

# Resettlement Planning Document

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Resettlement Plan  
Habarana – Kantale Highway (A-006)

**Loan Number: 2217 SRI**

## **Sri Lanka: National Highways Sector Project**

Prepared by Road Development Authority, Ministry of Highways and Road Development

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May 2008

## Acronyms

ADB	Asian Development Bank
APs	Affected Persons (Project)
CEO	Chief Engineer's Office
CSC	Construction Supervision Consultant
CV	Chief Valuer
DMS	Detailed Measurement Survey
DSD	Divisional Secretariat Division
DS	Divisional Secretary
GN	Grama Niladhari
GND	Grama Niladhari Divisions
GOSL	Government of Sri Lanka
GRC	Grievance Redress Committee
HHs	Households
ICB	International Contract Bidding
IOL	Inventory of Losses
km	Kilometres
LAA	Land Acquisition Act
LARC	Land Acquisition & Resettlement Committee
LARD	Land Acquisition and Resettlement Division
LAO	Land Acquisition Officers
LARS	Land Acquisition and Resettlement Survey
MOH	Ministry of Highways
MOLLD	Ministry of Land and Land Development
NEA	National Environment Act
NGO	Non-governmental organization
NHSP	National Highway Sector Project
NIRP	National Involuntary Resettlement Policy
PEA	Project Executing Agency
PD	Provincial Director/Project Director (RDA)
PIB	Public Information Booklet
PMU	Project Monitoring Unit
RF	Resettlement Framework
RP	Resettlement Plan
RDA	Road Development Authority
ROW	Right-of-Way
Rs.	Sri Lankan Rupees (currency) Rs. 110 = US\$1.00
SES	Socio Economic Survey
VD	Valuation Department
VAP	Vulnerable Affected Person

## Executive Summary

01. **The Subproject.** This Short Resettlement Plan (SRP) addresses land acquisition, compensation and resettlement issues associated the widening of the road section (44 km) from Habarana (113 km) to Kanthale (157 km) of A 06 - Ambepussa – Kurunegala – Trincomalee Road. This SRP was formulated after the detailed design and demarcation of the new boundaries of this subproject.
02. **Survey Methodology.** A team comprising five enumerators, one field coordinator, and an ADB Consultant (Social Development Specialist) conducted the survey from 9 to 12 March 2008. It covers census of all subproject affected households. In addition, qualitative data was collected through formal and informal discussions with government officials and affected people.
03. **Scope of Land Acquisition and Resettlement.** A total of 57 households will be affected. Of these, 47 households will lose some of their land and structures to the project. Out of these affected households, 5 households will be severely affected. 25 business places will be affected, out of which 14 will be severely affected. 25 household heads who are engaged in petty trade and seasonal businesses by the ROW will have adverse project impacts on their businesses. The total number of Affected Persons (APs) is 209. Survey identified 15 vulnerable APs consisting of 12 female household heads and 3 disabled APs who need special attention and assistance from the project authorities.
04. **Socioeconomic Information.** Social demographic profile of the affected persons is more or less similar to the national indicators of the rural sector. As regards economic indicators, most of APs are found to be within substantial income levels although people of the area are experiencing negative impacts of ethnic conflict. The people's attitudes towards the road development project appears to be positive.
05. **Objectives, Policy Framework, and Entitlement.** The main objectives of this RAP is to support APs to minimize and overcome adverse effects caused by land acquisition associated with the implementation of above road development project. The SRP aims at improving AP's own capacity to rehabilitate themselves by paying their due entitlements appropriately and in a timely manner. The concerned GOSL policies, especially land acquisition laws and national policy on involuntary resettlement and donor recommendations such as Resettlement Framework and ADB guidelines on resettlement have been closely followed in the preparation of the SRP.
06. **Consultation and Grievance Redress Participation.** The Public consultation and grievances redress mechanisms will be established during the SRP implementation by PMU. *Land Acquisition and Resettlement Committee* (LARC) and *Grievances Redress Committee* (GRC) will also be established in each of the three Divisional Secretariat Divisions (Palugasweva, Hingurakgoda, and Kanthale) to simplify and find most appropriate solution for the problems related to land and properties.
07. **Relocation of Housing and Settlement.** Land and structure owners will be compensated at replacement value of their losses decided by an independent valuation. APs losing business and livelihood income will be awarded cash compensation for lost income. Most of them are having sufficient space in the affected land itself to resettle and/or to relocate their affected structures and livelihoods.
08. **Income Restoration Strategy.** Those who will incur severe livelihood losses will be provided with livelihood restoration grant, vocational or skills training, agricultural assistance. In employing people for work in the subproject preference should be given to the APs. Vulnerable AP households will also be given a special grant of Rs 15,000 per AP household.
09. **Institutional Framework.** RDA, PMU, Divisional Secretaries, CSC are responsible for land acquisition and resettlement implementation process. However, there are several other organizations involved in the process of implementation. All these institutional responsibilities have been identified.
10. **Resettlement Budget and Financing.** The resettlement budget of SLR 43.3 million (US\$ 385,385) is estimated to cover all components of compensation, assistance, entitlements, relocation, monitoring and evaluation, and contingencies of the resettlement program of the subproject.
11. **Implementation, Monitoring and Evaluation.** Implementation of the RP is expected to take 36 months. This final RP also includes the process of monitoring and evaluation through both internal and external agencies identified by the RDA and the funding agency.

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## I. PROJECT DESCRIPTION

### 1.1. Introduction:

01. This final short Resettlement Plan (SRP) for Habarana-Kanthale section of A 006 (Ambepussa-Kurunegala-Trincomalee Road) follows closely the approved Resettlement Framework (RF), formulated by the Road Development Authority (RDA), Sri Lanka which is the Executive Agency (EA) of the National Highway Sector Project.

02. A draft short SRP was prepared for the subproject in December 2006 having as its scope of work the right-of-way (ROW) of the road from 113 km (starting point) to 161 (ending point). However, it was prepared before developing the detailed design and demarcating the road boundary. The detailed design (Volume 4) has changed the scope of the subproject (113-157 km); hence, the need for a new SRP. It is based on the new census data of the subproject.

### 1.2 Project Information:

03. The National Highway Sector Project (NHSP) aims to improve the national highways network efficiency and strengthen road sector institutions in Sri Lanka. Funded under a Loan Assistance from the Asian Development Bank (Loan Number 2217-SRI), the Project shall (i) improve road sector institutions, (ii) upgrade Project Roads, and (iii) develop pilot performance-based maintenance contracts.

04. Under the NHSP Road Upgrading Component, a total of 270 km of national highways will be upgraded, widened and, if necessary, realigned. Habarana-Kanthale section of A 06 is one of the highways proposed for funding. Road A 06 is linked to several other national highways (A 10, A 11, A 12, A 09) and it is considered as one of the most important roads in Sri Lanka.

### 1.3 Socioeconomic Benefits of the Project

05. The existing road network cannot cope up with the present volume of traffic<sup>1</sup>, creating huge congestions on roads daily, which lead to following socioeconomic losses to the country:

- Increase cost of travel
- Loss of foreign exchange due to excessive consumption of imported fuel.
- Increase in travel time
- Loss of valuable man hours and consequent loss of productivity
- Excessive waste of vehicle components
- Increase in accidents
- Injuries to passengers, pedestrians
- Increasing of mortalities due to accidents

06. The concept behind the NHSP is to mitigate the above adverse effects on one hand and increase mobility of the population, goods and services to accelerate the economic growth on the other hand by (1) upgrading four important roads initially, including the subproject (2) developing institutional capacities of road sector, and (3) introducing pilot performance-based maintenance contracts.

### 1.4 Subproject Details:

07. The section of A 06 road chosen for the subproject goes through three districts (Anuradhapura, Polonnaruwa and Trincomalee) and three Divisional Secretariat Divisions

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<sup>1</sup> At present there are over three million vehicles of all categories plying on roads in Sri Lanka. Source: *Annual Report 2006, Department of Commissioner of Motor Traffic.*

(DSDs). This road provides access to Trincomalee, which is one of the key regional centres of the country and the capital city of the Eastern Province.

08. Initially PMU has decided to use 20m ROW including 2m service lines corridor on each side and new boundary has demarcated in the ground. However, the decision has been changed subsequently to reduce it to 16m ROW and informed about it to ADB on 22 May 2008. Therefore, the SRP is based on the new decision of PMU.

09. The road improvement works will include: upgrading and strengthening the all weather surface and widening of the existing road to a full two lane width of 7m (3.5m x 2) within the ROW, two 1.5m cycle lanes and 2.0m earth shoulder for pedestrians, to carry surface drainage to prevent damages to the road, two drains on each side have been included in the design each with a width of 0.9m. As highlighted above the total width of the ROW will be about 16m. Apart from these improvements, the other activities include culvert widening and bridge works, improving road alignment and landscape, putting up warning signs, road markings in sensitive places such as near schools, forest reserves and sanctuaries.

10. Although proposed road development activities take place along 44 km, the affected number of APs is low. This is partly due to the fact that road improvement activities will be undertaken within 7-8m on either side of the centre line of the existing road. There is sufficient distance between the existing road edge and the boundaries of forest reserves, home gardens, *chena* (clash and burn cultivation) lands and paddy fields on both sides along the ROW.

## **II. SURVEY METHODOLOGY**

11. Information on APs has been collected through a Land Acquisition and Resettlement Survey (LARS)/Census. The survey was conducted from 09<sup>th</sup> to 12<sup>th</sup> March 2008 by a local consultant and a Resettlement Assistant who was assigned by the PMU. In addition, another fact finding mission was conducted from 16-17 and again on 24 May 2008. The detailed design and advanced tracing documents were used to identify and clarify ROW-related issues. During the data collection phases, several discussions were held by the study team with APs and key informants in the area (for more details see Annex I).

12. Moreover, qualitative data and information were collected through informal discussions with government officials in the project area. They extended their fullest cooperation to the study team. Completed questionnaires were cross checked by the data entry operators. Thereafter, the data was entered and analyzed using a Statistical Package for Social Sciences (SPSS) programme. The study team comprised 5 field investigators and a field coordinator who worked under the supervision of the ADB consultant.

## **III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT**

13. The road widening runs through both forest and agricultural lands (see maps 01 – 05: Annexure II). Forest lands belong to GOSL and there is sufficient road reservation for road widening in the subproject area. Forest Department has given the approval for the construction work in the section that goes through forests. The road centre-line is established in the entire stretch of the ROW and detailed design and advanced tracing provide more accurate information on road alignments. As it has been witnessed, there are two sections having such changes of the alignments. They are from 134-138 km (Yakawanguwa) and 154+500-157 km (Kanthale reservoir area). In the first section, lands belong to the Forest Department and in the second section, the majority of land plots are private lands.

### **3.1 Key Effects in Terms of Land Acquired, Assets Lost and People Displaced**

14. The proposed subproject will require the acquisition of 424.25 perches of land. 26 titled land owners, 21 encroachers, 3 tenants, and 7 squatters will be affected. The squatters

utilised road corridor (RDA land) to carry out small business. Table 3.1 shows how these land owners are located by chainage.

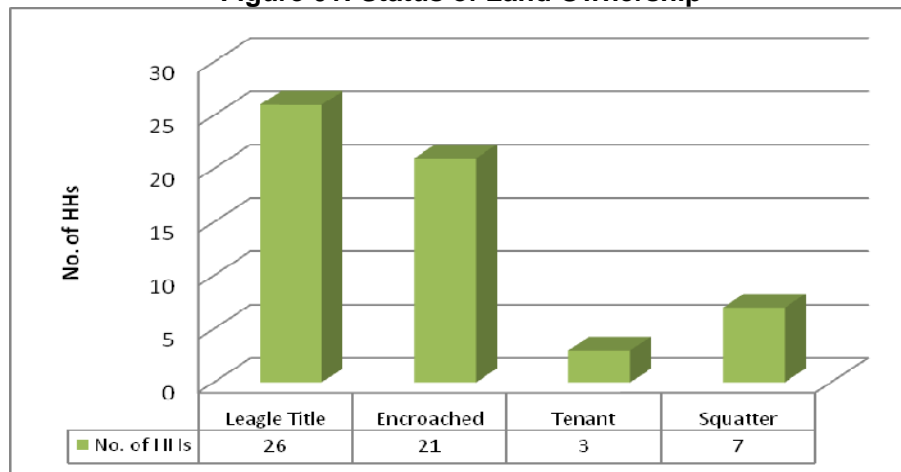
**Table 3.1: Chainage and Status of Land Ownership**

Chainage	Status of land Ownership				Total	No. of Kms
	Legal Title	Encroached	Tenant	Squatter		
113+200 - 115+800	2	4	0	0	6	2.60
115+801 - 126+970	0	0	0	0	0	11.17
126+971 - 127+020	1	1	0	0	2	0.05
127+021 - 130+000	0	0	0	0	0	2.98
130+001 - 130+100	0	0	1	1	2	0.10
130+101 - 140+200	0	0	0	0	0	10.10
140+201 - 143+150	8	5	0	0	13	2.95
143+151 - 148+975	0	0	0	0	0	5.83
148+976 - 157+000	15	11	2	6	34	8.02
<b>Total</b>	<b>26</b>	<b>21</b>	<b>3</b>	<b>7</b>	<b>57</b>	<b>43.80</b>

Source: Land Acquisition and Resettlement Survey (LARS), March 2008

15. There are four sections (about 30.08 km) of the ROW where there are no private land holdings. Hence, those sections are unaffected by the land acquisition. Most of these sections belong to the Forest Department. Furthermore, between 126+971 - 127+020 km there are only 2 land owners, and one of them does not have legal title for land holdings (Please see Annex V). Therefore, PMU can pay special attention on such sections and also to all non-titled land holders along with the ROW and to settle their compensation for properties.

**Figure 01: Status of Land Ownership**



Source: Land Acquisition and Resettlement Survey (LARS), March 2008

16. Type of land is a very important factor in respect of land acquisition and compensation payment. Land value and demand will be decided on the basis of the type of land. As highlighted in table 3.2, the most seriously affected type of lands is residential and commercial plots.

