

# Resettlement Monitoring and Evaluation Report

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# 5 Semi-Annual Report  
January – June 2017

## 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. 5: January – June 2017

January 2018



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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	Multitranchise financing facility
MFP	Ministry of Finance and Planning
MMDE	Ministry of Mahaweli Development and Environment
MPC	Ministry Procurement Committee
MPP	Master Procurement Plan
MRB	Mahaweli River Basin
NCPCP	North Central Province Canal Project
NPA	National Procurement Agency
NWPC	North Western Province Canal
PD-MWSIP	Program Director Mahaweli Water Security Investment Program
PD-UEC	Project Director –Upper Elahera Canal
PMDSC	Program Management, Design and Supervision Consultant
PPTA	Project Preparatory Technical Assistance
PSC	Program Steering Committee
RF	Resettlement Framework
RIP	Resettlement Implementation Plan
RPC	Regional Procurement Committee
SBD	Standard Bid Documents
SIWRM	Strengthening Integrated water Resources Management
ToR	Terms of Reference
UEC	Upper Elahera Canal

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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 future tranches and the Phase 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 fifth 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 January to 30 June 2017<sup>2</sup>, 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. Included in this report are updates and interim impact data for two RIPs and a DDR3 for Tranche 1 NWPCP sub-projects; RIP implementation evaluation results for NWPCP NCB-1 Project; results and implementation progress for DDR 2 covering MLBCRP NCB- 1 and 2,3, 4 &5; and DDR 1 implementation progress covering MLBCRP NCB-1<sup>3</sup>. 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> The 5<sup>th</sup> Resettlement Monitoring report is the first Semi-Annual Report, specified in contract Scope of Works deliverables.

<sup>3</sup> This report, as much as possible, avoids repetition of progress information presented in the four previous reports, and only presents works conducted during the 6-month reporting period and mostly specific to Tranche 1.

1

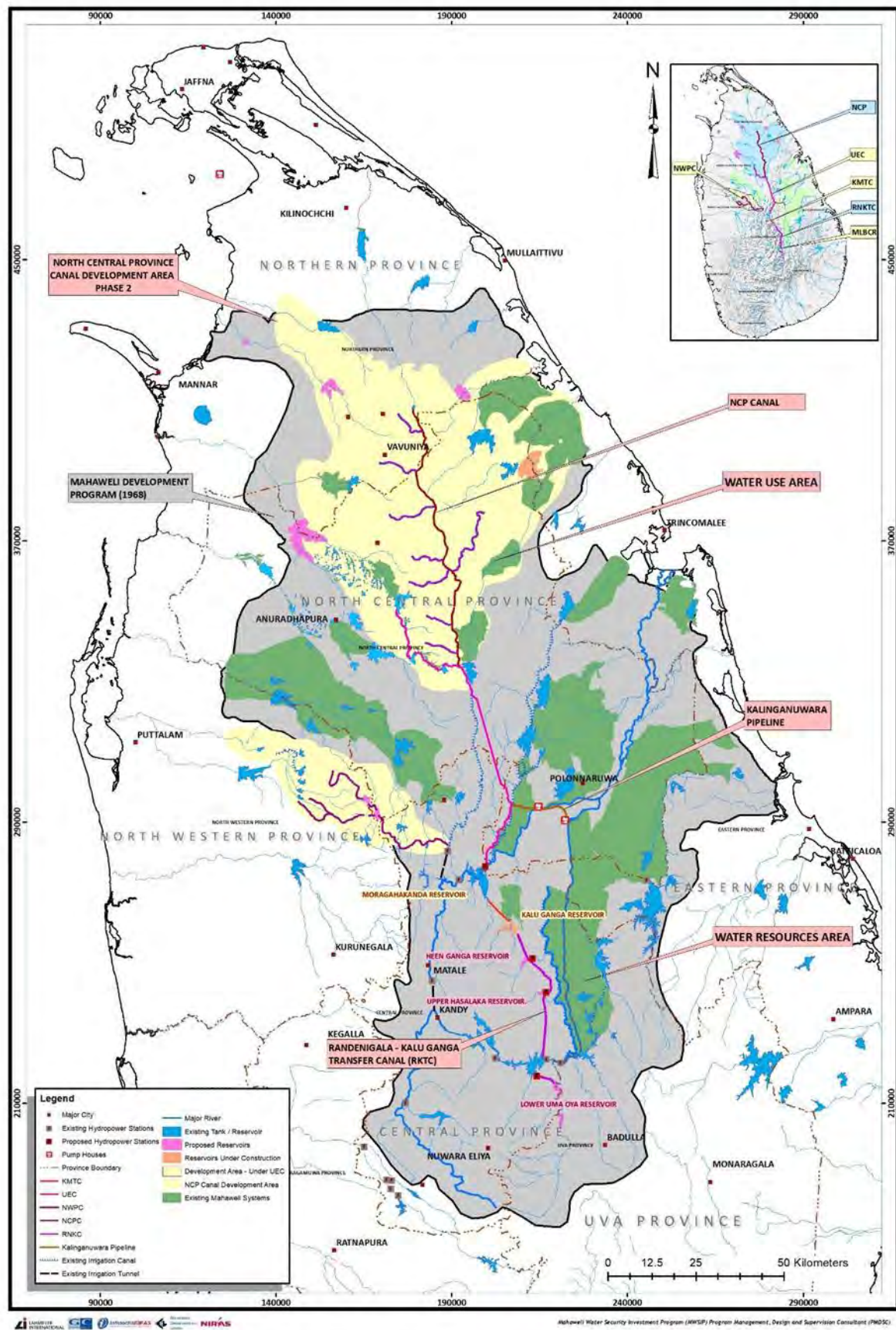


Figure 1: Map of Mahaweli Water Security Investment Program

## 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. 4, 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. Impacted subproject areas, subjected to delays so far due to the GoSL legal process of RIP preparation, include NWPC-NCB-1 and NWPC-ICB-2. The NWPC-NCB-1 RIP has been implemented during this reporting period, while NWPC-ICB-2 will be delayed until at least December 2017, when valuations process (Section 17 of the GoSL process) may be completed. 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 expediting the actions and opportunities involving the affected people, without 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 Entitlements and Compensation Listing from GoSL**

9. During this reporting period, the valuation compensations were distributed by the GoSL for land acquisition and resettlement covering 4 affected persons on NWPC NCB-1. A list of compensation and allowances was provided by the Valuation department. The listing is disaggregated by lots (ie. 9 affected lots). However, the compensation and allowances listing does not disaggregate the compensation values into detailed individual impacts and allowances. This makes it almost impossible to determine if identified various land and structure types and other physical and Economic displacement impacts have been compensated and various allowances, as per GoSL laws, and compliant with ADB SPS 2009 and the Program Resettlement Framework – Entitlements Matrix.

## **2.3 Income Restoration Program**

10. An income restoration program has been introduced by the PMU, in readiness for the RIPs' completion and implementation for affected household and family members with a view to provide for job opportunities, earning income, develop remaining land of APs and to provide with on-the-job training related to the sub-projects. A total of 51,906,000.00 Sri Lankan Rupees has been approved for the programs, of which 14,938,500 Rupees have been allocated specifically for income generation programs for APs.

11. The cabinet of ministers has granted approval to utilize local funds for the following:

- a) The buying of plots of land for households that need to be relocated.
- b) Introduction and implementation of income generation programs for the APs.
- c) Transport allowance for households who will be relocated.
- d) Social safeguard requirement of MLBCRP.
- e) Incentive payments for land acquisition staff to expedite the land acquisition process.

12. Some livelihood restoration programs have been identified to be implemented with some of the affected households in NWP ICB-2. These programs have been identified in consultation with willing affected communities (**Annex D**).

## **2.4 Grievance Redress Mechanism**

13. 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.

#### 2.4.1 Progress of GRM and GRC Development

14. During this January and June 2017 reporting period, the focus of Grievance Redress Mechanism development in Tranche 1 particularly, has been the continuation of activities to enhance the grievance system (**Annex B and C**), preparing information on the GRM, informing District and divisional officers of the Programs on GRM and set up the Grievance Redress Committees (**Annex E**).

##### *Establishment of GRM as at 30<sup>th</sup> June 2017*

15. In the development of the Program' Tranche 1 GRM, during the semi-annual January to June 2017 period, 32 GRCs at relevant GND (25), PIU (2), Divisional Secretary (3) and PMU (2) levels were set up (**Table 1**). A further GRM has been set up, 1 GRC at each level, during the reporting period for the coming UEC ICB-3 Resettlement works<sup>4</sup>, but where RIP Census data collection by the PMDSC has already commenced. It should be noted that PIU, PMU and Divisional Secretary Level GRCs are also relevant for any grievance submissions related to UEC ICB-1, which is part of Tranche 1 implementation.

**Table 1: Number of GRCs Established as at 30<sup>th</sup> June 2017**

Sub Project	Name of Contract	Number of GRCs			
		Grama Niladari Level	PIU Level	Divisional Secretary level	PMU Level
NWPC	NCB-1	1	1	1	1
	NCB-1 Feeder Canal	5			
	ICB-2	7			
MLBCRC	NCB-1,2,3,4,5	12	1	2	1
<b>Sub-total Tranche 1</b>		<b>25</b>	<b>2</b>	<b>3</b>	<b>2</b>
UEC	ICB 3 (Tr 3)	1	1	1	1
<b>Grand Total</b>		<b>26</b>	<b>3</b>	<b>4</b>	<b>3</b>

#### 2.4.2 Grievances submitted during the January to June 2017 Reporting Period

16. The Grievance Register, as at 30 June 2017, is presented in **Annex B**. There were 16 new Grievances submitted during the reporting period, specifically in relation to the NWPC. There were

<sup>4</sup> To be included in Tranche 3 financing.<sup>5</sup>

no Grievances submitted during the reporting period in relation to MLBCR and/or UEC projects. Thirteen of the 16 new registered grievances have been satisfactorily resolved during the reporting period. The remaining three newly registered grievances, in NWPCP and three unresolved grievances related to proposed Tranche 3 project areas, mentioned in previous Resettlement Monitoring and Evaluation Reports No's 2-4, are in the process of being resolved through engineering solutions through the PMDSC engineering design team.

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

#### **3.1 Introduction**

17. 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.

18. 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 the findings and initial implementation of the MLBCR DDR 2, encompassing MLBCR-NCB-2, 3, 4 and 5<sup>5</sup>. All civil works contracts are covered by Tranche 1 (Figure 2)

19. No grievances have been submitted in relation to this Project, during this reporting period but the MLBCR PIU continues to develop the GRCs (refer to Section 2.2.1 above) and 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**

20. 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.

##### **3.2.1 Background to the MLBCR Stage 1 Due Diligence Study and Report 1 (DDR 1)**

21. 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’s 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 during the reporting period.

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<sup>5</sup> NCB-5, mentioned in previous Resettlement Monitoring Reports (also covered in DDR 2) includes 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.



22. The Final Due Diligence report (DDR 1) was submitted in June 2016 by the PMDSC to the PMU, submitted for ADB review in July 2016 and on 1 August 2016 the DDR 1 was approved by the ADB. Approval by ADB, with no objection, was on the basis that, in accordance with the “DDR 1 Findings and Recommendations” (Refer to **Annex F**):

- 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 the Contractor will be provided with this Due Diligence Report and ensure that obligation of the Contractor as described in Section 7 of the report will be strictly implemented.

23. 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 2016 Resettlement Monitoring Report No 3. 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.

### **3.2.2 Progress in Implementing the MLBRC Stage 1 Due Diligence Report Findings**

24. The PMU has prepared a data collection sheet, that specifically focusses specifically on monitoring DDR1 implementation recommendations.

25. The MLBCR-NCB-1 Contract has been awarded and “Notice to Proceed” issued during the July to September 2016 reporting period, after 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 prepared to implement the DDR1 recommendations through the following activities, reported in detail in the previous Monitoring Report No. 4:

- 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 MLBRC Stage-1 site and can be viewed at the PMU in Colombo

- A brochure was prepared containing information about the Sub-project and presenting the results and findings of the DDR1(**Annex G**).
- A separate brochure has been prepared in which the Grievance Redress Mechanism and ways to submit a grievance (**Annex C**) is outlined.

26. During this reporting period, the DDR1 recommendations and monitoring plan began full implementation. The overall results of monitoring DDR1 implementation activities are presented in **Table 2**.

### **3.2.3 Safeguards Awareness Meeting at MLBCRP NCB-1**

27. An awareness meeting was held on 20 February 2017 designed to make the Contractor aware of the environmental, social and resettlement aspects of the sub-project (**Annex E**). The following items were discussed at the awareness meeting:

- a) Social safeguards and summary explanation of the approved Due Diligence report 1 and its associated Monitoring Plan;
- b) Environmental management Plan; and
- c) The Importance of communication between the project, Contractor APs and community.

Table 2: Monitoring results of MLBCR DDR-1 Implementation

Category	Sub category	Measurement Indicators	Y	N	Numbers	Narrative
1. Contractor site	1.1. Identifying site during construction	➤ Number of site chosen	✓		9	
		➤ Length of site open	✓		0+000- 20+000	
		➤ Number of site open at one time	✓		4	
		➤ Location of each site	✓		0+000 – 5+000 5+000 – 15+000 15+000 – 0+000	
		➤ Changes to site selected during project		✓		
	1.2. Agreement to use specific site	➤ Letters of Agreement of DDR				Special agreement did not sign with farmers. They were made aware the about the project and explained everything through the DDR Sinhala Booklet.
		➤ Verification of agreement in signed in DDR				
		➤ Awareness of how contractor will use land and rehabilitation				
		➤ Number of farmers, agreement to contractors, plans to utilize land areas – conforming at verification.				
		➤ No. of farmers not agreeing to contractors' plans and reasons (those that signed letters and 5% not signing letters in DDR)				This 5% also did not disturb for the constr1ction
		➤ Proposed alternatives		NA		
	1.3. Maintaining site during construction	➤ Number of site chosen	✓		9	
		➤ Length of site open	✓		0+000-20+000	

		➤ Number of site open at one time (turn over)	✓	25		
		➤ Location of each site	✓		0+000 – 5+000 5+000 – 15+000 15+000 – 0+000	
		➤ Use of environmental protection mechanisms on reservation lands used by the contractor				All construction is doing following EMP conditions.
		➤ Following EMP requirements for construction site, workshop, stockpiles and campsites.				
	1.4. Rehabilitation work completed (Environment Aspects)	➤ Stripping of topsoil and stockpile before use of site				All construction is doing following EMP conditions.
		➤ Removal of any contractor structures, materials and machines				
		➤ Removal of contaminated soil				
		➤ Re-shaping of site to pre-project status				
		➤ Spreading of stripped topsoil layer and shaping to original profile				
	<b>2. Maintaining water flow</b>	2.1. Water shall be maintained for cropping season	➤ Closing and opening of canal for irrigation water flow for cropping	✓		Water closing and opening duration informed to the farmer through poster
			➤ Time required for “recharge” aquifers for groundwater/ wells			The construction done following time table given by Irrigation Department The farmers followed the time
			➤ Requests for extended time to keep canal dry			

		➤ Farmer groups agreement for canal open/closing				given by Irrigation department. Hence not need to sign special agreement with farmers.
	2.2. Water supply maintained during dry season	➤ Cofferdams and other engineering structures; and locations, to avoid closure of water supply				During the water supply period no any construction done in the canal to obstruct the water flow.
		➤ No. of closures caused by the project				
		➤ Type of closure caused by the project				
		➤ No. of MI/s Water supplied by the contractor and cost				
		➤ Type of supply				
		➤ No. and type of complaints received		✓	No any complaints.	
		➤ Awareness meeting and consultations with potentially impacted people, about supply				
		➤ Community satisfaction	✓		100%	
<b>3. Consultation</b>	3.1. Disclosure of DDR results to MLBCRP stakeholders	➤ Copies of the DDR distributed to strategic centres available to the public	✓		4	

and discloser						
		➤ Translation of brochures in Sinhala	✓		200	
		➤ No. of brochures distributed	✓		200	
		➤ No.s and location of awareness meeting	✓		10	
		➤ No. of Participants	✓		80	
	3.2. Consultation with affected farmers	➤ No. of consultation meeting and participant's list		✓		Informal consultations were done at the site.
		➤ No. of Individual meetings	✓		50	No any records due to those are informal awareness.
		➤ Topic of meeting (awareness/ discussion of issues/ grievance discussions etc.)	✓			<ul style="list-style-type: none"> <li>• Closing and opening dates of the water supply.</li> <li>• GRM</li> </ul>

		➤ Issues discussed and any decisions/ resolution made		✓		No any issue.
		➤ Awareness (Name of the Tropics)	✓			<ul style="list-style-type: none"> <li>• Closing and opening dates of the water supply.</li> <li>• GRM</li> </ul>
<b>4. Grievance Redress Mechanism</b>	4.1. GRM developed and effectively operating to assess and resolve complaints.	➤ GRC and Program staffs provided training and awareness, as necessary				The staff awareness conducted from the very beginning of the project.
		➤ No.s of GRC developed	✓	4		
		➤ Membership of GRCs (Number of committee member)	✓	16		
		➤ First meeting and subsequent GRC meeting	✓			
		➤ GRC awareness materials published and distributed	✓	50		
		➤ Number of awareness meeting held in communities and other	✓	1	53	

		stakeholders about GRCs (type/location/people participating/minutes etc.)				This program was conducted for the contractor, Leaders for farmer organizations and stakeholder.
		Type of complaints and how resolved				
		Number and type of complaints being taken to next level GRM				
		Number and type of complaints sent through the Sri Lanka Legal grievance system and courts				
		Ensure there is focal point at GN, PIU, PMU and PMDSC Level GRC				

### **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**

28. The Final Due Diligence report (DDR 2) has been completed and submitted during this reporting period. 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 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.

29. 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.

30. The DDR was submitted on 29 February 2017 by the PMDSC to the PMU and subsequently submitted for ADB review and approval. On 21 March, 2017 the DDR 2 was approved by the ADB. Approval by ADB, with no objection, was on the basis that, a Monitoring Plan specific to the DDR 2 shall be prepared and implemented, and in accordance with the "DDR 2 Findings and Recommendations" the following conditions will be complied:

- a) As much as possible, carry out the construction works to rehabilitate the canal during the off-seasons
- b) If works could not be done during off seasons, the encroached farmers should be informed in advance about the schedule of construction works to give them time to harvest their crops
- c) In case, during the construction, unexpectedly affect the private land, the resettlement framework should be employed to ensure that the affected people owning the private land will be provided compensation as stated in the entitlement matrix of the resettlement framework.

#### **3.3.2 Summary of Potential Resettlement Impacts**

31. Impacts, now confirmed, were presented in the previous "Final October to December 2016 Resettlement Monitoring Report No.4", submitted in January 2018. However, for reference purposes, this section summarises the impacts, as recorded in detail in DDR2 and in the previous monitoring report 4. 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
- (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:
- 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.
32. 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. 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.

### 3.3.3 MLBRC NCB-2, 3, 4 and 5 Due Diligence Report 2 Findings and Recommendation

33. The activities of pre-construction and construction shall be conducted in accordance with the requirements set forth in this Due Diligence Study and Report and in addition to the EIA, the Specific Sub-project EMPs and other subsequent documented requirements. This Due Diligence Study has established the findings below, covering the Minipe Left Bank Canal Rehabilitation Project NCB-2, 3

and 4 (from Km 30+140 to Km 72+960), MLBCRP-NCB-3 Bogahawewa to Marakawewa to Radunnewewa feeder canal and NCB-5.

**a) MLBCRP NCB-5 – Rehabilitation and Electrification of Radial Gated Structures and improvement of Cross-Regulators**

34. **NCB-5** is located on selected land areas between Km 000+000 to Km 72+960. Based on the results of the detailed Design, Inventory activities and site visits, data indicates that no potential involuntary resettlement and land acquisition impacts are anticipated as a result of Sub-project NCB-5 construction activities. 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. The sites to be selected by the engineer, shall be selected using criteria which includes sites where there is existing public access, without encroachment, and on which there will be no involuntary land acquisition or resettlement impact. However, if the Contractor requires additional construction space, that may impact on agricultural areas, then the Contractor shall comply with the recommendations set forth for NCB-2, 3 and 4 (Section 7.3).

