

Resettlement Monitoring and Evaluation Report

#11 Semi-Annual Report

For the period covered January to June 2020

Project Numbers: 47381-002

July 2020

Sri Lanka: Mahaweli Water Security Investment Program

Prepared by the Ministry of Mahaweli Development and Environment with the assistance of the Project, Management, Design and Supervision Consultant (Joint Venture Tractebel Engineering 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

SEMI-ANNUAL RESETTLEMENT MONITORING AND EVALUATION REPORT No. 11 – (January – June 2020)



**Ministry of Mahaweli Agriculture
Irrigation and Rural Development
Sri Lanka**



July 2020

Final Report

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**Semi-annual Resettlement Monitoring and
Evaluation Report**

Project Number H.503409
Subject Progress Report
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Project Title: **Mahaweli Water Security Investment Program**

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[NOTE: names of the affected people/aggrieved parties have been redacted for privacy protection]

ABBREVIATIONS

ADB	Asian Development Bank
BoQ	Bill of Quantities
CAPC	Cabinet Appointed Procurement Committee
CEA	Central Environmental Authority
Covid-19	Coronavirus disease
DDR	Due Diligence Report
DPC	Department Procurement Committee
EIA	Environmental Impact Assessment
EOI	Expression of Interest
FAM	Facility Administration Manual
GOSL	Government of Sri Lanka
GRC	Grievance Redress Committee
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
LAA	Land Acquisition Act of Sri Lanka
LKR	Sri Lankan Rupee
MASL	Mahaweli Authority of Sri Lanka
MCB	Mahaweli Consultancy Bureau
MCM	Million m ³
MDP	Mahaweli Development Program
ME	Monitoring and Evaluation
MIWRM	Ministry of Irrigation and Water Resources Management
MLBCR	Minipe Left Bank Canal Rehabilitation
MFF	Multitranchise financing facility
MFP	Ministry of Finance and Planning
MMAIRD	Ministry of Mahaweli, Agriculture, Irrigation and Rural Development
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
SPS	Safeguard Policy Statement
TBD	To be decided
ToR	Terms of Reference
UEC	Upper Elahera Canal

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1. EXECUTIVE SUMMARY

1. This report presents the findings of the 11th Bi-annual Resettlement Monitoring and Evaluation task for January – June 2020 by the Program Management, Design and Supervision Consultant (PMDSC) in collaboration with the Program Management Unit (PMU) for the 6 months ending 30 June 2020. The report is prepared in accordance with the Consultant's Terms of Reference. It also covers progress of tasks and milestones agreed upon in the Aide Memoire of the 8th and 9th ADB Missions.

2. Since the 10th monitoring report, the progress in land acquisition is as below:

- (i) NWPC-NCB-1: Land acquisition of the two remaining (newly identified) land parcels is ongoing, but has been delayed due to the coronavirus disease (Covid-19) situation. It is expected that the process will be completed by September 2020. The draft RIP which was approved and published by ADB (in April 2019) will be updated in April 2021 to cover the newly identified land lots.
- (ii) NWPC-ICB-2: Land acquisition is nearing completion (96% of the parcels paid). Appeals Court cases are ongoing for 8 parcels. The final RIP is under preparation.
- (iii) UEC-ICB-2A: Land acquisition is suspended, pending decision about procurement.
- (iv) UEC-ICB-3: The RIP is under preparation. The preliminary database of affected people from Madethawewa Dam Embankment has been completed, however the ownership status of about 10 parcels have not been determined yet.

3. As advised during the 8th ADB mission (para 39 of the Aide Memoire) and 9th ADB mission (para 42 of the Aide Memoire), works are ongoing to improve the accuracy and completeness of the affected households and parcels database. Digitization of land survey and compensation data of NWPC-ICB-3, UEC-ICB-2A and UEC-ICB-3 are pending as PMU has not yet appointed a GIS officer. Due to Covid-19, SPSS, MS Access and MS Excel trainings are delayed for the PMU and PIUs. However, these will be re-scheduled as soon as possible.

4. As advised in the 9th ADB Aide Memoire (para 41), an initial version of a land acquisition Gantt chart has been prepared for the NWPC-NCB-1, NWPC-ICB-3, UEC-ICB-2A, UEC-ICB-3 and UEC-ICB-4 and shared with ADB. These Gantt charts were discussed, updated and confirmed with line agencies on 17 January 2020. They will be further reviewed and updated based on actual progress with the LAA milestones.

5. PMU has not yet completed the task to identify the significantly affected PAPs (as advised in the 9th ADB Aide Memoire, para 42) due to unavailability of Parameters for the identification of such categories. Therefore PMU has identified affected APs under 2 categories as physically (relocation required APs) and economically (only the land affected APs) affected APs.

6. The implementation of Livelihood Restoration Programs are ongoing in MLBRC, NWPCP and UECP. So far in total 199 people have benefited from the income restoration activities. 14 of them are in MLBRC, 129 of them are in NWPC, and 56 of them are in UEC. The main income restoration activities include providing sewing machines or equipment for animal husbandry, trainings for shoe and pottery making, gardening, driving and food processing.

7. While lists are prepared for people who receive livelihood support, this information is not entered in the main database. Therefore, it is not possible to obtain or report information on which households have been benefiting from the programs and whether all the significantly affected households have been involved in these livelihood restoration programs. Likewise, as the beneficiaries are not indicated in the databases, the PMDSC cannot develop a proper strategy to

monitor the efficiency of the activities. A database on a livelihood restoration program will be developed within the next reporting period.

8. PMU reported that an agricultural assessment would not be conducted (by PMDSC or any external party) as the livelihood officer is undertaking the programs in coordination with the Department of Agrarian Development. It was noted however, there are no official reports or meeting notes to show the contribution of the Department of Agrarian Development in the livelihood programs and decisions.

9. Some improvements were made to the grievance registries. During the 10th Monitoring and Evaluation, it was observed that in NWPC-ICB-2, where the construction activities are ongoing, some grievances that are under the responsibility of the Contractor were not registered to the GRM database and followed up effectively. PMDSC started to request the registries from the contractors to encourage proper registry.

10. Stakeholder engagement records have been improved. These activities will be discussed during every resettlement coordination meeting with a view to organize new engagements as needed.

2. INTRODUCTION

2.1 Scope of Report

11. This report presents the findings of the 11th Semi-annual Resettlement Monitoring and Evaluation task conducted by Program Management, Design and Supervision Consultant (PMDSC) in collaboration with the Program Management Unit (PMU) in July 2020 and in accordance with the Consultant's Terms of Reference. The objective of the internal monitoring is to inform ADB and other third parties of the land acquisition and resettlement progress, assess the project performance with regards to ADB Safeguard Policy on Involuntary Resettlement, and identify and plan for improvement opportunities.

2.2 Project Description

12. The Mahaweli Water Security Investment Program (MWSIP) of Sri Lanka is a pivotal program in meeting Sri Lanka's national development goals of food security, social development, energy production and environmental protection and is financed by the ADB. It is executed by the Ministry of Mahaweli, Agriculture, Irrigation and Rural Development on behalf of the Government of Sri Lanka (GoSL). The loan agreement between the GoSL and the ADB, stipulates that any involuntary land acquisition and resettlement issues that arise as a result of MWSIP shall be dealt in accordance with ADB's Safeguard Policy Statement (SPS) 2009 on Involuntary Resettlement, as well as National Laws and Regulations.

13. Phase 1 of the Program (MWSIP) outputs include three main projects: (i) Minipe Anicut Heightening and Left Bank Canal Rehabilitation Project (MLBCRP), (ii) North Western Province Canal Project (NWPCP), and (iii) Upper Elahera Canal Project (UECP). The Projects are split into 11 International Competitive Bidding (ICB) and 6 National Competitive Bidding (NCB) contracts.

14. Earlier resettlement screening and due diligence studies suggest that, of the 17 competitive bidding construction packages, 9 do not cause any land acquisition that would trigger the ADB Safeguard Policies on Involuntary Resettlement (2009), whereas 6 packages do have land acquisition/ resettlement aspects. The designs of two packages (UEC-ICB-5 and NWPC-ICB-4) are still in progress and their involuntary resettlement requirements remain to be identified (see Table -1 for resettlement impacts of each package). This Report mainly concentrates on the packages that have land acquisition and resettlement impacts.

