

Updated Resettlement Framework

July 2013
Updated: July 2015

SRI: Greater Colombo Water and Wastewater Management Improvement Investment Program

Prepared by the National Water Supply and Drainage Board and Colombo Municipal Council,
Sri Lanka for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 3 August 2015)

Currency Unit	-	Sri Lanka rupees (SLRs/LKR)
SLRs1.00	=	\$0.00747
\$1.00	=	SLRs. 133.760

ABBREVIATIONS

ADB	-	Asian Development Bank
CMC	-	Colombo Municipal Council
DNI	-	distribution network improvement
EMP	-	Environmental Management Plan
FGD	-	focus group discussions
GCWWMIP	-	Greater Colombo Water and Wastewater Management Improvement Investment Program
GN	-	Grama Niladhari
GRM	-	grievance redress mechanism
IR	-	Involuntary resettlement
lpcd	-	liters per capita per day
MASC	-	Management Advisory & Supervision Consultants
MWSD	-	Ministry of Water Supply and Drainage
MOFP	-	Ministry of Finance and Planning
MPALG&DG	-	Ministry of Public Administration, Local Government and Democratic Governance
NWSDB	-	National Water Supply and Drainage Board
NIRP	-	National Involuntary Resettlement Policy
NRW	-	Non Revenue Water
NGO	-	nongovernmental organization
PMU	-	Project Management Unit
PPTA	-	Project Preparatory Technical Assistance
PRDA	-	Provincial Road Development Authority
PSC	-	Program Steering Committee
RDA	-	Road Development Authority
ROW	-	right of way
RP	-	Resettlement Plan
SPS	-	Safeguard Policy Statement

WEIGHTS AND MEASURES

km	–	Kilometer
m ²	–	square meter
mm	–	Millimeter
m ³	–	micrograms per cubic meter

NOTE{S}

In this report, "\$" refers to US dollars.
"Rs" refers to Sri Lankan rupees

This resettlement framework is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, ADB does not intend to make any judgments as to the legal or other status of any territory or area.

TABLE OF CONTENTS

	Page
I. INTRODUCTION	1
A. Overview of the Project	1
B. Purpose of the Resettlement Framework	1
C. Investment Program	2
II. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS	4
A. Policy and Legal Framework	5
B. Comparison of Government and ADB Policies	7
C. Involuntary Resettlement Safeguard Principles for the Project	8
D. Entitlement Matrix	9
E. Screening Criteria for Projects	10
F. Negotiated Settlement	18
G. Estimates of Resettlement	18
H. Scope of Land Acquisition and IR Impacts	20
III. SOCIOECONOMIC INFORMATION	23
A. Surveys	23
B. Resettlement Plan	24
C. Gender Impacts and Mitigation Measures	24
IV. COMPENSATION, INCOME RESTORATION AND RELOCATION	25
A. Valuation of Lost and Affected Assets	25
B. Income Restoration	26
V. CONSULTATION, PARTICIPATION, AND DISCLOSURE	28
A. Meaningful Consultation and Participation of Key Stakeholders	28
B. Information Disclosure and Resettlement Plan Disclosure	29
VI. GRIEVANCE REDRESS MECHANISM	30
VII. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION	33
A. Implementation Arrangements- Water Supply	33
B. Implementation Arrangements- Wastewater	36
C. Institutional Capacity Development Program	38
D. Implementation Schedule	39
VIII. BUDGET AND FINANCING	41
IX. MONITORING AND REPORTING	44
A. Internal Monitoring	44
B. External Monitoring	45
 APPENDIXES	
1. Indicative list of projects under the Investment Program	46
2. Comparison of ADB IR Policy and NIRP: Gap Analysis	48
3. Sample Form for Rapid Survey of Businesses (Detailed Measurement Survey) and Inventory of Losses	52
4. Outline of a Resettlement Plan	55
5. Sample Grievance Registration Form	59
6. Involuntary Resettlement Impact Categorization Checklist	60
7. Monitoring Indicators and Sample for Status Report	61

I. INTRODUCTION

A. Overview of the Project

1. The Greater Colombo Water and Wastewater Management Improvement Investment Program (the Investment Program) aims at delivering better urban water supply and wastewater services in an effective and efficient manner in Greater Colombo area. The impact of the Investment Program will be improved urban environment and quality of life for the residents of Greater Colombo. The expected outcome will be improved water and wastewater service and management efficiency in Greater Colombo. The expected outputs are (i) rehabilitated water supply network and reduced non-revenue water (NRW) in Colombo City;¹ (ii) improved wastewater services in Greater Colombo; (iii) institutionally strengthened, reformed and capacity built service providers; and (iv) Investment Program managed and implemented successfully. The program is to be implemented from 2013 to 2020.² The Investment Program uses a Mutitranche Financing Facility (MFF) investment approach. In accordance with the Asian Development Bank's (ADB's) Safeguard Policy Statement (SPS, 2009) all MFF programs require the preparation of a Resettlement Framework (RF).³

2. The executing agency (EA) for proposed water supply improvements is the Ministry of Water Supply and Drainage (MWSD) while the implementing agency (IA) is the National Water Supply and Drainage Board (NWSDB); the EA for sewerage is the Ministry of Public Administration, Local Government and Democratic Governance (MPALG&DG) and the IA is the Colombo Municipal Council (CMC).

B. Purpose of the Resettlement Framework

3. This resettlement framework aims to provide guidance on safeguard screening, assessment, institutional arrangements, and processes to be followed for ADB financed water supply and sewerage projects, where design takes place after Board approval. The purpose of this resettlement framework is to do the following: (i) explain the general anticipated impacts of the projects to be financed under the proposed MFF; (ii) specify (a) the requirements that will be followed in relation to project screening and categorization, assessment, and planning, including arrangements for meaningful consultation with affected people and other stakeholders; (b) information disclosure requirements; and (c) where applicable, safeguard criteria to be used in selecting projects and components; (iii) assess the adequacy of the client's capacity to implement national laws and ADB's requirements, and identify needs for capacity building; (iv) specify implementation procedures, including the budget, institutional arrangements, and capacity development requirements; (v) specify monitoring and reporting requirements; and (vi) describe the responsibilities of the client and of ADB in relation to the preparation,

¹ To achieve this output, the Investment Program will support (i) rehabilitation and replacement of water supply distribution network, pumps and transmission pipes for the Colombo city, (ii) enhancement of domestic service connections, including installation of higher quality customer meters, (iii) validation of the geographical information system (GIS) network maps, (iv) city wide active leakage control using fully equipped NRW teams, (v) reinforcement of the O&M unit to undertake major repairs, (vi) establishment of NRW monitoring and control system based on a zone distribution system, i.e., district metered areas (DMAs), and (vii) provision of materials, equipment, vehicles and NRW buildings.

² The Investment Program will also contribute to achieving Millennium Development Goal 7, Target 10, which calls for halving, by 2015, the proportion of people without access to safe drinking water and improved sanitation.

³ The preparation of safeguard frameworks aims to clarify safeguard principles and requirements governing screening and categorization, assessment of involuntary resettlement impacts, and preparation and implementation of resettlement plans of projects to be prepared after MFF approval.

implementation, and progress review of social safeguard documents of projects. The project selection shall be in accordance with the environmental and social project selection criteria as outlined in Schedule 4 of the framework financing agreement (FFA).

4. The resettlement framework is prepared based on ADB's SPS 2009, and Government of Sri Lanka laws as outlined in Section II. Any component included in the Investment Program will comply with the requirements of the Government of Sri Lanka and ADB. All resettlement planning documents will be endorsed and approved by the executing agency and cleared by ADB as required by ADB policy.

C. Updating the RF for Project 3

5. Investments under the MFF were originally four projects. Projects 1 and 2 focus on reducing non-revenue water and improving water service efficiency in Colombo City. Projects 3 and 4 will include improvements in wastewater services and expand the service coverage to other areas of Greater Colombo. Projects 3 and 4 have been combined as Project 3 thus RF has been updated to be consistent with the investment components.

D. Investment Program

6. Projects with required work components of infrastructure and service improvement up to the planning horizon 2020 have been identified and are placed as **Appendix 1**. Management of the implementation of the project will be undertaken by the Project Management Unit (PMU) in NWSDB for water supply and the Project Management Unit (PMU) in CMC for sewerage. The NWSDB PMU will be assisted by the Management Advisory and Supervision Consultants (MASC) and the CMC PMU will be assisted by the Design, Supervision and Institutional Consultants (DSIC). Provision is made under the project for funding the costs of the NWSDB PMU/CMC PMU as well as the cost of consultants to provide assistance in project management and related capacity building. Such support is considered essential to the implementation of the project and for implementation of resettlement plans, particularly in light of the lack of experience of CMC and NWSDB with projects this large, implemented through separate design and construction contracts.

7. **Project 1.** Project 1 is Category B in accordance with ADB's SPS, 2009. A Resettlement Plan (RP) was prepared for Tranche 1 physical investments for water supply (project 1) which include: (i) supply and installation of flow meters and pressure transducers including reporting software; (ii) supply and delivery of leak detection special equipment and large diameter pipe special equipment; (iii) provision of vehicles; (iv) supply and laying of pipes for replacement and reinforcement of distribution system in areas North of Colombo City (defined as 'critical areas') and central parts of Colombo City and replacement of spaghetti pipelines in tenement gardens; (v) supply and laying of pipes for replacement and reinforcement of distribution system in center of Colombo City area; and (vi) construction of two buildings for NRW offices.⁴ The RP for project 1 concluded that the impacts will mainly be temporary in nature, during construction. No permanent land acquisition is envisaged due to this activity as the pipes are proposed to be laid along existing road Rights of Way and buildings are proposed on land owned by the National

⁴ Colombo city extends to 37 square kilometer area and the water supply pipe network is about 1,000 kilometers. A score card was prepared during the project preparatory stage, survey conducted and information reviewed to find the most pressing areas. The critical areas were identified on the basis of the survey to determine (i) age of distribution mains; (ii) material of distribution main; (iii) age of service connections in the area; (iv) material of service connections/supply pipe; (v) areas with ground service pipes; (vi) soil aggression; (vii) previous burst record; (viii) customer complaints; (ix) active leak control completed recently; and (x) period of supply.

Water Supply and Drainage Board. Adverse impacts related to the construction period can be minimized by the mitigating measures and environmentally sound engineering and construction practices. Therefore no significant IR impacts are anticipated.

8. **Project 2.** In accordance with ADB's SPS, 2009, Project 2 is Category B. Resettlement Plans are prepared for each of the three components under project 2, namely, (i) NRW reduction in southern parts of Colombo city; (ii) Ambatale Water Supply System Improvements and Energy Savings Project (AWSSIESP); and (iii) Towns East of Colombo District Water Supply Project (TECDWSP). Under Component 1 of project 2, NRW reduction in southern Colombo city which is proposed for ADB assistance, the following types of physical works are envisaged: (i) improved water supply system through laying of 282 km of pipes for rehabilitation and replacement of distribution system in the project 2 areas, proposed along existing road rights of way; (ii) replacement and transfer of 44,500 service connections with polyethylene pipes; (iii) replacement of 14,800 defective water meters. Installation of DMA with electromagnetic and ultrasonic flow meters; (iv) replacement of priority (high water usage) customer meters (15mm to 100mm) with Automatic Meter Reading (AMR) meters; (v) installation of new electromagnetic flow meters, valves, and special fittings for formation of district metered areas (DMAs); and (vi) construction of NRW Training Division buildings and an Area Engineer's Office, which are both proposed on government land. Components 2 and 3 under project 2, i.e. AWSSIESP and TECDWSP respectively, are proposed for co-financing by the Agence Française de Développement (AFD).

9. The civil works planned under the co-financed AWSSIESP (project 2 component 2) are: (a) improvements at NWSDB intake site, including installation of gantry arrangement and installation of travelling screens; (b) other works, such as improvements to telemetry system with SCADA, construction of Control Centre, extension of Elli House pump station and the reservoir, pump bases, construction of filter backwash recovery system at the Ambatale treatment plant site; (d) improvements at Gotatuwa site, including construction of booster pumping station to Moragasmulla, which will require acquisition of an identified, vacant, privately owned site; (e) construction works at Gotatuwa site including 15000 m³ capacity ground reservoir, pump house, caretaker quarters; trunk main from Gotatuwa to Maligakanda, bridge and canal crossings, booster pumping line to Moragasmulla; which are likely to lead to temporary impacts (income losses) for hawkers and vendors, mainly at Veluwana Road and Dematagoda Road; and (f) construction works at Ambatale including re-arrangement of transmission pipelines, transmission pipe (1200 mm DI) from Ambatale to Totalanga Junction, which is likely to lead to temporary impacts (income losses) for hawkers and vendors at Madampitiya Road, and main connections at Ambatale to Totalanga. Proposed improvements such as pump replacements at intake and treatment plant site for Eli House, Maligakanda and Dehiwala and pump rehabilitation; improved telemetry system/SCADA; new pumps for Gotatuwa etc. will not have any land acquisition/involuntary resettlement implications.

10. Proposed civil works under the co-financed TECDWSP (project 2 component 3) include (i) supply and laying 8 km of 1000 mm diameter transmission main from proposed lower level reservoir (close to Waga Junction) up to Meepe Junction, which is anticipated to lead to temporary impacts on access for 1 household at Kithumpe village, water supply disruptions for connected households, and temporary income losses for ~10 vendors at Meepe junction; (ii) supply and laying of 360 km length different sizes of PE pipes for distribution network, which is anticipated to have temporary impacts on access to residences; (iii) Construction of 18,000 m³ capacity low level (ground) reservoir; (iv) Construction of three office buildings - one Area Engineers Office and two for Officers In Charge of O &M section, both proposed on NWSDB's sites at Homagama and Padukka, Galadegara.

11. **Project 3:** In accordance with ADB's SPS, 2009, Project 3 is Category B. A Resettlement Plan is prepared for the rehabilitation and expansion of wastewater network and construction of secondary wastewater treatment plant in South Catchment Area of Colombo City. The RP is prepared based on the feasibility study and will be updated based on detailed design during project implementation.

12. **Scope of Land Acquisition and Resettlement in Project 3 (Wastewater Improvement Project).** The civil works proposed will be contracted under four (4) packages: (i) rehabilitation, up-sizing and realignment of problematic, under-capacity and inaccessible sewers including cleaning and repairs to siphons in the South Catchment area; (ii) construction of sewer network and force mains for Kirulapone un-sewered area and construction of two (2) new pump stations including the rehabilitation of S8 pump station; (iii) construction of sewer network for Narahenpita and Kirula-Narahenpita un-sewered area; and (iv) construction of Secondary Wastewater Treatment Plant (WWTP) at Wellawatta and converting existing Wellawatta exiting pump station to Head Works pump station. The civil works in Kirulapone un-sewered area will result to the relocation of ten households due to the construction of two (2) pumping stations and installation of pipelines. Other areas such as the problematic sewer area (known as CMC), Colombo business district area (CBD), and Kirula and Narahenpita un-sewered areas will only have impacts to the right of way on access roads during construction activities. Also, some minor damages may occur to properties such as parapet walls located close to the road edges during construction activities. No private land acquisition is required since the land is owned by CMC. However, project assistance is required to find alternative locations for playground since children and other neighboring community members currently use the land as a playground area for the construction of Wellawatta secondary treatment plant. All efforts shall be made to minimise adverse impacts and maximise project benefits.

13. A RP will be prepared for each project guided by this RF and cleared by the Executing Agencies and ADB prior to bidding of civil works.

II. OBJECTIVES, POLICY FRAMEWORK, AND ENTITLEMENTS

14. The resettlement principles adopted in this framework reflect the national Land Acquisition Act (LAA), the entitlement benefits as listed in the National Involuntary Resettlement Policy (NIRP, Government of Sri Lanka, 2001), and Asian Development Bank's Safeguards Policy Statement (SPS, 2009).

15. The resettlement framework outlines the objectives, policy principles, and procedures for land acquisition, compensation, and other assistance measures for affected persons. The framework includes guidance on screening and categorization, assessment, planning, institutional arrangements, and processes to be followed for all projects.

16. The executing agencies will endorse the resettlement framework prior to project appraisal. The implementing agencies will be responsible for conducting social assessment and formulating resettlement plan(s) as per the procedures outlined in this resettlement framework. The draft resettlement framework will be disclosed to the affected persons and submitted to ADB for review and approval prior to commencement of any civil works. Compensation and other assistance will have to be paid to affected persons prior to any physical or economic displacement of affected households.

A. Policy and Legal Framework

17. The Involuntary Resettlement (IR) policy framework and entitlements for the project are based on national laws: the Land Acquisition Act (LAA), the National Involuntary Resettlement Policy (NIRP), and ADB's Safeguard Policy Statement (SPS). The salient features of government and ADB policies are summarized below.

1. Land Acquisition Act (LAA), 1950

18. The Land Acquisition Act (LAA), Act No, 9 of 1950, governs acquisition of land for public purposes in Sri Lanka. The LAA provides compensation for land, structures, and crops. The LAA was amended several times thereafter, the latest being the Amendment Act No 13 of 1986. The Act provides a framework for facilitating land acquisition within the country. It also guarantees that no person is deprived of land except under the provisions of the LAA and entitles affected persons to a hearing before acquisition.

