Improvements to Sewerage Distribution Network around Beira Lake

Project Management Unit
Metro Colombo Urban Development Project
Ministry of Defence and Urban Development
Sethsuripaya Stage II
Battaramulla
Sri Lanka

May 10, 2013
Contents

EXECUTIVE SUMMARY ........................................................................................................ III

CHAPTER 1: INTRODUCTION AND BACKGROUND ........................................................................... V

OVERVIEW OF METRO COLOMBO URBAN DEVELOPMENT PROJECT ........................................ V

IMPROVEMENTS TO SEWERAGE DISTRIBUTION NETWORK AROUND BEIRA LAKE ...................... VII

RISKS, IMPACTS, AND MANAGEMENT FRAMEWORK, AND SOCIAL ACTION PLAN .................. VII

SOCIAL SCREENING METHODOLOGY AND ANALYSIS OF SOCIAL RISKS AND IMPACTS ................ VIII

CONTACTS OF ABBREVIATED RESettlement ACTION PLAN ....................................................... X

CHAPTER 2: SUBPROJECT DETAILS AND CORRIDOR OF IMPACT ........................................... XI

SUB-PROJECT DETAILS ............................................................................................................ XI

CORRIDOR OF IMPACT ......................................................................................................... XI

CHAPTER 3: LEGAL FRAMEWORK AND ENTITLEMENT MATRIX ........................................... XIII

CHAPTER 4: ANTICIPATED ADVERSE IMPACTS AND MITIGATION MEASURES .................. XXIII

CHAPTER 5: INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENTS ............................... XXV

CHAPTER 6: MONITORING AND EVALUATION .................................................................. XXVIII

CHAPTER 7: COST ESTIMATION FOR SOCIAL MANAGEMENT .............................................. XXIX

ANNEX: LAYOUT DRAWINGS ............................................................................................ XXX
EXECUTIVE SUMMARY

**Project description:** Improvements to the sewerage distribution network around the Beira Lake will be undertaken at 13 key locations as a sub-project of the Metro Colombo Urban Development Project (MCUDP). The MCUDP is jointly financed by the International Bank for Reconstruction and Development (IBRD) of the World Bank group and the Government of Sri Lanka. It comprises three main components. The first component focuses on flood and drainage management and addresses the urgent issue of urban flooding, which regularly paralyzes the economy of the Metro Colombo Region with high socioeconomic costs. The second component focuses on urban development and infrastructure rehabilitation for Project Local Authorities (PLAs). The third component consists of implementation support. The implementation responsibility of the aforementioned sub-project rests with the Colombo Municipal Council (CMC), one of the key Project Implementing Agencies (PIAs) of the MCUDP. Overall monitoring and management will be carried out by the Project Management Unit (PMU) established in the Ministry of Defence and Urban Development (MoDUD).

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.

The overall aim of the sub-project **Improvements to Sewerage Distribution Network around Beira Lake** is controlling incoming sewerage or waste water to the Beira Lake. A new sewer and waste water line will be constructed and repairs undertaken on existing sewer and waste water lines. The project will benefit the community in terms of an improved environment with healthier living conditions. The sub-project will be implemented under Sub-Component 1.2 of the MCUDP, namely the Rehabilitation and Upgrading of the Micro-Drainage System within the CMC. Implementation responsibilities rest with the Micro Drainage Division of the CMC. The total cost of the sub-project is Rs. 60 million.

For the activities under this sub-project, **Social Screening** has been carried out to identify potential adverse social impacts and this **Abbreviated Resettlement Action Plan (A-RAP)** has been prepared subsequently. 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. Social Screening was carried out and data collected in a format provided in the SMF. The **objective of Social Screening** was to understand the sub-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 sub-project will benefit the community in terms of an improved environment with healthier living conditions and reduced incidence of flood risk. The main negative impact involves the relocation of a squatter household. This household will be provided with resettlement and rehabilitation (R&R) assistance as per the Entitlement Matrix in the SMF. Minor damages are expected to an ablution tank belonging to a Muslim mosque and to the floor of a house that is located on top of a sewer manhole. These structures will be reconstructed to original/better condition by the Contractor, under the supervision of the CMC, and in consultation with the affected person/group. Additionally, rental and transport allowances will be provided to the household towards emergency accommodation during the construction period. Temporary impacts during construction such as hindrances to access and noise and dust issues are expected. These will be mitigated through proper mitigation measures and in line with the Bank’s EHS guidelines provided in the Environment Management Framework (EMF).

**Entitlement Matrix:** The Entitlement Matrix explains the category and type of loss and the eligible category for entitlements. As the Land Acquisition Act (LAA) does not address all types of losses, the involuntary resettlement policies (National Involuntary Resettlement Policy and World Bank safeguards) have been applied to address such issues. All losses as a result of the implementation of the MCUDP will be compensated. The Project Affected Persons (PAPs) mentioned previously will be provided with R&R as per Items 2.4 (Loss of Residential Structure for Squatters), 2.5 (Partial Loss of Residential Structure for Owner-Occupants), 5.0 (Temporary Adverse Impacts of Civil Works for Households), and 6.1 (Partial Loss of Cultural Properties for Affected Groups) of the Entitlement Matrix.
**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. **August 23, 2012.** 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. This sub-project does have linked activities being undertaken as per the above criteria due to the need to relocate a squatter household. This A-RAP provides appropriate mitigation plans for this resettlement requirement based on data collected in Social Screening and Social Impact Assessment (SIA).

**Implementation arrangement:** The executing agency of the MCU DP is the MoD UD and it has the overall responsibility for managing this sub-project whereas the implementing agency for this work will be the CMC. The institutional arrangements for implementing this RAP will include a Social Management Cell at the PMU with a Social Development Specialist and a Social Development Officer in charge of coordinating all required RAP activities. The overall monitoring and coordination of RAP implementation activities will be vested with the PMU. The institutional framework provides for the transparency of the project activities through the establishment of a National Project Steering Committee.