Table 1: Resettlement Impacts of Competitive Bidding Contract Packages

Tranche/ Stage	Project	Sub-project	Resettlement Impacts	
Stage 1	MLBCR	ICB-1 - Heightening of the Minipe Diversion Weir (Anicut)	×	No permanent or temporary land acquisition is expected (DDR1, 2016, pg.28).
		NCB-1 - MLBCRP Stage 1	×	
		NCB-2 - MLBCRP Stage 2	×	According to DDR 2 (2017, pg.37) the feeder canal widening affects 4.65 ha of land permanently. All affected people (in total 55) donated their lands voluntarily.
		NCB-3 - MLBCRP Stage 3	×	No temporary or permanent land acquisition required (2017, pg.37).
		NCB-4 - MLBCRP Stage 4	×	
		NCB-5 - MLBCRP Stage 5	×	
	NWPC	NCB-1 - Wemedilla Sluice and LBMC from reservoir to Nabadgahwatta	✓ (1)	The existing canal was expropriated in 1980s by the GoSL, however payments had not been made. In addition, new land is required in some sections of the existing canal. Acquisition of land required for the new sluice tail canal was completed prior to start of construction.
		ICB-1 - Mahakithula Inlet Tunnel, Mahakithula and Mahakirula Reservoirs and Feeder Canal	×	The widening of the existing road will affect surrounding lands permanently. 46 affected people have donated the necessary lands (DDR 3).
		ICB-2 - Main canal Nabadagahawatta to Mahakithula Reservoir	✓ (2)	Land acquisition is caused by the canal
	UEC KMTTC	UEC- ICB-1 – Stage 1 – Minneyiya-Girthala Wildlife Reserve.	×	None (Resettlement Monitoring and Evaluation Report No.7, 2018, Table 14)
		ICB-2A - Tunnel 3 and 4 – Kilometre 27+509 to Kilometre 55+600	✓ (3)	Servitude rights will be received for the tunnel. Access roads necessitates land acquisition.
		ICB-2B (KMTTC) – Kalu Ganga – Moragahakanda Transfer Canal	×	None (DDR4, 2017)
		ICB-3 - Kongetiya Reservoir-Bogahawewa-Madethhawewa Km 6+226 to 27+509	✓ (4)	Land acquisition is caused by the canal and Madethhawewa Reservoir.
		ICB-4 – Yakallla Hurulu Wewa to Tunnel No. 4 km 55+600 to 65+500	✓ (5)	Land acquisition is caused by the canal
Stage 2	UEC	ICB-5 – Eruwewa Right Bank Canal-Maminya Oya - Yakalla Mahakanadarawa Diversion	TBD	To be determined after completion of detailed design
	NWPC	ICB-3 – Mahakirula to Kaduruwewa Feeder Canal and Pothuwila, Mediyawa and Yapahuwa Feeder Canals.	✓ (6)	Land acquisition is caused by the canal. Surveying of affected plots has started.
		ICB-4 – Dambulu Oya to Wemedilla LB Main Canal	TBD	To be replaced by second Bowatenna Tunnel. Land acquisition to be determined after completion of the design.

2.3 Completion Status

15. Since the 10th report, the progress in land acquisition is as below:

- (i) NWPC-NCB-1: Land acquisition is complete except for the two parcels that have recently been identified as affected. Construction works have been in progress in the remaining sections of the package. The acquisition of the newly identified 2 parcels has been delayed due to Covid-19 and will be completed by September 2020. The draft RIP which was approved and published by ADB (in April 2019) is currently being updated to cover the newly identified land lots.
- (ii) NWPC-ICB-2: Since the 10th ME Report, the land acquisition progressed by 2%, and in total 96% of the parcels are paid. Appeals Court cases are ongoing for 8 parcels. The updating of the draft RIP is in progress.
- (iii) UEC-ICB-2A: Land acquisition is suspended, pending a decision about procurement for the package.
- (iv) UEC-ICB-3: The RIP is under preparation. The preliminary database of affected people from Madethhawewa Dam Embankment has been completed although ownership status of 10 parcels remains to be verified. Land acquisition is ongoing.

Table 2: Completion Status of Major Activities in MWSIP as of 30 June 2020

Stg.	Construction Package	Design	Land Acq. Database	RIP preparation	Land Acquisition	Construction	Livelihood Restoration
Phase 1, Stage 1	UEC-ICB-1	✓	N/A	N/A	N/A	In progress	N/A
	NWPC-NCB-1	✓	✓	✓ (draft)	In Progress	In progress	In progress
	NWPC-ICB-1	✓	✓	N/A	N/A	Not started	Not started
	NWPC-ICB-2	✓	✓	✓ (draft)	In progress	In progress, No construction is proceeding in areas where land compensation is not complete.	In progress
	MLBCR-ICB-1	✓	N/A	N/A	N/A	In progress	N/A
	MLBCR-ICB-1	✓	N/A	N/A	N/A	In progress	N/A
	MLBCR-NCB-2	✓	N/A	N/A	N/A	In progress	N/A
	MLBCR-NCB-3	✓	N/A	N/A	N/A	In progress	N/A
	MLBCR-NCB-4	✓	N/A	N/A	N/A	In progress	N/A
	MLBCR-NCB-5	✓	N/A	N/A	N/A	In progress	N/A
	UEC-ICB-2A	✓	✓	✓	In progress	Postponed	Not started
	UEC-ICB-2B	✓	N/A	N/A	N/A	In progress	N/A
	UEC-ICB-3	✓	In progress	In progress	In progress	Not started	In progress
	UEC-ICB-4	✓	Not started	Initial stage	In progress	Not started	Initial stage
Phase 1, Stage 2	UEC-ICB-5	In progress	Not started	Initial stage	Not started	Not started	Not started
	NWPC-ICB-3	✓	Not started	Not started	In progress	Not started	Not started
	NWPC-ICB-4	In progress	Not started	Not started	Not started	Not started	Not started

Table 3: Status of Land Acquisition in NWPC-ICB-2 as of 30 June 2020 (as reported by PMU)

No	GN Division	Chainage (km.)	No. of HHs	# of state land plot	# of private land plots
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			Total	Paid	Total	Paid	Total	Paid
01	Nabadagahawatta	5+250 - 6+100	6	4	6	NA	10	9
02	Danduyaya	6+100- 7+200	36	30	14	NA	66	55
03	Pahala Bambawa	7+200 - 8+420	32	32	12	NA	46	46
04	Ranwediya	8+420 - 9+940	26	26	26	NA	31	31
05	Kospotha	9+940 - 12+320	51	49	13	NA	100	97
06	Hombawa	12+320 - 15+440	53	53	46	NA	122	122
07	Aluthwewa	15+440 -18+460	37	35	18	NA	53	51
08	Pibidunugama	18+460 - 20+250	18	18	14	NA	30	30
09		20+250 -22+300						
Total			259	247	149	NA	458	441

**Table 4: Status of Land Acquisition in NWPC-NCB-1 as of 30 June 2020
(as reported by PMU)***

No		GN Division	No. of HHs		# of state land plots		# of total private land plots	
			Total	Paid	Total	Paid	Total	Paid
1	Affected by 38A*	Walamitiyawa (Tail canal)	3	3	5	NA	11	11
2		Walamitiyawa	36	36	0	NA	1	1
3		Nikawahara/ Weragalawatta/ Bambagolla**	17	17	1	NA	12	12
4		Pallewela	58	58	7	NA	38	38
5		Walaswewa	105	105	32	NA	71	71
6		Nabadagahawatta	79	79	29	NA	68	68
7		Kapuhena	10	10	0	NA	7	7
Total			308	308	74		208	208

* Land acquisition of these lands had been done in 1986-1989 using Section 38A (urgent expropriation). However, compensation had not been paid to date. Although recently paid by PMU, the parcels mentioned in this Table are those which had been expropriated in 1986-1987. There are 2 newly identified land lots, for which the land acquisition is expected to be completed in September 2020.

** In this area, expropriation need of 2 new parcels was identified. These parcels (which are located in Weragalawatta/ Bambagolla) had not been expropriated earlier in 1986-1987.

2.4 Methodology of the Internal Monitoring

16. The 11th Semi-annual internal monitoring and evaluation mission was carried out by PMDSC in July 2020; however due to the Covid-19 situation, the international resettlement specialist could not join the field trips as usual. Field works were undertaken by the national resettlement specialist. The methodology of the monitoring included:

- (i) Request of progress data from PMU and subsequent compilation and analysis
- (ii) Review of the monthly resettlement coordination meeting notes between PIUs and PMU on February 2020
- (iii) Desktop review of relevant documentation, databases and registries
- (iv) Meetings with PMU resettlement officer
- (v) Interviews with 2 affected people.

17. Detailed registers and notes of the field works are provided in Annex 1 and data obtained from PMU is presented in Annex 2. The grievance redress registry is presented in Annex 3.

