

# Resettlement Monitoring and Evaluation Report

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# 4 Quarterly Report  
October – December 2016

## Sri Lanka: Mahaweli Water Security Investment Program - Tranche 1

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

Program Management, Design and Supervision Consultant

## RESETTLEMENT MONITORING AND EVALUATION REPORT No. 4: October – December 2016

December 2017



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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 <sup>3</sup> /s	Cubic metres per second
masl	Metres above mean sea level
MASL	Mahaweli Authority of Sri Lanka
MCB	Mahaweli Consultancy Bureau
MCM	Million m <sup>3</sup>
MDP	Mahaweli Development Program
MIWRM	Ministry of Irrigation and Water Resources Management
MLBCR	Minipe Left Bank Canal Rehabilitation
MFF	Multitranches 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

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# 1 INTRODUCTION

1. The Mahaweli Water Security Investment Program (MWSIP) is the end point of an investment program that has spanned more than six decades. It is pivotal in meeting Sri Lanka's national development goals of food security, social development, energy production and environmental protection. The Government of Sri Lanka has received, from the ADB, an ADF Loan of USD 74 Million and USD 76 Million Loan from ordinary capital resources, and has itself contributed USD 40 Million (Total USD 190 Million), to support the MWSIP. The Program has been split into two phases by the Ministry of Mahaweli Development and Environment (MMDE). The current financing covers Phase 1 of the MWSIP, with tranche 1 also including Feasibility Studies for Phase 2 project (refer to **Figure 1**).

2. 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 Project Management Unit (PMU), based in Colombo, and Project Implementation Units (PIU) for each of the three construction implementation component Projects. The Loan agreement signed between the GoSL and the ADB, stipulates that any "Involuntary Land Acquisition and Resettlement" (LAR) safeguards issues that arise during project implementation will require a Resettlement Implementation Plan (RIP)<sup>1</sup> or other appropriate document showing all impacts are mitigated in accordance with the government's relevant legislation and policies, and the existing Program Resettlement Framework, and particularly with ADB's Safeguard Policy Statement (SPS) 2009 and within the legal framework of Sri Lanka. ADB will only finance projects and programs that fully comply with its SPS 2009.

3. As a key part of its Social and Resettlement Safeguards Contract Scope of Works, the "Program Management, Design and Supervision Consultant" (PMDSC) is required to submit a Resettlement Monitoring and Evaluation Report, initially on a quarterly basis and subsequently, after Resettlement Plans and Due Diligence requirements are implemented, a semi-annual (twice per year) basis. This is the fourth Resettlement Monitoring and Evaluation Report, prepared in consultation with the PMU Resettlement Specialist, covering the progress of resettlement and social safeguards monitoring for the period of 1 October to 31 December 2016, focusing on construction contracts to be implemented under Tranche 1. The ensuing report specifically focusses on the program-wide issues of the resettlement management systems, such as "bottlenecks" in the Sri Lankan RIP process leading to timing implications and grievance redress (Section 2); the progress, where made during the reporting period, on resettlement related issues for each of the three Projects - Minipe Anicut Heightening and Left Bank Canal Rehabilitation Project (MLBCRP), Upper Elahera Canal Project (UECP), and North Western Province Canal Project (NWPCP), respectively (Sections 3, 4 and 5); and land acquisition and resettlement related capacity building activities conducted (Section 6) during the reporting period<sup>2</sup>. Included in this report are updates and interim impact data for RIPs and a DDR ongoing for three NWPCP sub-projects; interim impacts data collected for DDR 2 covering MLBCRP NCB-2,3, 4 & 5; and DDR 1 implementation progress. Grievances are also addressed, covering all Tranches, as applicable, with the Grievance Register also presented in **Annex B**.

<sup>1</sup> Resettlement Implementation Plan (RIP) is the legally accepted term in Sri Lanka for a Land Acquisition and Resettlement Plan (LARP) or Resettlement Plan (RP)

<sup>2</sup> This report, as much as possible, avoids repetition of progress information presented in the two previous reports, and only presents works conducted during the 3-month reporting period.

The map illustrates the MWSIP (Maharashtra Water Supply and Irrigation Project) in the North Central Province Canal Development Area Phase 2. It shows the geographical context of the project, including the Bay of Bengal to the north and the North Western Province to the south. Key features include the Kalyan Transfer Canal (KTC), the Kalyan Transfer Canal (KTC), and the Kalyan Transfer Canal (KTC). The map also shows the Kalyan Transfer Canal (KTC), the Kalyan Transfer Canal (KTC), and the Kalyan Transfer Canal (KTC). The map includes a legend, a scale bar, and a north arrow.

## 2 PROGRAM WIDE RESETTLEMENT ISSUES – SETTING UP THE SYSTEM

4. The MWSIP Phase 1 outputs include construction of new and improved water conveyance and storage infrastructure. There are five Project Components listed under the Program as shown below, three of which (i-iii) involve civil works (refer to **Figure 1**), split into several International (9) and National (9) Competitive Bidding Contracts, and two of which (iv and v) are consultancies:

- (i) Minipe Anicut Heightening and Left Bank Canal Rehabilitation Project (MLBCRP)
- (ii) Upper Elahera Canal Project (UECP)
- (iii) North Western Province Canal Project (NWPCP)
- (iv) Improving system efficiencies and water productivity (ISEWP)
- (v) Systems for improving water resources management and productivity developed (SIWRM)

5. In the Project Implementation stage, Land Acquisition and Resettlement screening, planning and implementation (including monitoring), can only be done in areas where detailed design is known, because this enables information to be known on exact alignments, accesses required and necessary construction space. At the same time, construction in most circumstances cannot occur unless resettlement plan implementation is completed. It is, therefore, very important that effective efficient initial resettlement screening, data collection and resettlement planning, implementation and monitoring processes are put in place and as much as possible do not impinge on the construction implementation schedule. This section presents the some of the developments in systems, or issues that have arisen, for the overall resettlement planning and implementation process being developed Program-wide, that has occurred in during the current reporting period.

### 2.1 Sri Lankan RIP Development Process

6. For resettlement Plans to be implemented at this stage of a Project, the detailed engineering design must be completed or near completed, when there is confirmation that designs will not significantly change the footprint of the Project area and some detail of construction space, access and stockpile/temporary waste stockpiles are known. The land acquisition act of 1950 (LAA) and its amendments specify the process of acquisition of lands in which the privately-owned lands belong to individuals as well as organizations. **Annex A** presents a flow chart illustrating the various steps the land acquisition and resettlement procedure with an indicative time frame for completion. To assist with managing timing and the number of various administrative and consultation activities required by the Sri Lankan land acquisition and resettlement process, the PMDSC have devised, for the PMU and PIUs, a time-based Chart for Resettlement, outlining “Section Notice”, along with activity required, responsible institution/individual and normal time-frame (**Annex A**).

7. As mentioned in the previous Resettlement Monitoring and Evaluation Report No. 3, the long period of time for completion of acquisition of a land plot, as outlined in **Annex A**, can lead to delay of the construction programs, due to consultation of various stakeholders such as survey department, valuation department, divisional secretary, Gramaniladaris (GND) etc. This lengthy process, of 8 to 18 months, is a “bottle-neck” for the various sub-projects where land acquisition and resettlement impacts are identified, and the Sri Lankan RIP process must be enacted for valuation and compensation under Sri Lankan laws.

8. Currently, the impacted subproject areas, where the process of RIP preparation and/or implementation is being delayed is in NWPC NCB-1 and NWPC ICB-2. The NWPC Project has the largest number of land acquisition and resettlement affected households in Tranche 1. All Tranches’

Sub-project schedules, with associated RIPs, may be affected due to the lengthy process. The PMDSC has recommended to the PMU, possible ways in which the MLLD Valuation Department, or other processes may be expedited to reduce time and reduce potential delays in construction schedules. That is, expediting the valuation and compensation determination process only. This does not include recommending to expedite the actions and opportunities involving the affected people, allowing them time to participate in the process (i.e. Section 9). In addition, allowing contractor works to occur in non-resettlement areas and areas where RIP implementation has completed early, with the permission of ADB, may also reduce risk of delayed construction schedules. However, whether these recommendations are pursued, is ultimately the decision of the PMU and PIU.

## 2.2 Grievance Redress Mechanism

9. In order to receive and facilitate the resolution of possibly affected people's concerns, complaints, and grievances regarding the Program's performance, a Grievance Redress Mechanism (GRM) has already been established for the MWSIP, and its overall structure has been enhanced at local and PIU level, at the Project sites in accordance with ADB SPS requirements and legislative requirements of Sri Lanka. This was already documented in detail in the previous April-June and July to September 2016 Resettlement Monitoring and Evaluation Reports, No. 2 and 3 respectively. 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.

### 2.2.1 Progress of GRM and GRC Development

10. During this reporting period, the focus of Grievance Redress Mechanism development has been to enhance the grievance submission system **Annex C**, prepare information on the GRM, inform District and divisional officers of the Programs on GRM and set up the Grievance Redress Committees. Activities in Tranche 1 related to the GRM development during the October to December 2016 quarter include holding consultation and awareness meetings in UEC and NWPC NCB-1 areas, in which the GRM was explained, along with handing out of brochures about the mechanism. **Annex D** presents a GRM brochure in English and Sinhala Language. Refer to **Annex E** for additional details such as minutes of the meetings held and some specific consultations, both formal and informal, are also summarised in Sections 3.3 and 5.3 below, during which a portion these consultations were spent explaining the GRM to Aps and local officials:

- (i) Awareness meetings to present the Grievance Redress Mechanism to GRC members in UEC at the Sannasa Hotel Dambulla on 16.12.2016 where participants were officers of district secretariats, divisional secretaries' offices, divisional irrigation engineer's office Pradeshiya saba, Gramaniladaris in the project area. It was also reported that officers of forest department, wild life department, agrarian services department, central environment authority, provincial environment authority, police stations, and provincial health offices were attended for this awareness program.

(ii)

- a) Whether project will offer special compensation package for affected households
- b) Requested to hold the continuous awareness programs during the project period.
- c) Requested for attractive compensation package for Aps.
- d) OIC Dambulla police station, requested to inform him on construction schedule and details of contractors for them to plan out traffic arrangement.
- e) The officers of PMU and PIU explained to the Aps that no special compensation package will be offered to them other than compensation entitlement offer by valuation department under LAA 2009 regulation. The package of 2009 regulation is covered all aspect of Aps concerns with regard to loss of asset due to the project. It was agreed to hold the continuous awareness programs in order build up good relationship with Aps.

(iii) Awareness meeting was held on 09.12.2016 for NWPC Project, at Wemedilla on construction of new sluice for diverting water from Wemedilla tank to Devahuwa feeder canal

### **2.2.2 Grievances submitted during the October to December 2016 quarter**

11. The Grievance Register, as at 31 December 2016, is presented in **Annex B**. There were no new Grievances submitted during the reporting period, in relation to the MLBCR, NWPC and/or UEC projects. All grievances registered for Tranche 1 up to the end of December 2016 have been satisfactorily resolved. Grievances that are currently unresolved relate to proposed Tranche 3 project areas, for which an engineering solution is being sought through the PMDSC engineering design team as part of the Tranche 3 engineering detailed designing process.

### 3 MINIPE ANICUT HEIGHTENING AND LEFT BANK CANAL REHABILITATION (MLBCR)

#### 3.1 Introduction

12. The MLBCR component includes five civil works packages, including one through International Competitive Bidding and four through National Competitive Bidding as well as a mechanical and electrical National Competitive Bidding package for rehabilitation and motorization of gated structures.

13. This section documents the progress of Minipe Left Bank Canal Rehabilitation Project (MLBCR) NCB-1 implementation of the DDR 1 recommendations and monitoring during the reporting period; and preliminary results of the MLBCR DDR 2 encompassing MLBCR NCB-2, 3, 4; and NCB-5 (also covered in DDR 2) - construction of new intake radial gates to the Minipe Left Bank system, construction of emergency side spillways on both the Left and Right Bank system and rehabilitation of approximately 74km of the Left Bank system to improve conveyance and reliability of service to existing irrigated lands. All civil works contracts are covered by Tranche 1 (Figure 2).

14. The previous Resettlement Monitoring and Evaluation Report No. 3, reported that an initial screening of the MLBCRP ICB-1- "Heightening of the Minipe Diversion Weir (Anicut)", found that there are no resettlement impacts in the area because Irrigation Department land available for construction materials stockpiling and there are existing access roads to site; a part of the "Victoria - Randenigala- Rantambe Sanctuary" (established in 1987) or within the 100m buffer zone on the Sanctuary boundary<sup>4</sup> would be inundated seasonally at "full Supply Level" and the one in 1000 year "High Flood Level" (HFL) inundation was not expected to impact land or other assets.

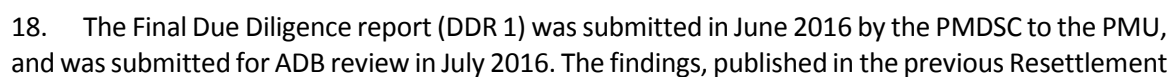
15. No grievances have been submitted in relation to this Project, during this reporting period but the MLBCR PIU continues to monitor to ensure compliance with social and resettlement safeguards.

#### 3.2 Implementation Progress of "Due Diligence Report 1 (DDR1): MLBCR Stage 1 – Kilometre 00+000 to Kilometre 30+140

16. The scope of this MLBCR-NCB-1 contract package, as written in bidding documents, includes Rehabilitation of Minipe Left Bank Canal – Stage 1 (0+000 km to 30+140 km). That is, as per detailed design, the de-silting and lining of the canal; rehabilitation of the embankment; construction or rehabilitation of siphons, bridges, turn-out, bathing steps, causeway ramps, spills and drain inlets; and construction of curtain walls to existing retaining walls and construction of new retaining walls.

17. A Due Diligence investigation was conducted by the PMU and PIU, supported by the PMDSC, in relation to a situation where a number of farmers, encroaching on canal reservation land, were identified in the Program' Minipe Stage 1 project location of kilometer 00+000 to 30+140. It was feared, that these farmers may be impacted if required to cease agricultural activities on this reservation land in order to make way for civil works contractors space for construction and access to site, although no construction would occur on that land reserve. However, the study found that the farmers have signed to voluntarily release the encroached reservation lands, if temporarily required, during the construction period. There will also be minimal project induced impacts on canal water resources during the two cropping seasons and the off-season periods. The report provides recommendations for the EA and contractor in order to maintain compliance in accordance with ADB SPS 2009 and within the Policies and Laws of Sri Lanka. This section presents a brief summary of activities conducted in implementing the recommendations of the MLBCR Stage 1 DDR.

**Figure 2: Minipe Left Bank Canal Rehabilitation Project**



Monitoring and Evaluation Report No 2 Refer to **Annex H** for “DDR 1 Findings and Recommendations”. On August 1<sup>st</sup>, 2016, the Due Diligence Report for the MLBCR Stage 1 Subproject was approved by ADB, with no objection, on the basis that, in accordance with the DDR 1 recommendations:

- The PIU will be required to continue consulting encroachers, as the affected people, throughout project implementation and operation
- The PIU will provide advance information in detail to the encroachers on the construction plan. The information, at least will include: (i) when the works in their particular encroachers' areas will be done, and (ii) how long time will be needed to complete the works
- The PIU will be required to closely monitor the construction work to ensure that any unexpected involuntary resettlement impact could be resolved timely and ensure that contractor implementing recommendations from this Due Diligence Report
- The PMU will ensure that contractor will be provided with this Due Diligence Report and ensure that obligation of contractor as describe in Section 7 of the report will be strictly implemented.

19. A Monitoring and Evaluation Plan has been prepared to monitor implementation of the DDR1 findings and recommendations and was presented in the previous July to September Resettlement Monitoring Report No 3. The summary plan is presented for information in **Annex F**. Both qualitative and quantitative social and environmental indicators have been selected for monitoring, in order that:

- (i) the implementing the DDR1 findings and recommendations may be followed-up;
- (ii) potential impacts on encroaching farm areas may be reduced or avoided;
- (iii) the contractor and construction adhere to the recommendations as described in the DDR1;
- (iv) ensuring that if contractors use reservation lands along the canal, on which encroaching farmers have been using, the farmers will be the same or better off after the project that before the project;
- (v) construction contractor will minimize, or mitigate, the impacts it causes during construction in relation to water resources availability from the canal; and
- (vi) that farmers along the canal continue to be fully consulted.

### **3.2.1 Progress in Implementing the MLBCR Stage 1 Due Diligence Report Findings**

20. The MLBCR-NCB-1 Contract has been awarded and “Notice to Proceed” issued during the July to September 2016 reporting period, subsequent to DDR 1 being approved by ADB. During the October to December 2016 reporting period, with the advice and assistance of the PMDSC, the PMU and MLBCR PIU have been preparing to implement the DDR1 recommendations, especially those required prior to the Contractor completing their construction planning. The PMU and PIU, with the PMDSC support are in the process of DDR 1 implementation, during October to December 2017, as follows:

- The Due Diligence Report (English version) in full remains disclosed on the ADB website and copies available for public access in the MLCBR PIU, District secretariat offices (the GND) at the MLBCR Stage-1 site and can be viewed at the PMU in Colombo

- A brochure has been prepared during this reporting period containing information about the Sub-project and presenting the results and findings of the DDR1 (**Annex G**). After the brochure is approved by the PMU, the PIUs will disseminate to farmers and other relevant stakeholders.
- A separate brochure has been prepared in which the Grievance Redress Mechanism (**Annex D**) is outlined, particularly indicating the levels of redress available and how a member of the public, or affected person may submit a complaint, regardless of it being resettlement and land acquisition, environmental, design and/or construction complaint related.
- It is expected that dissemination of information about the DDR 1 results as well as consultations between contractor, specific encroaching farmers and PMU/PIU will commence in early 2017, regarding the voluntary cessation of agricultural activities in specific areas to enable the contractor use for a period of time during their construction program.

### **3.3 Progress on Due Diligence Study and Report 2: MLBCR Stages 2 to 5 – Kilometre 30+140 to Kilometre 73+960 (DDR 2)**

#### **3.3.1 Introduction**

21. The Due Diligence Study and Report 2 (DDR2) preparation has been ongoing during the reporting period and expected to be submitted in early 2017. This section is a summary of the current progress on the Due Diligence Study of Kilometre 30+140 to 73+960 length of MLBCR, on which farmers are encroaching. Like the Due Diligence Study 1 (refer to Section 3.2), the objectives of the Due Diligence Study 2 are, with a focus on the MLBCR Kilometre 30+140 to 73+960, to report the results of the inventory of the encroaching farmers, identifying impacts and results of consultations; followed by making recommendations so as to fill any identified potential gaps with SPS 2009 and the Resettlement Framework policies. The same approach is used for the second Due Diligence Study as the first.

22. The Study has focused on three potential areas in which SPS 2009 IR policy may, or may not, be triggered:

- (i) The Project canal rehabilitation footprint
- (ii) The construction contractor's activities, particularly accessibility through reserve land on which farmers have encroached
- (iii) Potential for loss of access to water from the canal was also examined, given that access to public natural resources for livelihood is also another aspect of the SPS 2009 Involuntary Resettlement policy requirements that has to be considered.

### 3.3.2 Approach

23. The data on contract packages NCB-2 or stage 2, KM. 30+140 -49+820, NCB-3 or stage 3, NCB or stage 4 and NCB-5 or the rehabilitation and electrification of radial gated structures and improvement to cross regulators (located chainages- KM.20+789, KM.29+844, KM. 30+431, KM. 43+634, KM. 57+961, KM. 66+800, KM. 69+006) were collected by PMU and PIU with the assistance of PMDSC resettlement consultant during the period for preparation of DDR2. Like Due Diligence Study 1, the approach to Due Diligence Study 2, encompasses data and information collection as follows:

- (i) Inventory of encroachers into the canal reserve area. This includes crops, trees, structures, marked by turnouts/farmer groups and chainages (if possible)
- (ii) Maps of the same scale as for DDR 1 on which land use, structures and access roads and tracks are marked.
- (iii) Farmer agreements, with assistance of farmer groups – A letter has been prepared and will be sent through farmer groups to all encroachers. If they choose to sign that they consent to giving up the land area during the construction period if the contractor requires, this will be verified when actual areas are identified by the contractor.
- (iv) Inspection of structures – to determine the extent of encroached lands that may be impacted during construction of the structure
- (v) Details of engineering design is important in order to understand the construction method to be adopted and potential impacts and mitigations that may be possible.
- (vi) Records of any grievances received.
- (vii) Consultations – in accordance with SPS 2009, this is a requirement. Records of formal and informal consultations (e.g. minutes of meetings) will be prepared and photographs also made for recording in the report.

### 3.3.3 Summary of Resettlement Impacts

24. A summary of preliminary impacts is provided below, as found throughout the due diligence study on NCB 2, 3, 4 and 5. These shall be confirmed and updated, with DDR 2 findings in the January to June 2017 Resettlement Monitoring and Evaluation Report No 5.