17. The affected lands are either residential or commercial plots. The affected encroachers and squatters claim that they should get land permits as they have been settled on these land plots for a long period of time.

**Table 3.2: Type of Land and Owners by Gender**

Type	Male	Female	Total
Residential	21	9	30
Trade/Business	17	3	20
Agricultural	4	1	5
Residential/Trade	2	0	2
<b>Total</b>	<b>44</b>	<b>13</b>	<b>57</b>

Source: Land Acquisition and Resettlement Survey (LARS), March 2008



18. Apart from the impact on lands, there are 47 affected structures including 14 fully affected structures (see Table 3.3). Among fully affected structures there are 2 houses and 3 shops. These 5 affected households will be relocated by PMU as per the entitlement matrix.

**Table 3.3 – Type of Structures and the Nature of Impacts**

Type of Structures	Degree of Impact	No. of Affected	Estimated Value Rs.	Area Affected
House	Partially affected	4	810000	2339
	Fully affected	2	1300000	
Shop	Partially affected	7	215000	1771
	Fully affected	2	110000	
Combined House & Shop	Partially affected	3	140000	610
	Fully affected	1	12000	
Shed only	Partially affected	7	134000	630
	Fully affected	1	13000	
Barbed Wire Fence	Partially affected	11	83500	2290
	Fully affected	5	30500	
Parapet Wall & Gate	Partially affected	0	0	50
	Fully affected	1	100000	
Other	Partially affected	1	50000	740
	Fully affected	2	400000	
<b>Total</b>		<b>47</b>	<b>3,398,000</b>	<b>8,430</b>

*Source: Land Acquisition and Resettlement Survey (LARS), March 2008*

19. Most of them have sufficient space to rebuild their structures on the same land plots. The category 'other' represents seasonal huts built for selling agricultural products. These huts can be easily relocated behind the new road corridor. In addition, there are 18 trees, 14 fruit trees, and 8 home garden bushes planted by the APs which will need to be cut and removed after paying adequate compensation.

### **3.2 Impact on Community/Common Property Resources**

20. Not many common properties are to be affected by this subproject. There are only two army check points (at Hatharaskotuwa and at 84 Mile Post) and ninety bunkers along the road which could be moved away from the road corridor. There are two religious shrines which too will be relocated by PMU as per the instruction given in the entitlement matrix. It has been noted that pylons carrying electric transmission lines and telephone lines have already been shifted by the relevant authorities at many locations on the ROW. In addition, there is a common cemetery at 155+800 where the end point of bypass (near the spill over of Kanthale reservoir) connects with the highway. Furthermore, there are two small shrines at 146+600 km – one in front of Galpotta Police post and the other at 123+300 km (in the forest area). Both will be relocated by PMU.

### **3.3 Primary Responsibilities for Land Acquisition and Resettlement**

21. The RDA is responsible for land acquisition, compensation payment, resettlement planning and relocation, economic rehabilitation of APs, and resettlement monitoring through PMU. The Environment and Social Division (ESD) of RDA provides the oversight role in land acquisition, compensation payment, RP implementation, and management information system. Land Acquisition and Resettlement Division (LARD) of RDA will request Ministry of Land and Land Development (MOLLD) to acquire lands for the subproject through the Ministry of Highways. However, there are few other government agencies directly linked to this complex process (more details are given in Annex III which refer to normal land acquisition procedure).

## **IV. SOCIO-ECONOMIC INFORMATION OF APs**

22. Except for the Habarana and Kanthale towns all lands along ROW are rural lands. According to the Department of Census and Statistics (2001) the population density of

Anuradhapura district was 104 per km<sup>2</sup>, 109 per km<sup>2</sup> in Polonnaruwa and 125 per km<sup>2</sup> in Trincomalee.<sup>2</sup>

#### 4.1 Demographic Data on AP Households

23. Almost all household heads are married. 79 % (45 households) of the affected households are male-headed, while 21 % are female-headed (12). Female household heads have comparatively fewer sources of income and lower educational attainment which render their households more vulnerable to impoverishment. Table 4.1 gives.

**Table 4.1: Marital Status of Family Members by Gender and Their Age**

Marital Status	Age Categories					Total
	year 0-5	year 5-18	year 18-30	year 30-60	Over 60	
Married	0	1	13	73	11	98
Unmarried	18	32	38	7	1	96
Widow/Widower	0	0	0	7	6	13
Divorced	0	0	0	1	1	2
<b>Total</b>	<b>18</b>	<b>33</b>	<b>51</b>	<b>88</b>	<b>19</b>	<b>209</b>

Source: Land Acquisition and Resettlement Survey (LARS), March 2008 revised in May 2008

24. When analysing the family size, it has been found that most of the 57 affected households are nuclear families (40). A limited number of households (17) have 5-6 members. Of the 209 members of the APs, less than half (48.7 %) are males. There are also more married female members of the households. Table 4.1 furnishes more details on the marital status of family members.

25. Approximately 75.6 % of the male and female members of AP households are in the labour force age group (18-60 years). There are slightly a higher numbers of all categories of females except those in the age category over 60. School attending population is 24.4 %. They might get disturbed in their education activities once the reconstruction of their building/structures (5 residential structures) commences.

**Table 4.2: Age and Gender of APs**

Age Category	Sex		Total
	Male	Female	
year 0-5	6	12	18
year 5-18	16	17	33
year 18-30	24	27	51
year 30-60	42	46	88
Over 60	11	8	19
<b>Total</b>	<b>99</b>	<b>110</b>	<b>209</b>

Source: Land Acquisition and Resettlement Survey (LARS), March 2008 revised in May 2008

26. Most of APs have reached up to Ordinary Level (O/L) in their educational achievements. There are 2 members who have earned graduate and postgraduate qualifications. Table below 4.3 gives more details.

**Table 4.3: Educational Background of APs**

Education Level	Sex		Total
	Male	Female	
Illiterate	0	1	1
Waiting for schooling	8	12	20
class I-V	30	30	60
Class VI-G.C.E(O/L)	37	41	78
GCE (O/L) pass	18	19	37
GCE (A/L) pass	5	6	11
Undergraduate /Graduate	1	1	2
<b>Total</b>	<b>98</b>	<b>110</b>	<b>209</b>

Source: Land Acquisition and Resettlement Survey (LARS), March 2008 revised in May 2008

<sup>2</sup> Preliminary Information Report of Habarana to Kantale Road Section, RDA-ESD 2006.

## 4.2 Role of Women in the Household

27. The socio-economic survey confirmed the multiple roles that female members of households play. Unlike male household heads whose roles are generally limited to economic roles, women household heads perform multi- tasks in their households (see Table 4.4).

**Table 4.4: Tasks Performed by Women in the Household (multiple responses, n=25)**

Social Event	Frequency	%
Financial matters	23	92
Education of Child	21	84
Health care of Child	23	92
Purchase of assets	24	96
Day to day activities	23	92
Social functions and marriages	17	68
Decision making in the family	15	60

Source: Socio-economic Survey (SES), December 2006, revised in May 2008

## 4.3 AP Households' Livelihood

28. 27 % of APs (25) are engaged in trade or business activities. Another 18 % employed as workers/staff in government or private organizations. Although arable lands are available in Yakawanguwa, Agbopura, and Kanthale, APs are reluctant to undertake agricultural activities because of poor harvest they could get from land cultivation. Table 4.5 shows all occupational patterns of the APs. Crop damage by wild animals is rampant in the area.

29. In terms of total number of household members who work, Table 4.5 shows that there are 90 members (excluding, students, and children) directly involved in income generating activities. Of these, 61 are males (67.7 %), and 195 (32.3%) are females. The sector in which women are mostly engaged is trade and business (commercial activities) (41.3 %), as against men (21.3 %) engaged in the same sector. Of total 209 unemployed females represent the highest number (11.2 %) compared to unemployed males (10 %).

30. Most AP households get substantial income from their current occupations. There are no affected households below the poverty line. The cut-off monthly income level for *Shamurdi* remittance (Poverty Alleviation Programme) is below Rs. 2,500. All are included in the well off income group. The highest income of the sample AP households (60 %) receives between Rs 40,000-50,000 per month.

**Table 4.5: Occupational Patterns of APs**

Primary Occupation	sex				Total	
	Male		Female			
	Persons	%	Persons	%	Persons	%
Farming own land	7	11.5	3	10.3	10	11.1
Agricultural Labour	1	1.6	2	6.9	3	3.3
Non-Agriculture Labour (Skilled)	13	21.3	1	3.4	14	15.6
Non-Agriculture Labour (Unskilled)	1	1.6	1	3.4	2	2.2
Fishing	2	3.3	0	0.0	2	2.2
Weaving	1	1.6	0	0.0	1	1.1
Animal husbandry	0	0.0	1	3.4	1	1.1
Commercial Activities	13	21.3	11	37.9	24	26.7
Vendor (specify)	0	0.0	1	3.4	1	1.1
Government services/other grades	12	19.7	2	6.9	14	15.6
Private sector/Executive	0	0.0	1	3.4	1	1.1
Private sector/ other grades	2	3.3	1	3.4	3	3.3
Armed forces	4	6.6	2	6.9	6	6.7
Police, Homeguard/Security	3	4.9	0	0.0	3	3.3
Retired person	1	1.6	1	3.4	2	2.2
Old	1	1.6	2	6.9	3	3.3
Total	61	100.0	29	100.0	90	100.0

31. With regard to expenditure levels, all households spend at least above Rs. 7500 for their family requirements monthly. Even those with high income levels have high expenditures due to settlement of loans to various institutions and banks.

**Table 4.6: Income Level of Affected Households**

Category	Subsample (N=15)	%
2001-4000	0	0.0
4001-6000	1	6.7
6001-10000	0	0.0
10001-15000	1	6.7
15001-20000	3	20.0
20001-25000	1	6.7
25001-30000	0	0.0
30001-40000	0	0
40001-50000	9	60
50000-up	0	0
<b>Total</b>	<b>15</b>	<b>100</b>

Source: Land Acquisition and Resettlement Survey (LARS), March 2008

#### 4.4 Vulnerable APs

32. A total of 15 vulnerable APs (VAPs) have been identified in the census and survey activities. They include 12 female household heads, and 3 severely disabled APs (See Table 4.7 below). These two groups need special attention in the RP and are entitled to receive a special grant of Rs 15,000.

**Table 4.7: Vulnerable APs Identified**

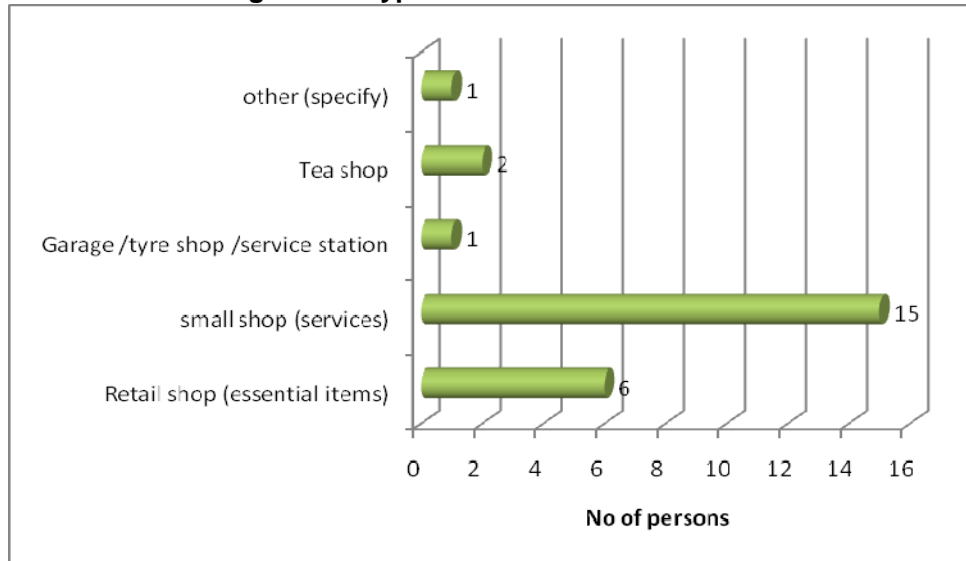
Vulnerable Group	Residential	Trade & Business	Non-agricultural land	Total
Female household head	8	3	1	12
Disabled APs	3	0	0	3
<b>Total</b>	<b>11</b>	<b>3</b>	<b>1</b>	<b>15</b>

Source: Land Acquisition and Resettlement Survey (LARS), March 2008

#### 4.5 Trade and Business

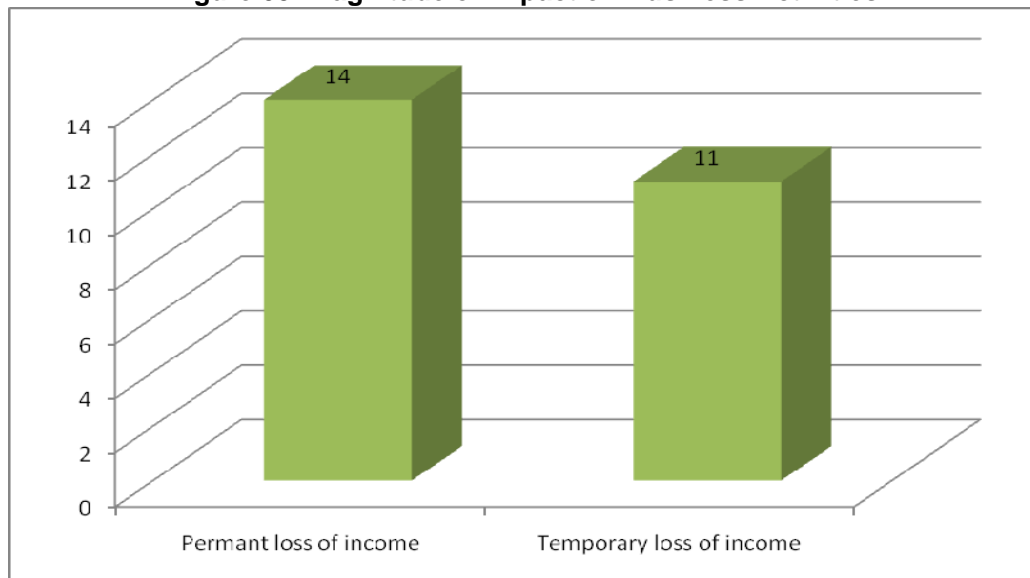
33. Most of the locations on the ROW are isolated and the populated areas are few and far between for this sparse population. The agro-climatic condition in the area is one major reason and the ongoing ethnic problem in the Northern and Eastern Provinces has also aggravated the situation. Those who have settled along the corridor of the existing road, attempted to start small shops (15) that serve retail goods, and sell their own agricultural products (vegetables, fruits, cereals, curd, etc.) grow in their residential lands or *chena* lands. In the process, they put up temporary huts thus encroaching into the road reservation. Other than these, there are 6 retail shops selling daily household needs.