3. SUMMARY OF FINDINGS

Topic	Key Findings and Recommendations from the Earlier Monitoring Reports	Key Findings of the 11 th Monitoring	Recommendations	Responsible
3.1 Resettlement Staffing and Management	<p>3.1.1 Organization and Coordination</p> <p>18. In order to expedite the land acquisition matters, it was strongly recommended by ADB that PMU nominates a Deputy Project Director in Dambulla for land acquisition and resettlement matters. Furthermore, it was suggested to employ 1 assistant and 3 officers at PMU (stakeholder engagement, grievance redress, livelihood) and at least one part-time senior resettlement/livelihood consultant to support the PMU and PMDSC teams with preparation of resettlement implementation plans and livelihood activities.</p> <p>19. On the 3rd of June, PMU had gazetted to employ one Deputy Project Director to be based in Colombo and to employ 4 resettlement officers for PMU (M&E Officer, Grievance Redress Officer, Database and GIS Officer, Social Safeguard Officer) and 10 resettlements, land acquisition and livelihoods officers for NWPC and UEC PIUs. However, later on PMU has reported that it could not fill the positions announced in the gazette on the 3rd of June as these positions were not approved by the Management Services Department of the Ministry of Finance.</p> <p>20. Monthly Coordination Meetings - As per the agreement on 8th ADB Mission PMU and PIUs started to conduct monthly coordination meetings. As advised during the 8th ADB mission (para 40 of the Aide Memoire), PMU continues to facilitate coordination meetings with PMU, PIU, PMDSC resettlement, environment and stakeholder communications staff. Minutes of the meetings are taken and followed up by</p>	<p>21. Organization and Coordination –PMU reported that 2 land acquiring officers will be recruited for 2 land acquisition units in Polpithigama and Elahara. It has been approved by the Management Service Department.</p> <p>22. Monthly Coordination Meetings - As advised during the 8th ADB mission (para 40 of the Aide Memoire), PMU continues to facilitate coordination meetings with PMU, PIU, PMDSC resettlement, environment and stakeholder communications staff. The meetings were suspended due to the Covid-19 situation between March-July 2020.</p>	<p>23. Organization and Coordination - Employment of the DPD for Safeguards and the PMU/PIU officers needs to be expedited as agreed in during the 8th ADB mission.</p> <p>24. Monthly Coordination Meetings - PMU/PIU should continue the coordination meetings every 2 months as agreed with ADB.</p>	<p>PMU</p> <p>PMU</p>

	PMU. PMDSC was present in the December meeting. PMU has decided that it would be more effective to conduct the meetings every two months.																																		
	<p>3.1.2 Resettlement Plans</p> <p>25. The Access Roads RIP of UEC-ICB-2A is completed and presently under review by ADB. The remaining reports are pending. The preliminary</p> <table border="1"><thead><tr><th>T</th><th>Construction Package</th><th>Database</th><th>RIP</th></tr></thead><tbody><tr><td rowspan="2">1</td><td>NWPC-NCB-1</td><td>Completed</td><td>Approved draft published by ADB.</td></tr><tr><td>NWPC-ICB-2</td><td>Completed</td><td>Approved draft published by ADB.</td></tr><tr><td rowspan="4">2</td><td>UEC-ICB-2A</td><td>Completed</td><td>Under review</td></tr><tr><td>UEC-ICB-3</td><td>Preliminary database completed</td><td>In progress</td></tr><tr><td>UEC-ICB-4</td><td>Not started</td><td>Not started</td></tr><tr><td>UEC-ICB-5</td><td>Not started</td><td>Not started</td></tr><tr><td rowspan="2">3</td><td>NWPC-ICB-3</td><td>Not started</td><td>Not started</td></tr><tr><td>NWPC-ICB-4</td><td>Not started</td><td>Not started</td></tr></tbody></table> <p>database UEC-ICB-3 has recently been completed.</p> <p>26. UEC-ICB-3: Land survey data has not yet been digitized. The RIP is presently under preparation.</p> <p>27. The NWPC-NCB-1 RIP will be updated to include the newly identified lands in April 2020.</p>	T	Construction Package	Database	RIP	1	NWPC-NCB-1	Completed	Approved draft published by ADB.	NWPC-ICB-2	Completed	Approved draft published by ADB.	2	UEC-ICB-2A	Completed	Under review	UEC-ICB-3	Preliminary database completed	In progress	UEC-ICB-4	Not started	Not started	UEC-ICB-5	Not started	Not started	3	NWPC-ICB-3	Not started	Not started	NWPC-ICB-4	Not started	Not started	<p>29. The RIPs of UEC-ICB-3 is under preparation and the first draft is expected to be completed in August 2020.</p> <p>30. The RIPs of NWPC-NCB-1 and NWPC-ICB-2 will be updated in July 2020 and the final drafts will be completed in August 2020.</p>	<p>31. Complete the UEC-ICB-3 RIP within next monitoring report period.</p> <p>32. Complete updates of the RIPs of NWPC-NCB-1 and NWPC-ICB-2 within next monitoring report period.</p>	PMDSC
T	Construction Package	Database	RIP																																
1	NWPC-NCB-1	Completed	Approved draft published by ADB.																																
	NWPC-ICB-2	Completed	Approved draft published by ADB.																																
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3	NWPC-ICB-3	Not started	Not started																																
	NWPC-ICB-4	Not started	Not started																																

	<p>28. The approved draft NWPC-ICB-2 is published by ADB. At the time this draft was prepared, the valuation of assets had not been complete by PMU and Valuation Department. Upon completion of valuation, this RIP will be updated.</p>			
	<p>3.1.3 Information and Data Management</p> <p>Household data</p> <p>33. There has been some improvement in household data, but it not yet complete. The information below has been added to the database:</p> <ul style="list-style-type: none"> - Reason for being considered vulnerable. - Whether the payment is partially or entirely complete. - The parcels on which there is a land dispute (case filed to the court), - The parcels for which there an Appeals Board case was filed - Total amount of compensation entitlement - Date of last payment - Inventory of losses <p>34. It was recommended in the 10th ME Report that PMU included in the database:</p> <ul style="list-style-type: none"> - The project component (e.g. access road, tail canal) and chainage affecting the parcel for the future databases. - The livelihood restoration supports received by the household. <p>35. Although requested in the 9th ADB Aide Memoire (para 42), the detail of development cost could not be</p>	<p>Household data</p> <p>40. There has not been progress on the database since the last 6 months. The data below remains to be added to the databases:</p> <ul style="list-style-type: none"> - The project component (e.g. access road, tail canal) and chainage affecting the parcel for the future databases. - The livelihood restoration supports received by the household. <p>Land acquisition data</p> <p>41. The land acquisition maps of UEC-ICB-2A and UEC-ICB-3 are pending.</p> <p>Capacity Building</p> <p>42. The Advanced level MS Excel, MS Access and SPSS trainings were postponed due to the Covid-19.</p>	<p>Household data</p> <p>43. Include in the database within next monitoring report period</p> <ul style="list-style-type: none"> - The project component (e.g. access road, tail canal) and chainage affecting the parcel for the future databases. - The livelihood restoration supports received by the household. <p>Land acquisition data</p> <p>44. Complete the land acquisition GIS maps for all contract areas as soon as possible. This data should be presented as part of RIPs as requested by ADB.</p> <p>Capacity Building</p> <p>45. Organize MS Access, SPSS and Advanced MS</p>	<p>PMU</p> <p>PMU</p> <p>PMU/</p>

	<p>added to the database as the land department does not share this information.</p> <p>36. The socio-economic survey, census and inventory are revised and combined to collect the required information more effectively.</p> <p>37. In order to improve the databases, PMU is planning to start using MS Access. For this purpose trainings are organized for 2020.</p> <p>Land acquisition data</p> <p>38. The database manager is no longer working for the resettlement maps. Land acquisition maps of UEC-ICB-2A and UEC-ICB-3 are pending.</p> <p>Capacity Building</p> <p>39. PMSDC has conducted MS Office trainings for PIUs as of May 2019. In order to upgrade the database and maintain/use it more efficiently there is need for further training on Advanced level MS Excel, MS Access and SPSS.</p>		Excel trainings for all PMU and PIU resettlement and communication staff.	PMDSC
	<p>3.1.4 ADB SPS Capacity Building</p> <p>46. An ADB SPS Capacity Building Training was conducted with the resettlement staff of Divisional Secretaries on the 10th December 2019.</p> <p>47. ADB SPS Capacity Building Trainings could not be realized for PMU and PIUs due to health reasons of the PMDSC staff. The trainings will be rearranged.</p> <p>48. Schedule ADB SPS Capacity trainings for the</p>	<p>49. An ADB SPS Capacity Building Training was conducted with the resettlement staff of Divisional Secretaries on the 25th and 27th February 2020. In the NWPC, a total of 30 people joined the training including divisional secretaries, development officers (related to land acquisition) and colony officers of Polpithigama and Ahatuwewa and Mahawa DS Offices. In the UEC, a total of 20 people joined the trainings including officers working in land section and</p>	<p>50. None.</p>	

	line agencies and PMU and PIU staff.	colony officers of Palugaswewa, Bakamuna, Thirappane and Hingurakgoda DS Offices. All PIU land officers and resettlement officers also participated in the trainings.		
	<p>3.1.5 Resettlement Budget</p> <p>Land acquisition and resettlement</p> <p>51. As of January 2020, the budget used for land acquisition is as below:</p> <ul style="list-style-type: none"> NWPC-NCB-1 used LKR 138.5 million out of LKR 400 million. This is below the amount that was announced as spent in the 9th Monitoring Report. NWPC-ICB-2 used LKR 415 million out of LKR 375 million (the actual amount exceeded the budget). UEC-ICB-3 used LKR 0 out of LKR 125 million <p>Livelihoods</p> <p>52. According to the information received from PMU, as of July 2019, the budget used for livelihood restoration is as below:</p> <ul style="list-style-type: none"> MLBCR-NCB-2 used LKR 0.5 million out of LKR 2.5 million NWPC-NCB-1 and NWPC-ICB-2 used LKR 0.5 million out of a total of LKR 8.39 million budget UEC used LKR 1 million out of LKR 6.57 million 	<p>Land acquisition and resettlement</p> <p>56. As of July 2020, the land acquisition expenditure remains the same as the 10th Internal ME Report (See Annex 1).</p> <p>Livelihoods</p> <p>57. According to the information received from PMU, there has not been much progress in income restoration activities due to the Covid-19 situation. As of July 2020, the budget used for livelihood restoration is as below:</p> <ul style="list-style-type: none"> MLBCR-NCB-2 used LKR 0.5 million out of LKR 2.5 million (remains the same as the 10th Internal ME Report). NWPC-NCB-1 and NWPC-ICB-2 used LKR 0.675 million out of a total of LKR 8.39 million budget. UEC used LKR 1 million out of LKR 6.57 million (remains the same as the 10th Internal ME Report). 	<p>Livelihoods</p> <p>58. As explained in paragraphs 55, it may be necessary to revise the livelihoods budgets for NWPC and UEC, since they are not adequate.</p>	PMU