25. The Due Diligence Study established the following land acquisition and resettlement preliminary findings covering Minipe Left Bank Canal Rehabilitation Project NCB-2, 3, 4 and 5 (from Km 30+140 to Km 72+960):

- (i) The inventory of the canal reservation found there are 464 plots of encroached farmland. Of this, it was found that there were 161 potentially affected people (farmers) encroaching on 168 plots of canal reserve land, totalling approximately 17 acres and 12 Perches (6.68 Ha, between Kilometre 30+140 and Kilometre 72+960 of the Minipe Left Bank Canal that may be affected by contractors need to temporarily use land for construction space (**Table 1 and 2**).
- (ii) All data on stage 2, 3 and 4 as well as for the rehabilitation of radial gates (MLBCRP NCB-5) was collected during the reporting period. Accordingly, data on each stage is given below and detailed in **Tables 1, 2, 3 and 4**:
  - Stage 2; It was identified that 34 encroached plots and 34 PAPs will be affected in stage 2 and no permanent losses to plots or PAPs identified.

- Stage 3; The number of affected plots and PAPS will be 117 and 110 respectively. The 55 plots will be permanently affected whereas 55 PAPS are also permanently affected in stage 3.
  - Stage 4; The 17 plots and 17 PAPS will be affected in stage 4.
  - The MLBCR NCB-5 sub-project (or stage 5) involves the rehabilitation and electrification of seven radial gate structures and improvements to cross-regulators at various locations along the Minipe Left Bank Canal. No impacts were found for any part of the MLBRC NCB-5 sub-project.
- (iii) They are cultivating mostly paddy in two seasons (Maha and Yala), with just Stage 3 area also having impact on trees and other crops. There are no affected structures on the identified affected plots. These affected people are encroaching from legally titled plots adjacent to reserve area.
- (iv) There is adequate access to many of the construction sites by road (or track) along the embankment of the canal, on which there are no encroachments, and there would be space enough for construction activities to occur.

**Table 1: Number of Encroaching Plots and affected people by Stage/NCB section**

SN	Stage/NCB Section	Description	Quantity
1	Stage 2	Total No. of Plots affected	34
		No. of Plots with Permanent Losses	-
		No. PAPs	34
		No. of PAPs with Permanent Losses	-
2	Stage 3	Total No. of Plots affected	117
		No. of Plots with Permanent Losses	55
		No. PAPs	110
		No. of PAPs with Permanent Losses	55
3	Stage 4	Total No. of Plots affected	17
		No. of Plots with Permanent Losses	-
		No. PAPs	17
		No. of PAPs with Permanent Losses	-
4	NCB 5	Total No. of Plots affected	-
		No. of Plots with Permanent Losses	-
		No. PAPs	-
		No. of PAPs with Permanent Losses	-
Total No. of Aps (Farmers)			161
Total No. of Plots potentially affected			168
Total No. of Plots potentially temporarily affected			113
Total No. of Plots (permanent losses)			55

Please note that 08 radial gates will be installed at different locations of the canal where lands are belonging to the State at KM. 20.789,29.844,30.431,43.634,57.961,66.800,69.006 and Karawgahawewa tank.

**Table 2: Number of Encroaching Plots and affected people by Stage/NCB section**

SN	Stage/NCB Section	Description	Quantity (A. R. P.)	Quantity (Hectares)
1	Stage 2 (NCB-2)	Extent of Encroaching Lands Temporary lost	A.01 R. 01 P. 17	0.54 (approximately)
		Extent of Encroached area permanently lost	-	-
2	Stage 3 (NCB-3)	Extent of Encroaching Lands Temporary lost	A.03 R. 01 P.02	1.28 (approximately)
		Extent of Encroached area permanently lost	A.11 R. 02 P.12	4.65 (9.1%) (approximately)
3	Stage 4 (NCB-4)	Extent of Encroaching Lands Temporary lost	A.- R. 03 P.21	0.35 (approximately)
		Extent of Encroached area permanently lost	-	-
4	NCB-5	Extent of Encroaching Lands Temporary lost	-	-
		Extent of Encroached area permanently lost	-	-
Extent of Encroaching Lands Temporary lost				2.17 Ha (approximately)
Total Extent of Encroached area permanently lost				4.65 Ha (approximately)
Total extent of Encroached Lands Area lost (temporary and permeant)				6.82 Ha (approximately)

26. On the Bogahawewa to Marakawewa to Radunnewewa feeder canal embankment widening, part of the Scope of Works in MLBCRP NCB-3, will involve a requirement for permanent land:

- (i) Inspections, consultations and an inventory has been conducted, covering a potentially affected strip plot of land along the Bogahawewa to Marakawewa to Radunnewewa feeder canal to be rehabilitated and widened. There are 55 affected plots, in which 4.65 Ha, less than 10%, of land area may be potentially affected by this feeder canal construction.
- (ii) Apart from rice, there some land areas growing mango, coconut, betel nut, banana, teak, Mahogany, Triticale and maize in potentially affected (Table 3 and 4). Some are mono- others are mixed- cropping. The affected farmers are currently occupying canal reserve agricultural lands permanently impacted by the canal embankment widening and rehabilitation.

Table 3: Number of Tree and Cropping Allotments

Description/Quantity		Stage 2 (NCB-2)	Stage 3 (NCB-3)	Stage 4 (NCB-4)	NCB-5	Total
1	Number of Paddy Allotments	34	101 (39)	17	-	152 (39)
2	Coconut	-	1	-	-	1
3	Maize	-	3	-	-	3
4	no cultivation	-	5	-	-	5
5	Mee	-	1	-	-	1
6	Triticale	-	3	-	-	3
7	*Number of Mix Crops Allotments	-	8	-	-	8

Table 4: Number of Trees on Affected Plots

Description/Quantity		Stage 2 (NCB-2)	Stage 3 (NCB-3)	Stage 4 (NCB-4)	NCB-5	Total
1	Mango	-	1	-	-	1
2	Coconut	-	13	-	-	13
3	Ari (betel) nut	-	5	-	-	5
4	Banana	-	21	-	-	21
5	Pepper	-	8	-	-	8
6	Mahogany	-	4	-	-	4
7	Teak	-	8	-	-	8

### **3.3.4 Consultations**

27. The potentially affected farmers have been consulted through several formal consultation meetings and several smaller informal discussions along the NCB-2, 3, and 4 Canal areas<sup>3</sup>. **Table 5 and 6** summarise formal and informal discussions that occurred. Minutes shall be presented in the DDR 2 Report

### **3.3.5 Completion and Implementation of DDR 2**

28. The Due Diligence Study and Report 2 preparation is currently ongoing, with the results presented above being only preliminary. However, it was found during the study that all APs have agreed to release the land required for the Projects, regardless of it being temporary or permanent loss of landuse.

29. It is expected that the DDR 2 shall be submitted to PMU, followed by ADB for approval, in early 2017. After ADB approval of the DDR2, the contracts for MLBRC NCBs 2, 3, 4 and 5 will be clear for award<sup>4</sup> a Monitoring Plan shall be prepared and, along with the DDR 2 recommendations and additional requirements of ADB, these shall be implemented. DDR 2 data and findings as well as the associated Monitoring Plan and any implementation progress shall be presented in the next resettlement Monitoring Report No.5, covering January to June 2017.

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<sup>3</sup> Consultations for NCB-5 areas were not required as these are in areas of public land, where there are no encroachments or private landuse (refer to Section 3 above).

<sup>4</sup> Only cleared from a social/resettlement safeguards aspect, while engineering and design, environmental and other factors may also contribute to time when construction contracts can be awarded.

**Table 5: Summary of formal meetings held on 14,15,21,22,29 June 2016 for the farmers, along the MLBCRP stages 02,03 & 04-Km 30+140 to Km 73+960**

Km Chainage	No of participants		Points of discussion	Questions and concerns of people & responses from consultants /PMU/PIU	Outcome of Discussion
	Male	Female			
<b>30+140 to 49+820</b> <b>Stage 02</b>	43	16	It was explained in detail on proposed construction program and its effect to the farmers and their lands. Requested for written consent on release of reservation lands for construction.	It was asked on how effect to their lands and if effected what cause of action they can obtain. Some farmers asked about the boundary disputes of their lands	Officers explained that there are no permanent losses to their lands and boundary disputes should deal with the officers of the land commissioner's department. All agreed to implementation of the project. People agreed to give their written consent of release their cultivated reservation lands.
<b>30+140 to 49+820</b> <b>Stage 02</b>	43	07	PMU and PIU officers and consultants stated that the purpose of the meeting. Construction schedule explained to the people. Requested for written consent on release the reservation lands for construction.	During the construction period there may be lots of vehicles are moving on the existing roads network that lead to the unnecessary disturbance to the people.	Officers of PIU assured that there may not be that type of disturbance to the people by the vehicles. People emphasized their fullest corporation for the project implementation. Farmers agreed to give their written consent of release their cultivated reservation lands
<b>49+820 to 63+650</b> <b>Stage 03</b>	50	13	Construction program discussed in detail and effect to their lands and water issues in the cultivation seasons during the construction	It was stated that no reservation lands were allocated at their paddy fields and asked what action they will take.	It was given assurance that no effect to their private lands by the construction. All agreed to give their consent for the implementation of the project
<b>49+820 to 63+650</b> <b>Stage 03</b>	25	14	It was explained the construction program on rehabilitation of structures. Officers/PMU, PIU requested on release the cultivated	People asked about the commencement of the construction and water issues to their paddy field during construction.	Officers of PIU/PMU said that still tender was not awarded and they will inform them in advance before start the construction. No stop of water during construction they said. All farmers

Km Chainage	No of participants		Points of discussion	Questions and concerns of people & responses from consultants /PMU/PIU	Outcome of Discussion
	Male	Female			
			reservation lands for the construction.		attended at the meeting gave their consent to release the cultivated reservation lands for construction. They also agreed to give in writing the consent.
<b>63+650 to 73+960</b> <b>Stage 04</b>	21	13	The construction program was discussed and explained in details. Officers of PMU/PIU asked on release of cultivated reservation lands for construction works.	People said that they have no issues as officers of PMU and PIU were given all details on the construction program and they said that they are very happy on the rehabilitation works.	Officer of PMU/PIU thanked who are trusted and corporation of the farmers. All farmers agreed to give their consent on release of cultivated reservation lands for the construction.
<b>63+650 to 73+960</b> <b>Stage 04</b>	32	11	The construction program was discussed and explained in details. Officers of PMU/PIU requested to release the cultivated reservation lands for construction works.	Here also farmers said that they are very happy on the project as at present they faced shortages of water for the paddy fields.	Officers/PMU, PIU stated that farmers support is encouraging situation for them. All farmers agreed to give their consent in writing for release of cultivated reservation lands for the construction.

**Table 6: Summary of informal meetings held on 14,17 & 29 June 2016 along the MLBCRP Stages 2,3 & 4- Km 30+140 to 73+960**

Km Chainage	Numbers of participants		Points of discussion	Questions and Concerns of people & responses from officers/PMU,PIU	Outcomes of Discussions
	Male	Female			
<b>30+140 to 49+820</b> <b>Stage 02</b>	Male	Female	Officers of PMU/PIU asked on the farmers awareness of proposed rehabilitation program.	Farmers who were attended at the discussion inquired about the time period of construction.	Officers informed that still tender was not awarded and they inform to the people in advance before start the construction.
<b>30+140 to 49+820</b> <b>Stage 02</b>	Male	Female	It was explained and asked about farmers attitude on proposed rehabilitation of Minipe left bank canal	People inquired on water issue during the construction period as they wanted to cultivate their paddy field continuously.	Officers/PMU, PIU explained that no stop of water issue during the construction period as it is expected to implement the construction works during the off seasons.
<b>49+820 to 63+650</b> <b>Stage 03</b>	Male	Female	Officers asked from the farmers that they are cultivating the reservation lands where turnouts are located.	Some farmers stated that at present they are cultivating reservation lands which are located close to the D canals and turn outs.	The farmers who are having cultivated reservation lands verbally agreed to give their consent in writing for release of their reservation lands for turnout rehabilitation.
<b>63+650 to 73+960</b> <b>Stage 04</b>	Male	Female	It was discussed on proposed rehabilitation program.	People said that they welcome the rehabilitation program as they face water shortage for their paddy lands and agreed to release their reservation lands for the construction.	Officers of PMU/PIU appreciated for the generosity of the people.

## 4 UPPER ELAHERA CANAL (UEC)

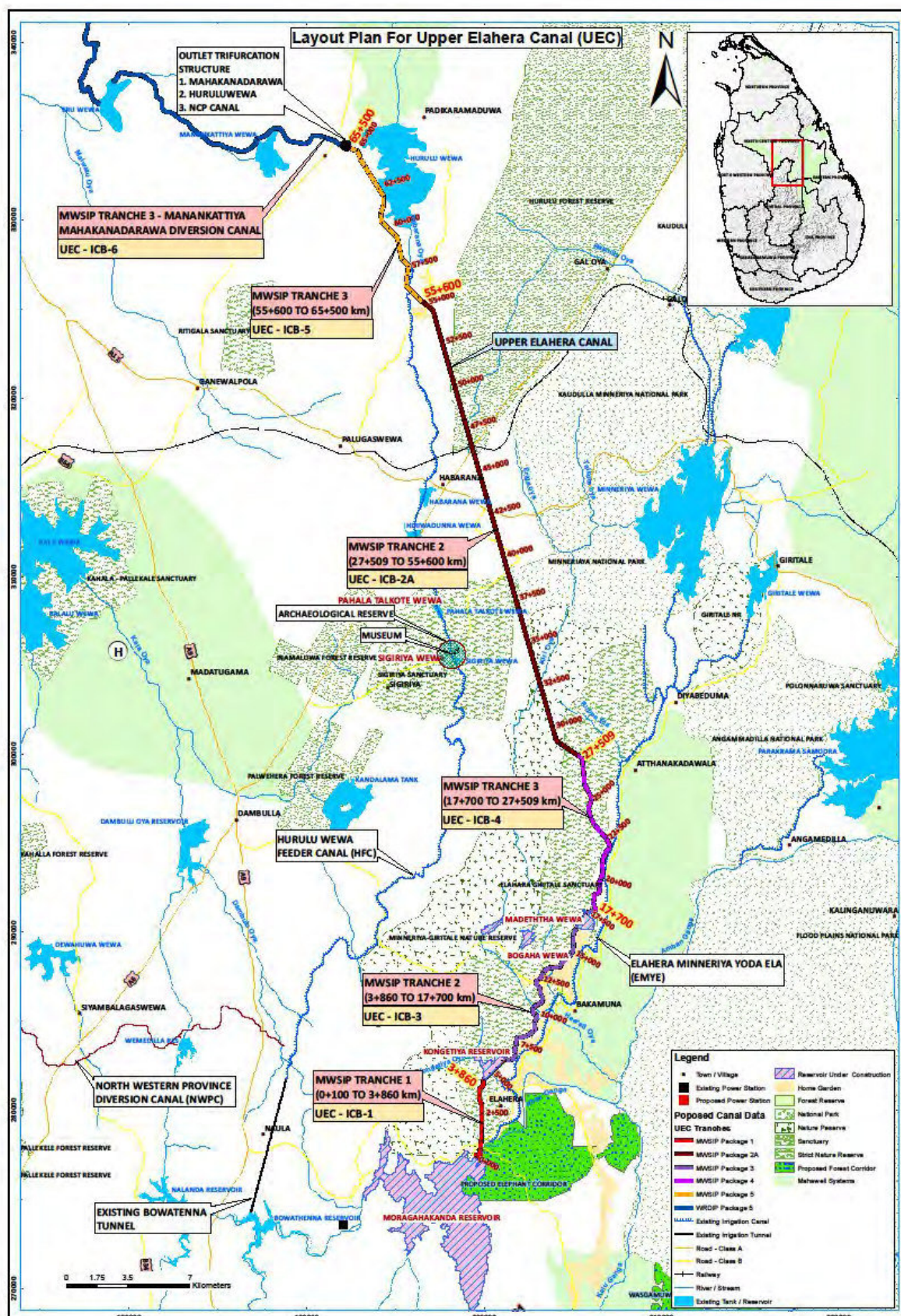
30. The UEC Project encompasses the construction of approximately 82 kilometers of canal (including 28km of tunnels) connecting the Moragahakanda Reservoir to the existing tanks of Huruluwewa, Manankattiya, Eruwewa and Mahakanadarawa. The Kalu Ganga-Moragahakanda Transfer Canal (KMTC) under this component will include the construction of approximately 9 km of transfer canal (including 8km of tunnels) for the transfer of water between Kalu Ganga and Moragahakanda reservoirs. The civil works will be carried out through 7 international contracts – only one ICB contract is included under Tranche 1; three proposed in Tranche 2; and four in Tranche 3 (**Figure 3**). Since the last reporting period, the construction contract for the UEC ICB-1 Sub-project through “Minneyiya-Girthala Wildlife Reserve” km 0 to km 3.860 has been awarded and contractor mobilized.

### 4.1 UEC ICB 1 (Stage 1) Sub-Project – Minneyiya-Girthala Wildlife reserve

31. This Sub-project includes only km 0 to km 3.860 (**Figure 3**), for design and construction related reasons, for which the reduction in length covered by UEC ICB-1 was reported in the July to September Quarterly Monitoring Report No.3. It was also reported that this length of canal is a part of the Minneyiya-Girthala Wildlife Reserve forest area and will remain without resettlement and land acquisition impacts.

32. No grievances have been submitted in relation to this Project, but the PIU continues to monitor to ensure contractor and sub-project complies with social and resettlement safeguards.

**Figure 3: UEC Project – General Layout for all subprojects and tranches**



## 5 NORTH WESTERN PROVINCE CANAL (NWPC)

### 5.1 Introduction

33. NWPC includes the construction of 96 km of new and upgraded canals (including 940 m of tunnel) 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. It will be constructed through 8 civil works contracts – one national and two international in Tranche 1; and five national contracts for civil works proposed for Tranche 3 inclusion (**Figure 4**).

34. The following sub-projects are included under Tranche 1:

- (i) NWPC ICB 1 – Mahakithula Inlet Tunnel, Mahakithula and Mahakirula Reservoirs and Feeder Canal 3.66 kilometres
- (ii) NWPC ICB-2 – Main canal Nabadagahawatta to Mahakithula Reservoir (km 5+250 to 22+500)
- (iii) NWPC NCB 1 – Wemedilla Sluice and LBMC from reservoir to Nabadagahwatta (km 00+000 to 5+250).

### 5.2 NWPC NCB 1: Wemedilla Sluice and LBMC from Reservoir to Nabadagahwatta (km 00+000 to 5+250)

35. The NWPC NCB 1 sub-project is under the MWSIP Tranche 1, including Wemedilla Sluice and LBMC from Wemedilla reservoir to Nabadagahwatta with a length of 5.25 kilometers (refer to **Figure 5 and 6**). The Draft RIP for the full NWPC Project was prepared during the PPTA, which also included this project area. The Draft RIP has been disclosed and the executive summary of this was published in the previous “Resettlement Monitoring and Evaluation Report No. 1”, prepared in March 2016.

36. During the ADB Mission meetings in Colombo in June 2016, the impacts on NWPC NCB 1 were discussed with ADB Senior Safeguard Specialist. Given that the area impacted is only along a 520m of the 5.25 km project canal length (less than 10%), and as long as there is no objection from the affected persons, it was decided that bidding processes, contract award and construction may go ahead, but construction in the RIP affected 520 meters’ area is not permitted until the RIP is fully implemented and evaluation report submitted and approved by ADB. The construction contract has been awarded and the contractor has mobilized. Therefore, the delayed RIP preparation and implementation for this NCB-1, has not impacted on Contract award and contractor commencing construction in other parts – 5 kilometres - of the canal.

