

Resettlement Policy Framework

INCLUSIVE CONNECTIVITY AND DEVELOPMENT PROJECT

**Ministry of Highways, Transport and Urban Development
Sri Lanka**

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Abbreviations

ADB	Asian Development Bank
AF	Additional Financing
APs	Affected Persons
ARAP	Abbreviated Resettlement Action Plan
CERC	Contingent Emergency Response Component
CRW	Crisis Response Window
CBO	Community Based Organization
CV	Chief Valuer
DS	Divisional Secretary
DSD	Divisional Secretary Division
EM	Entitlement matrix
ESCP	Environmental and Social Commitment Plan
ESDD	Environmental and Social Development Division
ESMF	Environmental and Social Management Framework
ESF	Environmental and Social Framework
ESS	Environmental and Social Standard
ESU	Environmental and Social Unit
GN	Grama Niladhari
GDP	Gross Domestic Product
GOSL	Government of Sri Lanka
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
IBRD	International Bank for Reconstruction and Development
IDA	International Development Association
ITS	Intelligent Transport System
LA	Land Acquisition
LAA	Land Acquisition Act
LAR	Land Acquisition Regulations
LARB	Land Acquisition Review Board
LARC	Land Acquisition and the Resettlement Committee
LDO	Land Development Ordinance
LRA	Livelihood Restoration Plan
MC	Municipal Council
M&E	Monitoring and Evaluation
MIS	Management Information System
NEA	National Environment Act
NIRP	National Involuntary Resettlement Policy
PAA	Project Approving Agency
PDNA	Post Disaster Needs Assessment
PDO	Project Development Objective
PMU	Project Management Unit
PRA	Participatory Rural Appraisal
PS	Pradeshiya Saba
RPF	Resettlement Policy Framework
RAP	Resettlement Action Plan
RDA	Road Development Authority
ROW	Right of Way
RP	Resettlement Plan
SEIMP	Social and Environmental Impact Mitigation Plan
SEP	Stakeholder Engagement Plan
TOR	Terms of Reference
TA	Technical Assistance
UC	Urban Council
UDA	Urban Development Authority
VD	Valuation Department
VLD	Voluntary Land Donation
WB	World Bank

Glossary

Affected Persons: A person directly or indirectly affected by changes arising from development projects in the use of land, water, forest, or other resources.

Compensation: Payment in cash or kind to replace an asset, resource or income source which has been acquired or affected by a project for which the person affected is entitled to, and the amount of money required to keep a person in the same socioeconomic position that he held before acquisition.

Income Restoration Program: Re-establishing income sources and livelihoods of affected persons either to the same level that they had prior to displacement or if possible, to a higher level.

Non-titled Persons: Persons who do not possess legal documents in support of claims made towards ownership of structures or land such as a squatter, encroacher, forceful occupier, or tenant without a proper lease agreement.

Physical Displacement: Relocation, loss of residential land, or loss of shelter as a result of involuntary acquisition of land, or obstructed access to resources (e.g., land, water, forest) where affected persons are required to move to another location. Physical displacement can be either permanent or temporary.

Regulations 2008: Land Acquisition Regulations of 2008 published in the Gazette of 07th April 2009.

Replacement Cost: Replacement cost involves replacing an asset at a cost prevailing at the time of acquisition. This includes fair market value, transaction costs, interest accrued, transitional and restoration costs, and any other applicable payments, if any. Depreciation of assets and structures should not be considered in calculating replacement cost. Where there are no active market conditions, replacement cost is equivalent to delivered cost of all building materials, labor cost for construction, and any transaction or relocation costs.

Relocation: Moving affected persons and their movable assets and rebuilding housing, structures, improvements to land and re-development of public infrastructure facilities in another location.

Resettlement Framework: A Resettlement Framework clarifies resettlement policy objectives, principles, organizational arrangements, and other mandatory requirements to be applied in a project with subprojects and resettlement plans for each sub project need to be prepared in consistent with the resettlement framework during project implementation.

Right of Way (ROW): In rural roads, there is no demarcation established at site laying boundary stones for ROW. But in Final Village Plans (FVP's), there are strips allotted for the roads and the private/government lands exist either side abutting to these strips (i.e., ROW). The edge between the strip and the land (ROW) is also shown in each lot plan. Fences and building / parapet walls are normally erected along the ROW line either side. But drains may or may not be erected along the ROW. In some cases, the drains may need to be located leaving some gap to the ROW. In such cases also there is a tendency to erect the fence/parapet walls along the outer edge of the drains encroaching the gap.

Under the above context, Right of Way (ROW) in this project is defined as the distance between existing drain to drain, fence to fence or building / parapet wall to building / parapet wall for a rural road. In locations where drains, fences or walls do not exist in the

road, the ROW is considered as the boundary of the private/government land on either side of the rural road.

Vulnerable persons: Distinct groups of people who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may suffer disproportionately than others and who may be limited in their ability to claim or take advantage of resettlement benefits and related development benefits.

1. INTRODUCTION

1.1 BACKGROUND

An efficient transport system is a pre-requisite for the rapid economic development of the country and for improving quality of life of people. With the expectation of steady economic growth, Sri Lanka has been investing in the development of road network across the country.

Sri Lanka's Road network is around 120,000km (classified roads); the network consists of three main classes of roads: (i) national highways - Class A and B (12,380 km, 10%), (ii) provincial roads - Class C and D (18,900 km, 16%), (iii) local/rural roads - Class R (88,200 km, 74%). While nearly 100% of national roads are paved, only 67 percent of the provincial roads and 13% of rural roads are paved and are in good condition. Most rural roads have been poorly designed, with no consideration to road safety or climate impacts.¹ Poor Road conditions at the provincial and rural level are further exacerbated by lack of proper maintenance due to limited funding allocations.

Road transport, being the only mode of transport in many rural areas, plays a key role in connecting the rural population with economic and social opportunities. Rural roads contribute to 95% of passenger and 98% of freight movement in the country. Therefore, uninterrupted road connectivity and accessibility to health care, education, employment opportunities, and other basic services is critical for rural communities. Road network connectivity also plays an important role in agriculture supply chains, the primary source of livelihoods of the rural communities in Sri Lanka. Hence, there is a need for a more market-integrated approach to road infrastructure development to ensure that produce can reach consumers (both in domestic and export markets) efficiently and without loss in quality.

The Government of Sri Lanka (GOSL) recently initiated a 100,000 km rural roads development program as part of the Government's national development program "Vistas of Prosperity and Splendor". This is expected to complement the other ongoing provincial and rural road initiatives financed by the World Bank and Asian Development Bank (ADB). The ADB is financing two separate "Integrated Road Investment Programs" (iRoad I and II), totaling US\$1.7 billion and covering the rehabilitation of almost 7,000 km of roads, predominantly rural roads with some national and provincial roads as well. The World Bank's ongoing Transport Connectivity and Asset Management Project (TCAMP) is financing the rehabilitation of around 400km of provincial roads across all nine provinces of the country. While these programs have been quite successful with improved connectivity and accessibility for some rural communities, they cover less than 10 percent of the 100,000 km rural roads program. The GOSL is now looking to scale up ongoing initiatives by building on the success and lessons learnt and establish a data-driven and comprehensive system to enhance rural transport infrastructure in an inclusive manner to support the rural community.

¹ Rural Roads and Community Access in Sri Lanka: An Overview, Amal Kumarage, 2003

Cyclone Ditwah made landfall on Sri Lanka's east coast on **28 November 2025**, triggering the country's most severe flooding and landslide disaster in decades. According to the **World Bank's Global Rapid Post-Disaster Damage Estimation (GRADE)** assessment, released on **22 December 2025**, the disaster caused an estimated **US\$4.1 billion** in direct physical damage, equivalent to approximately **4 percent of Sri Lanka's Gross Domestic Product (GDP)**. Nearly **2 million people**, representing approximately **500,000 households**, were affected across all **25 districts** of the country.

In response to the extensive damage sustained by the rural road network, the proposed **Additional Financing (AF)** will support the rehabilitation and climate-resilient upgrading of approximately **720 km of rural roads** across **eight districts**, with an indicative allocation of **90 km per district**. The intervention aims to restore connectivity, improve resilience to future climate-related disasters, and ensure reliable access to essential services, economic opportunities, and markets for affected communities.

1.2 PROJECT DESCRIPTION

This Additional Financing (AF) provides US\$110 million from the IDA CRW and, together with a concurrent restructuring, responds to the damage caused by Cyclone Ditwah while preserving prior investments. Total project financing increases to US\$610 million (US\$500 million IBRD original plus US\$110 million IDA CRW), and the closing date is extended by 36 months to October 31, 2029. The restructuring cancels the underperforming agriculture component, reallocates its funds, formalizes the second CERC activation, and revises the PDO and Results Framework accordingly.

The revised component structure is as follows:

Component 1 — Enhancing Safe and Climate Resilient Transport Connectivity (revised to US\$178.81 million, IBRD). Continues rehabilitation of priority rural roads, with the target scaled down from approximately 3,000 km to about 1,000 km reflecting earlier CERC reallocations, across 19 districts spanning all nine provinces. The component now also finances rehabilitation/reconstruction of 39 structurally weak bridges on the national network, drawing on US\$15.06 million in savings from the First CERC, and includes reallocated funds (US\$5 million from Component 2) for rural roads in remote districts. It continues to support the road sector's institutional and policy framework and stakeholder capacity. It will further strengthen maintenance activities under the project.

Component 2 — Enhancing Supply Chain and Access to Services for Farmers (cancelled). Originally financed at US\$50 million, this component is cancelled owing to persistent implementation delays and capacity constraints. Its funds are reallocated to Components 1 and 3.

Component 3 — Contingent Emergency Response Component (revised to US\$319.94 million, IBRD). The CERC has been activated twice. The First CERC (2023) deployed US\$309.94 million for fertilizer and social protection support during the economic crisis, reaching some 3.09 million beneficiaries. The Second CERC (2026) reallocates US\$10 million from Component 2 to support the immediate restoration of roads damaged by Cyclone Ditwah.

Component 4 — Provincial and Local Road Recovery (new, US\$110 million, IDA CRW). Financed by the AF, this component supports repair and reconstruction of approximately 600 km of provincial and local roads damaged by Cyclone Ditwah in eight districts of Kandy, Nuwera Eliya, Badulla, Matale, Kegalle, Puttalam, Rathnapura, and Gampaha, building back with enhanced resilience. It also supports related technical assistance, institutional strengthening and capacity building, project supervision.

Implementation Arrangements

The Road Development Authority (RDA), under the Ministry of Transport, Highways and Urban Development (MoTHUD), remains the primary implementing agency for all components, including the Second Contingent Emergency Response Component (CERC). Day-to-day implementation is carried out by the existing Project Management Unit (PMU) established within the RDA, which retains responsibility for overall project coordination, fiduciary management, and monitoring and evaluation. A Project Steering Committee continues to provide strategic oversight and inter-agency coordination. For the new road-recovery activities (Component 4), the RDA coordinates with the Provincial Road Development Authorities (PRDAs) and local road authorities, building on the mechanisms established under Component 1, with implementation supported by provincial-level Project Implementation Units (PIUs). Technical partners include the National Building Research Institute (NBRI), which vets complex designs, reviews slope-

stabilization works, and provides landslide hazard zonation, and the Irrigation Department, which clears works near irrigation canals and water bodies.

Environmental and social risks are managed under the project's Environmental and Social Management Framework (ESMF), Resettlement Policy Framework (RPF), Stakeholder Engagement Plan (SEP), and Environmental and Social Commitment Plan (ESCP), with the RDA's Environmental and Social Division serving as the main focal point for Environmental and Social Framework (ESF) implementation. Site-specific Environmental and Social Management Plans (ESMPs) will be prepared progressively as road sections are identified, and strengthened work-zone safety protocols are embedded in all civil works contracts. Monitoring and evaluation is led by the PMU through quarterly project monitoring reports and Implementation Status and Results Reports (ISRs), supported by community monitoring groups and Grievance Redress Committees. The Second CERC is implemented by the RDA and governed by the approved CERC Operations Manual and an agreed Emergency Action Plan.

1.3 OBJECTIVES OF THE RESETTLEMENT POLICY FRAMEWORK

The overall objective of the Resettlement Policy Framework (RPF) is to establish the standards and provide guidance for all the interventions that will take place under the Project. The principle set out by the RPF is to ensure that the impacts of land acquisition and resettlement are either avoided, minimized, or mitigated, allowing people affected by the project to improve or, at the very least recover their livelihoods and previous standards of living. The resettlement programs will be executed as sustainable development programs and will ensure that the people affected by the project are given the opportunity for meaningful consultation and are able to participate in the planning and implementation of the resettlement plans. The RPF is based on the Sri Lankan laws and regulations pertaining to land acquisition and resettlement, and the World Bank's Environmental and Social Framework (ESF) including Environmental and Social Standards (ESS) on Assessment and Management of Environmental and Social Risks and Impacts (ESS-1), Labor and Working Conditions (ESS-2), Community Health and Safety (ESS-4), Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS-5) and Stakeholder Engagement and Information Disclosure (ESS-10). The RPF also draws reference from the Guidance Note for Borrowers for ESS5: Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement.

Significant land acquisition is not envisaged under the Project since all rehabilitation and improvement works are expected to be confined to the existing Right of Way (ROW). But in the case of small strips of private lands required for road improvements such as improving side drains, lead-aways or curve improvements, etc., the project implementors will follow the guidance outlined in this RPF to acquire the necessary land. The project implementors will acquire land through the processes outlined in the GOSL's land acquisition-related laws and regulations. Compensation for persons affected by land acquisitions will follow the provisions in the entitlement matrix included in this RPF. In the occurrence of any voluntary land donation, the project will ensure the 'voluntariness' of such transactions. In event of failure to acquire land, through purchase or donation, the Project will explore the possibilities of modifying the technical designs to minimize the requirement for additional land while ensuring the safety of the road users.

If people are economically or physically displaced by project activities, a detailed Resettlement Action Plan (RAP) or an Abbreviated Resettlement Action Plan (ARAP) will be prepared for a province/district considering the number of affected people in the project. The ARAPs/RAPs will include a socio-economic analysis of the areas affected by the project, profiles of the affected populations, consultations conducted with the affected parties and the provisions for providing compensation and other resettlement assistance for the affected parties. The entitlements of the affected parties, strategies for the restoration and development of their livelihoods and incomes,

institutional arrangements for RAP/ARAP implementation, monitoring and reporting framework, budget, and time-bound implementation schedule will also be clearly spelled out in the RAP/ARAP. The draft RAPs will be disclosed in places easily accessible to the public in a form and language(s) understandable to affected persons and other stakeholders. The draft RAPs should be consulted upon and revised based on the feedback received from the stakeholders. Once updated, the final RAPs will have to be disclosed on the Project and the World Bank's external websites.

This RPF will guide the preparation of RAP or ARAP in the future, once the detailed designs are available for each sub-project. The project's obligation for resettlement planning for displaced populations will be explicitly stated in the Environmental and Social Commitment Plan (ESCP). In addition, an Environmental and Social Management Framework (ESMF) will be prepared to address the non-land-related impacts.

2. BASELINE SOCIO-ECONOMIC CONDITIONS IN THE PROJECT AREA

2.1 PROJECT AREA

The Resettlement Policy Framework (RPF) will be applicable to all linked investment activities financed under this project. The project operates across Sri Lanka, with the Additional Financing (Component 4 and Sub-component 3.2) focused primarily on the Central Province districts of Kandy, Nuwara Eliya, and Badulla — the most severely affected by Cyclone Ditwah — and potentially extending to other districts where Post Disaster Needs Assessment (PDNA)-identified damage warrants intervention. The original Component 1 works span 19 districts across all nine provinces.

2.2 COUNTRY CONTEXT

Sri Lanka is a middle-income country with a GDP per capita of USD 4,516 (2024) and a total population of 21.8 million people. Following 30 years of civil war that ended in 2009, Sri Lanka's economy grew at an average of 5 percent during the period of 2024, reflecting a peace dividend and a determined policy thrust towards reconstruction and growth, although growth slowed down in the last few years.

The economy is transitioning from a predominantly rural-based economy towards a more urbanized economy oriented around manufacturing and services. Social indicators rank among the highest in South Asia and compare favorably with those in middle-income countries. Economic growth has translated into shared prosperity with the national poverty headcount ratio declining from 15.3 percent in 2006/07 to 4.1 percent in 2016.

Extreme poverty is rare and concentrated in some geographical pockets; however, a relatively large share of the population subsists on slightly more than the poverty line. Low fiscal revenues combined with largely non-discretionary expenditure in salary bill, transfers, and interest payments have constrained critical development spending on health, education, and social protection, which is low, compared to peer countries. Public debt levels are high while the overall debt portfolio indicates some important challenges.

2.3 SOCIO-ECONOMIC PROFILE

2.3.1 Project area within the AF districts

The proposed project area for AF are the 8 districts as Rathnapura, Kegalle, Kandy, Matale, Nuwara Eliya, Badulla, Puttalam, and Gampaha, particularly under multiple Divisional Secretariat Divisions (DSDs).

2.3.2 Population Distribution and Characteristics

Population Distribution by Sex: Out of the Sri Lankan total population of 21,791,800, the 08 Districts population consists of 8,807,209 persons with 4,269,473 males and 4,877,36 females (2024). At National District level, the female population slightly exceeds its counterpart male population, with 93 to 93.3 sex ratios (number of males for 100 females), respectively. Female population is estimated at 51.7% and males 48.3% in 08 districts. All 8 districts account for 40.41 % of the total population of the country. Table 2 below presents the total population in) 08 Districts by gender with corresponding information at National level.

Table 1: Population Distribution by Sex (2024)

District	Total Population	Male	Female
Sri Lanka	21,791,800	10,512,344	11,269,456
Gampaha	2,436,142	1,175,469	1,260,673
Kandy	1,461,895	696,713	765,182
Matale	526,870	255,221	271,649
Nuwa Eliya	725,280	346,471	378,809
Puttalam	818,816	394,244	424,572
Badulla	822,307	422,818	449,489
Ratnapura	1,145,423	562,459	582,964
Kegalle	870,476	416,078	454,398

Source: Population based on Census of Population and Housing- 2024

Table 2: Economically active population in 08 Districts

District	Total	Male	Female
Sri Lanka	100	60.6	39.4
Gampaha	100	67	33
Kandy	100	63.3	36.7
Matale	100	66.2	33.8
Nuwa Eliya	100	61.7	38.3
Puttalam	100	68.8	31.2
Badulla	100	64.9	35.1
Ratnapura	100	66.3	33.7
Kegalle	100	60.8	33.2

Source: Sri Lanka Labor Force Survey Annual Report – 2019 (Dept. of Census and Statistics)

Rate of Unemployment: As per Census and Statistics Department Survey 2024, while rate of unemployment at national level stands at 4.4% male 3% and female 7.1%. The sector composition of economies represents the level of economic development and socio-economic dynamics of the concerned population. With this regard, one of the indicators commonly used is to measure the size of labor force employed in different sectors. The distribution of employment among key economic sectors in all 08 District is presented in the following Table 3.

Table 3: Distribution of employment among economic sectors in 8 Districts

District	Agriculture sector (%)	Industrial sector (%)	Service sector (%)
Sri Lanka	26	25.6	48.5
Gampaha	4.3	35.5	60.2
Kandy	18.9	24.5	56.5
Matale	34.4	23.6	42
Nuwa Eliya	56	13.3	30.7
Puttalam	27.7	29.2	43.1
Badulla	47.7	15.9	36.3
Ratnapura	38.3	29	32.7
Kegalle	22.9	30.3	46.8

Source: Sri Lanka Labor Force Survey, Annual Report, 2019 (Dept. of Census and Statistics)

2.3.3 Socio-Economic Status of Households

Household Income and Expenditure: After considering district level macroeconomic situations, it is necessary to pay attention to micro level considerations, like household income and expenditure levels for assessing economic situations of people in the district. Table No.4 below shows district level household income and expenditure.

Table 4: Household income and expenditure in 08 Districts

District	Mean Monthly household income (SLR)	Mean monthly household expenditure (SLR)	Food and drink expenditure	Non-food expenditure
Sri Lanka	76,414	63,130	22,130	4,1000
Gampaha	100,455	84,413	25,205	59,208
Kandy	74,821	66,997	21,632	45,364
Matale	54,910	49,533	20,479	29,052
Nuwa Eliya	54,504	41,969	21,037	20,933
Puttalam	85,897	63,736	23,614	40,121
Badulla	66,413	46,971	17,780	29,192
Ratnapura	52,956	44,864	19,205	25,662
Kegalle	60,828	50,340	20,424	29,916

Source: Household Income and Expenditure Survey – Final Report 2024 (Department of Census and Statistics)

Sri Lanka's national-level household income was reported as SLR 76,414/- during the 2024 survey year, with some deviation from the other eight districts. Income level analysis alone is not enough to make assessments on household economic status. For a complete representation, it is necessary to consider the consumption expenditure of households as well.

Table 5: Population distribution by ethnic groups in 08 Districts (Percentage values in parenthesis)

Area	Total	Sinhalese	SL Tamil	Indian Tamil	SL Moor	Other
Sri Lanka	21,781,800	16,144,037 (74.11%)	2,681,627 (12.31%)	600,360 (2.76%)	2,283,246 (10.48%)	62,530 (0.29%)

Gampaha	2,436,142	2,188,512 (89.84%)	97,925 (4.02%)	6,575 (0.27%)	123,220 (5.06%)	19,910 (0.82%)
Kandy	1,375,382	1,077,312 (78.33%)	122,772 (8.92%)	38,311 (2.79%)	219,905 (15.99%)	3,595 (0.26%)
Matale	526,870	424,788 (80.63%)	42,172 (8.00%)	7,716 (1.46%)	51,471 (9.77%)	729 (0.14%)
Nuwa Eliya	75,280	281,904 (3.74%)	60,288 (0.8%)	362,299 (4.8%)	19,245 (0.25%)	1,544 (0.02%)
Puttalam	818,816	591,753 (72.27%)	48,544 (5.93%)	1,229 (0.15%)	174,497 (21.31%)	2,793 (0.34%)
Badulla	872,307	640,625 (73.44%)	81,854 (9.38%)	95,686 (10.97%)	52,188 (5.98%)	1,954 (0.22%)
Ratnapura	1,145,423	1,003,515 (87.61%)	91,300 (7.97%)	23,991 (2.09%)	25,870 (2.26%)	747 (0.07%)
Kegalle	870,476	736,387 (84.59%)	40,484 (4.65%)	21,244 (2.44%)	71,794 (8.25%)	567 (0.07%)

Source: Census of Population and Housing-2024

Population Distribution by Ethnic Groups: As per the above Table 5, Sinhalese is the major ethnic community representing 74.11% of the total population at National level. The National level population consists of 15.07% Tamil population (Sri Lankan and Indian Tamils both) and 10.48% Sri Lankan Moor population.

Literacy Level: Educational attainments of populations provide important insights in the assessment of socio-economic situations in the areas under consideration. The following table presents this information.

Table 6: Populations (5 years and over) by educational attainments

Area	Total	Up to grade 5	Passed grade 6-10	GCE(OL)	GCE (AL) or over	No schooling
Sri Lanka	13,871,317	12.5	36.4	22	26.2	2.9
Gampaha	1,620,233	6.1	33.2	27.1	32.5	1.1
Kandy	922,349	11	32.4	23.3	30.3	3
Matale	332,816	15.1	40.9	19.5	21	3.5
Nuwa Eliya	442,909	22.5	36.5	18.1	14.6	8.3
Puttalam	502,772	17.8	42.1	18.9	18.3	2.9
Badulla	549,534	16	35.9	20.4	21.7	6
Ratnapura	746,826	15.6	39.9	19.3	20.7	4.5
Kegalle	568,508	11.6	35.6	23.3	27.1	2.4

Source: Census of Population and Housing Survey, Census and Statistic Department 2024

At National level, 48.9% of the population has educational attainments up to secondary level education. However, access to higher education [GCE (OL+AL), Degree and above] 48.2. While 'No schooling' population accounts for 2.9% of the total Sri Lankan population.

2.3.4 Housing Characteristics

The following table presents information on households by tenure which forms an important consideration in resettlement planning exercises.

Table 7: Households by tenure

Area	Total	Owned by Household member	Rent/ Lease Govt. owned	Rent/ Lease privately owned		Occupied free of Rent	Encroached	Other
Sri Lanka	100	84.6	2.0	6.4		5.4	0.7	0.9
Gampaha	100	81.6	2.2	12.5		2.2	0.8	0.7
Kandy	100	84.6	3.0	5.3		5.0	0.7	1.4
Matale	100	86.7	1.7	3.8		5.9	0.7	1.2
Nuwa Eliya	100	52.2	2.1	4.4		39.8	0.7	0.8
Puttalam	100	87.2	1.4	5.2		4.6	0.7	0.9
Badulla	100	80.5	2.4	2.9		10.8	1.0	1.4
Ratnapura	100	85.5	2.3	4.0		5.7	1.3	1.2
Kegalle	100	86.9	2.1	3.9		5.1	0.3	1.7

Source: Census of Population and Housing-2024

Many households are owned by householders themselves, amounting to 84.6% of the total household at National level. Data indicates that larger share of residents among the other eight districts, compared with the national average are also living in occupied/encroached premises.

2.3.5 Access to Public Utilities

Table 8: % Distribution of households by principal type of lighting

Area	Total	Electricity	Kerosene	Solar power	Other
Sri Lanka	100	98.8	1	0.1	0.1
Gampaha	100	99.5	0.2	0.2	0.1
Kandy	100	98.9	0.7	0.4	0.0
Matale	100	98.5	1.3	0.0	0.2
Nuwa Eliya	100	99.5	0.4	0.0	0.1
Puttalam	100	98.2	1.7	0.1	0.0
Badulla	100	98.9	0.9	0.2	0.0
Ratnapura	100	98	1.7	0.3	0.0
Kegalle	100	98.8	1.0	0.2	0.0

Source: Household Income and Expenditure Survey – Final Report 2019 (Department of Census and Statistics)

Table 9: Households by source of drinking water (Availability of drinking water source)

Area	Total	Within the housing unit	Within the premises	Outside the premises
Sri Lanka	100	77.6	14.6	7.6
Gampaha	100	89.6	7.3	3.1
Kandy	100	86.4	8.9	4.7
Matale	100	76.6	12.7	10.7
Nuwa Eliya	100	60.5	25.8	13.7

Puttalam	100	65.6	19.3	15.1
Badulla	100	71.3	21.3	7.4
Ratnapura	100	79.20	14.6	6.2
Kegalle	100	82.5	11.3	6.2

Source: Census of Population and Housing-2024

Table 10: % Distribution of Households in Occupied Housing Units based on type of Cooking Fuel

Area	Total	Firewood	Gas
Sri Lanka	100	55.4	42.4
Gampaha	100	31.8	63.9
Kandy	100	58.3	40.3
Matale	100	75.5	23.5
Nuwa Eliya	100	71.9	26.6
Puttalam	100	60.0	37.3
Badulla	100	80.6	18.7
Ratnapura	100	78.1	20.8
Kegalle	100	72.9	26.0

Source: Census of Population and Housing-2024

Comparing the 2012 and 2024 census data, the use of firewood has decreased and the use of gas has increased among the above eight districts

2.4 NATIONAL TRENDS ON GENDER AND VULNERABILITY

According to the United Nations Development Programme (UNDP) Human Development Report 2023, Sri Lanka ranked 89 among 193 countries in the Human Development Index (HDI). The country has an HDI of 0.776, with a rank of 89 for its Gender Inequality Index (GII). GII measures gender inequality in three dimensions: reproductive health, empowerment (political participation and education), and labor market participation.⁵ The sex ratio is in favor of women (93:100) both at the national level and among eight districts as they accounted for 48.7% and 51.3% of the national and district population in the 2024 National Census, respectively.

Workforce Participation of Women: The data from ILO modelled estimate shows that while percentage of women working in the agricultural sector is higher, women are lagging in the industry and service sector by a margin of 2.2% and 2.9%, respectively.⁶

Political Participation: Despite significant efforts towards gender equality, women are underrepresented in political and public decision-making in Sri Lanka. The percentage of women in Parliament has exceeded to 6% after the year of 1930. And increased to 9.7% of women elected to Parliament in the General Elections in 2024. Women were even less represented at the municipality and local government level, comprising only 22.8% of elected officials between 2018.⁷ However, women's representation increased to 29.1% in 2018 after establishing a 25% quota for women in local authorities.⁸

Access to Health Services: Universal access to free health services has resulted in a decline in mortality rates, especially among women. Female feticide and infanticide have not been reported. Sri Lanka also has a low prevalence of HIV/AIDS cases (0.1%). Utilization of health services such as antenatal and postnatal care and immunization, and institutional births are near universal, but the rising cost of drugs in an unregulated market creates hardships for the poor.⁹

Access to Education: The provision of free state education supported by extensive incentives such as free textbooks, free uniforms, scholarships, subsidized transport for all, and free school meals for the children of the economically disadvantaged have resulted in a rapid rise in the participation rates at school to over 95% and the achievement of gender parity in enrollment in primary, secondary, and university education. Girls (96.9%) have higher enrollment and retention rates in secondary education than boys (96.8%). The percentage of female students in universities and non-vocational tertiary education are higher than that of male students (ADB, 2015).