19. The land acquisition process under LAA is usually time consuming and may take up to 2-3 years. . A major cause of delay in land acquisition is the compensation procedure and its attendant legal proceedings. Section 38A of the LAA also enables land acquisition under an urgency clause. The law only implicitly discourages unnecessary acquisition, as lands acquired for one purpose cannot be used for a different purpose, and lands that remain unused be returned to the original owners. However, there are no mechanisms to monitor whether these conditions are actually adhered to.

17. Provisions of the LAA are inadequate to address adverse impacts associated with land acquisition and involuntary resettlement (IR) and do not fully satisfy the requirements of the ADB's SPS 2009 on involuntary resettlement. The LAA is indifferent to the landowners' present socio-economic conditions or the long term adverse impacts on incomes and livelihood that the acquisition may cause to the affected people. For the purpose of assessment of compensation, the market value of land is generally the amount which the land might be expected to have realized if sold by a willing seller in the open market as a separate entity on the date of publication of notice in the gazette. Strips of land on canal reservations are assessed as narrow "separate entities" realizing a low market value. For marshy lands and encroached lands, the encumbered value is computed realizing a low market assessment.

18. There are issues associated with payment of compensation as well. The LAA stipulates compensation only for persons who appear in the land administration records as owners. It does not recognize the rights of those, such as encroachers or squatters, who do not possess legal title to the lands they live in or make a living from. There is thus no provision to mitigate additional adverse impacts.

19. Another inadequacy of the LAA is that the onus to prove ownership or interest in, demonstrate clear title, gather all information and submit a compensation claim in respect of, land to be acquired, is on the affected party. Often, affected persons are not aware of their rights or timeframes to be observed under the LAA, or are ill-equipped to deal with the procedures required and do not have the experience of dealing with officials and the documentation involved.

20. The LAA provides for compensation for lands and other fixed assets built and grown on them (structures, trees and orchards and crops). However, there is no provision to assess the

impacts on people's income, livelihood, loss of employment and business or for mitigation measures to restore loss of incomes and livelihood.

2. National Involuntary Resettlement Policy, 2001

21. While the LAA only provides for compensation for land, structures and crops, it does not require project executing agencies to address key resettlement issues such as exploring alternative project options that avoid or minimize impacts on people, compensating those who do not have title, but are currently using and dependent on land, or implementation of income restoration measures aimed at the social and economic rehabilitation of displaced persons. It does not deal adequately with the impacts on those occupiers of lands who are not legal owners but whose lands are taken over for development purposes.

22. In order to ensure that displaced/affected persons are treated in a fair and equitable manner, and are not impoverished or suffer unduly as a result of public or private project implementation, Government of Sri Lanka has adopted a national policy to protect the rights of all people affected by development projects. To remedy the current gaps in the in the LAA in addressing key resettlement issues, the Cabinet of Ministers approved on 16 May 2001, the National Policy on Involuntary Resettlement and enunciated its adoption to all development induced resettlement. The Ministry of Lands has the institutional responsibility for implementing the NIRP.

23. NIRP principles include:

- (i) involuntary resettlement should be avoided or reduced as much as possible by reviewing alternatives to the project as well as alternatives within the project;
- (ii) where involuntary resettlement is unavoidable, affected people should be assisted to re-establish themselves and improve their quality of life;
- (iii) gender equality and equity should be ensured;
- (iv) APs to be fully involved in selection of relocation sites;
- (v) replacement land should be an option for compensation in case of loss of land;
- (vi) compensation for loss of land, structures, other assets and income should be based on full replacement cost, including transaction costs;
- (vii) resettlement should be planned and implemented with full participation of provincial and local authorities;
- (viii) affected persons to be integrated into host communities using participatory measures;
- (ix) CPRs and community and public services should be provided to APs,
- (x) resettlement should be planned as a development activity for the APs;
- (xi) APs who do not have documented title to land should receive just treatment;
- (xii) Vulnerable groups should be identified and given appropriate assistance to substantially improve their living standards; and
- (xiii) project executing agencies should bear the full costs of compensation and resettlement.

24. Government of Sri Lanka (GOSL) has directed that the scope of NIRP applies to all

development induced land acquisition or recovery of possession, by the state. The NIRP requires a comprehensive resettlement action plan to be prepared where twenty or more families are affected. Even in cases where less than 20 families are affected, the NIRP requires a plan which may be prepared in less detail. The policy applies to all projects regardless of the source of funding.

3. ADB's Safeguard Policy Statement (SPS, 2009)

25. The objectives of ADB's SPS with regard to involuntary resettlement are: (i) to avoid involuntary resettlement wherever possible; (ii) to minimize involuntary resettlement by exploring project and design alternatives; (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) to improve the standards of living of the displaced poor and other vulnerable groups.

26. ADB's SPS (2009) covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of: (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers displaced persons, whether such losses and involuntary restrictions are full or partial, permanent or temporary.

27. The three important elements of ADB's SPS (2009) are: (i) compensation at replacement cost for lost assets, livelihood, and income prior to displacement; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. The SPS gives special attention to poor and vulnerable households to ensure their improved well-being as a result of project interventions.

B. Comparison of Government and ADB Policies

28. The Land Acquisition Act (LAA) of 1950 (as amended in 1986) gives directives for the acquisition of land in the public interest and provides benefits only to titleholders. The LAA does not guarantee compensation at replacement cost for the loss of land and assets. The National Involuntary Resettlement Policy (NIRP) 2001 represents a significant milestone in the development of a systematic approach to addressing resettlement issues in Sri Lanka, and closes significantly the gap between Sri Lankan national policies and those of ADB.

29. However, the application of the NIRP to the Project based on its scope, which applies "to all development-induced land acquisition or recovery possession by the State" and its definition of involuntary resettlement as "unavoidable displacement of people arising from development projects that creates the need for rebuilding their livelihoods, incomes and asset bases in another location" does not provide necessary guidance on compensation for temporary impacts during construction, which are the largest envisaged impacts due to the project. **Appendix 2** provides a comparison of NIRP and ADB SPS policy principles and provides a gap analysis.

30. The policy principles and Entitlement Matrix for the project keep in mind the key principles of the NIRP and additional principles from ADB's SPS 2009 which are not clearly covered by NIRP: (1) Early screening to identify impacts and risks and determine the scope of resettlement planning through a population record or census that serves as an eligibility cut-off date, preferably at project identification stage (note that the start date of the census survey

would serve as the cut-off date); (2) Need for ‘meaningful consultations’ with vulnerable and disadvantaged APs; (3) explicitly recognise the rights of APs without legal title; (4) include a description of how the disclosure process is to be undertaken; and (5) include full resettlement costs in the presentation of project costs and benefits.

C. Involuntary Resettlement Safeguard Principles for the Project

31. Following the state laws and regulation on land acquisition and incorporating ADB SPS (2009) as well as NIRP (2001), the following resettlement principles are adopted for this project:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. Measures to avoid and minimize involuntary resettlement impacts include the following: (i) explore alternative alignments or locations which are less impacting; (ii) ensure the appropriate technology is used to reduce land requirements; and (iii) modify the designs, cross sections, and geometrics of components to maximize the RoW and ensure involuntary resettlement is avoided or minimized.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of affected persons. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through the following measures: (i) where possible, land-based resettlement strategies when affected livelihoods are land-based, or cash compensation at replacement cost for land when the loss of land does not undermine livelihoods; (ii) prompt replacement of assets, with access to assets of equal or higher value; (iii) prompt compensation at full replacement cost for assets that cannot be restored; and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas,

provide them with legal and affordable access to land and resources, and in urban areas, provide them with appropriate income sources and legal and affordable access to adequate housing.

- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement⁵ to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (viii) Prepare a resettlement plan elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. This resettlement plan will be approved by ADB prior to contract award.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of the project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

D. Entitlements

32. Consistent with ADB's SPS, three types of displaced persons may be present; the RF identifies/categorizes APs in the context of the project under these three broad categories as follows: (i) Legal titleholders, licenced vendors (ii) tenants, leaseholders; and (iii) persons with non-recognisable claims (informal settlers, non-licenced hawkers, vendors and wage labour etc.). The Entitlement Matrix (EM) provides a detailed description of specific compensation measures and assistance applicable to each category of AP (Table 1). The EM uses terms such

⁵ ADB SPS 2009 (Safeguards Requirements 2) does not apply to negotiated settlements. The policy encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation with affected persons, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and/or other assets. Also, an independent external party will be engaged to document the negotiation and settlement processes. Failure to reach a negotiated settlement that would result in expropriation or other compulsory procedures and the ADB's involuntary resettlement requirements and resettlement framework would apply.

as “residents and business owners” and “vulnerable persons” as those entitled to compensation/benefits; these categories also include legal titleholders, tenants/leaseholders and persons with non-recognisable claims.

E. Eligibility

33. In accordance with the involuntary resettlement principles set forth in this resettlement framework, all affected persons will be entitled to a combination of compensation packages and resettlement assistance, depending on the nature of ownership rights on lost assets and scope of the impacts, including socioeconomic vulnerability of the affected persons and measures to support livelihood restoration if livelihood impacts are envisaged.

34. Affected persons meeting the cut-off date requirements (for permanent land acquisition from title holders, the date of notification under the LAA will be treated as the cut-off date, and for temporary or reversible impacts on titled or non-titled persons, the date of project Detailed Measurement Survey) will be entitled to a combination of compensation measures and resettlement assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including social and economic vulnerability of the affected persons. Unforeseen impacts will also be compensated in accordance with the principles of this framework. A detailed description of compensation measures and assistance is provided in the entitlement matrix (Table 1).

Table 1: Entitlement Matrix

S	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsibility
1.	Loss of private land	Private land	(i) Legal titleholder(s) (ii) Tenants/ leaseholders	Compensation at replacement cost ⁶ or land-for-land where feasible. ⁷ For titleholders: Fees, taxes, and other charges related to replacement land (applicable to all parcels of replacement land, which totals the equivalent area of land acquired, if parcels of non-contiguous land are bought due to the unavailability of one contiguous parcel). For tenants/leaseholders: Compensation for rental deposit or unexpired lease. Transitional allowance ⁸ based on three months minimum wage rates. Shifting assistance ⁹ for households. Additional compensation for vulnerable households (item 11).	If land-for-land is offered, titles will be in the name of original landowners. ¹⁰ Fees, taxes, and other charges will be limited to those for land purchased within a year of compensation payment and for land of equivalent size. Land owners will reimburse tenants and leaseholders land rental deposit or unexpired lease Vulnerable households will be identified during the census.	Concerned PMU will ensure provision of notice. MASC/DSIC will verify the extent of impacts through a DMS survey, determine assistance, and identify vulnerable households. In case of tenants/leaseholders, RS (MASC/DSIC) will confirm land rental and ensure tenants and leaseholders receive reimbursement for land rental deposit or unexpired lease, and report to concerned PMU. PMU will ensure provision of notice. NGO will identify vulnerable households.
2.	Loss of private land	Private land	(iii) Non-titleholders (informal settlers)	Compensation for lost assets, irrigation infrastructure and other improvements made to the	60 days advance notice to shift from encroached land. Vulnerable households will be identified during the	Concerned PMU will ensure provision of notice. NGO will identify vulnerable households.

⁶ Only vacant and un-inhabited private land not used for any purpose can be acquired. The calculation of full replacement cost for land and other assets (footnote 18 provides a definition of assets) will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. In applying this method of valuation, depreciation of assets should not be taken into account, as per ADB Safeguards Policy, 2009.

⁷ Including option for compensation for non-viable residual portions.

⁸ To be provided for APs whose livelihood is affected by the project. The transitional allowance is to be calculated based on government-declared minimum wage rates for semi-skilled labor in Colombo City. This allowance is intended for utilization till an alternative means of livelihood is found.

⁹ To be provided to APs relocating to a new AP-determined site. This will be equivalent to one day hire charges for a truck, including shifting within a radius of 50km (estimated as LKR 8,000).

¹⁰ Joint titles in the name of husband and wife will be offered where applicable.

S	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsibility
				land at full replacement cost. Additional compensation for vulnerable households.	census.	
3.	Loss of structures and shelter (—e.g. dwelling areas/houses, kiosks, offices, staff quarters, store, garage, etc.) and other fixed assets (compound walls, tube wells, pumps shed, store etc.)	Institutional and private structures on government land owned by CMC or other departments and affected structures on private land	(i) Legal titleholders (ii) Informal settlers (iii) Non-title holders	<p>Replacement/ of affected structure/shelter with similar/improved facilities. Provision of alternate space/ facilities for similar use as at present, during period of demolition/reconstruction.</p> <p>If reconstruction is not possible due to insufficient/unavailability of land to build, provide (1) new structure in the relocation area, or (2) replacement value of structure is according to applicable Schedule of Rates plus labor cost when the impact is only partial.</p> <p>Where actual loss of structure is partial and the remaining portion is not viable for use, compensation should be for whole structure; otherwise, compensation will only be for affected structure.</p> <p>Free transport facility or shifting assistance of Rs. 8,000 (one-time payment)</p>	If replacement/ reconstruction of affected structure are offered, titles of structures constructed for use by owners will be in their name.	CMC PMU will ensure provision of notice. DSIDC will verify the extent of impacts through a DMS survey, determine assistance. PMU will continue to monitor the wellbeing of the relocated households, PMU will ensure provision of notice for salvaging of material/stored goods.

S	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsibility
				to the new location Right to salvage material from existing structure		
4.	Loss of livelihood	Livelihood	(i) Legal titleholder; licenced vendor, (ii) tenant/leaseholder; (iii); non-titled (hawkers, vendors, employee of commercial structure, wage labour)	Assistance for lost income based on three months minimum wage rates. Additional compensation for vulnerable households. Consideration for project employment. Development assistance, such as land development, credit facilities, training.	Vulnerable households will be identified during the census.	RS (MASC/DSIC) will verify the extent of impacts through a DMS survey to determine assistance, verify and identify vulnerable households.
5.	Temporary disruption of livelihood	Livelihood loss	(i) Legal titleholders, licenced vendors (ii) tenants, leaseholders; and (iii) persons with non-recognisable claims (non-licenced hawkers, vendors, employees of shops, wage labour etc.)	Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity. ¹¹ For construction activities involving unavoidable livelihood disruption / income loss, compensation for lost income at replacement cost or a transitional allowance for the period of disruption whichever is greater. ¹²	30 days advance notice regarding construction activities, including duration and type of disruption, followed by reminders 7 days and 24 hours in advance. Contractor's actions to ensure there is no income/access loss consistent with the IEE. ¹³ Mobile hawkers and vendors will be assisted by contractor in moving to alternative locations during the period of construction. Alternative temporary sites	RS (MASC/DSIC) /SDSO (PMU) will determine income lost. Contractor will perform actions to minimize income/access loss. Contractor will be responsible for notices and reminders. MASC/DSIC RS and EMS to monitor contractor action.

¹¹Section IV para 58 of this RF describes the steps to be followed in vendor assistance.

¹² All businesses identified in the project-impacted areas (sections ready for construction) on the cut-off date will be entitled to compensation for their lost income based on the tax record or, in its absence, comparable rates from registered businesses of the same type with tax records, or for shops not qualifying under these categories (hawkers, vendors, etc.), the option of using the actual income based on survey followed by a verification of the income data based on comparable incomes in the project area.

¹³ This includes: leaving spaces for access between mounds of soil, providing walkways and metal sheets to maintain access across trenches for people and vehicles where required, increased workforces to finish work in areas with impacts on access, timing of works to reduce disruption during business hours, phased construction schedule and working one segment at a time and one side of the road at a time.