Figure 4: NWPC Project – General Layout for all subprojects and tranches

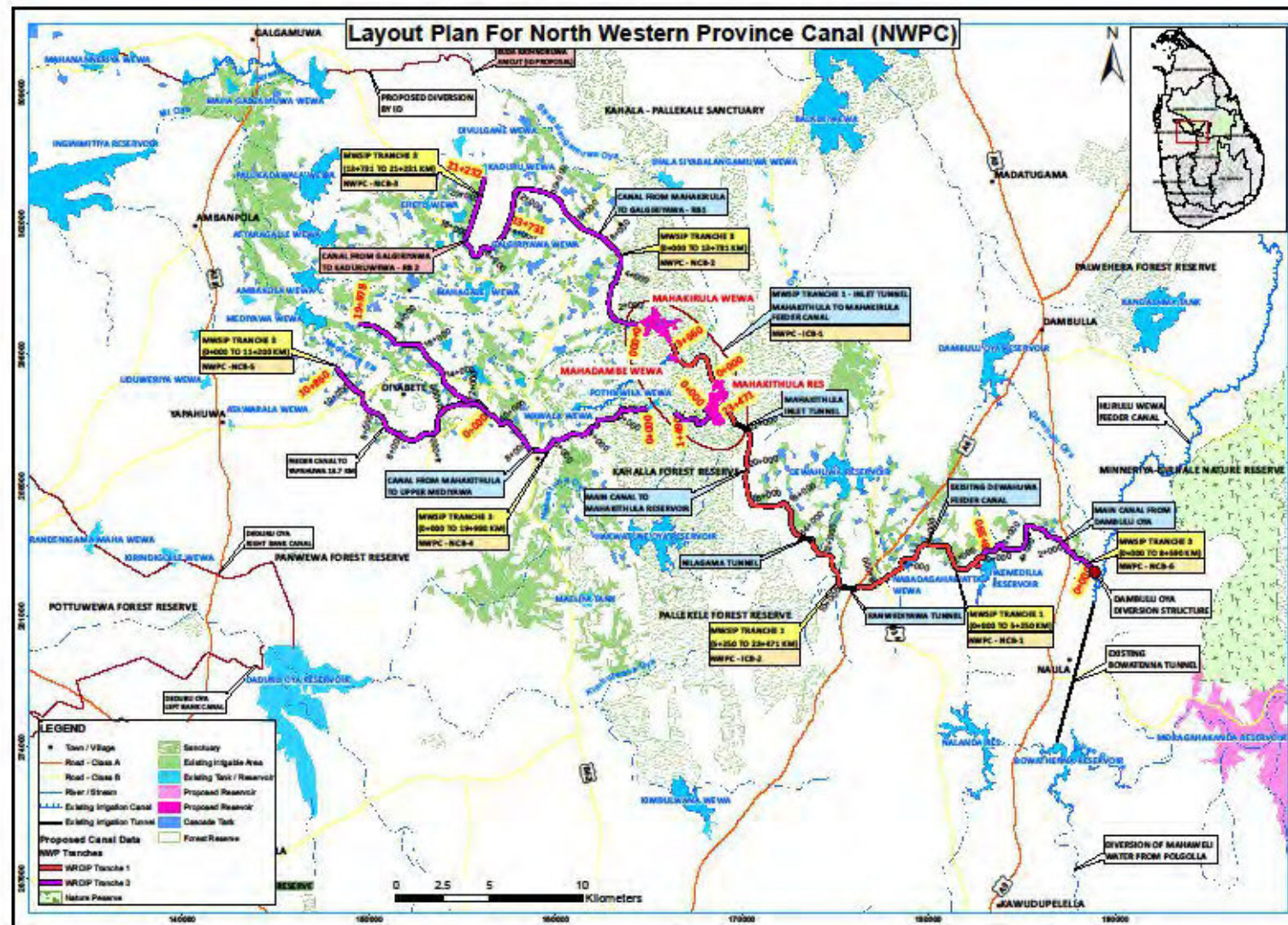


Figure 5: Layout Plan for NWPC- NCB-1

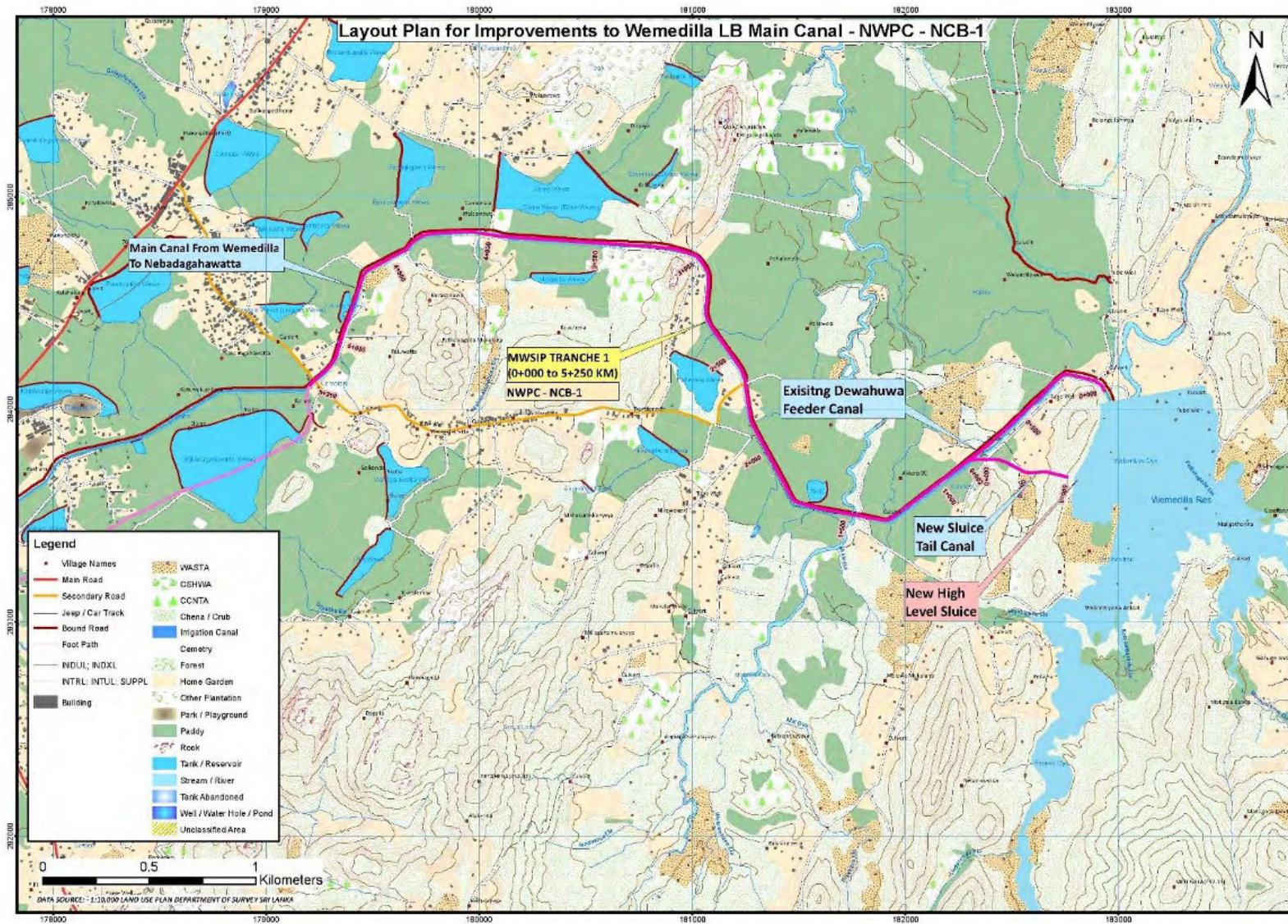
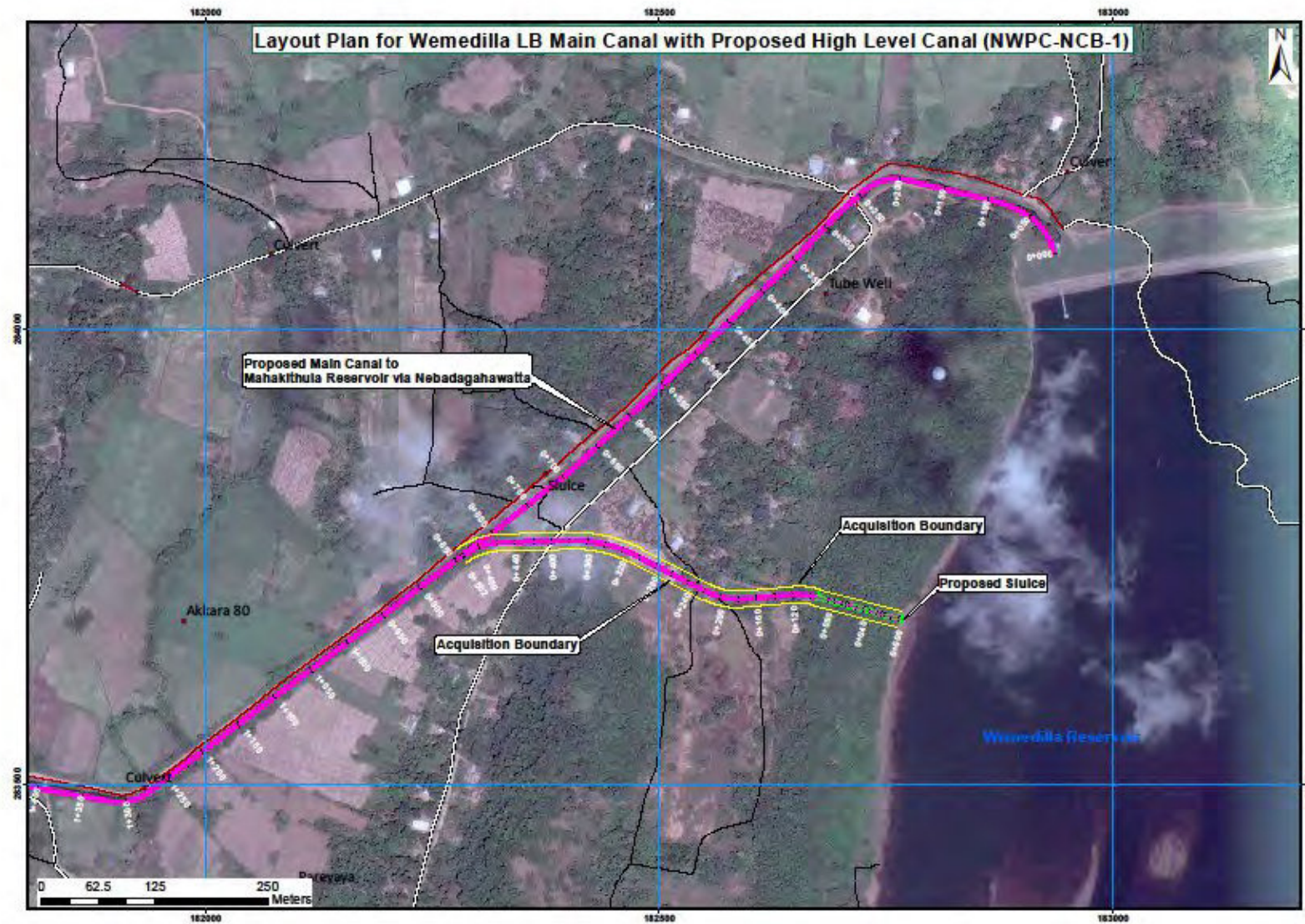


Figure 6: Map of NWPC NCB-1 with Land Acquisition and Resettlement Impacts



37. A Land Acquisition Plan was prepared and completed in early 2016 for NWPC NCB-1, following Sri Lankan MLLD requirements at the Stage when Section 2 and Advanced Tracing processes were completed, with some preliminary assessment of impacts, based on the MLLD prepared land acquisition plan were presented in the Resettlement Monitoring Report 2. However, during this reporting period, the NWPC NCB-1 Land Acquisition and Resettlement Process has completed the Section 9 inquiries stage and issued section 10A notices on ownership and affected land. As at 31 December 2016 the status of the land acquisition is at the stage of determining compensation by Valuation department of MLLD (refer to **Annex A**).

38. An assets inventory/census and socioeconomic survey has been conducted with 100% of affected households/entities and data collated during the reporting period. Some of the preliminary results of the surveys are presented in Tables 7 to 10 below. In the 5.52-kilometer length of Wemedilla Sluice and LBMC from Wemedilla reservoir to Nabadgahwatta, there are four affected households, including a Temple, which also owns all the seven affected land plots, and 3 households with lease agreements (Table 7 and 9). A total of approximately 0.64 Ha (1Acre, 2Roods, 14.5 perches) of land are affected (Table 9). One of the affected households may be classified as Vulnerable through physical disability (Table 8). Of the seven plots affected, one lot is paddy land and 6 lots are high land areas on which there are 31 productive fruit trees (coconut, mango, and cashew) and 3 wood trees (teak and Akeshiya) (Table 7 and 10). Further information shall be presented after the valuations are prepared and compensation distribution to Aps is conducted during 2017.

**Table 7: Summary of Impacts**

SN	Detail	Number of Households	Number of land lots	Number of trees
01	Owner	01*	--	--
02	Leaseholder	03	--	--
	<b>Structures &amp; lands</b>			
01	House	--	--	--
02	Other structures	--	--	--
03	Land - Paddy land	01	01	--
04	- High land	03	06	--
	<b>Trees and crops</b>			
01	Producing Fruit trees	03	--	31
02	Non-producing (old) fruit trees	--	--	--
03	Wood trees	03	--	03

\* The temple is the land owner of all affected land areas, including the leased lands

**Table 8: Vulnerable household and family members**

SN	Household	Nature of disability
1	01	Physically disable
<b>Total</b>	01	-

Table 9: Lands to be acquired

Description of Lands	Private ownership A R P	Lease ownership A R. P.	Total A. R. P.	Total (Ha)
High Lands	-- -- --	01 01 01.2	01 01 01.2	
Paddy Lands	-- -- --	00 00 22.1	00 00 22.1	
Temple Forest Lands	00 00 31.2	-- -- --	00 00 31.2	
Total Extent	00 00 31.2	01 01 23.3	01 02 14.5	0.64 ha

Table 10: Number of trees (long term) to be removed

Name of Trees	Age below 05 years	Age 05- 10 years	Age 11-15 years	Age 16-20 years	Age above 21 years	Total number of trees
Coconut	19	-	-	-	-	19
Mango	04	-	-	-	-	04
Cashew	-	02	-	-	06	08
Teak	-	-	01	-	-	01
Akeshiya (Acacia)	02	-	-	-	-	02
Total	24	02	01	-	06	34

39. The Divisional Secretary has made requests for Valuation Department reports. However, these reports may take several months to be prepared and sent by the Valuation department. This means that results from the Sri Lankan legal valuation processes for preparation and submission of the RIP for ADB approval and subsequent implementation would not be possible until May 2017. However, the PMDSC has recommended, during the previous June-September reporting period, that the PMU and NWP PIU request the Valuation Department expedite the process. That is, expediting the valuation and compensation determination process only. This does not include recommending to expedite the actions and opportunities involving the affected people, allowing them time to participate in the process. This may allow for valuation and compensation data to be completed and an RIP prepared earlier than May 2017 along with implementation soon after. However, the choice and which processes to expedite, as recommended, is solely at the discretion of the PMU.

40. The results of RIP impacts, valuations and compensation distribution to affected people is expected in 2017. Monitoring of this NCB-1 Land acquisition and resettlement will include as follows:

- Data shall be collected by NWP-PIU and PMU on actual compensation paid or distributed (Rupees or replacement item for each actual loss) to each Affected Person and the actual impacts (temporary and/or permanent economic or physical loss) for which compensation was actually paid.
- Any discrepancy with RIP budget and/or losses measured by the GoSL Process and the Consultant surveys data will be identified and attempts will be made to identify the reasons for discrepancy and if further compensation, in accordance with ADB SPS 2009 and the Program Resettlement Framework will be considered.
- Monitoring Report No.5 January to June 2017, to be prepared by the PMDSC will record RIP implementation for NWPC NCB-1, if data is available, and submitted to ADB as part of the process to ensure ADB policy and Loan Agreement is complied. The concurrence with the report will trigger ADBs no objection to the handing over the length of acquired land to the Contractor' to commence construction. That is, construction may commence in the 5.25 km project canal length resettlement affected area once resettlement and land acquisition is fully completed.

### 5.3 NWPC ICB 1: Mahakithula Inlet Tunnel, Mahakithula and Mahakirula Reservoirs and Feeder Canal 3.66 kilometres – DDR 3: NWPC Environmental and Resettlement Due Diligence Report for Roads Widening

41. The NWPC ICB 1 sub-project is under the MWSIP Tranche 1, including Mahakithula Inlet Tunnel, Mahakithula and Mahakirula Reservoirs and Feeder Canal 3.66 kilometres (refer to **Figure 7**). The earlier “Resettlement Monitoring and Evaluation Report No. 2”, prepared in June 2016, reported that The PIU and PMDSC had carried out further initial screening and investigations, including consulting with local authorities and site inspections. The investigation, along with the Section 2 Notice issued, confirmed that the area covered under this ICB contract is a part of a Wildlife Reserve forest area. Therefore, it will not have any Involuntary Resettlement impacts.

42. Investigations have indicated the need for improvement of six access roads (approximately 32km widened to 7 to 12-meter width) with the purpose of providing access for large-scale construction machinery to the NWP ICB-1 sites (refer to **Figure 7 and 8**). The roads will also provide benefit to local communities, such as improved accessibility to local markets and social services as well as economic development due to the wildlife reserve expecting widened roads will allow development of eco-tourism in future. On discussion with the ADB Mission in June 2016, it was decided that a combined “Environmental and Resettlement Due Diligence Report” will be prepared to ensure the roads development will comply with ADB safeguards and Sri Lanka’s legal requirements. The DDR 3 was due to be submitted on 30th September 2016. However, DDR preparation and submission were delayed until December 2016 (draft submission) due to a combination issues including adequacy detailed data collected, time consuming data analysis, obtaining agreement through discussions with relevant Wildlife Reserve and other authorities and engineering design issues. These were resolved by PMDSC and PMU with the NWPC PIU and a draft DDR 3 produced at the end of this reporting period.

43. In July 2016 Reconnaissance Missions were separately conducted by the National Social and Resettlement Specialist and the National Environmental Specialist, with the objective of determining the data and consultation requirements, to develop the DDR, in accordance with GoSL legislation and ADB SPS 2009. Subsequently, in August to November 2017, social, resettlement and environmental field data collections and consultations were conducted towards producing the resulting DDR 3. The DDR 3 was drafted and submitted at the end of December 2016 for PMU review and comments. This section documents some the preliminary impacts and findings of DDR 3, pending PMU document review and feedback prior to ADB submission. These shall be confirmed with findings and recommendations fully documented in the January-June 2017 Resettlement Monitoring Report No. 5.