**b) Bogahawewa to Marakawewa to Radunnewewa Feeder Canal Embankment Under MLBCRP NCB-3**

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

- (iii) 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. Apart from rice, there some land areas growing mango, coconut, betel nut, banana, teak, Mahogany, Triticale and maize in potentially affected. Some are mono- others are mixed cropping.
- (iv) There are 55 potentially affected persons, currently occupying canal reserve agricultural lands permanently impacted by the canal embankment widening and rehabilitation.
- (v) All 55 potentially affected persons have signed agreements to volunteer land and assets areas for the embankment widening. In accordance with the requirements for volunteering assets set out in the ADBs “Involuntary resettlement Sourcebook”, the volunteering of occupied land and impacted assets were fully disclosed on the agreements signed by the AP, the District authority and the Farmer Group leader, acting as a third-party observer to ensure agreements were fully voluntary.
- (vi) The PIU, with the PMDSC support, and the Contractor shall consult again with those land users, whose lands are potentially affected. Verification of land and assets recorded to be volunteered by each affected person shall be conducted and the actual volunteer acquisition will be recorded by the Contractor surveyors, at the time of setting out the embankment corridor.
- (vii) With the signing of the agreements by APs, a maximum corridor for the canal embankment has been set. The Contractor will have this maximum alignment only for construction. At no time, shall the land/assets required, be higher or different than that recorded in the signed letter attached to this report.

(viii) In the case that additional land and/or assets acquisition is required, a Resettlement Implementation Plan (RIP) shall be triggered.

(ix) The Contractor shall comply with the recommendations set forth for NCB-2, 3 and 4 (below).

**c) MLBCRP – Left Bank Canal and Structures Rehabilitation NCB-2, 3 and 4)**

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

- (i) The inventory of the canal reservation found there are 464 plots of encroached farmland. Of these, it was found that there were 106 potentially affected people (farmers) encroaching on 113 plots of canal reserve land 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. They are cultivating mostly paddy in two seasons (Maha and Yala). There are no tree crops or structures on the identified affected plots. These affected people 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:
  - 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.
  - Farmer Organization Leaders have given an assurance in February 2016 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, affected farmers out of (100%) 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”***.
  - Apart from the Bogahawewa to Marakawewa to Radunnewewa feeder canal, there is no other permanent or temporary land acquisition. Furthermore, there is no temporary or permanent involuntary resettlement or land acquisition expected.
  - 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, and RIP implementation will be completed prior to construction commencing.

- 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 landuser;
  - 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.
- The Contractor shall allow the farmers time to harvest (where required), prior to using for construction purposes.
- 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.
- 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).
- Several proposed definitions and retaining 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.

**d) General Requirements for all MLBCRP NCB-2, 3, 4 and 5**

37. 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:

- (i) 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.

- (ii) 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.

38. Disclosure of this DDR 2 shall be arranged, prior to Contract award, as followed by the MLBCR - PIU and MWSIP PMU, with the support of the PMDSC:

- (i) A copy of the findings of this report will be available in English and local languages and distributed to farmer groups. The PIU, supported by PMU and PMDSC will assist farmer groups to explain some of the key findings of this report and ensure farmers are informed of the Grievance Redress Mechanism, including rights to complain about social, resettlement, environmental and other matters.
- (ii) A summary of these recommendations and findings shall be provided to all Farmer Groups for distribution and awareness of potentially affected people.
- (iii) Awareness meetings shall be conducted with all APs and stakeholders to ensure understanding of the recommendations and conditions of this DDR, to ensure social and resettlement safeguards are followed.
- (iv) All disclosure modes recommended, shall also be accompanied by Grievance Redress mechanism brochures, ensuring people have access to contacts and can know their rights for lodging complaints and grievances.

39. This Report, or at minimum, the findings of this Due Diligence Study, will need to be attached to the Bidding Documents or provided to the Contractor at the time of contract negotiation, since bidding has already been completed on some of the NCB 2-5 contracts. Compliance shall be fully monitored.

40. The Environmental Management Plans and the bidding documents for NCB 2, 3, 4 and 5 require the Contractor to:

- (iii) Conduct construction and rehabilitation activities within the canal outside of the two cropping seasons.
- (iv) 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.
- (v) Limit construction and movement of materials/machinery within the canal to the regular annual period when the canal water flow is stopped by authorities.
- (vi) 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.

41. Permanent land requirements on NCB-3: Bogahawewa to Marakawewa to Radunnewewa feeder canal embankment widening is known. However, the exact amounts and locations of encroached reserve land temporarily required for construction purposes on NCB-2, 3 and 4 Minipe Left Bank Canal or structures rehabilitation and construction will not be fully known until the Contractor submits a Construction Plan.

### 3.3.4 DDR2 Monitoring and Evaluation Plan

42. To commence the monitoring of the “Due Diligence Report No. 2: MLBCRP Km 30+140 to 72+960” (MLCBRP NCB- 2,3,4 and 5) a monitoring plan has been recommended to the PMU after the DDR2 submission. A Summary Plan has been prepared in tabular format in **Table 3** and the full plan, with issue, data sources, responsible person/group and frequency is presented in **Annex H**.

43. The Plan has been set up based on a similar approach used in Project Performance Monitoring, acceptable to ADB. To understand how to read the Monitoring Plan (**Annex H**), and its summary (**Table 3**), it is important to understand the meaning of each of the 6 columns. The following are definitions of each of the columns used in the Plan:

- The “**Design Summary**” is a description of the overall monitoring subject required to be measured.
- “**Monitoring Issue**” describes what in the project would verify that the design summary has been successfully carried out and the result achieved.
- “**Description of Indicator and Data Requirements**”, expands on the monitoring issue by defining what actual measurements would prove success or failure-success of the performance issue.
- “**Recommended Data Sources**” provides information as to where a suggested indicator data set could be accessed for collecting the data.
- “**Frequency**” – recommends the timing requirements for collecting data.
- “**Responsibility**” lists each key person, agency or group who should be collecting the data/information.

**The Project Performance Management Plan Structure**

Design Summary	Monitoring Issue	Description of Indicator and Data Requirements	Recommended Data Sources,	Frequency	Responsibility
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Table 3: Summary Monitoring Plan

Design Summary	Performance Issue	Description of Indicator and Data requirements
1. Contractor sites	1.1 Identifying Contractor Sites	<p><b>Definition:</b> The DDR2 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><b>Definition:</b> 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 2</li> <li>• Verification of agreements signed in DDR 2</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 2)</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><b>Definition:</b></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><b>Definition:</b> The DDR 2 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><b>Definition:</b> 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> </ul>

Design Summary	Performance Issue	Description of Indicator and Data requirements
		<ul style="list-style-type: none"> <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>
	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>Coffer dams 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 M/s of water required by residents during closures, caused by the Project</li> <li>No. of No. of M/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 2 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>

Design Summary	Performance Issue	Description of Indicator and Data requirements
		<p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>Copies of the DDR 2 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>
	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 Grievance Redress Mechanism	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> </ul>

Design Summary	Performance Issue	Description of Indicator and Data requirements
		<ul style="list-style-type: none"> <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><u>Definition:</u> Gathering and analysis of complaints from the population and other stakeholders in relation to the sub-project, through the grievance mechanism.</p> <p><u>Measurement indicators might include:</u></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> <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>

**Specifically, for MLBCRP NCB-3 Boghawewa to Marakawewa to Radunnewewa Feeder Canal Embankment Widening**

Design Summary	Performance Issue	Description of Indicator and Data requirements
5. Encroached land being permanently acquired for the Boghawewa to Marakawewa to Radunnewewa Feeder Canal Embankment Widening	3.1 Identifying feeder Canal embankment widening footprint	<p><b>Definition:</b> Although roughly measured for the DDR 2 and detailed design purposes, the Civil Works Contractor for NCB-3 will need to survey and set out the exact footprint of the embankment at the farmland level (bottom of the embankment). From this, the exact required footprint for land to be acquired for the embankment road will be known.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>Canal embankment footprint fully set out</li> <li>Number of Affected encroacher households</li> <li>Number of affected encroachment plots</li> <li>Area of Land to be taken from each encroacher</li> <li>Crops areas and number of each type of tree to be lost permanently from each encroacher</li> <li>Additional area and assets requirement for footprint, compared to that agreed</li> <li>Decision to go to RIP (further monitoring of this is separate, if situation eventuates)</li> </ul>
	3.2 Verification of agreement to acquire specific land areas (voluntarily) as footprint to feeder canal embankment widening.	<p><b>Definition:</b> In the DDR 2, for both temporary and permanently potentially affected households, letters were signed by the household head. Those where land was to be permanent affected in NCB-3, the letters also required details of the existing land holding, encroachment area and inventory of areas to be acquired. These impacted areas need to be verified with the encroacher, prior to commencement of physical works.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>Set out of canal embankment footprint</li> <li>Verification of land area being taken is within that identified in agreements</li> </ul>

Design Summary	Performance Issue	Description of Indicator and Data requirements
		<ul style="list-style-type: none"> <li>Verification of crop and tree losses being same or less than that measured</li> <li>Changes in measured areas and assets/crops/trees affected</li> <li>No objections / grievances to the voluntary land acquisition</li> <li>Decision to go to RIP (further monitoring of this is separate, if situation eventuates)</li> </ul>
	3.3 Ensure that those affected people that have volunteered the occupied land for the feeder canal embankment widening, remain the same or better-off socioeconomic levels than pre-project	<p><b>Definition:</b> In MLBCRP NCB 1, 2,3,4 and 5, farmers will have land volunteered for use by the contractor after the Project, and in the same or improved condition than before the civil works contract commenced. On this section of MLBCRP NCB-3, Encroaching farmers will permanently lose a small percentage of land area they have used, although it is expected that canal rehabilitation will improve water use in the same areas.</p> <p>As per ADB SPS 2009, it is required that Affected Persons remain the same or better off after the project than pre-project situation.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>Crop yields</li> <li>Income changes and poverty levels</li> <li>Changes in livelihood status</li> <li>Land area existing for livelihood</li> </ul>

### 3.3.5 Progress in Implementing the MLBRC NCB-2, 3, 4 and 5 Due Diligence Report 2 Findings and Recommendations

44. The PMU has commenced implementation of the above recommended monitoring plan for DDR 2 between April and June 2017. The results of the PMU monitoring are presented in **Table 4**. In accordance with the Plan During the current reporting period, the PMU and PIU have set up a rapid monitoring approach:

- a) **Category 1 – Contractor site** - The number of sites the Contractor has chosen by the Contractors to be opened at various times during the project amount to 61 over the length of 74 km. there are 10 sites open at one time and changes. There have been two Contractor awareness meeting during the reporting period.
- b) **Category 2 – Maintaining water flow** – The canal was closed and opened on 1 occasion. Sixty-one Farmers' agreements were signed during the reporting period. To confirm their concurrence that water was sufficient in wells and other water accessibility during the time of canal closure.
- c) **Category 3 – Consultations and Disclosure** – A Sinhala translation of the DDR2 findings and recommendations were not available during the reporting period, but 4 English copies were distributed for PIU, PMY and office of Divisional Secretary (local Government). One awareness meeting was also held during the reporting period, where 26 farmers and field staff attended. 500 brochures are planned to be printed and distributed among APs, GRC, DS and GNDs.
- d) **Category 4 – Grievance Redress Mechanism** – Twenty awareness meetings were held, during the reporting period, at which the MWSIP and GoSL GRM was presented.
- e) **Category 5 – Awareness Meetings** – Awareness meetings were held on permanent release of land for widening of canal embankments of Bogahwatta to Marakawewa and to Radunnawewa. All affected farmers have conformed their consent to the permanent release of the lands they encroach.

### 3.3.6 Implementation of DDR 2

45. The implementation of recommendations from DDR 2 are ongoing and will continue throughout the construction period of MLBCRP NCB-2, 3, 4 and 5. A final evaluation will also be required at completion of each contract to ensure that the areas used by the Project are rehabilitated back to pre-project or better condition. In terms of the permanently acquired land areas, volunteered by the farmers, there are special monitoring and evaluation requirements that will need to be satisfied at the end of the Contract NCB-3. The Consultant shall conduct a full audit of monitoring of DDR2 areas in later half of 2018.

Table 4: Monitoring of DDR 2 – January to June 2017

## MAHAWELI WATER SECURITY INVESTMENT PROGRAM

## Monitoring of Social Safeguard and DDR 2 - MLBCRP – NCB - 2, 4 &amp; 5 From January to June 2017

## Monitoring format

Category	Sub category	Measurement Indicators	Yes	No	Nos.	Narrative
1. Contractor site	1.1. Identifying site during construction	➤ Number of site chosen	✓		64	31km to 401km of the canal
		➤ Length of site open	✓		74km	
		➤ Number of site open at one time	✓		10	
		➤ Location of each site	✓			Stage 02,03 & 04
		➤ Changes to site selected during project	✓		20	
	1.2. Agreement to use specific site	➤ Letters of Agreement of DDR	✓		2	There were two type of consent letter for the DDR2. One was Temporary release of reservation area and the second letter was to get the consent for permanent release of encroach land.
		➤ Verification of agreement in signed in DDR	✓		161	Temporary land release farmers 106 and permanent land release 55
		➤ Awareness of how contractor will use land and rehabilitation	✓		02	
		➤ Number of farmers' agreement to contractors, plans to utilize land areas – conforming at verification.	✓		All farmers	Dumping area/Batching plant
		➤ No. of farmers not agreeing to contractors' plans and reasons		✓		All farmers agreed to contractor's plans of the project

		(those that signed letters and 5% not signing letters in DDR)				
		➤ Proposed alternatives		✓		No proposed alternatives
	1.3. Maintaining site during construction	➤ Number of site chosen	✓		51	
		➤ Length of site open	✓			From 31km to 74km of the Canal
		➤ Number of site open at one time (turn over)	✓		34	
		➤ Location of each site	✓			Locations are scattered either side of the canal Stage 02,03 & 04
		➤ Use of environmental protection mechanisms on reservation lands used by the contractor	✓		03	For the Batching plants
		➤ Following EMP requirements for construction site, workshop, stockpiles and campsites.	✓			Completed
	1.4. Rehabilitation work completed (Environment Aspects)	➤ Stripping of topsoil and stockpile before use of site		No		
		➤ Removal of any contractor structures, materials and machines		No		
		➤ Removal of contaminated soil				Selected areas of canal removed contaminated soil to dumping yard
		➤ Re-shaping of site to pre-project status	➤		04	
		➤ Spreading of stripped topsoil layer and shaping to original profile		➤		
<b>2. Maintaining water flow</b>	2.1. Water shall be maintained for cropping season	➤ Closing and opening of canal for irrigation water flow for cropping	➤		01	Yala season
		➤ Time required for “recharge” aquifers for groundwater/ wells		✓		No

		➤ Requests for extended time to keep canal dry		✓		Used Coffor dam
		➤ Farmer groups agreement for canal open/closing	✓		61	All farmer organizations agreed
	2.2. Water supply maintained during dry season	➤ Coffor dams and other engineering structures; and locations, to avoid closure of water supply	✓		21	
		➤ No. of closures caused by the project	✓			
		➤ Type of closure caused by the project	✓		02	For the construction of coffor dam and small walls in the canal
		➤ No. of ml/s Water supplied by the contractor and cost		✓		No
		➤ Type of supply		✓		No
		➤ No. and type of complaints received		✓		No complaints
		➤ Awareness meeting and consultations with potentially impacted people, about supply disruption and alternatives		➤		No
		➤ Community satisfaction	✓			All farmers satisfied
3. Consultation and discloser	3.1. Discloser of DDR results to MLBCRP stakeholders	➤ Copies of the DDR 2 distributed to strategic centers available to the public	✓		04	DS office, PIU, Grama Niladari Office, Farmers organizations
		➤ Translation of brochures in Sinhala	✓			Already English copy are available Sinhala copy planned to distribute.
		➤ No. of brochures distributed		➤	500	Be planned

	3.2. Consultation with affected farmers	➤ No. s and location of awareness meeting	✓		26	DSO/RPM/School conference hall/ cultural center hall
		➤ No. of Participants	✓		50	
		➤ No. of consultation meeting and participant's list	✓		26	Awareness program
		➤ No. of Individual meetings		➤		
		➤ Topic of meeting (awareness/ discussion of issues/ grievance discussions etc.)	➤			Social Safety, Environment Protection GRM
		➤ Issues discussed and any decisions/ resolution made	➤			No issues
		➤ Awareness (Name of the Topics)	➤			Social Safety, Environment Protection GRM
<b>4. Grievance Redress Mechanism</b>	4.1. GRM developed and effectively operating to assess and resolve complaints.	➤ GRC and Program staffs provided training and awareness, as necessary	➤		10	
		➤ No.s of GRC developed	✓	➤	16	Grama Niladari Level – 12 PIU Level -1 Divisional Secretary Level – 2 PMU Level – 1  Above GRC for the NCB1,2,3,4,5
		➤ Membership of GRCs (Number of committee member)	✓		08	Per one GRC
		➤ First meeting and subsequent GRC meeting	✓			
		➤ GRC awareness materials published and distributed	✓		100	GRC leaflets/ and project leaflets

		➤ Number of awareness meeting held in communities and other stakeholders about GRCs (type/location/people participating/minutes etc.)	✓		20	Detail information attached with the M & E Report
	4.2. Ensure all grievances and complaints are resolved amicably and as rapidly as possible	Disaggregated data submitting complaints, type of complaints and complaints resolved		✓		No complaint
		Type of complaints and how resolved		✓		No complaint
		Number and type of complaints being taken to next level GRM		✓		No complaint
		Number and type of complaints sent through the Sri Lanka Legal grievance system and courts		✓		No complaint
		Ensure there is focal point at GN, DS, PIU, PMU and PMDSC Level GRC		✓		

**MLBCRP – NCB - 3 (Bogahawewa, Marakawewa Randunnewewa feeder Canal Embankment Widening)**

Category	Sub category	Measurement Indicators	Yes	No	Numbers	Narrative
<b>5. Encroached land being permanently acquired for the Bogahawewa to Marakawewa to Radunnewewa</b>	5.1. Identifying Feeder canal embankment widening footprint	➤ Canal embankment footprint fully set out	➤			
		➤ Number of affected encroacher Households.	➤		55	
		➤ Number of affected encroachment plots.			62	
		➤ Area of land to be taken from each encroacher.			Acres 6.6	
		➤ Crops areas and number of each type trees to be lost permanently from each encroacher.				Paddy – Product kg 6000 Mango - 1 Banana - 21

<b>Feeder Canal Embankment Widening.</b>						Coconut – 8 Mahogani – 4 Teak – 8 Ariconut – 5 Coco-1
		➤ Additional areas and assets requirement for footprint, compared to that agreed.				
		➤ Decision to go to RIP				No need RIP, because no any resettlement.
	5.2. Verification of agreement to acquire specific land areas (Voluntarily) as footprint to feeder Canal embankment widening	➤ Set out of canal embankment footprint.	➤			
		➤ Verification of land area being taken is within that identified in agreements.	➤			Widening of road construction did not commence
		➤ Verification of crops and trees losses being same or less than that measured				Widening of road construction did not commence
		➤ Change in measured areas and assets/crops/trees affected.				Widening of road construction did not commence
		➤ No objections /grievances to the voluntary land acquisition.				No any objection or grievances
		➤ Decision to go to RIP (further monitoring of this is separate, if situation eventuates)				Not need RIP
	5.3. Ensure that those affected people that have volunteered the occupied land for the feeder canal	➤ Crops yields				Widening of road construction did not commence
		➤ Income changes and poverty level.				Widening of road construction did not commence

	embankment widening, remain the same or better off socioeconomic levels than pre-project.	➤ Changes in livelihood status.				Widening of road construction did not commence
		➤ Land area existing for livelihood				Widening of road construction did not commence

## **4 UPPER ELAHERA CANAL (UEC)**

46. 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 8 km 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-Girithala Wildlife Reserve” km 0 to km 3.860 has been awarded and Contractor mobilized.

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

47. This Sub-project includes only km 0 to km 3.860 (Figure 3). The July to September 2016 Quarterly Monitoring Report No.3 reported that the reduction in length was for design and construction related reasons and that this length of canal is a part of the Minneyiya-Girithala Wildlife Reserve forest area and will remain without resettlement and land acquisition impacts.

48. 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.



## 5 NORTH WESTERN PROVINCE CANAL (NWPC)

### 5.1 Introduction

49. 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**)

50. 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)

51. 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 Figure 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.

52. 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.