S	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsibility
					<p>to continue economic activity to be identified. The date of the census survey shall serve as the cut-off date. Shop owners will be encouraged to maintain any employees if shifted. If employees are not kept as a result of a shift, then they will be entitled to compensation for lost income.</p>	
6.	Temporary loss of secure parking space	Loss of private parking space or access to secure parking lots	Residents and business owners losing access to private parking space, and vehicle owners losing access to secure parking lots in road sections that will be closed during construction.	Where Contractor's actions cannot address the loss, APs will be provided secure parking space (sufficiently cordoned and provided with security guards).	30 days advance notice regarding construction activities, including duration and type of disruption, followed by reminders 7 days and 24 hours in advance. Identification of adequate space for an alternate parking facility. APs will be determined by the PMU through survey and will be provided with identity cards which will allow access to the temporary parking facility. The temporary parking facility will clearly identify ID numbers eligible to park, based on the road section where construction is being undertaken.	NWSDB PMU/CMC PMU EO and Contractor will identify secure parking space. MASC/DSIC RS will support the NWSDB PMU SDSO/CMC PMU RO in identifying APs through survey and the PMU SDSO/RO will monitor issuance of ID cards.
7.	Damage caused to government or	Partial or total damage to permanent	(i) Legal titleholders, (ii) tenants,	Replacement cost of restoring to original or better condition. ¹⁵	Extreme care should be taken by the contractors to avoid damaging any	Concerned contractor responsible for compensation; NWSDB

S	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsibility
	private property during construction	structures and assets ¹⁴	leaseholders; and (iii) persons with non-recognisable claims (informal settlers)		property or assets during construction. Compensation for the losses will be the responsibility of the Contractor, as a part of the contract.	PMU SDSO and CMC PMU RO to monitor. MASC/DSIC RS and project NGO (in case of tenement gardens) to assist NWSDB PMU SDSO/CMC PMU RO.
8.	Temporary loss of structures in right of way	Temporary or semi-permanent structures or stalls and other assets	(i) Legal titleholders, licenced vendors (ii) tenants, leaseholders; and (iii) persons with non-recognisable claims (informal settlers, non-licenced hawkers, vendors etc.)	Replacement cost of the structure and other assets (or part of the structure and other assets, if remainder is viable). Shifting assistance from and back to the location; Right to salvage materials from structure and other assets; Additional compensation for vulnerable households.	30 days advance notice, followed by reminders 1 week and 24 hours in advance; Temporary shifting for 5-7 days during period of construction. Vulnerable households will be identified during the census.	Extent of impacts to be verified by MASC/DSIC RS, NWSDB PMU SDSO/CMC PMU RO and Contractor's Safeguards Supervisors (SS) through a Detailed Measurement Survey (100% survey of AHs/businesses) to determine assistance, PMU SDSO/PMU RO and contractors' SS will identify alternative site; contractors will help in shifting. Contractors will be responsible for timely reminders.
9.	Temporary disruption in water supply service	Reduced water supply hours	Residents and business owners	Alternative sources of water should be made available during the construction period.	The time lag between the construction of new system and transfer from the old system should be minimized.	Contractors /NWSDB PMU and CMC PMU
10.	Damage to connections during pipe replacement/rehabilitation. ¹⁶	Damaged connection pipes to property	Residents and business owners	Immediate replacement and restoration of connection.	Care should be taken by the contractors to avoid damage to connections during construction. Cost of replacement of	Contractors to restore or replace affected connections. NWSDB PMU/CMC PMU to monitor.

¹⁵ The replacement cost of structures and other immovable properties will be determined on the basis on market cost of materials to build a replacement structure with an area or quality similar or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site plus any labour and contractor's fee. All costs to be current for the period of actual replacement.

¹⁴ These could include tubewells, storage tanks, walls, fences, sheds, trees, any improvements made to land etc.

S	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsibility
					connection will be borne by the contractor.	
11.	Loss or temporary impacts on common resources, structures and facilities	Common resources and structures including service roads, inner roads, places of worship, playgrounds/land, footpaths/trails, culverts, water points/connections, toilets, etc.	Local community, including non-titleholders using and dependent on land / common resources and facilities	Restoration of affected community buildings and structures to at least previous condition, restoration or replacement of access to lost facilities in areas identified in consultation with affected communities and relevant authorities.	Extreme care should be taken by the contractors to avoid damage to any properties during construction. Compensation for the losses will be borne by the contractor.	Contractors to restore or replace affected community structures and facilities and co-ordinate with other government agencies for restoration of utilities. NWSDB PMU/CMC PMU to monitor and facilitate co-ordination with other government agencies. In case of loss of access to common facilities such as land used by the community, concerned PMU to identify /restore access to similar facilities at an alternate location .
12.	Impacts on vulnerable APs ¹⁷	All impacts	Vulnerable APs	Livelihood. In case of income losses, vulnerable households to be provided additional 25% compensation over and above actual loss or minimum wage rate, whichever is higher. Vulnerable households will be given priority in project construction employment (unskilled labour).	Vulnerable households will be identified during the census.	MASC/DSIC RS will assist the NWSDB PMU SDSO/CMC PMU RO verify the extent of impacts through DMS surveys / 100% surveys of AHs and businesses to determine assistance, verify and identify vulnerable households and provide all information related to project-related employment opportunities. MASC/DSIC RS will also determine need for social preparation

¹⁶ Experience with previous projects indicates that damage to water connections/utilities mostly occurs when night works are undertaken. However, night works are recommended with adequate lighting for high density road stretches with a large number of shops/businesses, including informal businesses and/or high density residential development and those with heavy traffic during the day, to avoid/minimise access disruptions and associated livelihood losses.

¹⁷ Woman-headed households, Below Poverty Line households or households with very low income, households where head of household works as a casual labour, and household residing in a temporary or semi-permanent house, are identified as vulnerable households in the socio-economic context of critical areas of Colombo City.

S	Type of Loss	Application	Definition of Entitled Person	Compensation Policy	Implementation Issues	Responsibility
						activities to enable full and meaningful participation of vulnerable APs in project activities at community/local level.
13.	Any other loss not identified	-	(i) Legal titleholders, (ii) tenants, leaseholders; and (iii) persons with non-recognisable claims (informal settlers, hawkers, vendors, employees of commercial establishments, wage labour etc.)	Unanticipated involuntary impacts will be documented and mitigated based on principles in ADB's SPS 2009.	-	MASC/DSIC RS will assist the NWSDB PMU SDSO/CMC PMU RO ascertain the nature and extent of such loss and finalize the entitlements in line with the principles in ADB's SPS 2009.

F. Screening Criteria

35. The respective PMUs will be responsible for involuntary resettlement planning and implementation. The following checklist will be used to screen projects to identify the resettlement impacts of the projects:

- (i) Will the project require land? What is the quantity of land required?
- (ii) Will the impact be permanent or temporary (during construction)?
- (iii) Who owns the land? How is land currently used?
- (iv) If private land, how many landowners/tenants/sharecroppers will be affected?
- (v) If state land, is it subject to traditional claim?
- (vi) If state land, are there any squatters or informal settlers?
- (vii) Are there any houses, structures, trees, and crops that will be affected (whether state or private land)?
- (viii) How many households will be physically displaced?
- (ix) Is there any public or community infrastructure?
- (x) Will tribal communities be affected?
- (xi) What percent of product assets (income-generating) will people lose?

36. The respective PMUs will be responsible for clearly documenting answers to these questions in a table format. In addition, the PMUs will submit to ADB the Involuntary Resettlement Impact Categorization Checklist in Appendix 6 for each project. Based on the screening, the project will be assigned to one of the following categories depending on the significance of probable involuntary resettlement impacts:

- (i) **Category A** – A proposed project is classified as category A if it is likely to have significant involuntary resettlement impacts. A resettlement plan, including an assessment of social impacts, is required.
- (ii) **Category B** – A proposed project is classified as category B if it includes involuntary resettlement impacts that are not deemed significant. A resettlement plan, including assessment of social impacts, is required.
- (iii) **Category C** – A proposed project is classified as category C if it has no involuntary resettlement impacts. No further action is required.

37. The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income-generating). The level of detail and comprehensiveness of the resettlement plan will be commensurate with the significance of the potential impacts and risks.

G. Negotiated Settlement

38. In line with ADB SPS 2009 (Safeguards Requirements 2), this framework does not apply to negotiated settlements. The policy encourages acquisition of land and other assets through a negotiated settlement wherever possible, based on meaningful consultation¹⁸ with affected

¹⁸ A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such

persons, including those without title to assets. A negotiated settlement will offer adequate and fair price for land and other assets. Also, in case of negotiated settlement, an independent external party¹⁹ will be engaged by the implementing agency to document the negotiation and settlement processes. The principles of this framework with regard to meaningful consultation processes, mechanisms for calculating the replacement costs of land and other assets affected, and record-keeping requirements will be followed during the negotiated settlement. A similar process will be followed for voluntary donation of land, where an external independent entity will supervise and document the consultation process and validate the land donation process as per legal requirement.

39. The steps to be followed and measures to be taken by NWSDB for negotiated settlement according to ADB's SPS, Safeguard Requirement 2, are as follows:

Step 1. NWSDB will start identifying required land portions for proposed infrastructure, preferably a suitable government-owned plot. If such land is not available, identification of private land owned by individuals, families, or organizations willing to sell that piece of land will be carried out, and preliminary negotiation started with the legal titleholders. NWSDB will also search for the land title, if there are any legal or other critical issues involved (such as, jointly owned land, land under legal dispute, etc).

Step 2. Legal status of the land will be determined. This will be carried out with the support of the Land Section of NWSDB. It precedes a detailed measurement survey (DMS) to identify final requirements of the land for the proposed component and its valuation by the Valuation Department of Government of Sri Lanka. The DMS survey will be supervised by the Land Section of NWSDB, engineer of MASC, and monitored by the project management unit (PMU). The Valuation Department will arrive at the current value of the land and structures or assets, if any based on the market price. This process helps define the amount that can be offered to the landowner. In general practice, the offer price does not exceed the price recommended by the Valuation Department, GoSL.

Step 3. Negotiated settlement process will start between the willing landowners and other partners (in case of joint ownership) and the NWSDB Land Section and PMU to arrive at a consensus. During negotiation, the requirements, the purpose for which the land is sought, provisions under Land Acquisition (Amendment) Act and ADB policy will be explained to the landowner. Prior to the negotiation meeting, NWSDB will engage an independent third party (preferably from the locality, a senior leader of the community, agency, or NGO/CBO) in consultation with the concerned Divisional Secretary. The independent third party will keep records of meetings, prepare minutes of meetings, and be prepared to submit these if required. The minutes of all the meetings will be recorded for transparency, and will be sent along with a note on negotiated land price to the PMU. The independent third party should ensure balanced information is provided to both parties on the value of the affected land.

Step 4. After negotiation is successfully complete, the Land Section of NWSDB will start the procedural formalities for purchase of private land.

as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

¹⁹ An independent external party is a person not involved in the day-to-day implementation of the project and can include, for example, a local university professor, local NGO representative, etc.

Step 5. If negotiated price for sale of land is not accepted by the land owner(s), the concerned General Manager of NWSDB can forward a proposal to the Divisional Secretary for a higher rate, with the reason for such a proposal. If the negotiation fails to lead to an agreement within 2 months from date of initiation of negotiation, NWSDB will seek at least two alternative plot(s) of land and follow the steps / process described above. In the event that negotiations for these fail in the subsequent 2 months as well, NWSDB will adopt the involuntary land acquisition approach/route, which will require resettlement plan preparation/update.

H. Scope of Land Acquisition and IR Impacts

40. Projects will minimize land acquisition and resettlement impacts in accordance with the measures described in the previous section. All efforts will be made to avoid significant impacts.

41. **Project 1** is assessed to have potential temporary impacts on the basis of transect walks in high, medium and low density roads in areas North of Colombo City. These include disruption in water supply during construction, impacts on access, disruption of traffic, impact on on-street parking, possible damage to individual house connections, and potential economic impacts on 7624 informal sector hawkers and vendors, of which 635 are mobile hawkers and 1906 are vulnerable. Project components requiring land include the proposed buildings for the NRW Office and Area Engineer's Office. Land ownership of both sites is with the National Water Supply and Drainage Board (NWSDB), hence no land acquisition is envisaged. Existing structures on both sites also belong to NWSDB. Because IR impacts are not significant, project 1 was categorized as B, and a Resettlement Plan (RP) prepared.

42. **Project 2:** There is no land acquisition under the proposed ADB financed project 2 component 1 for NRW reduction in southern Colombo city. Involuntary resettlement impacts are limited to potential temporary disruption to income during linear pipe laying works. Impacts of distribution network improvement / rehabilitation (282 km) are limited to (i) temporary disruption of on-street parking and business activities (display of wares on ROW), and (ii) temporary shifting of 6902 vendors and hawkers during construction, for a period of less than 7 days each. Government land has been identified for two proposed buildings, one belonging to NWSDB and another to Colombo Municipal Council (CMC).

43. Under the proposed project 2 component 2, AWSSIESP, construction of Control Centre and extension to Eli House Pump Station and reservoir, and pump bases will not involve any involuntary land acquisition as improvements are proposed at NWSDB's Ambatale treatment plant site. Construction of the Control Centre will involve demolition of NWSDB's existing vehicle workshop at the site. Construction of ground reservoir, pump station and caretaker quarters at Gotatuwa are proposed on government land belonging to the Ministry of Health; hence no private land acquisition is involved. There are six official quarters at the site presently serving as health ministry staff residences, which will need to be demolished. A new building with modern amenities is proposed to be constructed in lieu of the demolished buildings. For the proposed booster pump station at Gotatuwa, NWSDB has identified a privately owned vacant site of 102 perches on Stephen Road, Moragasmulla Junction, and proposes negotiated purchase of the land from the landowner – a real estate firm called ETI Finance Ltd., using government funds. Other involuntary resettlement impacts include potential temporary disruptions to income during linear pipe laying works. Transect walks and impact inventory surveys reveal that trunk mains proposed from Gotatuwa to Maligakanda are anticipated to temporarily impact vendors on Veluwana Road and Dematagoda Road; which are likely to be closed to traffic; the period of disruption at the two locations is likely to be in the range of 10-15 days. Proposed bridge and

canal crossings and railway crossings are also likely to hinder access temporarily. The proposed booster pumping line to Moragasmulla is likely to temporarily impede vehicular access to residences and two shops/businesses located near Moragasmulla for a period of 10-15 days. Transect walks and business surveys also reveal that transmission mains proposed from Ambatale to Totalanga are likely to temporarily impact businesses located at Madampitiya.

44. Of the civil works components proposed under Project 2 component 3 (TECDWSP): (a) construction of the ground reservoir at Labugama requires 1 acre of land. NWSDB has identified a site and initiated the process of negotiated purchase from the private landowner. Consultations with the owner reveal that the land is mortgaged and the owner is willing to sell it at the prevalent market rate. The site is presently a tea plantation. Affected persons include three tea pluckers and one caretaker; (b) construction of the Area Engineer's office and one OIC office is proposed at the existing OIC office site of NWSDB at Homagama. No land acquisition will be required for these two offices. However, the existing building on the site will need to be demolished and the new buildings constructed; (c) Construction of OIC office at Padukka, Galagedara. The site is owned by NWSDB and has an existing water tower. No land acquisition is involved in this case. Of the linear components proposed: (a) laying of transmission mains will be within existing road rights of way in the project area, all of which are government owned (including road shoulders). Involuntary resettlement impacts are limited to potential temporary disruptions during linear pipe laying works. Temporary road closure (150 m stretch at Kithumpe village) and loss of access to 1 residence along the stretch is anticipated. Other shops and residences near the location will continue to have alternate access from another side. A few vendors (~10 in number) with temporary, moveable structures shall be affected at Meepe Junction which may need to be closed during construction. For the most part of the transmission mains alignment, temporary impacts will be limited to partial closure of roads where it will be possible to maintain access; and (b) laying of distribution network pipes will again have temporary impacts on access to residences and lead to disruptions in water supply for households with existing connections.

45. **Project 3:** Physical components for wastewater in project 3 include rehabilitation of around 30 km of collection sewers, and around 445 km of sewer extensions to serve un-sewered and under-served areas of Greater Colombo. Since these are envisaged as linear, pipelaying components on existing road rights of way, impacts are anticipated to be temporary (similar to projects 1 and 2), including potential temporary impacts on access, traffic, parking and temporary economic impacts on 8541 hawkers and vendors, of which 712 are mobile hawkers and 2135 are vulnerable. Pending detailed design, estimation of the full magnitude of impacts is not possible at this stage; however, initial studies indicate that land acquisition and IR impacts are not likely to be significant. The RP for project 1 serves as a sample that can be followed for the subsequent two projects for minimisation of adverse impacts.

46. **Project 4:** Under project 4, investments in two wastewater treatment plants (WWTP) are envisaged and land owned by Colombo Municipal Council in Wellawatte and Madampitiya identified for the purpose. Land identified at Wellawatte for a WWTP is surrounded by 3 tenement gardens within 5 m of the site (119 watte, Weligoda Watte and Camp watte) and identified land at Madampitiya has tenement gardens, also within 5m distance. In order to minimise health risks and improve quality of life of tenement garden populations living in the vicinity of the proposed WWTP sites, conformance of the identified sites to guidelines for site selection (50m buffer, use of odour control technology and technology that minimises land requirements for WWTPs) provided in the Environmental Assessment and Review Framework (EARF) will need to be ensured and strictly adhered to. Preliminary studies indicate that avoidance of significant IR impacts should be possible for both sites. This would need to be

confirmed during detailed design.

47. Every effort will be made during project preparation, detailed design and implementation of future projects to minimize acquisition of land and other assets and to reduce any involuntary resettlement impacts. Unforeseen impacts will also be compensated in accordance with the principles of this Framework (Table 2).