**Figure 7: NWPC ICB-1 Map**

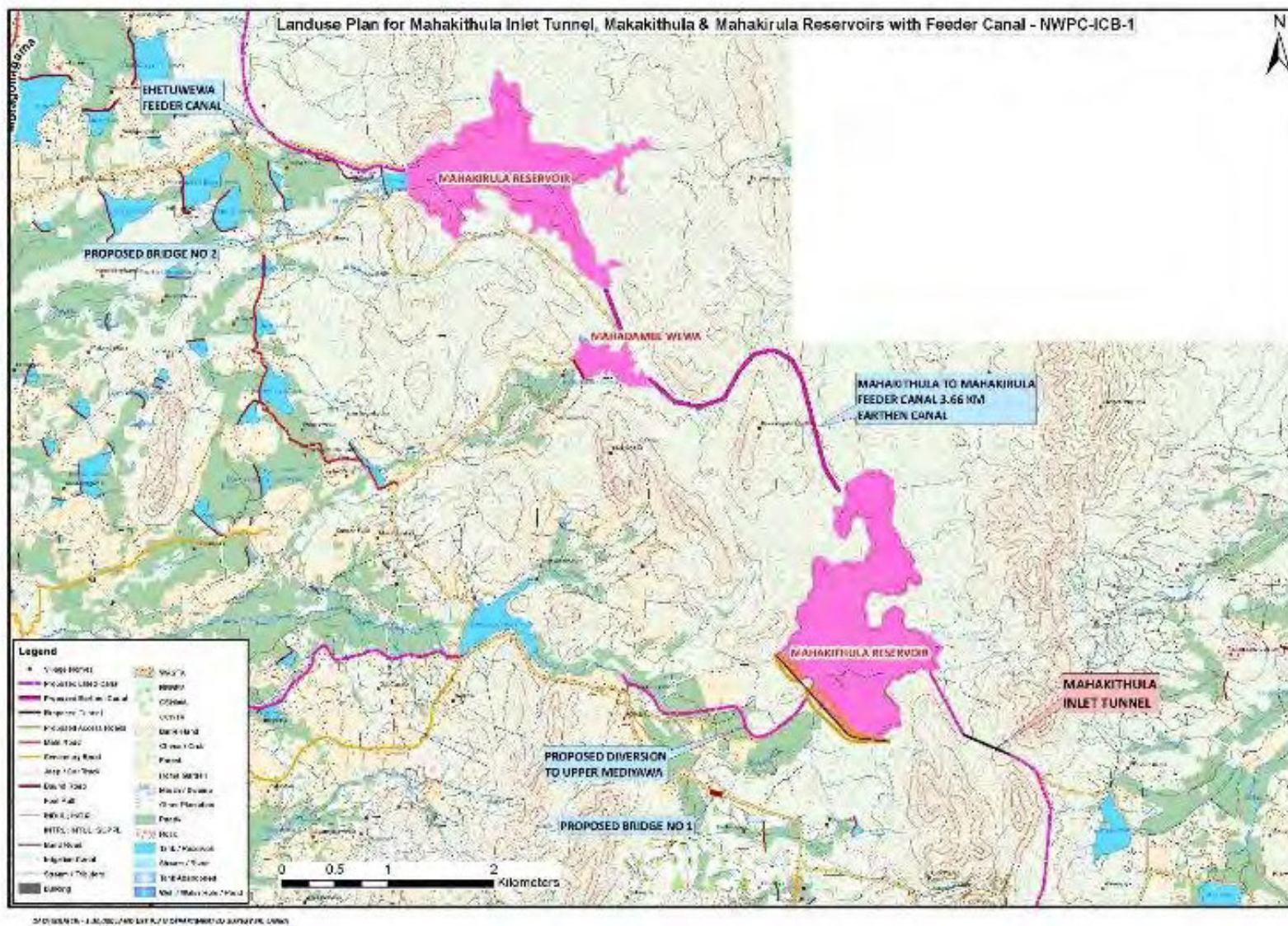
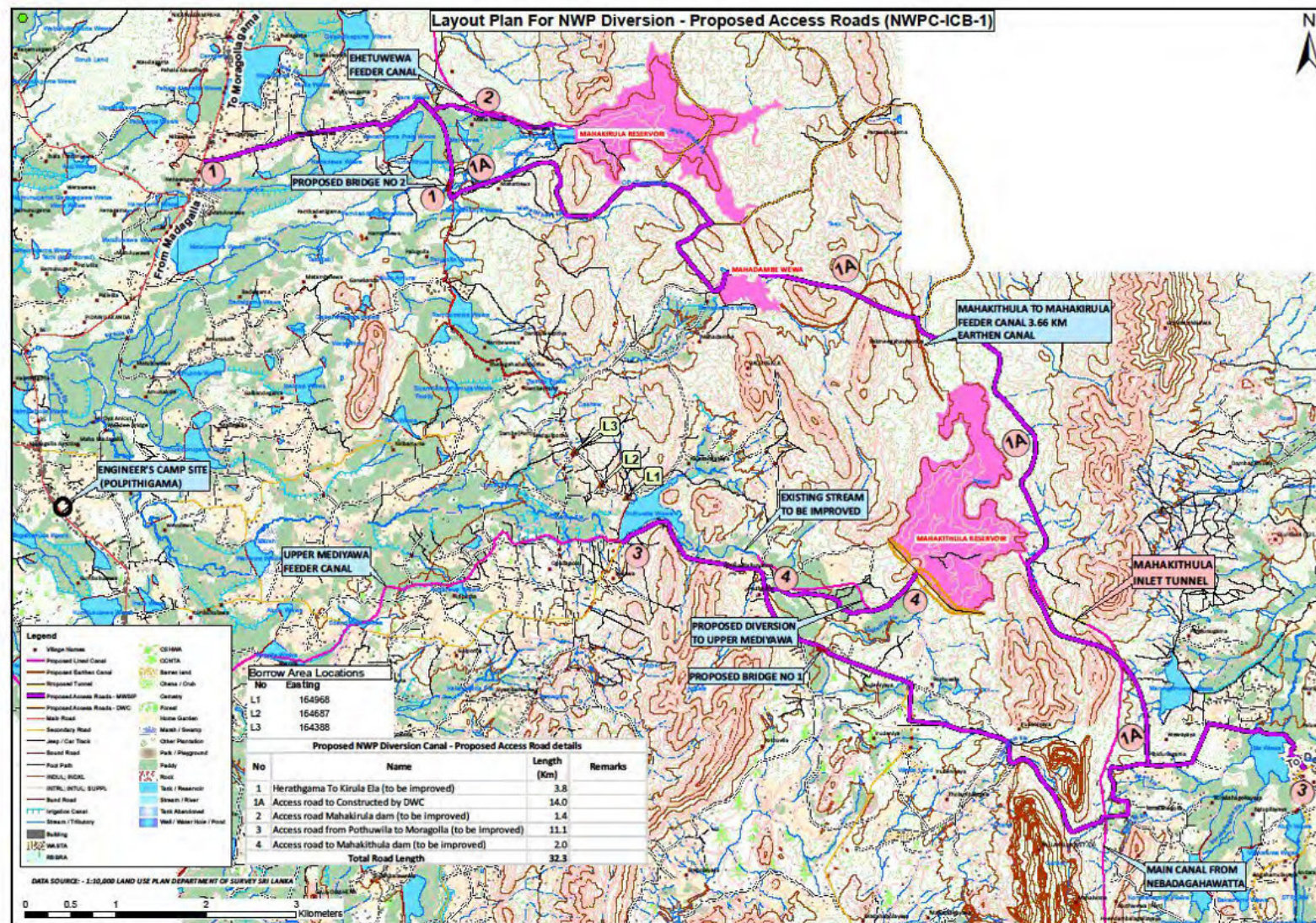


Figure 8: Map of Proposed Access Roads Improvement (NWPC ICB-1)



### 5.3.1 Potential Impacts

44. An Inventory of Losses Survey and Socioeconomic survey was requested to be conducted on the potentially impacted areas, covering 100% of those who might be affected by road widening. The Specialists of the PMDSC worked with the PMU and PIU Specialists to obtain details of potential impacts for widening the access roads.

45. The Due Diligence study established the following preliminary potential impact findings related to the Roads rehabilitation requirements for moving large-scale heavy construction machinery to the North-West Province Canal project NWPC-ICB-1 “Mahakithula Inlet Tunnel, Mahakithula and Mahakirula Reservoirs and Feeder Canal 3.66 kilometres” - sub-project:

- (i) Inspections, consultations and an inventory has been conducted, covering each potentially affected strip plot of land along the four roads to be rehabilitated and widened. There are 46 affected plots, in which less than 10% of land area may be potentially affected by road widening (Table 11) not including the Wildlife Department. Of the potential impact, 0.069Ha categorized paddy land and 1.134 Ha is highland. Apart from rice (0.069 Ha), onions (0.9 ha), beetroot (0.284 ha) and chilly (0.355 ha) crops and 5 trees (teak and neem trees) are potentially affected (Tables 12 and 13).
- (ii) There are 47 affected persons, including households, encroachers and the Wildlife Department which owns some of the occupied agricultural lands impacted by the road rehabilitation, as well as within the Sanctuary Area (Table 11 and 13).
- (iii) Twenty-six of the potentially affected farmers are currently encroaching in Wildlife Department Land (Table 13), thereby adding the Wildlife Department also as an “Affected Person” totaling 47 APs. However, the encroaching farmers have been allowed to remain, conducting their agriculture and livelihood practices as the Wildlife Sanctuary was declared over 40 years ago. Being outside of the elephant fencing, it is not expected that the encroached area will be subsequently affected by the re-categorization of the Wildlife area to a National park (within the elephant fence boundary) within which human activities would be otherwise highly restricted.

**Table 11: Numbers of Affected Household by Gender and Impacted plots**

SN	Name of Road	No. of affected households (Aps)		No. of affected Plots
		Male	Female	
1	Herathgama - Mahakirula	3	0	3
2	Mahakirula Dam	10	2	12
3	Pothuwila to Morogolla	4	1	5
4	Mahakithula Dam	24	2	26
<b>Total</b>		<b>41</b>	<b>5</b>	<b>46</b>

**Table 12: Severity of impact (area and % of land volunteered to total occupied)**

Item / Road		Herathgama-Mahakirula	Mahakirula Dam	Pothuwila to Morogolla	Mahakithula Dam	Total
Impacted land to be volunteered	Paddy		0.069 Ha (27.6P)			0.069 Ha
	Highland	0.009 Ha (3.56 P)	0.151 Ha (12.3P)	0.02 Ha (7.22P)	0.245 Ha (2r 18.7P)	1.134
percentage of whole land area	Paddy		1.4% (1.86% paddy)			
	Highland	0.07%	3.08% (12.6% H'land)	0.60%	1%	

**Table 13: Land ownership status (numbers of potentially affected plots)**

SN	Name of Road	Description of lands	Private ownership Number of Plots	Encroached land (No. of plots)	Total (No. of plots)
1	Herathgama- Mahakirula	Highlands	3	0	3
		Paddy land	0	0	0
2	Mahakirula Dam	Highlands	4	0	4
		Paddy land	8	0	8
3	Pothuwila to Morogolla	Highlands	5	0	5
		Paddy land	0	0	0
4	Mahakithula Dam	Highlands	0	26	26
		Paddy land	0	0	0
	Total		20	26	46

### 5.3.2 Consultations

46. There were 3 formal consultations with community that were held, as summarised in Minutes of Meetings recorded by NWPC PIU and minutes presented in the DDR3. Along with consultation meetings a series of informal consultations with various potential affected households were also held. Table 14 and 15 presents a summary of consultations conducted for the Due diligence study.

47. During consultation meetings land owners and those who are using encroached wildlife lands stated that they will benefit from the roads widening and improvements as vehicles moving are difficult due to bad condition of roads. Land owners and encroachers have consented to release the required extent of land for the roads. They all signed consent letters that specifically outlined what they were volunteering and knew that land releases will occur on permanent basis which could not be used again. Discussions with Wildlife Department for use of their land, both encroached and reserve land) has been discussed and is also presented as part of Table 14 below.

### 5.3.3 Completion and Implementation of DDR 3

48. The Due Diligence Study and Report 3 shall be finalized with the incorporation of PMU Comments, and submitted for ADB approval in early 2017. A Monitoring Plan shall be prepared and, along with the DDR 3 recommendations and additional requirements of ADB, shall be implemented. DDR 3 data and findings, as well as the associated Monitoring Plan and any implementation progress, is anticipated to be presented in the next resettlement Monitoring Report No.5, covering January to June 2017.

**Table 1: Summary of Environmental Stakeholder Consultations (NWPC-ICB-1 Roads Rehabilitation)**

Name	Title	Issues discussed
<b>1. Mr. Manjula Amarasinghe</b>	Deputy Director (Natural Resource Management), Department of Wild Life Conservation, Battaramulla,	<ul style="list-style-type: none"> <li>The proposed project area under NWPC-ICB-1 and the rest of the undisturbed area under present Kahalla - Pillekele sanctuary shall be declared as a National Park in near future</li> <li>Therefore, the Herathgama entrance should be the only entrance into the proposed National park areas, and all the other entry points into the proposed park area shall be closed from the boundary elephant fence immediately after the construction work is over</li> <li>Sections of Road No.1 and road to Mahadamabe across the wild life area will be ear marked and ground preparation will be done and the surfacing and drainage shall be done under the project cost with the close supervision of Wild life department officers</li> <li>No any land acquisition is permitted, and the road improvements and operation can be done liaise with the Wild life department conditions and regulations</li> <li>It's expected that the project would support to the wild life department to construct Herathgama office, park entrance fasciitis, Mahadambe beat officer within the proposed area and provide with the come bicycles for the field officers</li> </ul>
<b>2. Mr. Sumanasena</b>	Regional Assistant Director (North Western Province), Department of Wild Life Conservation	
<b>3. Mr. Wijesinghe</b>	Wild Life Range Officer, Department of Wild Life Conservation, Kahalla	
<b>4. Mr. Tenyshan</b>	Ranger, Wild Life Range Office, Pibidunagama	<ul style="list-style-type: none"> <li>Road from the Pibidunagama entrance is the only road used by the surrounding villages of the Kahalla - Pallekele sanctuary, and hence it's a positive impact to develop the area, in an eco-friendly manner, as the area has lot of wild life movements</li> <li>The proposed borrow site above the existing wild life range office at Pibidunagama is not accepted as it would affect the area with the risk of erosion, earth slips etc.</li> </ul>
<b>5. Mr. H. M. Priyantha Bandara</b>	Ministry of North Western Province Development, Herathgama, Moragollagama	<ul style="list-style-type: none"> <li>Funding (8 million LKR is allocated by the NWP Development Ministry to resurface the 1<sup>st</sup> 2 km of the proposed Road No.1 under NWPC-ICB-1.</li> </ul>

Name	Title	Issues discussed
6. Community		<ul style="list-style-type: none"><li>• Improve the flooding areas with proper engineering designs</li><li>• Water ways crossing the road should not be blocked as those are flowing to the nearby small tanks. Proper designs to be made calculating the exact flows</li><li>• Disturbances to the existing utilities to be reinstate by the project, including home garden fencing / walls</li><li>• There is a proposed pipe lying under a community water supply project associated with the road No.1. So road improvements to be planned in such a manner considering the planned development activities in the area</li><li>• Borrow areas to be reinstate soon after the excavation, as those pits would impact to the village (spreading diseases due to creating mosquito breeding sites etc.) falling wild animals into the pits</li></ul>

Table 2: Summary of Consultation Meetings (NWPC-ICB-1 Roads Rehabilitation)

Date and Time	Location (village/road/Chainage/etc.)	Numbers of participants		Points of discussion	Questions and Concerns of people & responses from Consultant/PIU/PMU	Outcomes of discussions
		Male	Female			
11.07.2016 10.00 to 11.00am	Access road from Herathgama to Mahakithula-road No.1  Chainage - 02.000 to 02.420	08	04	Potential Land, assets and other impacts for road rehabilitation and widening	<p>1. Extent of lands to be to widen the road and what are the affected lands?</p> <p><u>Answer-</u> Below 10 perches of land from an allotment and width may be 3-5 meters and length is along the road where land is located.</p> <p>2. Width of the road after rehabilitation.</p> <p><u>Answer-</u> 5 meters' carriage way and 2 meters for shoulders from both sides.</p> <p>3. People wanted to know whether road will be closed during construction/rehabilitation period.</p> <p><u>Answer-</u> road is not close during construction period.</p>	<p>1. Affected landowners wished to volunteer the land area for the road footprint.</p> <p>2. All people welcomed the road widening and rehabilitation.</p>
11.07.2016 2.00 to 3.00 pm.	Access road to Mahakirula dam access road No.2.  Chainage - 00.400 to 01.000	20	14	Potential Land, assets and other impacts for road rehabilitation and widening	<p>1. When the road rehabilitation will start and extent of lands to widen the road?</p> <p><u>Answer</u> May be in 2017. Land extent not more than 10 perches/width 3-5 meters and length along the road.</p>	<p>1. Lands affected people wished to volunteer land without asking compensation.</p> <p>2. All those who were present at the consultation expressed their satisfaction over proposed road rehabilitation works.</p>

Date and Time	Location (village/road/Chainage/etc.)	Numbers of participants		Points of discussion	Questions and Concerns of people & responses from Consultant/PIU/PMU	Outcomes of discussions
		Male	Female			
					2. Whether road will be constructed with laying tar and mettle or compacting only gravel.  <u>Answer</u> - Not decided yet.	
12.07.2016 9.00 to 10.00 am	<b>Access road from Pothuwila to Moragolla.</b> <b>Road no.03:</b>  <b>A. Chainage - 04.200 to 04.210</b>	05	02	Potential Land, assets and other impacts for road rehabilitation and widening	1. Extent of lands extent of lands to widen the road  <u>Answer</u> - 5-10 perches may be maximum extent affected for road widening.  2. Who are the affected land owners?  <u>Answer</u> - Exact names of affected land owners will be informed in due course through Grama Niladari, but the road areas under consideration were mentioned.	1. People present at the discussion, generally gave their consent to road rehabilitation. However, they wanted to know what lands might be impacted by the road.
	<b>B. B.07.500-07.520</b>	12	04	Potential Land, assets and other impacts for road	1. Extent of lands extent of lands to widen the road, affected lands and persons?  <u>Answer</u> - Maximum land affected for road widening if around 5-10 perches. Affected lands and owners of the lands	1. All those present at the discussion welcomed the road rehabilitation/improvement, irrespective whether their lands will be affected or not.

Date and Time	Location (village/road/Chainage/etc.)	Numbers of participants		Points of discussion	Questions and Concerns of people & responses from Consultant/PIU/PMU	Outcomes of discussions
		Male	Female			
				rehabilitation and widening	will be informed to them through Grama Niladari. Some affected land lots were shown to the people.	
<b>12.07.2016</b> <b>2.00 4.00 pm.</b>	<b>Access road to Mahakithula Dam road no. 04.</b>  <b>Chainage 00.000 – 00.300</b>  <b>Meeting 1</b>	11	06	Potential Land, assets and other impacts for road rehabilitation and widening	1. Who are the affected land owners?  <u>Answer</u> - Exact names of affected land owners will be informed in due course through Grama Niladari, but the road areas under consideration were mentioned.	1. People did discuss willingness to volunteering the lands for road widening.
	<b>Meeting 2</b>	12	03	Potential Land, assets and other impacts for road rehabilitation and widening	1. Extent of lands extent of lands to widen the road, affected lands and persons?  <u>Answer</u> - Maximum land affected for road widening if around 5-10 perches. Affected lands and owners of the lands will be informed to them through Grama Niladari. Some affected land lots were shown to the people.	1. People did not object road widening or release of lands for that purpose.

## 5.4 NWPC ICB 2: Main canal Nabadagahawatta to Mahakithula Reservoir (km 5+250 to 22+500)

49. The NWPC ICB-2 contract package includes the main canal Nabadagahawatta to Mahakithula Reservoir (km 5+250 to 22+500). This full section of canal, has highest magnitude of resettlement and land acquisition impacts of all three Tranche 1 Projects (**Figure 4**). Therefore, Land acquisition and resettlement (RIP) preparation processes have commenced in sections of this sub-project, in accordance with the land acquisition act of 1950 (LAA) and its amendments (Refer to **Annex A**).

50. In areas where design revisions were being conducted by the PMDSC, the Social and Resettlement Safeguards and Environmental Safeguards Specialists provided advice on safeguards impacts and implications on the varying design options, as they develop. One of these was the Nilagama Tunnel alternative design. Further investigations in relation to technical engineering design and land acquisition and resettlement implications were conducted and it was found that the tunnel alternative would reduce the land acquisition and resettlement impacts caused by the Project. Details of this study has been reported in both Resettlement Monitoring Reports No. 2 and No. 3.

51. Table 16 presents the status of Land Acquisition and Resettlement processes along the various sections of NWPC ICB-2 Sub-project as of December 2016 and what was reported in September 2016 (Report No.3). The PMDSC through the PMU has suggested, and ADB accepted, that NWPC ICB-2 be split into up to 5 updated RIPs, or in accordance with GN Division boundaries and completion of valuations, to reduce the timing for RIP preparation and compensation, thereby reducing the delays to construction implementation schedule. That is, areas cleared early would give opportunity for the ICB-2 selected contractor to commence work in selected areas, already completed the land acquisition and resettlement processes, while the other areas continue the resettlement process. There would be enforced requirements in the bid documents and construction contracts (or a contract amendment) that the contractor would be prohibited from construction works in areas where RIP development and implementation was not completed.

52. Based on the status of progress (December 2016) presented in Table 16, RIP update preparation and implementation is forecast to be completed approximately by late 2017 or in early 2018 for all GNDs, although the valuation process in various GNDs may not all complete at the same time, thus still justifying the possibility of multiple RIPs. The time for completing the valuation may potentially delay the construction program by several (at least 4-6 months) months with compensation completed, and land handed over to the contractor, no earlier than 2018.

53. To ensure ADB SPS 2009 requirements are met in monitoring impacts, compensation provisions and ensuring affected persons are better off or in the same condition as pre-project situation, a Census and socioeconomic survey and inventory shall be conducted in early 2017. As well as identifying impacts in detail, this provides a baseline for subsequent monitoring of resettlement and social related issues in NWPC ICB-2. Preliminary results of these surveys are expected to be reported in the January to June 2017 Resettlement Monitoring and Evaluation Report No. 5.

**Table 16: Progress of NWPC ICB2 Land Acquisition processes.**

GN Division Code	GN Division Name	Status ending 3 <sup>rd</sup> Quarter (July to September 2016)	Status Ending 4 <sup>th</sup> Quarter (October to December 2016)
433	Nabadagahawatta	Section 2 Notice Published. Survey for Advance Tracing Suspended due to design revisions by PMDSC.	Section 2 Notice Published. Survey for Advance Tracing Suspended due to design revisions by PMDSC.
432C	Danduyaya	Advance Tracing submitted to Land Ministry for Section 4 Direction	Section 4 notice - Decision to acquire the land/property and direct to divisional secretary for inform to owner/s of land/property
432E	Pahala Bambawa		
432I	Ranwediya		
431C*	Kospotha	Section 2 Notice Published. Survey for Advance Tracing completed. Advance Tracing is pending (Anticipated date of submission 10.10.2016)	Publication a notice which is given details in the advance tracing on land/property need to be acquired and call for objection (15/12/2016)
435A*	Nilagama	Section 2 Notice Published. Survey for Advance Tracing Suspended due to design revisions by PMDSC	Section 2 Notice Published. Survey for Advance Tracing Suspended due to design revisions by PMDSC
431A	Hombawa	Section 2 Notice Published. Survey for Advance Tracing Suspended due to design revisions by PMDSC	Section 4 notice - Decision to acquire the land/property and direct to divisional secretary for inform to owner/s of land/property
436	Aluthwewa	Section 2 Notice Published. Survey for Advance Tracing completed. Advance Tracing is pending (Anticipated date of submission 10.10.2016)	
436B	Pibidunugama		Publication a notice which is given details in the advance tracing on land/property need to be acquired and call for objection (25/12/2016)

\* Nilagama GND (43 5A) Is now Amalgamated with Kospotha GND (431C) as a result of the canal alignment redesign with Niligama Tunnel.