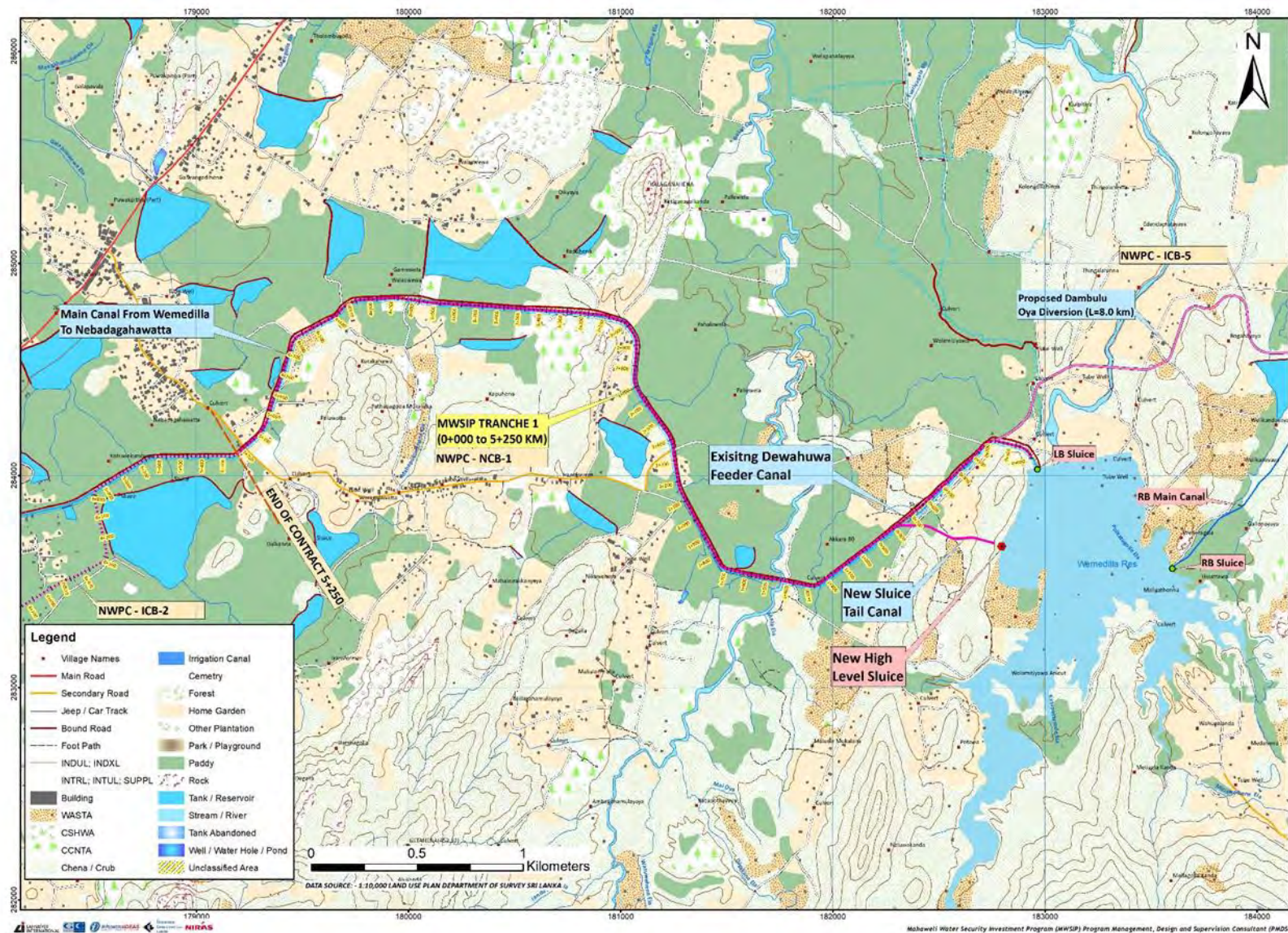
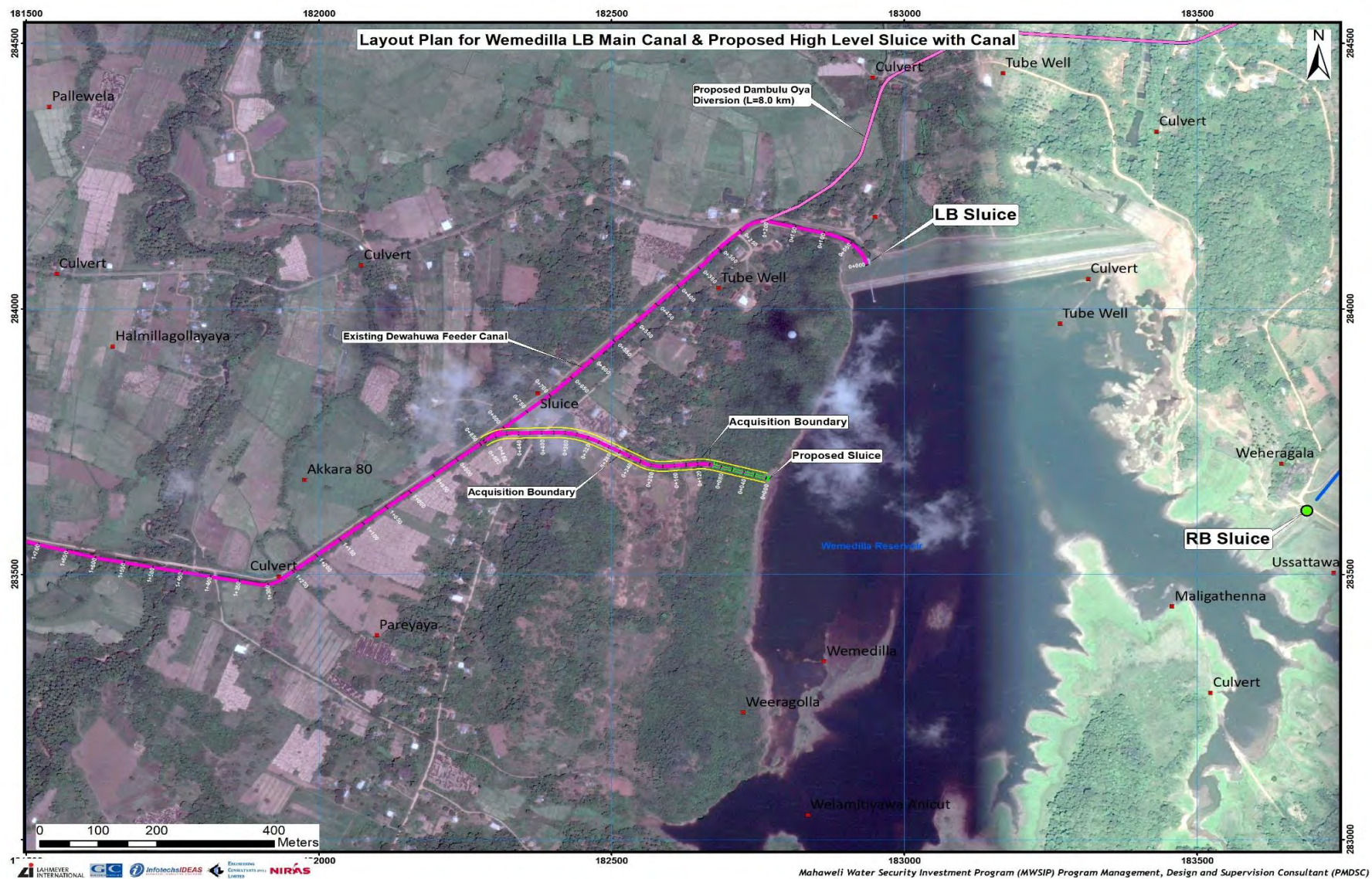


Figure 5: Layout Plan for NWPC- NCB-1



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

53. 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.

54. An assets inventory/census and socioeconomic survey has been conducted with 100% of affected households/entities and data collated during the reporting period. The results of the surveys were presented in the previous Report No. 4. In summary, for 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. A total of approximately 0.64 Ha (1Acre, 2Roods, 14.5 perches) of land are affected. One of the affected households may be classified as Vulnerable through physical disability. 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).

55. Compensation and allowances were distributed to affected households on 22 May 2017 (refer to **Table 5** and Annex I). The compensation and allowances listing does not disaggregate the compensation values into detailed individual impacts and allowances. This makes it almost impossible to determine if identified various land and structure types and other physical and Economic displacement impacts have been compensated and various allowances, as per GoSL laws, and compliant with ADB SPS 2009 and the Program Resettlement Framework – Entitlements Matrix.

### **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**

#### **5.3.1 Introduction and Background to DDR 3**

56. 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.

57. 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 Figure 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 submitted on in December 2016 (draft submission) and a Final version submitted to PMU on 31 January 2017 and was approved by ADB on 9 May 2017, with conditions to monitor. This section documents findings of DDR 3 and status of implementation of the DDR recommendations.

Table 5: Payments made to APs

Survey Plan No.	Lot Number	Name of the claimant	Market value of the land LKR.	Extra Payment LKR.	Total Amount LKR.
<b>NWPC NCB-1 - RIP</b>  <b>(Survey Plan No. 1695)</b>	01	Public Trusty	89,000.00	8,900.00	97,900.00
		Developer	38,000.00	8,800.00	46,800.00
	02	Public Trusty	490,000.00	6,000.00	496,000.00
		Developer	122,500.00	4,000.00	126,500.00
	06	Public Trusty	1,240,000.00	124,000.00	1,364,000.00
		Developer	389,000.00	49,000.00	438,000.00
	09	Public Trusty	16,000.00	1,600.00	17,600.00
		Developer	4,000.00	400.00	4,400.00
	10	Public Trusty	94,800.00	-	94,800.00
		Developer	23,700.00	-	23,700.00
	11	Public Trusty	4,800.00	500.00	5,300.00
		Developer	1,200.00	100.00	1,300.00
	12	Public Trusty	302,400.00	-	302,400.00
		Developer	75,600.00	-	75,600.00
	13	Public Trusty	81,600.00	8,000.00	89,600.00
		Developer	20,400.00	12,250.00	32,650.00
	14	Public Trusty	107,000.00	10,750.00	117,750.00
	15	Public Trusty	10,000.00	-	10,000.00
	16	Public Trusty	209,000.00	10,000.00	219,000.00
<b>Total</b>			<b>3,319,000.00</b>	<b>244,300.00</b>	<b>3,563,300.00</b>

### 5.3.2 Potential Impacts

58. The October to December Resettlement Monitoring and Evaluation Report No. 4 provided details of the impacts identified through the Census and Socioeconomic surveys conducted in preparing the DDR 3. The Final Due Diligence study, submitted this reporting period, confirmed the following potential impact findings<sup>6</sup> 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 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.
- (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.
- (iii) Twenty-six of the potentially affected farmers are currently encroaching in Wildlife Department Land, 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.

### 5.3.3 Consultations and Farmer Agreements

59. 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 (**Table 6**). Each of the letters, all witnessed by an independent local Community Organisation, were presented as an Annex of the Due Diligence Report 3 submitted and approved by ADB.

<sup>6</sup> Tabulated in the October to December Report No. 4.

**Table 6: Farmers' Agreements Summary**

SN	Name of Road and Number	Total number of land owners / farmers	Number of Signatures	Number of landowners/ farmers not signed	Percentage	Comments	Community-Based Organization Witness
1	Road -1 : Herathgama to Mahakirula-km.02.800	03	03	0	100%	03 persons are private landowners.	Treasurer of the "Water resources Society of Herathgama"
2	Road - 2 : Access road to Mahakirula dam-km.01.400	12	12	0	100%	12 persons are private land owners.	Secretary of the "Agricultural Producers' Society of Moragollagama"
3	Road - 3 : Pothuwila to Moragolla-km.10.800	05	05	0	100%	05 persons are private land owners.	Secretary of the "Temple Society of Pibidunugamba"
4	Road - 4 : Access road to Mahakithula dam- km. 02.100	26	26	0	100%	26 persons are encroachers over 40 years.	Secretary of the "Samurdhi Society of Pibidunugama"
	<b>Total</b>	<b>46</b>	<b>46</b>	<b>0</b>	<b>100%</b>		

### 5.3.4 DDR 3 Findings and Recommendations

60. The activities of pre-construction and construction shall be conducted in accordance with the requirements set forth in this Due Diligence Study and Report and in addition to the EIA, the Specific Sub-project EMPs and other subsequent documented requirements. This Due Diligence Study and Report 3 (DDR3) has established the findings below, covering the Roads Rehabilitation and Widening 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.

61. The Due Diligence Report 3 focused on both Environmental and Resettlement impacts. This section only covers the Resettlement findings and recommendations and Annex H presents the Environmental findings and recommendations resulting from the DDR3.

62. The Due Diligence study also established the following land acquisition and resettlement findings, covering 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:



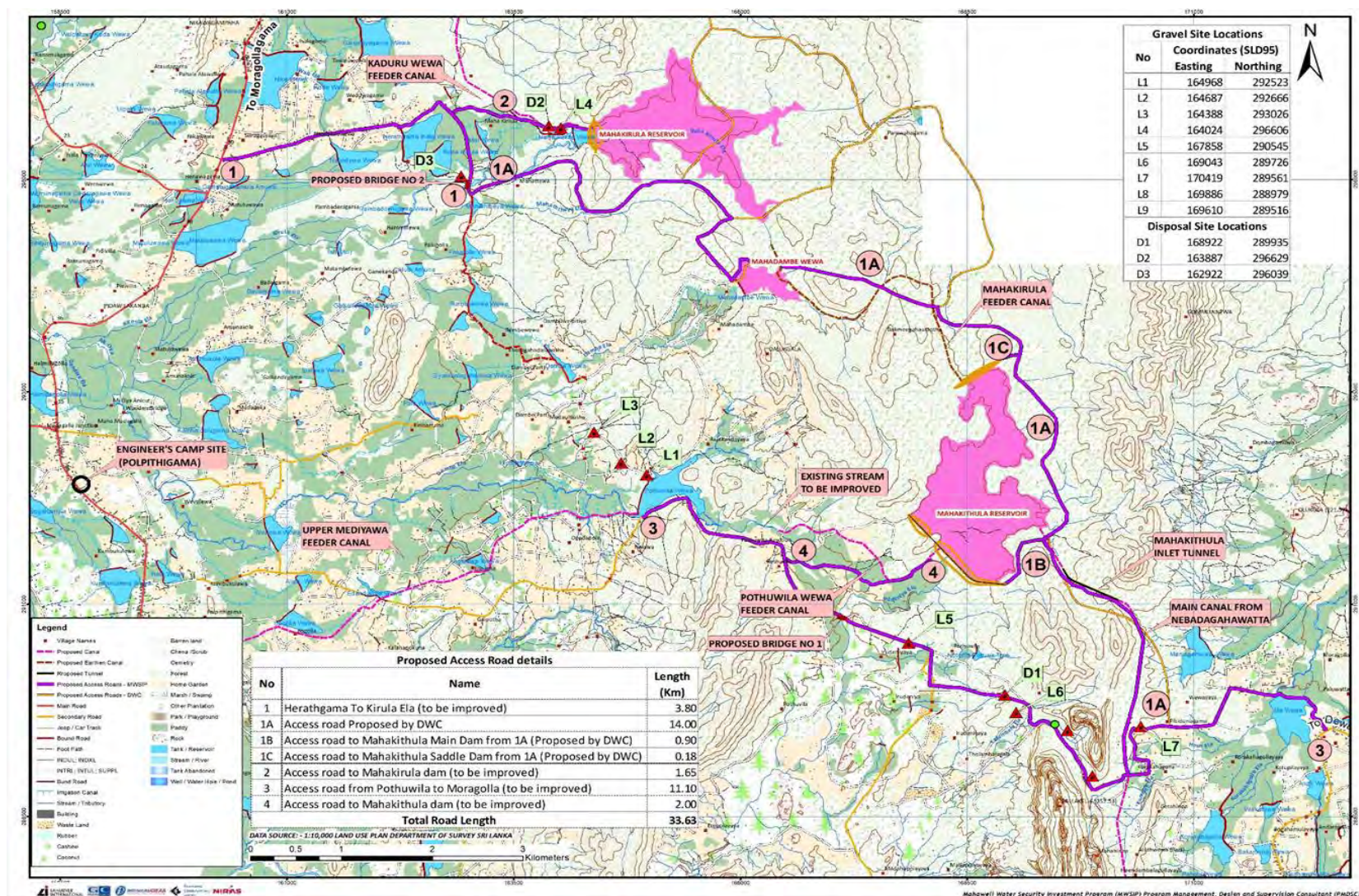


Figure 8: Map of Proposed Access Roads Improvement (NWPC ICB-1)

- (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. Of the potential impact, 0.069 ha categorised paddy land and 1.134 ha is highland. Apart from rice, onions, beetroot and chilly is grown and 5 trees (teak and neem trees) are potentially affected.
- (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.
- (iii) Twenty-six of the potentially affected farmers are currently encroaching in Wildlife Department Land. However, they 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 be subsequently affected by the re-categorization of the Wildlife area to a National park (within the elephant fence boundary).
- (iv) All 46 potentially affected households have signed agreements to volunteer land and assets areas for the road rehabilitation (Annex I, M and N). In accordance with the requirements for volunteering assets set out in the ADBs "Involuntary resettlement Sourcebook", the volunteering of assets was fully disclosed on the agreements signed by the AP, the District authority and a CBO acting as a third-party observer to ensure agreements were fully voluntary.
- (v) The Wildlife Department, as the 47<sup>th</sup> affected Person/entity, has agreed to change in land use (ie. Road rehabilitation and widening, as per the Project), but has not agreed to "acquisition" of land, meaning the roads within the Sanctuary will remain property of the Wildlife Department (as current land owners). Apart from some records of meetings, this Due Diligence Study has not been able to obtain any letters or other written documentation stating the above agreement. Therefore, prior to contract award, the PMU and PIU shall obtain a letter from the Wildlife department, which as a minimum agrees to the road construction works, although not necessarily to "land acquisition" as stated in meeting with PMDSC consultants.
- (vi) The PIU, with the PMDSC support, and the Contractor shall consult again with those land users, whose lands are potentially affected. Verification of land and assets recorded to be volunteered by each affected person and per the actual road design shall be conducted and the actual volunteer acquisition will be recorded at the time of setting out the corridor by the Contractor surveyors, at the time of detailed design.
- (vii) With the signing of the agreements by APs and meetings with the Wildlife Department to confirm roads, a maximum right of way alignment (corridor) for the road has been set. The Contractor will have this maximum alignment only, in which to prepare road detailed designs. At no time, shall the land/assets required, be higher or different than that recorded in the signed letter attached to this report and per agreement with Wildlife Department.
- (viii) In the case that additional land and/or assets acquisition is required, a Resettlement Implementation Plan (RIP) shall be triggered.
- (ix) The Contractor shall allow the farmers time to harvest (where required), prior to using for construction purposes.
- (x) In the event of any grievances to land/asset acquisition or to Contractor acquiring land/assets for the road alignment, not included under the agreements made by this DDR, the Grievance process shall be activated, and an RIP shall be subsequently triggered.

63. The Contractor may acquire land and assets for its construction operations, as in accordance with the contract specifications and in accordance with GoSL laws and not contravening ADB SPS 2009.

64. By the time of reporting, there have been no recorded grievances in relation to the Sub-project development, inclusive of roads rehabilitation and widening. In the event of a grievance:

- (i) The complaint shall be immediately submitted through the system, with full assistance by the PIU - NWPC, PMU and PMDSC.
- (ii) All environmental Grievances shall be dealt with in consultation with CEA and Wildlife Department authorities along with other stakeholders
- (iii) All objections to land being acquired, an RIP shall be prepared for temporary use of the said piece of land, with compensation paid for temporary loss of assets/income and rental of land. The plot shall be then rehabilitated back to its original pre-project state, by the Contractor. All expenses shall be covered by the PMU and the Project.

65. This DDR shall be submitted for approval by ADB. After approval by ADB the DDR shall be submitted to the Wildlife department, Forest department, the CEA and other relevant stakeholder, for their “concurrence” and any additional requirements to conform with GoSL laws.

66. Disclosure of this DDR 3 shall be arranged, prior to Contract award, as followed by the NWPC - PIU and MWSIP PMU, with the support of the PMDSC:

- (i) A copy of this report being made available to the public at the District, NWPC - PIU and the PMU offices.
- (ii) A summary of these recommendations and findings shall be provided to each individual household that volunteered land and/or assets for the road rehabilitation and widening works.
- (iii) Awareness meetings shall be conducted with all APs and stakeholders to ensure understanding of the recommendations and conditions of this DDR, to ensure environmental and social/resettlement safeguards are followed.
- (iv) All disclosure modes recommended, shall also be accompanied by Grievance Redress mechanism brochures, ensuring people have access to contacts and can know their rights for lodging complaints and grievances.

