

THE UNITED REPUBLIC OF TANZANIA
PRIME MINISTER'S OFFICE REGIONAL ADMINISTRATION AND LOCAL
GOVERNMENT



Tanzania Strategic Cities Project (TSCP)

Surface Water Drainage System Sub-
project under the Dar es Salaam
Metropolitan Development Project
(DMDP)

Tender No. ME/022/2011/20123/C/122013

Resettlement Action Plan for the
Proposed Gerezani Creek Sub-project,
Temeke Municipality

(Draft Report)

September, 2014



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The Resettlement Action Plan was undertaken by a team of experts comprising of:

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ACRONYMS AND ABBREVIATIONS

AHs	Affected Households
CSOs	Civil Society Organisations
DC	District Commissioner
DCC	Dar es Salaam City Council
DAS	District Administrative Secretary
DED	District Executive Director
DLAs	Dar es Salaam Local Authorities
DMDP	Dar es Salaam Metropolitan Development Project
DMDP-WG	Dar es Salaam Metropolitan Development Project Working Group
DPs	Displaced Persons
ESIA	Environmental and Social Impact Assessment
GoT	Government of Tanzania
GRC	Grievance Redress Committee
IDA	International Development Association
LGAs	Local Government Authorities
IMS	Internal Monitoring Specialist
MEO	Mtaa Executive Officer
MLHSD	Ministry of Lands, Housing and Human Settlement Development
PAPs	Project Affected Persons
PIU	Project Implementing Unit
PMO-RALG	Prime Minister's Office, Regional Administration and Local Government
RAP	Resettlement Action Plan
RCC	Resettlement Compensation Committee
RPCU	Regional Project Coordination Unit
RPF	Resettlement Policy Framework
RRCC	Regional Resettlement Compensation Committee
RS	Regional Secretariat
RST	Regional Sub-Treasuries
SPSS	Statistical Package for the Social Sciences
TANROADS	Tanzania National Roads Agency
WB	World Bank
WB OP	World Bank Operational Policy
WEO	Ward Executive Officer

DEFINITION OF TERMS

TERM	DEFINITION
Census	A field survey carried out to identify and determine the number of Project Affected Persons (PAPs) or Displaced Persons (DPs) as a result of land acquisition and related impacts. The census provides the basic information necessary for determining eligibility for compensation, resettlement, and other measures emanating from consultations with affected communities and the local government institutions.
Compensation	Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced
Cut-off Date	Date of completion of the census and assets inventory of persons affected by the sub-project. Persons occupying the sub-project area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory, or an alternative mutually agreed on date, will not be compensated
Displaced Persons or DPs	<p>The persons who are economically and socially affected by involuntary taking of land for the project, resulting in:</p> <ol style="list-style-type: none"> a. Relocation or loss of shelter; b. Loss of assets or ability to access such assets; c. Loss of income sources or means of livelihood, regardless of relocation; and <p>The involuntary restriction of access to legally designated parks or protected areas causing adverse impacts on their livelihoods.</p>
Economic displacement	The results from an action that interrupts or eliminates people's access to productive assets without physically relocating the people themselves
Entitlement	Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected people, depending on the nature of their losses, to restore their economic and social base
Host community	A community in the proposed resettlement sites.
Income restoration/livelihood improvement	Restoration and/or improvement of income sources and livelihoods of relevant DPs.
Inventory of Losses (IOL)	<p>A detailed survey of all losses that will result for each household, enterprise, or community affected by the project.</p> <p>The survey should account for land acquisition and loss of physical assets as well as loss of income, either temporary or permanent, resulting from displacement of household members from employment or income generating resources. Assets held collectively, such as water sources, livestock grazing areas, irrigation systems, and community structures should be recorded separately. It is essential for resettlement planners to consult with affected people during this step to develop a reasonable consensus on the methods and formulas for assigning value</p>

	to lost assets and income forgone during resettlement.
Land	Land refers to all types of agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be acquired by the project.
Land Acquisition	Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to relinquish rights for all or part of the land it owns/possesses/occupies or uses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Physical displacement	The actual physical relocation of people resulting in a loss of shelter, productive assets or access to productive assets (such as land, water, and forests).
Project affected household	All members of a household, whether related or not, operating as a single economic unit, who are affected by a project.
Project affected person	Any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.
Project Implementing Unit (PIU)	Some projects make use of project implementing units (PIUs), which are generally separate units within the project recipient's agency. The PIU is often composed of full time staff devoted to implementing the project, and have been encouraged to have separate teams with environment and social specialists who can carry out the activities, for example, as outlined in the RPF or RAP.
Redress and Grievance Mechanism	The RAP contains a grievance mechanism based on policies and procedures that are designed to ensure that the complaints or disputes about any aspect of the land acquisition, compensation, resettlement, and rehabilitation process, etc. are being addressed. This mechanism includes a procedure for filing of complaints and a process for dispute resolution within an acceptable time period.
Replacement Cost	The rate of compensation for lost assets calculated at full replacement cost, that is, the market value of the assets plus transaction costs.
Resettlement:	<p>A term used to describe the process of physical displacement of project affected persons and properties in order to re-establish lifestyles and livelihoods</p> <p>Rural resettlement results when part or all of a farm, pasture or grazing area is to be acquired for the project. In this case the RAP has to address the issue how loss of income due to the loss of assets can be restored.</p> <p>Urban resettlement occurs when populations in urban and peri-urban areas are physically or economically displaced. Urban resettlement poses more problems because of a general lack of alternative sites for relocation.</p> <p>Linear resettlement is most common type of resettlement associated with road projects. In urban areas where settlement is dense and located very close to the road or within the construction corridor, upgrading of a road may necessitate the demolition of a large number of houses and structures.</p> <p>Site specific resettlement refers to a discrete non-linear site that must be acquired for the project.</p>
Resettlement Action Plan (RAP)	The RAP is a resettlement instrument (document) to be prepared when sub-project locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the implementing agency and contain specific and legal binding requirements to resettle and compensate the affected people before project implementation.

Resettlement Assistance	Support provided to people who are physically displaced by the project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.
Rights and Entitlements	Rights and entitlements are defined for PAPs and DPs (with the cut-off date) and cover those losing businesses, jobs, and income. These include options for land-for-land or cash compensation. Options regarding community and individual resettlement, and provisions and entitlements to be provided for each affected community or household will be determined and explained, usually in an entitlement matrix.
Self- resettlements	Option selected among several presented, which is chosen by a DP(s) for self-relocation, and who will be provided with an additional transitional assistance.
Vulnerable groups	<p>People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.</p> <p>Vulnerable groups include: (i) female headed households with dependents, (ii) disabled individuals; (iii) households with disabled persons, (iv) households falling under the current benchmark poverty line, (v) children and elderly households who are landless and with no other means of support, (vi) landless households, (vii) ethnic minorities. The list of vulnerable groups will be identified during subproject preparation through socio-economic survey and public consultation.</p>
Witness NGO or Independent Monitor/Agency	A witness NGO or an independent monitor that can be contracted to observe the compensation process and provide an independent assessment of the quality of the process. These are usually Non-Governmental Organisations (NGOs) or other agencies that are not directly involved in the project and have a reputation for independence and integrity.

1. INTRODUCTION

1.1. Project background

Dar es Salaam City is the major industrial and commercial centre as well as the most populated City in Tanzania. The City's population and settlements have expanded rapidly. According to the National Population Census of 2012, Dar es Salaam has an estimated population of about 4.36 million people with an annual population growth rate of 5.6 percent.

The City's urban settlements have rapidly increased especially in unplanned areas. In most unplanned areas houses are built without regulated water or Surface Water Drainage System. Also, the City lacks infrastructure or, where drainage infrastructure is in place, it is informally being used for dumping waste, severely impairing its performance. Currently, a significant part of the existing drainage network is old, undersized or partially blocked. This has exposed the settlements and other parts of the city to periodic severe flooding during heavy rain seasons.

In an effort to address the poor storm water drainage system in the City, the Government of Tanzania (GoT) under the Prime Minister's Office – Regional Administration and Local Government (PMO-RALG) has received support from the International Development Association (IDA) housed by the World Bank to prepare an infrastructure improvement project, referred to as the Dar es Salaam Metropolitan Development Project (DMDP). The DMDP has seven complementary Projects¹ among of which includes the improvement of Surface Water Drainage System in the City and its three contiguous Municipalities (Kinondoni to the North, Ilala at the Centre, and Temeke to the South). Together, the four Local Government Authorities (LGAs) are referred to as the Dar es Salaam Local Authorities (DLAs).

1.2. Surface Water Drainage Systems Project

The consultancy service for the Improvement of Surface Water Drainage Systems in Dar es Salaam has been commissioned to the consortium M/s PROCESL - Engenharia Hidráulica e Ambiental, S.A. in association with M/s COWI Tanzania Limited. The consultancy involves carrying out Environmental and Social Impact Assessment and laying down the Environmental and Social Management Plan (ESMP) as well as preparing an accompanying Resettlement Action Plan (RAP) for the proposed Sub-projects. The Project will cover the Municipalities of Kinondoni, Ilala and Temeke. The overall objective of the Surface Water Drainage Project is to prepare the investments for a comprehensive Surface Water Drainage System for the City.

¹ Other components include: improving Public-Private Partnership (PPP); Solid Waste Management (SWM); Local Roads; Infrastructure Upgrading in Unplanned Settlements; Pre-feasibility Studies of Rail and Marine Transport Institutional Review and Strengthening plan.

On a pre-feasibility study (Stage Ia)² a Drainage Plan for Dar es Salaam city was prepared with a prioritised list of drainage investments (the DLA Sub-projects). The study included the preparation of hydraulic models and the development of a Drainage Plan for the overall Metropolitan area of Dar es Salaam. The Drainage Plan identified and prioritized a set of 13 interventions. The purpose is to mitigate and/or prevent serious consequences arising from regular flooding. The proposed interventions involve both the primary drainage network (main rivers/streams) and the secondary network (artificial network).

This RAP report is for the proposed improvement of the Storm Water Drainage System for Gerezani Creek subproject which includes three (3) interventions or drains – Temeke drain; Serengeti drain and Keko drain which cuts across four (4) wards (Chang’ombe, Temeke, Miburani and Keko) of Temeke Municipal Council.

1.2.1. Land Acquisition Impacts

The proposed Serengeti subproject will require land to be permanently or temporary acquired along the enlarged drainage channel. This will lead to the physical displacement of people, loss of shelter, loss of assets, temporary loss of income sources and livelihood, and permanent and temporary restriction of access to land.

Based on the draft valuation report and census conducted, the current estimate is that there are 88 affected households (AHs) and compensable assets which include land, residential and commercial structures, crops, trees and annexed structures such as outside toilets and fences. A total of 4,300 m² of land is to be acquired for the sub-project.

1.3. Objectives of the RAP

The overall objective of this RAP is to provide an agreed plan for the resettlement and compensation of AHs impacted by the proposed improvement of the Storm Water System in conjunction with construction of a detention pond in Temeke Municipality in Dar es Salaam.

Specifically the RAP was developed in order to:

- Provide timely and fair compensation schedule to ensure the PAPs restore their pre-project living standard levels;
- Provide necessary assistance for relocation to all PAPs whose properties/businesses will be demolished thus displaced;
- Engage PAPs and communities to gain understanding of the project objectives and impacts
- Involve PAPs and other stakeholders in developing a plan for physical relocation and compensation for lost assets;
- Provide information that will be used to implement the resettlement plan; and
- Outline institutional arrangements for RAP implementation and monitoring and evaluation of the RAP implementation.

² Improvement of Surface Water Drainage System is being carried out in the following stages: Stage Ia: Drainage Plan and Pre-Feasibility Study; Stage Ib: Feasibility and Preliminary Engineering Designs; Stage II: Details engineering designs.

1.4. Methodology

The RAP team comprised of five experts including a RAP, Social and Environmental experts supported by a database manager and enumerators. The RAP was prepared in the following steps:

1. **Review of documents and project design:** The RAP Team identified relevant documents and information required for the RAP and collects necessary documentation. This included a review of relevant legislation (chapter 3), World Bank (WB) Operational Procedure on Involuntary Resettlement (OP 4.12), the Environmental and Social Impact Assessment Report and the preliminary project design that included aerial photographs.
2. **Defining eligibility and entitlements:** based on the Resettlement Policy Framework and Tanzania's legal provisions, eligibility of PAPs and the entitlements were defined.
3. **Preparation of the census survey:** The RAP Team prepared a questionnaire needed for the socio-economic studies and PAP census based on WB OP4.12 and other RAP reports shared by World Bank as Good Practice documents. This questionnaire guided the enumerators on specific information to be collected (Appendix C)
4. **Introduction at the local government authority:** The RAP team met with representatives of the local government authorities at Temeke Municipal Council to plan the RAP preparation process. This facilitated the consultants to work with the respective ward and Mitaa officers in the project affected areas.
5. **Consultations:** There were two levels of consultation for purpose of preparing the Resettlement Action Plan. The first level was with respective Ward Executive Officers (WEO), Mitaa Executive Officers (MEO), Mitaa Chairpersons (Wenyeviti wa Mitaa) and Councillors (Madiwani) in the project affected areas. These meetings were to introduce the project and plan the census and inventory of assets surveys. The second level was with representative PAPs at community level to introduce the project and explain the RAP preparation process. Meeting minutes of these consultations are presented in Appendix B.
6. **Socio-economic data collection:** WEOs and MEOs were consulted to gather socio-economic data of their respective wards. The questionnaire sought to collect information on population, income generation activities, social services and infrastructure, solid waste and sanitation issues and land tenure issues.
7. **Defining the project corridor:** A surveyor established the sub-project corridor based on the preliminary designs and marked the corridor in which affected assets and households were to be included in the RAP.
8. **Census:** three teams were deployed to carry out the census for AHs along the sub-project corridor.
9. **Inventory of assets:** A registered valuer recorded the affected assets within the project corridor using standard forms prescribed by the Ministry of Lands Housing and Human Settlement Development. The inventory included the identification of affected properties and respective owners; assigning a Reference Number for each of the identified AHs and respective photograph; recording the affected asset(s).
10. **Data processing:** the census data was entered into a database and analysed using Statistical Package for the Social Sciences (SPSS). The Inventory of assets was valued based on Tanzania's valuation method (section 5.5).
11. **Report writing:** This included preparation of the grievance mechanism, implementation schedule, monitoring and evaluation plan and any income restoration activities to be provided.