## 5.5 Grievance Redress

54. The Grievance Mechanism for NWPC was set up during the last Reporting period, by the PMU, NWPC PIU, with the support of the PMDSC. An awareness program was conducted on 9.12.2016 at Wemedilla for resolving water issues requested by Wemedilla farmers. **Annex E2** presents the minutes of this first meeting.

55. No grievance was reported during the reporting period (**Annex B**). The three grievances mentioned in previous quarterly resettlement reports relate to Tranche 3. Solutions to these grievances are under discussion with PMU and will be further discussed with affected persons and communities as Tranche 3 subprojects are prepared.

## **6 CAPACITY BUILDING**

### **6.1 Introduction**

56. A Training and Capacity Building Plan has been prepared for the program, by the PMDSC, and is regularly updated. As part of this plan, four Resettlement Capacity Building areas have been identified in order to ensure Project stakeholders comply with ADB safeguards requirements:

- Resettlement Planning
- Resettlement Implementation and Monitoring
- On-the-job Capacity Building
- Other

### **6.2 On-the-job Capacity Building**

57. On-the-job capacity building is the development of capacity in the team members through introduction of approaches and skills during the performance of their duties. In the October to December 2016 period of the Program, the following activities occurred, during which on-the-job training and capacity building may have occurred:

- Implement DDR 1: During the program on-the-job capacity building will occur, such as already in the preparation of the “Due Diligence Report 1”, in which there has been advice provided as to the level of detail of actions and evidence required for ADB approvals.
- Inventory of assets and socio-economic data were collected for the preparation of RIP for NWPC-NCB-1:
- All data collected for Preparing DDR 2 and 3 – For MLBCR NCB- 2, 3, 4 and 5 site and access roads widening in NWPC-ICB-2, respectively.

### **6.3 Awareness Training Land Acquisition and Resettlement**

58. The awareness training on land acquisition, resettlement and communication was conducted at the Sri Lanka foundation, Colombo on 9 November 2016. Resettlement specialist, PMU and resettlement staff of PIUs of NWPC and UEC projects participated at this program. This was a one-day program facilitated by consultant resettlement and training programs of PMDSC. Another two training programs were also conducted for PIU staff of NWPC and PIU projects on 9 December 2016 and 15 December 2016 respectively at offices of NWPC and PIU projects.

59. The training provided the participants with an understanding of the various aspects of implementation procedures on land acquisition as well as resettlement implementation plans. Accordingly, topics discussed included social safeguard policy principle and implementation procedure of land acquisition and resettlement. Table 17 presents a short summary report on three training programs.

**Table 17: Summary of Training programs**

<b>Training Title</b>	<b>Social safeguard policy principles and implementation procedure</b>
<b>Venue</b>	<b>Sri Lanka foundation and PIU offices of NWPC and UEC projects</b>
<b>Dates and duration of training programs</b>	9.11.2016, 9.12.2016 and 15.12.2016 – one-day training
<b>Number of Participants</b>	1 from MWSIP – PMU – Resettlement Specialist 5 from NWPC – PIU – PD, Project engineer Resettlement Officer and two other officers 5 from UEC- PIU- PD, Project engineer, Resettlement Officer and two other officers
<b>Training Content</b>	<p><b>COURSE OBJECTIVE</b></p> <p>The training programs aim to help participants to have a better understanding and be able to apply basic knowledge on social safeguard requirements and implementation procedure of land acquisition and resettlement programs specified in resettlement implementation plans and land acquisition ordinance.</p> <p><b>TARGET PARTICIPANTS</b></p> <p>The training course is designed for resettlement staff of PMU and PDs and all other staff of PIUs.</p> <p><b>TRAINING CONTENT</b></p> <p>The separate 3-days training programs covered the following topics:</p> <ul style="list-style-type: none"> <li>a) Social safeguard policy principles and implementation procedures.</li> <li>b) Entitlements under land acquisition regulation of 2009.</li> <li>c) Proposals given under RIP on relocation requirements and livelihood restoration.</li> <li>d) Organization structure for relocation.</li> <li>e) Land acquisition process and implementation program.</li> <li>f) Public consultation and information disclosure.</li> </ul>

	<p>g) Relocation and Development of Resettlement site</p> <p>h) Safeguard measures provided under land acquisition act.</p> <p>i) Grievance Redress Mechanism (GRM)</p> <p>j) Monitoring and Evaluation of RP implementation</p> <p><b>TRAINING METHODOLOGY</b></p> <p>The training involved participatory learning approaches (PLA), application-oriented and interactive, emphasizing on group discussions and analysis of cases/case studies. The consultant resettlement, PMDSC provided basic knowledge and developed problem-solving approaches with participants and their role is essentially that of facilitators. Participants are encouraged to raise their ideas and issues related to the practical problems and issues, then brainstorm and discuss with other participants and facilitators to find out solutions as well as draw lessons learned.</p>
<b>Conclusion</b>	<p>As MWSIP is a ADB funded project above resettlement concept for the project implementation. We were able to refresh and improve our knowledge on Involuntary resettlement. It was emphasized in the training sessions; land acquisition should be followed in accordance with the LAA and resettlement/relocation and income restoration should implement in accordance to the recommendations of RIP.</p>

60. It is recommended that further training, more specifically related to ADB requirements and focussing on the MWSIP Program specific resettlement planning, implementation and monitoring systems which have been set up together by the PMU and PMDSC Social and resettlement Safeguards Specialists.

## 6.4 Further Training and Capacity Building

61. While there have been several events of training and capacity building over the reporting period, training and capacity building activities are being scheduled for the 2017 also. The outcome of the training programs revealed that on the job training are necessary for resettlement and other staff of PIUs in order to resolve day to day resettlement issues and practical problems. It was observed at the training sessions, knowledge on land acquisition and resettlement need for other staff also in the PIUs in order to appraise Aps on issues related to land acquisition and resettlement/relocation when they are working in the:

- The ADB Sri Lanka Resident Mission is proposing to recruit a Resettlement Specialist to providing a training course that looks at applying ADB resettlement policy into its Projects in Sri Lanka. This is to cover all the recent PMU/PIUs in ADBs Sri Lanka Transport portfolio.
- The PMDSC Resettlement Specialists can conduct a training session to MWSIP PMU and PIU staff that will focus on the already set-up, specific RIP preparation, databases, monitoring and evaluation approaches that are being specifically adopted for the MWSIP Resettlement and Land Acquisition activities.

## 7 CONCLUSION – MOVING FORWARD

62. This fourth Resettlement Monitoring and Evaluation Report (Quarterly), reports on the progress of the resettlement works from October to December 2016 on the Mahaweli Water Security Investment Program, Tranche 1. The following key areas of progress are as follows:

- (i) The land acquisition act of 1950 (LAA) and its amendments specify the process of acquisition of lands in which the privately-owned lands belong to individuals as well as organizations. The full process can take up to 18 months to complete. This is key issue acting against the procurement process of bidding and construction contract award and may impact on the construction implementation schedule. Given that the process of Updated RIP preparation cannot occur until late in the detailed design process, the period to completing preparation and implementation of the RIP of a sub-project is much longer than the construction contractor bidding and contractor award process, thereby creating and scheduling bottleneck. This issue is a problem issue, which will continue, for Tranche 1 as well as future Tranches developments. The PMDSC has recommended two approaches for the PMU, to consider and implement, to reduce the impact of this bottleneck:
  - a) The PMU request the MLLD Valuations department to expedite the valuations processes, but not the time period set aside in the process for the affected people to make inputs (e.g. Grievances, submitting paperwork for claims, compensation awards etc).
  - b) In the cases of larger subprojects, where there are resettlement impacts, such as NWP ICB-2, the ADB allow the length of the sub-project to be split into several parts, where RIPs may be prepared and implemented in smaller sections, thereby allowing the construction to commence in an RIP completed section in 2017, as opposed to waiting a longer period, potentially during 2018 only to commence construction works.
- (ii) There are now four Sub-projects, which can go ahead, without involuntary resettlement restrictions on contract award announcement:
  - a) MLBCR Stage 1 – The DDR 1 was approved by the ADB, followed by contract being awarded. The DDR 1 findings and recommendations are being implemented as required in conjunction with contractor mobilisation and construction planning.
  - b) MLBCRP ICB-1- “Heightening of the Minipe Diversion Weir (Anicut) – is clear of land acquisition and resettlement impacts on site, with all areas that will be seasonally inundated, as well as the Anicut, are well out of the way from occupied farm lands, residential or other structures, but with a Nature reserve area.
  - c) UEC Stage 1 (ICB 1) – 00+000 to 3+830Km – This has no Involuntary resettlement issues, although, due to proximity within a wildlife reserve, does have some environmental safeguards requirements.
  - d) NWCP NCB 1 - Wemedilla Sluice and LBMC from Wemedilla reservoir to Nabadgahwatta with a length of 5.25 km. The RIP completion has been delayed until 2017, due to the length of time for the Sri Lankan Resettlement processes under GNDs and the MLLD to take place. Current status:
    - Has four Affected People, including the landowner temple, within a 520m (less than 10%) section of the site.
    - Seven plots of land totalling approximately 0.64 Ha (1Acre, 2Roods, 14.5 perches) are affected.

- One of the affected households is Vulnerable through physical disability
  - One lot is paddy land and six lots are high land areas on which there are 31 productive fruit trees (coconut, mango, and cashew) and 3 wood trees (teak and Akeshiya)
  - The ADB has agreed to allow immediate contract award, when ready, as long there are no grievances from affected persons and that construction does not occur in the said 520-meter section until the required RIP is fully prepared and implemented.
- (iii) The Due Diligence Report 1 (DDR 1) for MLBRC Stage 1 was approved on 1<sup>st</sup> August by ADB. The DDR1:
- a) Remains disclosed on ADB website and available for review by public at strategic locations, as per recommendations of the DDR and preparations for implementation of the remaining recommendations are underway and shall be in full.
  - b) A Monitoring and Evaluation Plan specifically focussing on DDR 1 findings and recommendations, was prepared and is presented in the previous Resettlement Monitoring Report No. 3. The Plan implementation commenced during this reporting period.
  - c) Findings and Recommendations have been published into a brochure (**Annex G**), by the PMU with PMDSC support during this reporting period, in readiness for the implementation of a disclosure awareness program within the affected communities on MLBCR NCB—1 site.
- (iv) NWPC ICB-1, is the fifth sub-project that is also clear of land acquisition and resettlement impacts on-site. However, due to the large machinery requirement for construction, access roads to site do need widening. Therefore, a Due Diligence study and report (DDR 3) has been drafted and submitted to the PMU for their comment, during this reporting period. It shall be finalised and submitted through the PMU to ADB in early 2017. DDR3 examines potential environmental and resettlement impacts of road widening in compliance with Sri Lankan laws and ADB SPS 2009. Preliminary results of DDR 3 are as follows:
- a) There are 47 affected plots, including the Wildlife Department, in which less than 10% of land area may be potentially affected by road widening. 26 Aps are encroaching on Wildlife Department land, but encroachers have historically been settled in the current location well before the Wildlife Sanctuary, under the Department was declared.
  - b) Of the potential impact, 0.069Ha categorized paddy land and 1.134 Ha is highland.
  - c) Apart from rice (0.069 Ha), onions (0.9 ha), beetroot (0.284 ha) and chilly (0.355 ha) crops and 5 trees (teak and neam trees) are potentially affected.
  - d) Formal and informal consultations have been conducted with the affected persons and stakeholders, including a census/socioeconomic survey and inventory of affected assets conducted with affected persons.
  - e) All land owners and encroachers have signed to volunteer the affected land areas to the Project, while consultations with Wildlife Department has shown agreement also, but written communications are being sought.
  - f) DDR 3 shall be finalised, with PMU comments in early 2017 and subsequent submission to ADB. Following ADB approval, a Monitoring Plan shall be prepared by

PMDSC and PMU and NWPC PIU, with PMDSC support, shall implement the DDR 2 and ADB recommendations and the DDR 3 Monitoring Plan.

- g) Implementation and monitoring progress is expected to be reported commencing with the Resettlement Monitoring Report No. 5, covering January to June 2017.
- (v) NWPC ICB-2 detailed design is mostly completed. The GoSL RIP process has continued during this quarter and progress for each GND RIP development has been reported in this document (Section 5.4). RIP update preparation and implementation is forecast to be completed approximately by late 2017 or in early 2018 for all GNDs, although the valuation process in various GNDs may not all complete at the same time, thus still justifying the possibility of multiple RIPs. The length of time required for RIP development may delay the construction program for several parts of this sub-project by 4-6 months, with compensation completed and contractor mobilization in resettlement affected areas no earlier than 2018 at least.
- (vi) Subprojects MLBCRP NCB-2, 3, 4 and 5 – A Due Diligence Study and Report 2 (DDR2) preparation, covering NCB-2 or stage 2, KM. 30+140 -49+820, NCB-3 or stage 3, NCB or stage 4 and NCB-5 or the rehabilitation and electrification of radial gated structures and improvement to cross regulators along the length of the MLBRC Project, has been ongoing during the reporting period and is expected to be submitted in early 2017. It follows the same objectives and format as DDR 1, which was submitted earlier in 2016 ascertaining resettlement impacts and recommending mitigations for affected farmer encroachers in the MLBCR NCB-1 location. Progress and initial findings of DDR 2, established during this current reporting period, are as follows:
  - a) There are 464 plots of encroached farmland. Of this, it was found that there were 161 potentially affected people (farmers) encroaching on 168 plots of canal reserve land, totalling approximately 17 acres and 12 Perches (6.68 Ha). Of the 6.68 Ha, 4.65 Ha of encroached and farmed land by 55 affected People, all on Stage 3 or NCB- 3 will be permanently impacted.
  - b) Crop impacts recorded in NCB-2, 3, and 4, include Paddy, Maize, Mee, triticale, Coconut, Mango, Betel nut, Bananas, Pepper, mahogany, teak as well as the above in mixed cropping patterns.
  - c) All potentially affected farmers have been consulted through several formal consultation meetings and several smaller informal discussions along the NCB-2, 3, and 4 Canal areas.
  - d) No impacts were found for any part of the MLBRC NCB-5 sub-project.
  - e) All APs have volunteered the land required for the Projects, regardless of it being temporary or permanent loss of landuse and signed letters of agreement, which also state details of the permanent and temporary physical and impact impacts.
- (vii) Resettlement Specialists from PMU, PDs from NWPC and UEC projects and resettlement staff, environment staff and engineering staff from NWPC and UEC attended three land acquisition and resettlement training programs which were held on 9.11.2016, 9.12.2016 and 15.12.2016 in Colombo and NWPC and UEC project offices. To build on this training, the ADB is planning to hold a training for Sri Lankan Specific Resettlement, whilst the Social and Resettlement Specialists of PMDSC shall subsequently provide formal and on-the-job training and capacity building on the specific resettlement and land acquisition systems being implemented on the MWSIP.

63. The following outlines the recommended way for moving the program resettlement requirements forward over the coming quarter:

- (i) **Due Diligence Report 1 (DDR 1) for MLBCRP** Stages 1 - The DDR 1 for kilometre 00+000 to kilometre 30+140 was submitted on 17 June 2016 and approved on 1 August 2016 by ADB. The PMU, PIU and PMDSC continue implementing findings and recommendations (**Annex H**). The PMDSC with PMU and PIU shall continue to “internally monitor” the DDR 1 implementation, based on the Monitoring Plan presented in **Annex F** and Brochure presented in **Annex G**.
- (ii) **Due Diligence Report 2 (DDR 2) for MLBCRP** Stages 2, 3 and 4 – On the basis of this experience, the PMU and PIU with PMDSC support are collecting evidence from site for DDR 2. It is expected that there will be no resettlement impacts and claims made during the implementation of the project stages 2, 3 and 4 (kilometre 30+140 to kilometre 75). The DDR 2 data collection is largely complete, but is now being processed and analysed. The Report will be completed and submitted in early 2017.
- (iii) **Resettlement Implementation Plans (RIPs) for NWPC** – There are two RIPs expected for NWPC:
  - The detailed design processes for **NWPC ICB 2** subproject are ongoing, making an RIP for this section commencing in the October to December 2016 quarter at earliest and data collection and reporting may take well into 2017 and implementation in 2018.
  - For the **NWPC NCB 1** subproject, the Socioeconomic and Inventory of losses surveys, along with further consultations have occurred during the reporting period. However, during this reporting period, the NWPC NCB-1 Land Acquisition and Resettlement Process has completed the Section 9 inquiries stage and issued section 10A notices on ownership and affected land. As at 31 December 2016 the status of the land acquisition is at the stage of determining compensation by Valuation department of MLLD. The length of time for the Section 10A process to occur will create a delay in RIP preparation and implementation until May 2017. It is expected that final impacts and results of completed compensation will be reported in the next Resettlement Monitoring Report No. 5 (January to June 2017) to be submitted after July 2017.
- (iv) **Expediting the GoSL Land Acquisition and Resettlement Process** - the long period of time for completion of acquisition of a land plot, as outlined in **Annex A**, can lead to delay of the construction programs, due to consultation of various stakeholders such as survey department, valuation department, divisional secretary, Gramaniladaris (GND) etc. This lengthy process, of 8 to 18 months, is a “bottle-neck” for the various sub-projects where land acquisition and resettlement impacts are identified, and the Sri Lankan RIP process must be enacted for valuation and compensation under Sri Lankan laws. All Tranches’ Sub-project schedules, with associated RIPs, may be affected due to the lengthy process. The PMDSC has recommended to the PMU, possible ways in which the MLLD Valuation Department, or other processes may be expedited to reduce time and reduce potential delays in construction schedules. That is, expediting the valuation and compensation determination process only. This does not include recommending to expedite the actions and opportunities involving the affected people, allowing them time to participate in the process (i.e. Section 9). In addition, allowing contractor works to occur in non-resettlement areas and areas where RIP implementation has completed early, with the permission of ADB, may also reduce risk of delayed construction schedules. However, whether these recommendations are pursued, is ultimately the decision of the PMU and PIU.

- (v) **Due Diligence Report(s) for Roads on NWPC ICB-1** - While the Detailed Design for NWPC ICB 1 will not have resettlement impacts directly, there is an issue of access roads for large construction machinery that requires safeguards consideration. As discussed with PMU and ADB, the PMU and PIU, with PMDSC support, prepared and submitted a draft Due Diligence Report to ensure that there will be no involuntary resettlement impacts and that social and environmental impacts are fully mitigated through the current Environmental Management Plans, without need for further EIA approvals from environmental authorities.

- This DDR 3 for NWPC ICB 1 Access Roads, was submitted in draft to the PMU in December 2016.
- It is expected that the DDR 2 shall be submitted to PMU, followed by ADB for approval, in early 2017.
- After ADB approval of the DDR2, the contracts for MLBRC NCBs 2, 3, 4 and 5 will be clear for award a Monitoring Plan shall be prepared and, along with the DDR 2 recommendations and additional requirements of ADB, these shall be implemented.

