

METRO COLOMBO URBAN DEVELOPMENT PROJECT

(MCUDP)

SOCIAL SCREENING REPORT

AND

ABBREVIATED RESETTLEMENT ACTION PLAN (RAP)

For Eight Year One Activities

- 3.1 Walkability and parking improvements along key Colombo roads
- 3.2 Improvement to Public Conveniences in Colombo municipal area
- 3.3 Model Zone Development of Town Hall Square of Colombo
- 3.4 Marine Drive Storm Water Drainage (section 2,4,5) Improvement in Colombo
- 3.5 Upgrading / Rehabilitation of Main Drain, Mutwal Tunnel and Aluthmawatha Culvert
- 3.6 Dahiwala Canal Upgrading Sub Project (Bank Protection and Rock outcrop removal)
- 3.7 Beira lake restoration (gabion walls along 2.5 km and rehabilitation of McCollum Gates)
- 3.8 Beddagana Biodiversity Park and Bird Sanctuary with Rampart Nature Park

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Project description: There are two main components of the proposed MCUDP which will be implemented by Project Partner Agencies (PPAs), namely, the Sri Lanka Land Reclamation and Development Corporation (SLLRDC), Urban development Authority (UDA), Colombo Municipal Council (CMC), Sri Jayewardena-Kotte Municipal Council (SJKMC), Dehiwala-Mount Lavinia Municipal Council (DMMC), and Kolonnawa Urban Council (KUC) under the directions of the Project Management Unit (PMU) located in the Ministry of Defense and Urban Development (MOD & UD). The first component, flood and drainage management component comprises four sub-components: improvements to main canals and lakes, improvements to secondary canals, improvements and rehabilitation to storm water drainage, road improvements and other social and physical infrastructure. The second component aims at strengthening institutional capacity for sustainable metropolitan and local infrastructure and service provision and support for project implementation.

A **Social Management Framework (SMF)** has been prepared, based on a social assessment exercise, which provides a Resettlement Policy Framework as per the Bank's OP 4.12 with additional guidelines for dealing with vulnerable groups and for strengthening people's participation and social accountability. The SMF provides guidelines to undertake social screening, and impact survey, if the screening indicates resettlement impacts, and prepare/ implement RAPs for the project activities.

EIGHT front runner sub-projects have been prepared for implementation during Year-1. The exact scope and technical details of the remaining activities are not fully known. For these eight activities, **Social Screening** has been carried out to identify potential adverse social impacts, and this **Abbreviated RAP (A-RAP)** has been prepared for these eight sub-projects. The procedure followed and mitigation measures identified are in line with the SMF which complies with the Bank's OP 4.12 on Involuntary Resettlement.

The **Social Screening Report and Abbreviated Resettlement Action Plan (RAP)** covers eight front runner sub-projects prepared to be undertaken in the first batch. These include: 4 subprojects proposed by CMC. **[1]** The Walkability and Parking Improvements to eleven road sections of the City. **[2]** Improving public convenience by erecting public toilets at fourteen locations. **[3]** Model zone development of Town Hall Square and **[4]** the Marine Drive Development which will address flooding and drainage issues around the Marine Drive area. SLLRDC has proposed two subprojects: **[5]** Improvements to main drain, Mutwal Tunnel and to Aluthmawatha culverts and **[6]** Improvements to Dehiwala canal bank from Galle Road bridge up to the sea outfall. The UDA has proposed two projects: **[7]** Beira Lake Restoration Project which will construct Linear Park, Lake Bank protection wall, foot bridge and rehabilitation of McCallum Lock Gates and **[8]** Beddagana Bio-diversity Park and Bird Sanctuary Park.

Social Screening was carried out for each of these sub-projects and data collected in a format provided in the Social Management Framework. The **Objective of Social Screening** was to understand the project activities, alternative analysis, justification, corridor of impacts, people and activities alongside the work sites, likely impacts including any land acquisition and resettlement requirements and impacts thereof on people's lives; and ascertain extent and magnitude of negative impacts in order to prepare mitigation measures. The **Social Screening Methodology** included: desk review of the project documents and design drawings, study alignment maps, field observations, walk through, interactions with the technical team at site, and **consultation with the people** living in the corridor of impact.

Key Social Impacts and Mitigation Measures: The key negative impacts will be of temporary nature, such as hindrances to access, human and vehicular mobility, safety risks, noise and dust, traffic congestion, etc. Positive impacts include the improvement of the quality of mobility, localized flood risk reduction, walk ability, ecology, safety of settlements on canal and main drain banks, etc. Model Zone Development of Town Hall Square will require relocation of three commercial units, two of them rented out by CMC. These shops will get alternative rented accommodation within CMC/Town Hall premises and the Kiosk will get structure compensation and relocation allowance. The temporary impacts will be mitigated through proper mitigation measures construction management. The construction impact mitigation measures will be in line with the Bank's EHS guidelines provided in the Environment Management Framework.

Social Screening Report and Abbreviated RAP Draft Report

Proposed Metro Colombo Urban Development Project

Entitlement Matrix: The “Entitlement Matrix” explains the category and type of loss and the eligible category for entitlements. As the LAA does not address all types of losses, the involuntary resettlement policies (NIRP and World Bank safeguards) have been applied to address such issues. All losses as a result of implementation of the MCUDP will be compensated. The acquired properties will be compensated at replacement cost based on the prevailing market rates. In the sub-projects for which this short RAP has been prepared, only two shops (tenants) and one kiosk will be relocated. The affected shops will be offered alternative accommodation and the kiosk, will be offered compensation, for the structure and relocation assistance; the temporary impacts will be addressed as per the EM and as explained in detail in the EMF.

Cut-off Date: The Cut-off date for eligibility for entitlement for titleholders is the date of notification under the LAA and for non-titleholders is the date of resettlement survey, i.e. **December 1, 2011**. Persons who encroach on the area *after* the cut-off-date are *not* entitled to claim compensation or any resettlement assistance.

Linked activities: As per the OP 4.12, the SMF applies to activities resulting in involuntary resettlement which are (a) directly and significantly related to the Bank-assisted project; (b) necessary to achieve its objectives as set forth in the project documents; and (c) carried out, or planned to be carried out, contemporaneously with the project. The Social Screening reports confirm that the 8 sub-projects do not have any linked activities being undertaken as per the above criteria.

Implementation arrangement: The executing agency of the project is the Ministry of Defence and Urban Development (MOD& UD) and it has the overall responsibility for the implementation of the project in collaboration with the project partner agencies namely CMC, UDA and SLLRDC. The institutional arrangements for implementing SMF/RAP will include: (a) Social Management Cell at the PMU with social development specialists; LA and R&R teams in each PPA to carry out/coordinate social impact management activities. The overall coordination of LA and R&R activities will be vested with the Land Acquisition and Resettlement Committee (LARC) instituted at the PMU level. The institutional framework provides for the transparency of the project activities and establishment of Metro Stakeholder Development Forum, National Project Steering Committee and Project Management Unit for effective coordination of the sub projects.

Grievance Redress: There shall be a fair and transparent grievance redress mechanisms to redress the grievances of the affected people. For the stage-I activities, the project management unit (PMU) and the PPA project implementation units will be responsible for redressing people’s grievances. The Social Development Specialist of the PMU will monitor and document the GRM process for the stage-I. At the top there shall be an Independent Grievance Redress Panel comprising representatives from Ministry of Land, Department of Valuation, Ministry of Women Affairs, an eminent NGO, a lawyer, and a retired civil servant of the rank of a Secretary to GoSL.

Consultation and Disclosure: This Social Screening and A-RAP has been prepared through stakeholder interactions and finalized with community consultation held on January 23, 2012, technical stakeholder consultation on January 24, 2012 and public hearing held on January 25, 2012 at Colombo. Further consultations will be held during the course of implementation. This document has been disclosed on the MoDUD website and available at the PPAs for public reference.

Monitoring & Evaluation & Reporting: The scope of work of the sub projects is small and potential negative impacts are very minimal under these 8 projects, and do not require a separate Monitoring & Evaluation (M & E) Unit. M & E would be carried out at two levels, PMU and PPAs. The PMU and the PPAs would have Social Development Specialists to undertake M & E and to ensure that adequate safeguards are designed and implemented to mitigate any adverse impacts. As the Projects are only 8 and adverse impacts are minimal, internal monitoring would suffice and there will be no external monitoring. However, feedback mechanisms would be established to inform the relevant parties on the progress of implementation of the sub projects and periodical reports will be prepared and submitted to management. The reports will be on a standardized format so that information received could be easily compared with previous reports for corrective action.

Budget: As land acquisition and resettlement are not involved and the social impacts are very minimal, the cost estimate for social management also will be very meager. Temporary impacts will be mitigated as part of the construction management and will be incorporated in the work contract. A Budget has been prepared estimating costs towards relocating the two shops and one kiosk, salaries of four Social Development Specialists to be attached to PMU and 3 PPAs for a period of 12 months. The estimated cost of the sub project is approximately LKR

6,227,100.

CHAPTER 01

Introduction and Background

Broad Description of the Project

1.1 Flooding in and around the Colombo City has been occurring for many years and causes considerable economic disruption and social hardship to a large segment of the population. The urban poor, who mostly live in low-lying areas prone to flooding, are particularly hard hit by the problems caused by flooding. MCUDP aims to improve the flood control and drainage infrastructure and management system of the Colombo water basin and enhance the competence of central and local governmental authorities to deliver and manage infrastructure and services in the Colombo Metropolitan area.

1.2 There are two main components of the proposed MCUDP which will be implemented by Project Partner Agencies (PPAs), namely, the SLLRDC, UDA, Colombo Municipal Council (CMC), Sri Jayewardena-Kotte Municipal Council (SJKMC), Dahiwala-Mount Lavinia Municipal Council (DMMC), and Kolonnawa Urban Council (KUC) under the directions of the Project Management Unit (PMU) located in the Ministry of Defense and Urban Development (MOD & UD). The two main components are as follows:

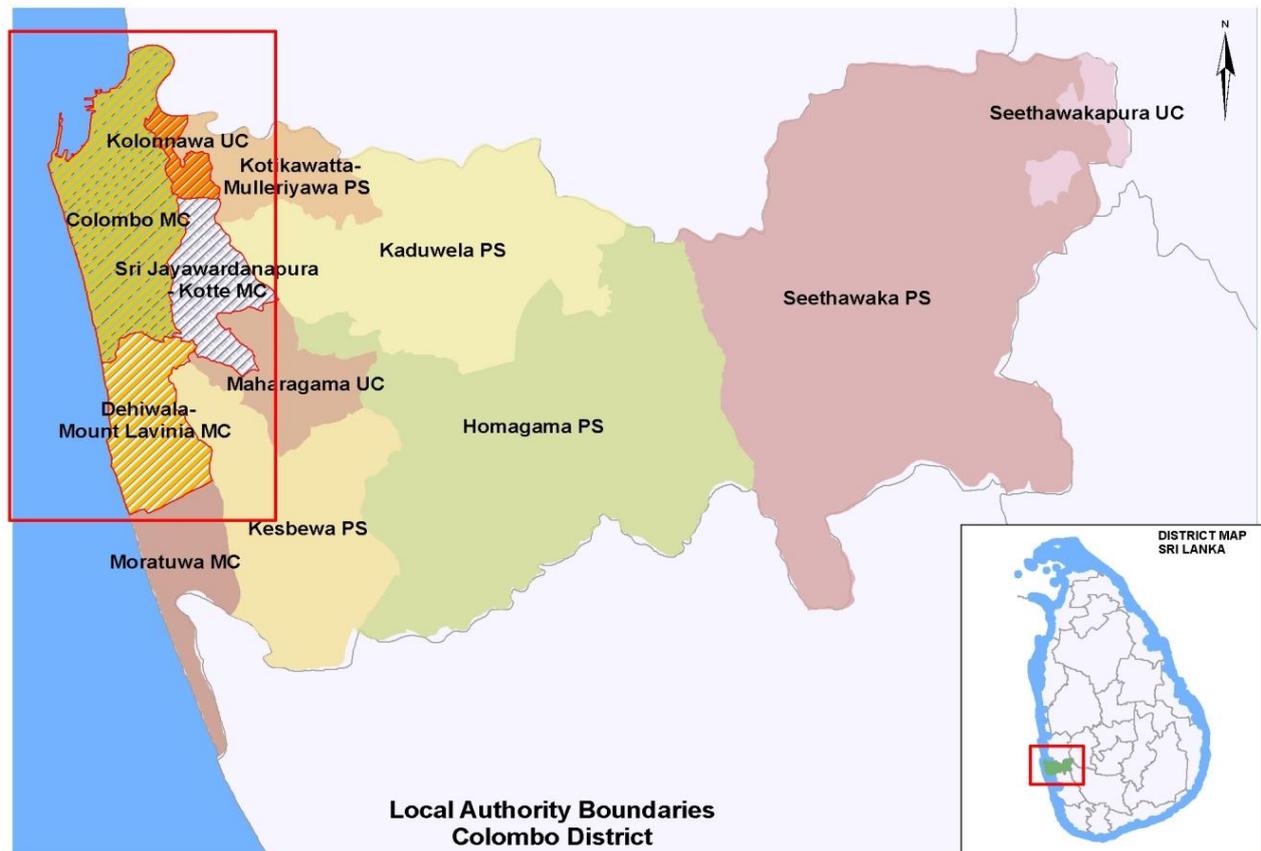
1.3 **Component 1: Flood and Drainage Management.** This comprises the following four sub-components:

- Improvements to main canals and lakes
- Improvements to secondary canals
- Improvements and rehabilitation to storm water drainage
- Road improvements and other social and physical infrastructure

1.4 **Component 2: Institutional Strengthening for Sustainable Metropolitan and Local Infrastructure and Service Provision and Implementation Support.** This component aims at strengthening institutional capacity at metropolitan and local level and support project implementation. Sub-project 2-1 supports improved metropolitan planning through the preparation of a strategic development plan for Metro Colombo. Sub-project 2-2 supports Local Authorities, particularly the Colombo Municipal Council, DMMC, SJKMC and the KUC to deliver sustainable local services. Sub-component 2-3 comprising implementation support will be provided in the areas of project management, monitoring and evaluation, procurement, financial management and environmental and social safeguards to support the broader urban regeneration agenda such as urban transport, solid waste management and sewerage system. Project area: The Metro Colombo urban region constitutes the project area which comprises the jurisdictions of the Colombo Municipal Council, Dehiwala-Mount Lavinia Municipal Council, Sri Jayewardena-Kotte Municipal Council and Kolonnawa Urban Council. (See Location Map) The project locations within this area will be constituted by the specific sub-projects that will be taken up during phase I and phase II.

1.5

Map1.1: Project Location Map



Risks, Impacts, and Management Framework, and Social Action Plan:

1.6 A Social Management Framework (SMF) has been prepared, based on a social assessment exercise, which provides a Resettlement Policy Framework as per the Bank’s OP 4.12 with additional guidelines for dealing with vulnerable groups and for strengthening people’s participation and social accountability. The SMF provides guidelines to undertake social screening, and social impact assessment, if the screening indicates resettlement impacts, and prepare/ implement RAPs for the project activities.

1.7 The intervention towards achieving the project development objectives of the MCUDP have been identified, however, only EIGHT sub-projects has been fully prepared fast tracked implementation during Year-1. The exact scope and technical details of the remaining activities are yet not fully prepared. Therefore, the EIGHT front runner sub-projects have been finalized for the purpose of Project Appraisal. For these EIGHT activities, social screening has been carried out to identify potential adverse social impacts, and this SOCIAL ACTION PLAN has been prepared based on social screening. The procedure followed and mitigation measures identified are in line with the SOCIAL MANAGEMENT FRAMEWORK (SMF), which fully complies with the Bank’s OP 4.12 on Involuntary Resettlement.

Social Screening Methodology and Analysis of Social Risks and Impacts

1.8 This **Scope of Social Screening and Resettlement Action Plan** covers only eight front runner sub-projects prepared fully to be undertaken in the first batch. Social Screening was carried out for each of these sub-projects and data collected in a format provided in the Social Management Framework. The **Objective of Social Screening** was to understand the project activities, alternative analysis, justification for the project, corridor of impacts, people and businesses alongside the proposed work sites, likely negative and positive impacts including any land acquisition and resettlement requirements and impacts thereof on people's lives; ascertain nature, and estimate extent and magnitude of negative impacts in order to identify necessary mitigation measures. The **Social Screening Methodology** included: desk review of the project documents and design drawings, study alignment maps, field observations, walk through, interactions with the technical team at site, and discussions/interactions with the people living in the corridor of impact.

- Walkability and parking improvements along key Colombo roads
- Improvement to Public Conveniences in Colombo municipal area
- Model Zone Development of Town Hall Square of Colombo
- Marine Drive Storm Water Drainage (section 2,4,5) Improvement in Colombo
- Upgrading / Rehabilitation of Main Drain, Mutwal Tunnel and Aluthmawatha Culvert
- Dahiwala Canal Upgrading Sub Project (Bank Protection and Rock outcrop removal)
- Beira lake restoration (gabion walls along 2.5 km and rehabilitation of McCollum Gates)
- Beddagana Biodiversity Park and Bird Sanctuary with Rampart Nature Park

1.9 These Subprojects involve rehabilitation and improvement of existing works and land acquisition is absolutely not required. Discussed below are the summary of key social risks and negative/positive impacts of these above 8 sub-projects.

Negative Social Impacts

1.10 **Resettlement:** These EIGHT sub-projects will not involve resettlement of any property owners. However, two shops rented out by the Colombo Municipal Corporation (CMC) on the outer walls of Town Hall its premises, and a small 'watch repair shopping kiosk' (will be affected due to the improvement to the footpaths as a part of the Town Hall Square Development sub-project. The tenants of the two CMC owned shops and the kiosk will be provided the resettlement assistance as per the Entitlement Matrix. .

1.11 **Impact on Accessibility and Mobility:** During the implementation of subprojects such as the (i) micro-drainage works near the Marine drive, (ii) walkability and parking improvements along CMC roads, (iii) footpath improvements as a part of Town Hall Square development; (iv) improvement of Aulthmawatha Culvert and improvements to Mutwal tunnel, (v) bank protection work near Dahiwala canal outfall may cause obstructions to access and mobility of vehicles on temporary basis.

1.12 Traffic Diversion: Some of the above works including the walkability sub-projects, micro-drainage at marine drive, and Aluthmawatha culvert rehabilitation will require traffic diversion due to temporary loss of access and obstructions to easy mobility.

1.13 Safety and Accident hazards: The civil works for the above sub-projects may pose safety and accident hazards to people living along the worksites. These include the micro-drainage works involving digging up and rehabilitating storm water drains, phased removal and reconstruction of the Aluthmawatha culvert and re-establishing manhole along the Mutwal tunnel; bank protection works along canals and Beira Lake and walkability improvements.

1.14 Inconvenience to users of public Toilets: The users of the public conveniences may experience temporary difficulties during the re-establishment of these facilities.

1.15 Obstructions to Commuters, Pedestrians: Subprojects also may generate negative social impacts as a result of obstruction to commuters and pedestrians, especially in walkability improvement project.

Potential Positive Social Impacts

1.16 Benefits of Walkability Improvement: City dwellers as well as commuting population and pedestrians will benefit from the improvements to walkways and parking bays. They will be motivated to walk rather than taking public or private transport services even for short distances as they do at present. The congestion on the roads will be reduced due to demarking and improving parking bays along the foot paths. At present, the foot paths are of uneven width; as a result at places where these are very wide, car users try to park their vehicles on footpaths affecting the pedestrians. This will stop when the walk-ability improvement is done.

1.17 Improvements to main drain and canal system Subprojects will contribute to reducing localized flood risks during heavy rains in the Metro Colombo area. The canal bank protection works at Aluthmawatha and Dahiwalla canal will enhance safety of people living on the canal banks and reduce disaster risks to their lives

1.18 Beira Lake restoration and Beddagana Bio-diversity Park sub-projects will contribute to maintaining and improving the natural environment and bio-diversity zones of the metro Colombo region. The Beddagana bio-Diversity Park will provide improved jogging and walking tracks to the city dwellers. The part of the park which has a recreation area will be retained and these sections improved with eco-recreation facilities which will benefit the people by providing them with a green recreation zone for doing physical exercise and relaxing away from the crowded city areas.

Minimizing Impacts

1.19 Alternative Analysis: The design alternatives for these sub-projects were decided after a through alternative analysis to ensure that negative social impacts were avoided and minimized to the maximum extent possible. The design alternatives were discussed and finalized by interacting with various stakeholders.

1.20 **Linked Activities:** As per the the OP 4.12, the SMF applies to activities resulting in involuntary resettlement which are (a) directly and significantly related to the Bank-assisted project; (b) necessary to achieve its objectives as set forth in the project documents; and (c) carried out, or planned to be carried out, contemporaneously with the project. The Social Screening reports confirm that the 8 sub-projects do not have any linked activities being undertaken as per the above criteria.

1.21 **Consultation:** During the Social and Environment Screening, informal interaction and consultation were held with the primary stakeholders, i.e. beneficiaries and people likely to be affected by these sub-projects to understand their issues and concerns. For example, the inhabitants of an under-served settlement along the Mutwal Tunnel and on the canal banks upstream from the Aluthmawatha culvert explained that access will be affected during the civil works and explained that their settlement had alternative access. They also advised that there should be traffic diversion and management of movement of vehicles during culvert reconstruction. The people living on the canal banks upstream at Aluthmawatha and on the right bank of the Dahiwalla canal were very happy that bank protection works are being carried out. Erosion of canal banks during floods has posed threats to structural sustainability of their houses and the roads alongside. The bank protection works will enhance their safety and reduce disaster risks.

1.22 The Social Screening and Abbreviated RAP was finalized with community consultation held on January 23, 2012, technical stakeholder consultation on January 24, 2012 and public hearing held on January 25, 2012 at Colombo. Further consultations will be held during the course of implementation. This document has been disclosed on the MoDUD website and available at the PPAs for public reference.

Brief Description of the Contents of the Social Screening and Resettlement Action Plan

1.23 This Social Impact Assessment and Action Plan cover the EIGHT frontrunner sub-projects that are fully prepared and will be implemented as first batch of the Metro Colombo Urban Development Project (MCUDP).

1.24 Among these 8 subprojects CMC has proposed four subprojects. **[1]** The Walkability and Parking Improvements to eleven road sections of the City. **[2]** Improving public convenience by erecting public toilets at fourteen locations. **[3]** Model zone development of Town Hall Square and **[4]** the Marine Drive Development which will address flooding and drainage issues around the Marine Drive area. SLLRDC has proposed two subprojects: **[5]** Improvements to main drain, Mutwal Tunnel and to Aluthmawatha culverts and **[6]** Improvements to Dehiwalla canal bank from Galle Road bridge up to the sea outfall. The UDA being the apex planning body has proposed two planning projects which will preserve the natural environment and biodiversity of the wetland areas of the administrative capital of Kotte – Sri Jayewardenepura and Beira Lake area in Colombo. The two subprojects are **[7]** Beira Lake Restoration Project which will construct Linear Park, Lake Bank protection wall, foot bridge and rehabilitation of McCallum Lock Gates and **[8]** Beddagana Bio-diversity Park and Bird Sanctuary with Rampart Nature Park.