Table 2: Potential impacts of Projects under the Investment Program

Project	Civil works	Temporary Impacts						Permanent Impacts
		Affected mobile hawkers	Affected hawkers with movable structures	BPL	WHH	Disabled	Elderly	
Project 1	279 Km of water supply pipe replacement and rehabilitation; 39.3 Km of spaghetti pipe replacement; construction of 2 NRW offices	635	6989	1271	635			No land acquisition; 3 existing buildings on NWSDB building sites will need to be demolished
Project 2 Component 1	282 Km of water supply pipe, replacement and rehabilitation, construction of 2 offices	3193	3709	423	329			Nil
Project 2 Component 2:	Construction of Control centre; Construction of 15,000 m3 ground reservoir; laying of 5.0 km of 1,200 mm dia pipe; laying of 0.5 km of 500 mm dia pipe; and 9.2 km of 1200 mm dia transmission mains	41	115	20	7	5	2	(i)Negotiated purchase of Moragasmulla site for booster pumping station from a private firm; (ii)demolition/rebuilding of 6 Ministry of Health staff quarters,
Project 2 Component 3:	Laying of 8km of 1000mm dia transmission mains, 360	0	10	2	0	0	0	(i)Negotiated land purchase for reservoir (1 acre) and

	km pipes for distribution network; construction of 18000m ³ capacity ground reservoir							loss of livelihood for 5 persons; (ii) 1 NWSDB office, Homagama;
Project 3	Rehabilitation of 30 Km of collection sewers; 445 Km of sewer extensions	712	7830	1424	712			Nil; To be confirmed during detailed design
Project 4	Construction of two wastewater treatment plants of capacity 124,000m ³ /d and 50,000 m ³ /d to the secondary treatment standard.	Nil	Nil	Nil			Nil	Nil; To be confirmed based on site visits

Note: Impacts of projects 1, 2a, 3 and 4 estimated on the basis of transect walks in high, medium and low density roads in Colombo City, with varying estimates of road densities in areas in North Colombo City, South Colombo City and Greater Colombo. Extent of potential impacts under Project 4 to be determined based on further assessment and field investigations. For projects 2b and 2c, 100% impact inventory and 33% sample socio-economic survey of affected businesses undertaken to identify impacts.

III. SOCIOECONOMIC INFORMATION

A. Surveys and Assessment Tools

48. Social impact assessment (SIA) surveys of the affected persons will be undertaken for each project to determine the magnitude of displacement and prospective losses, identify vulnerable groups for targeting, ascertain costs of resettlement, and prepare a rehabilitation program for implementation. The SIA surveys and assessment tools will comprise:

At project preparatory stage for future projects:

- (i) **Transect walks:** Transect walks shall be conducted on sample road sections of 300 or 500 m of high, medium and low density to determine the extent / nature of impacts on such sections. These will help determine the magnitude of potential losses, identify vulnerable groups requiring special protection and help arrive at broad costs of resettlement.

At detailed design stage:

- (i) **Transect walks:** Transect walks shall be conducted to determine the extent / nature of impacts on identified roads during detailed design stage where full/partial closure is likely. Such walks will establish the need for Detailed Measurement Surveys on each road stretch.

- (ii) **Detailed Measurement Surveys (DMS) and Inventory of Losses.** The Detailed Measurement Survey (DMS) will establish the number of affected persons (AP)/businesses along each proposed water or sewerage pipe/road stretch/sites for treatment plants and pumping stations with potential impacts and enable an inventory of losses. A rapid survey will be conducted using an instrument that will collect only essential information for determining entitlements. **Appendix 3** provides sample survey forms for DMS surveys of businesses and inventory of losses. The DMS and Inventory of Loss surveys will gather personal information on the AP, type of business, type of structure, number of persons employed, income and profits per day, vulnerability, if any of the owner or employees, will record the type of distress or loss likely. It will also establish monitoring and evaluation parameters that will help monitor the socioeconomic status of affected persons, and significantly affected persons in particular, if any.²⁰ The survey will also collect gender-disaggregated data to address gender issues in resettlement.

49. Transect walks and DMS and Inventory of Loss surveys must be undertaken in consultation with the engineering team (MASC/DSIC and PMU) to ensure that proposed alignments or footprints of structures proposed, if any are taken into consideration in determination of impacts.

B. Resettlement Plans

50. Resettlement plans will be prepared based on the results of the transect walks and DMS/Inventory of Loss surveys. The database on affected persons should be completed before resettlement plan preparation. It will include the results and findings of the DMS/inventory of loss survey of affected persons and their entitlements to restore losses, institutional mechanisms and schedules, budgets, assessment of feasible income restoration mechanisms, grievance redress mechanisms, and results monitoring mechanisms. The resettlement plan should be structured as per the outline in **Appendix 4**.

51. Resettlement plans will comply with the principles outlined in this agreed resettlement framework. These will be approved by ADB prior to contract award. Disbursement of compensation payments and entitlements will be made prior to displacement (physical or economic displacement).

52. The specific resettlement-related activities to be performed, such as social impact assessment, transect walks, DMS/Inventory of Loss surveys, resettlement planning, public consultation, development of mitigation and income restoration measures, implementation of resettlement plan, and monitoring and evaluation, and their project implementation schedule, will all be detailed in the resettlement planning document.

53. For projects involving facilities and/or business activities that already exist or are under construction, the implementing agencies will undertake an involuntary resettlement audit in accordance with SPS, 2009 to identify past or present concerns related to social impacts. The audit report (including corrective action plan, if any) will be a part of the Resettlement Plan, which will be made available to the public in accordance with the information disclosure requirements of ADB SPS, 2009. If a project involves an upgrade or expansion of existing

²⁰ ADB OM Section F1/OP March 2010 defines significant/major impact as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income-generating).

facilities that has potential IR impacts, the requirements for social assessment and planning specified in ADB SPS, 2009 will apply in addition to compliance audit.

C. Impacts on Vulnerable Persons and Mitigation Measures

54. In case of any income losses, vulnerable households shall be provided additional 25% compensation over and above actual income loss or minimum wage rate, whichever is higher.²¹ Vulnerable households shall be given priority for employment as project-related unskilled labour during and after implementation. There will be equal pay for equal work for men and women for all unskilled labour under the project.

55. Any negative impacts of a proposed intervention on vulnerable households will be given priority. The resettlement plan will formulate measures to ensure that socioeconomic conditions, needs and priorities of vulnerable APs are identified, and that the process of land acquisition and resettlement does not disadvantage women. Focus groups discussions with women and other vulnerable groups will be conducted to address their specific issues and concerns. During disbursement of compensation and provision of assistance, priority will be given to vulnerable households. Gender issues are further addressed through the gender action plan prepared for the project, and will be implemented by the project NGO.

IV. COMPENSATION, INCOME RESTORATION, AND RELOCATION

A. Valuation of Lost and Affected Assets

56. Land acquisition and resettlement impacts will be compensated in accordance with the entitlement matrix (Table 1). As per the policy adopted for this project, all compensation for loss of land structures and other assets will be based on full replacement cost.

57. Replacement cost for land or affected structures or income losses will be determined by the Social Development and Safeguards Officer (NWSDB PMU) and the Resettlement Officer (CMC PMU) and Resettlement Specialists (MASC and DSIC), and NGOs for projects 1 and 2 , in consultation with the affected persons.

58. The valuation of immovable properties, including structures and assets, shall be determined as follows:

59. **Land and other assets.** Land will only be acquired for the project if it is vacant/unoccupied and not used for any purpose. Land/other assets will not be acquired at less than replacement cost. The valuation method defined in the Entitlement Matrix (footnote 10) needs to be followed to determine full replacement cost.

60. **Residential, commercial and institutional structures.** The full replacement cost of damaged structures and other immovable properties/assets will be determined on the basis on market cost of materials to build a replacement structure with an area or quality similar or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site plus any labour and contractor's fee. All

²¹ Vulnerable households are defined as follows: Woman-headed households, Below Poverty Line households or households with very low income, households where head of household works as a casual labour, and household residing in a temporary or semi-permanent houses. In addition, households headed by disabled persons, if found during DMS, will also be considered vulnerable.

costs to be current for the period of actual replacement. Depreciation for structures should not be taken into account as per ADB SPS 2009. In case of permanent impacts due to demolition of structures, replacement/rebuilding of structures if land available; shifting allowance and accommodation/office/work space for affected persons, as applicable.

61. **Common resources, structures and facilities.** In case of loss of common resources, structures and facilities as defined in the Entitlement Matrix, the same will be restored or re-installed or access to lost facilities provided at a new place in consultation with the community or appropriate authority.

62. **Trees.** Compensation for trees will also be based on the current market value of timber for timber trees, the annual net product market value multiplied by remaining productive years for perennial and fruit trees as finalized by the SDSO (NWSDB PMU) and the Resettlement Officer (CMC PMU) and RS (MASC/DSIC) in consultation with the Forest Department.

63. For temporary impacts, cash compensation and other entitlements prescribed in the entitlement matrix (Table 1) will be provided to each entitled affected person before taking possession of the land or properties.²² Affected persons will be provided with an advance notice of 30 days prior to possession being taken of the land or properties (temporary structures in right of way), followed by reminders 1 week and 24 hours in advance. After payment of compensation at replacement cost, APs will be allowed to take away the materials salvaged from their dismantled houses and shops, and no charges will be levied upon them for the same. A notice will be issued clarifying that APs can salvage the materials. All compensation and assistance will be paid to them prior to displacement or commencement of construction activities in sections ready for construction. The executing agency will provide satisfactory evidence to ADB of payment of compensation and assistance prior to commencement of civil works in the respective sections of a project.

B. Income Restoration

64. **Loss of livelihood.** Each affected person whose income or livelihood is affected will be assisted to improve or at least restore his/her income to pre-project level. Income restoration schemes will be designed in consultation with affected persons, and considering their resource base and existing skills. The SDSO (NWSDB PMU) and the RO (CMC PMU), with support from the RS (MASC/DSIC) and project NGO, will identify the number of eligible affected persons based on the DMS survey, and will conduct a training needs assessment in consultation with the affected persons so as to develop appropriate income restoration schemes. The SDSO (NWSDB PMU), with support from the MASC/DSIC and NGO, will examine local employment opportunities and produce a list of possible income restoration options. Suitable trainers or local resources will be identified by the NGO in consultation with local training institutes. Vulnerable households will get special assistance. The resettlement plan budget will reflect the cost of providing training, and costs for training will be paid directly to the training institution. The PMU/PMU will also facilitate affected persons' access to government schemes that could help them restore income and livelihood.

²² The affected persons will hand over land acquired free from all encumbrances such as mortgage, debt, etc. after compensation. However, in case there are loans on acquired land, such amounts will be deducted from the total compensation. The acquired land shall vest in the competent authority paying compensation for such lands/properties. If the competent authority fails to pay decided compensation to affected persons within a year of the date of notification, additional amount by way of interest (12%) will apply on final compensation payable to each affected person, unless and except in cases where the affected person has approached the judiciary for grievance redress.

65. Compensation for loss of primary source of income, in the case of employees of business or wage labourers, will be as indicated in the entitlement matrix.

66. **Temporary income loss.** Businesses experiencing significant income impacts will be compensated for lost income on fully / partially closed streets²³ where customer access is disrupted.²⁴ Once a contractor confirms a road is likely to experience disruption to customer access, the concerned RS (MASC/DSIC) will conduct an income survey of businesses along the relevant sections. The DMS/income survey will serve as the cut-off date. All businesses identified in the project-impacted areas (sections ready for construction) on the cut-off date will be entitled to compensation for their lost income based on the tax record or, in their absence, comparable rates from registered businesses of the same type with tax records. For shops not qualifying under these categories (hawkers, vendors, etc.), there will be the option of using the actual income based on survey, followed by a verification of the income data based on comparable incomes in the project area. Preferential employment in project-related work will be offered to local people, with priority to vulnerable persons.

67. Procedures for assistance and compensation to affected persons. The following steps are envisaged:

- (i) **Step 1.** Conduct public awareness and information dissemination prior to construction works (through PRO, Awareness Generation and Media Consultants (AGMC) and/or NGO)
- (ii) **Step 2.** The contractor(s) to identify roads which will experience full / partial closure and/or disruptions in parking/display of wares/traffic and the estimated period of closure/disruption.
- (iii) **Step 3:** The MASC/DSIC Resettlement Specialist will then (a) conduct a transect walk jointly with the NWSDB PMU SDSO / the CMC RO and contractors and in tenement gardens, with the project NGO, to identify potential impacts based on detailed designs and final alignments; (b) conduct a detailed measurement survey and identify shops/businesses and daily income along sections where impacts / disruptions are likely, (c) update the Resettlement Plan (identifying potential losses), and (d) send the updated Resettlement Plan to ADB for review and approval after detailed designs and surveys are complete.
- (iv) **Step 4:** The NWSDB PMU SDSO and the CMC PMU RO will distribute identity cards to affected persons, including those facing income losses and those requiring assistance, and vulnerable APs.
- (v) **Step 5.** Affected persons can then access the compensation / assistance / allowances provided.
- (vi) **Step 6.** Concerned PMU to pay compensation/assistance/allowances prior to displacement in sections ready for construction (as required). Project Directors to closely monitor these activities
- (vii) **Step 7.** PMUs to keep accounts, record of affected persons, amounts paid, and receipts record for accounting purposes.

²³ Those shops experiencing significant income impacts as a result of the project (defined as losing more than 10% of daily income).

²⁴ Compensation is only applicable where customer access is disrupted, leading to income loss. To the extent possible, contractors will identify these types of roads prior to construction. However, if during construction a road not previously identified for full closure is unexpectedly required to be fully closed, inhibiting customer access, the contractor is to immediately notify the MASC resettlement specialist and PMU so that a rapid income survey can be conducted and compensation paid for the period of disruption.

68. **Vendor Assistance:** Vendors requiring temporary shifting assistance during construction period will be notified in advance and assisted to shift to alternative locations to continue their trade with limited disruption. They will be allowed to return to their original location after construction is declared complete. Vendor assistance will involve the following steps:

- (i) **Step 1.** Identification of impacted vendors through detailed measure surveys based on detailed design, by Resettlement Specialists of MASC and DSIC.
- (ii) **Step 2.** Notify vendors at least 30 days in advance, followed by a reminder 7 days and again, 24 hours in advance. Consult with local Vendor Associations, if they exist.
- (iii) **Step 3.** Identify alternative locations nearby for affected vendors to continue business.
- (iv) **Step 4.** Assistance by contractor to shift to new location. If income disruption expected during this time, compensation of lost income to be paid by the concerned PMU.
- (v) **Step 5.** Assistance by contractors to return to original location after construction works complete.

V. CONSULTATION, PARTICIPATION, AND DISCLOSURE

69. To promote public understanding and fruitful solutions to address the local needs of the communities and issues pertaining to resettlement, various sections of affected persons and other stakeholders were consulted through focus group discussions (FGD), meetings, and individual interviews in the preparation of projects 1 and 2. The opinions of the stakeholders and their perceptions were obtained during these consultations. This approach towards the formulation of the framework would be continued during implementation.

A. Meaningful Consultation and Participation of Key Stakeholders

70. Meaningful consultations will be undertaken with the affected persons as an ongoing exercise, their host communities, and civil society for every project identified as having involuntary resettlement impacts. The consultation process established for the project will employ a range of formal and informal consultative methods. Different techniques of consultation with stakeholders are proposed during project preparation, such as in-depth interviews, public meetings, group discussions, etc. Particular attention will be paid to the needs of the disadvantaged or vulnerable groups, especially those below the poverty line, the landless, the elderly, female-headed households, women, poor/low income households and those without legal title to land.

71. The key stakeholders to be consulted during project preparation, Resettlement Plan implementation and project implementation include:

- (i) affected persons and beneficiaries;
- (ii) elected representatives, community leaders, and representatives of community based organisations;
- (iii) local NGOs;
- (iv) NWSDB/CMC, RDA, PRDA, CEA, MLD, and relevant government agency representatives, including authorities responsible for land acquisition, protection and conservation of forests and environment, archaeological sites, religious sites, tourism authorities and other relevant government departments such as health

and education; residents, shopkeepers and business persons who live and work alongside the roads where pipes will be laid and near sites where offices/facilities will be built;

- (v) project proponents (MWSD, MPALG&DG), NWSDB, CMC), PMU and PIU staff,
- (vi) project NGO and contractor
- (vii) ADB and Government of Sri Lanka.

72. As part of the PPTA for projects 1 and 2, extensive consultations were undertaken with identified stakeholders, in line with ADB's requirements pertaining to environment and social considerations. Tools used for consultation were stakeholder workshops and meetings, interviews, structured questionnaires, and Focus Group Discussions (FGD).²⁵ Similar level of consultations will be held during project preparation in subsequent projects.

73. The NWSDB PMU/CMC PMU will extend and expand the consultation and disclosure process during the detailed design stage and the construction period. Awareness Generation and Media Consultants (AGMC) will be recruited to ensure public awareness during implementation. An NGO will be recruited for community mobilisation targeting women's participation, formation of user groups in tenement gardens, scaling up of the Randiya programme of NWSDB aimed at motivation of low income communities to adopt individual connections or metered public standposts, awareness generation among low income communities and monitoring of the Gender Action Plan for the project. The NGO will ensure that key messages of the awareness campaign including the proposed WASH campaign reach the poorest and most vulnerable households.

B. Information Disclosure

74. The NWSDB and CMC will provide relevant resettlement information in a timely manner, in an accessible place and in a form and language(s) that affected people and other stakeholders are able to understand. For non-literate people in the project area if any, other suitable communication methods will be used. For future projects, information will be disseminated to APs at various stages. In the initial stages, the NWSDB PMU/CMC PMU will be responsible for issuing public notices to provide project information including land acquisition notices, if applicable. The notices will be published in local newspapers, twice, with a one week interval. The concerned RS (MASC/DSIC) will conduct consultations and disseminate information to all APs. The respective PMUs will issue notification of implementation start dates for each locality/area. The notices will be issued by the PMUs in local newspapers one month ahead of implementation. This will create awareness of project implementation.

