

Resettlement Plan

November 2011

Document Stage: (Draft Final) Updated Version

SRI: Additional Financing for National Highway Sector Project

Kirulapona – Homagama section of Colombo – Ratnapura – Wellawaya – Batticaloa (A004) Road

Prepared by Road Development Authority, Ministry of Ports and Highways

For the

Asian Development Bank.

CURRENCY EQUIVALENTS

(as of November 2011)

Currency unit – Sri Lanka Rupee (Rs)

US \$ 1.00 = Rs. 110

ABBREVIATIONS

ADB	Asian Development Bank
AI	Agricultural Instructor
AT	Advance Tracing
CEA	Central Environmental Authority
CEO	Chief Engineer's Office
CSC	Construction Supervision Consultant
CV	Chief Valuer
DH	Displaced Household
DMS	Detailed Measurement Survey
DD	Detailed Design
DH	Displaced Household
DSD	Divisional Secretariat Division
DS	Divisional Secretary
ESD	Environment and Social Division, RDA
PIB	Public Information Booklet
PS	Pradeshiya Saba
GN	Grama Niladhari
GND	Grama Niladhari Division
GOSL	Government of Sri Lanka
GRC	Grievance Redress Committee
Ha / ha	Hectare
KM / km	Kilometer
LA	Local Authority
LAA	Land Acquisition Act
LARC	Land Acquisition and Resettlement Committee
LARD	Land Acquisition and Resettlement Division,

	RDA
LAO	Land Acquisition Officers
LAR	Land Acquisition & Resettlement Unit
LARS	Land Acquisition and Resettlement Survey
MOPH	Ministry of Ports and Highways
MOL	Ministry of Land and Land Development
NEA	National Environmental Act
NGO	Non-governmental Organization
NHSP	National Highways Sector Project
NIRP	National Involuntary Resettlement Policy
PD	Project Director
PEA	Project Executing Agency
PIU	Project Implementation Unit
PMU	Project Management Unit
PP	Preliminary Plans
RF	Resettlement Framework
RP	Resettlement Plan
RDA	Road Development Authority
ROW	Right-of-Way
Rs.	Sri Lankan Rupees
SD	Survey Department
SES	Socio Economic Survey
SEW	Southern Expressway
SPS	ADB Safeguards Policy Statement, 2009
TA	Technical Assistance
TL	Team Leader

IOL	Inventory of Losses
UC	Urban Council
TOR	Terms of Reference

NOTE

In this report, "\$" refers to US dollars.

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EXECUTIVE SUMMARY

Project Description

Kirulapona (chainage 0+000, at Elwitigala junction) to Homagama (chainage 15+500) section of Colombo – Ratnapura – Wellawaya – Batticaloa (A004) Highway was proposed to be improved by the National Highway Sector Project (NHSP) under the Road Development Authority (RDA). The road improvement works are funded by the Asian Development Bank (ADB) under loan 2217 Sri.

The surface of this road stretch was in a poor condition with many corrugated sections and pot holes. Further sections within this road stretch frequently subject to floods due to poor road side drainage facilities. The resulted road condition reduced vehicle operating speeds causing increase in travel time and traffic congestion. It also attributed to the increase of vehicle operational costs. Therefore, this was a timely investment to remedy the poor condition of the road to give relief to road users.

Taking in to consideration of the land availability for road widening, improvements and impacts to the people living both side of this road section, and the urgency to improve this road section the Highway Design Division of the RDA in year 2010 completed a design with two (2) traffic lanes within the available Right of Way (ROW). As a matter of principle, this design avoided the need for land acquisition, making no impacts (relocation) on any encroacher using road reservation as clearly exhibited in the Final Village Plans (FVPs).

LEGISLATIVE AND POLICY FRAMEWORK

The Land Acquisition Act (LAA) of 1950 is the most important legal provision which 'Makes provisions for acquisition of the Lands and Servitudes for public purposes and provides for matters connected with or incidental to such provision'. It provides the payment of compensation at market rates for lands, structures and crops. It has several amendments and the latest being the version of 1986 and the Revised Regulations, 2008 gazetted as No. 1585/ 7 on Tuesday, 20th of January 2009. Further, National Environment Act (NEA), National Involuntary Resettlement Policy (2001) and ADB's Safeguard Policy Statement (2009) are key policy instruments supporting resettlement planning and implementation in the country.

SCOPE OF LAND ACQUISITION AND RESETTLEMENT

This project does not require land acquisition as the road improvement is proposed to be carried out within the available ROW. However, few impacts to the public occurred during construction. These issues were resolved through GRC. Three water supply lines, access roads, parapet walls were damaged during the construction. Further, the wells of two residents were contaminated with drain water. The compensation was paid to the all affected parties.

SOCIOECONOMIC PROFILE

Demographic information presented in this chapter is based on the LARS questionnaires completed during the previous surveys and information obtained from DS Divisions and Department of Census and Statistics. As there are no displaced persons, the information below could be considered as demographic information of the public/ residents who live along this section of A004 road. As per the information gathered, 48.5% of the households fall within the category of 3-4 members per household, representing prominence in small families. Only 4.4 % of households is having more than 7 members per family.

Of the 1085 males, nearly 90% over is married and nearly 10% is either bachelor, divorcees, separated from spouse or widowed. Of the 221 female heads of household, 85.8% is married and over 8 % is spinsters, nearly 6 % is either widowed, divorced or separated from the spouse. Nearly, a quarter of woman household heads (23.5%) is widows, compared to 1.6% of widowers of 1085 male household heads. Of the household members (exclusive of chief occupants) 1375 are males and 2118 are females. In this community male to female ratio is 1: 1.5 showing a more female population. Out of 1375 males, 36.8% are married and 31.6 are bachelors. Minors (below 15) constitute 30.2 % of the population. Except two households, all others spend more than Rs.3000 per month. Nearly 79 households or 23.4%

of the receive a middle class income between Rs. 7001/- and Rs.15, 000/-. The corresponding expenditure level of this income group shows only 44 households or 12.9% of the sample, indicating a sharp drop in expenditure level compared to income level. There are 129 families consisting of a vulnerable member.

INFORMATION DISSEMINATION, CONSULTATION AND PARTICIPATORY PROCESS

Information dissemination, consultation and participatory process involved with public and other stakeholders maintained transparency throughout the RP process. This openness reduces potential conflicts; minimize risk of project delays and help PMU to formulate resettlement and rehabilitation to suit the needs of the public. Aafter the initial familiarization discussions held with the officials of the relevant state departments, prior to the commencement of project implementation, series of public information disclosure events were launched to create awareness among public on land acquisition process and mitigation efforts to counteract negative impacts. Divisional Secretaries and their staff played an important role in organizing and participating at awareness creation sessions with public.

During the RP updating exercise, consultations were carried out with public and the consultations were also planned for the future.

ENTITLEMENTS

Under the existing land laws those who own land or servitudes are the primary beneficiaries eligible for statutory compensation. However, most of the non-title holders of above categories don't have testimonial evidence to suit statutory requirements of the land acquisition process and therefore they are often left out from statutory compensation processes. NIRP is an attempt to expand the coverage of beneficiaries displaced from acquisition described as non-titleholders who don't have strong testimonial evidence for their relationship to land. Ex-gratia package introduced by the Ministry of Ports and Highways is a complementary instrument goes with the LAA to accelerate acquisition process. Mainly, it provides DPs the difference between statutory compensation and replacement cost and concessions for a range of DPs affected economically and socially. The Entitle Matrix is a crucial part of the Resettlement Plan with necessary information to decide compensation for different categories of claim holders. GOSL will provide necessary funds to pay compensation as shown in the Entitle Matrix.

Although land acquisition is not required for this project, an entitlement matrix was prepared during project preparatory stage as this is a sector project. The entitlement matrix is taken from the resettlement framework prepared for the project. If any land acquisition or resettlement matter arises during implementation of the road project, the entitlements will be provided to the DPs as per the entitlement matrix.

GRIEVANCE REDRESSES MECHANISM

Grievance Redress Mechanism is necessary to support genuine claimants to resolve their problems through mutual understanding and consensus reaching process with relevant parties. This is in addition to the available legal institutions for resolving unsatisfied public appeals against the disagreeable decisions. GRC approach gives an opportunity for public to bring their unsolved grievances to the committee established for the said purpose by way of

requests and appeals against any disagreeable decisions or practices arising out of project activities. GRC is not the only body that the public can approach for grievances solving. There are series of formal bodies; some are with special focus on certain matters, available for public to take their unsolved grievances, problems and issues. PMU's responsibility is to make public knowledgeable and familiar with these institutional arrangements and play the role of a facilitator if a person wish to process their grievances and claims through those institutions for better judgments.

RELOCATION OF HOUSING AND SETTLEMENTS

Rehabilitation and improving Kirulapona to Homagama section of A004 road did not give rise to any land acquisition or resettlement. However, provisions were kept in case of such need. If there's any need for relocation, the PMU with the assistance of Divisional Secretaries will take adequate measures to help the any displaced person to restore their businesses/ livelihood in a manner that did not disrupt their style of lives and socio economic standards.

The PMU with the assistance of Divisional Secretaries will take adequate measures to help DPs to relocate in the best possible manner as wished by DPs. The decision on relocation is in the hands of DPs and PMU will see that DPs have sufficient information for their decisions. There are mainly two options for DPs to relocate after handing over their properties to the project; 1) DPs could obtain the replacement cost of the properties and other entitlements and relocate in a location selected by himself or 2) resettle in a site develop by the PMU subject to availability of lands in the area in consultation with DPs. PMU will assist wherever possible to find alternate locations to re-establish business of the displaced.

INCOME RESTORATION AND REHABILITATION

The properties along the A004 highway did not get affected through the proposed road improvement. However, majority of the properties on either side of the highway are trade and businesses. During construction, it was anticipated that there may be a temporary impact to the businesses. It was decided by the PMU that incase if any damage is caused to these businesses income restoration measures will be applicable. The shop owners were to be compensated for the loss of income according to the provisions of the entitlement matrix.

This project will be a development opportunity for people living along the highway. The businesses will be developed due to the road improvement and the construction related jobs will be generated.

RESETTLEMENT BUDGET

The amount paid to affected parties was Rs. 113,301 or approximately \$1,030. It is anticipated that an amount of Rs. 2.5 million (\$22,727) would be required to construct the damaged walls near double cut area at Pannipitiya.

IMPLEMENTATION SCHEDULE

There is no land acquisition or resettlement in this project as mentioned above. However, the provisions will be kept in the implementation schedule for land acquisition and resettlement. Resettlement activities commenced from January 2011 with the recruitment of Team Leader / Consultants, Resettlement Assistants and supporting staff. The resettlement plan was implemented during a period of one year from January 2011 to December 2011.

INSTITUTIONAL FRAMEWORK FOR RESETTLEMENT

The overall implementing responsibility of the project lies with the GOSL and the Ministry of Ports and Highways (MP&H) is the execution line ministry for the matters pertaining to the highway sector. RDA being the executing agency for road development has administrative responsibility for implementation of the project under general supervision of the Ministry of Ports and Highways. MP&H has established Project Management Units (PMU) for execution of specific projects come under RDA under the supervision of RDA with direct linkages and access to MP&H. Thus PMU is the focal agency for implementation of the RP.

MONITORING AND REPORTING

Resettlement Monitoring Means the collection, analysis, reporting and use of information on the progress of resettlement, based on the RP. Monitoring focuses on physical and financial targets and the delivery of entitlements to persons displaced. Monitoring is usually conducted internally by the executing agency. For this project, external agency will be hired by PMU for external monitoring to ensure quality of monitoring and safeguard compliance.

Chapter 1 - PROJECT DESCRIPTION

1.1. Description of the Road Project

1. Kirulapona (chainage 0+000, at Elwitigala junction) to Homagama (chainage 15+500) section of Colombo – Ratnapura – Wellawaya – Batticaloa (A004) Highway was proposed to be improved by the National Highway Sector Project (NHSP) under the Road Development Authority (RDA). The road improvement works are funded by the Asian Development Bank (ADB) under loan 2217 Sri.

2. The traffic forecasts conducted in the recent past has revealed that about 40,000 vehicles / day ply over this road at Nugegoda and reduces to about 15,000 vehicle / day near Homagama. With the Southern Expressway and the Outer Circular Highway (OCH) coming in to operation, it is expected that the vehicle movement along this road will be increased up to about 63,000 vehicles/ day at Nugegoda and 26,000 vehicles/ day at Homagama.

3. The surface of this road stretch was in a poor condition with many corrugated sections and pot holes. Further sections within this road stretch frequently subject to floods due to poor road side drainage facilities. The resulted road condition reduced vehicle operating speeds causing increase in travel time and traffic congestion. It also attributed to the increase of vehicle operational costs. Therefore, this was a timely investment to remedy the poor condition of the road to give relief to road users.

4. Taking in to consideration of the land availability for road widening, improvements and impacts to the people living both side of this road section, and the urgency to improve this road section the Highway Design Division of the RDA in year 2010 completed a design with two (2) traffic lanes within the available Right of Way (ROW). As a matter of principle, this design avoided the need for land acquisition, making no impacts (relocation) on any encroacher using road reservation as clearly exhibited in the Final Village Plans (FVPs). The location map of the road is given in figure 1.1. Refer Annexure 1.1 for detailed location map based on google earth imagery.

5. The immediate objective of this exercise (design) was to improve the section from Kirulapona to Homagama of A004 highway without impacting the people who live on both sides of the road. The design was later reviewed and improved by the Supervision Consultants (SC) considering safety and alignment. Further, at this time it was identified that this road section could be widened in to four operational lanes with minimum impact to residents living on either side of the road. Thus the final detail design required few additional acquisitions with some impact upon few encroachers.

6. This updated version of Resettlement Plan (RP) was prepared based on the detail designs approved by SC and includes details of persons who were compensated for impacts and inconvenience caused during the construction process. This final RP was improved

using fundamental insights from the National Policy on Involuntary Resettlement adopted by GOSL in 2001 (NIRP) and ADB Safeguard Policy Statement, 2009 (SPS).

1.2. Project Profile

7. The section from Kirulapona to Homagama of A004 highway passes through five (5) Divisional Secretariat Divisions (DSDs) (Thimbrigasyaya, Dehiwela, Kotte, Maharagama, and Homagama) over 20 Grama Niladari (GN) Divisions.

8. A significant growth in the traffic movement along Kirulapona - Homagama section of A004 highway is inevitable once the Southern Expressway begins its operations. If this road section is not improved to meet increase traffic volume at the time of the opening of Southern Expressway, it would generate a chaotic situation on this highway and adjoining areas as this section is the main access to the expressway from Colombo city. If so, it is almost a nullifying situation of all good expectations of the Southern Expressway. Therefore, upgrading of this road section will facilitate achieving expected benefits of Southern Expressway, and moreover, it will have location specific productive impact in view of the likely arrivals of new commercial and business ventures to the project area. This improvement will also have a positive impact to the concentrated Economic Zone established at Meepe about one kilometre from Godagama junction.

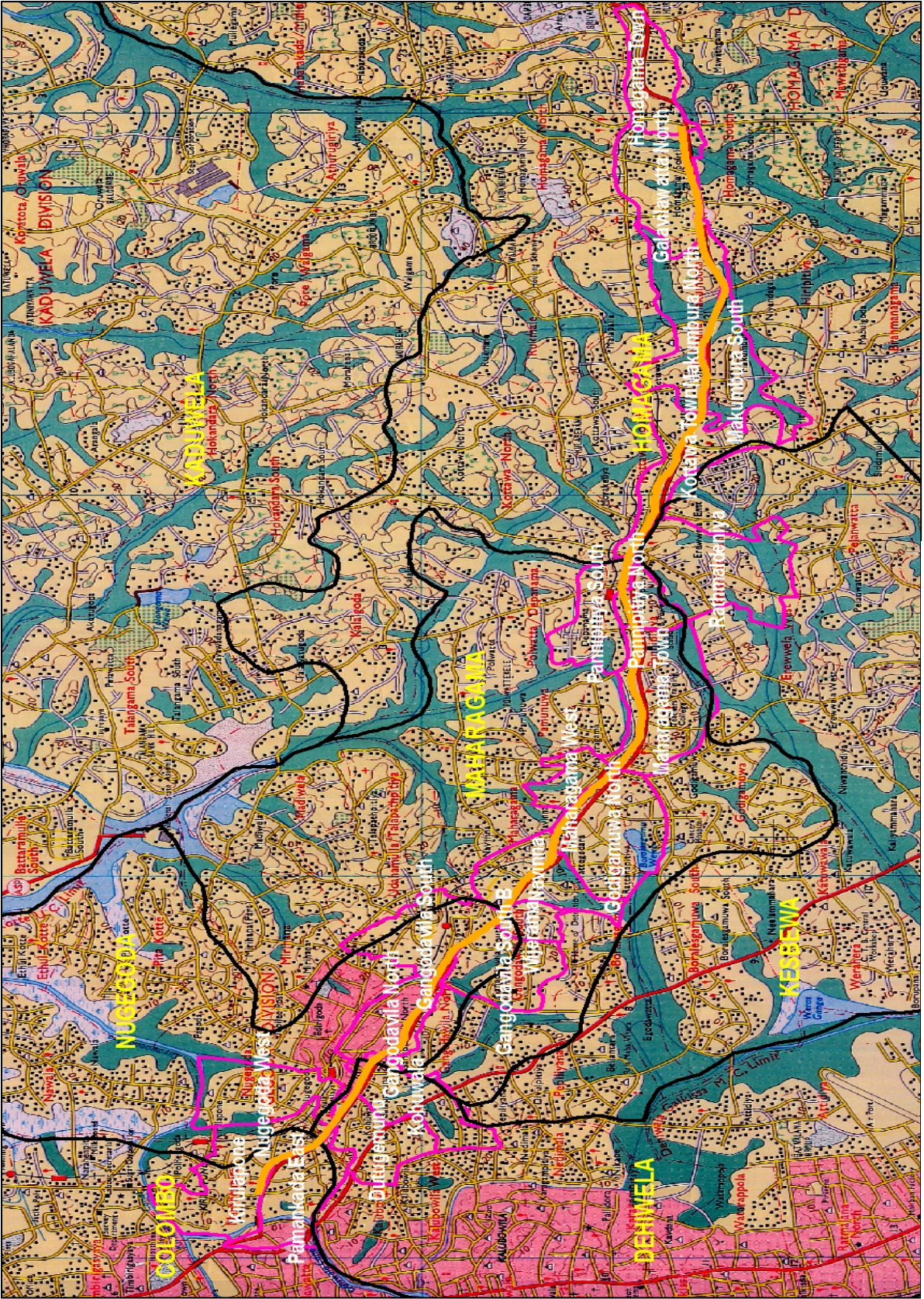


Figure 1.1. Location map of candidate section of A004 road

1.3. Administrative Boundaries of the Road Project

9. The section from Nugegoda to Homagama of A004 highway passes through five (5) Divisional Secretariat Divisions (DSDs) (Thembirigasyaya, Dehiwela, Kotte, Maharagama, and Homagama) which include 20 Grama Niladari (GN) Divisions.

Table 1.1. Affected Grama Niladari Divisions of the DS Division

DS Division	Number of GNDs	Names of GNDs
Thembirigasyaya	1	Pamankada East
Dehiwala	1	Kuhuwala 537B
Kotte	2	Gangodawila North 526, Gangodawila South 526/A
Maharagama	7	Vijerama 526/C, Pathiragoda Nawinna 527/A, Wattegedara 532/C, Maharagama West 537/C, Maharagama Town 530, Pannipitiya South 531/A, Kottawa Town 496B
Homagama	10	Godagama North, Godagama South, Pitipana Town, Panagoda East, Panagoda West, Homagama Town, Galawilawatta North, Galawilawatta South, Katuwana, Henawatta

Source: Consultations with DS staff.

1.4. Objectives of the Resettlement Plan

10. The main objective of this RP is to outline the measures adopted by RDA to overcome adverse effects caused by the land acquisition and resettlement to a few Displaced House Holds (DHHs).

11. The principle guideline adopted by RDA was to improve the Displaced Persons' (DPs') own capacity to restore, if not improve their living conditions and livelihoods by paying their due entitlements appropriately and in a timely manner. This updated version of the RP is made with the availability of revised and approved detailed designs by the SC. These designs gave exact locations where additional land was required.

12. DPs, as well as the general public who live along this section of A004 road, are well aware of the common benefits of the project, including improvements to transport system, opportunities for increased income and employment, increased benefits and enhanced access to delivery systems of health, education, water & sanitation, communication and so on and increased value of properties etc. These are general benefits of the project that are common to all, affecting directly and indirectly.

13. In line of above considerations, a RP was prepared for this road section during the Feasibility Study (FS) with the aim of ensuring that the land acquisition and resettlement impacts caused by the proposed road construction are identified, mitigated and

compensated in accordance with the applicable legal enactments, policies (the National Involuntary Resettlement Policy or NIRP of 2001) and principles of the Government of Sri Lanka (GOSL). Special attention was paid to adhere to the policies and principles of the Asian Development Bank with the focus on its Social Safeguards. NIRP (2001) is the key policy document of the GOSL on resettlement planning. The Project Management Unit (PMU) of RDA held the prime responsibility for execution of the Resettlement Plan.

14. The RP prepared during the FS need to be up dated to include exact/ accurate information on Displaced Persons (DPs), land acquisition, resettlement and compensation package. This RP also addresses measures adopted to mitigate issues such as temporary loss of access, temporary loss of business and livelihood activities and shifting of utility supply lines. As adverse construction related impact from dust, noise and cracking of structures was possible to occur affecting the residents living close to construction area, these issues were also discussed in this RP.

15. The project entitlement matrix (entitlement matrix of the resettlement framework of NHSP) was the principle document that was referred to when compensation was paid and the Grievance Redress Mechanism (GRM) was in place to address construction related issues such as dust, temporary loss of access etc.

1.5. Methodology

16. In this updating exercise in November 2011, present resettlement consultant studied information available in the previous RPs and the filled questionnaires of SES and LARS during the initial surveys (The questionnaire is attached in Annexure 1.2). The necessity of a fresh survey was not required as there were no displaced persons. However, the consultant studied the four (4) cases that were taken at the Grievance Redress Committee (GRC).

17. Although an initial awareness programme/ public consultations were conducted by the PMU and latter during the detailed designs, few consultations with officers at Divisional Secretariat offices were carried out during this assignment. The main purpose of this additional consultation was to have a feed-back about the effectiveness of the previous attempts on information dissemination to the public about the development project and to gather any suggestions that would assist the land acquisition and compensation process in future road development projects.

Chapter 2 - LEGISLATIVE AND POLICY FRAMEWORK

18. This chapter discusses the legislative and regulatory framework for land acquisition and resettlement and policies pertaining to resettlement.

2.1. Legislative Framework

The Land Acquisition Act of 1950 (LAA) and Subsequent Amendments and Regulations

19. The Land Acquisition Act (LAA) of 1950 is the most important legal provision which 'Makes provisions for acquisition of the Lands and Servitudes for public purposes and provides for matters connected with or incidental to such provision'. It provides the payment of compensation at market rates for lands, structures and crops. The Land Acquisition Act of 1950 was modeled mainly on the English Land Clauses Acts, The Acquisition of Land Act 1919 and the Acquisition of Land Authorization Procedure Act 1946 and the Land Acquisition Act amended by Act 28 of 1964 is the premiere and oldest Land Acquisition Act in force today. It has several amendments and the latest being the version of 1986 and the Revised Regulations, 2008 gazetted as No. 1585/ 7 on Tuesday, 20th of January 2009.

20. The operational procedures of the LAA (1950) are as follows;

- Preparation of acquisition proposal by the requesting agency and submission to the Ministry of Land and Land Development (MLD) through the Secretary of the Ministry under which the requesting agency is functioning. In case of road projects, this is the Ministry of Ports and Highways.
- Approval of the proposal by MLD, posting of notices by the relevant divisional secretary/secretaries (as designated Acquiring Officer/s) and preparation of advanced tracing by the Dept. of Survey on the requisitions issued by relevant divisional secretaries (Section 2 of LAA).
- If sec 38 (a) is not invoked, divisional secretary to proceed with Section 4 of the LAA to call objections from the interested parties in the land. Even after inquiring of the objections called under section 4, if the relevant land is required to be acquired, the requirement will be conveyed by the line ministry (in case of roads, Ministry of Ports and Highways) to the Ministry of Land and Land Development.
- Minister of Land then issues an order under Section 5 confirming the acquisition of the relevant land which will be followed up through a gazette notification in all three languages. In the same order Ministry of Land and Land Development directs the divisional secretary to take action to prepare the preliminary plans (PPs).
- Based on the Minister's order under Section 5, DS issue a requisition to the Superintendent of Surveys of the district to prepare and submit the plan.
- On receipt of PP the DS will publish in Government gazette notification in all three national languages (Sinhala, Tamil and English) that he/she intends to conduct inquiries under section 9 of LAA and request people to submit their claims for ownership of land before the date mentioned by him in the

gazette notification. In addition to the gazette notification a paper notice will be published by the DS in all three languages for information of the stake holders.