1.4.1. Limitations

- Accessibility - due to the unplanned nature of settlements in some parts of the project area, some areas were not accessible. Therefore in some instances, interior dimensions and visual estimation were used to estimate affected area.
- Census and inventory could not cover 100% of the AHs as required in the Terms of Reference required. This is because during the exercise some of the household heads were not available. Phone interviews were conducted as much as possible. In addition some affected persons were reluctant to give information on the socio-economic profiles. Therefore the number of entries of AHs recorded by the Valuer does not tally the entries in the socio-economic profile data.
- The team experienced some resistance from residents while demarcating the project boundary and carrying out the census and inventory of affected households. This is because some of the affected households were not informed of the project and the RAP exercise; and some who had been informed did not want to be included in the RAP exercise due to previous bad experiences. This resulted in some delays while the teams worked with the local government representatives to reach a consensus with the affected households.

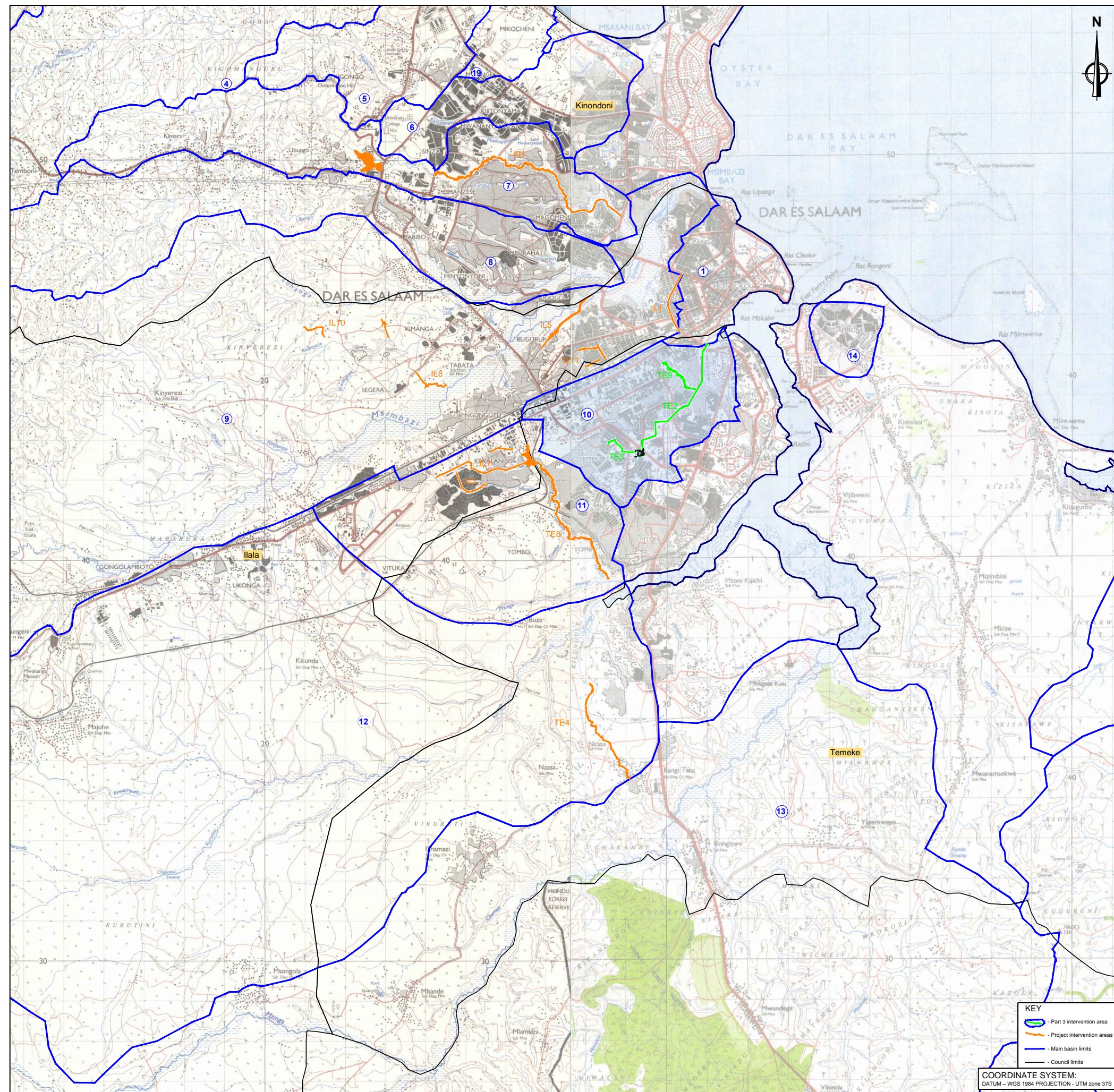
2. GEREZANI CREEK SUB-PROJECT

The Gerezani Creek sub-project includes three (3) interventions or drains which cuts across four (4) wards in Temeke Municipal Council as indicated in Table 2-1 below.

Table 2-1: Project affected areas in Gerezani Creek Sub-project

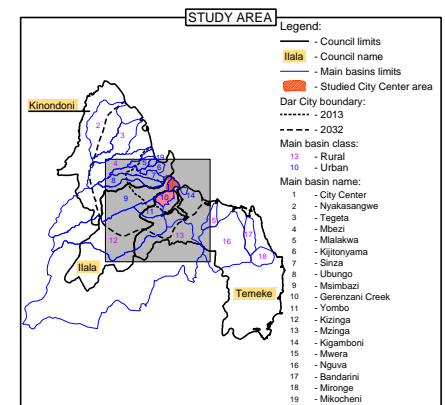
Municipal	River/Basin	Drain	Sub-project	Ward	Sub-wards
Temeke	Gerezani Creek	Serengeti	TE2	Chang'ombe	Chang'ombe "B"
					Chang'ombe "A"
					Bora
				Miburani	Keko Juu
				Miburani	Keko Machungwa
		Serengeti Detention Pond	Miburani	TBD	
		Temeke	TE3	Temeke	Temeke
		Keko	TE9	Keko	Keko Mwanga "A"
					Keko Mwanga "B"
Magurumbasi "A"					
			Magurumbasi "B"		

TBD – To Be Determined



Project Intervention Areas ID

- Kinondoni Council**
 K11 - Sinza River / Mo Ng' Ombe
- Ilala Council**
 IL1 - Msimbazi Street
 IL3 - Kigilagla and Food Security Area (Kiwalani)
 IL5 - Buguruni Kisiwani
 IL7 - Msimbazi Mletu and Kiwalani
 IL8 - Msimbazi, Tenge and Luwili
 IL10 - Bonde la Sungura and Tembo Mgwaza
 IL11 - Mafuriko
- Temeke Council**
 TE2 - Serengeti
 TE3 - Temeke
 TE4 - Kwa Shiego
 TE8 - Mpego
 TE9 - Keko



KEY

- Part 3 intervention area
- Project intervention areas
- Main basin limits
- Council limits

COORDINATE SYSTEM:
 DATUM - WGS 1984 PROJECTION - UTM zone 37S

Rev	Description	Date	Approved

THE UNITED REPUBLIC OF TANZANIA
PRIME MINISTER'S OFFICE
REGIONAL ADMINISTRATION AND LOCAL GOVERNMENT

PROCESL

Improvement of Storm Water Drainage Systems in Dar Es Salaam Metropolitan Area in Support of Preparation of the Proposed DMDP
Stage II - Detailed Engineering Design

Part 3 - Garenzani Creek basin interventions
 Serengeti (TE2) / Temeke (TE3) / Keko drains (TE9)
 3.1 - LOCATION OF PROPOSED INTERVENTIONS
 GERENZANI CREEK BASIN
 LOCATION OF THE PROPOSED INTERVENTIONS

Projected	06/2014	DSF	Substituted drawing nr -	A1
Drawn	06/2014	CDV		
Checked	06/2014	SSA	Archive nr - T2013-352-06214	
Approved	06/2014	ASF	Cad. Ref - T2013-352-06214-3.1.1.dwg	

SCALES:	DRAWING NR	REVISION
A1 - 1:50 000 A3 - 1:100 000	3.1.1	0

2.1. Project components

The project will involve the improvement of the Storm Water System in Temeke Municipality. The Surface Water Drainage System Sub-projects in Temeke Municipality will have many proposed interventions as follows:

- ***Temeke Drain***

Temeke drain is currently a 300 mm pipe in a very poor condition clearly undersized which crosses two adjacent schools which areas are usually flooded even for frequent rain events. The proposed intervention has two objectives: to enlarge the system for conveying the design flow without causing flooding and simultaneously to select a better path for it avoiding the referred schools crossing. The new pipe, DN 1,200 mm, with a length of around 900 m will follow Jaribu Street on North of mentioned schools, and will discharge into the proposed detention pond.

Summarizing, the interventions include:

- a) To replace the existing pipe (Temeke drain) that crosses two primary schools for a new. This deviation can be carried out by existing roads on North or on South of the referred schools;
- b) To improve the impounded area immediately upstream the Nelson Mandela Road to function as an adequate detention pond to reduce the peak flows and to fix the design flow for downstream.
- c) To replace the existing sections of underground pipes (Serengeti drain/ Gerezani Creek);
- d) Enlargement of existing channels/streams (Serengeti and Keko drains);
- e) Enlargement of existing culverts under Bandari Street and railway station.

- ***Serengeti detention pond, at Miburani***

Construction of one detention pond immediately upstream the Nelson Mandela Road using undeveloped land next to the Serengeti Breweries and the Police houses. This land constitutes a natural depression but additional earthmoving will be needed to create extra volume for water.

The use of a detention pond provides significant technical, environmental and economic benefits. The pond is designed to intercept flood water upstream, thereby throttling the downstream flows during the flood event. Serengeti detention pond will have a volume of 25 000 m³ and an area of 22 000 m².

The detention pond' walls will be constructed in gabions along its whole length, with a top elevation giving a clearance of 200 mm above the water surface elevation obtained for a 100+15% years period of return.

There will be two outlet structures in the ponds. In the bottom section of the wall are proposed 2 circular pipes (with diameters of 1,200) to allow, with the existing 2 x 800 mm pipes, the ordinary flows to pass. The top spillway was designed to discharge the 100+15% years flow and will not be needed for flows with periods of return lower or equal to 10 years. The spillway width will be 20 m.

- ***Serengeti drain***

The solution proposed for Serengeti drain considers the construction of a new relief “channel” which will transport the surplus design flood from the section where the earthy open channel downstream the detention pond is replaced by a set of two 600 mm underground pipes which crosses private properties (next to Zimbabwe road) to an downstream section approximately 1 km ahead. With this intervention the very constrained and narrow area along the current path of the existing drain is not intervened avoiding a considerable number of houses and commercial shops to be demolished. The relief channel follows the Zimbabwe Street, the Mganda road, the Chang’ombe road, the Maendeleo Street and after crossing Keko prison land will reach the Serengeti drain in a lesser constrained area. The solution for the last section of the Serengeti drain is an open channel which receives the Keko drain contribution and has some culverts for crossing access roads to some existing industrial areas. The referred culverts are generally undersized and will be replaced by larger ones. The last 150 m immediately upstream Bandari Road are being intervened within an industrial container area development.

The section immediately downstream the detention pond includes the crossing of Nelson Mandela road with two additional DN 1,200 mm concrete pipes followed by a closed concrete frame which crosses the existing school/college. After the intersection with the existing drainage it is proposed the enlargement of the existing trapezoidal channel till the referred section in Zimbabwe road.

- ***Keko drain***

For the Keko drain the proposed solution considered the construction of rectangular open channel with a bottom width from 3 to 7 m. The end of this intervention is the junction with Serengeti drain after a set of 3 drops for levelling the top levels of water. This solution maintains approximately the existing natural alignment of the stream, and it has the potential to improve the existing situation with the inclusion of lateral pathways along the stream. The final definition of these pathways it will be defined during the construction phase.

2.1.1. Project components causing land acquisition

The main project components that will cause land acquisition include:

1. Construction of storm drain in Temeke: The widening of the existing drain from DN 300 to DN 1200 including working area will affect adjacent land users.
2. Construction of Serengeti detention pond, at Miburani: Construction of one detention pond immediately upstream the Nelson Mandela Road using undeveloped land next to the Serengeti Breweries and the Police houses. This land constitutes a natural depression but additional earthmoving will be needed to create extra volume for water.
3. Serengeti drain: Construction of a new relief “channel” which will transport the surplus design flood from the section where the earthy open channel downstream the detention pond is replaced by a set of two 600 mm underground pipes which crosses private properties (next to Zimbabwe road) to an downstream section approximately 1 km ahead.
4. Keko drain: Construction of rectangular open channel with a bottom width from 3 to 7 m.