75. The NWSDB and CMC will submit to ADB the following documents for disclosure on

²⁵ During project preparation for project 1, 12 Focus Group Discussions (FGD) were held with the community, of which covering 187 participants, of which 53% were women. Household surveys covered a sample of 394 households in critical areas of Colombo City, of which 15% were from tenement gardens. Similarly, during project preparation for project 2, 18 FGDs were conducted covering 137 participants, including men and women. Household surveys in southern Colombo city covered 361 sample households, of which 53% were from tenement gardens. Household surveys in Towns East of Colombo covered 530 households. The FGDs and surveys helped identify the key concerns of stakeholders related to the project: whether metered standposts would be affordable and whether damaged roads, common facilities and properties, if any would be restored/rehabilitated. Business surveys were conducted in high, medium and low density streets of Colombo City, covering 49 business owners and employees and potential impacts and mitigation measures discussed. Meetings with NGOs were held and their ability and willingness to participate in community mobilization activities proposed under the project, discussed. A one-day workshop with NWSDB staff was also held. These consultations helped identify the felt needs/concerns of the communities related to the water supply project and priorities of relevant stakeholders.

ADB's website:

- (i) Draft Resettlement Plans and a Resettlement Framework endorsed by NWSDB / CMC and ADB before project appraisal;
- (ii) The final RPs endorsed by NWSDB/CMC and ADB after the census of affected persons is completed;
- (iii) New RPs or updated RPs and any corrective action plan prepared during project implementation, if any; and
- (iv) Resettlement monitoring reports:

76. A copy of the Resettlement Plans and the Resettlement Framework will be disclosed on the NWSDB / CMC and project related websites and will also be available from the PMUs on request. Translated versions of the resettlement planning documents shall be available to the public in Sinhala and Tamil as well as English. The information will also be made available at public places including the offices of MWSD, MPALG&DG, NWSDB main office, NRW office, concerned Area Engineer's office, GND offices in the project intervention area, CMC head office and CMC District Office and Divisional Commissioner's offices.

77. The Communication Strategy prepared for the project provides for disclosure of project-related information including IEEs/RPs, identifies key messages, responsibility for disclosure and the frequency. The Communication Strategy (CS) includes a media-based awareness campaign, web disclosures and direct communication through meetings and consultations. The Consultation and Participation Plan (CPP) for the project also identifies consultation and disclosure activities to be undertaken and the institutions responsible.

VI. GRIEVANCE REDRESS MECHANISM

78. A project-specific grievance redress mechanism (GRM) will be established to receive, evaluate and facilitate the resolution of AP's concerns, complaints and grievances about the social and environmental performance at the level of the project. The GRM will aim to provide a time-bound and transparent mechanism to voice and resolve social and environmental concerns linked to the project.

79. **Common GRM.** A common GRM will be in place for social, environmental or any other grievances related to the project; the RP and IEE will follow the grievance redress mechanism described below, which is developed in consultation with key stakeholders. The GRM will provide an accessible and trusted platform for receiving and facilitating resolution of affected persons' grievances related to the project. The multi-tier GRM for the project is outlined below, each tier having time-bound schedules and with responsible persons identified to address grievances and seek appropriate persons' advice at each stage, as required.

80. The Colombo city-wide Public Awareness Campaign by the AGMC and awareness generation in the towns east of Colombo by the project NGO will ensure that awareness on grievance redress procedures is generated through the campaign, using appropriate media. The implementing NGO working with NWSDB PMU will ensure that poor and vulnerable households are made aware of grievance redress procedures and entitlements, and will help ensure that their grievances are addressed.

81. APs will have the flexibility of conveying grievances/suggestions by dropping grievance redress/suggestion forms in complaints/suggestion boxes or through telephone hotlines at accessible locations, e-mail, post, or writing in a complaints register in the NWSDB Area Engineer's Office (**Appendix 5**) has the Sample Grievance Registration Form). In case of

adverse economic impact/situation where an affected person's (AP) economic status is rendered worse-off as a result of the project, APs will be able to file a special request for additional assistance. The project NGO will help the PMU identify such cases and will bring their grievances to the notice of the SDSO, PMU. The GRM will ensure additional assistance in all such cases. Careful documentation of the name of the complainant, date of receipt of the complaint/request for additional assistance, address/ contact details of the person, location of the problem area and how the problem was resolved, will be undertaken. The NWSDB PMU Social Development/Safeguards Officer and the CMC Resettlement Officer will be responsible for timely grievance redressal on environmental and social safeguards issues and responsible for registration of grievances, related disclosure and communication with the aggrieved party.

82. **Grievance Redress Process.** In case of grievances that are immediate and urgent in the perception of the complainant, the contractor and supervision personnel from the PMU²⁶/MASC/DSIC²⁷ on site will provide the most easily accessible contact for quick resolution of grievances. Contact phone numbers and names of the NWSDB PMU Social Development/Safeguards Officer and CMC PMU RO, MASC and DSIC safeguards specialists,²⁸ and contractor site engineer will be posted at all constructions sites in visible locations. In tenement gardens, the point of contact will be the contractor/supervision personnel or the project NGO personnel that will be involved in community mobilization and awareness generation among such communities. The contractors and supervision personnel of PMU/PMU/MASC/DSIC and/or the project NGO can immediately resolve issues on site in consultation with each other and will be required to do so within 7 days of receipt of a complaint/grievance. If required, the advice of the Area Engineers and/or the concerned Grama Niladhari (GN) officers as well as advice/assistance of (i) NWSDB PMU Social Development/Safeguards Officer and MASC safeguards specialists for water supply projects, and (ii) CMC PMU RO and DSIC safeguards specialists for sewerage projects, will be sought, for resolution of the issue by any one or all of them jointly.

83. All grievances that cannot be redressed within seven days at field level will be jointly reviewed by (i) for water supply sub-projects, NWSDB PMU Social Development/Safeguards Officer and MASC safeguards specialists, and (ii) for sewerage projects, CMC PMU Environment Specialist, Resettlement Specialist, and DSIC safeguards specialists who will attempt to resolve them within 15 days, enlisting the assistance of the local representative of CEA and other concerned stakeholders, as required.

84. The concerned Project Director will refer major issues to the Grievance Redressal Committee (GRC),²⁹ which will resolve them within 30 days, and very major issues that are beyond the jurisdictional authority of the GRC or those that have the potential to cause/aggravate social divides/conflicts or cause environmental damage, directly to the Program Steering Committee (PSC).³⁰ Grievances which the GRC is unable to resolve within 30

²⁶ NWSDB PMU or CMC PMU.

²⁷ MASC for NWSDB, and DSIC for CMC.

²⁸ MASC Environmental Management Specialist and Resettlement Specialist and DSIC Environment Specialist and Resettlement Specialist.

²⁹ The Grievance Redress Committee (GRC) will have the following as members: Divisional Secretary as Chairperson, concerned Project Director, NWSDB PMU Social Development/Safeguards Officer as the Convener, CMC PMU Environment Officer and Resettlement Officer, project Public Relations Officer, Director of the project NGO, concerned NWSDB Deputy General Manager (DGM) for the Western Central Region and Assistant General Manager (AGM) in charge of NRW, the Area Engineer, NWSDB, CMC, representatives of APs, Community Based Organizations (CBOs), and eminent citizens. The GRC must have at least two women members.

³⁰ The Program Steering Committee responsible for grievance redress will have the following as members: Ministry of Defense and Urban Development, NWSDB, Ministry of Finance and Planning (MOFP), with the Secretary to

days will also be referred to the PSC. All paperwork (details of grievances) needs to be completed by the NWSDB PMU Social Development/Safeguards Officer and the CMC PMU RO, facilitated by the project Public Relations Officer and circulated to the respective GRC and PSC members, at least a week in advance of the scheduled meetings. All decisions taken by the GRC and PSC will be communicated to the APs by the project Public Relations Officer.

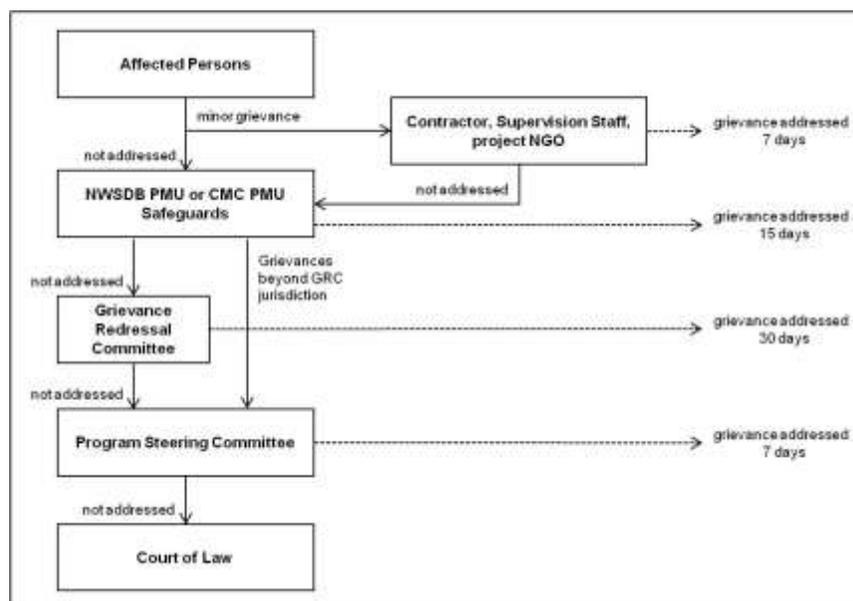
85. Despite the project GRM, an aggrieved person shall have access to the country's legal system at any stage, and accessing the country's legal system can run parallel to accessing the GRM and is not dependent on the negative outcome of the GRM.

86. The local representative of CEA and representatives of Road Development Authority (RDA), Provincial Road Development Authority (PRDA) and concerned GN Officers may be invited to GRC meetings as and when required. Presence of at least five members including one AP/civil society representative is necessary for resolutions to be passed.

87. **Record-keeping.** Records will be kept by the concerned PMU of all grievances received including contact details of complainant, date the complaint was received, nature of grievance, agreed corrective actions and the date these were effected, and final outcome. The number of grievances recorded and resolved and the outcomes will be displayed/disclosed in the offices of the PMUs, NWSDB's NRW Office, Area Engineer's Office and web, as well as reported in monitoring reports submitted to ADB on semi-annual basis.

Treasury (ST), the Secretary of the MWSD, the Secretary of MPALG&DG and senior officials from Department of External Resources (DER) and Department of National Planning (DNP), NWSDB, and CMC, as members. Representatives of concerned government ministries such as Ministry of Land and Land Development, Health, CEA Director General etc. may be invited to participate as and when required.

Figure 1: Grievance Redress Process



88. **Periodic Review and Documentation of Lessons Learned.** The respective PMU safeguards officers will periodically review the functioning of the GRM and record information on the effectiveness of the mechanism, especially on the project's ability to prevent and address grievances. Lessons learnt shall be shared with the CEA and Ministry of Land Development as required under the National Involuntary Resettlement Policy (NIRP), 2001.

89. **Costs.** All costs involved in resolving the complaints (meetings, consultations, communication and reporting / information dissemination) will be borne by the concerned PMU and are included in PMU costs.

VII. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

A. Implementation Arrangements – Water Supply

90. **Program Steering Committee (PSC).** At the central level, a PSC will be established at the Ministry of Finance and Planning (MOFP), with the Secretary to Treasury, the Secretary of MWSD, the Secretary of MPALG&DG and senior officials from the Department of External Resources and Department of National Planning, the Ministry of Defense and Urban Development, the NWSDB, and CMC, as members. The PSC will be the apex decision making body for the Investment Program. The PSC will meet quarterly, review progress, provide policy guidance, resolve inter-agency issues that impede Program progress and advice on necessary action, particularly with respect to scope and cost, and the reform agenda of the Investment Program, and facilitate inter-agency coordination. The PSC will be responsible for: (i) providing sanctions and approvals under the Investment Program; (ii) making all important decisions on the Investment Program implementation; and (iii) ensuring timely Investment Program implementation.

91. **Executing and Implementing Agencies.** For water supply investments, MWSD will be the executing agency and NWSDB will be the implementing agency. The Project Management

Unit (PMU) in the RSC WC has been established and headed by a full-time project director. The PMU will be responsible for: (i) preparation and implementation of the Investment Program; (ii) management of loan consultants; (iii) disbursement of funds and recover loan repayments; and (iv) conduct overall Investment Program monitoring and evaluation, including preparation of necessary Investment Program reports, with the help of loan consultants.

92. **NWSDB PMU.** The PMU will be responsible for implementing and monitoring safeguards compliance activities, public relations activities, gender mainstreaming activities, and community participation activities. The PMU will have a Social Development and Safeguards Officer, who will be responsible for safeguards functions. The responsibility of the PMU Social Development and Safeguards Officer is to: The PMU will have a Social Development and Safeguards Officer (SDSO), who will be responsible for safeguards functions. The responsibility of the PMU SDSO is to: (i) ensure the Resettlement Plan is updated by the MASC Resettlement Specialist based on detailed designs; (ii) engage in ongoing meaningful consultations with stakeholders and affected persons particularly through implementation of the consultation and participation plan; (iii) participate in joint field visits with the MASC RS and Contractor/NGO personnel to identify potential impacts; (iv) implement the RP with support from consultant; (v) provide timely payments to affected persons before displacement occurs in sections ready for construction; (vi) ensure all grievances are addressed and when necessary activate the Grievance Redress Committee; (vii) take corrective actions where necessary, (viii) conduct monitoring of the resettlement process to ensure smooth implementation, (ix) consolidate monthly reports by Resettlement Specialist in MASC and submit semi-annual monitoring reports to ADB; and (x) ensure timely disclosure of the RP. The monitoring reports should record the progress of resettlement activities and any compliance issues, grievances, and corrective actions taken.

93. **Management Advisory and Supervision Consultants (MASC).** MASC will be engaged to work closely with and advise the PMU, to build capacity on safeguards and to be involved in project supervision of social I and environmental safeguards implementation. The MASC will have two safeguards related staff, an Environmental Management Specialist and a Resettlement Specialist (RS). The MASC RS will: (i) Assist the NWSDB PMU SDSO in coordinating all social safeguards issues and ensuring that the project complies with Government and ADB social safeguards policies; (ii) Update the draft RP based on detailed designs and submit to PMU and ADB for review and clearance prior to construction; (iii) Organize orientation and training for MWSD, NWSDB officials involved in project implementation on ADB / Sri Lankan policy, and RP preparation process; (iv) Organize training of contractors preparing them on RP implementation and mitigation measures; (v) Undertake field inspections on sections ready for construction with NWSDB PMU SDSO, Contractor's Safeguards Supervisor, and project NGO for roads in tenement gardens, to determine nature of potential impacts / necessity for Detailed Measurement Surveys (DMS). Conduct DMS surveys prior to displacement in sections ready for construction, determine number of APs/vulnerable APs and coordinate valuation and finalization of compensation with the PMU SDSO; (vi) Oversee implementation of the RP by the Contractors to ensure that it is consistent with Government and ADB policies, as agreed in the Resettlement Plan for the project by the Government and ADB; (vii) Work in close coordination with/provide guidance to the project nongovernmental organization on safeguards related work in tenement gardens; (viii) Support the NWSDB PMU in grievance redress in a timely manner as per the RP; (ix) Undertake internal monitoring of RP implementation; review monthly progress reports on social safeguards by contractors; oversee monitoring surveys of APs and submit monthly social safeguards monitoring reports to the PMU. Provide necessary guidance to the NWSDB PMU SDSO in monitoring and reporting on social safeguards to ADB.

94. As per ADB SPS 2009, only in the event of significant impacts in projects identified for future projects, an external safeguards monitoring expert will need to be part of the MASC to assist the PMU in monitoring safeguards compliance.

95. **Contractor.** The Contractor will have a Social Safeguards Supervisor to (i) coordinate with MASC on updating the RP based on detailed designs, and (iii) and ensure implementation of RP during civil works.

96. **NGO.** In Colombo city, the ADB contracted project NGO, will be responsible for formation of water user groups in tenement gardens, targeting women as agents of change in their communities. The NGO will also help the PMU/MASC ensure that poor and vulnerable affected persons (APs) in tenement gardens are identified and receive benefits of the project and any entitlements. The NGO will collect and analyse data as required to help the MASC/PMU monitor impacts on the poor and vulnerable. The NGO will put forth grievances of APs/vulnerable groups in tenement gardens to the PMU/MASC and GRC, generate awareness about opportunities for employment in project related activities, rights and entitlements, grievance redress process among APs /vulnerable groups, and help them to make informed choices; assist the PMU in providing assistance to APs in tenement gardens, if required/applicable; participate in public meetings and consultations as and when required. In addition to the above tasks, the NGO will: (i) document lessons learnt each year, identify follow-up actions to ensure sustainability of water user groups formed; (ii) follow-up on WASH program; (iii) follow-up on key messages of awareness campaign among tenement garden communities; and (iv) analyse and report on gender impacts of project interventions. The success of NGO inputs will largely depend on their liaison with APs and other concerned government agencies.

