

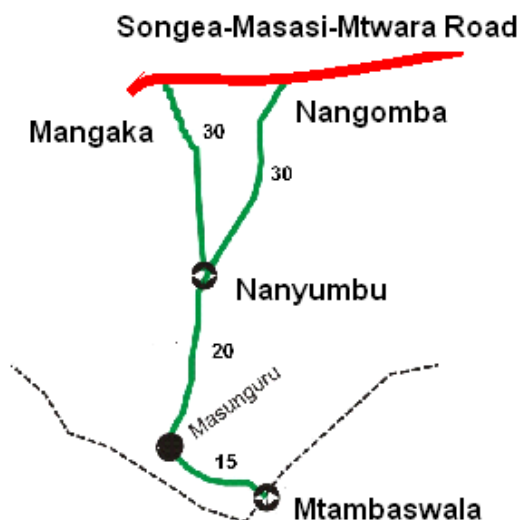
THE UNITED REPUBLIC OF TANZANIA
MINISTRY OF WORKS



TANROADS
REGIONAL MANAGER'S OFFICE - MTWARA

REVIEW AND UPDATING OF ENVIRONMENTAL AND SOCIAL
IMPACT ASSESSMENT, ECONOMIC VALUATION AND COST
ESTIMATES FOR THE UPGRADING OF MANGAKA – NANYUMBU –
MTAMBASWALA
ROAD (65.5km) TO BITUMEN STANDARD

**RESETTLEMENT ACTION PLAN
(RAP)**



Consultant: UWP Consulting (T) Ltd P. O. Box 25549, Dar es Salaam
November 2011

EXECUTIVE SUMMARY

Project Background

The Government of the United Republic of Tanzania has requested a loan from the African Development Bank (ADB) and the Government of Japan for the construction works for Mangaka – Mtambaswala road from Km 00.00 to Km 65.50

The ADB/JICA has indicated an interest to finance the upgrading works for the Mangaka – Tunduru road together with the Mangaka - Mtambaswala road. In preparation for the funding with respect to the Mangaka – Mtambaswala road, the ADB/JICA have required update of cost estimates, updating of economic analysis, amendment of the environmental and social impact assessment report and updating of Resettlement Action Plan that were prepared for the subject road which were prepared by the consultant M/S UWP Consulting Tanzania Ltd in July 2009.

The Regional Manager, TANROADS Mtwara, commissioned Consultant M/S UWP Consulting Tanzania Ltd to update of cost estimates, updating of economic analysis, amendment of the environmental and social impact assessment report and updating of Resettlement Action Plan.

The main objective of the assignment is to update the Resettlement Action Plan (RAP) of March 2011 to be compliant with the ADB and JICA's requirements and the National Land Acts No.4 and No.5 of 1999.

The update exercise shall cover but not limited to the following activities:

- Update of the baseline information along the project road;
- Update of the properties to be affected within the 45 m road reserve;
- Review of the ADB, JICA and national policies, legislation and guidelines related to Resettlement Action Plan ;
- Update of the mitigation measures for resettlement and related costs for implementation of the mitigation measures
- Update the costs of implementation Resettlement Action Plan.

Description of the Project

The project road is located at Nanyumbu District in Mtwara Region, southern part of Tanzania. It connects the Umoja Bridge at Mtambaswala and the Mtwara Corridor Road Project (Mtwara – Masasi - Tunduru - Songea - Mbinga - Mbamba Bay Road Project) at Mangaka junction. Both the Mangaka – Nanyumbu –Mtambaswala Road Project and the Mtwara Corridor road project when completed will link Tanzania and the Republic of Mozambique as well as the Indian Ocean at Mtwara with Lake Nyasa on the other side at Mbamba Bay and it will also link the Njombe - Makambako - DSM/or Mbeya Road in Songea town.. This will facilitate interstate trade with neighboring countries of Zambia, Malawi, and Mozambique. The road will also facilitate the movement of people and transportation of agricultural inputs and products from different areas including Nanyumbu, Masasi, Mbinga, Songea, Njombe, Makambako, Dar es Salaam, Tunduru, Mtwara and other places.

Public Consultation

During the consultative meetings conducted in all villages along the proposed road project, the communities aired their views and concerns are summarized below:

S/N	Issues/Comment	Remarks
1	People should be educated on the utilization of the cash compensated for the proper allocation of the resource.	The aim is to provide the education on the utilization of compensated funds so as to improve their livelihood and standard of livings, and to avoid the people to re-encroach the ROW.
2	Compensation should be done in time not more than six months after valuation of people's properties. The PAPS preferred cash compensation instead of in-kind compensation	To avoid the fluctuation of the price for the properties evaluated, the compensation will be implemented as soon as possible.
3	Village governments in collaboration with Nanyumbu District Council should engage to assist the PAPs in acquiring the land for construction.	Many individuals and village governments have enough reserved lands for those who will be landless.
4	Employment (Labourers): The contractor should give the priority of employment to the people hailing from the villages along the project site during the construction. The villagers may be involved in some activities as labourers during construction phase.	Employment opportunities should only be provided to those people aged 18 years and above. All guests who come to the village should report to the village authority and be permitted to settle in the village. This will reduce the number of crime incidences. The women are also encouraged to participate in the road construction activities
5	There will be the environmental degradation to allow the upgrading of the road. Many trees like mangos, cashew nuts, and other exotic trees, will be destructed. Special attention should be paid to replace them.	The environment should be restored as per requirement of EIA Guidelines and Regulations of 2005. During construction trees shall only be uprooted when it is absolutely necessary in which case the contractor shall seek permission to do so from the Engineer. The contractor in collaboration with the respective village's environment committees should engage in the deforestation and reforestation process.

S/N	Issues/Comment	Remarks
6	There will be spread of HIV/AIDS and other sexually transmitted infections:	<p>The contractor should implement HIV/AIDS program. Cost for this activity is included in the bidding documents. Also, religious leaders have a role to build the moral behavior amongst their fellows.</p> <p>The contractor is required to conduct relevant awareness seminars and campaigns through village committees for health on HIV/AIDS during construction phase.</p>
7	During road construction there will dust problems.	The contractor is responsible to sprinkle water during the construction process as per requirement of ESMP.
8	Diversion roads: These roads should be constructed and used if feasible to prevent the traffic jam because of roadwork.	Detour routes are recommended in the areas where traffic is high. The contractor will propose its procedure for passage and control of traffic for approval of the Engineer
9	TANROADS must check it and ensure the entire workforce at the construction site is well covered by appropriate insurance policies. Also, first aid should be provided at work as per requirement of CRB.	It is illegal to practice the construction activity without working gears and insurance for all people in the construction industry. This is according to the CRB and Ministry of labour requirements.
10	Proper consultations and legal methods should be used in acquiring borrow pits and /or stone quarries. Proper reinstatement should be made once the gravel is depleted. However, the management authority should be conferred to the respective village governments to increase the income of the villagers as well as village/ <i>mitaa</i> governments' revenue	The recommendation will be observed. Contractor is not allowed to exploit any new borrow pit or quarry site before it has been compensated for. At the end of project the contractor is require to reinstate such materials source.
11	It is feared that the tarmac road will claim people's lives through accidents. It was recommended to use speed humps to the places	Road safety education and road signs should be instituted. The construction and operation should be

S/N	Issues/Comment	Remarks
	where there are many pedestrian such as at schools, markets at villages and mosques/churches.	as per requirement of ESMP.
12	The road will guarantee easy accessibility and therefore more physical development and investment opportunities. There will be relatively low transport and transportation costs and traveling time saving for passengers and goods	This the main objective of the project
13	The project will be a pioneer for towns and village growth. These towns should be assisted by the government in planning (e.g. land use and plot surveying) in order to curb/cut back/limit/control unplanned growth of settlements.	The recommendation is acceptable. Village governments should consult district town councils for guidance on planning
14	The deaths of pregnant women will decrease during the road operation phase as there will be easy accessibility of road to the health centers and hospitals.	It is true
15	The bus bays/stops should be placed in the areas where passengers do wait the transport to other destinations.	The bus bays will be provided in consultation with village leaders
16	The local people should be involved in the selection of the camp sites. The idea is to use the structures for public services e.g. schools or village office at the end of the project construction phase.	The campsites should be located in location where at the end of the project construction they will carter for public use like school or dispensary (if this is agreed in advance with contractor/Employer)
17	The villagers were happy with the project and want the road upgrading to commence as soon as possible.	The project should be implemented effectively as scheduled.

Development of Resettlement action Plan

In developing the Resettlement Action Plan, the Consultant was required to visit inspect and value all the properties to be affected by the upgrading of Mangaka – Nanyumbu - Mtambaswala road Project. In accordance with the ToR provided by the Client, the properties to be evaluated were categorized as those properties to be affected within 45 m corridor of the new road.

In valuing properties along the Mangaka – Nanyumbu - Mtambaswala Road, the Replacement Cost Method of Valuation has been adopted as indicated before, this method is sometimes known as the Contractors Test Method of Valuation. In this method, the value of an asset is determined by reference to the cost of replacing or reinstating it (as new) or that of its substitute. Where the asset/property is not new the replacement cost is then depreciated to derive at depreciated replacement cost which is equivalent to a **market Value**.

The depreciation factor reflects the accumulated obsolescence which the asset has suffered as a result of passage of time, use abuse, change in taste, technological wear and tear and any other factors that may adversely affect the continue running/ using it compared to similar new assets. Such accumulated obsolescence could be a result of physical, economical, functional or social factor. This method is generally used to value properties which do not change hands in the market very often of which there is no comparable sale

Based on the valuation survey, it is estimated that out for 940 properties inclusive of houses, trees and crops that will be affected by the project road. According to valuation report and other estimated to cover vulnerable group, monitoring and 10% contingencies, the cost for implementing RAP is tuned to Tsh **3,194,245,311.00**.

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LIST OF ABBREVIATIONS

GoT	Government of the United Republic of Tanzania
MOW	Ministry of Works
TANROADS	Tanzania National Roads Agency
ADB	African Development Bank
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
ESIA	Environmental and Social Impact Assessment
EMP	Environmental Management Plan
JICA	Japanese International Corporation Agency
RAP	Resettlement Action Plan
PAP	Project Affected Person
ToR	Terms of Reference
IR / PR	Inception Report / Progress Report
RoW	Right of Way
BoQ	Bill of Quantities

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The Project Engineer and the Regional Manager TANROADS Mtwara are fully appreciated for their inputs and keen interest during the execution of the assignment.

Last but not least, the team thanks the villages' leaderships and local communities for their cooperation and assistance.

1.0 INTRODUCTION

1.1 Project Background

The Government of the United Republic of Tanzania has requested a loan from the African Development Bank (ADB) and the Government of Japan for the construction works for Mangaka – Mtambaswala road from Km 00.00 to Km 65.50

The ADB/JICA has indicated an interest to finance the upgrading works for the Mangaka – Tunduru road together with the Mangaka - Mtambaswala road. In preparation for the funding with respect to the Mangaka – Mtambaswala road, the ADB/JICA have required update of cost estimates, updating of economic analysis, amendment of the environmental and social impact assessment report and updating of Resettlement Action Plan that were prepared for the subject road which were prepared by the consultant M/S UWP Consulting Tanzania Ltd and was completed in July 2009.

The Regional Manager, TANROADS Mtwara, commissioned Consultant M/S UWP Consulting Tanzania Ltd to update the cost estimates, economic analysis, and amendment of the environmental and social impact assessment report and updating of Resettlement Action Plan.

1.2 Objective of Assignment

The main objective of the assignment is to update the Resettlement Action Plan (RAP) of July 2009 to be compliant with the ADB and JICA's requirements and the National Land Acts No.4 and No.5 of 1999.

The update exercise shall cover but not limited to the following activities:

- Update of the baseline information along the project road;
- Update of the properties to be affected within the 45 m road reserve;
- Review of the ADB, JICA and national policies, legislation and guidelines related to Resettlement Action Plan ;
- Update of the mitigation measures for resettlement and related costs for implementation of the mitigation measures; and
- Update the costs of implementation Resettlement Action Plan.

1.3 Methodology

Among others, the methodologies applicable to develop the Resettlement Action Plan included:

- (i) Conducting socio-economic Survey

The development of Resettlement Action Plan was developed after conducting socio-economic survey; census and interviews in all settlements within the Right of Way (ROW) for the proposed road alignment. A team comprising of a Land Valuer, Resettlement Specialist (Sociologist), Environmentalist and Engineers from UWP

Consulting were responsible for updating the Resettlement Action Plan developed in May 2009 up to mid of June 2009. The purpose of the Socio- economic study was to collect baseline data within the project targeted areas thereby enabling the social assessment of the potential affected populations/communities. Furthermore, a comprehensive census was carried out to identify potentially affected people on the individual and household levels, vulnerable groups (women, children, the elderly, female headed households, etc).

The social-economic survey focused on identification of stakeholders (demographic data), the participation process, identification of the affected people and their property and their production systems, the institutional analysis and the systems for monitoring and evaluation of resettlement issues.

(ii) Conducting Literature review

The development of the Action Plan was also complemented by reviewing the existing literatures related to the resettlement and road development. The literature review involved the identification of the applicable legal and administrative frameworks and policies of the United Republic of Tanzania, and the ADB and JICA on resettlement and compensation requirement and mechanism towards compensation. The purpose of the review was to:

- Review legal and policy framework on compensation and resettlement
- Harmonize differences in resettlement and compensation guidelines between the government of Tanzania policy and the ADB and JICA Guidelines
- Establish land tenure regime in Tanzania and in the project area
- Review land use and management institutions in Tanzania

In this respect, among others, the following documents were reviewed: Tanzania Constitution, Road Act, 2007, Local Government Acts, 1984, Land and Village Land Acts 1999 and any relevant national policies and laws. The review also covered the ADB guidelines on involuntary resettlement and JICA environmental and social considerations.

(iii) Conducting Field visits

The literature review was followed by field visits to identify the properties to be affected by the project. During the field visits the following tasks were performed:

- Observation of social and physical setting of the area;
- confirmed the structures within the Right of Way (ROW) and their distance from the proposed road centerline;
- Held interviews and discussions with officials from the project region and local government including village officials; and
- Held interview with the affected people and other community members in the project area; and
- Observed people's activities and learnt their perception on the proposed project.

(iv) Conducting Stakeholders Consultation

Also various institutions concerned with resettlement along the project road were consulted. This includes, Mtwara Regional Administration, TANROADS Mtwara Region, Nanyumbu District Councils, Village governments and NGOs/CBOs

2.0 POTENTIAL IMPACTS

2.1 Introduction

This section assesses the key impacts of the Project relating to involuntary resettlement, aligned with impact identification incorporated in the Project's Environmental and Social Impact Assessment and Environmental and Social Management Plan. In the analysis there is recognition that social, economic and biophysical impacts are inherently and inextricably interconnected. A change in one domain may trigger impacts across other domains, and there are iterative or flow-on consequences within each domain.

2.2 Positive Impacts

Short-term benefits will be presented through Project developments, particularly employment opportunities offered during the planning and construction phases of the Project works, through:

- Employment for the direct construction workforce; and
- Contractual and work-related opportunities in the provision of direct support services to the construction works (procurement of goods and services). The economic benefits of the Project will, in turn, have economic spin-offs for the broader community, and to the zone and region as a whole. Women and youth will be able to provide food services along the road during construction period.

2.3 Negative Potential Impacts

The direct negative impacts of the Project include: the possibility of involuntary relocation; the loss of land-holding and privately owned assets, including productive resources (such as crops and trees) and structures on the land; the loss of communal resources and assets; impacts on the subsistence/ livelihoods and income-earning capacity of those affected; the loss of access to and/or increased pressure on existing services and facilities; and changes in movement patterns. Less direct affects include: impacts on social groups and social behaviour; and the vulnerability of some social categories as a result of the Project.

The consultant has identified the project components or activities that may result in the displacement of population. The term "displaced population" refers to persons who will be affected in any of the following ways:

- Loss of their house or shelter;
- Loss of their productive assets;
- Loss of their income sources or means of livelihood/ renters;
- Loss of access to resources and social services

It should be noted that all affected property owners within road reserve area are supposed to be resettled. This is so because the road alignment is following the existing alignment, there is no bypass or diversion.

The RAP has been prepared in accordance with policies and guidelines of AfDB/JICA Environmental and Social Consideration Guidelines. The consultant has realized that JICA and AfDB guidelines are somehow similar to World Bank Environmental Safeguard Policy. This RAP, although is presented as a separate document, should be considered as an integral component of the ESIA and Environmental Management Plan prepared for the project.

Since RAP preparation has been guided by AfDB/JICA Guidelines and National laws, the consultant has avoided as much as possible the impacts of resettlement by applying several measures which are discussed in this report.

Among others, the negative impacts of the Resettlement are:

(a) Loss of assets

In the implementation of the proposed road, it is estimated that, 940 Project Affected Persons (PAPs) will be resettled. This is in accordance with the valuation report prepared concurrently with the development of Resettlement Action Plan. These PAPs are mainly found within 22.5 metres from the road center line in 9 villages along the proposed road. The properties to be affected are indicated in Table 2-1 below:

The PAPs have been categorized according to the type of assets affected:

- Residences
- Businesses (shops, kiosks, restaurants etc)
- Crops/Trees/Land
- Fences
- Community Structures (Mosques, Offices, Dispensary, Godown, water collection points and school)

Table 2-1: PAPs in the RoW (45 Meters)

Type of Affected Property	Total Affected properties Mangaka Mtambaswala Road Section
Boundary fence	1
Godown	2
Kiosk	22
Restaurant	2
Commercial/Shop	17
Residence	472
Mosque	6
Office	3
Dispensary	1
Water well	1
Crops/trees/land	401
Institutional Residential Houses	6
Primary School	1
Sign Board	5
Total	940

Source: Updated Valuation Report 2011.