	<p>53. The calculations for the livelihoods were based on earlier information, which has been modified since the start of Project; however, the budgets have not been updated accordingly. Therefore, it is estimated that the availed budgets will not be sufficient for livelihood restoration. The adopted policy for income restoration is to provide goods worth LKR 50,000 for people who have lost 40 perches or more of their lands. For people who lose less than 40 perches, PMU pays LKR 1250/perch for lost lands (all payments are to buy goods for livelihood restoration). The necessary budget for this support only is expected to reach more than LKR 9 million, which is higher than the presently allocated budget (LKR 8.39 million) for NWPC-ICB-2 and NWPC-NCB-1. However, it should be noted that an agricultural appraisal has not been conducted yet and it cannot be assured that LKR 50,000 will be enough to support the livelihoods of all people and especially the ones who are more severely affected (e.g., who lose 100 perches or more). In addition, an effective livelihood restoration plan would necessitate an agricultural assessment. However, the existing budget, being already short for the basic payments, would not be sufficient for these. Furthermore, as explained in Section 3.4, the payments of newly identified people (LKR 50,000) is made from the same livelihood budget which will further restrain the resources.</p> <p>54. The issues explained in paragraph 56 also apply to UEC-ICB-3.</p> <p>55. As explained in Section 3.3, it is estimated that the available budgets will not be sufficient for all the</p>			
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	affected people who would like to receive support and trainings.			
3.2 Land Acquisition and Resettlement	<p>3.2.1 Compensation Payment Schedule</p> <p>59. As advised in the 9th ADB Aide Memoire (para 41), initial Gantt charts has been prepared for the NWPC-NCB-1, NWPC-ICB-3, UEC-ICB-2A, UEC-ICB-3 and UEC-ICB-4 and shared with ADB. These Gantt charts need to be updated, and the timelines will be discussed and confirmed with line agencies on 17 January 2020.</p> <p>60. NWPC-NCB-1: Except for the newly required 2 parcels, the compensation payments are 100% complete in and the construction activities started. It is expected that the 2 parcels will have been acquired by June 2020.</p> <p>61. NWPC-ICB-2: Land acquisition is 96% complete. As advised in the 9th Monitoring Report 38A Notice is gazetted for registration of lands on the Project. Between chainages 5+250 m– 17+075 m (from a total of 17,075 m, construction activities are pending in 1,784 m due to delays in payments including 6 appeals board cases. The unpaid parcels create 12 lots along the 17,05 km.</p> <p>62. NWPC-ICB-3: Land acquisition has started.</p> <p>63. UEC-ICB-2A: The process for servitude right acquisition is ongoing but the payments have not yet started.</p> <p>64. UEC-ICB-3: The process for land acquisition is</p>	<p>Compensation Payment Schedule</p> <p>67. The Gantt charts were discussed with the line agencies on 17th of January 2020 and revised Gantt charts were sent to ADB. Land acquisition is ongoing in UEC-ICB-3, NWPC-ICB-3 and NWPC-ICB-4 (new Bowatenna Tunnel will start once the design is ready and the EIA process has started). Land acquisition has not started in UEC-ICB-4 and UEC-ICB-5. Land acquisition is suspended, pending a decision about procurement in UEC-ICB-2A.</p> <p>68. NWPC-NCB-1: The acquisition of the newly required 2 parcels are delayed due to Covid-19. It is expected that the 2 parcels will have been acquired by September 2020.</p> <p>69. NWPC-ICB-2: Land acquisition is 96% complete.</p> <p>70. The status of land acquisition in NWPC-ICB-3, UEC-ICB-2A, UEC-ICB-3 and UEC-ICB-4 remained the same with little progress due to Covid-19 situation.</p> <p>71. PMU has reported that the incentive to speed up the GRM process was not accepted.</p>	<p>72. There is need to expedite the land acquisition in NWPC-ICB-2.</p> <p>73. There is need to ensure the land acquisition processes for NWPC-ICB-3 and UEC-ICB-4 is executed in a timely way.</p>	<p>PMU</p> <p>PMU</p>

	<p>ongoing but payments have not yet started.</p> <p>65. UEC-ICB-4: Land acquisition has started.</p> <p>66. The proposal to avail payment for each Grievance Redress Committee member was proposed, it is still being discussed.</p>			
	<p>3.2.2 Payment Certificates and Transaction of Land Ownership</p> <p>74. New payment certificates were prepared and started to be distributed/implemented in UEC-ICB-3.</p> <p>75. Three more payment registers in NWPC-ICB-2 and NWPC-NCB-1 that were not properly filled were encountered during monitoring. These included empty registers, differences with databases and sheets without date.</p> <p>76. There is need to check the payment registers in NWPC-ICB-2 and NCB-1 and to replace the faulty/empty ones with correct sheets.</p>	<p>Payment Certificates and Transaction of Land Ownership</p> <p>77. New payment certificates were prepared and started to be distributed/ implemented in UEC-ICB-3.</p> <p>78. Reportedly, the PMU has checked and corrected the faulty/ empty payment registers in NWPC-ICB-2 and NWPC-NCB-1. PMDSC could not verify this information as the field works could not be conducted due to the Covid-19 situation.</p>	<p>79. PMDSC should verify the correction of payment registers in the next field trip.</p>	<p>PMDSC</p>

	<p>3.2.3 MLBCR</p> <p>80. PMU reported that the GRM is fully functioning in MLBCR, although they are not receiving many complaints. It was also reported by PMU that the waste rock problem identified during the 9th Internal Monitoring had been addressed. PMDSC had not yet verified this information as the area could not be visited during the 10th visit.</p> <p>81. PMDSC will visit MLBCR during the 11th Monitoring to verify the resolution of the complaint.</p> <p>82. Continue to engage with people to ensure that they are aware of the GRM.</p>	<p>83. PMDSC could not visit the MLBCR area due to the Covid-19 situation.</p>	<p>84. PMDSC will visit MLBCR as soon as possible to verify the resolution of the complaint.</p>	PMDSC
	<p>3.2.4 NWPC-ICB-2</p> <p>Resettlement of physically displaced people</p> <p>85. NWPC-ICB-2 - There are a total of 262 affected HHs, of which 10 are physically displaced. Compensation payments are presently in progress.</p> <p>86. Of the 10 physically displaced households, 9 have received their money and 6 have moved to their new houses. One person has only recently agreed to the amount and therefore her payment is belated.</p>	<p>Resettlement of physically displaced people</p> <p>87. Of the 10 physically displaced households, all of them have received their money and 6 have moved to their new houses. 4 people have recently bought their land and started constructing their houses.</p>	<p>88. Continue following up with resettlement.</p>	PMU and NWPC PIU
	<p>3.2.5 NWPC-NCB-1</p> <p>89. There are 6 people who were physically displaced. 1 person constructed a new house and moved, 1 person temporarily rented a house and 3 people moved in with their relatives. 1 person (█)</p>	<p>91. There are 6 people who were physically displaced. 1 person is still living in part of the house while constructing his new house, 1 person has moved to his new house, 1 person has temporarily rented a house and 3 people moved in with their relatives.</p>	<p>93. Continue following up with people who have not moved out.</p>	PMU, NWPC PIU