2.2. Mitigation measures of resettlement impacts

Based on the socio-economic studies and consultations undertaken for the preparation of the ESIA and the RAP, some of the impacts identified as a result of the preliminary design have been taken into consideration through specific measures to mitigate those impacts (*Table 2-2*).

Table 2-2 Mitigating measures for resettlement impacts

Category of Impact	Mitigation Measures
Land Owners losing land	Compensation in cash equal to replacement cost or land for land
Land Owners losing land and property owners	Replacement cost, relocation assistance including livelihood restoration
Those working on agriculture related activities (traders, fishermen, etc.)	Cash compensation
Land users who farm but have no legal entitlement to the land	Compensation for crops
Loss of access to grazing, businesses, fishing sites	Cash compensation
Loss of structures and dwellings	Replacement cost
Loss of access to water resources	Ensuring access to the water through detailed design.
Vulnerable groups	Cash compensation

Efforts made used to minimise resettlement

The following efforts were incorporated in the design to minimise resettlement:

1. **Maintaining the existing open channel alignment:** the general alignment of the existing channels was maintained, with minor alignments to expand the width according to the hydraulic modelling.
2. **Avoiding large structures:** where the hydraulic modelling allowed, large structures identified from aerial photographs were avoided.

3. SENSITIZATION AND SOCIO-ECONOMIC SURVEY

The objective of carrying out the socio-economic survey and PAP census is to obtain and understand:

- Social and cultural characteristics of affected persons;
- The existing land tenure, property and transfer systems;
- The resources that people use for their livelihoods and sustenance;
- Information on vulnerable groups or indigenous persons;
- Public infrastructure and services that will be affected;
- The magnitude of the expected loss of assets (total or partial), and the extent of displacement (physical or economic).

The following survey activities were conducted:

1. Consultative meetings and discussions were undertaken on 12th April 2014 with DLA and RAP representatives from each of the affected wards in Temeke (Appendix B)
2. Socio-economic survey of the affected area was done through consultations with WEO and MEOs in respective wards between April 15th and May 15th 2014.
3. The Census and asset inventory of AHs including their properties was undertaken from 19th to 23rd August 2014. The data from the surveys was entered into Statistical Package for Social Scientists (SPSS) for analysis.

3.1. Public sensitization meetings

The specific objectives of the sensitization process were:

- To create awareness on the proposed project.
- To consult the local residents especially and affected parties about the problems they anticipate with the project and how these can be mitigated.
- To consult and gather recommendations from the DLAs, Councillors, WEOs, MEOs and PAPs.
- To provide an opportunity to all the communities in the areas where the proposed canal is expected to pass to raise issues and concerns pertaining to the project impacts, and allow the identification of alternatives and recommendations.

The first meeting was held with the Temeke DLA DMDP coordinator to plan the preparation of the Serengeti RAP. The second level of sensitization meetings was held with WEO, MEO, Mitaa Chairpersons and Councillors. The third level of sensitization meetings was held with representative residents living in the affected project area in the presence of WEO, MEO, Mitaa Chairpersons and Councillors.

3.1.1. Issues raised during sensitization meetings

The following were the main issues raised during the sensitization meetings:

- Valuations of properties have been taking place for a while. What will happen if the valuation exercise is not concluded within six months?. It was suggested that the valuers will be reported to the concerned authorities.
- There has been another project where houses have been marked for demolition, is this the same project. The participants were informed that the marking of houses is a separate exercise from the valuation process.
- How wide will the drain be (in meters)?
- Will the trench/drain be open or closed?
- Brochures will need to be prepared to sensitize the community
- According to fundamental laws houses with six rooms will either have one room removed or have the room that makes up over half the size of the rooms altogether removed. Reason and discernment will inform such decisions.

3.2. Socio-economic profile of project area

Socio-economic survey of the affected area was done through consultations with WEO and MEOs in respective wards between April 15th and May 15th. Data was collected using a questionnaire (Appendix C) issued to respective WEOs in the wards.

3.2.1. Demographic Profile of project area

The total population in the respective wards in the project affected area is 98,269 of which 47,856 are male and 50,413 are female as indicated in

Table 3-1 below.

Table 3-1 Population profile of project affected area

Municipal	Ward	Population	
		Male	Female
Temeke	Chang'ombe	9,401	9,901
	Miburani	21,292	23,286
	Keko	17,163	17,226
	Temeke	12,692	13,355
	TOTAL	60,548	63,768

Source: 2012 National Population Census

3.2.2. Social services in project area

Water Supply

Residents in the project area primarily use water from dug wells, both deep and shallow.

Waste water services

Residents in the project area use onsite sanitation services by either latrines or septic tanks with soak away pits that are emptied when full.

Solid waste disposal services

Solid waste is collected by private companies that have contracts with local government offices at sub-ward level. Each sub-ward has an Environmental Committee.

3.2.3. Livelihoods in project area

According to consultations with respective WEOs, main sources of livelihoods in the project area are

1. Small businesses such as market vendors for fresh fruits, vegetables and household goods;
2. Formal skilled employment at government and private institutions;
3. Informal labourers.

4. CENSUS AND INVENTORY OF ASSETS

4.1. Affected Households

The census and asset inventory of affected households (AHs) including their properties was undertaken from 19th to 23th August 2014. The data from the census was collected using a questionnaire and information was entered into Statistical Package for Social Scientists (SPSS) for analysis.

The census collected the following details:

- Name and family detail;
- Demographic information such as age, education and occupation of each family member;
- Identification of vulnerable members of the household (women-headed households, elderly, widow, orphan, disabled, terminally ill);
- List of affected assets;
- Details of any structure or asset on the impacted land; and
- Preferred compensation arrangement and income restoration measures.

4.1.1. Profile of affected households

Demography

Sex

73% of sampled household heads in the subproject area are male and 27% are female household heads (Figure 2)

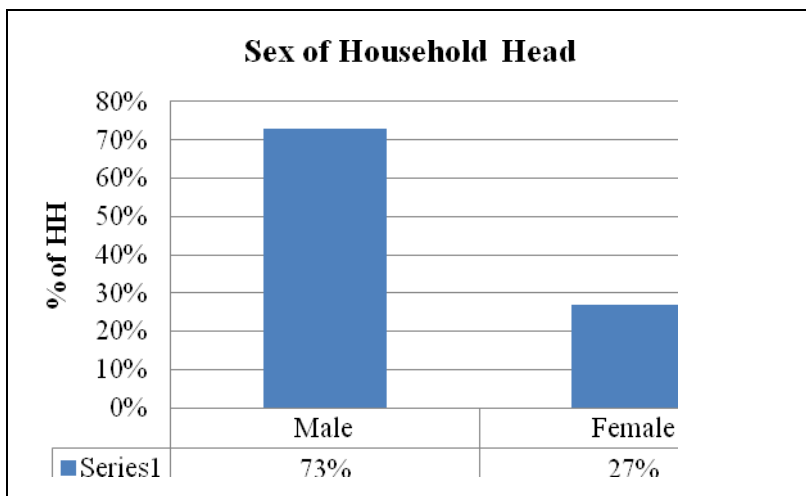


Figure 2 Sex distribution of Household Heads

Age

12% are over the pension age of 65 years while 0% are below the legal adult age of 18years as show in Table 4-1.

Table 4-1 Age Profile of household heads

Age	Total	%
21 and under	0	0
22-34	10	14%
35-44	18	24%
45-54	24	32%
55-64	13	18%
65+	9	12%
TOTAL	74	100%

Marital Status

78 % of households in the sub-project area are married, 10% are single, 12% are widowed. None is divorced, separated or cohabit. (Figure 3)

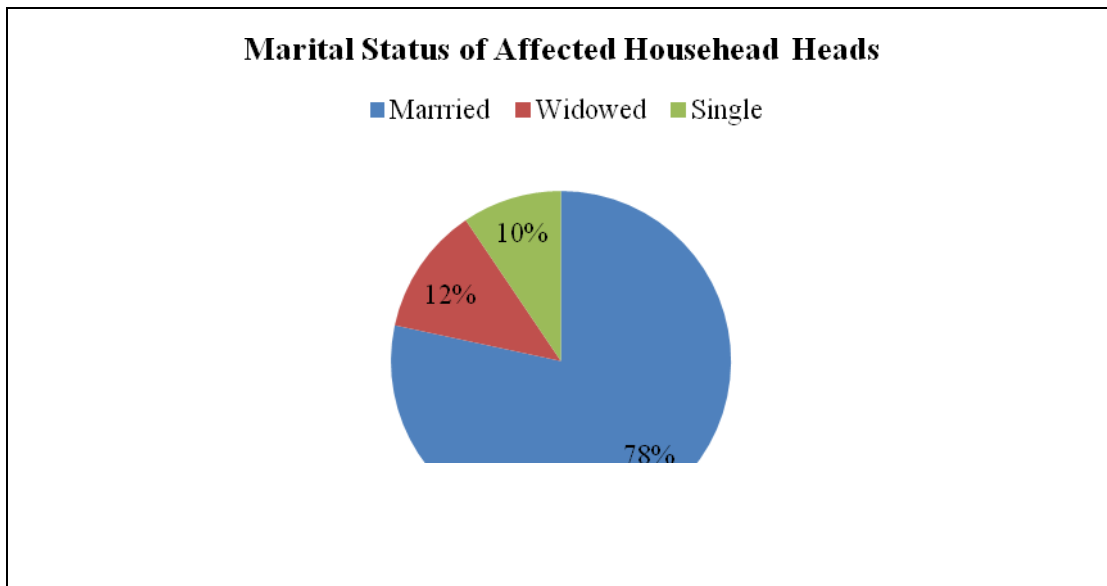
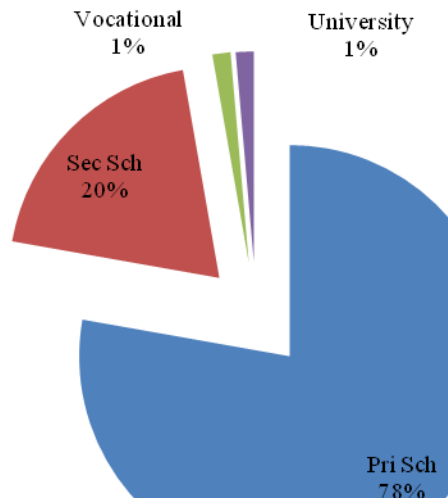


Figure 3 Marital status of household heads

Education

78% of household heads in the sub-project have primary level education, 20% secondary level education, 1% vocational education and 1% university level education.

Education level of Household Head



(
Figure 4).

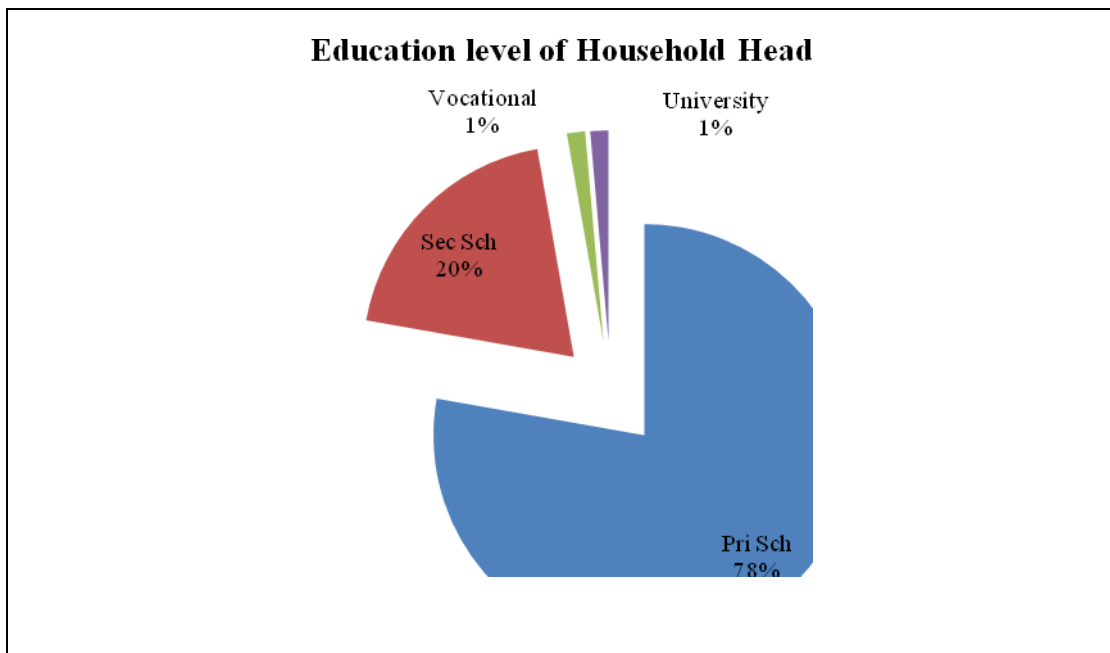


Figure 4 Education level of household heads

Vulnerable groups

Amongst the affected households, there are a total of 24 elderly persons, 6 Widows, 33 orphans, 8 people with disability and none has terminal illness (Table 4-2)

Table 4-2 Number of vulnerable persons in sub-project area

Elderly	Widows	Orphans	Disabled	Terminally ill
24	6	33	8	6

Livelihoods

Majority of the AHs earn their income from either business, urban agriculture or from skilled labour

Income of household head

The affected households earn between 50,000-500,000 tsh/ month.

4.1.2. Compensation preference

The majority of AHs preferred cash compensation rather than in kind

4.2. Inventory of affected assets

The current estimate is that the subproject will affect an estimated 951 compensable assets including

1. Land: 12 residential premises
2. Structures: 5 facilities (toilets, septic tanks and chambers), 3 structures consisting of an unfinished building, animal shed and a veranda.
3. Businesses: 1 retail shop
4. Crops and Trees: 514 seasonal crops (other than vegetables), 338 permanent crops, and 56 tress. There are also vegetables beds with a total area of 987.45 that will be affected.
5. Public facilities: 10 electrical poles and 3 telephone posts.