.⁴<http://www.statistics.gov.lk/IncomeAndExpenditure/StaticalInformation/HouseholdIncomeandExpenditureSurvey2016FinalReport>

⁵ <http://hdr.undp.org/sites/default/files/hdr2019.pdf>

⁶ <http://datatopics.worldbank.org/gender/country/sri-lanka>

⁷ <https://asiapacific.unwomen.org/en/countries/sri-lanka>

⁸ https://www.clgf.org.uk/default/assets/File/Country_profiles/Sri_Lanka.pdf

⁹<https://www.adb.org/sites/default/files/institutional-document/172710/sri-lanka-country-gender-assessment-update.pdf>

Prevalence of Gender Based Violence: Despite amendments to the Penal Code and the Prevention of Domestic Violence Act, the incidence of GBV continues to be high as per studies conducted by relevant service entities and NGOs (WHO, 2018). At present, there are no mechanisms for systematic collection of data on GBV in the country. The UN multi-country study on men and violence by CARE, Partners for Prevention, and the UN (2013) revealed that a significant majority of men and women in Sri Lanka subscribe to attitudes that perpetuate gender inequality.¹⁰

Sri Lanka's Demographic Health Survey (DHS) 2016 indicated that almost 17% of ever-married women had experienced intimate partner violence during the preceding 12 months, with urban women reporting a slightly higher prevalence than rural women. Furthermore, 13% of all the women who suffered from violence declared to have suffered violent behaviors by an intimate partner on a daily basis and violence increases with the age of the women. Among all women who have experienced domestic violence, only twenty-eight percent (28%) sought help to escape from violence. In Ratnapura, 13.2% of women between the ages of 15-49 have experienced at least one form of domestic violence, while 36.8% of those who suffered sought help as per the Demographic and Health Survey, 2016 report.¹¹

While the legal age of marriage in the country is 18 years, 2% of females below the age of 15 and 12% of females under 18 years of age are living in cohabitation.¹² This impedes many girls from fulfilling their aspirations and is also a cause for gender inequality and gender-based violence. Prevalence of inter-state and cross-border trafficking has also been reported in US State Department's Trafficking in Persons Report 2017, which states that trafficking for sex and exploitative forms of labor exists, especially in cases where women travel out of the country to work as domestic help or in garment factories.¹³

¹⁰ This study was undertaken in four districts- Colombo, Hambantota, Nuwara Eliya and Batticaloa.

¹¹ <http://www.statistics.gov.lk/Resource/en/Health/DemographicAndHealthSurveyReport-2016-Contents.pdf>

¹² <http://www.iccnwispncanarc.org/upload/pdf/2501970655EMERGING%20CONCERNS%20AND%20CASE%20STUDIES%20ON%20CHILD%20MARRIAGE%20IN%20SRI%20LANKA%20%20.pdf>

¹³ <https://www.state.gov/wp-content/uploads/2019/02/271339.pdf>

3. POTENTIAL SOCIAL IMPACTS ASSOCIATED WITH THE PROJECT

3.1 SOCIAL BENEFITS OF THE PROJECT

The project is anticipated to provide positive benefits in terms of enhanced access to national roads, reduction in travel time and transportation costs in transporting agricultural produce, and income generation from the construction work. Further, the project activities will result in increased connectivity and accessibility to services such as higher educational institutions, markets, better employment opportunities and health care facilities, particularly for those residing in remote areas who are more vulnerable during public health emergencies such as the COVID-19 pandemic.

3.2 ADVERSE IMPACTS

While the overall project is envisaged to have positive social benefits and impacts, the upgrading of existing infrastructure is likely to result in significant social impacts that will need to be mitigated across the detailed design and implementation phases of the investments.

Some of the potential social risks associated with the project components identified during the screening process include:

- a) No land acquisition is envisaged. The rehabilitation and maintenance of proposed roads will be within the existing right-of-way, to the extent possible. However, development of future investments under the project may lead to land acquisition resulting in displacement of titleholders and non-titleholders.
- b) The project will rely on land acquisition process as per the requirements of existing laws and regulations. The process of voluntary land donation for acquiring additional small parcels of private land will be considered under exceptional circumstances on meeting certain conditions/criteria outlined in the RPF.¹⁴ There may be a potential risk of donations being induced through informal pressure or, in extreme cases, coercion. In other cases, people may agree to donate land because they are not aware that they are entitled to compensation and they have not been given sufficient information to make an informed choice. To address these potential risks, project must ensure that the process of voluntary land donation is well documented and third-party due diligence is undertaken. It is important to confirm that land donated is free of encumbrances and that it will not impact on the livelihoods and incomes of the donors and their physical/economic displacements. Where land is donated by the owner, other users and occupiers of the land who will be physically or economically displaced because of donation should equally be consulted, and the impacts on them should be addressed in accordance with the RPF and ESS 5.
- c) Mitigation measures such as providing monetary and non-monetary assistance such as labor and transport, etc, including for displacement and relocation of small commercial units, will be addressed in accordance with the RPF and ESS 5.
- d) During construction period, there can be temporary disruption to services such as telecommunication, water supply and electricity facilities in all proposed roads.
- e) Civil construction works may also cause unanticipated adverse impacts on communities living beyond the area earmarked for the project. Such adverse impacts include accidental damages to properties due to vibration caused by the use of heavy machinery and piling, minor access difficulties, safety issues, and inconveniences and disturbances due to dust and noise generated by construction works. All these impacts can be minimized with known technology and good construction management practices. The ESMF will outline mitigation measures to address these risks.
- f) Influx of migrant workers may result in increased illegal/sexual misconduct or gender

- based violence. The children and women accessing the schools and hospitals, including those residing near the project sites, are most vulnerable. Measures to mitigate GBV/SEA/SH risks are outlined in the ESMF.

- g) Gender-based discrimination against women employees under the project is also a potential risk. Mitigation measures to address some of these potential discriminatory practices, in alignment with existing laws and regulations, are outlined in the LMP. While the LMP can only facilitate implementation of existing non-discriminatory policies/laws, to address gender gaps in employment within the project, the following interventions have been proposed: (a) formation of women's community road maintenance groups (CMGs) to manage road maintenance activities; (b) communication campaigns to inform women of opportunities related to road maintenance and rehabilitation, including (c) trainings to build their capacity and enhance their skills.

¹⁴ Voluntary land donation is subject to prior Bank approval, provided the Borrower demonstrates that: (a) the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them; (b) potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation; (c) the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels; (d) no household relocation is involved; (e) the donor is expected to benefit directly from the project; and (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land. The Borrower will maintain a transparent record of all consultations and agreements reached.

4. LEGAL, INSTITUTIONAL AND REGULATORY FRAMEWORK

This chapter examines the laws and policies that relate to the recovery of possession of state lands, land acquisition and involuntary resettlement. It will also review the legal and regulatory framework that governs the construction, operation, and maintenance of public infrastructure facilities as well as the protection and sustenance of places that are of environmental, social, and cultural significance. The World Bank's Environmental and Social Framework (ESF) is also discussed, as are the gaps between national laws and policies and the ESF, along with proposals to overcome or mitigate these gaps.

4.1.1 NATIONAL LEGAL FRAMEWORK RELATING TO LAND ACQUISITION AND RESETTLEMENT

There are several laws and policies governing land acquisition for public purposes, the recovery of state lands, rights of acquisitive prescription, the declaration of reservations, compensation for property losses and compensation for improvements. The principal legislative enactments comprise of:

4.1.2 Land Acquisition Act No. 9 of 1950

The acquisition of land for public purposes is guided by the provisions and procedures outlined in the Land Acquisition Act No. 9 of 1950 (LAA) and its subsequent amendments. The Act provides framework for land acquisition and guarantees that no one can be deprived of land except under the provisions of the LAA, and it entitles Affected Persons (APs) to a hearing before acquisition. The Act is based on the principle of eminent domain and lays down the general procedure for the acquisition of private land for 'public purpose' (e.g., development projects). The acquisition of land for public purposes is a time-consuming process and can take a minimum of 72 weeks for its completion. The procedures involved in acquiring land for public purposes and the minimum time for the tasks are set out in **Annex 1**. The Act discourages unnecessary acquisition, and lands that have been acquired for one purpose cannot be used for a different purpose, and lands that remain unused must be returned to the original owners. The major causes of delay in land acquisition arise from disputes over land titles, disagreements over property valuation and the compensation procedure and attendant legal proceedings.

There is also a provision under Section 38(a) of the LAA to acquire lands under an urgency clause. Specifically, Section 38 (a) proviso allows taking over the immediate possession of any land on grounds of 'urgency', if the Minister of Lands is of the opinion that the land is 'urgently needed for development projects and cannot wait until the compensation inquiry is over'. In such a situation, the Minister of Lands may issue an order under Section 38 (a) proviso after Notices under Section 2 or 4 are published. The acquiring officer will thereafter request the Chief Valuer to prepare a Condition Report of the property, as at the date of taking over, to facilitate assessment of compensation to be paid once Notice under Section 7 is published. Application of Section 38 (a) proviso avoids several provisions prescribed under the general procedure for land acquisition. This provision bypasses the issue of Section 4- Notice (Intention of Acquisition), which allows the landowner or any other interested parties to raise their objections to the acquisition of a particular land. Furthermore, Section 38 (a) proviso allows the acquiring officer to take over the immediate possession of the land and vesting it in the institution which has requested the acquisition of such land, before compensation is paid to the affected parties. The enforcement of Section 38(a), however, is not permitted as it contravenes the basic principles of the Bank's ESF since ESS5 requires prior compensation and an approved resettlement plan, and does not permit use of an

emergency clause to expedite land acquisition and displacement.

One of the inadequacies of the LAA is that the onus to prove ownership or interest in, to demonstrate clear title to, and to gather all the information and submit a claim for compensation for the land to be acquired, rests with the affected persons. The people being displaced are often unaware of their rights or the time frames that must be observed under the LAA, or they are aware, but are ill-equipped to deal with the required procedures and lack experience in dealing with government officials and providing the necessary documentation.

Under the LAA, the Ministry of Lands is responsible for land acquisition, which is carried out by acquiring officers who are appointed by the Minister of Lands and gazetted for the information of the public. All Divisional Secretaries are the ex-officio Acquiring Officers, whereas the Valuation Department is responsible for the valuation. The law only provides for compensation to affected persons who are in possession of valid titles, and have their titles registered in the respective Land Registries. It does not recognize the rights of the non-title holders such as squatters, who do not possess legal title to the lands they live in or make a living from. There is no provision to mitigate the impacts on non-titleholders under the LAA.

The LAA provides for compensation for lands and other fixed assets built and grown on them (structures, trees and orchards and crops). It also covers loss of income for people who can provide documentary proof of their losses, up to a maximum of their average net profit for the three years immediately preceding publication of the Section 07 Notice under the LAA. As described in the ensuing section, the Land Acquisition Regulations of 2008 have introduced provision to compensate for loss of income and other impacts based on furnishing other evidence in lieu of the documentary proof of payment of income tax. However, the 2008 Regulations do not cover people that cannot produce any documentary evidence of loss of income.

4.1.2 Land Acquisition Regulations of 2008

The LAA provides for the payment of compensation based on ‘market value’ defined as the ‘amount which the land might be expected to have realized if sold by a willing seller in the open market as a separate entity’. This ‘separate entity principle’ resulted in hardships particularly when a small part of a larger land was acquired since such small areas of land fetched a minimum value in the open market. The Land Acquisition Regulations of 2008 approved by the Cabinet of Ministers and the Parliament under Section 63 (2) (f) of LAA 1950 and published in the Government Gazette of 07th April 2009 (Gazette notification No.1596/12 of 7.4.2009) gave the legal status to these Regulations. It also bound all development projects by the consolidated land acquisition and resettlement/rehabilitation processes outlined in the National Involuntary Resettlement Policy of 2001(see below for description of this policy). The Regulations redefine the valuation approach for determining market value and states that ‘in the case of land where part of a land is acquired and when its value as a separate entity deems to realize a value proportionately lower than the Market Value of the main land the compensation should be proportionate to the value of the main land’. The Regulations also provides additional compensation beyond ‘market value’ and incorporates compensation for injurious affection and severance (equivalent to the full cost of damage based on the market value of land acquired) and disturbances (in terms of Section 3.11 and based on the principle of ‘value to owner’ of the property affected as per the written claims submitted by the AP). The regulations also provide for payment of compensation to non-titleholders.

The 2008 Regulations incorporate the concept of replacement cost in the valuation of land and other assets. The regulations require compensation for land to be paid at market rates, along with the cost of reconstruction for houses and other structures, without considering depreciation of the buildings. The Regulations also include provision to compensate for loss of business income, as well as relocation assistance and other benefits. Further, the 2008 Regulations provides for affected persons to be entitled for a hearing before their land is acquired. However, the level of compensation can only be determined by the Valuation Department. The 2008 Regulations are shown in **Annex 2**.

4.1.3 Land Acquisition (Payment of Compensation) Regulations of 2013

The Land Acquisition (Payment of Compensation) Regulations of 2013 apply only for development projects which are designated as ‘specified project’ by the Ministry of Lands and ratified by the Cabinet of Ministers and the Parliament of Sri Lanka. The Regulations provides for a comprehensive compensation package following land acquisition. The specified projects qualify to establish Land Acquisition and Resettlement Committees (LARC) in the Divisional Secretary Divisions where the persons affected by land acquisition can make their representations. Affected parties also have the opportunity to appear before the LARC proceedings and those dissatisfied with LARC decisions on compensation may appeal to the Super LARC established at the national level.

The LARC system provides a mechanism for the parties affected by land acquisition to appeal for a higher compensation if they were dissatisfied with the statutory compensation paid to them under the Land Acquisition Act (LAA) of 1950. The LAA of 1950 provides only a limited appeal process for aggrieved parties through the Land Acquisition Review Board (LARB) which is hardly accessible to many affected parties (APs) particularly the poor and vulnerable due to cost and time. Instead, the LARC established at divisional secretariat level and chaired by the Divisional Secretary is easily accessible to APs where he/she will be given an opportunity to make their representations during LARC proceedings. Participation in LARC proceedings has a minimum cost to the APs and he/she can present their grievances and needs before the LARC. The LARC is constituted by the Divisional Secretary or Assistant Divisional Secretary of the relevant Divisional Secretary’s Division, the Surveyor General or his nominee, the Chief Valuer or his nominee and an officer not below the rank of the Assistant Secretary nominated by the Minister to whom the subject of the respective Specified Project has been assigned. LARC offers an ex-gratia package of compensation which among others include compensation for land, encroached state land, buildings, and structures, rent controlled premises under the Rent Act, loss of business and livelihoods, allowances for vulnerable families, loss of wages and employment, ex-gratia payments for handing over possession of property before the deadline, payments for relocation and self-relocation etc.

APs who are dissatisfied with the decisions of LARC can appeal to the Super LARC established at national level and constituted by LAR 2013. The Super LARC consists of the following members appointed by the Minister:

- The Secretary of the Ministry of the Minister to whom the respective subject of the Specified Project is assigned or his representative.
- The Secretary of the Ministry of the Minister to whom the subject of Land and Land Development is assigned or his/her representative.
- The Secretary of the Ministry of the Minister to whom the subject of Finance is assigned or his/her representative.
- The Chief Valuer or his representative.
- The Survey General or his representative.

- The Chairman or Chief Executive Officer of the respective Specified Project or are presentative nominated by him/her

4.1.4 National Environment Act No. 47 of 1980

The National Environment Act No. 47 of 1980, as amended in 1988, also refers to involuntary resettlement. The Minister has by Gazette notifications 772/22 published on 24 June 1993 and No859/14 of 23.02.1995, determined the types of projects for which an EIA is required under Part IV (c) of the Act. The prescribed project schedule requiring EIA includes item 12, which refers to “involuntary resettlement exceeding 100 families, other than resettlement resulting from emergency situations”. The Minister by order published in the Gazette has specified the projects and undertakings in respect of which approval should be obtained from the Project Approving Agency (PAAs). The project proponent is required to prepare an IEE or EIA according to CEA guidelines.

4.2 NATIONAL LAWS RELATING TO RECOVERY OF STATE AND OTHER PUBLIC LAND

4.2.1 Crown Lands Ordinance No.8 of 1947

The ordinance makes provision for the grant and disposition of Crown lands in the country; for the management and control of such lands and the foreshore; for the regulation of the use of the water of lakes and public streams; and for other matters incidental to or connected with the matters aforesaid. Section 74 (1) of the ordinance refers to the right of the owner of any land on the bank of a public lake or public stream to use the water in that lake or stream for any purpose on that land. And if the right acquired under any law relating to the acquisition of rights by virtue of user, is extinguished by the operation of Section 72 of this ordinance, the ordinance states that such owner will be entitled for a claim of compensation from the Crown for the actual loss suffered by him as a result of the extinction of such right.

4.2.2 State Lands Act No. 13 of 1949

This Act provides for the grant and disposition of state lands in Sri Lanka- for the management and control of such lands and the foreshore; for the regulation of the use of the water of lakes and public streams; and for other matters incidental to or connected with the aforesaid matters. The Act comprises of 14 parts. Importantly, Section 51 stipulates that title to state reservations cannot be acquired by possession or usage. Section 53 exempts the state from any liability to pay compensation for improvements effected on reservations. It states that no person shall be entitled to any compensation from the state in respect of any improvements effected at any time after the commencement of this Ordinance on any State land reservation; nor shall any claim for any such compensation be entertained by any court. Section 54 provides for summary eviction of offenders in unlawful possession of state land reservations.

Further, Section 103 of the State Lands Act provides that no person can, by possession or the use of land, acquire any prescriptive title against the Crown if such land is (a) after the commencement of the ordinance declared to be the property of the Crown under the Land Settlement Ordinance, or (b) is acquired by the Crown under the LAA after such date, or (c) after such date resumed by the Crown under the Land Redemption Ordinance and has at any time prior to or after the declaration, acquisition or redemption, been delimited with boundary markers by or under the authority of the Surveyor General.

4.2.3 State Lands (Recovery of Possession) Act No. 7 of 1979

The provisions for the recovery of possession of State lands from persons in unauthorized possession or occupation thereof are contained in the State Lands (Recovery of Possession) Act No. 7 of 1979. Furthermore, Section 10 stipulates that no appeal is maintainable against an order of eviction by a Magistrate. Section 13 provides for reasonable compensation for damages sustained by reason of the affected person having been compelled to deliver up possession of such land.

Note: Under the provisions of this Act, persons with unauthorized occupation of land could be removed, the project will pay assistance and compensation based on the guidelines of this RPF before these affected persons are relocated from such locations.

4.2.4 Land Development Ordinance No. 19 of 1935

This ordinance deals with the systematic development and alienation of Crown Land of Ceylon and comprises of 12 chapters. Specifically, Chapter 7 of the Land Development Ordinance (LDO) sets out the procedure for cancellation of a right to state land given on permit or grant due to noncompliance of the conditions of the permit. Section 106 gives notice to the permit holder where there has been a breach of the condition of the permit. If a person fails to appear before the inquiring officer, provision is made under Section 109 to cancel the permit. Section 110 lays down the procedure where the permit holder appears and shows cause for the failure to develop the land as per the provisions of the permit given to him. Section 112 prescribes the order of Government Agent to be served on the permit holder and to be posted on land. Section 113 provides for an appeal to the Land Commissioner against the order of the Government Agent.

The procedure for eviction of a person occupying state land that has been given on a grant is spelt out in Chapter 9 of the LDO. Section 168 of the LDO stipulates the offences regarding state land. It says that if any person clears or prepares any state land for cultivation or erects any building or structure on any state land, fells any trees standing on such land or otherwise encroaches on such land without the permission of the Government Agent, they will be guilty of an offence and subject to fine and imprisonment. Thus, under the laws of Sri Lanka, the rights of a ‘mala fide possessor’ are not recognized and no compensation can be paid for the improvements.

4.2.5 Prescription Ordinance No. 22 of 1971

This is an Ordinance that confers rights on people who have had unencumbered possession of private lands for over 10 years. Section 15 of the Prescription Ordinance states that nothing herein contained shall affect the rights of the Crown (State). Thus, prescription does not run against the State. Prescription Ordinance No 22 of 1971 made express provision with respect to how a person may acquire the ownership of a block of land through the peaceable and uninterrupted possession of it for a period of ten years. Section 3 of the Ordinance provides as follows: “Proof of the undisturbed and uninterrupted possession by a defendant in any action, or by those under whom he claims, of lands or immovable property, by a title adverse to or independent of that of the claimant or plaintiff for ten years previous to the bringing of such action, shall entitle the defendant to a decree in his favor with costs.”

4.2.6 Temple and Devalagam (Compensation) Ordinance, No.28 of 1944

This Act deals with lands donated to the temples and Devala (Places of religious significance) by rulers under a deed of dedication or ‘Sannasa’ (Order) for the maintenance of such institutions. The rights of the custodian of temples and Devala for the receipt of compensation in the event

of land acquisition for public purposes are spelt out in this Act in addition to the other provisions. The compensation for the acquired land belonging to temples and devales will be received by the public trustee and will be deposited in the joint names of himself and the trustee and the chief incumbent of the temple in a bank account approved by the Minister. The public trustee in consultation with the trustee or the chief incumbent of the temple will authorize the funds to be utilized for promoting the aims and objectives of the temple.

4.3 NATIONAL POLICIES ON RESETTLEMENT

4.3.1 National Involuntary Resettlement Policy 2001

The National Involuntary Resettlement Policy (NIRP 2001) set out in **Annex 3**, was approved by Cabinet to address the shortcomings of the LAA and is designed to treat affected people in a fairer and more equitable manner. It calls for a protective framework for people displaced by development projects, to ensure that their rights are respected and that they are not impoverished or do not suffer unduly as a result of public or private project implementation. Under the NIRP, displaced people are assured of a living standard comparable to that at the time of displacement. The main principles or features of NIRP include the minimization and mitigation of negative impacts. This means steps must be taken to avoid involuntary resettlement by reviewing alternatives to the project. NIRP guarantees that affected persons are adequately compensated in a timely manner. Compensation is based on full replacement value, including transaction costs, and is calculated to include loss of land, and loss of structures and other assets, and income. Compensation is not limited to persons that have documentary evidence of their rights to land. The policy provides for the authorities to re-establish the livelihoods and income of affected persons and to include them in the design and implementation of the relocation and resettlement process.

The policy provides guidelines for resettlement plans of varying levels of detail, depending on the numbers of people being displaced. The plans must be published and made available to the public. A comprehensive Resettlement Plan (RP) is prepared for any project requiring the displacement of 20 or more families. If the number of families affected is less than 20, a RP with less detail can be prepared. The NIRP provides for affected persons to be fully involved in the selection of relocation sites and to be stakeholders in the development and implementation of the resettlement plan.

The Policy is intended to guarantee that: (i) project affected persons are adequately compensated, relocated, and rehabilitated; (ii) delays in project implementation and cost overruns are reduced; and (iii) better community relations are restored. It aims at ensuring that people affected by development projects are treated in a fair and equitable manner and are not impoverished in the process. The Policy also enables a framework for project planning and implementation that is comparable with international best practices in involuntary resettlement. The responsibility for reviewing and approving the resettlement plans is vested with the Ministry of Lands.

The main principles of NIRP are as follows.

- Involuntary resettlement should be avoided as much as possible by reviewing alternatives to the project as well as alternatives within the project.
- Where involuntary resettlement is unavoidable, affected persons should be assisted to reestablish themselves and improve their quality of life.
- Gender equality and equity should be ensured and adhered to throughout.
- Affected persons should be fully involved in the selection of relocation sites, livelihood compensation and development options at the earliest opportunity.
- Replacement land should be an option for compensation in the case of loss of land; and in the absence of replacement land cash compensation should be an option for all affected persons.
- Compensation for loss of land, structures, other assets, and income should be based on full replacement cost and should be paid promptly. This should include transaction costs.
- Resettlement should be planned and implemented with full participation of the provincial and local authorities.
- Participatory measures should be designed and implemented to assist those economically and socially affected to be integrated into the host communities.
- Common property resources and community and public services should be provided to affected persons.
- Resettlement should be planned as a development activity for the affected persons.
- Affected persons who do not have title deeds to land should receive fair and just treatment.
- Vulnerable groups should be identified and given appropriate assistance to improve their living standards.
- Project Executing Agencies should bear the full costs of compensation and resettlement.

4.3.2 National Policy for the Payment of Compensation, 2008

In November 2008, the Cabinet of Ministers approved a national policy to establish a uniform system of compensation payment, which at that time was carried out under different Land Acquisition and Resettlement Committees or LARC systems. It superseded all other ad hoc and special compensation packages that existed on the date of the Cabinet approval of the policy. However, projects that had already introduced such schemes, and that had published Section 2 under the LAA before 1st September 2008, could continue with the existing packages.

4.4 NATIONAL REGULATORY FRAMEWORK RELATED TO PUBLIC INFRASTRUCTURE AND SERVICES

4.4.1 Road Development Authority Act No. 73 of 1981

The Road Development Authority (RDA) was established by Road Development Authority Act No. 73 of 1981. The main objectives for setting up RDA are to: formulate national policies for highway sector in achieving national development goals; provide high mobility among townships, efficient connectivity among economic centers and improve accessibility for rural areas; maintain the road network in excellent standards to contribute to sustainable development; provide Intelligent Transport System (ITS) for efficient traffic management; invest on capacity enhancement of road sector to ensure high level service and user friendly roads; and invest in research and development for enhancement of the road sector, including enhancing road safety measures for road users.

4.4.2 Thoroughfare Act No. 40 of 2008

The salient feature of the Thoroughfare Act is that it empowers the Road Development (RDA) Authority to establish a Road Network Development Advisory Council and District Road Development Coordinating Committees. The RDA can prevent unauthorized constructions within the road reservations, construct new roads, divert roads, acquire lands vested in a local authority and make special grants under the Crown land Ordinance. The authority has the power to alienate lands, temporarily close a road, public road or national highway, erect fences and declare building limits alongside a road. The Minister can also designate a user fee for national highways, purchase lands for resettlement sites, and authorize a survey to enter lands for the purpose of surveying and to mark the acquisition boundaries. This helps to expedite the process of design and preparation of resettlement plans. Prior to this Act, surveyors could enter private land only after the issuance of a Section 02 Notice under LAA. Previously, the land required for development purposes by State organizations were acquired through the Acquisition Officers appointed by the Ministry of Lands. The power to purchase land by RDA has accelerated the procedures of resettlement, and officers can also pay compensation for the damages caused to properties. Overall, this Act has the potential to facilitate the construction of new roads and the improvement to existing roads giving additional mechanisms for acquisition of land, payment of compensation and resettlement. The Project may consider direct purchase of land or voluntary land donation from affected titleholders, following the due process of law laid down under this provision or any other relevant legislation, and in compliance with the RPF.

4.4.3 Municipal Councils Ordinance No. 29 of 1947

This Ordinance was meant to amend and consolidate the law relating to Municipal Councils. It came into operation on August 15, 1947 and comprises sixteen parts. The ordinance empowers the Municipal Councils to regulate, control and administration of all matters related to the public health, public utility services, public thoroughfares, and generally with the protection and promotion of the comfort, convenience and welfare of the people and the amenities of the Municipality. The movable properties vested with MCs include waste land, stone, gravel and cabook quarries, lakes, ponds, reservoirs, tanks and other waterworks, public parks, gardens and open spaces, public markets, graveyards, and state land with or without buildings. The Ordinance also requires that any development within the boundary of a Municipal Council would require concurrence making it necessary for the project to also seek concurrence from the Municipality for construction activities.

4.5 WORLD BANK'S ENVIRONMENT AND SOCIAL POLICIES

4.5.1 The World Bank's Environmental and Social Framework

The new World Bank Environmental and Social Framework (ESF), approved in 2016, and effective since October 2018, sets out standards intended to benefit the environment and the citizens of the borrowing countries by: (a) supporting borrowers in achieving good international practice relating to environmental and social sustainability; (b) assisting borrowers in fulfilling their national and international environmental and social obligations; (c) enhancing non-discrimination, transparency, participation, accountability and governance; and (d) ensuring sustainable development outcomes of projects through ongoing stakeholder engagement.

There are ten Environmental and Social Standards (ESS), which specify the standards that the Borrower and the project will have to meet through the project lifecycle. The ten environmental and social standards are:

- ESS-1: Assessment and Management of Environmental and Social Risks and Impacts
- ESS-2: Labor and Working Conditions
- ESS-3: Resource Efficiency and Pollution Prevention and Management
- ESS-4: Community Health and Safety
- ESS-5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement
- ESS-6: Biodiversity Conservation and Sustainable Management of Living Natural Resources
- ESS-7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities
- ESS-8: Cultural Heritage
- ESS-9: Financial Intermediaries
- ESS-10: Stakeholder Engagement and Information Disclosure

Under the proposed project, ESS-1, ESS-2, ESS-3, ESS-4, ESS-5, ESS-6, ESS-7, ESS-8 and ESS-10 will be applicable. Section below discusses the relevance of ESS-5, in particular, and briefly describes the relevant ESSs that need to be considered in conjunction with ESS-5 for devising this RPF.

Table 11: Relevance of ESF (Policy, Directives, Standards) and Requirements in the Project

World Bank ESS Policy, Standards, Directive	Objectives	Requirements	Applicability to the Project
World Bank Environment and Social Policy for Investment Project Financing	It sets out the mandatory requirements of the Bank in relation to the projects it supports through Investment Project Financing.	The types of E&S risk and impacts that should be considered in the environmental and social assessment The use and Strengthening of the Borrower's environmental and social framework for the assessment, development and implementation of World Bank-financed projects where appropriate.	Applicable to this Project

ESS-1 Assessment and Management of Environmental and Social Risks and Impacts	Identify, assess, evaluate, and manage environmental and social risks and impacts in a manner consistent with the ESF. Adopt differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable, and they are not disadvantaged in sharing development benefits and opportunities.	The types of E&S risk and impacts that should be considered in the environmental and social assessment. The use and strengthening of the Borrower's environmental and social framework for the assessment, development and implementation of World Bank financed projects where appropriate.	E&S risks and Impacts have been identified based on the screening process and consultations with primary stakeholders, including communities and the implementing agency.
ESS-5 Land-Acquisition, Restrictions on Land Use and Involuntary Resettlement	Avoid or minimize involuntary resettlement by exploring project design alternatives. Avoid forced eviction. Mitigate unavoidable adverse impacts from land acquisition or	Applies to permanent or temporary physical and economic displacement resulting from different types of land acquisition	No land acquisition is envisaged in the front-runner roads. There will be some land access and livelihood-related impacts on non-titleholders occupying the right of way of 08 districts roads. Further, land may be required for rehabilitation/upgradation and maintenance of the remaining

World Bank ESS Policy, Standards, Directive	Objectives	Requirements	Applicability to the Project
	restrictions on land use by providing compensation at replacement cost and assisting displaced persons in their efforts to improve, or at least restore, livelihoods and living standards to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. Improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure. Conceive and execute resettlement activities as sustainable development programs.	and restrictions on access. Does not apply to voluntary market transactions, except where this affects third parties. Provides criteria for “voluntary” land donations, sale of community land, and parties obtaining income from illegal rentals. Prohibits forced eviction (removal against the will of affected people, without legal and other protection, including all applicable procedures and principles in ESS5) Requires that acquisition of land and assets happens only after payment of compensation and resettlement has occurred. Requires community engagement and consultation, disclosure of information and a grievances mechanism	roads under Component 1 of the project. The same may apply to improvement of agro- logistics infrastructure and community infrastructure under Component 2 of the project. Hence impacts on land, private and community-owned assets including structures, trees and crops are likely. Physical and economic displacement too is very likely. Under this project land when required, shall be procured through applicable laws and policies for land acquisition in accordance with the RPF.