- Then inquiries will be conducted to determine the ownership and DS will issue an order declaring ownership under Section 10 (i) of LAA.
- Acquiring officer either makes the decision on the claims or refers the claims to the district courts or primary courts if he is unable to determine the ownership.
- Acquiring officer (Divisional Secretary of the area) holds an inquiry into the market value of the land, the claims for compensation and the legality of claimants (advised by valuation officers) and award of compensation under section 17 of LAA.
- Then the possession will be taken over under Section 38 or in an urgent situation in made section 38 (a) even though the LAA permits to takeover possession before paying compensation any land acquired by the state. At present, possession of land is taken over **ONLY** by paying compensation in full. This is a very positive outcome of the NIRP and SPS, 2009 of ADB. After taking over the possession DS will take action to vest the properties acquired under the name of relevant beneficiary/ies (RDA for road development) under section 44 (j) of LAA and register the title with the registrar of the land of relevant district.
- Following the decision (either by the acquiring officer or the courts) the acquiring officer makes an award after determining the persons who are entitled to compensation, the total amount of compensation deemed to be allowed for the acquisition and the apportionment of the compensation among the persons with interest and;
- In the event of disputes over the determination of compensation, it may be appealed to either the compensation review Board or Court of appeal within 21 days of the receipt of the notification of the award. If there are no appeals, the compensation will be paid.

Land Acquisition Resettlement Committee (LARC) Process

21. Under LAA, claimants were paid only the depreciated values for structures. Therefore a wide spread general opinion was developed indicating that compensation paid for land through LAA process is very much less than the prevailing market values. This was a main reason for property owners to object any land acquisition irrespective of the benefits going to be accrued by proposed development projects. This had very destructive elements as public objections, distrust, and misgiving related to LAA paved ways and means for destructions to development processes; questioning the intended development projects which were to come after land acquisition. This situation was fertilizing numerous forums of pressure groups of different interests; mostly in the direction of local political arena.

22. Under LAA any aggrieved party on the valuation determined by the Department of Valuation is expected to appeal to the Land Acquisition Review Board within 21 days of receipt of the Section 17 order from the Divisional Secretary. If party is dissatisfied with the decision of the Review Board, the party can made a petition of appeal to the Supreme Court. No stamp duty is charged for this appeal. However, experience showed that the process involved here was time consuming; moreover, in most occasions, variation between the assessment of the Dept. of Valuation and the review board's decision was very marginal.

23. Responding to this situation with the commencement of the Southern Transport Development Project (STDP) land acquisition which involved with taking over 1500 buildings and a large extend of land along a 126km stretch, the government decided to introduce a new scheme to compensate the affected people in 2001, outside the LAA by creating a body called Land Acquisition and Resettlement Committee (LARC). This body set up to determine the replacement cost (not the depreciated value) of the buildings and the market value of the land of the displaced people, composed of the following members;

Composition of the committee

- Relevant DS (Chairman)
- Representative of the valuation Dept
- Representative of the survey Dept
- Representative of the RDA
- Displaced person

24. The notable feature of this committee is that the displaced person himself is a vote carrying member of the board.

Super LARC (Ministerial Compensation Appeal Board)

25. Any displaced person who is not satisfied with the quantum of compensation decided by the LARC will have option of appealing to the super LARC committee which is established by the decision of the cabinet of ministers.

Composition of the super LARC

- Secretary Ministry of Ports and Highways or a person delegated by him/ her.
- Chief Valuer or his representative.
- Secretary Land or his representative
- Survey General or his representative
- Director General of RDA or his representative.

26. The displaced person will also be called for the inquiry and the decision of the super LARC is final.

Land Development Ordinance (1935)

27. By virtue of this ordinance and its subsequent amendments, households that are occupying crown land may request permission from the Divisional Secretary to be regularized on the Land in question. The Acquiring officer (Divisional Secretary) makes an investigation and may recommend giving a one-year permit initially, if the land is not reserved land or not required for any other government purpose. Subsequently, the person may be given a long lease which constitutes a legal title without right to disposal. The term for such titles is 'Swarna Boomi' (golden land) or 'Jaya Boomi' (victorious land).

28. There are two categories of encroachments into crown land. (1) Middle income category, the households that have other agricultural land and (2) Lower income category,

the landless households will be given special consideration for allocation of crown land that is not reserved land.

Road Development Authority Act No. 73 of 1981

29. The Road Development Authority Act (1981) provides for the establishment of the RDA and specifies the powers, functions, duties and responsibilities of the RDA. Part II of the Act deals with declaring areas for 'road development', which under the meaning of the Act includes the construction of new roads or the maintenance or improvement of existing roads (Improvements are deemed to include any widening, leveling, provision of footpaths, treatment for mitigation of dust or any other works beyond ordinary repairs).

30. The functions and duties of the RDA include, inter alia, carrying out integrated road planning and development, submitting such plans for government approval, and following approval, implementing the road development plans, works and activities.

31. Under Section 8 of the Act, the Minister, after taking into consideration the requirements of local and national planning and what is expedient for the regulation and control of road development, may declare a 'road development area' following an order or notice (which sets out the requirement and physical boundaries) published in the gazette.

32. Section 22 deals with land acquisition for road development as a "public purpose" and provides for the acquisition by, and transfer to, the RDA of immovable or moveable property within any declared road development area, for which the RDA will pay any sum payable under the LAA [Section 22 (2)]. Therefore, after the Section 2 notice has been published, if land or other property is to be acquired, the procedures to do so are as set out in the LAA.

State Land Ordinance No 8 of 1947

33. This ordinance is known as the State Land Ordinance No 8 of 1947. Section (b) of the ordinance explains the land grants which can be made and the rents to be obtained for the grants. As it is mentioned in section 22, the period of the grant be up to 50 years only and the prescribed form given in the ordinance be filled and signed by the officer authenticated to sign for the grant. A person seeking a crown land has to appeal to the Government Agent of the area. Such person has to pay the rent decided by the Land Commissioner or the Government Agent of the area. Provisions also have provided to officers such as General Manager Railways and chairman of the Colombo Port to rent out the lands under their purview, under special circumstances.

Prescriptive Ordinance No 22 (1871)

34. Under sections 3 and 13 of this ordinance, households who have encroached into private land and have been occupying the land for at least 10 years may apply through the courts for prescriptive rights to the land.

35. Following are the other subsequent statute laws, which enable the compulsory purchase of property for special purposes or have interfered with the compensation in the

term of 'Market Value' and has imposed certain restrictions, conditions and circumstances in which value has to be determined, when properties are compulsorily acquired by the State or become vested in the state, by the force of legislations on payment of compensation.

- Urban Development Authority Law No 41 of 1978
- National Housing Development Authority Act No.17 of 1979
- Greater Colombo Economic commission Law No.4 of 1978
- Town and Country Planning Ordinance Of 1946
- Land Reform Law No.1 of 1972 - Land Reform Commission Act. No.26 of 1972
- Colombo District (Low Lying Areas) Reclamation and Development Board Act No.15 of 1968
- Rent Act No.7 of 1972 and amendments thereto, No.55 of 1980 and No.26 of 2002
- Co-operative Societies Law No.5 of 1972
- Ceiling on Housing Property Laws No1 of 1973
- Apartment Ownership Law No.11 of 1973
- Tourist Development Act No.14 of 1968
- Coast Conservation Act
- Agrarian services Act no.58 of 1979
- Roads and Thoroughfares Act no.45 of 1956 and Law no.37 of 1973
- Mahaweli Authority of Sri Lanka Act No.23 of 1979
- Walawe Lands Act No.11 of 1958

National Environmental Act No 47 of 1980 (NEA)

36. These are some provisions in the NEA Act No.47 of 1980, with the amended Act No 56 of 1988 which refers to Involuntary Resettlement. The Hon. Minister in charge of the subject of environment has prescribed projects and undertakings which approval shall be necessary under the provisions of the NEA.

37. The Minister by gazette notification No 858/14 of 23rd February 1995 has determined the types of projects and undertakings which need the approval under the terms of the NEA. The schedule includes item 12 which refers to "involuntary resettlement exceeding 100 families, other than resettlement resulting from emergency situations".

2.2. Policy Framework

38. Land Acquisition Act provides compensation only for land, structures, and crops and provisions are not available to address key resettlement issues to mitigate or avoid impacts on people resulting from land acquisition. In addition, non titled people and other dependents on land cannot be assisted under the LAA.

39. To address the current gaps in the LAA in addressing the key resettlement issues such as exploring alternative project options that avoid or minimize impacts on people, the government of Sri Lanka (through the cabinet of Ministers) adopted the National Policy on Involuntary Resettlement (NIRP) on the 24th May 2001. The NIRP also highlights the need for consultation of DPs and their participation in the resettlement process actively. The CEA

was tasked to review and approve Resettlement Plans (RPs) prepared by project executing agencies. The plans also required to be publicly available.

40. In addition to NIRP, ADBs Safeguard Policy Statement, 2009 have similar requirements and guidelines reinforcing each other.

National Involuntary Resettlement Policy (NIRP) 2001

41. The Government has adopted National Involuntary Resettlement Policy (NIRP) in order to address the adverse social and economic impacts on people who are affected by the acquisition of land by the state for development purposes. The hardships encountered by displaced persons due to compulsory land acquisition often caused for social unrests and miseries adding turmoil to various disruptions. Among these miseries, impoverishment of displaced families due to loss of land and livelihood opportunities, food insecurity, lack of access to common property and public services and disruption to existing social organizations were very noticeable. The development taking place without due consideration to resettlement issues of the displaced persons caused for losing public interest and confidence on development. This led to grow public resistance for development which has very negative implications in the process of development.

42. The legislative enactments like LAA and other such provisions and regulations with their amendments are directed towards paying for compensation for land, structures and crops to lawful owners of such assets. These enactments don't have remedial measures for non-titled holders although they are using the land in question over many years. The consequences of land acquisition occurring to them are completely outside matters that have to be solved differently. In addition, apart from provision of funds for compensation payments, project execution agencies didn't have any responsibility for looking after the fate of displaced persons. Even, in the case of title holders, just receipt of compensation doesn't necessarily make them better off. At least majority of them need numerous assistances to restore their lives to pre project levels or to improve better. The non title holders need much more assistance to reinvigorate their new life with shelter, employment and social and economic infrastructure etc.

43. NIRP took these ill-effects of land acquisition in to consideration with the aim of ensuring 'that all efforts are made to minimize involuntary resettlement in projects and where it is unavoidable, affected people are assisted to re-establish their livelihoods' (NIRP Forward). NIRP assign responsibility of implementing a Resettlement Plan addressing key resettlement issues such as (i) exploring alternative project options which avoid or minimize impacts on people; (ii) compensate those who do not have title to land; (iii) consulting displaced persons and host community on resettlement options, (iv) providing for successful social and economic integration of the displaced persons and their hosts; and; and (v) full social and economic rehabilitation of the displaced persons.

44. NIRP was developed thorough a consensus reaching process with the participation of all concerned government agencies and authorities; NGOs and foreign development agencies and other stakeholders. The steering committee appointed by the government reviewed the existing laws and policies and approved the National Involuntary Resettlement

Policy on 5th March 2001 and the government of Sri Lanka adopted it (by cabinet approval) as a National Policy on 24th May 2001.

Objectives of the NIRP

- Avoid, minimize and mitigate negative impacts of involuntary resettlement by facilitating the reestablishment of the DPs on a productive and self-sustaining basis. The policy also facilitates the development of the DPs and the project by
- Ensuring that DPs are fully and promptly compensated and satisfactorily resettled. The livelihoods of all displaced persons should be re-established and their standard of living improved;
- Ensuring that no impoverishment of people shall result as a consequence of compulsory land acquisition for development purposes by the state;
- Assisting DPs in dealing with the psychological, cultural, social and other stresses caused by land acquisition;
- Making all DPs aware of process available for redress of grievances, which are easily accessible and immediately responsive; and
- Having in place a consultative, transparent and accountable involuntary resettlement process with a time frame agreed to by the project executing agency and DPs.

45. NIRP applies 'to all development induced land acquisition and Resettlement Action Plan must be prepared where 20 or more families' (NIRP Forward). NIRP requires that a comprehensive RP be prepared where 20 or more families are displaced. In case where less than 20 families are displaced, the NIRP still requires a RP with lesser level of detail. NIRP applies to all projects irrespective of source of funding.

46. A detailed NIRP which include rationale, objectives, scope, policy principles, institutional responsibilities, monitoring and evaluation etc. are given in the Annexure 2.1

Safeguard Policy Statement, 2009 of ADB

47. The ADB's Safeguard Policy Statement 2009, recognizes and addresses the resettlement and rehabilitation impacts of all the Displaced persons, irrespective of their titles, and requires the preparation of RP in every instance where involuntary resettlement occurs. The ADB policy requirements are:

- avoid or minimize impacts where possible;
- consultation with the displaced people in project planning and implementation;
- payments of compensation for acquired assets at the replacement cost;
- ensure that no one is worse off as a result of resettlement and would maintain at least their original standard of living;
- resettlement assistance to Displaced persons, including non-titled persons; and;
- special attention to vulnerable people/groups.

48. The main policy principles of the SPS are:

- Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and reporting of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when displaced livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.

- Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
- Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

2.3. Existing Gaps in LAA and NIRP vis-à-vis SPS

49. There are differences between LAA and the NIRP and SPS in relation to approach to land acquisition and payment of compensation. Although the SPS and NIRP are more or less congruent, there are differences when compared with the LAA and SPS. Even though the LAA is not subordinate to the NIRP, for the payment of compensation the NIRP and SPS are being followed. The gaps in the LAA vis a the NIRP and the SPS are analyzed in the table 2.1.

Table 2.1. Legislative GAP analysis

Aspect	GOSL Laws/Policies	ADB's SPS	Measures to Bridge the GAP
Requirement of an RP	Does not require under the LAA as amended, NIRP requires that a comprehensive RP for projects exceeding displacement of more than 20 families and a RP of lesser detail if the number of families displaced is less than 20. A project affecting 100 families is considered as a prescribed project under the NEA; such project requires the approval of the CEA before implementation but does not address the	RP is required For category A and category B projects.	PMU follow the NIRP which spell out the type of RP to be prepared and implemented.

Aspect	GOSL Laws/Policies	ADB's SPS	Measures to Bridge the GAP
	resettlement issues.		
Compensation for non-title holders	Provided in the NIRP, Not in the Act (LAA)	The borrower will compensate them for the loss of assets other than land such as dwellings and also for any other improvements to the land at the full replacement cost. The entitlements will be provided to those who have occupied the land or structures in the project area prior to the cut-off date for eligibility or resettlement assistance.	Provision is available in the entitlement package approved by the Cabinet of Ministers to make fair and just treatment. Entitlement matrix is a part of RP
Consultation with stake holders	Does not require under LAA as amended. It is a requirement under NIRP	Consultation is required with displaced persons (Same as NIRP)	PMU follow the NIRP and Safeguard Policy Statement, 2009 as indicated in the RP
Public disclosure	Provided in the NIRP, Not required under the LAA as amended. If the project is subject to an IEE or EIA, the report should be available for the information of the public or public comments respectively.	Public disclosure is required	RP will be disclosed to the public and will be available in the website of ESD and ADB. The entitlement matrix will be translated into local language and circulated to DPs.
Income Restoration	LAA does not have provisions. But NIRP stipulates the necessity of income restoration and improving the standard of living.	Income should be restored	PMU follow NIRP and Safeguard Policy Statement, 2009, details are given in the RP
Taking over possession before Payment of compensation	Act provide, NIRP does not allow	Does not allow	PMU will follow the NIRP and Safeguard Policy Statement, 2009 as indicated in the RP
Grievance Redress Mechanism	No provision in the LAA as amended a requirement under the NIRP	Requirement under the Safeguard Policy Statement, 2009	Provided in the RP
Acquisition within 48	Under 38(a) of LAA, after	The borrower /client	PMU follow the

Aspect	GOSL Laws/Policies	ADB's SPS	Measures to Bridge the GAP
hrs on an urgency basis	48 hrs, even without paying compensation. But according to NIRP, not without paying replacement cost and reasonable notice NIRP does not supersede the LAA since it is a statutory act. But in order to provide relief to the displaced people, NIRP is being implemented on a directive by the Cabinet of Ministers of the GOSL.	will ensure that no physical or economic displacement will occur until 1) compensation at full replacement cost has been paid to each displaced person 2) other entitlements listed in the RP have been provided to the DPs 3) A comprehensive income and livelihood rehabilitation program supported by adequate budget is in place for the DPs	NIRP and SPS
Replacement Cost	Provided in the NIRP, replacement cost according to regulation gazetted on 20 th January 2009.	At full Replacement Cost	Project will follow the NIRP and Cabinet approved entitlement matrix
Assistance for vulnerable people	LAA is silent on this aspect. NIRP require special treatment for the vulnerable groups.	Safeguard Policy Statement, 2009 requires a special assistance for the vulnerable people.	Provision is available in the RP
Compensation by installments	LAA provides statutory compensation to be paid in installments, but NIRP does not agree	As per SPS full compensation at the replacement cost has to be paid to the displaced person before any physical or economic displacement will occur.	RP provides statutory compensation to be paid in one lump sum.

Source: Consultations, NIRP, Safeguard Policy Statement 2009 and LAA.

50. It is proposed to bring amendments to the Land Acquisition Act, during this process the gaps that exist between Act and the NIRP might be considered in order to give legislative muscle to the policy on involuntary resettlement. The SPS and NIRP are almost similar in context.

Chapter 3 - SCOPE OF LAND ACQUISITION AND RESETTLEMENT

51. Kirulapona – Homagama section of A 004 road runs through a highly populated and urbanized area, and hence the influence area of the project is rich in housing stock and commercial establishments. Considering the impact to the society (economic and social impacts) and the urgency of developing the road section, the designs were completed in such a way that four operational lanes could be accommodated within the available Right of Way (ROW).

52. As stated in the previous chapter, this road section is located within the DS divisions of Timbirigasyaya, Dehiwala, Kotte, Maharagama and Homagama. Although land acquisition was not required few impacts to the public occurred during construction. These issues were resolved through GRC. Details of such issues are presented below.

3.1. Restoration of water supply line

53. During construction, the water supply lines of following residents were damaged. This issue was taken at the GRC and it was decided to pay compensation to restore the damaged lines to which the affected parties agreed.

Ms. Himali Attapathu	No. 317, Senani, Highlevel Road, Kottawa, Pannipitiya
Ms. M.A. Chandralatha Gunathilaka	No. 262/2, Highlevel Road, Kottawa
Mr. A.K.J. Satharasinghe	No. 175/4 Highlevel Road, Pannipitiya

3.2. Restoration of access roads

54. Access to by roads was temporarily destructed during construction. This was mainly due to construction of side drains (line drains). The contractor was advised to provide temporary slabs and planks over such cuts to maintain an uninterrupted traffic flow in to by roads.

3.3. Damages to parapet walls

55. Parapet wall of Mr. G.A. Perera was damaged during construction and it was agreed to compensate and reconstruct the wall.

56. It is anticipated that the same issue will arise when widening the double cut area near Pannipitiya. Parapet walls to a total length of nearly 200 m on either side of the road could get damaged during construction. And it has already being agreed with the residents to compensate to reconstruct any damaged wall.

3.4. Contamination of well water

57. Wells located within the premises of following residents were contaminated with drain water. In the GRC it was agreed to pay them for the damages.

Ms. Himali Attapathu	No. 317, Senani, Highlevel Road, Kottawa, Pannipitiya
Ms. M.A. Chandralatha Gunathilaka	No. 262/2, Highlevel Road, Kottawa

The amounts of compensation paid to each affected person are presented in chapter ten.

Chapter 4 - SOCIOECONOMIC PROFILE

58. The area falling within the road project is urban and semi-urban in composition. The literacy level of the people is considerably high and they are exposed to urban type of living with the easy access to delivery systems of the state and private sector service providers. As there was no land acquisition and displaced persons (both economically and physically), the need for a fresh LAR survey did not arise. Demographic information presented in this chapter is based on the LARS questionnaires completed during the previous surveys and information obtained from DS Divisions and Department of Census and Statistics. As there are no displaced persons, the information below could be considered as demographic information of the public/ residents who live along this section of A004 road.

4.1. Demographic information of public who live close to the road corridor

59. A population of about 4800 people live within a 25 m corridor on either side of the road (from existing centre line), and out of them males are 51% and females are 49%. Average family size could be considered as 3.7. Ninety six percent (96%) of the population within the project are Sinhalese. Remaining four percent (4%) consists of Muslims and Tamils. Percentage of married males among head of households is 74.7 and married female household heads is 11.2 from the total population of household heads.

Table 4.1: House Hold Size of Households

Household Size	Total	%
1-2	378	28.9
3-4	633	48.5
5-6	238	18.2
7 & above	57	4.4
Total	1306	100

Source: Land Acquisition and Resettlement Survey (LARS), October 2007

60. As seen above, 48.5% of the households fall within the category of 3-4 members per household, representing prominence in small families. Only 4.4 % of households is having more than 7 members per family. In general, these are common characteristics of urban populations.

Settlement distribution of population

Table 4.2: Distribution of Population

Location	No Of AP Household	%	DP Population	%
Urban	1102	84.4	4095	85.3
Sub -urban	202	15.5	694	14.5
Rural	02	0.1	10	0.2

Total	1306	100	4799	100
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Source: Land Acquisition and Resettlement Survey (LARS), October 2007

61. Of the 4799 population, 14.5 % are belonging to sub urban category, 85.3 % to urban category and nearly less than 1% to rural category. A large majority of people live in an urban environment with satisfactory infrastructure and utility services. Although nearly 15 % belong to sub urban and rural category, the facilities and infrastructure available in the area are akin to urban or sub urban in nature.

Role of Women in the Households

62. Depending on their educational qualifications, employment status, and exposure to societal activities, women engaged in many economic and social activities in the house hold and the community unlike their partners who spent most of their time for economic activities.

Table 4.3: Women's Freedom to Engage in Household and Community Activities (Multiple responses,) N=340

Category	Plenty	Enough	Limited	None
House hold Level	156	89	107	25
Community Level	75	62	85	54
Total	231	151	192	79

Source: Land Acquisition and Resettlement Survey (LARS), October, 2007

63. According to the information gathered at the SES, women to a greater extent are free to engage in household and community activities. The project area being located mainly within an urban location, women are more exposed to various social activities, and as a result, gender imbalance in the sub project area seemed to be very minimal.

Civil status of public in the project area

Table 4.4. Civil Status of Household Heads Disaggregated According to Gender

Civil Status	Male		Female		Total	
	Number	%	Number	%	Number	%
Married	976	89.9	146	66.1	1122	85.9
Unmarried	88	8.1	21	9.5	109	8.3
Widow/ Widower	17	1.6	52	23.5	69	5.3
Divorced	2	0.2	2	0.9	4	0.3
Separated	2	0.2	0	0	2	0.2
Total	1085	100	221	100	1306	100

Source: Land Acquisition and Resettlement Survey (LARS), October, 2007

64. Of the 1085 males, nearly 90% over is married and nearly 10% is either bachelor, divorcees, separated from spouse or widowed. Of the 221 female heads of household, 85.8% is married and over 8 % is spinsters, nearly 6 % is either widowed, divorced or separated from the spouse. Nearly, a quarter of woman household heads (23.5%) is widows, compared to 1.6% of widowers of 1085 male household heads. As most of women become

household heads only after their husbands died or separated, a large number of widow's becoming to household head position is a natural phenomenon in any society. However, when this ratio becomes more skewed towards women, it reflects fundamental social imbalances in the society such as more male deaths etc. Alternatively, more women may become household heads as a result of improved gender situation. In this community, a one-fifth of households is headed by a female.