Please refer to Appendix D for a summary of affected assets and the stand alone valuation report.

4.2.1. Impacts on land

The proposed interventions will affect 9 AHs with residential land, of which none is impacted by more than 10%.

Type	Residential	Commercial	Urban Agriculture	Institutional	Public/ Utility	Service trade	Other
Unit	Quantity	Quantity	Quantity	Quantity	Quantity	Quantity	Quantity
Number Affected Households (estimated)	9	3	0	0	0	0	0

4.2.2. Impact on structures

There are 9 residential houses and 3 commercial structures to be affected.

Type	Residential Houses	Commercial	Institutional	Service/trade	Other
Unit	Quantity	Quantity	Quantity	Quantity	Quantity
Number Affected Households (estimated)	9	3	0	0	0

Other structures

There are 5 toilet/septic tank units, 3 structures consisting of an unfinished building, 3 fences, and 1 veranda which will be affected.

Type	Toilet/ Chamber	graves	gate	fence/wall	boreholes/wells	Foundation/ veranda
Unit	Quantity	Quantity	Quantity	Quantity	Quantity	Quantity
Number Affected Households (estimated)	5	0	0	3	0	1

4.2.3. Impact on crops and trees

The estimated quantities of crops and trees to be affected in the sub-project area are as shown in the table below:

Type	Vegetables	Seasonal (other than vegetables)	Permanent	Shade/wood /indigenous	other
Unit	M2	No.	No.	No.	No.
Quantity (estimated)	987.45	514	338	14	0

4.2.4. Impact on businesses or income

The business structures affected are as shown below:

Type	Retail shop	Rental rooms	Services (water supply point)	Warehouse/ garage	Industry	Urban Husbandry	Other
Unit	Quantity	Quantity	Quantity	Quantity	Quantity		Quantity
Number Affected Households (estimated)	1						

4.2.5. Impact on public facilities

Within the subproject there are electrical and telephone poles that may be affected during construction. Out of the 10 electric poles, one is a transformer post.

Type	Electrical pole	Telecom lines	Water pipes	Sewer	Buildings	Other
Unit	Quantity	Quantity	locations	m	m ²	
Quantity (estimated)	10	3	0	0	0	0

4.2.6. Updated inventory of assets and registry of PAPs

Prior to the implementation of the RAP, it is advised to update the inventory of affected assets valuation of compensable assets during the mobilisation of the contractor. Although the project boundary included working space for the preparation of this report; during implementation the contractor may still identify structures that may inadvertently be affected during the operation of heavy machinery. Therefore it is recommended that the RAP is to be updated by the respective DLA under DMDP through the Resettlement Committees at the respective municipality.

5. RESETTLEMENT POLICIES AND LEGAL FRAMEWORK

5.1. Overview of policies and laws governing land and resettlement in Tanzania

Currently there is no specific “resettlement policy” in Tanzania. However, Tanzania has a good policy, legal and institutional framework for management of social issues related to urban development, land and property acquisition and requirements for full, fair and prompt compensation.

5.1.1. Constitution of the United Republic of Tanzania 1977

The Constitution of the United Republic of Tanzania provides for the rights of citizens to own property and rights for compensation.

Article 24(1) states that:

Every person is entitled to own property and has a right to the protection of his property held in accordance to the law.

5.1.2. Laws on Property, Compensation, Expropriation

The National Land Policy (1996) of Tanzania provides guidance and directives on land ownership and tenure rights (equitable distribution of land, access to land by all citizens, rights in unplanned areas etc.) and taking of land and other land based assets. The policy and the Land Laws emanating from it stipulates organization and procedures for valuing assets, delivery of compensation and land disputes resolution. The overall aim of the policy is to promote and ensure a secure land tenure system in Tanzania that protects the rights in land and resources for its entire citizen.

The following principles are the basis of the land policy which the Land laws seek to implement:

1. All land in Tanzania is public land vested in the President as trustee on behalf of all citizen;
2. Existing rights in and recognized long standing occupation or use of land are clarified and secured by the law
3. The rights and interest of citizens in land shall not be taken without due process of law;
4. Land has value;
5. Full, fair and prompt compensation shall be paid when land is acquired.

a) Land Acquisition

The Land Acquisition Act 1967 is the principal legislation governing the compulsory acquisition of land in Tanzania. Sections 3-18 of the Act empower the President to acquire land in any locality provided that such land is required for public purposes.

The Act provides the procedures to be followed when doing so including: the investigation of the land to see if it is suitable for the intended purpose; notification to the landowners to inform them of the decision to acquire their land before the President takes possession; and payment of compensation to those who will be adversely affected.

If land is required for public purpose the President is required to give a six weeks' notice to those with an interest in the land in question but, if the situation so demands, the notice can be shortened without the need to give explanation. After the expiration of the notice period the President is entitled to enter the land in question even before compensation is paid.

Land Act 1999 clarifies and adds certain aspects to be considered when determining the compensation package. Many other laws have provisions related to land acquisition, but they will always refer back to the Land Acquisition Act and the Land Act. Some of these laws are the Village Land Act (1999), the Roads Act 2007, Urban Planning Act 2007, Land Use Planning Act 2007, Graveyard Act, 1969(Act No. 9/1969); Mining Act 2010 and others.

b) Valuation

Section 14 of the Land Acquisition Act requires the following to be taken into account in assessing compensation:

- Take into account the value of such land at the time of the publication of notice to acquire the land without regard to any improvement or work made or constructed thereon thereafter or to be made or constructed in the implementation of the purpose for which it is acquired;
- When part only of the land belonging to any person is acquired, take into account any probable enhancement of the value of the residue of the land by reason of the proximity of any improvements or works made or constructed or to be made or constructed on the part acquired;
- Take into account the damage, if any, sustained by the person having an estate or interest in the land by reason of the severance of such land from any other land or lands belonging to the same person or other injurious effect upon such other land or lands;
- Not take into account any probable enhancement in the value of the land in future;
- Not take into account the value of the land where a grant of public land has been made in lieu of the land acquired;

Current practice is guided by the Land (Assessment of the Value of Land for Compensation) Regulations, 2001, and the Village Land Regulations, 2001, which provide that the basis for assessment of the value of any land and un-exhausted improvement for the purposes of compensation is the market value.

The full and fair compensation is only assessed by including all components of land quality. Presently in assessing the value of the un-exhausted improvements for compensation purposes, the law emphasizes that the value should be the price that which said improvements can fetch if sold in the open market – market value. But this in normal circumstances is lower than the replacement value but higher than the initial construction cost of the said improvements.

The market value of any land and unexhausted improvement is arrived at by the use of the comparative method evidenced by actual recent sales of similar properties, or by the use of the income approach or replacement cost method, where the property is of special nature and is not readily transacted in, in the market.

Agriculture and land acts provide for rights of individuals whose property may be acquired and to be compensated according to national laws. The laws set procedures for valuing crops and agricultural production and stipulates that the prices for cash crops will be determined as the average value over the previous year, corrected for inflation.

Assessment can only be carried out by a qualified valuer and where the government (national and local) is involved; such assessment must be verified by the Chief Valuer in the government.

c) Compensation

The principal of paying compensation for land that is compulsorily acquired exists in both the constitution and in the relevant land laws.

The Constitution disallows the deprivation of one's property held in accordance with the law, unless the owner is fairly and adequately compensated.

Article 24(2) of the Constitution provides that:

.....it shall be unlawful for any person to be deprived of property for the purposes of nationalization or any other purposes without the authority of the law which makes provision for fair and adequate compensation.

Under the land Acquisition Act, 1967, the person whose land is acquired is entitled to be compensated if they so deserve as provided for under section 11 and 12 of the Act. The persons entitled to compensation are those interested or claiming to be interested in such land; or persons entitled to sell or convey the same or as the government may find out after reasonable inquiries.

Under the Act, the government is required to pay compensation for the land taken. The compensation may be as agreed upon, or as determined under the Act. The government may in addition to compensation and with agreement of the person entitled to compensation pay compensation as well as give alternative land. There are situations where the government is compelled to give alternative land (e.g. in cases where land was used as a cemetery) in lieu or in addition to compensation. The land granted must be of the same value and held under the same terms as the land acquired, and must be in the same local government authority area unless the person whose land is being acquired consents to be given land elsewhere.

The Land Acquisition Act does not provide for compensation where land is vacant. Besides, where land is inadequately developed, compensation is to be limited to the value of unexhausted improvements of the land. The Act restricts compensation to un-exhausted improvements on the land excluding the land or such improvements as land clearing and fencing.

However, provisions in the Land Act 1999 over-ride or clarify those in the Land Acquisition Act. In the case of compulsory acquisition, the government is required:

To pay full, fair, and prompt compensation 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 this Act or is acquired under the Land Acquisition Act, 1967;

The question of documented legality is not a key consideration in entitlement to compensation. In practice at least in recent days, compensation has been paid in all cases of people who claim to be landowners and who are adversely affected by the contemplated scheme. However, the definition of beneficiaries does not include tenants.

In assessing compensation for the land acquired in the manner provided for under this Act, the concept of opportunity cost shall be based on the following:

- Market value of the real property
- Transport allowance
- Loss of profits or accommodation
- Cost of acquiring or getting the subject land
- Disturbance allowance
- Any other cost, loss or capital expenditure incurred to the development of the subject land;
- Interest at market rate to be charged in case of delays in payment of compensation and any other costs incurred in relation to the acquisition.

The Land (Assessment of the Value of Land for Compensation) Regulations, 2001 and the Village Land Regulations, 2001, provide for the amount of compensation to include the value of unexhausted improvements, disturbance allowance, transport allowance, accommodation allowance and loss of profits.

Disturbance allowance: This is calculated by applying value of real property by average percentage rate of interest offered by commercial banks on deposits for 12 months. The current average rate of the interest obtained on fixed deposits is 8%. Therefore the total compensation value, then obtain the 8% of the value and add to the previous total. All PAPs that are illegible for any kind of compensation shall receive a disturbance allowance.

Transport allowance is computed on the basis of prevailing market rates within an area and is paid only to PAPs with occupied residential/commercial structure. Section 179(11) of the Land Act (1999) directs how this allowance is to be assessed: “Transport Allowance shall be the actual costs of transporting twelve tons of luggage by rail or road (whichever is cheaper) within twenty Kilometers from the point of displacement (i.e. Transport allowance = 12 tons x Actual Cost/ton/km x 20km)”.

Accommodation allowance shall be paid only to PAPs losing occupied residential structures. Section 179(8) of the Land Act (1999) stipulates how accommodation allowance is to be arrived at:- The market rent for the building shall be assessed and multiplied by 36 months in order to arrive at accommodation allowance payable (i.e. Accommodation allowance = Rent/p.m. x 36 months).

Loss of profit the owners of businesses will be compensated for the loss of profit regardless of having an audited account, but rather research by the valuer. It is provided under Section 179(9) of the Land Act (1999) inter alia: The net monthly profit of the business carried out shall be assessed, evidenced by audited accounts where necessary and applicable and multiplied by 36 months in order to arrive at the loss of profits payable. (i.e. Loss Profit = Net profit/p.m. x 36 months).

Transport allowance, accommodation allowance and loss of profit do not apply where the land acquired is unoccupied at the date of loss of interest. Compensation is to be paid promptly but if it is not paid within six months it will attract an interest equal to the average percentage rate of interest offered by commercial banks on fixed deposits.

In the case of agricultural land, compensation is intended to provide a farmer whose land is acquired and used for project purposes to cover the productive values of the land, labour, and crop loss. For this reason, and for transparency, "land" is defined as an area: (i) in cultivation; (ii) being prepared for cultivation; or (iii) cultivated during the last agricultural season. This definition recognizes that the biggest investment a farmer makes in producing a crop is his/her labour. A farmer works on his/her land most of the months of the year.

The major input for producing a crop is the significant labour put into the land each year by the farmer. As a result, compensation relating to land will cover the market price of labour invested times the amount of time spent preparing a plot equivalent to that taken. The market price of the crop lost is considered separately.

The other compensation rates cover the labour cost for preparing replacement land based on a calculated value that would cost a farmer to clear and create replacement land. This value is found by adding together the average costs of clearing, ploughing, sowing, weeding twice, and harvesting the crop. Labour costs will be paid in Tanzania shillings, at the prevailing market rates.

Compensation for structures will be paid by replacing at cost, for example, huts, houses, farm outbuildings, latrines and fences. Any homes lost will be rebuilt on acquired replacement land, however cash compensation would be available as a preferred option for structures (i.e. extra buildings) lost that are not the main house or house in which someone is living. The going market prices for construction materials will be determined. Alternatively, compensation will be paid in-kind for the replacement cost without depreciation of the structure.

Compensation will be made for structures that are: (i) abandoned because of relocation or resettlement of an individual or household; and (ii) directly damaged by construction activities.

Replacement values base on:

1. Drawings of individual's household and all its related structures and support services;
2. Average replacement costs of different types of household buildings and structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. bricks, rafters, bundles of straw, doors etc.)
3. Prices of these items collected in different local markets;
4. Costs for transportation and delivery of these items to acquired/replacement land or building site; and
5. Estimates of construction of new buildings including labour required.

5.2. World Bank Operational Policy on Involuntary Resettlement

The World Bank Operational Policy 4.12, Involuntary Resettlement is triggered because the project activity involves land acquisition. Therefore, when the policy is triggered people are compensated for their loss (of land, property or access) either in kind or in cash, of which the former is preferred.