World Bank ESS Policy, Standards, Directive	Objectives	Requirements	Applicability to the Project
ESS- 2 Labor and Working Conditions	Promote safety and health at work, including fair treatment, non-discrimination, and equal opportunity of project workers. It also covers vulnerable workers such as women, persons with disability and migrant workers, contracted workers, community workers and primary supply workers, as appropriate. It prohibits the use of all forms of forced labor and child labor and supports the principles of freedom of association and collective bargaining of project workers, in a manner consistent with national law.	The Borrower will develop and implement labor management procedures applicable to the project, in accordance with the requirements of national law and this ESS.	The project has developed written labor management procedures applicable to the project. These procedures set out the way in which project workers will be managed, in accordance with the requirements of national law and this ESS. The procedures address the way in which this ESS will apply to different categories of project workers including direct workers, and the way in which the implementing agency will require third parties to manage their workers in accordance with ESS2.
ESS-3 Resource Efficiency and Pollution Prevention and Management	Promote the sustainable use of resources, including energy, water and raw materials. Avoid or minimize adverse impacts on human health and the environment by avoiding or	The Borrower will consider ambient conditions and apply technically and financially feasible resource efficiency and pollution prevention measures in accordance with the mitigation	ESS3 is relevant to the project as civil works associated with road and ancillary infrastructure reconstruction and rehabilitation work will include the use of a range of materials like asphalt, cement, fly ash, lime stabilized soil, upcycled plastic waste and other material that can

			pollute the environment unless properly handled. In addition, the project might be a significant user of
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World Bank ESS Policy, Standards, Directive	Objectives	Requirements	Applicability to the Project
	Minimize project-related emissions of short and long-lived climate pollutants. Avoid or minimize generation of hazardous and non-hazardous waste. Minimize and manage the risks and impacts associated with pesticide use.	hierarchy. The measures will be proportionate to the risks and impacts associated with the project and consistent with GIIP, in the first instance the EHSGs.	material resources like gravel and stone from borrow pits and quarries. Large quantities of construction and demolition waste are expected, as asphalt might be removed from current roads and replaced and will need to be either reused in the construction process or disposed in an environmentally sound manner. Ideally construction waste would be reused where feasible for road rehabilitation and maintenance works, while unusable fractions will be disposed at dedicated sites as per national environmental regulations. Through the implementation of procedures and measures stated in this ESMF, and via site-specific ESMPs and CESGPs, the contractors will be required to avoid or minimize the release of pollutants and assure compliance with the Environmental, Health and Safety Guidelines of the World Bank Group.
ESS- 4 Community Health and Safety	Addresses the health, safety, and security risks and impacts on project-affected communities and the corresponding responsibility of Borrowers to avoid or minimize such risks and impacts, with particular attention to people who, because		ESS4 is relevant to the project. The civil works will lead to risks to road users, both pedestrians and motorists, during the construction phase, and given the linear character of the sub-projects, full partition or fencing of construction sites might not be possible. Therefore, a robust mitigation and management plan has been included in the ESMPs or site-specific CESGPs for frontrunner investments. Traffic and

	of their circumstances, may be vulnerable.		Road Safety Management Plans with measures to ensure the safety and wellbeing of nearby communities and road users during construction and for the operation phase will be prepared together with the Emergency Response Plans with procedures to respond to accidental leaks, spills, emissions, fires, and other unforeseen crisis events as part of these instruments are guided by the Generic ESMPs and CESGP presented in the ESMF. The SEA/SH risk classification for the project has been assessed as ‘low’ during the concept stage but will be reassessed during project preparation. The guidance on potential issues related to SEA/SH as well as others such as universal access, climate and geophysical hazards are incorporated in the ESMF.
ESS-6 Biodiversity Conservation and Sustainable Management of Living Natural Resources	Protect and conserve biodiversity and habitats. Apply the mitigation hierarchy and the precautionary approach in the design and implementation of projects that could have an impact on biodiversity. Promote the sustainable management of living natural resources. Support livelihoods of local communities, including Indigenous Peoples, and inclusive	Where potential risks and impacts on biodiversity or habitats have been identified, the Borrower will manage those risks and impacts in accordance with the mitigation hierarchy and GIIP. Adopt a precautionary approach and apply adaptive management	The proposed operation’s sub-projects are expected to be restricted to existing road corridors and therefore impacts on natural habitats are expected to be limited. The ESMF defines procedures for identifying and managing sub-projects potentially affecting natural habitats via screening criteria and management measures and presents guidance on augmenting design to avoid and enhance good impacts and aspects. No activities will be allowed within designated protected areas as per the project’s negative list presented

	economic development, through the adoption of practices that integrate conservation needs and development priorities.	practices in which the implementation of mitigation and management measures are responsive to changing conditions and the results of project monitoring.	in Annex 3 of Volume II of the ESMF.
ESS- 7 Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities	To ensure that the development process fosters full respect for the human rights, dignity, aspirations, identity, culture, and natural resource-based livelihoods of Indigenous Peoples. Avoid adverse impacts of projects on Indigenous Peoples, or when avoidance is not possible, to minimize, mitigate and/or compensate for such impacts. Promote sustainable development benefits and opportunities for Indigenous Peoples in a manner that is accessible, culturally appropriate and inclusive. Improve project design and promote local support by establishing and Maintaining an	Requires Indigenous Peoples present in, or with collective attachment to, the project area to be fully consulted about, and have opportunities to actively participate in, project design and the determination of project implementation arrangements. The Borrower will also prepare a time-bound plan, such as an Indigenous Peoples plan, setting out the measures or actions proposed.	All the subprojects will be screened during preparation/ implementation, as described in the ESMF, to ascertain the absence/ presence of such groups, especially Veddas, in the project areas. If the screening indicates the presence of any groups that meet the criteria set out under ESS7, sub-project-specific Indigenous Peoples Development Plans (IPDPs) will be developed. Further, Free, Prior, and Informed Consent (FPIC) will be applicable in cases involving impacts on IPs' land, livelihood, and cultural heritage, as well as in cases requiring relocation. In instances where FPIC cannot be ascertained, the project will not proceed with those sub-projects/ activities.

	Ongoing relationship based on meaningful consultation with the Indigenous Peoples throughout the project's life cycle. Obtain the Free, Prior, and Informed Consent (FPIC) of affected Indigenous Peoples. Recognize, respect and preserve the culture, knowledge, and practices of Indigenous Peoples.		
ESS-8 Cultural- Heritage	Protect cultural heritage from the adverse impacts of project activities and support its preservation. Address cultural heritage as an integral aspect of sustainable development. Promote meaningful consultation with stakeholders regarding cultural heritage. Promote the equitable sharing of benefits from the use of cultural heritage.	Requires a chance finds procedure to be established. Recognition of the need to ensure peoples' continued access to culturally important sites, as well as the need for confidentiality when revealing information about cultural heritage assets that would compromise or jeopardize their safety or integrity. Requirement for fair and equitable sharing of benefits from commercial use of cultural resources.	ESS8 is relevant. Project activities are highly unlikely to involve risks or impacts on tangible or intangible cultural heritage as it involves the rehabilitation of existing roads and infrastructure. However, the Standard is considered Relevant. While cultural heritage sites are relatively well documented in Sri Lanka, proximity of selected roads to such places or located within known cities designated as heritage areas are yet to be identified. Since all constructions will take place in existing footprints, there will be no direct adverse impacts are expected on cultural resources in close proximity. If at all, there could be minor indirect impacts from ongoing construction activities including the potential impacts from vibrations if sites are located in close proximity to the Respective roads and the

		Provisions of archaeological sites and material, built heritage, natural features with cultural significance, and moveable cultural heritage.	potential of discovering chance finds. The ESMF includes due diligence procedures in line with ESS8 to screen for risks and impacts on cultural heritage and include chance find procedures.
ESS-10 Stakeholder Engagement and Information Disclosure	Establish a systematic approach to stakeholder engagement that helps Borrowers identify stakeholders and maintain a constructive relationship with them aims to promote and provide means for effective and inclusive engagement with project-affected parties throughout the project life-cycle and ensure that appropriate project information is disclosed to stakeholders in a timely, understandable, accessible and appropriate manner.	Requires stakeholder engagement throughout the project life cycle, and preparation and implementation of a Stakeholder Engagement Plan (SEP). Requires early identification of stakeholders, both project affected parties and other interested parties, and clarification on how effective engagement takes place. Stakeholder engagement to be conducted in a manner proportionate to the nature, scale, risks and impacts	Applicable. As required under ESS 10, a Stakeholder Engagement Plan (SEP) has been prepared and disclosed. The SEP includes an assessment of and provides strategies for engaging with the communities in the: (i) selection of the local roads to be rehabilitated; (ii) selection of community infrastructure and implementation/preparation of livelihoods and entrepreneurial activities; (iii) engagement during the implementation - works period; and (iv) assessment and proposed mechanism for community engagement in the post reconstruction - maintenance phase. A project-level Grievance Redressal Mechanism (GRM) has been established drawing on the existing structures and experiences within the RDA. The project will also be used to strengthen the capacity of the local government in the dialogue with the communities in local road network maintenance.

		of the project, and appropriate to stakeholders' interests. Specifies what is required for information disclosure and to achieve meaningful consultation.	
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4.5.2 Comparison between Country Systems and World Bank E&S management Requirements (ESS-5)

Sri Lanka has an elaborate legal system to manage land acquisition for development purposes. However, where property and livelihoods of non-title holders are concerned, the legal provisions are less elaborate, but policy guidelines have been established to address the gaps. Sri Lanka also has a detailed system for valuation of properties, both in specialized and non-specialized categories involving different methods. The NIRP and the Land Acquisition Regulations of 2008 and 2013 seek to address gaps, bringing the process closer to the Bank's ESS-5 on Land Acquisition, Restrictions on Land-Use, and Involuntary Resettlement. For example, the Land Acquisition Act (LAA) provides for compensation for land, structures, and crops, and does not address resettlement issues, including impacts on non-titleholders. NIRP provides for addressing resettlement and rehabilitation issues, including payment of compensation at replacement cost irrespective of the legal status of the affected party. A key weakness of NIRP is that it is a statement of policy rather than a code of legal provisions guiding and regulating the resettlement process.

The LAA also does not provide clear guidelines directing the project executing agencies (EAs) to address key resettlement planning and implementation issues such as (a) exploring alternative project options to avoid or minimize impacts on people; (b) compensating the non-titled persons who will be affected by a project but are currently using and dependent on land; (c) consulting affected persons and resettlement hosts on resettlement options; (d) providing for successful social and economic integration of the affected persons into the host communities, and (e) rehabilitating affected persons along with income restoration measures. In the circumstances, this void in the legal framework will be filled by the involuntary resettlement policies of the GOSL reflected in the National Involuntary Resettlement Policy (NIRP) of 2001 and the World Bank ESF. All entitlements and compensation for persons affected by land acquisitions and non-land economic displacements will be guided by those two policies and based on the principle of replacement cost for all losses caused to the APs.

To address these gaps, the RPF provides an entitlement matrix and specific guidelines for dealing with involuntary resettlement-related issues and mitigation of associated risks in compliance with the Bank's ESF. Table 11 presents a comparative analysis of the safeguards provisions in GOSL's legal and policy framework and the World Bank requirements, and a set of measures to address the policy compliances.

Table 12: A Comparative Analysis of the legal and policy framework of the Government of Sri Lanka and World Bank's ESS-5

	World Bank's Environmental and Social Standard – 5	Legal Framework and Safeguard Policies of GOSL	Degree of compliance or gaps and measures to address gaps
1.	Avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives	LAA provides for the screening of projects at the stage where a request for acquisition is initially received by the Minister of Land as well as consequent to the initial investigation. NIRP provides for reviewing alternatives to the project as well as alternatives within the project.	Complied.
2.	Mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by providing timely compensation for loss of assets at replacement cost.	LAA provides for the payment of compensation at 'market value'. LAR 2008 redefines the valuation approach to determine the market value and prescribes that the market value of a 'separate entity' should be proportionate to the value of the mainland. It also incorporates compensation for injurious affection and severance (equivalent to the full cost of damage based on the market value of land acquired) and disturbances based on the principle of 'value to owner' of the property affected as per the	The project will comply with NIRP, LAR 2008 and the entitlement matrix in the RPF includes these provisions to ensure compensation at full replacement cost.

	World Bank's Environmental and Social Standard – 5	Legal Framework and Safeguard Policies of GOSL	Degree of compliance or gaps and measures to address gaps
		written claims submitted by the AP. LAR 2013 provides for ex-gratia payments. NIRP mandates compensation for loss of land, structures, other assets, and income based on full replacement cost which should be paid promptly.	
3.	Assist displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher	There are no legal provisions apart from the payment of cash compensation for acquired properties. NIRP recommends that where involuntary resettlement is unavoidable, affected persons should be assisted to re-establish themselves and improve their quality of life.	Cash compensation and livelihood grants and R&R assistance for APs and special assistance for poor and vulnerable groups are included in the Entitlement Matrix of the RPF. Similar provisions will be included in the Resettlement Action Plans together with required funds included in the resettlement budget. The project will implement a robust livelihood restoration plan to support livelihood restoration.
4.	Improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.	NIRP prescribes replacement land as an option for compensation in the case of loss of land, and in the absence of replacement land cash compensation for all affected persons. Furthermore, NIRP recommends that vulnerable groups be identified and given appropriate assistance to improve their living standards.	
5.	Conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to	No provisions under LAA. NIRP advocates that resettlement should be planned as a development	Complied with.

	World Bank's Environmental and Social Standard – 5	Legal Framework and Safeguard Policies of GOSL	Degree of compliance or gaps and measures to address gaps
	enable displaced persons to benefit directly from the project, as the nature of the project may warrant.	activity for the affected persons	
6.	Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.	There are no legal provisions that necessarily require the affected parties be empowered and provided an opportunity to participate in the planning, implementation, monitoring and evaluation of resettlement programs. NIRP provides for the full involvement of the APs in the selection of relocation sites, livelihood compensation and development options at the earliest opportunity.	<i>Partially complied.</i> The Project will initiate a comprehensive process of consultation with APs and others during resettlement plan preparation and implementation, to inform them of their entitlements and resettlement options, to ensure their participation in resettlement planning and to address the needs of vulnerable groups.
7.	Affected persons include (i) those who have formal legal rights to land and assets; (ii) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets – provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan; and (iii) those who have no recognizable legal right or claim to the land they are occupying or using.	LAA consider only titleholders and tenants protected under the Rent Act 1972 for compensation. Non-titleholders will receive only the development value of the land. NIRP prescribes that affected persons who do not have title-deeds to land should receive fair and just treatment.	The project will comply with NIRP and provide compensation and other resettlement assistance irrespective of the title they hold.
8.	Borrower to prepare a resettlement plan	NIRP mandates the preparation of a	Complied with.

	World Bank’s Environmental and Social Standard – 5	Legal Framework and Safeguard Policies of GOSL	Degree of compliance or gaps and measures to address gaps
		resettlement plan to streamline resettlement where 20 or more families are affected.	

4.5.3 Guiding Principles for Land Acquisition and Resettlement under the Project

Based on the above analysis, the following resettlement/land acquisition and impact mitigation principles derived from national regulations on land acquisition, World Bank’s ESF and NIRP, will be adopted:

- 1) Screen the potential sub-projects under the project early on to identify past, present, and future involuntary resettlement impacts and risks (**Annex 4** for Sample Social Screening Checklist). Accordingly, the scope of resettlement planning will be determined through a survey and/or census of affected persons, including a gender analysis, specifically related to resettlement impacts and risks. Measures to avoid and minimize involuntary resettlement impacts will include:
 - Exploring alternative alignments or locations which have less impacts.
 - Ensuring that appropriate technology is used to reduce land requirements
 - Modifying the designs, cross sections, and geometrics of components to ensure that involuntary resettlement is avoided or minimized.
- 2) Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. All persons to be potentially displaced will be informed of their entitlements and resettlement options. Further, measures will be included in the safeguard instruments prepared for each sub-project to ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Special attention will be paid to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women, female-headed households and those without legal title to land, and ensure their participation in consultations. Further, measures for supporting the social and cultural institutions of displaced persons and their host population will also be included in the E&S instruments prepared.
- 3) Develop plans and activities to improve, or at least restore, the livelihoods of all displaced persons through the following measures: (i) where possible, land-based resettlement strategies when affected livelihoods are land-based, or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods; (ii) replacement of assets, with access to assets of equal or higher value; (iii) compensation at full replacement cost for assets that cannot be restored; and (iv) additional livelihood restoration strategies for project affected persons and families. All the compensation (to be provided in lump-sum), resettlement entitlements, allowances, and other forms of assistance will be paid/provided prior to site possession, hand over for civil works, physical or economic displacement and prior to the start of any civil works.

- 4) Provide physically and economically displaced persons with the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- 5) Identify and mitigate vulnerability, in terms of socio-economic characteristics of the APs or households through targeted inclusion, capacity building and income assistance interventions. Women will be given equal access to resources and services and provided with opportunities that would empower them to equally participate and be equally represented in the development process.
- 6) Ensure that affected persons without titles to land or any recognizable legal rights are eligible for resettlement assistance and compensation for loss of non-land-based assets.
- 7) Prepare a Resettlement Action Plan (or an abbreviated resettlement action plan) elaborating on the entitlements of the affected persons, the income restoration strategy, institutional arrangement, monitoring and reporting framework, budget, and time-bound implementation schedule.
- 8) Disclose the RAP/A-RAP, including documentation of the consultation process in an accessible place and form and language understandable to the affected person and other stakeholders. Disclose the final plan and its updates to the affected person and other stakeholders in a similar manner.
- 9) Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of affected persons. Monitor and assess resettlement outcomes, their impacts on the standard of living of the affected persons, and whether the objectives of the RAP/A-RAP have been achieved by considering the baseline conditions and the results of the implementation of the action plans.
- 10) Conceive and implement the RAP/A-RAP as part of the project intervention and include the full costs of resettlement in the presentation of the project's costs and benefits.

5. PROCEDURES FOR VOLUNTARY LAND DONATION

There may be instances where small additional parcels of land would be required for the proposed investments. Based on the initial screening process, the roads and bridges may not require land acquisition. The extent of land requirements will be known only during implementation stage, once the remaining Provincial and Rural roads to be supported for Phases 1 and 2 are selected.

For any voluntary land donation, the following key steps need to be followed:

- 1) If any required VLD is identified, the checklists attached as **Annex 11** (A, B, C) shall first be completed and submitted to the World Bank for prior approval before proceeding with the process.
- 2) Conduct E&S Screening and VLD Screening. Seek prior No Objection from World Bank

- E&S Team before including a road or a bridge as VLD case.
- 3) Disseminate the important project information to the community
 - 4) Conduct a transect walk and surveys of the affected households identified during the transect walk, including consultation with the affected households to explain the land donation procedure, including the option to refuse donation, and option to receive compensation for land which is identified for the project needs.
 - 5) Execute an agreement between the donor and the recipient as per the format provided in **Annex 10**. The agreement will be signed in presence of the Divisional Secretary, and the Divisional Secretary's signature will be placed as a third party.
 - 6) Ensure that commencement of civil works in the donated land starts only after the agreement is signed and ESMP is prepared. Re-surveying, modifying the deed and registration will be done within a reasonable time, the cost of which will be borne by the project.
 - 7) Maintain records of all consultations and agreements reached. This includes (a) written notification indicating the location and amount of land that is sought and its intended use; and (b) the agreement signed by each donor involved, establishing informed consent and confirming that there is no disputed ownership and that there are no claims by renters, users, squatters, or encroachers. The documentation will be made available for review in any grievance that may arise.
 - 8) Ensure no coercion to elicit land donation and the PMU Team will be responsible to verify and ensure that there is no forced donation.

Further, a **due diligence process** must be conducted. The Project staff will be responsible for ensuring that the conditions stipulated for voluntary land donations are fulfilled. The concerned staff will visit the sub-project site, consult the land donor, and other local stakeholders to verify that the donation is marginal and that it was not coerced. To ensure transparency regarding voluntary land donations, an **independent third-party review (by Divisional Secretary or NGO)** needs to be conducted as well. The due diligence process must assess to ensure that:

- (a) Potential donor or donors have been appropriately informed and consulted about the project and the choices available to them
- (b) Potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation
- (c) Donated land is free of occupancy or use by people other than the donor i.e., land to be obtained through voluntary donation is free of squatters, tenants, sharecroppers or any other dependents, and conflicting interests.
- (d) Amount of land being donated is minor i.e., the land size will be less than 10% of total land owned by individual owner, and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels
- (e) No household relocation is involved
- (f) The remaining assets of the household that donates the land is economically viable to ensure their livelihood and shelter
- (g) Donor is expected to benefit directly from the project
- (h) For community or collective land, donation can only occur with the consent of individuals using or occupying the land.
- (i) Where land is donated by the owner, other users, and occupiers of the land beyond the legal owner who will be physically or economically displaced as a result of the donation, should equally be consulted and the impacts on them should be addressed in accordance with this ESS.
- (j) No compensation will be paid for the land, and the owner will give up all claims on the

land and the title will be transferred to the recipient through the notary public or a registered deed or any other procedure prescribed by law.

A consent letter from the landowner will be obtained granting permission for the use of the land for project activities, and a legal contract will be instituted which would include details of the land being donated; formal consent of the landowner/interested parties, and the witnesses as per **Annex 10**.

6. RESETTLEMENT PLANNING: PREPARATION, REVIEW AND APPROVAL OF RAPS

This chapter provides strategies and principles for: identifying project-affected individuals, families, communities; assessing potential social impacts of the interventions under the project; and providing measures for avoiding, minimizing, and managing any adverse impacts, while carrying out various activities throughout the project life cycle.

6.1 KEY STEPS IN RESETTLEMENT PLANNING

The key steps in resettlement planning are: social screening, social impact assessment, inventory and valuation, determining eligibility and entitlements, consultation and disclosure of findings, preparation of resettlement instruments (abbreviated or full resettlement action plan), consultation and finalization of the RAPS, development of resettlement sites, disclosure of the final RAP (which analyses and describes the impacts, entitlements, implementation agencies and schedule, list of eligible APs, Grievance Redress Mechanisms (GRMs), initiation of the land acquisition process; disbursement of compensation and the R&R entitlements, relocation planning and actual relocation, resolution of grievances if any, site clearance, site handover to contractor for civil works; post resettlement support measures, monitoring and evaluation). The process starts with assessment and categorization of impacts discussed below.

6.1.1. Screening for involuntary resettlement

The project will conduct an initial social screening exercise to determine the magnitude of the resettlement related risks and impacts of the project. The screening form presented in **Annex 4** will be completed by the PMU for each phase of the interventions under the project, based on the outcomes of the initial social screening exercise. The preliminary assessments conducted during preparation of the RPF indicate that there are social risks and impacts, which will necessitate the preparation of RAPS for some of the roads. The screening process will also help determine if any voluntary donation will occur in relation to project activities, so the appropriate due diligence measures related to the VLD process as described in section five of this RPF can be applied.

6.1.2 Social Impact Assessment

If the Social Screening indicates that the intervention is likely to lead to risks and impacts associated with 'involuntary resettlement,' the PMU will carry out a Social Impact Assessment including 100% census survey of affected households of roads involving involuntary resettlement (Sample Questionnaire for Census Survey is included in **Annex 5**). The PMU can do this with their own staff or through ESDD or outsourced Consultants depending on the

expertise needed, nature, type, urgency, and scale of the assignment. For large works, external consultants may be hired (**Annex 6** includes a Sample ToR for conducting SIA and resettlement planning). The SIA will provide information on the losses and damages incurred by individuals or households, and communities, impacts on women and vulnerable communities, etc.

Following finalization of the construction designs, the detail measurement survey (DMS) of the affected land and/or non-land assets and census survey of the affected households will be carried out to record the actual impacts and prepare the inventory of losses. The information will also include a profile of the affected households including demographic and socio-economic details including landownership, usage and productivity and income, scope, and nature of involuntary resettlement impacts, including impacts on vulnerable communities. The census and socio-economic surveys will also involve systematic consultation, disclosure, orientation, and coordination with the Divisional Secretaries, Planning Directors, Grama Niladharis, Community Based Organizations, Non-Governmental Agencies, and community members.

Additional information, if relevant, will be gathered through primary and secondary stakeholder consultations (Focus Group Discussions – formal or informal) with the affected people, and vulnerable community groups, community leaders, registered civil societies, NGOs, and Community Based Organizations (CBOs). A variety of methods such as *participatory rural appraisal* will be used to identify the key stakeholders and consult closely with them to understand their priorities, expectations and views about the sub-project and the impacts of resettlement. The representatives from the different groups and sectors that are likely to be impacted, including local authorities and local civil and religious leaders, farmers, businessmen and householders, will be included in the consultations. The consultants will also facilitate the engagement of women and young people from the different groups and sectors that are to be potentially affected. Similarly, vulnerable groups (for example, the very poor, those without formal title, ethnic or religious minorities, households headed by women, the elderly, chronically sick and the disabled) who might require special assistance during relocation and resettlement process will be identified and consulted. Overall, the discussions during consultations will focus on the positive and negative impacts; measures to enhance positive impacts and reduce or mitigate negative impacts.

A replacement cost assessment (or asset valuation) will also be carried out, which will form the basis for determining the compensation for the affected land and assets. Further, the PMU with support from the consultants, if relevant, will ensure that prior to conducting the census, notices and leaflets announcing the cut-off date are posted in villages and circulated among potentially affected persons in the area where the census is to be carried out. This will be done to inform the public and to facilitate data gathering through their participation in the census and socio-economic survey. The cut-off date for the entitlement/s will be the starting date of the census for the RAP. The census will be based on preliminary engineering/technical designs of the project. The census data will be updated once the final and detailed engineering designs are completed.

6.1.3 Preparation of Resettlement Action Plan (RAP)

If there's any economically or physically displaced persons in selected roads identified through initial screening, a Resettlement Action Plan (RAP) or an Abbreviated Resettlement Action Plan (ARAP) will be prepared either through ESD of PMU or by an outsourced Consultant. The RAPs prepared by an outsourced Consultant, will be reviewed by the Environment and

Social Development Division of PMU, and will be submitted to the Bank for further review and clearance. The main text of the RAP will be concise and specific to the sub-project or project phase for which the RAP has been prepared. Additional/supplementary documentation and discussion can be attached as annexes to the main report. An outline for a RAP is presented in **Annex 7**.

6.2 INFORMATION DISSEMINATION RELATING TO RESETTLEMENT PLANNING

The PMU (with a consultant/consultant firm hired for preparing the RAP, if required) will provide all relevant information about the project, implementation procedures, time frames, and the resettlement planning process and as well as the people/units that can be contacted by any aggrieved parties if they have questions, concerns, or complaints about the project.

The PMU will also establish information centers in strategic locations of the sub-project area, easily accessible to the public. Officers from the PMU will be assigned to these information centers to attend to the inquiries from the public, and to receive any grievances and complaints (see Chapter 8 for more details). These information centers would also serve to establish relations of trust between the consultants, the PMU, the local authorities, and the affected people. Information about the sub-project and people's rights and entitlements will be disseminated through information flyers printed in Sinhala, Tamil, and English. The information flyer will contain the following basic information:

- Brief description of the project and sub-projects.
- Anticipated project impacts.
- Basic compensation policy and rights and entitlements of affected persons.
- Implementation procedures and time frame; and
- Contact details (office, office days, telephone, email, and social media sites) for additional information.

The RAP will be translated into Sinhala and Tamil for local disclosure. A Public Information Booklet (PIB) including following information extracted from the RAP will also be developed as a tool to disseminate information about the project, and would cover:

- Brief description of the project and subproject
- Types of impacts expected
- Basic compensation policy, entitlements, and special provisions (including provisions for livelihood restoration, and assistance to vulnerable groups)
- Measurement/valuation of losses
- Grievance redress procedures (including who to contact in case of queries or complaints) and,
- Implementation schedule and budget.

6.3 ANALYSIS/ SCREENING OF ALTERNATIVES TO AVOID/MINIMIZE IMPACTS

One of the key principles with respect to resettlement in any development project is to avoid or minimize land acquisition and the number of people to be resettled. This can be achieved by modifications to the designs and techniques used for the sub-projects. Therefore, the team conducting the census survey will consult the design team regarding possible design alternatives and methods for construction and have a clear understanding of the interventions and their impacts (both temporary and longer-term). The social survey team, design team and the PMU will maintain close coordination to identify opportunities to avoid or minimize resettlement impacts.

6.4 REVIEW OF RAPS, CLEARANCE AND DISCLOSURE

The draft RAPs will be reviewed and approved by the Environment and Social Development Division of PMU. The draft RAPs will form part of the land acquisition request proposal to be submitted to the Land Ministry. Further, the National Environment Act (NEA) specifies that all prescribed projects involving resettlement must obtain approval in terms of Part 4 'C' of the NEA from the Central Environment Authority. In this regard, the PMU will be responsible for ensuring that the prescribed project obtains approval following the procedure described in Part IVC of the NEA (Amendment) No. 56 of 1988. The draft RAPs will also be submitted to the World Bank for review, prior to granting clearance for the RAP. The approved RAPs by both the GOSL and the Bank together with their translations in Sinhala and Tamil will be posted on the Road Development Authority's websites. The Bank will also disclose the RAPs in its own website. Any changes to the approved RAPs would have to follow the same clearance/ approval procedures and disclosure.

7. ANALYSIS OF ALTERNATIVES, ASSET VALUATION, COMPENSATION AND ENTITLEMENTS

By using the principle of mitigation hierarchy, the project will analyze alternatives to avoid or minimize the acquisition of private land and the need for physical and/or economic displacement. This chapter outlines possible approaches and measures to avoid or at least reduce the need for land acquisition and land donation. It also discusses the principles and practices applied for the valuation of the land and properties that are required for the project, and it presents possible resettlement measures that could be applied. It sets out an Entitlement Matrix (EM) that considers the types of impacts that will occur and the parties that would be affected.