Table 4.5: Civil Status of AP Household Members Disaggregated According to Gender

Civil Status	Male		Female		Total	
	No. of persons	%	No. of Persons	%	No. of Persons	%
Married	507	36.9	1198	56.6	1705	48.8
Unmarried	434	31.5	367	17.3	801	23.0
Widow/Widower	15	1.1	66	3.1	81	2.3
Minor(below 15)	415	30.2	479	22.6	894	25.6
Divorced	1	0.1	7	0.3	8	0.2
Separated	3	0.2	1	0.1	4	0.1
Total	1375	100	2118	100	3493 ¹	100

Source: Land Acquisition and Resettlement Survey (LARS), October, 2007

65. Of the household members (exclusive of chief occupants) 1375 are males and 2118 are females. In this community male to female ratio is 1: 1.5 showing a more female population. Out of 1375 males, 36.8% are married and 31.6 are bachelors. Minors (below 15) constitute 30.2 % of the population. Percentage of divorcees and those separated from their spouses is very negligible. There are 2118 female members in the population other than the female household heads. Of them, 56.6% is married and 17.3% is unmarried, 25.6 % are minors and less than 3 % are either divorcees, widows or separated from their spouses. This is similar to the population distribution pattern in the Colombo district gender wise. As per percentage values, married female DPs are significantly higher than married male DPs. While a half of female population is married, only a one-third of male population is married.

Population Distribution by Age and Gender

Table 4.6. Gender and Age Distribution of Household Heads

	Male		Female		Total	
	No. of Persons	%	No. of Persons	%	No. of Persons	%
18-30	116	10.7	21	9.5	137	10.5
31-40	281	25.9	38	17.2	319	24.4
41-60	525	48.4	109	49.3	634	48.5
61-70	109	10.0	24	10.9	133	10.2
>70	54	5.0	29	13.1	83	6.4
Total	1085	100	221	100	1306	100

¹ Excluding the household heads

Source: Land Acquisition and Resettlement Survey (LARS), October, 2007

66. Of the total house hold heads, almost 73% falls within the age group of 31-60, representing more mature aged families in the population. The age group of 31-40 constitute 24.4 % of the household heads.16.6% of the household heads are senior citizens being an indicative of the ageing pattern of the population of Sri Lanka. As per Table 4.6, age distribution among male and female shows a similar pattern for most ages.

Table 4.7: Gender and Age Distribution of Household Members

Age Category	Male		Female		Total	%
	Number	%	Number	%		
5 & below	156	11.3	193	9.1	349	10.0
6-14	269	19.6	272	12.8	541	15.5
15-30	465	33.8	556	26.3	1021	29.2
31-45	234	17.0	509	24.0	743	21.3
46-60	152	11.1	395	18.7	547	15.7
Over60	99	7.2	193	9.1	292	8.3
Total	1375	100	2118	100	3493 ²	100

Source: Land Acquisition and Resettlement Survey (LARS), October, 2007

67. There are 2118 females among the household members excluding the chief occupants. The number of male household members other than the chief occupants is 1381. Majority of them is in the age group of 15-45. Those who are over 60 years constitute 8.3 % of the population. 25.5 % of the population is children below 14 years. This section of population has a shape of a swollen pyramid showing more people between 15-45 age ranges. People of economically active age (in the range of 15-60 years) accounts for 66.2% while economically depending population is around 34%. As such, in this community dependency ratio is not a burden as there are two economically active persons to look after one dependant person.

Educational Information

Table 4.8: Educational Attainment of Household Heads Disaggregated According to Gender

Education	Male		Female		Total	
	No of Persons	%	No. of Persons	%	No. of Persons	%
No Education	5	0.5	1	0.5	6	0.5
Class1-5	21	1.9	10	4.5	31	2.4
Class V1-GCE (OL)	110	10.1	28	12.7	138	10.5
Pass-GCE-(OL)	350	32.3	75	33.9	425	32.5
Pass-GCE(A/L)	466	42.9	84	38.0	550	42.1
Undergraduate /Graduate	103	9.5	18	8.1	121	9.3
Post Graduate	12	1.1	1	0.5	13	1.0
Other	18	1.7	4	1.8	22	1.7
Total	1085	100	221	100	1306	100

Source: Land Acquisition and Resettlement Survey (LARS), October, 2007

68. Of the 1306 household heads, 42.1 % had passed G.C.E Advanced Level and 32.5 % G.C.E. Ordinary Level respectively. 9.3 % are under graduates and graduates. 1 % or 12 nos. household heads have attained post graduate status. Five household heads or 0.5 % have had no formal schooling. Males and females show similar progress in educational achievements without any gendered difference.

Table 4.9. Educational Status of Affected Household Members Disaggregated According to Gender

Educational Level	Sex				Total	%
	Male	%	Female	%		
None	18	1.3	26	1.2	44	1.3
Waiting for schooling	141	10.2	177	8.4	318	9.1
Primary	695	50.5	1038	49.0	1733	49.6
Secondary	368	26.8	667	31.5	1035	29.6
Tertiary or higher	126	9.2	161	7.6	287	8.2
Other	27	2.0	49	2.3	76	2.2
Total	1375	100	2118	100	3493	100

Source: Land Acquisition and Resettlement Survey (LARS), October, 2007

69. Among the household members, 50.5% males and 49.0% females had studied up to primary level, 26.8 % of males and 31.5% of females up to secondary level and 9.2% males and 7.6% females had reached tertiary level of education. Similar to the situation of DHHs, male and female family members too have similar pattern of educational achievements at all levels irrespective to their gender differences. Of the total household members, other than chief occupant, only a miniscule percentage of 1.3 has had no formal education.

Loss of Income and Livelihood of the Affected

70. There was no income loss reported in the project area as there was no displacement occurred to public as a result of physical displacement.

Sources of Income of household members

71. Some household members, who earn primary income from their employment in government and private sector, have secondary source of income from other means. However, as a source of income, secondary source seemed not very important for this community. Only daily wage earning has attracted some DHHs members to earn their secondary income with a marginal significance. The less significance attributed to secondary

source for income earning shows peoples' satisfaction with their primary source for income earning.

Table 4.10. Primary and Secondary Sources of Income of AP Household Members

Income category	Primary source (No. of persons)	Secondary Sources (No. of persons)	Total No. of persons
Commercial	289	7	296
Agricultural labor	1	0	1
Government/Executive	60	0	60
Government Other Grades	107	1	108
Other Daily Wage Earners (Labour)	1137	194	1331
Private Sector-Executive	111	1	112
Private Sector-Other Grades	123	0	123
Vendors	86	1	87
Armed Forces/Police	4	0	4
Security Services	2	0	2
Fishing	2	0	2
Weaving/Garments	4	0	4
Farming	3	0	3
Total	1929	204	2133

Source: Land Acquisition and Resettlement Survey (LARS), October, 2007

72. While 1929 people were having primary source of income, 204 members were deriving income from an additional source.

Income and Expenditure of Households

73. Except two households, all others spend more than Rs.3000 per month. Nearly 79 households or 23.4% of the sample mentioned below receive a middle class income between Rs. 7001/- and Rs.15, 000/-. The corresponding expenditure level of this income group shows only 44 households or 12.9% of the sample, indicating a sharp drop in expenditure level compared to income level in this range. However, in general, more households are found in higher brackets of expenditure compared to lower brackets of expenditure, showing income gap between income and expenditure. Therefore, in this case,

it is important to know the areas of expenditure and ways and means for deficit financing which will provide necessary information for RP planning and implementation.

Table 4.11. Monthly income & expenditure of the households (N=340)

Level	Income		Expenditure	
	No. of Households	%	No. of Households	%
<1000	13	3.8	2	0.6
1001-3000	1	0.3	0	0
3001-5000	5	1.5	3	0.9
5001-7000	6	1.8	2	0.6
7001-9000	12	3.6	6	1.8
9001-11000	24	7.1	8	2.4
11001-13000	13	3.8	10	3.0
13001-15000	30	8.9	20	5.9
15001-17000	6	1.8	11	3.2
17001-19000	6	1.8	12	3.5
19001-21000	31	9.2	13	3.8
21001-23000	2	0.6	11	3.2
>23000	189	55.9	241	71.1
Total	338 ²	100	339 ³	100

Source: Land Acquisition and Resettlement Survey (LARS), October, 2007

74. While 30% of the population is in receipt of less than Rs.15, 000.00 per month, less than 6% are earning Rs.5000 and below per month. Little over 15% of the population spends less than Rs.15, 000 per month. As per above information, 55.8% of the population earn over Rs.23,000 month but 71.1% spends over Rs.23,000 per month ,this shows that some persons have not declared total incomes to the enumerators. Alternatively, people may not consensus on income transfers coming through subsidies, grants, charities or direct financial assistance to consider as income. However, these areas need attention in RP planning and implementation at field level.

Families with vulnerable persons

75. There are 129 families consisting of a vulnerable member. Of the vulnerable, 35 are women headed, 3 families having disabled people, 20 families headed by very old people,19 families are below poverty level and 52 households are belonging to the ethnic minority category.

Table 4.12. Families with vulnerable members

DS Division	Women Headed, without	Families headed by very	Very Poor House	Disabl ed APs	Ethnic Minority House	Total

² Two persons have not provided income details.

³ One person has not provided expenditure details.

	means of support	old people	holds		holds	
Thimbirigasyaya	6	1	4	0	26	37
Dehiwala Mt.Lavinia	2	2	1	1	19	25
Sri Jayewardenepura-Kotte	5	5	2	1	1	14
Maharagama	22	12	12	1	6	53
Total	35	20	19	3	52	129

Source: Land Acquisition and Resettlement Survey (LARS), October 2007

76. There are 129 vulnerable families, representing only 9.8% of the total families in the project area, 35 families are headed by women without any means of support, and 20 families are headed by very old people. Nineteen (19) families belong to the category of very poor. Three families with disabled members and without reasonable income and 52 families belonging to the category of ethnic minority. In Sri Lankan context and taking into consideration the local areas in which they are resident and the income generating activities in which they are engaged, the definition of vulnerability do not strictly apply to them though ethnic minorities in a larger definition has been classified as a vulnerable group in the "Hand Book On Resettlement, A Guide to Good Practice" published by ADB.

Table 4.13. Households with physical and mental disabilities

Disability	Male		Female		Total	
	No. of persons	%	No. of Persons	%	No. of Persons	%
Slightly disabled	6	23.0	7	20.6	13	21.7
Seriously disabled	20	77.0	27	79.4	47	78.3
Total	26	100	34	100	60	100

Source: Land Acquisition and Resettlement Survey (LARS), October 2007

77. Of the 60 household members with disabilities, 47 were seriously disabled and 13 were slightly disabled. The number of disabled females is more than that of males.

Attitudes of the people towards the development of the project

78. Judging from the multiple responses received from the affected people, and weighing the pros and cons, it is evident that the majority of the people perceive the project as a good decision at the right time. Majority of the people expect the land value in the area to appreciate and the demand to increase.

Table 4.14. Perceived social and economic advantages of the project (multiple responses) N= 340

Perceived Social and Economic Advantages	Frequency	Percent
Social		

Improvement of Road Security	698	40.56
Improve the quality of Environmental conditions	252	14.64
High demands for lands	557	32.36
Increase the land value	639	37.13
Improve Tourism	149	8.66
Other	69	4.01
Economic		
Generate Additional Income	409	23.77
Reduce cost of living	112	6.51
Develop business premises & work place	442	25.68
Develop Social Infrastructure	393	22.84
Develop Transport facilities	636	36.96
Other	111	6.45

Source: Land Acquisition and Resettlement Survey (LARS), October 2007

79. Of the responses received for perceived social advantages as a result of the implementation of the project, 698 felt that the project would improve the safety of passengers and motorists. 639 responders felt that the project would result in increase in land values of the area. 557 were of the opinion that the demand for land in the area will increase. As for the economic advantages that would accrue to the community as a result of the implementation of the project, 636 responders felt that the project will contribute to the development of transport in the region. Four hundred and nine (409) felt that it would generate additional income and 112 of the opinion that the project would contribute to reduce the cost of living.

Perceived Adverse Effects

80. Various types of adverse effects are perceived by the public as a result of the implementation of the project. The negative effects vary from construction related disturbances to increase cost of living.

Table 4.15: Perceived adverse social and economic Impacts of the project (Multiple Responses) N=340

Perceived Social & Economic Impacts	Frequency	Percent
Social		
Loss of relatives and neighbors	209	12.14
Loss of friends	199	11.56
Loss of religious places	217	12.61
Effects on children's education	193	11.21
Increase in air and sound pollution	637	37.01
Temporary disturbance on family life	190	11.04
Other	95	5.52
Economic		

Increasing cost of living	287	16.68
Limitation of social infrastructure	142	8.25
Temporary disruption on transportation	429	24.93
Temporary disruption on tourism	42	2.44
Loss of goodwill	76	4.42
Other	93	5.4

Source: Land Acquisition and Resettlement Survey (LARS), October 2007

81. Six Hundred Thirty seven (637) responses received from public regarding their perceived adverse social impacts were in respect of increase air and sound pollution during the construction period of the project. 209 perceived loss of relatives and neighbours as a major concern. As for perceived economic disadvantages 429 were concerned with temporary disruption of transportation.

Indigenous people

82. There are no indigenous people located in the vicinity of the road or even in the DS divisions of Thimbirigasyaya, Dehiwala, Kotte, Maharagama and Homagama or in Colombo district.

Chapter 5 - INFORMATION DISSEMINATION, CONSULTATION AND PARTICIPATORY PROCESS

5.1. Consultation process with Stakeholders and Community

83. Information dissemination, consultation and participatory process involved with public and other stakeholders maintained transparency throughout the RP process. This openness reduces potential conflicts; minimize risk of project delays and help PMU to formulate resettlement and rehabilitation to suit the needs of public.

84. In line with this approach, prior to road construction, PMU conducted few workshops to improve mutual understanding on the roles and responsibilities of key collaborating partner agencies responsible for road project implementations like Ministry of Land and Land Development, Departments of Valuation, Survey, Government Printer and the Divisional Secretaries. Ministry of Ports and Highways supported the PMU to organize these workshops and they served as important forums in reaching consensus on complicated legislative issues.

5.2. Public Disclosure and Information Dissemination

85. Public disclosure of information and maintenance of transparency by the PMU with all stake holders and displaced persons are basic policy requirements of the NIRP and the Safeguard Policy Statement, 2009 of ADB. When PMU approaches become transparent and open, the chances for establishing mutual trust between the PMU and the stake holders are greater. This process will have salutary effect on all activities of the road project unlike to the suspicion and mistrust caused by closeness of affairs that will end up with serious negative effects on project implementation.

Consultation during formulation of RP

86. In 2007, PMU with the support of MoPH deployed 12 resettlement assistants to facilitate the process of public consultation before the commencement of land acquisition and socio economic survey (LARC). A workshop was conducted in Colombo for the representatives of main agencies related with the land acquisition and resettlement to ensure their support to the programme in place to disseminate information regarding land acquisition, formulation of RP and its implementation process.

87. Information dissemination meetings held at DS level were attended by relevant officers, clergymen, politicians of the area Gramaniladaris, Samurdhi Niyamakas, agricultural assistants, and representatives of the community based organizations and representatives of the relevant government departments.

Information Disclosure

88. The information disclosure process initiated at the early stage of the planning focusing on the land acquisition process, payment of compensation, entitlements and other resettlement issues will continue with strong participatory elements till the end of the project. However, in 2010 with the design of the Highway Design Division it was identified that there is no need for land acquisition and resettlement.

89. This RP (updated version) will be available for the general public to study. It will be displayed at public places such as DS Offices and Local Authorities (Municipal Council / Urban Council / Pradeshiya Saba) where people have easy access.

Table 5.1: Completed and Planned Public Consultation and Disclosure Activities

(a) Completed consultations and disclosure (During Feasibility Stage)

Activity and Location	Objective	Timing	Responsible Unit	Feedback / Issues / Concerns / Raised	Action Taken
Workshop with concerned Departments (80 persons attended this workshop which was held at the Buildings Research Centre, Pelawatta, Battaramulla, Colombo)	To disseminate information regarding the project and seek support of the public to accelerate land acquisition & RS process	Before meeting the public, 26 May 2007	LAR Unit of NHSP	Staff shortages ,and assistance from RDA on logistics, sundry expenses	Recruiting acquisition officers by PMU to assist the DSs, Provide logistical support for land surveying by private surveyors under the supervision of SD
Public Meeting with NGOs, CBOs and national and local level politicians (A total of 123 persons attended this meeting which was held at Homagama & Thibirigasyaya Divisional Secretariat Offices)	To explain the parameters of the road project, land acquisition process, ADB's Social Safeguard Requirements & NIRP on involuntary resettlement payment of compensation and entitlement matrix	Before the conduct of the Census & SES Survey 14-06-2007 18-06-2007	DS &LAR unit of the NHSP	Income loss, relocation at same location even if the remaining extent does not conform to the minimum requirements imposed by local councils/UDA. Payment of reasonable compensation issues raised by the public.	UDA agreed to allow reconstruction of structures at the same location even if the remaining extent is smaller than the required extent and expedite matters
Distribution of	Public	Before	LAR unit of	Accelerate the	Follow-up

Activity and Location	Objective	Timing	Responsible Unit	Feedback / Issues / Concerns / Raised	Action Taken
information flyer/communication literature (information flyers were distributed among the participants at the public meeting held at Homagama Divisional Secretariat on 09-01-2011 and during the survey period)	disclosure, maintenance of transparency, confidence building, Keep uniformity	updating the RP	the NHSP & ESD of RDA	land acquisition and resettlement process, request by public	actions with relevant agencies to accelerate the land acquisition process

(b) Planned consultations and disclosures

Activity	Objective	Timing	Responsible Unit / Agency
Consultation with public	Explain the process of road project implementation	Prior to project implementation	DS,ESD,PMU,
Meeting public in groups at GN Division level	Inquire about the concerns of the public prior to road project implementation	Prior to project implementation	GNN, RAA & PMU
Meeting public at GND level	Assure compliance of environment and social safeguards	During project implementation	DS, GNN, RAA, PMU & ESD
Disclosure of final RP (updated version) in relevant DSDs and ADB web	Support stakeholders understanding on RP and its implementation	Two weeks after draft version is distributed	PMU, ESD/ RDA and ADB
Distribution of the Sinhala version of the entitlement matrix to public if there any need for acquisition.. Refer Annexure 5.1.	Support public to understand their entitlements.	Simultaneous to the distribution of final RP.	PMU and ESD

Note: The consultation is an on-going process there is a continuous dialogue between the resettlement staff and the public.

5.1 Consultation during RP updating exercise

90. During the field visit made to the project area in October 2011 for the updating of RP, the visiting consultancy team few locations of A 004, between Kirulapone Bridge and Homagama, the end of the project area. The primary road users met near Kirulapone Bridge included four three-wheel drivers, two road duty police men, four shop owners

nearby and 4 road side pavement hawkers were of the view that improvement of the road is a great relief of them as it solve road congestion, reduces vehicle running cost and time spending on the road. As expressed by police personnel who perform regulatory functions over vehicle flows, proposed development will ease most of their burdens related to traffic control. Shop owners and pavement hawkers expected more trade when peaceful environment is set around the road.

91. A great majority of people met along the road in different locations commonly held the view that this development is essential in view of linking A 004 to Southern expressway with the commissioning of the Expressway road network. As perceived by them, this linkage will help ease their transport burdens by reducing time and cost of vehicle running, and additionally facilitating for safe and comfortable driving. Moreover, they expect that this linkage will have positive effect on socioeconomic development of the project area.

92. More field observations were made in Nugegoda, spending a half a day in the field. People met in Nugegoda included regular road commuters, school children attending to public schools, people employed in public and private sector organizations, shop owners and vehicle drivers. In general, all these people supported the development efforts, but requested to minimize construction related inconveniences occurring to road users. Their suggestion included to do cumbersome construction activities in off-peak load times including weekends and night sessions. School children were happy as development makes an accident free environment favorable for pedestrian crossing. Also, they wished to express their expectation regarding reduce noise level that will ease present intolerable nuisance damaging to class room environment.

Chapter 6 - ENTITLEMENTS

93. Although land acquisition is not required for this project, an entitlement matrix was prepared during project preparatory stage as this is a sector project. The entitlement matrix presented below is taken from the resettlement framework prepared for the project. If any land acquisition or resettlement matter arises during implementation of the road project, the entitlements will be provided to the DPs as mentioned below.

94. Under the existing land laws (Land Acquisition Act No. 9 of 1950 and subsequent amendments), those who own land or servitudes are the primary beneficiaries eligible for statutory compensation. LAA has provisions for consideration of other categories prescribed as “every other person interested in that land or any part of thereof as co-owner, mortgagee, tenant or otherwise, and the nature of the interest in that land, and any rents and profits received or receivable on account of the land....” in Section 8 of the Act. However, most of the non-title holders of above categories don’t have testimonial evidence to suit statutory requirements of the land acquisition process and therefore they are often left out from statutory compensation processes. NIRP is an attempt to expand the coverage of beneficiaries affected from acquisition described as non-titleholders who don’t have strong testimonial evidence for their relationship to land. The cabinet approved Ex-gratia package introduced by the Ministry of Ports and Highways is a complementary instrument that goes with the LAA to accelerate acquisition process. Mainly, it provides DPs the difference between statutory compensation and replacement cost and concessions for a range of DPs affected economically and socially.

6.1. Eligibility Policy

1. The eligibility policy, as spelled out in the LAA, National Policy on Involuntary Resettlement and policy statements of international funding agencies such as ADB, World Bank (WB), is to provide a comprehensive coverage for lost assets and restoration and/or enhancement of livelihoods for all categories of displaced people, whether affected directly, indirectly, permanently or temporarily, with or without title, and tenants/lessees. For all lost lands and assets compensation will be at replacement cost.
2. The losses of a temporary kind to private property are frequent during the construction period. The contractors need to occupy private land to store the material, equipment and vehicles. They also need land to erect temporary camps for laborers. The private property can often get damaged due to such uses. In accordance to the policy expectations, all such losses will have to be fully compensated and concerned PMU has the responsibility for realization of such compensations.
3. The above policy frame work has effective provisions to ensure the living conditions of vulnerable groups including woman-headed households, elderly headed households and differently able persons etc. These vulnerable segments of populations have serious limitations and impediments in adjusting to quick changes

occur in their living environment. Elimination from the land where they have been living for ages is an unbearable occurrence for them in all aspects.

6.2. Operational guidance of entitlements

Replacement Cost

95. Replacement cost could be defined as the compensation required in replacing a similar land in a similar location and a building of similar floor area and construction.

Loss of Buildings

96. Replacement cost will be paid for all buildings irrespective of the age of the building. DPs are entitled to retain the salvage materials. In order to translate the concept of helping the displaced persons to achieve a higher level of living standard than what they experienced prior to the implementation of the project, a DP who was in occupation of even a cadjan hut (temporary) is entitled to a cash grant of Rs.300, 000/- for the loss of the house in addition to other compensation available for them.

Loss of Agricultural Land

97. Agricultural land is a land that is under perennial crops or cultivated seasonally or annually by the owner or lessee or tenant, in conformity with the current international practice, households will be classified as fully displaced persons when the loss is,

Total area	Displaced area	Compensation applicable
Less than 01 acre	10%	Cash or land (if available)
Compensation,		for loss of crops Livelihood grant
More than 01 acre	25%	same as above

98. Title holders who lose less than 10% from a total holding of one acre or less and less than 25% from an extent of more than 01 acre are classified as marginally displaced persons and are only entitled to cash compensation and for loss of crops.

Temporary Loss of Private Land

99. During construction, temporary occupation of privately owned land may be required to excavate materials for filling and formation of embankments. If such a necessity occurs the contractor with the concurrence of PMU will sign a temporary occupation contract with the owner of the land specifying;

(1) Period of occupancy (2) Terms and compensation amounts mutually agreed (3) Compensation for material losses for the duration of the temporary occupation period (4) Compensation for other disturbances and damages caused to property (5) the frequency of compensation payment (6) Rehabilitation and restoration measures (7) land will be returned

to the owner at the end of the temporary occupation period restored to its original condition or improved, according to the agreement.

Determination of Rates for Properties Acquired

100. The rates that will be used for the calculation of compensation for the acquired properties will be based on the prevailing market rates in order to reflect the cost of replacement of the properties acquired. NIRP and Safeguard Policy Statement, 2009 mandate that the compensation payable to DPs should be adequate enough to replace their loss assets. Project has taken into consideration those policy guidelines in determining the relevant rates.