(b) Loss of access to social services

Similar to the accessibility to productive sources, the preparation of RAP has considered minimising the impact of all the social services whenever possible either by diverting the road alignment. For example the water points, graveyards, religious structure located closer to the road were avoided as much as possible by road realignment to avoid affecting them. Those public services which could not be avoided are listed in the Table 2-1 above. These structures will be compensated to facilitate the construction of the new ones. No public structure will be demolished without compensation. However, it is expected that as one of the mitigation measure in the ESMP the contractor will be instructed to replaces the services before the construction of the road starts to reduce the impacts on the service users.

(c) Relocation

It is expected that the social impacts resulting from relocation will be small because 99.9% of all affected people prefers cash compensation and not in kind.

86% want to remain in their present villages within their own plots. Those who do not have enough land to accommodate them are planning to acquire land within the same village

3.0 DESCRIPTION OF THE PROJECT, PROJECT AREA AND AREA OF INFLUENCE

3.1 Introduction

The project road is located at Nanyumbu District in Mtwara Region, southern part of Tanzania. It connects the Umoja Bridge at Mtambaswala and the Mtwara Corridor Road Project (Mtwara – Masasi - Tunduru - Songea - Mbinga - Mbamba Bay Road Project) at Mangaka junction. Both the Mangaka – Nanyumbu –Mtambaswala Road Project and the Mtwara Corridor road project when completed will link Tanzania and the Republic of Mozambique as well as the Indian Ocean at Mtwara with Lake Nyasa on the other side at Mbamba Bay and it will also link the Njombe - Makambako - DSM/or Mbeya Road in Songea town. This will facilitate interstate trade with neighboring countries of Zambia, Malawi, and Mozambique. The road will also facilitate the movement of people and transportation of agricultural inputs and products from different areas including Nanyumbu, Masasi, Mbinga, Songea, Njombe, Makambako, Dar es Salaam, Tunduru, Mtwara and other places.

Nanyumbu District has one constituency namely Nanyumbu. The district has 3 divisions, 12 wards, 77 registered villages and 460 hamlets. According to National population and Housing Census undertaken in 2002-population census, the total population of the district was 133,776 people out of this 64,333 were males and 69,443 were females. The population growth rate is 2.1% and population density is 53 per sq. km. with a per capita income of Tshs.314,335 as compared to the National level of Tshs. 442,572 per head.

The Mangaka - Nanyumbu - Mtambaswala road is located in Nanyumbu District. The road starts at Mangaka Village (The headquarters of Nanyumbu District) at the junction to Masasi – Tunduru Road and passes through the following villages; Nahawara, Mkohora, Chipuputa, Namasogo, Maneme, Nanyumbu, Chungu, Masuguru and Lukula and ends at Mtambaswala sub village.

3.2 Project Location

The project is located in Mtwara Region in a new district of Nanyumbu. It branches off the Mtwara – Masasi – Songea – Mbamba Bay Trunk Road at Mangaka and passes through several villages leading to Ruvuma River where the UNITY BRIDGE has been constructed at Mtambaswala to join the Republic of Mozambique¹. [While Figure 2-1 illustrates the road network for Mtwara Region and showing the location of the road project, Figure 2-2 illustrates the location of Mtwara Region in relation to Tanzania.]

¹ From the UNITY BRIDGE the road will also form access to other places in Mozambique (Negomani settlement 3km, Mwenda – 170km), Pemba: provincial Headquarters - 480km, and Maputo (3,000km).

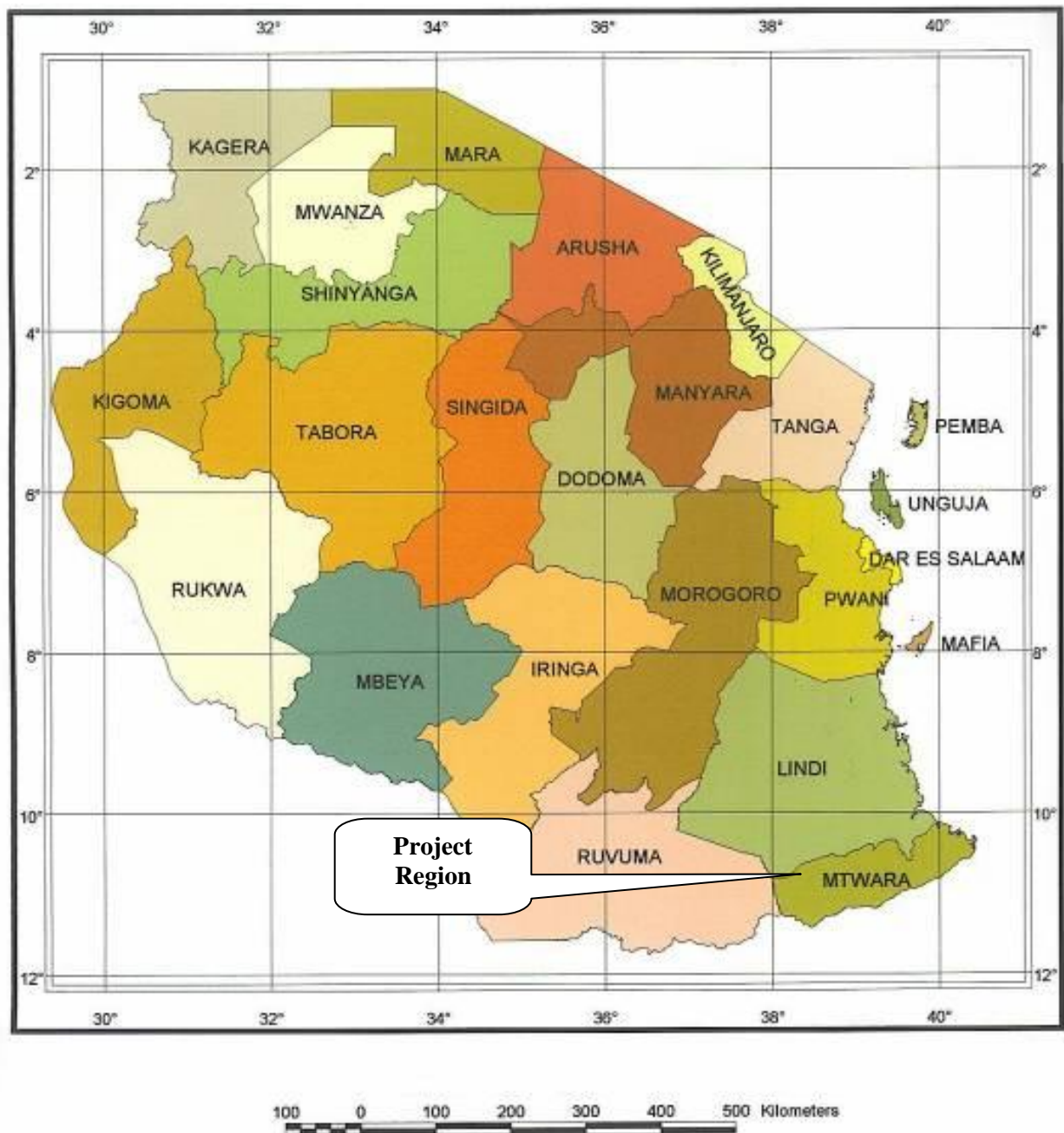


Figure 3-2: The Regional administrative set up: showing project positioning

3.3 Road Alignment

The proposed upgrading will follow the existing road alignment as far as practicable and the design standards are complied with. The proposed road alignment will traverse villages of Mangaka, Nahawara, Mkohora, Namasogo, Nanyumbu, Chungu and Lukula. However, some re alignments have been necessary in Chipuputa,

Maneme and Masuguru. In Mangaka there will be a weigh bridge and a round about affecting additional properties.

The geometric design has been carried out according to the principles, guidelines and specific requirements of the Ministry of Works (MOW Draft Road Manual (1989 Edition) where necessary by the Southern African Transport and Communication Commission (SATCC) Draft Code of Practice for the Geometric Design of Trunk Roads of September 1988. No extra land will be taken from the local people except where horizontal re-alignment is inevitable.

3.4 Design Phase

3.4.1 Design Approach

Based on TANROADS requirements, the scope of work, engineering requirements and confirmation of the road function, the following general design approach has been adopted:

- Maximum use of existing right of way; (Although the road was registered in the public gazette in 2007)
- The proposed horizontal alignment should conform to the specified geometric; design parameters for the 100 km/hr design speed for trunk road with the exception of urban or village sections and where terrain dictates otherwise;
- The design speed in settlements/ villages to be 50 km/hr;
- Ancillary facilities such as bus stops, lined drains, pedestrian crossings and speed humps to be provided in the populated areas.

The proposed pavement over a 20 year design period is as follows:

- Surfacing: Double Bituminous Surface Treatment;
- Base: 150mm Crushed Rock (CRR) ;
- Sub-base: 200mm C1
- Improved Sub-grade: G7/G15 Natural Gravel.

3.4.2 Drainage structures

The drainage structures along the road alignment are proposed at natural watercourses and where required to relieve side drains and catch water drains. The drainage structures comprise pipe culverts, reinforced concrete box culverts and bridges. It has also been ensured that no new drainage structure will be of a smaller water opening than the existing drainage structure on the same watercourse.

All proposed new pipe culverts shall be constructed from reinforced concrete with sufficient length to accommodate the full width of the new road. The minimum size of pipe culverts proposed is of diameter 900 mm for cross-culverts and 600 mm for access road culverts.

In addition, erosion protection of gabions, riprap/stone pitching will be provided as required to prevent bank collapse and stream bed erosion both up and downstream of the crossing.

3.5 Project Phases

3.5.1 Mobilization or Pre-construction Phase

This phase entails mobilization of labour force, equipment and construction of offices/camps as well as acquisition of various permits as required by the law.

3.5.2 Construction Phase

The major construction activities include extraction and transportation of materials (gravel, sand, hard stones, aggregates, water and bitumen). Road construction activities will also involve formation of the road embankment, construction of sub-base and base course layers, bitumen surfacing and construction of bridges and other drainage structures. The materials involved in road construction will include:

(a) Gravel Materials

Borrow pits are sources for gravel for the road construction (formation of road embankment and construction of sub base course). There are 10 potential borrow pits sites, all are found along the Mangaka – Nanyumbu – Mtambaswala road. The operation of the borrow pits will be governed by the Mining Act 2010 in case of obtaining construction materials. Some of the borrow pits are located in the farmlands. During the operation of these borrow pits, it will affect the farmlands and some crops. . The borrow pits earmarked for obtaining the gravel materials are as indicated in Table 3-1 below:

Table 3-1: Borrow pits along the proposed Road

Borrow Pit No	Distance (km)	Off Set (Km)	Remarks
1	1+000	15	New
2	3+000	50	Existing
3	12+300	50	New
4	20+000	30	New
5	28+200	50	New
6	40+900	50	New
7	53+800	35	New
8	58+300	20	New
9	65+500	20	New
10	68+600	93	Existing

(b) Quarries

There is one potential quarry sites for the extraction of granite rock necessary for bitumen layering along the project road. The quarry is an existing one at the end of the project road. The proposed quarry is at the mountain where there has been some extraction of stone in the past mainly for construction of the Umoja (Unity) bridge and its approach roads.

3.5.3 Operation Phase

The actual/smooth usage of the road is expected to commence after the construction works. The project road is under “trunk road” category and therefore will be directly managed by TANROADS. The design period is 20 years, after which re-surfacing will be needed. During this time, TANROADS will carry out routine maintenance by attending to pot holes, clearance of vegetation within the ROW (road reserve area) and monitoring.

3.5.4 Decommissioning Phase

Decommissioning of temporary structures will be done as contained in the contract i.e. proper restoration of the site (e.g. removing/spreading top-soils piled along the road, restoration of borrow pits to required grades and removing all temporary structures). The campsites may be left to the local governments depending on agreements that will be reached during the demobilization phase.

4.0 ORGANISATIONAL RESPONSIBILITY

A number of organizations and institutions will be involved with RAP implementation processes at different levels and times as soon as the RAP is cleared and finalized, TANROADS will formally disclose it to the affected people. For this purpose, TANROADS will organize sessions, one in each of the administrative Village Areas crossed by the road. The sessions will be chaired by the RAP specialist of TANROADS and attended by representatives of the Districts and Wards. Adequate display materials will be utilized. TANROADS will prepare the list of the occupants dispossessed by the project, specifying their rights of occupancy and the assessed value. The Local Government (i.e District Councils) will dispatch the dislocation notices to the concerned households and farmers. Ministry of Finance through TANROADS will disburse the compensation funds to the TANROADS Regional office to pay the communities eligible for compensation. After the implementation of compensation and resettlement, the communities will be given at least six months for resettlement. TANROADS will then authorize the Contractor to start demolition works.

An NGO will be hired to assist in raising public awareness on resettlement and facilitate local community participation in RAP implementation. In general the communities indicated to prefer cash compensation since they feel that it will lead to improvement in their livelihoods. This is through the experience acquired where compensation have been implemented in Tanzania. This section provides a list of all agencies and institutions involved in each step of the resettlement process (preparation, appeals, implementation and monitoring). These include:

TANROADS will support sensitization of stakeholders on RAP, preparation of monitoring of RAP;

- Local Government Authorities will sensitize communities on RAP, provide technical support in preparation of RAP, screen and appraise and monitor the implementation of RAP;
- Communities, Villages, Wards, affected groups - as the final owner of land, landed properties and assets to be acquired or affected will be the participants and responsible for the implementation of the RAPs. The local level committees will support practical day-to-day implementation of the resettlement activities, including the disbursement of compensation funds;
- TANROADS shall have the overall responsibility for the oversight of implementation of the RAP and providing enabling environment for the same;
- Independent NGOs /CBOs and other stakeholders may be engaged to witness the fairness and appropriateness of the whole process. The NGO will be involved in the monitoring of the resettlement process, establishing direct communication with the affected population, community leaders, TANROADS to facilitate the completion of RAP;
- External Audits shall include the evaluation of the implementation of the resettlement action plans in routine annual audits. Without undue restrictions, the audits may include assessment of:

- Resettlement conditions where relevant;
- Consultation on compensation options, process and procedures;
- Adequacy of compensation; and
- Adequacy of specific measures targeting vulnerable people.

TANROADS shall set up Resettlement Committee comprising of key Ministries and a local NGO involved in human rights.

5.0 COMMUNITY PARTICIPATION

5.1 Approach

Effective resettlement planning requires regular consultation with wide range of project stakeholders. Broadly defined, stakeholders include any individual or group affected by, the project, either positively or negatively including the host community.

In this assignment, comprehensive consultation meetings with various stakeholders were carried out before and during the development of Resettlement Action Plan. These consultations were aimed to involve the stakeholders and seek their views on various aspects in particular the resettlement issues arising from the upgrading of Mangaka – Nanyumbu - Mtambaswala road.

General consultation with Government Officials was carried out before conducting census and socio-economic survey of the Project Affected Persons (PAPs). Several meetings were held with TANROADS' Officials (Mtwara Region), Nanyumbu District Council, and village government Officials. Consultations were also made in 10 community villages along the proposed road alignment. In the village, consultative meetings were conducted at Nahawara, Mkohora, Chipuputa, Namasogo, Maneme, Nanyumbu, Chungu, Masuguru Lukula and Mangaka.

The consultations were further extended to the respective ministries, Contractors Registration Board (CRB), religious organizations and NGOs/CBOs.

5.2 Objectives of Public Participation and Consultation

The objectives of public participation and consultation along Mangaka – Nanyumbu - Mtambaswala road were:

- To ensure transparency in all activities related to land acquisition, resettlements and rehabilitation.
- To share fully the information about the proposed project, its components and activities related to PAPs;
- To obtain information about the needs and priorities of the PAPs, as well as information about their reactions
- To improve project design and, thereby, minimize conflicts and delays in implementation;
- To involve public at large together with their responsible institutions and organizations in the design and planning of the mitigation measures;

5.3 Public Consultative and Participatory Meetings

Various approaches were employed by the field team during the stakeholders' consultation process. These include consultative and participatory meetings, interviews, discussions and administering of questionnaires. Due to different levels of stakeholders and their roles regarding the project, the consultative meetings were carried out on various levels of stakeholders to ensure that there is an open and interactive communication between various stakeholders, that the vulnerable such as

elderly, orphans, widows, the terminally ill and those below the poverty line are fairly represented.

Among others, the public meetings conducted entailed the followings:

- Inform PAPs about the project, activities, effects, compensation and related provision and timing;
- Confirmation of the identified PAPs and compensation;
- Establish complaints and grievance procedure;
- Confirm PAPs preferences for how replacement of land, houses, lost assets, trees and crop will be handled.
- Provide independent financial advice or counseling for PAPs to receive significant cash compensation or in-kind.

In the meetings, the Consultant team explained what was entailed in the project proposal and envisioned social and environmental impacts. After presentations, questions and opinions were invited from the participants. In general about 98.4% of the PAPs preferred cash compensation options. This option is more appropriate as many village governments as well as individuals claimed that they have enough land for those who will be relocated. The PAPs will continue using the existing social services within the entire community.