7.1 AN OUTLINE OF ALTERNATIVE MEASURES FOR LAND ACQUISITION

To avoid or minimize land acquisition, land donation or economic displacement including temporary disruption of services under the project, the design team may consider rehabilitation techniques and phasing of activities including operating and maintenance procedures based on the experience of road rehabilitation in the recent past. To the extent possible, quantify the costs and benefits of each alternative, incorporating the estimated costs of any associated mitigating measures. The social survey team, design team, relevant provincial/local authorities and the PMU must maintain close coordination to identify opportunities to avoid or minimize resettlement impacts in each sub-project.

7.2 PARAMETERS OF ASSET VALUATION

The Land Acquisition Regulations (LAR) 2008 ratified by the Parliament of Sri Lanka on 17th March 2009 as regulations under the LAA gave effect to the national policy for the payment of compensation. [Regulations imposed by the Minister of Land and Land Development under Section 63(2) (f) of the Land Acquisition Act No: 9 of 1950, approved by the Parliament of Sri Lanka on 17th March 2009 and published in the Extraordinary Gazette No: 1596/12 dated 07.04.2009].

The key features of LAR 2008 are the following:

- a) **Compensation for land:** In the case of land where **part of a land is acquired** and when its value as a separate entity deems to realize a value proportionately lower than the Market Value of the main land, **the compensation should be proportionate to the**

value of the main land. In the application of this principle, the valuation process will take into account the physical condition of the land, its extent, the highest and the best use of the main land, the legally permissible market value, and any encumbrances.

- b) **Compensation for buildings:** Where at the date of intention to acquire was published, the building is used for occupation and or business purposes or is intended to be used for occupation and or business purposes, the difference between the cost of re-construction and the value of building based for determination of Market Value, should be paid as an additional compensation. However, buildings/structures which are fully or partially completed and appeared to have been abandoned will be excluded from compensation based on reinstatement value/re-construction cost.
- c) **Compensation for developments on encroached state land:** With the concurrence of the Divisional Secretary in writing, reinstatement value for developments/improvements carried out by the encroacher may be paid.
- d) **Compensation for developments on encroached private land:** Where the owner has not contested the encumbrances in a Court of Law, the person carried out the improvements will qualify to receive the value upon adequate proof of that improvements made by such person.
- e) **Compensation for paddy land:** Value based on development potential could be considered for paddy lands acquired where permission to fill such lands have been granted by the Agrarian Services Commissioner General. In determining the compensation, valuers will review the permission granted by the Commissioner General of Agrarian Services to fill the land, production of the permit at the section 9 inquiry, purpose for which the permit was issued e.g., residential, commercial or any other, extent of the land permitted for filling, time validity of filling permission etc.
- f) **Compensation for tenants:** When an acquired building is occupied by a tenant / statutory tenant protected under the provisions of the Rent Act No: 7 of 1972 (as amended thereafter) the compensation will be ascertained in proportion having regard to the provisions of Rent (Amendment) Act No. 26 of 2002. In this regard, the assessment of compensation will calculate the unencumbered freehold interest and the statutory entitlement of the landlord and the tenant under Rent Amendment Act No.26 of 2002 and apportion the unencumbered value between the tenant and the landlord.
- g) **Compensation for Injurious affection and severance:** Injurious affection can cause from when only a part of the land is acquired or no land is acquired at all [McCarthy Rules]. However, the LAA does not make provisions for the latter. Severance can cause when the land is severed by the acquisition. In such situations, the claimant is entitled to receive compensation not only for the part of the land that was acquired but also for severance and other injury which may cause to the remaining land formerly held with it. The LAA prescribes that 20% of the market value determined for the acquired land should be paid as compensation for injurious affection and severance [Sec. 46(1) (i) and (ii)]. Meanwhile, the LAR 2008 stipulate that ‘damages caused by severance and injurious affection should be allowed fully’.
- h) **Compensation for disturbances and Other Expenses:** According to LAR 2008, compensation for the acquired land, severance and injurious affection resulting from land acquisition will be determined by the ‘market value’ of the affected properties. However, the same regulations prescribe a different methodology for calculating compensation for ‘disturbance’ caused by land acquisition. Accordingly, compensation should be determined considering the ‘value to the owner’ of the property affected as per the written claims submitted by the affected persons. Compensation for disturbance could be paid under the following sub-heading:

Regulation No.	Provisions for compensation
3.1	Expenses incurred for appearing for Section 9 inquiry
3.2	Expenses for finding alternative accommodation
3.3	Cost incurred in change of residence – shifting
3.4	Cost of advertising
3.5	Re-fixing cost of fixtures and fittings
3.6	Expenses incurred for transport
3.7	Loss of earnings from business (within the limits given in prevailing Act)
3.8	Increased overhead expenses
3.9	All other expenses to the owner resulting from the acquisition
3.10	Double payments
3.11	Any other additional expenses for disturbance or compensation not considered under any other subsection of this Act which is directly not connected to market value of the land
3.12	When an owner of a house or of an investment property is displaced, additional 10% payment based on market value.

The LAR 2008 under 'Disturbance' makes the necessary provisions for compensating every possible cost incurred by the affected persons in compulsory acquisition of their properties. Section 3.11 of the Regulations within the framework of the 'value to owner' encompasses a range of disturbances and provides space for including those that have not been identified up to now.

Despite these positive elements of LAR 2008, concerns have been raised as to whether the valuation procedure for payment of compensation stipulated under LAR 2008 would meet the 'replacement cost' of all losses caused to the affected persons, and secondly, whether all potential losses caused to different categories of affected persons are covered under the regulations. For example, compensation for encroachers and squatters is restricted only to the 'development value' (for improvements carried out) of the land that they occupied. They would not be entitled to receive any compensation for the land. Whether such compensation for development value is sufficient to reestablish the living conditions of those non-titleholders (without compensation for land) is a concern that has been discussed widely. These concerns have triggered some development projects to offer free alternate housing for displaced non-titleholder households. Also, the regulations are not explicit on the compensation for transaction costs of land, specific compensation for vulnerable persons/households and compensation for loss of crops and trees affected by land acquisitions. On the other hand, the regulations are weighted towards compensation for registered businesses and place less emphasis on informal small-scale unregistered businesses operated by tenants, mobile vendors, and squatters.

Moreover, the main thrust of the LAR 2008 is to provide compensation for persons affected/displaced by land acquisitions. It does not provide any valuation procedure nor cover compensation for non-land acquisition based economic displacements. Persons who conduct their business operations as tenants, mobile vendors or squatters on state land would be affected and lose their livelihood activities by the recovery of state land for development projects. It is only during a thorough assessment of the impacts of development projects (irrespective of whether they involve land acquisitions or non-land acquisitions), and the identification of real and potential losses and costs to different categories of affected persons, that the relevance and applicability of LAR 2008 can be determined.

A project, which is complex and diverse in terms of the categories of affected persons as well as their assets, may not totally benefit from the valuation procedures and compensation payments provided in the 2008 LAR. Therefore, the project will address any gaps identified in the Regulations in terms of replacement cost or its coverage through the provisions in the entitlement matrix of the RPF and thereafter in the RAPs, which would include both additional cash compensation and non-cash resettlement assistance.

7.3 RESTORATION AND IMPROVEMENT OF LIVELIHOODS AND INCOMES

The projects planned under this project may have an impact on the livelihoods and sources of income of people living in the project area. The impacts could be due to; i) the acquisition of land on which people depend for their livelihoods; ii) land donation which may affect other users and occupiers of the land beyond the legal owner, ii) imposition of restrictions on access or use of land that people use for their livelihoods; and iii) displacement of people from their homes and businesses, leading to relocation and resettlement. Other projects that required resettlement have experienced the following issues in relation to developing livelihood and income improvement programs:

- Inadequacy or unavailability of replacement land or land suitable for agricultural activities to replace areas of farmland affected in rural areas.
- Inadequate compensation that fails to cover the full loss of economic assets, particularly the livelihood assets of non-titleholders.
- Lack of the necessary skills that would allow affected people to engage in alternative types of employment.
- Unwillingness of affected people to replace or diversify their traditional livelihood activities to include more of the non-agricultural/off-farm activities introduced under the income restoration programs.
- Poor design of the livelihood restoration programs inadequate consultations and lack of participation of the affected persons in the process of planning and implementation of livelihood restoration programs.
- Inadequate budget allocation for livelihood and income restoration programs.
- Delays in starting the income restoration programs and establishing adequate implementation and monitoring mechanisms for the programs.

The World Bank's Environmental and Social Framework (ESF) and ESS-5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement highlights the following principles:

- Assist the displaced persons in their efforts to improve their standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- If the impacts include physical relocation, support for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihoods and standards of living.
- If displaced person does not prefer land or it is demonstrated that replacement land or resources are unavailable, provide options for alternative income earning opportunities, such as credit facilities, skills training, business start-up assistance, employment opportunities, or cash assistance additional to cash compensation for land and other assets.
- For persons whose livelihoods are natural resource-based and where project-related restrictions on access apply, measures should be implemented to either allow continued access to affected resources or to provide access to alternative resources with equivalent

livelihood-earning potential and accessibility.

- Affected persons eligible for compensation would include (i) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); (ii) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets – provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan; and (iii) those who have no recognizable legal right or claim to the land they are occupying.

The National Involuntary Resettlement Policy (NIRP) incorporates the following principles for livelihood restoration.

- Avoid, minimize, and mitigate negative impacts of involuntary resettlement by facilitating the reestablishment of the affected people on a productive and self-sustaining basis. Ensure that people adversely affected by development projects are fully and promptly compensated and successfully resettled. The livelihoods of the displaced persons should be reestablished and the standard of living improved.
- Ensure that no impoverishment of people shall result as a consequence of compulsory land acquisition by the State for development purposes.
- Where involuntary resettlement is unavoidable, affected persons should be assisted to reestablish themselves and improve their quality of life.
- Compensation for loss of land, structures, other assets, and income should be based on full replacement cost and should be paid promptly. This should include transaction costs.
- Gender equality and equity should be ensured and adhered to throughout
- Affected persons who do not have title deeds to land should receive fair and just treatment.
- Vulnerable groups should be identified and given appropriate assistance to improve their living standards.

The project will comply with the policy principles of both the ESF and the NIRP and will design a comprehensive livelihood and income restoration program based on the identification of diverse needs of the persons whose livelihoods will be affected. In this regard, the project will conduct adequate consultations with the affected persons, and other stakeholder agencies, and will ensure their proactive participation in the design, planning and implementation of the livelihood restoration programs. A comprehensive assessment of the potential impacts on livelihoods and incomes will be carried out as part of the resettlement survey conducted for each sub-project. The assessment will identify the livelihood/income related losses as well as the strategies and interventions required for the restoration and improvement of affected livelihoods and incomes. The information gathered during the assessment will also provide a baseline standard or benchmark data for subsequent monitoring exercises. The livelihood and income improvement program will also include specific measures or components for the most vulnerable households, such as female-headed households, families that include members with chronic illness or disability, and households living below the poverty line. The PMU will closely monitor the situation of the resettled families and businesses owners/operators continuously until the project completion to ensure they are able to recover their livelihoods.

The PMU will either hire external consultants/NGO or include a livelihood restoration expert to help develop and implement the program, which should be based on achieving the following targets:

1. **Cash-based assistance.** This type of assistance is primarily a short-term strategy.

- Depending on context, it could take different forms. For example, people who are displaced could be given a cash grant to help restore their livelihood and income sources.
2. **Land-based assistance.** This is a medium to long term strategy. It would involve the provision of replacement land or assistance to purchase new land and/or provision of access to alternative grazing lands, forest, or water resources. A program of this nature would also have to include compensation payments or direct support to prepare the new land for agriculture, and to provide inputs such as seeds, fertilizer and help with marketing.
 3. **Non-land-based assistance:** This would include the provision of technical and vocational training programs, access to facilities for micro-credit and business development assistance, if required.

The following principles will be followed in developing income and livelihood restoration program.

- Design, plan and implement the income and livelihood restoration and improvement plans prior to displacement
- Consider both short-and long-term strategies for effective income restoration and improvement
- Consult project-affected groups including women, and assess their needs prior to planning any income restoration strategy
- Develop multiple options and diverse interventions with different time frames for income restoration and improvement.
- Develop special measures for displaced persons who are most disadvantaged in terms of income generation and employment, e.g., very poor families, families headed by women or elderly persons, etc.
- Assess the adaptive and absorptive capacity of the people affected by the project, especially their interest and willingness to engage in new income generating activities, and to consider the availability of raw materials and other inputs and the markets for such ventures
- Complement skills training programs with the other kinds of support required for livelihood and income restoration, such as access to credit or cash grants, equipment, access to market information and linkages
- Ensure that adequate resources are allocated - financial, material, and human –for the effective and efficient implementation of the income restoration and improvement plan
- Design, plan and establish a comprehensive monitoring system that measures the processes, outputs and outcomes of the income restoration programs
- Continue the program after the civil works have been completed, since income restoration and improvement strategy will require support over a longer period

7.4 ENTITLEMENTS FOR AFFECTED PARTIES

The entitlements, compensation, and eligibility, including preparation of the EM, is based on the provisions in the LAA of 1950, LAR of 2008, together with the principles of the NIRP and the relevant World Bank's ESS-5. The EM considers the unit of loss to determine the unit of entitlement. The RPF provides additional guidelines for integrating social inclusion, accountability and gender considerations in planning and implementing resettlement activities depending on the rights of APs.

7.4.1 Entitlement matrix

Based on the key land acquisition, and resettlement impacts of the project, the following Entitlement Matrix (EM) has been developed as shown in Table 12 to address the different types of land acquisition and resettlement impacts that are expected in the project. The EM is based on the practices and entitlements that have been applied in other projects that are already in execution and implemented by the RDA, as well as other ongoing and recently completed projects in Sri Lanka. The EM is mainly applicable to the affected residential, agricultural (including plantations) and small to medium scale businesses and industries.

Table 13: Entitlement Matrix for the Project

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
A. Loss of Agricultural Land (Low land and high land)/Non-Agriculture Lands					
A1	Loss of Agricultural land	Owner with title deed or registration certificate	Preference will be given to APs for land for land option (similar location and productive quality), subject to the availability of such land. Or cash payment for loss of land at full replacement cost. In case of only a section of land is acquired and if the remaining portion is economically not viable for continued use as per the LAA the remainder land will be acquired or injury will be paid at replacement cost if opted by AP. In either case reasonable time will be given to harvest the crops/ tree crops or payment will be made at market value as indicated by item E1. Payment of 10% of replacement cost will be paid for paddy fields, subjected to the assumption that permission to develop the land has been obtained from the relevant authority. Payment of Livelihood Restoration Allowance G3.1 and Additional allowance (H2.2)	Payment for lost assets and restoration of livelihoods. Payment for loss of income based on entitlement under Land Acquisition Act [46 1 (iii)] or as determined by the CV as per Regulations 2009.	RDA, CV, DS.
A2	Loss of access to agricultural land	Tenant, user with lease, <i>Ande</i> farmer	No payment for land. If cultivated by tenant, user with lease or <i>Ande</i> farmer payment of compensation for standing crops and/ or tree crops as indicated in item E1.	Payment to cover lost crops and incomes and for restoration of livelihoods.	RDA, CV, DS.

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
			In either case reasonable time will be given to harvest the crops if not payment will be made at market value as indicated by item E1 Cash payment for loss of net farm income for portion of land affected for the remaining leased/assigned period. Payment of Livelihood Restoration Allowance G3.1 and Additional allowance (H2.2)		
A3	Loss of access to agricultural land	Sharecropper	No payment for land. Reasonable time will be given to harvest the crops if not payment will be made at market value as indicated by item E1 if cultivated by the sharecropper. Payment of Livelihood Restoration Allowance G3.1 and Additional allowance (H2.2)	Payment to cover lost crops and incomes and for restoration of livelihoods.	RDA, CV, DS.
A4	Loss of access to agricultural land	Non-title user or encroacher on private land or state land	No payment for land. Reasonable time will be given to harvest the crops if not payment will be made at market value as indicated by item E1 if cultivated by the non-title owner. Payment of Livelihood Restoration Allowance G 3.1 and Additional allowance (H2.2)	Payment to cover lost crops and incomes and for restoration of livelihoods.	RDA, CV, DS.
B. Residential Land and Structures					
B1	Loss of residential land and structure	Owner with title deed or registration certificate	<i>Partial loss of land and structure</i> All payments for land and structure in material and/ or cash at full replacement cost (provisions under LAA and Regulations 2008), WITHOUT deduction for depreciation or salvageable materials to repair or rebuild the structure to original or better condition when remaining land area is sufficient to rebuild upon the structure. Payment of item F1.1, Materials transport allowance and item G2 of Transition settlement allowance.	Payment for lost assets, assistance to reorganize on existing land or relocate to an alternate land and support for transition period.	RDA, CV, DS,

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
			Payment of item H2.2 of Additional allowances Complete loss of land and structure For structures not having sufficient land to rebuild upon will be entitled to the following: Payment for land and structure in material and/ or cash at full replacement cost (provisions under LAA and Regulations 2008), WITHOUT deduction for depreciation or salvageable materials. Payment of item F1.1, Materials transport allowance and item G2 of Transition settlement allowance. Payment of item H2.2 of Additional allowances.		
	Loss of rental accommodation	Tenant, user with lease	Partial loss of rental accommodation If there is partial loss of rental accommodation, AP has the option to stay with the owner's agreement OR. If AP chooses to move out, cash assistance for 3 months rental allowance as mentioned below: • Maximum rental of Rs. 10,000/= per month for properties situated in Municipal council areas • Maximum rental of Rs. 7,500/= per month for properties situated in Urban council areas • Maximum rental of Rs. 5,000/= per month for properties situated in Pradeshiya Sabha areas Payment of item H2.2 of Additional allowances Complete loss of rental accommodation If there is complete loss of rental accommodation, cash assistance to cover rental arrangements for maximum period of 6 months of equivalent standard as mentioned below: • Maximum rental of Rs. 10,000/= per month for properties situated in Municipal council areas • Maximum rental of Rs. 7,500/= per month for properties situated in Urban council areas • Maximum rental of Rs. 5,000/= per month for properties situated in Pradeshiya Sabha areas	Cash payment for rental allowance or cash value of remaining lease, assistance for finding alternate rental accommodation and support during transition period.	RDA, CV, DS.

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
			Assistance in finding new affordable rental accommodation AND Payment of item H2.2 of Additional allowances.		
B3	Loss of residential structure	Non-titled user, non-permitted user, or squatter	<i>Partial or complete loss of structure</i> No payment for land. In case of squatters on state lands, the AP would be paid the reinstatement value (regulations 2008) with the written concurrence of the Divisional Secretary. In case of squatters on private land, the person who carried out the improvements will qualify to receive the value upon adequate proof of the improvements which has been made on the land by such person. Payment of item F1.1, Materials transport allowance and item G2 of Transition settlement allowance. Payment of item H2.2 of Additional allowances.	Payment for lost assets, assistance to reorganize on land and support for transition period for non-titled users or encroachers on government or private land.	RDA, CV, DS.
C. Commercial Land and Structures					
C1	Loss of commercial land and structure	Owner/s of business land and structure/s	<i>Partial loss of land and structure</i> All payments for land and structure in material and/ or cash at full replacement cost (provisions under LAA and Regulations 2008), WITHOUT deduction for depreciation or salvageable materials to repair or rebuild the structure to original or better condition when remaining land area is sufficient to rebuild upon the structure. Payment for any associated loss of income while commercial structure is being rebuilt will be based on the following guidelines of Regulations 2008. (i) Payment for formal businesses will be based on the accounts and tax returns pertaining to preceding three (3) years. (ii) A payment for increased overhead expenses would be recommended by CV as per the circumstances.	Project shall give reasonable time for owner/s or operator/s to continue their business operation while rebuilding their structures. Owner/s will rebuild their structure as soon as payment is released and clear the area in the agreed timeframe. Transition assistance and income restoration.	RDA, CV, DS.

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
			Payment of item F1.1, Materials transport allowance and item G2 of Transition settlement allowance. The Livelihood Restoration Allowance (G3.2) and Special allowance (H2.2) Complete loss of land and structure For structures not having sufficient land to rebuild upon will be entitled to the following: 1. Payment for land and structure in material and/ or cash at full replacement cost (provisions under LAA and Regulations 2008), WITHOUT deduction for depreciation or salvageable materials. 2. For income losses cash payment not exceeding three times the average annual net profits from business, as shown by the books of accounts, for three calendar years immediately preceding acquisition or livelihood restoration grant, whichever is higher, 3. For businesses which do not maintain books of accounts cash payment equivalent to 6 months income OR Livelihood assistance grant, whichever is the higher, 4. Payment of item F1.1, Materials transport allowance and item G2 of Transition settlement allowance. The Livelihood Restoration Allowance (G3.2) and Special allowance (H2.2)		
C2	Loss of commercial Structure	Owner of registered/ non-registered business who operates as a tenant	Partial loss of rental accommodation If there is partial loss of rental accommodation, AP has the option to stay with the owner's agreement OR. If AP chooses to move out, cash assistance for 3 months rental allowance as mentioned below: • Maximum rental of Rs. 10,000/= per month for properties situated in Municipal council areas	Cash payment for rental allowance or cash value of remaining lease, assistance for finding alternate rental accommodation and support for income losses and during transition period.	RDA, CV, DS

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
			- Maximum rental of Rs. 7,500/= per month for properties situated in Urban council areas - Maximum rental of Rs. 5,000/= per month for properties situated in Pradeshiya Sabha areas The Livelihood Restoration Allowance (G3.2) and Special allowance (H2.2) Complete loss of rental accommodation If there is complete loss of rental accommodation, cash assistance to cover rental arrangements for maximum period of 6 months of equivalent standard as mentioned below: - Maximum rental of Rs. 10,000/= per month for properties situated in Municipal council areas - Maximum rental of Rs. 7,500/= per month for properties situated in Urban council areas - Maximum rental of Rs. 5,000/= per month for properties situated in Pradeshiya Sabha areas Assistance in finding new affordable rental accommodation AND Payment of item H2.2 of Additional allowances RDA will assist in recovering advance payments made by the tenant to the owner if there is a complete loss of rental accommodation. Following will also be applicable irrespective of the nature of impact 1. For income losses cash payment not exceeding three times the average annual net profits from business, as shown by the books of accounts, for three calendar years immediately preceding acquisition or livelihood restoration grant, whichever is higher, 2. For businesses which do not maintain books of accounts cash payment equivalent to 6 months income OR Livelihood assistance grant, whichever is the higher.		

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
C3	Loss of commercial Structure	Owner Registered/ non-registered business operating as an encroacher/ squatter on private/ government land and structure	<i>Partial or complete loss of structure</i> No payment for land. In case of squatters on state lands, the AP would be paid the reinstatement value with the written concurrence of the Divisional Secretary. In case of squatters on private land, the person who carried out the improvements will qualify to receive the value upon adequate proof of the improvements which has been made on the land by such person. Payment for any associated loss of income while commercial structure is being rebuilt will be based on the following guidelines of Regulations 2008. (i) Payment for formal businesses will be based on the accounts and tax returns pertaining to preceding three (3) years. (ii) For businesses who do not maintain books of accounts cash payment equivalent to 6 months income OR Livelihood assistance grant, whichever is the higher. (iii) A payment for increased overhead expenses would be recommended by CV as per the circumstances. Payment of item F1.1, Materials transport allowance and item G2 of Transition settlement allowance. Livelihood restoration grant items G3.2 where required. Payment of item H2.1 (if required) AND H2.2 of Additional allowances.	Payment for lost assets, transition assistance and income restoration for owner/s of non-registered businesses and squatters.	RDA, CV, DS
D. Other Private Properties or Secondary Structures					
D1	Partial or complete loss of other property or secondary structure (i.e., well, parapet wall, shed, outdoor latrine, warehouse, storage	Owners of structures (regardless of the ownership of land)	Cash payment for affected structure at replacement cost. Or repair the structure to original or better condition by Project.	Payment for loss and relocation if required.	RDA, CV, DS.

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
	facility, cold storage facility, animal pen etc)				
E. Trees with Timber Value and Standing Crops					
E1	Loss of crops and trees with timber value	Person who cultivates crops and/or owns trees (regardless of the ownership of land)	An advance notice to harvest crop shall be displayed at GN office and informed to DP by GN in advance. However, where harvesting is not possible a net value of trees and standing crops based on market prices. Entitlement for payment will be as follows. Full payment for crops and trees to owner if cultivated by himself. For tenant and <i>Ande</i> farmer, payment for crops shall be paid to tenant or <i>Ande</i> farmer at market price. Payment for trees (if any) to landowner. For sharecropper, payment for crops shall be shared between owner and sharecropper according to the sharecropping agreement.	Payment for trees (crop and timber) calculated on market value based on land productivity, type, age, and productive value of affected trees.	RDA, CV, DS, GN and State Timber Corporation (where applicable)
F. Livelihood Restoration and Rehabilitation Assistance					
F1. Materials Transport Allowance					
F1.1	Relocation of housing or business	Households or business owners who will be relocated (regardless of the ownership of land)	Cash assistance (relocation allowance) would be paid to household on following basis for transportation to new location or site based on floor area of the house in occupation before relocation. - Rs. 10,000 for houses where floor area is less than 1000 sq. ft - Rs. 15,000 for houses where floor area is between 1000-2000 sq.ft. - Rs. 25,000 for houses where floor area is more than 2000 sq.ft. If there are subfamilies, above payment should be divided proportionately. For other properties, maximum amount of Rs. 25,000 would be paid depending on the nature of occupation.	Payment for disturbance and to assist in relocation	RDA, CV, DS.

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
G2. Transition Settlement Allowance					
G2	Cost of re-fixing of Fixtures and fittings	For households and owner/s or operator/s of businesses and institutions that will be permanently displaced	A maximum allowance of Rs. 5,000 will be paid for a household. In case of a business premises or any other construction of specified nature the amount will be based on actual computations. Steps will be taken to avoid any double counting.	To assist the household or business entity to reestablish at new location without delay and to start their activities. To avoid any adverse impact on income of the business.	RDA, CV, DS.
G3. Livelihood Restoration					
G3.1	Permanent effects on livelihood	Severely affected farmers remaining on affected land or who starts new cultivations	Assistance to increase productivity on remaining land (i.e., increasing cropping intensity, use of high yielding seeds, diversification and introduction of new seeds or crops etc.) and assistance to access existing subsidies.	Access to existing agricultural extension services and development of new services as per the specific needs of APs as identified through consultation with them, support for access to existing subsidies, development and training from Department of Agriculture, Tea Smallholding Authority, Agrarian Services Department, Coconut Development Board, and Rubber Control Department	RDA, DS, CV.
G3.2	Temporary effects on livelihood	Those who are self-employed and are temporarily affected	A cash assistance of Rs. 15,000 per household would be paid as livelihood restoration grant, with written concurrence of Divisional Secretary. If requested by household, RDA will assist in obtaining professional assistance and advice, to invest funds or to set up a business at a commercially viable location.	Additional payment to offset any income losses not directly paid for and to provide support while business re-establishing or as start-up investment for new business if AP must change livelihood.	RDA, DS, CV.
G3.3	Effects on non-titled owners of business units located in private/state lands	Non titled owners of small shops	The project will find an alternate location for the affected owners to continue their business during construction period. The businesses will be temporarily relocated prior to starting of the civil works. Transport and labor assistance to shift the structures to an alternate land. In case of any income losses due to the relocation, compensation will be paid for the relocation period to offset such losses based on the incomes reported	Assistance to avoid any loss of income for the AP.	RDA

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
			during the census survey, and after the certification by the respective Grama Niladaris. The project will ensure and reach agreement with the respective custodians of the roads i.e., local authorities to provide suitable permanent locations outside the roads' ROW for their business operations after the completion of the road construction works		
H. 1 Special Assistance for Vulnerable Households/APs					
H1.1	Effects on vulnerable DPs	Households having vulnerable APs (Low-income families (attached to Samurdhi or other poverty alleviation schemes) Elderly APs, female-headed households, and disabled)	A special grant of Rs 15,000 per household to improve living standards of vulnerable APs and households.	Assistance, over and above payment for lost assets, to reduce impacts of resettlement which can disproportionately affect the already vulnerable and to ensure that the project does not simply re-establish levels of vulnerability or marginalization.	RDA, CV, DS.
H2 Additional Allowances					
H2.1	Cost of advertising	For owner/s or operator/s of business or Institution	Applicable for businesses or institutions that will be permanently displaced from present location. An allowance for advertising the new premises, printing of notice boards would be paid as follows. Registered business/ institute Rs. 15,000 Unregistered business/ institute Rs. 2,500	Assistance to advertise the new location of the business/ institute and to secure the existing client base, thereby to avoid any significant impact on income and client base of the business/ institute.	RDA, CV, DS.
H2.2	Expenses incurred during acquisition process	All APs who appear for section 9 inquiry	An allowance not exceeding Rs. 10,000 would be paid to each DP who appears for section 9 inquiry.	Assist all APs who appear for section 9 inquiry to offset the expenses they must bear in obtaining claim/ valuation reports, title reports and traveling expenses etc.	RDA, CV, DS.
I. Community Assets					
I1	Loss of small-scale community buildings and other structures.	Divisional Secretary division, urban ward, local community, or local authority owning or benefiting from community property. Chief priest of the religious place.	Restoration in existing location of affected community buildings, structures, infrastructure, and common property resources to original or better conditions. Or relocate at alternative location identified in consultation with affected communities and relevant authorities.	Full restoration of buildings, structures, or other community resources by contractor (costs to be borne by the project) or payment for such if agreement for local authority, community to undertake the restoration works.	RDA, CV, DS, Local Authority.

	Type of Loss	Entitled Persons	Entitlements	Justification for Payment	Responsibility
			Or cash payment at full replacement cost, and restoration of access to community resources.		
I2	Loss of local infrastructure such as local roads, playgrounds, footpaths, bridges, irrigation, water points or communal hand pumps etc.	Divisional Secretary division, urban ward, local community, or local authority owning or benefiting from community property.	Restoration in existing location of affected community buildings, structures, infrastructure, and common property resources to original or better condition. Or relocation in alternative location identified in consultation with affected communities and relevant authorities. Or cash payment at full replacement cost; And restoration of access to community resources.	Full restoration of infrastructure or other community resources by contractor (costs to be borne by project) or payment for such if agreement for local authority or community to undertake the restoration works.	RDA, CV, DS, Local Authority.
J. Unanticipated Adverse Impacts					
J1	Any unanticipated adverse impact due to project intervention	Any unanticipated consequence of the project will be documented and mitigated based on the spirit of the principles agreed upon in this policy framework.			