97. In the towns east of Colombo, the AFD-contracted project NGO will be responsible for implementation of specific activities related to awareness generation and advocacy as defined in the Gender Action Plan (GAP) and the Consultation and Participation Plan (CPP) for the project, as well as specific activities related to Resettlement Plan (RP) implementation for TECDWSP. The NGO will be responsible for public awareness on NRW, water usage, water, sanitation and hygiene (WASH) in the project area. It will also assist the SDSO, PMU to identify vulnerable APs, ensure their inclusion in project benefits; generate awareness on the project and its grievance redress process, as well as on the RP and entitlements; ensure that grievances of APs/vulnerable APs/those rendered vulnerable by the project, if any, are conveyed to the concerned authorities; and conduct surveys to assist the PMU monitor the RP for TEC. The NGO shall be the link between the PMU/PIU of NWSDB, and communities in the six town areas. In addition to the above tasks, the NGO shall: (i) document lessons learnt each year, identify follow-up actions and campaigns; (ii) follow-up on WASH program; (iii) follow-up on key messages of awareness campaign among communities; and (iv) analyse and report on impacts of project interventions, specifically, gender impacts. The NGO shall be the link between the PMU/PIU of NWSDB, and communities in the six town areas.

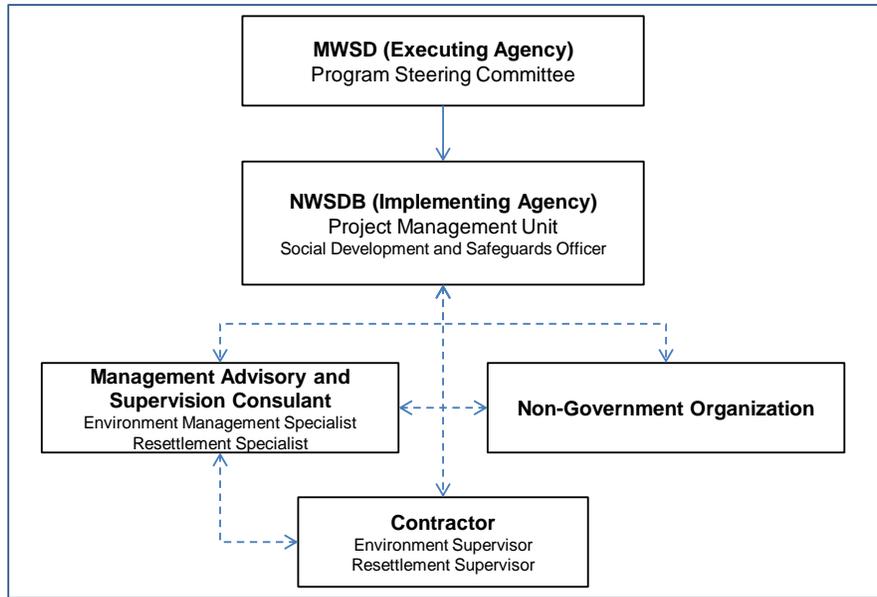
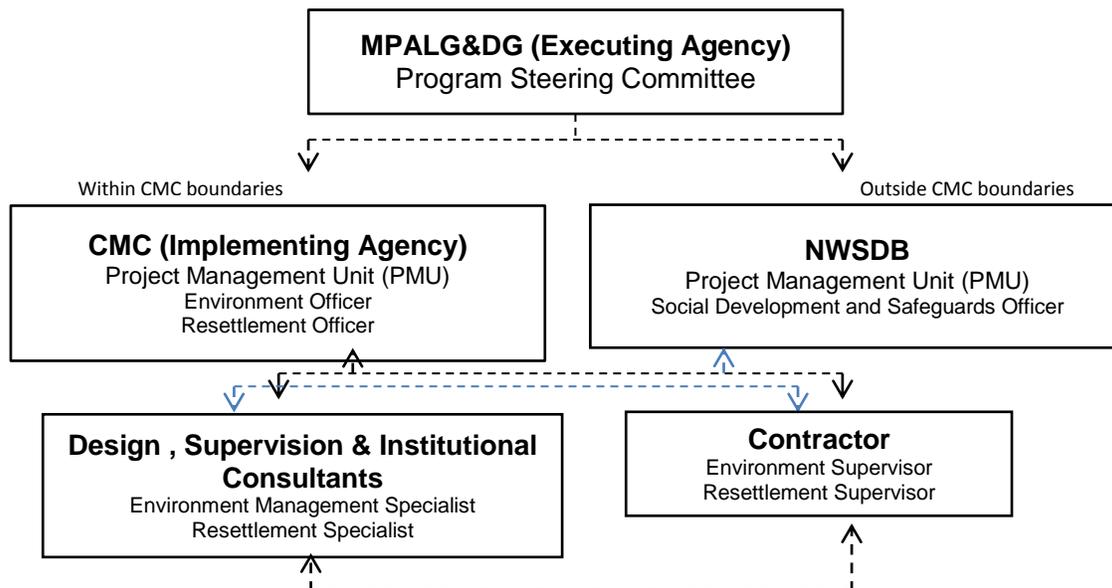


Figure 2: Safeguards Institutional Arrangement – Water Supply

B. Implementation Arrangements - Wastewater

98. **Executing and Implementing Agencies.** For wastewater investments, MPALG&DG will be the executing agency and CMC will be the implementing agency. CMC will be responsible for implementing most of the wastewater components, except for any components which may be located outside Colombo City. A Project Management Unit (PMU) will be established directly under the Municipal Commissioner, led by a CMC officer at a senior management level, for the duration of the Investment Program, to manage and implement the investments. NWSDB PMU will manage and implement investments falling in the NWSDB service area outside the CMC boundary.

Figure 3: Safeguards Implementation Arrangement – Sewerage



99. **CMC PMU.** The PMU will be responsible for implementing and monitoring safeguards compliance activities, public relations activities, gender mainstreaming activities, and community participation activities in areas under CMC jurisdiction. The PMU will have a Resettlement Officer (RO), who will be responsible for social safeguards functions. The responsibility of the PMU RO related to involuntary resettlement impacts is to: (i) ensure the Resettlement Plan is updated by the consultants based on detailed designs, if required; (ii) engage in ongoing and meaningful consultations with stakeholders and affected persons particularly through implementation of the consultation and participation plan; (iii) implement the RP with support from consultant; (iv) provide timely payments to affected persons before displacement occurs in sections ready for construction; (v) ensure all grievances are addressed and when necessary activate the Grievance Redress Committee; (vi) take corrective actions where necessary, (vii) conduct monitoring of the resettlement process to ensure smooth implementation, and (viii) consolidate monthly reports by consultants and submit semi-annual monitoring reports to ADB. The monitoring reports should record the progress of resettlement activities and any compliance issues, grievances, and corrective actions taken.

100. For areas outside CMC boundary, NWSDB PMU will be responsible for implementing and monitoring safeguards compliance activities, public relations activities, gender mainstreaming activities, and community participation activities.

101. **Design, Supervision and Institutional Consultants.** DSIC will be engaged to work closely with and advise the PMU, to build capacity on wastewater management, and to be involved in project supervision including construction. The DSIC will have an Environment Specialist and a Resettlement Specialist. The DSIC RS will: (i) Assist the CMC PMU RO in coordinating all social safeguards issues and ensuring that the project complies with Government and ADB social safeguards policies; (ii) Update the draft RP based on detailed designs and submit to CMC PMU and ADB for review and clearance prior to construction; (iii) Organize orientation and training for MPALG&DG/ CMC officials involved in project implementation on ADB / Sri Lankan policy, and RP preparation process; (iv) Organize training of contractors preparing them on RP implementation and mitigation measures; (v) Undertake field inspections on sections ready for construction with CMC PMU RO, Contractor's Safeguards Supervisor, and project NGO for roads in tenement gardens, to determine nature of potential impacts / necessity for Detailed Measurement Survey (DMS)/Inventory of Loss Survey. Conduct DMS/inventory of loss surveys prior to displacement in sections ready for construction, determine number of APs/vulnerable APs and coordinate valuation and finalization of compensation with the CMC PMU RO; (vi) Oversee implementation of the RP by the Contractors to ensure that it is consistent with Government and ADB policies, as agreed in the Resettlement Plan for the project by the Government and ADB; (vii) Work in close coordination with/provide guidance to the project nongovernmental organization on safeguards related work in tenement gardens; (viii) Support the CMC PMU in grievance redress in a timely manner as per the RP; (ix) Undertake internal monitoring of RP implementation; review monthly progress reports on social safeguards by contractors; oversee monitoring surveys of APs and submit monthly social safeguards monitoring reports to the CMC PMU. Provide necessary guidance to the CMC PMU RO in monitoring and reporting on social safeguards to ADB.

102. **Contractor.** The Contractor will have a Social Safeguards Supervisor to (i) coordinate with DSIC on updating the RP based on detailed designs, and (ii) and ensure implementation of RP during civil works.

C. Institutional Capacity Development Program

103. The MASC and DSIC Resettlement Specialists will be responsible for development and implementation of a training program to build the capability of NWSDB PMU, CMC PMU, NWSDB and CMC staff, Contractor(s) and project NGO on resettlement policy, planning, mitigation measures and safeguards. These will be conducted by the MASC and DSIC RS with external resources as required. Training modules shall be developed based on a capacity assessment / training needs assessment of target participants vis a vis project requirements. Basic principles of resettlement planning, avoidance of IR impacts and minimisation measures with an emphasis on protection of the poor and vulnerable, access to project information and benefits by APs, grievance redress process and its importance, and monitoring shall be covered in the same.

104. Typical training modules will be (i) sensitisation to social safeguards, gender and vulnerability issues, (ii) introduction to social safeguards policy, planning and implementation issues in water supply and sewerage projects, monitoring methods and tools; (iii) review of RPs and integration into project detailed design; (iv) improved coordination between nodal departments; and (v) monitoring and reporting on RP implementation. The scope of training should include ADB resettlement policy and principles and the training will specifically focus on the differences between the provisions of the ADB policy and the relevant country laws, as the awareness of these differences and the need to follow the provisions of the ADB policy are critical for successful implementation of the RP.

105. NWSDB PMU and CMC PMU and the Management Advisory and Supervision Consultants / Design, Supervision and Institutional Consultants will also organize an induction course for the training of contractors preparing them on RP preparation, implementation including ADB policy, social safeguards monitoring requirements related to mitigation measures. The suggested outline of the training program is presented in Table 3.

Table 3: Indicative Capacity Building and Training Program for Resettlement (per project)

Description	Contents	Schedule	Participants
Program 1 Orientation Workshop	Module 1 – Orientation ADB Safeguard Policy Statement Sri Lankan policy Module 2 – Social/Environmental Assessment and Resettlement Planning/IEE Process ADB policy and process, identification of impacts and mitigation measures, RP/IEE preparation, implementation, and monitoring requirements. Incorporation of safeguards into project design and contracts	1 day	MWSD, MPALG&DG, NWSDB and CMC officials involved in project implementation NWSDB PMU NWSDB PIUs CMC PMU
Program 2 Workshop for Contractors and Supervisory staff	Roles and responsibilities of officials/contractors/consultants related to social safeguards issues during construction IR/environmental issues likely to be encountered during construction Implementation of RP/IEE Monitoring of RP/IEE implementation Reporting Requirements	1 day	NWSDB PMU NWSDB PIUs CMC PMU MASC DSIC Contractors

Description	Contents	Schedule	Participants
Program 3 Experiences and Best Practices Sharing	Experiences on RP/IEE implementation – Issues and Challenges - Best Practices followed	1 day on a regular period to be determined by NWSDB PMU, CMC PMU and Management Advisory and Supervision Consultants	NWSDB PMU & PIUs CMC PMU MASC DSIC Contractors Non-government Organizations Central Environmental Authority and Ministry of Land Development representatives

Note: The above sessions will cover both environmental and social safeguards.

D. Implementation Schedule

106. All land acquisition, resettlement, and compensation for each project will be completed before relocation. All land required will be provided free of encumbrances to the contractor prior to handing over of project site and start of civil works. RP implementation for each project will involve the following key steps: (i) identification of cut-off date and notification,³¹ (ii) verification of losses and extent of impacts,³² (iii) finalization of entitlements and distribution of identity cards, (iv) consultation with APs on their needs and priorities, and (v) resettlement, provision of compensation and assistance, and income restoration for APs. A typical schedule of activities for resettlement plan implementation following detailed design, is given below:

Table 4: Typical RP Implementation Schedule

Activity No.	Typical activities in RP Implementation	Envisaged Schedule
0.	Detailed design	
1	Safeguard training and capacity building	Over a period of 4 months, after appointment of contractor and NGO
2.	Conduct Detailed Measurement Surveys/business surveys/inventory of loss surveys**	2-3 months, depending on scope/scale of project
3.	Identification of Vulnerable APs for involvement/employment	2-3 months; simultaneous to Activity 1
4.	Update draft RP with results of DMS Survey	Within 1 month of completion of DMS/business surveys (Activity 1 and 2)
5.	Consultations and disclosure	Continuous activity, throughout resettlement planning, updation and implementation period
6.	Review and approval of RP (PMU and ADB)	Within 1 month of RP updation (Activity 3)
7.	Issuance of ID cards, as required	Within 1 month of RP approval (Activity 5)
8.	Issuance of notice to APs, as required	Within 2-3 months of RP approval
9.	Compensation prior to start of construction and assistance as required, including to vulnerable APs*	Compensation will be given prior to start of construction. Assistance will be continuous.
10.	Start of civil works	
11.	Internal monitoring, including surveys of APs on entitlements, satisfaction surveys	Continuous, through the period of RP implementation

³¹ The date of DMS Survey will be the cut-off date for non-titled APs. For titled APs, the cut-off is the date of notification.

³² Extent of losses will be determined through the 'Inventory of Loss' survey.

12.	External monitoring, in case of significant impacts	Formulation, disclosure and approval of corrective action plan(s) prior to project implementation/start of civil works. Periodic monitoring, through the period of RP implementation.
13.	Repair/reconstruction of affected facilities, structures, connections, utilities if any	Immediately (after damage), in co-ordination with other departments, as required

Note: The Schedule is indicative and will be finalised for each RP during the detailed design stage. The RP for each project will be updated based on final detailed design and DMS/business surveys. Disclosure of final RP will be undertaken.

VIII. BUDGET AND FINANCING

107. Detailed budget estimates for each RP will be prepared by the respective PMUs and MASC / DSIC, which will be included in the overall project budget. The budget shall include, if not covered under other heads: (i) detailed costs of land acquisition, resettlement and livelihood and income restoration and improvement, compensation and mitigation measures; (ii) source of funding; (iii) administrative and staff training; and (iv) monitoring costs. All land acquisition and resettlement costs will be borne by the government and provided in a timely manner to ensure payment of all entitlements prior to displacement.

108. In the case of assistance and other rehabilitation measures, the concerned PMU will directly pay the compensation amount or any other assistance as stated in the resettlement plan to affected persons by means of a check payment into their individual accounts. The MASC/DSIC and implementing NGO in case of impacts in tenement gardens will be involved in facilitating the disbursement process and rehabilitation program, and will facilitate opening of bank accounts for the affected persons who do not have bank accounts. An indicative budget for resettlement is provided in Table 5. This includes provisional sums for potential income losses to vendors, additional provisions (25% over and above actual income losses or minimum wage rate, whichever is higher in case of income losses; additional mitigation measures such as livelihoods training for vulnerable APs in case of resettlement impacts, envisaged in Project 4) for vulnerable APs and cost of mitigation measures for tenement gardens located near project sites. These costs will be borne by counterpart funds.

109. Mitigation measures for households and businesses affected by temporary disruptions such as information disclosure, public consultations, parking disruptions and businesses that will be unable to display their wares on existing ROWs alone, personnel costs, cost of training safeguards personnel of PMU, Contractor and NGO, survey costs (as required), and contingencies to cover damages to government /private property, if any are covered under other budget heads (Table 6).