**Figure 02: Type of Business and Number**



34. Trade and business are the major occupational ventures seen among members of affected households. Among the 57 AP households, 25 affected households are engaged in commercial activities along the ROW. On gender basis 3 of them are females. In terms of education, 12 business owners have educated up to O/L. 10 of them have passed O/L. It shows that they need better knowledge in entrepreneurship.

**Figure 03: Magnitude of Impact on Business Activities**



35. 14 businessmen fear that they would lose their income during road rehabilitation. However, they are having hope that their business activities will enhance after the construction of the road. Therefore, it is necessary to consider entrepreneurship development awareness program for these businessmen while including them for income restoration program as well.

## V. ENTITLEMENTS

36. The cut-off date for eligibility for entitlement for titleholders is the date of notification under the LAA (30 January 2008) and for non-titleholders is the last day of the LARS (30 November 2006). Persons who encroach on the area **after** the cut-off-date are **not** entitled to claim compensation or any other form of resettlement assistance. People who move into the

subproject area and/or who construct assets after the subproject cut-off date are not entitled to compensation or any other form of resettlement assistance. They will be given sufficient advance notice, and are requested to vacate premises and demolish affected structures prior to project implementation.

37. In Sri Lanka, there are two broad types of land; private land and state land. Private land is governed by traditional systems of land ownership on which operative legal systems have been superimposed as and when any question of conveyance or dispute surfaces. State land is governed by the principal enactments dealing with alienation, transfer of development rights, and disposal (primarily in the Crown Land Ordinance, Land Development Ordinance, Sale of State Land Law, Grants Act, Agrarian Development Act, and Land Acquisition Act). Within both private and state land there are several categories of tenure which provide the basis of eligibility for compensation (for more details see Detailed Entitlement Matrix).

### **5.1 Entitlements to Compensation and Livelihood Restoration**

38. Based on the types of land ownership, anticipated losses for properties and livelihood, the entitlements to compensation and restoration measures for the subproject have been provided in Table 5.1 – Entitlement Matrix. RDA will provide timely and adequate funds for implementing the SRP.

39. There are 8 types of losses that would qualify an AP to claim compensation according to their entitlement and impact. The gravity of impact can be understood **through table 4.7** and **figure 3**. There are two types of compensation. They are 1) statutory compensation for land and other fixed properties, 2) LARC compensation which be decided by each LARC of relevant DSDs. The entitlement matrix indicated in RF will be utilized in deciding the amount of LARC compensation.

**Table 5.1: Detailed Entitlement Matrix**

Type of loss	Entitled Persons	Entitlements	Justification	Responsibility
<b>A. AGRICULTURAL LAND</b>				
Loss of Agricultural land	Owner with title deed or registration certificate	<p>All (cash) payments for land will be at replacement costs.            Cash payment for loss of standing crops and trees at market prices.  <b>In case the AP 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:-</b></p> <ol style="list-style-type: none"> <li>1. If opted by AP, the remainder land will be acquired 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.</li> <li>2. Preference will be given to APs for land for land option (similar location and productive quality, subject to availability <b>OR</b> cash payment for loss of land at full replacement costs.</li> <li>3. Rehabilitation (Ex-gratia) package– Items G2, G3 i, G 3 iii (see sub category G of the same entitlement matrix for more details), if staying on the land and G3 ii if required. Cash Payment for loss of income for portion of land as per the land acquisition Act or as determined by the chief valuer.</li> </ol>	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 chief valuer.	RDA, CV, DS, LARC.
Loss of access to agricultural land	Tenant, user with lease	<p>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; OR            Cash payment for loss of future production for the lease period from the portion of land affected equivalent to average annual income from the portion of land affected in preceding three years, whichever is the higher.            Assistance in negotiating a new lease agreement on alternative land if the AP does not wish to continue to cultivate land of reduced area.  <b>In case remaining portion is not physically possible for cultivation economically not viable for continued use as determined by CV, then</b> assistance in negotiating a new lease agreement on alternate land of similar size and productive value if the AP cannot remain on the land AND            Rehabilitation (Ex-gratia) package – Items G2, G3 i, G 3 iii, if staying on the land and G3 ii if required.</p>	Payment to cover lost crops and restoration of livelihood	RDA, CV, DS, LARC.

**Table 5.1: Project Entitlement Matrix**

Type of loss	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
Loss of access to agricultural land	Ande farmer (sharecropper)	<p>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 period of sharecropping agreement; OR            Cash payment for loss of future production equivalent to average production from the portion of land affected in preceding three years, whichever is higher; AND            Assistance in negotiating a new sharecropping agreement on alternative land if the AP does not wish to continue to sharecrop land of reduced area.            Assistance in negotiating a new sharecropping agreement on alternate land of similar size and productive value if the AP cannot remain on the land AND            Rehabilitation (Ex-gratia) package – Items G.2, G.3 i, G.3 iii if staying on the land or G3 i if required.</p>	Payment to cover lost crops and restoration of livelihood	RDA, CV, DS, LARC.
Loss of access to agricultural land	Non-titled user (encroachers) or squatter on private land or state land	<p>No payment for land.            Cash payment for loss of standing crops and trees at market prices, if cultivated by him; AND            Cash Payment for loss of future production from the portion of land affected equivalent to average annual income from the portion of land affected in preceding three years;            If the AP has no other land or cannot remain on the land, the AP will receive the following:-</p> <ol style="list-style-type: none"> <li>1. Cash payment for loss of standing crops and trees at market prices to the squatter.</li> <li>2. The project will provide if available an alternative plot of land for cultivation of equal productive value under rental / lease arrangements.</li> <li>3. Rehabilitation (Ex-gratia) package – Items G.2, G.3i, G.3 iii if staying on the land or G3 ii if required.</li> </ol>	Payment to cover lost crops and restoration of livelihood.	RDA, CV, DS, LARC.



**Table 5.1: Project Entitlement Matrix**

Type of loss	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
<b>B. RESIDENTIAL LAND AND STRUCTURES</b>				
Loss of Residential land and structure	Owner with title deed or registration certificate	<p>All (cash) payments for land and structure will be made at replacement costs. All payments at replacement cost in material, cash, or a combination of both according to the actual loss to repair or rebuild the structure to original or better condition when remaining land sufficient to rebuild upon;</p> <p><b>For structures not having sufficient land to rebuild upon will be entitled to the following:</b></p> <ol style="list-style-type: none"> <li>1. All (cash) payments for land and structure at full replacement cost (for materials and labour) in material, cash, or a combination of both, WITHOUT deduction for depreciation or salvageable materials;</li> <li>2. Assistance from LARC to locate alternative plot for relocation; OR relocation to a resettlement site developed by the project if opted by AP.</li> <li>3. Rehabilitation (Ex-gratia) package G 2. Shifting allowance see G1.</li> </ol>	Payment for lost assets, assistance to reorganize on existing land or relocate on alternate land and support for transition period.	RDA, CV, DS, LARC.
Loss of rental accommodation	Tenant, user with lease	<p>If there is partial loss of rental accommodation, AP has the option to stay with the owners agreement <b>OR</b> if AP chooses to move out, cash assistance for 6 months rental allowance AND Assistance in finding new affordable rental accommodation AND Shifting assistance (Item G1 i) If there is complete loss of rental accommodation, AP has the option of cash for the value of the remaining lease OR Cash assistance to cover rental arrangements for minimum period of 6 months of equivalent standard and advance payments as determined by the chief valuer to owner on a case to case basis whichever is higher. Assistance in finding new affordable rental accommodation AND Shifting allowance and Rehabilitation package – Items G.1 ii and G.2. Project will assist in recovering advance payments made by the tenant to the owner, if there is a complete loss of rental accommodation.</p>	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.

**Table 5.1: Project Entitlement Matrix**

Type of loss	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
Loss of residential structure	Non-titled user (encroachers), non-permitted user or squatter	<p>No payment for land.</p> <p>All payments for structure at replacement costs in materials, cash or a combination of both according to the actual loss for repairing or rebuilding the structure; AND</p> <p>If affected land is state land AP may rebuild on the remaining land, and if affected land is private land the project will encourage AP to relinquish the land and relocate on alternate land or resettlement site provided by the project;</p> <p>If APs can rebuild on existing land then shifting assistance G 1 i.</p> <p>If AP has to relocate then Rehabilitation (Ex-gratia) package – G 1 ii and G 2.</p>	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.
<b>C. COMMERCIAL LAND AND STRUCTURE</b>				
Loss of commercial land and structure	Owner/operator of registered business	<p>All (cash) payments for land lost at full replacement cost;</p> <p>Payment at replacement cost in material, cash, or a combination of both according to the actual loss to repair or rebuild the structure to original or better condition when remaining land sufficient to rebuild upon;</p> <p>Payment for any associated loss of income while commercial structure is being rebuilt.</p> <p><b>For structures not having sufficient land to rebuild upon will be entitled to the following:</b></p> <ol style="list-style-type: none"> <li>1. All (cash) payments for structure lost at full replacement cost (for materials and labour) in material, cash, or a combination of both, WITHOUT deduction for depreciation or salvageable materials;</li> <li>2. Assistance from LARC to locate alternative plot for relocation; OR relocation to a resettlement site developed by the project if opted by AP on recovery of the undeveloped value of the plot.</li> <li>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.</li> <li>4. For businesses who do not maintain books of accounts, cash payment equivalent to 6 months income OR Livelihood assistance grant, whichever is the higher.</li> <li>5. Rehabilitation (Ex-gratia) Package – G 2 and G3 ii if required. Shifting allowance see G1.</li> </ol>	Project shall give reasonable time for APs to continue their business operation while rebuilding their structures. APs 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.

**Table 5.1: Project Entitlement Matrix**

Type of loss	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
Loss of commercial structure	Tenant / operator of registered business	<p>If there is partial loss of structure, AP has the option to stay with the owners agreement, <b>OR</b> if AP chooses to move out, cash assistance for 6 months rental allowance AND Assistance in finding new affordable rented premises to re-establish business AND Payment for any associated loss of income while commercial structure is being rebuilt. If there is complete loss of structure, AP will be entitled to the following:-</p> <ol style="list-style-type: none"> <li>1. Cash for the value of the remaining lease OR</li> <li>2. Cash assistance to cover rental arrangements for minimum period of 6 months of equivalent standard and advance payments as determined by the chief valuer to owner on a case to case basis whichever is higher AND</li> <li>3. Assistance in finding new affordable rental premises to operate business.</li> <li>4. 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.</li> <li>5. For businesses who do not maintain books of accounts, cash payment equivalent to 6 months income OR Livelihood assistance grant, whichever is the higher.</li> <li>6. Rehabilitation (Ex-gratia) Package – G 2 and G3 ii if required.</li> </ol> <p>Shifting allowance see G1. Project will assist in recovering advance payments made by the tenant to the owner, if there is a complete loss of the structure.</p>	Cash payment for rental allowance or cash value of remaining lease, assistance for finding alternate rental accommodation and support for income losses during transition period.	RDA, CV, DS, LARC.

**Table 5.1: Project Entitlement Matrix**

Type of loss	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
Loss of commercial structure	Owner or operator of non-registered business / squatter	For structure – all payments for structure lost at replacement cost in material, cash, or a combination of both 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 AP may rebuild on the remaining land, and if affected land is private land the project will encourage AP to relinquish the land and relocate on alternate land or resettlement site provided by the project subject to availability; AND Rehabilitation (Ex-gratia) package – Items G.2, and G.3 ii if required. Shifting allowance see G1. If resettlement site cannot be provided by the project, rental assistance will be provided to APs on a case by case basis.	Payment for lost assets, transition assistance and income restoration	RDA, CV, DS, LARC.
<b>D. OTHER PRIVATE PROPERTIES OR SECONDARY STRUCTURES</b>				
Partial or complete loss of other property or secondary structure (i.e. shed, outdoor latrine, rice store, animal pen etc)	Owners of structures (regardless if the land is owned or not)	All (cash) payments for affected structure at replacement cost; OR Cost of repair of structure to original or better condition; OR Cash assistance for relocation of structure.	Payment for loss and relocation if required	RDA, CV, DS, LARC.
Loss of tombs or graves	All owners	All (cash) payments an amount of Rs. 2,000 up to Rs. 15,000 to cover the cost of exhumation (including any religious ceremonies if required) and relocation	Payment for loss and relocation if required	RDA, CV, DS, LARC.
<b>E. LOSS OF INCOME OF EMPLOYEES OR HIRED LABORERS</b>				
<b>E.1 Temporarily Affected</b>				
While business re-establishes (i.e. reorganizing on remaining land or relocating in the same area)	All affected employees, wage or daily labourers in private or government businesses	Cash payment for lost salary/wages for each month AP cannot work; OR Assistance in securing new employment including relevant skills training if required; AND Rehabilitation (Ex-gratia) package – Items G.2 and G.3 ii if required by AP	Businesses will be encouraged to retain existing employees Payment for lost income during business re-establishment	RDA, CV, LARC

**Table 5.1: Project Entitlement Matrix**

Type of loss	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
<b>E.2 Permanently Affected</b>				
Job loss due to relocation of business to another area or business operator decides not to re-establish	All affected employees, wage or daily labourers in private or government businesses	Cash payment for 6 months salary/wages and Project will encourage employers to provide severance pay for employees; AND Preferential access to project construction employment opportunities; AND Rehabilitation (Ex-gratia) package – Items G.2 and G.3 ii	Payment for lost income, rehabilitation package to provide support and income restoration	RDA, CV, LARC
<b>F. TREES &amp; STANDING CROPS (already included under A)</b>				
Loss of crops and trees	Person who cultivates crops and/or owns trees (regardless if the land is owned or not)	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. timber or firewood)	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
<b>G. LIVELIHOOD RESTORATION &amp; REHABILITATION ASSISTANCE</b>				
<b>G.1 Materials Transport Allowance</b>				
i. Reorganization of residential or commercial structure	APs reorganizing or rebuilding on same plot	Cash assistance (shifting allowance) of Rs 5,000 AP/household	Payment for disturbance and to assist in rebuilding	RDA, CV, LARC
ii. AP requiring relocation for housing or business	Relocating APs	Cash assistance (relocation allowance) of Rs. 5,000 up to an amount of Rs 15,000 <sup>3</sup> AP/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

<sup>3</sup>

Material transportation allowance rates include labor and transportation costs to another site and as determined by RDA based on the floor area of the house in occupation before relocation.