RDA: Road Development Authority; DS: Divisional Secretary; CV: Chief Valuer; GN: Grama Niladari

7.4.2 Compensation at Replacement Cost

Sri Lanka has an advanced system for valuation of properties, and there are state and registered private valuation officers. But the replacement cost for acquired assets will be determined by the Valuation Department. While the LAA permits assessment of damages to land and structures at the market rate, the LAR 2008 provides detailed guidelines for determining compensation at replacement cost which is close to the World Bank guidelines. More specifically, the 'replacement cost' includes compensation of statutory and non-statutory payments and ex gratia payments including current market value without depreciation, any other injurious affectation, severances, interest accrued, transitional and restoration costs, disturbances cost, and any other applicable payments.

7.4.3 Acquisition of Non-Viable Remainder Plots

It is possible that after acquisition of the land parcel required for the project, the remainder plot is severed and become non-viable for any productive use. In such situations, the claimant is entitled to receive compensation not only for the part of the land that was acquired but also for severance and other injury which may cause to the remaining land formerly held with it. The LAA prescribes that 20% of the market value determined for the acquired land should be paid as compensation for injurious affection and severance [Sec. 46(1) (i) and (ii)]. Meanwhile, the LAR - 2008 stipulate that 'damages caused by severance and injurious affection should be allowed fully'.

7.4.4 Improvements of Land with Limited User Rights

For some development works, land may not be required to be acquired. In such situations, an agreement will be reached after a process of consultation between the landowner and the Project to allow for development of the land while keeping possession of land ownership intact but limiting the user rights. In such cases, the project team, after consultation with the owner, would reach an agreement or Memorandum of Understanding (MOU) to use the land parcel only for the purpose specified in the agreement. Refer to 4.5.4 for details on voluntary land donation.

7.4.5 Compensation for Structures

If only part of the structure is acquired, the floor area to be considered for payment will be calculated up to the structural support points. If after acquiring the affected portion, the remainder portion becomes structurally unsustainable, compensation will be paid as per the LAA for the entire structure. For damages of the government property, no cash compensation will be paid but the Project will take on the responsibility for rebuilding and restoring damaged structures.

7.4.6 Resettlement and Rehabilitation Benefits for the Non-title Holders

Non-title residential squatter or encroached households residing in the sub project areas prior to the cut-off date and verified to be in the displaced category during social impact survey, will be provided with assistance as per the LAA 1950 and LAR 2008. Commercial non-title holders on State lands will receive compensation for their affected structures at replacement value and rehabilitation assistance to continue their livelihood. The non-titleholders, however, shall not receive any compensation for land.

7.5 CUT-OFF DATE, ELIGIBILITY CRITERIA AND UNIT OF ENTITLEMENTS

7.5.1 Unit of Entitlement

For the purposes of this RPF, the unit of entitlement can be an individual, household, family, or a community. However, even in the cases where the household is the unit of entitlement, for R&R benefits, in case of providing compensation for the loss of land and structure, the titleholder—who maybe an individual, a household, or a group of individuals, become the unit of entitlement. If more than one person has legal or customary rights to a property or resource recognized under law, the compensation will be shared by all of them.

7.5.2 Cut-off Date

All eligible PAPs will be informed about the project and the RAP process, and a cut-off date will be established as part of determining PAP's eligibility. Under this Project, the cut-off date for eligibility of entitlements is either the start date of the census survey of the affected population (applicable for non-titleholders) or the date of Section 2 notification under the Land Acquisition Act No. 9 of 1950 (applicable for titleholders in case of LA). The cut-off date will be publicly announced and there will be continuous public dissemination of information on the area delineated to prevent further population influx. Persons who encroach on the area after the cut-off date will not be entitled to claim compensation or any other form of resettlement assistance. Likewise, fixed assets such as built structures or planted trees after the cut-off date will not be covered and compensated.

7.5.3 Eligibility Criteria

Any person or household, or community that suffers loss of access to land, shelter, structures, business, income, sources of livelihood because of the project impacts will be eligible for receiving compensation and/or R&R assistance to offset such loss and enable restoration of living conditions to a state better or equal to the pre-project situation. The eligibility will be determined based on impact survey carried out while preparing the RAP and approved by the PMU. In the case of titleholders, title deeds or other legal documents admissible and recognized under law will also be used as valid ownership documents.

8. SITE SELECTION, PREPARATION AND RELOCATION

8.1 IDENTIFICATION AND PREPARATION OF RELOCATION SITES

In case of land acquisition, land for land compensation is one possible option to compensate for the loss of land, houses, and even small businesses. It may be an appropriate option where small settlements must be moved, due to significant impacts on businesses and housing. The land to be provided to the affected persons should be of similar quality and extent of the land acquired for the project. In cases of land donation, no household relocation is involved.

The PMU will be responsible for identifying the alternative areas that could be developed as resettlement sites. The following measures will be considered in selecting and developing an area as a resettlement site.

- Criteria for site selection will be developed and discussed in detail with the affected people, their representatives, local officials, and other relevant persons. Affected people will be consulted upon regarding different relocation options.
- A feasibility study will be carried out to assess the potential of each proposed resettlement site to ensure that it is suitable for the type of resettlement proposed (agricultural settlement, residential and business, apartment blocks, etc.) and has the infrastructure and other facilities that are needed as well as connectivity with markets and other towns.
- Wherever possible, the selected sites will be close to the affected areas, to allow people to continue in their current employment and schools, to retain existing clients and networks in the case of businesses, and to remain close to their friends, families, and community. It is preferred if the relocation sites could be found within a radius of 1-1.5 km from the present habitats of the affected communities.

The resettlement sites that will be developed for residential purposes will have the necessary infrastructure in place before any families move. The facilities would include road access, potable water, sewerage, storm-drainage, electricity, schools, health care facilities and market buildings. As far as possible, these facilities will also be extended to the host community, as means of encouraging social harmony and integration of the people being resettled with them.

8.2 PHYSICAL RELOCATION AND TRANSITIONAL ASSISTANCE

Physical relocation may involve resettlement on the remaining area of an affected property, moving to a new plot selected by the affected household (self-relocation) or relocation to a plot in a resettlement site or housing unit developed by the project. The project will ensure that full compensation and other resettlement benefits and assistance are paid/granted to the displaced persons/households prior to their displacement. The payment of compensation will be made under Section 17 (award) of the LAA, and the Acquiring Officer will determine the date on which the compensation will be awarded in accordance with Section 38(a) of the LAA.

Where it is necessary for affected persons to vacate the affected area before the date specified in the Section 38(a) order, an allowance for temporary accommodation will be provided as set out in item B1 of the Entitlement Matrix. The affected persons who are relocated will also be provided with additional allowances such as for transport of their household goods and materials, vulnerability allowances etc. as stipulated in the 2008 Regulations and as set out in the Entitlement Matrix.

8.3 RELOCATION OF BUSINESSES

The relocation of businesses will follow the same procedures as set out above in Section 7.1. However, some businesses may be entitled to additional allowances such as for transport of goods and materials, restoration of utility services, re-fixing of fixtures and fittings, advertising etc. as well as allowances to be paid to the employees as specified in the Entitlement Matrix. Where possible, the project will encourage the owners or operators of affected industries and businesses to relocate to nearby areas.

8.4 RELOCATION OF INFRASTRUCTURE

The relocation of infrastructure facilities and public utility services will be undertaken by the agencies responsible for them (e.g., National Water Supply and Drainage Board in the case of

water distribution lines). The PMU will obtain the cost estimates required for relocating/shifting the affected facilities from these agencies, and then secure the necessary funds for moving or reconstructing the affected facilities. The funds will then be transferred to the respective agencies so that they can carry out the work. The PMU will monitor the progress of the reconstruction and will coordinate close with the relevant agencies to ensure that the works are completed as quickly as possible. A time frame will be agreed with the relevant service providing agencies, and the same will be communicated to the public prior to the relocation of those utility services to avoid/minimize any inconveniences caused to them.

8.5 RELOCATION OF CULTURAL HERITAGE SITES AND SITES OF CULTURAL AND/OR RELIGIOUS SIGNIFICANCE

It is yet to be determined if there are any major cultural heritage sites that would need to be relocated due to the project interventions. The project will consult the design teams to avoid any impacts on any such social and religious sites. If unavoidable, measures that are required to be implemented for their relocation will be discussed and closely coordinated with the religious authorities and the communities that worship or use these sites. The project will also make available adequate funds required for their relocation such as for acquiring alternative land/sites, their construction, and ceremonies to be performed during relocation etc. If additional civil works must be undertaken to protect the sites, the project will consider alternate design options to avoid such structures/sites.

8.6 TENURE AND TRANSFER OF TITLES

The transfer of tenure or titles to the households that have opted to move to resettlement sites or to any housing units provided by the Project is an important part of the resettlement process. The PMU will coordinate with the Divisional Secretaries in which the resettlement sites are developed, or with the UDA, in the case of housing units, to provide the resettled households with certificates of ownership. This activity will take place in parallel to the activities related to payment of compensation.

9. CONSULTATIONS, GRIEVANCE REDRESS MECHANISM, INFORMATION DISCLOSURE

9.1 CONSULTATIONS

Public consultation and community participation will be fundamental in ensuring the Project's acceptability and establishing a constructive relationship between the community and the Project. The World Bank's Environmental and Social Framework (ESF)'s Environmental and Social Standard (ESS) 10 on Stakeholder Engagement and Information Disclosure, recognizes "the importance of open and transparent engagement between the Borrower and project stakeholders as an essential element of good international practice" (World Bank, 2017: 97).

It is essential to provide accurate information about the Project to stakeholders (including people affected by the Project) from the planning stage onwards, to prevent misunderstanding and misinformation, and to build trust between the different stakeholders and the Project team. A well-planned comprehensive consultation program will help the project team to engage in more effective and focused discussions with the stakeholders, to share ideas about planning and implementation, to benefit from local knowledge and to take more informed decisions. Consultations will also help

obtaining stakeholder cooperation and support and community engagement throughout the project cycle, providing both primary and secondary stakeholders with opportunities to meaningfully contribute to the development process. This chapter outlines the consultations that were conducted during preparation of the RPF as well as the accompanying ESMF, SEP and the LMP for the project. It also offers guidelines to help the PMU to engage with stakeholders during project planning and implementation.

9.1.1 Consultations during preparation of the E&S Instruments

Preliminary consultations were carried out with different stakeholders during the screening process. They included community members living along the road, project affected parties, government officers such as Grama Niladaries and Women Development Officers of the respective Divisional Secretariats. The objectives of these consultations were to understand and discuss the existing socio-economic and environmental context in the project area, identify the initial response of the communities to road rehabilitation and share information about the proposed project with stakeholders.

These above consultations helped the PMU gain insights into the conceptual designs and the feasibility of the project. Moreover, the consultations were useful to identify the project related risks and impacts at an early stage of the project design and pointed to the need for minimizing adverse impacts at a few locations.

The Draft RPF will be disclosed on the project website after receiving clearance from the WB for public comments.

9.1.2 Consultations with Affected Persons

The PMU will be responsible for managing and conducting the process of consultation with the affected parties throughout the Project cycle. The LAA requires mandatory notifications, including the display of the Section 2- Notice, calling for enquiries into ownership under the Section 7- Notification, and regarding the award and payment of compensation under Section 17. However, these notifications are limited to the land acquisition process.

In case of rural roads, where small parcels of land maybe needed, dissemination of information about the project and land donation concept is required. The Assessment Tool to be developed under Component 1.3 will outline Participatory Rural Appraisal (PRA) approach such as transect walk for road selection and prioritization process. Extensive consultations with the affected households identified during transect walk will be undertaken to garner consensus and support for land acquisition or voluntary land donation (subject to Bank's approval, on meeting the requirements laid down in the RPF)¹⁵. Persons that are not directly affected by the Project interventions also need to be informed about the Project, including the public and the non-landowners that maybe directly or indirectly affected by the Project.

Specifically, the PMU will organize different types of consultation sessions, organize public meetings, hold focus group discussions, transect walks, carry out household surveys, and engage in direct one-to-one consultations with the people that will be directly affected by the Project. Further detailed consultations will be held with the people living in the Project areas to discuss the inventory and verification of their losses and their assets that are affected.

¹⁵ Voluntary land donation is subject to prior Bank approval, provided the Borrower demonstrates that: (a) the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them; (b) potential donors

are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation; (c) the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels; (d) no household relocation is involved; (e) the donor is expected to benefit directly from the project; and (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land. The Borrower will maintain a transparent record of all consultations and agreements reached.

9.1.3 Process for Stakeholder Engagement and Consultations

As mentioned above, in principle, consultations are aimed at obtaining stakeholder co-operation and community engagement throughout the Project cycle, providing both primary and secondary stakeholders with opportunities to meaningfully contribute to the development process. Under the project, these processes would be undertaken during Project identification, Project planning, and implementation. A potential model for stakeholder consultation and participation for sub-projects under the project is discussed below.

Project planning: Information on each stage of the Project will be disclosed to the affected communities to inform them and ascertain their potential roles and responsibilities. At the planning stage, the participants would be engaged in an interactive process that allows the affected communities, Project design team and planners to identify the most appropriate alternatives and options for finalizing the detailed designs. In rural areas, PRA approach such as transect walk will be used in the initial phase. An analysis of the project affected persons, and extensive consultation with the affected people are mandatory for preparation of the RAP.

Project implementation: The PMU will interact closely with the affected communities during Project implementation phase. Much of the discussion will focus on the issues relating to relocation, loss of livelihood, vulnerabilities, assistance to minimize the impacts on livelihoods, and on the resources that may be affected during implementation of the Project. The PMU will also co-ordinate closely with the relevant line agencies responsible for land acquisition, recovery, and improvement of livelihoods and income generations.

Table 14 indicates the key activities relating to consultations that will be undertaken during Project identification, planning, design, and implementation. The exact timing of these activities will be determined by factors that include progress of the general and detailed designs for each intervention, the prioritization of the project activities, and the staffing and resources available to the PMU.

Table 14: Consultation related activities for various stages in project cycle

Project Stage	Consultation related activities
Project Identification	• Identify the project stakeholders (project affected parties and other interested parties) • Engage stakeholders in the consultation process • Organize information material and plan the modes of dissemination. • Organize and document transect walks, and public consultations undertaken, and • Identify the need for preparation of Resettlement Plans
Project planning and Design	• Convene and record meetings with potential displaced persons and potential host population • Consult with affected people about relocation alternatives and income restoration options • Involve APs in assessing project impacts

	• Obtain inputs from potentially affected persons, hosts, CBOs on selection and development of resettlement sites • Establish Grievance Redress Committees (GRC) and their associated procedures, with representatives of the affected people • Involve potentially affected persons in the review of the Resettlement Plan
Implementation	• Facilitate participation of the affected persons in the implementation of the Resettlement Plan • Involve CBOs and other suitable institutions in resettlement efforts • Obtain support from CBOs and the private sector in livelihood and income restoration efforts • Involve affected people in decision-making committees. • Ensure that GRC procedure is functional; and • Involve affected people in monitoring and evaluation.

The PMU will keep records including photographs and videos of transect walk, public consultations, noting dates, locations, participants, salient issues raised, and responses to such issues. The procedures for consultation and communication, as well as the dissemination of information, will be formalized by the PMU.

9.2 INFORMATION DISCLOSURE

Information about each phase of the Project will be provided to the public through flyers and public notices put up at strategic locations, such as Divisional Secretariat offices, Grama Niladhari offices, and at the site offices established in the field before the land acquisition and resettlement activities have started. The Project will also provide up-to-date information on the Project website, through social media and through on local radio and TV stations.

A Public Information Booklet (PIB) will be delivered to each household in the immediately affected area. It will include relevant information on the Project and will explain the entitlements and rights of the affected people, including the compensation and rehabilitation measures, and provide information on persons to be contacted in case of additional information is required. The PIB will be published in local languages of Sinhalese and Tamil.

The PIB will include the following information:

- Brief description of the Project
- Potential impacts that can be expected during the Project
- Resettlement options, compensation policy and entitlements
- An outline of the livelihood restoration measures
- Relocation and resettlement process
- Procedures for consultations and stakeholder engagement including affected persons and host communities
- Project implementation schedule
- Location of the site offices and names, telephone numbers, and emails of the persons to be contacted for further information.

The ESMF, RPF and other safeguards documents such as SEP, LMP, etc. will be disclosed on the GOSL's website and on the World Bank's external website, after their clearance by the government and the Bank. During Project implementation, sub-project specific E&S instruments and plans will be disclosed after review and clearance by the World Bank. These documents and

plans to be implemented, will be publicly disclosed in-country as well as on the World Bank's external website.

At the sub-project level, the PMU will work with the local government authorities to ensure adequate information is available to the public. All the social and environmental management documentation will be made accessible to the public in local languages through the websites and the offices of the PMU, the relevant local authorities, as well as the World Bank's external website.

The RAP developed for roads with involuntary resettlement, will be made available to all interested parties including the affected persons. The RAPs will be drafted in English but will be translated into Sinhala and Tamil. The RAPs can be accessed through the official website of the RDA. Additionally, copies of the RAPs will be kept at the respective Divisional Secretariats for public reference. Meanwhile, individual files will be maintained for each AP shall have his/ her own file which will contain information on the progress of land acquisition process (including valuation and payment of compensation), compensation and other resettlement assistance received, and relocation/resettlement and livelihood restoration process. These files will be treated as confidential and will only be made available to the respective affected party. They will not be disclosed with the rest of the RAP.

As part of the overall results monitoring framework, the Project will also track the number of communication and citizen engagement programmes implemented, the number of participants involved in consultation activities during Project implementation, and the resolution of grievances/complaints filed. Those will also include gender disaggregated data.

9.3 GRIEVANCE REDRESS MECHANISM

The Grievance Redress Mechanism (GRM) addresses grievances in an efficient, timely and cost-effective manner, that arise in the project, either due to the actions of the project staff or the contractor/sub-contractors employed, and from affected communities and external stakeholders. A separate mechanism will be in place to address the grievances of workers. The PMU will be responsible for managing the GRM, but many of the grievances on the Project will likely relate to the actions of the Contractor and so will need to be resolved by the Contractor. The Project with the support of the supervision consultant will administer the GRM process deciding whether they or the Contractor is responsible for addressing the grievances and accordingly determine the best course of action to resolve the grievance. The supervision consultant will monitor grievance resolution being undertaken by the contractor. Further, the project affected persons as well as other interested parties will be fully informed of the GRM, its functions, procedures, timelines and contact persons both verbally and through booklets and information brochures during consultation meetings and other stakeholder engagement activities.

9.3.1 Scope of the GRM

The impacts of the Project may raise grievances and complaints on the part of affected persons in relation to: (i) land related issues and impacts on private properties; (ii) physical and economic displacement from the project; (iii) construction-related damages; (iv) environmental impacts; (v) direct and/or indirect social impacts; (vi) procurement, contract management and contractor performance; (vii) quality of roads, agriculture facilities, community infrastructure and transport services; (viii) operations and maintenance of the roads; (ix) safety and public access issues; (x) gender-based violence, including sexual harassment in project-related activities.

The Project will develop a four-tiered GRM. Project related GRM will be available for project stakeholders including project affected persons (i.e. those who will be and/or are likely to be directly or indirectly affected, positively or negatively, by the project), to submit complaints/grievances, questions, comments, and suggestions, or provide any form of feedback on all project-funded activities. The GRM will be easily accessible to the aggrieved parties irrespective of their ethnicity, religion, gender, and other social and economic differences. Moreover, it will ensure its transparency, efficiency and accountability in grievance handling and responding while winning the confidence of the complainants. The GRM will endeavour to resolve the grievances locally, and to avoid lengthy court procedures. The GRM will be managed and coordinated by the PMU to be set up for the Project. The PMU will designate a GRM officer (from among its social officers) who will be responsible for the overall coordination of the GRM. The GRM will function throughout the life cycle of the project implementation. The PMU will ensure that the composition of the GRM is gender responsive with adequate female representation and participation. The growing numbers of female Grama Niladharis¹⁶ and Divisional Secretaries¹⁷ in the administrative system of Sri Lanka will also strengthen the gender composition of the respective GRCs.

9.3.2 GRM Structure/Architecture

Tier 1: Grievance Redress at Site-Level

Grievance resolution at construction site-level will be the primary responsibility of the Project Manager (PM) of the Contractor. All grievances will be logged, reported to project implementing unit, and resolution actions documented. The PM will consult and seek assistance from a host of other project related staff based at field level such as the environmental and social officers (ESOs) of the Project Management Unit (PMU) and the Team Leader and his/her ESOs of the Project Consultant (PC) depending on the severity of the issues reported. Thus, grievance resolution at site-level would constitute a collaborative and team effort. The PM supported by other officers referred to above will immediately meet the aggrieved parties/complainants, consult them on the issue/s raised, understand the problem and its root causes, and propose a solution to the problem/s to reach an amicable settlement. The Contractor's ESO will maintain a record of the grievances/complaints received and the settlement reached details of which will be entered into a logbook.

Tier 2: Grievance Redress at Grama Niladhari Division (GND)¹⁸ Level

The project will establish a Grievance Redress Committee (GRC) at the GND level. Issues that cannot be resolved by the Contractor at site level will be forwarded to the GND level GRC for resolution. The GRC will be chaired by the Grama Niladhari (GN) of the respective GND. The rest of the members of the Committee comprise:

1. Grama Niladhari –Chairperson
2. Representative of PIU (Secretary)
3. Representative from the local authority (e.g., Urban Council, Pradeshiya Sabha)/Provincial Road Development Authority (PRDA)
4. Representative of the Supervision Consultant
5. Representative of the Contractor
6. A community member/religious leader in the area

The Committee will include at least two women among the government representatives, local community, or community-based organizations.

The meetings of the GRC will be held at the GN's office. The aggrieved parties/complainants will also be invited to GRC meetings to explain their grievances. However, this is not obligatory for persons who wish to retain their anonymity.¹⁹ The committee will also invite and consult the other local level development officers, e.g. economic development officer, Samurdhi officer, agrarian research and production assistant of the division to GRC meetings depending on the nature of the grievance and the type of issues to be addressed. GRC will reach a settlement through consensus among its membership. If an agreement or resolution is reached, the key points of the agreement/resolution will be summarized, documented and signed by all members of the GRC. The GRC will conclude its proceedings within a period of two weeks since the submission of the grievance. The decision of the GRC will be communicated in writing to the aggrieved parties/complainants by the secretary to the GRC with a copy to the GRM officer at PMU. The aggrieved party will in turn inform his/her agreement or disagreement with the decision of the GRC to the Secretary of the GRC within 10 days of receiving the decision.

¹⁶ Administrative heads of a Grama Niladhari Divisions

¹⁷ Administrative heads of the Divisional Secretariat Divisions

Tier 3: Grievance Redress at Division Secretariat Division (DSD)²⁰ Level

Grievances that cannot be resolved at GND Level, or else if the affected persons were dissatisfied with the resolution, the grievance will be submitted/referred to GRC at DSD level. The Committee will review decisions coming from the GN level committee within 15 working days and will communicate its decision to both the claimants and the GN level committee within five working days for follow-up actions. The meetings of the GRC will be conducted at the respective Divisional Secretariats. The Committee will comprise the following members:

1. Divisional Secretary (DS) of the area – Chairperson
2. Representative of PIU (Secretary)
3. Representative of local authority/PRDA
4. Grama Niladari of the area from where the complaint originated
5. Representative of the Supervision Consultant
6. Representative of the Contractor
7. Representative of a Social Organization (NGO/CBO) of the area
8. A community member/religious leader

The Committee will include at least two women among the government representatives, local community, or community-based organizations.

The members of the GRC will also undertake site visits, when required. The DS will also invite and consult other divisional level officers such as medical officer of health, environmental officer, disaster management officer, irrigation officer etc. and whoever is deemed important to the problem-solving process. The decision of the GRC will be communicated in writing to the aggrieved parties/complainants by the secretary to the GRC with a copy to the GRM officer at PMU. The aggrieved party in turn will inform his/her agreement or disagreement with the decision of the GRC to the Secretary of the GRC within 10 days of receiving the decision.

Tier 4: Grievance Redress at Ministry Level

The GRC established at the Ministry of Highways will be the final project based institution to address complaints and disputes that cannot be resolved by the DSD level committee. The Committee will review decisions coming from the DSD level committee within 15 working days and will communicate its decision to the claimants within five working days for follow-up actions. The Ministry level GRC will conduct its deliberations at the Ministry of Highways. The Project Director will serve as the secretary to the committee. The decisions of the GRC will be communicated to the complainants by the GRM officer of PMU.

The Committee will include the following members:

- 1) Ministry Secretary/Additional Secretary of Highways - Chairperson
- 2) Project Director- Secretary
- 3) Director of Environmental and Social Development Division (ESDD) of RDA
- 4) Deputy Project Director of the relevant PIU
- 5) Representative of the Supervision Consultant
- 6) Divisional Secretary of the area or the Assistant Divisional Secretary
- 7) Representative/s of road owners/managers (PRDA, UC, PS)

¹⁸ The smallest administrative unit at the village level in Sri Lanka.

¹⁹ In situations when complaints/grievances are reported anonymously.

²⁰ The DSD is an administrative sub-unit of a district comprising several GNDs and serving the needs of people in those GNDs.

9.4 GRM Uptake Channels

9.4.1 Process for reporting grievances

The GRM will establish multiple channels through which citizens/beneficiaries/PAPs can make complaints regarding project funded activities. Complaints can be submitted either verbally or in written form using a variety of communication tools such as formal letters/petitions, telephone, email, SMS, WhatsApp messages, project website (<https://www.rda.gov.lk/>) etc. Or else, the complainants can also drop their complaints in the complaint and suggestion boxes which will be placed by the project at key locations of the road under rehabilitation and especially in the offices of the contractor and the GN and the Divisional Secretariat. For specific issues concerning women, such as those related to gender-based violence, the project will identify GBV service providers in the project area for immediate referrals.

Moreover, there will be printed standard formats made available at different focal points to receive grievances which can be accessed by the complainants to record their grievances. If project stakeholders/affected parties provide verbal feedback/complaint, project staff will lodge the complaint on their behalf, and it will be processed through the same channels.

9.4.2 Focal points for receiving/recording grievances

Using any of the uptake methods (in person, letters/petitions, telephone, email, SMS, on-line, etc.), aggrieved parties can report/submit their complaints to several focal points that will be established by the project to receive the complaints. The focal points will include the following; (i) PMU; (ii) a project officer/s located in the sub-project premises; (iii) site office of the contractor; and (iv) office of the supervision consultant. Log-books and grievance reporting forms will be maintained at each focal point to record complaints/grievances. Names of the focal points together with their contact phone numbers, and email addresses will be posted at visible locations of the construction site and other strategic locations.

9.5 Grievance Registry, Referral, Resolution and Appeal Process

9.5.1 Grievances registration

The focal points that receive the complaints either in written or verbal form will forward those complaints to the designated GRM focal point who will be the social officer at the PIU either on the same day or the following day. The GRM officer will register those complaints and enter the information into the master registry as well as to an electronic database. Complaint registration will include details of (i) date of receiving the complaint, (ii) name and address of the complainant, (iii) copy of the complaint if a written submission, (iv) a brief note if a telephone message; and (v) details of the road connected with the complaint. PMU will introduce a standard format for recording/registering the complaints received by the focal points. The GRM officer at PMU will have access to the electronic database and monitor the status of both grievance registration and resolution. When required, he/she will also provide regular advice and guidance to the PIU social officers on the course of action to be followed in grievance resolution.

9.5.2 Grievance sorting and categorization

Upon receipt of any complaint either directly or from focal persons, the social officer at PIU will screen and categorize the complaints. Complaints can be classified into the following categories.

1. Grievances related to land donation and acquisition & property valuation, inadequate compensation & payment delays, loss of livelihoods & incomes, resettlement related issues²¹
2. Environment-related issues – impacts on natural resources, dust, noise, vibration, traffic congestion, access disturbances and safety issues
3. Technical issues – design errors, technical deviations, and adverse impacts
4. Contract violations, non-compliance of the contractor and construction-related impacts, including labor management
5. Violation of policies, laws and regulations, guidelines and procedures of the government and the donor agency
6. Misuse of funds/lack of transparency, or other financial management concerns
7. Abuse of power/intervention by project or government officials
8. Community social issues, gender-based violence, discrimination
9. Requests for information
10. Suggestions
11. Appreciation
12. Complaints not relating to the project should be passed along to the relevant institutions

²¹ However, issues related to land acquisition, property valuation and compensation will be outside the scope of the project based GRM and will have to be addressed in compliance with the provisions in the Land Acquisition Act of 1950.

9.6 Screening, acknowledgement and closure of grievances

The social officer at PIU will respond to the complainant acknowledging the grievance and explaining the course of action to be taken and its approximate time frame for resolution. This acknowledgement and notification will be sent to the complainant within three days of receiving the complaint by the PIU. A standard format can be used for this notification.

In consultation with Project Engineer of PIU, and the Social officer at PMU, the PMU social officer will review and determine the (i) eligibility of the complaint for hearing by the GRM; (ii) the level at which the complaint should be referred to for resolution (i.e. Site-level, GND-level GRC, DSD level GRC or Ministry level GRC); and (iii) the timeframe within which the complaint should be resolved. Having determined the above, the social officer will refer the complaints to the appropriate level. Such referrals should be completed within a maximum of 4 working days of receiving the complaint. If complaints take longer than the stipulated period to handle, weekly updates will be provided to the complainant in writing indicating the reasons for delay. Grievances that do not meet the eligibility criteria to be investigated in the GRM will be notified to the aggrieved party/complainant by the social officer of the PMU.

A grievance will be considered ‘resolved’ or ‘closed’ when a resolution satisfactory to both parties has been reached, and after corrective measures has been successfully implemented. When a proposed solution is agreed between the project and the complainant, the time needed to implement it will depend on the nature of the solution. However, the actions to implement this solution will be undertaken within one month of the grievance being logged and will be tracked until completion. Once the solution is being implemented or is implemented, the PIU and PMU will also request feedback from the complainant as to whether s/he deems the action(s) satisfactory, and this will be recorded along with the details of the complaint and the action taken.