	<p>██████) is still living in the same house.</p> <p>90. ██████ house was initially considered as partially affected. However, after further investigations it was understood that the entire house had to be removed as the land would become unstable after the constructions. For this reason, PMU had agreed to pay compensation for the entire house and the payment is done accordingly.</p>	<p>92. PMU has reported that they had informed ██████ to move out. Presently she is constructing her new house and will move out as soon as it is completed.</p>		
	<p>3.2.6 UEC-ICB-3</p> <p>94. In UEC ICB-3, there are 90 economically and 19 physically displaced HHs. Valuation process is in progress.</p> <p>95. The valuation process for land acquisition is ongoing and the payments have not yet started. According to the Gantt Chart Time Schedule of UEC ICB3 presented to ADB in Nov 2019, the land acquisition process will be completed by June 2020 (except for Madethewewa Level Crossing and Dam Embankment).</p> <p>96. The land survey, GIS data has not been completed and therefore it is not possible to show each affected household on a land map and/or verify that the database is complete. The preliminary database for Madethawewa Dam Embankment has been prepared.</p>	<p>97. The valuation process for land acquisition is ongoing and the payments have not yet started. According to the Gantt Chart Time Schedule of UEC ICB3 agreed with the line agencies on the 17 January 2020, the land acquisition process will be completed by May 2021 (including Madethewewa Level Crossing and Dam Embankment).</p> <p>98. The land survey, GIS data has not been completed and therefore it is not possible to show each affected household on a land map and/or verify that the database is complete.</p> <p>99. The Madethawewa Dam area is inundated even though the land ownership in this area has not been completed. This area has long been unused and uncultivated and therefore it is particularly difficult to verify the ownership status in this area.</p>	<p>100. The land ownership status in Madethawewa Dam should be verified and payments should be made before the inundation process.</p> <p>101. Complete the GIS map as soon as possible.</p> <p>102. Prepare and disclose the RIP (with ADB concurrence).</p>	<p>PMU</p> <p>PMU</p> <p>PMU, PMDSC</p>

	<p>3.2.7 Temporary Land Rentals</p> <p>103. According their contracts, the construction contractors should make all preparations before they determine to enter into a temporary land rental agreement and receive the approval of the Engineer. It was reported in NWPC-ICB-2, however, that the Contractor does not make a written agreement every time they rent lands for temporary uses. This may pose a risk as, without any written proof, the Contractor may leave the lands without reinstatement.</p> <p>104. The contractor should be warned that they should not start using any temporary lands before approval by PMDSC. PMDSC should tighten control over the construction contractor not to enter into any temporary land rentals agreements without written agreement. PMDSC should make sure all lands are adequately reinstated before the constructor leaves site.</p>	<p>105. For the newly required land in NWPC-ICB-2 canal trace, after the approvals of PMDSC, a tri party agreement is signed between the PD-PIU, landowner and the contractor witnessed by Grama Niladari before handing over the additional land for temporary access purposes.</p>	<p>106. PMDSC should continue to monitor the agreements for temporary land rentals.</p>	<p>PMDSC/ PIUs</p>
<p>3.3 Income Restoration</p>	<p>107. The 2 livelihood officers of UEC and 1 livelihood officer of PMU has not yet been recruited.</p> <p>108. While lists are prepared for people who receive livelihood support, this information is not entered in the main database.</p> <p>109. The programs are based on what the affected people “want” and what can be provided for LKR 50,000 budget limit per person. However, the program lacks the expertise view on whether the agricultural measures would be adequate to restore the livelihoods in the affected areas.</p> <p>110. PMDSC is of the view that the offered livelihood</p>	<p>120. The databases have not yet been updated to identify significantly, moderately and minor affected people as explained under Para 5 of this report.</p> <p>121. The 2 livelihood officers of UEC and 1 livelihood officer of PMU has not yet been recruited</p> <p>122. So far in total 199 people have benefited from the income restoration activities. 14 of them are in MLBRC, 129 of them are in NWPC, and 56 of them are in UEC.</p> <p>123. The main income restoration activities</p>	<p>127. No need to Identify and indicate the people who have significantly, moderately and minor affected from the project as no Parameters have developed for this purpose.</p> <p>128. Expedite the employment of livelihood officers for UEC PIU and PMU.</p> <p>129. Update the data-bases to show which households</p>	<p>PMU</p> <p>PMU/PIUs</p> <p>PMU/PIUs</p> <p>PMU/PIUs/P</p>

	<p>packages may not fully function as expected. For example: PAPs who are interested in milk-production are going to be given LKR 50,000 to buy a milk-cow. However, the most affordable milk-cow is LKR 90,000 and these are not in-calf (pregnant) or with-calf cows. Considering that the gestation period of cattle is around 10 months, it would take at least 1 year for the PAP to start to earn from milk with these cows. In the meantime, PAPs will have to continue spending from their own budget for the maintenance, veterinary and feed costs of the cow, which may become a burden as families have already lost part of their income due to land loss. There is always a risk that the animal may die if optimal conditions cannot be provided.</p> <p>111. The PAPs are provided with pepper and jackfruit saplings. However, the PAPs are complaining that pepper trees (given as livelihood support) necessitate irrigation and therefore are not suitable for everyone and jackfruit saplings would take at least a few years to provide some income. Therefore, it is crucial that an agricultural appraisal is undertaken to identify the livelihood restoration measures that would be most effective in each contract bid and to re-calculate the necessary budget.</p> <p>112. The Livelihood Restoration Programs treat the affected people who have only lost 40 perches same with people who have lost 200 perches. PMDSC is of the view that this represents a weakness of the program, as people who lose more lands are more likely to lose a larger portion of their livelihoods.</p> <p>113. According to the Entitlement Matrix, all affected people who lose their income are entitled to livelihood</p>	<p>include providing sewing machine or equipment for animal husbandry, trainings for shoe and pottery making, gardening, driving and food processing.</p> <p>124. While lists are prepared for people who receive livelihood support, this information is not entered in the main database.</p> <p>125. PMU reported that an agricultural assessment would not be conducted (by PMDSC or any external party) as the livelihood officer is undertaking the programs in coordination with the Department of Agrarian Development. It was noted however, there are no official reports or meeting notes to show the contribution of the Department of Agrarian Development in the livelihood programs and decisions. PMDSC still recommends that an agricultural assessment be carried out.</p> <p>126. While lists are prepared for people who receive livelihood support, this information is not entered in the main database. Therefore, it is not possible to obtain information on which households have been benefiting from the programs and whether all the significantly affected households have been involved in these livelihood restoration programs. Likewise, as the beneficiaries are not indicated in the databases, the PMDSC cannot develop a proper strategy to monitor the efficiency of the activities.</p>	<p>receive lively-hood support.</p> <p>130. Make sure all significantly affected people benefit from at least one program.</p> <p>131. Closely monitor the efficiency of the livelihood restoration programs to make sure affected people can earn the same or better levels of income.</p>	MDSC
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	<p>restoration programs. Given the number of affected people and high interest level for the livelihood programs, the available budget does not seem to be sufficient to attend all entitlement holders as per the Entitlement Matrix. PMU should avail more budget for income restoration activities.</p> <p>114. Expedite the employment of livelihood officers for UEC PIU and PMU.</p> <p>115. Update the databases to show which households receive livelihood support.</p> <p>116. The necessary agricultural investigations should be conducted by PMDSC to ensure sufficient grounding for the livelihood measures and livelihood restoration plan.</p> <p>117. It is strongly advisable that the provided livelihood support programs are proportional to the income losses of each household (i.e. a household that loses 200 perches of land should receive more than a household who loses 40 perches of land).</p> <p>118. There is need to make a detailed calculation to estimate the required livelihood restoration budget (considering agricultural appraisal, number of PAPs, amount of land loss and interest of affected parties etc), and this budget should be availed for a successful implementation of the livelihood restoration activities.</p> <p>119. It is suggested that these points be taken up during the next ADB review mission for further discussion and clarifications.</p>			
3.4 Vulnerable People	<p>132. The vulnerability data was established for UEC-ICB-3 where 50 people (in 109 households) were identified to be vulnerable.</p>	<p>138. The vulnerability data was updated for UEC-ICB-3 where 63 households and a total of 67 people (in 109 households) were identified to</p>	<p>140. In case claims are made for vulnerability (to the grievance redress mechanism), PMU will</p>	PMU/PIUs

	<p>133. PMU acknowledges that there may have remained some vulnerable people who have not been identified in NWPC-NCB-1, NWPC-ICB-2 and UEC-ICB-2A. However, as the RIPs of these packages are already complete, re-conducting surveys may result in problems. Therefore, the vulnerability cases in these packages will be assessed on a case by case basis, in case claims are made to the grievance redress mechanism. The efficiency of this implementation will be re-assessed during the 11th Monitoring Mission.</p> <p>134. The NWPC-ICB-2 suggests only 14 vulnerable exist in 259 affected households as the surveys only considered the vulnerability of the household head at the time of survey. When the vulnerability of all households is considered, this number is expected to increase significantly and may reach around 130 people.</p> <p>135. The combined and updated census, inventory and socio-economic survey (which will be implemented for the remaining RIPs) will facilitate collection of necessary data regarding vulnerability.</p> <p>136. In case claims are made for vulnerability (to the grievance redress mechanism), PMU will assess the vulnerability status of claimant household and make necessary payment if their vulnerability is confirmed. The efficiency of this implementation will be re-assessed during the 11th Monitoring Mission.</p> <p>137. Budget necessary to make vulnerable payments should be calculated accordingly and availed by PMU.</p>	<p>be vulnerable.</p> <p>139. PMU acknowledges that there may have remained some vulnerable people who have not been identified in NWPC-NCB-1, NWPC-ICB-2 and UEC-ICB-2A. Reportedly, there has been no new claims of vulnerability in these areas.</p>	<p>assess the vulnerability status of claimant household and make necessary payment if their vulnerability is confirmed.</p>	
3.5 Stakeholder Engagement	<p>141. The project does not have an effective way to register the stakeholder engagement records.</p> <p>142. The Project website continues to be updated. Sinhalese versions of the main reports have not been</p>	<p>147. The project started to register the stakeholder engagement events as of January 2020. In the last 6 months, there has been 31 engagement activities in UEC, 11 in MLBRC and</p>	<p>149. Continue to monitor the quality and quantity of stakeholder activities.</p> <p>150. Prepare Sinhala</p>	<p>PMU and PIUs, PMDSC Communication Team</p>