**Table 5.1: Project Entitlement Matrix**

Type of loss	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
<b>G.2 Transition Subsistence Allowance</b>				
Severe or significant impact (including relocation)	Each member of severely affected household	Subsistence allowance <sup>4</sup> for the transition period for EACH member of severely affected household of Rs 400/ month/person for a minimum period of 3 months and similar assistance will be further extended as assessed on a case to case basis.	To provide support, based on Rs. 400 per month per person.	RDA, CV, LARC
<b>G.3 Livelihood Restoration (Grant &amp; Training)</b>				
i. Permanent effects on livelihood	APs/household	Livelihood restoration grant – as cash assistance of Rs 15,000 <sup>5</sup> per household (plus professional assistance and advice, if required, to invest funds or to set up a business at a commercially viable location). Linked with skill training (as provided in item G.3 ii) and as far as practicable shall be provided in the form of productive assets.	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 AP has to change livelihood	RDA, CV, LARC
ii. Permanent effects on livelihood	Two members of APs/household	Training for up to two members (male and female where applicable) of AP households to receive skills and vocational training, to an amount of Rs 4,000 <sup>6</sup> per member; AND Transition subsistence allowance (see Item G.2 above)	Linked with need to start new business, access to existing or development of new training courses depending on the needs of the APs	RDA, CV, LARC

<sup>4</sup> As determined through discussions with various relief agencies and social welfare organizations, the allowance has been based on a minimum number of kilocalories per month derived from different foods. For rice the minimum requirement will be derived from between 98 and 105 Kg per person per year or an average of 8.5 kg per person per month or about Rs.400/month/person.

<sup>5</sup> A grant amount to support business re-establishment or start up of new business linked to skill training. Rates determined through discussions for road projects currently under implementation for similar impacts and activities.

<sup>6</sup> Rates determined through discussion with road projects currently under implementation and relevant departments for similar activities.

**Table 5.1: Project Entitlement Matrix**

Type of loss	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
iii. 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. The project will fund two agricultural extensions officers for 18 months, the cost is estimated at Rs 24,000 <sup>7</sup> per road plus assistance to APs of Rs 3,000 each for fertilizers and seeds	Access to existing agricultural extension services and development of new services as per the specific needs of APs as identified through consultation with them, support for access to existing subsidies, development and training from Department of Agriculture, Tea Smallholding Authority, Agrarian Services Department, Coconut Development Board, and Rubber Control Department	RDA, CV, LARC
<b>G.4 Special Assistance</b>				
Effects on vulnerable APs	Vulnerable APs including the poor, elderly APs, ethnic minority households, female-headed households, and disabled	A special grant of Rs 15,000 <sup>8</sup> per AP/household to improve living standards of vulnerable APs and households. Assistance to vulnerable households in finding suitable land for relocation and shifting OR provision of resettlement sites if opted by the AP.	Assistance, over and above payment for lost assets, to reduce impacts of resettlement which can disproportionately effect the already vulnerable and to ensure that the project does not simply re-establish levels of poverty, vulnerability or marginalization	RDA, CV, LARC

<sup>7</sup> Rates determined in consultation with Department of Agriculture.

<sup>8</sup> Assistance to cover, over and above compensation for lost assets. As determined through discussions for road projects currently under implementation for similar impacts.

**Table 5.1: Project Entitlement Matrix**

Type of loss	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
<b>H. COMMUNITY ASSETS</b>				
Loss of buildings and other structures (schools, temples, clinics, walls etc), infrastructure (local roads, footpaths, bridges, irrigation, water points or communal hand pumps etc), common resources (such as water supply, community forests)	Divisional Secretary division, urban ward, village, local community or local authority owning or benefiting from community property, infrastructure or resources	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 communities and relevant authorities; OR (Cash) Payment at full replacement cost; AND Restoration of access to community resources.	Full restoration of buildings, structures, infrastructure, services or other community resources by contractor (costs to be borne by project) or payment for such if agreement for local authority or community to undertake the restoration works.	RDA, CV, LARC
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.			



## 5.2 Temporary Loss of Private Land during Subproject Construction

40. The arrangements between owners/title-holders and the Contractor will specify the period of occupancy, terms and conditions, payment for material losses and other disturbances or damages to property and rehabilitation and restoration measures. Land should be returned to the owner at the end of temporary acquisition period, restored to its original condition or improved as agreed with the AP.

41. Project and the Contractor need to ensure that persons other than the owner (tenants, leaseholders, squatters) affected as a result of temporary acquisition are compensated for the temporary losses and disturbances. Extreme care shall be taken by the Contractors to avoid damage to public or private property and where damages to public or private property occur as a result of construction works, the AP (individual, household, authority, community or utility or service provider) shall be duly compensated. Such damages to structures, land crops or trees, and structures and land shall be restored to their former conditions.

## 5.3 Establishing Rates for Land Acquisition and Resettlement

42. Rates used to compensate for acquired land and assets will be **replacement cost at current market value** in order to meet the objective of at least restoring APs' livelihoods and ensuring that they will not be worse off because of the project. Furthermore, together with full replacement cost, RDA will pay transaction costs to AP.

## 5.4 Rates Used in the Resettlement Plan

43. The rates for land, structures, crops and trees that have been used in cost estimates prepared for this SRP have been derived from rapid appraisals and consultations conducted with affected households and relevant local authorities (see Annex I). In addition, the land values identified through public consultation and from other relevant key persons such as GN, DS, APs, and businessmen were analyzed (See Table 5.2 below).

**Table 5.2: Land Value in Subproject Areas**

Location	Commercial Land (Rs)		Residential land (Rs)	
	Minimum (Perch)	Maximum (Perch)	Minimum (Perch)	Maximum (Perch)
Habarana Township	5000	30000	1500	15000
Habarana Rural	1000	5000	1000	5000
Yaka Wanguwa	500	1000	500	1000
Agbopura	1000	5000	500	5000
Kanthale Rural	1500	3000	1000	3000
Kanthale Township	3000	10000	5000	8000

*Source: Land Acquisition and Resettlement Survey (LARS), March 2008*

44. The affected structures are varied due to different reasons. However, there should be standards to measure the actual values for all affected structures. Table 5.3 provides details for classification.

**Table 5.3: Value of Structures according to Type of Structure**

Type of House/ Structure	Construction Material				Ave. Value Rs/Feet <sup>2</sup>
	Roof	Wall	floor	Latrine	

Class 1	Tile/Asbestos	Brick/Concrete	Tile/Terrazzo	Attached/Commode/Water Sealed	3000
Class 2	Tile	Brick	Cement	Water Sealed	2500
Class 3	Metal Sheet	Brick	Clay/Mud	Water Sealed	1000
Class 4	Thatch	Clay/mud	Clay/Mud	Non	500

Source: Land Acquisition and Resettlement Survey (LARS), March 2008

## VI. CONSULTATION, GRIEVANCE REDRESS, AND PARTICIPATION

45. Information dissemination process needs to maintain transparency. This reduces potential conflicts, minimize the risk of project delays, and enable the project to design the resettlement and the rehabilitation programme as a realistic achievable plan conceived through a coordinated attempt of all parties in a democratic participatory manner to suit the needs and priorities of the APs.

46. Various stages of Consultation:

- Identification of stakeholders who will be involved in resettlement planning and implementation (APs, local officials, host communities at resettlement sites (if required), project authorities, donor representatives, elected officials, approving and implementing agencies, NGOs);
- Dissemination of information (including project entitlements) and identification of appropriate mechanisms for feedback and facilitating the consultation process; and
- Identification of a grievance redress mechanism (Grievances Redress Committee) and procedure.

47. Apart from the regular meetings with APs, DSs, GNs, LARCs and other relevant agencies, the disclosure process for the project should be in the form of a Public Information Booklet (PIB). Such a flyer had been prepared, translated into Sinhala and Tamil, and distributed to ensure that the APs and various stakeholders of the affected areas fully appraise the details of the resettlement plan programme, compensation and rehabilitation measures applicable to the project by the PMU. There were few meetings conducted by PMU in each DSDs with participation of DS, GNs, APs, etc. (Table 6.1 give more details about these meetings).

**Table 6.1: Awareness Meetings Held at the Divisional Secretaries Divisions**

Date	DS Division	DS Office	No. of Participants	Stakeholders Participated
29.11.2007 - at 11.00 am	Palugaswewa	Tampita Ancient Temple	74	DS – Palugasweva, ADS – Palugasweva, SSS – Polonnaruwa, DD/ESD – RDA, EE – RDA/Habarana, Pradeshiya Sabah Member – Kekirawa, GN – Habarana
29.11.2007 - at 3.00 pm	Hingurakgoda	DS Office Hingurakgoda	23	DS – Hingurakgoda, ADS – Hingurakgoda, SSS – Polonnaruwa, DD/ESD – RDA, GN – Morgasweva, GN – Sinhagama
30.1.2008 - at 2.00 pm	Kanthale	Agrabodhi National School Kanthale	114	DS – Kantalai, SSS – Trincomalee, EE – RDA, Trincomalee, Range Forest Officer, Trincomalee, GN – Agbopura

Source: PMU/RDA

48. These meetings were attended by members of the clergy, politicians of the area, GNs, Samurdhi Niyamakass, Agricultural Assistants, and representatives of the

community based organizations and representatives of the relevant government departments. Altogether 210 people including officials, politicians and local dignitaries attended the meeting, where outs on the project profile hand was distributed among the participants. Presentations were made by the officers of the NHSP on the design of the subproject, land acquisition process and brief introduction of the LAA and strategies and proposals to address the resettlement issues. After the presentations a friendly discussion was followed to clarify issues which were not fully understood by the members of the public. The participants pledged their support for the expeditious implementation of the project. The information flyer distributed among the participants attended the meetings conducted for these who were directly subjected to the land acquisition and resettlement process, contains description of the proposed improvement to the highway and the addresses and telephone numbers of persons to be contacted for further clarifications and information.

49. PMU/RDA would also ensure that resettlement plan is made public and its copies should be made available to the public in all three languages following ADB's Public Communication Policy.

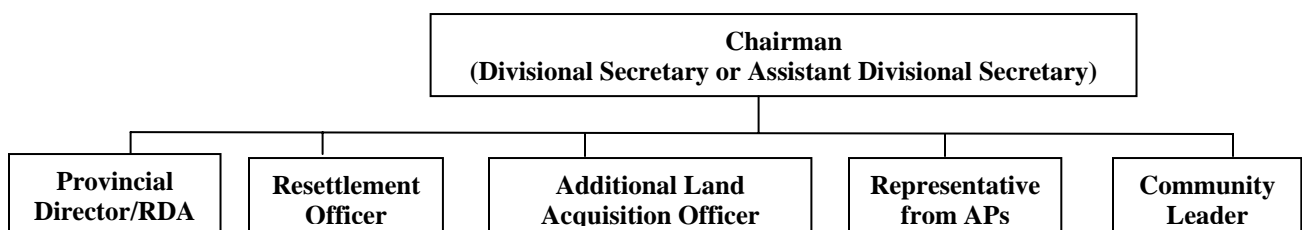
### 6.1 Mechanisms for Grievance Redress

50. Care shall always be taken to prevent grievances rather than going through a redress system, and grievances can be minimized through careful subproject design and implementation by ensuring full and true participation and consultation with APs, establishing rapport between the community and RDA through frequent interactions, transparency, and monitoring.

51. A grievance mechanism will be established by RDA that will allow APs to appeal against any disagreeable decisions or practices arising from compensation for land, especially on LARC decisions and other assets or to settle any general project-related disputes including construction related issues/impacts. APs will be made fully aware of their rights and the procedures for making a grievance – whether verbally or in writing – during consultation. The structure of GRC is shown below.

52. Under the subproject, there is the potential for three types of grievances: 1) grievances related to land acquisition and resettlement requirements, 2) grievances related to compensation payments or entitlements, and 3) grievances related to construction activities. As mentioned above APs can place their appeals on these issues as define GRC's tasks.

#### Proposed Structure of GRC



53. In the first instance, attempts should be made to settle the issues at the village or GN level through consultation and involvement of the project resettlement specialists,

(and NGOs and mediators or facilitators) as required. Complaints that cannot be addressed at this level may be presented to the GRC.

54. The project will also have recourse to the *Samatha Mandala* (Peace Council), the conflict resolution committee appointed by the Ministry of Justice in all Judicial Districts, as part of the grievance redress process. The members of this committee are well respected as they are educated and decent citizens drawn from towns and villages. The *Samatha Mandala* attempts to resolve conflicts prior to complaints being referred to the courts. If a conflict cannot be resolved by the committee, it can still be pursued through the court system. Furthermore since the *Samatha Mandala* is not involved the decision-making process associated with project related land acquisition and compensation, it can therefore provide adjudication unencumbered by any specific interest in the project.