The overall objective of the OP 4.12 on involuntary resettlement is to avoid or minimize involuntary resettlement and land acquisition where feasible, exploring all viable alternatives of project location and designs.

Where involuntary resettlement and acquisition of land or other assets is unavoidable:

1. To conceive and execute compensation as sustainable development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share project benefits.
2. To consult with displaced and compensated persons and provide them opportunities to participate in planning and implementing resettlement and compensation programs.
3. To assist displaced and compensated persons - regardless of the legality of land tenure - in their efforts to improve their livelihoods and standards of living (income earnings capacity and production levels) or at least to restore them, in real terms, to pre-displacement levels or levels prevailing prior to the beginning of the project implementation, whichever is higher.

This policy covers direct economic and social impacts that are caused by the involuntary taking of land resulting in relocation, loss of shelter, loss of assets or access to assets; or loss of income sources or means of livelihood.

WB Involuntary Resettlement Policy OP 4.12 requires that all projects screened for potential environmental and social impacts be supported/guided by a RPF that identifies involuntary resettlements under the planned project, identifies impacts i.e. severe economic, social and environmental risks and based on this defines the scope of the resettlement assistant programme (i.e. RAP) for affected persons. Although there are no significant discrepancies between WB requirements and Tanzania government's requirements regarding compensation and resettlement of PAP, as far as this RAP for proposed rehabilitation of surface water drainage system sub-project is concerned, the World Bank's safeguard policy will prevail.

5.3. Comparison of the Tanzanian laws with the WB OP 4.12

Twelve (12) key policy points were identified for comparison between the relevant laws of the Government of Tanzania and that of World Bank policy OP4.12, including: (i) land owners; (ii) land tenants/squatters; (iii) land users; (iv) owner of non-permanent and permanent buildings; (v) encroacher; (vi) timing of compensation; (vii) calculation of compensation and valuation; (viii) relocation and resettlement; (ix) completion of resettlement and compensation; (x) livelihood restoration and assistance; (xi) consultation and disclosure; and (xii) grievance mechanism and dispute resolution.

The gap between the law of Tanzania and the World Bank policy on involuntary resettlement (OP4.12) is noted in areas of: (i) entitlement; (ii) timing of payments; (iii) relocation and resettlement; (iv) livelihood restoration; (v) consultation; and (vi) grievance mechanism. Summary of comparison between the law of Tanzania and the World Bank OP4.12 is presented in **Table 5-1**. Where there is a difference between Tanzanian law and the OP4.12, the latter shall prevail.

Table 5-1: Comparison of Tanzanian laws and World Bank Policy on Resettlement and Compensation

Content	Tanzanian Law	World Bank OP 4.12	Gaps / Measures
Land owners	<p>The <i>Land Acquisition Act 1967</i>, the <i>Land Act 1999</i> and the <i>Village Land Act 1999</i> have it clearly that land owners, with or without formal legal rights, are entitled to full, fair and prompt compensation. They also get disturbance allowance, transport allowance, accommodation allowance and loss of profit if they were in actual occupation of the acquired property.</p> <p>Lost assets are limited to “unexhausted improvements”, that is the land and developments on the land.</p> <p>The law does not cover economic and social impacts of relocation and as such socio-economic surveys are not</p>	<p>PAPs are classified into 03 groups: (a) those who have formal legal rights including customary and traditional rights; (b) those who do not have formal legal rights to the land but have a claim to such land or assets provided that such claims are recognized under the law of the country; and (c) those who have no legal rights to the land they are occupying</p> <p>Land owners of (a) and (b) above, are among PAPs who are entitled to full, fair and prompt compensation as well as other relocation assistance.</p> <p>Socio-economic impacts to PAPs are taken into consideration in preparing the RAP.</p>	<p>There is no gap between Tanzania laws and OP4.12 as far as those with formal legal rights and those without formal legal rights are concerned.</p> <p>However, the lost assets in Tanzania are restricted to land and developments on land, and where relevant, loss of profits. The lost assets under OP 4.12 are much wider than land and include loss of access to livelihoods and standard of living and seeks to improve them or at least to restore them to pre-displacement levels.</p>
Land tenants/squatters	<p>Tanzanian laws do not recognize tenants as being entitled to compensation</p>	<p>Tenants would be under category (b) above and are among the PAPs who are entitled to full, fair and prompt compensation</p>	<p>OP 4.12 recognizes a wider spectrum of PAPs. The Tanzania spectrum is limited to those who can prove proprietary rights. It does not include tenants</p>
	<p>Squatters may be paid compensation on the whims of the government. In some cases however they are not paid. This include those who construct on road reserves</p>	<p>Squatters may fit category (c) above and are provided resettlement assistance in lieu of compensation for the land they occupy as well as other relocation assistance.</p>	<p>OP 4.12 includes squatters among the PAPs who are entitled to resettlement assistance in lieu of the land they occupy, as well as other assistance.</p> <p>This is different from the Tanzanian situation where such people are not entitled to any assistance.</p>
Land users	<p>Tanzania law on compulsory acquisition and compensation is limited to those who can prove de jure or de facto land ownership. Users are not covered</p>	<p>OP 4.12 includes displaced persons who have no recognizable legal right or claim to the land they are occupying</p>	
Owner of non-permanent/permanent buildings	<p>Tanzanian law makes no differentiation between owners of permanent and non-permanent buildings. As long as ownership can be proved compensation is payable.</p> <p>Determination of compensation is based on the market value of the property. In practice though, the depreciated replacement cost approach is used, meaning that PAPs do not get the full replacement cost of the lost assets.</p>	<p>Under the OP4.12 permanent and non-permanent buildings need to be compensated.</p> <p>Where however, the displaced persons have no recognizable legal rights they are to be provided with resettlement assistance in lieu of compensation for the land they occupy, as well as other assistance.</p> <p>Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.</p>	<p>The gap between Tanzania and OP 4.12 is about eligibility, which is hinged upon formal or informal ownership.</p> <p>While, in Tanzania, compensation is based on market value, determined using the depreciated replacement cost approach for developments on land, OP 4.12 requires that compensation should be sufficient to replace the lost land and other assets at full replacement cost.</p>
Encroachers	<p>Person who encroaches on the area are not entitled to compensation or any form of resettlement assistance.</p> <p>Encroaches have to demolish their asset without any compensation, if refuse the authority concern will demolish at their cost. It is strictly prohibited to especially to build a house or to plant permanent trees and crops within the unauthorized areas</p>	<p>Person who encroaches on the area after the cut-off date are not entitled to compensation or any form of resettlement assistance</p>	<p>Those who encroaches the area after cut-off date are not compensated.</p>
Timing of compensation payment	<p>Tanzanian law requires that compensation be full, fair and prompt. Prompt means it should be paid within 06 months, failure to do which attracts an interest rate equivalent to the average rate offered by commercial banks on fixed deposits.</p> <p>Legally, compensation for the acquired land does not have to be paid before possession can be taken, but in current practice it is usually paid before existing occupiers are displaced.</p> <p>In practice, compensation is not paid promptly most of the time, and delays are not rectified paying the interest rate as required by the law.</p>	<p>Displaced persons are provided prompt and effective compensation at full replacement cost for losses of assets directly attributable to the project</p>	<p>In terms of timing, both Tanzanian laws and OP 4.12 require that compensation be paid promptly.</p> <p>This however, rarely happens in practice as can be testified from projects that have involved large scale land acquisition.</p>
Calculation of compensation and valuation	<p>According to the Land Assessment of the value of Land for Compensation Regulations 2001 as well as the Village Land Regulations 2001 compensation for loss of any interest in land shall include the value of unexhausted improvements, disturbance allowance, transport allowance, accommodation allowance, and loss of profits.</p> <p>The basis for assessment any land and unexhausted improvement for</p>	<p>OP4.12 requires that displaced persons be provided with prompt and effective compensation at full replacement cost for losses of assets attributable direct to the project.</p> <p>Replacement cost is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. Depreciation is not to be taken into account</p>	<p>Tanzania law provides for the calculation of compensation on the basis of the market value of the lost land and unexhausted improvements, plus a disturbance, accommodation, and accommodation allowance, and loss of profits where applicable.</p> <p>Since depreciation is applied, the amount paid does not in most cases amount to that required to replace the lost assets. Besides, other types of assets (besides</p>

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	<p>purposes of compensation is the market value of such land.</p> <p>The market value is arrived at by the use of comparative method evidenced by actual recent sales of similar properties; or by the use of the income approach, or replacement cost method, where the property is of special nature and not saleable.</p> <p>In practice, with land an attempt is made to establish market value from recent sales, but these are usually not transparent. As for unexhausted improvements in terms of buildings and other civil infrastructure, the depreciated replacement cost approach is used</p>	<p>when applying this method.</p> <p>For losses that cannot easily be valued or compensated in monetary terms (e.g. access to public services, customers and suppliers, or to fishing, grazing or forest areas) attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.</p>	<p>land) are not taken into consideration.</p> <p>Tanzania laws are restricted to land and developments on land, and loss of profits whereas WB OP 4.12 considers all types of losses and provision of alternative compensation measures.</p>
Relocation and resettlement	<p>Tanzanian laws do not provide for relocation and resettlement. However, there are a few cases where the government has provided both compensation and alternative land, but this has been done at its discretion. In general, however, the government feels that it has discharged its duty once compensation is paid, and it is up to the displaced persons to resettle and re-establish themselves elsewhere.</p>	<p>OP 4.12 stipulates that where project impacts include physical relocation, measures should be taken to ensure that the PAPs are: (i) provided with assistance during relocation; and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages and other factors is at least equivalent to the advantages lost.</p>	<p>Tanzanian law provides for transport allowance for 12 tons of luggage for up to 12 km from the acquired land, provided the displaced person was living on that land.</p> <p>In lieu of housing accommodation allowance is made in the form of rent for 36 months.</p> <p>Occasionally, in a discretionary manner alternative land is awarded.</p>
Completion of resettlement and compensation	<p>The government can under the law, take possession of the acquired land at the end of the notice to acquire period, before paying compensation.</p> <p>Current practice however is such that possession is usually after the payment of compensation whereby the displaced persons are given time to vacate the land, which is usually as soon as possible</p>	<p>It is necessary to ensure that displacement or restriction to access does not take place before necessary measures for resettlement are in place. In particular, taking of land and related assets may take place only after compensation has been paid, and where applicable, resettlement sites and moving allowance have been provided to the displaced persons.</p>	<p>The Land Acquisition Act, 1967, allows the government to take possession of the acquired land before paying compensation.</p> <p>Current practice endeavors to pay compensation before taking possession of the land.</p>
Livelihood restoration and assistance	<p>There are no legal provisions requiring the government to restore livelihood or to provide assistance towards the restoration of such livelihoods.</p> <p>Indeed, compensation is not payable in the case of restrictions to access to areas of livelihood opportunities.</p> <p>Moreover there are no provisions that require the government to pay special attention to vulnerable groups or indigenous peoples.</p>	<p>Resettlement plan or policy includes measures to ensure that the displaced persons are: (i) offered support after displacement for a transitional period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standard of living; and, (ii) provided with development assistance in addition to compensation measures, such as land preparation, credit facilities, training or job opportunities.</p>	<p>There are no transitional measures provided for under Tanzanian law and practice; nor are there provisions for compensation as a result of restrictions to access to livelihood. The Tanzanian law does not make provisions requiring the government to pay special attention to vulnerable groups in the administration of compensation</p>
Consultation and disclosure	<p>There scanty provisions related to consultation and disclosure in Tanzanian law.</p> <p>The notice, under the Land Acquisition Act, informs land owners about the President's need to acquire their land, and their right to give objections. The Land Act allows displaced persons to fill in forms requiring that their land be valued, and giving their own opinion as to what their assets are worth.</p> <p>Since resettlement is not provided for legally, there are no provisions about informing the displaced persons about their options and rights; nor are they offered choice among feasible resettlement alternatives.</p>	<p>OP4.12 require consultation of PAPs, host communities and local NGOs, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms.</p>	<p>The provisions in OP4.12 requiring consultation and disclosure have no equivalent in Tanzanian law and practice.</p>
Grievance mechanism and dispute resolution	<p>Under Land Acquisition Act, where there is a dispute or disagreement relating to: (a) the amount of compensation; (b) the right to acquire the land; (c) the identity of persons entitled to compensation; (d) the application of section 12 to the land; (e) any right privilege or liability conferred or imposed by this Act; (f) the apportionment of compensation between the persons entitled to the same and such dispute or disagreement is not settled by the parties concerned within six weeks from the date of the publication of notice that the land is required for a public purpose the Minister or any person holding or claiming any interest in the land may institute a suit in the High Court of Tanzania for the determination of the dispute.</p> <p>In practice the Government tries to resolve grievances through public meetings of the affected persons.</p>	<p>OP4.12 provides that displaced persons and their communities, and any host communities receiving them, are provided with timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning implementing and monitoring resettlement. Appropriate and accessible grievance mechanisms must be established for these groups.</p>	<p>The law in Tanzania does not provide for the establishment of grievance resolution mechanisms specific to particular resettlement cases.</p>

5.4. Eligibility

The eligible individual(s) are those who are directly affected socially and economically through the project caused by:

1. The compulsory taking of land and other assets resulting in the following:
 - a. Relocation or loss of shelter;
 - b. Loss of assets or access to assets; and
 - c. Loss of income sources or means of livelihood whether or not the affected persons must move to another location.
2. The forceful denial to access legally designated social economic services, with adverse impacts on livelihood of the displaced individuals

Based on the Land Act Cap113 (1999) and World Bank's OP 4.12, a person is eligible for compensation if they are:

- the holder of a formal granted right to land/assets
- the holder of land under customary law
- land users i.e. those physically not living at the place but will suffer loss of access to land and livelihood
- Tenants
- Illegal occupants of land (entitled to resettlement assistance)

The holder of the right of occupancy can be owner of a piece of land, house and crops.