In certain situations, however, the Project may “close” a grievance even if the complainant is not satisfied with the outcome. This could be the case, for example, if the complainant is unable to substantiate a grievance, or it is obviously speculative or fraudulent. In such situations, the project’s efforts to investigate the grievance and to arrive at a conclusion will be well documented and the complainant advised of the situation. The project will not dismiss grievances based on a cursory review and close them unless the complainant has been notified and had the opportunity to provide supplementary information or evidence.

9.6.1 Appeal process

The GRM established under the project will not impede access to the country’s legal system. Affected persons can leave the GRM at any point, if they are dissatisfied with the process and the decisions of the GRM, and resort to legal action through the country’s judiciary system at any time.

9.7 Awareness Raising on GRM

Information about the grievance handling system will be distributed to all beneficiaries and project affected people through regular information channels used by the project including initiating meetings at the start of the project, public consultations held, public meetings during project implementation, brochures/pamphlets in local languages, posting on notice boards and online. Information on procedures for reporting any grievances and complaints by project affected parties will be disseminated through posters printed in local languages and displayed at strategic locations where public are gathered such as the office of the GN and other community attracted places along the road. The notices displayed will also provide the names of contact persons and their telephone numbers in case the affected parties have grievances to report.

The Environmental and Social team of the project will play a lead role in awareness building and information sharing on the GRM. Moreover, the stakeholder engagement program of the project will be used by the PMU to encourage the use of the GRM and publish information on complaints received and resolved. The campaigns will also use local media (e.g. TV, newspaper, radio). When organizing and conducting these campaigns, special efforts shall be made to reach vulnerable groups. Information to be disseminated will include the scope of the GRM, specific locations where GRCs are established and their focal points for receiving grievances, the eligibility criteria to make a complaint, the procedure to make a complaint (where, when and how), the investigation process, the timeframe(s) for responding to the complainant, as well as the principle of confidentiality and the right to make anonymous complaints.

Furthermore, the project will provide orientation and training to the members of the GRM on effective grievance handling procedures.

9.8 Monitoring and Reporting

9.8.1 Level reporting and monitoring

The PMU will assess the functioning of the GRM and undertake spot checks during regular supervision visits. The PMU will be responsible for regular reporting of the GRM status including those grievances received, resolved, and pending. The GRM officer at PMU will: (i) ensure accurate entry of GRM data into the data base by GRM focal points/social officers assigned to PMU; (ii) produce monthly/quarterly reports of GRM results including any suggestions and questions, to the project team and the management; and (iii) review the status of complaints to track which are not yet resolved and suggest any needed remedial action.

The quarterly and annual progress reports will include updated information on the following:

- Status of establishment of the GRM (procedures, staffing, training, awareness building, budgeting etc.).
- Quantitative data on the number of complaints received, the number that were eligible, and the number resolved
- Qualitative data on the type of complaints and answers provided, issues that are unresolved
- Other stakeholders and resources mobilized to support the problem-solving process
- Time taken to resolve complaints
- Number of grievances resolved at the lowest level, and raised/appealed to higher levels
- Summary of resolutions/decisions made
- Satisfaction with the action taken
- Any particular issues faced with the procedures/staffing or use of the GRM
- Factors that may be affecting the use of the GRM/beneficiary feedback system
- Any corrective measures adopted

9.8.2 Reporting to World Bank

The World Bank will be kept informed and where necessary consulted on World Bank requirements, during the process of grievance resolution, and also on the outcome of the process. A summary sheet of all complaints received and resolved will be shared with the World Bank Task Team. Any complaint or incident categorized as high risk should be reported to the World Bank Task Team immediately.

9.8.3 GRM Contact Information

Aggrieved parties can approach and use the following contact/s for any inquiries regarding their grievances/complaints and feedback.

Description	Contact Details
Project Implementing Agency:	Road Development Authority
Project:	Inclusive Connectivity and Development Project
Contact person/s:	Project Director
Address:	3 rd Floor, Sethsiripaya, Stage 01, Battaramulla
e-mail:	wbicdpbid@gmail.com ,
Website:	https://www.rda.gov.lk/
Telephone:	011-2885765

10. INSTITUTIONAL ARRANGEMENTS, MONITORING, BUDGET

10.1 INSTITUTIONAL ARRANGEMENT

10.1.1 Organizational Structure

The Ministry of Transport Highways and Urban Development of Sri Lanka (MTHDP) will be the Executing Agency (EA) of the Project. The Secretary to the ministry will be responsible for decisions on overall approvals and operational policies of the project. RDA will be the Implementing Agency (IA) of the project. A Project Management Unit (PMU) will be established under the Secretary, MTHDP for coordinating overall project related activities and administration. There will be Project Implementation Units (PIU) established under the PMU at regional level representing a single province or few provinces which will be directly responsible for project coordination, implementation, and supervision at regional level.

The PMU will be headed by a Project Director who will be assisted by a team of engineers and administrative staff. The PMU will also have an Environment and Social Unit (ESU) comprising a Senior Environmental Specialist, a Senior Social Specialist, and a maximum of three Environmental Officers and three Social Officers depending on the scope of work of the ESU. ESU shall ensure that all project activities and interventions are complied with the ESF of the World Bank and the national local legal and regulatory framework. ESU shall assign an Environmental Officer and a Social Officer to each PIU to ensure the proper implementation of the environment and social safeguards. The PIU level environmental and social officer will report to the Senior Environmental and Social Specialists of the PMU. Further, a Land Acquisition/R&R Officer, and a Database/MIS Officer for monitoring and documentation²² will be recruited to the project as and when required.

The ESU of PMU – ICDP will be responsible for overall monitoring of the management of the safeguards and their compliance. PMU – ICDP will conduct training sessions to the E&S staff of the contractor on the E&S considerations of the project.

As roads and other ancillary infrastructure to be improved under the project are under the purview of different provincial and local authorities, PMU - ICDP will enter memorandums

understanding (MoUs) with the provincial/local authorities to rehabilitate/improve and transfer the completed road sections and other infrastructure to the relevant authorities.

The voluntary land donation, land acquisition and resettlement activities will be supported by a MIS, which will contain a large database on the affected lands, houses, households, and businesses, starting from the information generated by the socio-economic census and surveys carried out at the start of each phase of the Project till disbursement of entitlements to claimants (or agreements signed by each donor involved). This information will be securely stored and managed in a systematic manner, allowing lists and consolidated reports on the progress of land donation, acquisition and resettlement to be generated as and when required. The MIS will also be used to manage information on the GRM.

OF²² The Specialists and Officers under ESU will be deputed on full time basis from the already established Environmental and Social Development Division (ESDD) of RDA as appropriate

Table 15 : Responsibilities of Key Entities affiliated to the Project

<i>Agencies</i>	<i>Key Responsibilities</i>
<i>Provincial Road Development Authority/ Municipal Councils/ Urban Councils/ Pradeshiya Sabhas etc.</i>	• Disseminate project information to the project-affected community in coordination with the PMU • Facilitate finalization of alignment by incorporating feedback from community consultation/transect walk. • Ensure establishment of Grievance Redress Committee at the district level for grievance redress. • Organize consultations involving community and project-affected persons to disclose PRA findings. • Facilitate the socioeconomic survey, identification of vulnerable PAPs and their verification • Supervise the mitigation measures during implementation and its progress in coordination with PMU
<i>Environmental and Social Unit (ESU)</i>	• Overall responsible for coordinating with other concerned agencies and facilitating the entire social safeguard process, including land donation and LAR&R. • Ensure environmental and social due diligence is carried out for each sub-project by the concerned implementing authorities as soon as conceptual technical design and scope have been defined, as outlined in the safeguard instruments. • Closely co-ordinate the preparation of Environmental/Social Assessments /Management Plans for sub-projects, as necessary (depending on screening outcome). Ensure consistency of safeguard documents with national
	regulations and World Bank policy requirements as defined in this RPF and ESMF. Review draft and final safeguard instruments for quality and ensure that the relevant line ministry or agency obtain necessary clearances as per the safeguard instruments. • Ensure that applicable measures in the ESMPs and RAPs are included in the design, and their conditions on compliance are included in the bidding documents. • Ensure signing of MoUs for land donation, delivery of entitlements (compensation, R&R assistance) as per the entitlement matrix are completed prior to the commencement of civil works for the Project. • Develop, organize, and deliver safeguard training programs and workshops for the Implementing Agencies at the field level, contractors, field supervision staff and other implementing agency officials as needed, on safeguard requirements and their management • Ensure that surveys and adequate public consultations (using PRA approach) are conducted during the planning process, management, and monitoring of social impacts of sub-projects. • Ensure GRCs are formed and public complaints relating to nuisance and inconvenience caused by sub-project implementation are addressed with corrective action and adequately documented • Prepare terms of references for independent third-party review of LARR and land donation process. • Review and comment on audit reports, take necessary actions to address audit issues raised and obtain comments from World Bank.

<i>Environmental and Social Development Division (ESDD) of RDA</i>	• Responsible on behalf of the RDA to assist the PMU in preparation of environmental and social safeguards documents and providing training as and when required, review of environmental and social safeguards documents (if prepared by the outsourced Consultants) and monitoring of environment and social safeguard compliances in the projects during the construction and operation phases
<i>Project Implementation Consultants</i>	• Review preliminary designs to ensure feedback from community consultation/transect walk have been integrated where feasible. • As a member of the GRC, address public grievances and participate in resolving issues in a timely manner. • Supervise contractors to ensure that mitigation measures laid down in the safeguard instruments (RPF, ESMF, ESMP, RAP, LMP and SEP) are being complied with. • Preparation of progress reports bi-annually based on the monitoring checklists and submission to relevant authorities (Provincial Road Development Authority/ Municipal Councils/ Urban Councils/ Pradeshiya Sabhas) and PMU for further submission to the World Bank
<i>Contractors</i>	• Ensure outcomes/suggestions from community consultation/transect walk are integrated into the preliminary design • Ensure the proposed roads are encumbrance free. Construction work can only begin once LARR and land donation process are completed. • Respond to all grievances within the stipulated time. Record all grievances received and resolved during the construction phase.
	• Assist in livelihood restoration, by complying with provisions made in the contract for temporary or longer-term employment of local workers, particularly women.
<i>Divisional Secretariat</i>	• Assist in developing a set of selection criteria for roads with relevant entities and conduct consultations to select suitable provincial and rural roads. • Lead the grievance resolution process at the divisional secretariat level. • Provide any existing socio-economic information, geographical maps, and other related information to project team prior to the field data/information collection activities (PRA). • Assist with the land acquisition process as the officio acquiring officer. Nominate a CBO/NGO from the project area to form a part of the “Entitlement Assessment Committee” to determine compensation for non-land economic displacements.
<i>Valuation Department</i>	• Preparation of condition reports of the properties to be acquired and preparation of valuation reports. • Nominate a representative from the Department in the “Entitlement Assessment Committee” to determine compensation for non-land economic displacements.

10.1.2 Implementation schedule for LA and Resettlement, Land Donation Process

The key activities related to the land acquisition (including land donation), resettlement, and compensation will be scheduled in the correct sequence, which needs to be completed prior to the commencement of civil works for the Project. Table 16 presents a schedule for the key activities relating to land acquisition (including land donation), resettlement, payment of compensation, other social impact mitigation strategies, and monitoring.

Table 16: Key tasks and responsibilities in LA and resettlement

Task	Responsibility	Estimated time period
Recruitment of relevant staff and initial training	Implementing agencies at the sub-project level, PIC and the PMU	1 month
Conduct Census & SES and input of data and analysis. Disseminate project information to the community. Organize consultations involving community and affected persons	ESU, PIC & Social Experts at the Province	3 months
Preparation of RAP and submission to Ministry of Land for approval	National/ International consultants (if required) with ESU's assistance	1-2 months
Task	Responsibility	Estimated time period
Land Acquisition – Process or Voluntary Land Donation Process [signing of agreements with land donors and recipient]	Land Ministry, Divisional Secretaries, Valuation Department, Survey Department; with assistance from local consultants and ESU (PMU)	Minimum of 72 weeks
Payment of Compensation	Divisional Secretaries with assistance from the ESU (PMU)	6 months
Relocate houses, shops, businesses	Consultants and ESU (PMU)	6 months
Developing resettlement sites	As necessary, may be sub-contracted to consultants or NGOs. With ESU (PMU) with assistance	6 months

	from DS	
Obtain vacant possession of lands that have been acquired through land acquisition or voluntary land donation.	PMU with assistance from DS and Ministry of Lands	6 months
Issue notice for commencement of civil works	PMU	After completion of land acquisition procedures and/or signing of agreements between land donors and recipient.
Income Restoration	Sub-contractors/ consultants and ESU (PMU)	Minimum of 24 months (and until the construction work is over)
Management Information System	MIS team in the PMU, with consultant support as needed	Until completion of all land acquisition (including land donation process) and resettlement programs
Grievance Redressal	PMU, GRCs [Divisional Secretariat and Grama Niladari level]	From start of land acquisition (including land donation process) and resettlement until completion of all resettlement programs
Internal Monitoring	MIS and social team in the PMU	From screening stage to completion of all land acquisition (including land donation process) and resettlement programs
External Monitoring	Independent consultants contracted by PMU	From land acquisition (including land donation process) until 1-2 years after completion of construction activities.

10.1.3 Capacity enhancement mechanisms

The PMU and related stakeholders will require some additional training and capacity enhancement particularly in relation to social safeguards management in land acquisition including resettlement and post-resettlement phases. Similarly, trainings will be imparted on the use of participatory rural appraisal tools developed under Component 1.3 including the process for voluntary land donation as per the requirements of the RPF and ESS 5.

10.2 MONITORING SYSTEM

10.2.1 Monitoring System

The Project will have the overall responsibility for monitoring the project processes, outputs, outcomes and impacts over the lifespan of the project. The project will be monitored both internally and externally. The PMU will establish the necessary institutional arrangements required for monitoring of the implementation of the RPF and resettlement plan.

10.2.2 Internal Monitoring

The PMU will design a monitoring framework which will include the key areas for monitoring, methodologies and relevant indicators and plans for disclosure of monitoring results well in advance of the project implementation. The monitoring system will also focus on engaging all the relevant stakeholders in the monitoring processes and adopt participatory processes such as holding periodic review meetings and discussions. They include both project partners and APs. The methodologies would include review of documents produced by the PMU, contractors, individual/group meetings with APs and other stakeholders and surveys and studies. The PMU will also maintain a database of all the relevant information such as preliminary screening of all APs, census data, profiles of affected persons and information related to their resettlement.

The ESU under PMU will undertake regular field visits to project sites, maintain a dialogue with APs and ensure that consultations are conducted regularly and effectively. The monitoring process will also focus on (i) the progress of the implementation of the resettlement plan; (ii) the level of compliance of project implementation with safeguards plans and measures provided in the legal agreements including payment of compensation and other resettlement assistance and mitigation of construction related impacts; (iii) implementation and effectiveness of the livelihood restoration plan; (iv) disclosure of monitoring results to APs and other stakeholders; (v) the level of consultations conducted with APs and other stakeholders; (vi) progress on voluntary land donation process for small parcels of land and (v) follow up of and resolution of APs' grievances.

The ESU's LA&RR officer together with MIS officer will systematically document the monitoring results and quarterly reports will be produced. The PMU will submit quarterly reports to the World Bank on progress of the safeguard implementation of resettlement activities and any compliance issues and corrective actions adopted. These reports will closely follow the involuntary resettlement monitoring indicators agreed at the time of resettlement plan approval.

10.2.3 External Monitoring

In parallel to internal monitoring, the Project will appoint an Independent External Monitoring Agency to review and evaluate the social safeguards management and its compliance with the safeguard standards of the World Bank and the government. Independent evaluations will be done twice a year until the completion of the civil works of the project, land donation process and resettlement activities spelled out in the RAPs are completed. The External Monitor will focus on the following:

- Reviewing and monitoring of the overall implementation progress and performance of the RAPs developed for different phases including timely payment of compensation, grievance redress and mitigating adverse impacts arising from construction work.
- Reviewing and evaluating whether the implementation of land donation process is in accordance with Bank's ESS-5 and RPF, and recommend corrective actions to improve implementation, as required.
- Determining the level of compliance of the implementation of RAPs with the Bank' ESS-5 and the GOSL as defined in the RPF, and to recommend corrective actions to improve implementation, as required.
- Providing regular reports to the PMU with copies to the Bank on overall management of resettlement implementation progress and performance.
- Assessing the overall adequacy and the effectiveness of the safeguard measures adopted to restore and improve the livelihoods, living standards and overall wellbeing of the affected persons, households and communities and provide recommendations on additional measures required.

10.2.4 Indicators for Monitoring

The indicators for safeguards monitoring, as presented in Table 17, will broadly include the following.

Table 17: Monitoring Indicators

Level of Monitoring	Area of Monitoring	Monitoring Indicators
Process	Resettlement planning	• Update of AP census after final engineering design • RAP updating • Disclosure of RAP to APs and other stakeholders • Receive WB clearance for updated RAP
	Land donation	• Screening and survey for identification and verification of land for donation • Signed agreement/MoUs between donors and recipient
	Land acquisitions	• Land acquisition process for private lands commenced with the clearance of the RAP by WB
Level of Monitoring	Area of Monitoring	Monitoring Indicators
		• Receiving clearance from relevant government agencies for state land to be obtained
	Entitlements	• Entitlement matrix (EM) included in the RAP approved by GOSL and required funds allocated
	Consultations & disclosure	• Continuous consultations are conducted with APs and other stakeholders • Disclosure of updated RAP, entitlements, compensation payment procedures & project implementation timeframes

	Grievance Resolution	• Grievance Redress Mechanism established and functional • Level of awareness among APs and other stakeholders on GRM, its location, reporting procedures, timeframe for grievance Resolution
	Livelihood Restoration	• A comprehensive Livelihood Restoration Plan (LRP) developed based on a comprehensive assessment of APs' needs • An NGO/consulting firm is engaged to implement the LRP
	Impact Mitigation	• Environment Social Management Plan (ESMP) prepared and included in contractors' work agreement
	Institutional arrangements	• Institutional arrangements for RAP implementation and monitoring are established
Outputs	Compensation payments	• Compensation for private land acquired paid prior to taking over the land • Compensation for APs' relocation cost paid prior to displacement • Compensation for income losses paid prior to displacement • Special allowances for vulnerable APs provided prior to displacement • Other R&R assistance to APs provided prior to displacement
	Livelihood Restoration	• Implementation of LRP commenced prior to displacement of APs • APs are assisted in the process of shifting to their new business premises • APs are provided access to credit facilities and other business development support services • Unemployed youth among APs receive technical and vocational skills development training • APs who lose their employment are assisted to find alternate employment •
	Relocation	• Displaced households who opted for relocate in resettlement sites/housing units (provided by the project) are resettled • Displaced households are provided titles/certificates to their land/housing units • Displaced households who opted for self-relocation have settled in places of their choice • APs are assisted in the process of shifting to their new residential dwellings

Level of Monitoring	Area of Monitoring	Monitoring Indicators
		• All vulnerable persons/households are provided with special assistance during relocation/resettlement process • Relations with host communities established • Affected religious, cultural community resources are either relocated or restored to better conditions
	Mitigation of construction related impacts	• Social and environmental safeguards officers are appointed by the contractor • Labor influx for project construction work effectively managed • Implementation of ESMP is regularly monitored by PMU • Unforeseen impacts are effectively addressed
Outcomes	Resettlement program	• Number of households relocated at alternative sites/housing units (provided by the project) re-establish their living conditions including livelihoods • Number of households opted for self-relocation re-establish their living conditions including livelihoods • Number of businesses relocated at alternative sites reestablish their business operations • Infrastructure and utility services are in operation in the resettlement sites/housing units • Social and economic support systems are in operation to assist the displaced vulnerable persons/households
Impacts	Resettlement and Livelihood Restoration	• Women and Unemployed youth engaged in productive employment and economic activities • Incidence of poverty among project affected households reduced • Overall wellbeing of the project affected households in the project impact area improved. • Improved connectivity and access to markets, service centers etc. • Reduced cost of transportation • Reduced travel time for transporting agricultural produce • Increased incomes from agricultural produce • Improved community infrastructure • Travel convenience

10.2.5 Management Information System (MIS)

Internal monitoring will be a responsibility of the PMU. An MIS will be established within the PMU to facilitate record keeping, analyzing, and generating required information. It will include specific systems to track the execution of the voluntary land donation process, land acquisition and

resettlement activities in accordance with the priorities set out in the RPF and the relevant RAPs. It will track the progress of preparation and implementation of the RAPs, especially land acquisition and payment of compensation, and the resettlement programs, including self-relocation and relocation in resettlement sites and housing units. It will cover all the steps in the process of land acquisition, in accordance with the relevant sections of the LAA. Regarding the resettlement program, it will follow the status of the individuals and households due to be resettled, starting from determination of eligibility for benefits, through to disbursement of entitlements, day-to-day relocation support, etc. Moreover, the ESDD through its own MIS unit, will keep the records and disclose the required information as per the ESDD's regular monitoring process.

10.3 BUDGET AND FINANCING

The preparation of the resettlement budget will be guided by the parameters set in the entitlement matrix which provides for payment of compensation at replacement cost for the following losses.

- Full or partial loss of agricultural and plantation land
- Loss of access to agricultural and plantation land for sharecroppers, tenants and farmers
- Full or partial loss of residential and commercial land
- Full or partial loss of residential and commercial structures
- Full or partial loss of secondary/auxiliary structures
- Loss of rental accommodation and incomes
- Full or partial loss of livelihoods and incomes
- Loss of trees and crops
- Loss of access to common property resources
- Loss of community, religious and cultural sites, and monuments
- Others, if relevant

Compensation for land will be paid only to the titleholders. However, compensation for development costs or any other improvements in the land, will be paid irrespective of the ownership status of the affected persons. The budget will also make provisions for additional resettlement assistance for vulnerable and severely affected APs and particularly for their resettlement and livelihood restoration. Furthermore, provisions will be made to cover the costs of hiring the services of an NGO or a consultancy firm to implement the livelihood restoration plan and an external monitoring team, conducting consultations, updating the resettlement plan, grievance redress and monitoring, and overall safeguards management. A contingency provision of the total resettlement budget will be set aside to cover the unanticipated costs which may have to be incurred during RAP implementation. Budget calculations will be supported by data collected through the census of APs and a rapid market survey of land prices and building rents. The budget will be updated with information from the valuation reports for each asset affected by a given project intervention.

Annex I: Process of Acquiring Land for Public Purposes

SN	Process description	Process (including any required document or applicable section in the Land Acquisition Act)
1	The respective line Ministry identifies the land to be acquired and forwards an acquisition proposal together with the acquisition application to the Secretary, Ministry of Lands	Acquisition Application (Forms 1, 2, 3 and 4)
2	The Ministry of Lands will then grant authority to a representative from the relevant line Ministry or agency to enter the land to be acquired with the decision of the line Minister that the particular land is needed for a public purpose.	Section 2 Direction
3	The Divisional Secretary publishes a notice in the surrounding area that the particular land has been identified for acquisition for a public purpose.	Section 2 notice
4	The Superintendent of Surveys traces the land to be acquired.	Advance tracing
5	Objections are invited from the landowners and the Minister of Lands to decide whether an investigation is required.	Section 4 Direction
6	The Divisional Secretary publishes a notice inviting objections to the acquisition.	Section 4 Notice
7	Following completion of investigations on objections, recommendations are forwarded to the respective line Ministry.	Objection Inquiry
8	Following satisfactory completion of investigations, the Minister of Lands will make a declaration that the identified land is to be acquired.	Section 5 Declaration
9	The Divisional Secretary or Government Printer will publish a notice in the Gazette stating that the Minister of Land has decided that the land is to be acquired.	Section 5 Notice
10	The Superintendent of Survey will draw up a final plan of the identified land.	Final plan
11	The Divisional Secretary or Government Printer will publish a notice in the Gazette inviting investigations to the title of the land.	Section 7 Gazette Notice
12	The Divisional Secretary will conduct the investigating of title.	Section 9- Inquiry into Title
13	The Divisional Secretary will publish the notice of investigation into title in the surrounding area.	Section 15 Notice
14	The Divisional Secretary will determine the title upon completion of title investigations.	Section 10- Decision on Title
15	The Valuation Department will conduct a valuation of the identified land.	Valuation

16	Once a value has been determined, the Divisional Secretary will decide on the compensation to be awarded.	Awarding compensation for acquisition
17	The Divisional Secretary will allocate financial provisions from the Ministry of Lands or the relevant institution or line Ministry to make payments to the landowner.	Payment of compensation.
18	The Ministry of Lands will take possession of the land on behalf of the Government.	Section 38 Order
19	The Divisional Secretary will then hand over the land to the line Ministry or applicant institution.	Taking undisturbed possession
20	The Divisional Secretary or Registrar General will issue a vesting certificate to the line Ministry or institution concerned, after payment of compensation to the landowner.	Section 44 Vesting Certificate/Registration of State Ownership

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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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No.1596/12 - TUESDAY, APRIL 07, 2009

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

LAND ACQUISITION ACT, No. 09 OF 1950

REGULATIONS imposed by the Minister of Land and Land Development under Section 63(2)(f) of the Land Acquisition Act, No. 09 of 1950 and approved by the Parliament of Sri Lanka on 17th March, 2009.

These regulations are effective for the acquisition where intention of acquisition is published under Land Acquisition Act, on or after 17.03.2009.

JAYALATH R. W. DISSANAYAKE,
Secretary
Ministry of Land and Land Development.

Colombo,
06th April, 2009.

Regulations

These regulations may be cited as the Land Acquisition Regulations, 2008.

The basis of assessing the market value of any land or the compensation for any injurious affection caused by the acquisition of any land under this Act.

(1) Market Value should be assessed as given under :-

- 1.1 In the case of land where part of a land is acquired and when its value as a separate entity deems to realize a value proportionately lower than the Market Value of the main land the compensation should be proportionate to the value of the main land.
- 1.2 Where at the date of intension to acquire was published, the building is used for occupation and or business purposes or is intended to be used for occupation and or business purposes, the difference between the cost of re-construction and the value of building, based for determination of Market Value under Section 1.1, should be paid as an additional compensation.

1A

1.3 Value based on development potential could be considered for paddy lands acquired where permission to fill such lands have been granted by the Agrarian Services Commissioner General.

1.4 When an acquired building is occupied by a tenant /statutory tenant protected under the provisions of the Rent Act, No. 7 of 1972 (as amended thereafter) the compensation should be ascertained in proportion having regard to the provisions of Rent (Amendment) Act, No. 26 of 2006.

(2) Injurious affection and Severance—

Damage caused by any severance and injurious affection should be allowed fully.

(3) Payment of Disturbances and Other Expenses—

To fulfill the requirement of the definition of compensation, in addition to the compensation under Section 1 and 2 above, which are based on the “market value”, compensation for Disturbance based on the “value to owner” basis should be paid under following Sub-headings, after taking into consideration the written claims made.

- 3.1 Expenses incurred for appearing for Section 9 inquiry ;
- 3.2 Expenses for finding alternative accommodation ;
- 3.3 Cost incurred in change of residence ;
- 3.4 Cost of advertising ;
- 3.5 Refixing cost of fixtures and fittings ;
- 3.6 Expenses incurred for transport ;
- 3.7 Loss of earnings from business (within the limits given in prevailing Act) ;
- 3.8 Increased overhead expenses ;
- 3.9 Double payments ;
- 3.10 All other expenses to the owner due to the acquisition ;
- 3.11 Any other additional expenses for disturbance or compensation not connected under any other Sub-section of this Act which is directly not connected to market value of the land ;
- 3.12 When an owner of a house or of an investment property displaced, additional 10% payment based on market value.

04-548

Annex 3: National Involuntary Resettlement Policy, 2001

Review and Approval Process

Discussed and approved by Working Groups on November 2nd, 2000
Discussed and approved by Steering Committee on December 4th, 2000
Distributed to Stakeholders December 2000
Stakeholders written comments incorporated at National Workshop
Discussed and finalized NIRP at Second National Workshop January 26th-28th 2001
Distributed NIRP to National Workshop Participants and Steering Committee on February 1st, 2001
Reviewed and approved by Steering Committee on March 5, 2001
Approved by Cabinet of Ministers on May 24, 2001

1. Rationale

Public and private sector development projects increasingly involve acquisition of land. People whose homes and lands are acquired then must move elsewhere and resettle in locations that may be unfamiliar. In general, resettlement has not been very successful and there are several recent examples in Sri Lanka where people have shown resistance to projects that cause displacement. Among the significant consequences of poor resettlement has been impoverishment of affected people due to landlessness, homelessness, joblessness, relatively higher mortality and morbidity, food insecurity, lack of access to common property and public services, and disruption of the existing social organization. International, regional, and national experience with resettlement has generated considerable knowledge on the planning and implementation of involuntary resettlement and this experience if used effectively can ensure that adverse impacts on affected people are fully addressed in terms of established policy objectives.

In Sri Lanka the Land Acquisition Act of 1950 as amended from time to time only provides for compensation for land, structures, and crops. It does not require project executing agencies (PEA) to address key resettlement issues such as (a) exploring alternative project options that avoid or minimize impacts on people; (b) compensating those who do not have title to land; (c) consulting affected people and hosts on resettlement options; (d) providing for successful social and economic integration of the affected people and their hosts, and (e) full social and economic rehabilitation of the affected people.

The National Environmental Act (NEA), No. 47 of 1980, amended by Act, No. 56 of 1988 has some provisions relevant to involuntary settlement. The Minister has by gazette notification No. 859/14 of 23.2.1995 determined the projects and undertakings for which Central Environmental Authority (CEA) approval is needed in terms of Part IV C of the NEA. The schedule includes item 12, which refers to *involuntary resettlement exceeding 100 families*, other than resettlement resulting from emergency situations. However, these

provisions do not adequately address key resettlement issues mentioned in paragraph 2 above.

To ensure that people affected by development projects are treated in a fair and equitable manner, and that they are not impoverished in the process, it is necessary that Sri Lanka adopts a NIRP. Such a policy would establish the framework for project planning and implementation. Subsequently, it will be necessary to prepare guidelines on resettlement planning and implementation to be used by PEAs.

People have moved voluntarily, mainly to the dry zone, starting from colonial days. These were state sponsored settlement programs aimed at developing and exploiting land resources in that region, while relieving pressure on land in the wet zone. There are many commonalities in the objectives and implementation of voluntary and involuntary settlement and re-settlement programs.

Nonetheless, the policy proposed here refers only to development-induced involuntary resettlement, where the option to stay behind does not exist. It does, however, also apply to cases where people do not have to be physically relocated.