## **VII. RELOCATION OF HOUSING AND SETTLEMENTS**

55. 5 AP households have been identified as adversely affected, hence those will need to be relocated. However, it is clear many APs households could rebuild their houses or business place within the remaining land plots. The other AP households are only partially affected and can be re-established themselves in their land plots or in other areas outside the road corridor. RDA is encouraging APs to find out self-relocation, where necessary. When there are vulnerable APs who cannot afford the process of proposed resettlement, RDA shall intervene to facilitate them according to the entitlement matrix given in the Resettlement Framework.

### **7.1 Resettlement Options and Specific Measures to assist Relocating APs**

56. The following options are available for APs with regard to housing relocation:

- a. Re-establish remaining structure in the unaffected portion of their property – This option is available for APs with sufficient remaining land to rebuild their affected structure.
- b. Self-relocation to a site chosen by the AP – APs can also use the cash compensation to purchase a replacement land and relocate. Support shall be provided by RDA during the transition period.
- c. Divisional Secretary will identify, in consultation with the APs who could not find a place for relocation and RDA will purchase land for affected APs.
- d. Regarding house renters, the AP has the option to stay with the owner's agreement. Or if he chooses to move out, he shall be provided cash assistance equivalent to 6 months rental allowance.

57. APs who cannot reorganize or rebuild their structures in their remaining plots will be assisted in transferring to an alternative site. To ensure that relocating households would not be impoverished or worse off as a result of their relocation, the following measures will be made to assist the APs in the transformation and transition period based on resettlement framework and ex-gratia package of RDA. These assistances will be made in addition to the compensation for their lands and properties affected.

- a. Cash assistance (shifting allowance) to APs who needs to reorganise their household assets (Rs. 10,000 per household).

- b. Cash assistance (relocation allowance) to APs who needs to transport their household assets (Rs. 5,000-15,000 per household).
- c. Cash assistance (rent allowance) to affected households who need temporary accommodation during the construction period of new structures (Rs. 5,000-15,000 per household).
- d. Cash assistance (livelihood restoration grant) to APs who are relocated (Rs. 15,000 per household).
- e. Cash assistance (vocational training grant) to APs who are relocated (Rs. 5,000 per member and maximum for two members of household).
- f. Cash assistance (special grant) to vulnerable APs (Rs. 15,000 per household).

## **VIII. INCOME RESTORATION STRATEGY**

58. The project involves primarily improvements to existing roads excluding the bypass area. The project does not entail the construction of any new roads, and therefore most of the acquisitions will be confined to narrow strips (1-3 perches in many acquisitions) acquired from property frontages. All livelihood and income restoration activities will be implemented as shown in the entitlement matrix.

59. The following constitutes the income restoration strategy for this subproject for APs who suffer livelihood losses:

- a. Livelihood restoration grant (as indicated in Section **V** of the report): all APs (15) whose livelihoods are affected will be supported for their income losses, and those whose livelihoods are affected adversely will be provided with livelihood restoration measures including allowances and interventions for severely affected, old aged, poorest and vulnerable APs (for more details see **Table 4.7**).
- b. Vocational or skills training (as indicated in Section **V of the report**): a maximum of two members from adversely affected (relocated) households (15) with regard to their preference and requirements.
- c. Agricultural extension assistance: farmers losing considerable portion of their land and who remain on their land will be given assistance to improve productivity of the remaining agricultural land. Assistance will include how to gain access to subsidies that are already available from different agencies for planting new gain crops.
- d. Project-related employment (for unskilled and semi-skilled tasks during construction). The contractor will be requested to give preference to APs when selecting staff and workers.

## **X. INSTITUTIONAL FRAMEWORK**

60. There are several institutions to support implementation of road widening project. Specially, institutions such as RDA and its subordinate divisions are directly responsible at different levels of this project. DSDs and GNs are partially involved in implementing the project. All these institutions need to be coordinated to resolve all issues related to resettlement. The most important institutions and their divisions/departments can be identified as follows:

### **9.1 Road Development Authority**

61. RDA will be the executing agency of the project. It will work through the already established PMU in Colombo headed by the Project Director (PD), who is currently responsible for implementing pre-construction activities. The PMU will coordinate the overall project implementation. Apart from the PMU, there are a few other RDA divisions that should support to implement the subproject activities. Mainly LARD and its subordinate division ESD are responsible in land acquisition and resettlement planning (for more details see RF).

### **9.2 Land Acquisition and Resettlement Committees (LARCs)**

62. Three Land Acquisition & Resettlement Committees (LARCs) will be established at DSD level (Palugasweva, Hingurakgoda, and Kanthale) to assist the resettlement process, and particularly in consultation with APs, to decide on replacement cost and other compensation applicable to the APs. Each LARC will be chaired by the DS, and comprises of, representatives of RDA, Valuation Department, Survey Department and the relevant AP.

### **9.3 Construction Supervision Consultants (CSC)**

63. The CSC will assist PMU in finalizing the resettlement plans and subsequent implementation of the plans. The ESD will assist PMU to maintain and update the Management Information System (MIS) of the APs for the subproject. The consultants will also guide and assist PMU, LAO, Resettlement Assistants in planning and implementation of resettlement project.

### **9.4 Other Agencies**

64. The income rehabilitation and livelihood restoration measures will be implemented by subject related institutions, organizations and NGOs in partnership with the Department of Agriculture, Irrigation Department, Forest Department, Farmer's Organizations, Pradeshiya Sabas (Kekirawa, Hingurakgoda, and Kanthale), Agrarian Development Councils, Coconut Development Board, etc. which are responsible for implementation of various aspects of the resettlement plan in the subproject areas.

### **9.5 The Responsibilities of the APs during Compensation Payment**

65. The APs' responsibilities can be enlisted as follows:

- They should bring necessary documents (title deeds or registration certifications, leases or rent agreements, sharecropping agreements, etc.) and forward to land acquisition officers or LARC;

- If any AP is not be available to claim compensation payment on the scheduled date, they will inform the GN; or send their representative, through a written authorization, to claim the compensation on his/her behalf; or the AP may request the LARC reschedule the day of payment;
- Review carefully all compensation documents and ask PMU, CEOs and LARC for clarification or explanation, if required. If AP is not satisfied with the compensation payment or if there is a disagreement between an AP and the compensation offered, then an AP can resort to LARC and the GRC for assistance;
- If AP finds the compensation documents in order, they will sign the said documents and acknowledge receipt of compensation payment, and get one copy of all compensation forms; and
- AP will clear the works area within the specified time indicated by the project, enabling construction works to begin.

66. The PMU will ensure that all affected persons will receive compensation and other entitlements before civil work contracts are awarded.

## XI. RESETTLEMENT BUDGET AND FINANCING

67. The resettlement plan includes a preliminary cost estimate for compensation, rehabilitation and other restoration/assistance entitlements of APs, with a breakdown by agricultural land, residential land, commercial land, houses and commercial structures, and other assets. The cost estimate is based on the rates derived through consultation and appraisal as set out in Section V of this plan.

68. Further, this subproject streamlines the process of compensation by making the different types of payment at one time and effecting the full compensation, rather than paying instalments which delay the ability of an AP to restore their livelihood. This incurs additional costs to the project in terms of interest.

**Table 10.1 – Total Cost for Resettlement**

Item No.	Item	No.	Unit	Rs/unit	Total Rs	Total US\$
Compensation for Lands	Agricultural Land	38	Perch	4,750	180,500	1,641
	Residential Land	286.75	Perch	23,500	6,738,625	61,260
	Commercial Land	99.5	Perch	27,000	2,686,500	24,423
Compensation for Structure	<b>Permanent</b>					
	Houses: Class 1	4110	SQ Feet	3,000	12,330,000	112,091
	Houses/shop: Class 2	610	SQ Feet	2,500	1,525,000	13,864
	<b>Semi-Permanent</b>					
	Shed: Class 3	630	SQ Feet	1,000	630,000	5,727
	<b>Temporary</b>					
Loss of Income:	Other Structures: Class	3080	SQ Feet	500	1,540,000	14,000
	Business Income	14x6	Months	15,000	1,260,000	11,455
Trees:	Agricultural Income	5x6	Months	15,000	450,000	4,091
	Fruit trees	14	Trees	5,000	70,000	636
	Garden bushes	8	Bushes	1,000	8,000	73
Allowances	Timber	18	Trees	10,000	180,000	1,636
	Shifting allowance	5	HHs	5,000	25,000	227
	Relocation allowance	5	HHs	15,000	75,000	682

	Subsistence allowance	5x4x6	AP	400	48,000	436
	Vocational training grant	10x6	AP	5,000	300,000	2,727
	Special grants for VAPs	15	AP	15,000	225,000	2,045
Development of Resettlement/s Sites (only APs do not have any option of self-relocation)	Purchasing land/s	320	Perch	5,000	1,600,000	14,545
	Developing land/s with basic utilities – Road	1	km	1,500,000	1,500,000	13,636
	Developing land/s with basic utilities – Electricity	1		389,250	389,250	3,539
	Developing land/s with basic utilities – Water	1		1,566,103	1,566,103	14,237
Replacement Cost of Common Properties	Two shrines at 146+600 and 123+300 km	2	Structure	100,000	200,000	1,818
External Monitoring		36	P/Months	50,000	1,800,000	16,364
Sub Total					35,326,978	321,154
Administration Cost 20%					7,065,396	64,231
<b>TOTAL</b>					<b>42,392,374</b>	<b>385,385</b>

69. The resettlement budget of SLR 43.3 million (US\$ 385,385 - \$ = SLR 110) is estimated to cover all components of compensation, assistance, entitlements, relocation and contingencies.

## XII. IMPLEMENTATION SCHEDULE

70. Resettlement activities will be implemented during a three year period commencing from May 2008 to December 2010. LARCs and GRCs will be established not later than the beginning of second quarter of 2008. After the vacant possession of acquired land it is possible to commence the construction works.

71. The CSC will be hired before the implementation of the subproject. The external monitoring agency will commence its work from the beginning of fourth quarter of 2008 till the end of December 2010. For more details please refer tentative implementation schedules given below (Table 11.1 and Annex IV):

**Table 11.1 – Implementation Schedule – Major Landmarks**

Activities	Time	Responsibility
Prepare and distribute public information booklet & entitlement framework to APs & communities and disclosures	Month 1-2	PMU, LARD/ESD
Consult with local officials, APs and concerned groups/departments	Month 2-4	PMU, DS,SD,VD, MOH, GN
Initial Land Survey	Month 2-5	PMU, SD, DS, GN
Get approval from Forest Department	Month 4 April 2008	PMU/RDA, MOH
Approval of final RP from ADB	Month 5 June 2008	PMU/RDA
Land Acquisition – Process	Month 1-12	PMU, DS,SD,VD,GP, RDA, MOH, MOLLD
LARC & Super LARC	Month 12-14	PMU, LARD/ESD and other relevant departments
Payment of Compensation	Month 13-14	PMU, DS,SD,VD,MOH, CSC, NGO
Relocate houses, shops, businesses	Month 13-14	PMU, LARD/ESD, CSC, NGO
Clear the ROW	Month 14	PMU, DS, GN, CSC
Issue notice for commencement of civil works in first	Month 6 (June 2008)	PMU, MOH, ADB



phase (where no resettlements)		
Issue notice for commencement of civil works in Second phase (after the acquisition of lands)	Month 14 (February 2009)	PMU, MOH, ADB
Income Restoration	Month 13-18	PMU, LARD/ESD, , CSC, NGO
Management Information System	Month 11 - ongoing	PMU,LARD/ESD, CSC,, NGO
Grievance Redressing	Month 12 - ongoing	GRC, Samatha Mandala, and other state institutions
Internal Monitoring	Month 11 - ongoing	PMU, LARD/ESD, CSC
External Monitoring	Month 11 - intermittent	External monitor, PMU, LARD/ESD & ADB

72. Annex IV shows details of the activities according to a fixed timeframe for compensation and resettlement activities.

### **XIII. Monitoring & Evaluation**

73. The land acquisition and resettlement program of the subproject will be monitored internally by RDA through the PMU, ESD, CEOs and field offices with the assistance of CSC, and externally (by an independent agency) with the objective of providing feedback to management on implementation and identifying problems as early as possible to take timely actions to resolve them.

74. The objectives of the monitoring are to: 1) ensure that the standards of living of APs are restored or improved, 2) check whether the timelines are being met, 3) assess whether compensation, rehabilitation measures are sufficient, 4) identify problems or potential problems, and 5) to suggest how to mitigate hardships and operation problems.

75. A monitoring and evaluation program will (a) record and assess project inputs and the number of persons affected and compensated, and (b) confirm that former subsistence levels and living standards are being re-established/improved. A range of activities and issues that would therefore has to be recorded and checked. Those include:

1. Land acquisition and transfer procedures
2. Compensation payments
3. Construction of replacement houses by APs themselves after the compensation
4. Re-establishment of displaced households and business enterprises
5. Resettlement or relocation, if required
6. Re-establishment and improvement of livelihood and income levels, and
7. Special assistance to vulnerable APs to improve their livelihoods.
8. Grievances, their resolution, an AP satisfaction.

#### **12.1 Internal Monitoring**

76. RDA through its PMU, ESD, CEOs with the assistance from the CSC, NGOs, and APs will be responsible for internal monitoring of resettlement plan implementation. The resettlement specialists of the CSC will assist the preparation of resettlement monitoring reports. During the project implementation, PMU will submit to RDA and Resident Mission of ADB in Sri Lanka. The first two types of indicators mentioned in table 12.1 below, related to process and immediate outputs and impacts, will be monitored internally by PMU and ESD.