There was no dissenting opinion about the proposed project. At the end of meetings it was confirmed that all participants in principle agreed with the proposed project.

The minutes of the meetings were prepared and signed by the village executive officers (VEOs) and member of the Consulting team. For clarity and understanding of the meeting proceedings by the local community, the minutes were prepared in Kiswahili. The minutes of the meetings are attached to this report as a separately bound Annex I (**Minutes of Consultation Meetings**) together with the list of attendees. Figure 5-1 below indicates one of the consultative meetings held in the project site.



Figure 5-1: One of the Consultative Meetings along Mangaka- Nanyumbu- Mtambaswala Road

5.4 Views and Concerns from Stakeholders

During the consultative meetings conducted in all villages along the proposed road project, the communities aired their views and concerns are summarized in **Table 5-1** below:

Table 5-1: Comments and Response during the Consultative Meeting

S/N	Issues/Comment	Remarks
1	People should be educated on the utilization of the cash compensated for the proper allocation of the resource.	The aim is to provide the education on the utilization of compensated funds so as to improve their livelihood and standard of livings, and to avoid the people to re-encroach the ROW.
2	Compensation should be done in time not more than six months after valuation of people's properties. PAPS accepted the cash compensation instead of in-kind compensation	To avoid the fluctuation of the price for the properties evaluated, the compensation will be implemented as soon as possible.
3	Village governments in collaboration with Nanyumbu District Council should engage to assist the PAPs in acquiring the land for construction.	Many individuals and village governments have enough reserved lands for those who will be landless.
4	Employment (Labourers): The contractor should give the priority of employment to the people hailing from the villages along the project site during the construction. The villagers may be involved in some activities as labourers during construction phase.	Employment opportunities should only be provided to those people aged 18 years and above. All guests who come to the village should report to the village authority and be permitted to settle in the village. This will reduce the number of crime incidences. The women are also encouraged to participate in the road construction activities
5	There will be the environmental degradation to allow the upgrading of the road. Many trees like mangos, cashew nuts, and other exotic trees, will be destructed. Special attention should be paid to replace them.	The environment should be restored as per requirement of EIA Guidelines and Regulations of 2005. During construction trees shall only be uprooted when it is absolutely necessary in which case the contractor shall seek permission to do so from the Engineer. The contractor in collaboration with the respective village's environment committees should engage in the deforestation and reforestation process.

S/N	Issues/Comment	Remarks
6	There will be spread of HIV/AIDS and other sexually transmitted infections:	<p>The contractor should implement HIV/AIDS program. Cost for this activity is included in the bidding documents. Also, religious leaders have a role to build the moral behavior amongst their fellows.</p> <p>The contractor is required to conduct relevant awareness seminars and campaigns through village committees for health on HIV/AIDS during construction phase.</p>
7	During road construction there will dust problems.	The contractor is responsible to sprinkle water during the construction process as per requirement of ESMP.
8	Diversion roads: These roads should be constructed and used if feasible to prevent the traffic jam because of roadwork.	Detour routes are recommended in the areas where traffic is high. The contractor will propose its procedure for passage and control of traffic for approval of the Engineer
9	TANROADS must check it and ensure the entire workforce at the construction site is well covered by appropriate insurance policies. Also, first aid should be provided at work as per requirement of CRB.	It is illegal to practice the construction activity without working gears and insurance for all people in the construction industry. This is according to the CRB and Ministry of labour requirements.
10	Proper consultations and legal methods should be used in acquiring borrow pits and /or stone quarries. Proper reinstatement should be made once the gravel is depleted. However, the management authority should be conferred to the respective village governments to increase the income of the villagers as well as village/ <i>mitaa</i> governments' revenue	The recommendation will be observed. Contractor is not allowed to exploit any new borrow pit or quarry site before it has been compensated for. At the end of project the contractor is require to reinstate such materials source.
11	It is feared that the tarmac road will claim people's lives through accidents. It was recommended to use speed humps to the places	Road safety education and road signs should be instituted. The construction and operation should be

S/N	Issues/Comment	Remarks
	where there are many pedestrian such as at schools, markets at villages and mosques/churches.	as per requirement of ESMP.
12	The road will guarantee easy accessibility and therefore more physical development and investment opportunities. There will be relatively low transport and transportation costs and traveling time saving for passengers and goods	This the main objective of the project
13	The project will be a pioneer for towns and village growth. These towns should be assisted by the government in planning (e.g. land use and plot surveying) in order to curb/cut back/limit/control unplanned growth of settlements.	The recommendation is acceptable. Village governments should consult district town councils for guidance on planning
14	The deaths of pregnant women will decrease during the road operation phase as there will be easy accessibility of road to the health centers and hospitals.	It is true
15	The bus bays/stops should be placed in the areas where passengers do wait the transport to other destinations.	The bus bays will be provided in consultation with village leaders
16	The local people should be involved in the selection of the camp sites. The idea is to use the structures for public services e.g. schools or village office at the end of the project construction phase.	The campsites should be located in location where at the end of the project construction they will carter for public use like school or dispensary (if this is agreed in advance with contractor/Employer)
17	The villagers were happy with the project and want the road upgrading to commence as soon as possible.	The project should be implemented effectively as scheduled.

6.0 GRIEVANCE PROCEDURES

6.1 Grievances mechanisms

At the time when the resettlement plan is approved and individual compensation contracts are signed, affected individuals would have been informed of the process for expressing dissatisfaction and seek redress. The grievance procedure will be simple, administered in the first instance at the local level to facilitate access, flexible and open to various proofs taking into account for speedy, just and fair resolution of their grievances.

Additional public meetings will be held to explain relevant policies, laws and rules and compensation criteria in detail so that the PAPs can know these early before the implementation of the land acquisition and resettlement. During consultations it was observed that land dispute resolution committees at all levels from village level exist and the communities along the road were told that these committees could be assisted to act as grievances mechanisms.

6.2 Mechanism of Appeal

The public participation is always encouraged in the process of compiling and implementing of the Resettlement Action Plan (RAP). Otherwise there will be some unforeseeable problems occurring in the process. In order to solve problems effectively and ensure the project construction and land requisition is carried out successfully, a transparent and effective grievance and appeal channel will be in place. The basic procedures for grievance will be as follows:

- In the event that an affected person is not satisfied with the compensation package or the resettlement process, such grievances will be addressed initially through mediation. The aggrieved person will first report his/her case to the Village and Ward Executive Committees. If these parties are unable to resolve the matter, the complainant will be referred to the Social Services Committee at the District level which may choose to constitute a Grievance sub-Committee to deal with the specific grievance. This sub-committee will generally comprise members of the existing Social Services Committee, one representative each from the Ward and Village Administrations, one representative from the PAPs, and a leader from the local PAPs community.
- If further mediation is necessary, this may be conducted by the Regional Secretariat. If still no agreement is reached, then legal recourse may be taken. Since legal procedures take a long time to settle, often PAPs tend to be disadvantaged during the long process and it is for that reason that the Social Services Committee should be vigilant so to resolve issues at an early stage. The aggrieved person will be exempt from any legal and administrative fees incurred during the grievance redress.

7.0 INTEGRATION WITH HOST COMMUNITIES

The consultations were conducted between the consultant and local community regarding the relocation. The entire relocated communities prefer to be relocated entirely within the existing community in each place. This will minimize the disturbance to implement the resettlement as moving people away from their original village may require providing them with new services despite the fact that the displaced population is relatively small. Project affected people should therefore be relocated within their respective villages. From interviews conducted in the villages it was very clear that land availability was not considered to be a problem. Affected people can in theory acquire new plots in the same village. In addition, relocating people in the same villages has the following advantages:

- The displaced population can continue to utilize the existing social facilities such as schools, hospitals, mosques, churches and other religious and traditionally significant sites;
- It maintains social and cultural relations. This is likely to sustain people's economic system, ways of production and other means of income generation and trading. Their productive skills remain applicable for no significance geographical and social change has occurred;
- Neighborhood is being maintained. For any traditional society neighborhood is a very important element of social life. People value and respect social integration within their communities. Helping each other during funerals, wedding and other socio-cultural ceremonies. More significantly the neighborhood includes kingship groups. It is upon these social facets, a simple society is maintained.

Their immediate concern of the community was to be assured that they will be compensated as some of the interviewee, said that there is plenty of un-used village land. If we will be compensated we can simply build other houses without any problem. In this case the village government should agree with those to be relocated depending on the available area.

8.0 SOCIO-ECONOMIC STUDIES

8.1 Objective of Census and Socio-economic Survey for PAPS

The census and socio-economic survey for PAPS is important for the planning of resettlement. The census and survey assist to know the social structure of the population and their distribution to inform resettlement planning. The objective of conducting census and socio-economic studies include:

- Collection of census data to identify PAPS on the individual and household levels.
- Collection of census data to identify vulnerable and severely affected PAPS.
- Identification of stakeholders; identify impacts of the proposed road project on the livelihoods of the PAPS (i.e. property, structures, income, etc.)
- Identification of any concerns of PAPS.
- Identify the resettlement preferences of the PAPS.

8.2 Socio-Economic Situation of the PAPS' Households

As indicated before, socio-economic survey of PAPS along the Mangaka – Nanyumbu - Mtambaswala Road section was conducted from May 2009 to June, 2009 using about 372 household questionnaires for PAPS along the corridor. The time to conduct the interview between the enumerator and each PAP was 45 -50 minutes. During the analysis, a sample of 112 household questionnaires were analysed from 9 villages. The sample was based on gender issues. Also, it was based on the vulnerable groups e.g., elderly persons, disabled persons, widows, children who are orphans, long sickness persons etc. These households have a range of 4 to 6 members with the average number of 5 members in each household. However, in some cases questionnaires were not sampled for the intention of obtaining more reliable information. For instance, all 112 household questionnaires from the area of impact (45 metres) were analysed to extract the better findings for compensation options, locations where PAPS would like to settle after relocation process.

According to the sample it was found that, there is a high level of standard seven leavers 75%, post primary leavers 4.5% and rate of those who did not attend school or not completed primary education was about 20.5%

Many households are headed by males (62.5%) and women (37.5%). The number of female headed households' appeals for more power in different decisions made at the household and village levels for example women members in village council committees and sub – committees are relatively 30%, (**Figure 7-1**). Less than 2 % of PAPS in the sample have formal employment (particularly primary teachers and nurses) who earn regular monthly income, while 99.7% are typically peasants with their sources of income as irregular and insecure. The majority of PAPS supplement

their income-generating activities in horticulture, petty trading, fishing, logging and livestock keeping. An overview of the socio-economic situation of the PAPs is provided below.

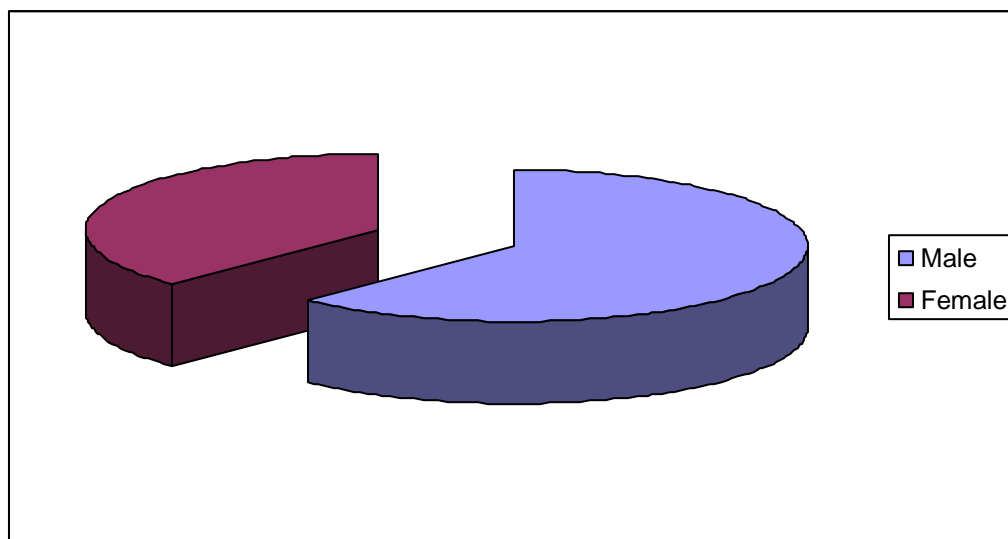


Figure 8.1: Sex status of the head of households along road section.

8.3 Education Levels of the PAPs

The highest education level attained by the majority of the heads of households is primary school (75%, See **Table 8-1** and **Figure 8-2**). About 4.5% have completed form four and no one in the sample has attained higher learning than form four. Also, the number of illiterates is approximately 20.5% who are both young people and adults.

Table 8-1: Education Levels of PAPs in Sample Households

Education level	Percent
Illiteracy	20.5
STD 7	75
Form 4	4.5
Form 6	-
Higher education	-
Total	100

Source: Socio-Economic Household Survey, April-May, 2009.

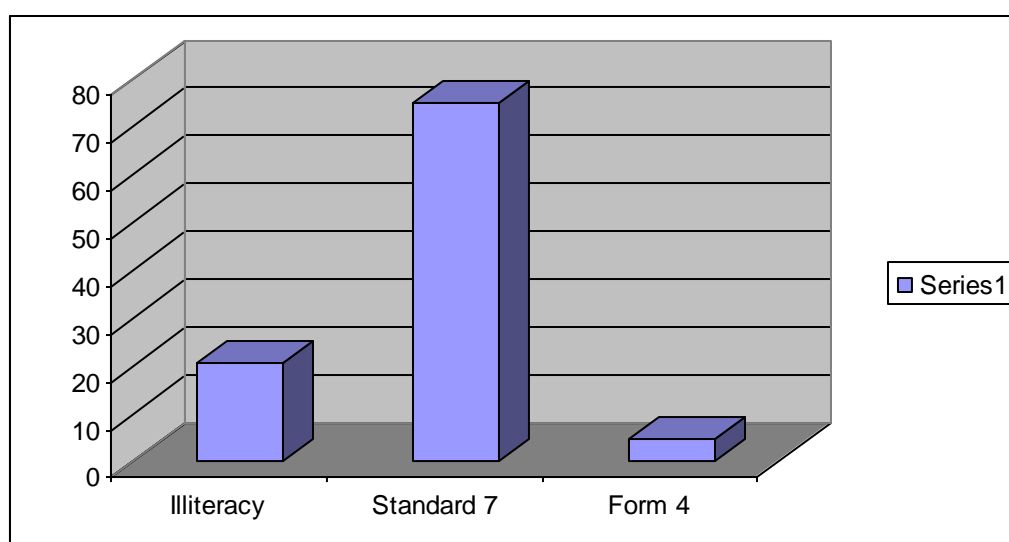


Figure 8-2: Education level for the head of the household in the project area.

8.4 Residence Status of the PAPs in the Sampled Households

Most of the PAPs (94.6%) live within the village located along the road section. This implies that the construction activities could be more adverse if people would not be compensated on the actual prices of their assets. There is another group of PAPs that are members of the immediately affected households but who do not physically live in the affected buildings. These PAPs live outside the project area but within the village or outside the district and sometimes, outside the region. They constitute about 5.4% of the total heads in the sampled households. The overall picture of the residence status of PAPs can be seen in **Table 8-2** and **Figure 8-3** below.

Table 8-2: Residence Status of PAPs in the Sample Households

Place of residence	Percent
Within this village	94.6
Outside this village	3.9
Outside the district within Mtwara region	1.0
Outside Mtwara region	0.5
Total	100

Source: Socio-Economic Household Survey, April-May, 2009

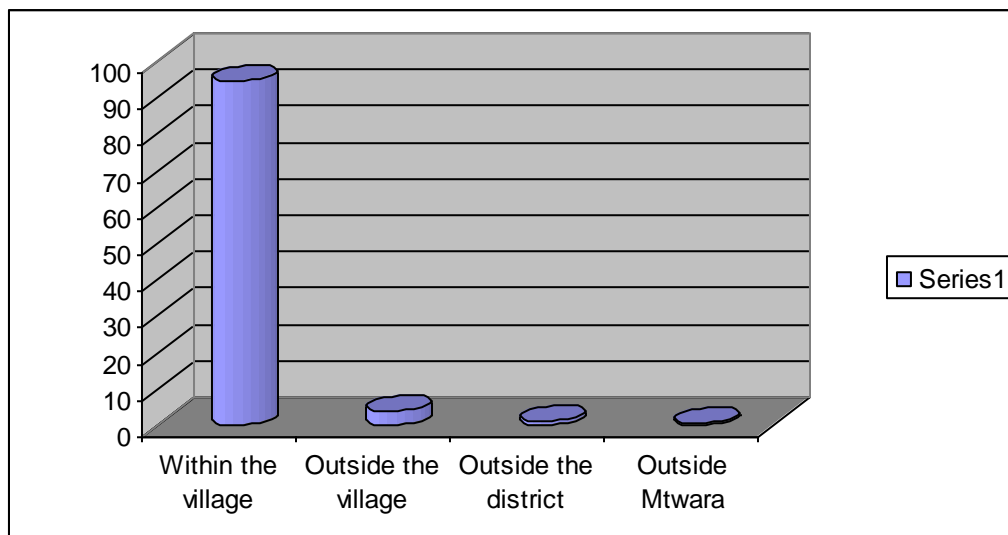


Figure 8-3: Residence status of PAPs in Sample

8.5 Formal and Informal Employment

The PAPs in the sampled households 110 (98.2%) are mainly subsistence farmers who punctuate their farming activities with periodic casual employment. The mixture of income generating activities particularly during post harvest range from street hawking to food vending, basket weaving, local brew selling, agriculture and selling of timber, fuel wood and charcoal.