**Grievance Redress:** There shall be a fair and transparent grievance redress mechanisms to redress the grievances of the affected people. For this work the relevant PIA, the CMC, will be the nodal point for entertaining and addressing grievances relating to the implementation of the A-RAP for this work; whereas the PMU will operate as the second level of grievance redress mechanism. The PMU and the CMC will be together responsible for redressing people’s grievances. The Social Development Specialist of the PMU will monitor and document the GRM process. 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:** Consultations were 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 this A-RAP. A total of 15 consultations with 04 APs and other informal consultations with the community were held during the period June 2012-April 2013. Further consultations will be held prior to and during civil work. This A-RAP will be disclosed on the MoDUD website and available at the CMC and PMU for public reference. Additionally, the Executive Summary of the A-RAP will be available in Sinhala and Tamil Languages.

**Monitoring, Evaluation and Reporting:** Monitoring and Evaluation (M & E) and reporting will be carried out at two levels, at the PMU level and the CMC level. The PMU has recruited a Social Specialist to undertake the M & E and reporting of social safeguards management, including the implementation of this A-RAP, to ensure that safeguards issues are sufficiently mitigated as per the SMF. The Social Development Officer of the PMU, who is stationed at the CMC, will monitor and report on safeguard implementation at the field level. This includes paying close attention to the delivery of entitlements to APs as per this A-RAP and the Contractor’s social safeguard obligations. As adverse impacts are minimal, internal monitoring would suffice and there will be no need for external monitoring. Reporting will comprise monthly, quarterly, impromptu, and internal reports as well as oral presentations.

**Budget:** Temporary impacts will be mitigated as part of the construction management and will be incorporated in the Contractor’s document. A budget has been prepared estimating costs for provision of transport and emergency rental allowances to Affected Persons, consultations, information dissemination and reporting, and salaries of two social safeguards officers of the PMU for a period of 8 months. The total cost is approximately LKR **1,456,400.**

For any further details, please contact:

Project Management Unit,  
Metro Colombo Urban Development Project,  
Ministry of Defence and Urban Development,  
12th Floor, Wing A,  
Sethsiripaya Stage II,  
Battaramulla.  

Email: kamakshi.mcudp@gmail.com  
Phone: 011-3131114
CHAPTER 1: INTRODUCTION AND BACKGROUND

Overview of Metro Colombo Urban Development 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. The Metro Colombo Urban Development Project (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. There are three main components to the MCUDP.

1.2 **Component 1: Flood and Drainage Management.** This component would address the urgent issue of urban flooding, which regularly paralyzes the economy of the Colombo Metropolitan Area (CMA) with high socio-economic costs. This component includes the following sub components:

- **Sub-Component 1.1: Enhancement of Drainage Capacity in the Colombo Water Basin.** This includes enhancement of runoff from the southeastern upper section of the basin, creation of lakes/retention areas in the central section of the basin removal of bottlenecks in the downstream reaches of the canals, improvement of the outflow capacity and improvement/construction of canal bank protection.
- **Sub-Component 1.2: Micro Drainage System within the Colombo Municipal Council (CMC) (localized floods).** This focuses on priority flood-prone areas where localized flooding regularly takes place.
- **Sub-Component 1.3: Capacity Enhancement for Flood and Drainage Management.** This aims to improve the capacity of the Sri Lanka Land Reclamation and Development Corporation (SLLRDC) and other selected agencies to ensure the sustainability of project investments over time. It includes the purchase of maintenance machinery, the development of an Integrated Flood Management System (IFMS) for the Colombo Water Basin, and selected investments to improve public usability of canals and lakes.
- **Sub-Component 1.4: Beira Lake Linear Park and Beddagana Park.** This includes improving embankments and developing a promenade, and establishing a natural park around degraded wetlands.

1.3 **Component 2: Urban Development, Infrastructure Rehabilitation, and Capacity Building for Metro Colombo Local and Central Authorities.** This component will aim to strengthen institutional capacity at metropolitan and local level, and support project implementation. The following sub-components will be funded under this component:

- **Sub-Component 2.1: Investment Support to Local Authorities.** This sub-component will build local capacity through implementing select high-priority infrastructure improvements in four local authorities in the CMA to rehabilitate and improve drainage and roads, upgrade local public facilities, and purchase needed equipment to improve local public services.
- **Sub-Component 2.2: Institutional Strengthening and Capacity Building for Local Authorities** will comprise technical assistance to the Project Local Authorities (PLAs) including

---

1 Colombo Municipal Council (CMC), Dehiwala-Mt Lavinia Municipal Council, Sri Jayawardenapura-Kotte Municipal Council, the Urban Council of Kolonnawa

**Abbreviated RAP**
geographic information system (GIS), asset management for urban roads and related drainage, setting of technical standards, preparation of street and drainage rehabilitation and maintenance works (including quality control), and improvements in solid waste collection. It will also support metropolitan development strategies and planning and feasibility; studies for selected sectors, including a Metropolitan Colombo City Development Strategy (MCCDS), an integrated master plan (including a transportation plan) for the Colombo Metropolitan and surrounding area as defined by the MCCDS; a Solid Waste Management feasibility study and action plan for the CMA and surrounding area; and another detailed study for selected priority metropolitan services as identifies by the MCCDS.

1.4 Component 3: Implementation Support: Implementation support will be provided in the areas of (i) project management, monitoring & evaluation, procurement, financial management and environmental and social safeguards; (ii) public awareness and communications support regarding project interventions, management of public expectations, behaviour changes and resettlement; (iii) support to the SLLRDC, UDA and PLAs in construction, supervision and compliance with environmental and social safeguards; (iv) purchase of vehicles, office furniture and IT equipment for the Project Management Unit (PMU); and (v) operating costs of the PMU.

1.5 Project Location and Activities: As shown in Figure 1, the Project is implemented in the Metro Colombo Urban region including Colombo Municipal Council (CMC), Dehiwala-Mt Lavinia Municipal Council, Sri Jayawardenapura-Kotte Municipal Council, the Urban Council of Kolonnawa and other local authorities overlapping with the Colombo Basin. Each of the Project Implementing Agencies (PIA) have identified and proposed a list of priority investments to be financed under the project, providing different degrees of preparation and details.