Special Needs of Vulnerable Households

101. Vulnerable households have been identified during the census and socio-economic surveys .Women headed households, families with very elderly persons, differently able persons, people in abject poverty and with no titles to their land have been included in to this category. They are entitled to a special grant of Rs.15,000/- per household in addition to the compensation available for other losses. PMU will support them during the construction of their houses.

Special Preparation for the Vulnerable Groups

102. PMU undertakes to develop specific plans for the vulnerable groups as they would feel the effect of resettlement more seriously than others .The identified group of vulnerable people will be helped by community organizers who will identify their needs and interests in consultation with them, prior to resettlement. These community workers in a position to help the vulnerable DPs to build their skills, identify opportunities, and review constraints that hinder improvement to their socio economic status with the support of PMU. The small groups of vulnerable people depending on the category and degree of vulnerability may be linked to national institutions that provide assistance and interventions to such groups.

Entitlements for Tenant Cultivators (Under Paddy Lands Act)

103. Paddy Lands Act of 1958 recognizes the tenant rights for cultivation paying a prescribed share of harvest to the land owner. The Paddy Lands Act ensures the perpetuity of tenancy. As per the provisions of the Paddy Lands Act, part of the compensation of the acquired property is allocated to the tenant.

Land Owned by state Corporations

104. People who are in possession of lease agreements with state corporations are entitled to loss of income for the balance period of the lease agreement.

6.3. Project Entitlement Matrix

Type of loss	Entitled Persons	Entitlements	Intent/ Requirement	Responsibility
A. AGRICULTURAL LAND				
Loss of Agricultural land	Owner with title deed or registration certificate	All (cash) payments for land will be at replacement costs. Cash payment for loss of standing crops and trees at market prices In case the DP loses 10% or more of their productive, income generating assets and / or remaining portion is economically not viable for continued use as determined by LARC, these options will be available: - 1) If opted by DP, the remainder land will be acquired or injury will be paid at replacement cost if economically not viable. Reasonable time will be given to harvest perennial crops if not payment will be made at market value. 2) Preference will be given to DPs for land for land option (similar location and productive quality, subject to availability or cash payment for loss of land at full replacement costs. Cash Payment for loss of income for portion of land as per the land acquisition Act or as determined by the LARC.	Payment for lost assets and restoration of livelihood. Payment for loss of income based on entitlement under Land Acquisition Act [46 1 (iii)] or as determined by the LARC.	RDA, CV, DS, LARC. LARC
Loss of access to agricultural land	Tenant, user with lease	No payment for land. Cash payment for loss of standing crops and trees at market prices, if cultivated by tenant or user with lease; AND Cash payment for loss of net income for portion of land affected for the remaining leased/assigned period.	Payment to cover lost crops and restoration of livelihood	RDA, CV, DS, LARC.
Loss of access to agricultural land	Ande farmer (sharecropper)	No payment for land. Cash payment for loss of standing crops and trees at market prices; AND Transition subsistence (in cash or kind) allowance equivalent to loss of crop or harvest for portion of land affected for the remaining	Payment to cover lost crops and restoration of livelihood	RDA, CV, DS, LARC.

Type of loss	Entitled Persons	Entitlements	Intent/ Requirement	Responsibility
		period of sharecropping agreement.		
Loss of access to agricultural land	Non-titled user or squatter on private land or state land	No payment for land. Cash payment for loss of standing crops and trees at market prices, if cultivated by him.	Payment to cover lost crops and restoration of livelihood.	RDA, CV, DS, LARC.
B. RESIDENTIAL LAND AND STRUCTURES				
Loss of Residential land and structure	Owner with title deed or registration certificate	All (cash) payments for land and structure will be made at replacement costs. All payments at replacement cost in cash, according to the actual loss to repair or rebuild the structure to original or better condition when remaining land sufficient to rebuild upon; For structures not having sufficient land to rebuild upon will be entitled to the following: 1. All (cash) payments for land and structure at full replacement cost (for materials and labor) in cash, WITHOUT deduction for depreciation or salvageable materials; 2. Assistance from LARC to locate alternative plot for relocation; OR 3. Rehabilitation package G 2. Shifting allowance see G1. 4. Displaced persons who lose their residence completely he/she is entitled to extra allowance between Rs. 150,000 to Rs. 500,000 depending on the location. 5. For non-title holder the allowance for a alternative land varies from the Rs. 100,000 to Rs. 250,000 depending on the location. Rent allowance varying from Rs. 20,000 to Rs. 100,000 will be paid according to the location (Local Authority Area). Minimum payment for a house (Hut) irrespective of the title will be Rs. 300,000	Payment for lost assets, assistance to reorganize on existing land or relocate on alternate land and support for transition period.	RDA, CV, DS, LARC.

Type of loss	Entitled Persons	Entitlements	Intent/ Requirement	Responsibility																	
Shops and Houses under the Rent Act	Owner/Renter/ Lessee	<p>Difference between replacement cost and statutory payment to be divided between the owner and the occupant on the following basis.</p> <p>Payment of compensation at replacement cost, according to the following criteria.</p> <table border="1"> <thead> <tr> <th rowspan="2">Period of occupation</th> <th colspan="2">% of payment</th> </tr> <tr> <th>occupant</th> <th>owner</th> </tr> </thead> <tbody> <tr> <td>Over 20 years</td> <td>75</td> <td>25</td> </tr> <tr> <td>10-20 years</td> <td>50</td> <td>50</td> </tr> <tr> <td>05-10 years</td> <td>25</td> <td>75</td> </tr> <tr> <td>Less than 05 years</td> <td>10</td> <td>90</td> </tr> </tbody> </table>	Period of occupation	% of payment		occupant	owner	Over 20 years	75	25	10-20 years	50	50	05-10 years	25	75	Less than 05 years	10	90	Equitable distribution of compensation depending on the period of occupation.	D.S, Valuation Department, RDA
Period of occupation	% of payment																				
	occupant	owner																			
Over 20 years	75	25																			
10-20 years	50	50																			
05-10 years	25	75																			
Less than 05 years	10	90																			
Loss of rental accommodation	Tenant, user with lease	If there is partial loss of rental accommodation, DP has the option to stay with the owners agreement OR if DP chooses to move out, cash assistance of Rs. 15000 AND Assistance in finding new affordable rental accommodation.	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, LARC.																	
Loss of residential structure	Non-titled user, non-permitted user or squatter	No payment for land. All payments for structure at replacement costs in materials, cash according to the actual loss for repairing or rebuilding the structure; AND If affected land is state land DP may rebuild on the remaining land with permission, and if affected land is private land the project will encourage DP to relinquish the land and relocate on alternate land or DPs can rebuild on existing land then shifting assistance G 1 i. If DP has to relocate then	Payment for lost assets, assistance to reorganize on land or provision of alternate site if choosing to relocate and support for transition period.	RDA, CV, DS, LARC.																	

Type of loss	Entitled Persons	Entitlements	Intent/ Requirement	Responsibility
		Rehabilitation package – G 1 ii and G 2. If part of the structure is acquired the area to be considered for payment will be calculated up to the structural support point.		
C. COMMERCIAL LAND AND STRUCTURE				
Loss of commercial land and structure	Owner / operator of registered business	All (cash) payments for land lost at full replacement cost; Payment at replacement cost in cash, according to the actual loss to repair or rebuild the structure to original or better condition when remaining land sufficient to rebuild upon; Payment for any associated loss of income while commercial structure is being rebuilt. For structures not having sufficient land to rebuild upon will be entitled to the following: 1. All (cash) payments for structure lost at full replacement cost (for materials and labor) cash, WITHOUT deduction for depreciation or salvageable materials; 2. Assistance from LARC to locate alternative plot for relocation; OR if opted by DP on recovery of the undeveloped value of the plot depending on availability of land 3. 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 1. For businesses who do not maintain books of accounts cash payment equivalent to 6 months net income OR 4.	Project shall give reasonable time for DPs to continue their business operation while rebuilding their structures. DPs 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, LARC.

Type of loss	Entitled Persons	Entitlements	Intent/ Requirement	Responsibility
		Livelihood assistance grant, Rs. 15,000 whichever is the higher; 5. Rehabilitation Package – G 2 and G2 ii if required.		
Loss of commercial Structure	Tenant / operator of registered business	If there is partial loss of structure, DP has the option to stay with the owners agreement or if DP chooses to move out, cash assistance of 15,000 AND Assistance in finding new affordable rented premises to re-establish business 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. For businesses who do not maintain books of accounts cash payment equivalent to 6 months net income OR Rs. 15,000 Livelihood assistance grant, whichever is the higher. If part of the structure is acquired the area to be considered for payment will be calculated up to the structural support point.	Cash payment for livelihood restoration, assistance for finding alternate rental accommodation and support for income losses and during transition period.	RDA, CV, DS, LARC.
Loss of commercial Structure	Owner or operator of non-registered business / squatter	For structure – all payments for structure lost at replacement cost in cash, according to the actual loss; AND For income - cash payment equivalent to 6 months income OR Livelihood assistance grant, whichever is the higher; AND If affected land is state land DP or if land is private land the project will encourage DP to relinquish the land and relocate on alternate land or; AND Rehabilitation package – Items G.2, and G.2 ii if required.	Payment for lost assets, transition assistance and income restoration	RDA, CV, DS, LARC.
D. OTHER PRIVATE PROPERTIES OR SECONDARY STRUCTURES				
Partial or complete loss of other property or	Owners of structures (regardless if the land is	All (cash) payments for affected structure at replacement cost; OR Cost of repair of structure to original or	Payment for loss and relocation if required	RDA, CV, DS, LARC.

Type of loss	Entitled Persons	Entitlements	Intent/ Requirement	Responsibility
secondary structure (i.e. shed, outdoor latrine, rice store, animal pen etc)	owned or not)	better condition; OR Cash assistance for relocation of structure.		
Loss of tombs or graves	All owners	All cash payments per tomb to cover the cost of exhumation (including any religion ceremony) if required relocation OR cash payments at Rs. 15,000 per tomb to cover the cost of exhumation (including any religious ceremonies if required)	Payment for loss and relocation if required	RDA, CV, DS, LARC.
E. LOSS OF INCOME OF EMPLOYEES OR HIRED LABORERS				
E.1 Temporarily Affected				
While business re-establishes (i.e. reorganizing on remaining land or relocating in the same area)	All affected employees, wage or daily laborers' in private or government businesses	Cash payment of Rs. 15000 or Three month salary whichever is more	Businesses will be encourage to retain existing employees Payment for lost income during business re-establishment	RDA, CV, LARC
E.2 Permanently Affected				
Job loss due to relocation of business to another area or business operator decides not to re-establish	All affected employees, wage or daily laborers in private or government businesses	Cash payment of Rs. 15000 or Three month salary whichever is more	Payment for lost income, rehabilitation package to provide support and income restoration	RDA, CV, LARC
F. TREES & STANDING CROPS (already included under A)				
Loss of crops and trees	Person who cultivates crops and/or trees owns by private /state; if the trees in private the timber given to owner and if trees in state land the timber given to timber cooperation;	For owner, payment for crops and trees at market prices; For tenant, payment for crops shall be paid to tenant; For sharecropper, payment for crops shall be shared between owner and sharecropper according to the sharecropping agreement; For all - advance notice to harvest crop; AND Payment for net value of crops where harvesting is not possible; AND Cash payment for loss of trees and standing crops at market prices; AND Rights to resources from privately owned trees (i.e.	Payment for losses Payment for trees calculated on market value on the basis of land productivity, type, age, and productive value of affected trees	RDA, CV, DS, LARC

Type of loss	Entitled Persons	Entitlements	Intent/ Requirement	Responsibility
	(regardless if the land is owned or not)	timber or firewood) All felled trees will be given back to the owners.		
G. LIVELIHOOD RESTORATION & REHABILITATION ASSISTANCE				
G.1 Materials Transport Allowance				
i. Reorganization of residential structure	DPs reorganizing or rebuilding on same plot	Cash assistance (shifting allowance) of Rs 5000 to 15000 depending on the floor area of the house DP/household	Payment for disturbance and to assist in rebuilding	RDA, CV, LARC
ii. DP requiring relocation for housing	Relocating DPs	Cash assistance (relocation allowance) of Rs. 5000 up to an amount of Rs 15,000 DP/household for transportation to new location or site based on floor area of the house in occupation before relocation.	Allowance to cover transport of household or commercial effects, salvaged and new building materials	RDA, CV, LARC
G.2 Livelihood Restoration (Grant & Training)				
i. Permanent effects on livelihood	DPs/household	Livelihood restoration grant - as cash assistance of Rs 15,000 per household (plus professional assistance and advice, if required, to invest funds or to set up a business at a commercially viable location).	Cash sum to offset income losses not directly paid for, to provide support while business re-establishing or as start-up investment for new business if DP has to change livelihood.	RDA, CV, LARC
ii. Permanent effects on livelihood	Severely affected farmers remaining on affected land	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 DPs 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, CV, LARC
G.4 Special Assistance				

Type of loss	Entitled Persons	Entitlements	Intent/ Requirement	Responsibility
Agricultural Lands other than paddy lands title holder	Owner	For the agricultural land compensation payable under A and B in item one is applicable, payment of 5% of the statutory value subject to a minimum value of Rs.10,000 and a maximum of Rs.100,000, if vacant possession is handed over on or before a date nominated by the RDA/DS Sufficient time to be given to harvest crops or Compensation for the loss of crops.		RDA, Valuation Department, D.S
Incentive payment	Owner or occupant at the time of handing over the property.	Ex-gratia payment of 25% of the statutory value of the building to be paid, if the vacant possession is handed over on a date stipulated by the D.S/ RDA, subject to a minimum of Rs.25,000 and maximum of Rs.500,000	To encourage DPs to handover the acquired properties on a timely basis.	D.S, Valuation Department, RDA
Effects on vulnerable DPs	Vulnerable DPs including the poor, elderly DPs, ethnic minority households IPs, female - headed households, and disabled	A special grant of Rs 15,000 per DP/household to improve living standards of vulnerable DPs and households Assistance to vulnerable households in finding suitable land for relocation and shifting.	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 poverty, vulnerability or marginalization	RDA, CV, LARC
H. COMMUNITY ASSETS				
Loss of buildings and other structures (schools, temples, clinics, walls etc), infrastructure (local roads,	Divisional Secretary of the division, urban ward, village, local community or local authority owning or benefiting	Restoration in existing location of affected community buildings, structures, infrastructure and common property resources to original or better condition; OR Replacement in alternative location identified in consultation with affected	Full restoration of buildings, structures, infrastructure, services or other community resources by contractor (costs to be borne by	RDA, CV, LARC

Type of loss	Entitled Persons	Entitlements	Intent/ Requirement	Responsibility
footpaths, bridges, irrigation, water points or communal hand pumps etc), common resources (such as water supply, community forests)	from community property, infrastructure or resources	communities and relevant authorities; OR (Cash) Payment at full replacement cost; AND restoration of buildings, structures, infrastructure, services or other community resources.	project) or payment for such if agreement for local authority or community to undertake the restoration works.	
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.			

Chapter 7 - GRIEVANCE REDRESSES MECHANISM

105. Grievance Redress Mechanism (GRM) is necessary to support genuine claimants to resolve their problems through mutual understanding and consensus reaching process with relevant parties. This is in addition to the available legal institutions for resolving unsatisfied appeals from public against the disagreeable decisions. In respect of this section of the road, as PMU has been already functioning, opportunities prevailed from design stage to implementing stage to take mitigation measures to resolve grievances from the inception of the project. Field level information confirms that PMU has successfully used public consultation, stakeholder participation and awareness creation sessions to reach public consensus on the project. This positive approach of the PMU has to be continued and strengthened with the commencement of the road project implementation.

7.1. Grievance Redress Committee

106. The best practice for resolving grievances is to settle issues in the first instance at the community/village or the Grama Niladai level through consultative process. This community based approach is an informal setup that can be tried at lower levels with the initiatives of PMU and its extension staff. However, issues that can't be addressed at this level informally have to be taken at a higher level formally for reconciliation. RDA has considerable experience in handling grievances of public especially with the implementation of SEW project, which is incidentally the first major expressway of the country. The main objective of establishing Grievances Redress Committee (GRC) setup in Southern Transport Development Project (STDP) was to solve these problems in an efficient, timely and cost effective manner in a cordial environment. With this experience, road development projects of RDA have adopted a similar approach with GRCs keeping some uniformity in resolving grievances. Grievance Redress Committee established by the RDA has well defined functions, composition, and a procedure to redress grievances. A GRC system based on the Resettlement Framework for NHSP is proposed for Kirulapona - Homagama section of A004 road.

107. GRC approach gives an opportunity for public to bring their unsolved grievances caused by the project implementation to the committee established for the said purpose at divisional level. The innovative intervention of this approach is the establishing of a GRC at a divisional level consisting of key official partners involved in land acquisition and a representative from public as committee members to find solutions for unsolved grievances. Any disagreed person can bring his case to this committee, free of charge (not even a stamp duty), for hearing of his/her case. GRC is not the only body which public can approach to solve their grievances. There are series of formal bodies; some are with special focus on certain matters, available for persons to take their unsolved grievances, problems and issues. PMU's responsibility is to make all persons in the project area familiar and knowledgeable with these institutional arrangements and play the role of a facilitator if any person wish to process their grievances and claims through those institutions for better judgements. A GRC can deal with complaints relating to unaddressed losses or social and environment issues resulting from project implementation. It cannot challenge the statutory

entitlements of persons and should refrain from making decision relating to designs or engineering matters or on any compensation matters that are pending before the Compensation Review Board or courts.

Composition of GRC

108. The GRC will be a five member committee and headed by the Assistant Divisional Secretary with the relevant division, Project Manager/Resettlement Officer, District Valuation Officer, and four civil society representatives (who may be chosen from among the recognized NGOs/ CBOs, clergy, persons representing DPs groups and women). In addition, the Resettlement Officer/ Social Impact Monitoring Officer (SIMO) of the RDA/ PMU will function as the Secretary of the GRC and will be responsible for keeping record of all grievances registered and action taken on them. When required, the GRC can seek the assistance of other persons/institution.

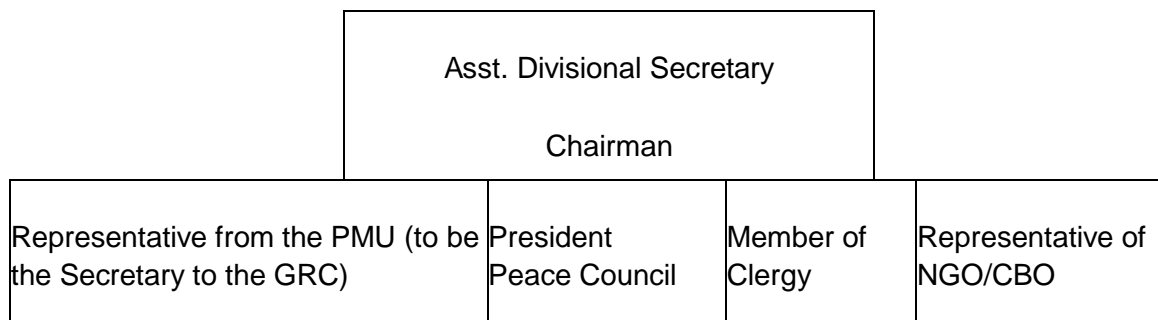


Figure 7.1. Proposed Structure of GRC

109. If any matter arises due to land acquisition in future, there is a provision in the LAA for any aggrieved party to appeal to the LARB, in respect of the statutory valuation determined by the Valuation Department. Such appeals should be made within 21 days of the award of the compensation under section 17of LAA.

Operational aspects of GRC

110. **For Whom:** Any person may approach the GRC to seek its assistance in resolution of any problem, complaint or dispute concerning environment and social issues that can arise due to road construction. Further, if any land acquisition and resettlement is needed in the future DPs can appeal to the GRC. DPs dissatisfied with awards may also appeal to the GRC where GRC will refer it to the appropriate forum after examining the complain. Only appellants or others specifically authorised may attend the GRC meetings.

111. **Functions:** The function of the GRC is to remove grievances, settle disputes of the all persons regarding environment and social issues. The GRC mandate and procedures will be given wide publicity so that the people in the project area have a better understanding of their entitlements, rights, and responsibilities. Grievances relating to land titles, which is a legal issue, will remain outside the purview of this Committee, and persons with such

grievances will be advised to approach the appropriate courts of the laws to settle such disputes. Persons will be exempted from all administrative and legal fees associated with the grievance settlement procedure, except for cases filed in courts.

112. **Venue of the GRC Meetings:** The GRC will meet at the project site keeping in view the convenience of the displaced persons. But it will be free to hold its meetings at any other locations if that will be more convenient to complainant.

113. **Working System:** The GRC will deal promptly with any issue relating to environment and social that is brought before it. The GRC will make all efforts to see that these issues are also resolved within 2-3 weeks. The GRC will take decisions on the basis of a majority vote.

114. **Powers:** The GRC has no authority to deal with cases pending in a court of law. It cannot challenge the legal entitlements of DPs. The GRC will also refrain from making decisions on issues relating to design and related engineering matters and on pending compensation cases. The GRC will invite the contractor and the engineer to clarify issues concerning to construction impacts.

115. **Procedure for Resolution of Disputes:** Persons will be free to present their grievances without any fear or pressure from government authorities. They can present their grievance verbally. They can also present their grievances in writing, for which assistance will be provided if so required.

116. The decisions of the GRC will be conveyed to complainant in writing. Three copies of the decisions will be provided: one for the DP, second copy for the Project office and the third copy for the Divisional Secretary. The decisions of the Grievance Redress Committee will be in conformity with the resettlement policy and the entitlement matrix.

117. **Appeal against GRC Decisions:** Affected persons not satisfied with the GRC decisions can appeal to higher authorities in the Project, the Ministry of Ports and Highways, or to even Courts of Law.

118. The persons who are aggrieved by the decision of GRC will be free to approach higher authorities for grievance redress.

Grievance Redress Process

Step One	The person approaches the Project staff at site with a complaint regarding his problems that he thinks have not been addressed properly. The project staff explains him to steps taken to assist him and solved his grievances but, he remains unconvinced.
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Step Two	Not satisfied with the explanation by the Project staff, DP goes to the Grievance Redress Committee about which he had come to know from a consultation meeting that he had once attended. He first makes his complaint to the GRC verbally but he follows it up with a written petition. The GRC assures him that his complaint will be looked into and a reply sent to him within 4-5 weeks. If the complaint is within the mandate of the GRC, GRC will examine it and submit the findings to appropriate forum for necessary action. If required person will be invited to GRC when his complaint is taken for scrutiny. If the complaint is not based on a proper understanding of compensation procedure or any legal issue was involved or complaint is not within the mandate of GRC the DP will be accordingly informed within 15 days. This again leaves the DP disappointed.
Step Three	The person persists and this time knocks at the door of the Compensation Review Board with hopes of getting his grievance redressed forever. But this does not happen.
Step Four	The last resort left for the person is the Court of Law if he still feels that none of the above organization has delivered justice to him. The decision of the court would be final. Since his problem has adjudicated by a competent, knowledgeable legal body.

7.2. Other agencies that the DPs could forward their grievances

Land Acquisition Compensation Review Board (LARB)

119. If there a complaint regarding compensation for land acquisition, there is a provision in the LAA itself for any aggrieved party to appeal to the LARB, in respect of the statutory valuation determined by the Valuation Department. Such appeals should be made within 21 days of the award of the compensation under section 17 of LAA.

Samatha Mandalaya – SM (Board of Mediation)

120. This is a body of distinguished citizens functioning as a conflict resolving committee appointed by the Ministry of Justice for each Judicial District, the decisions of the Samataha Mandalaya is not binding on the parties to the conflict. It has no mandate to enforce decisions, this is purely a consultative process, and disputes between DPs could be referred to SM to persuade the parties to arrive at an amicable solution without resorting to protracted litigation.

Human Rights Commission (HRC)

121. By the constitution of Sri Lanka, commission has been established to entertain and inquire into the violation of human rights by state officials and agencies. This is a built in mechanism provided by the state to safeguard the rights of the citizens against arbitrary and illegal actions of the state officials. An aggrieved party could seek relief from HRC. Chairman and members of the HRC is appointed by the President.

Parliamentary Ombudsman

122. Independent official appointed under the Constitution, to inquire into the grievances brought to his notice by the members of the public.

Parliament Petition Committee (PPC)

123. An aggrieved member of public could bring to the notice of the Hon. Speaker of Parliament through a member of parliament (peoples' representative) about his grievance. Hon. Speaker will direct the PPC to inquire into the matter. The committee will direct the offending party to provide relief to the aggrieved, if the committee finds that relief sought is justifiable.