77. The land acquisition officers, resettlement assistants and NGOs with the support from CSC will collect information from the project site and assimilate those in the form of a monthly progress report to assess the progress and results of RP implementation, and adjust the work program, where necessary, in case of any delays or problems. The key monitoring indicators are given below in table 12.1

**Table 12.1 - Monitoring and Evaluation Indicators**

Type	Indicator	Examples of Variables
Process Indicator	Staffing	Number of RDA staff on project, by subproject, job function & gender, Assignment of Land Acquisition Officers to subprojects, Training received, Number of other line agency officials available for tasks
	Consultation, Participation, & Grievance Resolution	Number of consultation and participation programs held with various stakeholders on entitlements, valuation as per replacement value, etc. Grievances by type and resolution, Number of field visits by RDA staff, LARC members, staff from Chief Valuer's office, Number of NGOs/civil society organizations participating in project
	Procedures in Operation	Joint IOL and asset verification/quantification procedures in place, Effectiveness of compensation delivery system, Number of land transfers effected, Coordination between RDA and other line agencies
Output Indicator	Acquisition of Land	Area of cultivation/paddy land acquired by subproject, Area of other private land acquired Area (and type) of state land acquired
	Structures	Number, type and size of private structures acquired, Number, type and size of community property structures acquired, Number, type and size of government structures acquired
	Trees and Crops	Number and type of private crops and trees acquired, Number and type of government or community crops and trees acquired, Crops destroyed by area, type and number of owners
	Compensation and Rehabilitation	Number of households affected (land, buildings, trees, crops), Number of owners compensated by type of loss, Number and amount of allowances paid, Number of replacement houses constructed by owners, Number of replacement businesses constructed by owners, Number of owners requesting assistance with purchasing replacement land, Number of replacement land purchases effected, Number of delivery of entitlements, Suitability of entitlements to APs as per plan objectives, Number of poor and vulnerable APs requesting assistance with land & title, Assistance made related to land allocation to poor and vulnerable APs
Impact Indicator	Household Earning Capacity	Employment status of economically active members, Landholding size, area cultivated and production volume, by crop Selling of cultivation land Changes to livestock ownership, Changes to agricultural income-earning activities, Changes to off-farm income-earning activities, Amount and balance of income and expenditure
	Changes to Status of Women	Participation in training programs, Participation in project construction, Participation in commercial enterprises
	Changes to Status of Children	School attendance rates (male/female), Participation in project construction
	Settlement and Population	Growth in number and size of settlements, growth in market areas, Influx of illegal settlers/encroachers

Source: *Resettlement Framework, P. 39.*

78. Land acquisition and resettlement data will provide the necessary benchmark for field level monitoring. The list of indicators that will be monitored is provided in the table above.

79. The methods that will be used to carry out field level monitoring will be the following:

- (a) Review of census/RP information for all APs;
- (b) Consultation and informal interviews with APs;
- (c) In-depth case studies;

- (d) Sample survey of APs;
- (e) Key informant interviews; and
- (f) Community public meetings.

80. The CEO offices will prepare monthly and quarterly progress reports and submit to ESD, LARD and PMU. ESD will submit through PMU quarterly progress report of the project to ADB.

## **12.2 External Monitoring**

81. PMU with the approval of ADB will appoint an external monitoring agency. Its TOR, qualifications, and experience will be reviewed by ADB prior the appointment. It will conduct independent review of resettlement implementation activities of the subproject to determine whether intended goals are being achieved; and if not, what corrective actions are needed. The objectives of the independent monitoring agency will be of three-fold:

1. To verify that resettlement programme has been implemented in accordance with the approved SRP and agreed time framework;
2. To ensure that APs have been able to restore at least their livelihoods and living standards.
3. To conduct social audit (on a quarterly basis) of land acquisition and resettlement activities.

82. The findings of the external monitoring reports will be conveyed to PMU and LARD and ESD which will take necessary remedial actions. The external monitoring reports will be submitted directly on a quarterly basis to the Resident Mission of ADB in Sri Lanka, PMU, LARD and ESD.

## **12.3 Management Information System**

83. All information concerning resettlement issues related to land acquisition, socio-economic information of the acquired land and affected structures, inventory of losses by individual APs, compensation and entitlements, payments and relocation will be assembled by ESD through their field officers and will be fed into the MIS system on regular basis. The MIS system will provide the following key data in a user-friendly manner for project administration, monitoring and evaluation of resettlement implementation:

1. Detailed information on each AP with regard to type and extent of loss, measurements, valuation, entitlements, payments, relocation, etc.
2. Monthly, quarterly, annual monitoring reports.
3. Monthly social audit reports for LAR.

## **XIV. Environmental Impact of Resettlement**

84. Environment clearance from Central Environment Authority was obtained on 20 December 2006 by submission of Basic Information Questionnaire (BIQ), a Preliminary Information Document (PID) covering the entire 44 km stretch including the proposed area in which the bypass is to be designed.

85. Environmental impacts of rebuilding of partially affected structures are considered to be minor. Structures that will be severely affected by construction works will be relocated within the same of plot of land or on nearby plots of land. Hence, no significant environmental impacts are anticipated from the implementation of the Resettlement Plan.

### Annex I: List of Government Officers and APs Consulted

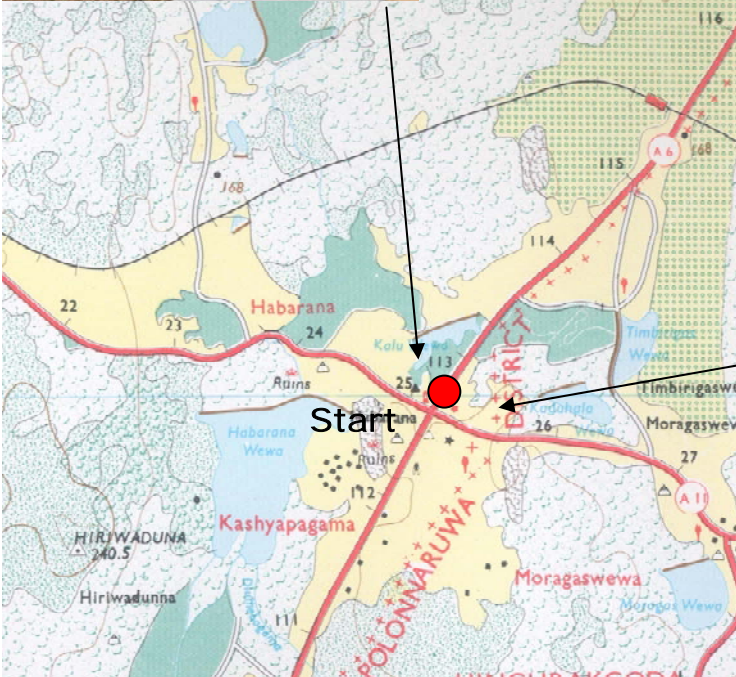
S. No.	Name	Designation	Key Matters Discussed	Mode of Discussion
1.	M. D. J. Prasad	Assistant Divisional Secretary, Kanthale.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Discrepancies of land ownerships in ground situation and tenement lists</li> <li>• Land values</li> </ul>	Face to face interaction
2.	L. A. Jaya Menike	Administrative Officer, Divisional Secretariat Office, Kanthale.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Discrepancies of land ownerships in ground situation and tenement lists</li> <li>• Land values</li> </ul>	Face to face interaction
3.	Piyawathi	Management Assistant, Assistant Land commissioner's Office, Kanthale.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Discrepancies of land ownerships in ground situation and tenement lists</li> <li>• Land values</li> </ul>	Face to face interaction
4.	D. Samarajeewa	Subproject affected person, Kanthale.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Land values</li> <li>• Subproject impacts</li> </ul>	Face to face interaction
5.	William Wedagedara	Subproject affected person, Kanthale.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Land values</li> <li>• Subproject impacts</li> </ul>	Face to face interaction
6.	A. H. Ganaratne	Subproject affected person, Kanthale.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Land values</li> <li>• Subproject impacts</li> </ul>	Face to face interaction
7.	W. Wanigatunga	Grama Niladhari Galoya and Sinhagama, Divisional Secretariat Division, Hingurakgoda.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Land values</li> <li>• Discrepancies of land ownerships in ground situation and tenement lists</li> <li>• Subproject impacts</li> </ul>	Face to face interaction
8.	Nalani Mallika	Grama Niladhari Moragasweva, Divisional Secretariat Division, Hingurakgoda.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Subproject impacts</li> </ul>	Over the phone
9.	G. V. Nimalasiri	Grama Niladhari 589 Habarana, Divisional Secretariat Division, Palugasweva.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Land values</li> <li>• Discrepancies of land ownerships in ground situation and tenement lists</li> <li>• Subproject impacts</li> </ul>	Face to face interaction and over the phone
10.	K. G. Janitha Prema	Chairman, Pradeshiya Saba, Hingurakgoda.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Land values</li> <li>• Subproject impacts</li> </ul>	Face to face interaction and over the phone
11.	Jayawardena H. Pathiratne	Divisional Secretary, Palugasweva.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Discrepancies of land ownerships in ground situation and tenement lists</li> <li>• Land values</li> </ul>	Over the phone
12.	S. M. P. Pradeep	Road User	<ul style="list-style-type: none"> <li>• Land value</li> <li>• Road development impacts</li> </ul>	Face to face interaction

13.	Lakshan Maduranga	Road user, Teacher	<ul style="list-style-type: none"> <li>• Land value</li> <li>• Road development impacts</li> <li>• Kanthale bypass</li> </ul>	Face to face interaction
14.	E. R. Tilakeratne	Divisional Secretary, Nuwaragam Palatha, Anuradhapura.	<ul style="list-style-type: none"> <li>• Land acquisition</li> <li>• APs participation</li> <li>• Discrepancies of land ownerships in ground situation and tenement lists</li> <li>• Land values</li> </ul>	Face to face interaction
15.	C. I. Jayathilake	Chief Inspector of the Police, Habarana Police Station, Habarana.	<ul style="list-style-type: none"> <li>• Security measure and road development</li> <li>• APs participation</li> <li>• Land acquisition</li> </ul>	Face to face interaction
16.	J. P. Gamini Jayaweera	Principal, Sinhala Vidyalaya, Trincomalee, settled in Habarana	<ul style="list-style-type: none"> <li>• Commuter's requirements</li> <li>• Positive and negative benefits of road widening project</li> </ul>	Face to face interaction

# Annexure 2 HABARANA – TRINCOMALEE

## A006 (Location Map 1)

[Km 113 – 123]



# Location Map 2

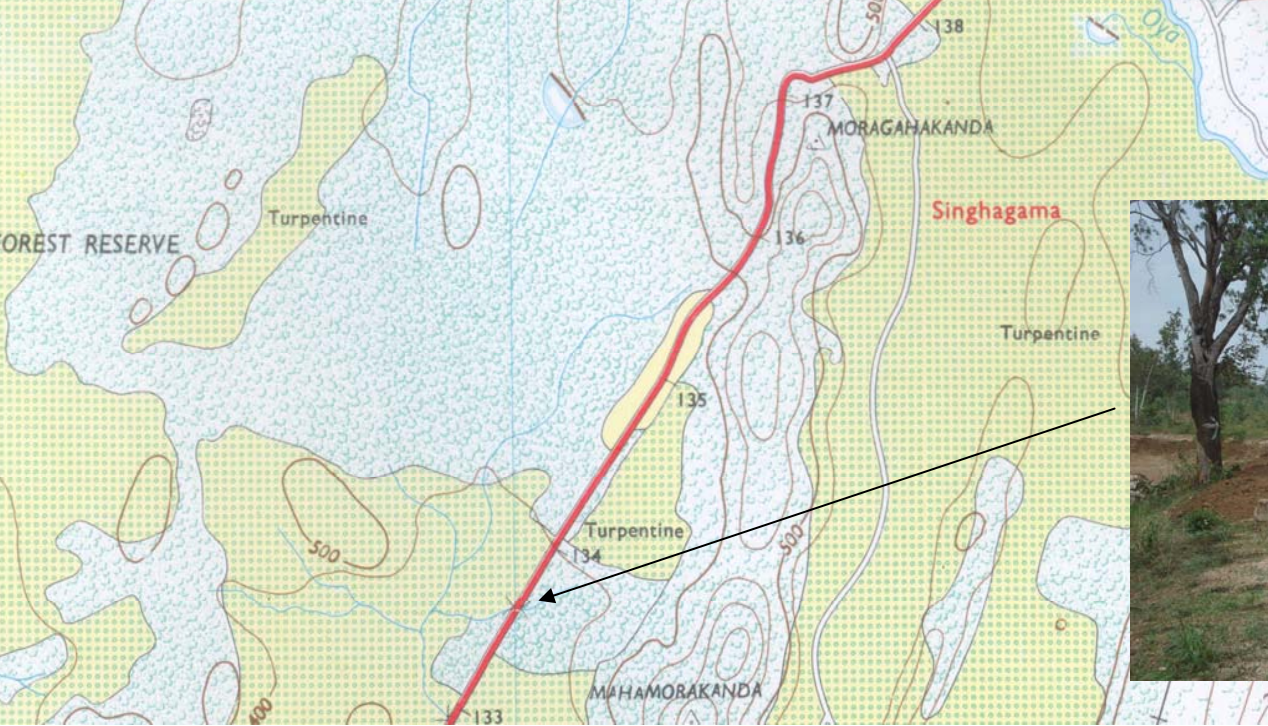
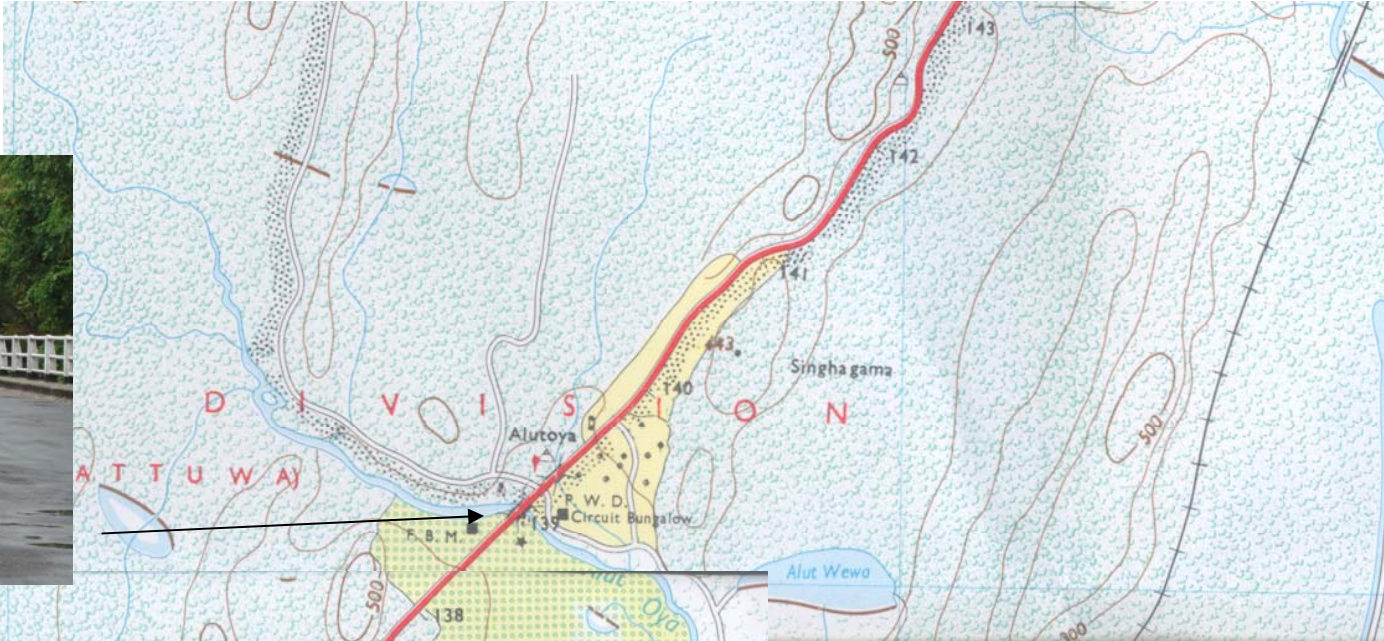
[Km 123 – 133]