1. Objectives of the Policy

- To avoid, minimize and mitigate negative impacts of involuntary resettlement by facilitating the reestablishment of the affected people on a productive and self-sustaining basis. The policy should also facilitate the development of the project-affected people and the project.
- To ensure that people adversely affected by development projects are fully and promptly compensated and successfully resettled. The livelihoods of the displaced persons should be reestablished and the standard of living improved.
- To ensure that no impoverishment of people shall result because of compulsory land acquisition for development purposes by the State.
- To assist adversely affected people in dealing with the psychological, cultural, social, and other stresses caused by compulsory land acquisition.
- To make all affected people aware of processes available for the redress of grievances that are easily accessible and immediately responsive.
- To have in place a consultative, transparent, and accountable involuntary resettlement process with a time frame agreed to by the PEA and the affected people.

2. Scope

- The policy will apply to all development-induced land acquisition or recovery of possession by the State.
- A comprehensive Resettlement Action Plan will be required where 20 or more families are affected.
- If less than 20 families are affected the policy still applies but a plan can be prepared to a lesser level of detail.
- The policy will apply to all projects regardless of source of funding.

- The policy will apply to all projects in the planning phase on the date this policy comes into effect, and all future projects.

3. Policy Principles

- Involuntary resettlement should be avoided or reduced as much as possible by reviewing alternatives to the project as well as alternatives within the project.
- Where involuntary resettlement is unavoidable, affected people should be assisted to reestablish themselves and improve their quality of life.
- Gender equality and equity should be ensured and adhered to throughout the policy.
- Affected persons should be fully involved in the selection of relocation sites, livelihood compensation and development options at the earliest opportunity.
- Replacement land should be an option for compensation in the case of loss of land; in the absence of replacement land cash compensation should be an option for all affected persons
- Compensation for loss of land, structures, other assets, and income should be based on full replacement cost and should be paid promptly. This should include transaction costs.
- Resettlement should be planned and implemented with full participation of the provincial and local authorities.
- To assist those affected to be economically and socially integrated into the host communities, participatory measures should be designed and implemented.
- Common property resources and community and public services should be provided to affected people.
- Resettlement should be planned as a development activity for the affected people.
- Affected persons who do not have documented title to land should receive fair and just treatment.
- Vulnerable groups should be identified and given appropriate assistance to substantially improve their living standards.
- Project Executing Agencies should bear the full costs of compensation and resettlement.

4. Institutional Responsibilities

- The Ministry of Land (MLD) will be responsible for the implementation of the NIRP.
- The Project Executing Agencies (PEAs) will be responsible for complying with all the requirements for planning and implementing resettlement according to the NIRP.
- The PEAs (like the Road Development Authority) that have significant resettlement in their projects will establish Resettlement Units with adequately trained staff.
- The CEA will be responsible for the review of impacts and mitigating measures of projects involving involuntary resettlement.
- The CEA's capacity will be strengthened so that it could provide the necessary guidance to public and private sector agencies undertaking projects that have involuntary resettlement impacts.

- The MLD will prepare regulations and guidelines on involuntary resettlement planning, implementation, and monitoring.
- The MLD and the CEA will conduct training courses in resettlement planning, implementation, monitoring.
- The CEA will review and approve the Resettlement Action Plans prepared by PEAs and make plans publicly available.
- The MLD will draft amendments to the Land Acquisition Act to bring the law in line with NIRP
- Following consultations with stakeholders, MLD will submit a final draft of the amended Land Acquisition Act for government approval
- MLD will prepare the necessary implementation guidelines based on the amended LAA
- A Steering Committee will be formed comprising the MLD, CEA, PEAs, and other relevant agencies to exchange experience on resettlement, and coordinate and oversee the implementation of the policy

5. Monitoring and Evaluation

A system of internal monitoring should be established by PEAs to monitor implementation of Resettlement Action Plans, including budget, schedule, and delivery of entitlements, consultation, grievances, and benefits.

PEAs should make adequate resources available for monitoring and evaluation.

A further system of external monitoring and evaluation by an independent party should be established to assess the overall outcome of resettlement activities.

Monitoring and evaluation reports should be reviewed by the PEA, CEA and MLD and action taken to make improvements where indicated.

Affected persons and other stakeholders should be consulted in monitoring and evaluation.

Lessons thus learned from resettlement experiences should be used to improve resettlement policy and practice.

Summary of Institutional Responsibilities for Involuntary Resettlement

Function	Responsibility
Overall Policy Implementation	MLD
Preparation (Planning)	Project Proponent (can be contracted to consultants, Universities, NGOs)
Review of Resettlement Plans	Project Approving Agency (PAA) and CEA
Approval of RAPs	PAA and CEA
Implementation	(PEA), Divisional Administration, Provincial Administration, Local Government
Monitoring	PEA, with review by CEA and MLD
Evaluation	Independent organization on behalf of MLD, PEA and CEA

6. Definitions of Terms Used

Affected Person – person affected by changes to use of land, water or other resources caused by development projects

Compensation – cash or payment in kind made to affected persons to replace assets, resources, or income.

Emergency Situation – natural disasters, civil and political conflict situations.

Expropriation – government taking possession of property or changing property rights to execute or facilitate development projects.

Entitlements – a variety of measures including compensation, income restoration and interim support, transfer assistance, relocation and other benefits that are due to affected people, depending on the nature of their losses, to improve their economic and social base.

Gender Equity – recognition of both genders in the provision of entitlements, treatment, and other measures under the Resettlement Action Plan.

Host Population – households and communities residing in or near the area to which affected people are to be relocated.

Income Restoration – re-establishing income sources and livelihoods of people affected.

Involuntary Resettlement – unavoidable displacement of people arising from development projects that creates the need for rebuilding their livelihoods, incomes, and asset bases in another location.

Rehabilitation – re-establishing and improving incomes, livelihoods, living, and social systems.

Relocation – moving affected persons and their moveable assets and rebuilding housing, structures, improvements to land, and public infrastructure in another location.

Replacement Cost – the level of valuation for expropriated property sufficient to replace lost assets, or to acquire substitutes of equal value or comparable productivity or use; transaction costs are to be included

Resettlement Action Plan – a time-bound action plan with budget setting out resettlement strategy, objectives, options, entitlements, actions, approvals, responsibilities, monitoring and evaluation.

Resettlement Budget – a detailed breakdown of all the costs of a resettlement action plan phased over the implementation period

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

Settlement – voluntary movement of people to a new site where they re-establish their livelihoods as in the case of the Mahaweli Scheme

Social Preparation – process of consultation with affected people undertaken before key resettlement decisions are made; measures to build their capacity to deal with resettlement, considering existing social and cultural institutions.

Vulnerable Groups – distinct groups of people who might suffer disproportionately from resettlement effects such as the old, the young, the handicapped, the poor, isolated groups, and single parent households.

Annex 4: Sample of Social Screening Checklist

1. **Name of Sub-Project:**
2. **Location:**
3. **Nature of Project:**
4. **Size/Scale:**
5. **Project Implementing Agency:**
6. **Description of Project Surroundings:**
 - Are there existing settlements in the project impact area? If yes, how many households/families?
 - What is the demographics of the impacted population (e.g., ethnicity, religion, educational levels, income levels, etc.)
 - What is the land ownership pattern of the impacted people in the area (e.g., squatters, titleholders, tenants)?
 - What are main sources of livelihoods?
 - Are there any existing local organisations?
 - Are there existing social infrastructures in the project impacted area (e.g., schools, health centres, hospitals, places of worships, roads, etc)
 - Are there any ongoing development projects in the area that involves civil works?
 - Does the area have frequent visitors (traders, workers, tourists etc.) from outside?

7. **Potential Impacts from the Sub-Project: (NK = Not Known)**

Potential Impacts	NK	Yes	No	Remarks
Land related Impacts				
Will the project include any new physical construction work?				
Does the project include upgrading or rehabilitation of existing facilities?				
Is the proposed sub-project likely to lead to loss of housing, other assets, resource use or incomes?				
Is the site chosen for this work free from encumbrances and in possession of the Ministry/ or relevant government agency?				
Is land acquisition likely to be necessary?				
Is the ownership status and current usage of land known?				
Will there be loss of housing?				

Will there be loss of crops, trees, and other fixed assets through land-use related changes?				
Loss of Livelihood				
Are non-title holders/people (squatters or encroachers) present on the site living/ or doing business who are likely to be partially or fully affected because of the civil works? (Is the land free of squatter/informal settlements or other encumbrances?)				
Will there be any permanent or temporary loss of incomes and livelihood? If so, for what period?				
Any estimate of the likely number of those affected by the project? If Yes, approximately how many?				
Any of these people poor, indigenous, or vulnerable to poverty risks? If yes, how?				
Access to Services/Safety				
Will people lose access to facilities, services, or natural resources during the construction period?				
Would elements of project construction pose potential safety risks to local communities, commuters, or pedestrians in the project area?				
Will any social or economic activities be affected through land-use related changes?				
Is the project area located near schools, clinics, hospitals, places of worship?				
Are there any GBV prevention and response actors (NGOs, government notified shelter homes, police stations, etc.) in project area of influence?				
Is the project site in a populated area and/or with high vehicular traffic volume?				
Is there sufficient street-lighting, use of video or CCTV for monitoring public spaces in the project location?				
Labor Influx				
How many workers will be needed for the sub-project, with what skill set, and for what period?				
Will the project hire workers from the local workforce?				
Will there be workers brought in from outside the project area?				
Will the project require accommodation or service amenities to support the workforce during construction?				
Will the incoming workers be from a similar socio-economic, cultural, religious or demographic background?				
Given the characteristics of the local community, are there any adverse impacts that may be anticipated?				

Estimates of Specific Impacts

Private land required (sq. m)	
Total of households affected	
No. of individuals losing more than 10% of land area	
Government land required	
No. of houses affected	
No. of shops affected	
No. of utilities affected	
No. of workers to be brought from outside	

Annex 5: Sample Survey Questionnaires [Questionnaire to be adapted to Project Context]

ROAD DEVELOPMENT AUTHORITY

Land Acquisition and Resettlement Survey

CENSUS QUESTIONNAIRE

S. No:

A. GENERAL INFORMATION:

1. GPS Point: 1.1 x coordinate: _____ 1.2 y coordinate: _____ 1.3 Photo No: _____

2. Chainage at Location _____ 3. Roadside Left ☐ Right ☐

4. Type of location of affected land (based on UDA classification)

1. Urban ☐ 2. Semi Urban ☐ 3. Rural ☐

5. District__ 6. Divisional Secretariat Division __

7. G.N. Division and Code Number _____ 8. Village/Town _____

9. Name of household head _____

10. National Identity Card No. of HH

11. Postal Address of the AP _____

12. Name of the Respondent _____

13. Relation of the respondent to the household head (*Use codes*) _____

14. Ethnicity

1. Sinhalese		2. Tamil		3. Moor		4. Other _____	
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B. BACKGROUND INFORMATION ON THE AFFECTED HOUSEHOLD

15. Characteristics of AP household (*to be filled in for all AP households*)

S. No.	Name of HH member	Relation to HH Head or Chief Occupant *	Age	Sex*	Marital Status*	Any disabilities*	Education *	Occupation*	
								Primary	Secondary
1									
2									
3									
4									
5									
6									
7									
8									

9									
---	--	--	--	--	--	--	--	--	--

**(Use codes)*

16. Income of AP household *(to be filled in for all AP households)*

S. No.	Name of HH member (Income earners only)	Relation to HH Head or Chief Occupant *	Occupation*			
			Primary	Income	Secondary	Income
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
Total Income (Primary+ Secondary)						

**(Use codes)*

17. How many nuclear/sub families are living in the AP's house/s?

C. SUMMARY OF POTENTIAL IMPACTS TO THE AP

18. Potential impacts on the AP due to land acquisition for the road development project *(Multiple responses are allowed)*

Description of Impact	Tempo- rary	Perma- nent
a. Loss of land (commercial/residential/agricultural/others) (owners, tenants, sharecropper, non-title user or squatter on private or state land) Answer Section E		
b. Loss of structure (house, shop, shop-house, building, secondary structures) Answer Section F.		
c. Loss of rental accommodation (tenant, user with lease) Answer Section F		
d. Loss of business/livelihood/income Answer Section D.		

e. Loss of crops, plants or trees (person who cultivates crops and/or own trees regardless of if the land is owned or not) *Answer Section F*

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f. Relocation of AP and his/her household *Answer Section G.*

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D. SUPPLEMENTAL INFORMATION ON APS LOSING BUSINESS/ LIVELIHOOD/INCOME

19. (For the primary livelihood holder/business owner only)

Affected livelihood activities (collect trade/business/livelihood details of the business owner/primary livelihood holder))

General Type	Affected Occupation/ Livelihood	Indicate if Primary or Secondary	Monthly Income Derived from the Affected Livelihood	Extent of Income Loss

* (Use codes). Note: For seasonal livelihood activities, compute annual income and divide by 12 months.

20. (For affected commercial/trading/service livelihood activities only), please provide details on the following:

Year Commenced	Status of Registration (encircle)	Place of Registration
	1=registered 2=not registered	

21. Do you employ or hire workers to help you in the affected livelihood/business?

1. Yes ☐ 2. No ☐

22. If yes, please provide information on the workers/staff by filling in the table below:

No	Posi- tion*	Name of Worker/Staff/Labourer	Age	Sex*	Any Disabili- ty*	Educati- on*	Other Occupation (if any)	Monthly Income/ Allowances *	Extent of Income Loss to Each AP*
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									

* (Use codes)

23. What opportunities and livelihood assistance do you expect from this project/subproject for your household or workers to help restore your/their livelihood (multiple responses allowed)?

1. employment from the construction/civil works ☐
2. skills training (specify kind of training) ☐
3. micro-finance/soft loan (specify business) ☐
4. others (specify) ☐

E. SUPPLEMENTAL INFORMATION ON APS LOSING OWNERSHIP OR ACCESS TO LAND:

24. Please provide information about your household's land holding status.

Land holding status *	Land Use *	Number of Years Occupied/ Used	Area (Perch)		Value per Perch (in Rs)
			Total	Affected	

* (Use codes). If the respondent does not know the value, write DK.

25. If tenant, squatter, or lessee, please provide the following information on the owner of the land:

a. full name: _____

b. address: _____

c. phone number: _____

26. Do you think the remaining portion of land after the land acquisition is sufficient to readjust and continue your:

- | | | | | | | |
|------------------------------|--------|--------------------------|---|--------------------------|------------------------------------|--------------------------|
| Trading/business activities: | 1. yes | ☐ | 2. no, but has alternative land to continue business activity | ☐ | 3. no, and has no alternative land | ☐ |
| Agricultural activities: | 1. yes | ☐ | 2. no, but has alternative land to continue agricultural activity | ☐ | 3. no, and has no alternative land | ☐ |
| Residential life: | 1. yes | ☐ | 2. no, but has alternative land to reside | ☐ | 3. no, and has no alternative land | ☐ |

Note: In the case of land used for multiple purposes (i.e., residential and commercial), answer all appropriate uses.

27. (For APs with alternative land to relocate and continue with their activities)
In which District is your alternative land situated: _____

28. (For APs with no sufficient remaining land or alternative land to continue) Will you need assistance from government in finding an alternative land?

1.
Yes

29. (For titleholder APs whose land will be affected)
How would you like to be compensated for your land?

1. cash
compensation
2. land for land
3. Others
(specify)

F.SUPPLEMENTAL INFORMATION ON APS LOSING STRUCTURES AND IMPROVEMENTS

30. Major crops and trees planted in the affected land

Crop*	Quantity	Affected Quantity	Age of affected crops	Total area (perch)	Affected area (perch)	Value of a crop unit	Total value of the affected units

Note: Write 'idle' if the affected agricultural land is not productive. * (Use codes)

31. Primary and secondary structures within the affected land

Type of Structure *	Number	Area (square feet)		Degree of Impact *	Value (Rupees)
		Total Area	Affected Area		

* (Use codes)

32. Additional information on the primary structure(s) (house, shop, building) affected by the project

Type of Structure*	Materials*	No. of Storeys	No. of Rooms	Has Electricity?	Has telephone facility?	Has piped born water?	Year built

* (Use codes)

33. (supplemental information for APs who own the affected structure)

a. Did you obtain any credit to build this/these structure/s?

1. Yes

☐
☐

b. If yes, specify source(s) of credit for building the structure

1. Bank

2. NGO

3. Cooperative Society

☐
☐
☐

4. Money lender

5. Relatives/Friends

6. Others (specify) _____

☐
☐
☐

34. (supplemental information for renters of the affected structure)

a. monthly rent: rupees.

b. number of years AP has been renting the affected structure: __

- c. until when does the AP intend to rent the structure:
- | | | | |
|-----------------------|----------------------|---------------------|----------------------|
| 1. less than 6 months | <input type="text"/> | 3. more than 1 year | <input type="text"/> |
|-----------------------|----------------------|---------------------|----------------------|
- d. Does the AP know of an alternative place to rent?
- | | |
|--------|----------------------|
| 1. Yes | <input type="text"/> |
| 2. No | |
- e. If no, will he/she need assistance in finding another place to rent?
- | | |
|--------|----------------------|
| 1. Yes | |
| 2. No | <input type="text"/> |

G. SUPPLEMENTAL INFORMATION ON APS WHO NEED TO RELOCATE

35. In case you need to relocate as a result of the project, which of the two options do you prefer?

1. self-relocate to another site
2. relocate in a site to be identified and provided by government
3. undecided/don't know

H. SOCIAL RELATIONSHIP AND MEMBERSHIP IN LOCAL ORGANIZATIONS

36. If you or your family members have membership in local/community organizations. Please give the following information.

S.No. of family member (Refer Q. 16)	Name of Organization	Type of Membership*

**(Use codes)*

I. AP'S AWARENESS OF LAWS/POLICIES/PACKAGES ON LAND ACQUISITION

37. Are you aware of the following (multiple responses allowed)?

1. Land Acquisition Act (LAA)
2. National Involuntary Resettlement Policy (NIRP)
3. RDA ex-gratia package for people affected by RDA activities

J. PERCEIVED SOCIAL AND ECONOMIC IMPACTS OF THE PROJECT/SUBPROJECT

38. What are the problems that you/your family might have to face as a result of the implementation of the project? (Choose 3 numbers in priority order)

Social Impact/s*	Economic Impact/s*

**(Use codes)*

39. What are the advantages that you/your family would get as a result of the implementation construction of the road? (Choose 3 numbers according to priority)

Social Advantages*	Economic Advantages*

**(Use codes)*

40. What are your suggestions to minimize/losses of income and property?

40. Enumerator's Comments :

a. Overall Assessment of the Severity of Impact on the AP (encircle number):

1 = severely affected: will be physically displaced from housing

2 = severely affected: will lose 10% or more of their productive (income-generating) assets

3 = partially affected:

b. Assessment of AP household's vulnerability status (encircle number):

1 = vulnerable, woman-headed family with no other means of support

2 = vulnerable, elderly household head with no other means of support

3 = vulnerable, marginal or poor household / without secure land tenure

4 = vulnerable, handicapped/disabled

5 = vulnerable, ethnic minority/IP

6 = not vulnerable

c. Other comments _____

Enumerator's Name: _____

Date Accomplished : _____

Sketch of Affected Land and Structures

(Note: include all permanent, semi-permanent and temporary structures. Orientation should be from the road and include adjacent landmarks):

ROAD DEVELOPMENT AUTHORITY Socio-economic Survey QUESTIONNAIRE

A. General Information:

1. Road Code: 2. Chainage at location:.....3. Roadside:

Left		Right	
------	--	-------	--

4. Type of the location:

Urban		Semi Urban		Rural	
-------	--	------------	--	-------	--

5. Divisional Secretariat Division:

6. District:..... 7. G.N. Division and Code Number:

.....

8. Village/town:

9. Name of household head:.....

10. Respondent's Name:

11. Relation to the household:.....

12. Address of household:

.....
.....
.....

13. Religion:

Buddhis		Christiani		Hinduis		Isla		Other	
---------	--	------------	--	---------	--	------	--	-------	--

B. Land and asset ownership:

14. Total land holdings and patterns of use (including those outside the road corridor and in other locations):

Owner's name	Total area in perches	Type of land*	Cultivable (perch)	Non-cultivable (perches)	Crop/s cultivated	Production**	Number of structure/s

Use numerical Code*:

1. Homestead 2. Agricultural 3. Horticultural 4. Bare land 5. Neglected land 6. Other

Use numerical Code**

Kg. /Number of trees/ plants/

15. Information on all structure(s) that belongs to the head of household (including those outside the road corridor and in other locations)

Type of Structure*	Materials*	No. of Storeys	No. of Rooms	Has Electricity ?	Has telephone facility?	Has piped born water?	Year built

* (Use codes)

16. Other Asset owned:

Asset	Quantit y	Asset	Quantit y	Asset	Quantity
Livestock		Motorcycle		Washing machine	

Agricultural equipment		Video/DVD player		Radio	
Tractor		Rice cooker		TV	

Three-Wheeler		Gas cooker		Trade and Business (equipment/ material available in the shop)	
Lorry		Oven		Other 1 (Specify).....	
Bus		Refrigerator		Other 2 (Specify)	
Car/van		Air conditioner			
Boat		Blender/grinder			
Bicycle		Water pump			

C. Family Income and expenditure Patterns:

17. Family members who generate income:

Member's name	Income source	Monthly income

Note: In case of seasonal workers, compute the annual income and divide by 12 months.

18. Information on Family Expenditure (Monthly):

Item of Expenditure	Amount in Rs
Food	
Clothing	
Water	
Firewood/Gas/Electricity	
Dwelling house and other accommodation	
Fuel for vehicles/Boats/Agricultural Equipment	
Medical/health	
Education	
Equipment/inputs (household utensils)	
Communication/Transportation	
Debt payment/Interest*	
Social obligations	
Religious functions	
Smoking/alcohol/chewing betel	
Maintenance cost of household structures and equipment's	
Entertainment	
Charges for society membership scheme and insurance policies	
Other (specify)	
Total	

* Monthly loan installment including the interest taken for purchasing assets

19. Information on Family Income (Monthly):

Source of Income	Amount in Rs.
Agriculture	

Livestock	
Wage	
Salary/Allowance/Pension	

Remittance (Foreign/Samurdhi/donations)	
Rent (land/buildings and other properties)	
Trade/Business	
Non-Farm products (household products)	
Fishing	
Renting heavy vehicles (Bus/lorry/trucks/tractor)	
Renting light vehicles 1 (Van/car/land master)	
Renting light vehicles 2 (Boat/3 Wheeler)	
Interest (money lending/bank deposits)	
Trees/Gardening	
Other (specify)	
Total	

D. Indebtedness:

20. Please indicate your borrowings during last one year:

S. No	Source	Name of institution/person	Amount taken (Rs.)	Amount returned (Rs.)	Balance (Rs.)
Total					

E. Health Status:

21. What illnesses did you or other members of your household experienced during the last 12 months?

22. Types of medical service do you or other members of your household used:

Type	General Service taken by*	Children Service taken by*	Maternal Service taken by*

F. Labor Migration:

23. Are there members of your household who work in locations outside the District?

1. Yes ☐ 2. ☐

If 'Yes', please fill in the following:

Name	Type of Work	Location of Work	Frequency	Monthly income (Rs)

code: type of work

1. Agricultural Labor	2. Non-Agricultural Labor	3. Trade & Business	4. Others (Specify)
-----------------------	---------------------------	---------------------	------------------------------

code: location of work

1. in the same Province	2. in another province (specify)	3. in another country (specify)	4. sea based
-------------------------	----------------------------------	---------------------------------	--------------

code: frequency of Migration

1. Once a year	2. Twice a year	3. Recurring annually
4. Recurring once in three years	5. According to necessity	

G. Women Status (Discuss questions 24-26 with the housewife and other female members of the household):

24. Do you think that the women in your area have sufficient opportunities to participate in decision making at the...

a. household level?

1. plenty ☐ 2. enough ☐ 3. limited ☐ 4. none ☐

b. community level?

1. plenty ☐ 2. enough ☐ 3. limited ☐ 4. none ☐

25. (For women-respondents who answered limited or no opportunities to participate in decision making) What are the possible reasons why there are limited or no opportunity for women to participate in decision making?

Reasons

(Use Codes)

26. What can be done to improve women's benefit from the assistance to be provided for affected persons under the project?

Comments of the enumerator

.....
.....

Enumerator's Name and signature:

Date:

Name and signature of the Supervisor:

Date:

ROAD DEVELOPMENT AUTHORITY

CODE GUIDE

Land Acquisition and Resettlement Survey/Census

A. General Information:

LARS/Census Item 13. Relation to the household head (use codes in item 15)

B. Background Information on the Affected Household

LARS/Census Item 15. Characteristics of AP household

Relationship to household head (HH)		Education	Occupation	
1. Wife/Husband	6. Brother	1. Illiterate	1. Farming own land	15. Police, homeguard, security services
2. Son	7. Sister	2. Can place signature	2. Agricultural labour	16. Housewife
3. Daughter	8. Daughter in Law	3. Waiting for schooling (0-5 yrs.)	3. Non-agriculture labour (skilled)	17. Retired person
4. Father	9. Son in Law	4. Class I-V	4. Non-agriculture labour (unskilled)	18. Student
5. Mother	10. Other (specify)	5. Class VI-G.C.E. (O/L)	5. Fishing	19. Child (0-5 age)
Marital Status		6. G.C.E. (O/L) Pass	6. Weaving/garments	20. Unemployed
		7. G.C.E. (A/L) Pass	7. Animal Husbandry	21. Other (specify)
		8. Undergraduate/Graduate	8. Commercial Activities	
		9. Postgraduate	9. Vendor (Specify)	
1. Married	5. Separated	10. Other (specify)	10. Government Services/ Executive	
2. Unmarried	6. Minor (below 18)		11. Government Services/ other grades	
3. Widow/Widower			12. Private Sector/ Executive	
4. Divorced			13. Private Sector/ other grades	
Disability		Sex	14. Armed forces	
1. not disabled		1. Male		
2. has major disability		2. Female		
3. has minor disability				

D. Supplemental Information on APs Losing Business/Livelihood/Income

LARS/Census Item 18. Commercial/Business/Livelihood Activities

General Type of Business/Livelihood	Affected Occupation		Income (Rs.) Per Month
1. Agricultural enterprise	1. Farming	13. Vehicle yard (selling)	1. < 5000
2. Non-agricultural enterprise	2. Horticulture	14. Hardware shop	2. 5001-7500
	3. Livestock raising	15. Hotel/restaurant/bar	3. 7501 - 10000
Sex	4. Fishing/fish processing	16. Tea shop	4. 10001 - 15000
1. Male	5. Weaving	17. Fuel centre	5. 15001 - 25000
2. Female	6. Animal Husbandry	18. Vegetable shop	6. 25000 - 50000
	7. Retail shop (essential items)	19. Fruit shop	7. 50001 - 100000
Disability	8. Wholesale shop (essential items)	20. Fish stall	8. 100001 - 200000
1.No Disability	9. Small shop (services)	21. Small shop (services)	9. > 200001
2.Has Major Disability	10. Large shop (services)	22. small-medium scale factory (less than 100 workers)	
3.Has Minor Disability	11. Variety store	23. Large scale factory (100 or more workers)	
	12. Garage/tyre	24. Others (specify)	Extent of Income

	shop/service centre		Loss
			1. Permanent
			2. Temporary

LARS/Census Item 21. Information on Workers of Affected Businesses/Livelihood

Position in the Affected Business/Livelihood Enterprise	Education	Other Occupation	Salary/Allowances (Rs.) Per Month
1. Managerial/supervisory position	1. Illiterate	1. Farming own land	1. < 5000
2. Labour and allied services (clerks, cashiers, office aides, bookkeepers, sales employees, etc)	2. Can place signature	2. Agricultural labour	2. 5001-7500
	3. Waiting for schooling	3. Non-agriculture labour (skilled)	3. 7501 – 10000
	4. Class I-V	4. Non-agriculture labour (unskilled)	4. 10001 – 15000
3. non-agricultural skilled labourer (masons, carpenters, machine operators, technicians)	5. Class VI-G.C.E. (O/L)	5. Fishing	5. 15001 – 25000
	6. G.C.E. (O/L) Pass	6. Weaving / garment	6. 25000 – 50000
	7. G.C.E. (A/L) Pass	7. Animal Husbandry	7. 50001 – 100000

4. unskilled labourer	8. Undergraduate/ Graduate	8. Commercial Activities	8. 100001 - 200000
5. agricultural labourer (including Workers in poultry farms/piggery)	9. Postgraduate	9. Vendor (Specify)	9. > 200001
	10. Other (specify)	10. Government Services/ Executive	
		11. Government Services/ other grades	Extent of Income Loss
Sex		12. Private Sector/ Executive	1. No impact
1. Male		13. Private Sector/ other grades	2. Permanent loss
2. Female		14. Armed forces	3. Temporary loss
		15. Police / Security Services	
Disability		16. Others (specify)	
1.No Disability			
2.Has Major Disability			
3.Has Minor Disability			

* Note: For seasonal workers, compute the annual income and divide by 12 months.

E. Supplemental Information on APs Losing Ownership or Access to Land

LARS/Census Item 23. Land holding status

Land Ownership Status		Land Use
1. sole deed/titleholder	5. owner, but has leased the property to another person	1. trade/business
2. claims ownership but without title	6. lessee/renter	2. residential
3. shares ownership with another person	7. tenant	3. driveways/private road
4. owner, but has mortgaged the property	8. squatter	4. agricultural (productive or idle)
		5. stateland/ROW

F. Supplemental Information on APs Losing Structures and Improvements:

LARS/Census Item 29. Crops

1. Home garden (flower plants)	5. Cinnamon (bushes)	9. Bread fruit	13. Firewood
2. Paddy (acres)	6. Banana (bushes)	10. Jack	14. Timber
3. Tea (acres)	7. Coconut/king coconut	11. Lemon/Lime	15. Other (specify)
4. Rubber (acres)	8. Mango	12. Orange	

LARS/Census Items 30 and 31. Type of Structure

1. house	4. parapet wall/fence/gate
2. shop/store	5. others (specify)
3. combined house-shop	

LARS/Census Item 30. Degree of impact on the structure

1. Partially affected
2. Fully affected (or remaining structure no longer structurally viable) but can be rebuilt within the same plot
3. Fully affected (or remaining structure no longer structurally viable) and needs to be relocated elsewhere

LARS/Census Item 31. Materials of the affected structure

1. Thatched simple hut	2. Mud/brick/tiled	3. Cement/brick or cement block /tiled roof or Asbestos roof
------------------------	--------------------	--

	roof	
4. Cement/brick or cement block /GI sheet roof		5. Cement/ brick or cement block/concrete roof
6. Tiled/brick or cement block /tiled roof or Asbestos roof		7. Tiled/ brick or cement block/tiled roof or asbestos roof
8. Others (specify)		

H. SOCIAL RELATIONSHIP AND MEMBERSHIP IN LOCAL ORGANIZATIONS

LAR/Census Item 35. Type of membership in local/community organizations

1. Office bearer	3. general member
2. active member (paid membership and attend meetings)	4. other (specify)

J. PERCEIVED SOCIAL AND ECONOMIC IMPACTS OF THE PROJECT/SUBPROJECT

LAR/Census Item 37. Problems that the AP might have to face as a result of the implementation of the project?