Figure 1: Project Location
1.6 **Project Implementation:** The MCUDP is planned to be implemented in two main stages, i.e. Stage-1 and Stage-2. In Stage-1 priority sub-projects involving minimum adverse social and environmental impacts and requiring limited preparatory work will be taken up—these have been identified by the PIAs in discussion with the PMU. In Stage-2, the rest of the sub-projects requiring additional preparatory work and more complex safeguard due diligence will be taken up.

1.7 **Implementing Institutions:** The Ministry of Defence and Urban Development (MoDUD) has set up a PMU to operate under the oversight of a Steering committee and to coordinate and administer as necessary activities to be implemented under the Project. Implementation responsibilities rest with the SLLRDC, UDA, CMC and PLAs.

1.8 **Social Safeguard Management:** Projects and programs financed with International Development Association resources of the World Bank need to comply with World Bank Operational Policies (OP), in addition to conformity with the Land Acquisition Act and Sri Lanka’s National Policy on Involuntary Resettlement of 2001. Adhering to these policies, the MCUDP has adopted a sound Social Management Framework (SMF). It provides procedures for legal framework, entitlement matrix, procedures for social screening, assessing impacts, and planning and implementing resettlement action plans for proposed activities, including grievance redress mechanism, monitoring and evaluation, linking social management and civil works activities, implementation arrangements, and budget.

**Improvements to Sewerage Distribution Network around Beira Lake**

1.9 Some sewer lines around the Beira Lake in Colombo do not have sufficient capacity to hold rainwater and are frequently overflowing. This poses a great risk to the health of the community and impedes their daily livelihood activities. The main purpose of the proposed Improvements to Sewerage Distribution Network around Beira Lake is controlling incoming sewer or waste water to the Beira Lake. A new sewer and waste water line will be constructed and repairs undertaken on existing sewer and waste water lines. The project will benefit the community in terms of an improved environment with healthier living conditions.

1.10 The sub-project area belongs to Slave Island ward no. 21, Wekanda ward no. 22 and Hunupitiya ward no. 23. The works consist of diverting sewer lines at 13 locations around the Beira Lake. The diameter of the sewer line is 160 mm. The required construction space is approximately 750 mm. A 2 m construction space is already in existence.

1.11 The sub-project will be implemented under Sub-Component 1.2 of the MCUDP, namely the Rehabilitation and Upgrading of the Micro-Drainage System within the CMC. Implementation responsibilities rest with the Micro Drainage Division of the CMC. The total cost of the sub-project is Rs. 60 million.

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

1.12 As mentioned previously, a 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 Resettlement Action Plans (RAPs) for the project activities.

**Social Screening Methodology and Analysis of Social Risks and Impacts**

1.13 This Abbreviated RAP (A-RAP) addresses activities under the sub-project, Improvement to Sewerage Distribution Network around Beira Lake. Social Screening was carried out and data collected in a format provided in the SMF. 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.

1.14 The sub-project will involve rehabilitation and improvement of existing works. Land acquisition is not required. Given below is a summary of key social risks and negative/positive impacts.

**Negative Social Impacts**

1.15 **Resettlement**: This sub-project will involve resettlement of 01 squatter household. The Government of Sri Lanka (GoSL) is implementing a pro-poor housing program under which it has commissioned construction of new multi-storey buildings in several locations in the Colombo area to re-house people living in Underserved Settlements (USS). Of these, the GoSL has committed to earmark 1,500 flats to meet the potential resettlement requirement of the MCUDP. The above household will be offered a flat under this program along with rehabilitation assistance as per the Entitlement Matrix of the SMF.

1.16 **Partial Damage to Structure**: This sub-project will result in minor damages to 02 structures, namely the floor of a house and an ablution tank outside a mosque. The household will be provided with rehabilitation assistance as per the Entitlement Matrix in the SMF while structural damages at both the house and mosque will be repaired to original/better condition by the Contractor.

1.17 **Impact on Accessibility and Mobility**: During the implementation period there may be temporary disturbances (noise, dust, accessibility issues, etc.) to the community. These will be mitigated in line with the SMF.

1.18 **Safety and Accident Hazards**: The civil works may pose safety and accident hazards to people living along the worksites. Such hazards will be minimized by adhering to safeguard regulations as per the SMF.

**Positive Social Impacts**

1.19 **Improved water quality**: Infrastructure and services are inadequate around the Beira Lake with key bottlenecks in drainage and sewerage. The result is uncontrolled discharge of sewerage into the Beira Lake. Undertaking this project will help to control the incoming sewer or waste water to the Beira Lake and thereby improve its water quality.
1.20 Reduced flooding: The construction of a new sewer and waste water line and rehabilitation of existing sewer and waste water lines will help reduce flooding in the area and minimize disruption to daily livelihoods of the surrounding community.

1.21 Healthy and safe environment: The project will have a long term positive impact on the community by way of a clean and healthy environment and by reducing local flood risk during rainy periods.

Minimizing Impacts

1.22 Alternative Analysis: The design alternatives for this sub-project were decided after a thorough alternative analysis to ensure that negative social impacts were avoided and minimized to the maximum extent possible. As shown in Figure 2, the sub-project area is densely populated; houses are located on either side of existing sewer lines with very little room for sewer construction and rehabilitation (Figure 2). Design alternatives were therefore discussed and finalized by interacting with the community. The proposed interventions are limited to the rehabilitation of the existing sewer lines and construction of a new sewer line with minimal impact to structures located on either side of these sewer lines.