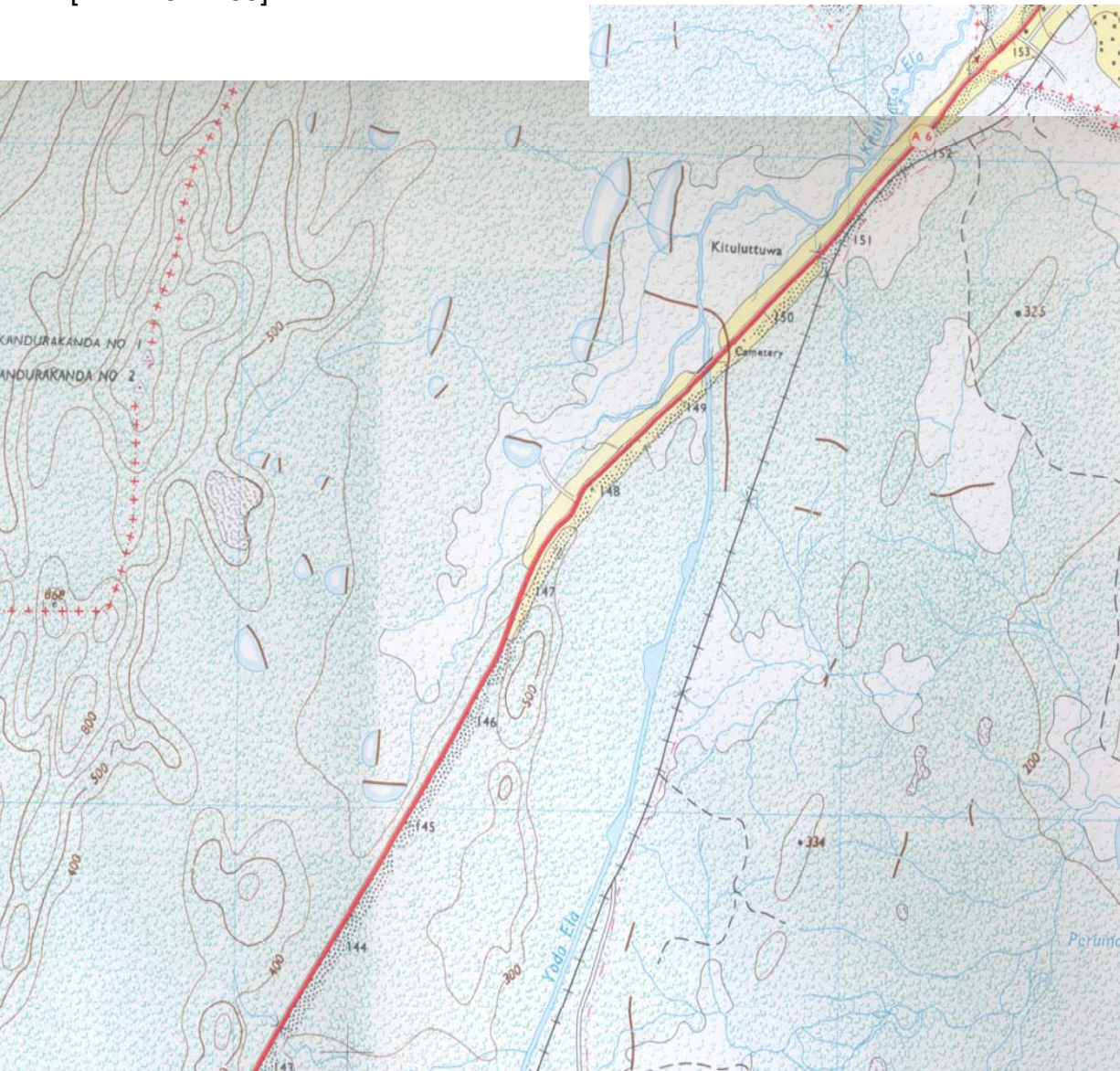
Location Map 3

[Km 133 – 143]



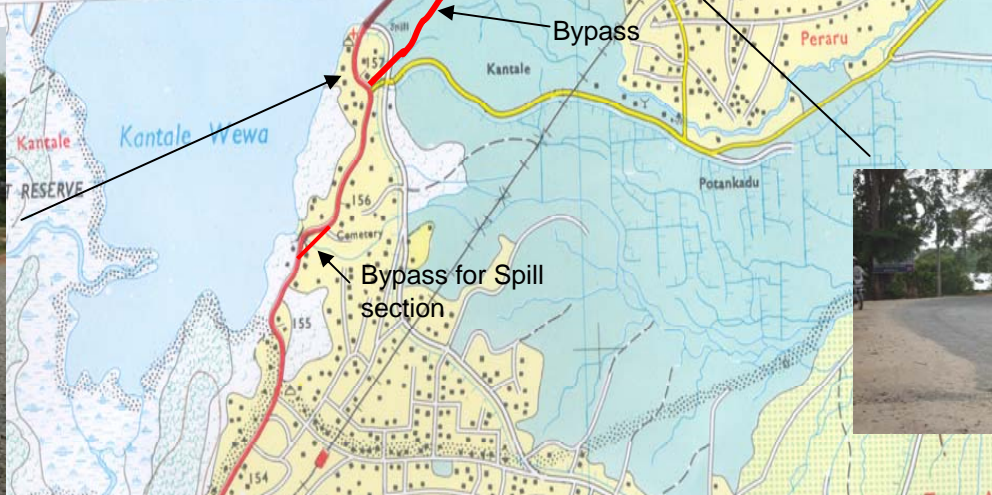
# Location map 4

[Km 143 – 153]



# Location map 5

[Km 153 – 165]



**Annex III:**

**CURRENT STATUS OF LAND ACQUISITION PROCESS OF A 006 UNDER THE LAND ACQUISITION ACT (LAA)**

Stage and Activity/Role	LAA Section	Responsible Unit/ Institution	Role of Concerned RDA Units	Current Status
<b>Stage I: Preparation of Acquisition Proposal</b>				
1. Identification of a suitable land after preliminary investigation. 2. Preparation of rough sketch of land. 3. Arrangement of funds by obtaining approval from the Treasury under F.R.53. This fund should be 25% of the rough estimate of the budget or Rs. 50,000.00 which ever is higher. This amount should deposit by the Project Executing Agency in each Divisional Secretariat Divisions for their official expenses	248	Project Executing Agency (RDA)	PMU prepares and submits a request to the RDA-Land and Resettlement Division (LARD) with support from the Provincial Director/s and Design Engineers of the RDA-Planning Division. The PMU ensures that the RAP is also attached to the request as annex.  PMU ensures that budget for the land acquisition for the project/subproject is included in the RDA annual plan and funds are available from the relevant Ministry and from the donor agency to implement these activities	Completed
4. Preparation of application for acquisition. (to be submitted to the Land Acquisition Division of the Ministry of Land) • Application • Detailed Statement • Tenement list and rough sketch or survey plan • Approved RAP	2 (1)	Project Executing Agency (RDA through Ministry of Highways)	RDA-Director of LARD appoints Land Officer/s (LO) and Land Assistant/s (LA) to prepare the application and follow-up with various agencies involved in the land acquisition process.  PMU recruits Land Officer/Land Assistants to assist the LO/LA from the RDA-LARD.  PMU maintains its own file copy of the application and supporting documents (including RAP)	Completed
<b>Stage II: Publication of 1st notice and Preparation of Advanced Tracing</b>				
1. Registration of acquisition proposal and obtaining approval from the Hon. Minister of Land	248	Director of the Land Acquisition Division, Ministry of Land	LOs from the RDA-LARD and the PMU follow up and report on action taken by the Ministry of Land.	Completed
2. Issuing of Section 2 order to Divisional Secretary by the Ministry of Land	2	Director of Lands, Ministry of Land	PMU ensures that funds are deposited in the account of each Divisional Secretariat Office to cover their expenses in land acquisition activities.  (The amount should be 25% of the rough estimate of the budget or Rs. 50,000.00 which ever is higher. This amount should be deposited by the Project Executing Agency in each Divisional Secretariat Divisions for their official expenses. This can be replenished based on actual requirements and submission of documents)	Completed

Stage and Activity/Role	LAA Section	Responsible Unit/ Institution	Role of Concerned RDA Units	Current Status
3. Exhibition of Section 2 notice in three languages in the relevant land and in some conspicuous places in that area, Handing over to relevant persons including claimants  (Divisional Secretary appoints a Land Officer to undertake the relevant activities with support from the Grama Niladhari of the respective Grama Niladhari Divisions)	249	Divisional Secretary	LOs from the RDA-LARD and PMU assist the Land Officers of the Divisional Secretariat Offices in the translation of the notices in three languages and in the dissemination of information to APs.  PMU assists in orienting the Land Officers and appointed staff from the Grama Niladhari on the project and land acquisition/resettlement issues	Completed
4. Sending of Survey requisition to the Survey Superintendent to survey and prepare the advanced Tracing		Divisional Secretary	LOs from the RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries	Processing
5. Preparation of Advanced Tracing and sending it to Ministry of Land and Divisional Secretary		Survey Superintendent	LOs from the RDA-LARD and PMU follow up and report on action taken by the Survey Department	Processing
6. Confirmation of receipt of Advanced Tracing by the Ministry of Land		Divisional Secretary	LOs from the RDA-LARD and PMU follow up and report on action taken by the Divisional Secretary and ensure that advanced tracing is properly received by the Ministry of Land	Processing
<b>Stage III: Investigation and calling for objections<sup>1</sup></b>				
1. Issuing of Section 4 Order to Divisional Secretary	4, 250, 4.3	Director of Land Division, Ministry of Land	LOs from the RDA-LARD and PMU follow up and report on action taken by the Director of Land Division	Yet to start
2. Preparation of Section 4 notice in three Languages (Sinhala, Tamil, and English) and exhibition		Land Officer and Grama Niladhari of relevant Grama Niladhari Divisions	LOs from the RDA-LARD and PMU assist the Land Officers of the Divisional Secretariat Offices in the translation of the notices in three languages and in the dissemination of information to APs.  PMU keeps a copy of the notices in its files.	Yet to start
3. Reporting to the Ministry of Land as above		Divisional Secretary	LOs from the RDA-LARD and PMU coordinates with the Divisional Secretaries on complaints or objections received from the public.	Yet to start
4. Investigation of objections received according to the Section 4 notice and sending recommendations to the Ministry of Land  (Ministry of Highways shall form a Grievance	251,252, 4.4	Ministry of Highways (MOH)/ Project Executing Agency (RDA)	LOs from the RDA-LARD and PMU to report to Ministry of Land the status and resolution of cases/complaints received (whether to proceed or not in the land acquisition).	Yet to start

<sup>1</sup> Stage III applies to the normal land acquisition process. However, Section 38 (a) of the Land Acquisition Act allows for skipping this step. Under such section, publication of Section 38 (a) proviso in the Gazette can be done immediately after the receipt of the advanced tracing from the Survey Department.