Properties that are eligible for compensation are buildings, land, annexed structures and assets on the land such as crops, trees etc. Local communities losing land and or access to assets under customary rights are eligible for compensation.

5.4.1. Cut-off Date

The cut-off date for eligibility for compensation or resettlement entitlements for the project is 19th August 2014; which was the last day of valuation of properties. Persons occupying the sub-project area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets established after this date will not be compensated.

5.5. Valuation method

The method recommended in this RAP is full replacement value added with allowances. The Valuer shall adopt the Replacement Cost Method i.e. cost of replacement or selling the affected property (e.g. cost of construction materials, price of buying and selling land and transportation costs, labour) at the date of valuation. Market prices will be monitored within the time period that compensation is being made to allow for adjustments in compensation values.

In assessing compensation for the land acquired in the manner provided for under this Act, the concept of opportunity cost shall be based on the following:

- Market value of the real property
- Transport allowance
- Loss of profits or accommodation
- Cost of acquiring or getting the subject land
- Disturbance allowance
- Any other cost, loss or capital expenditure incurred to the development of the subject land;

Disturbance allowance: This is calculated by applying value of real property by average percentage rate of interest offered by commercial banks on deposits for 12 months. The current average rate of the interest obtained on fixed deposits is 8%.

Transport allowance is computed on the basis of prevailing market rates within an area and is paid only to PAPs with occupied residential/commercial structure. Section 179(11) of the Land Act (1999) directs that transport allowance shall be the actual costs of transporting twelve tons of luggage by rail or road (whichever is cheaper) within twenty Kilometres from the point of displacement (i.e. Transport allowance = 12 tons x Actual Cost/ton/km x 20km).

Accommodation allowance shall be paid only to PAPs losing occupied residential structures. Section 179(8) of the Land Act (1999) stipulates that accommodation allowance is to be the market rent for the building and multiplied by 36 months in order to arrive at accommodation allowance payable (i.e. Accommodation allowance = Rent/p.m. x 36 months).

Loss of profit the owners of businesses will be compensated for the loss of profit regardless of having an audited account, but rather research by the Valuer. Section 179(9) of the Land Act (1999) stipulates that this should be the net monthly profit of the business and multiplied by 36 months in order to arrive at the loss of profits payable. (i.e. Loss Profit = Net profit/p.m. x 36 months).

Individual and household compensation will be made in cash, in kind, and/or through assistance. The type of compensation will be an individual choice although every effort will be made to instil the importance and preference of accepting in kind compensation if the loss amounts to more than 20 percent of the total loss of subsistence assets.

Once such valuation is established, PMO-RALG will produce a Contract or Agreement that lists all property and assets being acquired by the sub-project and the types of compensation selected.

5.5.1. Entitlement matrix

Table 5-2 below provides a summary of entitlements that are eligible for compensation.

Table 5-2: Entitlement Matrix for proposed Gerezani Creek surface water drainage system sub-project in Temeke Municipality

Entitlement Matrix			
Assets	Types of Impact	Person(s) Affected	Compensation/Entitlement/Benefits
Agricultural land	<ul style="list-style-type: none"> Land under cultivation Less than 20% of land holding affected Land remains economically viable. 	Farmer/title holder	<ul style="list-style-type: none"> Cash compensation for affected land equivalent to replacement value
		Tenant/lease holder	<ul style="list-style-type: none"> Cash compensation for the harvest or product from the affected land or asset, equivalent to average market value of last 3 years, or market value of the crop for the remaining period of tenancy/lease agreement, whichever is greater.
	<ul style="list-style-type: none"> Greater than 20% of land holding lost Land does not become economically viable. 	Farmer/Title holder	<ul style="list-style-type: none"> Land for land replacement where feasible, or compensation in cash for the entire landholding according to PAP's choice. Land for land replacement will be in terms of a new parcel of land of equivalent size and productivity with a secure tenure status at an available location which is acceptable to PAPs. Transfer of the land to PAPs shall be free of taxes, registration, and other costs. Relocation assistance (transport allowance + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature)
		Tenant/Lease holder	<ul style="list-style-type: none"> Cash compensation equivalent to average of last 3 years' market value for the mature and harvested crop, or market value of the crop for the remaining period of tenancy/lease agreement, whichever is greater. Relocation assistance (transport allowance + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature)
Commercial Land	<ul style="list-style-type: none"> Land used for business partially affected Limited loss 	Title holder/business owner	<ul style="list-style-type: none"> Cash compensation for affected land Loss of Profit (Net profit/p.m. x 36 months)
		Business owner is lease holder	<ul style="list-style-type: none"> Loss of Profit (Net profit/p.m. x 36 months)
	<ul style="list-style-type: none"> Assets used for business severely affected If partially affected, the remaining assets become insufficient for business purposes 	Title holder/business owner	<ul style="list-style-type: none"> Land for land replacement or compensation in cash according to PAP's choice. Land for land replacement will be provided in terms of a new parcel of land of equivalent size and market potential with a secured tenure status at an available location which is acceptable to the PAP. Transfer of the land to the PAP shall be free of taxes, registration, and other costs. Relocation assistance (transport + disturbance allowance) Loss of Profit (Net profit/p.m. x 36 months)
		Business person is a lease holder	<ul style="list-style-type: none"> Loss of Profit (Net profit/p.m. x 36 months)
Residential Land	<ul style="list-style-type: none"> Land used for residence partially affected, limited loss Remaining land viable for present use. 	Title holder	<ul style="list-style-type: none"> Cash compensation for affected land
		Rental/lease holder	<ul style="list-style-type: none"> Relocation assistance (disturbance allowance)
	<ul style="list-style-type: none"> Land and assets used for residence severely affected Remaining area insufficient for continued use or becomes smaller than minimally accepted under zoning law(s) 	Title holder	<ul style="list-style-type: none"> Land for land replacement or compensation in cash according to PAP's choice. Land for land replacement shall be of minimum plot of acceptable size under the zoning law(s) or a plot of equivalent size, whichever is larger, in either the community or a nearby resettlement area with adequate physical and social infrastructure systems as well as secured tenure status. When the affected holding is larger than the relocation plot, cash compensation to cover the difference in value. Transfer of the land to the PAP shall be free of taxes, registration, and other costs. Relocation assistance (transport, accommodation and disturbance allowance)
		Rental/lease holder	<ul style="list-style-type: none"> Refund of any lease/rental fees paid for time/use after date of removal Assistance in rental/lease of alternative land/property Relocation assistance (transport, accommodation and disturbance allowance)
Buildings and structures	<ul style="list-style-type: none"> Structures are partially affected Remaining structures viable for continued use 	Owner	<ul style="list-style-type: none"> Cash compensation for affected building and other fixed assets Cash assistance to cover costs of restoration of the remaining structure
		Rental/lease holder	<ul style="list-style-type: none"> Cash compensation for affected assets (verifiable improvements to the property by the tenant). Disturbance allowance
	<ul style="list-style-type: none"> Entire structures are affected or partially affected Remaining structures not suitable for continued use 	Owner	<ul style="list-style-type: none"> Cash compensation for entire structure and other fixed assets without depreciation, or alternative structure of equal or better size and quality in an available location which is acceptable to the PAP. Right to salvage materials without deduction from compensation Relocation assistance (transport, accommodation and disturbance allowance) Rehabilitation assistance if required (assistance with job placement, skills training)
		Rental/lease holder	<ul style="list-style-type: none"> Cash compensation for affected assets (verifiable improvements to the property by the tenant) Relocation assistance (transport, accommodation and disturbance allowance) Assistance to help find alternative rental arrangements Rehabilitation assistance if required (assistance with job placement, skills training)
		Squatter/informal dweller	<ul style="list-style-type: none"> Cash compensation for affected assets (verifiable improvements to the property by the squatter) Right to salvage materials without deduction from compensation Relocation assistance (transport, accommodation and disturbance allowance) Alternatively, assistance to find accommodation in rental housing or in a squatter settlement scheme, if available) Rehabilitation assistance if required assistance with job placement, skills training)
		Street vendor (informal without title or lease to the stall or shop)	<ul style="list-style-type: none"> Loss of Profit (Net profit/p.m. x 36 months) Relocation assistance (transport and disturbance allowance) Assistance to obtain alternative site to re- establish the business.
			<ul style="list-style-type: none">



Entitlement Matrix			
Assets	Types of Impact	Person(s) Affected	Compensation/Entitlement/Benefits
Standing crops	Crops affected by land acquisition or temporary acquisition or easement	PAP (whether owner, tenant, or squatter)	<ul style="list-style-type: none">Cash compensation equivalent to average of last 3 years market value for the mature and harvested crop.
Trees	Trees lost	Title holder	Cash compensation based on type, age and productive value of affected trees plus 10% premium
Temporary Acquisition	Temporary acquisition	PAP (whether owner, tenant, or squatter)	<ul style="list-style-type: none">Cash compensation for any assets affected (e.g. boundary wall demolished, trees removed)

6. INSTITUTIONAL ARRANGEMENTS

The institutional framework for the implementation of the RAP includes national institutions i.e ministries and PMO-RALG, local government institutions, civil society organisations, the World Bank and independent consultants as follows.

6.1. National institutions

6.1.1. Ministry of Lands, Housing and Human Settlement Development (MLHSD)

The Ministry of Lands, Housing and Human Settlement Development is responsible for policy, regulation and coordination of matters pertaining to land in Tanzania and administers the land acts: Land Acquisition Act, the Land Act and the Village Land Act. The Ministry is also responsible for land use planning, management and land delivery activities, specifically, surveying and demarcating land/parcel/farms, and provision of land ownership and tenancy in both rural and urban areas.

For this project MLHSD will be responsible for the following:

1. **Chief Government Valuer:** Land (Assessment of the Value of Land for Compensation) Regulations, 2001 (Regulation 6) directs that every assessment of the value of land and unexhausted improvement be verified by the Chief Valuer of the Government or Representative:
 - Endorses the assessment of compensation payment for land and un-exhausted improvement therein.
2. **Commissioner of Lands:** who is the principal administrative officer and professional officer and advisor to the government in land matters (land allocation, acquisition, registration and land management in general) at all levels. All instances of acquisition of land for public purposes and the need for resettlement and/or compensation have to be referred to the Commissioner;:
 - Endorse RAP prepared by Municipal Council. This is the responsibility of the Commissioner of Lands
 - Ensure compensation is paid or resettlement is undertaken as agreed
 - Coordinate with PMO-RALG; Municipal Council; relevant Utility Agencies; ward council; public interest parties; public media and to undertake notification and participation in compulsory land acquisition.
 - Coordinate with PMO-RALG; Municipal Council; Compensation Committee; Ward Office; Solicitor to undertake assessment of compensation payment for the dispossessed & receipt of complaints.
 - Coordinate with PMO-RALG; Municipal Council; Compensation Committee; Ward Office; Solicitor to take possession of property; oversee demolition and resettlement.

3. **Survey and Mapping Division:** The Surveys and Mapping Division also provide land survey services to government agencies, maintain geodetic survey control networks, prepare and maintain cadastral and topographic maps for the entire country. The Director of Surveys is responsible for coordinating all public sector mapping activities and for maintaining records of all maps, plans and land surveys which are conducted by government agencies;
 - Update all cadastral and topographic maps incorporating improved surface water drainage interventions and structures that are to be removed based on the inventory of assets identified in the RAP.
4. **Director of Urban Planning:** Established under the Urban Planning Act (Section 6) to advise the Minister, issue guidelines, set standards, coordinate and approval of matters related to urban planning;
 - Coordinate with the Commissioner of Lands and PMORALG for the approval of the RAP in respect to updating the urban plans for Dar es Salaam.
5. **National Land Advisory Council:** The Council was established under Section 17 of the Land Act. The Council advise Minister on Land Policy and institutional framework and organizational structure for land matters.
6. **Land Allocations Committee:** Under the Land Act (Section 12) Land Allocation Committees are to be established at central, urban and district authorities to perform duties related to advise of application of Rights of Occupancy
 - Endorse land allocated to PAPs that need to be relocated

6.1.2. Ministry of finance and economic affairs

- Disburses funding for compensation upon receiving request from PMO-RALG;
- Ensure that the funds are appropriately utilised by the Compensation Committee.

6.1.3. Prime minister's office – regional administration and local government (PMO-RALG)

At a national level, the PMO-RALG is the primary ministry responsible for the implementation of the DMDP and that the RAP has been implemented. To do this PMO-RALG will:

- Coordinate with MLHHS, Municipal Council, public interest parties, media, land owners, utility agencies to undertake notification and participation in compulsory land acquisition;
- Coordinate with MLHHS, Municipal Council, Compensation Committee, Ward Office, Solicitor to undertake assessment of compensation payment for the dispossessed and receipt of complaints;
- Coordinate with MLHHS, Municipal Council, dispossessed households, solicitors during payment to the dispossessed and receipt of complaints;
- Coordinate with MLHHS, Municipal Council, dispossessed households to take possession of property, oversee demolition and resettlement;
- Mobilise budget for compensation and support to PAPs from Ministry of Finance and Economic Affairs;
- Coordinate with Municipal Council, Compensation Committee, Ward Council and relevant Civil Society Organizations (CSOs), to ensure smooth and successful implementation RAP;
- Coordinate with relevant agencies in settlement of dispute, complaints; and
- Monitor and evaluate the implementation of RAP by Municipal Council

6.2. Local government institutions

6.2.1. Municipal Council

Supervised by the District Executive Officer (DED), the Municipal Council will

- Review and approve RAP as well as socio-economic survey report;
- Submit RAP and recommendation to MLHHSO for endorsement;
- Establish and manage Resettlement and Compensation Committee;
- Coordinate with PMO-RALG, MLHHSO, public interest parties, media, land owners, utility agencies to undertake notification and participation in compulsory land acquisition;
- Coordinate with PMO-RALG, MLHHSO, Ward Office, Solicitor to undertake assessment of compensation payment for the dispossessed & receipt of complaints;
- Coordinate with PMO-RALG, MLHHSO, dispossessed households, solicitors during payment to the dispossessed and receipt of complaints;
- Coordinate with PMO-RALG, MLHHSO, dispossessed households to take possession of property; oversee demolition and resettlement.