CHAPTER 02

Details of Eight Subprojects and Corridor of Impact

Subproject 1: Walkability and Parking Improvements

2.1 The Eleven road sections selected for this subproject are highly urbanized and commercialized. The land is fully developed and there no squatters or encroachers along these roads. Being key roads, land use is closely monitored which does not permit squatting or encroaching on the foot paths. Some road stretches are within the high security and administrative zone of the Central area of Colombo City. CMC has clearly identified the necessity of providing comfortable walkability to a large number of commuting people who come to the city for various purposes and has proposed the improvements to the walkways. Similarly, parking is another problem faced by the commuters who come to the city. The details of each road section is described in the individual screening reports on the basis of which this Report has been prepared. The following table indicates the 11 road sections proposed to be improved under the Walkability and Parking Improvements Subproject. The works will include relaying of the carriage way, improvement of footpaths in a uniform manner and earmarking additional parking spaces wherever possible, traffic signaling improvements, street lighting (planting designer lamp posts), roadside drainage within RoW, landscaping and plantation, beautification, laying underground utility ducts on either side for future use, (no work on 2 bridges). All these activities will be done within the existing right of way available free from encumbrances.

Table 1.2: Subproject on Improvements to Walkability and Parking Sections of Roads

Road Section		Length	
		Km	Meters
1.1	Vauxhall Street	1	000
1.2	Sir James Peiris Mawatha	1	000
1.3	T B Jayah Mawatha	-	960
1.4	Dr Colvin R De Silva Mawatha	1	400
1.5	D R Wijewardene Mawatha	1	800
1.6	Macan Markar Mawatha	-	350
1.7	Justice Akbar Mawatha	-	350
1.8	Rifle Street	-	140
1.9	Lotus Road	-	480
1.10	Sir Chittampalam A Gardiner Mawatha	-	640
1.11	Kumaran Ratnam Road	-	630

2.2 **Corridor of Impact:** The 11 road sections identified under this sub project are highly urbanized and fully developed beyond the right of way. The roads are congested due to traffic movement during peak hours. Some are located in High Security Zone and administrative zone of the city. As many pedestrians and commuters use these roads red block during peak hours is observed. Vauxhall Street is one of the road sections facing such vehicular blocks. The corridor impacts of each road section is explained in detail from in each screening form; the screening

exercise confirmed that no land acquisition is required and no squatters or encroachers required to be relocated. Only minor impacts such as temporary inconvenience to commuters and business, administrative functions during the construction period can be observed in all these road sections. All proposed works will be carried out within the existing and available right of way.

Subproject 2: Improvements of Public Convenience

2.3 There are over one million commuting population coming to Colombo City, daily during working days but adequate toilet facilities have not been provided by the City Authorities. It is of paramount importance to have public toilets in places where, mostly at locations attracting a large number of commuters for various purposes. Presently, only in Bus stands and Railway stations these facilities have been provided and some other specific locations along roads and streets these facilities and this is a basic need of the people. CMC has proposed to improve, or/and establish such public conveniences at suitable locations on its land. There are 12 public conveniences planned to be implemented in Stage 1 of the projects, of which plans are prepared, and attached to the screening form. These works will require no land acquisition or clearance of any encumbrances as the works will be executed in existing and available premises earmarked for such purpose. The main objective is to improve the quality of infrastructure, its appearance, service to the people, and management.

2.4 **Corridor of Impact:** The 12 public conveniences which are proposed by the CMC are in highly urbanized locations of the city. The development of public convenience will be carried out without acquiring lands and within lands owned by the CMC free from encumbrances and there-by negative social impacts will not be anticipated and the sub project can be implemented without delay.

Subproject 3: Model Zone Development of Town Hall Square

2.5 Colombo is known as the green city of South Asia, but due to unplanned development the green areas are gradually getting reduced. Having understood the CMC has proposed this town hall square development sub project which will make Colombo as “Eco Friendly City”. Town hall square project will be a pilot project that makes a model which can be adopted in other parts of the city in future. The sub project area identified is approximately a 50 hectare area and having historically valuable buildings with Buddhist architectural character. Among these buildings the main landmark is the Town hall building and thereby the sub project is named as Town hall square. The other land uses are the Museum, the post office, Mosque opposite the Town hall, Victoria memorial building, St. Bridget’s Convent and the vast green zone- Viharamahadevi Park spread over 18.8 ha of land where thousand come to spend time, do physical exercise, walk, and relax. The design concept of the sub project is to create an environment to be blended with the existing architectural character of the area while maintaining easy access to all the public areas. One of the objectives of this project is to remove the barricades and walls around major buildings to improve transparency and access in this beautiful city center area. Secondly, improvement and beautification of the Viharmahadevi Park with removal of barriers, improved lighting arrangements, walk ways, cycle tracks, etc. of the zone. Thirdly, the sub-project will also improve road landscaping and foot walk redesigning within street line, walk-ability along two key roads providing access to the Town Hall Square, namely Dharma Pala Mawatha and F.R. Senanayaka Mawatha over 250 meter stretch.

2.6 Corridor of Impact: It is estimated by the CMC that the number of people coming to this area are exceeding 60,000 a day. About 35,000 vehicles are passing this sub project area daily during working days. More than 15 bus routes are operating from the Town Hall area. The most essential health organizations of the country the National Hospital including the Eye Hospital are visited by 20,000 people daily. In addition the Town Hall, Viharamahadevi Park, schools such as St. Bridget's convent and Buddhist Ladies' college bring many more people and children to this project area. Every Friday prayers are held at the Mosque, which brings numerous devotees. Thus, the project area is highly urbanized and it is of permanent importance to have planned development within this area and to preserve the architectural identity and enhance the greenery of the sub project area.

2.7 There are two shops on the foot path on the outer walls of the Town Hall which are owned by CMC and given out on rent. One shop is given to Niyomi Seerp and shop keeper is Mr. W.M. Premasiri, No 116, Parmankada Mawatha, Colombo 7. The other shop is given to Osupam Salal owned by the Department of Ingenious Medicine, No 110 A, Dharmapala Mawatha, Colombo 7. In addition there is a watch repair kiosk by P.K.Chandrapala which is an unauthorized structure. In order to implement the sub project the above two shops and the watch kiosk will be given alternative shops on rent by the CMC within a new shopping lane to be developed by the CMC within the Town Hall premises.

Subproject 4: Marine Drive Drainage Improvement

2.8 The road reservation for the Marine Drive existed for over 100 years, but the road was constructed about three years back, by the road development authority (RDA). According to the topography of the area the lands from Galle road to ocean, there exists a slope. Thus the floor levels of buildings close to the sea are much lower. Since the level of the Marine Drive was raised above the floor level, the residences on by roads mostly located at lower elevations started experiencing water stagnations during rainy seasons. The existing drainage system is not designed to cater to the new situation. Therefore CMC has proposed a flood monitoring system to prevent flooding around the settlements located along by roads from Wellawaththa to Bambalapitiya area under this sub project. Most of the newly constructed drains along the Marine drive are not functioning and neglected. This sub project has considered these deficiencies into consideration and designed a micro-drainage system for the Marine Drive and by roads to drain out the rainwater and excess water through the outlets to the sea. The existing system has underground drainage lines emanating from the Galle Road to the marine drive drainage line laid underground parallel to the coast line with outlets into the sea at 10 locations. The proposed work is aimed at improving the efficiency of the system by improving the drainage lines and laying new underground drainage lines within the RoW of the existing roads and improving underground outlets in to the sea. The proposed works will require improving drainage and relaying the roads.

2.9 Corridor of Impact: This sub project activity will be carried out in a well developed urban residential area. The Marine Drive is a busy road during the peak hours in mornings and evenings. The by-lanes are occupied by mostly middle class residents and with a few commercial establishments, restaurants operating on the marine drive. The area is a popular costal belt where many residents in the vicinity visit during mornings and evenings.

2.10 There will not be any serious negative social impacts as a result of implementation of this sub project. The work will be carried out within the right of ways of the existing roads. No land acquisition and resettlement of residents, shops, or informal occupiers is required. This area is fully developed and free from any encroachments or squatters. However, there may be temporary impacts during the construction period where drains widening along the municipal road will be carried out. Accordingly, temporary impacts for vehicular movement and access obstructions are likely to be experienced. Appropriate safeguard safety measures and alternative access will be introduced to mitigate these temporary impacts. Special arrangements will be introduced to safeguard the interest of pedestrians with safety barricades during construction work.

2.11 The implementation of this sub project will benefit a large number of resident populations residing along by roads, commuting population and many people who often visit this area for leisure and jogging. As the sub project will address pressing issues of flooding and effective drainage system there will be a planned development and environmentally sound atmosphere where a large population will be benefited.

Subproject 5: Rehabilitation of Main Drain, Mutwal Tunnel and Aluth Mawatha Culvert

2.12 The distance between Aluth Mawatha Culvert and Railway bridge section of the main drain is 300 meters. Right bank residents suffer due to scouring effect on the canal banks, as the structures are very close to the edge of the canal. This sub project will rehabilitate the main drain by protecting the banks along 300 meters on the right bank and 60 meters on the left bank. On the left bank, there is a road with about 2-5-3 meters carriage way and underserved settlement along its country side. On the right bank, some squatter dwellings are located closer to the drain. On the downstream, after crossing the Aluthmawatha culvert, the drain goes underground on which an underserved settlement housing about 100-150 families is established and the Mutwal tunnel starts after this settlement ends and traverses a distance of about 200-300 meters underground before reaching the outfall point at the Colombo Marine Fishing Corporation Port. The main drain upstream from the culvert has a width of about 10-14 meters, and the tunnel has a width of some 1.5 meters and depth of 2 meters. The proposed work does not propose any widening of the drains except for section corrections to improve water flow. The work will include (a) reconstruction of the old Aluth Mawatha Culvert, (b) bank protection over 60 meters on left bank and 300 meters on right bank on the upstream side of the drain; (c) cleaning and rehabilitation of Mutwal box drain, tunnel inlet and outlet, which will include removal and deposition of excavation debris at the designated landfill site, in line with the Environmental Management Plan of the specific subproject. The work will be executed by the Sri Lanka Land Reclamation and Development Corporation (SLLRDC), in charge of managing drainage and canal systems in the country.

2.13 **Corridor of Impact:** On the upstream of the Aluthmawatha culvert main drain, lower middle class and low income group households live in the vicinity of the drain and some structures on the left are very near the canal bank. Some structures are in an insecure state. So the bank protection work will strengthen the stability of these structures.

2.14 This project will not affect any families in the vicinity and potential social impacts will be only in terms of some inconvenience caused during the transportation of the materials for the

gabion walls. On the downstream side, beyond the culvert, rehabilitation and improvement of the Mutwal tunnel with replacement of manhole etc will also cause access difficulties for some families and hazard risks during the rehabilitation work. Overall, the temporary impacts likely during the construction period will include dust, access difficulties and noise, and construction related hazard risks. These impacts will be mitigated as a part of construction management with appropriate actions taken to mitigate these issues such as such as providing alternative accesses for vehicle and human movement, proper barricading of work sites and watering to reduce dusts. The sub project also will improve the canal bank retention area and enhance this water quality by proper maintenance, which will help the communities to enjoy an attractive water frontage.