67. To ensure that the road widening, although a very small amount of land required having minimal impact on the APs but allows them to be the same or better off after the Project than before, a socioeconomic survey of all 46 households shall be conducted. This survey will enable the Program to monitor the APs, especially the Female Headed households and encroachers, to ensure that they are the same or better off than before the road project. This shall be conducted as a baseline, prior to the road construction, at the same time as setting out the alignment; at mid-term, during the ICB-1 canal construction period; and with 6-months of completing the sub-project ICB-1. This shall ensure a key ADB policy is followed:

*“Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.*

68. This Due Diligence Study Report shall be provided to the Contractor, attached to the Bidding documents.

69. A Monitoring Plan will be prepared by the NWPC PIU, with the support of the PMDSC, and presented as part of the regular Resettlement Monitoring and Evaluation Reports by the PMDSC to the PMU and ADB.

### 5.3.5 Implementation of DDR 3

70. The Due Diligence Study and Report 3 has been submitted and approved during this reporting period. There were no further activities conducted after DDR 3 submission. A Monitoring Plan is being prepared by the PMDSC for monitoring by PMU, PIU with PMDSC assistance.

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

### 5.4.1 Introduction

71. The NWPC ICB-2 contract package includes the main canal Nebadagahawatta 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).

72. The GoSL LAA process is ongoing. However, an Inventory of losses, Census and socioeconomic survey have been conducted by the PMDSC and PIU, but the collected data is in currently being processed. This is 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. The following overall approximate impacts have been identified during processing of survey data, which shall be compared against the GoSL data once released

- a) No. of lots 322 in the seven plans. PD PIU said that another 2 plans (for 2 GN divisions) will have to be issued by survey department. Then number of lots will be increased.
- b) Relocation required household are 10.
- c) Number of land affected households are 248
- d) Overall approximately 258 households are affected households.

73. Full set of data for NWPC ICB-2 shall be provided in the RIP and the next Monitoring Report No. 6.

### 5.4.2 Status of GoSL Land Acquisition and Resettlement (LAA) Process

74. **Table 7** presents the status of Land Acquisition and Resettlement processes along the various sections of NWPC ICB-2 Sub-project as of June 2017 and what was reported in September 2016 (Report No.3) and in December (Report No. 4). 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 are enforced requirements in the bid documents and construction contracts that stipulate the Contractor would be prohibited from construction works in areas where RIP development and implementation was not completed.

75. Based on the status of progress (June 2017), RIP update preparation and implementation is forecast to be completed approximately by late 2017 or in early 2018 for all GNDs. Following the status, the valuation process in 7 out of 8 GNDs may be complete around the same time, with one (Nabadagahawatta) being 3-4 months delayed, 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 March to April 2018.

## **5.5 Grievance Redress**

76. 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 10 June 2017 at Pahala Bambawa for resolving land acquisition and alternative accommodation issues for affected persons in the Pahala Bambawa GND. **Annex D2** presents the minutes of this meeting.

77. During the reporting period 16 grievances were lodged and 13 were resolved satisfactorily. The remaining 3 unresolved relate to engineering design issues. Twenty grievances to date have been lodged during the period of MWSIP implementation in relation to NWPC ICB-2, with 5 being resolved through engineering design alignment variations to reduce land acquisition and resettlement impact. Three other grievances unresolved are related to NWPC scheduled for Tranche 3, on which the PMDSC, with PMU and PIU, continue detailed design. Discussions regarding options on NWPC tranche 3 are ongoing and will be subsequently discussed with affected persons.

**Table 7: 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)	Status Ending June 2017 (January to June 2017)	GN Division Code
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.	Section 4 Notice Sent to: <ul style="list-style-type: none"> <li>Irrigation department</li> <li>PIU</li> <li>DS Office</li> </ul>	<ul style="list-style-type: none"> <li>20 April 2017</li> <li>12 June 2017</li> <li>13 June 2017</li> </ul>
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  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)	Section 5 Declaration: <ul style="list-style-type: none"> <li>Disclosure in newspaper</li> <li>Disclosure of Gazette to APs</li> <li>Disclosure of Gazette to Survey Department</li> </ul>	<ul style="list-style-type: none"> <li>4 May 2017</li> <li>7 June 2017</li> <li>7 June 2017</li> </ul>
432E	Pahala Bambawa				<ul style="list-style-type: none"> <li>27 April 2017</li> <li>7 June 2017</li> <li>7 June 2017</li> </ul>
432I	Ranwediya				<ul style="list-style-type: none"> <li>27 April 2017</li> <li>7 June 2017</li> <li>7 June 2017</li> </ul>
431C*	Kospotha				<ul style="list-style-type: none"> <li>27 April 2017</li> <li>7 June 2017</li> <li>7 June 2017</li> </ul>

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	Nilagama GND (43 5A) Is now amalgamated with Kospotha GND (431C) as a result of the canal alignment redesign with Niligama Tunnel.	
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	Section 5 Declaration: <ul style="list-style-type: none"><li>• Disclosure in newspaper</li><li>• Disclosure of Gazette to APs</li><li>• Disclosure of Gazette to Survey Department</li></ul>	<ul style="list-style-type: none"><li>• 27 April 2017</li><li>• 7 June 2017</li><li>• 7 June 2017</li></ul>
436	Aluthwewa	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 (25/12/2016)		<ul style="list-style-type: none"><li>• 27 April 2017</li><li>• 7 June 2017</li><li>• 7 June 2017</li></ul>
436B	Pibidunugama				<ul style="list-style-type: none"><li>• 4 May 2017</li><li>• 7 June 2017</li><li>• 7 June 2017</li></ul>

## **6 CAPACITY BUILDING**

### **6.1 Introduction**

79. 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 to ensure Project stakeholders comply with ADB safeguards requirements:

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

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

80. 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. During the January to June 2017 period of the Program, the following activities occurred, during which on-the-job training and capacity building may have occurred:

- Implementation of compensation distribution for NWPC NCB-1, in preparation for the much larger ICB-2 and future tranches.
- Inventory of assets and socio-economic data were collected for the preparation of RIP for NWPC-ICB 2 and UEC ICB-3.
- Preparing for, and commencing implementation of, the monitoring of DDR 1, 2 and 3 – For MLBCR NCB- 1, 2, 3, 4 and 5 site and access roads widening in NWPC-ICB-1, respectively.

### **6.3 Further Training and Capacity Building**

81. During the reporting period, there were no formal training and capacity building events with stakeholders, except for the farmers covered under DDR-1, in which awareness meetings were held.

82. The outcome of previous training programs has 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 that, knowledge on land acquisition and resettlement needs 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 Lankan 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.

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.

## 7 CONCLUSION – MOVING FORWARD

83. This fifth Resettlement Monitoring and Evaluation Report (first semi-annual) reports on the progress of the resettlement works from January to June 2017 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 a key issue that can delay 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 contract award process, thereby creating and scheduling potential bottlenecks. This issue is a problem issue, which will continue, for Tranche 1 as well as for 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 allowed 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 nine Sub-projects can go ahead to contract award announcement and construction, from a social and resettlement safeguards aspect, without involuntary resettlement restrictions, or where the RIP implementation and compensation has been completed:
  - 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) MLBCRP NCB 2,3,4 and 5 - The DDR 2 findings and recommendations are being implemented as required in conjunction with Contractor mobilisation and construction planning.
  - d) 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.
  - e) NWCP NCB 1 - Wemedilla Sluice and LBMC from Wemedilla reservoir to Nabadgahwatta with a length of 5.25 km. The RIP and its implementation has now been completed in May 2017. Salient information about this resettlement and Land Acquisition are as follows:
    - Has four APs, including the landowner temple, within a 520m (less than 10%) section of the site.

- Seven plots of land totalling approximately 0.64 ha (1 Acre, 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)
  - A total of LKR 3,563,300 (approximately USD 21,146.58) was paid by the GoSL in compensation for land acquisition and other allowances. The compensation records provided by Valuers to the PMU does not disaggregate compensation payments any more than for land and for allowances. .
- f) NWPC-ICB-1 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:
- 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.
  - Of the potential impact, 0.069 ha 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.
  - 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.
  - NWPC-ICB-1 – no resettlement on the actual project canal footprint. However, access roads need rehabilitation and widening to allow large trucks to Access. DDR 3 was submitted and approved by ADB during the reporting period. 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.
- (iii) NWPC-ICB-2 The GoSL RIP process has continued during this reporting period 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. Almost all the valuation process in various GNDs will complete at the same time, except one, thus still justifying the possibility of more than one RIP. 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. However, the bid document did make reference to non-resettlement and completed RIP implementation areas may be opened, while pending RIP areas would not be handed over to the Contractor for construction.
- (iv) 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 completed, submitted and approved 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. The findings of the DDR 2, established 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, triticales, 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 land use and signed letters of agreement, which also state details of the permanent and temporary physical and impact impacts.

84. 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. The PMDSC with PMU and PIU shall continue to “internally monitor” the DDR 1 implementation, based on the Monitoring Plan.
- (ii) **Due Diligence Report 2 (DDR 2) for MLBCRP** Stages 2, 3 and 4 – The report was submitted and approved by ADB during the reporting period. The PMU, PIU and PMDSC continue implementing findings and recommendations. The PMDSC with PMU and PIU shall continue to “internally monitor” the DDR 1 implementation, based on the Monitoring Plan.
- (iii) **Resettlement Implementation Plans (RIPs) for NWPC** – There is one RIPs remaining for NWPC:
  - The **NWPC ICB 2** subproject GoSL LAA processes are ongoing, making an RIP preparation in late 2017 or 2018, with implementation in 2018.
- (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 expediting 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 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 and approved during the reporting period, 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 implemented.

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

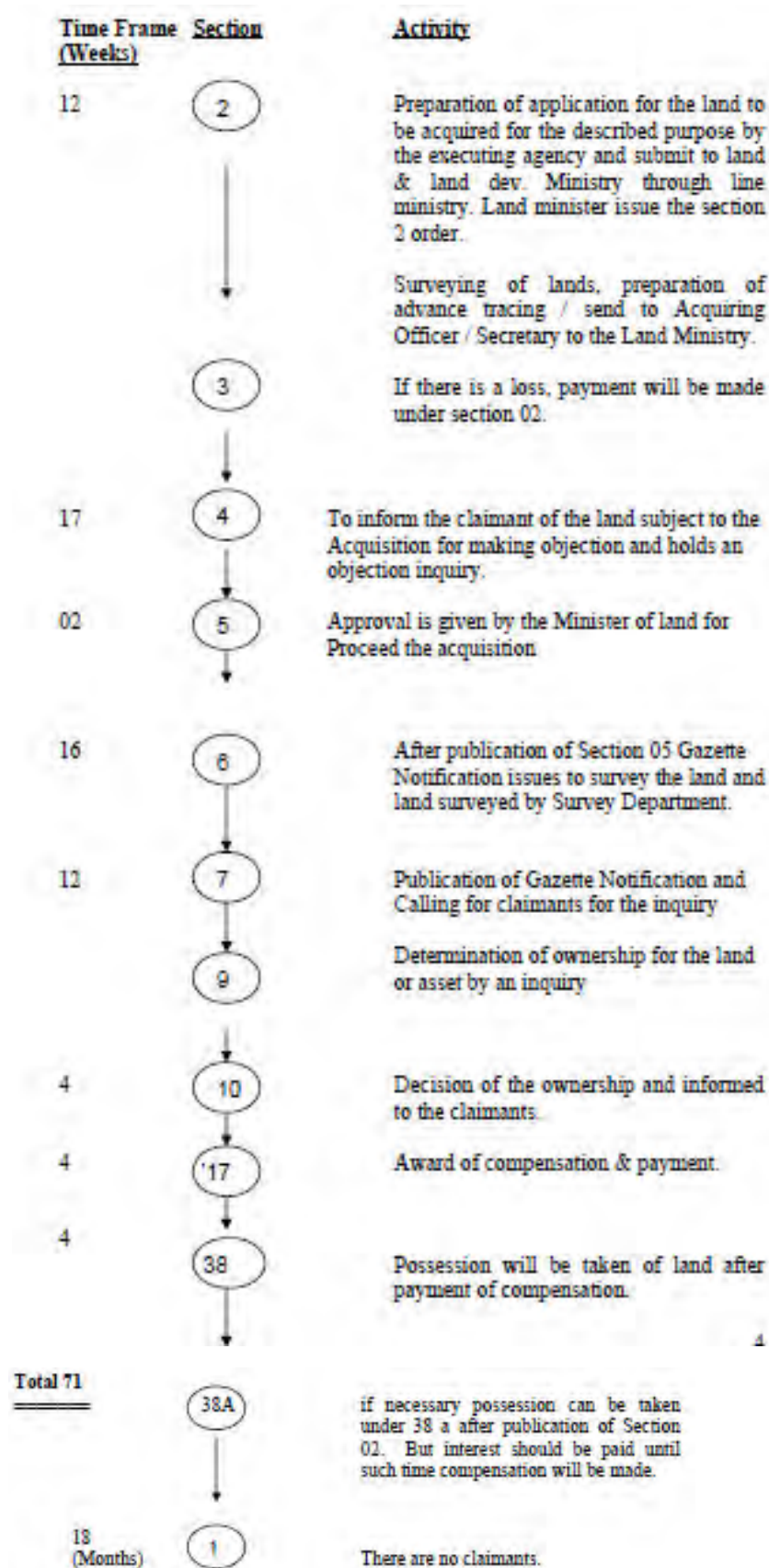
- (i) The focus of Grievance Redress Mechanism development has been to enhance the grievance submission system, prepare information on the GRM, inform District and divisional officers of the Programs on GRM and set up the Grievance Redress Committees.
- (ii) The Grievance register has continued to be updated with 16 grievances reported and 13 resolved during the reporting period. Those yet to be confirmed resolved are understood to be design issues under Tranche 1 and 3. Resolution of these remaining grievances are ongoing with design engineers working on a suitable solution.
- (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. This includes GRM awareness 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.
- (v) Grievance Redress committees have already met in MLBCR, UEC and NWPC projects, and records of regular meetings.
- (vi) 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.

86. The next "Resettlement Monitoring and Evaluation Report No 6" is due for submission in early 2018, covering the period of July to December 2017. Under the PMDSC Contract, Semi-annual reports for January to June and July to December are required from the second year of the Program

until the end of the Program. 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 progress towards NWPC ICB-2 RIP(s) preparation and impact; monitoring implementation progress of DDR-1 covering MLBCR NCB-1; monitoring implementation progress of DDR2 for Stages 2, 3, 4 and 5; and prepared monitoring Plan and the monitoring implementation progress of DDR 3 for Access Roads for NWPC ICB 1 area.

## **ANNEX A : GOSL LAND ACQUISITION PROCESSES**

## 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 Printing notice on decision to acquire land/property Publication the notice on decision to acquire land/property	Minister of land Government printing department Divisional secretary	02

SN	Acquisition Process	Activity/Step	Responsible Institution	Time frame (weeks)
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
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	-

SN	Acquisition Process	Activity/Step	Responsible Institution	Time frame (weeks)
			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**

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 (Yapahuwva 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.Maddepol a	724595010	Dangolladama, Nikadalupotha	Proposal	Proposed to provide water for Kalugalla area down stream of Hakwatunawa	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 devided 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)
05.08.16	MLBCRP - ICB -1	Farmers of Allai Scheme			Technical	Under the MLBCRP the Minipe Annicut will be raised. The farmers issue is after raising the Annicut water will no goes to downstream of the Mahawali river towards Allai scheme. The farmers are used to do cultivation using water from downstream of the Mahawali 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 Mahawali 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 an 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		Project Director (MLBCRP) . Eng. Mr Madiweka, Irrigation Engineers, District Secretary, Divisional Secretary and other relevant authorities.
20.01.2017	NWPCP- ICB-2, Danduyaya	T.M.Dharmasiri Munasigha	717634784	61A, Ananda Rajakaruna Road, Galewela	Technical	Requested water from the canal for agriculture	<b>Yes</b> , Similer water rights enjoy after completion of the project.		Grievance Redress Committee
05.02.2017	NWPC- ICB - Pansiyagama	Ranthuru Farmer Community	721495235	Imihaminegama, Pansiyagama	Technical	Requested water for imihaminegama Kohombagamuwa Tank	<b>Yes</b> , During the construction period decision will be taken, this is belongs to ICB-3		Resettlement officer (PIU)
17.02.2017	NWPC- ICB- 3Galgamuwa	IE- galgamuwa		IE Office, galgamuwa	Technical	Rehabilitate Nakalle Sluice	<b>Yes</b> , No any additional development of the MWSIP. So this request cannot be fulfilled		Resettlement officer (PIU)
22.02.2017	NWPC ICB-2 Polpithigama	Parakum farmer Community		Rajakanda, Polpithigama	Technical	Rehabilitate the nakalle Sluice and construct a new canal from nakalla Sluice	<b>Yes</b> , No any additional development of the MWSIP. So no chance to build new sluice		Project staff- NWPC
23.02.2017	NWPC ICB-2 Pibidunugama	Secretary - Deepthi Farmer Organization		Dambaragasptiya, Pibidunugama, Bambaragasptiya	Technical	Requested water from Maningamuwa tank to Dambaragasdenuya(Pibidunugama) Tank	<b>Yes</b> , Agreed to give water to Maningamuwa Tank. The farmer organization should construct a new canal from Maningamuwa Tank to Dambagapitiya Tank to trasfer water, coordinating with the Department of Agrarian Development.		Grievance Redress Committee
01.03.2017	NWPC ICB-3, 350 Pothuwila GN Division	Secretary - Irudeniya Farmer Organization		Irudeniya, Pothuwila.	Technical	Requested water through a canal from Mahakithula Dam		Forwarded to Technical section This can be considred during the constrction period.	Resettlement Officer
09.03.2017	NWPC ICB-3,337 Moragollagama GN Division	Secretary - K. Pallekale Farmer Organization		337 Moragollagama GN Division	Technical	Requested to connect the Kpallekale Anicut to Pibidunugama Project	<b>Yes</b> , No any additional development of the MWSIP.		Resettlement Officer
21.03.2017	NWPC ICB-3, Pahala Diggala	Member of the Pahala Diggala Farmer Organization		Pahala Diggala, Devehoowa	Technical	Requested water for Pahala Diggala Grama Niladari Division		Forwarded to Technical section	Resettlement Officer
30.03.2017	NWPC ICB-2, Yatigalpoththa	Secretary - Yatigalpoththa Farmer Organization		Ytigalpoththa, galewela	Technical	Requested water for small 3 tank in Yatigalpoththa GN Division.		Forwarded to Technical section	Resettlement Officer
03.04.2017	NWPC- NCB-1, Dambulla	P.D.Pathmasiri Perera	725610526	Walmitiyawa, galewela	Resettlement	Contractor has taken some land areas for the construction works	<b>Yes</b> , GRC attended to this issue and did the crack survey with the photograph of the existing situation. If happen some damages during construction period contactor promised to pay the damage cost.		Grievance Redress Committee
12.04.2017	NWPC- ICB-2 kospotha	C. Abeya Thenne		75/1, Dayas Pedesa, Beddagana RD, Pittakotte	Resettlement	His land is divided in to two parts due to Canal. So He requested a good compensation	<b>Yes</b> , Agreed to give reasonable Compensation		Resettlement Officer
01.05.2017	NWPC- ICB-2, Pahala Bambawa	H.M.Senevirathna banda	786711083	Bogasyaya, Pahala bambawa, Galewela	Technical	About the affecting well	<b>Yes</b> , Agreed to give reasonable Compensation		Resettlement Officer
17.05.2017	NWPC ICB-3 Balalla	Minister of Pradesiyasaba		Unapaduragawa Niwasa, Rekoogama, Balalla	Technical	Requested water to Irrigation system		Forwarded to Technical section Decision can be taken after constrction.	Resettlement Officer
24.07.2017 04.08.2017 18.05.2017	NWPC-ICB-2 Ranwadiyawa	Meera Hussain		Ranwadiyawa, Galewela	Technical/Resettlement	This person requested to chenge the canal line without acquiring his land for canal developmnet	<b>Yes</b> , we visited this place on 18th of May 2017 and met the owner of the land. We explained the situation of project and why cannot be change the canal line. further more We pointed out if we change the canal line another lot of houses will be affected and technically also this is the most suitable area to build the canal. ultimately he agreed with project staff and issue was sold.		Resettlement Specialist - Anoma Batagalla, Eng. Dulangen Wijesingha NWPC, design Engineers - Joachimthasan and Deen, Field Assistant - Mr. Kosta
18.05.2017	NWPC ICB-3 Polpithigama	T.J.M.karunathilaka		Kiribamunegama, Polpithigama	Technical	Requested to build a new dam in Polpithigama DS Division	<b>Yes</b> , Decision will be taken dirung the constrction period this is in ICB 3		Resettlement Officer
25.05.2017	NWPC ICB-3 Maho	P.R.Upul Aberathna		39, Siyabalangamuwa, Maho	Technical	Requested to take the Mahsiyabalangamuwa tank to the development tank list	Yes, Yes, this can be conceded. Sent a letter to aggrieved party on 14th of August 2017 .		Project Director - NWPC
07.07.2017	NWPC-NCB-1, Walamitiyawa	R.M.Lional	723750956	Walamitiyawa, Galewela	Resettlement	Build a road in his land where were not acquired	<b>Yes</b> - visited the field on 31.07.2017 and agreed to build the road without any damage to the house.		Resettlement Officer.
28.07.2017	NWPC ICB-3 Moragollagama	B.G.Siriya		Nipunagama, Moragollagama	Technical	Requested water from Gorowwa tank to Galkiriyakanda		Forwarded to Technical section	Resettlement Officer

## **ANNEX C : GRIEVANCE REDRESS SYSTEMS - BROCHURE**

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

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

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



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



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

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

**For More Information:-**

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

Mahaweli Water Security Investment Program  
No. 493 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.