6.2.2. Resettlement and Compensation Committee (RCC)

Chaired by the Regional Commissioner and members that include: Temeke Municipal Council officers for land and valuation, representative from MLHHSO, District Commissioner, Consultant (optional), representative of a local NGO, and representative of PAPs. The RCC is responsible for the following:

- In charge of overall RAP implementation;
- Support Municipal Council in settlement of redress and grievance;
- Monitor and report on regular basis the RAP implementation to PMO-RALG, Municipal Council and relevant agencies;
- Implement public disclosure, public consultation and participation;
- Provide payments (compensation, allowance, etc) to PAPs;
- Keep record of document, material relating to RAP implementation;
- Coordinate valuer activities in valuing PAPs' land, assets, etc.

6.2.3. Grievance and Redress Committee (GRC)

Chaired by the District Commissioner and members include: Temeke Municipal Council officers related to land, valuation and community development, representative from MLHHSO, representative of a local NGO and Representative of PAPs.

- Keep record of all grievances lodged by PAPs
- Keep record of all resolutions agreed with PAPs
- Provide all relevant documentation required in instance where grievance is taken to court

6.2.4. Ward, Sub-Ward Council

- Coordinate with RCC to implement resettlement and rehabilitation activities;
- support PAPs, RCC and relevant authorities during RAP implementation;
- Prepare and maintain records of all PAPs;
- Support RCC in public consultation and participation;
- Support in case of dispute, grievance.

6.3. Civil Society Organisations

- Collaborate with Municipal Council in advising and counselling PAPs on various issues including proper use of resources during RAP implementation;
- Participate in planning, follow up and monitor the implementation of the RAP.

6.4. World Bank

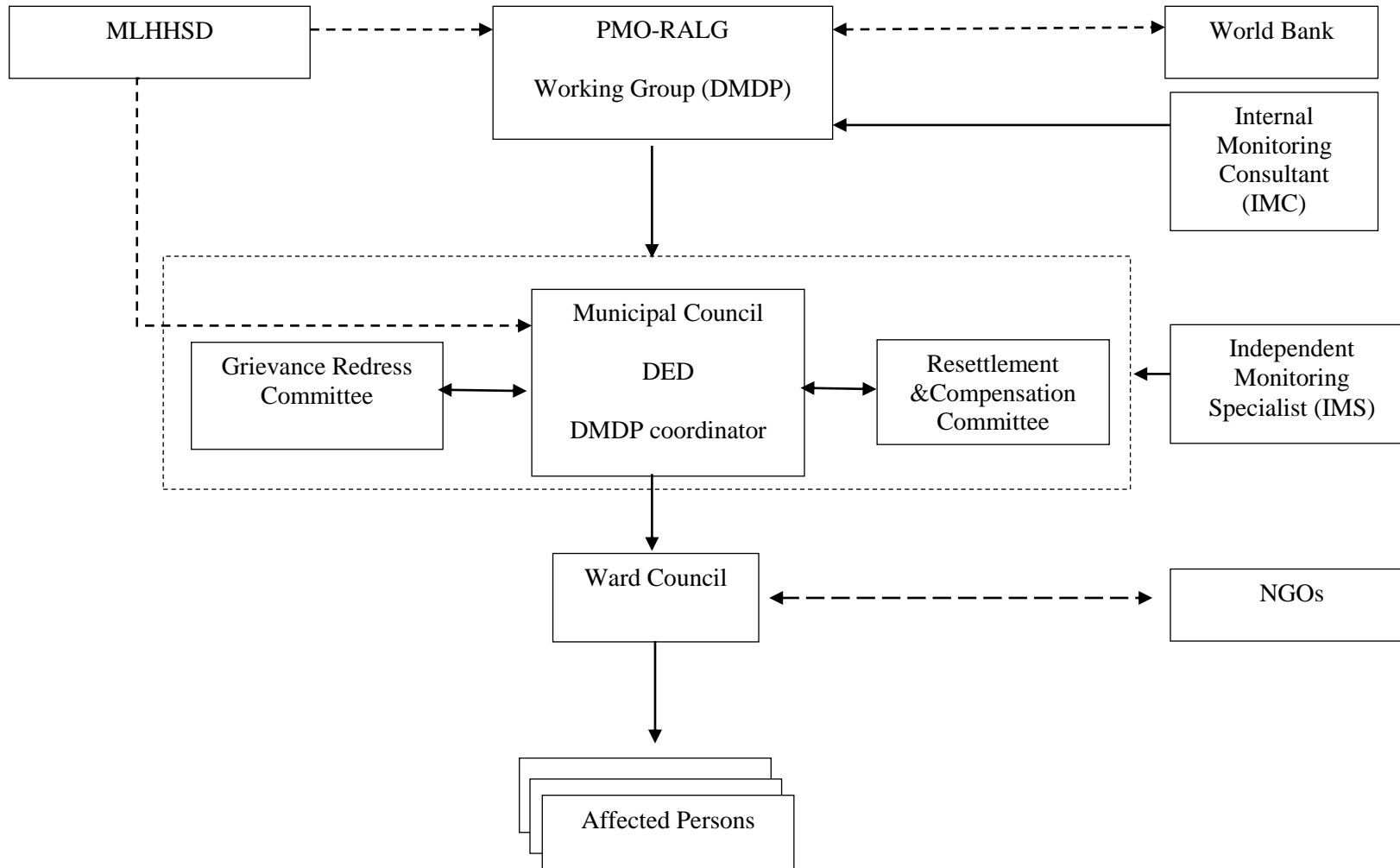
- Review and approve RAP to ensure that it meets the OP4.12 requirements for DMDP funding approval.
- Coordinate with PMO-RALG and supervise the RAP implementation to ensure that RAP is implemented according to the OP4.12 requirements

6.5. Consultants

- Independent Monitoring Consultant (IMC): IMC shall be recruited by PMO-RALG DMDP Working Group to support PMO-RALG in monitoring the implementation of RAP by the municipal
- Internal monitoring Specialist (IMS): IMS shall be recruited by and support municipal council to carry out internal monitoring of RAP implementation. IMS shall conduct internal monitoring every quarter and report to the DED.

The inter-relationship of these actors is presented in *Figure 5* below

Figure 5 RAP Institutional Coordination Chart



6.6. Capacity Building

All staff who is involved in the implementation of the RAP at PMO-RALG and DLAs and resettlement committees and grievance committee are to be provided with training on resettlement to make them capable on the implementation of the RAP. Training subjects will include but not limited to the followings:

- (i) Participatory methodologies in regards to data collection and community meetings;
- (ii) Consultation and information dissemination methods;
- (iii) Principles, policies, and entitlements of the RAPs;
- (iv) Valuation of assets and properties
- (v) Implementation steps, procedures, and schedule;
- (vi) Grievance redress mechanism; and
- (vii) Powers and obligations of individuals/agencies involved in the process of resettlement programs.

7. IMPLEMENTATION SCHEDULE

Before the implementation of the RAP, the RAP reports and valuation reports are to be approved by World Bank and the Chief Government Valuer. In principle project civil works may not start until all PAPs determined to be entitled to compensation are compensated.

7.1. RAP implementation

After the RAP has been approved, the implementation of the RAP includes 6 main activities:

1. Disclosure of the RAP reports and valuation reports
2. Mobilisation
3. Preparation of plots for resettlement (if necessary)
4. Compensation payments
5. Addressing Grievances and Dispute Resolution
6. Monitoring report of RAP implementation

7.1.1. Disclosure of RAP report

Upon approval of the RAP reports, the document is to be made available for the PAPs and public for reference. This can be disclosed at the World Bank's website and at the respective Municipal offices.

7.1.2. Mobilisation for implementation

The RCC should raise awareness through consultations with the PAPs to

- Inform them of the RAP implementation;
- Provide them with a timeframe for the implementation process i.e. the implementation schedule;
- Confirm the acceptability of the sites that have been identified for relocation;
- Assure them that they will be compensated and/or resettled;
- Resolve concerns they may have; and
- Sensitize them with regard to further concerns they may have and general procedures that will be followed.

The RCC also notifies and ensures the commitment of implementing staff at municipal, wards and PMO-RALG and ensures that funds are readily available for the compensation process.

7.1.3. Preparation of plots for resettlement

The RCC coordinates the preparation of the plots for relocating PAPs. This may include activities such as:

- **The preparation of land:** clearing of grass and bush may be necessary for the construction of houses at relocation sites, and in the case of new fields for cultivation, the soil may have to be tilled and sowed.
- **Construction of new houses and structures (if approved as part of project budget and was agreed as method of payment):** once the site has been allocated and the area cleared, the new houses and structures will be built. This again has an implication on the timing of physical relocation.

7.1.4. Compensation payments

The RCC is responsible to ensure that compensations have been issued to the respective PAPs. When making payments, respective Mitaa Chairpersons and WEOs should be present to assist the RCC in ensuring that payments are made to true or correct PAPs according to the approved Schedule(s) of Valuation. At that juncture, PAPs receiving their cheques have to individually sign in a dispatch book in acknowledgement of having collected the cheques.

Grievance redress and monitoring are elaborated in chapters 9 and 10 respectively.

7.2. RAP implementation timeframe

Tanzania's legislation on compensation requires that compensation be paid within 6 months. Therefore the following schedule should be followed.

Figure 6 RAP Implementation Schedule

Task	Month											
	1	2	3	4	5	6	7	8	9	10	11	12
RAP disclosure and circulation												
Response to feedback to draft RAP and RAP finalization												
Submission of final RAP and budget												
Hiring NGO/Consultant/RAP implementing agency												
Set Up district level committees												
Verification of PAPs												
Revision and approvals of compensation schedules												
Submission of revised RAP												
Mobilization of Compensation Money-Temeke Municipal Council												
Opening Bank Accounts with agreed bank												
Certified List of names with Bank Accounts sent to Temeke Municipal Council by respective Bank												
Compensation to PAPs-payment through banks (for those getting or equal to Tsh 400,000)												
PAPs informed by Temeke Municipal Council /or consultant that funds have been deposited into their accounts												
District Administrative Officer (DAS) prepares vouchers for payment for PAPs getting less than TShs 400,000 to Regional Sub-Treasuries (RST)												
RST prepares open checks for PAPs getting less than TShs 400,000 and are sent back to DAS for delivery to PAPs												
Consultant prepares record form for PAPs to sign upon receiving the check												
Preparing relocation-Local Government												
Finalization of arrangements for grievances mechanisms												
Land acquisition-Notice of Corridor of Impact (COI) clearance												
Commencement of Works												
Monitoring and Evaluation												

8. COSTS AND BUDGETS

The total compensation for acquired land and affected assets for the sub-project is **Tanzanian Shillings Six Hundred and Thirty Four Million Six Hundred and Eighty One Thousand Nine Hundred and Twelve and Ninety Six cents (TZS 634,681,912.96)**. Details are provided in *Table 8-1* below.

Table 8-1 Summary of cost estimates

No	Items	Unit	Qty'	Amount (TZS)
A	Compensation Cost			
1	Loss of land	m2	4,300.00	89,327,641.50
2	Loss of buildings, structures	No	84	363,993,065.49
3	Loss of trees/crops	Ahs	86	16,222,257.99
	Sub-total A			469,542,964.99
B	Allowances			
1	Accommodation			52,350,300.00
2	Transportation			0.00
3	Loss of Profit			-
4	Disturbance			27,614,884.76
	Sub-total B			79,965,184.76
	Total A & B			549,508,149.75
C	Management Cost (5% of A+B)	TZS		27,475,407.49
	TOTAL A, B	TZS		576,983,557.24
D	Contingency (10% of C)	TZS		57,698,355.72
	GRAND TOTAL	TZS		634,681,912.96

9. PUBLIC PARTICIPATION AND CONSULTATION

9.1. Involving Stakeholders

Public consultations in relation to this RAP occur at all stages in the project cycle. A participatory approach is adopted as an on-going strategy throughout the entire project cycle.

Public participation and consultations take place through individual, group, or community meetings. PAPs are consulted in the survey process and during public meetings, through public notices where explanations of the sub-project are made, RAP implementation of activities and during the monitoring and evaluation process.

The role of traditional political and cultural leaders, including the community elders, in the participation strategy will be important. The RCC shall ensure that these leaders and local representatives of PAPs are fully involved in designing the public consultation procedures.

9.1.1. Consultation during Implementation Phase

During implementation, PAPs will be informed about their rights and options. The grievance mechanism will continue to operate and all grievances will be recorded. The participation of local leaders and PAPs in disseminating information and resolving disputes will be important once RAP implementation starts.