Stage and Activity/Role	LAA Section	Responsible Unit/ Institution	Role of Concerned RDA Units	Current Status
Committee to investigate the complaints)				
<b>Stage IV: Deciding to acquire the land</b>				
1. Refer to the Divisional Secretary regarding the declaration by the Hon. Minister of Land under Section 5	5, 253	Director of Land Division, Ministry of Land Assisted by the Land Officer from the Divisional Secretariat Office	LOs from RDA-LARD and PMU follow up and report on action taken by the Director of Land.	Yet to start
2. Publication of Section 5 declaration in the Government Gazette in three languages	254	Divisional Secretary / Government Press	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries and the Government Press  PMU keeps a copy of the publication in its files.	Yet to start
3. Exhibition of the Gazette among the conspicuous places and interested persons		Divisional Secretary (through the Grama Niladaries)	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries and assists in the dissemination of information to APs.	Yet to start
4. Sending a copy of the Gazette to Survey Department, Ministry of Land and Ministry of Highways		Divisional Secretary	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries	Yet to start
5. Issuing of Survey requisition to Survey Superintendent to prepare a final plan	6	Divisional Secretary	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries and ensure that the request is properly received by the Survey Superintendent.	Yet to start
6. Surveying the land, preparation of Preliminary Plan, laying of boundary stones by the Survey Superintendent and forwarding of plan to Divisional Secretary and Ministry of Land	255	Survey Superintendent of Survey Department	LOs from RDA-LARD and PMU follow up and report on action taken by the Survey Superintendent and ensure that the plans are properly received by the Divisional Secretaries.	Yet to start
7. Sending a copy of Preliminary Plan to the Ministry of Land		Divisional Secretary	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries and ensure that the plans are properly received by the Ministry of Land.	Yet to start
<b>Stage V: Inquiry into claims and payment of compensation</b>				
1. Preparation of Sec.7 notice in three languages and publication in the Gazette. • Call for claims for compensation (both for title holders and non-title holders) • Deciding of dates & places for inquiries	7  255 7.2	Divisional Secretary / Government Press	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries and the Government Press and assists in the translation and dissemination of information to APs.  PMU keeps a copy of the publication in its files	Yet to start
2. Sending a copy of the Gazette to Chief Valuer, Ministry of Land and Ministry of Highways/RDA	9	Divisional Secretary	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries and	Yet to start

Stage and Activity/Role	LAA Section	Responsible Unit/ Institution	Role of Concerned RDA Units	Current Status
3. Holding of inquiries into claims and compensation	256, 10 (1) (a)	Divisional Secretary	PMU recruits and orients additional staff to support the activities, if necessary.  LOs from RDA-LARD and PMU assist the APs in the completion of necessary documentation to expedite payment of compensation.	Yet to start
4. Issuing of decision under 10 (1) decision	257	Divisional Secretary	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries	Yet to start
5. Refer to Valuation Department for valuation		Divisional Secretary	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries	Yet to start
6. Issuing of valuation report to Divisional Secretary		Valuation Department	LOs from RDA-LARD and PMU follow up and report on action taken by the Valuation Department	Yet to start
7. Declaration of the award	17	Divisional Secretary	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries	Yet to start
8. Issuing of award under Sec. 17 award	259	Divisional Secretary	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries	Yet to start
9. If the owner agrees to obtain the compensation, payment of the compensation from the funds obtained through the treasury - Divisional Secretary sends the request to MOH through LARD - MOH issues the cheque in favor of the Divisional Secretary through LARD - Divisional Secretary pays compensation	261	Divisional Secretary, Ministry of Highways, Treasury	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries and the processing of cheque.  PMU tracks and reports on status of compensation payments and livelihood restoration assistance.	Yet to start
10. Payment of interest (For the period from the date publication of 38 (a) to the date of compensation paid @ 7% per annum)		Divisional Secretary, Ministry of Highways, Treasury	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries and the processing of cheque.  PMU tracks and reports on the status of compensation payments and livelihood restoration assistance to ESD and donor agency.	Yet to start
<b><u>Stage VI: Taking over of possession after the acquisition</u></b>				
1. Apply for 38 (a) after the completion of payment of compensation	262	Divisional Secretary, Ministry of Highways/Treasury	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries	Yet to start
2. Publication of Sec. 38 (a) order in the Gazette and giving instructions to Divisional Secretary to take over the possession	38	Director of Land, Ministry of Land / Government Press	LOs from RDA-LARD and PMU follow up and report on action taken by the Ministry of Land and the Government Press.  PMU keeps a copy of the publication in its files.	Yet to start

Stage and Activity/Role	LAA Section	Responsible Unit/ Institution	Role of Concerned RDA Units	Current Status
3. Handing over the possession to RDA and reporting to the Ministry of Land and Ministry of Highways		Divisional Secretary	LOs from RDA-LARD and PMU follow up and report on action taken by the Divisional Secretaries	Yet to start
<b>Stage VII: Vesting of Certificates</b>				
<p>1. Vesting of land through the vesting certificate in the Local authority after taking over the possession under Sec. 38 (a) or Sec. 38 (a) proviso for RDA:</p> <ul style="list-style-type: none"> <li>• Obtaining the required full amount of funds from the relevant organization, obtaining approval from the Ministry of Land for vesting</li> <li>• Mentioning of imposing of conditions and units in the Vesting Certificate</li> <li>• Registration of Vesting Certificate in the District Land Registry</li> <li>• Sending of copy of Vesting Certificate to Ministry of Land and Ministry of Highways/RDA</li> </ul>	44 (1), 267	<p>Divisional Secretary (assisted by its Land Officer)</p> <p>Director of Land, Ministry of Land</p> <p>Divisional Secretary</p> <p>Divisional Secretary</p> <p>Divisional Secretary</p>	Divisional Secretary and Land Officer. Land Officer in the Land and Resettlement Division of RDA should follow up	Yet to start







## Annexure V: List of Affected Households

No	Chainage	Road Side	No. of family Members	Name of CO	Gender - CO	Type of Land	Status of land Ownership	Affected land holding (perch)	District	DSD	GND	NID
1	113+850	Right	5	W. Gunathilaka	Male	Residential	Legal Title	3	Polonnaruwa	Hingurakgoda	29, Moragaswewa	563432144v
2	113+975	Right	4	R. M. M. Kamalawathi	Female	Residential	Encroached	3	Polonnaruwa	Hingurakgoda	29, Moragaswewa	556992053v
3	114+750	Right	4	M. A. Malani	Female	Residential	Encroached	6	Polonnaruwa	Hingurakgoda	29, Moragaswewa	578462295v
4	115+225	Right	1	Evijin Fernando	Male	Trade/Business	Encroached	2	Polonnaruwa	Hingurakgoda	29, Moragaswewa	420741820v
5	115+400	Left	6	W. K. H. Pathmasiri	Male	Trade/Business	Legal Title	1	Anuradhapura	Palugasweva	589- Habarana	Lost/Misplaced
6	115+500	Right	5	Athula Wijesinha	Male	Trade/Business	Encroached	5	Polonnaruwa	Hingurakgoda	29, Moragaswewa	Lost/Misplaced
7	126+975	Right	4	B. W. Abekoon	Male	Residential	Legal Title	20	Polonnaruwa	Hingurakgoda	32/Galoya	671653505v
8	127+020	Right	4	B. W. S. Bandara	Male	Trade/Business	Encroached	2	Polonnaruwa	Hingurakgoda	32/Galoya	561003246v
9	130+070	Right	5	L. A. Ranjith	Male	Trade/Business	Squatter	2	Polonnaruwa	Hingurakgoda	32/Galoya	623122522v
10	130+100	Left	2	B. R. Wijepala	Male	Residential/Trade	Tenant	4	Polonnaruwa	Hingurakgoda	32/Galoya	471974757v
11	140+200	Right	6	Hemantha Jayarathna	Male	Residential	Encroached	5	Tricomalee	Hingurakgoda	31/Sinhagama	Lost/Misplaced
12	140+500	Right	4	H. A. Ariyasinha	Male	Residential	Legal Title	1	Polonnaruwa	Hingurakgoda	31/Sinhagama	650344243v
13	140+600	Left	6	K. G. Somapala	Male	Residential	Legal Title	1	Polonnaruwa	Hingurakgoda	31/Sinhagama	Lost/Misplaced
14	140+780	Right	1	J. A. Violat	Female	Residential	Encroached	25	Polonnaruwa	Hingurakgoda	31/Sinhagama	Lost/Misplaced
15	140+950	Right	5	H. A. Somasiri	Male	Residential	Legal Title	0.5	Polonnaruwa	Hingurakgoda	31/Sinhagama	521003243v
16	140+950	Right	3	W. M. Dingirimenika	Female	Residential	Encroached	30	Polonnaruwa	Hingurakgoda	31/Sinhagama	238630460V
17	141+000	Right	2	M. A. Rathnayake	Male	Residential	Legal Title	20	Polonnaruwa	Hingurakgoda	31/Sinhagama	638652617V
18	141+020	Right	2	M. A. G. Wimalasena	Male	Non-Agricultural	Legal Title	25	Polonnaruwa	Hingurakgoda	31/Sinhagama	472592708V
19	141+100	Left	3	M. V. R. Seetha Kumari	Female	Residential	Legal Title	50	Polonnaruwa	Hingurakgoda	31/Sinhagama	Lost/Misplaced
20	141+150	Left	5	Bandula Ekanayake	Male	Residential	Encroached	10	Polonnaruwa	Hingurakgoda	31/Sinhagama	Lost/Misplaced
21	141+200	Left	2	G. G. Dingiriamma	Female	Non-Agricultural	Encroached	8	Polonnaruwa	Hingurakgoda	31/Sinhagama	466801593V
22	143+001	Left	4	R. M. Ukku Banda	Male	Trade/Business	Legal Title	0.25	Polonnaruwa	Hingurakgoda	31/Sinhagama	Lost/Misplaced
23	143+150	Left	2	K. V. Nishshanka	Male	Residential	Legal Title	0.5	Polonnaruwa	Hingurakgoda	31/Sinhagama	481662028v
24	148+990	Left	4	W. M. H. Padmakumara	Male	Residential	Legal Title	1	Polonnaruwa	Hingurakgoda	31/Sinhagama	733101245v
25	149+200	Right	5	A. D. Karunawathi	Male	Trade/Business	Legal Title	3	Polonnaruwa	Hingurakgoda	31/Sinhagama	406191133v
26	151+000	Right	4	A. R. Wijesinghe	Male	Trade/Business	Squatter	0.25	Polonnaruwa	Hingurakgoda	31/Sinhagama	620025941v
27	151+510	Left	4	R. M. Saman Kumara	Male	Trade/Business	Squatter	0.25	Polonnaruwa	Hingurakgoda	31/Sinhagama	792253466v

28	152+800	Left	5	S. P. Somadasa	Male	Trade/Business	Squatter	0.25	Trincomalee	Kanthale	227/C Agbopura	491015411V
29	153+049	Right	1	K. D. Udenish	Male	Trade/Business	Legal Title	1	Trincomalee	Kanthale	227/C Agbopura	342770070v
30	153+050	Right	4	G. H. R. Sampath	Male	Residential/Trade	Squatter	2.5	Trincomalee	Kanthale	227/C Agbopura	692660684v
31	153+080	Right	5	D. G. Nimal Wijesilngha	Male	Trade/Business	Squatter	5	Trincomalee	Kanthale	227/C Agbopura	672451833V
32	153+250	Right	1	H. A. Wijethunge	Male	Residential	Legal Title	1	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
33	153+253	Right	5	H. A. Wijethunga	Male	Non-Agricultural	Encroached	1	Trincomalee	Kanthale	227/C Agbopura	422690329V
34	153+850	Left	4	A. J. W. Ambagaspiya	Male	Trade/Business	Tenant	1	Trincomalee	Kanthale	227/C Agbopura	540243700v
35	154+050	Right	4	I. A. H. Ileperuma	Male	Non-Agricultural	Squatter	1	Trincomalee	Kanthale	227/C Agbopura	403500380V
36	154+135	Right	6	A. M. Gunasinghe	Male	Trade/Business	Legal Title	2	Trincomalee	Kanthale	227/C Agbopura	721791220V
37	154+250	Right	2	Ranjani Jayaweera	Female	Residential	Encroached	1	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
38	154+290	Right	2	Anil Jayaweera	Male	Residential	Encroached	1	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
39	154+300	Left	3	A. A. N. N. Silva	Male	Residential	Legal Title	1	Trincomalee	Kanthale	227/C Agbopura	548343984v
40	154+400	Left	3	W. M. Bandaramenike	Female	Trade/Business	Legal Title	30	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
41	154+500	Left	5	P. Jayaweera	Female	Trade/Business	Legal Title	3	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
42	154+500	Left	2	P. K. W. Jayasekara	Male	Residential	Legal Title	1	Trincomalee	Kanthale	227/C Agbopura	683082327V
43	154+975	Left	4	M. T. Karunarathna	Male	Trade/Business	Legal Title	10	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
44	154+980	Right	1	G. V. Somawathi	Female	Residential	Encroached	80	Trincomalee	Kanthale	227/C Agbopura	475320689V
45	155+050	Right	3	S. Sellahewa	Male	Trade/Business	Encroached	15	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
46	155+475	Right	5	R. G. Mallika	Female	Residential	Encroached	1	Trincomalee	Kanthale	227/C Agbopura	697733264V
47	155+475	Left	5	G. W. S. Silva	Female	Residential	Legal Title	5	Trincomalee	Kanthale	227/C Agbopura	52816456V
48	155+500	Right	4	T. M. Sarath Kumara	Male	Trade/Business	Legal Title	5	Trincomalee	Kanthale	227/C Agbopura	672372720V
49	155+700	Right	4	K. G. Samantha Wimalasiri	Male	Residential	Encroached	3	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
50	155+750	Right	4	K. G. Anura	Male	Residential	Encroached	7	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
51	156+500	Left	4	D. M. Ananda	Male	Residential	Tenant	0.25	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
52	156+500	Right	3	D. Samarajeewa	Male	Residential	Encroached	2	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
53	156+550	Right	2	D. G. Kinsly	Male	Non-Agricultural	Legal Title	3	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced
54	156+600	Right	4	A. K. Karunarathne	Male	Residential	Encroached	2	Trincomalee	Kanthale	227/C Agbopura	543313033V
55	156+650	Right	5	A. K. Ranasinghe	Male	Residential	Encroached	1	Trincomalee	Kanthale	227/C Agbopura	626113885V
56	156+750	Right	3	D. M. Manel	Female	Trade/Business	Legal Title	5	Trincomalee	Kanthale	227/C Agbopura	726571554V
57	156+800	Right	3	H. G. Udenis	Male	Residential	Legal Title	5	Trincomalee	Kanthale	227/C Agbopura	Lost/Misplaced