Subproject 6: Dehiwala Canal Upgrading

2.15 It is expected to rehabilitate the Dehiwala Canal Bank from Gall Road Bridge to the sea outfall by erecting gabions, and removal of rock outcrops on canal bed under this sub project. These activities will be done without disturbing the neighborhoods located on both sides of the canal and the work is expected to be completed in 18 months. On both sides of the canal over the proposed stretch of work, there are roads. On the left bank, there is TB Jay math road, which is about 5 meters wide along which are located upper middle-class residential areas. On the right bank, there is a 3.5 meter wide road providing access to a lower middle/working class settlement called RB Ranjan Wijerathnapura where some 500 households live. The bank protection work is proposed over a stretch of 671 meters. The work will be implemented by the SLLRDC.

2.16 Corridor of Impact: On both sides of the canal over the proposed stretch of work, there are roads, On the left bank, there is TB Jaymath road, which is about 5 meters wide and on right bank, there is a 3.5 meter wide road providing access to a lower middle/working class settlement called RB Ranjan Vijay Ratna Park where some 500 households live. The bank protection work is proposed over a stretch of 671 meters and will include removal and deposition of wet excavation debris at the designated landfill site, in line with the Environmental Management Plan of the specific subproject. The work will be implemented by the SLLRDC.

2.17 On the left bank rich middle class housing are located and on the right bank also middle class residential units are seen. The implementation of this sub project will not generate any negative impacts to the communities living in the vicinity but positive impacts will be experienced. Bank protection on right bank will provide structural stability to the road and the buildings of residents living there. During screening, the task team interacted with some residents on the right bank including Mr. Slem Darrel, a resident of Ranjan Wijerathnapura who welcomed the proposed bank protection activities. The construction impacts due to movement of truck carrying materials for erecting the gabion walls will be mitigated through proper construction management strategy. This will involve transporting materials and during lean hours, dumping such materials away from the road on the right bank so that the people are not affected by obstruction.

Subproject 7: Beira Lake Restoration Project

2.18 Beira Lake was originally created by the Portuguese as a defensive measure and later used as a means of water transplanted system and recreational purposes during the Dutch and British eras. Considering the importance of this only water body located in the city in extent of 65 hectares Urban Development Authority (UDA) has prepared a master plan to rehabilitate it to be compatible with the present day development of the city.

2.19 This lake which acts as a predominant land mark which indicates the historical, social and physical evolution of the city creates great potentials for the investment opportunities of tourism centered waterfront development. The sub project will be implemented in two stages. In stage 1 the two packages to be implemented are (Package-I) construction of bank protection works (gabion walls) along 2.5 kilo meters and (Package-II) rehabilitation of McCollum Lock gates. It is expected to complete the package I in 30 months and package II of the stage I in 12 months. The Gabion walls are aimed to protect existing lake banks in threat of erosion. The McCollum gates are openings to the sea outfalls, built by the Dutch and once restored with landscaping of the premises will be a tourist attraction. At present the eroded and damaged gates are ruins. The works require no land acquisition or clearance of any type of encumbrances

2.20 **Corridor of Impact:** The McCollum Gate area is fully under control of the UDA and the outside public is not permitted entry without permission. The 2.5 km stretches where gabion walls will be built for bank protection are not encumbered at the bank to require any dislocation. These two packages will be followed up with further improvement of the Beira Lake under the project in the later stage. These initial activities will make all protect the lake banks and improve the quality of water of the lake by regulating inlet of waters in the later phase.

2.21 This project aims to disconnect all sewer lines and polluting pipes to the lake to improve water quality. The lake front and bank protection will enhance its beauty and maintain its limits. . The activity proposed herein will not affect any households, except communities living along side roads which will help carry materials for the gabion wall works.

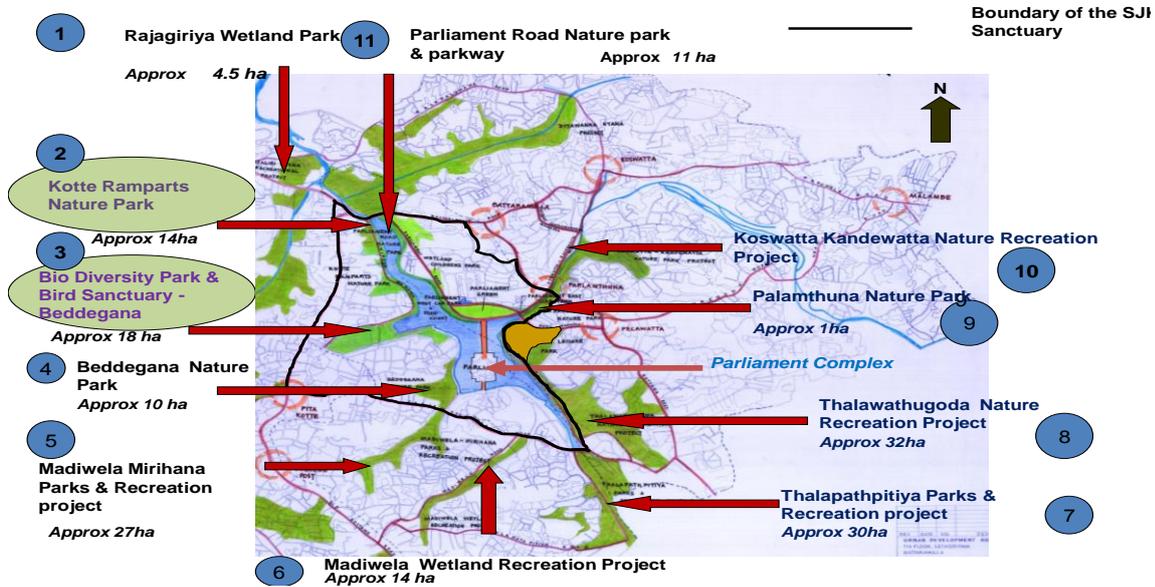
Subproject 8: Beddagana and Rampart Nature Park

2.22 This Subproject is aimed to be implemented as an integrated development plan by the UDA, which will improve, rejuvenate, and protect the existing bio-diversity park, provides green recreational opportunities, ensure that swamps and marsh areas of the park functions as a flood retention area around the parliament lake. The identified land for the Subproject is approximately 32 ha in size and is in two patches (site - 1, 18 ha and site -2, 14ha). The Land is located abutting Diyawanna oya, with very scenic beauty and bio – diversity area. Considering its bird habitation the area has been gazetted as wide life conservation area. The Sri Lanka Land Reclamation and Development Corporation (SLLRDC) have also identified this area as a flood retention area. But there is a high demand and pressure to develop these lands since the area in the vicinity is highly secured with high land values and infrastructure facilities. Also there is a fear that left free; these lands can be threatened with encroachment by private developers and squatters. Accordingly UDA has proposed this subproject including components compatible with the development of the area and preserving the identity of flood retention. The development plan of Sri Jayewardenepura Kotte Municipal Council has also identified this area as wet land protection Zone and will not permit to develop the land for any other proposes.

The proposed project will be a Bio Diversity park and bird sanctuary with Rampart Nature Park which will include items as described in the detailed project report and the layout plan attached, proposed by the UDA. These include jogging tracks, eco recreation areas, and walking trails. The project will be completed in 20 months.



Proposed Landscape Master Plan for the Wetlands around Parliament Lake



BEDDAGANA BIO-DIVERSITY PARK AND BIRD SANCTUARY PROJECT WITH RAMPART NATURE PARK

Layout Plan



2.23 Corridor of Impact: The Park is located in an open place reserved for this purpose. There is no encroachment within the site and presently the land is free from any social

interference. The only concern is the open areas at one corner where at present children use it as a play area. In consultation with the people the project has planned to make this area as a play ground and the people in the vicinity are very positive of the participatory approach that the planners have adopted to design the bio-diversity park. The sub project will preserve the natural environment by utilizing the land for eco-friendly activities, protect the wild life, promote recreational activities, and will provide opportunities to educate the children on water related plants and species. Thereby the project will conserve the area for the use of future generation. This whole zone is a reserved area and no land is to be acquired for this activity.

Summary of Social Impacts

2.24 Taking into consideration proposed activities of each subproject and potential negative and positive impacts thereof have been identified in this section.

2.25 **Walkability and Parking** along the 11 road stretches proposed by CMC will generate more positive impacts and limited negative impacts during implementation. As these entire road sections are parts of highly urbanized and commercialized roads of Colombo City, there may be slight obstructions during the Construction Phase which will be temporary in nature. These areas are fully developed and their land use well protected by the government, which does not allow any encroachment or squatting. The proposed works will be undertaken within the existing right of way, available for civil work free of encumbrances. The improvements to walkways and parking also will generate potential impacts for accessibility to residences and commercial and business organizations. The Implementing Agency will take positive actions to mitigate these temporary impacts by undertaking works during off-office hours and business hours in order to minimize any likely hindrances to businesses and services and free movement of humans living in the vicinity. Some noise and dust pollution may occur during construction which will be minimized through appropriate preventive measures as a part of construction management. These aspects will be reflected in the contract agreements.

2.26 The utilities below the footpaths may also be affected during walkways and parking improvements works. Therefore, special attention will be paid to where water, sewage and other service lines are located underground, so that dislocation of utilities will not disrupt services to the residents and business communities. Necessary precautions will be taken to minimize such temporary impacts.

2.27 These improvements proposed under this subproject will have more potential positive impacts to the residents, commuting population to the City and to the business communities. Many residents tend to use walkways without using public transport if the walkways are comfortable and having a green shady environment. This subproject will make as far as possible the walkways more pedestrian friendly. Upgrading of drains and closing drains along the walkways will make the roads cleaner and the roads with suitable walkways will not have traffic congestions and easy traffic flow can be expected.

2.28 Similarly, parking improvements will also make an impact in the easy and comfortable movement of vehicles in the city which will not permit ad-hoc parking blocking the carriageway of major roads of the City. Accordingly, this subproject will facilitate the planned development

of the City of Colombo where over one million of commuters who visit daily in addition to the resident population and the business communities, who will be benefitted.

2.29 The **Public Convenience Improvement** subproject by erecting 12 toilets in identified locations of the City will not have negative social impacts as land acquisition will not be required and these public conveniences have been planned to be constructed within CMC owned lands, free from any encumbrances.

2.30 **Model Zone Development of Town Hall Square** has identified that three structures may need to be replaced while implementing the road landscaping work along the Dharma Pala Mawatha for this subproject. Two shops owned by CMC have been given respectively to a private person and to the Department of Indigenous Medicine on rent to carry out business. The CMC will provide these two shopkeepers rental accommodation with similar terms and conditions at a shopping lane to be developed within the Town hall premises a few meters away. The third shop, which is a watch repair kiosk will be provided with three months' rent with relocation notice. It is understood that temporary loss of business may affect them, which will be addressed by providing them with income assistance as per the Social Management Framework. The watch repairing kiosk will be replaced with structure compensation, transport allowance and income assistance as per the Entitlement Matrix to enable him to re-establish his business without disruption to his livelihood.

2.31 The **Marine Drive Micro Drainage Subproject** which will address the issues pertaining to localized flooding and drainage issues will not require land acquisition for the implementation of civil works, which will be carried out within existing roads and therefore will not generate any resettlement impacts. There may be temporary impacts during the construction period such as hindrances to human and vehicular mobility, which will be addressed through alternative accesses and appropriate construction management measures as a part of the environment management plan.