**What is GRM ?**

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

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

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

**What concerns that are not going to be dealt by GRM**

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

**How to file complaints or submit concerns to GRM**

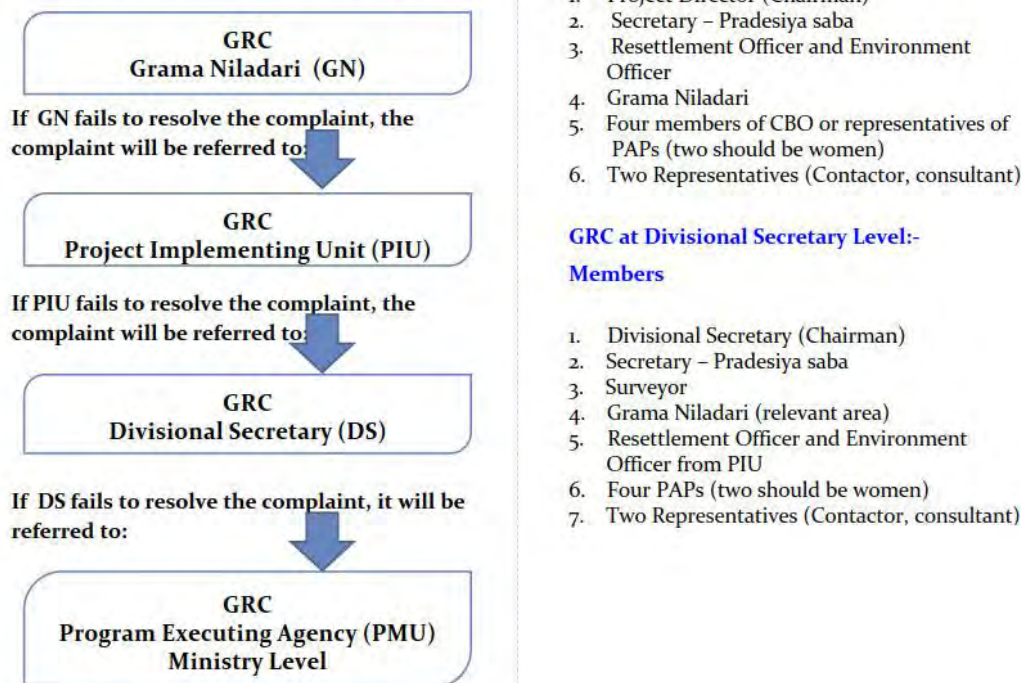
Grievances can be presented either in writing or verbally to the Project Resettlement Officer (PRO) or Project Environment Officer (PEO) or to the Grama Niladari (GN). Complaint forms are available with GN and Project Office.

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

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

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

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

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

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

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

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

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

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

### ව්‍යාපෘති කළමනාකරණ ඒකකයේ දුක්ගැනවිලි විසඳීමේ කමිටු සාමාජිකයින්

1. වැඩසටහන් අධ්‍යක්ෂ (සභාපති)
2. දිස්ත්‍රික් ලේකම්
3. ප්‍රාදේශීය ලේකම්
4. නැවත පදිංචි 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 පැමිණිලි 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 පීඩාවට පත් වන සියලුම ප්‍රජාවට විසඳුම් 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, හසලක,  
දුරකථන අංකය: 055- 2258977
2. ව්‍යාපෘති අධ්‍යක්ෂ,  
ඉහළ ඇලහැර ඇළ ව්‍යාපෘතිය,  
ශ්‍රී ලංකා මහවැලි අධිකාරිය, මඩවුගම,  
දුරකථන අංකය: 025- 2054896
3. ව්‍යාපෘති අධ්‍යක්ෂ,  
වයඹ පළාත් ඇළ ව්‍යාපෘතිය,  
වාරිමාර්ග දෙපාර්තමේන්තුව, කැ.පෙ.44, කුරුණෑගල,  
දුරකථන අංක: 037-3970783  
ජංගම දුරකථන: 071-4432826
4. නැවත පදිංචි 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  
ෆැක්ස් 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 පහත 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.



### දුක් ගැනවිලි විසඳීමේ යාන්ත්‍රණය යනු

ව්‍යාපෘතිය නිසා පීඩාවට පත්වන ප්‍රජාවට තම දුක් ගැනවිලි ඉදිරිපත් කොට ඒ සඳහා විසඳුම් ලබා ගැනීමට ඇති මාර්ගයකි. කිසිදු විසඳුමකින් තොරව පීඩාවට පත් වූ ඕනෑම පුද්ගලයෙකුට මෙම ක්‍රමවේදය සඳහා යොමු විය හැකිය.

### දුක් ගැනවිලි විසඳීමේ යාන්ත්‍රණය මගින් විසඳුම් ලබා ගත හැකි අංශ

1. ඉඩම් අත්පත් කර ගැනීම සම්බන්ධ ගැටලු
2. වන්දි ගෙවීමේ ක්‍රමවේදය පිළිබඳව
3. නැවත පදිංචි කිරීමේදී ඇති වන ගැටලු
4. ඉඩම් අයිතිය සම්බන්ධ ගැටලු
5. වන්දි ගෙවීම ප්‍රමාද වීම
6. ප්‍රතිසංස්කරණ සහයෝගීතා වැඩසටහන
7. ව්‍යාපෘතිය හා සම්බන්ධ සමාජ සහ පාරිසරික ගැටලු

### දුක්ගැනවිලි විසඳීමේ යාන්ත්‍රණය මගින් විසඳුම් ලබා ගත නොහැකි අංශ

1. උසාවියෙන් විසඳුම් ලබා ගැනීමට යොමුකර ඇති ගැටලු.
2. ලබා දීමට යෝජිත වන්දි ප්‍රමාණය ගැන තීරණය ගැනීම.

### දුක් ගැනවිලි විසඳීමේ යාන්ත්‍රණයට ගැටලු යොමු කිරීමේ ක්‍රමවේදය

දුක්ගැනවිලි ල වාචිකව හා ලිඛිතව ඉදිරිපත් කළ හැකිය. එය ග්‍රාම නිලධාරී, ව්‍යාපෘති නැවත පදිංචි කිරීමේ නිලධාරී හෝ ව්‍යාපෘති පරිසර නිලධාරී වෙත ඉදිරිපත් කළ හැකි අතර එයට අදාළ පෝරමය එම නිලධාරී මණ්ඩලය සතුව ඇත.

එසේ ඉදිරිපත් කරනු ලබන දුක්ගැනවිලි ව්‍යාපෘති අධ්‍යක්ෂකගේ මාර්ගෝපදේශකත්වයෙන් අදාළ නිලධාරීන් විසින් සතියක් ඇතුළත විසඳිය යුතුය.

එසේ විසඳිය නොහැකි ගැටලු ව්‍යාපෘති නැවත පදිංචි කිරීමේ නිලධාරී හෝ ව්‍යාපෘති පරිසර නිලධාරී විසින් ව්‍යාපෘති ක්‍රියාත්මක කිරීමේ ඒකකය වෙත යොමු කෙරේ. ඒ සඳහා සති දෙකක කාලයක් ප්‍රමාණවත්ය.

එසේ විසඳිය නොහැකි ගැටලු ප්‍රාදේශීය ලේකම් වෙත යොමු කෙරේ. මෙහිදී ද සතියකින් විසඳුම් ලබා දිය යුතු අතර එසේ විසඳිය නොහැකි ගැටලු ව්‍යාපෘති කළමනාකරණ ඒකකය වෙත යොමුකළ යුතුය. මෙම සම්පූර්ණ ක්‍රියාදාමය උපරිම සති හතරකින් නිම කළ යුතුය.

මෙම කමිටුව පත් කිරීම පහත සඳහන් ආකාරයට සිදු කෙරේ.



#### පැමිණිලි විසඳීමේ ක්‍රමවේදය

දුක් ගැනවිලි විසඳීමේ කමිටුව  
ග්‍රාම නිලධාරී

ග්‍රාම නිලධාරී මට්ටමින් ගැටලු නොවිසඳුනහොත්

ද . වි . ක .  
ව්‍යාපෘති ක්‍රියාත්මක කිරීමේ ඒකකය

ව්‍යාපෘති ක්‍රියාත්මක කිරීමේ ඒකකය මට්ටමින්  
ගැටලු නොවිසඳුනහොත්

ද . වි . ක .  
ප්‍රාදේශීය ලේකම්

ප්‍රාදේශීය ලේකම් මට්ටමින් ගැටලු නොවිසඳුනහොත්,

ද . වි . ක .  
ව්‍යාපෘති කළමනාකරණ ඒකකය  
අමාත්‍යාංශ මට්ටමින්

### ග්‍රාම නිලධාරී මට්ටමින් දුක්ගැනවිලි විසඳීමේ කමිටුවේ සාමාජිකයින්

1. ග්‍රාම නිලධාරී (සභාපති)
2. ග්‍රාමීය මට්ටමේ රජයේ නිලධාරීන්
3. ග්‍රාමීය මට්ටමේ පුජා පූජක පක්ෂ (බෞද්ධ, හින්දු, කතෝලික, මුස්ලිම්)
4. ප්‍රජා නියෝජිතයින් (ප්‍රජා මූල සංවිධාන)
5. නියෝජිත (උපදේශක අංශය, ඉදිකිරීමේ අංශය)
6. පරිසර නිලධාරී, නැවත පදිංචි කිරීමේ නිලධාරී

### ව්‍යාපෘති ක්‍රියාත්මක කිරීමේ ඒකකයේ දුක්ගැනවිලි විසඳීමේ කමිටුවේ සාමාජිකයින්.

1. ව්‍යාපෘති අධ්‍යක්ෂ (සභාපති)
2. ප්‍රාදේශීය සභාවේ ලේකම්
3. නැවත පදිංචි කිරීමේ නිලධාරී, පරිසර නිලධාරී
4. ග්‍රාම නිලධාරී
5. ප්‍රජා මූල සංවිධාන නිලධාරීන් 4ක් (02 නෙක් කාන්තාවන් විය යුතුය)
6. නියෝජිත (උපදේශක අංශය, ඉදිකිරීමේ අංශය)

### ප්‍රාදේශීය ලේකම් මට්ටමින් දුක් ගැනවිලි විසඳීමේ කමිටුවේ සාමාජිකයින්.

1. ප්‍රාදේශීය ලේකම් (සභාපති)
2. ප්‍රාදේශීය සභාවේ ලේකම්
3. මැතිවරු නිලධාරී
4. ග්‍රාම නිලධාරී (අදාළ ප්‍රදේශයේ)
5. නැවත පදිංචි කිරීමේ නිලධාරී, පරිසර නිලධාරී
6. ප්‍රජා මූල සංවිධාන නිලධාරීන් 4ක් (02 නෙක් කාන්තාවන් විය යුතුය)
7. නියෝජිත (උපදේශක අංශය, ඉදිකිරීමේ අංශය)

## **ANNEX D : CONSULTATIONS – MINUTES OF MEETINGS**

**Annex D1: Consultation Conducted by the Project Staff UEC**

NO.	Venue	Name of the Program	Date
1	Residence Management Office - Bakamuna	Discussion of the ability to find the land for the affected community ability	2017.03.08
2	Galenbidunuwewa	Coordination of Stakeholders	2017.06.13
3	Dammika Restaurant - Bakamuna	Awareness of the Government Officers	2017.06.28
4	Namalpura Temple	Awareness of the affected community	2017.06.29

The following topics were discussed at the meetings.

1. Introduction of the WSIP
2. Introduction of the UEC
3. Introduction of the GRM and establishment of GRC
4. Awareness of the Land Acquisition Process and its time duration
5. Cooperation of the community for the project.
6. Importance of the good coordination with the stakeholders.

Click of the programs.



**Annex D 2: Grievance Redress Committee****Pahala Bambawa – Grama Niladari Division****Date** – 10.06.2017**Time** – 11. 00 am**Subject** – Discussion on Grievances raised by the community.

**Participants** –

1. Eng. Dulangen Wijesingha – Irrigation Engineer - PIU
2. M.M.Gunathilaka – Resettlement Officer – PIU

**Name of the Aggrieved Party** –

1. Daglas Fenandoo – Pahala Bambawa – Galewela
2. Anura Jayantha - Pahala Bambawa – Galewela
3. Henri Sighno - Pahala Bambawa – Galewela
4. Sumith Amarasigha - Pahala Bambawa – Galewela

**Matter Discussed –**

1. Douglas Fernando – I am a father of a child and there are 3 members in my family. My only property is this land about 10 Perches. I am running a Motor Garage in this land for my income and I have no any other income.
2. This land is totally affected due to North western Province Canal Project and planned to acquire. My request is somehow not to disturb my enterprises and allow me to continue the business.
3. Member of the GRC discussed this matter.

**Requirements of the affected HHs.**

1. House and business both will be affected. However, Grama Niladari Requested to give a chance to continue his business.
2. Requested a land near the Galewela Town.
1. He has constructed tube wall in his land and found taken from the bank as a loan.
2. He has planned to be an Agent in Bajag Company. This land matter will be affected for that plan also.
3. It land is granted. He requested to do it as soon as possible.
4. The NWPC should be implemented without disturbing to the community.

5. The members of the committee request quick solution to this matter.
6. His name is not included section 2 notice. He requested solution for that also.

**Solution given -**

1. The Resettlement Officer agreed to help to buy 5 perches near the Galewela town or do the construct of NWCP without disturbing to his land.

## **Annex D 3: Contractors Awareness Meeting at MLBCRP – NCB – 1**

### **Mahaweli Water Security Investment Program.**

**Date** – 20.02.2017

**Time** - at 8.30. to 2.00pm

**Venue** – Sorabora Village Hotel, Mahiyanganaya

**Number of Participants** – 53 - List Attached

This program specially organized to make aware the contractor how to conduct the contractions considering the social and environment safeguard. The program was conducted under following topics.

1. Social safeguard and Summery explanation of the DDR.
2. Environment Management Plan
3. Fruitful communication among the community

#### **Project Director- MLBCRP**

Project Director MR. Madiwaka explained briefly about MWSIP and MLBCRP and purpose of the program.

#### **Project Management Specialist - ADB**

The Project Management Specialist Ms. Manjula Amarasigha Explained the requirement of the ADB on Environment Safeguard and how to implement the Environment Management Plan.

#### **Resettlement Specialist – PMU**

The Resettlement Specialist Ms. Anoma Batagalla Explained the contractors' responsibility when they do the construction and expanded the how to solve the Grievances of the community. She pointed out further Grievance Redress Mechanism, Members of the GRC and what are the document should be maintained by the contractor, Project Implementation Unit and Divisional Secretarial Office.

In Addison to that she explained the content of the due Diligence Report and what are the conditions contractor should be maintain. And also the summery of the DDR1 – MLBCRP- NCB-1 was distributed among the participants and it was distributed among the GRC members also.

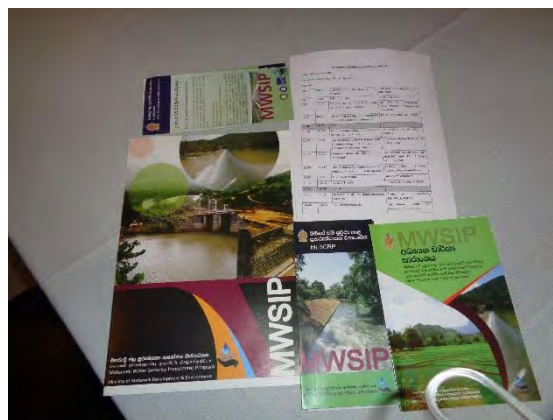
#### **Environment Specialist - PMU**

The Environment Specialist Mr. Moonamale explained the Environment Management Plane and contactor should follow-up the condition included the document.

#### **Senior Communication Officer PMU**

Explained how to communicate the information to the community.

## Click of the Program











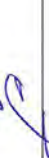


## Attendance list















Environmental Awareness workshop of Stage -01 of Minipe Left Bank Canal Rehabilitation Project

Date : February 16, 2017

Time : 0830 hrs

Venue : Sorabora Village Hotel, Mahiyahana

S.No	Name	Designation	Organization	Telephone No.	Signature
1	S.D. Mahipala	PB - MWSIP	MWSIP	071 8199519	
2	Padmanabhi Monarama	Env. Sp. PMU-MWSIP	MWSIP	077035020	
3	Anoma Batagala	Resettlement Sp.	MWSIP - PMU	0715206541	
4	M. Anura	Reg. Officer	ADB		
5	Anusika Kasige	Env. Sp.	MWSIP/PMDS		
6	Ashoka Hemthi	Comm. Specialist	PMDS	0714398893	
7	Eranga	Senior Comm. officer	MWSIP	071-378834	
8	V.A.M.P.E. Samarawickrama	EO - Contractor	Exc (cont) Ltd.	0773162192	
9	L. M. Senarathne	Pro. Engineer	PU	071-4420665	
10	R.M.M.D. Bandara	Env. Officer	Exc	0714474444	
11	Hesitha Gunaratne	A.O.S	Exc	0712-218134	

S.No	Name	Designation	Organization	Telephone No.	Signature
12	Dr. Perasinghe	PM	E & C	077-8087225	
13	R. J. Enageda	S/M	E & C	077-1071363	
14	E.M.R.B. Ekanayake	E.A	PMDSC	071 8449791	
15	H.M. Chandima Gnanapala	QS	E & C	0713213347	
16	J. A. S. Jayaleody	IS-A	PMDSC	071 829 8499	
17	J.M. Harini Madhusara	AQS	E & C	077-4851907	
18	E. G. M. S. Yependilay	Surveyor	E and. c	077-215708	
19	E. M. Ganesha Kurin	T.O	E & C	0717487278	
20	V. H. K. Samarasingha	R.E.	PMDSC	0718578646	
21	Kannangasage Anuruddha	H.S.O	PMDSC	0774451830	
22	T. V. ingi	S.E.O	PIU-MLB CRP	0773076301	
23	M. J. M. Kariel	P. Eng.	MLBCRP	0714490622	
24	K. M. T. Lakshmi	SCO	MWSSIP-PMU	0718495508	
25	H. H. Edirisinha	S.O	E & C	0772332630	

S.No	Name	Designation	Organization	Telephone No.	Signature
26	සුභ. සිංහවර්ධන	සාංකෘතික, ගිණුම් සහ මානව සම්පත්	ප්‍රජා සහ සංස්කෘතික දෙපාර්තමේන්තුව	0765594504	සුභ. සිංහවර්ධන
27	B. M. M. Gayathri	සහකාර මහත්මා	D.S. සහ සංස්කෘතික දෙපාර්තමේන්තුව	0715803015	සුභ. සිංහවර්ධන
28	K.M.V.B. Kulassekera	Dist. Engineer	Dept. of Labour	0718163732	සුභ. සිංහවර්ධන
29	S.M.C. Gunaratne	Div. Sec.	Minipe D.S. Office	0773588686	සුභ. සිංහවර්ධන
30	සුභ. සිංහවර්ධන	සහකාර මහත්මා	ප්‍රජා සහ සංස්කෘතික දෙපාර්තමේන්තුව	0718163732	සුභ. සිංහවර්ධන
31	M.A.D. Bandara	R.P.M.	Irri. Ma. Division (J.M.D)	0716104931	සුභ. සිංහවර්ධන
32	A.P.V.G.S. Gamage	Common	Minipe	0771538288	සුභ. සිංහවර්ධන
33	K.D.R. Jayatilake	E.A.	P.D.O.	071-82071145	සුභ. සිංහවර්ධන
34	D.M. Weerasinghe	A.D.	Wildlife Dept	0718253268	සුභ. සිංහවර්ධන
35	A.A. Chandrasekari	Manager	W.C.P. Central Forest Office	0718303499	සුභ. සිංහවර්ධන
36	Darrell H. Kuhnle	PMOS 1st Comm Spec	Lahnegge		සුභ. සිංහවර්ධන
37	B.A. Thilakaward	San. Surveyor	E.C.C. Minipe	071-8087971	සුභ. සිංහවර්ධන
38	D.M.N.M.R. Bandara	PHI	MOH Office - Hasakka	071-9043345	සුභ. සිංහවර්ධන
39	K. Thushara Rohana	I.D.O.	Resident Project Manager Office - minipe.	0718589750	සුභ. සිංහවර්ධන

S.No	Name	Designation	Organization	Telephone No.	Signature
40	G.G.S. Kumushka	Eng. Asst (Trainer)	Irrigation Department	071-2614045	<i>[Signature]</i>
41	K.L.I. Nawaratna	Eng. Assistant	MLBCR Project	07722582322	<i>[Signature]</i>
42	A.M.D.S. Attanayake	EA - Irrigation Div.			<i>[Signature]</i>
43	A.M. Sharmaseni	Chairman, 43-7.10	State-I-to-lead	07264456119	<i>[Signature]</i>
44	K.K.D.A.S. Simanasekera	Director, MWP	Irrigation Department	0714514822	<i>[Signature]</i>
45	K.G.M. Senarandi	MA	PIU, MLBCRP	055-2258977	<i>[Signature]</i>
46	U.M.M.N.R. Therasini	CA	PIU, MLBCRP	055-2258977	<i>[Signature]</i>
47	T.J. De Silva	MA	PIU, MLBCRP	055-2258977	<i>[Signature]</i>
48	H.S.C.K. Kaluarachchi	MA	PIU, MLBCRP	055-2258977	<i>[Signature]</i>
49	T.M. Ganini Bandula	S.A.	PMDS,	071-9825098	<i>[Signature]</i>
50	<u>                    ?</u>				<i>[Signature]</i>
51	Please note that additional 13 persons were allowed to have				<i>[Signature]</i>
52	refreshment and lunch, as the drivers & officials participated as well				<i>[Signature]</i>
53	The existing staffs engaged for organizing the session.				<i>[Signature]</i>

13/52

I certify the above additional 13 persons were allowed to have refreshment and lunch, as the drivers & officials participated as well. The existing staffs engaged for organizing the session.