64. **Grievance Redress Mechanism (GRM)** - The Program Grievance Redress Mechanism has been set-up and enhanced as follows:

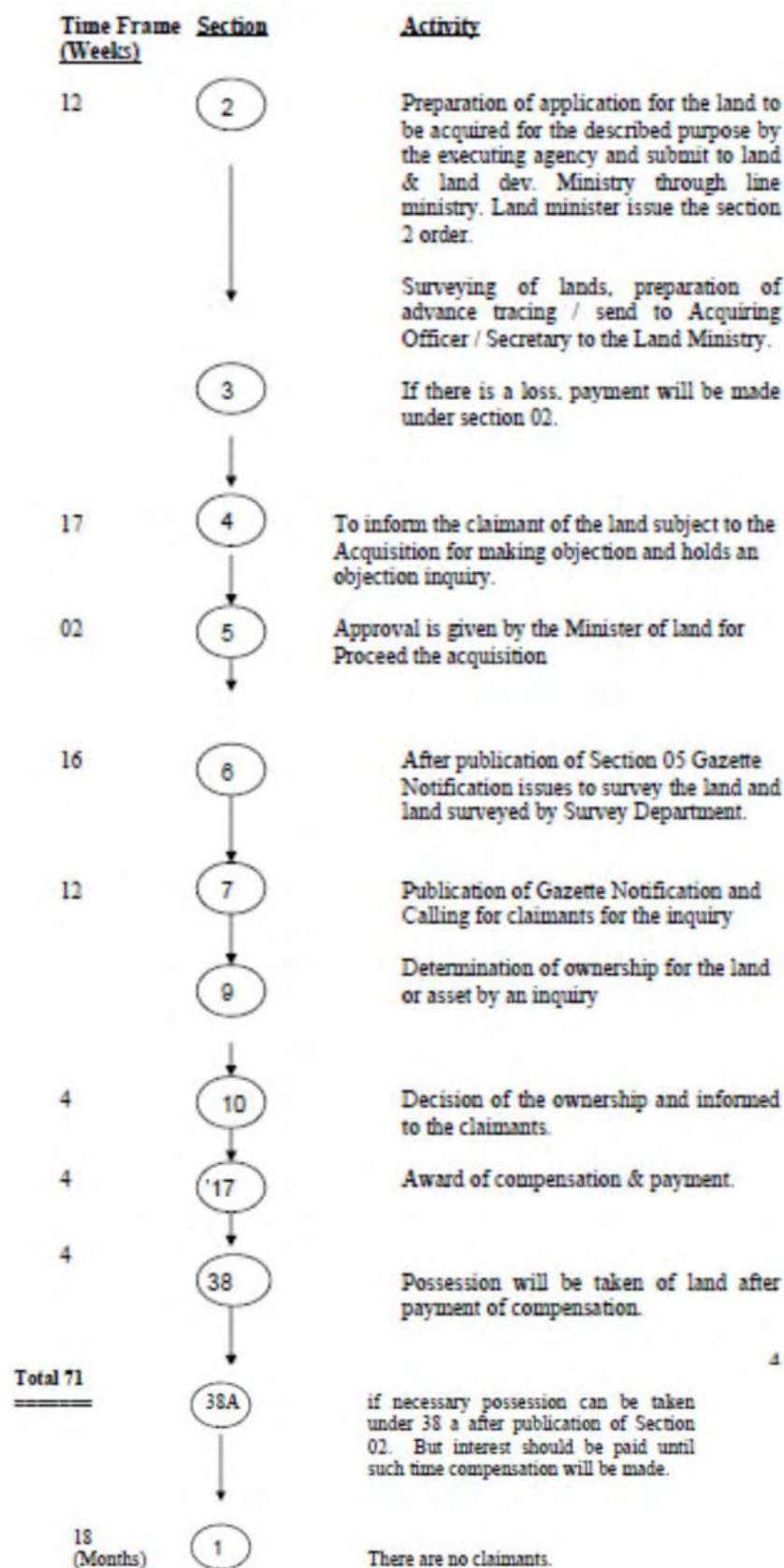
- (i) The focus of Grievance Redress Mechanism development has been to enhance the grievance submission system, prepare information on the GRM, inform District and divisional officers of the Programs on GRM and set up the Grievance Redress Committees.
- (ii) The Grievance register has continued to be updated with no grievance reported and resolved during the reporting period. Those yet to be confirmed resolved are understood to be design issues under Tranche 3.
- (iii) Awareness materials have been prepared and updated, being distributed in each project area.
- (iv) Furthermore, the Grievance Redress Mechanisms and options are continuously discussed with affected persons during consultations.
- (v) GRM awareness is being promoted during consultations and meetings, such as during consultation in Minipe Left Bank Canal Rehabilitation Project (Stages 1, 2, 3, 4 and 5); Consultations with Aps and Potential Aps in NWP NCB-1 RIP, ICB-1 DDR and ICB-2 RIP preparation.
- (vi) Grievance Redress committees have already met in MLBCR, UEC and NWPC projects, and records of regular meetings.
- (vii) The grievance register will be constantly updated monitored under the resettlement activities of MWSIP when a grievance or complaint is submitted to PIUs or PMU or local Governments. Each Project holds a register, while the PMU holds the main updated register.
- (viii) No Grievances were submitted during the October to December 2016 Quarter.

65. The next "Resettlement Monitoring and Evaluation Report No. 5" is due for submission at the July 2017. Under the PMDSC Contract, Semi-annual reports for January to June and July to December are required. However, it should be noted that 6-monthly reporting may delay confirmation of resettlement completion and clearance of sub-project compared to the previous

quarterly reporting system. It is expected that the next report will highlight the completion of preparation and implementation of the NWPC NCB 1 RIP; monitoring implementation progress of DDR-1 covering MLBCR NCB-1; confirm the findings of the MLBRC Due Diligence Study for Stages 2, 3, 4 and 5 that expected to be completed and submitted in early 2017; progress towards NWPC ICB-2 RIP(s) preparation and impacts; and the final results and recommendations, approval and monitoring of initial implementation of the Due Diligence Studies for Access Roads for NWPC ICB 1 area.

## **ANNEX A : SRI LANKA RESETTLEMENT AND LAND ACQUISITION PROCEDURES**

## Flow Chart for land acquisition procedure



**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
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	Minister of land Government printing department	02

SN	Acquisition Process	Activity/Step	Responsible Institution	Time frame (weeks)
		Printing notice on decision to acquire land/property Publication the notice on decision to acquire land/property	Divisional secretary	
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 If claimants are not satisfied with the decision of acquiring officer, they should inform to acquiring officer on not acceptance of ownership determination	Divisional secretary/acquiring officer Claimants of land and property Valuation department	04
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

SN	Acquisition Process	Activity/Step	Responsible Institution	Time frame (weeks)
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 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/Acquiring officer Minister of land and ministry of land Ministry of land Government printing department Divisional secretary/Acquiring officer Divisional secretary and Officer in charge of executing agency Claimant/s	04
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.

## **ANNEX B : GRIEVANCE REGISTER (UP TO DECEMBER 31 2016)**

Date	Location	Aggrieved Party			Nature of Grievance (Technical/Resettlement/Environment/Etc.)	Description of Issue	Issue Resolved (Yes & Date/ No) describe the solution given	If not Resolved , Forwarded to (Officer & Date/ Not Applicable)	Name of Handling Officer and Agency
		Name of Person/s	Contact No	Address					
20.02.16	NWPC - ICB 2, 10+580km to 10+622km	R.H.A.Kamal Thalakiriyagama	777844335	Kalagasyaya, Kospotha, Beligamuwa	Resettlement & Technical	This person's house is located on proposed canal route in NWPC canal ICB 1, He did not agree to resettle a new place	<b>Yes</b> , 02.03.2016, This person did not like to resettle a new place. So himself suggested to move the proposed canal line to word paddy area in his land premises (in front of his house).Considering his request our officer discussed and decided to move the canal to his suggested area and solved the issue.		Eng. P.W.C. Dayarathna (PS) - MDSCS. Eng. S.K. Hewadewa (RE)- PMDS, Eng. G.M.R.A. Perera (PD) NWPCP, Eng. W.M.D. Wijesingha (IE)- NWPCP, Eng. M.D.S.D. Goonathilaka (CE) - PMU
21.03.16	Kadurupolayagama	Mr. P.S.K.De Soysa	773906445	Kadurupolayagama, Polpithigama	Technical	Requested to change the canal route (Yapahuwwa Canal - Tranch 3)	Yes, Can't change the Canal route. But there is a court case belongs to this land. No	Forwarded to PMDSC	Eng. W.W.D. Wijesingha, Irrigation Engineer (IE)
28.03.16	Nikadalupotha	Mr. M.A.C.K.Maddepola	724595010	Dangolladama, Nikadalupotha	Proposal	Proposed to provide water for Kalugalla area down streem of Hakwatunawa Oya	No, This is belongs to Tranche -3	Forwarded to PMDSC	Malani Gunathilaka Resettlement Officer (RO)
28.03.16	Moragollagama	Mr. B.M.M.B.Basnayaka	714478242	Borawawa, Moragollagama	Technical	This person's land will be divided in to 3 lots due to proposed canal rout. Therefore, he suggested to change the canal rout to minimize the effect to his land	No, This is belongs to Tranche -3	Forwarded to PMDSC	Dulanjan Wijesingha (IE), Malani Gunathilaka (RO)

Date	Location	Aggrieved Party			Nature of Grievance (Technical/ Resettlement/Environment/Etc.)	Description of Issue	Issue Resolved (Yes & Date/ No) describe the solution given	If not Resolved , Forwarded to (Officer & Date/ Not Applicable)	Name of Handling Officer and Agency
		Name of Person/s	Contact No	Address					
05.08.16	MLBCRP - ICB -1	Farmers of Allai Scheme			Technical	Under the MLBCRP the Minipe Anicut will be raised. The farmers issue is after raising the Anicut water will no goes to downstream of the Mahaweli river towards Allai scheme. The farmers are used to do cultivation using water from downstream of the Mahaweli River and they told after completion of the MLBCRP – ICB – 1, they will face water scarcity.	<b>Yes,</b> The main two meetings were held on 7th and 8th of August 2016 at the Divisional Irrigation Engineering office, Muttur to make aware the farmers and relevant authorities. The members of parliament and members of provincial council were participated for the meeting. Their main concern was water scarcity of the downstream of Mahaweli River in Trincomalee District. The farmers of this area severely face to flood in rainy days and water scarcity in dry season. The director of the Irrigation Department explained the MLBCRP well and told they are going to introduced another pipe line system to this Allai area. Then the farmers understood the agreed with the project. There was time to asked question and relevant authorities were answer the issues.		Project Director (MLBCRP). Eng. Mr Madiweka, Irrigation Engineers, District Secretary, Divisional Secretary and other relevant authorities.

## **ANNEX C : GRIEVANCE SUBMISSION FORM**

MAHAWELI WATER SECURITY INVESTMENT  
PROGRAM MINISTRY OF MAHAWELI  
DEVELOPMENT & ENVIRONMENT

GRC/NWPCP/A

GRIEVANCE  
REDRESS  
FORM

Name of the Sub Project	
Location	
Name of the Aggrieved Person / Male, Female	
Address	
Date of the complain	
Contact No	
Divisional Secretariat Division	
Grama Niladari Division	
Nature of Grievance (Technical, Resettlement, Environment, other)	
Description of the Grievance	
Name of the Authorized Officer	

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දුරකතන අංක	
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දුක්ගැන්වීමේ පැහැදිලි කිරීම	
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# **GRIEVANCE REGISTRY**

**MAHAWELI WATER SECURITY INVESTMENT PROGRAM  
MINISTRY OF MAHAWELI DEVELOPMENT & ENVIRONMENT**

# **GRIEVANCE REGISTRY**

**MAHAWELI WATER SECURITY INVESTMENT PROGRAM  
MINISTRY OF MAHAWELI DEVELOPMENT & ENVIRONMENT**

**DIVISIONAL SECRETARIAL  
OFFICE ELAHARA**

## **ANNEX D : GRM BROCHURE (IN ENGLISH AND SINHALA LANGUAGES)**

**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 Secretariat.



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 1/1, 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.



### ව්‍යාපෘති කළමනාකරණ ඒකකයේ දුක්ගැනවිලි විසඳීමේ කමිටු සාමාජිකයින්

1. වැඩසටහන් අධ්‍යක්ෂ (සභාපති)
2. දිස්ත්‍රික් ලේකම්
3. ප්‍රාදේශීය ලේකම්
4. නැවත සිටින කිරීමේ විශේෂඥ , පරිසර විශේෂඥ
5. ව්‍යාපෘති අධ්‍යක්ෂවරු (අදාළ ව්‍යාපෘතියේ)
6. ප්‍රජා මූල සංවිධාන නිලධාරීන් 04ක් (02 නොක්කාන්තාවන් විය යුතුය)
7. නියෝජිත (උපදේශක අංශය , ඉදිකිරීමේ අංශය)

❖ දුක් ගැනවිලි විසඳීමේ කමිටුව මසකට වරක් ව්‍යාපෘතිය ක්‍රියාත්මක කිරීමේ ඒකකයේ දී රැස් වේ.



❖ සියලුම සැමිණිලි හා ඒවා විසඳීමට ගන්නා ලද සියලුම ක්‍රියාමාර්ග දුක්ගැනවිලි විසඳීමේ ලේඛනයේ ලේඛනගත කෙරේ. මෙම ලේඛන ව්‍යාපෘතිය ක්‍රියාත්මක කිරීමේ ඒකකයේ හා ප්‍රාදේශීය ලේකම් කාර්යාලයේ ස්ථානගත කෙරේ.



මහවැලි ජල සුරක්ෂිතතා ආයෝජන වැඩසටහන මගින් පිඩාවට පත් වන සියලුම ප්‍රජාවට විසඳුම ලබා දේ.

මෙම ව්‍යාපෘතියේ ඉතා වැදගත්ම සාධකය ප්‍රජාව වන අතර ඔබේ ගැටලු විසඳීමට අපි බැඳී සිටිමු.

### වැඩි දුරටත් තොරතුරු ලබා ගැනීමට

1. ව්‍යාපෘති අධ්‍යක්ෂ,  
මිණිපේ වම් ඉවුරු ඇළ ව්‍යාපෘතිය,  
ප්‍රාදේශීය වාරිමාර්ග ඉන්ජිනේරු කාර්යාල පරිශ්‍රය, හසලුක,  
දුරකථන අංකය: 055- 2258977
2. ව්‍යාපෘති අධ්‍යක්ෂ,  
ඉහළ ඇලහැර ඇළ ව්‍යාපෘතිය,  
ශ්‍රී ලංකා මහවැලි අධිකාරිය, මඩාඩුගම,  
දුරකථන අංකය: 025- 2054896
3. ව්‍යාපෘති අධ්‍යක්ෂ,  
වයඹ පළාත් ඇළ ව්‍යාපෘතිය,  
වාරිමාර්ග දෙපාර්තමේන්තුව, තැ.පෙ.44, කුරුණෑගල,  
දුරකථන අංක: 037-3970783  
ජංගම දුරකථන: 071-4432826
4. නැවත සිටින කිරීමේ විශේෂඥ,  
මහවැලි ජල සුරක්ෂිතතා ආයෝජන වැඩසටහන,  
අංක 493 1/1, ඩී.බී. ජයා මාවත, කොළඹ 10,  
දුරකථන අංක: 011-2675810  
ජංගම දුරකථන: 071-5206541
5. පරිසර විශේෂඥ,  
මහවැලි ජල සුරක්ෂිතතා ආයෝජන වැඩසටහන,  
අංක 493 1/1, ඩී.බී. ජයා මාවත, කොළඹ 10,  
දුරකථන අංක: 011-2675810  
ජංගම දුරකථන: 077-1035020

මහවැලි ජල සුරක්ෂිතතා ආයෝජන වැඩසටහන  
අංක 493 1/1, ඩී.බී. ජයා මාවත, කොළඹ 10,  
දුරකථන 011 2675810  
ඇස්ප් 011 2675810

### මහවැලි ජල සුරක්ෂිතතා ආයෝජන වැඩසටහන

මහවැලි සංවර්ධන හා පරිසර අමාත්‍යාංශය



### දුක්ගැනවිලි විසඳීමේ යාන්ත්‍රණය

#### මහවැලි ජල සුරක්ෂිතතා ආයෝජන වැඩසටහන

ආසියානු සංවර්ධන බැංකුවේ ආධාර ඇතිව ශ්‍රී ලංකා රජය මගින් මහවැලි සංවර්ධන හා පරිසර අමාත්‍යාංශය යටතේ ක්‍රියාත්මක කරනු ලබන වැඩසටහන මහවැලි ජල සුරක්ෂිතතා ආයෝජන වැඩසටහන වේ. මේ යටතේ සහන සඳහන් ව්‍යාපෘති තුන සඳහා මූල්‍ය ආධාර සැපයේ.

- ❖ ඉහළ ඇලහැර ඇළ ව්‍යාපෘතිය
- ❖ වයඹ පළාත් ඇළ ව්‍යාපෘතිය
- ❖ මිණිපේ වම් ඉවුරු ඇළ ප්‍රතිසංස්කරණ ව්‍යාපෘතිය.

මෙම ආයෝජන වැඩසටහන මගින් ශ්‍රී ලංකාවේ උතුරු වියළි කලාපයට මහවැලි ජලය සැපයීමෙන් වාරිමාර්ග දියුණු කිරීම, පානීය ජලය සැපයීම හා වාණිජමය කරුණු පදනම් කර ගනිමින් ශ්‍රී ලංකාවේ ආර්ථිකය වෙගවත් දියුණුවක් කරා යොමු කිරීමට අපේක්ෂා කෙරේ.



## **ANNEX E : MINUTES OF CONSULTATION MEETINGS**

**Annex E1: Minutes of the meeting conducted on 09.12.2016**

Land Acquisition of the Walimitiyawa Gram Niladari Division 0+000 – 0+ 525)	Walamitiyawa NWPCP- NCB-1 (0+000 – 0+525) Commence the Construction before paying the compensation
Date	09.12.2017
Venue	Community Centre – Wamadilla farmer Organization
Officer Participated	<ol style="list-style-type: none"> <li>1. Thero – Ambagaswewa Rahula Himi</li> <li>2. Eng. G.M.R.A.Perera – Project Director – NWSIP</li> <li>3. Eng. L.H.M.T. Bandara – Irrigation Engineer – PMDSC</li> <li>4. Eng. H.M.M.B.Herath – Irrigation Engineer – Dhambulla</li> <li>5. Eng. W.M.G.Wijesingha – Irrigation Engineer – PIU</li> <li>6. Mr. K.W.jayathilaka- Engineering Assistant – PIU</li> <li>7. Mr. W.H.A.Amarakoon – Engineer Assistant – Dhambulla</li> <li>8. Ms. H.G.H.madushani - Engineer Assistant – Dhambulla</li> <li>9. Ms. M.M.Gunathilaka – Senior Resettlement Officer- PIU</li> <li>10. Mr. T.M.R.A.Thennakoon – Senior Environment Officer – PIU</li> <li>11. Mr. W.N.K.Wehera – Senior Communication Officer – PIU</li> <li>12. Ms. M.B.T.I.Wijesekara – Development Officer – Dhambulla Divisional Secretary Office.</li> <li>13. Mr. K.P.B.madegera – Gram Niladati- Walamitiyawa</li> <li>14. President and secretary – Farmer Organization and farmers (List attached)</li> </ol>
Matter Discussed	<ol style="list-style-type: none"> <li>1. Construction of a new sluice to transfer water from Wemadilla Reservoir to Dewehoowa Feeder Canal</li> </ol>
Suggestions	<ol style="list-style-type: none"> <li>1. To get spill water from wemedilla without constructing new sluice.</li> <li>2. Not to dredge the Left Bank canal</li> </ol>
Ven. – Ambagaswewa Rahula Thero	Stressed on the need of projects of the nation for the development of this country. He also stated that problems encountered should be resolved and development activities should continue.
Conclusion	Decided to implement the project under an agreement agreeable to both parties.