Figure 2: Densely Populated Project Area

1.23 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. This sub-project will involve the resettlement of 01 household. As explained in Chapter 5, an institutional framework will be established ensuring coordination between the social safeguard and engineering teams such that the schedules for Resettlement and Rehabilitation (R&R) and the civil works are properly linked. This will guarantee that resettlement and the payment of compensation are completed prior to the start of civil works.
1.24 Consultation: Consultations were held with the primary stakeholders, i.e. the community and people likely to be affected by the sub-project, to understand their issues and concerns. The community has expressed their interest for this project and willingness to bear up the temporary difficulties during the construction period. The household that is to be relocated has agreed to the entitlements offered as per the SMF. Consultations were also held with the family living in the house where an existing manhole is to be permanently closed and with the manager of the mosque committee with regards to the ablution facility that is expected to sustain minor damages. Both parties are willing to bear up the temporary difficulties during the construction period and the household has acceptance the allowance offered as per the SMF. Further consultations will be held prior to and during the course of sub-project implementation. This A-RAP will be disclosed on the MoDUD website and also made available at the CMC for public reference.

Contents of Abbreviated Resettlement Action Plan

1.25 This A-RAP covers activities under the Improvement to Distributed Sewer Network around Beira Lake. The remainder of the report will provide details of the sub-project and corridor of impact, legal framework and Entitlement Matrix, steps to minimize and mitigate impacts, institutional and implementation arrangement, monitoring and evaluation procedure, and cost estimates.
CHAPTER 2: SUBPROJECT DETAILS AND CORRIDOR OF IMPACT

Sub-Project Details

2.1 The main aim of this sub-project is controlling the incoming sewer or waste water to the Beira Lake. This is essential given that some sewer lines do not have sufficient capacity to hold rainwater and are frequently overflowing. Additionally, there are risks to the health of the community and obstructions to daily livelihood activities during floods.

2.2 The sub-project area belongs to Slave Island ward no. 21, Wekanda ward no. 22 and Hunupitiya ward no. 23. The works consist of diversion of sewer/waste water lines at the 13 locations listed below. Layout drawings indicating these locations are provided in the Annex.

- Project 1: Diversion of Sewer Line at Morgan Road – Main Road
- Project 2: Diversion of Sewer Line at Morgan Road – Custom Quarters
- Project 3: Diversion of Sewer Line at Anderson Flats – Stewart Street
- Project 4: Diversion of Sewer Line at Garden 47 – Perahera Mawatha
- Project 5: Diversion of Sewer Line at Garden 72 – Perahera Mawatha
- Project 6: Diversion of Sewer Line at Garden 39 (Stage I) – Perahera Mawatha
- Project 7: Diversion of Sewer Line at Garden 39 (Stage II) – Perahera Mawatha
- Project 8: Diversion of Sewer Line at Station Passage – Slave Island (Stage I)
- Project 9: Diversion of Sewer Line at Station Passage – Slave Island (Stage II)
- Project 10: Diversion of Sewer Line at Garden 34 - Stewart Street
- Project 11: Diversion of Waste Water Line at Stewart Street
- Project 12: Diversion of Waste Water Line at Wekanda Road
- Project 13: Diversion of Sewer Water Line at Church Street – Slave Island (Part A-D)

Corridor of Impact

2.3 Households in the sub-project area belong to underserved or low-income settlements. Around 90% of households engage in informal economic activities such as small businesses (preparing food such as string hoppers, hoppers, and lunch packets) and pavement vending in the Colombo Fort area. Housing is very dense with families living in houses located on either side of existing sewer lines. Most houses are permanent structures while some are semi-permanent or temporary units.

2.4 The sub-project will have many positive impacts including a clean, healthy and safe environment, improved water quality, and reduced flooding for the community. There will be no land acquisition. All proposed works are situated within the boundaries of the Project area.

2.5 A negative impact of the sub-project is the resettlement of 01 squatter on Stewart Street in order to construct a new sewer manhole. The said household will be offered a new flat of 400 sq ft in a multi-storey condominium with basic facilities, along with allowances for transport and emergency rental accommodation as per the Entitlement Matrix in the SMF.

2.6 Negative impacts also include partial damages to 02 structures. A house on Stewart Street is currently located on top of a sewer manhole. This manhole is to be permanently closed under the proposed interventions of the sub-project. Therefore, while partial damages are
expected in the floor area of this house it will be reconstructed to original/better condition by the Contractor, under the supervision of the CMC, and in consultation with the household. Rental and transport allowances will also be provided to the household as per the Entitlement Matrix. A wudu (ablution) tank belonging to a mosque, located on Stewart Street, will sustain minor damages during civil works (Figure 3). After construction work on the sewer line is complete this facility be will reconstructed to original/better condition by the Contractor, under the supervision of the CMC, and in consultation with the Mosque Management Committee.

**Figure 3: Ablution Tank on Stewart Street**

2.7 Finally, temporary disturbances to the surrounding community are expected during the construction period. Households will face issues such as dust and noise emanating from construction activities and difficulties in accessing their houses. Appropriate mitigation measures will be followed during construction; these are further explained in Chapters 4 and 5.
CHAPTER 3: 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 GoSL 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 polices. The NIRP is a statement of policy intention without specific rules and prescriptions to guide safeguards implementation. In this context, this A-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 implementation of this sub-project does 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 Improvements to Sewerage Distribution Network around Beira Lake does have linked activities due to the need to relocate 01 household.

3.6 An **Entitlement Matrix** 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 PIA making provisions for mitigating such impacts with compensation and R&R benefits in line with the Entitlement Matrix. This Matrix 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 Entitlement Matrix 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 Entitlement Matrix 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. The categories recognized in SMF as eligible for receiving entitlements are listed below.

- **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 Entitlement Matrix.
• **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 Entitlement Matrix.

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. **August 23, 2012.** 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 shown in Table 1:

<table>
<thead>
<tr>
<th>Period of Occupancy by Tenant</th>
<th>Percent of Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Tenant</td>
</tr>
<tr>
<td>More than 20 years</td>
<td>75</td>
</tr>
<tr>
<td>10-20 years</td>
<td>50</td>
</tr>
<tr>
<td>05-10 years</td>
<td>25</td>
</tr>
<tr>
<td>Less than 5 years</td>
<td>10</td>
</tr>
</tbody>
</table>

3.12 **R&R Benefits for Non-Title Holders:** The 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 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 that improvements have been made by such persons. This A-RAP refers specifically to 01 household that is to be relocated and 02 structures (household and religious) that will sustain minor damages due to the implementation of the sub-project, Improvement to Distributed Sewer Network around Beira Lake.