*[Signature]*

Eng. N.A. S. D. MEDINAWATTE  
Project Director  
MLBCR

## **Annex D 4:**

### **Minutes of the meeting** **Laggala Pallegama Divisional Secretary office**

**Date – 28.06.2017**

**Time – 10.00 am**

**Venue – Divisional Secretary Officer- Laggala, Pallegama**

**Participants:**

1. Divisional Secretary – Laggala, Pallegama
2. Deputy Project Director – UEC
3. Senior Engineer – UEC
4. Senior Resettlement Officer- UEC
5. Subject Clerk – Land, DS office

**Matters discussed:**

**Deputy Project Director -UECP:**

Explained the importance of the UEC MWSIP and the necessity of acquiring land on temporary basis.

**Divisional Secretary:**

He explained the inability to sub dividing and lease land vested to recipient on lease basis as such if land allocated on lease to farmers are required these land would be provided on lease basis from 2018.

**Senior Resettlement Officer:**

Explained the importance of not acting in a manner which is unfair to farmers. It was decided to select alternative land after inspection, rather than acquiring the land vested to farmer on lease

Accordingly, it was agreed to obtain maximum utilization of lands already acquired by the Moragahakanda Kaluganga Development project.

## **Annex D 5:**

### **Minutes of the Meeting – Gram Niladari Division- Laggala, Pallegama**

**Date – 23.06.2017**

**Time – 10.00 am**

**Venue – Grama Niladari Office – Leloya**

**Participants - attached with this document**

#### **The following issues were discussed at the meeting**

The Deputy Project Director UEC chaired the meeting and welcomed all participants and explained the objective of the meeting.

#### **Mr. Piyadasa – Community member:**

Stated that his land is a paddy plot and as this is connected to a construction activity there would be debris such as empty bottles, steel and waste matter hence the land would not be suitable for paddy cultivation thereafter.

#### **Mr. Muthubanda – Community Member:**

He said that although the land is cultivated by 8 farmers the ownership is vested among many persons. He also proposed a land which is not cultivated at present and also land which have been already acquired under the Moragahakanda Project.

#### **Grama Niladari:**

The Grama Niladari Proposed payment of compensation for the land acquired on temporary basis he also requested to select land after a field inspection.

#### **M.G.P.Jayasigha – Land Officer Land Division- Laggala Pallegama DS division**

He stated that approximately 12 hectares of land has been acquired by the Moragahakanda Kalugagnga Development Project under section 38(a). He said that these lands could be utilized for the UEC project as well.

#### **Senior Resettlement Officer:**

It was decided to do field inspection after the meeting.

According a field inspection was carried out after the meeting and it was decided to utilize the land already acquired by the Moragahakanda Kaluganga Development project under section 38(a) and survey plan No. Ma/LGG/2011/107 for UEC work.

Even though the farmers consented to release the land for the above proposes an alternative decision was taken as land was available under the Moragahakanda Kaluganga Development project.



**Photos at the meeting and field inspection**



[illegible]

**Annex D6: Awareness Meeting - Divisional Secretariat Office Galewela**  
**Aluthwewa Grama Niladari Division**

**Date** - 02.02.2017

**Time** - At 1. 30 pm

**Venue** - At Aluthwewa Temple

**Subject** - Awareness of the Land Acquisition, Implementation of the project.

**Participants** – 1. Viharadhipathi – Aluthwewa Temple

2. Resettlement Specialist – PMU

3. Grama Niladari

4. Mr. P.W.Kularathne.

5. Eng. Dulanja Wijesingha - PIU

6. Resettlement Officer – PIU

7. Environment Officer – PIU

8. Agriculture Officer – Aluthwewa

9. Members of the Community

**Members of the GRC** - 1. Sumana Thero - Viharadipathi – Aluthwewa

2. Mr. P.W.Kularathna - Grama Niladari

3. Mr. Mr. U.R.G.Anura Chandrasiri – Agriculture Officer

4. Palakotuwa – Economic Development Officer.

5. Mr. P.W.Wijekumara – Secretary - Aluthwewa Farmer Organization

6. Mr. R.G.karunadasa – President - Dambagaspitiya Farmer Organization

**Matter Discuss** – 1. Implementation of the project.

2. Land Acquisition process and resettlement process.

3. Made aware of the GRM mechanism.

4. Appoint the land Grievance Redress committee.

පළාත් පාලන ආයතන මගින් සිදුකළ කිරීමේ වැඩසටහන - ග්‍රාම නිලධාරී වසම - අලුත් වැව / නිකුත්පාය

අනු අංකය	නම	ලිපිනය	දුරකථන අංකය	අත්සන
1	කේ.එස්.සේනාරත්න	දිගුමංගල පාර, පුරුමංගල, කුරුමා	070.9999997	කේ.එස්.සේනාරත්න
2	කේ.එම්.සේනාරත්න	පුරුමංගල පාර, පුරුමංගල, කුරුමා	070.9999997	කේ.එම්.සේනාරත්න
3	P. W. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.4328314	P. W. විජේසේන
4	M. S. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා		M. S. විජේසේන
5	R. S. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	070.9478199	R. S. විජේසේන
6	S. M. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	070.9478199	S. M. විජේසේන
7	R. S. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.1871219	R. S. විජේසේන
8	E. M. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.5445247	E. M. විජේසේන
9	P. S. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.2877213	P. S. විජේසේන
10	S. R. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.6182240	S. R. විජේසේන
11	R. M. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.6337782	R. M. විජේසේන
12	A. S. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.7907778	A. S. විජේසේන
13	M. S. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.4080260	M. S. විජේසේන
14	S. S. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	066-5718773	S. S. විජේසේන
15	R. S. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.2746342	R. S. විජේසේන
16	P. M. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා		P. M. විජේසේන
17	K. M. H. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා		K. M. H. විජේසේන
18	S. R. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.654603	S. R. විජේසේන
19	P. S. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	076.7164219	P. S. විජේසේන
20	P. S. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.8123634	P. S. විජේසේන
21	A. G. විජේසේන	පුරුමංගල පාර, පුරුමංගල, කුරුමා	077.8787420	A. G. විජේසේන

ಕ್ರ. ಸಂ.	ಹೆಸರು	ಲಿಂಗ	ಫೋನ್ ನಂಬರ್	ಶಾಖೆ
22	ಎಚ್.ಎಲ್. ಶಾರಣಗೌಡ	ಮ	0774018508	ಬೆಂಗಳೂರು
23	P.W-6 ಗ್ರಾಮ	ಪು	0774290279	ಬೆಂಗಳೂರು
24	ಕೆ.ಎಸ್. ಕೆ.ಎಸ್. ಕೆ.ಎಸ್.	ಮ	0775359503	ಬೆಂಗಳೂರು
25	P.M. ಎಲ್. ಎಲ್.	ಮ		ಬೆಂಗಳೂರು
26	H.M. ಮೊಮ್ಮಡಿ	ಮ		ಬೆಂಗಳೂರು
27	Rm. ಗೋದಾಲ	ಮ	0770606590	ಬೆಂಗಳೂರು

**Annex D7:****Awareness Meeting - Divisional Secretariat Office Galewela****Pibidunugama Grama Niladari Division**

**Date -** 02.02.2017

**Time -** At 10. 30 am

**Venue -** At Pibidunugama Community Officer

**Subject -** Awareness of the Land Acquisition, Implementation of the project.

**Participants –**

1. Resettlement Specialist – PMU
2. Grama Niladari
3. Eng. Dulanja Wijesingha - PIU
4. Resettlement Officer – PIU
5. Environment Officer – PIU
6. Agriculture Officer Pibidunugama
7. Members of the Community

**Members of the GRC -**

1. Viharadipathi – Moragolla temple
2. Mr. L.S.K.Dombawela Grama Niladari
3. Mr. Sugath Chandrasiri – Agriculture Officer
4. Ms. R.I.G.Champika – Economic Development Officer.
5. Mr. A.G.bandaranayaka - Moragolla Farmer Organization
6. Mr. U.R.G.Heenbanda – Dambagaspitiya Farmer Organization
7. Mr. W.A.Ajith- koragahagolla Farmer Organization
8. Mr. U.R.G.karunarathne – Samurdhi Development Officer

**Matter Discussed -**

1. Implementation of the project.
2. Land Acquisition process and resettlement process.
3. Made aware of the GRM mechanism.
4. Appoint the land Grievance Redress committee.

පළාත් පාලන ව්‍යාපෘතිය දැනුවත් කිරීමේ කිරීමේ පැවසුවහ - ග්‍රාම නිලධාරී වසම - අලුත් වැව / නිවැරදි කළ

අංකය	නම	ලිපිනය	දුරකථන අංකය	අත්සන
01	L.S.K. දොමිමොල	ග්‍රාම නිලධාරී විජයගම	077 5365411	
02	රාම. ගුණගාමා		077 5365411	
03	ජේ පාල් හාන්දා ජයසිංහ		077 5365411	
04	ටී.ටී. එම්. එම්. එම්.		066 4920 901	හාන්දා
05	ජේ. එම්. එම්. එම්.		071 6422400	එම්. එම්.
06	එම්. එම්. එම්. එම්.			එම්. එම්.
07	එම්. එම්. එම්. එම්.			එම්. එම්.
08	එම්. එම්. එම්. එම්.			එම්. එම්.
09	එම්. එම්. එම්. එම්.		077 1011920	එම්. එම්.
10	එම්. එම්. එම්. එම්.			එම්. එම්.
11	එම්. එම්. එම්. එම්.			එම්. එම්.
12	එම්. එම්. එම්. එම්.		077 5017195	එම්. එම්.
13	එම්. එම්. එම්. එම්.			එම්. එම්.
14	එම්. එම්. එම්. එම්.			එම්. එම්.
15	එම්. එම්. එම්. එම්.			එම්. එම්.
16	එම්. එම්. එම්. එම්.			එම්. එම්.
17	එම්. එම්. එම්. එම්.	එම්. එම්. එම්. එම්.	076 8595514	එම්. එම්.
18	එම්. එම්. එම්. එම්.		077 5311163	එම්. එම්.
19	එම්. එම්. එම්. එම්.		077 5311163	එම්. එම්.
20	එම්. එම්. එම්. එම්.			එම්. එම්.
21	එම්. එම්. එම්. එම්.		072 9492884	එම්. එම්.

**Annex D8: Awareness Meeting – Galewela Divisional Secretariat  
Danduyaya Grama Niladari Division**

**Date** – 24.01.2017

**Time** – 10.00 am

**Subject** – Awareness of the Land Acquisition North Western Province Canal Project and Implementation

of the Project

**Participants** – 1. Grama Niladari  
2. Eng. W.M.D. Wijesingha – Civil Engineer  
3. T.M.R. Thennekoon – Environment Officer  
4. M.M.gunathilaka – resettlement Officer.

**Members of the Grievance Redress Committee**

1. Andagala Sumanajothi Himi – Kospotha Temple.
2. Grama Nolandari – Kospotha
3. I.G.K.Ramyalatha – Agriculture Officer.
4. B.D.Sriyani Kusumalatha – Development Officer.
5. K.W.Senadeera – Teaching Adviser.
6. T.M.Ranasingha Banda – Kospotha farmer Organization.

**Matter Discus –**

1. Construction procedure of the project.
2. Process of the land Acquisition and resettlement.
3. Grievance Redress Mechanism and maintaining the relevant document.
4. Form the grievance Redress Committee.

## **Annex D9: Awareness Meeting of the Land Acquisition Nabadagahawatta Grama Niladari Division (ICB-2)**

**Date** – 13.06.2017

**Time** – 10.00 am

**Venue** – Nabadagahawatta Community Centre.

**Subject** – Aware the affected community in Nabadagahawatta Grama Niladari Division how the community face the section 4 notice and future action to be taken.

**Matters discussed –**

1. Changes of the NWCP and 25 land lots to be affected according to the survey plan.
2. Awareness of the section 4 notice in land acquisition process.
3. Future steps of the land acquisition.

**Suggestions –**

1. They requested water to Nabadagahawatta Maha Tank and it is impossible to implement due to technical issue. So, they requested irrigation facilities to paddy land to be captivated two season located downstream of the Main Canal.

**Participants-**

1. Irrigation Engineer – Dulanjan Wijesingha
2. Malani Gunathilaka – Resettlement Officer
3. Environment Officer - Rohana Thennakoon.
4. Communication Officer – Nalaka Wehalla
5. Grama Niladari- Nabadagahawatta.
6. Community members.

**Annex D10: Awareness Meeting - Divisional Secretariat Office Galewela**  
**Kospotha Grama Niladari Division**

**Date** - 24.01.2017

**Time** - At 11.00 am

**Venue** - At Kospotha Grama Niladari Division Office

**Subject** - Awareness of the Land Acquisition, Implementation of the project.

**Participants –**

1. Grama Niladari
2. Eng. Dulanja Wijesingha
3. Resettlement Officer – PIU
4. Environment Officer - PIU
5. Members of the Community

**Members of the GRC -**

1. Andagala Sumanajothi Thero
2. Ms. I.G.K.ramyalatha – Agriculture Officer
3. Ms. B.D.Sriyani Kusumalatha – Development Officer.
4. K.W.Senadheera – Teaching Adviser.
5. T.M.ranasigha Banda – Kospotha farmer Organization

**Matter Discuss –**

1. Implementation of the project.
2. Land Acquisition process and resettlement process.
3. Made aware of the GRM and how to maintain the document.
4. Appoint the land Grievance Redress committee.

**Annex D11: Awareness Meeting - Divisional Secretariat Office Galewela**  
**Nambadagahawatta Grama Niladari Division**

**Date** - 25.01.2017

**Time** - At 10. 45 am

**Venue** - At Nambadagahawatta Grama Niladari Division Office

**Subject** - Awareness of the Land Acquisition, Implementation of the project.

**Participants** -

1. Grama Niladari
2. Eng. Dulanja Wijesingha
3. Resettlement Officer – PIU
4. Environment Officer - PIU
5. Members of the Community

**Members of the GRC** –

1. Mr. Y.M.W.dharmawardhana - gramaniadari
2. Mr. junaideen jasmin - Agriculture Officer
3. Mr. S.M.nawayradeen – Divinaguma Officer.
4. Mr. M.S.M.Sameer – President, Muslin church.
5. Mr. S.A.M.kabeer - Nambadagahawatta farmer Organization
6. Mr. S.A.M.Aleef – Public representative

**Matter Discuss** –

1. Implementation of the project.
2. Land Acquisition process and resettlement process.
3. Made aware of the GRM and how to maintain the document.
4. Appoint the land Grievance Redress committee.

## **Annex D12: Awareness Meeting - Divisional Secretariat Office Galewela Pibidunugama Grama Niladari Division**

**Date** - 02.02.2017

**Time** - At 10. 30 am

**Venue** - At Pibidunugama Community Officer

**Subject** - Awareness of the Land Acquisition, Implementation of the project.

**Participants –**

1. Resettlement Specialist – PMU
2. Grama Niladari
3. Eng. Dulanja Wijesingha - PIU
4. Resettlement Officer – PIU
5. Environment Officer – PIU
6. Agriculture Officer Pibidunugama
7. Members of the Community

**Members of the GRC -**

1. Viharadipathi – Moragolla temple
2. Mr. L.S.K.Dombawela Grama Niladari
3. Mr. Sugath Chandrasiri – Agriculture Officer
4. Ms. R.I.G.Champika – Economic Development Officer.
5. Mr. A.G.bandaranayaka - Moragolla Farmer Organization
6. Mr. U.R.G.Heenbanda – Dambagaspitiya Farmer Organization
7. Mr. W.A.Ajith- koragahagolla Farmer Organization

8. Mr. U.R.G.karunaratne – Samurdhi Development Officer

**Matter Discussed -**

1. Implementation of the project.
2. Land Acquisition process and resettlement process.
3. Made aware of the GRM mechanism.
4. Appoint the land Grievance Redress committee.

පළාත් ඇළ ව්‍යාපෘතිය ඇතුළත් කිරීමේ පැවසුවහ - ග්‍රාම නිලධාරී වසම - ඇමුණිවිම / පිළිවෙල ගැන

අංකය	නම	ලිපිනය	දුරකථන අංකය	අත්සන
01	L.S.K. දිසානායක	ග්‍රාම නිලධාරී විස්තරය	0775365411	
02	රාජ. බණ්ඩාර		0775365411	
03	ජේ. ආර්. හේරත්		0664920901	
04	එම්. එම්. එම්. එම්.		0716422400	
05	ජේ. ආර්. හේරත්			
06	ජේ. ආර්. හේරත්			
07	ජේ. ආර්. හේරත්			
08	ජේ. ආර්. හේරත්			
09	ජේ. ආර්. හේරත්		077.161192.0	
10	ජේ. ආර්. හේරත්			
11	ජේ. ආර්. හේරත්			
12	ජේ. ආර්. හේරත්		0775017195	
13	ජේ. ආර්. හේරත්			
14	ජේ. ආර්. හේරත්			
15	ජේ. ආර්. හේරත්			
16	ජේ. ආර්. හේරත්			
17	ජේ. ආර්. හේරත්		076-859554	
18	ජේ. ආර්. හේරත්		0779731163	
19	ජේ. ආර්. හේරත්		077 611014	
20	ජේ. ආර්. හේරත්			
21	ජේ. ආර්. හේරත්		0729492886	

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

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

- (vii) 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.
- (viii) 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.

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:

- (ix) Conduct construction and rehabilitation activities within the canal outside of the two cropping seasons.
- (x) 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.

- (xi) Limit construction and movement of materials/machinery within the canal to the regular annual period when the canal water flow is stopped by authorities.
- (xii) 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.

