 2017.07.28

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ස්ථානය හොම්බාව ග්‍රාම නිලධාරී කාර්යාලය

අනු අංකය	නම	ලිපිනය	දුරකතන අංකය	අත්සන
14	F M ඩයොන	ආදායම භාවිතයෙන් පමණක්		ඩිවයින
15	ඩී.එම්. කරන් ජයරත්න	දොරටුව - වල්වෙල	0719414347	ඩී.එම්. කරන්
16	A. M. කසේරත්න	170 C, පල්ලිය, දොරටුව	07113715814	කසේරත්න
17	එම්. ඩී. ඩයොන	දොරටුව		ඩයොන
18	ඩී.එම්. ඩයොන	දොරටුව	0711247598	ඩයොන
19	M. M. දයොන	දොරටුව		ඩයොන
20	T. M. R. K. දයොන	දොරටුව		ඩයොන

Awareness Meeting - Divisional Secretariat Galewela**Ranwediya Grama Niladari Division - ICB 2 (8+420km to 9+920km)**

Date	2017.08.16
Time	at 11.30 am
Venue	Ranwediya Grama Niladari Office
Theam	Discussion with the Grievance Committee Members
Participants	Grama Niladari - Ranwediya Division
	Environment Officer - PIU
	Resettlement Officer - PIU
	Committee Members (Attached list)
Matter discussed	<p>Grievances</p> <p>Mr.Meera Husen is living Ranwadiya Grama Niladari Division and part of his land acquired for canal construction. So he requested not to acquire his land.</p> <p>It was impossible to fulfill his requirement. The committee member requested to pay good compensation for his land. So, he agreed with the decision of committee member.</p>
Suggestion	The committee member requested 2 Bathing points for the villagers, as there are 2 nations like Sinhalese and Muslims request 2 bathing pots
Remarks	All the participants appreciated the project.



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දුක්ගැනවිලි කමිටු රැස්වීම

දිනය 2017-08-16

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ස්ථානය

එරෙස්සොලා ගලා යාමේ ප්‍රදේශය

අනු අංකය	නම	ලිපිනය	දුරකතන අංකය	අත්සන
01	අර්. ඔබ්. උමේසාන අරුණය	ආ/ග් ඔබ්.සෙ. රාමානායක	0711-514531	<i>[Signature]</i>
02	W A S C ඒකකය	616 කාන්තා මාර්ගය	071-0747000	<i>[Signature]</i>
03	R M. අබේගේ	608/D කැන්ටන්ස් - ගලා යාමේ ප්‍රදේශය	077 8473290	අබේගේ
04	M. D. S. පොරොත්තු	කො. නි. පොරොත්තු මාර්ගය	0713179137	අබේ
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Minutes of the Meeting
NWPCP- ICB-2

Date	Time	venue	Participants	Matter Discussed.
2018.07.16	10.30 am	Hombawa Grama Niladari Office	1. Grama Niladari- Hommbawa 2. Development Officer – Hombawa 3. Resettlement Officer – PIU 4. GRC members	1. Given introduction the required documents for section 9 inquiry of the Land Acquisition process. <ul style="list-style-type: none"> • Extracts note. • Life interest letter. • Request letter. 2. Inform to requirement of the information files. 3. handover the information documents. 4. Made ware about the project implementation and inform the way how to produce the grievances during construction period.
2018.10.16	10.30.am	Hombawa Grama Niladari Office	1. Grama Niladari- Hommbawa 2. Resettlement Officer – PIU 3. GRC members	1. Given introduction the required documents for section 9 inquiry of the Land Acquisition process. <ul style="list-style-type: none"> • Extracts note. • Life interest letter. • Request letter. 2. Inform to requirement of the information files. 3. handover the information documents. 4. Made ware about the project implementation and inform the way how to produce the grievances during construction period.

Annex 5

සුනුවත් නිර්මාණය වන්නේ - හෙමතිවත් මාරු / හැසිරෙන යුතුය.

දිනය: 2018/07/16

අයදුම් අංකය	නම	පිහිටීම	අත්සන
01	K. M. දර්ශන ආචාර්ය	මුල කොට්ඨාසය - මා.ව. මාරු	අත්සන
02	සා.ප. මා.ව. මාරු	කුඩුමාල - කුඩුමාල	අත්සන
03	T. G. මාරු	" "	අත්සන
04	S. P. M. මාරු	" "	අත්සන
05	කේ.පී. මාරු	" "	අත්සන
06	මි.ම. මාරු	" "	අත්සන
07	ර. පී. මාරු	" "	අත්සන
08	M. G. මාරු	" "	අත්සන
09	P. G. මාරු	" "	අත්සන
10	R. G. මාරු	" "	අත්සන
11	M. M. මාරු	" "	අත්සන
12	ප්. මාරු	" "	අත්සන
13	ප්. මාරු	" "	අත්සන
14	ප්. මාරු	" "	අත්සන
15	M. M. මාරු	" "	අත්සන
16	A. M. මාරු	" "	අත්සන

Page Annex F-11

34 Annex E

ප්‍රත්‍යක්ෂ නිවේශ රෙජිස්ට්‍රාර් - හොව්ලාමු I කොටස
දිනය: - 2018-10-16 -

අනු අංකය	නම	ලිපිනය	දුරකථන අංකය	අවසාන
1	A.R.M.A. විජේසේන	වැව	0712615446	5
2	H.A. සුමේරාන	කුරුමා.	0712615446	සුමේරාන
3	H.M. මාලිකාසේන	99	-	කුරුමා
4	G.H. කරුණාති	99	0713998648	2
5	කේ.පී. විජේසේන	99	0717385929	2
6	කේ.පී. විජේසේන	"	0714039511	2
7	එස්.එම්. වික්‍රමසේන	"	0722517967	කුරුමා
8	ආර්.පී. සුමේරාන	"	0715758937	කුරුමා
9	W.M. සමරසේන	"	0772700008	2
10	W.M. සමරසේන	"	0772700008	2
11	එම්. ඒ. වික්‍රමසේන	"	0772700008	2
12	A.N.K. සමරසේන	NWPCP ..	0772700008	2
13	M.M. සුමේරාන	NWPCP ..	0772700008	2