3.13 Under Improvements to Sewerage Distribution Network around Beira Lake, 01 squatter will be eligible for R&R benefits to offset the loss of a house. Meanwhile, 01 tenant will be eligible to receive rental and transport allowances for emergency temporary relocation and to have a partially damaged structure rebuilt to original/better condition by the MCUDP. A mosque authority will also be entitled to have its partially damaged structure rebuilt to original/better condition under the MCUDP.

3.14 The complete Entitlement Matrix of the SMF is provided in Table 2 below.

**Table 2: Entitlement Matrix**

<table>
<thead>
<tr>
<th>S.N.</th>
<th>Type of loss / disturbance</th>
<th>Definition of Affected Persons</th>
<th>Entitlement</th>
<th>Details</th>
</tr>
</thead>
</table>
| 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 “for affected land at replacement cost’ as per LAA
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.
1.1.4 Applicable interest on compensation amount for delay in payment of compensation calculated from the date of taking over land possession
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 cost |

2 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.

3 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.

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

5 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.
<table>
<thead>
<tr>
<th>S.N.</th>
<th>Type of loss / disturbance</th>
<th>Definition of Affected Persons</th>
<th>Entitlement</th>
<th>Details</th>
</tr>
</thead>
</table>
| 1.2  | Loss of tenancy/ profitable occupancy | Registered tenants and leaseholders, share-croppers | Compensation for standing crops, or income losses | 1.2.1  No compensation for the land.  
1.2.2 Three months’ advance notice to salvage crops OR, compensation for the same valued at market rate  
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. |

2. Residential Land and Structures

| 2.1 | Permanent and full loss private residential structure\(^6\) | Owner -occupants with title or other ownership documents recognized under the law | Compensation at replacement cost Resettlement & Rehabilitation Assistance | 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)  
2.1.2. Compensation for affected structure at replacement cost without deduction of any depreciation or salvageable materials,  
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 charges\(^7\) (depending on 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\(^8\)  
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 8000/month, whichever is higher.  
2.2.4. Right to salvage material from the demolished structure. |

---

\(^6\) 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.  
\(^7\) 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.  
\(^8\) Apportionment of compensation will be done for land and structure among the interested parties as per LAA.
<table>
<thead>
<tr>
<th>S.N.</th>
<th>Type of loss / disturbance</th>
<th>Definition of Affected Persons</th>
<th>Entitlement</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.3</td>
<td>Loss of rental accommodation</td>
<td>Legal Tenants/Lease Holders</td>
<td>Resettlement &amp; Rehabilitation Assistance</td>
<td>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. 2.3.4. Transportation allowance of LKR 5000</td>
</tr>
<tr>
<td>2.4</td>
<td>Loss of Residential Structure</td>
<td>Squatters</td>
<td>Resettlement and Rehabilitation Assistance</td>
<td>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 charges⁹ 2.4.2. Transportation allowance of LKR 5000 for vacating the old structure 2.4.3. Rental allowance @ LKR 8000 per month in case of emergency shifting until the offer of permanent relocation to condominium buildings 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)</td>
</tr>
<tr>
<td>2.5</td>
<td>Partial loss of residential land and structure</td>
<td>Owner-Occupants of residence with title or sale deed in their favour</td>
<td>Compensation Rehabilitation assistance</td>
<td>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); 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 2.5.3 Transportation allowance of LKR 5000</td>
</tr>
<tr>
<td>2.6</td>
<td>Same as above</td>
<td>Non-Resident Owners of Land and Structure with title</td>
<td>Compensation Rehabilitation Assistance</td>
<td>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); 2.6.2 Six months rental allowance as received for the previous month OR @ LKR 8000/month to compensate for loss of rental income from the property as income assistance.</td>
</tr>
</tbody>
</table>
| 2.7  | Loss of rental | Tenants/lessees/ | Rehabilitation | 2.7.1 Tenants/Lessees will have the