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.

## **ANNEX F : DDR1 BROCHURE**

Annex F



## හැඳින්වීම

“මෙමගේ පුද සුරැකිමක ආකාරයක විකෘතියක” මෙමගේ  
තොර්විධ විකෘතියකෙහි අවසාන අවධාර වන අතර එය උතුරු  
මෙය ප්‍රදේශයක පුද පමණක් වැඩි වුණු කාරණය නොවී එහි  
තොර්විධක අනුකූල වී සිත්කාරයක තොර්විධය විකෘතියකක්  
වියනෙත් ක්‍රියාකාරික කිරීමට නොවිසතය. පැරික තොර්විධය  
කුණක් වූ ආකාරය සුරැකිමකටය. සමහර තොර්විධයන්, සිත්කෙහි  
තොර්විධයක හා පරිසරය සුරැකිමක කිරීම් අරමුණු කාරණය  
විකෘතියකක් නොව මෙය නොවිසිවිස වාසයකි.

ඒ ප්‍රකාශිත කළේම ප්‍රසිද්ධව

- ප්‍රධාන අනුකූල අනුකූල
- ප්‍රධාන අනුකූල අනුකූල
- ප්‍රධාන අනුකූල අනුකූල
- ප්‍රධාන අනුකූල අනුකූල

ආ දෙවැනි ස්වරූපයකින් සිටින මේ ස්වරූපයේ සිංහයෙහි,

[illegible]

- අදාළතමයේ කේන්ද්‍ර වන නොකැපූ කාලය තුළ සෑහෙන පමණ තෙල් සහ අවිනිරාශ්වූ ප්‍රජාවට පමණ පරිසාරණය කළ හැකි ලෙස සොයාගැනීමට විසින් වැඩ කිරීම හැකිවන තාවකාලික සීමාවක් යොදා ගැනීම පමණ කරන ලදී.
- දැනටමත් කළයුතු කාර්ය වියදම් කල්පිතයෙන් කඩාහැරුණු අවිනිරාශ්වූ විශාල ශීතලය/අංකිකරණය හේතුකාරකයෙන් වැරදිකර ඇතුළු කිරීමක් වන නඩත්තු කාලය පිළිබඳව සීමාසහිත කළයුතු අතර ඒ පිළිබඳව කිසිලෙස පරීක්ෂණයකරනුයේ නොවූයේය. මෙම තත්ත්වයක් යටතේදී සාමාන්‍යව සීමාවක් ලෙස අතර ප්‍රජාවට අවිනිරාශ්වූ පමණ කාලයක් ගතවන කළයුතුය. මුළු පමණ ප්‍රමාණවත් නොවන අවිනිරාශ්වූ නොයාගැනීමට විසින් ප්‍රජාවට පමණ සහතික සහතික කළ යුතුය. මේ පිළිබඳව සාරාංශයක් බලාගැනීම සහ සෑහෙන පරිසාරණය කළයුතුකර ගිණුම ගත යුතු වේ.

පළමු මට්ටමෙන් සිමා කිරීමෙන් (Definition Walls) බේරෝගිකරුවන් ආවේණික දුෂ්කර සහ ඉදිරිපිටම කෙටිපස ඉතාම මිහිරි මිටර 400-500 ක් පමණ වූ ඉටුකිත් වෙන්වා සහ පිටතටත් ඉතාමත් ප්‍රවේශ මගක ලබාදා සලකා, ඉතාමත් හොඳින් කොටස් පවරී, පරිමිත කාලීන ප්‍රවේණික මාර්ග මිනිස් පිටතවලින් සැකසා සලකා පාලනීය වූ සෞඛ්‍යමය සැලැස්ම විය යුතුය :-







## **ANNEX G : DDR2 MONITORING PLAN**

## **DDR 2, 3, 4 and 5 Monitoring Plan**

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
1. Contractor sites	1.1 Identifying Contractor Sites	<p><u>Definition:</u> The DDR 2 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>	<p>Contractors Construction Plan</p> <p>Contractors schedule (and its updates)</p>	<p>Beginning of construction contractors' mobilisation And any schedule changes</p>	<p>Contractor Minipe</p> <p>PMDSC/PIU</p>
	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>			

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>Letters of agreement from DDR 2</li> <li>Verification of agreements signed in DDR 2</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</li> </ul>	<p>Letters signed through DDR 2</p> <p>Register of potentially impacted farmers</p> <p>Minutes of meetings and awareness materials.</p> <p>Contractor Construction Plans and updates</p> <p>Register of potentially impacted farmers</p>	<p>One-off – DDR</p> <p>Quarterly Reporting</p> <p>All meetings / awareness / training</p> <p>Beginning of construction contractors' mobilisation And any schedule changes</p> <p>As required or if grievance submitted</p>	<p>PMU / PIU / Contractor / PMDSC / PMU</p> <p>PMDSC / PMU</p> <p>PIU / PMU</p> <p>Contractor / PIU</p> <p>PMU</p>

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<ul style="list-style-type: none"> <li>Proposed alternatives</li> <li>Decision to go to RIP (further monitoring of this is separate, if situation eventuates).</li> </ul>	Contractor Plans Updates  Due Diligence inspections	Beginning of construction contractors' mobilisation And any schedule changes  If situation arises	Contractor / PIU  PMU / PIU / PMDSC
	1.3 Maintaining sites during construction	<u>Definition:</u> Measurement indicators might include: <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> </ul>	Contractor Construction Plans and updates  Contractor Schedule and updates Monthly Contractor reports  Semi-annual Environmental Monitoring Reports Inspections and photographs	Beginning of construction contractors' mobilisation And any schedule changes  Every 6- months  Weekly	Contractor / PIU  PMU / PIU / PMDSC  PIU and PMDSC Construction engineers

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<ul style="list-style-type: none"> <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> </ul>	<p>Contractor Progress Reports</p> <p>Environmental Monitoring Reports</p> <p>Sub-project completion reports</p> <p>Observations</p> <p>Photographs</p>	<p>Monthly / Quarterly</p> <p>Semi-annual</p> <p>End of contract</p> <p>Ad-hoc</p> <p>Ad-hoc</p>	<p>Contractor</p> <p>PMU/PMDSC</p> <p>Contractor / PMDSC</p> <p>Environmental Specialist – PIU and PMDSC Resettlement Specialist</p>

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<ul style="list-style-type: none"> <li>Spread of stripped topsoil layer and shape</li> </ul>	Consultation with specific farmers	Beginning / mid-term / Completion	PMU / PIU / PMDSC
<b>2. Maintaining Water Flow</b>	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>	<p>Ministry of Irrigation</p> <p>Ministry of irrigation</p> <p>Contractor</p> <p>Minipe Farmer Group leaders and meetings</p>	<p>Seasonal</p> <p>Seasonal</p> <p>Mid-dry season</p> <p>Seasonal</p>	<p>PIU / Ministry of Irrigation</p> <p>PIU / PMDSC Construction engineer / Contractor</p> <p>PIU / PMDSC / Farmer Group Leaders</p>

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
	4.2 Water supply maintained during dry season	<p><u>Definition:</u> 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> </ul>	<p>Construction plans, and updates from contractor &amp; Inspections</p> <p>Irrigation Ministry data released for seasons &amp; Farmer Group meetings minutes</p>	<p>Beginning of Project, seasonal and any updates submitted</p> <p>Seasonal</p>	<p>Contractor / PIU / PMDSC Construction Engineers</p> <p>Ministry of Irrigation, Farmers groups / PIU / PMU</p> <p>Contractor / PIU / PMDSC</p>

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<ul style="list-style-type: none"> <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>	<p>Contractor plans and progress reports and letters to the engineer</p> <p>Minutes of meetings, observations and photographs</p> <p>Community consultations</p>	<p>Beginning of Project, and monthly</p> <p>As each meeting occurs</p> <p>During and end of each dry season period</p>	<p>Construction Engineers</p> <p>PIU / PMU / Farmer groups / PMDSC Specialists</p> <p>PIU / PMU / PMDSC Specialists</p>
3 Consultation and Disclosure	3.1 Disclosure of DDR results to MLBCR stakeholders	<p><u>Definition:</u> The DDR 2 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</p>			

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<p>DDR 2 as approved by ADB.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>Copies of the DDR 2 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 participants</li> </ul>	<p>Document register of PMU</p> <p>Observation at location</p> <p>PMUPIU records, meeting records</p> <p>Minutes of Meetings / Awareness sessions</p>	<p>Beginning of Project</p> <p>Semi-annual checks</p> <p>For Quarterly reporting</p> <p>Every meeting or awareness session</p>	<p>PMU / PIU</p> <p>PMU / PMDSC</p> <p>PMU/PIU/ PMDSC</p> <p>PMU / PIU</p>
	3.2 Consultations with affected farmers	<p><u>Definition:</u> 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>			

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<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>	<p>Minutes of meetings</p> <p>Photographs</p> <p>Brochures</p> <p>Construction Plans and mitigation plans (as required)</p> <p>Water release reports by Ministry of irrigation</p> <p>Contractor Progress reports</p>	<p>Every meeting or awareness session &amp; During and end of each dry season period</p> <p>Beginning of Project, and monthly</p> <p>Seasonally</p> <p>Monthly / Quarterly</p>	<p>PIU / PMU / Contractor and PMDSC support</p> <p>Contractor / PIU / Construction Engineer PMDSC Ministry of irrigation / PIU / PMU Contractor / PIU / PMDSC</p>
<b>4 Grievance Redress Mechanism</b>	4.1 GRM developed and effectively operating to assess and resolve complaints.	<p><u>Definition:</u> The Grievance Redress Mechanism has been prepared and implementation is commencing. This monitors progress of the GRM development and implementation</p>			

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<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>	<p>Training report/minutes of meeting</p> <p>Minutes of GRC's meetings</p> <p>Brochures and seminar presentation materials</p> <p>Minutes of awareness meetings</p> <p>Photographs of meetings of awareness, GRC meetings and community consultations</p>	<p>One-off sessions</p> <p>Minimum monthly or when complaint comes in (if &lt;1 month)</p> <p>One-off or if new editions released</p> <p>Each meeting</p> <p>All meetings / training etc.</p>	<p>PMU, with PMDSC support)</p> <p>GRC Secretary and PIU</p> <p>PMU, with PMDSC support)</p> <p>PMU, PIU and PMDSC</p>
	4.2 Ensuring all grievances and complaints are resolved amicably and as rapidly as possible.	<u>Definition:</u> Gathering and analysis of complaints from the population and other stakeholders in relation to	<p>Complaints letters incoming</p> <p>Grievance Register held by PMU/PIUs/PMDSC</p>	<p>Immediately on each letter submitted</p> <p>Minimum 2-weekly check</p>	<p>PIU (and Gramma Niladari) to PMU</p> <p>PIU / PMU / GRCs</p>

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<p>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> <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>	<p>Documentation of grievance redress committee and other meetings discussing resolution of complaints.</p> <p>Written letters of resolution to complaint, informing complainant.</p> <p>Resettlement or environmental Monitoring reports (depending on complaint submitted) documenting register and resolutions</p>	<p>of register by focal points and follow-up of complaint resolutions</p> <p>Immediately after GRC meeting (ie. Maximum 4-weeks at PMU level.</p> <p>Immediately after GRC meeting</p> <p>Semi-annual/quarterly basis as per Contract</p>	<p>GRCs/PIU/PMU</p> <p>GRCs/PIU/PMU</p> <p>PMDSC / PMU</p>

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
5. Encroached land being permanently acquired for the Boghawewa to Marakawewa to Radunnewewa Feeder Canal Embankment Widening	5.1 Identifying feeder Canal embankment widening footprint	<p><u>Definition:</u> Although roughly measured for the DDR 2 and detailed design purposes, the Civil Works Contractor for NCB-3, will need to survey and set out the exact footprint of the embankment, at the farmland level (bottom of the embankment). From this, the exact required footprint for land to be acquired for the embankment road will be known.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Canal embankment footprint fully set out.</li> <li>• Number of Affected encroacher households</li> <li>• Number of affected encroachment plots</li> <li>• Area of Land to be taken from each encroacher.</li> <li>• Crops areas and number of each type of tree to be lost</li> </ul>	<p>Contractor for NCB-3 setting out civil works</p> <p>Measurements of individual properties after set-out by contractor</p>	<p>At contract beginning</p> <p>At contract baseline/beginning, during construction of embankment in each area to ensure not encroaching into existing farmlands</p>	<p>Contractor with Engineer</p> <p>PMU, PIU and Contractor, with PMDSC assistance</p>

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<p>permanently from each encroacher.</p> <ul style="list-style-type: none"> <li>Additional area and assets requirement for footprint, compared to that agreed.</li> <li>Decision to go to RIP (further monitoring of this is separate, if situation eventuates).</li> </ul>	<p>Verified by PMU and Grievance Committee</p> <p>Decision by grievance committee with PMU and ADB</p>	<p>As required</p> <p>As required</p>	<p>PMU and Stage III GRC for NCB-3 area</p> <p>PMU and Stage III GRC for NCB-3 area in consultation with ADB.</p>
	5.2 Verification of agreement to acquire specific land areas (voluntarily) as footprint to feeder canal embankment widening.	<p><u>Definition:</u> In the DDR 2, for both temporary and permanently potentially affected households, letters were signed by the household head. Those where land was to be permanent affected in NCB-3, the letters also required details of the existing land holding, encroachment area and inventory of areas to be acquired. These impacted areas need to be verified with the encroacher, prior to commencement of physical works.</p>			

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Set out of canal embankment footprint.</li> <li>• Verification of land area being taken is within that identified in agreements</li> <li>• Verification of crop and tree losses being same or less than that measured</li> <li>• Changes in measured areas and assets/crops/trees affected.</li> <li>• No objections / grievances to the voluntary land acquisition</li> </ul>	<p>Contractor for NCB-3 setting out civil works</p> <p>Measurements of individual properties after set-out by contractor</p> <p>Compare and verify with individual agreement letters records and inventory</p>	<p>At contract beginning</p> <p>At contract baseline/beginning, during construction of embankment in each area to ensure not encroaching into existing farmlands</p>	<p>Contractor with engineer</p> <p>PMU, PIU and Contractor, with PMDSC assistance</p> <p>PIU/PMU with PMDSC support</p>
		<ul style="list-style-type: none"> <li>• Decision to go to RIP (further monitoring of this is separate, if situation eventuates).</li> </ul>	<p>Decision by grievance committee with PMU and ADB</p>	<p>As required</p>	<p>PMU and Stage III GRC for NCB-3 area in consultation with ADB.</p>

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
	5.3 Ensure that those affected people that have volunteered the occupied land for the feeder canal embankment widening, remain the same or better-off socioeconomic levels than pre-project	<p><b>Definition:</b> In MLBCRP NCB 1, 2,3,4 and 5, farmers will have land volunteered for use by the contractor after the Project, and in the same or improved condition than before the civil works contract commenced. On this section of MLBCRP NCB-3, Encroaching farmers will permanently lose a small percentage of land area they have used, although it is expected that canal rehabilitation will improve water use in the same areas.</p> <p>As per ADB SPS 2009, it is required that Affected Persons remain the same or better off after the project than pre-project situation.</p> <p>Measurement indicators might include:</p> <ul style="list-style-type: none"> <li>• Crop yields</li> <li>• Income changes and poverty levels</li> </ul>	<p>Consultations with affected Households, including with families, both individually and groups</p> <p>Socioeconomic survey (also used for the RIPs in MWSIP) conducted on all 55 affected households to indicate changes in socioeconomic status.</p>	<p>Ad-hoc but at minimum ever 4 months</p> <p>Pre-project baseline and post project final and annually during the Project period - surveys and reporting</p>	<p>PIU and PMU, with PMDSC support</p> <p>PIU and PMU, with PMDSC support</p>

Design Summary	Performance Issue	Description of Indicator and Data requirements	Recommended sources of data and collection methods	Frequency	Responsibility
		<ul style="list-style-type: none"><li>• Changes in livelihood status.</li><li>• Land area existing for livelihood</li></ul>			

## **ANNEX H : DDR 3 ENVIRONMENTAL FINDINGS**

This Due Diligence Study, covering the Roads Rehabilitation and Widening 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 has established the following Environmental findings:

- (i) The ecological impact significance would be high to moderate in the road traces aligned towards the Kahalla - Palkelele wild life areas, where there are no existing road alignments, other than tracks, footpaths and elephant migratory paths. Road number 2 and 4 end within the wild life area and shall need to be designed in an ecologically friendly manner, in close consultation with Wildlife Department authorities.
- (ii) Apart from (i) above, there are no other significant impacts anticipated, in terms of construction activities on the proposed road improvement sub-project activities, as most of the road alignments are existing road sections. However, the possible common environmental impacts such as dust, noise, vibration, nuisance to public can be expected in the inhabitant and agriculture areas.
- (iii) An Environment and Social Impact Assessment (ESIA) has been prepared for the Project and conditional approvals given by the Central Environmental Authority and ADB. A CEA conditional requirement is that after detailed designs, individual environmental management plans be prepared to cover each construction contract, in accordance with the ESIA7.
- (iv) Some of the identified borrow pit areas and gravel areas that have been identified are located within the protected area. These cannot be recommended as this can create life threatening impacts to the existing wild life movements due to falling in the pits, trenches etc. Also, operating gravel and disposal sites within the protected areas is violating ADB Safeguard policies and National Environmental regulations, unless it is unavoidable or subjected to the approval by carrying out an Environmental Assessment.
- (v) Identified borrow areas and disposal areas required to be out of the ecological sensitive areas and proper restorations plans requires to be prepared and approved prior to award the construction contract.
- (vi) It is recommended that in “operations” phase of the roads, after the full completion of NWPC- ICB-1 contract, and to assist district authorities with maintenance costs for the road, consideration be given by the PMU and GoSL to stockpile some of the materials from the MWSIP tunnelling constructions in NWPC and UEC areas, which may be recycled and used as road construction maintenance material from 2020 (post project) and beyond.
- (vii) Removal of elephant fence during the construction stage of the road traces located inside the wild life areas, would aggravate the human-elephant conflicts in the area, as this area is rich with elephant movements. In order to duly contain such adverse impacts, the removal of the existing elephant fence will be undertaken as per the recommendations in the WMP / interim written advice from the same experts as well as prior approval and guidance of the DWC.
- (viii) The project area of NWPC-ICB-1, including a significant length of the access roads, are entirely falling within the authority of Wild Life Conservation Department, Sri Lanka. Environmental approval was granted by the CEA with consent of the DWC subject to the preparation of the “Wild Life Management Plan” emphasizing Human Wild Life conflict”, being conducted by the IUCN and scheduled for completion in June 2017. Any recommendations from this IUCN study shall be strictly adhered to by the Contractor and monitored by the PIU, with support of Wildlife Department authorities and PMDSC Specialists.

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<sup>7</sup> Central Environmental Authority (CEA) (REF. 08/EIA/WATER/07/2012 DATED AS 23 February 2016)

- (ix) As per the environmental approvals, the approval of DWC or Forest Department is required prior to commencement of any construction activity within the boundaries with the Protected Areas managed by DWC / FD.
- (x) Improving access towards the protected wild life areas and specially the areas of Mahakirula and Mahakithula tank areas would create significant impacts during the operation stage as it would encourage people to encroach the areas for cultivations and other purposes. Hence, it is high priority to block all the additional access to the area soon after completing the construction work, by reinstating the elephant fence with gates, for Wildlife department maintenance access purposes.
- (xi) The identified 4 roads are existing roads which are used by the community in the bordering villages of the Kahalla - Pallekele Wild life and Forest protected area, the sections are rural roads with no proper drainage facilities and poor surfacing.
- (xii) Road number 2 and 4 is proposed to be improved and extended into the proposed National Park area, beyond the existing elephant fence, which will create a significant impact on the wild life movements and habitat fragmentation.
- (xiii) Hence, precautions must be taken to construct those road sections that are located within the park area following necessary guidelines to get the minimum required width to reduce the disturbance. Also, it is suggested to design the sections in an ecologically friendly manner providing suitable animal crossing areas.
- (xiv) Once the construction is completed within the sanctuary area, it is recommended to close those road accesses within the wild life areas, as requested by the Wildlife Department, and hand over the lands to the Wildlife Department for their continued management.
- (xv) There are number of stream crossing points and seasonal water bodies exists within project impact area, which require construction of several cross-drainage structures, across streams/rivers flowing across the road, referring to hydrological studies to ensure that construction of drainage structures is not likely to alter drainage pattern, and discharge capacities of drainage structures are designed to facilitate smooth passage of water and heading up or flooding is avoided even in flood season.
- (xvi) The required approval need to be processed on following aspects prior to commence the construction work;
- (xvii) Approval from Local Government authorities and relevant other stakeholder agencies on the final road alignment and design details
  - a) Land clearances
  - b) Felling of Trees
  - c) Operating borrow areas and quarry sites
  - d) Operating disposal sites, camping sites
  - e) Use of any explosives/ blasting activities
  - f) Waste management arrangements and required approval

The findings have found some potential environmental impacts due to the road rehabilitation and widening activities. However, the **Table** below presents an Environmental Management Plan, which gives an overview of the possible impacts and recommends some proposed mitigation measures related to the access road improvement sub project indicate impacts and recommended mitigation measures.