Table 5: Indicative Cost for RF Implementation

Resettlement Costs	No.	Unit cost (USD)	Total (USD)
Project 1: NRW Reduction in Colombo City (North Colombo)			
Provisional sum for potential income losses for vendors	6989	10	69,890
Provisional sum for additional allowances for vulnerable APs	1906	2.5	4,765
Subtotal			74,655
Project 2			
Component 1: NRW Reduction in Colombo City (South Colombo)			
Surveys of APs and Consultations during RP updation		Lumpsum	6,000
Provisional sum for potential income losses for vendors	3709	10	37,090
Provisional sum for additional allowances for vulnerable APs	1080	2.5	2,700
Grievance redress		Lumpsum	7,200
Subtotal			52,990
Component 2: Ambatale Water Supply System Improvements and Energy Savings Project			
Surveys of APs and consultations during RP updation		Lumpsum	5,500
Provisional sum for potential income losses for vendors	115	49.5	5,693
Provisional sum for additional allowances for vulnerable APs	35	12.4	434
Rebuilding of Ministry of Health staff quarters	6	Lumpsum	620,000
Rental for staff displaced from Ministry of Health quarters	6	960	5,760
Shifting allowance for Ministry of Health staff	6	64	384
Land (negotiated purchase)		Lumpsum	40,000
Third Party charges		Lumpsum	3,024
Procedural costs of land purchase		Lumpsum	2,000
Grievance redress (GRM meeting costs, local travel, documentation, record-keeping, disclosure)		Lumpsum	3,000
Subtotal			685795
Component 3: Towns East of Colombo District Water Supply Project (TECDWSP)			
Surveys of APs and consultations during RP updation		Lumpsum	3,000
Provisional sum for potential income losses for vendors	10	40	400
Provisional sum for additional allowances for vulnerable APs	2	10	20
Compensation for loss of income to employees on affected land	4	371	1,484
Additional allowance for vulnerable AP on affected land	1	93	93
Providing access to improved water supply for vulnerable APs		Lumpsum	5,000
Land (negotiated purchase) and assets		Lumpsum	64,000
Third Party charges		Lumpsum	3,240
Procedural costs of land purchase		Lumpsum	2,960
Shifting allowance to landowner for shifting of stored material		Lumpsum	64
Grievance redress (GRM meeting costs, local travel, documentation, record-keeping, disclosure)		Lumpsum	4,000
Subtotal			84,009
Project 3			

Resettlement Costs	No.	Unit cost (USD)	Total (USD)
Provisional sum for potential income losses for vendors	7830	10	78,300
Provisional sum for additional allowances for vulnerable APs	2135	2.5	5337
Provisional sum for mitigation measures*		Lumpsum	30,000
Provisional sum for external monitor	12	1700	20,400
Subtotal			218298
Project 4			
Provisional sum for mitigation measures*		Lumpsum	75,000
Provisional sum for External Monitor	12	1700	20,400
Subtotal			95,400
Total resettlement costs for projects financed by ADB			356,740
Total resettlement costs for co-financed projects (AFD funded)			771,053
Grand total			1083503

*Provisional sum for mitigation measures covers provision of water supply and sewerage connections to APs/ communities living in areas adjacent to proposed WWTPs or sewage pumping stations, provision of access to alternate facilities to communities in case of loss of common facilities etc.

**Costs for PMU and MASC personnel and costs for carrying out consultations is included as part of the general administrative budget of the project administration unit, and not counted as part of the resettlement budget. Costs for grievance redress are included in PMU costs in all tranches other than tranche 2, where they are indicated separately in the resettlement budget.

Table 6: Sources of funds for RF Implementation

Component	Description	Number	Source of Funds
Disruption Minimisation Measures			
Pre construction information: flyers, signages, TV/radio clips	Information on likely disruptions, period of disruption, grievance redress processes and points of contact, time taken for grievance redress etc.	As required	Covered under Awareness Campaign cost
Public consultations and information disclosure	Consultations during pre-construction and construction phase.	As required	Covered under budget for implementation of Consultation and Participation Plan for project
Parking security (cordon for parking area and security personnel)	Mitigation of parking disruptions caused to households and businesses through provision of secure parking spaces	As required	Covered under Contractor's budget for RP implementation
Assistance for shifting of wares, if required by affected shopkeepers and businesses displaying wares on ROWs	Mitigation of disruption caused in disallowing display of wares on ROW during construction period	As required	Covered under Contractor's budget for RP implementation
Implementation Costs			
NWSDB PMU/CMC PMU Safeguards personnel costs	To oversee/undertake RP implementation	204 personmonths	To be borne by government
MASC/DSIC Resettlement	To support/advise PMU in	96 personmonths	Covered under

Component	Description	Number	Source of Funds
Specialist costs	RP implementation		MASC/DSIC budget
Contractor Social Safeguards personnel costs	RP updation at detailed design stage	96 personmonths	Covered under Contractor's budget
Grievance Redress Committee sessions	Redressal of grievances	As required	Included in NWSDB PMU/CMCPMU costs
Providing access to commercial establishments and properties; traffic management measures	Providing access, in case of access disruptions, to affected properties. Safety signboards, delineators, traffic regulation equipments, flagman, temporary diversions, etc	As required	Covered under Contractor's cost
Training			
Orientation of NWSDB PMU/CMC PMU, contractor and NGO safeguards personnel	Orientation on safeguards implementation, gender and vulnerability sensitisation	One time	Covered under MASC/DSIC training budget
Training in resettlement implementation and monitoring for NWSDB PMU/CMC PMU, Contractor and NGO personnel	Behavioural training, project safeguards policy, entitlements, compensation, mitigation measures	Two intensive sessions	Covered under MASC/DSIC training budget
Surveys			
Detailed Measurement and Inventory of Loss Surveys, as required	Before start of construction works	Wherever required throughout project area	Covered under MASC/DSIC budget
Monitoring surveys of APs	To check on entitlements received and satisfaction levels, during and after RP implementation	Wherever required throughout project area	Covered under MASC/DSIC costs
Restoration Costs			
Restoration costs for damage during construction, if any	Damage caused to private or government property during construction	Wherever required	Covered under third party insurance of Contractors/Contractors' budgets
Compensation for income loss			
Compensation for loss of livelihood/replacement of lost income	Temporary impacts on hawkers and vendors during construction	As required	Counterpart finance
Additional compensation to vulnerable APs for income losses	Temporary impacts during construction	As required	Counterpart finance

IX. MONITORING AND REPORTING

A. Internal Monitoring

110. RP implementation will be closely monitored to provide the NWSDB PMU/CMC PMU with an effective basis for assessing resettlement progress and identifying potential difficulties and problems. Internal monitoring will be undertaken by the RS MASC and RS DSIC and SDSO NWSDB PMU and RO CMC PMU to ensure all land acquisition and resettlement activities are being prepared and implemented as per the agreed resettlement plans in

accordance with this resettlement framework.

111. Monitoring will involve administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis; socio-economic monitoring during and after any resettlement impact utilizing baseline information established through the detailed measurement survey of APs undertaken during project sub-preparation, and overall monitoring. Monthly progress reports will be prepared by MASC and DSIC, reporting status of RP implementation. The EA will submit semi-annual monitoring reports to ADB/AFD for review and post all safeguard monitoring reports on ADB's website. A sample monitoring template is given in **Appendix 7**.

B. External Monitoring

112. External monitoring will not be required in case of projects 1 and 2 as they are Category B projects and impacts are not significant. An External Monitor shall be hired by MASC and / or DSIC only in the event of significant impacts identified in subsequent projects, in line with ADB SPS, 2009. The key responsibilities of the external safeguards monitoring expert shall include the following:

- (i) conducting semi-annual project monitoring missions;
- (ii) verifying resettlement and environmental monitoring information for the project in accordance with the resettlement plans;
- (iii) ensuring timely disbursement of entitlements to the affected persons prior to initiation of civil works;
- (iv) monitoring the resettlement safeguard compliance issues in the resettlement plan; and
- (v) assessing the overall implementation approach, process, and outcome of the RP, and providing inputs to the PMU for taking corrective actions to resolve any issues.

113. The external monitor(s) shall submit independent semi-annual independent monitoring and appraisal reports of the resettlement plan implementation. The monitor shall carry out the above activities based on the following: (i) a review of the monthly/quarterly resettlement plan progress reports submitted to the concerned PMU by the MASC and DSIC and Contractor, and semi-annual reports prepared by PMUs to ADB; (ii) review of progress reports on resettlement plan implementation submitted by the Contractor; (iii) discussions with the social and environmental safeguard officers of the PMUs and MASC and DSIC, representatives of the concerned NGO (hired under the project), and contractors; and (iv) site visits and consultation with stakeholder groups, as required.

114. At any of these stages, if any significant issues are identified, a corrective action plan will be prepared to address such issues by the concerned PMU and submitted to the ADB. In addition, the external monitor shall document the good practices as well as the difficulties encountered in resettlement plan implementation, which shall provide lessons on the subject for subsequent projects.

APPENDIX 1: INDICATIVE LIST OF PROJECTS UNDER THE INVESTMENT PROGRAM

The Investment Program includes 4 projects as follows:

A. Project 1: Water Supply Project (Project 1)

NRW reduction in Colombo city (North)

- (i) Rehabilitation and replacement of about 318 km of seriously degraded distribution network pipes in Colombo city (north), including spaghetti pipe replacement in tenement gardens comprising of 40 km of 90 mm PVC pipes;
- (ii) Installation of new electromagnetic flow meters, valves, special fittings for formation of district metered areas and for NRW monitoring and remote control system;
- (iii) Replacement and transfer of around 51,000 service connections with polyethylene pipes and fittings;
- (iv) Replacement of about 17,000 defective water meters;
- (v) Introduction of 5,000 water meters with automatic meter reader facility in a pilot area;
- (vi) Validation and updating of Geographical Information System (GIS) network for rehabilitated system;
- (viii) Establishment of fully equipped city-wide active leakage control units/ teams and reinforcement of the O&M units/teams to undertake NRW activities and major repairs; and
- (ix) Construction of dedicated NRW office for Colombo city with buildings, materials, equipment, and vehicles.

C. Project 2: Water Supply Projects (Project 2)

Component 1: NRW reduction in Colombo city (south)

- (i) improved water supply system through laying of 282 km of pipes for rehabilitation and replacement of distribution system in the project 2 areas;
- (ii) replacement and transfer of 44,500 service connections with polyethylene pipes;
- (iii) replacement of 14,800 defective water meters. Installation of DMA with electromagnetic and ultrasonic flow meters;
- (iv) replacement of priority (high water usage) customer meters (15mm to 100mm) with Automatic Meter Reading (AMR) meters;
- (v) installation of new electromagnetic flow meters, valves, and special fittings for formation of district metered areas (DMAs); and
- (vi) construction of NRW Training Division buildings and an Area Engineer's Office.

Component 2: Ambatale Water Supply System Improvements and Energy Savings Project

Improved energy efficiency and service efficiency at Ambatale treatment plant

- (i) Replacement of 11 pumps and installation of 4 new pumps at intake & treatment plant; rehabilitation of 13 existing pumps at the treatment plant and other treatment plant improvements.
- (ii) Automation and construction of control building.
- (iii) Construction of filter backwash water recovery system at Ambatale treatment plant premises.

- (iv) Introduction of sludge treatment and disposal system at Ambatale treatment plant.

Improved level of water supply service in Colombo city till 2040

- (i) Construction of 15,000 m³ ground reservoir and supplying & laying of 5.0 km of 1,200 mm from Gotatuwa reservoir to Colombo city border & 0.5 km of 500mm diameter pipeline feeding Moragsmulla tower.
- (ii) Supplying and laying of 9.2 km of 1,200mm diameter transmission pipeline from Totalanga to Ambatale treatment works.

Capacity building on operation and maintenance of treatment plant and in energy saving

- (i) Output 3Capacity building on operation and maintenance of treatment plant and in energy saving.

Component 3: Towns East of Colombo District Water Supply Project (TECDWSP)

Rehabilitated water supply scheme based on NRW concept in TEC

- (i) Supply and laying 8kms of 1000 mm diameter transmission main from proposed lower level reservoir (close to Waga Junction) up to Meepe Junction. (Civil contract -1)
- (ii) Supply and laying of 360km length different sizes of PE pipes for distribution network. (Civil contract - 2 & 3).
- (iii) Construction of 18,000 m³ capacity low level (ground) reservoir. (Civil contract - 4).
- (iv) Construction of three office buildings - one Area Engineers Office and two for OIC of O &M section (Included in civil contract – 4).
- (v) Supply of vehicles and equipment to O and M section (Goods contract – 1).

C. Project 3: Wastewater Project (Project 3)

- (i) Rehabilitation of 30 km of collection sewers, and 445 km of sewer extensions to serve un-sewered and under-served areas of Greater Colombo.
- (ii) Completion of the wastewater asset register.
- (iii) Establishment of a sewerage unit with separate accounting, and financial projections, and introduction of a sewerage tariff.

D. Project 4: Wastewater Pojects (Project 4)

- (i) Construction of 2 wastewater treatment plants of capacity 124,000 m³/day and 50,000 m³/day to the secondary treatment standard.
- (ii) Capacity building technical assistance for operation and maintenance (O&M);
- (iii) Private sector management of wastewater treatment facilities.

APPENDIX 2: COMPARISON OF ADB SPS AND NIRP

Sl. No.	ADB's SPS (2009)	Sri Lanka National Involuntary Resettlement Policy (NIRP), 2001	Remarks (Differences and Gaps between ADB SPS and NIRP and Action Taken in the RP to Bridge the Gap)
1.	Involuntary resettlement should be avoided wherever possible and minimised by exploring project and design alternatives	Involuntary resettlement should be avoided or reduced as much as possible by reviewing alternatives to the project as well as alternatives within the project.	No difference between ADB Policy and NIRP on this principle.
2.	Early screening to identify IR impacts and risks; Survey/census of displaced persons including gender analysis to be conducted to determine scope of resettlement planning	<p>A comprehensive Resettlement Action Plan is required if 20 or more families are affected. If less than 20 families are affected, the policy still applies but a plan can be prepared to a lesser level of detail.</p> <p>Gender equality and equity should be ensured and adhered to.</p>	<p>NIRP does not explicitly specify the process/methodology (e.g. early screening or surveys) for scoping or identification of IR impacts and risks including those on women and other vulnerable persons, unlike ADB policy. However, it does require the scope of land acquisition and resettlement (number of affected families) to be identified.</p> <p>The RP at project preparatory stage undertakes early screening and identification of IR impacts including those on vulnerable persons, using tools like transect walks, sample surveys of businesses and baseline surveys of households. It specifies that the updated RP to be prepared prior to project implementation shall require census surveys for temporary losses.</p>
3.	Carry out meaningful consultation with affected persons (AP) - with special emphasis on vulnerable APs, host communities and NGOs to ensure their participation in planning, implementation and monitoring of resettlement program. Establish a grievance redress mechanism to receive and facilitate resolution of APs' concerns. Undertake 'social preparation' wherever impacts and risks are highly sensitive.	<p>Policy principles: Affected persons should be fully involved in selection of relocation sites, livelihood compensation and development options at the earliest opportunity. Resettlement should be planned and implemented with full participation of the provincial and local authorities. To assist those affected to be economically and socially integrated into the host communities, participatory measures should be designed and implemented. A stated policy objective relates to grievance redressal: "To make all affected people aware of processes available for redress of grievances that are easily accessible and immediately responsive."</p>	<p>NIRP does not mention the need for 'meaningful consultation' with vulnerable APs and NGOs.</p> <p>The Resettlement Plan for the project is based on a consultation process with the all stakeholders (affected persons including women and other vulnerable persons, NWSD, local community, NGOs etc.). It specifies that consultation shall be a continuous process at all stages of the project cycle such as design stage, implementation and post implementation phase including monitoring phase.</p> <p>The Resettlement Plan has special provisions for grievance redress procedures which include formation of a Grievance Redress Committee in line with ADB policy principles and NIRP policy objectives.</p>
4.	Improve or at least restore the livelihoods of	<p>Policy objectives: The livelihoods of the displaced persons should be re-</p>	No difference between ADB Policy and NIRP objectives on this aspect.

Sl. No.	ADB's SPS (2009)	Sri Lanka National Involuntary Resettlement Policy (NIRP), 2001	Remarks (Differences and Gaps between ADB SPS and NIRP and Action Taken in the RP to Bridge the Gap)
	all displaced persons in real terms relative to pre-project levels	established and the standard of living improved ...no impoverishment of people shall result as a consequence of compulsory land acquisition for development purposes by the State.	
5.	Improve standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	Resettlement should be planned as a development activity for the affected people. Vulnerable groups should be identified and given appropriate assistance to substantially improve their living standards.	No difference between ADB Policy and NIRP on this principle.
6.	Develop procedures in transparent and equitable manner if land acquisition is through negotiated settlement to ensure same or better livelihood status of AP	Policy objectives highlight the need for a “consultative, transparent and accountable IR process with a time frame agreed to by the Project Executing Agency and the APs” and that “the livelihoods of displaced persons should be re-established and the standard of living improved.”	NIRP makes no mention of 'land acquisition through negotiated settlement. In case of GCWWMIP, no displacement of population is envisaged hence, the issues of livelihoods of displaced people do not apply.
7.	Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	Affected people who do not have documented title to land should receive fair and just treatment.	The NIRP broadly concurs with ADB on the issue, though less explicitly. The process for verification of impacts and establishing the eligibility of different categories of APs (including non-titled APs) is outlined in the RP. The Entitlement Matrix provides for compensation to all affected persons whether physically or economically displaced irrespective of their legal status. The date of the census survey will be considered as the cut-off date and affected persons listed on the cut-off-date will be eligible for assistance.
8.	Prepare RP elaborating on displaced persons' entitlements, income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time-bound implementation schedule	Institutional Responsibilities The Project Executing Agencies (PEAs) will be responsible for complying with all the requirements for planning and implementing resettlement according to the NIRP. The PEAs that have significant resettlement in their projects will establish Resettlement Units with adequately trained staff. Monitoring and Evaluation A system of internal monitoring should be established by PEAs to monitor implementation of Resettlement Action Plans, including budget, schedule and delivery of entitlements, consultation, grievances and benefits.	NIRP and ADB policy do not differ on this, though NIRP mentions these under different heads. The RP for GCWWMIP is prepared in accordance with ADB's SPS 2009, which provides clear guidelines on the structure/outline of a resettlement plan.