⁹ 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.
<table>
<thead>
<tr>
<th>S.N.</th>
<th>Type of loss / disturbance</th>
<th>Definition of Affected Persons</th>
<th>Entitlement</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>accommodation due to partial impact on structure</td>
<td>Protected tenants</td>
<td>assistance</td>
<td>option to continue to stay in the building in agreement with the owner; OR 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; 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 2.7.4 Transportation allowance of LKR 5000 in case the tenant/lessee is required to relocate.</td>
</tr>
<tr>
<td>2.8</td>
<td>Partial loss of residential structure</td>
<td>Squatters living in structures without title</td>
<td>Resettlement and Rehabilitation</td>
<td>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. 2.8.2 Transportation allowance of LKR 5000. 2.8.3 Rental allowance @ LKR 8000/month for six months to allow the affected family to relocate elsewhere and rebuild the affected structure 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.</td>
</tr>
<tr>
<td></td>
<td>Permanent and full loss of commercial property</td>
<td>Owner-Operator of registered business with title or sale deed in his/her favour</td>
<td>Compensation at replacement value Resettlement and Rehabilitation assistance</td>
<td>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) 3.1.2 Compensation for affected structure at replacement cost without deduction of any depreciation or salvageable materials, 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 ( 3.1.4 Transportation allowance of LKR 5000. 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). 3.1.6 Right to salvage material from the demolished structure, however, without permission to carry these to the new condominium unless approved.</td>
</tr>
<tr>
<td>S.N.</td>
<td>Type of loss / disturbance</td>
<td>Definition of Affected Persons</td>
<td>Entitlement</td>
<td>Details</td>
</tr>
<tr>
<td>------</td>
<td>-----------------------------</td>
<td>--------------------------------</td>
<td>-------------</td>
<td>---------</td>
</tr>
<tr>
<td>3.1.7</td>
<td>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.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.2</td>
<td>Same as above</td>
<td>Non-resident property owners with title</td>
<td>Compensation at replacement value</td>
<td>SAME as described in clauses 2.2.1 to 2.2.4 above</td>
</tr>
<tr>
<td>3.3</td>
<td>Loss of rental accommodation Same as above</td>
<td>Legal Tenants/ Lease Holders running business</td>
<td>Compensation Resettlement and Rehabilitation Assistance</td>
<td>3.3.1 Rental allowance of equivalent accommodation as determined by UDA, OR LKR 8,000/month for six months&lt;br&gt;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.&lt;br&gt;3.3.3 Apportionment of compensation for protected tenants and lessees if and as permitted under applicable laws.&lt;br&gt;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.</td>
</tr>
<tr>
<td>3.4</td>
<td>Loss of commercial structure</td>
<td>Squatters/ operators of business without title</td>
<td>Resettlement and Rehabilitation</td>
<td>3.4.1 Compensation for affected structure at replacement cost without deduction of any depreciation or salvageable materials,&lt;br&gt;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.&lt;br&gt;3.4.3 Transportation allowance of LKR 5000.&lt;br&gt;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.&lt;br&gt;3.4.5 Right to salvage material from the demolished structure, however, without permission to carry these to the new condominium unless approved&lt;br&gt;3.4.6 Assistance as per 3.1.7</td>
</tr>
<tr>
<td>3.5</td>
<td>Partial Loss of Commercial Property</td>
<td></td>
<td>SAME as benefits offered under 2.5.1 to 2.5.3 AND 3.1.7</td>
<td></td>
</tr>
<tr>
<td>3.6</td>
<td>Same as above</td>
<td>Non-resident owner of the property</td>
<td>Compensation</td>
<td>SAME as benefits offered under 2.6.1 to 2.6.2.</td>
</tr>
<tr>
<td>3.7</td>
<td>Loss of rental</td>
<td>Registered</td>
<td>Resettlement and Rehabilitation</td>
<td>SAME as benefits offered under 2.7.1 to</td>
</tr>
<tr>
<td>S.N.</td>
<td>Type of loss / disturbance</td>
<td>Definition of Affected Persons</td>
<td>Entitlement</td>
<td>Details</td>
</tr>
<tr>
<td>------</td>
<td>-----------------------------</td>
<td>-------------------------------</td>
<td>-------------</td>
<td>---------</td>
</tr>
<tr>
<td></td>
<td>accommodation</td>
<td>Tenants/Lessees</td>
<td>Rehabilitation Assistance</td>
<td>2.7.4 AND 3.1.7</td>
</tr>
<tr>
<td>3.8</td>
<td>Partial loss of commercial structure</td>
<td>Squatters operating business in structure without title deeds</td>
<td>Resettlement and Rehabilitation Assistance</td>
<td>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</td>
</tr>
<tr>
<td>3.9</td>
<td>Loss of Commercial Kiosks</td>
<td>Vendors operating kiosks with or without permission</td>
<td>Resettlement and Rehabilitation Assistance</td>
<td>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.</td>
</tr>
</tbody>
</table>

### 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\(^{10}\) | 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 scheme. 4.1.3 Housekeeping assignments at the resettlement sites and employment in civil works for this Project. 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. 4.1.5 Continuation of any welfare assistance given by State to the vulnerable families after relocation. 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. |

### 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 | 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. 5.1.2 Necessary traffic management measures for facilitating mobility 5.1.3 Special measures to provide access for continuing trade/business 5.1.4 In case of loss of access to business for over a week, financial |

---

\(^{10}\) 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.
<table>
<thead>
<tr>
<th>S.N.</th>
<th>Type of loss / disturbance</th>
<th>Definition of Affected Persons</th>
<th>Entitlement</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>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.</td>
</tr>
<tr>
<td>5.1.5</td>
<td>The contractor shall bear the compensation cost of any impact on structure or land due to negligent movement of machinery during construction or establishment of construction plant, as per standard contract provision.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.1.6</td>
<td>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.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.1.7</td>
<td>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.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.1.8</td>
<td>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</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.1.9</td>
<td>Legal provisions for ensuring equal wages for men and women working at project construction sites and preventing child labour.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.1.10</td>
<td>Measures as necessary to deal with any other emergent impacts.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Loss of Community Infrastructure/Common Property Resources</td>
<td>6.1 Loss of cultural properties</td>
<td>Affected communities and groups</td>
<td>Reconstruction of community structure and common property resources</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6.1.2 Assistance of LKR 3000 – 20000 to cover cost of exhumation including any religious ceremonies required, accordingly to prevailing customs, as decided by the LARC.</td>
</tr>
<tr>
<td>6.2</td>
<td>Loss of social and civic facilities</td>
<td>Affected communities; User groups</td>
<td>Rehabilitation of the affected facility</td>
<td>6.2.1 Reconstruction of the civic, social service facility in consultation with the managing trustees and the host community as appropriate.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6.2.2 Provision of temporary services during civil work to avoid inconvenience to the user group.</td>
</tr>
</tbody>
</table>
CHAPTER 4: ANTICIPATED ADVERSE IMPACTS AND MITIGATION MEASURES

4.1 As shown in Table 3 key negative impacts include resettlement of a squatter household, partial damage to two structures, and temporary construction issues. The squatter households will be offered a new house along with allowances for transport and emergency rental accommodation. The two damaged structures will be rebuilt to original or better condition. Temporary issues will be mitigated through proper mitigation measures during construction and in line with the Bank’s EHS guidelines provided in the Environment Management Framework (EMF). These are in line with the entitlements for Affected Persons detailed at Items 2.4, 2.8, 5.0, and 6.1 in the Entitlement Matrix.

4.2 The list of names and identification details of Affected Persons is not included in this A-RAP. The A-RAP will be publicly disclosed and there is a need to ensure privacy and confidentiality for those affected. However, the list and personal information files for these persons will be made available at the PMU for internal reference.

4.3 The CMC, which is the PIA responsible for the design and implementation of this sub-project, has taken several measures to minimize impacts such as exploring alternative designs and choosing least impacting alternatives. Responsibilities for carrying our mitigation measures are vested with the CMC, PMU, the Contractor to whom the works contract is awarded, and the UDA (Table 3).