2.32 **Rehabilitation of main drain, Mutwal Tunnel and Aluthmawatha culvert** will not require land acquisition or resettlement, and will cause only temporary negative impacts during the construction period such as closure of half of the road due to upgrading of Aluthmawatha culvert, hindrances to human and vehicular mobility, etc. In order to address these issues, mitigation to be taken include (a) reconstruction of the culvert in phased manner, allowing traffic on one half of the culvert during construction with suitable safety barricades; once one section is complete, other half of the road can be opened up. The culvert work will take about 2-3 months. Accordingly, it has been planned to divert the closed half section of the road through an alternative traffic arrangements to minimize vehicular load during construction of the culvert. Similarly, during bank protection works, metal sheet piling will be done to protect the banks before raising the gabion walls as and where necessary. The small under-served settlement located on the Mutwal drain has alternative access and mobility will not be affected. Adequate safety arrangements will be done during tunnel rehabilitation including relaying manhole covers. This proposed subproject will result in improving the canal bank retention area and enhance the water quality by proper maintenance which will help the communities living in the vicinity to enjoy with an attractive water frontage. The proposed works will include removal and deposition of excavation debris at the designated landfill site, in line with the Environmental Management Plan of this specific subproject

2.33 **Dehiwalla Canal bank improvement** sub project will not have any adverse social impacts to the predominantly middle class families living on the left side as a wide road separates the canal bank and the settlement. On the right side the settlement will be partly affected temporarily due to the movement of materials and undertaking of bank protection works. Sheet piles will be used to prevent any damage to the bank during construction work. Transportation of the materials will be undertaken during lean hours. Only positive impacts such as bank protection on right bank which will ensure the structural stability for buildings as the road and the reservation are subject to lot of scouring. The residents welcome the proposed improvements under this subproject. The proposed works will include removal and deposition of excavation debris at the designated landfill site, in line with the Environmental Management Plan of the specific subproject.

2.34 **Beira Lake Restoration** subproject will make possible interventions to protect the lake banks and improve the quality of water of the Lake, and improve its tourist attraction. It will enhance the green image to the City and create a healthy breathing space instead of abandoned backyards to many resident communities. The Stage – 1 of the project covers improvement of the McCollum gate and provision of gabion wall protection to 2.5 km section of the lake without any social impacts during civil works. As discussed earlier no land acquisition or resettlement is required. The lake portions which will be improved later will involve such resettlement impacts in the second phase, for which SIA will be carried out and RAPs prepared and implemented as per the Social Management Framework.

2.35 **Beddagana and Kotte Ramparts Nature Park:** Subproject doesn't generate any land acquisition or resettlement impacts as explained earlier. The land belongs to UDA, is reserved as green zone and does not have any squatters or encroachments. The only temporary negative impacts will include likely inconvenience for the joggers during the morning and evening hours due to transportation of materials and construction related safety risks. These will be addressed as a part of the environment management plan for the sub-project. The project area is located in a highly sensitive area and is strictly reserved for biodiversity and to preserve the natural environment of the declared wildlife and the wetland area.

2.36

CHAPTER 03

Legal Framework and Entitlement Matrix:

3.1 **Legal Framework:** The Land Acquisition Act (LAA) provides for compensation for land, structures and crops, and does not address resettlement issues, including impacts on non-titleholders. Sri Lanka's national policy on involuntary resettlement (NIRP) of 2001 provides for addressing resettlement and rehabilitation issues including payment of compensation at replacement cost. The government has previous experience in managing projects involving LA and R&R applying policies acceptable to external donors such as ADB, JICA, and IDA/IBRD.

3.2 **Primacy of SMF:** Sri Lanka has several laws and regulations relating to land, such as land acquisition, recovery of state lands, claiming rights of acquisitive prescription, declaration of reservations, compensation for property losses and compensation for improvements mentioned below.

- Land Acquisition Act No 9 of 1950
- National Environmental Act No 47 of 1980
- Road Development Authority Act No 73 of 1981
- State Lands Act No 13 of 1949
- State Lands (Recovery of Possession) Act No 7 of 1979
- Urban Development Authority Law No 41 of 1978
- Municipal Councils Ordinance No 29 of 1947
- Urban Development Projects (Special Provisions) Act No 2 of 1980
- Sri Lanka Land Reclamation and Development Corporation Act No 15 of 1968
- Land Development Ordinance No 19 of 1935
- Prescription Ordinance No 22 of 1971
- Law of Compensation for Improvements

3.3 The SMF provides that, notwithstanding the above laws and provisions relating to reservations on state lands and recovery of state lands, no person affected by the MCUDP shall be ejected from his/her residence or business irrespective of possession status without, if eligible, being provided with appropriate resettlement and rehabilitation assistance as spelt out in the Entitlement Matrix. In case of any conflict between these laws and the SMF, the latter will prevail.

3.4 **Bridging Gaps Between Country and Bank Safeguards Requirements:** Sri Lanka has a highly developed legal system to manage land acquisition and regulate land use. It has an advanced system for valuation of properties, both in specialized and non-specialized categories involving different methods as mentioned earlier in this chapter. The existing legal provisions do not fully meet the World Bank's safeguard requirements when it comes to land acquisition and resettlement. The GoSL's NIRP seeks to address these gaps bringing the process closer to the Bank's safeguards policies. The NIRP is a statement of policy intention without specific rules and prescriptions to guide safeguards implementation. In this context, this Abbreviated RAP prepared in line with the SMF provides an entitlement matrix and specific guidelines to address involuntary resettlement and risks associated to physical cultural resources in compliance with the Bank OP 4.11 and 4.12. Whereas LAA will remain the main legal procedure for acquiring any private land required for the Project, the affected persons and households will receive eligible compensation and resettlement benefits as per the Entitlement Matrix given in this SMF

irrespective of their title or occupancy status prior to losing shelter, business, assets, and incomes due to this Project. The eight sub-projects do not require any land acquisition.

3.5 Linked-Activities: As per the World Bank OP 4.12, the SMF applies to activities resulting in involuntary resettlement which are (a) directly and significantly related to the Bank-assisted project; (b) necessary to achieve its objectives as set forth in the project documents; and (c) carried out, or planned to be carried out, contemporaneously with the project. The Social Screening reports confirm that the 8 sub-projects do not have any linked activities being undertaken as per the above criteria.

3.6 An Entitlement Matrix (EM) is provided in the SMF outlining various types of losses resulting from sub-project impacts and provisions for compensation and R&R benefits for various categories of affected people. The matrix applies to all sub-projects entailing IR impacts irrespective of the size of the sub-project and extent of impact. If in any stage of a sub-project, additional resettlement impacts are identified, the RAP will be updated by the concerned PPA making provisions for mitigating such impacts with compensation and R&R benefits in line with the EM. This EM has been prepared considering various categories of losses and impacts identified during the social assessment, which is summarized in Table 3.1 below. This entitlement matrix is based on applicable Sri Lankan laws, the NIRP and is in compliance with the World Bank's safeguard policies. The EM offers compensation for land and structure at replacement cost, alternative housing for squatter families in multistory condominiums, shops on long-term lease for displaced shopkeepers, assistance for temporary loss of incomes, additional benefits for vulnerable displaced households, re-establishment of community facilities, and mitigation measures for temporary impacts.

3.7 Unit of Entitlement: The Unit of entitlement can be an individual, household, family or a community. The concept of household has been accepted by most of the planning exercises for data collection and impact assessment. The EM considers the unit of loss to determine the unit of entitlement. Even as household is the unit of entitlement, for R&R benefits, in case of providing compensation for the loss of land and structure, the titleholder-who may be an individual, a household, or a group of individuals becomes the unit of entitlement. If more than one person has legal or customary rights to a property or resource recognized under law the compensation has to be shared.

3.8 Eligibility Criteria: Any person or household, or community who suffers loss of land, shelter, business, incomes because of the Project impact is eligible for receiving compensation or, and R&R assistance to offset such loss enabling restoration of living conditions to a state better or equal to the pre-project situation. The eligibility is determined on the basis on impact survey carried out while preparing the RAP and approved by the Land Acquisition and Resettlement Committee. The eligibility list provided in the RAP remains the basis for providing entitlements to the non-titleholder PAPs. In case of titleholders, eligibility is determined through scrutiny of title deeds or other ownership documents recognized under law. Of the categories recognized in SMF as eligible for receiving entitlements (listed below), only two tenants (commercial) and one kiosk is eligible for R&R benefits.

- **Tenant:** A person who is engaged in economic activities on a project-affected land owned by another person with registered papers verifying such tenancy; or occupies a structure on the same

land with legal proof. A protected tenant is one who is occupying the land or structure or both with legal protection under the Tenancy Act..

- **Business Owner:** A person who owns or conducts a business within the project-affected area, the operation of which will be disrupted by the construction of the project. S/he can be a legal owner, non-titled structure owners, or tenant and will receive different compensation and R&R packages as per the EM.
- **Project Affected People (PAP):** Includes any populace, households regardless of their ownership status as encroachers / squatters etc that will face their living adversely affected; and/or lose their title, or beneficial right to land, house, habitat, water resources or any other asset possessed, due to the project implementation.
- **Squatters:** People who have occupied land and have erected structures on it for the purpose of residence / income activities without legal title/rights and are not entitled to compensation for *lost land* under this policy. But, if displaced they are entitled to R&R assistance as per the EM.

3.9 **Cut-off date** The Cut-off date for eligibility for entitlement for titleholders is the date of notification under the LAA and for non-titleholders is the date of resettlement survey, i.e. **December 1, 2011**. Persons who encroach on the area *after* the cut-off-date are *not* entitled to claim compensation or any other form of resettlement assistance. Fixed assets such as built structures or planted trees after this date will not be compensated.

3.10 **Compensation at Replacement Cost:** The SMF provides details about valuation of private land and property affected by the Project. The Sri Lanka National Involuntary Resettlement Policy prescribes payment of compensation for loss of affected property at replacement cost. Footnotes to the Entitlement Matrix given in this Chapter explain valuation methods. The valuation of properties involves use of approved methods including “accounts and profit method”, ‘investment or income method’, and ‘comparable method’. The comparable method is mostly used for valuing urban properties. The investment/ income method is adopted for non-specialized properties (residential or commercial) where the property is producing or has the potential to produce future cash flows through the letting of the property. The ‘comparable’ method is used for non-specialized properties where there is good evidence of previous sales. Account and profit methods are used for specialized profits such as agricultural land where the market may not be rational. Sri Lanka has an advanced system for valuation of properties and has registered valuers to assist in fixing the replacement costs for land and assets.

3.11 **Compensation for Structures:** If only a part of the structure is acquired, the floor area to be considered for payment will be calculated up to the structural support points. If after acquiring the affected portion, the reminder portion may become structurally unsustainable, compensation should be paid for the full structure. If the reminder portion of the structure collapses within six months after acquisition of the required part, the Project will bear all the losses caused due to such an event as determined by the Land Acquisition and Resettlement Committee (LARC). In case of Rent controlled shops and houses, compensation is payable at replacement cost to tenant and owner as follows:

Period of Occupancy by Tenant	Percent of Compensation	
	Tenant	Owner
More than 20 years	75	25
10-20 years	50	50
05-10 years	25	75
Less than 5 years	10	90

3.12 R&R Benefits for Non-Title Holders: SMF provides that the non-titled residential squatter households residing in the sub project areas of MCUDP prior to the cut-off date and verified to be in the displaced category during social impact survey will be re-housed in resettlement sites, subject to their willingness to bear the cost of management and maintenance costs, which will be decided by the LARC. The eight sub-projects covered by this RAP do not affect any residential households. SMF provides that commercial non-titled squatters on state lands will receive compensation for their affected structure and opportunity to obtain an alternative shop available at the resettlement site or any other shopping scheme on a long-term lease basis, subject to their willingness to bear the cost of lease premium and maintenance and management charges as decided by the LARC. The non-title holders shall not receive any compensation for land. Encroachers on private land which have not been contested in a Court of law by the land owner will be paid compensation for the improvement carried on the land, upon adequate proof of that improvement have been made by such person. The RAP covers only two commercial tenants and one kiosk affected by the Town Hall sub-project. The entitlement matrix provided below deals with various categories of impacts and losses and entitlements for the same.