	<p>published yet.</p> <p>143. In general, there is no monitoring on the quality and quantity of the stakeholder engagement activities. Lack of records and a registry system prevents any measures in this context.</p> <p>144. Establish an internal mechanism to register each stakeholder activity and its outcomes.</p> <p>145. PMU has agreed to establish an internal mechanism to monitor the quality and quantity of stakeholder activities. This monitoring should be conducted at least bi-annually and the results (relating to resettlement) should also be presented as part of the resettlement internal monitoring report.</p> <p>146. Prepare Sinhala versions of the main reports and/or their executive summaries and disclose on the project webpage.</p>	<p>20 in NWPC.</p> <p>148. The Project website continues to be updated.</p>	<p>versions of the main reports and/or their executive summaries and disclose on the project webpage.</p>	<p>PMU and PIUs, PMDSC Communication Team</p>
<p>3.6 Grievance Redress</p>	<p>Grievance Redress Resolution</p> <p>151. While the GRM is functioning in most areas, there is room for improvements.</p> <p>152. PMDSC visited [REDACTED], (NWPC-ICB-2) who is a woman-headed household and claims to have a daughter who has a hole in her heart. Upon consultations, it was understood that 5 of her grievances had not been registered and remained unresolved. These include (1) lack of water as her water-well is contaminated with wash-off silt from stockpiles (2) lack of dust barriers (3) cracks on walls (4) access road damage due to wash-off from stock pile (5) silt accumulation on paddy land due to wash-off from stock pile.</p>	<p>Grievance Redress Resolution</p> <p>163. In the last 6 months, there has been 29 new complaints, of which 21 is resolved and 8 are pending resolution.</p> <p>164. PMDSC visited [REDACTED], (NWPC-ICB-2) on the 2 July 2020. Her issues had been attended to. As her water well is contaminated due to the Project, the DS Office gave her a water tank, however they had recently wanted her to return this water tank even though she still does not have a drinking water source.</p> <p>165. Incentives to speed up the GRM Committee Process – The incentives are not</p>	<p>Grievance Redress Resolution</p> <p>168. PMU should make sure [REDACTED] has a reliable and permanent source of drinking water.</p> <p>Registry</p> <p>169. There is need for PIUs to work closely with the Community Liaison Officers of the Construction Contractors to make sure Contractors follow the instructions of the Engineer to log all the grievances and</p>	<p>PMU/PIUs</p> <p>Contractor, PMU, PIU, PMDSC</p>

	<p>153. During the 9th Internal Monitoring, PMDSC had raised 2 grievances regarding unrecognized status of vulnerable households ([REDACTED]). These cases had not been registered or attended during the 10th Monitoring.</p> <p>154. Regarding the wall cracks (NWPC ICB2, Pallewela, [REDACTED]) due to construction activities that was reported to PMDSC during the 9th internal monitoring, PMU has taken action to relocate the household until the cracks are repaired.</p> <p>155. [REDACTED] grievance (about a well that became dysfunctional after the construction start) which was reported during the 9th Monitoring was registered and the PMU decided to open a new tube well. (NWPC ICB2, Kospotha). She reported that she was not informed when the well would be drilled.</p> <p>156. In MLBCR, during the 9th internal monitoring, one person ([REDACTED]), had complained about rocks left on his land. PMU reported that the complaint was resolved. However, as of 10th Monitoring, the register of the grievance was not found in the records.</p> <p>Incentives to speed up the GRC Payments.</p> <p>157. The incentive budget to speed up the GRC committee process has not been realized. It is still being discussed by authorities.</p> <p>158. It is important that PMU realizes the incentive budget to speed up the GRC committee process as soon as possible.</p> <p>Awareness and Access</p> <p>159. All interviewed affected people had GRC brochures and responded that they knew about the GRC committees.</p>	<p>accepted.</p> <p>Registry</p> <p>166. The GRM register was updated to include (see Annex 3):</p> <ul style="list-style-type: none"> - The date of action - Whether the grievance is closed - Upon completing the action whether the complainant agreed to the close the grievance. <p>167. PMDSC could not check the grievance registers of the contractors due to the Covid-19 situation in the field. The registers are requested from the contractors in written. However, the contractor had not yet replied at the time this report is submitted.</p>	<p>resolve them timely and effectively.</p> <p>170. PMDSC should regularly ask for the grievance registers of the contractor (every 3 months) and make sure these registers are kept robustly.</p>	<p>PMDSC</p>
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	<p>Registry</p> <p>160. It was observed that some of the registers in the PIUs did not exist in the database of the PMU (i.e. Registers of UEC PIU) and it was not clear whether all grievances (including irrelevant or rejected ones) are registered in the database. The registers did not include systematic data to allow analysis. Ensure that all PIU registers are transferred to the PMU central registry.</p> <p>161. Make sure all received complaints are registered to the system. Encourage PIUs to make more entries rather than informally resolving grievances. Number of grievances recorded in each PIU should be considered as a performance indicator (the more, the better).</p> <p>162. Include the below variables in the GRM register:</p> <ul style="list-style-type: none"> – Resolution status in a separate column (open, closed) – Date of action – Amount of compensation paid (if applies) – Type of closure (agreement, non-agreement) – Duration of closure (total number of days between submission of complaint and information date of complainant) 			
3.7 Cultural Heritage	<p>171. In NWPC ICB2, the canal passes through a graveyard in Aluthwewa Grama Niladari Division chainage km 17+950 to 18+125. The land belongs to the government. After discussions, it was decided to make a small ceremony to replace the graveyards. As per Law, PMU and PIU is also coordinating the Police Department, Divisional Secretary, relevant court, and owners of the coffin for arrangements on site. The affected PAPs should be visited in the 10th Monitoring Visit.</p> <p>172. Cemeteries and Burial Ground Ordinance of</p>	<p>173. PMDSC could not visit the site due to the Covid-19 situation. PMU is still waiting for the final opinion the Attorney General to proceed with the issue. The affected people do not object to the relocation of the graveyard. Per their request, necessary ceremonies will be conducted to respect the deceased.</p>	<p>174. PMDSC should visit site as soon as the situation allows.</p>	<p>PMDSC and PMU</p>

	<p>1899 (Act No. 9 amended in 1921, 1923, 1929, 1931, 1937, 1939, 1946 1947, 1979 and 2005) of Sri Lanka does not allow relocation of graveyards. Therefore, PMU has been corresponding with the Attorney General and Provincial Authority regarding the issue. It was recently understood that the graveyard is not a registered one. Recently PMU is expecting the final opinion the Attorney General to proceed with the issue. The affected people do not object to the relocation of the graveyard. Per their request, necessary ceremonies will be conducted to respect the deceased. The site has not been visited by PMDSC due to lack of time during 10th Monitoring. Issue will be followed up on during the 11th Monitoring.</p>			
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4. CONCLUSION

175. The Covid-19 situation has been a serious obstacle for the field activities (civil works and monitoring of social safeguard) during the January to July 2020 period. There has been very little progress made since the 10th Monitoring and Evaluation Mission.

176. Land acquisition has been started and/or is ongoing in UEC-ICB-3, NWPC-NCB-1, NWPC-ICB-2, NWPC-ICB-3 and NWPC-ICB-4 and has not yet started in UEC-ICB-4, UEC-ICB-5. In UEC-ICB-2A, land acquisition is presently suspended and is pending decision about procurement.

177. The main areas that the Program needs to focus on in the next half-year include the following (listed below). It is suggested that they be taken up during the next ADB review mission for further discussion and clarifications.

- **Human resources:** expedition of the employment of DPD for Safeguards and Resettlement Officers for the PMU and PIUs.
- Revisiting the **livelihood restoration planning** and budget based on an expert agricultural appraisal and considering the significance of impacts faced by each household.
- Improving the **database management system**, introduction of MS Access for a better management, completing the digitalization of land survey data.