ප්‍රකාශිත කිරීමේ රැස්වීම

රැස්වීමේ පැවැත්වීමේ වාර්තාව

දිනය 2014.12.09  
වේලාව 2.30 (ප.ව)  
ස්ථානය මාලවිනියාව



පැමිණීමේ ලේඛණය

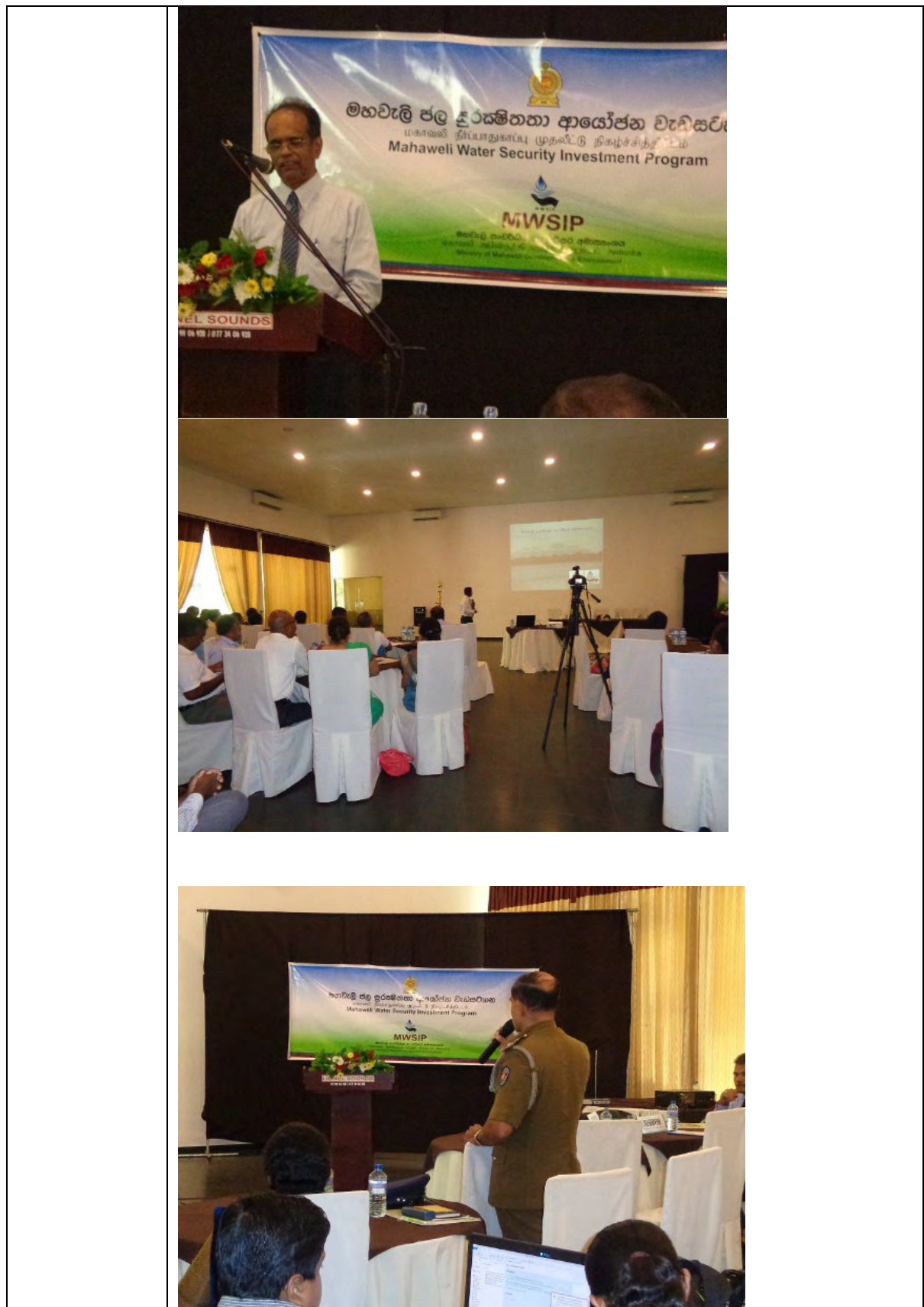
අංකය	නම	සහකාර	දුරකථන අංකය	අත්සන
01	අනුමාන ප්‍රසාද්	නා.ප්‍ර.	071/8337894	
02	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.		
03	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	071 4493426	
04	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	071 4099884	
05	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	071-8099790	
06	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	0718144321	
07	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	0714112131	
08	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.		
09	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	0771958378	
10	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.		
11	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	071-1530634	
12	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	076 7918797	
13	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	0779765462	
14	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	072488379	
15	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.		
16	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	075-9119921	
17	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	0772 203040	
18	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.		
19	කේ.එම්.එම්. එස්.එම්.	කේ.එම්.එම්. එස්.එම්.	0717185540	

1.2

## Annex E2: Minutes of the meeting - Awareness program to make aware the government officers about MWSIP and GRM process of UEC project

Item	Description
Name of the Workshop	awareness workshop on Upper Elahera Canal project
Purposes of the workshop	Make aware the government officer about MWSIP, UEC and GRM mechanism and how to form the GRC
Venue	Sannasa Hotel Dambulla
Date	16.12.2016
Time	9.00am to 4.15pm
Number of participants	<p>107</p> <p>Key Organization of the participated.</p> <ol style="list-style-type: none"> <li>1. District Secretary Officer</li> <li>2. Divisional Secretary Office</li> <li>3. Divisional Irrigation Engineers</li> <li>4. Pradesiya Sabha</li> <li>5. Grama Niladhari</li> <li>6. Dept. of Wildlife Conservation</li> <li>7. Depart. of Forest Conservation</li> <li>8. Agrarian Services Department</li> <li>9. Central Environment Authority</li> <li>10. Provincial Environment Authority</li> <li>11. Road Development Authority</li> <li>12. Police Station</li> <li>13. Medical Office of Health</li> <li>14. PMU</li> <li>15. PIU</li> </ol>
Matter Discussed	<ol style="list-style-type: none"> <li>1. Awareness about the MWSIP</li> <li>2. Awareness of the GRM process and how to establish the Grievance Redress committee</li> <li>3. Environment safeguard.</li> <li>4. Communication process of the project</li> <li>5. Panel discussion.</li> </ol> <p>At the panel discussion the participant raised the question related to land acquisition, awareness and contractor.</p> <p>They asked is there any special land compensation program related to project. Our answer was normally we a following the land acquisition procedure in government of Sri Lanka in addition to that we have entitlement Matrix to compensate for the livelihood activities and other income restoration.</p> <p>Some Grama Niladari pointed out more awareness should be conducted to aware the community around project area</p>

	<p>The MWSIP staff promised to conduct continues dialogue with the Grama Niladary and the community</p> <p>Divisional Secretary of Elahera requested good compensation for the community and she expressed further, the community members always ready to do protestant. Hence awareness and good compensation package should be introduced to the affected householders.</p> <p>Our answer was we are following the government land Acquisition process and in addition to that as extra privileges will be provided through Entitlement Metrix.</p> <p>The inspector of Dambulla requested. Before the construction the all the information relevant of the contractor (Name of the contractor, labour, and vehicle information) to submit to the police station. He told further, if they have such information they are convince to coordinate in sudden accident situation and they well known about the contractor and control the traffic in the City of Dambulla.</p> <p>The project Director UEC agreed to submit the information to the police station.</p>
Click of the program	 





## **ANNEX F : DDR 1 SUMMARY MONITORING PLAN**

Table 3 – Summary DDR 1 Monitoring Plan

Design Summary	Performance Issue	Description of Indicator and Data requirements
1. Contractor sites	1.1 Identifying Contractor Sites	<p><u>Definition:</u> The DDR1 requires that the contractor identify the encroached farmland areas that they need to use temporarily for construction space (not a part of the footprint).</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Number of sites chosen</li> <li>• Number of sites open at one time.</li> <li>• Location of each site</li> <li>• Changes to sites selected during Project</li> </ul>
	1.2 Agreement to use specific sites	<p><u>Definition:</u> It is required that users of the land area, although already agreeing to cease agriculture operations, agree to their farm land area being used by the contractor.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Letters of agreement from DDR 1</li> <li>• Verification of agreements signed in DDR 1</li> <li>• Awareness of how contractor will use land and rehabilitate</li> <li>• Numbers of farmers' agreements to contractors' plans to utilise land areas – confirming at verification.</li> <li>• No. of farmers not agreeing to contractor plans and reasons (those that signed letters and 5% not signing letters in DDR 1).</li> <li>• Proposed alternatives</li> <li>• Decision to go to RIP (further monitoring of this is separate, if situation eventuates).</li> </ul>

Design Summary	Performance Issue	Description of Indicator and Data requirements
	1.3 Maintaining sites during construction	<p><u>Definition:</u></p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Number of sites chosen</li> <li>• Length of site open</li> <li>• Number of sites open at one time.</li> <li>• Location of each site</li> <li>• Use of Environmental protection mechanisms on reservation lands used by the contractor</li> <li>• Following EMP requirements for Construction sites, workshops, stockpiles and campsites</li> </ul>
	1.4 Rehabilitation works Completed	<p><u>Definition:</u> The DDR requires that all areas utilised by the contractor are fully rehabilitated back to the status of before the Project or better, to the satisfaction of the engineer and the land user.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Stripping of topsoil and stockpile before use of site.</li> <li>• Removal of any contractor structures, materials and machines</li> <li>• Removal of contaminated soils.</li> <li>• Re-shaping of site to pre-project status</li> <li>• Spread of stripped topsoil layer and shape</li> </ul>
2. Maintaining Water Flow	2.1 Water shall be maintained for cropping seasons	<p><u>Definition:</u> The contract requires that work inside the canal be carried out during the dry season period, which is the off-season for cropping.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Closing and opening of canal for irrigation water flow for cropping</li> <li>• Time required for "recharge" aquifers for groundwater / wells.</li> <li>• Requests for extended time to keep canal dry</li> <li>• Farmer groups agreement for canal open/closing</li> </ul>

Design Summary	Performance Issue	Description of Indicator and Data requirements
	2.2 Water supply maintained during dry season	<p><b>Definition:</b> During the two Dry season periods and/or when water is stopped in the canal, for construction, the contractor is required to provide structures that will allow water flow or alternative sources of water, in order to maintain people's livelihoods with as little impact as possible.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Cofferdams and other engineering structures; and locations, to avoid closure of water supply</li> <li>• No. of closures caused by the Project</li> <li>• Type of closures caused by the Project.</li> <li>• No. of MI/s of water required by residents during closures, caused by the Project</li> <li>• No. of No. of MI/s water supplied by the Contractor and cost</li> <li>• Type of supply</li> <li>• No. and types of complaints received</li> <li>• Awareness meeting and consultations with potentially impacted people, about supply disruptions and alternatives.</li> <li>• Community satisfaction</li> </ul>
3 Consultation and Disclosure	3.1 Disclosure of DDR results to MLBCR stakeholders	<p><b>Definition:</b> The DDR 1 requires that the Document itself is made available to the affected persons and other stakeholders to view. Also, it is required that affected farmers along the canal, especially those that are to have the contractor utilize the land on which they are farming, are provided with information on the findings and recommendations of the DDR 1 as approved by ADB.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Copies of the DDR distributed to strategic centres available to the public</li> <li>• Translation of Brochure to Sinhala</li> <li>• No. of brochures distributed</li> <li>• No's and location of awareness meetings</li> <li>• No. of participant</li> </ul>

Design Summary	Performance Issue	Description of Indicator and Data requirements
	3.2 Consultations with affected farmers	<p><b>Definition:</b> Farmers should be consulted and kept aware of the construction program, when and where space will be needed for the contractor to use temporarily and any changes to water availability caused by the construction program.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• No. of consultation meetings and participant's lists</li> <li>• Individual meetings</li> <li>• Topic of meeting (awareness/discussion of issues/grievance discussions etc.)</li> <li>• Issues discussed and any decisions / resolution made</li> <li>• Awareness</li> </ul>
4 <b>Grievance Redress Mechanism</b>	4.1 GRM developed and effectively operating to assess and resolve complaints.	<p><b>Definition:</b> The Grievance Redress Mechanism has been prepared and implementation is commencing. This monitors progress of the GRM development and implementation</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• GRC and Program staffs provided training and awareness, as necessary, for</li> <li>• No's of GRCs developed.</li> <li>• Membership of GRCs</li> <li>• First meetings and subsequent GRC meetings</li> <li>• GRC Awareness materials published and distributed</li> <li>• Numbers of awareness meetings held in communities about GRCs to communities and other stakeholders (type/location/people participating/minutes etc.).</li> </ul>
	4.2 Ensuring all grievances and complaints are resolved amicably and as rapidly as possible.	<p><b>Definition:</b> Gathering and analysis of complaints from the population and other stakeholders in relation to the sub-project, through the grievance mechanism.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Disaggregated data submitting complaints, types of complaints and complaints resolved.</li> <li>• Type of complaint and how resolved.</li> </ul>

Design Summary	Performance Issue	Description of Indicator and Data requirements
		<ul style="list-style-type: none"> <li>• Numbers and types of complaints being taken to next level of GRM.</li> <li>• Numbers and types of complaints sent through the Sri Lankan legal grievance system and courts.</li> <li>• Ensure there is a focal point at PIU, GRC, PMU and PMDSC (and local Government if need). Focal Contacts are to receive and record the grievance, but not responsible for resolution, but will be responsible to follow-up for timely resolution and updating the register.</li> </ul>

## **ANNEX G : DDR 1 INFORMATION AWARENESS BROCHURE**





# MWSIP

## අධ්‍යයන වාර්තා සාරාංශය

(මිහිඳේ වම් ඉවුරු ඇසූ පුනරුත්ථාපනයේදී ඇසූ මාර්ගය ආසන්නයේ ඇති රක්ෂිත ඉඩම් අනවසරයෙන් වගාකරනු ලබන ගොවීන්ට ඇතිවිය හැකි බලපෑම් පිළිබඳ නිසි යෝග්‍යතා අධ්‍යයන වාර්තාවේ සාරාංශය)

- විශේෂ කාලය තුළදී, ඇසූ හිස්සේ ඇති මාර්ගය ප්‍රයෝජනයට ගනිමින් ඇසූ හරහා යන්ත්‍රෝපකරණ ප්‍රවාහනය කළ යුතුය. රජයට අයත් හිස් ඉඩම්වල නොඩිනැහිලි ද්‍රව්‍ය ගබඩාකළ යුතුය. එයින් මහජනතාවට බලපෑමක් සිදු නොවේ.

විශේෂයෙන්ම දැනටමත් කොන්ක්‍රීට් පිරිනමා ඇති හෙයින් පරිසර කළමනාකරණ සැලසුම් සහ ප්‍රසම්පාදන ලියකියවිලි අනුව කොන්ක්‍රීට්කරු විසින් පහත පරිදි කටයුතු කළ යුතුය. මෙම යෝග්‍යතා අධ්‍යයන වාර්තාවේ සඳහන් නිර්දේශ කොන්ක්‍රීට්කරු සමඟ පැවැත්වීමට යෝජිත සාකච්ඡාවේ දී ඔහුට ලබාදිය යුතුය.

- වාර්ෂිකව දෙසැම්බර් මාසයේ වගා නොකරන කාලය තුළ ඉදිකිරීම් හා ප්‍රතිසංස්කරණ කටයුතු කළ යුතුය.
- වාර්ෂිකව දෙසැම්බර් මාසයේ වගා නොකරන කාලය තුළ ප්‍රජාවට දෛනික අවශ්‍යතා සඳහා ඇළෙන් ජලය ලබාගත හැකිලෙස තාවකාලික බාධක යොදා ජලය හරවා යැවිය යුතුය.

- ඇසූ මාර්ගයේ ජලය නිකුත් කිරීම අත්හිටවූ අවස්ථාවලදී පමණක් යන්ත්‍රෝපකරණ හා නොඩිනැහිලි ද්‍රව්‍ය ඇසූ හරහා ප්‍රවාහනය කළ යුතුය.
- ජලයේ ගුණාත්මකභාවයට බලපෑමක් නොවනසේ පරිසර ආරක්ෂණ ක්‍රමෝපායන් අනුගමනය කරමින් හා අවහාරිත ද්‍රව්‍යයන් අවම ලෙස පවත්වා ගනිමින් ඉදිකිරීම් කළ යුතුය.

ඉදිකිරීම් සැලසුම් කොන්ක්‍රීට්කරු විසින් ඉදිරිපත් කරන තෙක් ඉදිකිරීම් සඳහා අනවසර රක්ෂිත ඉඩම් පිහිටි ස්ථාන හඳුනාගත නොහැකි අතර වැඩසටහන් කළමනාකරණ සැලසුම් හා අධීක්ෂණ උපදේශකයින්ගේ සහාය ඇතිව විනාපාති ක්‍රියාත්මක කිරීමේ ඒකකය විසින් පසු විපරම් සැලසුම් ක්‍රියාත්මක කළ යුතුය.



මහවැලි ජල සුරක්ෂිතතා ආයෝජන වැඩසටහන,  
වැඩසටහන් කළමනාකරණ ඒකකය,  
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මිහිඳේ වම් ඉවුරු ඇසූ පුනරුත්ථාපන ව්‍යාපෘතිය  
මහවැලි ජල සුරක්ෂිතතා ආයෝජන වැඩසටහන  
මහවැලි සංවර්ධන හා පරිසර අමාත්‍යාංශය





## හැඳින්වීම

වර්ග.කි.මී. 18300 ක ජලාධාර ප්‍රදේශයකින් හා ඝන මීටර් මිලියන 5474 ජලවහනයක් සහිත ලංකාවේ දිගින් වැඩිම හා විශාලතම ගංගාව වූ මහවැලි ගඟ තෙත් කලාපයේ මධ්‍යම කඳකරයෙන් ආරම්භ වී ඊසාන දිශාවට ගලාබැසී උපාය මාර්ගිකව වැදගත් මෙන්ම මහත් ප්‍රයෝජනවත් ජල සම්පතකට උරුමකම් කියන මහවැලි නදිය රටේ බලශක්තිය, ජල හා ආහාර අවශ්‍යතා සපුරාලීම සඳහා දැවැන්ත මෙහෙවරක් ඉටු කරනු ලබයි. 1960 දශකයේ ආරම්භ කරන ලද "මහවැලි සංවර්ධන වැඩසටහන" ප්‍රධාන වශයෙන් මහවැලි ජලාධාර ප්‍රදේශය හා උතුරු වියළි කලාපයේ ජල අවශ්‍යතා සපුරාලමින් ඉඩම් සම්පත සංවර්ධනය කරනු පිණිස වාර් ජල පහසුකම් සැපයීම ද ජල විදුලිය නිෂ්පාදනයද අරමුණුකර ආරම්භ කරනලදී.

"මහවැලි ජල සුරක්ෂිත ආයෝජන වැඩසටහන" මහවැලි සංවර්ධන වැඩසටහනෙහි අවසාන අදියර වන අතර එය උතුරු මැද ප්‍රදේශයෙහි ජල සම්පත් වැඩි දියුණු කරමින් ගොවි බිම් සංවර්ධනය සඳහා වූ බහුකාර්ය සංවර්ධන වැඩසටහනක් වශයෙන් ක්‍රියාත්මක කිරීමට යෝජිතය. ජාතික සංවර්ධන ඉලක්ක වූ ආහාර සුරක්ෂිතතාවය, සමාජ සංවර්ධනය, බලශක්ති සංවර්ධනය හා පරිසරය සුරක්ෂිත කිරීම අරමුණු කරගත් වැඩසටහනක් ලෙස මෙය හැඳින්විය හැකිය.

මෙම වැඩසටහන අදියර දෙකකින් ක්‍රියාත්මක කිරීමට මහවැලි සංවර්ධන හා පරිසර අමාත්‍යාංශය තීරණයකර ඇත. ඒ අනුව පළමු අදියරට

- ඉහළ ඇළහැර ඇළ විකාශනය
- වයඹ පළාත් ඇළ ඉදි කිරීම
- මිණිපේ වම් ඉවුරු ඇළ පුනරුත්ථාපනය

හා දෙවැනි අදියර සැලසුම් කිරීම මේ යටතේ සිදුකෙරේ.

වාර් ඇළ මාර්ගයෙහි නිර්මාණයන් ප්‍රතිසංස්කරණය කිරීම දෙකෙන්ය. එනම් සඳහා වාර් ජලය මුදාහැරීමට බාධාවක් නොවන පරිදි සැලසුම් කර ඇති හෙයින් කුඹුරු වගාවට ජල පහසුකම් ලබාගැනීමේදී බලපෑමක් සිදුනොවිය යුතුය. වාර්මාර්ග නිලධාරීන් විසින් වාර්ෂිකව සත්ක දෙක තුළ වගා නොකරන කාල පරිච්ඡේද දී ඇළෙන් ජලය නිකුත් නොකරනු ලැබේ. මෙම කාලය තුළ අවට ප්‍රජාව විකල්ප ජල මූලාශ්‍ර වලින් (ප්‍රිං ඇදිය) දෛනික අවශ්‍යතාවය සඳහා ජලය සපයා ගනු ලැබේ. ප්‍රජාවට සිදුවිය හැකි අපහසුතා සලකා පහත අවශ්‍යතා නිර්දේශ කරනු ලැබේ.

- දෙකෙන්ය. එනම් සඳහා වාර් ජලය මුදාහැරීමට බාධාවක් නොවන පරිදි සැලසුම් කර ඇති හෙයින් කුඹුරු වගාවට ජල පහසුකම් ලබාගැනීමේදී බලපෑමක් සිදුනොවිය යුතුය. වාර්මාර්ග නිලධාරීන් විසින් වාර්ෂිකව සත්ක දෙක තුළ වගා නොකරන කාල පරිච්ඡේද දී ඇළෙන් ජලය නිකුත් නොකරනු ලැබේ. මෙම කාලය තුළ අවට ප්‍රජාව විකල්ප ජල මූලාශ්‍ර වලින් (ප්‍රිං ඇදිය) දෛනික අවශ්‍යතාවය සඳහා ජලය සපයා ගනු ලැබේ. ප්‍රජාවට සිදුවිය හැකි අපහසුතා සලකා පහත අවශ්‍යතා නිර්දේශ කරනු ලැබේ.
- දෙකෙන්ය. එනම් සඳහා වාර් ජලය මුදාහැරීමට බාධාවක් නොවන පරිදි සැලසුම් කර ඇති හෙයින් කුඹුරු වගාවට ජල පහසුකම් ලබාගැනීමේදී බලපෑමක් සිදුනොවිය යුතුය. වාර්මාර්ග නිලධාරීන් විසින් වාර්ෂිකව සත්ක දෙක තුළ වගා නොකරන කාල පරිච්ඡේද දී ඇළෙන් ජලය නිකුත් නොකරනු ලැබේ. මෙම කාලය තුළ අවට ප්‍රජාව විකල්ප ජල මූලාශ්‍ර වලින් (ප්‍රිං ඇදිය) දෛනික අවශ්‍යතාවය සඳහා ජලය සපයා ගනු ලැබේ. ප්‍රජාවට සිදුවිය හැකි අපහසුතා සලකා පහත අවශ්‍යතා නිර්දේශ කරනු ලැබේ.
- ඉදිකිරීම් සඳහා ඇළ මාර්ග වියළි තත්ත්වයෙන් තබාගතයුතු අවස්ථා-වලදී ව්‍යාපෘති අධ්‍යක්ෂ/ඉංජිනේරු හෝ අනුමැතියෙන් වාර්ෂිකව ඇළ මාර්ගය වසා තබන කාලය පිළිබඳව තීරණය කළයුතු අතර ඒ පිළිබඳව නීතිලෙස සම්බන්ධීකරණයක් කල යුතුය. මෙම තත්ත්වය අතිරේක මාසයකට සීමාවිය යුතු අතර ප්‍රජාවට අවශ්‍ය ජලය සැපයීම සහතික කලයුතුය. ප්‍රිං ජලය ප්‍රමාණවත් නොවන අවස්ථා වලදී කොන්ත්‍රාත්කරු විසින් ප්‍රජාවට ජලය සැපයීම සහතික කළ යුතුය. මේ පිළිබඳව වාර්මාර්ග බලධාරීන් හා ප්‍රාදේශීය පරිපාලනය සාකච්ඡාකර තීරණ ගත යුතු වේ.