Parliament Consultative Committee of the Ministry of Ports and Highways

124. This is another forum where an aggrieved DP could direct his grievance. Secretary to the Ministry of Ports and Highways, Chairman and Director General and other relevant senior officers are members of this committee which will be chaired by the Minister in charge of the portfolio of highways.

Litigation

125. A person aggrieved by a decision of any public official in the process of implementation of the implementation process could challenge such decisions in an appropriate court of law, if such person is unsuccessful in obtaining a reasonable redress through discussions.

Legal Aid Commission

126. Government of Sri Lanka has established an agency to help people who cannot afford legal expenses, when they seek redress from the judiciary .On an application made to the Secretary of the Legal Aid Commission with evidence of his income, the Legal Aid Commission will make arrangements to appear for the aggrieved party in a court of law without fees.

Chapter 8 - RELOCATION OF HOUSING AND SETTLEMENTS

127. Rehabilitation and improving Kirulapona to Homagama section of A004 road did not give rise to any land acquisition or resettlement. However, provisions were kept in case of such need. If there's any need for relocation, the PMU with the assistance of Divisional Secretaries will take adequate measures to help the any displaced person to restore their businesses/ livelihood in a manner that did not disrupt their style of lives and socio economic standards.

8.1. The options available for relocation;

- a. On the same premises if sufficient land is available to reconstruct the lost building.
- b. On a land up to 20 perches provided by the PMU in consultation with the DP and the host community, provided suitable land is available in close proximity to the DPs original habitats.
- c. On a land selected and bought by the DP of his own for relocation (self-relocation)

128. Where a DP has taken the decision to relocate by himself/ herself at a site purchased by him/ her or another site owned by him/ her, such DPs are entitled to following additional assistance depending on the local authority area of his original residence. However, to ensure that relocating households would not be impoverished or worse off as a result of their relocation, the following measures will be undertaken to assist the DPs based on the entitlement matrix developed for this project.

Local Authority Area	Amount of additional compensation
Municipality	Rs.500, 000
Urban Council	Rs.300, 000
Pradeshhiya Sabah	Rs.150, 000

129. Replacement cost will be paid for all buildings irrespective of the age of the building. DPs are entitled to retain the salvage materials. All DPs subject to relocation are entitled to following payments to assist them in the relocation process.

1. **Rent allowance** of Rs.50, 000 to Rs 100,000 (one time) depending on the area of his original residence and the floor area.
2. **A transport allowance** of Rs.5000 to 15,000 depending on the floor area of the original residence
3. **A livelihood grant** of Rs.15, 000 to vulnerable households.

8.2. Additional assistance for resettlement

130. Following additional payments are paid to DPs.

Incentive Payments

131. All DPs who hand over the possession of their properties on a date prescribed by the PMU will be entitled to an ex-gratia payment of 25% of the statutory valuation of the building subject to a minimum of Rs.25,000 and a maximum of Rs. 500,000.

Relocation Assistance for Encroachers

132. A housing block up to 10 perches free of charge is targeted at a fully serviced resettlement site developed by the PMU. In lieu of a building block, if encroacher's the original habitat was in a Municipal or Urban Council area, he/she eligible for 50% of the cash grant entitled for a title holder and Rs.100,000 if he/she comes from a Pradeshiya Sabah areas. They are also entitled to all other payments applicable to title holders except for the compensation for the land.

Cultivated Agricultural Land

133. A 5% of the statutory payment is made (section 17) subject to a minimum of Rs. 10,000 and a maximum of Rs. 100,000.

Relocation of Sub Families

134. Those married adult children who had lived with parents in the same house at least 03 years prior to the publication of Sec 02 notice under LAA, are entitled to a plot of land if suitable land is available from a fully serviced resettlement site up to 10 perches free of charge or cash grant applicable to an encroacher in lieu of a plot of land.

Loss of Community Facilities and Resources

135. Affected community buildings and facilities will be repaired to their previous condition or replaced in consultation with displaced communities and relevant authorities. These include schools, temples, health centers, public wells, irrigation canals, foot bridges, cemeteries and accesses to community resources.

Loss of Public Utilities

136. PMU will meet the relocation cost of all public utilities destructed, while respective state agencies that are specialized in such functions undertake construction/relocation responsibility of them under PMU's monitoring.

Damages Caused During Construction

137. All damages caused during construction will be compensated by the contractor. This activity is monitored by the Social and Environmental Impact Monitoring Officers attached to the PMU. PMU has a close supervision on contractors.

Construction Related Disturbances

138. If DPs living close to the ROW have to be temporarily evacuated during blasting and other operations that can make harmful incidents to DPs, contractor has to compensate for the disturbances and inconvenience caused to them.

Transfer of Ownership of Housing Lots Allocated at Resettlement Sites

139. Titles to the housing lots given to the DPs will be transferred to them as soon as possible and all legal and stamp fees will be borne by the PMU.

Chapter 9 - INCOME RESTORATION AND REHABILITATION

140. The properties along the A004 highway did not get affected through the proposed road improvement. However, majority of the properties on either side of the highway are trade and businesses. During construction, it was anticipated that there may be a temporary impact to the businesses. It was decided by the PMU that in case if any damage is caused to these businesses income restoration measures will be applicable. The shop owners were to be compensated for the loss of income according to the provisions of the entitlement matrix.

141. In addition to the monetary compensation such shop owners were to be assisted with counseling and other assistance to develop their businesses.

9.1. Project as a Development Opportunity

142. There are no DPs identified in this project. However, this project will be a development opportunity for people living along the highway. The businesses will be developed due to the road improvement and the construction related jobs will be generated.

143. In principal, PMU views that any resettlement programme as a development opportunity for the displaced. As a priority matter, project benefits should flow to the displaced through associated institutional interventions such as adequate and timely compensation, income restoration programmes, rehabilitation of vulnerable groups, and employment opportunities in construction related activities etc.

144. Before designing a plan for income restoration, an appraisal will be done with the participation of needy displaced persons to assess their needs, potentials and preferences for income restoration. Some of the strengths visible among the displaced persons and the environment include; reasonably high level of literacy, access to credit facilities, diversity of businesses, and macro-economic climate prevailing in the area. These desirable features emerged through socioeconomic profiles of the area were further confirmed during one to one discussions had with many of the businessmen in the area.

Strategies for Income Restoration Programme (IRP)

145. Most of the displaced would suffer only temporary loss of business. The IRP strategy (if needed) would be based on multiple approaches, reinforcing each other, targeted at them as detailed given below.

Proposed invigorative activities for income generation

- a) Increase the awareness of the people
- b) Development of vocational, managerial and entrepreneurial skills
- c) Improve and promote leadership qualities
- d) Formation of societies by members to address common issues.

- e) Training in Human Resources Development
- f) Training in occupational skills development
- g) Members of target groups attend regular meetings conducted by RDA
- h) Members of target groups open savings accounts and promote banking practices
- i) Feedback information to the PMU to facilitate the implementation process.

Organization to implement Income restoration plan

146. If a need an income restoration programme arise at a later part of the project, the PMU will act as a facilitator and a coordinator for the public to obtain the services and inputs available from the respective state and private institutions in the area of entrepreneur development. NGOs and CBOs will play a key role in planning and implementation of income restoration programme, as it is necessarily a community level programme. PMU will provide logistic support and initial funds required to implement the programme. The Resettlement Officer attached to the PMU will be the focal person of PMU with regard to income restoration. Whenever required, expertise services for specific areas will be drawn from outside sources to assist public. The restoration plan will have linkages with following institutions.

- Banks and other financial institutions
- Vocational Training Authority
- National apprentice and Industrial Training Authority
- Assistance of the NGOs such as Chambers of Commerce
- All income restoration programs will be undertaken in consultation with individual DPs and their associations

Categories of Displaced Persons (DPs) Entitled to Income Restoration Benefits

- Farmers losing agricultural lands
- Farmers with less than one acre of residual agricultural land
- DPs losing reasonable income from homestead gardens.
- DPs losing businesses.
- Very poor who need institutional support to improve their income.
- Vulnerable categories

Potential Income Restoration Programmes

147. RDA has conceived resettlement as a development opportunity aiming at full rehabilitation of DPs. There is difference between title holders and non-title holders for income generation programme. Everyone will be afforded with an opportunity to improve

their living standards as planned. Provisions also have been included in the Entitlement Matrix to assist the farmers, agricultural holders, tenants, business units and others who lose their income as a result of this project.

148. As project involves only primary improvements to existing road, majority of effects will be from the strip acquisition of their property frontages. This nature of acquisition is very severe in highly urbanized areas where residential and commercial areas are very close, with little or no room to move back for relocation on the same plot. However, people residing close to public roads are aware that one day their land would be required for improvements for the road and this is true in the case of main roads. This is not an unexpected occurrence for them. In this situation, DPs are compelled to lose their existing homes and or businesses. Sri Lankan experience is that they prefer to stay close to the roads and remain on lands with reduced standards in order to remain on land enjoying direct road frontages. DPs will be given the option under these conditions to remain on the existing plot if the road widening allows and will not be forced to relocate. All DPs whose livelihoods are displaced under the project will be provided with livelihood restoration measures which will include the following.

- A livelihood restoration allowance to assist as seed money to re-establish a business
- Allowance and interventions for poor and vulnerable families
- Vocational or skilled training
- Project related employment

149. When identifying potential income generating opportunities for needy people, greater emphasis will be paid to raw materials, availability of required infrastructure and market potentials.

Training in Skills Development

150. One person from each fully displaced household will be selected for the development of skills. Adult children of the households losing dwellings and commercial premises will be given priority in the selection of trainees.

Training in Entrepreneur Development

151. Entrepreneur development will be provided to selected individuals who are capable of benefiting from such training after an initial screening purpose. This is an advance step from income generation interventions focus on low income earners. The basic requirements would be willingness to commence a business or an industry and ability to raise capital. PMU will act as a facilitator to raise the capital and develop business plans of the interested DPs.

Employment Opportunities during the Construction Phase

152. It is envisaged that the following contractual opportunities will be available to DPs during the construction phase of the project.

- Light vehicle drivers.

- Heavy vehicle drivers.
- Masons.
- Carpenters.
- Welders.
- Bar benders
- Computer operators,
- Clerks
- Office Aids
- Labourers.

153. The PMU will liaise with the contractor to find employment opportunities in the construction related activities.

154. Above are related to the preliminary preparations at general programming for income generation targeting DPs at project level. The programme doesn't stop at this level. It has to go deeper beyond this level to address requirements of each and every DP who need income restoration assistance from the project. This involves micro level planning for income generation at individual DP level. Project will employ its settlement staff to support each and every DP who needs to start income generation activity especially by providing coordination support to obtain technical and financial assistance from best relevant sources. For individuals, from identification of an activity, including preparation of feasibility reports to when applicable up to marketing arrangements; require timely interventions of the project office till they reach sustainable levels. Project office takes this responsibility and immediately makes arrangements to sensitize its settlement staff on planning and implementation of individual level income generation projects for desired DPs.

Interim Measures

155. Compensation for the loss of income due to acquisition of properties or employment will be paid as listed in the entitlement matrix.

Chapter 10 - COST OF COMPENSATION

10.1. Total Cost for Resettlement (Compensation for damages)

156. Total cost to pay for the damages of the people listed under chapter 3 is as follows;

Table 10.1. Payment of compensation for damages

Name of person	Issue	Amount paid (Rs.)
Mr.G.A. Perera	Damage to the parapet wall during construction and request to construct the access road	25,000
Ms. Himale Attapathu	Damage to the water supply line and drain water polluting the water well	21,792
Ms. M.A. Chandralatha Gunathilaka	Damage to the water supply line and drain water polluting the water well	33,981
Mr. A.K.J. Satharasinghe	Damage to the water supply line	32,528
Total		113,301

Source: Details obtained from PMU Staff

157. The amount paid to affected parties was Rs. 113,301 or approximately \$1,030⁴. It is anticipated that an amount of Rs. 2.5 million (\$22,727) would be required to construct the damaged walls near double cut area at Pannipitiya.

⁴ Dollar calculation was taken as Rs.110 per US\$

Chapter 11 - IMPLEMENTATION SCHEDULE

158. There is no land acquisition or resettlement in this project as mentioned above. However, the provisions will be kept in the implementation schedule for land acquisition and resettlement. Resettlement activities commenced from January 2011 with the recruitment of Team Leader / Consultants, Resettlement Assistants and supporting staff. The resettlement plan was implemented during a period of one year from January 2011 to December 2011.

Table 11.1 Implementation Schedule – Major Events

Activities	Time after Commencement	Responsibility
Recruitment of resettlement staff and initial training	Month 1	MoPH, PMU/RDA,
Conduct of Census & SES and input of data & analysis	Month 2-3	PMU, LARD/ESD
Preparation of RP and submission to MoL & ADB for approval	Month 4	PMU, MoL, ESD, ADB
Land Acquisition -Process	Month 1-11	PMU, DS, SD, VD, GP, RDA, MoPH, MoL
Payment of Compensation	Month 6-10	PMU, SD, VD, MoPH, CSC, NGO
Relocate houses, shops, businesses	Month 16-18	PMU, LARD/ESD, CSC, NGO
Clear the ROW	Month 17 - 18	PMU, CSC
Issue notice for commencement of civil workers	Month 10-18	PMU and ,MoPH, ADB
Income Restoration	Month 17 - 18	PMU, LARD/ESD, CSC, NGO
Management Information System	Month 1- ongoing	PMU, LARD/ESD, CSC, NGO
Grievance Redressing	Month 5 - ongoing	GRC, Samatha Mandala, Other state institutions
Internal Monitoring	Month 03 - ongoing	PMU,LARD/ESD,CSC
External Monitoring	Month 6 – 12	External monitor, PMU, ARD/ESD & ADB

Chapter 12 - INSTITUTIONAL FRAME WORK FOR RESETTLEMENT

159. The overall implementing responsibility of the project lies with the GOSL and MoPH is the line ministry for the matters pertaining to the highway sector. RDA being the execution agency for road development has administrative responsibility for implementation of the project under general supervision of the Ministry of Ports and Highways. MoPH has established Project Management Units (PMU) for execution of special projects due to their importance, priority, magnitude of investment and external collaboration etc. PMUs have to accomplish a time-bound programme through a planned set of interventions agreed upon by concerned authorities. PMUs work under the general supervision of RDA, but have direct linkages and access to MoPH to expedite their work. Thus, PMU is the focal institution responsible for RP's implementation at operational level. PMUs have been strengthened with certain degree of financial autonomy and administrative flexibility subject to the guidance and supervision of the Ministry of Ports and Highways and directives of the General Treasury.

160. Opening of a new road or improving and widening existing roads involve accomplishments of several legal and social requirements in addition to their construction related work. In this regard, several agencies have direct involvements with these activities and early identification of them has several advantages for project implementation. Following are the key state agencies that will have direct involvement with resettlement interventions;

- 1.Ministry of Ports and Highways
- 2.Ministry of Land and Land Development
- 3.Divisional Secretary and his staff including Grama Niladaris
- 4.Survey Department
- 5.Valuation Department
- 6.Government Printer
- 7.Central Environmental Authority
- 8.Urban Council Matara
- 9.Ceylon Electricity Board
- 10.Water Supply and Drainage Board
- 11.Sri Lanka Telecom Ltd.

161. Contractors and consultants employed by the PMU, Community Based Organizations of DPs, NGOs and other civic organizations also play a significant role in the implementation process of the road project.

Project Management Unit

162. The Project Management Unit is headed by Project Director who's staff consisted of engineers, technical officers, two consultants; 1) land acquisition, and 2) resettlement, and the administrative staff.

163. PMU performs following major activities;

- Conduct awareness meetings with stake holders to disseminate information in respect of the project and make continuous efforts to update information with necessary feedback and support two-way communication regarding information collection and dissemination
- Distribute informative bulletins to ensure transparency
- Conduct Land Acquisition and Resettlement (LARS) and Social and Economic (SES) surveys to collect necessary data for resettlement planning
- Coordinate and assist the land acquisition process with the DS, Survey and Valuation departments and other relevant government agencies and DPs
- Prepare Resettlement Plans and implement them with the aim of restoring/improving the lives of the Displaced Persons at least to the pre project level.
- Support execution of reasonable compensation package to realize the objectives of the NIRP.
- Assist/ and coordinate with relevant agencies to restore/improve the income of the DPs
- Coordinate with the community based organizations to assist the DPs in resettlement activities.
- Identify resettlement sites in consultation with the DPs and host communities when necessary
- Assist DPs on resettlement in new sites selected jointly
- Expedite the payment of compensation by assisting the DS and the DPs
- Coordinate/monitor the activities of GRCs.
- Assist vulnerable; including women and poor.
- Monitor the resettlement plan with identifiable indicators.
- Develop a plan to address gender concerns.
- Implement the construction programme through contractors and supervision consultants.
- Monitor the construction programme.
- Prepare/submit required periodic reports to the relevant state agencies and ADB.
- Ensure flow of funds to maintain a healthy cash flow
 - Maintain MIS for the project with networking to MoPH and RDA

ESD & Land Division

164. ESD & Land Division is the focal division of RDA for safeguard compliance. ESD assists PMU in conducting the Land Acquisition and Resettlement and Social and Economic surveys including training of survey enumerators and data analysts. Reviewing of RPs is a major function of ESD before they are submitted to the external authorities, including ADB. ADB has assisted to establish and improve ESD with its technical assistance support in 2006/2007.

Divisional Secretariat

165. Divisional Secretary is responsible for civil administration of the division and hence land acquisition comes under his/her purview within the division. He/ She has coordinating responsibilities of all development work, in addition to planning and implementation of its own development projects/ programmes in the division. DS is empowered with statutory provisions to acquire land and vest them with the agencies that required land under LAA.

Similarly, before commencement of construction, RDA has to wait till DS vest land in RDA after going through LAA process. Although, formally all land acquisition work has to be done by the DS office, now for acceleration of the process, PMU assists DS for various activities of the acquisition, including arranging meetings with DPs and other stakeholders, preparation of paper work and gazette announcements for DS signature, and distribution of DS office notices to public. DSs are happy with this arrangement as it helps him to overcome DS office resource constraints with regard to land acquisition.

Field Office of the PMU

166. A field office will be established to facilitate the land acquisition and resettlement inclusive of income restoration activity. This office will be located within the project area. A Resettlement Assistant will be stationed at this office with supportive staff to attend to the problems of DPs and take necessary actions to solve them under the guidance of Project Director/ NHSP. It will help DPs to have better solutions by way of coordinating DPs and relevant authorities that are functioning in the areas where DPs need attention. Especially, this field office will be an attractive resource center for DPs who need income restoration support. It will be equipped with information required for various types of livelihood development opportunities and post product situations, including marketing. This office will help DPs to identify feasible income generating ventures and implement them successfully with the support of PMU.

Construction Supervision Consultants (CSC)

167. Construction Supervision Consultant is responsible to monitor, supervise and guide the construction and assist resettlement planning and implementation.

Responsibility of RDA on Payment of Compensation

168. For acceleration of acquisition process and ensuring justice for DPs, PMU support DPs with following;

1. Advise the DPs regarding the list of documents to be submitted at the title determination inquiries conducted under Section 9 of the LAA.
2. Ensure timely cash flows to assist DSs to pay the statutory payments as they are due.
3. Prepare individual cheques and hand them over to DS to effect payments
4. Assist DS to inform the DPs in advance regarding the payment of compensation
5. Prepare the list of DPs with categories of compensation they are entitled to
6. Document grievances if any made by the DP
7. Make arrangement to pay the interest due on the statutory payment through the DS
8. Arrange to distribute a certificate with details of the compensation paid to each DP
9. Allow a period of 4-6 weeks after the payment of statutory compensation and other assistance for the DP to hand over vacant possession of the property
10. PMU should pay the incentive payment due to the DP immediately after the DP handover the vacant possession within the prescribed period to the DS/PMU. Store all data in respect of compensation in a pre-prepared data base.

12. Maintain a file for each DP, this file should contain, data on each DP collected at land acquisition and LARS and SES survey and the details of payments made and other correspondence with the DPs.

Responsibilities of DPs during compensation payment

169. Produce all relevant documents at the Section 9 inquiries to establish the rights and ownership of the DP, including title deeds, government grant certificates, lease permits, rental agreements, documents on tenancy rights, registration extracts etc...which is relevant to each DP.

170. Ensure DP present personally to receive compensation as far as possible, if due to an unavoidable reason if DP is unable to collect the payment cheque personally, a proxy could collect the payment upon authorization by the DP in writing certified by the GN of the area, on the alternative he/her could request for another date to accept the payment. (Statutory payment from the DS)

171. It is the responsibility of the DP to raise objections, if any within 21 days of the issue of Section 10(1) notice to confirm to provisions of the LAA. If no objections are raised order under Section 17 will be issued by the DS conveying the quantum of statutory compensation due to he/her for the property acquired.

172. DP should hand over the vacant possession of the property within the prescribed period in order to qualify for the incentive payment.

Institutional arrangement to attend to gender concerns

173. PMU has already recruited resettlement staff including female officers to address gender concerns, in addition to the four consultants/ team leaders, employed by the PMU. One of the consultants/team leaders will be directly in charge of the road project with inputs from other consultants/team leaders as the needs arise. One female resettlement assistant, a graduate with a degree in Social Sciences will be stationed at the project to attend to resettlement matters including gender concerns. She will be assisted by a female clerk. This arrangement will permit a closer interface by the resettlement staff with the female DPs.

Table 12.1. Matrix of Roles and Responsibilities of Government Agencies and Other Organizations involved in Resettlement Planning and Implementation

Agency / Unit	Roles and Responsibilities
RDA / PMU	Preparation of land acquisition proposals, staffing, coordination with other relevant agencies, consultation with stake holders, dissemination of information, secure funds, identify lands for resettlement with DPs, procure land for resettlement sites when necessary, develop infrastructure at resettlement sites, arrange IRP Attend to internal monitoring, progress review, Project MIS and documentation
Ministry of Ports and Highways	Submit proposals forwarded by the PMU to MOL, arrange for funds including reimbursement responsibility

Agency / Unit	Roles and Responsibilities
Ministry of Land and Land Development	Approval for the publications of relevant orders under LAA.
Divisional Secretary	Acquisition of land, payment of statutory compensation, payment of interest, consultation, information dissemination, GRC, and vesting of acquired land with the RDA Support implementation of RP when necessary on PMUs' request Support rehabilitation and improvement of public utilities disturbed by land acquisition and construction programme
Grama Niladhari	Delivery of notices under LAA to the DPs, consultation, facilitate acquisition of alternate lands, preparation of advance tracing and final plan by assisting the surveyors to identify the claimants,
Dept of Survey	Preparation of required survey maps on the request of DS
Valuation Department	Preparation of condition reports of the properties to be acquired, preparation of valuation reports,
Government Printer	Publication of gazette notifications relevant to land acquisition
Local Authority	approval of resettlement sites, housing plans
Displaced Persons	Help in planning of resettlement site development, IRP
Construction Supervision Consultants	Planning, monitoring construction and resettlements

Chapter 13 - MONITORING AND REPORTING

174. **Resettlement Monitoring** Means the collection, analysis, reporting and use of information on the progress of resettlement, based on the RP. Monitoring focuses on physical and financial targets and the delivery of entitlements to persons Displaced. Monitoring is usually conducted internally by the executing agency, sometimes with the assistance from external monitoring specialists.

13.1. Internal Monitoring

Aims and Objectives

175. Internal monitoring will be done by the PMU. Monitoring will be done in relation to the activities detailed out in the RP against the time frame and each activity. In addition to recording the progress in compensation payment and other resettlement activity the EA will prepare monitoring report to ensure the implementation of the RP has produced the desired outcome. Information gathered from the monitoring exercise will be subjected to review by the PMU and other relevant stake holders, take effective remedial measures to mitigate or solve the problems that need institutional interventions.

Method and approach to provide the Information

176. The collection of base line data for each indicator identified to measure the benefits for the target groups that will be displaced by the project. Monitoring during project implementation is particularly to inform the management about progress any discrepancies in the delivery, use, and immediate effects of these services. Management is required to act upon the information and together with displaced communities or target groups, design and implement solutions to reduce the discrepancies.

Detailed Methodology

177. Field level monitoring will be done by the unit office of the PMU with the assistance of the DPs, GNs CBOs. The mechanisms to be used in field level monitoring Include (a) review of files, (b) informal sample survey of DPs, (c) key informant interviews, (d) in-depth case studies and (e) community public meetings.