ANNEX 1

REGISTERS AND NOTES OF INTERVIEWS WITH AFFECTED PEOPLE DURING FIELD WORKS

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ANNEX 1: REGISTERS AND NOTES OF INTERVIEWS WITH AFFECTED PEOPLE DURING FIELD WORKS

Table A1-1. Register of Interviews with Affected People (the field works could not be conducted efficiently due to Covid-19 situation)

Date	Project	Contract	GN	Number and category of affected people					
				Physically Disp.		Econ. Disp.		Vulnerable	
				Male	Female	Male	Female	Male	Female
02.07.2020	NWPC	ICB2	Kospotha				1		1
02.07.2020	NWPC	ICB2	Aluthwewa				1		1
Total									

Table A1-2. Key Interviews with Affected People (02 July 2020)

Date, name of PAP	GND	Construction Package	Findings and Solution given
02.07.2020 [REDACTED]	Kospotha	NWPC-ICB-2	The house and existing well are located in different sides of the canal although previously (before construction of the canal) those were located close to each other. But she is still using this well for the drinking and other purposes. The other villagers are also use this well as water scarcity prevails in this area. This section of the canal is cut and covers and after completion of the canal they can use the well without disturbance. The daughter of Podimenike has a health issue with her nerve system and they have applied to be considered for vulnerability entitlement. PMU requested a medical certificate. It was observed that the daughters situation was real and PMDSC adviced PMU to consider the daughter as vulnerable as she is not able to do any domestic or other type of work.
02.07.2020 [REDACTED]	Aluthwewa	NWPC-ICB-2	PMU has not considered her vulnerability status as she has entered into customary marriage with a person although it is not a legal marriage. Her child (with a hole in her hearth) has recently undergone surgery and her situation has improved. As her well was affected by the Project, Renuka was provided a 500 litres water tank by the DS and drinking water is being provided on regular basis. But she stated that the DS had requested her to return the water tank. It was observed that the agricultural well located close to her house that was not protected and was not suitable for drinking. PMDSC adviced PMU to make sure that Renuka and her family is provided with sufficient drinking water until the construction is complete and her well is entirely reinstated to become adequate for drinking again.

ANNEX 2

DATA PROVIDED BY PMU (30th June 2020)

ANNEX 2 : DATA PROVIDED BY PMU (30th June 2020)**2. 1 Resettlement Staffing and Management****Table A2.1. Resettlement Staffing**

	Resettlement Specialist	Resettlement and Land Acquisition Officers	Livelihood Officer	Communication Specialist and Officers
PMU	1	0	0	1
PIU MLBCR	0	0	0	1
PIU NWCP	0	3	1	1
PIU UEC	0	2	0	1
TOTAL	1	5	1	4

Table A2.2. Completion Status of Databases, RIPs and Compensation Payments

Tr .	Construction Package	Database Completion Status	Land Acquisition Proposal sent to MoL by PIU	RIP status	Compensation Payment Completion (%)	Scheduled construction start	Notes
1	NWPC NCB-1	Complete	Mar 2018 (existing canal-from Section 7)	Completed	100% (2 remaining land lost are expected to be acquired by Sep. 2020)	Jan 2017	Construction re-started
	NWPC ICB-2	Complete	Feb 2016	Completed	96%	Nov 2018	Started in Nov 2019 but there are delays as some land lots has not been handed over to the contractor. 16.05 km out of 17.05 km RoW has been handed over.
2	UEC ICB-2A	Complete	Mar 2019	Completed & awaiting ADB approval	Expected completion by Jul 2020	TBD	The land acquisition process has on halt due annulment of the procurement process. (land acquisition completed up to section 5)
	UEC ICB-3	Complete	Jan 2016	In progress	Expected completion by September 2021	TBD	

Tr .	Construction Package	Database Completion Status	Land Acquisition Proposal sent to MoL by PIU	RIP status	Compensation Payment Completion (%)	Scheduled construction start	Notes
	UEC ICB-4	Preliminary complete	Feb 2019		Expected completion by May 2022	TBD	The land acquisition process has on halt due to annulment of the procurement process. (land acquisition completed up to section 5)
	UEC ICB-5	-				TBD	
	NWPC ICB-3	-	Dec 2019		Expected completion by Nov 2021	TBD	Land acquisition was on halt about 6 months due to annulment of the procurement again it was started from June 2020
3	NWPC ICB-4	-				TBD	

Table A2.3. Resettlement Budget

Tranche	Project	Sub-project	Land acquisition (mil) Rs		Livelihood Restoration budget (mil) Rs	
			Available	Used	Available	Used
1	MLBCR	NCB-2 (waiving of LA rights)	0	0	2.5	0.50
	NWPC	NCB-1	400	138.5	8.39	0.675
		ICB-1 (waiving of LA rights)	0	0		
		ICB-2	375	415		
2	UEC	ICB-2A	TBD		6.57	1
3	UEC	ICB-3	TBD			
		ICB-4	TBD			
		ICB-5	TBD			
	NWPC	ICB-3	TBD			
		ICB-4	TBD			

2.2 Land Acquisition

Table A2.4. Status of Land Acquisition in NWPC-NCB-1

No		GN Division	No. of HHs		# of state land plots		# of total private land plots*	
			Total	Paid	Total	Paid	Total	Paid
1		Walamitiyawa (Tail canal)	3	3	5	NA	11	11
2	Affected by 38A	Walamitiyawa	36	36	0	NA	1	1
3		Nikawahara/ Weragalawatta/ Bambagolla	17	17	1	NA	12	12
4		Pallewela	58	58	7	NA	38	38
5		Walaswewa	105	105	32	NA	71	71
6		Nabadagahawatta	79	79	29	NA	68	68
7		Kapuhena	10	10	0	NA	7	7
Total			308	308	74		208	208

* It should be noted that due to newly identified land acquisition needs up to 25 new parcels will be acquired. At the moment, land acquisition process has started for 2 newly identified lots.

Table A2.5. Status of Land Acquisition in NWPC-ICB-2

No	GN Division	Chainage (km.)	No. of HHs		# of state land plot		# of private land plots	
			Total	Paid	Total	Paid	Total	Paid
01	Nabadagahawatta	5+250 - 6+100	5	4	6	NA	10	9
02	Danduyaya	6+100- 7+200	35	30	14	NA	66	55
03	Pahala Bambawa	7+200 - 8+420	32	32	12	NA	46	46
04	Ranwediya	8+420 - 9+940	26	26	26	NA	31	31
05	Kospotha	9+940 - 12+320	51	49	13	NA	100	97
06	Hombawa	12+320 - 15+440	53	53	46	NA	122	122
07	Aluthwewa	15+440 -18+460	37	35	18	NA	53	51
08	Pibidunugama	18+460 - 20+250	18	18	14	NA	30	30
09		20+250 -22+300						
Total			257	247	149	NA	458	441

Table A2.6. Status of Land Acquisition in UEC-ICB3 for the parcels that will be acquired by MWSIP

No	GN Division	Chainage (km.)	No. of HHs		# of state land plot		# of private land plots	
			Total	Paid	Total	Paid	Total	Paid
01	Kottapitiya South		4	0	6	-	4	0
02	Dhamanayaya		74	0	45	-	180	0
03	Elahara		1	0	1	-	2	0
Total			79	0	52		186	0

2.3 Resettlement and Income Restoration

Table A2.7. Status of Physically Displaced People

Tr.	Construction Package	# of affected HHs	# of physically displaced HHs	# of physically displaced HHs receiving rental help	# of physically displaced HHs who have bought land for house construction	# of physically displaced HHs who have moved to their new houses
1	NWPC NCB-1	308(178)	6	1	6	1 person is still living in part of the house while constructing his new house, 1 person moved, 1 person temporarily rented a house and 3 people moved in with their relatives
	NWPC ICB-2	257	10	0	10	6 people moved to their houses, 4 people have recently bought land or started construction
2	UEC ICB-2A	75	NA	NA	NA	NA
	UEC ICB-3	90	19	No	0	0
	UEC ICB-4	TBD	TBD	TBD	TBD	TBD
	UEC ICB-5	TBD	TBD	TBD	TBD	TBD
	NWPC ICB-3	TBD	TBD	TBD	TBD	TBD
3	NWPC ICB-4	TBD	TBD	TBD	TBD	TBD

Table A2.8. Status of People who lose their business-

Tr.	Construction Package	# of affected HHs	# of HHs who lose their business	# of HHs who received support for business loss	# of HHs who have received/bought land to reconstruct their business	# of HHs who have moved to their new business place
1	NWPC NCB-1	308(178)	0			
	NWPC ICB-2	259	2	2	-	-
2	UEC ICB-2A	NA	NA	NA	NA	NA
	UEC ICB-3	NA	TBD	TBD	TBD	TBD
	UEC ICB-4	NA	TBD	TBD	TBD	TBD
	UEC ICB-5	NA	TBD	TBD	TBD	TBD
	NWPC ICB-3	NA	TBD	TBD	TBD	TBD
3	NWPC ICB-4	NA	TBD	TBD	TBD	TBD

Table A2.9. Income Restoration Activities

Tr.	Construction Package	# of affected HHs	Livelihood Programs	Number of beneficiaries for each livelihood program	Completion status of program
1	MLBCR (waiving of LA rights)	0	Providing sewing Machine	14	Completed
	NWPC NCB-1	308(178)	Driving license	02	1 completed 1 processing
			Providing equipment for Animal Husbandry	02	completed
			Providing sewing Machine	01	processing

Tr.	Construction Package	# of affected HHs	Livelihood Programs	Number of beneficiaries for each livelihood program	Completion status of program
	NWPC ICB-2	257	Pepper cultivation	15	completed
			Materials for Small tea shop	01	completed
			Providing equipment & breeding Material for Animal Husbandry	01	completed
			Home Garden training	50	completed
			Exposure visit and Demonstration	50	completed
			Providing wadai cart and other Equipment	01	completed
			Brick Hut	01	completed
			Driving License	05	4 completed 1 processing
2	UEC ICB-2A				
	UEC ICB-3		Home garden and plant nursery	6	completed
			Made ladies foot wear	5	completed
			Milk production	10	completed
			Food product	10	completed
			Animal husbandry	4	completed
			Brooms production	10	completed
			Flower pots production	10	completed
			Beauty culture	1	completed
	UEC ICB-4				
	UEC ICB-5				
	NWPC ICB-3				
3	NWPC ICB-4				

2.4. Vulnerable People

Table A2.10. Payment status of vulnerable people

Tr.	Construction Package	# of affected HHs	# of vulnerable people	# of vulnerable people who received their payment
1	NWPC NCB-1	308(178)	5 ¹	5
	NWPC ICB-2	257	8	6
2	UEC ICB-2A	75	-	-
	UEC ICB-3	109	50	0
	UEC ICB-4			
	UEC ICB-5			
	NWPC ICB-3			
3	NWPC ICB-4			

2.5 Stakeholder Engagement

¹ The socio economic survey has identified a total of 33 vulnerable people (RIP table 29). But most of them are not living in this area. Hence payment of compensation completed only for identified people living in the Project Area.