ඇළ මාර්ගයෙහි සීමා නිර්මාණයන් (Definition Walls) බොහෝමයක් ඇළෙහි දකුණු පස ඉදිකිරීමට යෝජිත අතර ඒවාට මීටර් 400-500 ක් පමණ වූ දුරකින් ගෙවතු සහ වගාවන් අතරින් ප්‍රවේශ මාර්ග ලබාගත යුතුය. ප්‍රජාවට හානියක් නොවන පරිදි අවම හව ප්‍රවේශ මාර්ග විවැනි වැඩබිම් සඳහා යොදා ගැනීමේ දී කොන්ත්‍රාත්කරු විසින් 1-



(ආ) නිර්මිතයන්ට, ගහකොළවලට, වනාන්තරවලට, තාවකාලිකව හෝ ස්ථිර ඔලපෑමක් සිදුකෙරුණු යුතු අතර එහේ සිදු වන්නේ නම් ශ්‍රී ලංකා රජයේ හා ආසියානු සංවර්ධන බැංකුවේ නියමයන් අනුව නැවත පදිංචි කිරීමේ සැලැස්මක් සකස් කළ යුතු අතර එය ඉදිකිරීම් ආරම්භ කිරීමට පෙර ක්‍රියාත්මක කළ යුතුය. එහෙත් මිනිසේ වම් ඉවුරු ඇළ ප්‍රතිසංස්කරණයේ වැඩි අවශ්‍යතාවක් නොමැත.

කොන්ත්‍රාත්කරු විසින් ඉදිකිරීම් ආරම්භ කිරීමට පෙර පිළිපදිය යුතු කරුණු කීපයකි.

- කොන්ත්‍රාත්කරු විසින් ඉදිකිරීම් ආරම්භ කිරීමේදී ඉදිකිරීම් වැඩසටහනක් ඉදිරිපත් කළයුතු අතර එයට:  
කොන්ත්‍රාත්කරු විසින් රක්ෂිත ඉඩම් පරිහරණය කිරීමට අපේක්ෂාකරන ස්ථාන/ඉඩම් අවශ්‍යතාවය හා කාල රාමුව ඉදිරිපත් කළ යුතුය.
- ව්‍යාපෘති අධ්‍යක්ෂකවරයා/ඉංජිනේරුවරයා ඉඩම් භුක්තිකරු සැහිල්කට පත්වන ලෙස අදාළ ඉඩම්/ඉඩම් පෙර පැවති තත්ත්වයට සකස්කර නැවත භාර දිය යුතුය.
- උපරිම වශයෙන් එක් කන්නයක් තුළදී පමණක් කොන්ත්‍රාත් කරු විසින් අදාළ රක්ෂිත ඉඩම්/ඉඩම් ඉදිකිරීම් සඳහා ප්‍රයෝජනයට ගතයුතු අතර එය එක් වාර්ෂික පහසුකම් සහිත කන්නයක් සඳහා පමණක් සීමා විය යුතුය.
- ඉදිකිරීම් ආරම්භ කිරීමට පෙර අස්වැන්න ඉවත්කිරීමට කොන්ත්‍රාත්කරු විසින් ගොවීන්ට පහසුකම් සැලසිය යුතුය.
- රක්ෂිත ඉඩම් භුක්තිකරුවන්ගේ විරෝධතාවය/ගැටලුවක් ඇතිවූ අවස්ථා-වකදී විකල්ප ස්ථානයක්/ ඉඩමක් සොයාගත යුතු අතර එසේ නොවුවහොත් ශ්‍රී ලංකා රජයේ හා ආසියානු සංවර්ධන බැංකුවේ නියමයන් පරිදි කටයුතු කළ යුතුවේ.



"මහවැලි ජල සුරක්ෂිතතා ආයෝජන වැඩසටහන" ශ්‍රී ලංකා රජය වෙනුවෙන් මහවැලි සංවර්ධන හා පරිසර අමාත්‍යාංශය යටතේ ක්‍රියාත්මක වේ. කොළඹ පිහිටුවා ඇති "වැඩසටහන් කළමනාකරණය ඒකකය" විසින් වැඩසටහන මෙහෙයවනු ඇත. එසේම උප ව්‍යාපෘති තුන සඳහා ව්‍යාපෘති මට්ටමින් "ව්‍යාපෘති ක්‍රියාත්මක කිරීමේ කාර්යාල" තුනක් පිහිටුවා ඇත. තවද ශ්‍රී ලංකා ආණ්ඩුව සමඟ ආසියානු සංවර්ධන බැංකුව අත්සන්කර ඇති ණය ගිවිසුමේ කොන්දේසි ප්‍රකාරව වැඩසටහන ක්‍රියාත්මක කිරීමේ දී ඇතිවිය හැකි සමාජ ආර්ථික බලපෑම් පිළිබඳව කටයුතු කිරීම පිණිස ප්‍රකාශිත ප්‍රතිපත්තිය අනුව නැවත පදිංචි කිරීමේ සැලසුමක් සකස්කළ යුතු බවටත් එසේ නැතහොත් නිසි ශෝකයකට අධ්‍යයනයක් මගින් ප්‍රජාවට සිදුවිය හැකි සමාජ ආර්ථික බලපෑම් අවම කිරීම හෝ ඉවත්කිරීම සඳහා සුදුසු විසඳුම් ලබාදිය යුතු බවටත් ශ්‍රී ලංකා රජයේ නීතිරීති, ප්‍රතිපත්ති හා ආසියානු සංවර්ධන බැංකුවේ 2009 සමාජ ආරක්ෂණ ප්‍රකාශනය අනුව ක්‍රියාකළ යුතුවේ.

මිනිසේ වම් ඉවුරු ඇළෙහි කි.මී 30යි මි.140 දක්වා වූ පළමු පියවර තුළ ප්‍රධාන ඇළෙහි හා බෙදුම් ඇළවල් සඳහා රජයෙන් වෙන්කර ඇති රක්ෂිත ඉඩම් අනවසරයෙන් වහාකර හෝ භුක්ති විඳින ගොවීන්ගේ සංඛ්‍යාව හා ඉඩම් කැබලි සංඛ්‍යාව පිළිබඳ දත්ත, වැඩසටහන් කළමනාකරණ, සැලසුම් හා අධීක්ෂණ උපදේශකයින්ගේ සහාය ඇතිව වැඩසටහන් කළමනාකරණ ඒකකය හා මිනිසේ වම් ඉවුරු ඇළ මාර්ගය ප්‍රතිසංස්කරණය කිරීම භාර ව්‍යාපෘති ක්‍රියාත්මක කිරීමේ ඒකකය විසින් සමීක්ෂණයක් මගින් එක් රැස්කර ගන්නා ලදී. මෙම ව්‍යාපෘතිය යටතේ රක්ෂිත ඉඩම්වල ඉදිකිරීම් කිරීමට සැලසුමක් හෝ අපේක්ෂාවක් නොවූවත් කොන්ත්‍රාත්කරුට ඉදිකිරීම් සඳහා භාණ්ඩ ප්‍රවාහනයට හා උපකරණ ගබඩාකර තැබීමට මෙම ඉඩම්වලින් අවශ්‍ය ඉඩකඩ සපයා ගැනීම සිදුවිය හැකි බවටත් එයින් වහාවත් කිරීමට නොහැකි වීමෙන් ගොවීන්ගේ ආදායම්ව අහිමිකර බලපෑමක් සිදුවිය හැකි බවටත් උපකල්පනයකර ඇත. කෙසේවුවත් ඉදිකිරීම් කාලය තුළදී රක්ෂිත ඉඩම් තාවකාලික පදනමක් යටතේ අවශ්‍ය වුවහොත් නිදහස් කිරීමට ගොවීන්ගේ විකාශනාවය ලැබී ඇති බව මෙම අධ්‍යයනයෙන් තහවුරු විය.

විශේෂ කන්ත දෙක තුළදී හා වගා නොකරන කාල පරිච්ඡේදයේදී ඇළෙන් ජල සැපයුමෙන් නොවිභ්ට වන බලපෑම අවම වනු ඇත. තව ද "ආසියානු සංරක්ෂණ ආරක්ෂණ ප්‍රතිපත්ති ප්‍රකාශනය (2009) හා ශ්‍රී ලංකා රජයේ නීති රීති හා ප්‍රතිපත්ති" අනුව මෙම වාර්තාවෙහි නිර්දේශ වැඩසටහන ක්‍රියාත්මක කිරීමේ ඒකකයට ලබා දෙනු ලැබේ.

### නිගමන හා නිර්දේශ

මිනිස් වම් ඉවුරු ඇළ මාර්ගයේ කි.මී. 0 + 000 සිට කි.මී. 30 + මී. 140 දක්වා වූ කොටස හිසි යෝග්‍යතා අධ්‍යයන වාර්තාවෙන් ආවරණය කෙරේ.

කි.මී. 00 + 000 සිට කි.මී.30 + මී140 දක්වා වූ ඇළ මාර්ගයේ රක්ෂිත ඉඩම් කැඩලි 496 ක් අනවසරයෙන් හුක්කි වීදිනු ලබන නොවිභ් 494 ක් සිටින බව මේ පිළිබඳ කරනු ලැබූ සමීක්ෂණයේ දී හඳුනා ගන්නා ලදී. මෙම ඉඩම්වල කන්ත දෙකේදීම (ගල, මහ) වැඩි වශයෙන් වී නොවිභ්‍යාන කරනු ලබයි. එහි ඉඩම්වල වෙනත් ගොඩනැගිලි හා ගස් -කොළන්ද ඇත. ඒමෙන්ම නොවිභ් හිතකුණුලුව තමන්ට ලැබීඇති ඉඩම්වලට යාබදව ඇති රක්ෂිත ඉඩම් අනවසරයෙන් හුක්කි වීදිනු ලැබේ.

ප්‍රධාන ඇළ මාර්ගය හිස්සේ දිවෙන මාර්ගයෙන් බොහෝමයක් ඉදිකිරීම් ස්ථානවලට ප්‍රවේශ විය හැකි අතර එහි ස්ථානවල අනවසර ඉඩම් පරිහරණයක් නොමැති බවත් ඉදිකිරීම් සඳහා ප්‍රමාණවත් ඉඩකඩ ඇති බවත් හඳුනාගෙන ඇත. කෙසේ වුවත් ප්‍රතිසංස්කරණය කිරීමට යෝජිත නිර්මාණයන් හා එහි ඉදිකිරීම් සඳහා අවශ්‍ය ඉඩකඩ ලබාගැනීමේදී කෘෂිකාර්මික ඉඩම්වලට තාවකාලික බලපෑම් සිදුවිය හැකි බවට හඳුනාගෙන ඇත.



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විශේෂ සමහර රක්ෂිත ඉඩම් ඉදිකිරීම් කටයුතු කිරීමේදී කොන්ත්‍රාත්-කරුවන්ගේ අවශ්‍යතාවන් සඳහා පරිහරණයට අවශ්‍ය විය හැකි වුවත් නිර්මාණයන් ඉදිකිරීම සඳහා වටිනා ඉඩම් පවරා ගැනීමක් සිදු නොවේ. සමහර නිර්මාණයන් ප්‍රතිසංස්කරණය කිරීමේ දී අතුරු මාර්ග,ජලය හරවා යැවීම හෝ වාහන ධාවනය සඳහා ඇතැම් ස්ථාන අවශ්‍ය වේ. ඇතැම් හුක්කි වීදිනු ලබන සුළු ඉඩම් ප්‍රමාණයන් ඒ සඳහා අවශ්‍ය විය හැක, අවශ්‍ය නියමිත ඉඩකඩ ප්‍රමාණය කොන්ත්‍රාත්කරුවන් වැඩ ආරම්භ කිරීමට පෙර ගණනය කල නොහැකි අතර කෙසේ වෙතත් එය කුඩා ප්‍රමාණයක් වනු ඇත. ඉදිකිරීම් සිදුකිරීමේදී පහත සඳහන් කරුණු පිළිබඳ විශේෂ අවධානය යොමුකල යුතුය.

- අ) ව්‍යාපෘති ක්‍රියාත්මක කිරීමේ ඒකකය විසින් හැකිතාක් දුරට පවතින මාර්ග පද්ධතිය පැවිවීම් කරමින් වැඩබිම් වලට යාමට උපදෙස් දිය යුතුය. කොන්ත්‍රාත්කරු හැකිතාක් දුරට ඇල මාර්ගය හිස්සේ පවතින මාර්ග පද්ධතිය හා රජයේ ඉඩම් ප්‍රයෝජනයට ගනිමින් ඉදිකිරීම් සඳහා ඉඩකඩ සපයා ගත යුතුය.
- ආ) ඉදිකිරීම් සඳහා ඇළ මාර්ගය හා වැඩබිම්වලට ප්‍රවේශ වීම සඳහා කමත් විසින් හුක්කි වීදිනු ලබන අනවසර ඉඩම් පරිහරණය කිරීම සඳහා අවශ්‍ය අවස්ථාවලදී වගා කටයුතු අත්හිටුවීමට එහි නොවිභ් විසින් 2016 පෙබරවාරි මස එකඟතාවය ලබා දී ඇත. ඒ අනුව ඉදිකිරීම් කටයුතු සඳහා මෙම රක්ෂිත ඉඩම් අවශ්‍ය අවස්ථාවලදී වගා නොකර කොන්ත්‍රාත්කරුවන් තාවකාලිකව නිදහස් කිරීමට නොවිභ් විසින් ලිඛිතව එකඟ වී ඇත. එවැනි නොවිභ් 478ක් අතුරින් නොවිභ් 455ක් (95%) මේ සඳහා ලිඛිත එකඟත්වය ලබා දී ඇත. එනම් මිනිස් වම් ඉවුරු ඇළ ප්‍රතිසංස්කරණය කිරීමේ දී ඉදිකිරීම් සඳහා අවශ්‍ය අවස්ථාවලදී අප විසින් හුක්කි වීදිනු ලබන රක්ෂිත ඉඩම් නිදහස් කිරීමට එකඟතාවය පලකරනු ලැබේ.

- ඇ) මෙහිදී ඉඩම් අත්කර ගැනීමක් හෝ ඉඩම් පරිහරණ රටාවේ වෙනස්කම් සිදුවීමක් අපේක්ෂා නොකෙරේ.



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## **ANNEX H : DDR 1 FINDINGS AND RECOMMENDATIONS**

1. The Due Diligence Report covering the Minipe Left Bank Canal Rehabilitation Project 00+00 to km 30+140 has established the following:

- (i) The inventory of the canal reservation found there are 494 farmers encroaching on 498 plots of canal reserve land between Kilometre 00+000 and Kilometre 30+140 of the Minipe Left Bank Canal. They are cultivating mostly paddy in two seasons (Maha and Yala). There are also other plots of tree crops and structures. These farmers are encroaching from legally titled plots adjacent to reserve area.
- (ii) There is adequate access to many of the construction sites by road (or track) along the embankment of the canal, on which there are no encroachments, and there would be space enough for construction activities to occur. However, around some of the structures to be rehabilitated, construction space requirements may impact on agricultural areas. It was thought that some of the reserve land areas may be required to be used at times by the contractor during construction, but not as part of the footprint of project structures to be constructed. For some structures, there may be some locations where diversion tracks are needed by contractor. A small number of areas may be required in occupied reserve areas. Actual space requirements, hence magnitude of affected area for construction, cannot be fully finalized until the contractor is mobilized and the locations, albeit small, are identified. However:
  - a) The PIU will restrict access to sites to the use of existing roads and tracks to the extent possible. The contractor shall as much as possible limit construction work-space to the canal contours and existing access roads and Government lands, as approved by the PMU.
  - b) Farmer Organization Leaders have given an assurance in February that all encroached farmers will voluntarily suspend their agricultural activities during the construction period, if they are required, in order to allow the contractor's access to the canal and works sites. There is documentary evidence that encroachers will refrain from agricultural activities in the cases that encroached lands are required by a contractor. Through Farmer Groups, 455 farmers out of 478 (95%) have signed letters consenting to ***"release the lands which are in our possession under encroachments whenever those lands are wanted for the development activities of the Minipe Left Bank Canal Rehabilitation Project"***.
  - c) No permanent acquisition of land or permanent changes of land use is expected.
  - d) There will be no temporary or permanent impacts on structures or tree crops or forest areas, otherwise an RIP process will be in accordance with the ADB/GoSL requirements in Section 5 (above), and RP implementation will be completed prior to construction commencing.
  - e) The contractor shall be required to prepare a construction plan at mobilization, which will include:
    - Locations, purpose and time periods in which the contractor will be required to utilize the encroached land location;
    - Plans for rehabilitation of the locations back to their pre-project condition, which will be done to the satisfaction of engineer and land user;
    - The Contractor will be permitted to utilize a location for the time period when the work is carried out in nearby location, and will be for a maximum of one growing season only, in such times that encroached lands are required during the irrigation season.

- f) The contractor shall allow the farmers time to harvest (where required), prior to using for construction purposes.
- g) The PIU, with the PMDSC support, and the contractor shall:
  - Consult again with those land users, whose lands the contractor wishes to utilize for construction works, to verify and confirm the signed agreement (Annex F).
- h) In the event of objection or grievance, alternatives must be sought to the satisfaction of the land users, alternative locations found and/or RIP processes will be triggered in accordance with the ADB/GoSL requirements in Section 5 (above).
- i) Water resources for irrigation should not be impacted, because internal canal rehabilitation activities will be scheduled outside the two irrigation seasons when canal water resources are required. Canal authorities will annually, for a period during the two off-season times, close off the canal water supply. The surrounding communities use alternative water sources (e.g. wells) for their daily needs when the canal water supply is closed by authorities. The following requirements are recommended, in order to minimize any disruption to the community:
  - During the off-season when canal remains flowing, albeit minimal flow, the contractor will be required to install diversions and coffer dam systems, in order to allow water supply to be continued, for off-season requirements.
  - In the event that the contractor requires a dry canal for their work within the canal area, they may, after engineer approval, apply to and coordinate with the canal authorities regarding timing of annual canal closure periods and construction timing. This may be an extension for up to one additional month, provided all communities' alternative water supply is maintained. The contractor may be required to supply potable water to communities if well resources are not adequate – this will be discussed with canal and local authorities.
- j) Most proposed definition walls are located on the right hand side of the canal, which are at minimum 400-500 metres from a road access through gardens and crops. To minimize creating new accesses on the right hand side of the canal, disrupting livelihoods, the contractor shall:
  - Move machinery and materials across the canal from embankment roads during off-seasons, when canal is generally dry.
  - There is adequate space for materials stockpile, and also structure locations are, on public, unoccupied land areas. Therefore, there should be no impact on communities or occupied reserve lands.

2. The findings of this Due Diligence Study will need to be provided to the contractor at the time of contract negotiation, since bidding has already been completed. The Environmental Management Plan and the bidding documents for NCB 1 require the contractor to:

- (i) Conduct construction and rehabilitation activities within the canal outside of the two cropping seasons.
- (ii) Ensure coffer dams and diversions are constructed during the construction, in order to allow continued water flow for those using water outside of the cropping seasons.
- (iii) Limit construction and movement of materials/machinery within the canal to the regular annual period when the canal water flow is stopped by authorities.

- (iv) Ensure that environmental protection mechanisms, such as silt catchment and mitigations for hazard materials uses, are in place so that water quality is not affected by project construction activities.

3. Given that the exact amounts and locations of encroached reserve land required for construction purposes will not be fully known until the contractor submits a Construction Plan, a Monitoring Plan will be prepared by the MLBCRP PIU, with support of the PMDSC Specialists, once this is known.