Only 2 PAPs (representing 1.8%) out of the 940 PAPs have formal employments who receive salaries. **Table 8-3** and **Figure 8-4** below portray the employment status of the PAPs in the sampled households. Many PAPs are engaged in subsistence farming and informal sector (98 %). It is the fact that this sector has low income earning avenues which renders the economic conditions of PAPs to be worse. The frequency and reliability of cash-income earning by the majority can be rated as irregular and insecure.

The main farm implement is the hand hoe and it is heavily dependent on rainfall and therefore delayed or insufficient rains directly affect the livelihoods of all peasants in the area.

Tree crops such as cashew nuts, mango, palms and few citrus fruits (oranges and lemons) are common in the area. These crops contribute significantly to local income. Some members of the communities keep some livestock and poultry for food as well as for cash.

Table 8-3: Employment Status of PAPs in the Sample Households

Employment status	Percent
Formal employment	1.8
Informal employment (subsistence Farming)	98.2
Total	100

Source: Socio-Economic Household Survey, April-May, 2009.

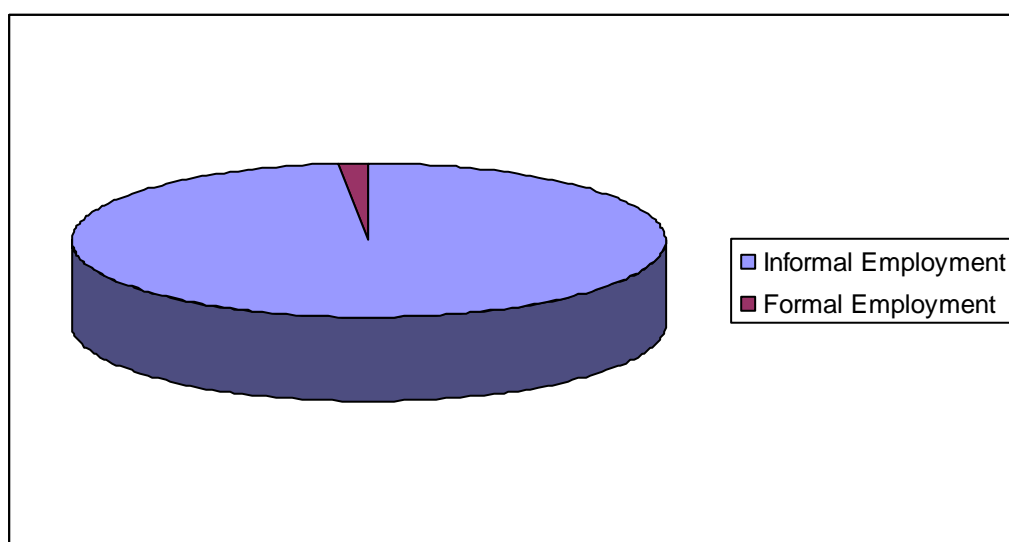


Figure 8-4: Employment status among the PAPs.

8.6 Project-Affected Buildings and Their Uses

The materials used for wall building are mainly burnt bricks and corrugated iron sheet roofing. Floor materials are compacted earth (for 78% of the structures) and sand and cement 22%). The walls are built with burnt bricks 86.4%); cement blocks 6.6%) and the rest 7% are constructed either with poles or mud bricks. The majority of the buildings (74%) are Corrugated Iron Sheet and 26% thatched roofing (Refer **Table 8-4**). On average, the number of rooms for these buildings is four (4) rooms.

Most of the buildings are for residential uses (61.2%) About 10.1% serves for both residential and commercial purposes and only 28.7% are for commercial purposes only and most of them are kiosks (Refer **Table 8-5**). It means that the relocation process will make many people homeless. Therefore, compensation to all PAPs should be done in time as recommended to give these PAPs enough time in establishing their new settlements by bearing in minds that they are yet not started new homes by the moment.

Table 8-4: Building materials for the PAPs' buildings

(a) Building element	Percent
Floor	
Compacted Earth	78
Sand and cement	22
Total	100
(b) Walling materials	
Mud brick/ Poles	6.6
Burnt bricks	86.4
Cement blocks	7
Total	100
(c) Roof structure	
Grass	26
Iron sheets	74
Total	100

Source: Socio-Economic Household Survey, April-May, 2009.

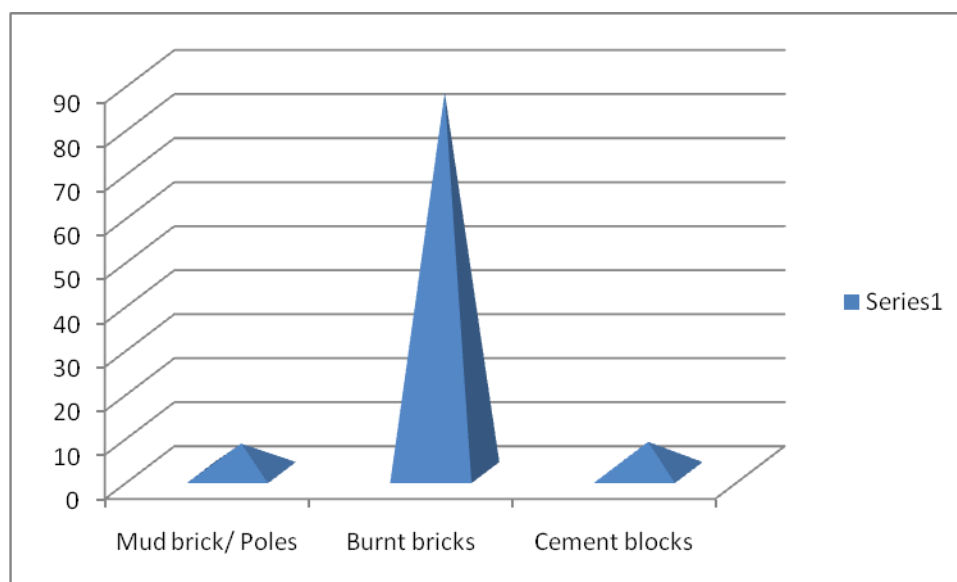


Figure 8-5: The type of walling materials of the PAPs' buildings
Source: Socio-Economic Household Survey, May- June, 2009.

Table 8-5: The use of buildings along the road section

Building use	Percent
Residential	61.2
Commercial	28.7
Both residential and commercial	10.1
Total	100

**Figure 8-6: Typical businesses along the Project road at Chipuputa Village**

8.7 Land Issues

The ownership in the project area is dominated by customary ownership. The PAPs either own the land customarily, provided by village council or rented. The ownership of the land and the means of acquiring a land are as shown in **Table 8-6** and **Table 8-7** below.

Table 8-6: Land ownership among the PAPs

Land ownership	Percent
Yes	94
No	6
Total	100

Source: Socio-Economic Household Survey, April-May, 2009.

Table 8-7: Means of acquiring the land among the PAPs

Means of land acquisition	Percent
From the village government	25
Inheriting from the relatives	55
Buying	3
By clearing the bushes	17
Total	100

Source: Socio-Economic Household Survey, April-May, 2009.

8.8 Affected Religious Structures

In the socio-economic survey conducted, it was noted that there are 4 religious structures (mosques) affected along the proposed road alignment. These structures are in Nanyumbu, Mkohora, Namasogo and Nahawara villages.



Figure 8-7: One of the affected religious buildings along the road

8.9 Public Institutions

There are some public buildings that will be affected. These include a Police post in Nanyumbu, 2 Cash crop godowns and their offices in Nanyumbu and Mangaka, 4 staff quarters in Nanyumbu village and a village council office in Chipuputa .



Figure 8-8: Chipuputa Village Council Office- One of the affected public buildings

8.10 Women and Development in Nanyumbu District

Sustainable development comes when both women and men are given equal chances and opportunities to participate fully in all development activities at all stages. As far as land tenure is concerned women do not own land meant for big farming like maize, cassava, and others. Around 80% of the interviewed women (160) were engaged in business activities.

The most common activity involving women is petty businesses such as food vending (40%). Such activity is followed by backyard gardening activities which occupy 35% of the interviewed women. In some cases the vegetables are grown along river banks and in wetlands through irrigation forming 75%. They have lions share in crafts making (85%). The other significant activities include retail shops 25% and sewing 5%. The Figure 8-9 illustrates the percentage of activities.

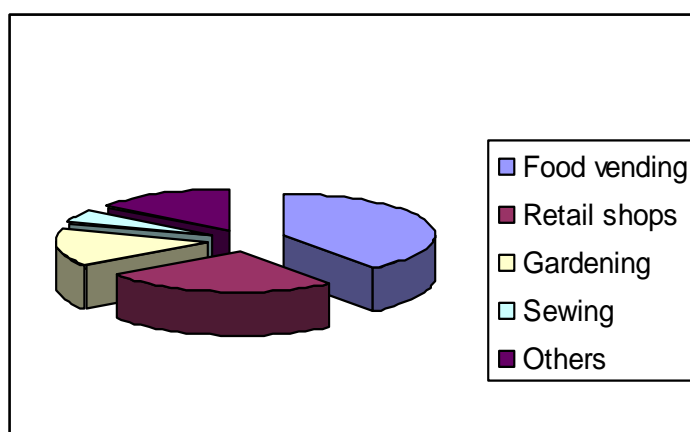


Fig 8-9: Activities done by women

The unequal access to economic opportunities such as sharing of farm produces and other family/clan wealth existing between men and women leaves women with nominal options of earning their lives decently. It is reported that sometimes women resort to promiscuity in order to meet their needs. With the prevalence of HIV/AIDS, they place themselves in high-risk.



Figure 8-10: Discussions at a women dominated meeting in Maneme village

9.0 LEGAL FRAMEWORK INCLUDING MECHANISMS FOR CONFLICT RESOLUTION AND APPEALS

9.1 Introduction

Currently there is no specific policy as “Resettlement Policy” in Tanzania. However the resettlement in the country is guided by the national policies and laws related to land issues. Prior to the enactment of a framework legislation to govern land issues in Tanzania, there existed various statutes that dealt with land matters. With such multiplicity of statutes, the responsibility for enforcing them were spread over a number of sectoral institutions ranging from national to local authority level. In 1995, the government of Tanzania developed a national land Policy to streamline the system of land administration.

For those projects funded by Development Partners, the resettlements are also implemented in accordance with the requirements of the respective Development Partner.

In the absence of a formal Resettlement Policy in the country, the following policy and legal instruments provide the legal framework for compensation and resettlement in Tanzania.

- The National Land Policy (1995);
- National Human Settlements Development Policy (2000)
- The Land Act No.4 (1999);
- The Village Land Act No.5 of (1999),
- The Land Regulations (2001);
- The Local Government (District Authorities) Act, 1984;
- The Local Government (Urban Authorities) Act, 1984;
- Land Acquisition Act (1967);
- The Road Act 2007,
- Town and Country Planning Ordinance Cap. 378.
- Grave Act No. 9 of 1969
- The Urban Planning Act, 2007,
- ADB Guidelines on Involuntary Resettlement
- JICA Environmental and social Considerations

This section provides an overview of the existing laws, policies and institutions relating to land acquisition, allocation and compensation for those properties to be affected by the upgrading of Mangaka – Nanyumbu – Mtambaswala Road.

9.2 National Land Policy (1995)

The land policy stipulates that all land is public land, vested in the president as a trustee, and that this should be entrenched in the constitutions. The National Land Policy (1995) provides that a dual system of tenure, which recognizes both customary and statutory right of occupancy as being equal in law be established. The policy further establishes that the land has value, which right and interests of citizens in land shall not be taken without due process of law and that full, fair and prompt compensation shall be paid, when land is acquired. The compensation should be paid to any person whose right of occupancy or recognized long standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by the State under the Land Act of 1999.

According to the policy, the administration of village land is vested in the village councils. Village councils have to consent before any alienation of village land is effected. In case of land allocations, village councils shall report to respective village assemblies. The land in the towns is governed by City, Municipal or Town Council.

In principle the Minister responsible for land matters is the sole authority in land issues. But the policy involves the public and private institutions whose functions are associated with lands i.e. local authorities, communities, non-governmental organizations and community based development organizations to participate and co-operate with the minister at different levels during the implementation of the policy and utilization of land.

To address the problem of multiple land allocation, and its resultant disputes, the Commissioner for Lands, is the delegated sole authority for administration of land. He may appoint officers to administer on behalf.

9.3 National Human Settlements Development Policy (2000)

Among others, the policy objectives that touch the road sector are to improve the level of the provision of infrastructure and social services for sustainable human settlements development and to make serviced land available for shelter and human settlements development in general to all sections of the communities. The infrastructure and services constitute the backbone of urban/rural economic activities. All weather roads, reliable and efficient transport system are essential to increase productivity and establishment of manufacturing industries. The policy promotes the development of human settlement that is sustainable. It also geared to improve the provision of infrastructure and social services for sustainable human settlement development.

9.4 The Land Act of 1999

The Land Act (Section 156) requires that with regard to communal right of way in respect of way-leave, compensation shall be paid to any person for use of land, who is in lawful or actual occupation of that land, for any damage caused to crops or buildings and for the land and materials taken or used for the works. Requirements

for the assessment of compensation are provided in the Land (Assessment of the Value of Land for Compensation) Regulations of 2001. The valuation of the affected properties must be done by a qualified and authorized Valuer. Section 34 of that Act also states that where a right of occupancy includes land which is occupied by persons under customary law, and those persons are to be moved or relocated, they must be compensated for loss of interest in the land and for other losses. They also have the right to reap crops that are sown before any notice for vacating that land is given.

Essentially, the land Act, No 4 of 1999 regulates the urban land while Village Land Act, No 5 of 1999 regulates land in rural areas. For the Tanzania Mainland, the Land Act (1999), Village Land Act (1999) , Land Regulations of 2001 and government standing Order on expropriation for public utilities prescribes that holders of occupancy rights on land pre-empted for the public works must be compensated and assisted in relocating their assets to the nearest suitable place. Most expropriation disputes, on similar public works, are due to disagreement on the value at which an estate and its improvements are to be compensated. The compulsory resettlement of buildings, farms and businesses premises must ensure at least equal compensation values. Accordingly the expropriated owner must be compensated with a price equal to the value that the “un exhausted improvement” (buildings, infrastructure, plantations etc) would fetch if sold on the open market. That value is defined as the cost of acquiring a similar estate and putting up such improvement as those existing when evaluated .Allowance is made for the age, state of repair and economic obsolescence. According to Tanzania law, the compensation should cover:

(a) Real Property (Buildings)

The compensation of real property like building will include:

- Market value of the real property (i.e. value of un-exhausted improvement and land)
- Accommodation allowance (i.e market rent of the affected building per month multiplied by 36 months);
- Loss of profit allowance which is assessed by establishing net profit per months evidenced by audit accounts multiplied by 36 months
- Disturbance allowance which is calculated by the value of the land by average percentage rate of interests offered by commercial banks on 12 months fixed deposits at the time of loss of interests in land
- Transport allowance that is the actual cost of transporting 12 tons of luggage rail or road (whichever is cheaper) within 20 km from the point of displacement.

(b) Real Estate Compensation Rule

According to the current applicable legislation in Tanzania, land has a value. The land owners with either a title deed or customary ownership must be

compensated in cash for losing the land for other development. The government will simply provide the resettled owner with alternative plots of the same size in the nearest suitable location for both residential and business purposes. The resettled individuals have to buy the alternative plot for resettlement.

(b) Farmland Compensation Rule

The majority of the farmland in the project areas belongs to individuals and the GoT. The allocation of individual property rights at the village level is implemented as stipulated in the Village land Act (1999) which will cover:

- Farms should have individual occupancy rights allocated by the village council as well as customary land tenure ship;
- Farmers should be legally entitled to compensation for loss of crops, grazing land or forest; and
- Government compensation by the project for the loss of rangelands for construction works

9.5 The Land Acquisition Act, No 47 of 1967

The Land Acquisition Act of 1967 stipulates the power and the procedures for acquiring land and the required degree of compensation. Section 3 & 4 of the act provide that, the President may acquire any land for any estate or term provided such land is required for public purposes such as exclusive government use, general public use, any government scheme, development of social services or commercial development of any kind including declamation. According to Section 5, if the President's considers appropriate the land in a certain locality should be examined for possible acquisition then any persons authorizes by the Minister may do the followings:

- Enter upon and survey any land in such locality;
- Dig or bore under the subsoil; and
- Clear, set and mark the boundaries of the land proposed to be required.

However, the law forbids entrance into any buildings or closed garden attached to a dwelling house without first giving a three days notice. Any damage that results from activities of the authorized person must be compensated. In case of a dispute on the amount of compensation, the Regional Commissioner will give decision.

Section 6 requires the Minister to give a notice to all interested persons or those claiming to be interested in such land. Section 7 & 8 of the same Act provides for publication of a notice in the gazette to interested persons requiring them to yield up possession of such land and section 9 forbids a party from being compelled to sell or

convey part of a house if he is willing to yield the whole house or building in the process of acquisition.