Table A2.11. Stakeholder Engagement Data (activities since 30 November 2019)

Tr.	Construction Package	# of affected GNDs	Brochures distributed	Posters distributed	Number of GND meetings & other meetings (for the entire project time)
1	MLBCR (waiving of LA rights)	NA	3000(DDR booklets 2000 & GRC leaflets 1000)	4000(GRC poster & inform the water distribution time scheduled)	24
	NWPC NCB-1	6	178	178	15
	NWPC ICB-1 (waiving of LA rights)	NA	5	5	2
	NWPC ICB-2	8	275	270	53
2	UEC ICB-2A	TBD	-	-	5
	UEC ICB-3	3	79	3	49
	UEC ICB-4	TBD			
	UEC ICB-5	TBD			
3	NWPC ICB-3	TBD			
	NWPC ICB-4	TBD			

2.6 Grievance Redress

Table A2.12. Grievance Redress Data (from 1st of January 2020 and 30rd of June 2020)

Construction Package	# of grievances that was still open	# of grievances resolved by GN committee	# of grievances resolved by PIU committee	# of grievances resolved by DS committee	# of grievances solved by PMU committee	Open grievances (not resolved)
MLBCR	1		3			1
NWPC	7		18			7
UEC	0	0	0	0	0	0

ANNEX 3

GRIEVANCE REDRESS REGISTRY

ANNEX 3: GRIEVANCE REDRESS REGISTRY

Grievance No.	Date of Grievance Raised	Location	Description of Grievance	Issue Resolved		Describe the Solution Given	How the Solution was Inform ed	Date of solution Given (Date of action)	Amount of compens ation given (if applies)	Grieva nce closed or open yet	Dura tion of Clos ure	Type of closure (Agreement or non agreement)	If not Resolved , Forwarded to (Officer & Date/ Not Applicable)	Level of Handling GRC
1	28.03.2016	Nikadalupotha	Proposed to provide water for Kalugalla area down stream of Hakwatunawa Oya		No	This is a Tranche -3 activity.	Through letter	30.03.2016			Open		Forwarded to PMDSC	PIU
2	28.03.2016	Moragollagama	This person's land happened to be devided in to 3 lots due to the proposed canal route. Therefore, he suggested to change the canal rout to minimize the effect to his land		No	This is a Tranche -3 activity.	Through letter	30.03.2016			Open		Forwarded to PMDSC	PIU
3	09.11.2018	NWPCP-ICB2	Did not agree with Valuation amount		No	88 perches acquired from his land. He compensation package is Rs. 1,660,000.00. Explained about the valuation and the extra payment included in the compensation package. But PAP did not agree. He decided to go to appeal board. But he has not yet gone to the appeal board	Through letter	03.12.2018			Open			DS
4	09.11.2018	NWPCP-ICB-2	Did not agree with Valuation amount		No	158 perches acquired from his land. His compensation package is Rs. 3,722,490.00. Explained about the valuation and the extra payment included in the compensation package. But PAP did not agree. He decided to go to appeal board.	Through letter	03.12.2018			Open			DS
5	09.11.2018	NWPCP-ICB-2	Did not agree with Valuation amount		No	52 perches acquired from her land. Her compensation package is Rs. 977,500.00. Explained about the valuation and the extra payment included in the compensation package. But PAP did not agree. She decided to go to appeal board.	Through letter	03.12.2018			Open			DS
6	09.11.2018	NWPCP-ICB-2	Did not agree with Valuation amount		No	166 perches acquired from his land. His compensation package is Rs. 3,471,875.00. Explained about the valuation and the extra payment included in the compensation package. But PAP did not agree. He decided to go to appeal board.	Through letter	03.12.2018			Open			DS
7	09.11.2018	NWPCP-ICB-2	This PAP grievance was - 6 land lots acquired for the project and out of those, 3 lots has considered as encroachments. Her request was - to consider those 3 lots as privete land lots.	Yes		This issue was not only of her, but there are another 20 lots in Daduyaya with the same type of issue. Hence, Special request was made to land the Tittle Department by MMDE to solve these issues. They are of the opinion to do valuations considering those as tittle land owner.	Through letter	03.12.2018			Open			PMU

Grievance No.	Date of Grievance Raised	Location	Description of Grievance	Issue Resolved		Describe the Solution Given	How the Solution was Informe d	Date of solution Given (Date of action)	Amount of compens ation given (if applies)	Grieva nce closed or open yet	Dura tion of Clos ure	Type of closure (Agreement or non agreement)	If not Resolved , Forwarded to (Officer & Date/ Not Applicable)	Level of Handling GRC
8	09.11.2018	NWPCP-ICB-2	This PAP grievance was - land lot No.1000 is acquiring for the project. She requested total land value only to her. And also requested vulnerability payment for children	Yes		The GRC decided to give development cost to Renuka and Statutory compensation to her children.	Through letter	03.12.2018			Open			DS
9	13.06.2019	NWPCP- ICB-2	Her water-well will be seperated from the house by the canal and be on the other side of the canal. She will not be able to get water to her house from that well anymore. She has complained to the grievance redress committee and she has vulnerable daughter. she claimed for it.	Yes		This was addressed by the project. Now she is taking water from the well using a rubber hose. During the construction period, access to her house too, is to be facilitated by the contractor. After discussing with her and contractor we came to a decision to provide temporary access during construction period and through the temporary access water line too can be laid. She agreed with the above solution. After the completion of the construction she can return to the normal because this canal section is cut and cover type.	Through letter	08.07.2019			Open			PIU
10	30.07.2019	NWPCP- ICB-2	The common water well destroyed due to construction		No						Open			
11	10.09.2019	NWPCP- ICB-2	drought well, due to construction		No						Open			
12	01.03.2017	NWPC- ICB-3	Requested water through a canal from Mahakithula Dam		No		Through letter	02.03.2017			Open		Forwarded to Technical section This can be consider during the construction period	PIU
13	21.03.2017	NWPC- ICB-3	Requested water to Pahala Diggala Grama Niladari Division		No	Forwarded to Technical section	Verbally	21.03.2017			Open		Forwarded to Technical section	PIU
14	17.05.2017	NWPC - ICB-3	Requested water to Irrigation system		No	Forwarded to Technical section	Verbally	17.05.2017			Open		Forwarded to Technical section Decision can be taken after construction.	PIU
15	28.07.2017	NWPC - ICB-3	Requested water from Gorowwa tank to Galkiriyakanda		No		Verbally	28.07.2018			Open		Forwarded to Technical section	PIU

Grievance No.	Date of Grievance Raised	Location	Description of Grievance	Issue Resolved		Describe the Solution Given	How the Solution was Inform ed	Date of solution Given (Date of action)	Amount of compens ation given (if applies)	Grieva nce closed or open yet	Dura tion of Clos ure	Type of closure (Agreement or non agreement)	If not Resolved , Forwarded to (Officer & Date/ Not Applicable)	Level of Handling GRC
16	01.04.2019	NWPCP- ICB-3	Requests earth from the project		No	Not relevant/ Requests earth from the project	Verbally	01.04.2019			Open			PIU
17	03.04.2019	NWPCP- ICB- 3	They have a land near the Bogolla Tank. Wanted to get clarified whether this land will be acquired for the project.		No	Informed That should be checked	Verbally	03.04.2019			Open			PIU
18	08.05.2019	NWPCP- ICB-3	3 months earlier one team has visited Anulawathi and told that her land is selected to be acquired for the Wayamba project. Again, 3 weeks earlier another team has visited to tell her that acquisition of her land is not necessary. She needs to clarify the information, whether her land would acquired or not for the project.		No.	Will be discussed	Verbally	08.05.2019			Open			
19	03.06.2019	NWPCP- ICB-3	This land belongs to M.B.Wijewardhana. Name should be changed as B.M.Sanjeewa Manel Basnaya.		No	This will be considered after a section 9 Inquiry	Verbally	03.06.2019			Open			PIU