The EMP shall be updated at the time when Bidding documents are prepared for NWPC-ICB-1, followed by more detailed Contractor EMP, to be prepared by Contractor after contract award.

The standard environmental management plan in below, which includes information about the environmental impacts and proposed mitigation measures, shall be updated for each individual access road, at the bidding stage, and by the Contractor after finalizing the alignment and designs.

**Generic Environmental Management Plan related to the project activities**

Project Activity	Anticipated Impact	Mitigation Measures
<b>A. Preconstruction Stage</b>		
Finalization of alignment	<p>Requirement of new alignment to;</p> <ul style="list-style-type: none"> <li>connect existing tracks or roads to improve access</li> <li>avoid inhabited areas, and protected areas, or to avoid high construction costs due to landslide, large river crossings or other difficult terrain</li> </ul> <p>i. Requirement of bypass roads to avoid traffic/disturbance to the existing road users</p>	<ul style="list-style-type: none"> <li>Consult with local people to finalize the alignment especially to decide location for culverts and other drainage structures</li> <li>Avoid excessive cut and fill and road should be aligned to follow natural topography</li> <li>In case of hilly/mountainous area, alignment selection should refer to geological survey data to identify landslide prone area, and settlement/loose rock areas.</li> <li>In flood prone region/areas, refer to hydrological data to finalize provision for culvert drainage structures especially for alignment that intersects/crosses ground and surface water flow</li> <li>Avoid the requirement of forestland for road construction. In case unavoidable, minimise it to extent possible by exploring alternative options</li> <li>In case the alignment has trees, which are known to be nesting/breeding places for migratory birds, contact the wildlife Department / Forest for seeking permits and details about non-breeding seasons. In any case, no tree shall be cut in such stretches and construction works are to be strictly scheduled for non-breeding/nesting season and all permit conditions are to be complied</li> <li>Avoid or minimize tree felling, acquisition of agricultural land, shifting of shrines/temples, disturbance to community ponds, community resources, burial grounds, etc. to the extent possible through evolving alternate alignment options</li> </ul>
Land acquisition and resettlement	<ul style="list-style-type: none"> <li>Disturbances to the agriculture activities and livelihood of the land owners</li> <li>Acquisition of classified forest lands and wild life areas shall not be possible, and clearance for widening would create habitat loss and habitat deterioration</li> <li>Social unrest and other socioeconomic impacts related to land acquisition</li> </ul>	<ul style="list-style-type: none"> <li>Land acquisition, compensation packages, resettlement and rehabilitation, poverty alleviation programs for affected people and all other related issues are addressed in Social Impacts and Resettlement &amp; Rehabilitation section</li> <li>It can be encourage the people to donate lands when the village roads are expanded and improved, which will be benefitted to the community in the area during the project operation period</li> </ul>
<b>B. Construction Stage</b>		

Project Activity	Anticipated Impact	Mitigation Measures
Common environmental impacts during construction	<ul style="list-style-type: none"> <li>Dust generation</li> <li>Noise and vibration</li> <li>Air Quality</li> <li>Use of Fuels, Oils and hazardous materials</li> <li>Public Safety</li> </ul>	<ul style="list-style-type: none"> <li>Using water or other dust suppression mechanisms</li> <li>Consultation with communities about methods to reduce dust in their homes</li> <li>Contractor shall use plant in compliance with Sri Lankan environmental laws and shall use machines which are well maintained and not use old machines</li> <li>Reducing noise through limited work hours</li> <li>Public consultation and awareness advising communities on noise and noise reduction actions in the home</li> <li>Limitation of works during nesting seasons</li> <li>Noise suppression devices on construction equipment</li> <li>Use of oscillating rollers may reduce significant vibration impacts</li> <li>Contractors shall also need 3rd party insurance for such damages</li> <li>Cut-off ditches and impermeable surfaces (or at least areas with surfaces that may be cleaned of all hazardous materials post-project) shall be specified for areas where refueling occurs (outside of the Wildlife Park)</li> <li>emergency measures will be required to reduce hazardous materials, including fuels and oils from being released within the Wildlife Park areas.</li> <li>Contractor must have empty containers available near working machines in the park, in case of emergency, for heavy oil and fuel leaks</li> <li>A program of public awareness, traffic management plans, signage and fencing as well as consideration for 24-hour security shall be implemented on all road construction sites, particularly adjacent to communities</li> </ul>
Land clearing operations and site preparation	<ul style="list-style-type: none"> <li>Disturbances to the nesting and breeding grounds during vegetation clearance</li> <li>Impact on existing utility</li> <li>Blockage of existing migratory paths and storm water drainages</li> <li>Disturbances to the community and disturbances to their access</li> <li>Erosion, siltation</li> </ul>	<ul style="list-style-type: none"> <li>The road land width requiring clearing shall be clearly demarcated on ground and making required ROW available on a timely basis</li> <li>compensation for forest land and felling trees based on the forest clearance and compensation for utilities such as power distribution lines, pipe water supply, irrigation land, etc. based on agreements with other relevant parties or government agencies.</li> <li>The Contractor should submit within the time specified in the contract document a program showing the general methods, arrangements, order, and timing for all the activities under the civil works contract.</li> <li>During land clearing operations, topsoil shall be collected, preserved, and reused as a base for turfing of embankment slopes or development of barren areas along roadside.</li> <li>Where the road passes through forest areas, efforts have to be made to minimize encroachment into forest areas and cutting trees by limiting widening only on one roadside, and</li> </ul>

Project Activity	Anticipated Impact	Mitigation Measures
		<p>consult with local forest officers prior to removing any ground cover including trees.</p> <ul style="list-style-type: none"> <li>• Limit removal of ground cover, trees, or shrubs only to the area needed for permanent works.</li> <li>• For locations with soil erosion problems, limit the exposed surface area in terms of coverage area as well as duration by scheduling the construction work immediately after completing land clearing, if not covered with soil, with mulch.</li> <li>• Allow no chemical substances (e.g. herbicide) to be used for land clearing.</li> <li>• Prepare a plan to handle waste from land clearing adhering to the following principles: (a) wastes should not be disposed in nearby water bodies, (b) wastes should not be disposed in the down slope of the roadsides, (c) wastes should not be disposed in the forest areas, and (d) wastes should not be left unmanaged on the road sides.</li> <li>• Small temples, shrines, other culturally important areas if any is within the road land width, the same may be shifted to adjacent areas in consultation with local community leaders.</li> <li>• During clearing operations, any treasure trove, slabs with epigraphical evidence or edicts, sculptural or any material found and appear to have historical importance, it should be brought to the notice of Department of Archaeology, and instructions of this Department, if any, must be followed.</li> <li>• All public utilities like power transmission cables, telephone cables, water/sewerage lines, drains, tube wells etc. falling within road land width shall be inventoried, and arrange for relocation /shifting to adjacent areas in consultation with the respective agencies/authorities.</li> <li>• Establish and maintain interaction with local community to ensure that no social unrests due to operations.</li> </ul>
Establishment of temporary office and storage area	<ul style="list-style-type: none"> <li>• Vegetation clearance and disturbance to existing ecological habitats, wild life migratory path</li> <li>• Environmental pollution due to waste disposal, water, noise and air pollution due to vehicle, transportation of material, any spillage etc.</li> <li>• Hindrance to surface run off</li> </ul>	<ul style="list-style-type: none"> <li>• The temporary office and storage area for construction works shall be located away from human settlement areas (minimum 500 m) and forest / wild life areas (minimum 1 km).</li> <li>• The office and storage areas shall preferably be located on barren/waste lands and conversion of agricultural/cultivable lands for office and storage areas shall not be allowed under any circumstances.</li> <li>• All fuel oil/lubricants loading, unloading and storage areas shall be paved (impermeable), and have separate storm water collection system with facility for separation of oil/lubricants prior to discharge.</li> <li>• The temporary office and storage area shall be provided with adequate water supply, sanitation, septic tank/soak pit of adequate capacity so that it functions properly for the entire duration of its use.</li> </ul>

Project Activity	Anticipated Impact	Mitigation Measures
	<ul style="list-style-type: none"> <li>Erosion and sedimentation in associated water ways</li> </ul>	<ul style="list-style-type: none"> <li>After completion of construction works, the site shall be restored to its previous state by undertaking clean up operations.</li> </ul>
Construction Camp Sites	<ul style="list-style-type: none"> <li>Contamination of receptors (water, land, air)</li> <li>Environmental &amp; Social damages</li> <li>Social unrest</li> </ul>	<ul style="list-style-type: none"> <li>The construction campsites shall be located away from any local human settlement areas and preferably located on lands, which are barren/waste lands.</li> <li>The camps shall be located, at a minimum, 5 km from forest areas to deter trespassing of construction labour.</li> <li>The campsites shall be provided with adequate water supply, sanitation and all requisite infrastructure facilities. This would minimize dependence on outside resources, presently being used by local populace and minimize undesirable social friction thereof.</li> <li>The camps shall have septic tank/soak pit of adequate capacity so that it can function properly for the entire duration of its use.</li> <li>Construction camps shall be provided with kerosene/LPG to avoid dependence on firewood for cooking to the extent possible.</li> <li>After completion of construction works, location of campsites shall be restored to its previous state by undertaking clean up operations.</li> </ul>
Mobilization of construction materials - Stone aggregates, earth and construction water	<ul style="list-style-type: none"> <li>Resource depletion</li> <li>Damage to wildlife, forest resources</li> <li>Environment Pollution</li> <li>Health &amp; safety</li> </ul>	<ul style="list-style-type: none"> <li>Stone aggregates shall be sourced only from licensed existing quarries.</li> <li>A list of such existing quarries is available with the PMDSC and given in the EIA. In case new quarries are to be opened, quarry license/permits are to be obtained from this department/authority.</li> <li>In case, only stone crushing plants are to be installed near work sites, required permits are to be obtained and all conditions of permits are to be complied.</li> <li>Ensure stone quarries and crushing units have pollution control system; occupational safety procedures/practices in place and regular inspection shall be carried to ensure compliance. This shall be a pre-condition for sourcing of materials from quarries/crushing plants.</li> <li>Earth borrow areas identified during DDR stage shall be revisited to assess its environmental sensitivity and ensure it is not an ecologically sensitive areas. Permits are to be obtained from authorities and all permit conditions are complied.</li> <li>The borrow areas are to be demarcated with signboards and operational areas are to be access controlled.</li> </ul>

Project Activity	Anticipated Impact	Mitigation Measures
		<ul style="list-style-type: none"> <li>• Topsoil from borrow areas (first 30cm) are to be preserved and used for redevelopment of borrow areas as a base for turfing along embankment slopes.</li> <li>• The borrow areas as an option may be used as disposal areas of the construction waste produced during the construction work and reinstate as appropriate by planting native forest trees</li> <li>• Conversion of agricultural lands for borrowing earth is to be discouraged to the use possible unless warranted by local conditions. In such cases, written consent shall be obtained from the landowners</li> <li>• Water for construction works shall NOT be drawn from sources, which serve routine needs of local people.</li> <li>• In case water is sourced from existing private tube wells, well owner shall be informed about the quantity and duration for which water draws will be carried out and possible implications. Written consent for use of groundwater shall be obtained.</li> <li>• In case new tube wells are to be constructed, required permits are to be obtained from the Ground Water Department and permit conditions, if any are to be complied.</li> <li>• In any case, care shall be taken not to source all requirements from one single source and no two sources (in case of tube wells) shall be less than 500 m from each other.</li> </ul>
Transportation of construction materials	<ul style="list-style-type: none"> <li>• Spreading dust and impact due to hazardous material</li> <li>• Pollution of Soil and Water via Fuel and Lubricants</li> <li>• Nuisance to the public</li> <li>• Noise from vehicles</li> </ul>	<ul style="list-style-type: none"> <li>• Existing tracks/roads are to be used for hauling of materials to extent possible.</li> <li>• The alignment of haul roads (in case of new ones) shall be finalized to avoid agricultural lands to the extent possible. In unavoidable circumstances, suitable compensation shall be paid to people, whose land will be temporarily acquired for the duration of operations. The compensation shall cover for loss of income for the duration of acquisition and land restoration.</li> <li>• Prior to alignment of new haul roads, topsoil shall be preserved or at least shall be used for any other useful purposes like using in turfing of embankment rather than allowing its loss by construction activities.</li> <li>• Dust suppression along transportation links is to be ensured by deploying water tankers with sprinkling system are to be deployed along haul roads.</li> <li>• The vehicles deployed for material transportation shall be spillage proof to avoid or minimize the spillage of the material during transportation. Transportation links are to be inspected daily to clear accidental spillage, if any.</li> </ul>

Project Activity	Anticipated Impact	Mitigation Measures
		<ul style="list-style-type: none"> <li>Precaution shall be taken to avoid inconvenience to the local community due to movement of materials.</li> </ul>
Cut and fill	<ul style="list-style-type: none"> <li>Impact of hindrance to surface runoff, soil erosion and sedimentation</li> <li>Impact on wild life movements</li> <li>Dispersion of excavated material in nearby wetlands and adjoining wild life /forest areas</li> </ul>	<ul style="list-style-type: none"> <li>Finalisation of alignment plan and profile shall consider options to minimise excessive cuts or fills. The design shall as per the relevant Rural Road construction design</li> <li>The cut and fill quantities required for profile correction shall be balanced to the extent possible, to avoid dependence on earth from borrow areas.</li> <li>In both cases of cut and fill, top soil shall be preserved and reused for turfing of embankment slopes or redevelopment of borrow areas or any other areas in the vicinity of roads.</li> <li>Under no circumstances, topsoil shall be allowed to be used as a fill material in road construction activities</li> </ul>
Preparation of embankment and road base	<ul style="list-style-type: none"> <li>Temporary flooding</li> <li>Spreading dust</li> </ul>	<ul style="list-style-type: none"> <li>The road construction works will raise, extend and enlarge existing roadway/tracks all along the alignment. Therefore, mitigation measures to contain erosion and drainage problems are essential.</li> <li>The engineering measures for countering soil erosion, slope protection, drainage wherever required shall be considered and implemented as per relevant design guidelines</li> <li>Measures like selection of less erodible material for embankment construction, compaction, adequate embankment slopes and turfing shall be considered as per the relevant Technical Specifications for construction of Rural Roads</li> </ul>
Cross Drainage Structures		<ul style="list-style-type: none"> <li>The road construction will also require construction of several cross drainage structures, across streams/rivers flowing across the road.</li> <li>Refer to hydrological studies to ensure that construction of drainage structures is not likely to alter drainage pattern, and discharge capacities of drainage structures are designed to facilitate smooth passage of water and heading up or flooding is avoided even in flood season.</li> <li>Schedule the construction works to dry season so that impacts on water quality of stream/river is minimise or avoided.</li> <li>Precaution shall be exercised to prevent oil/lubricant/hydrocarbon contamination of channel bed during construction works. Spillage, if any, shall be immediately cleared with utmost caution to leave no traces.</li> <li>Ensure all construction wastes are removed from work site and stream /river beds are to be cleaned up (at least 50 m on both upstream and downstream sides of water courses) after completion of construction but prior to onset of monsoon.</li> </ul>
Tree Planting		<ul style="list-style-type: none"> <li>Tree planting operations shall be commenced immediately after completion of embankment compaction.</li> </ul>

Project Activity	Anticipated Impact	Mitigation Measures
		<ul style="list-style-type: none"> <li>Tree plantation along the road shall be undertaken as per permit conditions issued by the Local Gov. authorities/Department of Forests/ wild life, prior to tree felling.</li> <li>The species shall be suitable for local climate and available. The concerned District Forest Officer can be consulted for selection of species and technical guidance, if required.</li> <li>Proper care shall be taken to increase survival rate of saplings like regular watering, pruning, provision of tree guards, manure for better nourishment, etc. including timely replacement of perished saplings.</li> </ul>
Equipment/ vehicles deployed for Construction works	<ul style="list-style-type: none"> <li>Spreading dust / smoke and impact due to hazardous emissions</li> <li>Pollution of Soil and Water via Fuel and Lubricants</li> <li>Nuisance to the public</li> <li>Traffic congestion</li> <li>Noise from vehicles</li> </ul>	<ul style="list-style-type: none"> <li>All Diesel run equipment/vehicles/ deployed for construction activities shall be regularly maintained for smooth operation, a measure contributing to air quality and noise.</li> <li>Vehicles/equipment shall be periodically subjected for emission tests and shall have valid POLLUTION UNDER CONTROL certificates. Revalidation of certificates shall be done once a year.</li> <li>All vehicles deployed for material movement shall be spill proof to the extent possible. In any case, all material movement routes shall be inspected daily twice to clear off any accidental spills.</li> </ul>
Clean up of construction work Sites and Disposal of waste		<ul style="list-style-type: none"> <li>All operational areas under road construction works like work sites, office/storage area, work force camps, and borrow areas, shall be cleaned up and restored to its previous state soon after operations are complete.</li> <li>All construction waste shall be disposed in approved areas. Local district authorities shall be consulted to determine disposal site and implement any conditions imposed while issuing permits.</li> </ul>
Social	<ul style="list-style-type: none"> <li>Access for Local Communities</li> <li>Labour</li> <li>HIV/AIDS and Human Trafficking</li> <li>Health and safety</li> </ul>	<ul style="list-style-type: none"> <li>Temporary access for local communities shall be maintained at all times during the contract.</li> <li>A Traffic Management Plan shall be prepared and updated both for road construction and during the remaining NWPC-ICB-1 Construction activities to ensure safe access is maintained at all times, or alternative detours are provided. Communities and public notices shall be prepared to inform road users of the changed conditions.</li> <li>Local labour be employed on the Project to the maximum extent possible.</li> <li>In accordance with Labour laws of GoSL the minimum working age for project labourers shall be 18 years old or older.</li> <li>Labour shall not be discriminated by basis of gender.</li> <li>Based on GoSL laws, employment and wage shall be in accordance with Sri Lanka' legal minimum wage laws, which</li> </ul>

Project Activity	Anticipated Impact	Mitigation Measures
		<p>were updated from 1 January 2016 (certified on 23 March 2016).</p> <ul style="list-style-type: none"> <li>• As a part of both the Health and safety requirements and under the standard International contract conditions of the MWSIP, it is required that HIV/AIDS and Human Trafficking Awareness be implemented by construction Contractors.</li> <li>• The Contractor shall prepare and enforce during construction, a detailed Health and Safety Plan, in accordance with the Health and Safety Manual, prepared by the PMDSC for the MWSIP. The Plan shall consider risks and mitigations posed regarding the actual planned and implemented construction activities as well as general H&amp;S requirements.</li> <li>• Recommended public measures may include barricades and traffic management, to prevent public accessing construction sites; awareness to communities, especially children to keep away from the construction areas; providing well-signed public access around construction sites, temporary bus-stops (where required) and temporary community accessibility to ensure the public do not use construction sites.</li> </ul>

## **ANNEX I : NWPC-NCB-1 COMPENSATION AWARDING CEREMONY**

## Awarding Ceremony of Compensation – NWPCP- NCB-1

Date – 22.05.2017

Time – 3.00 pm

Venue – Divisional Secretary Offices – Dambulla.

### Participants

1. District Secretary – Mathale
2. Divisional Secretary – Dambulla
3. Director Of Valuation – MATHALE
4. Resettlement Specialist – MWSIP- PMU
5. Senior Communication Officer – MWSIP- PMU
6. Grama Niladari – Walamitiyawa
7. Piu Staff – NWPCP

### Description

The program was organized by the Divisional Secretary and the PIU staff of the NWPC. This is the first awarding event of the compensation to the community affected due to the NWSIP. 11 land lots were acquired and there were 4 households. One is main land owner other 3 were lease holds. The affected household were satisfied with the compensation package.

### Click of the Program