Section 11 (1) provides for compensation by the government to the person whose land is acquired. The president's, with consent of the person entitled to compensation, and may grant public land not exceeding in value of the land acquired, for an estate not exceeding the state acquired and upon the same terms and condition of the land acquired instead of or in addition to any compensation.

Section 13 (1) deals with issues in cases where any land is acquired and there is a dispute or disagreement relating to any of the following matters:

- The amount of compensation;
- The right to acquire the land;
- The identity of persons entitled to compensation;
- The application of section 12 to the Act;
- Any right, privilege or liability conferred or imposed by this Act; and

Appointment of compensation between the person entitled to the same and such dispute or the parties concerned do not settle disagreement within six weeks from the publication of notice that the land is required for a public purposes.

According to the section, the minister or any person claiming interest in land may institute a suit in the court for the determination of dispute.

9.6 The Road Act 2007

Part III, Section 16 of the Act addressed the issue of compensation for acquired land for road development. The Section emphasized that, where it become necessary for the road authority to acquire a land owned by any person for the purpose of this act, the owners of such land shall be entitled to compensation for any development on such land in accordance with the Land Acquisition Act (1967), Land and Village Land Acts (1999) and any other written law.

9.7 Gap Analysis of National Laws vis-à-vis ADB/JICA guidelines

The Consultant reviewed the implications of legal rights to property and/or title to the implementation of any possible involuntary resettlement, including compensation packages and eligibility criteria. Tanzania's policies and legislation vis-à-vis ADB/JICA's guidelines on involuntary resettlement was reviewed

Any Resettlement Action Plan has to be consistent with Tanzanian laws and ADB/JICA guidelines, whichever is more stringent. A gap analysis has been undertaken in order to measure the difference between Tanzanian laws and the ADB/JICA requirements, with special attention for building properties, farmland, rangelands, forests and access to other basic resources. The analysis indicates that when Tanzania laws and the ADB/JICA guidelines are not in full accord, the higher

standard will apply. This approach fully meets the requirement of the lesser standards. On expropriation for public utility, the ADB/JICA further emphasizes that;

- the squatters and the renters of properties and businesses must be compensated and assisted for suitable relocation ;
- not only property but also business must be considered in compensation;
- the use of rangelands and forest lands are part of the economic asset base and must be compensated in case of temporary or permanent interruption
- farmers must be compensated not only for lost crops but also for the loss of occupancy rights and they must be assisted to find an equal or better relocation site
- the value of crops and properties must be valued on a market basis and not imposed by bulletins attached to formal legal provisions;
- Where possible in-kind compensation is preferred to cash compensation.
- the use of borrow pits, quarries, camp sites and detour areas must not be negotiated between the contractors and the village authorities but must be compensated on the basis of the economic parameters defined by the Resettlement Action Plan

According to Tanzanian Law, where the asset/property is not new the compensation of the asset considers the replacement cost being depreciated to derive at depreciated replacement cost which is equivalent to a **market Value**.

The depreciation factor reflects the accumulated obsolescence which the asset has suffered as a result of passage of time, use abuse, change in taste, technological wear and tear and any other factors that may adversely affect the continue running/ using it compared to similar new assets. This is not consistent with the ADB and JICA Guidelines. However, in Tanzania, the allowances given to PAPs and being given a chance to salvage building materials, the compensation payment almost exceeds the replacement cost.

10.0 INSTITUTIONAL FRAMEWORK

This section provides a list of all agencies and institutions involved in each step of the resettlement process (preparation, appeals, implementation and monitoring). The experience of the majority of the actors involved seems to be adequate for the tasks to be carried out and therefore no particular capacity building measures are required.

Compensation and resettlement will be co-coordinated by the implementing agency (TANROADS) through TANROADS Regional Managers' Office. There will be also collaboration with other stakeholders like Mtwara Regional Authority and Local Governments of Nanyumbu District Council, Ministry of Lands and Human Settlements Developments and the Ministry of Justice and Village governments along the project road.

As soon as the RAP is cleared and finalized, TANROADS will formally disclose it to the affected people. For this purpose, TANROADS will organize a total of 14 sessions as follows; 10 sessions in each of the Ten Administrative Village Areas crossed by the project road and another 4 sessions in each of the three administrative Ward area crossed by the project roads which are Nangomba, Chipuputa, Nanyumbu and Masuguru. The sessions will be chaired by the RAP specialist of TANROADS and attended by representatives of the higher territorial hierarchies (Districts and Division/Wards). Adequate display materials will be utilized.

TANROADS will prepare the list of the occupants dispossessed by the project, specifying their rights of occupancy and the assessed value. The Local Government (i.e. District Council) will dispatch the dislocation notices to the concerned households and farmers.

Ministry of finance through TANROADS will disburse the compensation funds to the TANROADS Regional office to pay the communities eligible for compensation. After the effect of the compensation and resettlement the communities will be given at least six months for resettlement. TANROADS will then authorize the Contractor to start demolition works.

In the project area it was found that there is no effective NGO in the area so TANROADS in collaboration with Nanyumbu District Council will encourage the NGOs and CBOs to assist in raising public awareness on resettlement and facilitate local community participation in RAP implementation.

The communities preferred cash compensation and are eagerly waiting the compensation as they feel that it will be some sort of improvement of their social welfare. This is through the experience acquired where compensation have been implemented in Tanzania.

11.0 ELIGIBILITY Determination

11.1 Criteria for Determining Affected Persons

The consultant carried out a 100 percent reconnaissance of properties to be affected. This had been carried out in May, 2009 to June 2009. In this regard the cut off date is June 2009. The criteria for eligibility were mainly based on:-

- Those who have formal legal rights to land (including customary and traditional rights)
- Those with legal rights at the time the census begins but have a claim to such land or assets (provided such claims are recognized under the laws of Tanzania or become recognized through a process identified in the Resettlement Plan)
- Those who have no recognizable legal rights or claim to the land they are occupying.

If any person is found to have encroached on the land after the cutoff date of 2009 when the Valuer assigned by UWP Consulting conducted valuation exercise; such a person is not entitled to compensation or any form of resettlement assistance unless there is a change in horizontal alignment of the road.

However, the ADB/JICA's guidelines stipulate that PAPs should include all the economically and/or physically displaced persons, even those who may not be protected under the national land compensation legislations.

11.2 Project Affected Persons (PAPs) Identification

11.2.1 Individual Properties

For the purpose of this assignment, the identification of the project affected individuals including properties within 45 m of the new road corridor. The list affected persons and their properties can be found in the detailed **Valuation report** which is a separate volume.

11.2.2 Affected Religious Structures

In the socio-economic survey conducted, it was noted that there are 4 religious structures (mosques) affected along the proposed road alignment. These structures are in Nanyumbu, Mkohora, Namasogo and Nahawara villages. Figure 10-1 below shows one of the affected religious buildings along the road



Figure 11-1: One of the affected religious buildings along the road

11.2.3 Public Institutions

There are some public buildings that will be affected. These include a Police post in Nanyumbu, 2 Cash crop godowns and their offices in Nanyumbu and Mangaka, 4 staff quarters in Nanyumbu village and a village council office in Chipuputa . Figure 10-2 shows Council Office in Chipuputa Village which is one of the affected public buildings



Figure 11-2: Chipuputa Village Council Office- One of the affected public buildings

11.2.4 Vulnerability among the PAPs

Children, the elderly, single mothers, female heads of households, and orphans are considered the most vulnerable in the project area. These groups also include the disabled; widows; small-scale farming females, non-farming females, and the terminally ill among which people living with HIV/ AIDS are a part of. The various groups are considered vulnerable due to their ability to cope with and participate in decision making with regards to resettlement.

- **Children** are vulnerable because they have no control over the direction or speed of the resettlement process. They have little say and entirely depend upon their parents and guardians for relocation and restoration of livelihoods.
- **The elderly** are vulnerable because most of them are physically weak and cannot relocate to new shelters nor restore their livelihoods without support from others. It is more difficult for the female elderly.
- **Single mothers** are vulnerable because they are faced with multiple tasks of being breadwinners; mothers; providers of shelter; and providers of security for those under their responsibility. Shelter relocation and livelihood restoration will be huge tasks for single mothers. The same is true for female heads of households, probably more so because some of them will also have to deal with irresponsible husbands.
- **The orphans** are a special group different from other children because they are totally dependent on sympathetic relatives or adults. With the increase of responsibilities in the resettlement process, orphans will most likely be marginalized. Their needs might not be a priority in the planning and/or in the implementation stages.
- **Widows** are vulnerable because they have lost their breadwinners and are suddenly faced with the reality that they have to provide for themselves, the children and other dependants. Resettlement will be an additional responsibility, which will need outside support. The need becomes bigger where the widow is elderly.
- **Female small-scale farmers and the non-farming females** are vulnerable too because they have to meet out their livelihoods on a day-to-day basis. In the absence of sizeable commercial activities and alternative income-earning opportunities in the project area, they have to struggle in each day in order to get the day's essentials. Resettlement is a time-demanding process and they will face time constraints to participate in both.
- **The terminally ill** are vulnerable because they cannot attend to their resettlement responsibilities without support from family members or relatives.
- **Those below the poverty line and the illiterate** can easily be cheated and manipulated in the process by dishonest and opportunistic individuals within and outside the community.

The vulnerable PAPs will need assistance and protection that will help them overcome difficulties in the process. They cannot successfully relocate without adequate support and assistance. During the survey conducted along the road section, the vulnerable groups constitutes only 16.2 % of all PAPs and which less than 1% are landless, 4 % of surveyed PAPs are elderly persons, 7.5 % are women heading their households (single mothers, widows), 2.2 % are long illness persons especially those living with HIV/AIDS infections and about 2 % are disabled persons (Table 11-1, Table11-2 and Figure 11-3).

Table 11-1: Groups of PAPs

Groups of PAPs	Percent
Non-vulnerable groups	83.8
Vulnerable groups	16.2
Total	100

Source: Socio-Economic Household Survey, April-February, 2009.

Table 11-2: Vulnerable groups with comparison to non vulnerable

Vulnerable groups	Percent
Long-sickness persons	2.2
Landless persons	0.5
Elderly persons	4
Widow/Women	7.5
Disabled persons	2
Total	16.2

Source: Socio-Economic Household Survey, April-May, 2009.

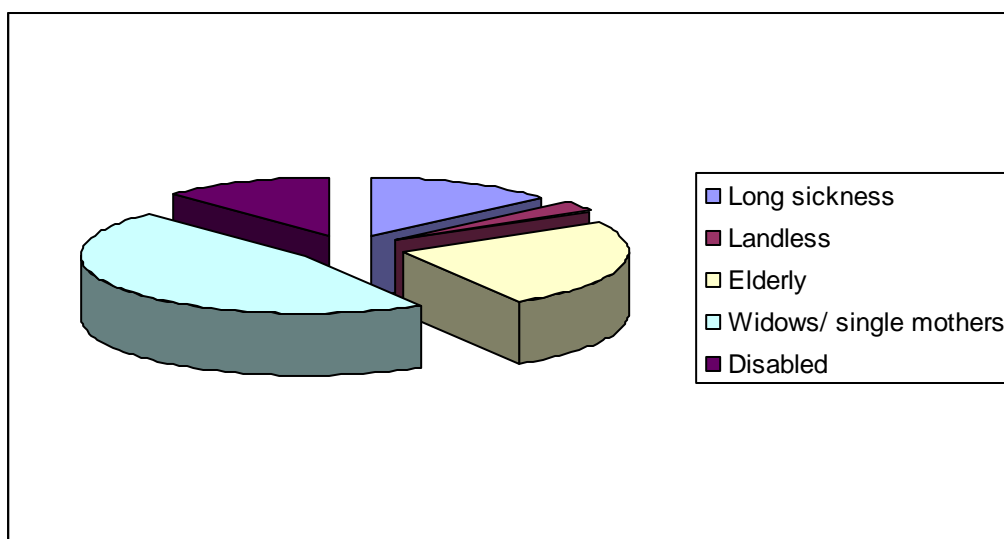


Figure 10-3: The vulnerability among the PAPs.

11.2.5 Eligibility for compensation relevant to cut-off date in accordance with ADB/JICA guidelines

The displaced persons in the project area include the communities owning the houses, farm plots, undeveloped plots and businesses within the right of way. As the road alignment follow the existing alignment and sometimes re alignment, there are lots of partial developed plots and forest reserves which will be affected by the road alignment. Other properties which will be considered for compensation are those which will be affected during the road construction activities particularly those resulting from detours and camp citing. The actual relocation cost for the detours will be undertaken during road construction and take care by the contractor. However, it is envisaged that the detours will be kept to minimum. The eligibility category as per ADB is indicated in Table 11-3 below:

Table 11-3 Criteria for Eligibility (GUIDELINES)

Displacement Category	Entitlement
Individuals who have formal legal rights to land (including customary and traditional rights recognized under the laws of Tanzania)	<ul style="list-style-type: none"> ○ Compensation for loss in land and assets at full replacement cost. ○ In case of physical relocation, provide assistance during relocation (i.e. moving allowance) and residential housing and/or agricultural sites with productive and location advantages equivalent to the lost sites. ○ Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels. ○ Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities).
Individuals who do not have formal legal rights to land, but have a claim to such land or assets (provided that such claims are recognized under Tanzanian laws or become recognized through a process identified in the resettlement plan)	<ul style="list-style-type: none"> ○ Compensation for loss in land and assets at full replacement cost. ○ In case of physical relocation, provide assistance during relocation (i.e. moving allowances) and residential housing and/or agricultural sites with productive and location advantages equivalent to the lost sites. ○ Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels. ○ Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities).
Individuals who have no recognizable legal right or claim to the land they are occupying (i.e. squatter settlements, disputed ownership)	<ul style="list-style-type: none"> ○ Resettlement assistance as appropriate (i.e. land, assets, cash, employment, etc.)

12.0 VALUATION OF AND COMPENSATION FOR LOSSES

12.1 Method used in Valuation of affected structures, Land, trees and other assets

In developing the Resettlement Action Plan, the Consultant was required to visit inspect and value all the properties to be affected by the upgrading of Mangaka – Nanyumbu - Mtambaswala road Project. In accordance with the ToR provided by the Client, the properties to be evaluated were categorized as those properties to be affected within 45 m corridor of the new road.

In valuing properties along the Mangaka – Nanyumbu - Mtambaswala Road, the Replacement Cost Method of Valuation has been adopted as indicated before, this method is sometimes known as the Contractors Test Method of Valuation. In this method, the value of an asset is determined by reference to the cost of replacing or reinstating it (as new) or that of its substitute. Where the asset/property is not new the replacement cost is then depreciated to derive at depreciated replacement cost which is equivalent to a **market Value**.

The depreciation factor reflects the accumulated obsolescence which the asset has suffered as a result of passage of time, use abuse, change in taste, technological wear and tear and any other factors that may adversely affect the continue running/ using it compared to similar new assets. Such accumulated obsolescence could be a result of physical, economical, functional or social factor. This method is generally used to value properties which do not change hands in the market very often of which there is no comparable sale. In doing so the following factors have been taken into account;

- Location
- Level and amount of services provided
- Accessibility
- Farm or plot size
- Development conditions discerned from land titles
- Date of transaction
- Parties to the transaction
- Parties to the transaction
- Condition (in case of buildings, farms, produce,)
- Motive of sale
- Tenure and Un- expired term
- Slope and lie of the land
- Type and quality of the soil and its productivity
- Amount and availability of soil moisture
- Minerals that are part of the property
- Arable land, waste land, swamps, difficult land
- Degree of erosion
- Easements and way leaves, right of way, fishing rights, water way rights.

The purpose of the valuation is to determine the **Current Replacement Cost** and **Open Market Value** for **Compensation** purposes.

12.2 Valuation for Compensation under 'The New Land Act 1999 and the Village Land Act 1999'

Unlike the Land Acquisition Act of 1967 which limited compensation for land acquired for public purpose to the unexhausted improvements only, Act No. 4 and 5 of 1999 (Land and Village Land Acts) advocates for **FULL, FAIR** and **PROMPT** compensation based on market value of the property. This position is given legal effect by the Land Act, 1999 and the village land Act, 1999 under the proviso to section 3 (1) (g) of the two acts

- (i) The Land Act of 1999 and the Land Regulations of 2001 provide the means for implementing the resettlement and compensation process. The valued assets include dwelling houses, crops, trees, hedges, fences, lands and other properties. This valuation has utilized the Replacement Cost Method which is also known as the Contractors Test Method for valuation which makes reference to the cost of replacement at the date of valuation. In the case of a building, this means rebuilding a similar property to the same standard of workmanship, specifications, design and layout, inclusion of an allowance for professional fees (but usually excluding cost escalation during the rebuilding period).
- (ii) The requirements for the assessment of compensation are provided in the Land (Assessment of the Value of Land for Compensation) Regulations of 2001. In this valuation the following has been adopted as the methodology to be applied:-
 - **Buildings:** The replacement cost (cost for rebuilding a similar property) is assessed, and no depreciation factor is considered except for allowance of incomplete structures, workmanship and other factors affecting property market value are considered as adjustments.
 - **Land:** Values are assessed based on the average price of land at each specific area. Compensation for the loss of any interest in land includes the value of unexhausted improvement, disturbance allowance, transport allowance, accommodation allowance and loss of profits.
 - **Accommodation allowances** have been based on market rent for 36 months.
 - **Disturbance allowances** were assessed based on the principle of "the value of the estate multiplied by the rate of interest prevailing and payable to fixed deposits by commercial banks".
 - **Transport allowance** is the actual cost of transporting twelve tons of luggages by road within 20 km from the point of displacement.
 - **Loss of profits** has been calculated on the basis of net monthly profits of the business carried out on the land, for a period of 36 months.