Table 3: Details of Impacts and Mitigation Measures

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Affected Person</th>
<th>Impact</th>
<th>Construction Detail</th>
<th>Entitlement / Mitigation Measure</th>
<th>Responsible Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Squatter household</td>
<td>Loss of Residential Structure</td>
<td>Construction of new sewer manhole</td>
<td>• 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 charges • Transportation allowance of LKR 5000 for vacating the old structure • Rental allowance @ LKR 8000 per month in case of emergency shifting until the offer of permanent relocation to condominium buildings • Right to salvage building materials (use of old materials will not be permitted at new sites where these will affect condominium living)</td>
<td>• UDA • PMU</td>
</tr>
<tr>
<td>2</td>
<td>Owner-Occupant of residence with title in her favour</td>
<td>Partial loss of residential structure</td>
<td>Permanent of existing sewer manhole</td>
<td>• Rebuild the structure to original or better condition • Rental allowance @ LKR 8000/month for up to six months to allow the affected family to relocate elsewhere during construction • Transportation allowance of LKR 5000</td>
<td>• Contractor • CMC • PMU</td>
</tr>
<tr>
<td>3</td>
<td>Community / User Group</td>
<td>Minor damage to religious property</td>
<td>Construction of new sewer line</td>
<td>• Reconstruction of structure to original/better condition by Contractor, in consultation with the Mosque Management Committee.</td>
<td>• CMC • Contractor</td>
</tr>
<tr>
<td>4</td>
<td>Community</td>
<td>Temporary adverse impacts of civil works (access, safety hazards, mobility, noise/dust)</td>
<td>Construction and rehabilitation of sewer network</td>
<td>• 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. • The contractor shall bear the compensation cost of any impact on structure or land due to negligent movement of machinery during construction or establishment of construction plant, as per standard contract provision. • 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.</td>
<td>• CMC • Contractor</td>
</tr>
</tbody>
</table>

4.4 **Contractors Compliance on Social Safeguard Measures**: The Contractor will be accountable for his responsibility to act on the following specific mitigation measures. These are listed in the bidding document provided to the Contractor under the section ‘Employer’s Requirements’. The Social Development Officer (CMC) and Social Specialist (PMU) will closely monitor safeguards compliance by the Contractor.

- Contractor shall adhere to relevant labour laws of Sri Lanka, minimize need for labour camps by recruiting local labour, maintain health/sanitation in labour camps.
- Contractor shall coordinate with Project Manager and arrange for temporary shifting and reinstating of utility services without causing undue inconveniences to the public.
- Contractor’s workshops, material storage areas and other working areas shall be fenced off from the public.
- Contractor shall ensure that heavy machinery and material hauling vehicles do not unduly obstruct private access and private roads.
- When work is to be carried out in public areas, Contractor shall use barricade tape to prevent entry to such working areas and erect suitable warning signs.
- Contractor shall make arrangements to ensure that the public in surrounding areas is not inconvenienced by dust and noise due to construction work.
- Contractor shall arrange for work to be executed during daytime whenever possible and carry out any night time work under approval of the Project Manager.
- Contractor shall not use heavy vehicles in residential areas and narrow public lanes.
CHAPTER 5: 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 Key institutional arrangements for implementing this A-RAP will include: (a) Social Management Cell at the PMU, (b) 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, (c) Steering Committee, which has already been established comprising relevant government departments, to review progress and ensure implementation coordination at the highest level.

5.3 The MoDUD has hired a full-time Social Specialist to reinforce the social management capacity in the PMU. The PMU has hired a Social Development Officer (SDO) who is stationed at the CMC and monitors the implementation of social safeguards in MCUDP sub-projects under the purview of the CMC.

5.4 Linking Social Management Actions to Civil Works: Based on the SIA and RAPs, consultations will be held with the Affected Persons 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 Project Manager of the CMC will certify that the necessary actions have been completed as per this A-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.

5.5 Consultation and Disclosure: This A-RAP was prepared through consultations with the Affected Persons. Consultations were 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 A-RAP. A total of 15 consultations with 04 APs and other informal consultations with the community were held during the period June 2012-April 2013. Further consultations will be held prior to and during the construction period.

5.6 This A-RAP was finalized based on the SIA (census survey) of APs held on August 23, 2012. The RAP will be disclosed on the MoDUD website, whereas key information (e.g. commencement of civil works, awareness of construction activities, road closure updates, etc.) will be disclosed through media depending on the requirement. The eligibility lists, entitlements, implementation schedule, etc. will be disclosed at the field level. Relevant MCUDP and specific sub-project documents will be made available for public reference at the Public Information Centre at the PMU. The Executive Summary of the A-RAP will be available in Sinhala and Tamil Languages.
5.7 Grievance Redress Mechanism (GRM) Disclosure: The Social Management Framework provides for 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. Further, external mechanisms, namely “Samatha Mandal” 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) to hear and resolve complaints unresolved by GRCs operating in the Project.

5.8 The Independent Grievance Panel (IGP) has been established with representatives from Ministry of Land and Land Development, Ministry of Child Development & Women’s Affairs, Department of Valuation, and a Lawyer. A representative of Civil Society and a retired Civil Servant of the rank of a Secretary of the GoSL will be included in this Panel in due course. A Land Acquisition & Resettlement Committee (LARC) has also been established comprising the Project Director (MCUDP), a representative from the Ministry of Land and Land Development, a Valuer nominated from the Valuation Department, and the Social Specialist (PMU). The Project Manager (CMC) will join this LARC. A GRC is yet to be established at the CMC common to all sub-projects. The proposed GRC will comprise the Deputy Municipal Commissioner, CMC, SDO, Chairman of the LRC, Grama Niladhari, and 02 beneficiaries.

5.9 For this sub-project, the LRC will not be activated since only one household will be relocated. However, the community will be notified to directly approach the SDO of the CMC for registering their grievances at the first level of appeal. If they are not satisfied, they can further appeal to LARC, 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.

5.10 Table 4 below indicates the arrangements for implementing measures for minimizing social impacts before, during, and after construction.