Sl. No.	ADB's SPS (2009)	Sri Lanka National Involuntary Resettlement Policy (NIRP), 2001	Remarks (Differences and Gaps between ADB SPS and NIRP and Action Taken in the RP to Bridge the Gap)
		A further system of external monitoring and evaluation by an independent party should be established to assess the overall outcome of resettlement activities.	
9.	Disclose the draft resettlement plan (RP) before project appraisal, including documentation of the consultation in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose final RP to APs and other stakeholders.	The Central Environmental Authority (CEA) will review and approve the Resettlement Action Plans prepared by the PEAs, and "make plans publicly available".	Though NIRP states that plans are to be made available to the public, it does not go into specifics of how such disclosure is to be undertaken. GCWWMIP RP ensures that the resettlement plan along with the necessary eligibility and entitlement will be disclosed to the affected persons in the local languages (Sinhala, Tamil and English) in the project locations and NRW and Area Engineer's offices of NWSDB. The same resettlement plan will also be disclosed in the Executing Agency's (NWSDB's) website and in the website of ADB.
10.	Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.	Project Executing Agencies should bear the full costs of compensation and resettlement.	NIRP does not mention a cost benefit analysis based on a consideration of full resettlement costs.
11.	Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the RP under close supervision.	Replacement land should be an option for compensation in the case of loss of land; in the absence of replacement land cash compensation should be an option for all APs. Compensation for loss of land, structures, other assets and income should be based on full replacement cost and should be paid promptly. This should include transaction costs. Refer S. No. 8 for NIRP provisions related to internal monitoring and supervision of resettlement.	NIRP does not mention that compensation and entitlements are to be paid or provided before physical or economic displacement. The RP for GCWWMIP provides for a census survey which helps create a database on income and livelihood losses; it also provides for compensation as per the Entitlement Matrix (EM) for both physically and economically affected persons, prior to displacement. The RP defines the institutional structure for implementation and monitoring of resettlement.
12.	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons and whether objectives are	Refer S. No. 8 for NIRP provisions related to internal monitoring and external monitoring and evaluation. In addition, NIRP states: Monitoring and evaluation reports should be reviewed by PEA, CEA and Ministry of Land Development (MLD) and action taken to make improvements where indicated.	Unlike ADB policy, NIRP does not mention the need for public disclosure of monitoring reports. However, NIRP mentions a requirement for external monitoring, which is required only for Category A projects as per ADB SPS 2009. ³³ The RP has detailed provision for a monitoring system. The Executing Agency through the PMU will be responsible for proper

³³ADB Policy on Involuntary Resettlement, 1995 required an external monitor, but SPS 2009 simplifies monitoring procedures by having more stringent systems in place only for Category A projects.

SI. No.	ADB's SPS (2009)	Sri Lanka National Involuntary Resettlement Policy (NIRP), 2001	Remarks (Differences and Gaps between ADB SPS and NIRP and Action Taken in the RP to Bridge the Gap)
	achieved by taking into account baseline conditions and results of resettlement monitoring. Disclose monitoring reports.	Affected persons and other stakeholders should be consulted in monitoring and evaluation.	monitoring of resettlement plan implementation and internal monitoring. Verification by an external expert is not provided for, in line with ADB policy. The RP details the process of continuous monitoring and reporting of resettlement activities.

ADB= Asian Development Bank, CEA= Central Environmental Authority, GCWWMIIIP= Greater Colombo Water and Wastewater Management Improvement Investment Program, MLD= Ministry of Land Development, NIRP= National Involuntary Resettlement Policy, NWSDB= National Water Supply and Drainage Board, PEA= Project Executing Agencies, PMU= Project Management Unit, RP= resettlement plan, SPS= safeguards policy statement.

APPENDIX 3: SAMPLE FORM FOR RAPID SURVEY OF BUSINESSES (DETAILED MEASUREMENT SURVEY) AND INVENTORY LOSSES

(A)SAMPLE FORM FOR RAPID SURVEY OF BUSINESSES (DETAILED MEASUREMENT SURVEY)

Date of Survey	Serial No.				
Name of road	Address/Location:				
Name of affected person					
Father/Mother's name					
Type of business/hawker					
Status	Owner		Tenant		
	If owner: Titled		Non-titled		
	Mobile		Permanent		
Description of structure					
Since when operating in that location					
Frequency of operation in a week	Daily	2-3 days/week	1 day/week	Half day	Full day
Person(s) employed if any	No.				
Rent per month if any	Rs.				
Average profit per day	Rs.				
Salary per employee	Rs.				
Highest profits recorded in	Hours (AM/PM) _____ Weekend/Weekday (specify days) _____ Festival season (specify) _____				
Will employee(s) be affected	Yes/No				
Whether any affected person is	BPL/WHH/disabled/backward community/IP/elderly/child worker				
No. of dependents of owner					
No. of dependents of employees					
Whether road RoW used for	Parking/Display of wares/Storage/sOther purpose, specify				
Type(s) of distress likely					
Views/Concerns					

Note: BPL=below poverty line; WHH=woman headed household / Chief Wage Earner is a woman; IP=indigenous peoples; RoW=right of way.

(B) SAMPLE FORM FOR INVENTORY OF LOSSES

Questionnaire No.:

Name of the Enumerator: _____ Date: _____

Field Supervisor: _____ Time: _____

1.0 GENERAL IDENTIFICATION:

1.1	Name of road and address	1.4	Address _____
1.2	GN Division: _____	1.5	Structure No.: _____
1.3	Location/PIN CODE:	1.6	Owner/Squatter/Encroacher _____

2.0 HOUSEHOLD IDENTIFICATION:2.1 **Name of the head of the Household:** _____2.2 **Name of the Respondent:** _____2.3 **Relationship of the respondent with the head of the household: (Code)**2.4 **Type of loss** Structure only Land only Land & structure

Orchard/Tree Other assets

3.0 SOCIO-ECONOMIC PROFILE

3.1 Whether BPL (receiving or applied for Samrudhi benefits) / woman headed* household? (Tick)

BPL Woman-headed Other

(Note: woman headed household is one where the Chief Wage Earner is a woman)

3.2 Average household expenditure per month (Rs.) _____

4.0 Details of affected structure

Sl. No	Details	Materials used			Length in mts.	Breadth (m)	Height(m)	valuation
		Roof	Wall	Floor				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	Room 1							
2	Room 2							
3	Room 3							
4	Room 4							
5	Room 5							
6	Room 6							
7	Room 7							
8	Room 8							
	Total of rooms							
9	verandah							

10	Kitchen							
11	Store							
12	Toilet							
14	cowshed							
15	compound wall							
16	Others/							
	Total Area							

Materials used (Col 3,4,5)

- | | | | |
|--------------------|------------|------------------|------------------|
| 1. Tin/Zinc sheets | 2. Mud | 3. Brick Masonry | 4. Stone Masonry |
| 5. RCC | 6. Stone | 7. Wood Shingles | 8. Concrete |
| 9. Thatched | 10. Timber | 11. Masonry | 12. Stone/Bricks |

5.0 Summary of affected structure

Use of structure	Type of Structure 1=permanent 2=semi permanent 3=temporary	No. of Storeys	No. of rooms	Size	Whether in use 1= In use 2=Vacant/ abandoned	General condition 1=good 2=bad 3=poor	Age of structure	Owner ship
Residential								
Commercial								
Resi.-cum commercial								
Work shed/HH industry								
Cattle shed								

5.1 Do you have legal rights/documents of this affected structure? 1 - Yes 2 - No

5.2 If yes, name the docs in support of your ownership _____

5.3 Is there any tenant in this affected structure? 1 - Yes 2 - No

5.4 If 'Yes' number of tenants: _____

5.5 What is the market value of this affected structure as on today?

5.6 How much house tax are you paying? (Last tax paid) (FY) _____

APPENDIX 4: OUTLINE OF A RESETTLEMENT PLAN

1. This outline is part of the ADB SPS Safeguard Requirements 2. A resettlement plan is required for all projects with involuntary resettlement impacts. Its level of detail and comprehensiveness is commensurate with the significance of potential involuntary resettlement impacts and risks. The substantive aspects of the outline will guide the preparation of the resettlement plans, although not necessarily in the order shown.

A. Executive Summary

2. This section provides a concise statement of project scope, key survey findings, entitlements, and recommended actions.

B. Project Description

3. This section provides a general description of the project, discusses project components that result in land acquisition, involuntary resettlement, or both, and identify the project area. It also describes the alternatives considered to avoid or minimize resettlement. It includes a table with quantified data and provides a rationale for the final decision.

C. Scope of Land Acquisition and Resettlement

4. This section:

- (i) discusses the project's potential impacts, and includes maps of the areas or zone of impact of project components or activities;
- (ii) describes the scope of land acquisition (provides maps) and explains why it is necessary for the main investment project;
- (iii) summarizes the key effects in terms of assets acquired and displaced persons; and
- (iv) provides details of any common property resources that will be acquired.

D. Socioeconomic Information and Profile

5. This section outlines the results of the social impact assessment, the census survey, and other studies, with information and data disaggregated by gender, vulnerability, and other social groupings, including:

- (i) defining, identifying, and enumerating the people and communities to be affected;
- (ii) describing the likely impacts of land and asset acquisition on the people and communities affected, taking social, cultural, and economic parameters into account;
- (iii) discussing the project's impacts on the poor, indigenous, and/or ethnic minorities, and other vulnerable groups; and
- (iv) identifying gender and resettlement impacts, and the socioeconomic situation, impacts, needs, and priorities of women.

E. Information Disclosure, Consultation, and Participation

6. This section:

- (i) identifies project stakeholders, especially primary stakeholders;
- (ii) describes the consultation and participation mechanisms to be used during the different stages of the project cycle;
- (iii) describes the activities undertaken to disseminate project and resettlement information during project design and preparation for engaging stakeholders;
- (iv) summarizes the results of consultations with affected persons (including host communities), and discusses how concerns raised and recommendations made were addressed in the resettlement plan;
- (v) confirms disclosure of the draft resettlement plan to affected persons, and includes arrangements to disclose any subsequent plans; and
- (vi) describes the planned information disclosure measures (including the type of information to be disseminated and the method of dissemination) and the process for consultation with affected persons during project implementation.

F. Grievance Redress Mechanisms

7. This section describes mechanisms to receive and facilitate the resolution of affected persons' concerns and grievances. It explains how the procedures are accessible to affected persons and gender sensitive.

G. Legal Framework

8. This section:

- (i) describes national and local laws and regulations that apply to the project, identifies gaps between local laws and ADB's policy requirements, and discusses how any gaps will be addressed;
- (ii) describes the legal and policy commitments of the executing agency for all types of displaced persons;
- (iii) outlines the principles and methodologies used for determining valuations and compensation rates at replacement cost for assets, incomes, and livelihoods, and sets out the compensation and assistance eligibility criteria and how and when compensation and assistance will be provided; and
- (iv) describes the land acquisition process, and prepares a schedule for meeting key procedural requirements.

H. Entitlements, Assistance, and Benefits

9. This section:

- (i) defines entitlements and eligibility of displaced persons, and describes all resettlement assistance measures (includes an entitlement matrix);
- (ii) specifies all assistance to vulnerable groups, including women and other special groups; and
- (iii) outlines opportunities for affected persons to derive appropriate development benefits from the project.

I. Relocation of Housing and Settlements

10. This section:

- (i) describes options for relocating housing and other structures, including replacement housing, replacement cash compensation, and/or self-selection (ensuring that gender concerns and support to vulnerable groups are identified);
- (ii) describes alternative relocation sites considered, community consultations conducted, and justification for selected sites, including details about location, environmental assessment of sites, and development needs;
- (iii) provides timetables for site preparation and transfer;
- (iv) describes the legal arrangements to regularize tenure and transfer titles to resettled persons;
- (v) outlines measures to assist displaced persons with their transfer and establishment at new sites;
- (vi) describes plans to provide civic infrastructure; and
- (vii) explains how integration with host populations will be carried out.

J. Income Restoration and Rehabilitation

11. This section:

- (i) identifies livelihood risks and prepares disaggregated tables based on demographic data and livelihood sources;
- (ii) describes income restoration programs, including multiple options for restoring all types of livelihoods (e.g. project benefit sharing, revenue sharing arrangements, joint stock for equity contributions such as land, while discussing sustainability and safety nets);
- (iii) outlines measures to provide a social safety net through social insurance and/or project special funds;
- (iv) describes special measures to support vulnerable groups;
- (v) explains gender considerations; and
- (vi) describes training programs.

K. Resettlement Budget and Financing Plan

12. This section:

- (i) provides an itemized budget for all resettlement activities, including for the resettlement unit, staff training, monitoring and evaluation, and preparation of resettlement plans during loan implementation;
- (ii) describes the flow of funds (the annual resettlement budget should show the budget-scheduled expenditure for key items);
- (iii) includes a justification for all assumptions made in calculating compensation rates and other cost estimates (taking into account both physical and cost contingencies), plus replacement costs; and
- (iv) includes information on the source of funding for the resettlement plan budget.

L. Institutional Arrangements

13. This section:

- (i) describes institutional arrangement responsibilities and mechanisms for carrying out the measures of the resettlement plan;
- (ii) includes institutional capacity building programs, including technical assistance, if required;
- (iii) describes the role of NGOs, if involved, and organizations of affected persons in resettlement planning and management; and
- (iv) describes how women's groups will be involved in resettlement planning and management.

M. Implementation Schedule

14. This section includes a detailed, time-bound implementation schedule for all key resettlement and rehabilitation activities. The implementation schedule should cover all aspects of resettlement activities synchronized with the project schedule of civil works construction, and provide land acquisition process and timeline.

N. Monitoring and Reporting

15. This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected persons in the monitoring process. This section will also describe reporting procedures.

APPENDIX 5: SAMPLE GRIEVANCE REGISTRATION FORM
(To be available in Sinhala, Tamil and English)

The Greater Colombo Water and Wastewater Management Improvement Investment Program welcomes complaints, suggestions, queries and comments regarding project implementation. We encourage persons with grievance to provide their name and contact information to enable us to get in touch with you for clarification and feedback. Should you choose to include your personal details but want that information to remain confidential, please inform us by writing/typing *(CONFIDENTIAL)* above your name. Thank you.

Date		Place of registration			
Contact Information/Personal Details					
Name		Gender	* Male * Female	Age	
Home Address					
Place					
Phone no.					
E-mail					
Complaint/Suggestion/Comment/Question Please provide the details (who, what, where and how) of your grievance below:					
If included as attachment/note/letter, please tick here:					
How do you want us to reach you for feedback or update on your comment/grievance?					

FOR OFFICIAL USE ONLY

Registered by: (Name of Official registering grievance)	
Mode of communication: Note/Letter E-mail Verbal/Telephonic	
Reviewed by: (Names/Positions of Official(s) reviewing grievance)	
Action Taken:	
Whether Action Taken Disclosed:	Yes No
Means of Disclosure:	

APPENDIX 6: INVOLUNTARY RESETTLEMENT IMPACT CATEGORIZATION CHECKLIST

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary acquisition of land				
1. Will there be land acquisition?				
2. Is the site for land acquisition known?				
3. Is the ownership status and current usage of land to be acquired known?				
4. Will easement be utilized within an existing Right of Way (RoW)?				
5. Will there be loss of shelter and residential land due to land acquisition?				
6. Will there be loss of agricultural and other productive assets due to land acquisition?				
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?				
8. Will there be loss of businesses or enterprises due to land acquisition?				
9. Will there be loss of income sources and means of livelihoods due to land acquisition?				
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities, and services?				
11. If land use is changed, will it have an adverse impact on social and economic activities?				
12. Will access to land and resources owned communally or by the state be restricted?				
Information on displaced persons:				
Any estimate of the likely number of persons that will be displaced by the project? If yes, approximately how many? _____				[] No [] Yes
Are any of them poor, female heads of households, or vulnerable to poverty risks?				[] No [] Yes
Are any displaced persons from indigenous or ethnic minority groups?				[] No [] Yes

Note: The project team may attach additional information on the project, as necessary.

APPENDIX 7: SAMPLE MONITORING TEMPLATE

S. N.	Resettlement Plan Activities	Completed Y/N	Remarks
A. Pre Construction Activities and Resettlement Plan Activities			
1	Approval of final Resettlement Plan by ADB/AFD prior to contract award		
2	Disclosure of final Resettlement Plan on ADB/AFD and EA websites		
3	Circulation of summary RP in the three local languages to all stakeholders		
A. Resettlement Plan Implementation			
1	Grievance Redress Committee and telephone hotlines established		
2	Entitlements and grievance redress procedure disclosed		
3	Finalisation of list of APs and compensation/assistance/allowances due		
4	Affected persons received entitlements as per amounts and program specified in RP		
5	Payment of compensation, allowances and assistance (No. of APs)		
6	Additional assistance for vulnerable households given (No. of vulnerable APs)		
7	Livelihood arrangements provided to vulnerable APs		
8	Reinstallation of affected common facilities		
9	Grievances No. of grievances registered No. of grievances redressed Outstanding complaints Disclosure of grievance redress statistics		
10	Consultation, participation and disclosure as per Plan		
C. Monitoring			
1	Survey on socio-economic status of APs (including vulnerable APs) completed and compared with baseline survey results		
2	Survey on satisfaction levels of APs with RP implementation completed		
D. Labour			
1	Implementation of all statutory provisions on labor like health, safety, welfare, sanitation, and working conditions by Contractors		
2	Equal pay for equal work for men and women		

NOTE: Where applicable, the information provided in the table should be supported by detailed explanatory report, receipts and other details.