After assessment of the property's replacement cost; the land values, accommodation allowance, transport allowance, disturbance allowance and loss of profit are assessed. These values were added to the properties' replacement costs to arrive at a total compensation figure.

12.3 Compensation Characteristics

12.3.1 Criteria for the eligibility

Criteria for the eligibility of displaced persons were established, and potential PAP's were confirmed by the local authorities. A methodology for valuing losses was developed based on guidelines provided by the Ministry of Lands, Housing and Human Settlements, so that the land and/or property to be acquired for the purposes of the road (including crops and trees) could be classified and valued. Replacement costs have been categorized separately from houses, structures, crops and trees. Sites for relocation are to be identified. In most cases this will involve "stepping back" within the same plot, rather than total relocation.

12.3.2 Calculation for Compensation Payment

The compensation payment referred to by the 'The Land Acts' shall include:

A: Building

- Market value of the real property (i.e. value of unexhausted improvement and land)
- Accommodation allowance = Market Rent of the affected building per month multiplied by 36 months i.e. **Accommodation allowance = Rent /p.m. x 36 months.**
- Loss of profit allowance is accessed by establishing Net profit per month evidenced by audited accounts multiplied by 36 months i.e , **Loss of profit = Net Profit / p.m. x 36 months.**
- Disturbance allowance is calculated by **value of Land** by average percentage rate of interest offered by commercial banks on 12 months fixed deposit at the time of loss of interest in land i.e. **Disturbance allowance =Land value x i , where: i = interest rate offered by commercial banks on 12 months fixed deposits.** 5% interest rate was adopted
- Transport allowance shall be actual cost of transporting 12 tons of luggage by rail or by road (whichever is cheaper) within 20 kilometers from the point of displacement i.e. **Transport allowance = 12 tons x Actual Cost / ton / km x 20 km.**

B. Crops

- The list of prices from Valuation Office Ruvuma Region has been updated and adopted

C: Land

- Values are assessed based on the average price of land at each specific area.

NOTE:-

- (a) Transport, Accommodation and Loss of profits allowances shall not be paid for unoccupied land
- (b) Accommodation and Loss of profit shall not be paid concurrently over the same property
- (c) Accommodation and Loss of profit shall only be paid to the property owner and not tenant(s)
- (d) Incidences requiring compensation include:-
 - Compulsory acquisition under the Land Acquisition, 1967.
 - Transfer of categories of land under section 4 (7) & 5 (7) of the Land Act, 1999
 - Where land is declared to be hazardous land under section 7 (8) of Act No. 4 of 1999
 - Where land is declared to be under regularization as per section 60 (7) (f) & 60(3) (b) of the Act No. 4 of 1999.
 - Where revocation of a Right of Occupancy under section 49 (3) of Act No. 4 of 1999
 - valuation for compensation purpose
 - To identify factors that explain variations in arriving at values
 - To boldly recommend valuation methodology and factors to be considered in valuation for compensation purposes

12.3.3 Valuation Report

The Project Valuer has prepared a Valuation report for all properties within the 45m corridor are attached to this RAP as standalone volume. The Valuation report for compensating the properties and trees within the 45 m corridor of impact have been verified by TANROADS then forwarded for approval by the Chief Government Valuer before preparing the Compensation Schedule for implementing the payment for the compensation. The Valuation Report is bound separately as Appendix

13.0 IDENTIFICATION OF ALTERNATIVE SITES AND SELECTION OF RESETTLEMENT SITE(S), SITE PREPARATION AND RELOCATION

All resettlement is local thus relocation is unlikely to cause major resettlement impacts. Meetings involving the consultants, TANROADS officials, Valuer, local government officials including village government and the affected community will be held to agree on relocation sites. However all people to be displaced prefer cash compensation and they are willing to be relocated in their original village. Village governments will be involved in the process of identifying and allocating new plots to the isolated building owners and farmers inside the same villages, offering equal chance to exploit traffic-related business.

Even though free plots are available in road-side villages, the relocation process may become a sensitive issue. In similar projects, expropriation disputes stem from disagreements on the value at which the estate and its improvements are to be compensated. As the government has undertaken detailed property valuation and compensation implementation schedule; this will improve the public perception of the project and reducing local resistance. To avoid mismanagement of compensation money, the relocation scheme should be countersigned before payment, enabling the displaced person to reconstruct his property as soon as he receives the money.

All people to be displaced will be involved in the identification of the new sites for resettlement since they have ample area/land for shifting. In rare cases where affected ones do not have enough lands, the village government, where applicable, will allocate the area after the consent of displaced people. The cost for obtaining that land suitable for house construction particularly in the rural area is estimated to be Tsh 100,000 to 300,000 which are paid to the village government or to individuals owning a land, while the cost of acquiring a new surveyed plot at Mangaka suitable for House Construction is estimated to be 500,000.

The local government revenue and central government will provide social services like water supply, electricity etc. to the satellites. However, these services will be provided to all communities regardless of affected community whenever resources allow

Ministry of finance through TANROADS will disburse the compensation funds to the TANROADS Regional office to pay the communities eligible for compensation. After the effect of the compensation and resettlement the communities will be given at least six months for resettlement. TANROADS will then authorize the Contractor to start demolition works.

However, the children's, elderly, single mothers, female (heads of households), and orphans are considered the most vulnerable in the project area. These groups also include the disabled; widows; small-scale farming females, non-farming females, and the terminally ill among which people living with HIV/ AIDS are a part of. The various groups are considered vulnerable due to their inability to cope with and participate in decision making with regards to resettlement.

The vulnerable PAPs will need assistance and protection that will help them overcome difficulties in the process. They cannot successfully relocate without adequate support and assistance. These PAPs will be assisted in opening bank accounts, utilization of the finance resources obtained from the compensation in a meaningful way. Moreover, those who have long-illness such as HIV/AIDS the RAP Implementation Plan will make sure that these vulnerable have their representatives who will be working on their behalf in various ways.

In the event that an affected person is not satisfied with the compensation package or the resettlement process, such grievances will be addressed initially through mediation. The aggrieved person will first report his/her case to the Village and Ward Executive Committees. If these parties are unable to resolve the matter, the complainant will be referred to the Social Services Committee at the District level which may choose to constitute a Grievance sub-Committee to deal with the specific grievance. This sub-committee will generally comprise members of the existing Social Services Committee, one representative each from the Ward and Village Administrations, one representative from the PAPs, and a leader from the local PAPs community.

If further mediation is necessary, this may be conducted by the Regional Secretariat. If still no agreement is reached, then legal recourse may be taken. Since legal procedures take a long time to settle, often PAPs tend to be disadvantaged during the long process and it is for that reason that the Social Services Committee should be vigilant so to resolve issues at an early stage. The aggrieved person will be exempt from any legal and administrative fees incurred during the grievance redress.

14.0 SHELTER, INFRASTRUCTURE, AND SOCIAL SERVICES

As indicated the above chapters that affected communities prefer to be relocated entirely within the existing community which will minimize the disturbance to implement the resettlement as moving people away from their original village may require providing them with new services. From interviews conducted in the villages it was very clear that land availability was not considered to be a problem. Affected people can in theory acquire new plots in the same village.

In addition the displaced population can continue to utilize the existing social facilities such as schools, hospitals, mosques, churches and other religious and traditionally significant sites;

Moreover the social and cultural relations will be maintained. This is likely to sustain people's economic system, ways of production and other means of income generation and trading. Their productive skills remain applicable for no significance geographical and social change has occurred;

By relocating the project affected communities the neighborhood is being maintained. For any traditional society neighborhood is a very important element of social life. People value and respect social integration within their communities. Helping each other during funerals, wedding and other socio-cultural ceremonies. More significantly the neighborhood includes kingship groups. It is upon these social facets, a simple society is maintained.

15.0 ENVIRONMENTAL PROTECTION

15.1 Impact

The major impacts of the resettlement resulting from the upgrading of Mangaka – Nanyumbu – Mtambaswala road to bitumen standard include:

Loss of Land: The impacts covers the loss of agricultural land (rented or owned) and denied access to the land.

Demolition of building structures: the impact include the demolition of houses or living quarters (rented or owned) as well as other physical structures (rented or owned)

Loss of income: the resettlement will result into the loss of income from crops, wage earnings, affected business and denied access to formal employment opportunities

Environmental effects: The resettlement will deny access to natural resources resulting from land acquisition or from the project itself

15.2 Resettlement Mitigation Measures

The following interventions have been taken to minimize land acquisition and resettlement within the project;

(i) Compensation

In order to avoid the negative impacts to the people who will be affected by the road implementation, they will be compensated. The properties valuation has been undertaken to all properties to be affected. The consultant in collaboration with local governments, TANROADS and the people who will be affected made consultative meetings and agreed on the form of compensation.

(ii) Forms of compensation

During the Socio-Economic Survey, special attention was paid in understanding the type of compensation preferred by every Project-Affected Person (PAP). It was whether to decide on cash or in-kind compensation options. About 98.4% of the PAPs preferred cash compensation options. This option is more appropriate as many village governments as well as individuals claimed that they have enough land for those who will be relocated. Also, this type of compensation is applicable where there is active market of labour.

It was also revealed that a good number of PAPs living mainly in villages facing no land problem have enough land and they own about 3-4 acres. According to respondents, 96% own land while only 4% have small size or no land at all .The main means used to acquire their land are inheritance from the relatives (parents),

receiving from the village government, buying, and invading and clearing the open space or bushes. This will encourage more the form of cash compensation. Only about 1.6% preferred in-kind compensation.

About 97% of the PAPs responded that they have to live within their existing settlement in the same village as they do not want to lose their kin members and neighbours. This implies that satellite locations would not be appropriate to them. Only 3% responded that they were ready to stay anywhere within or outside the village that will be allocated by their village government. These are mainly hailing from the villages with no enough land. Other reasons behind for the selections of these locations are the presence of source of livelihoods and social facilities.

Many respondents (78%) expected no gain that would result from the relocation process rather than the loss of their customers, shelter, crops, land and disruption among the community members and neighbors. The rest (22%) expected the gain due to compensation that will be offered due to the lost assets.

Table 15-1: Forms of compensation

Forms of compensation	Percent
Cash compensation	98.4
In-kind compensation	1.6
Total	100

Source: Socio-Economic Household Survey, January-February, 2009.

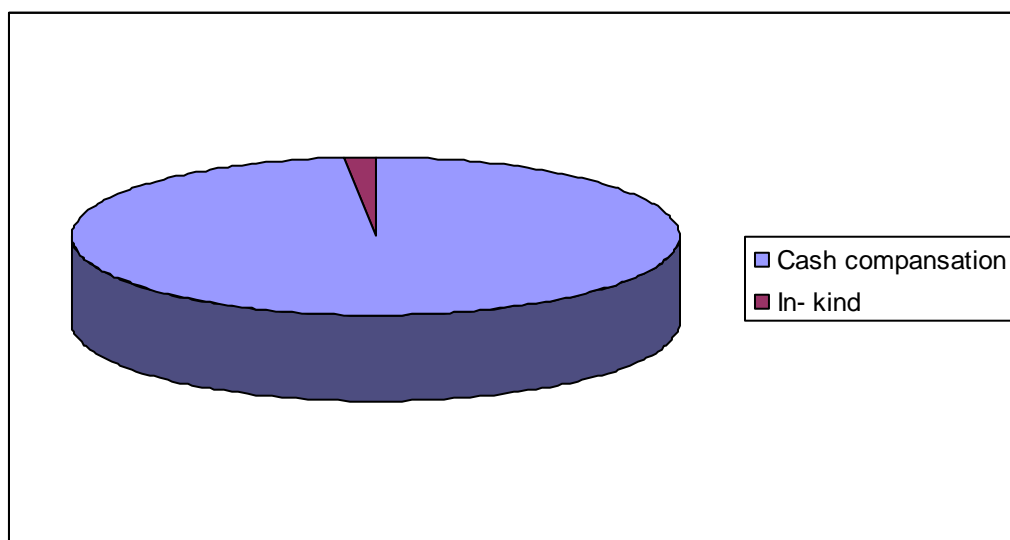


Figure 14-1: Forms of compensation.

The owners of the houses, businesses and farms pre-empted for road construction purposes have been identified by the present study in collaboration with the local authorities and community leaders. The people to be resettled will receive timely notice and will be paid the full amounts related to:

- The value of the buildings and other unexhausted physical developments
- Transport allowances for persons and goods to the resettlement sites

- The value of the lost business income for the period required to re-start it elsewhere
- The value of the crops and the cost of re-establishing the lost farm area nearby
- The value to cover accommodation allowance
- The value to cover the land.

Communities along the road are aware that the road is under study for bituminization. They are also aware that it is normal procedure to compensate project-affected people. To forestall any increase in the project affected peoples (PAPs), the TANROADS Regional Manager – Mtwara has undertaken a village survey along the road. This is to ensure that no new developments are erected on the right of way. This means that between now and project implementation, new developments are unlikely to appear and there will be no increase in the PAPs.

(iii) Road Alignment

The proposed upgrading will follow the existing road alignment as far as practicable and the design standards are complied with. The proposed road alignment will traverse villages of Mangaka, Nahawara, Mkohora, Namasogo, Nanyumbu, Chungu and Lukula. However, some re alignment has been necessary in Chipuputa, Maneme and Masuguru. In Mangaka there will be a weigh bridge and a round about affecting additional properties.

16.0 IMPLEMENTATION SCHEDULE

The cost for the implementation of the actual resettlement will be included in full costs of the project activities. Most of the resettlement activities (up to the physical relocation stage) will be implemented and completed before the start-up of the construction works. Therefore, a realistic detailed activity implementation schedule will be prepared in a participatory setting, at a time when the intensity of the assignment in comparison to the physical, financial and human resources made available are known.

Displaced households and farmers will receive timely notice respectively to harvest the fields and salvage the frames, iron sheets or glasses from the buildings. As discussed before the Village Chairmen and Executive Officers will be involved in allocation of new plots to the isolated building owners and farmers inside the same villages, offering equal chance to exploit traffic-related business.

The RAP will span half-year, through the following administrative and fieldwork schedule.

The compensation will be implemented within 6 months after the approval of the valuation report. Thereafter, the penalty equivalent to the commercial bank rate for the fixed deposit account will be charged.

Table 16-1: Dislocation and resettlement schedule (2009)

Framework operations		Months after submission of acceptable RAP					
		1	2	3	4	5	6
1	Approval of Valuation Report (Client/Chief Valuer)						
5	Mobilization of compensation funds by Client						
6	Payment of compensation money						
7	Location of alternative settlements						
9	Start-up of physical resettlement operations						
10	Monitoring and Evaluation	•	•	•	•	•	→

Monitoring and evaluation will be required to determine the success of the project and the project resettlement needs. Monitoring and evaluation will be required at each of the three stages; pre-construction/pre-settlement phase, resettlement phase and post construction phase.

The communities along the road are already aware of the potential for compensation during upgrading and some will take advantage to build illegal structures. Illegal encroachment needs to be curtailed. During this phase, the major monitoring activity will be surveillance to ensure the numbers of PAPs does not increase. The Regional Manager on a regular basis should carry this out. Since the Regional Manager has already started to carry out regular surveillance, what is required is strengthening and enhancing the surveillance.

During resettlement, the major activities are to ensure that the settlement is carried out fairly. Keeping a weekly register of complaints and grievances can assist in the monitoring of this. Records should be kept by the village committees and collected by the Regional Manager.

Monitoring according to this project will cover the monitoring of implementation of the Resettlement Plan, which is geared to provide information on the achievement of the program targets. Moreover monitoring will show whether the plans are on schedule and are within the budget. The second activity will be monitoring the families that have been compensated and/or resettled, to assess whether compensation levels have allowed them to replace lost assets, and whether they have been able to replace or improve their income levels and standard of living.

Monitoring and evaluation are important activities in terms of assessing the effectiveness of Resettlement Action Plan (RAP) implementation. These will include physical progress of resettlement and rehabilitation activities, the disbursement of compensation funds, and effectiveness of the public consultation process. In this project two types of monitoring are recommended:-

- (i) Performance monitoring through which the physical progress of the RAP can be measured; and
- (ii) Impact monitoring, this assesses the effectiveness of the RAP and its implementation with respect to meeting needs of the PAPs. Performance monitoring will be carried out as an internal management function by the District Social Services Committees and TANROADS. In addition the PAPs will elect their representatives to participate in the monitoring of the implementation of the RAP.

The District Social Services Committees, with assistance from the Village and Ward Executive Officers, and any appointed local service providers (NGOs/CBOs), will monitor the rebuilding process and will be responsible for ensuring that the PAPs are using the compensation fund for rebuilding the affected structures or property. The Social Services Committees will be required to present monthly reports to

TANROADS Regional Managers to report on the progress of RAP. These reports will be forwarded to TANROADS Head Office for action as necessary.