Table 3.1 Entitlement Matrix

S.N	Type of loss/ disturbance	Definition of Affected Persons	Entitlement	Details
1. Private Land Without Structure				
1.1	Loss of land due to project related activities	Legal title holders/ affected parties with land use rights recognized under the law	Compensation at replacement cost Resettlement and Rehabilitation	1.1.1 Compensation ¹ for affected land at replacement cost ² as per LAA ³ 1.1.2 Three months advance notification for harvesting crops, or compensation for crop damage 1.1.3 Compensation for trees affected at market price.

¹ Compensation must be paid fully prior to taking possession of any affected land or property or both for the Project, and not in instalments as allowed by the section 29 of LAA in order to enable the land and property losers to re-establish their shelter/business.

² The Sri Lanka National Involuntary Resettlement Policy prescribes payment of compensation for loss of affected property at replacement value. As per the LAA of Sri Lanka, the Ministry of Land is responsible for undertaking land acquisition, and the Valuation Department is responsible for valuation. The valuation of properties involves use of approved methods including "accounts and profit method", "investment or income method", and "comparable method". The comparable method is mostly used for valuing urban properties. The investment/ income method is adopted for non-specialized properties (residential or commercial) where the property is producing or has the potential to produce future cash flows through the letting of the property. The 'comparable' method is used for non-specialized properties where there is good evidence of previous sales. Account and profit methods are used for specialized profits such as agricultural land where the market may not be rational.

³ The compensation will include statutory compensation and ex-gratia as appropriate under the applicable provisions of the Land Acquisition Act.

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S.N	Type of loss/ disturbance	Definition of Affected Persons	Entitlement	Details
				<p>1.1.4 Applicable interest on compensation amount for delay in payment of compensation calculated from the date of taking over land possession</p> <p>1.1.5 Compensation for the economically non-viable remainder or residual land, if the land loser is willing to surrender such land, at replacement cost⁴</p>
1.2	Loss of tenancy/ profitable occupancy	Registered tenants and leaseholders, share-croppers	Compensation for standing crops, or income losses	<p>1.2.1 No compensation for the land.</p> <p>1.2.2 Three months' advance notice to salvage crops OR, compensation for the same valued at market rate</p> <p>1.2.3 Cash payment for six months of rental income for the affected portion of land or LKR 18000 whichever is higher as income assistance.</p>
2. Residential Land and Structures				
2.1	Permanent and full loss private residential structure ⁵	Owner -occupants with title or other ownership documents recognized under the law	Compensation at replacement cost Resettlement & Rehabilitation Assistance	<p>2.1.1. Compensation for the whole plot valued as per LAA if the residual plot is not developable under law (refer to footnote 4 for explanation)</p> <p>2.1.2. Compensation for affected structure at replacement cost without deduction of any depreciation or salvageable materials,</p> <p>2.1.3. Opportunity to buy a residential flat available at any resettlement site in the metro Colombo area, on payment of price determined by the government, contribution to the condominium management fund and monthly maintenance charges⁶ (depending on</p>

⁴ Where the remainder plot is not viable as per existing development regulations, i.e. less than average land holding in the locality and not profitable for cultivation in case of agricultural land, and not developable in case of urban land (for example in many areas of CMA this means the remaining plot is less than 6 perches of homestead land, or less than 2 perches of commercial land). In such cases, the Project Authorities will acquire the residual land for the project following the entitlements listed in the entitlement matrix; or pay the affected party 25% of the land hardship compensation for that portion of land without its purchase/acquisition, based on the land loser's choice.

⁵ Any structure which is affected more than 50 % of its built up area; or where the remaining plot area not developable under law i.e. it is less than 6 perches of residential plot or 2 perches of commercial plot.

⁶ The concerned legal residence loser should be permitted to buy the new flat by adjusting compensation payable to him/her towards the cost of the flat.

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S.N	Type of loss/disturbance	Definition of Affected Persons	Entitlement	Details
				availability?). 2.1.4. Transportation allowance of LKR 5000. 2.1.5. In case of emergency shifting, cash allowance for alternative rental accommodation of equivalent standard for six months as determined by UDA on case to case basis OR @ LKR 8000/month, whichever is higher,. 2.1.6. Right to salvage material from the demolished structure, however, without permission to carry these to the new condominium in the resettlement site, unless approved
2.2	-do-,	Non-resident Owner of land and structure with title	Compensation at replacement cost Income restoration Assistance	2.2.1. Compensation for affected land at replacement cost as per the LAA 2.2.2. Compensation for the structure at replacement cost without deduction of depreciation or salvageable materials ⁷ 2.2.3. Assistance for loss of rental income from the affected structure for six months calculated on the basis of average annual income from the affected structure in the previous 3 years as determined by UDA on a case to case basis , or @ LKR 8,000/month, whichever is higher. 2.2.4. Right to salvage material from the demolished structure.
2.3	Loss of rental accommodation	Legal Tenants/ Lease Holders	Resettlement & Rehabilitation Assistance	2.3.1. Three months advance notice for relocation, 2.3.2. An apportionment of compensation for registered lessees for the unexpired period of lease as permissible under law. 2.3.3. Allowance for alternative rental accommodation of equivalent standard as determined by UDA or LKR 8000/month (whichever is higher) for a maximum of six months for tenants/lessees, and for such period as required by law in case of protected tenants

⁷ Apportionment of compensation will be done for land and structure among the interested parties as per LAA

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S.N	Type of loss/disturbance	Definition of Affected Persons	Entitlement	Details
				2.3.4. Transportation allowance of LKR 5000
2.4	Loss of Residential Structure	Squatters	Resettlement and Rehabilitation Assistance	<p>2.4.1. Offer of a flat of 400 square feet in a multi-storey condominium at with basic facilities subject to beneficiary contribution to the condominium management fund and payment of monthly maintenance charges⁸</p> <p>2.4.2. Transportation allowance of LKR 5000 for vacating the old structure</p> <p>2.4.3. Rental allowance @ LKR 8000 per month in case of emergency shifting until the offer of permanent relocation to condominium buildings</p> <p>2.4.4. Right to salvage building materials (use of old materials will not be permitted at new sites where these will affect condominium living)</p>
2.5	Partial loss of residential land and structure	Owner-Occupants of residence with title or sale deed in their favour	Compensation Rehabilitation assistance	<p>2.5.1 Compensation for affected land and structure at replacement cost as per LAA according to the actual loss to repair or rebuild the structure to original or better condition when remaining land is sufficient to rebuild upon (see endnote 4);</p> <p>2.5.2 Rental allowance for alternative accommodation of equivalent standards OR LKR 8,000/month (whichever is higher) for six months for enabling owner rebuild the affected structure</p> <p>2.5.3 Transportation allowance of LKR 5000</p>
2.6	Same as above	Non-Resident Owners of Land and Structure with title	Compensation Rehabilitation Assistance	<p>2.6.1 Compensation for affected land and structure at replacement cost as per LAA without depreciation according to the actual loss to repair or rebuild the structure to original or better condition when remaining land is sufficient to rebuild upon (see endnote 4);</p> <p>2.6.2 Six months rental allowance as</p>

⁸ Where the structure was used for both residential and commercial purposes, the occupier can opt for a residential flat. The allotted flat cannot be sold for ten years; however, can be transferred to legal heirs in case of death of the beneficiary.

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S.N	Type of loss/disturbance	Definition of Affected Persons	Entitlement	Details
				received for the previous month OR @ LKR 8000/month to compensate for loss of rental income from the property as income assistance.
2.7	Loss of rental accommodation due to partial impact on structure	Tenants/lessees/ Protected tenants	Rehabilitation assistance	<p>2.7.1 Tenants/Lessees will have the option to continue to stay in the building in agreement with the owner; OR</p> <p>2.7.2 Vacate the house on receipt of rental allowance for six months @ LKR 8000 in case of emergency relocation with three months advance notice;</p> <p>2.7.3 Protected tenants will get rental allowance for accommodation of equivalent standard OR LKR 8000/month for such period as required by the Rent Act to allow restoration of the building for the tenant to return</p> <p>2.7.4 Transportation allowance of LKR 5000 in case the tenant/lessee is required to relocate.</p>
2.8	Partial loss of residential structure	Squatters living in structures without title	Resettlement and Rehabilitation	<p>2.8.1 Compensation for only for the affected structure at replacement value according to the actual loss to repair or rebuild the structure to original or better condition when remaining part is sufficient for rebuilding.</p> <p>2.8.2 Transportation allowance of LKR 5000.</p> <p>2.8.3 Rental allowance @ LKR 8000/month for six months to allow the affected family to relocate elsewhere and rebuild the affected structure</p> <p>2.8.4 Provision of alternative flat in lieu of 2.8.1 at par with fully affected squatters (2.5.1) if the remaining structure is not sufficient to accommodate the family.</p>
3. Commercial land and Structures				

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. S.N	Type of loss/ disturbance	Definition of Affected Persons	Entitlement	Details
3.1	Permanent and full loss of commercial property	Owner-Operator of registered business with title or sale deed in his/her favour	Compensation at replacement value Resettlement and Rehabilitation assistance	<p>3.1.1 Compensation for the affected land at replacement cost as per LAA (for whole plot if the residual plot is not developable under law, i.e. less than 2 perches (see endnote 4)</p> <p>3.1.2 Compensation for affected structure at replacement cost without deduction of any depreciation or salvageable materials,</p> <p>3.1.3 Opportunity to avail of a shop on long-term lease at any resettlement site or any other public shopping scheme in the metro Colombo area, on payment of lease premium, contribution to the condominium management fund and monthly maintenance charges (</p> <p>3.1.4 Transportation allowance of LKR 5000.</p> <p>3.1.5 In case of emergency shifting, cash allowance for alternative rental accommodation of equivalent standard for six months as determined by UDA on case by case basis, or @LKR 10,000/month (whichever is higher).</p> <p>3.1.6 Right to salvage material from the demolished structure, however, without permission to carry these to the new condominium unless approved.</p> <p>3.1.7 Cash assistance to enable re-establishment of business calculated as net income for six months on the basis of average net annual incomes for preceding three years as recorded in income/sales tax returns filed, OR a lump sum livelihood assistance of LKR 18,000, whichever is higher.</p>
3.2	Same as above	Non-resident property owners with title	Compensation at replacement value	SAME as described in clauses 2.2.1 to 2.2.4 above