Table 4: Implementation Arrangements

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Mitigation Measure</th>
<th>Timing</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Notice of civil works at site</td>
<td>1 month before construction</td>
<td>CMC</td>
</tr>
<tr>
<td>2</td>
<td>Consultation with Affected Persons to</td>
<td>As above</td>
<td>CMC and Social Development Officer (PMU)</td>
</tr>
<tr>
<td></td>
<td>discuss and mitigate any inconvenience</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Transport and rental allowances for emergency relocation to 02 households</td>
<td>Before construction</td>
<td>PMU</td>
</tr>
<tr>
<td>4</td>
<td>Permanent relocation of 01 household</td>
<td>Within 6 months of</td>
<td>UDA</td>
</tr>
<tr>
<td></td>
<td></td>
<td>temporary relocation</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Proper signage and safety barricades at site</td>
<td>As above</td>
<td>Contractor, Monitored by CMC</td>
</tr>
<tr>
<td>6</td>
<td>Rebuild 02 structures (floor of 01 house and ablution tank of 01 mosque) to original/better condition</td>
<td>During construction</td>
<td>Contractor, Monitored by CMC</td>
</tr>
<tr>
<td>7</td>
<td>Consultation with APs to monitor mitigation measures</td>
<td>During construction</td>
<td>CMC and Social Development Officer (PMU)</td>
</tr>
<tr>
<td>8</td>
<td>Provision of alternative access to community wherever possible</td>
<td>During construction</td>
<td>CMC</td>
</tr>
<tr>
<td></td>
<td>Watering to prevent dust</td>
<td>During construction</td>
<td>Contractor, Monitored by CMC</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------</td>
<td>---------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>10</td>
<td>Consultation with community to monitor implementation of safeguards</td>
<td>After construction</td>
<td>CMC and Social Development Officer (PMU)</td>
</tr>
<tr>
<td>11</td>
<td>Monitoring of post-resettlement well-being of household</td>
<td>After construction</td>
<td>Social Development Officer (PMU), UDA</td>
</tr>
</tbody>
</table>
CHAPTER 6: MONITORING AND EVALUATION

6.1 According to the SMF the PMU will hire external consultants/NGO for providing need-based implementation support to the PIAs and for carrying out independent monitoring and quality assurance. The Project will be 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 Since the negative impacts under the Improvement to Distributed Sewer Network around Beira Lake are minimal a separate Monitoring & Evaluation (M & E) Unit is not required.

6.3 M & E will be carried out at two levels, at the PMU level and the CMC level. The PMU has recruited a Social Specialist to undertake the M & E of social safeguards management, including the implementation of this A-RAP, to ensure that safeguards issues are sufficiently mitigated as per the SMF. The Social Development Officer of the PMU, who is stationed at the CMC, will monitor safeguard implementation at the field level. This includes monitoring the Contractor’s social safeguard obligations and delivery of entitlements to APs as per this A-RAP.

6.4 As adverse impacts are minimal, internal monitoring would suffice and there will be no need for external monitoring under this particular sub-project.

Reporting

6.5 The Social Specialist (PMU) will be responsible for monitoring and reporting on the overall progress of the implementation of this A-RAP. The CMC, assisted by the Social Development Officer, will be responsible for reporting on field level status of A-RAP implementation.

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

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

6.7 The reports will be in a standardized format so that information received could be easily compared with previous reports. They should be precise, concise and 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 more detail.

6.8 The PMU will organize Progress Review Meetings chaired by the Secretary, MoDUD, or Project Director, MCUDP, that involve the Contractor, Implementing Agency, and World Bank. The implementation status and progress of the sub-project will be reported by relevant parties at such meetings.
CHAPTER 7: COST ESTIMATION FOR SOCIAL MANAGEMENT

7.1 As detailed in previous Chapters of this A-RAP land acquisition is not involved and only 01 household requires resettlement under the proposed Improvements to Sewerage Distribution Network around Beira Lake. The cost for social management under this sub-project is therefore minimal.

7.2 Table 5 reflects on associated costs for implementation of social safeguards under this sub-project. The relocation of the abovementioned household will be undertaken by the UDA. The MCUDP will only bear the costs associated with provision of transport and emergency rental allowances to this household. There will also be costs associated with transport and emergency rental allowances for the temporary shifting of another household. Expenses related to reconstructing damaged structures and temporary impact mitigation measures will be borne by the Contractor. The bidding documents will clearly state these facts.

7.3 Additionally, Table 5 includes estimates for salaries of social safeguard officers involved for the duration of the sub-project and for costs of conducting consultations, disseminating information, and reporting.

Table 5: Cost Estimate for Social Management

<table>
<thead>
<tr>
<th>Activity</th>
<th>Unit Rate (LKR)</th>
<th>Nos.</th>
<th>Total Cost (LKR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport allowance</td>
<td>5,000</td>
<td>2</td>
<td>10,000</td>
</tr>
<tr>
<td>Emergency rental allowance for 01 household for up to 6 months (or less if permanent relocation occurs earlier)</td>
<td>8,000</td>
<td>6</td>
<td>48,000</td>
</tr>
<tr>
<td>Emergency rental allowance for 01 household for 2 months</td>
<td>8,000</td>
<td>2</td>
<td>16,000</td>
</tr>
<tr>
<td>Monitoring and supervision cost (salaries of 02 social safeguard officers for 8 months)</td>
<td>150,000</td>
<td>8</td>
<td>1,200,000</td>
</tr>
<tr>
<td>Consultation, information dissemination, and reporting costs</td>
<td>-</td>
<td>-</td>
<td>50,000</td>
</tr>
<tr>
<td>Sub-Total</td>
<td>-</td>
<td>-</td>
<td>1,324,000</td>
</tr>
<tr>
<td>Add 5% administration cost</td>
<td>-</td>
<td>-</td>
<td>66,200</td>
</tr>
<tr>
<td>Add 5% Contingency total</td>
<td>-</td>
<td>-</td>
<td>66,200</td>
</tr>
<tr>
<td>TOTAL</td>
<td>-</td>
<td>-</td>
<td>1,456,400</td>
</tr>
</tbody>
</table>
ANNEX: LAYOUT DRAWINGS