Social	Economic
1. Loss of relatives and neighbours	1. Loss of Income

2. Loss of friends	2. Increasing cost of living
3. Loss of access to religious place/s	3. Parting from business premises & workplaces
4. Affects children's education	4. Limitation of social infrastructure
5. No sufficient remaining land to resettle	5. Temporary disruption on transportation
6. Increase in air & noise pollution	6. Temporary disruption on tourism
7. Temporary disturbance on family life	7. Loss of goodwill
8. Other (specify)	8. Other (specify)

LAR/Census Item 38. Perceived Advantages that the AP would get as a result of the construction of the road

Social Advantages	Economic Advantages
1. Improve of Road Security	1. Generate additional Income
2. Improve the quality of Environmental conditions	2. Reduce cost of living
3. High demand for lands	3. Develop business premises & workplaces
4. Increase the land value	4. Develop social infrastructure
5. Improve tourism	5. Develop transportation facilities
6. Other (specify)	6. Other (specify)

Socio-Economic Survey

SES Item 14. **Total** land holdings and patterns of use (including those outside the road corridor and in other locations):

1. Homestead	2. Agricultural	3. Horticultural	4. Bare land	5. Neglected land	6. Other
--------------	-----------------	------------------	--------------	-------------------	----------

Kg. /Number of trees/ plants/ bushes/ nuts

SES Item 15. Information on **all structure(s)** that belong to the head of household (including those outside the road corridor and in other locations)

Type of structure

1. Residential house	2. Rented house	3. Trade/business	4. Residential and Trade
5. Stores	6. Shed	7. Abandoned/not in use	8. Other (specify)

Materials:

1. Thatched simple hut	2. Mud/brick/tiled roof	3. Cement/brick or cement block /tiled roof or Asbestos roof
4. Cement/brick or cement block /GI sheet roof	5. Cement/ brick or cement block/concrete roof	
6. Tiled/brick or cement block /tiled roof or Asbestos roof	7. Tiled/ brick or cement block/tiled roof or asbestos roof	
8. Others (specify)		

D. Indebtedness:

SES Item 20. Source of borrowings during last one year:

1. Bank	4. Societies
2. Private money lender	5. Others (specify)
3. relatives/friends	

E. Health Status:

SES Item 22. Types of medical service used:

1. western	2. ayurvedic	3. other (specify)
------------	--------------	--------------------

Health service provider:

1. Government Hospital/Clinic	2. Experienced person	3. Traditional Doctor	4. Private Doctor
5. Pharmacy	6. Own	7. NGO Health Clinic	8. Other (specify)

F. Labor Migration:

SES Item 23. type of work, location of work and frequency of migration code: type of work:

1. Agricultural Labor	2. Non-Agricultural Labor	3. Trade & Business	4. Others (Specify)
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code: location of work:

1. in the same Province	2. in another province (specify)	3. in another country (specify)	4. sea based
-------------------------	----------------------------------	---------------------------------	--------------

code: frequency of Migration:

1. Once a year	2. Twice a year	3. annually
4. Recurring once in three years	5. According to necessity	

G. Women Status (For the housewife or other female members of the household):

SES Item 25: reasons for the limited opportunities of women to participate in decision making in the household or community

1. women have too much work at home/not enough time	4. some policies/rules in the community or government discourage women to participate
2. women have been raised to leave the decision making to men	5. others (specify)
3. women lack capacity or skills	

Road Development Authority
Questionnaire for Affected Common Properties, Government
Offices and Utilities

Serial No.

1. Road Code: _____ 2. Chainage at Location: _____
 3. Divisional Secretary Area: _____ 4. District: _____
 5. Village/Town: _____
 6. Name of Respondent: _____
 7. Address of the Association/Office Responsible/Managing the Affected Asset:

8. Position of the Respondent in the Association: _____
 9. Name of the Head of Association (if not the respondent): _____
 10. Phone No: _____

11. Information on

the Affected Asset

12a.

Community

Asset

Type of Community Asset (encircle)	Name (if any)	Area Affected (in sqm)	Degree of Impact
1 = school 2 = clinic/hospital 3 = water points or communal water system 4 = temple/shrine/sacred trees 5 = community signboard 6 = public market 7 = public graveyard/cemetery 8 = terminal for public vehicles 9 = others (specify)_____			1 – slightly affected (no shifting needed. Only minor repairs needed. Can still operate at same level prior to land acquisition) 2 – severely affected but can be shifted within the remaining portion of the plot. 3 – severely affected and needs to be shifted to another location

12b. Utilities/bus stops

Affected Utilities (encircle)	Number	Degree of Impact (encircle)
-------------------------------	--------	-----------------------------

1 = Power distribution poles 2 = Power transmission towers 3 = Telephone lines 4 = Water distribution lines 5 = irrigation canal 6 = bus stops 7 = others (specify) _____		1 – slightly affected (no shifting needed. Only minor repairs needed. No disruption of service anticipated. Can still operate at same level prior to land acquisition) 2 – severely affected and needs to be shifted to another location. Indicate duration of service interruption during shifting: _____ days
---	--	--

13. Compensation preferred by the AP association/community/agency

1. Cash Payment (specify estimated replacement amount) _____
2. Land for land _____
3. Others (specify _____)

14. Problems noted in the shifting/replacement of the affected properties, if any.

Comments of the Enumerator: _____

Enumerator's Name: _____

Date Accomplished: _____

Name of the Supervisor: _____

Annex 6: Terms of Reference for Carrying out the SIA and Preparation of Resettlement Action Plan

- 1. Description of Project Background**
- 2. Project Location and Activities**
- 3. Objective of the assignment**

The areas of intervention towards achieving the project development objectives of the project have been identified, and the basic framework, the Resettlement Policy Framework, comprising principles, procedures, principles, and guidelines to identify and assess the potential social impacts and risks, prepare mitigation plans as part of sub-project preparation, institutional arrangements, and processes to be followed for the project, have been prepared. In this context, the Government of Sri Lanka intends to hire well qualified professional consultants to carry out social safeguards measures including: (a) social assessment for the Project; (b) Social Screening/Social Impact Assessment (SIA), (c) Preparation of Social Impact Mitigation Plan (SIMP) for addressing non-land related social issues and adverse impacts, and (d) If needed as per the RPF prepared under the Project, a Resettlement Action Plan or the Abbreviated Resettlement Action Plan (RAP/A-RAP).

The Social Assessment will help to understand key social issues, identify risks, and impacts on populations, institutional and legal settings in which social safeguard measures will be planned and implemented. Based on the Social Assessment and technical design of the sub-project intervention, a Social Screening Report (SSR) will be prepared. The SSR will help determine the need for a detailed Social Impact Assessment (SIA) and other due diligence studies like the tracer survey, social audit, asset valuation as provided for in the SMF and the RPF prepared under the Project, and prepare SIMP and RAP/A-RAP, if deemed necessary. The study will be within the context of the GOSL's previous experience in land acquisition and involuntary resettlement management, various policies, and institutions in place, and meeting the safeguard requirements of the World Bank.

4. Specific Objectives

- To carry out as a part of the Social Assessment a rapid review of social issues involved and prepare a broad-based social assessment of the project (focusing on components and likely activities), highlighting potential positive and negative impacts of the project. To review policy and acts/regulations of GOSL and the World Bank's Environmental and Social Framework (ESF) to identify applicable provisions in the proposed project and suggest ways to fill any gap between the GOSL and World Bank requirements.
- To understand roles and responsibilities and assess capacity of the implementing institutions involved in the Project to manage social development issues including safeguards, offer guidelines for capacity development to address any gaps.
- To carry out social screening for the sub-project activities to see if there could be any adverse social impacts, and, if confirmed, carry out social impact assessment and other due diligence studies (tracer survey, social audit, asset valuation, due diligence report)

- To develop an Environmental Social Management Plan (ESMP) for the sub-project implementation, and if required a RAP/A-RAP (fulfilling requirements of the ESMF and the RPF and integrating participation and social accountability guidelines).

5. Tasks

The scope of services comprises, without being limited to, the following:

Task - 1: Social Assessment. This will include the following:

Situation Assessment: A rapid analysis of the developmental, socio-cultural, and political economic context based on information available from the government, stakeholder consultations, primary and secondary sources, and media reports relevant to the project. This analysis will briefly describe the context for the project, including the historical context (e.g., post conflict/peace dividends) for the growth of the country/region/locality, overall institutional environment, political economic aspects, and any conflict risks.

Analysis of Key Social Impacts, Risks and Opportunities: This section will discuss the socioeconomic and cultural profile of the people likely to benefit/be adversely affected, their interests and levels of influence on project outcomes; positive/negative impacts on the poor/marginalized groups; role of civil society, opportunities to engage with them for better outcomes; any conflict risks that may affect implementation; impacts due to labor influx, including risks of gender based violence, child labor, etc. Analysis of key social risks will include likelihood of involuntary resettlement, issues of gender equality, social inclusion, labor issues, camp management and workers' code of conduct, and social accountability. A Stakeholder Analysis will be conducted through consultations to identify and assess the role and influence various stakeholders including the impacted people.

Analysis of Legislative and Regulative Frameworks. The consultant will describe the policy context with special attention to legislations on social dimensions relevant to the Project. The consultant will also review the World Bank safeguard provisions that need to be complied with and will suggest measures to fill any gaps between the Bank and government policies.

Review of Experience in Social Management. The consultant will review the country experience in LA & R&R; vulnerable community development and social accountability in key participating institutions that will be responsible for the implementation of the project.

Institutional and Capacity Assessment. The consultant will review the existing institutional mechanisms and capacity of the involved institutions for social management including the existence of units/ focal points for addressing land acquisition, resettlement and other social dimensions, their powers, functions, and effectiveness.

Analysis of Social Inclusion and Social Accountability. The Consultant will make an analysis of prevalent social accountability policies and practices promoting demand for —good governance' (DFGG) involving downward accountability and explore opportunities for strengthening DFGG/social accountability through participation of community groups, impacted people, other stakeholders, civil society organizations (CSO) in planning, implementing, and monitoring the project and the municipalities' responsiveness and efficiency in meeting people's needs.

Task - 2 Social Impact Mitigation Plan (SIMP).

Building on the findings and recommendations of the Social Assessment, the ESMP will include (a) findings from the social screening, socio-economic survey, stakeholder consultations, impact categories, types of losses, etc.; (b) plans and mitigation measures for addressing non-land related risks; (c) measures for strengthening social inclusion and accountability; (d) specific plans and actions relating to consultations, information disclosure and grievance redressal; (e) measures for addressing impacts due to labor influx such as child labor, gender based violence, conflicts with host communities, etc.; (f) planning, implementation and monitoring arrangements to address social development issues and risks; (g) budget and timeline for implementation of activities in the ESMP with clear identification of tasks for the contractor, supervision consultant, project implementing partners, Developers and the relevant line Ministry/Agency.

Task -3 Social Impact Assessment and Resettlement Planning

The Consultant will as per the ESMF and the RPF undertake social screening/SIA of the sub-project, including other relevant due diligence studies (e.g., tracer survey, social audit, asset valuation, etc.). Based on the findings of these reports, prepare RAP/A-RAP, as required. The RAP/A-RAP will include, at the least:

- Principles and objectives governing resettlement preparation and implementation.
- Findings from the social screening, socio-economic survey, stakeholder consultations, impact categories, types of losses.
- Estimation of impact categories and affected population, and guidelines for recording additional impacts
- Entitlements Matrix for provisioning compensation and rehabilitation assistance for losses to assist the affected people in various categories to re-establish their living conditions including shelter and livelihoods meeting the World Bank's ESF and country legal requirements.
- Principles and criteria relating to cut-off date for compensation; define criteria and authority for determining eligibility for different impacted categories of people to receive LA and R&R benefits; valuing the affected land and assets,
- Guidelines for site selection, site preparation and relocation of displaced households; legal arrangements for regularizing tenure.
- Guidelines for post-resettlement support including housing, infrastructure and social services to the relocated people and capacity enabling them to re-establish and sustain their living conditions.
- Institutional arrangements including organizational procedures for delivery of the entitlements, including responsibilities of the government and other stakeholders including NGOs in the implementation process, linking resettlement implementation to civil works; and organizational responsibilities for planning, implementing, and monitoring RAPs; sequencing activities with a flow chart outlining planning and implementation process
- Procedures for consultation, information disclosure and grievance redress mechanism.
- Process for approving, implementing, and monitoring resettlement plans, with specific timeline and budget

6. Deliverables

The deliverables will include the following:

- Inception Report, including a work plan presenting the methodology for Social Assessment and SIA for Stage 1 activities as per the TOR. (9 copies).
- Social Assessment Report, along with a comprehensive consultation report as Annex describing all consultations held for this assignment, explaining methodology and types, key data on type of meeting, stakeholder groups met, number of participants, date, location, photographs etc.; key issues discussed.
- Social Impact Assessment Report, and if relevant, other due diligence reports from the tracer survey, social audit and asset valuation.
- Social Impact Mitigation Plan that is approved by the PMU and/or line Ministry/Agency.
- Resettlement Action Plan or an Abbreviated Resettlement Action Plan (RAP/ARAP) that is approved by the concerned line Ministry/Agency.

7. Methodology

The methodologies to be followed by the consultant in this assignment include review of relevant documents & secondary information, interactions and consultations with stakeholders, and field visits and community interactions. Consultant will develop detailed methodology and work plan in the inception report, which will be discussed and agreed with the client. The Consultant should pay special attention to the safeguard policies and practices adopted by GOSL for externally funded projects.

8. Duration of the service

The time required for this assignment is envisaged to be 4 months.

9. Qualification of Expert

The consultant/s should include a team leader and Social Development experts with experience in resettlement, community development, and social inclusion/accountability, with higher degree in Social Sciences. In particular:

Team Leader: a senior specialist, with at least ten years of experience in Social Development, He/she should have delivered Social Assessment, SMF, RAP earlier for external donor funded projects. Experience in rural resettlement, community development will be considered an added qualification. He/she should also have proven ability to command a team and ensure targets and deadlines are met and to ensure quality of outputs meet client expectation and demonstrated proficiency in writing and speaking in English. He/she is expected to have experience with the application of good-governance tools such like citizen/community score cards, participative monitoring and evaluation, grievance redress and complaint handling, conflict mediation, information, education, communication, etc.

Social Development Specialist, with at least 5 years' experience in the field, working with poor urban communities, organizing surveys, and managing interaction with communities and civil society. Prior experience with the application of good-governance tools such like citizen/community score cards, participative monitoring and evaluation, grievance redress and complaint handling, conflict mediation, information, education, and communication is a plus.

Social Development Analyst, with relevant degree in social science and demonstrated proficiency

in writing and speaking in English

The Consultant should explain in advance, in the inception report, the team it will mobilize to deliver the above tasks, especially the Task-3, which will require census survey.

10. Estimated input of professional time

The total estimated level of effort for this assignment is estimated to be 26 staff weeks (excluding the time of surveyors).

Position	SA	SMF	SIA for Phase I
Team Leader	4 weeks	6 weeks	2 weeks
Social Development Specialist	2 weeks	2 weeks	2 weeks
Social Development Analyst	4 weeks	2 weeks	2 weeks

11. Other Information

The consultants are advised to refer to the following World Bank ESF and relevant ESS in addition to any other resources that they may deem fit: Environmental and Social Standards (ESS) on Assessment and Management of Environmental and Social Risks and Impacts (ESS-1), Labor and Working Conditions (ESS-2), Community Health and Safety (ESS-4), Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS-5) and Stakeholder Engagement and Information Disclosure (ESS-10). Involuntary Resettlement Sourcebook: the consultant may refer to www.worldbank.org/socialanalysis/sourcebook.

Annex 7: Outline of a Resettlement Action Plan

The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. The resettlement plan covers the elements below, as relevant. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.

1. **Description of the project**

General description of the project and identification of the project area.

2. **Potential impacts**

Identification of:

- a) the project component or activities that give rise to resettlement.
- b) the zone of impact of such component or activities.
- c) the alternatives considered to avoid or minimize resettlement; and
- d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.

3. **Objectives**

The main objectives of the resettlement program and the Resettlement Action Plan.

4. **Socioeconomic studies**

The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including:

- a) the results of a census survey covering
 - current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance.
 - standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population.
 - the magnitude of the expected loss--total or partial--of assets, and the extent of displacement, physical or economic.
 - information on vulnerable groups or persons for whom special provisions may have to be made; and
 - provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.
- b) Other studies describing the following
 - land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing,

or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area. the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project.

- public infrastructure and social services that will be affected; and
- social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

5. Legal framework

The findings of an analysis of the legal framework, covering

- a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment.
- b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project.
- c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation.
- d) laws and regulations relating to the agencies responsible for implementing resettlement activities.
- e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to bridge such gaps; and
- f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land--including claims that derive from customary law and traditional usage

6. Institutional Framework

The findings of an analysis of the institutional framework covering

- a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation.
- b) an assessment of the institutional capacity of such agencies and NGOs; and
- c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

7. Eligibility

Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

8. Valuation of and compensation for losses

The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.

9. Resettlement measures

A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy. In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons and prepared in consultation with them.

10. Site selection, site preparation, and relocation

Alternative relocation sites considered and explanation of those selected, covering

- a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources.
- b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites.
- c) procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- d) legal arrangements for regularizing tenure and transferring titles to resettlers.

11. Housing, infrastructure, and social services

Plans to provide (or to finance resettlers' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

12. Environmental protection and management

A description of the boundaries of the relocation area; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

13. Community participation

Strategy for involving resettlers and host communities, that includes:

- a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities.
- b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan.
- c) a review of the resettlement alternatives presented, and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual's families or as parts of preexisting communities or kinship groups,

- to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and
- d) Institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

Integration with host populations

Measures to mitigate the impact of resettlement on any host communities, including

- a) consultations with host communities and local governments.
- b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettles.
- c) arrangements for addressing any conflict that may arise between resettlers and host communities; and
- d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to resettles.

14. Grievance procedures

Affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should consider the availability of judicial recourse and community and traditional dispute settlement mechanisms.

15. Organizational responsibilities

The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

16. Implementation schedule

An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

17. Costs and budget

Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.⁶

18. Monitoring and evaluation

Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the relevant Ministry/government agency, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation

Annex 8: Outline of an Abbreviated Resettlement Action Plan

An abbreviated plan will cover the following minimum elements:

(a) Project Description

Identify Project location and its features.

(b) Census Survey of Displaced Persons and Valuation of Assets

Potential displacement due to proposed sub-project, assets lost and people from homes or livelihood, and methodology to be used in valuing losses to determine their replacement cost.

(c) Legal and Regulatory Framework

Describe key national acquisition, compensation, policies and donor policies, entitlements. Explain how national legislation and regulations on land acquisition, NIRP and WB's ESF will be achieved.

(d) Eligibility, Description of Compensation and other Resettlement Assistance to be provided

Describe the packages of compensation and other resettlement measures and other assistances that will assist each category of eligible displaced persons to achieve the objectives.

(e) Consultations with affected persons

Discuss the consultation and participation process in the light of national laws, NIRP and WB's ESF requirements, including on issues about acceptable alternatives.

(f) Institutional Responsibility for Implementation and Procedures for Grievance Redress

Identify main tasks and responsibilities in planning, negotiating, consulting, approving, coordinating, implementing, grievance redress, financing, monitoring and evaluation of the resettlement and rehabilitation.

(g) Arrangements for Monitoring and Implementation, and

Specify the arrangements for M&E.

(h) Timetable and Budget

An Implementation schedule will be prepared including all resettlement activities from preparation to implementation

Annex 9: Sample Application Form for Grievance Redress Mechanism

(To be made available in Sinhala, Tamil, and English)

Date:

Place of Registration:

Mode of Communication (e.g., note/letter, email, verbal/telephone):

Name _____

Gender _____ **Age** _____

Home Address _____

Phone/Email _____

Individual/authority to whom complaint was submitted:

Complaint/Suggestion/Comment/Question:

Please provide the details (who, what, where and how) of your grievance below:

If included as attachment/note/letter, please tick here: ☐

Nature of Resolution Sought:

How would you like your concerns/issues to be resolved?

Contact details for update/feedback

How do you want us to reach you for feedback or update on your comment/grievance?

FOR OFFICIAL USE ONLY

Registered by: (Name of Official registering
grievance) Reviewed by (Name/Positions of
Official(s) reviewing grievance) Action Taken:
Whether Action Taken Disclosed [] Yes [] No

Annex 10: Draft Agreement for Voluntary Land Donations

AGREEMENT

Obtaining the land to improve / rehabilitate the.....

Road.

This agreement is made and entered into on this day of Two Thousand

..... at.....in Democratic Socialist Republic of Sri Lanka.

BY AND BETWEEN

.....Pradeshiya Sabha, Provincial Road Development Authority or other
(Please specify and delete the inappropriate words)) and which term of expression shall mean

and included or its' successors and Divisional Secretary,

..... permitted assigns of the one part.

AND

..... (name of owner of the land) of

..... (address) which term in expression shall where the context so admits or requires, mean and include the said

..... of his successors and permitted assigns of the other part.

NOW THIS AGREEMENT WITNESSETH THAT THE

Chairman.....Pradeshiya Sabha, **Chairman** Provincial Road Development Authority (.....Province) or other (Please specify and Delete the inappropriate words)) and Divisional Secretary (.....)

AND

.....have mutually agreed as follows.

01. Considering the Social & Economical impact and the benefits of the rehabilitation of the above-mentioned road I/We the owner / owners of the land called (More fully described in the schedule hereto) donate and will be transferred in the name of

the Charman /Head of the respective entity in its purview. (i.e., Chairman Pradeshiya Sabha, Chairman Provincial Road Development Authority (..... Province) or other (Please specify and delete the inappropriate words)).

I/We know and admit thatPradeshiya Sabha or Provincial Road Development Authority (...Province) or other (Please specify and delete the inappropriate words) will give possession of site including this plot of land in writing to the Road Development Authority to enable doing the road rehabilitation works.

02. The land is being given of my / our own free will and is an entirely voluntary donation.
03. I / We do hereby assure that I / We relinquish all Claim and title to the donated land & that land is free of all encumbrances.
04. I / We agree on demolishing (secondary structure) Which has been recognized to be demolished to rehabilitate the road, on the condition of a new construction to be consigned.

THE SCHEDULE ABOVE REFERRED

Detail about the land	Size of the
.....	Land
.....	
.....	Details about the Constructions, Properties & Cultivations
To North	
	
To South	
	
To East	
	
To West	
	

Here by we grant & acknowledge the acceptance of the land more fully described in the schedule hereto on Date.

.....
 Signature of the Affected Party

Here by we acknowledge the aforesaid land

01. Chairman...PS, General Manager, PRDA or other (Please specify and delete the inappropriate words)

Name.....
Signature.....

02. Divisional Secretary,

Name.....
Signature.....

Annex 11 (A) ICDP CHECKLIST CONFIRMATION OF LAND DONATION CRITERIA AS PER RPF

Key Steps to be followed for Every Voluntary Land Donation Transaction Prior to Land Taking and Start of Civil Works. One Document Needed Per Landowner/Donor. Checklist to be annexed to VLD documentation for each parcel of land donated.

No.	Criterion	Yes/No	Evidence / Notes	Remarks
1	Disseminate the important project information to the community, including possible voluntary land donation requirements.		Consultation minutes, attendance sheets, info materials shared	
2	Conduct Transect Walk with Technical Team, Grama Niladari, community (owners of land along the RoW), surveys of the affected households identified during the transect walk including consultation with the affected households to explain the land donation procedure.		Consultation minutes, attendance sheets of participants.	
3.	Execute an agreement between the donor/s and the recipient as the format provided in the RPF – Annex 10. Agreement to be signed in presence of the Divisional Secretary, and the Divisional Secretary's signature will be placed as a third party		Signed agreements with donor/s and Divisional Secretary.	
4.	Ensure commencement of civil works in the donated land starts only after the agreement is signed.		Dates of when land donations were completed. Dates of Contactor taking site over.	
	b) Re-surveying, modifying the deed and registration will be done within a reasonable time (within 12 months), the cost of which will be borne by the project (modality TBD).		Copies of transfer deeds – re-surveyed land, and evidence of transfer deed completion. Cost of stamp fees and all other service costs- receipts.	
5	Maintain records of all consultations and agreements reached. This includes: a) Written notification indicating the location and			

	amount of land that is sought and its intended use. b) The agreement signed by each donor involved, establishing informed consent and confirming that there is no disputed ownership and that there are no claims by renters, users, squatters, or encroachers. Documentation to be made available for review in any grievance that may arise.			
6.	Ensure no coercion to elicit land donation and the external monitoring agency will be responsible to verify and ensure that there is no forced donation.			

Prepared by: Name/Designation/Date

Confirmed by: Name/Designation/Date

Signature of Project Director, ICDP: Name/Designation/Date

Annex 11 (B) VOLUNTARY LAND DONATION (VLD) DUE DILIGENCE REPORT TO BE PREPARED BY PMU

IF E&S SCREENING INDICATES VLD REQUIREMENT

1. SUMMARY OF VLD CASE

Project Name: _____ Sub-project: _____
 Location: _____ | Date: _____
 Government Authority Handling the Land donation Process

Item	Description
Sub-project name/activity	
Purpose of land requirement	
Size of land required (give total land also)	
Type of land (private / community / collective)	
Current land use	
Alternative analysis (all options considered and justification for selected option)	
Socio-economic conditions of the land area and adjacent properties	
Name(s) of legal owner(s) & socio-economic profile of the owner/s	
Name(s) of users/occupiers (if any) and their socio-economic profile/s	
Whether impacts are minor and negligible (Yes/No). If yes, explain.	
Potential impacts (physical/economic) (yes/no)	
Whether physical relocation is involved (Yes/No) If Yes → VLD NOT PERMITTED)	

Prepared by: Name/Designation/Date

Confirmed by: Name/Designation/Date

Signature of Project Director, ICDP: Name/Designation/Date

Annex 11 (C) VOLUNTARY LAND DONATION

STEP-BY-STEP VLD PROCEDURE CHECKLIST

Step 1: Due Diligence on Land Status & Impacts

Checklist Item	Yes/No	Provide details / evidence where relevant
1.1 Land title verified		
1.2 No disputes/claims identified. Land is free of Encumbrances, Squatters, Informal Settlers.		
1.3 Informal users assessed & addressed		
1.4 Donation minor; no livelihood impact		[Impacts must be minor (less than 10 percent of holding) Landholding measurements for each donor /livelihood verification]
1.5 No physical relocation required		[Site verification/field confirmation VLD not permitted if physical relocation required]
1.6 Donation does not adversely affect vulnerable groups/ remaining assets of donor/s are economically viable		
1.7 Donor directly benefits from the project		[Explain benefit]
1.8 Value of Property and Assets Assessed		
1.9 Clear transfer process defined (ownership/rights, boundaries, timeline)		

Step 2: Disclosure of Information

Checklist Item	Yes/No	Provide details / evidence where relevant
2.1 Project scope & justification disclosed/shared with VLD donor, Community		[i.e. Consultation minutes, attendance sheets, info materials shared with the community and potential land donors.]
2.2 Exact land area/location disclosed		[Written notification indicating the location and amount of land that is sought and its intended use.]
2.3 Replacement/market value shared		
2.4 Right to refuse explained and choices available to them		[Signed consent/voluntariness statement from each donor. Voluntary statement signed in

		presence of GN or District Secretary who will sign as 3 rd party.]
2.5 Entitlements waived by Donor under VLD explained to Donor		
2.6. All users of the land give consent (i.e. community or collective land, inheritance cases, donation occurs only with the consent of all individuals using or occupying the land)		[List of users/occupants with signatures]
2.7 All relevant household members are aware of and agree to the donation		[Signatures and agreed to donation.]
2.6 GRM details shared		

Step 3 Consultation & Verification of Voluntariness

Checklist Item	Yes/No	Provide details / evidence where relevant
3.1 Consultation with landowner(s)		
3.2 Consultation with users/occupiers		
3.3 Transect walk/site verification done		
3.4 Consultation with relevant Government authorities		
3.4 No coercion confirmed – Third Party Verification done (3 rd party to be hired by PIU)		

Step 4: WB Prior Review & No-Objection

Checklist Item	Yes/No	Provide details / evidence where relevant
VLD Due Diligence Report submitted to WB – date submitted.		
No-Objection received from WB - include date		

Step 5: Execution of VLD Agreement

Checklist Item	Yes/No	Provide details / evidence where relevant
Agreement signed (approved format)		
Signed at project site		
Donor did not incur travel/administrative burden		
Witnessed by Divisional Secretary (DS)		

Step 6: Prior to Civil Works

Checklist Item	Yes/No	Provide details / evidence where relevant
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Land records updated – including transfer of title deed for land donated through notary public or procedure prescribed by law including re-surveying, modifying deed and registration of deed with land registry. (these to be done within reasonable time and the cost of which will be borne by the project). Provide timeline, and completion of transfer of deed.		
Civil works start only after full VLD completion. Date of VLD completion and date of civil works commencing.		

Step 7: Record-Keeping, Monitoring & GRM

Checklist Item	Yes/No	Provide details / evidence where relevant
All VLD records filed including documents confirming land transfer process		
Donor informed about GRM		
Independent verification (if required)		
Post-donation monitoring plan in place		

Prepared by: Name/Designation/Date

Confirmed by: Name/Designation/Date

Signature of Project Director, ICDP: Name/Designation/Date