17.0 COSTS AND BUDGET

The estimates given in this section are based on valuation surveys carried out for 940 properties inclusive of houses, trees and crops within 45m ROA that have been affected by the project road. According to valuation report and other estimated to cover vulnerable group, monitoring and 10% contingencies, the cost for implementing RAP is tuned to Tsh **3,194,245,311.00** which are detailed in Table 17-1 below:

Table 17-1: Summary of Costs for RAP Implementation

Compensation Item	Total Cost (TShs)
Land and Crops	88,074,988.00
Buildings/Structures	2,583,923,127.00
Accommodation Allowance	272,846,600.00
Transport Allowance	51,700,000.00
Disturbance Allowance	116,074,405.00
Loss of profit	Nil
Graves	Nil
Total Compensation Package	3,112,619,120.00
Monitoring	40,000,000.00
Assistance to vulnerable groups	10,000,000.00
Sub Total	3162,619,120.00
Contingencies @ 10%	31,626,191.00
Grand Total	3,194,245,311.00

18.0 MONITORING AND EVALUATION

For impact monitoring it is planned that an evaluation commissioned by TANROADS be conducted from an independent third party to determine the overall impact of the RAP. The key objective of the external evaluation will be to determine whether efforts to restore the living standards of the affected population have been properly executed. The evaluation will also verify the results of performance monitoring and identify adjustments to the RAP packages, if required. The evaluation will assess, inter alia:-

- The appropriateness of the relocation sites;
- The appropriateness of the implementation schedule;
- The appropriateness of the grievance mechanism;
- The appropriateness for assisting vulnerable groups;

The Project Affected Persons (PAPs) will be actively involved and informed in impact monitoring through participatory meetings. The cooperation of the Village Executive Officer and Ward Executive Officer is also crucial during these evaluations. It is anticipated that impact monitoring will first be carried out approximately 3months after the PAPs have been relocated, and thereafter annually for a period of at least 2 years. At the end of each evaluation, a report will be submitted to TANROADS giving details of the evaluation and its findings.

19.0 CONCLUSION AND RECOMMENDATION

This Resettlement Action plan will be implemented by compensating the individuals to be affected by the proposed road construction activities. The compensation will enable the PAPs to relocate in order to allow road construction. It is planned that the Resettlement Action Plan this will be implemented before the construction activities starts. The compensation will be implemented within 6 months after the approval of the valuation report. Thereafter, the penalty equivalent to the commercial bank rate for the fixed deposit account will be charged.

After consultation with the Project proponent (TANROADS), it was confirmed that the compensation will be implemented as soon as the valuation report will be approved by the Government Chief Valuer. TANROADS further promised to adhere to the requirements proposed in the RAP to ensure smooth relocation of the PAPs.

APPENDENCES

Appendix I: LIST OF PAPs WITH STRUCTURES

KIJIJI	KITONGOJI	NA YA NYUMBA	JINA LA MKUU WA KAYA	JINA LA MHOJIWA
NAHAWARA	MZALENDO	NAZ 1	MOHAMEDI HALIFA	MOHAMEDI HALIFA
		NAZ 2	ALIA KAUNGA	ALLY MASHAKA
		NAZ 3	MAZOWEA ADINANI	MAZOEWA ADINANI
	MITUMBATI	NAT 1	RASHIDA MKULIA	RASHIDA MKILIA
		NAT 2	ASHA SAIDI	ASHA SAIDI
		NAT 4	MERINA ABDALA	MERINA ABDALA
		NAT 5	SUWEDI JAFARI	SUWEDI JAFARI
		NAT 6	ABDALA NACHID	ABDALA NACHID
		NAT 7	WHITE SUWEDI	WHITE SUWEDI
		NAT 8	SELEMANI KHALID	SELEMANI KHALID
		NAT 9	HALIFA MAZOEWA	MAZOEWA ADINANI
		NAT 10	LUMINA AJILI	LUMINA AJILI
		NAT 11	HAMIDU J. KOVA	HAMIDU J. KOVA
	MWAMBANI	NAW 2	YASINI YASINI KATYOCHÉ	YASINI YASINI KATYOCHÉ
		NAW 3	HADIJA OMARI	ASAFI SAIDI
		NAW 5	MAIMUNA HAJRI	MAIMUNA HAJRI
		NAW 6	SAIDI KHATIBU	SAIDI KHATIBU
		NAW 7	HATIBU A. MITEA	HATIBU A. MITEA
		NAW 8	SAIDI HASSANI	SABINA HAKIMU
		NAW 9	SALUM MSAVAH	SALUM MSAVAHI
		NAW 10	MTONTO ISMAIL	BIMKAPA HALIFA
		NAW 11	RASHIDI ABDALA	RASHIDI ABDALA
		NAW 12	ABDALA NACHIO	ABDALA NACHIO
		NAW 13	ASITINA MSAVAI	ASITINA MSAVAI
NAMASOGO	IRINGA	NMI 2	RAJABU CHIKENE	RAJABU CHIKENE
		NMI 3	AFIDHU HEMEDI	AFIDHU HEMEDI
		NMI 4	ATHUMANI I. S. S. A NYAMANGA	ATHUMANI I. S. S. A NYAMANGA
		NMI 5	AZIZI ISSA MILANZI	AZIZI ISSA MILANZI
		NMI 6	ALLY KHASHIMU	ALLY KHASHIMU
		NMI 7	HUSEIN BUSHIRI	HUSEIN BUSHIRI
		NMI 8	MAURIDI ATHUMAN MTAPIKA	MAURIDI ATHUMAN MTAPIKA
		NMI 9	HASHIMU W. MMUSIA	HASHIMU W. MMUSIA
		NMI 10	BENUART MMOLE	BENUART MMOLE
		NMI 11	KASIMU A. MKALAVILE	KASIMU A. MKALAVILE
		NMI 12	AMINA MLULUKA	FADHILI ATHUMANI
		NMI 15	SAIDI SAIDI BWANA HAKI	SAIDI SAIDI BWANA HAKI
		NMI 16	SOFIA KAMALA	SOFIA KAMALA

KIJIJI	KITONGOJI	NA YA NYUMBA	JINA LA MKUU WA KAYA	JINA LA MHOJIWA
		NMI 17	NIKOLAUS CHITUMBI	NIKOLAUS CHITUMBI
		NMI 21	AJILI NAPWITA	AJILI NAPWITA
		NMI 22	SOMOE MMOLE	NURUDIN S. MMOLE
		NMI 23	ATHUMANI CHILUNDA	ALKHAJI ATHUMANI
		NMI 24	YUSUPHU MWATUKA	YUSUPHU MWATUKA
		NMI 25	RAJABU H. MMUSIA	RAJABU H. MMUSIA
	DODOMA	NMD 1	J AISI MTEREKA	BASHIRU J AISI
		NMD 2	ATHUMANI LAINI	ATHUMANI LAINI
		NMD 3	HASMA AZIZI	HASMA AZIZI
		NMD 5	ISLAM RAJABU	LUIZA YASSINI
		NMD 6	YASINI AMIR SHARIA	JARI YASINI
		NMD 7	SALUM YASSIN	SALUM YASSIN
		NMD 8	HAMISI SELEMANI	HAMISI SELEMANI
		NMD 10	SHAMVU ALLY	SHAMVU ALLY
		NMD 11	MAHAMUDU KASHIMU	MAHAMUDU KASHIMU
		NMD 13	STAMILI RAJABU IBRAHIM	STAMILI RAJABU IBRAHIM
		NMD 14	HAUNA MTELEKA	REHEMA SAIDI
		NMD 15	HUSSEIN HUSEIN	HALIMA JUMA
		NMD 16	NURDIN HALFANI	NURDIN HALFANI
	TABORA	NMT 1	SOFIA HALIFA	SOFIA HALIFA
		NMT 2	RASHIDI OMARI	RASHIDI OMARI
		NMT 3	RASHIDI OMARI	RASHIDI OMARI
		NMT 4	SHAIBU ATHUMAN	SHAIBU ATHUMAN
		NMT 5	ANEMA NYARICHI	ANEMA NYARICHI
		NMT 6	SELEMANI MTALIA	KASHIMU SELEMANI
		NMT 7	JAFARI MIRENJE	JAFARI MIRENJE
		NMT 8	ARAPHATI SELEMANI	ASAINA BINAMU
	HINAWE	NMH 2	HAMISI MAURIDI	HAMISI MAURIDI
		(NMH 1)		
KIJIJI	KITONGOJI	NO YA NYUMBA	JINA LA MKUU WA KAYA	JINA LA MHOJIWA
CHIPUPUTA	SOKOINE	CHS 2	RASHIDI S. AMPILA	RASHIDI S. AMPILA
	MAPINDUZI	CHP 1	MWAJUMA HATIBU	MWAJUMA HATIBU
		CHIP 2	SHAMA SABU	SHAMA SABU
		CHIP 3	JAFARI WAINI	JAFARI WAINI
		CHIP 6	KUTUBU SAIDI NYASA	KUTUBU SAIDI NYASA
CHIPUPUTA	MAPINDUZI	CHP 7	HASSAN HATIBU	HASSAN HATIBU
		CHI 4	JARATI LASIRI	JARATI LASIRI
		CHI 6	SAID R. NYASA	SAID R. NYASA
		CHI 7	HASSAN HATIBU	AMINA MANAFI
		CHI 8	ABASI CHIMURIKA	ABASI CHIMURIKA
		CHI 9	MWARABU H. CHIMULA	MWARABU H. CHIMULA

KIJI	KITONGOJI	NA YA NYUMBA	JINA LA MKUU WA KAYA	JINA LA MHOJIWA
		(CHI 11)	MAUA MBALI	MAUA MBALI
		CHI 13	ELIZA SITAUBI	ELIZA SITAUBI
		CHI 14	YUSUPHU ALMASI	YUSUPHU ALMASI
		CHI 16	MWANAHAWA	MWANAHAWA
			MOHAMEDI	MOHAMEDI
		CHI 17	HUSIKI SANDALI	HUSIKI SANDALI
MKOHORA	KILIMANI	MKK 1	MKUMBELO ATHUMAN	MKUMBELO ATHUMAN
	HEWA	MKK 2	AMULI LAUMA	AMULI LAUMA
			RASHIDI	RASHIDI
		MKK 3	AZIZI ADAMU	AZIZI ADAMU
		MKK 5	ABDALA SALUM	ABDALA SALUM
		MKK 6	BAKARI KARIWANJE	BAKARI KARIWANJE
		MKK 9	EMMANUEL MNEMBO	EMMANUEL MNEMBO
		MKK 10	ABDALA AJALI	ABDALA AJALI
		MKK 11	MIRIANI KAITANI	ASHA SAIDI
	PWANI	MKP 1	HACHIRA H.	HACHIRA H.
		(MKP 2)	MMOLE	MMOLE
		MKP 3	MOHAMED CHAHENA	MOHAMED CHAHENA
		MKP 4	HADIJA N. HOKORORO	HADIJA N. HOKORORO
		MKP 5	SALIMA NIHIA	SALIMA NIHIA
		MKP 6	SALUMU OMARI	SALUMU OMARI
		MKP 7	YASINI ZUBERI	YASINI ZUBERI
		MKP 8	RASHIDI ABDELEHEMANI	RASHIDI ABDELEHE
			SAIDI MROPE	SAIDI MROPE
		MKP 16	MUSTAFA SAIDI MPONDA	MUSTAFA SAIDI MPONDA
		MKP 17	HARIDI RAHIMU	HARIDI RAHIMU
		MKP 18	MPONDA SAIDI	MPONDA SAIDI
		MKP 19	MUHAMUDU MAKWINJA	MUHAMUDU MAKWINJA
		MKP 20	HABIBA MATIKITI	HABIBA MATIKITI
		MKP 21	HASSANI ABASI	HASSANI ABASI
		MKP 22	FAIRA HASSANI MMORE	FAIRA HASSANI MMORE
		MKP 23	ABDUL NDIOPE	ABDUL NDIOPE
		MKP 24	ABASI ABDLLEMAN	ABASI ABDLLEMAN
		MKP 25	SELEMANI MOHAMEDI	SELEMANI MOHAMEDI
MKOHORA	ELIMU	MKE 2	SAIDI KASHIMU	SAIDI KASHIMU
		MKE 3	ALLY AMIMU	SOFIA MUSA
		MKE 4	HASHIMU MIRAMBE	HASHIMU MIRAMBE
		MKE 5	MIRAMBE ASHAM	MIRAMBE ASHAM

KIJIJI	AMANI KITONGOJI	MKA 1 NA YA NYUMBA	MATWAYA HUSEIN JINA LA MKUU WA KAYA	MATWAYA HUSEIN JINA LA MHOJIWA
		MKA 2	AMIDU MATWAYA	AMIDU MATWAYA
		MKA 3	AMULI MANINGA	HADIJA SAIDI
		MKA 7	HASHIMU HASSANI KAMBUTU	HASHIMU HASSANI KAMBUTU
		MKA 8	HARIDI HASANI	HARIDI HASANI
		MKA 9	WAZIRI HALFANI	WAZIRI HALFANI
		MKA 10	SALUMU ALMASI RASHIDI	SALUMU ALMASI RASHIDI
		MKA 11	BUSHIRI HASANI	BUSHIRI HASANI
	SAMORA	MKS 2	ZUBEDA A. RABANA	ZUBEDA A. RABANA
		MKS 3	AMIDA AMANI	AMIDA AMANI
		MKS 4	RAIBU HALIFA	RAIBU HALIFA
		MKS 5	MAISI SOMO SIWEZI	MAISI SOMO SIWEZI
		MKS 6	SALUMU A. WAKURA	SALUMU A. WAKURA
43		MKS 7	MRAMUSHA ALLY	MRAMUSHA ALLY
MANEME	ZIWANI	MNZ 1	MWAJUMA MARIK	MWAJUMA MARIK
		MNZ 3	ALI ISSA KUONEWA	ALI ISSA KUONEWA
		MNZ 4	IBRAHIM PARIRA	KAUGALA BAKILI
		MNZ 5	MGALO BAKIRI	ISMAILI .M. MRUMA
		MNZ 8	OMARI ELIASI	ATHUMANI KAALIVA
		MNZ 10	ATHUMANI KAALIVA	ATHUMANI KAALIVA
		MNZ 11	ALLY ALLY	ALLY ALLY
		MNZ 12	ZABIBU OMARI	ZABIBU OMARI
		MNZ 13	NURDIN KORONERIO	FATUMA ATHUMANI
	ZIWANI	MNZ 14	MAJALIWA MAZAO	MAJALIWA MAZAO
		MNZ 15	AFEZA ALLY	ABASI MWARABU
		MNZ 16	BUSHIRI BIHEKI	BUSHIRI BIHEKI
		MNZ 17		
		MNZ 18	ZAWADI MTAMBURA	ZAWADI MTAMBURA
	ELIMU	MNE 1	MASOUD OMARI	MASOUD OMARI
		MNE 2	MUSTAFA RASHIDI	MUSTAFA RASHIDI
		MNE 3	NASRA RASHIDI	NASRA RASHIDI
		MNE 4	SAIDI RASHIDI	SAIDI RASHIDI
		MNE 5	ALI HASSANI	ALI HASSANI
		(MNE 6)		
		MNE 7	AJILI HALALI	AJILI HALALI
		(MNE 8)		
		MNE 9	TURIA SWALEHE	TURIA SWALEHE
		MNE 10	MOHAMEDI SWALEHE	SOFIA ISSA
		MNE 11	YAHYA MAENEZO	ZUHURA HASSANI
		MNE 12	AMANI AHMADI	HALIMA HASSANI
		MNE 13	BISURA HAKIMU	BISURA HAKIMU
		MNE 14	SUWEDI DAIMU	SUWEDI DAIMU

KIJIJI	KITONGOJI	MNE 15 NA YA NYUMBA	MUSA SUWEDI JINA LA MKUU WA KAYA	MUSA SUWEDI JINA LA MHOJIWA
MANEME	ELIMU	MNE 16	SHABANI SELEMANI	SHABANI SELEMANI
		(MNE 17)		
		MNE 18	AJILI NAHE	ZAINABU ALLY
		MNE 19	HAMISI IBRAHIM	HAMISI IBRAHIM
		MNE 20	HASSANI SWALEHE	HASSANI SWALEHE
	MNAZI	MNN 1	HAWAZI JUMA	HAWAZI JUMA
	MMOJA		KALYANI	KALYANI
		MNN 2	AMIRI NAMWERA	AMIRI NAMWERA
		(MNN 3)		
		MNN 4	ALLY NAMITAMBA	ALLY NAMITAMBA
		MNN 5	BUSHIRI H. NACHIMO	BUSHIRI H. NACHIMO
	KIVUKONI	MNK 1	HASSANI SUWEDI	HASSANI SUWEDI
			MREKONI	MREKONI
		MNK 2	SAFINA NAKANGA	SAFINA NAKANGA
		MNK 3	FATUMA ISMAILI	FATUMA ISMAILI
		MNK 1	DOUGLAS PILA	DOUGLAS PILA
	MWERA	MNM 2	BIBIE ATHUMAN	BIBIE ATHUMAN
		MNM 3	SALUM AZIZI	SALUM AZIZI
		MNM 4	ATHUMAN MOH'D	ATHUMAN MOH'D
		MNM 5	RASULI L. RASULI	RASULI L. RASULI
NANYUMBU	MDENGA	NYM 1	ZAINABU ALFANI	VICENT HUSEIN
		NYM 2	HADIJA SULEIMANI	HADIJA SULEIMANI
		NYM 3	GEORGE MCHOPA	RENATA MIALE
		NYM 4	DAVID F. NGALEMA	DAVID F. NGALEMA
		NYM 5	RAJABU CHIKOTWA	RAJABU CHIKOTWA
		NYM 6	BAKARI JUMA	BAKARI JUMA
		NYM 7	SAIDI MAGOMBO	SAIDI MAGOMBO
		(NYM 8)	MTAKA	MTAKA
		NYM 9	ZENA ISSA	ZAINABU MUSTAFA
		NYM 10	EVA SUWEDI	
		NYM 11	MUSTAFA MALOLO	
		NYM 12	BENAMU ATHUMANI	BENAMU ATHUMANI
			MAKUNAPA	MAKUNAPA
		NYM 14	SALUM SALUM	SALUM SALUM
		(NYM 16)		
		NYM 15	ZAITUNI JUMA	ZAITUNI JUMA
		NYM 17	MAISI R. MMOLE	MAISI R. MMOLE
		NYM 18	TABIA HALFANI	TABIA HALFANI
		NYM 19	MUSTAFA RASHIDI	REHEMA PETRO
		NYM 20	JAFARI M. MAREMANO	JAFARI M. MAREMANO
		NYM 21	HAMZA ISMAILI	HAMZA ISMAILI
		NYM 22	MWANAHAWA WADI	ZAINABU DADI