Key Indicators for Monitoring

178. Following set of key indicators will be used to conduct the monitoring (a) Comparison of pre / post socio economic status (b) restoration of income earning capacity (c) development of kingship ties (d) integration with the host villagers (e) access to education, water supply, and sanitation etc.

Reporting Requirements

179. Unit Office of the PMU will submit monthly progress reports on the following activities to the PMU. PMU will submit a consolidated progress report of all road projects to ESD, Steering Committee and Project Coordinating Committee monthly.

- Number of Displaced persons category wise
- Land acquisition with details of the stage of the process for e.g number of Sec2 notices issued.
- Number of DP prepared number of Sec 38 (a) issued etc.
- Number of DPs paid with statutory compensation
- Number of Buildings taken over by PMU
- Number of DPs resettled at RDA site
- Number of self-relocated people
- Number of vulnerable people Assisted by the PMU
- Number of gender issues reported by the DPs
- Number of gender issues solved
- Number of DPs need income and livelihood restoration assistance
- Number of DPs assisted under IRP
- Number of GRC meetings held
- Number of complaints received by the GRC
- Number of grievances solved by the GRC

13.2. External Monitoring

180. External monitoring will be done by an external agency experienced in monitoring resettlement programmes. Refer Annexure 13.1 for TOR of external monitoring agency. The PMU/RDA will select a suitable agency for this purpose.

The specific tasks and methodology for external monitoring shall include

- a) Review of pre project (before displacement) baseline data on DPs ,
- b) The external monitors will verify the EAs monitoring information
- c) Advise on safe guard compliance issues if significant involuntary resettlement issues are identified, prepare a corrective action plan to address such issues
- d) Identification and selection of an appropriate set of indicators for gathering and analysing information on resettlement impacts
- e) Use of various formal and informal surveys for impact analysis
- f) Assessment of resettlement efficiency, effectiveness, impact and sustainability,
- g) Provide guidelines for future resettlement policy making and planning from the lessons learned.

181. External monitoring will commence after the commencement of the resettlement programme. External monitors will prepare semi-annual monitoring reports that describe the

progress of implementation of resettlement activities and any compliance issues and corrective actions. Reports will be submitted to ADB on semi-annual basis.

Computerized Management Information System (MIS)

182. All information regarding loss of assets (inventory of losses) of individual DPs, and socio economic information will be stored in a data base maintained by the PMU. Soft copies of such data will be given to ESD for them to maintain a centralized data base for all highway projects. A Database Manager will be recruited to store and maintain the database.

MIS will include the following data:

- Information of all losses suffered by individual DPs, the data will include the extent of land acquired, area of structures lost, number and type of trees lost, compensation paid according to category of losses, other entitlement
- MIS should be capable of generating monthly, quarterly and annual reports required for the management and the ADB

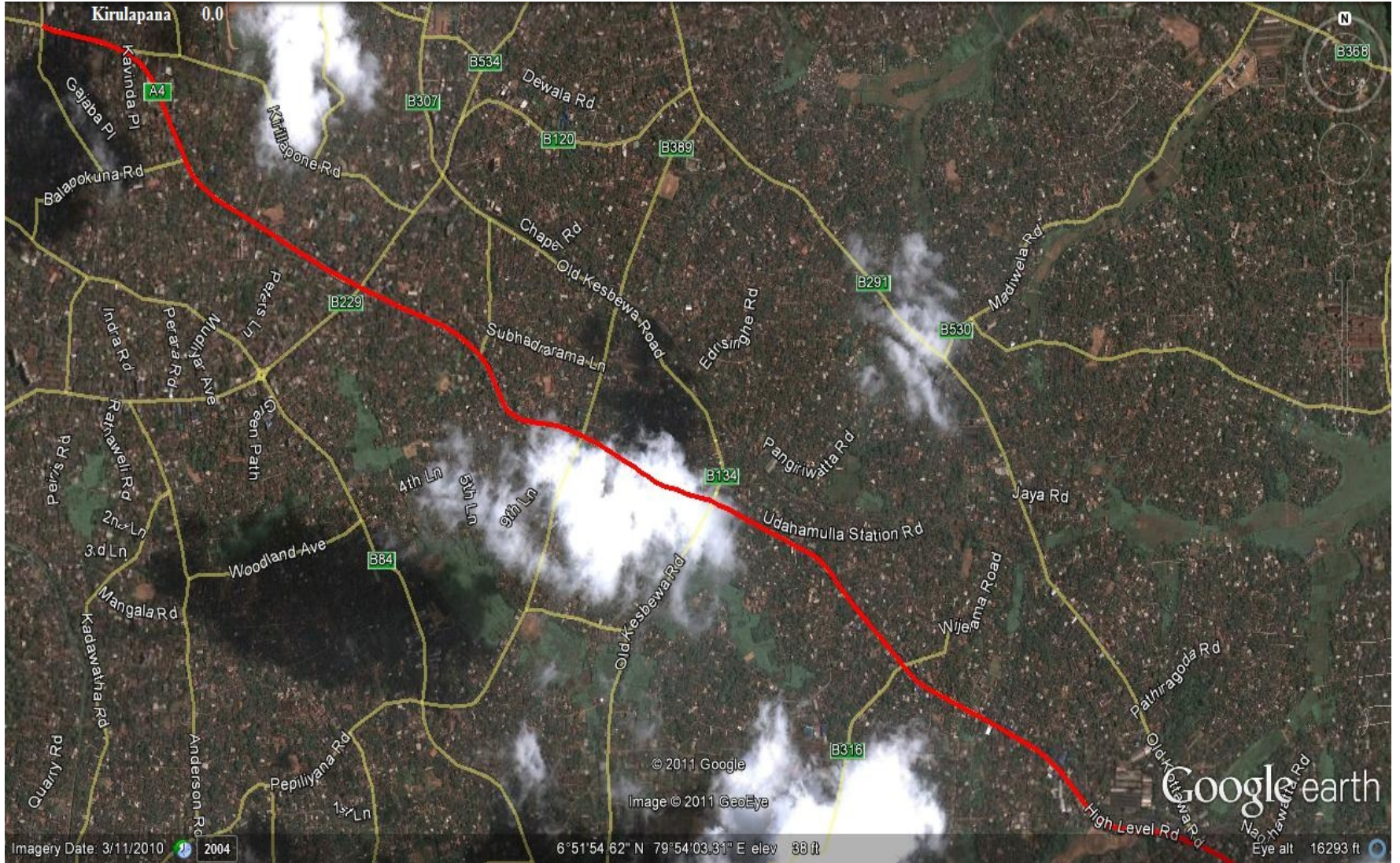
Table13.1. Monitoring and Evaluation Indicators

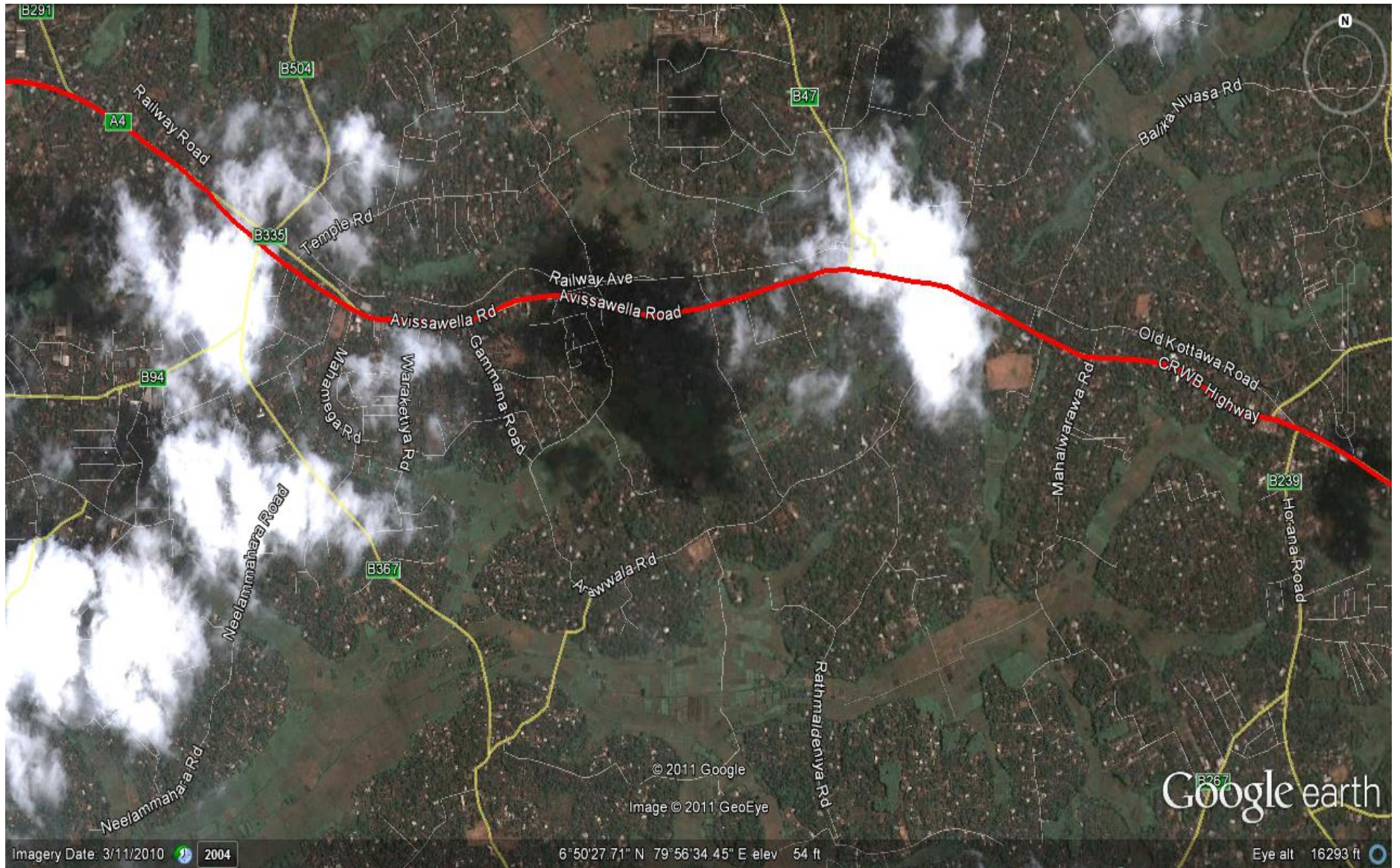
Type	Indicator	Examples of Variables
Process Indicator	Staffing	No .of RDA staff employed functional wise No. of surveyors & valuation officers available for Training programmes held for the project staff No of unit offices established
	Consultation	No of awareness meetings held with the stake holders
	Participation	No of training programmes held for the, officers No of informative bulletins distributed
	Grievance Resolution	No of GRC established No of complaints received and resolved
Output	Acquisition of Land	Type and extent of private land acquired Type and extent of state land acquired
	Structures	No .type and area of private structures acquired No .type and area of state structures acquired No. type and area of community structures acquired
	Trees & Crops	No and type of trees owned by private people acquired No and type of trees owned by state agencies Acquired
	Compensation & Rehabilitation	No of households Displaced according to type of losses Ag .paid for a perch of land

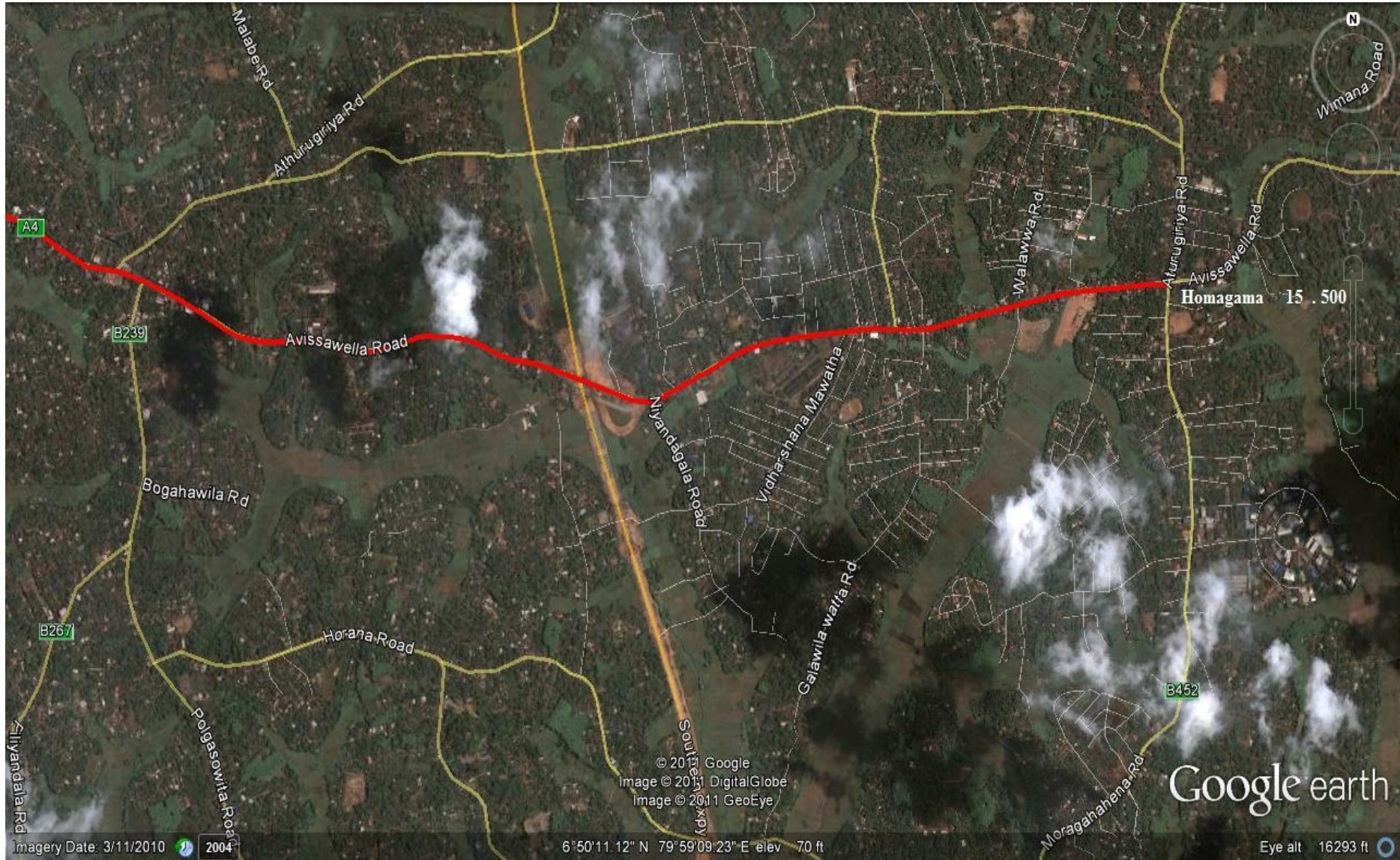
Type	Indicator	Examples of Variables
		<p>Ag. paid for a sq. ft of buildings</p> <p>Type, number and total of allowances paid</p> <p>No. of resettlement sites developed</p> <p>No of houses constructed by DPs at resettlement sites</p> <p>No of DPs constructed houses by themselves</p>
Impact indicator	Household Earning Capacity	<p>No. of DPs loss employment</p> <p>No of DPs suffered loss of income from</p> <p>(a) agriculture</p> <p>(b) Business</p> <p>(c) No obtained loans from bank and other sources</p> <p>(d) No. assisted by IRP</p> <p>(e) No. employed by the project</p>
	Changes to Status of Women	<p>Participation in Community Based activities</p> <p>Loss of employment</p> <p>Aggravation /facilitation of gender issues</p> <p>Participation in project activities</p>
	Changes to status of Children	<p>Changes in school attendance by gender wise</p> <p>Employment in road project</p> <p>No attending new schools, gender wise</p>
	Settlement & Population	<p>Generation of new businesses ,Influx of population</p> <p>Outsiders buying land in the near vicinity of the road project, increase in encroachers /squatters in state lands</p>

Location Map – 2

Kirulapona – Homagama section of Colombo – Ratnapura – Wellawaya – Batticaloa (A004) Highway







Land Acquisition and Resettlement Survey (LARS) Questionnaire

ROAD DEVELOPMENT AUTHORITY Land Acquisition and Resettlement Survey CENSUS QUESTIONNIRE								S. No:			
A. General Information:											
1. Road Code	2. Chainage at Location			3. Road Side		Left	Right				
4. Type of Land											
1. Residential		2. Trade/Business		3. Non Agricultural		4. Agricultural					
5. Common Property		6. State Land		7. Other (Specify)							
5. Type of location				Urban		Semi Urban		Rural			
6. District.....				7. Divisional Secretariat Division							
8. G.N. Division and Code Number				9. Village/Town.....							
10. Name of household head.....											
11. National Identity Card No. of HH											
12. Address											
13. Respondent.....											
14. Relation to the household head..... (Use code in the table below)											
15. Ethnicity				Sinhalese		Tamil		Moor		Other	
B. Affected Households/Businesses Information:											
16. Characteristics of household (if the land is state owned and/or common property this question is not relevant)											
S. No.	Name of HH member	Relation to chief Occupant *	Age	Sex*	Marital Status*	Any disabilities*	Education*	Occupation*			
								Primary	Secondary		
1		CO									
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											

*** Use numerical code:**

Relationship to household head (HH)	Disability	Occupation
1. Wife/Husband	1. Not disabled	1. Farming own land
2. Son	2. Major	2. Agricultural labour
3. Daughter	3. Minor	3. Non-agriculture labour (skilled)
4. Father		4. Non-agriculture labour (unskilled)
5. Mother		5. Fishing
6. Brother	1. Illiterate	6. Weaving
7. Sister	2. Can place signature	7. Animal Husbandry
8. Daughter in Law	3. Waiting for schooling	8. Commercial Activities
9. Son in law	4. Class I-V	9. Vendor (Specify)
10. Other (specify)	5. Class VI-G.C.E. (O/L)	10. Government Services/ Executive
	6. G.C.E. (O/L) Pass	11. Government Services/ other grades
	7. G.C.E. (A/L) Pass	12. Private Sector/ Executive
	8. Undergraduate/Graduate	13. Private Sector/ other grades
	9. Post Graduate	14. Armed forces
	10. Other (specify)	15. Police, Homeguard/Security Services
		16. Housewife
		17. Retired person
		18. Student
		19. Child (0-5 age)
		20. Unemployed
		21. Other (specify)

C. Affected Land and Crops:

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

Land holding status	Year owned	Area (Perch)		Value of a perch (Rs.)	Type of use *		
		Total	Affected				
1. Owned and operated 1							
2. Owned and operated 2							
3. Owned and operated 3							
4. Shared in							
5. Shared out							
6. Mortgaged in							
7. Mortgaged out							
8. Leased							
9. Other							
Total land holding (perch)							

* Use numerical code:

1. Residential	2. Trade	3. Agriculture	4. Horticulture	5. Bare land	6. Other
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21. Major crops cultivated and value.

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

* Use numerical code:

Type of cultivation			
1. Home garden (flower plants)	5. Cinnamon (bushes)	9. Bread fruit #	13. Fire wood #
2. Paddy (acres)	6. Banana (bushes)	10. Jack #	14. Timber #
3. Tea (acres)	7. Coconut/king coconut #	11. Lemon/Lime #	15. Other 1 (specify)
4. Rubber (acres)	8. Mango #	12. Orange #	16. Other 2 (specify)

22. Properties affected within the land affected.

Properties	Total Affected Area		Area Not Affected*	Nature of Impact			
	Number	Area *		Partially Affected	Value Rs.	Fully Affected	Value Rs.
1. House							
2. Shop							
3. Combined House Shop							
4. Shed							
5. Barbed wire fence							
6. Parapet wall and gate							
7. Factory							
8. Store							
9. Other 1 (Specify)							
10. Other 2 (Specify)							

* Square Feet

23. Status of land ownership

Legal Title	No Title but Claims Ownership	Tenant	Squatter	Lessee in Rented Accommodation

24. If tenant, squatter or lessee, provide full name, address, and phone number (if available) of the owner.....

.....

25. Do you have land title deeds with you?

1. Yes 2. No

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

Commercial activities 1. Yes 2. No
 Residential life 1. Yes 2. No
 Agricultural activities 1. Yes 2. No

D. BUILDINGS/HOUSE/STRUCTURES AFFECTED (Only affected houses/assets):

27. Do you own this house? 1. Yes 2. No

28. If no, who owns this house?

Name: Address:

Phone Number/s:

29. On what conditions are you living in this home?

1. As house caretaker 2. On rent 3. Other (Specify)

4. Monthly rental

30. Did you obtain any credit to build this/these structure/s? 1. Yes 2. No

31. If Yes Specify*

--	--	--

* Use numerical code:

1. Bank	2. NGO	3. Cooperative Society	4. Money Lender
5. Relative	6. Friends	7. Other (specify).....	

32. Please give the following information about the structure(s) affected by the project

Description	Structure 1	Structure 2	Structure 3	Structure 4
Type of structure*				
Type of use**				
Storeys				
Rooms				
Total area (L x W) (in feet)				
Availability of electricity***				
Availability of telephone***				
Availability of piped born water***				
Year built				
Replacement Price Rs.				

* Use numerical code:

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)		

** Use numerical code:

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)

**** Use numerical code:

Yes	1	No	2
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33. How many nuclear/sub families are living in your house/s?

34. Do you have another house which is not affected by the project?

1. Yes 2. No

35. If yes, where located?

1. District.....
2. Divisional Secretariat Division
3. G.N. Division and Code Number
4. Village/Town.....

45. If the project could offer you cash compensation only for the land you have lost is it

36. Is there any space for your family's accommodation in case this house is taken by the project?

1. Yes 2. No

37. In case this building/house is acquired by the project, what kind of loss would you face?

1. Loss of regular income
 2. Loss of house/land
 3. Access to kin/neighbour
 4. Too difficult to acquire/build the property
 5. Others (specify)

38. Have you made up your mind about location for resettlement?

1. Yes 2. No

39. If yes, where?

1. Near this site 2. Far away

40. Place: Distance (km.)

41. Could you specify the reason for selecting the above-mentioned place for resettlement?

1. Because relatives are there 2. Own house/Land/Business there
 3. Better facilities available are there 4. Others (Specify)

42. Movable assets available

Type	Total		If Affected *	
	No/Quantity	Value/Price	No/Quantity	Value/Price
Animal husbandry				
Poultry				
Agricultural equipment				
Household materials/utensils				
Tractor				
Three Wheeler				
Lorry				
Bus				
Car				
Boat				
Bicycle				
Motor Cycle				
Radio				
TV				
Trade and Business (equipments/material)				
Other 1 (Specify).....				
Other 2 (Specify)				

* Affected assets only

E. PREFERENCES FOR COMPENSATION, RESETTLEMENT AND REHABILITATION:

43. If your land or property is to be acquired by the project what type of compensation package do you prefer (select two in your priority and write 1 and 2)

1. Cash Payment
 2. Land for land
 3. House for house
 4. Others (specify.....)

44. If you prefer cash compensation, please specify the reason.

1. To purchase land 2. To build house 3. To pay debt
 4. To start business 5. Others (specify)

National Involuntary Resettlement Policy

(Approved by Cabinet Members of GOSL on 24.05.2001)

Rational

1. Public and private sector development projects increasingly involve acquisition of land. People whose homes and lands are acquired then have to 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 project that cause displacement. Among the significant consequences of resettlement has been impoverishment of Displaced persons due to landlessness, homelessness, joblessness, relatively higher 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 of Displaced persons are fully addressed in terms to established policy objectives.
2. In Sri Lanka the Land Acquisition Act of 1950 as amended from time to time only provides for compensation for land, structures trees and crops. It does not require project executing (PEAs) 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 Displaced persons and hosts on resettlement option; (d) providing for successful social and economic integration of the Displaced persons and their hosts; and (e) full social and economic rehabilitation of the effected persons.
3. 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 February 1995 determined the projects and undertaking for which Central Environmental Authority (CEA) approval in needed in terms of part IV C of the NEA. The schedule includes item 12, which refer 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.
4. To ensure that persons Displaced 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 National Involuntary Resettlement Policy (NIRP). Such a policy wood establishes 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.

5. 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 on land in the wet zone. There are many commonalties in the objectives and implementation of voluntary and involuntary settlement and resettlement programs.
6. 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.