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. S.N	Type of loss/ disturbance	Definition of Affected Persons	Entitlement	Details
3.3	Loss of rental accommodation Same as above	Legal Tenants/ Lease Holders running business	Compensation Resettlement and Rehabilitation Assistance	<p>3.3.1 Rental allowance of equivalent accommodation as determined by UDA, OR LKR 8,000/month for six months</p> <p>3.3.2 Rental allowance as above for a period not exceeding six months in case of protected tenants, or as per the applicable law.</p> <p>3.3.3 Apportionment of compensation for protected tenants and lessees if and as permitted under applicable laws.</p> <p>3.3.4 Cash assistance to enable re-establishment of business in case of relocation calculated as net income for six months on the basis of average net annual incomes for preceding three years as recorded in income tax returns filed, OR a lump sum livelihood assistance of LKR 18,000, whichever is higher.</p>
3.4	Loss of commercial structure	Squatters/ operators of business without title	Resettlement and Rehabilitation	<p>3.4.1 Compensation for affected structure at replacement cost without deduction of any depreciation or salvageable materials,</p> <p>3.4.2 Opportunity to avail of a shop on long term lease at any resettlement site or any other public shopping scheme in the metro Colombo area, on payment of lease premium, contribution to the condominium management fund and monthly maintenance charges.</p> <p>3.4.3 Transportation allowance of LKR 5000.</p> <p>3.4.4 Rental allowance LKR 8,000/month for alternative accommodation in case of emergency shifting until the offer of leased shop at resettlement site.</p> <p>3.4.5 Right to salvage material from the demolished structure, however, without permission to carry these to the</p>

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S.N	Type of loss/ disturbance	Definition of Affected Persons	Entitlement	Details
				new condominium unless approved 3.4.6 Assistance as per 3.1.7
3.5	Partial Loss of Commercial Property			SAME as benefits offered under 2.5.1 to 2.5.3 AND 3.1.7
3.6	Same as above	Non-resident owner of the property	Compensation	SAME as benefits offered under 2.6.1 to 2.6.2.
3.7	Loss of rental accommodation	Registered Tenants/Lessees	Resettlement and Rehabilitation Assistance	SAME as benefits offered under 2.7.1 to 2.7.4 AND 3.1.7
3.8	Partial loss of commercial structure	Squatters operating business in structure without title deeds	Resettlement and Rehabilitation Assistance	SAME as benefits offered under 2.8.1 to 2.8.3 AND 3.1.3 if doing business in the remaining portion is not commercially viable as before AND 3.1.7
3.9	Loss of Commercial Kiosks	Vendors operating kiosks with or without permission	Resettlement and Rehabilitation Assistance	3.9.1 Fixed kiosks/sheds will get structure compensation without depreciation and onetime income assistance of Rs 5000, or a mobile vending cart as replacement 3.9.2 Mobile/Movable vendors will get one month's prior notice to relocate nearby for continuing their business.
4. Loss of Livelihood				
4.1	Loss of Livelihood due to relocation	Vulnerable and women headed families losing income due to relocation Poor self-employed persons	Rehabilitation Assistance ⁹	4.1.1 Training, credit access and skill training support for maximum two youths (one male and one female) from the resettled families for livelihood strengthening with the help of NGOs 4.1.2 Vulnerable families eligible for government welfare assistance, will be supported with Samrudhi poverty alleviation scheme or old age pension

⁹ Poverty and vulnerability levels will determine the order of priority in extending these livelihood support measures to the affected households, which will be as approved by the Land Acquisition and Resettlement Committee (LARC) specially constituted for the Project in the Ministry of Defence and Urban Development. The LARC will comprise the Additional Secretary and Project Director, MoDUD; Social Development Specialist of the PMU, Land Officer from Ministry of Land, representative from the Valuation Department/ or a registered valuer, and representatives from UDA, SLLRDC and CMC.

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. S.N	Type of loss/ disturbance	Definition of Affected Persons	Entitlement	Details
				<p>scheme</p> <p>4.1.3 Housekeeping assignments at the resettlement sites and employment in civil works for this Project</p> <p>4.1.4 Opportunity to avail of a shop at the resettlement site on long term lease on payment of premium and maintenance charges as applicable.</p> <p>4.1.5 Continuation of any welfare assistance given by State to the vulnerable families after relocation.</p> <p>4.1.6 Cash assistance to enable re-establishment of income calculated as net income for six months on the basis of average net annual incomes for preceding three years as recorded in income/ sales tax returns filed, OR a lump sum livelihood assistance of LKR 18,000, whichever is higher.</p>
5. Temporary Impacts				
5.	Temporary Adverse Impacts of Civil Works (such as loss of access, damage to property or land, safety hazards, impact of mobility	Households/ Businesses	Mitigation Measures	<p>5.1.1 Public notice at the site informing the people about: work schedule, likely temporary impacts, signage, safety advice and mitigation measures , contact details of officer in charge and grievance redress mechanism.</p> <p>5.1.2 Necessary traffic management measures for facilitating mobility</p> <p>5.1.3 Special measures to provide access for continuing trade/business</p> <p>5.1.4 In case of loss of access to business for over a week, financial assistance @ LKR 1000 per day until ease of access has been restored by the contractor and certified by the engineer with approval of the LARC.</p> <p>5.1.5 The contractor shall bear the compensation cost of any impact on structure or land due to negligent movement of machinery during</p>

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. S.N	Type of loss/ disturbance	Definition of Affected Persons	Entitlement	Details
				<p>construction or establishment of construction plant, as per standard contract provision.</p> <p>5.1.6 All temporary use of lands outside proposed ROW to be through written approval of the landowner and contractor. Location of construction camps will set up by contractors in consultation with the implementing agencies.</p> <p>5.1.7 Necessary Health and Safety measures to be undertaken as a part of Environment Management Plans including measures for sound, dust pollution, minimize hazard risks through signage and safety barricades, first aid facilities at work sites/camps, etc.</p> <p>5.1.8 Steps to minimize and mitigate adverse impacts on human and vehicular mobility including through traffic diversions and management; phased construction strategy; avoiding work during peak hours</p> <p>5.1.9 Legal provisions for ensuring equal wages for men and women working at project construction sites and preventing child labour.</p> <p>5.1.10 Measures as necessary to deal with any other emergent impacts.</p>
6. Loss of Community Infrastructure/Common Property Resources				
6.1	Loss of cultural properties	Affected communities and groups	Reconstruction of community structure and common property resources	<p>6.1.1 Reconstruction of community structures and replacement of common property resources in consultation with the managing trustees and the host community as appropriate.</p> <p>6.1.2 Assistance of LKR 3000 – 20000 to cover cost of exhumation including any religious ceremonies required, accordingly to prevailing customs, as</p>

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. S.N	Type of loss/ disturbance	Definition of Affected Persons	Entitlement	Details
				decided by the LARC.
6.2	Loss of social and civic facilities	Affected communities ; User groups	Rehabilitation of the affected facility	<p>6.2.1 Reconstruction of the civic, social service facility in consultation with the managing trustees and the host community as appropriate.</p> <p>6.2.2 Provision of temporary services during civil work to avoid inconvenience to the user group</p>

CHAPTER 04

Measures to Minimize and Mitigate Impacts

4.1 The Project implementing agencies have taken several measures to minimize impacts such as exploring alternative designs and choosing least impacting alternatives. Similarly several impact minimizing and mitigation measures have been proposed for the specific sub-projects below in a table with monitoring responsibilities vested in the implementing agencies. The proposed mitigation measures relating to the community/occupational health and safety management will be in line with the WB’s Environment Health Hygiene and Safety Guidelines as spelt out in the Environment Management Framework.

Table 4.1: Impact Mitigation Measures

Sub project and type of activities	Potential impact and social concerns	Migratory Measures	Responsible agency
1. Workability and parking improvements	<ul style="list-style-type: none"> • Temporary hindrances to mobility; • Traffic congestion • Safety risks during civil works • Dust and noise 	<ul style="list-style-type: none"> • Alternative access • Traffic management • Construction at night, lean hours • Safety Barricades , Watering • Undertake other applicable Community and Occupational Health and Safety Measures as per the WB approved Environment Health Hygiene and Safety guidelines provided in the EMF 	CMC
2. Improve public convenience	<ul style="list-style-type: none"> • Temporary non availability of the facility 	<ul style="list-style-type: none"> • Public information and direction to the nearby public convenience • Working during off peak hours. • Undertake other applicable Community and Occupational Health and Safety Measures as per the WB approved Environment Health Hygiene and Safety guidelines provided in the EMF 	Contractor/ CMC
3. Model Zone development of town hall square	<ul style="list-style-type: none"> • Temporarily income loss of 2 rented shops and relocation of one kiosk. • Temporary hindrances to mobility; • Traffic congestion • Safety risks during civil works 	<ul style="list-style-type: none"> • Alternative new shop on rent in Town Hall premises owned by CMC • Structure compensation to the kiosk owner and relocation assistance • Transportation allowance to 2 shops and 1 kiosk • Traffic management • Construction at night, lean hours • Safety Barricades , Watering • Undertake other applicable Community and Occupational Health and Safety Measures as per the WB approved Environment Health Hygiene and Safety guidelines provided in the EMF 	CMC CMC
4. Marine drive Drainage	<ul style="list-style-type: none"> • Temporary loss of access • Hindrance to vehicular / 	<ul style="list-style-type: none"> • Alternative access • Traffic management 	Contractor

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Improvement	<ul style="list-style-type: none"> human movements Safety risks 	<ul style="list-style-type: none"> Construction at night and off peak hours Safety Barricades , Watering Undertake other applicable Community and Occupational Health and Safety Measures as per the WB approved Environment Health Hygiene and Safety guidelines provided in the EMF 	SLLRDC
5. AulthMawatha Main Drain and Mutwal Tunnel improvement	<ul style="list-style-type: none"> Temporary loss of access Hindrance to vehicular human/ movements 	<ul style="list-style-type: none"> Avoid material transportation during mornings and evenings Work during off peak hours. Sheet piling before gabion wall works where necessary Alternative traffic arrangements Use of alternative access Construction in two stages for culvert to allow movement Undertake other applicable Community and Occupational Health and Safety Measures as per the WB approved Environment Health Hygiene and Safety guidelines provided in the EMF 	Contractor / CMC
6. Dehiwalla Canal Upgrading	<ul style="list-style-type: none"> Inconvenience due to material transportation during peak hours Damage to bank during protection works - 	<ul style="list-style-type: none"> Avoid material transportation during mornings and evenings Sheet piling before gabion wall works Undertake other applicable Community and Occupational Health and Safety Measures as per the WB approved Environment Health Hygiene and Safety guidelines provided in the EMF - 	-SLLRDC, Contractor
7. Beira Lake restoration	<ul style="list-style-type: none"> Inconvenience due to material transportation during peak hours Damage to banks during protection works- 	<ul style="list-style-type: none"> Avoid material transportation during mornings and evenings Sheet piling before gabion wall works where necessary Undertake other applicable Community and Occupational Health and Safety Measures as per the WB approved Environment Health Hygiene and Safety guidelines 	-UDA, Contractor
8. Baddagama Bio Diversity Park	<ul style="list-style-type: none"> Inconvenience due to material transportation during peak hours Safety risks- 	<ul style="list-style-type: none"> Avoid material transportation during mornings and evenings Undertake other applicable Community and Occupational Health and Safety Measures as per the WB approved Environment Health Hygiene and Safety guidelines 	-UDA, contractor

Table 4.2: Resettlement Actions and Entitlements of Affected Persons

Affected Person	Impact	Entitlement/ Mitigation Action
<p>1, Mr. W.M. Premasiri, tenant of CMC shop</p> <p>2. Herbal Medicine Shop (110A) of the ZDepartment of Indigenous Medicine on property rented out by CMC</p>	<p>Loss of rented shop (No 116) due to footpath work</p>	<ul style="list-style-type: none"> • Alternative rental shop within Town Hall premises on similar terms and conditions provided by CMC, OR • Rental allowance of equivalent accommodation as determined by UDA, OR LKR 8,000/month for six months and Cash assistance to enable re-establishment of business in case of relocation calculated as net income for six months on the basis of average net annual incomes for preceding three years as recorded in income tax returns filed, OR a lump sum livelihood assistance of LKR 18,000, whichever is higher. • Transport allowance of LKR 5000
<p>3. PK Chandrapala, kiosk for watch repair and sale</p>	<p>Loss of Kiosk due to footpath improvement work</p>	<ul style="list-style-type: none"> • Compensation for structure at replacement cost • Relocation allowance @ LKR 5,000 • Livelihood assistance of LKR 18,000, whichever is higher.