KIJIJI	ELIMU	NYE 1	ATHUMANI SAIDI	ABIBA SAIDI
	KITONGOJI	NA YA NYUMBA	JINA LA MKUU WA KAYA	JINA LA MHOJIWA
		NYE 2	HADIJA SAIDI	HADIJA SAIDI
		NYE 3	JUMA ISSA	HALIDA ZUBERI
			MAKUNGANYA	
		NYE 4	MAONGEZI LARI	NGAULEI MAKUNGANYA
		NYE 5	SAIDI LIGANGA	HADIJA MATUMIKA
		NYE 6	ZAWADI SWADI	ZAWADI SWADI
		NYE 7	HAMZA A. MALINDI	HAMZA A. MALINDI
		NYE 8	ASHA MAJALIWA	ASHA MAJALIWA
		NYE 9	HASSANI MFAUME	HASSANI MFAUME
			STAMBULI	STAMBULI
		NYE 10	RAJABU ATHUMANI	RAJABU ATHUMANI
		(NYE 11)		
NANYUMBU	MADUKANI	NYD 1	SHAIBU J. CHIPOLE	SHAIBU J. CHIPOLE
		NYD 2	BUSHIRI MAURIDI	BUSHIRI MAURIDI
		NYD 4	MOHAMEDI BAKARI	MOHAMEDI BAKARI
			NAKANGA	NAKANGA
		NYD 5	HABIBA MUHIBU	HABIBA MUHIBU
		NYD 7	ESHA BAKARI	ABDULKARIM
			NAKANGA	MILANZI
		NYD 8	HASSAN L. NAMAGONO	HASSAN L. NAMAGONO
		NYD 10	MOHAMEDI BAKARI	MARIJANI MOH'D
		NYD 11	MOHAMEDI BUSHIRI	MOHAMEDI BUSHIRI
			MAURIDI	MAURIDI
		NYD 12 (14)	BUSHIRI MAURIDI	BUSHIRI MAURIDI
		NYD 13	MAHAMUDU BUSHIRI	TABIA
		NYD 15 (16)	YASSINI ATHUMANI	YASSIN ATHUMAN
		NYD 17	ZUHURA IBRAHIM	ZUHURA IBRAHIM
		NYD 18	MARIJANI MOH'D NAKANGA	MARIJANI MOH'D NAKANGA
		NYD 19	JAMILA SWALEHE	JAMILA SWALEHE
		NYD 20	ZAWADI SWADI	ZAWADI SWADI
		NYD 21	SAIDI MTANDA	SAIDI MTANDA
		NYD 23	AJILI H. MAKOLOKO	HAJI AJILI
		NYD 24	HAJI AJILI	HAJI AJILI
		NYD 26	SALUM NAMOYO	SALUM NAMOYO
		NYD 27	ASHA NAMOYO	ASHA NAMOYO
		NYD 28	SAIDI T. MKWAKWA	ZAMOYONI SAIDI
		NYD 29	SOFIA SALUM MAPIRA	SOFIA SALUMU MAPIRA
	MAHAKAMANI	NYH (5+4)	ALLI MOHAMEDI	ALLI MOHAMEDI
		NYH 6	AHMADI NAMTYOKA	AHMADI NAMTYOKA
		HYH 7	ANTHON OMARI	ANTONY OMARI
			SAANANE	SAANANE

CHUNGU	LIHANGU	CHUL 1	POPO K. DAIMA	POPO K. DAIMA
		CHUL 2	HUSEIN MASHA	AMINA DAIMA
KIJIJI	KITONGOJI	NA YA NYUMBA	JINA LA MKUU WA KAYA	JINA LA MHOJIWA
		CHUL 3	KASHIM ALLY	KASHIMU ALLY
		CHUL 4	JAFARI HASSANI	MWANAHAWA LIPETELO
		CHUL 5	AKATWEJE ALLY	AKATWEJE ALLY
		CHUL 6	MAENDELEO KAMBONA	RASHIDI ALBANO
		CHUL 7	HABIBA MUHIBU	HABIBA MUHIBU
		CHUL 8	AHMADI KAMBONA	FATUMA MOHAMEDI
		CHUL 9	MWANAJUMA KAMBONA	MWANAHAWA KAMBONA
		CHUL 10	ATHUMANI ADAM	ATHUMANI ADAM
		CHUL 11	ASHURA KAMBONA	ASHURA KAMBONA
		CHUL 12	BAKARI KAMBONA	HAMISI KASIMU
		CHUL 13	SEIFU THABITI	SEIFU THABITI
		CHUL 14	ABDALA MANDUTA	ABDALA MANDUTA
		CHUL 15 (16)	MPELEMBE ABDALA	MPELEMBE ABDALA
		CHUL 17	AHMADI MTIMBE	RASHIDI AHMADI MTIMBE
		CHUL 18 (19)	MAKOLOKO AJILI	MAKOLOKO AJILI
		CHUL (21)	IBRAHIM MAFULU	ASHA HAMISI
		CHUL 22	HALIFA MUSA	HALIFA MUSA
CHUNGU	NAMATUNU	CHUN 1	JUMA AWASI	JUMA AWASI
		CHUN 2	ANAFI MUSA	ANAFI MUSA
		CHUN 3	ANTONY D. MPITA	ANTONY D. MPITA
		CHUN 4	DANFORD MPITA	DANFORD MPITA
		CHUN 5	SAIDI SALUM	SAIDI SALUM
		CHUN 6	SALUM HASSAN MANDINDI	SALUM HASSAN MANDINDI
		CHUN 7	MARIJANI SALUM	MARIJANI SALUM
		CHUN 8	RAJABU ABASI	RAJABU ABASI
		CHUN 9	SAIDI ATHUMANI	SAIDI ATHUMANI
		CHUN 10	HASANI MAMU	HASANI MAMU
		CHUN 11	ALLI MAPILA MILANZI	ALLI MAPILA MILANZI
		CHUN 12	IBRAHIM ISSA	IBRAHIM ISSA
		CHUN 13	SAID IBRAHIM KAMBONA	SAID IBRAHIM KAMBONA
	GHALANI	CHUG 1	YUSUFU M. MBAVE	YUSUFU M. MBAVE
		CHUG (2+3)	MOHAMEDI H. ABDALA	MOHAMEDI H. ABDALA
		CHUG 4	KASHMA ATHUMAN	KASHMA ATHUMAN
		CHUG 6	ALFREDI YASINI LIPONGO	ALFREDI YASINI LIPONGO
		CHUG 7	HARIDI YASINI LIPONGO	HARIDI YASINI LIPONGO
		CHUG 8	ZAINABU KAISI	ZAINABU KAISI
		CHUG 9	FEDRICK DAUDI	FEDRICK DAUDI
		CHUG	OMARI MOHAMEDI	OMARI MOHAMEDI

		(10+11)		
		CHUG 12	SELEMANI OMARI	SELEMANI OMARI
KIJIJI	KITONGOJI	NA YA NYUMBA	JINA LA MKUU WA KAYA	JINA LA MHOJIWA
		CHUG 13	KASIMU MALIKI	KASIMU MALIKI
CHUNGU	PACHANI	CHUP 1	HASSANI HUSEIN CHIWOGA	HASSANI HUSEIN CHIWOGA
		CHUP 2	WANGOSOMA NJAIDI	WANGOSOMA NJAIDI
		CHUP 3	ASINA RASHIDI	ZAINABU BAKARI
		CHUP 4	YAHYA ALLY	YAHYA ALLY
		CHUP 5	ALLY MKWAVILA	ALLY MKWAVILA
		CHUP 6	ZAINABU SIJAONA	ZAINABU SIJAONA
	ELIMU	CHUE 1	JUMA RASHIDI	JUMA RASHIDI
		CHUE 2	MOHAMEDI YASINI	MOHAMEDI YASINI
		CHUE 3	MOHAMEDI ALLY	MOHAMEDI ALLY
		CHUE 4	SELEMANI ANUSA	SELEMANI ANUSA
		CHUE 5	ALLY YASINI LIPONGO	ALLY YASINI LIPONGO
		CHUE 6	MOHAMEDI ALLY	MOHAMEDI ALLY
		CHUE 7	YASINI MOHAMEDI	YASINI MOHAMEDI
LUKULA	ELIMU	LUE 1	MAMLO LITA	MAMLO LITA
		LUE 2	ATHUMANI KAZIBURE	ATHUMANI KAZIBURE
		LUE 3	MATHIAS IWENI	ZAKARIA IWENI
		LUE 4	MUSTAFA ZUBERI	MUSTAFA ZUBERI
		LUE 5	ABDUL MAKAWA	ABDUL MAKAWA
		LUE 6	HILAR VICENT NAMAKWETO	SALOME VICENT NAMAKWETO
		LUE 7	SAIDI OMARI	SAIDI OMARI
		LUE 8	BAADAE WAILU	BAADAE WAILU
		LUE 9	SAIDI MATAZAMA	ASHA S. MPELEMBE
		LUE 10	HASSANI SAIDI	MESE LENARD
		LUE 11	RASHIDI KASHIM	RASHIDI KASHIMU
		LUE 12	ANDREA LUCAS	ANDREA LUCAS
LUKULA	ELIMU	LUE 13	ADAM KASHIMU	ASHA ADAMU
		LUE 14	FRENK BAINA	FRENK BAINA
		LUE 15	JOHN BAINA	JOHN BAINA
		LUE 16	OZWADI GALAUSI	OZWADI GALAUSI
	MSIKITINI	LUM 2	OMARI HASSANI	OMARI HASSANI
	TANKINI	LUT 1	FARAJI BUSHIRI	FARAJI BUSHIRI
		LUT 2 (LUT 14)	ATHUMANI SAIDI	ATHUMANI SAIDI
		LUT 6	REHEMA ATHUMAN	REHEMA ATHUMAN
		LUT 7	ZAWADI IDDI	ZAWADI IDDI
		LUT 8 (L)	SAIDI RAJABU	SAIDI RAJABU
		LUT 8 ®	HASSAN JUMA	HASSAN JUMA

		LUT 10	SEIFU BUSHIRI	SEIFU BUSHIRI
		LUT 11	ALUNA HASSANI	ALUNA HASSANI
		LUT 13	ABEDA ALLY	ABEDA ALLY
KIJIJI	KITONGOJI	NA YA NYUMBA	JINA LA MKUU WA KAYA	JINA LA MHOJIWA
		LUT 16	KULIGOSYA NJAIDI	KULIGOSYA NJAIDI
		LUT 17	AHMADI NDIZI	AHMADI NDIZI
UANGAKA	MAPINDUZI	MGM (1,3,4 na 14)	CLEMENCE SIMBA	CLEMENCE SIMBA
		MGM (2+15)	RASHIDI MAKAMBO	RASHIDI MAKAMBO
		MGM (5+28)	GEORGE RAPHAEL BINALI	GEORGE RAPHAEL BINALI
		MGM 6	ATHUMANI RASHIDI	ATHUMANI RASHIDI
		MGM (11,12 13, 21 na 22)	GEORGE RAPHAEL BINALI	GEORGE RAPHAEL BINALI
		MGM 16	RASHIDI MUSTAFA	RASHIDI MUSTAFA
		MGM 17	KUONEWA MBEMBA	KUONEWA MBEMBA
		MGM 18	SAIDI MUCHANDE	SAIDI MUCHANDE
		MGM 19	AJUAE OMARI	AJUAE OMARI
		MGM 23	ABASI SELEMANI	ABASI SELEMANI
		MGM 25	RUKIA ATHUMANI	RUKIA ATHUMANI
		MGM 26	RASHIDI ATHUMANI MARODA	RASHIDI ATHUMANI MARODA
		MGM 27	MUSTAFA SELEMANI	MUSTAFA SELEMANI
		MGM 29	LUKIA SELEMENI	REHEMA MCHINA
		MGM 30	NAMIRI A. NAMIRI	NAMIRI A. NAMIRI
		MGM 31	KAMENYA HAMISI	KAMENYA HAMISI
		MGM 32	SWALEHE AUSI	SWALEHE AUSI
		MGM 33	LUKIA HALIDI	LUKIA HALIDI
		MGM 34	MWENYE MKOROMA	MWENYE MKOROMA
		MGM 35	MWANAHAWA HASHIM	MWANAHAWA HASHIM
		MGM 36	YUSUFU NIUNDE	YUSUFU NIUNDE
		MGM (37+38)	HAMISI BIHAKI	HAMISI BIHAKI
		MGM 39	ABDALA HASSANI KAMBTU	ABDALA HASSANI KAMBTU
		MGM (40+41)	MASHANGA BURA	MASHANGA BURA
		MGM 42	FATU WALANI	MWANAHAWA HAMISI
		MGM (43+49)	AWETU ISSA	AWETU ISSA
MANGAKA	MAPINDUZI	MGM 44	HADIJA HAMISI	HADIJA HAMISI
		MGM 45	SAIDI AUSI	SAIDI AUSI
		MGM 46	HUSEIN HUSEIN	HUSEIN HUSEIN
		MGM 47	OMARI HUSEIN	OMARI HUSEIN

		MGM 48	MKUVIA HAMISI	MKUVIA HAMISI
		MGM 49	SAKINA MSANJA	ABDUL OMARI
		MGM 50	HAKUMU RAJABU	HIDAYA TWALIBU
		MGM 52	ABDALA MATIPANI	ABDALA MATIPANI
KIJIJI	KITONGOJI	NA YA NYUMBA	JINA LA MKUU WA KAYA	JINA LA MHOJIWA
		MGM 53	CASTO NACHIRI	CASTO NACHIRI
		MGM 54	ABEDA CHIBWANA	FATU LANDI
		MGM 55	BAKARI KULEMWA	BAKARI KULEMWA
		MGM 56	HAMIDU MOHAMEDI	HAMIDU MOHAMEDI
		MGM (57+58)	SHAIBU AMULI MUSA	SHAIBU AMULI MUSA
		MGM 59	ABDALA ALLY	ABDALA ALLY
		MGM 60	AJILI KACHINJA	AJILI KACHINJA
		MGM 61	FATUMA CHIBWANA	HAMIDU MOHAMEDI
		MGM 63	AUSI MOHAMEDI	AUSI MOHAMEDI
		MGM 64	ALLY RAMADHANI	SELINA SUWEDI
		MGM 65	MUSA SONGANI	MWANAHAWA SAIDI
		MGM 66	HASANI MAIDA	HASANI MAIDA
		MGM 67	KASIMU HAMISI	KASIMU HAMISI
		MGM 69	BAKARI BAKARI	BAKARI BAKARI
		MGM 70	ATHUMANI WAMA	ATHUMANI WAMA
		MGM 71	DEVID MARIJANI	IBRAHIM KAISI
		MGM 72	MAURIDI H. HUSEIN	MAURIDI H. HUSEIN
		MGM 73	MANENO CASTO	MWANACHAMA ATHUMAN
MANGAKA	KUMBUKUMBU	MKG 1	HASHIM SAADI	HASHIM SAADI
	SAUTI MOJA	MGS 1	GODFREY MBESIGWE	GODREY MBESIGWE
		MGS 2	MAIMUNA MNONG'A	MAIMUNA MNONG'A
		MGS 3	KWITANDA NAMUNGUNI	KWITANDA NAMUNGUNI
		MGS 4	HADIJA SAIDI	HADIJA SAIDI
		MGS 5	AJILI SHAIBU CHING'ANG'A	NURU OMARI
		MGS 6	RUCY EUGENE KANNORE	RUCY EUGENE KANNORE
		MGS 7	ISMAILI MAIDA	ISMAILI MAIDA
		MGS 9	ATHUMANI HALIMOJA	ATHUMANI HALIMOJA
		MGS 10	RASHIDI ISSA BAGALA	RASHIDI ISSA BAGALA
		MGS 11	AZIZI YASINI	AZIZI YASINI
		MGM 15	RASHIDI MAWIMBO	RASHIDI MAWIMBO
		MGM 51	HADIJA ANOLOMA	AMINA RASHID
		MGM 32	SHAMLA SWALEHE	SHAMLA SWALEHE
		MGM 62	MWANAHAWA ALFAN	ISLAM RAZAK
		MGM 24	HADIJA MALODA	HADIJA MALODA
		MGM 68	JAFARI OMARY	JAFARI OMARY
		MGM 58	MAONEKA SALUM	MAONEKA SALUM

APPENDIX II: MINUTES OF MEETINGS (SEPARATELY BOUND)

APPENDIX III: COMPENSATION SCHEDULES (SEPARATELY BOUND)