Objectives of the Policy

- Avoid, minimize and mitigate negative impacts of involuntary resettlement by facilitating the reestablishment of the Displaced persons on a productive and self-sustaining basis. The policy should also facilitate the development of the project-Displaced persons and the project.
- Ensure that persons adversely Displaced by development projects are fully and promptly compensated and successfully resettled. The livelihoods of the displaced persons should be re-established and the standard of living proved.
- Ensure that no impoverishment of people shall result as a consequence of compulsory land acquisition for development purpose by the state.
- Assets adversely Displaced persons in dealing with psychological, cultural, social and other stresses caused by compulsory land acquisition.
- Make all Displaced persons aware of processes available for the redress of grievances that are easily accessible and immediately responsive.
- Have in a place consultative, transparent and accountable involuntary resettlement process with a time frame agreed to by the PEA and the Displaced persons.

Scope

- The policy will apply to all development-induced land acquisition or recovery of possession by the state.
- A comprehensive resettlement plan will be required where 20 or more families are displaced.
- If less than 20 families are displaced 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 in to effect, and all future projects

Policy Principles

- Involuntary resettlement should be avoided or reduced as much as possible by reviewing to the projects as well as alternatives within the project.
- Where involuntary resettlement is unavoidable, Displaced persons should be assisted to re-established them and improve their quality of life.
- Gender equality and equity should be ensure and adhered to throughout the policy.
- Displaced persons should be fully involved in the selections 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 Displaced 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 plans and implemented with full participation of the provincial and local authorities.
- To assist those displaced to be economically and socially integrated in to the host communities; participatory measures should be designed and implemented.
- Common property resources and community and public services should be provided to Displaced persons.
- Resettlement should be planned as a development activity for the Displaced persons.
- Displaced 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
- PEAs should bear the full costs of compensation and resettlement.

Institutional Responsibilities

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

- resettlement impacts.
- MLD will prepare regulation and guidelines on involuntary resettlement planning, implementation and monitoring.
- MLD and CEA will conduct training courses in resettlement planning , implementation monitoring.
- CEA will review and approve the resettlement plans prepared by PEAs, and make plans publicly available.
- MLD will draft amendment to the Land Acquisition Act in order to bring the law in line with the NIRP
- Following consultation 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 MLD, CEA, PEAs and other relevant agencies to exchange experience on resettlement, and coordinate and oversee the implementation of the policy.

Monitoring and Evaluation

- A system of internal monitoring should be established by PEAs to monitor implementation of resettlement 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 review by the PEA, CEA, and MLD and action taken to make improvements where indicated.
- Displaced persons and other stakeholders should be consulted in monitoring and evaluation.
- Lessons thus learned from resettlement experiences should be used to improve resettlement experiences should be used to improve resettlement policy and practice.

Summary of Institutional Responsibilities for Involuntary Resettlement

Function	Responsibilities
Overall Policy Implementation	Ministry of Land and Land Development (MLD)
Preparation (Planning)	Project proponent (Can be contracted to consultants, universities, non-government organizations)
Review of Resettlement	Project approving agency (PAA) and Central Environmental

Plans (RPs)	Authority (CEA)
approval of RPs	PAA and CEA
Implementation	Project executing agency (PEA), divisional administration, provincial
Monitoring	PEA, with review by CEA and MLD
Evaluation	Independent organization on behalf of MLD, PEA, and CEA

7. Definitions of Terms Used

Displaced Person	- Person Displaced by changes to use of land, water or other resources caused by development projects
Compensation	- cash or payment in kind made to Displaced 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 in order 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 Displaced persons, 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 measurement under the resettlement plan
Host population	- households and communities residing in or near the area to which Displaced persons are to be relocated
Income restoration	- re-establishing income sources and livelihoods of persons Displaced
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, livelihood, living, and social systems
Relocation	- moving Displaced 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 actually replace lost assets, or to acquire substitutes of equal value or comparable productivity or use; transaction costs are to be included
Resettlement plan	- a time-bound action plan with budget setting out resettlement strategy, objectives, options, entitlement, actions, approvals, responsibilities, monitoring and evaluation.
Resettlement budget	- a detailed breakdown of all the costs of a resettlement plan phased over the implementation period
Resettlement effects	- loss of physical and non-physical assets including homes, communities, productive land, income earning assets and sources, subsistence, 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 Displaced persons undertaken before key resettlement decisions are made; measures to build their capacity to deal with resettlement, taking into account existing 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 group and single parent households

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අ) කෘෂිකාර්මික ඉඩම්				
<p>වගා කරන ලද ඉඩම් අභිමිච්ච</p>	<p>නිමිකම් ඔප්පු හෝ ලියාපදිංචි සහතික සහිත නිමිකරුවන්.</p>	<p>සියලු මූල්‍යමය ගෙවීම් ප්‍රතිස්ථානගත කිරීමේ පීඨවැය පදනම් කොට ගෙන ගෙවනු ලැබේ. වගාවන් අභිමිච්ච සඳහා වන මූල්‍යමය ගෙවීම් වෙළඳපොල වටිනාකම මත තීරණය කරනු ලබන අතර අවතැන් වුවකුට තම ආදායම් උපයන නිමිකම් වලින් 10% හෝ ඊට වැඩි ප්‍රමාණයක් අහිමි වුවහොත් හෝ ඉඩම් අත්පත් කරගැනීමේ හා ප්‍රතිස්ථානගත කිරීමේ කම්ඳුව (ලාඊක්) මගින් තහවුරු කරගත් පරිදි එකී ඉඩමේ ඉතිරි කොටස ආර්ථිකමය ලෙස ප්‍රයෝජනයක් ගත නොහැකි තත්වයට පත්වී ඇත්නම් පහත ක්‍රියාමාර්ග වලින් එකක් අනුගමනය කළහැකිය.</p> <ol style="list-style-type: none"> ඉඩමේ ඉතිරි කොටස භෞතික වශයෙන් <p>වගා කටයුතු සඳහා යොදා ගැනීමට නොහැකි නම් එම කොටස සඳහා ප්‍රතිස්ථානගත කිරීමේ පීඨවැය මත මූල්‍යමය වන්දියක් ගෙවනු ලබන අතර වන්දි ගෙවීම වෙළඳපොල වටිනාකම මත සිදු නොවන විට බහු වාර්ෂික වගාවන්හි අස්වනු නෙලීම සඳහා සාධාරණ කාලසීමාවක් ලබා දෙනු ලැබේ.</p> අහිමි ඉඩමට, ඉඩමක් ලබාගැනීමේ විකල්පය ලබාගන්නා අවතැන්වුවන් වෙත විශේෂතාවක් දක්වනු ලැබේ. ඒ අනුව එම පුද්ගලයන්ම, එම ඵලදායීතාවම සහිතව ලබාගත හැකි තත්වයේ පවතින ඉඩමක් ලබාදීම 	<p>පීඨන වෘත්තීය ප්‍රතිස්ථාපනය හා අහිමි වූ දේපල වෙනුවෙන් ගෙවීම් සිදු කිරීම.</p> <p>ඉඩම් අත්පත් කරගැනීමේ පනතේ 46.1 යටතේ හෝ ලාඊක් හි නියමය පරිදි ආදායම් මාර්ග අහිමි වීම පිළිබඳව ගෙවීම් සිදු කිරීම.</p>	<p>* මාර්ග සංවර්ධන අධිකාරිය,</p> <p>* ප්‍රධාන තක්සේරුකරු,</p> <p>* ප්‍රාදේශීය ලේකම්,</p> <p>* ලාඊක්,</p> <p>* ලාඊක්</p>

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		<p>හෝ</p> <p>ප්‍රතිස්ථානගත කිරීමේ පිරිවැය මත පදනම්ව සම්පූර්ණ වන්දි මුදල ලබාදීමට කටයුතු කරනු ලැබේ.</p> <p>ඉඩමේ කොටසක් අහිමි වී යාම නිසා ඉඩම් අත්පත් කරගැනීමේ පහත යටතේ හෝ ලාර්ක් යටතේ මූල්‍යමය වන්දි ලබාදීම සිදු කෙරේ.</p>		
<p>කෘෂිකාර්මික ඉඩම් සඳහා ප්‍රවේශ මාර්ග අහිමිවීම.</p>	<p>කුලියට, බද්දට සිටින්නන්.</p>	<p>ඉඩම් සඳහා වන්දියක් ලබා නොදේ.</p> <p>බදුකරු හෝ කුලිකරු විසින් වගාකර ඇත්නම් ඒ සඳහා වෙළඳපොල මිල පදනම් කරගෙන වන්දි ලබා දෙයි.</p> <p>බදු ගිවිසුමේ හෝ කුලි ගිවිසුමේ ඉතිරි කාලය සඳහා ශුද්ධ ආදායම අඩු වීම වෙනුවෙන් මූල්‍යමය වන්දි ලබා දෙනු ලැබේ.</p>	<p>බෝග වගා අහිමි වීම වෙනුවෙන් හා ආදායම් මාර්ග ප්‍රතිස්ථාපනය වෙනුවෙන් වන්දි ලබාදීම.</p>	<p>* මාර්ග සංවර්ධන අධිකාරිය,</p> <p>* ප්‍රධාන තක්සේරුකරු,</p> <p>* ප්‍රාදේශීය ලේකම්,</p> <p>* ලාර්ක්,</p>
<p>කෘෂිකාර්මික ඉඩම් සඳහා ප්‍රවේශය අහිමිවීම.</p>	<p>අඳ ගොවීන්</p>	<p>ඉඩම සඳහා වන්දියක් ලබා නොදේ.</p> <p>අහිමි වන බෝග වගාවන් වෙනුවෙන් වෙළඳපොල අගය මත වටිනාකම ගෙවනු ලැබේ.</p> <p>පිවිකා වෘත්තීය මාරුවීම සම්බන්ධව අඳ ගිවිසුමේ ඉතිරි කාලය වෙනුවෙන් හානියට පත්වන ඉඩම් කොටස තුළ පවතින බෝග වගාවන්ට සමාන ප්‍රමාණව වන්දි ගෙවීමට සිදු කෙරේ.</p>	<p>බෝග වගා අහිමි වීම හා පිවිකා ප්‍රතිස්ථාපනය සඳහා වන්දි ලබාදීම.</p>	<p>* මාර්ග සංවර්ධන අධිකාරිය,</p> <p>* ප්‍රධාන තක්සේරුකරු,</p> <p>* ප්‍රාදේශීය ලේකම්,</p> <p>* ලාර්ක්,</p>
<p>කෘෂිකාර්මික ඉඩම් සඳහා ප්‍රවේශය අහිමිවීම.</p>	<p>පුද්ගලික ඉඩම් තුළ හිමිකම් රහිත හෝ අනවසර පදිංචිකරුවන්</p>	<p>ඉඩම් සඳහා වන්දි ගෙවීමක් සිදු නොකෙරේ.</p> <p>එම පුද්ගලයා විසින් වගා කොට තිබේ නම්, ඒ වෙනුවෙන් වෙළඳපොල අගය මත වන්දි ගෙවීමක් සිදු කෙරේ.</p>	<p>බෝග වගා අහිමි වීම හා පිවිකා ප්‍රතිස්ථාපනය සඳහා වන්දි ලබාදීම.</p>	<p>* මාර්ග සංවර්ධන අධිකාරිය,</p> <p>* ප්‍රධාන තක්සේරුකරු,</p> <p>* ප්‍රාදේශීය ලේකම්,</p> <p>* ලාර්ක්,</p>
<p>ආ) වාසස්ථාන භූමි හා ගොඩනැගිලි</p>				
<p>පදිංචි ඉඩම් හා ගොඩනැගිලි අහිමිවීම.</p>	<p>හිමිකම් ඔප්පු හෝ ලියාපදිංචි සහතික සහිත හිමිකරුවන්.</p>	<p>ඉඩම් හා ගොඩනැගිලි සඳහා වන සියලුම ගෙවීම් ප්‍රතිස්ථානගත කිරීමේ පිරිවැය මත පදනම්ව ගෙවනු ලැබේ.</p> <p>ඉතිරිව ඇති ඉඩම් කොටස ගොඩනැගිල්ල තිබූ තත්ත්වයෙන් හෝ ඒ</p>	<p>විනාශ වූ දේපල සඳහා ගෙවීම් කිරීම, පවතින ඉඩමේම නැවත සකස් වීමට හෝ</p>	<p>* මාර්ග සංවර්ධන අධිකාරිය,</p> <p>* ප්‍රධාන තක්සේරුකරු,</p>

අභිමිච්චේ ස්වභාවය	නිමිකම් සහිත පුද්ගලයන්	නිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම
		<p>භා සමාන හොඳ තත්ත්වයකින් නැවත ස්ථාපනය කිරීමට ප්‍රමාණවත් නම්, ඒ සඳහා මුදලින් වන්දි ගෙවීමක් සිදු කරනු ලැබේ.</p> <p>නැවත ගොඩනැගීම සඳහා අවශ්‍ය ප්‍රමාණයේ ඉඩ ප්‍රමාණයක් නොමැති අවස්ථා වලදී පහත පරිදි කටයුතු කරනු ලැබේ.</p> <ol style="list-style-type: none"> 1. උපකරණ, දූව්‍ය යනාදියට කිසිදු අඩු කිරීමකින් තොරව ප්‍රතිස්ථාපනය කිරීමේ පිරිවැය පදනම් කොට ගෙන වන්දි ලබා දෙනු ලැබේ. 2. නැවත පදිංචිය සඳහා ස්ථානයක් තෝරා ගැනීමට ලාභ්‍ය සහාය ලබාදීම. 3. යථා තත්ත්වයට පත් කිරීමේ පැකේජය G2, ස්ථානය මාරු කිරීම සඳහා වන දීමනාව. 4. තම වාසස්ථානය සම්පූර්ණයෙන් අභිමිච්චන් සඳහා රු.150,000/= - රු.500,000/= දක්වා වූ අමතර දීමනාවකට නිමිකම් ලැබේ. 5. උරුම නිමිකම් නොමැතිවූවන් සඳහා විකල්ප ඉඩමක් ලබාගැනීමට ලබාදෙන දීමනාව ස්ථානය පදනම් කොට ගෙන රු.100,000/= - රු.250,000/= දක්වා අගයක් ගනී. <p>ස්ථානය මත පදනම්ව රු.20,000/= -</p>	<p>විකල්ප ඉඩමක නැවත ස්ථාපනය වීමට සහායවීම හා සංක්‍රමණික කාල පරිච්ඡේදයේදී සහයෝගය ලබාදීම.</p>	<p>*ප්‍රාදේශීය ලේකම්, * ලාභ්‍ය,</p>

අභිමිච්චිමේ ස්වභාවය	නිමිකම් සහිත පුද්ගලයන්	නිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම																	
		රු.100,000/= කුලී දීමනාවක් ගෙවනු ලැබේ. (ප්‍රාදේශීය සහ සීමාව තුල) නිමිකම නොසලකා නිවසකට ලබා දෙන අවම දීමනාව රු. 300,000/= කි.																			
කුලී පහත යටතේ වන නිවාස හා වෙළඳසැල්	නිමිකරු, කුලීකරු, බදුකරු.	<p>නැවත සකස් කිරීමේ ගාස්තු හා ව්‍යවස්ථාපිත දීමනා නිමිකරු හා දැනට පදිංචිව සිටින්නා අතර පහත සඳහන් පරිදි බෙදී යයි.</p> <p>නැවත ස්ථානගත කිරීමේ වියදම මත ලබා දෙන වන්දි පහත සඳහන් පරිදි බෙදී යයි.</p> <table border="1" data-bbox="610 720 1065 982"> <thead> <tr> <th rowspan="2">ස්ථාන කාලය</th> <th colspan="2">ගෙවීම් ප්‍රතිශතය</th> </tr> <tr> <th>ස්ථානකරු</th> <th>නිමිකරු</th> </tr> </thead> <tbody> <tr> <td>වසර 20ට වැඩි</td> <td>75</td> <td>25</td> </tr> <tr> <td>වසර 10 - 20</td> <td>50</td> <td>50</td> </tr> <tr> <td>වසර 05 - 10</td> <td>25</td> <td>75</td> </tr> <tr> <td>වසර 05 ට අඩු</td> <td>10</td> <td>90</td> </tr> </tbody> </table>	ස්ථාන කාලය	ගෙවීම් ප්‍රතිශතය		ස්ථානකරු	නිමිකරු	වසර 20ට වැඩි	75	25	වසර 10 - 20	50	50	වසර 05 - 10	25	75	වසර 05 ට අඩු	10	90	පදිංචිව සිටි කාලය මත පදනම්ව සමානව වන්දි ලබාදීම.	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ප්‍රාදේශීය ලේකම්,
ස්ථාන කාලය	ගෙවීම් ප්‍රතිශතය																				
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වසර 05 ට අඩු	10	90																			
කුලී වාසස්ථාන අභිමිච්චිම.	කුලීකරු, බදුකරු.	කුලී වාසස්ථානයෙන් කොටසක් අභිමිච්චිමේදී අවතැන්වූ පුද්ගලයාට නිමිකරුගේ අනුමැතිය මත තවදුරටත් එහි රැඳී සිටීමට හෝ එම ස්ථානයෙන් බැහැරවීමට අදහස් කරයි නම් රු.15,000/= ක මූල්‍යමය සහායක් හා නව කුලී ස්ථානයක් සොයා ගැනීමේ සහාය ලබා දේ.	ඉතිරි බදු කාලය සඳහා වන මූල්‍යමය වටිනාකම, කුලී දීමනාව සඳහා මුදල්මය ගෙවීමක් , නව කුලී ස්ථානයක් සොයා ගැනීම උදෙසා සහාය හා සංක්‍රමණික කාලපරිච්ඡේදයේදී සහාය ලබාදීම.	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ප්‍රාදේශීය ලේකම්, * ලාර්ක්,																	
වාසස්ථාන අභිමිච්චිම.	නිමිකම් රහිත අවසර රහිත හෝ අනවසර පදිංචිකරුවන්	ඉඩම් සඳහා ගෙවීමක් කරනු නොලැබේ. ප්‍රතිස්ථානගත කිරීමේ පිරිවැය මත ගෙවීම් කරනු ලැබේ. එහිදී ප්‍රතිසංස්කරණයට හෝ නැවත	අභිමිච්චිම වූ දේපල වෙනුවෙන් ගෙවීම් කිරීම, එම ඉඩමෙහිම	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රාදේශීය																	

අභිමිච්චිමේ ස්වභාවය	නිමිකම් සහිත පුද්ගලයන්	නිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම
		<p>ගොඩනැගීමට අදාළව උව්‍යමය හෝ මුදල් ආධාර ලබා දෙනු ලැබේ. අදාළ ඉඩම රජයේ ඉඩමක් නම් අවතැන් වූ පුද්ගලයාට අවසර ලබාගෙන එම ඉඩම මතම නැවත ගොඩනැගීම සිදු කළහැකි අතර අදාළ ඉඩම පෞද්ගලික එකක් නම් එම ඉඩම අත්හැර වෙනත් ස්ථානයක පදිංචි වීමට එම පුද්ගලයාට දිවි ගන්වන අතර එහිදී සංක්‍රමණික ආධාර G 1, සහ පුනරුත්ථාපන පැකේජ G 1 (ii) හා G 2 ලබා දෙනු ලැබේ.</p> <p>ගොඩනැගිල්ලක් කොටසක් අත්පත් කර ගත් අවස්ථාවකදී ගෙවීම් තීරණය කරනුයේ ගොඩනැගිල්ලේ අභිමි වූ ප්‍රමාණය පදනම් කරගෙනය.</p>	<p>හෝ වෙනත් විකල්ප ස්ථානයක නැවත ස්ථානගතවීමට අදහස් කරයි නම් ඒ සඳහා සහයෝගය ලබාදීම හා සංක්‍රමණික කාලපරිච්ඡේදයේදී සහාය ලබාදීම.</p>	<p>ලේකම්, * ලාර්ක්,</p>

ඇ) වාණිජ ගොඩනැගිලි හා ඉඩම්

<p>වාණිජ ඉඩම් හා ගොඩනැගිලි අභිමිච්චිම.</p>	<p>නිමිකරු / ලියාපදිංචි ව්‍යාපාරය පවත්වා ගෙන යන්නා.</p>	<p>සියලු මූල්‍යමය දීමනා ප්‍රතිස්ථානගත කිරීමේ පිරිවැය පදනම් කරගෙන ගෙවනු ලැබේ. ඉතිරි ඉඩම් කොටස ගොඩනැගිල්ල නැවත තිබූ තත්වයට පත් කිරීමට හෝ හොඳ තත්වයකින් ගොඩනැගීමට ප්‍රමාණවත් ලෙස ප්‍රතිස්ථානගත කිරීමේ දීමනා ගෙවිය යුතුය.</p> <p>වාණිජ ගොඩනැගිල්ල නැවත ගොඩනගන තුරු ආදායම් අභිමිච්චිම වෙනුවෙන් කරනු ලබන ගෙවීම.</p> <p>නැවත ගොඩනැගිල්ල ඉදි කිරීමට ප්‍රමාණවත් නොවන අවස්ථා වලදී පහත ක්‍රියාමාර්ග වලට යොමු වියහැක.</p> <p>(1) ගොඩනැගිලි අභිමිච්චිම වෙනුවෙන් සියලු ගෙවීම් ප්‍රතිස්ථානගත කිරීමේ පිරිවැය පදනම් කරගෙන සිදු කෙරේ (උව්‍යමය හා කාර්මික). මෙහිදී අගය අඩු වූ හෝ</p>	<p>නැවත ගොඩනැගිලි සකස් කරන තුරු ඔවුන්ගේ ව්‍යාපාර කරගෙන යාමට සාධාරණ කාලයක් අවතැන් වුවත් වෙත ලබා දේ.</p> <p>අවතැන්වුවත් විසින් ගෙවීම් ලැබුණු වහාම ගොඩනැගිලි නැවත ඉදි කිරීම අරඹන අතර ප්‍රදේශය එළිපෙහෙලි කර හිඳහස් කර දීම එකග වූ කාලසීමාව තුළදී සිදු කරයි.</p>	<p>* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ප්‍රාදේශීය ලේකම්, * ලාර්ක්,</p>
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අභිමිච්චේ ස්වභාවය	නිමිකම් සහිත පුද්ගලයන්	නිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම
		<p>ගලවාගත් දූව්‍ය වලට වටිනාකම අඩු නොකෙරේ.</p> <p>(2) නැවත ස්ථානගත කිරීමේ දී විකල්ප ස්ථානයක් සොයාගැනීම සඳහා ලාච්ඡ සහාය ලබාදීම හෝ අවතැන් වූ පුද්ගලයා ඉල්ලා සිටි නම් ඉඩම් පවතින ආකාරය අනුව වැඩිදියුණු නොකළ කොටස් යථා ස්වභාවයට පත් කිරීමට යන වියදම. ආදායම අතිමි විමකදී ගිණුම් පොත් වල සඳහන් පරිදි ශුද්ධ ලාභයේ මධ්‍යනය මෙන් තුන් ගුණයක ප්‍රමාණයක් හෝ ඉඩම් අත්කර ගැනීමෙන් හෝ පිවිස මාර්ග ප්‍රතිස්ථාපනය ප්‍රදානය කර වසර 3ක කාලයක් පසුපසට ගණනය කර ඒ අනුව වඩා වැඩි ප්‍රමාණයක් ප්‍රදානය කෙරේ.</p> <p>(3) ගිණුම් පොත් තබා නොගන්නා විටදී 06 මසක ශුද්ධ ලාභයට සමාන ගෙවීමක් හෝ</p> <p>(4) පිවිස වෘත්තිය සඳහා සහනයක් ලෙස රු. 15,000/= ක් හෝ වැඩි ප්‍රමාණයක්</p> <p>(5) පුනරුත්ථාපන පැකේජ G 2 , G2 (ii) අවශ්‍ය විටදී.</p>	<p>ආදායම් මාර්ග ප්‍රතිස්ථාපන හා සංක්‍රමණ පහසුකම් සපයා දෙනු ලැබේ.</p>	
<p>වාණිජ ගොඩනැගිලි අභිමිච්චම.</p>	<p>කුලිකරු / ලියාපදිංචි ව්‍යාපාරය පවත්වා ගෙන යන්නා.</p>	<p>ගොඩනැගිල්ලෙන් කොටසක් පමණක් බලපෑමට ලක්වන්නේ නම් අවතැන් වූ පුද්ගලයාට නිමිකරුගේ එකගතාවය තිබේ නම් එහිම වාසය කළහැක.</p> <p>ඔහු එම ස්ථානයෙන් ඉවත්ව යාමට අදහස් කරයි නම් රු. 15,000/= ක මූල්‍ය උපකාරයක් හා ව්‍යාපාරය නැවත ස්ථාපනය කිරීම සඳහා සුදුසු ස්ථානයක් සොයා ගැනීමට සහාය වීම.</p> <p>* ආදායම අතිමි විම වෙනුවෙන් වාර්ෂික</p>	<p>පිවිසා වෘත්තිය ප්‍රතිස්ථාපනය සඳහා මූල්‍ය ගෙවීම්,</p> <p>විකල්ප කුලී ස්ථානයක් සොයා ගැනීම සඳහා සහාය වීම,</p> <p>ආදායම් මාර්ග අභිමිච්චම</p>	<p>* මාර්ග සංවර්ධන අධිකාරිය,</p> <p>* ප්‍රධාන තක්සේරුකරු,</p> <p>* ප්‍රාදේශීය ලේකම්,</p> <p>* ලාච්ඡ,</p>