4.2 Contractors Compliance on Social Safeguard Measures: The contractors will be accountable for their responsibility to act on mitigation measures listed above and for the following actions:

- Use construction materials from approved site, and of standard quality.
- Reclaim the quarry site and fill up borrow pit after the completion of the work,
- Keep the bitumen at least 0.8 Km far from the human settlements,
- Maintain health and sanitation of the labor camp,
- Do not allow haphazard disposal of spoil along hill slopes, vegetated areas, water bodies and other environmentally sensitive areas
- Enforce use of recommended disposal sites that are approved by project manager,
- Provide health and safety gears to the labors,
- Restrict labors' use of forest products, hunting and poaching.
- Hire as many local laborer as possible (priority has to be given for poor, marginalized),
- Avoid use of child labor (below 16 years age),
- Pay equal wages to men and women,
- Ensure life insurance of the laborers
- Avoid damage / disturbance to historical / cultural / archeological sites /natural habitats.
- Relocate public infrastructure such as; electricity pole, telephone pole, taps, irrigation, etc.

The PPAs will be responsible to provide quarry and work sites required for civil works. **CHAPTER 05**

Institutional and Implementation Arrangements

5.1 The country has different agencies for coordinating and implementing land acquisition and urban housing activities. The Ministry of Land is responsible for policy and implementation of LA and R&R; the Urban Settlement Development Authority (USDA) is responsible for formulation and enforcement of policies and schemes relating to housing estate management; National Housing Development Authority (NHDA) is responsible for planning and undertaking housing schemes across the country; and the Urban Development Authority (UDA) is responsible for land acquisition for urban development schemes, including the resettlement of households living in informal under-served settlements.

5.2 The PMU has identified UDA as the nodal agency for coordinating LA and R&R activities for the Project. The PMU has appointed a senior officer of the UDA managing the urban resettlement scheme as the director of its social unit. UDA has a large social survey team and has established database management systems for planning and implementing the urban resettlement scheme. In Sri Lanka, land acquisition is undertaken by Ministry of Land through their divisional secretaries, and the PMU will appoint a special officer for coordinating LA activities. Each major PPA such as the SLLRDC and UDA has special land acquisition cells.

5.3 Key institutional arrangements for implementing RAP will include: (a) Social Management Cell at the PMU and, as necessary, and establishment of Land Acquisition cells and R&R teams/officer in each project partner agency (PPA) to carry out/coordinate social management for Stage-I activities. A Metro Colombo Stakeholder Forum (MCSF) will be established, which will be an advisory body including representatives from government, professional experts and civil society for discussing overall progress, issues of importance, and providing advice to the PMU. A Steering Committee of relevant government departments will be established to review progress and ensure implementation coordination at the highest level. These bodies will meet periodically, in which the designated officers or their representatives will participate.

5.4 At the field level, local resettlement committees (LRC) will be established at the settlement level including local elected representatives and community representatives. The LRC will also include community development officers (CDO) who will be assigned the responsibility of resettling and rehabilitating a fixed number of households (30-50) through consultation and mobilization. The MoDUD has hired a full-time social development professional to reinforce the social management capacity in the PMU. The PMU will hire three more social development officers (SDO) and second them to the three major implementing agencies-UDA, CMC and SLLRDC-to assist with technical support for implementing SMF/RAP. Depending on the scale of resettlement, the PMU will hire consultants to carry out SIA and prepare RAP for stage-II activities. The PMU will also hire an NGO to assist with post resettlement support activities.

5.5 **Linking Social Management Actions to Civil Works:** Based on the SIA and RAPs, consultation will be held with the affected people and the eligibility lists will be disclosed at the community and at the implementing agency level for objections before finalizing the same. The R&R benefits will be provided before handing over the site for civil work. The Chief Engineer from the concerned implementing agency will certify that the necessary actions have been completed as per the RAP for handing over encumbrance free land for civil work. The SMF provides for giving rental allowance to the affected families till final relocation in permanent buildings in the case of emergency shifting.

5.6 **Consultation and Disclosure:** The short RAP was prepared through consultations with the stakeholder agencies and the affected persons. Consultations was carried out and documented while

preparing and designing the sub-projects to discuss alternatives, during Screening/SIA to discuss risks and impacts, and while preparing the short RAP. During implementation, consultations will be held to plan actual relocation. This Social Screening and A-RAP was finalized with community consultation held on January 23, 2012, technical stakeholder consultation held on January 24, 2012 and public hearing held on January 25, 2012 at Colombo. Further consultations will be held during the course of implementation. The RAP has been disclosed at the MoDUD website, and on the websites of the implementing agencies, whereas key information will be disclosed through the newspapers depending on the requirement. The eligibility lists, entitlements, implementation schedule, etc will be disclosed at the field level. Each implementing agency and the PMU will establish public information centers where the relevant project documents will be available for public reference

5.7 Grievance Redress Mechanism (GRM), Disclosure: There shall be a multi-stage GRM, with five levels of decision making. At the bottom, the CDOs will receive and try to resolve grievances, failing which the aggrieved party will approach the local resettlement committee (LRC) working as the first grievance redress committee (GRC). If the LRC fails to resolve the case, the party will approach the GRC established at the implementing agency level, failing which s/he will approach the project Director and the Additional Secretary, Ministry of Defence and Urban Development for redressing his/her grievance. The LRC will comprise the local ward representative, two beneficiaries, the social development officer, and one officer from the Project Partner Agency in charge of the concerned sub-project. At the second level, the Project Manager of the PPA shall head the GRC, which will include the Social Specialist. Further, external mechanisms, namely "Samatha Mandala" and Courts are available for the affected persons to obtain redress of his grievances, if he/she is not satisfied with the response of the project level GRC. Above this, there shall be an **Independent Grievance Panel (IGP)** comprising representatives from the Ministry of Land, Department of Valuation, Ministry of Women Affairs, an eminent NGO, and a lawyer, a retired civil servant of the rank of a Secretary of the GoSL to hear and resolve complaints unresolved by GRCs operating in the Project. For the Stage-I, the LRC will not be activated in view of very limited impacts. People will be notified to directly approach the GRC established at the PPA level for registering their grievances as the first level of appeal. If they are not satisfied, they can further appeal to the Project Director-MCUDP and Additional Secretary, MoDUD, and then the IGP for resolving their grievances. They can also exercise the option to seek legal recourse in the court of law.

5.8 The table below indicates the implementing arrangements of migratory measures and the agencies responsible for implementation of such measures.

Table 5.1 Implementation of Mitigation Measures

No.	What are the Implementing Measures	Responsible Agencies
1	Consultation with 3 shops affected by and CMC's Town Hall project and the local communities in all projects during implementation to discuss and mitigate any inconvenience	Respective Implementing Agencies
2.	Provision of entitlements to the 2 shops and 1 kiosk affected by the Town hall Square Sub-Project	CMC/ Monitoring by PMU
2	Relocation of the two rented shops and one kiosk affected by the Town Hall Square Sub-Project and payment of entitlements as discussed above	CMC/ Monitoring by the PMU
3	Temporary Construction Impact Management including application of the Bank's EHS Guidelines	Implementing Agency/ Contractor/ PMU to monitor
4	Improve storm water drainage where stagnant water and flooding locations	CMC
	Alternative traffic management to allow vehicular mobility	Implementing Agency/ Police
5	Alternative access and traffic diversion to mitigate temporarily loss of access	Implementing Agency / Constructor
10	Watering to prevent dust in development projects	Implementing Agency / Constructor
11	Refraining from working during peak hours to prevent road traffic blocks	Implementing Agency / Constructor
12	Alternative Road for commuters during road closure for construction of civil works	Implementing Agency / Constructor

CHAPTER 06

Monitoring and Evaluation

6.1 The SMF provides that The PMU will hire external consultants/NGO for providing need-based implementation support to the Project Partner Agencies (PPAs) and for carrying out independent monitoring and quality assurance. The Project will have a participative implementation monitoring system established at the bottom, which will enable the local resettlement committee to participate in the implementation process in planning and monitoring roles. The PMU will submit quarterly social safeguard progress and quality monitoring reports with yearly “safeguard reviews” which will be carried out by independent consultants. These will form the basis for any improvements to be brought about in the safeguard policy framework and implementation arrangements.

6.2 However, as the potential negative impacts are very minimal in nature and scope under these 8 projects and do not require a separate Monitoring & Evaluation (M & E) Unit. M & E will be carried out at two levels, at the PMU and the implementing Agency level. The PMU has hired a Social Development Specialist to undertake the M & E of the social safeguards management including the implementation of this Social Action Plan by implementing agencies to ensure that safeguards issues are adequately mitigated as [per the SAP.

6.3 As the Projects are only eight (8) and the adverse impacts are minimal, internal monitoring would suffice and there will be no need for external monitoring for this phase.

Reporting

6.4 The PMU has appointed a qualified Social Development Specialist who will be responsible for monitoring and reporting on the overall progress of the implementation of SAP whereas the individual implementing partners will be reporting about progress of the SAP implementation for their respective sub-projects. The three major implementing agencies, namely SLLRDC, CMC, and UDA will also have Social Development Specialists.

6.5 Feedback mechanisms would be established to inform the relevant parties on the progress of implementation of the subprojects.

6.6 The key output of Monitoring will consist of various types of written and oral reporting. They include:

- [1] Periodic Reports (Monthly, Quarterly, Semiannual Reports);
- [2] Ad hoc Reports, especially at the request of the management; and
- [3] Internal notes or oral presentation for informal management review sessions.

6.7 The reports will be on a standardized format so that information received could be easily compared with previous reports. It should be precise and concise; timely and highlight exceptions and departure from plans and schedules. Chapter 10 of the Social Management Framework explains the M & E structure and procedures in detail

CHAPTER 06

Cost Estimation for Social Management

As land acquisition and resettlement are not involved and the social impacts are very minimal, the cost estimate for social management also will be very less. The temporary impact mitigation activities will be built into the civil work contracts. One sub project which needs to provide rental accommodation for two tenant shop keepers and compensation and relocation allowance to a commercial kiosk engaged in livelihood activity needs to be estimated. In addition salaries of four social development specialists to be attached to each PIA will be recruited for a period of 12 months for the purpose of monitoring the social activities. The following cost estimate reflects this expenditure.

Table 5.1: Cost Estimate

Activity	Unit Rate (RS)	No	Cost in LKR
1) Cost of 2 shops to be constructed within Town Hall (CMC) premises to be provided on rental basis to the existing tenants doing business in two shops	1,000,000	2	2,000,000
2) Compensate for structure an unauthorized kiosk (watch repairing) to continue his livelihood activities else where	50,000	1	50,000
3) Transport allowance to two shops	5000	2	10000
4) Relocation allowance to the kiosk	5000	1	5000
5) Income assistance to Kiosk	18000		18000
6) Salaries of four social development specialties for 12 months	75,000	4	3,600,000
Sub-Total			5,679000
7) Add 5% administration cost	-	-	283950
8) Add 5% Contingency total	-	-	283950
TOTAL			6,246900