අභිමිච්චේ ස්වභාවය	හිමිකම් සහිත පුද්ගලයන්	හිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම
		<p>ශුද්ධ ආදායමෙහි මධ්‍යතය මෙන් තුන් ගුණයක් නොඉක්මවන ප්‍රමාණයක් ගිණුම් පොත් වලට අනුකූලව,</p> <p>* ඉඩම් අත්කර ගැනීමෙන් හෝ පීචිකා ප්‍රතිස්ථාපනය ප්‍රදානය කිරීමට පෙර වසර 3ක ආදායම</p> <p>යන ඒවායින් වඩා වැඩි ප්‍රමාණය ප්‍රදානය කෙරේ. ගිණුම් පොත් තබා නොගන්නා නොගන්නා විටදී මාස 06 ක ශුද්ධ ලාභයට සමාන ප්‍රමාණයක් හෝ රු. 15,000/= ක පීචන වෘත්තිය සහණයක් යන ඒවායින් වඩා වැඩි ප්‍රමාණය ප්‍රදානය කෙරේ.</p> <p>ගොඩනැගිල්ලෙන් කොටසක් අත්පත් කර ගනී නම් ගෙවීම් කිරීම පිණිස සලකා බලනුයේ ගොඩනැගිල්ලේ අභිමි චු ප්‍රමාණයට සමානුපාතිකවය.</p>	<p>වෙනුවෙන් සහාය වීම.</p>	
<p>වාණිජ ගොඩනැගිලි අභිමිච්චේ.</p>	<p>ලියාපදිංචි නොකළ ව්‍යාපාරයක හිමිකරු / පවත්වා ගෙන යන්නා. / අනවසර පදිංචිකරු</p>	<p>ගොඩනැගිලි සඳහා සියලු දිමනා ප්‍රතිස්ථාපනය කිරීමේ පිරිවැය පදනම් කරගෙන සිදු කරනු ලැබේ.</p> <p>ආදායම් මාර්ග අභිමිච්චේ සඳහා මාස 06ක ආදායමට සමාන ගෙවීමක් හෝ පීචිකා වෘත්තිය සහායක් යන ඒවායින් වඩා වැඩි දීමනාව.</p> <p>බලපෑමට ලක්වූ ඉඩම රජයේ නම් අවසර සහිතව නැවත චිනිම පදිංචිවීමට හෝ පෞද්ගලික ඉඩමක් නම් එම ඉඩම අත්හැර විකල්ප ස්ථානයක් තෝරා ගැනීමට අනුබල ලබා දෙනු ලැබේ. පුනරුත්ථාපන පැකේජ G 2 හා G 2(ii) අවශ්‍ය විටදී.</p>	<p>පීචිකා වෘත්තිය ප්‍රතිස්ථාපනය සඳහා මූල්‍ය ගෙවීමක් කිරීම, විකල්ප කුලී ස්ථානයක් සොයා ගැනීම සඳහා සහාය වීම, සංක්‍රමණික කාලපරිච්ඡේදයේදී ආදායම අභිමිච්චේ වෙනුවෙන් සහායක් ලබාදීම.</p>	<p>* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ප්‍රාදේශීය ලේකම්, * ලාච්ඡ, *</p>
<p>ඇ) වෙනත් පෞද්ගලික හිමිකම් හා ද්විතිය ගොඩනැගිලි</p>				
<p>වෙනත් පෞද්ගලික</p>	<p>ගොඩනැගිලි හිමිකරුවන්</p>	<p>ප්‍රතිස්ථාපනය කිරීමේ පිරිවැය මත පදනම්ව සියලු ගෙවීම් සිදු කරනු ලැබේ.</p>	<p>අභිමිච්චේ හා නැවත ස්ථාපනය</p>	<p>* මාර්ග සංවර්ධන</p>

අභිමිච්චිමේ ස්වභාවය	නිමිකම් සහිත පුද්ගලයන්	නිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම
දේපල හෝ ද්විතිය ගොඩනැගිලි සම්පූර්ණයෙන් හෝ කොටසක් අභිමි චීම. (උදා: ඵලිමහන් වැසිකිලි, වි ගබඩා, සත්ත්ව පට්ටි, ගෙපැල)	(ඉඩමේ නිමිකම පිළිබඳ සලකා බැලීමකින් තොරව)	ගොඩනැගිල්ල තිබූ තත්වයටම හෝ නොදැ තත්ත්වයට පත් කරගැනීම උදෙසා වැයවන වියදම හෝ නැවත ගොඩනැගිල්ල ස්ථාපනය සඳහා මූල්‍යමය සහාය.	සඳහා ගෙවීම් සිදු කිරීම.	අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ප්‍රාදේශීය ලේකම්, * ලාර්ක්,
සොහොන් කොත්, ස්මාරක අභිමි චීම.	සියලු නිමිකරුවන්	ආකාරයේ කොතක් සඳහා නැවත ගොඩනැගීමට යන වියදම ආගමික උත්සව සඳහා යන වියදමද ඇතුළත්ව ගෙවනු ලැබේ. අවශ්‍ය නම් නැවත ස්ථාපනය හෝ එක් සොහොන් කොතක් සඳහා රු. 15,000/= ක දීමනාවක් ලබාදීම සිදු කෙරේ.	අභිමිච්චිම හා නැවත ස්ථාපනය අවශ්‍යවීමද ගෙවීම් සිදු කිරීම.	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ප්‍රාදේශීය ලේකම්, * ලාර්ක්,

ඉ) රැකියා නියුක්තිකයන්ගේ කුලියට ගත් කම්කරුවන්ගේ ආදායම් මාර්ග අභිමිච්චිම

ඉ) (1) තාවකාලික බලපෑමට ලක්වූවන්

ව්‍යාපාරය නැවත ස්ථාපනය කරන අතරතුර (උදා: ඉතිරි ඉඩම් කොටස නැවත ස්ථාපනය හෝ එම ප්‍රදේශය තුළම නැවත ගොඩනැගීම)	පෞද්ගලික හෝ රජයේ වැටුප් ලබන සේවකයින් හෝ දෛනික කම්කරුවන්.	රු. 15,000/= ක මූල්‍යමය ගෙවීමක් හෝ මාස 03 ක වැටුප යන දෙකින් වැඩි ප්‍රමාණය.	දැනට සිටින සේවකයින් රඳවා තබා ගැනීමට ව්‍යාපාර දිටි ගන්නා අතර නැවත ස්ථාපනය කරන කාලපරිච්ඡේදය තුළ ආදායම් අභිමිච්චිමට යම් ගෙවීමක් සිදු කිරීම.	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ලාර්ක්,
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ඉ) (2) ස්ථාවරව බලපෑමට ලක්වූවන්

ව්‍යාපාර ස්ථානය වෙනත්	සියලුම බලපෑමට ලක්වූ	රු. 15,000/= ක මූල්‍යමය ආධාරයක් හෝ මාස 03 ක වැටුප යන දෙකින් වැඩි ප්‍රමාණය.	අභිමි චු ආදායම වෙනුවෙන් ගෙවීමක් සිදු	* මාර්ග සංවර්ධන
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අභිමිච්චිමේ ස්වභාවය	නිමිකම් සහිත පුද්ගලයන්	නිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම
ස්ථානයකට ගෙන යාම හෝ ව්‍යාපාරය පවත්වාගෙන යන පුද්ගලයා ව්‍යාපාරය නැවත ස්ථාපනය කිරීම සිදු නොකිරීම නිසා රැකියාව අභිමිච්චිම.	සේවකයන් රජයේ හෝ පෞද්ගලික අංශයේ දෛනික වැටුප් ලබන සේවකයින්.		කිරීම, ආදායම් ප්‍රතිස්ථාපනයට සහාය දීම.	අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ප්‍රාදේශීය ලේකම්, * ලාඊක්,

ඊ) වෘත්තීය හා පවතින බෝග වගා (අ කොටසේ ඇතුළත්ය)

බෝග හා වෘත්තීය විනාශ වීම.	පෞද්ගලික හෝ රජයේ ඉඩමක බෝග හෝ ගස්වැල් වගා කළ පුද්ගලයා ගස් පෞද්ගලික නිමිකම් සහිත නම් දැව, නිමිකරුට ලබා දෙන අතර ගස් රජයේ ඉඩමක පවති නම් දැව රාජ්‍ය දැව සංස්ථාවට ලබා දෙයි. (මෙහිදී ඉඩමේ අයිතිය ඇත්ද යන්න සලකා නොබැලේ.)	නිමිකරුට ගස් හා බෝග වගාවන් පිළිබඳව ගෙවීම් , වෙළඳපොල වටිනාකම මත සිදු කෙරේ. කුලීකරුවන්ට ඔවුන් වෙත ගෙවීම් සිදු කෙරේ. අද ගොවීන් සඳහා අද ගොවි ගිවිසුමට අනුව බෝග සඳහා ගෙවීම් නිමිකරු හා අදගොවියා අතර බෙදා දෙයි. සියලු දෙනාට බෝග නෙලා ගැනීමට මූලික දැනුම්දීමක් සිදු කරන අතර බෝග නෙලීම ප්‍රායෝගික නොවන විටදී බෝග වගාවන් සඳහා බෝග වගාවන්හි ශුද්ධ වටිනාකම ලබා දෙනු ලැබේ. පවතින බෝග වගා හා වෘත්තීය වෙනුවෙන් වෙළඳපොල වටිනාකම අනුව මූල්‍යමය ගෙවීමක් කරනු ලැබේ. පෞද්ගලික ඉඩම් වලින් සම්පත් ලබාගැනීමේ අයිතිය (උදා: දැව හෝ දර වශයෙන්) , සියලු කපා ඉවත් කළ ගස් අයිතිකරුවන්ට ලබා දෙනු ලැබේ.	අභිමිච්චිම වෙනුවෙන් ගෙවීම් කරනු ලැබේ. ඉඩමේ ඵලදායිතාවය , ගාක වර්ගය, ගසේ වයස, බලපෑමට ලක් වූ ගස් වල නිෂ්පාදන ධාරිතාව මත පදනම්ව කරනු ලබන ගෙවීම තීරණය කරනු ලැබේ.	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ප්‍රාදේශීය ලේකම්, * ලාඊක්,
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අභිමිච්චිමේ ස්වභාවය	නිමිකම් සහිත පුද්ගලයන්	නිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම
උ) පිවන වෘත්තීය ප්‍රතිස්ථාපනය හා පුනරුත්ථාපන සහාය				
උ) (1) උපකරණ ප්‍රවාහන දීමනාව				
වාසස්ථාන ගොඩනැගිලි නැවත සකස් කිරීම.	එම ස්ථානයේම නැවත සකස් කරන හෝ නැවත ගොඩනැගීම සිදු කරන අවතැන්වුවන්.	මූල්‍යමය ගෙවීමක් (සංක්‍රමණික දීමනා) රු. 5,000/= සිට රු.15,000/= දක්වා, ගෙවීම වර්ග ප්‍රමාණය මත පදනම් වී මෙම ගෙවීම සිදු කරනු ලැබේ.	අවතිරය වෙනුවෙන් කරන ගෙවීම සහ නිවසේ බිම වර්ග ප්‍රමාණය ගොඩනැගීම සඳහා ගෙවීම්.	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ලාර්ක්,
වාසස්ථාන නැවත ස්ථාපනය අවශ්‍ය වන අවතැන්වුවන්	නැවත ස්ථානගත වන අවතැන්වුවන්.	රු. 5,000/= සිට රු.15,000/= දක්වා වන ප්‍රමාණයක් නව ස්ථානයකට ප්‍රවාහනය වීම සඳහා වාසය කළ නිවාසයේ බිම් වර්ග ප්‍රමාණය මත පදනම්ව ගෙවනු ලැබේ.	නිවැසියන් හා වාණිජ ද්‍රව්‍ය ඉතිරි වූ හා නව ගොඩනැගිලි ද්‍රව්‍ය ප්‍රවාහනය සඳහා දීමනාවක් ලබාදීම.	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ලාර්ක්,
උ) 2) පුහුණු කිරීම් හා ලබාදීම්				
පිවිකා වෘත්තීයව වන ස්ථීර බලපෑම	අවතැන්වුවන් / නිවැසියන්	රු.15,000/= පිවන වෘත්තීය ප්‍රතිස්ථාපන දීමනාවක් එක් එක් නිවැසියෙකුට ලබාදෙයි. (මීට අමතරව වෘත්තීමය සහාය හා වෘත්තීය මග පෙන්වීම, මූල්‍ය ආයෝජනය හා ආර්ථිකමය වාසිදායී ස්ථානයක ව්‍යාපාරය ස්ථාපනය කිරීම උදෙසා ලබාදෙයි.)	ස්ථාවර නොවූ ආදායම් මාර්ග අභිමිච්චිම පිළිබඳව සෘජු ගෙවීමක් කරනු නොලැබේ. ව්‍යාපාරය නැවත ස්ථාපනය කිරීමට අවශ්‍ය සහාය ලබාදීම හෝ අවතැන් වූ පුද්ගලයාට අලුතින්ම ව්‍යාපාරය ආරම්භ කිරීමට සිදු වේ නම් මූලික ප්‍රාග්ධනයක් ලබාදීම.	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ලාර්ක්,
පිවිකා වෘත්තීයව ස්ථීරව සිදුවන බලපෑම	බලපෑමට ලක් වූ ඉඩම් වල ඉතිරි වූ බරපතල ලෙස	ඉඩමේ ඉතිරි කොටසේ වලදායීතාව වැඩි කිරීම උදෙසා උපකාර ලබාදීම. (උදා: වැඩි වලදාවක් සහිත බීජ වගා කිරීම, බෝග විවිධාංගීකරණය, නව බීජ වර්ග හඳුන්වාදීම)	සාකච්ඡා වලදි හඳුනාගත් පරිදි පවතින කෘෂිකාර්මික සේවා සඳහා	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන

අතිවිමේ ස්වභාවය	නිමිකම් සහිත පුද්ගලයන්	නිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම
	බලපෑමට ලක් වූ ගොවීන්		ප්‍රවේශය හා නව සේවා සංවර්ධනය කිරීම පවතින ආර්ථික මූලාශ්‍ර වෙත ප්‍රවේශයට සහාය දීම, කෘෂිකර්ම දෙපාර්තමේන්තුව, කුඩා තේවතු අධිකාරිය, පොල් සංවර්ධන මණ්ඩලය, රබර් පාලන දෙපාර්තමේන්තුව, කෘෂිකාර්මික සේවා දෙපාර්තමේන්තුව ආදියෙන් කරනු ලබන සංවර්ධන හා පුනුක් කිරීම්.	තක්සේරුකරු, * ලාභ්‍ය,

උ9) විශේෂ සහාය ලබාදීම්

කුඹුරු නොවන අනිකුත් කෘෂිකාර්මික ඉඩමිනි උරුමකරුවන්	නිමිකරු	<p>කෘෂිකාර්මික ඉඩම් සඳහා වන්දි ගෙවීමේදී (අ) සහ (ආ) යටතේ ඇති අයිතමයන් අදාළ වේ. ව්‍යවස්ථාපිත වන්දියෙන් 5% ක ප්‍රමාණය අවමය රු. 10,000/= කට හා උපරිම රු.100,000/= කට යටත්ව ගෙවීම් සිදු කරනුයේ මාර්ග සංවර්ධන අධිකාරිය / ප්‍රාදේශීය ලේකම් කාර්යාල දත්ත දිනට හෝ ඊට කලින් හිස් කරන ලද භූමිය භාර දෙයි නම්ය.</p> <p>බෝග විනය විමට වන්දි හෝ අස්වනු නෙලා ගැනීමට ප්‍රමාණවත් කාලයක් ලබා දෙනු ලැබේ.</p>	අතිවිම හා නැවත ස්ථාපනය සඳහා ගෙවීම් සිදු කිරීම.	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ප්‍රාදේශීය ලේකම්,
විශේෂ සහාය අවශ්‍ය වන අවතැන්වුවන් වෙත වන බලපෑම	දේපල භාර දෙන අවස්ථාවේ එහි නිමිකරු හෝ දරා සිටින්නා.	ගොඩනැගිල්ලේ ව්‍යවස්ථාපිත වටිනාකමෙන් 25% ක් කරුණාසහගත දීමනාවක් ලෙස ගෙවනු ලැබේ. හිස් කරන ලද දේපල මාර්ග සංවර්ධන අධිකාරිය හෝ ප්‍රාදේශීය ලේකම් කාර්යාලය විසින් නියම කළ දිනට පෙර භාර දෙන විට අවමය රු. 25,000/= ක්	අවතැන් වුවන්ගේ අත්පත් කරගත් දේපල නියමිත කාලයට භාර දීමට දිටි ගැන්වීම.	* ප්‍රාදේශීය ලේකම්, * තක්සේරු දෙපාර්තමේන්තුව * මාර්ග

අභිමිච්චේ ස්වභාවය	නිමිකම් සහිත පුද්ගලයන්	නිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම
		හා උපරිමය රු. 500,000/= කට නිමිකම් කියනු ලැබේ.		සංවර්ධන අධිකාරිය,
විශේෂ අවධානය අවශ්‍ය වන පුද්ගලයන් සඳහා වන බලපෑම	අඩු ආදායම්ලාභීන්, වයස්ගතවූවන්, සුවපහ කොටස් වලින් සැදුම්ලත් පවුල්, කාන්තාවන් මූලිකත්වය දරණ පවුල් හා ආබාධිතවූවන්	පීවන තත්ත්වය උසස් කිරීම උදෙසා එක් සාමාජිකයෙකුට රු. 15,000/= ක දීමනාවක්, නැවත ස්ථානගතවීමට සුදුසු ස්ථානයක් සොයා ගැනීමට හා සංක්‍රමණය වීමට අවශ්‍ය සහාය ලබාදීම.	ව්‍යාපෘතිය හේතුවෙන් දැනටමත් සමාජීයව පහළ ස්ථානයක සිටින පුද්ගලයන් තවදුරටත් අපහසුතාවට පත්වීම වළක්වා ඔවුන් වෙනුවෙන් ඔවුන්ගේ අභිමිච්ච දේපල වෙනුවෙන් වැඩි ගෙවීමක් සිදු කිරීම.	* මාර්ග සංවර්ධන අධිකාරිය, * ප්‍රධාන තක්සේරුකරු, * ලාර්ක්,
ඵ) සමාජීය දේපල				
ගොඩනැගිලි හා අනිකුත් ව්‍යුහයන් අභිමිච්ච (උදා: පාසැල් පන්සල්, ප්‍රතිකාර මධ්‍යස්ථාන, තාප්ප ආදිය) යටිතල පහසුකම් (උදා: ග්‍රාමීය මාර්ග, අඩිපාර, පාලම්, වාරිමාර්ග, නල ළිං, යනාදි ජල සම්පාදන ස්ථාන) පොදු පහසුකම්	ප්‍රාදේශීය ලේකම්, සාමාජීය දේපල වලින් ප්‍රතිලාභ ලබන ගම්, ග්‍රාමීය ජනතාව හා යටිතල පහසුකම් හා සම්පත්, සමාජීය දේපල වලින් ප්‍රතිලාභ ලබන ප්‍රාදේශීය අධිකාරීන්.	සාමාජීය ගොඩනැගිලි , යටිතල පහසුකම්, පොදු පහසුකම් යනාදිය පැවති ස්ථානයේම නැවත තිබූ පරිදීම සකස් කිරීම හෝ හොඳ තත්ත්වයෙන් සකස් කිරීම, බලපෑමට ලක් වූ ජනතාව හා අදාළ ආයතන සමග පැවති සාකච්ඡා වලදී හඳුනාගත් විකල්ප ස්ථාන වල නැවත ස්ථාපනය කිරීම, සාමාජීය පහසුකම්, යටිතල පහසුකම්, ගොඩනැගිලි ප්‍රතිසංස්කරණය හා ප්‍රතිස්ථාපනයට අදාළ සියලු මූල්‍යමය ගෙවීම්.		* ලාර්ක්,

අභිමිච්චේ ස්වභාවය	නිමිකම් සහිත පුද්ගලයන්	නිමිකම්	පරමාර්ථය/ අවශ්‍යතාවය	වගකීම
(උදා: ජල සැපයුම්, සාමාජික වනාන්තර)				
ඒ) ව්‍යාපෘතියේ බලපෑම නිසා සිදුවන බලාපොරොත්තු නොවූ බලපෑම්				
මෙහි සඳහන් ව්‍යවස්ථාපිත සැකැස්ම නි වකග වී ඇති මූලධර්ම අනුව ව්‍යාපෘතිය මගින් සිදුවන බලාපොරොත්තු නොවන අහිතකර බලපෑම් තක්සේරු කිරීමට හා අවම කිරීමට පියවර ගනී.				

TOR for the External Monitoring and Reporting Consultant / Agency

Introduction

Land acquisition and resettlement process will be monitored both internally by RDA through PMU, ESD, CSC and with the assistance of NGOs and externally by an independent agency with the objective of obtaining feedback to the management. This will facilitate the management to identify problems in the implementation and successes as early as possible and to take timely adjustments to the implementation arrangements.

RDA / PMU with the approval of the ADB will appoint an experienced monitoring agency for the entire road project to carryout external monitoring.

Scope of work – General

This aspect will include the following activities (for example, in a road project):

- I. To review and verify the progress in resettlement plan implementation as outline in the resettlement plan through the monitoring information internally generated.
- II. To monitor the effectiveness and efficiency of the EA s monitoring reports.
- III. To assess whether the involuntary resettlement objectives, particularly the livelihoods of the displaced persons and the living standards of the displaced poor and vulnerable affected persons have been restored or enhanced.
- IV. To assess the significant involuntary resettlement issues and drawing on the policy and practices to advise on a corrective action plan if required.

SCOPE OF WORK- SPECIFIC

The major tasks expected from the external monitor

For the purpose of preparing a monitoring report the consultant will visit each road section when payment of compensation and resettlement and social program are being implemented and completed and review the results of the internal monitoring.

To identify the strengths and weaknesses of the land acquisition and the involuntary resettlement objectives and approaches as well as the implementation strategies.

To review and verify progress in resettlement plan implementation of each of the sub project road and prepare semi annual report which will be submitted to ADB.

To assess the effectiveness and results achieved for livelihood restoration program and the relocation sites.

The key tasks of the External Monitoring Agency

1. Review and verification of internal monitoring reports prepared by the project.
2. Review and examine the socio – economic baseline census and detailed measurement survey information of DPs to be relocated.
3. Identify and select impact indicators.
4. Assessment of impacts through formal and informal surveys with the Displaced persons.
5. Consultation with DPs, Officials, Community Leaders for preparing review reports.
6. Assess the resettlement efficiency, effectiveness impact and sustainability, drawing lessons for future resettlement policy formulation and planning.
7. Prepare any corrective action plans if required.
8. Guide and advise the EA suitable on the resettlement implementation efficiency.
9. Review the functioning and efficiency of the Management Information System
10. Assessment of DPs satisfaction on the valuation of assets and entitlements, timing of payments, fund availability and disbursements.

The agency will carry out a baseline survey of the road project, prior to implementation of the resettlement plan enabling to collect adequate pre project data for monitoring. The outcome of the external monitoring reports will be communicated to PMU and ESD through a meeting and necessary remedial actions need to be taken will be documented. These external monitoring reports will be submitted directly to the ADB and PMU / RDA for necessary action.

Qualification

The external experts or NGO will have significant experience in monitoring and reporting. Work experience and familiarity with all aspects of involuntary resettlement operations would be desirable. Persons with background in social sciences will be preferred.