In case there is a resettlement site, the consultation should involve:

- A sensitization meeting to inform the PAPs on their rights and responsibilities;
- Collection of information on PAPs preferred resettlement site and the information incorporated into RAP report. Information should involve PAPs preference to relocate to a resettlement site versus within the same area or they are opposed to relocating;
- Temeke Municipal Council should confirm the availability of the PAPs preferred resettlement site or an alternative site;
- Temeke Municipal Council should ensure the availability of all the necessary infrastructure and utilities in the resettlement site that existed in the project affected area.

Prior to consultation, PAPs should have sufficient information. The information should be disclosed through:

- Disclosure of the RAP report to PAPs. RAP report should be made available in the nearest ward office, municipal council and at PMO-RALG as a regional body;
- There should be information on the availability of a resettlement site or alternative site;
- Information on date of payment of compensation and when to vacate, banking details and other details needed before compensation is paid will be provided by the LGAs and coordinated by the respective Municipal DMDP coordinator.

9.1.2. Monitoring and Evaluation Phase

PAPs representatives will participate in the sub-project workshops at mid-term and at the end of RAP implementation. To the extent possible, the RAP should include social accountability tools like citizen report cards to assess the quality of RAP implementation, and in some cases, assist the RAP team in tracking expenditures. The latter would be significant in helping PAPs with money management and restoring their livelihoods. PAPs will be able to suggest corrective measures, as needed, to improve RAP implementation in the sub-project(s). Prior to closing the RAP, PAPs will participate in a feedback survey as part of the RAP's independent impact evaluation exercise.

9.2. Documenting Consultation and Participation

Meeting minutes for each consultation meeting should be recorded to enable the preparation of a consultation report.

10. GRIEVANCE REDRESS

One of the major challenges in implementing RAP is unsatisfactory of PAPs with amount compensated. Taking into account the complexity of resolving disputes and grievances, PAPs at the project area were informed about various grievance redress procedures and of their right to appeal if not satisfied. During surveys and inventory of PAPs and their properties and during consultation processes, concerned individuals or entities became fully aware of the extent of damages to properties, crops and commercial activities that the Project would entail. Common concerns include:

- Amount, levels and time in which compensation is paid to PAPs;
- Seizure of assets without compensation;
- Handling and treatment of vulnerable PAPs and those without recognized ownership rights (e.g., tenants and squatters).

10.1. Dispute procedure under current Laws

Section 13(1) of the Tanzania Land Acquisition Act 1967 includes provision regarding any land that is acquired where there is a dispute or disagreement. The Act elaborates disputes and stipulates the timeframe (six weeks) for resolving them before the aggrieved party can institute a suit in a court of law for resolution. The Land Act 1999 and supporting regulations improves Section 13(1) of the Land Acquisition Act by establishing Land Tribunals at the Ward and District levels. If not satisfied with decisions of the Land Tribunal, the aggrieved party is obliged to take the matter to the court. If the local courts and/or the Land Tribunals cannot settle the matter, the matter will go to the High Court for resolution.

The procedures for compensation dispute resolution prescribed by the Land Acts are cumbersome and costly, taking into account the fact that most of the PAPs have limited knowledge about legal issues and their rights with respect to the laws. Thus, the Grievance Committee should be established in order to listen to complaints brought to them by PAPs and solve them before a decision to go to court is undertaken by the PAPs.

10.2. Grievances and complaint procedure under this RAP

This RAP provides a simplified grievance redress mechanism that will enable timely settlement of grievances to the PAPs. The grievance procedures will be anchored and administered at the local level to facilitate access, flexibility and openness to all PAPs. The grievance redress procedure ensures consultations with Temeke Municipal Council and Dar es Salaam City Council and other key stakeholders and provides for record keeping to determine the validity of claims, and to ensure that solutions are taken in the most transparent and cost effective ways for all PAPs.

Compensation and resettlement plans (contracts) will be binding under statute. The Grievance Committee shall maintain records where grievances and complaints, including minutes of discussions, recommendations and resolutions made, will be recorded.

10.2.1. Steps to be followed for grievance redress

The procedure for handling grievances should be as follows.

- (i) The affected person should file his grievance in writing, to the ward leader. The grievance note should be signed and dated by the aggrieved person. Where the affected person is unable to write, he should obtain assistance to write the note and emboss the letter with his/her thumbprint.
- (ii) The ward leader should notify the Grievance Committee and respond within 14 days during which any meetings and discussions to be held with the aggrieved person should be conducted. If the grievance relates to valuation of assets, an independent valuer should be requested to revalue the assets, and this may necessitate a longer period of time. In this case, the aggrieved person must be notified by the Ward Leader that his/her complaint is being considered.
- (iii) If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time, s/he may lodge his/her grievance to the District Administration.
- (iv) The Grievance Committee will then attempt to resolve the problem (through dialogue and negotiation) within 14 days of the complaint being lodged. If no agreement is reached at this stage, then the complaint can be taken through the formal court process, ie to the the Ward Tribunal where relevant, District Tribunal and the High Court (Land Division) at the National level.

The complainants will be exempted from all administrative and legal fees that might be incurred in the resolution of their grievances and complaints.

The Grievance Committee will prepare a report containing summary of all grievances and will make this available to PMO-RALG on a quarterly basis.

11. MONITORING AND EVALUATION

RAP implementation will be closely monitored to provide PMO-RALG an effective basis for assessing resettlement progress and to identify potential difficulties and problems. Broadly, the Monitoring and Evaluation system will involve administrative monitoring, including but not limited to: daily planning, implementation, feedback and trouble shooting, progress reporting.

Monitoring the progress of RAP implementation will be carried out through internal monitoring processes by Temeke Municipal Council and through external monitoring involving other agencies as may be deemed appropriate by Temeke Municipal Council and/or PMO-RALG.

11.1. Monitoring

11.1.1. Internal Monitoring

The DMDP-WG of PMO-RALG and DLA of Kinondoni, Temeke and Ilala and TANROADS are directly responsible for internal monitoring of RPF and RAP implementation. In particular, the DLA with the assistance from the assigned Internal Monitoring Specialist (IMS) will supervise and manage the monitoring of resettlement activities and implementation arrangements.

The DMDP-WGs will provide quarterly reports to PMO-RALG, DLA, TANROADS and World Bank. The DMDP-WGs will ensure that the reports of the IMS included in their progress reports, the status of the RAP implementations, information on locations and numbers of affected people, compensation amounts paid by item, and assistance provided to PAPs.

The range of activities and issues that need to be recorded and verified, include:

- Compensation, allowance payments and delivery of assistance measures;
- Reestablishment of PAPs settlements and business enterprises;
- Reaction of PAPs, in particular, to resettlement and compensation packages; and
- Reestablishment of income levels.

Internal Monitoring Indicators

The principal indicators for internal monitoring of resettlement activities include the following, conducted by the IMS:

- Timely and complete disbursement of compensation to PAPs according to the compensation policy agreed in the RAPs;
- Timely and complete delivery of relocation, income restoration and rehabilitation allowances and measures;

- Allocation of replacement land and development of individual and/or group resettlement sites and infrastructure;
- Public information dissemination and consultation procedures;
- Adherence to grievance procedures and identification of outstanding issues that require further attention and resolution;
- Attention given to the priorities of PAPs regarding the options offered; and
- Completion of resettlement activities required before the award of civil works contracts.

Internal Monitoring Data Collection and Report

The DMDP-WG will establish databases for resettlement monitoring data. It will establish procedures for the collection of data on a monthly basis, and update the database.

On a quarterly basis, the DMDP-WG of DLAs and TANROADS will prepare a resettlement monitoring report and submit to the DMDP-WG of PMO-RALG who will then consolidate all internal monitoring reports and quarterly verification external reports and submits to World Bank. The PMO-RALG will notify World Bank of approval by the DLA of any changes, as required, to the implementation of the RAP. The scopes of the report will include:

- (i) The number of PAPs by category of impact, wards and sub-ward, and the status of compensation payments, relocation of PAPs and income restoration measures for each category.
- (ii) The status of disbursement of cash and allocation of replacement land and housing.
- (iii) The amount of funds allocated and disbursed for: a) resettlement program operations; and b) compensation, assistance, and resettlement activities.
- (iv) The activities, levels of participation, outcomes, and issues of the Information Dissemination and Consultation Program.
- (v) The status and outcomes of complaints and grievances and any outstanding issues requiring further attention by DLA, PMO-RALG or World Bank assistance.
- (vi) Implementation problems, including delays, lack of personnel or capacity, insufficient funds, etc. and proposed remedial measures; and, revised resettlement implementation schedule.

11.1.2. Independent Monitoring Consultant

The main aim of external monitoring is to verify results of internal monitoring. In addition, the subproject will establish a program for external monitoring and evaluation that includes the following specific objectives:

- (i) To verify that the RAP have been implemented in an accurate and timely manner, in accordance with the approved RAP and Project policies and objectives.
- (ii) To assess whether and to what degree the RAP have achieved the Project objectives, namely that PAPs are able to restore their livelihoods, incomes and standards of living to levels equal to, if not better than that before the subproject.
- (iii) To identify problems or potential problems and methods of mitigating problems in a timely manner.

IMC consultant will be recruited by the DMDP-WG of PMO-RALG and commence work soon after the RAP is approved. The IMC will continue to carry out quarterly independent reviews of the implementation

of RAP to determine whether intended goals are being achieved, and if not, what corrective actions are needed.

External Monitoring Objectives, Indicators and Issues

The general objective of external monitoring is to provide an independent periodic review and assessment of: (i) the achievement of resettlement objectives; (ii) changes in living standards and livelihoods; (iii) the restoration of the economic and social conditions of PAPs; (iv) the effectiveness, impact and sustainability of assistance measures; (v) the need for further mitigation measures, if any; and, (vi) to identify strategic lessons for future policy formulation and planning. The indicators to be included in the external monitoring of the RAPs are indicated below. The IMC will address specific issues including the following:

- (i) *Payment of compensation, against the following criteria:* (i) compensation in cash or in kind sufficient to replace affected land, crops and trees; (ii) compensation for structures equivalent to replacement costs at current market prices for materials, materials transport and labor, with no deduction for depreciation or the value of salvageable materials; and, (iii) payment in full prior to land acquisition and with sufficient time to permit PAPs to rebuild structures and/or harvest crops.
- (ii) *Coordination of resettlement activities with the construction schedule:* All compensation must be paid in full, income rehabilitation measures initiated and PAPs relocated out of the sub-project construction areas prior to award of civil work contracts. Income rehabilitation activities, while initiated prior to award of civil contracts, may continue over a longer time period as needed.
- (iii) *Provision of technical assistance:* for house construction for PAPs who are required to rebuild their houses, either on remaining land, on individual resettlement sites or on a plot in a group resettlement sites.
- (iv) *Extent to which PAPs are able to restore livelihoods and living standards:* The provision of technical assistance, allowances and other measures, and to what extent PAPs are able to restore livelihoods and living standards to pre-project levels. Special attention should be given to: (i) severely affected PAPs and other vulnerable PAPs groups, (ii) PAPs that relocate; (iii) PAPs that must re-establish businesses and enterprises; (iv) PAPs who undertake new economic and livelihood activities; and (v) host communities.
- (v) *Public consultation and awareness of resettlement policies:* The IMC should monitor RAP implementations to ensure that: (i) all PAPs are fully informed and consulted about land acquisition, leasing and relocation activities; and (ii) all PAPs and stakeholders are aware of the compensation and entitlement policies and various options available to PAPs as provided in the agreed RAP. The IMC should participate in at least one meeting per municipal of each stage of consultation and information dissemination activities to monitor public consultation procedures, problems and issues that arise during the meetings and solutions proposed.
- (vi) *Level of satisfaction of PAPs with the provisions and implementation of the RAP:* This will be assessed, reviewed and recorded by IMC, including the efficiency and equity of grievance redress mechanisms.
- (vii) *Trends in living standards:* Throughout the RAP implementation process, the IMC will observe and conduct surveys to monitor the progress PAPs are making to restore living standards. Special attention will be paid to any differences based on gender, ethnicity or other relevant factors. Any potential problems in the restoration of living standards will be reported.

External Monitoring Methodologies

The methods for external monitoring and evaluation of land acquisition, compensation and resettlement activities include:

- (i) Detailed Measurement Survey (DMS) and Replacement Cost Survey (RCS): The DMS and RCS data will be entered into a database to document: (i) socio-economic status of PAPs; (ii) nature and extent of losses; and (iii) entitlements for compensation and other assistance. The resulting data will be made available to the IMC, to establish a baseline for monitoring and evaluating project benefits.
- (ii) Socio-Economic Survey (SES): The SES is designed to provide a clear comparison of the success and/or failure of the RAP to restore their livelihoods and living standards. In general, if there is a significant lag time between census and SES and actual land acquisition, demographic and socio-economic factors may change significantly. For this sub-project, if land acquisition does not occur for at least two (02) years after the original SES, the IMC will carry out another SES. A post resettlement survey will also be undertaken within 6–12 months following completion of resettlement activities. Each time the SES is conducted, the same PAPs will be interviewed. Special attention shall be paid to the inclusion of women, poor, landless and other vulnerable groups, with set questions for women and other target groups. The database will disaggregate information by gender, geography and social group.
- (iii) Participatory rapid appraisals (PRA) methods: In the intervals between administrations of the SES, periodic PRA methods permit the EMC to consult with various stakeholders such as local authorities, resettlement committees, implementing agencies, NGOs, community leaders and PAPs. PRA methods will involve obtaining information, identifying problems and finding solutions through participatory means including: (i) key informant interviews with local leaders, NGOs and resettlement committees; (ii) FGDs on specific topics such as compensation payment, income restoration and relocation; (iii) community public meetings to discuss community losses, integration of resettled PAPs in host communities or construction work employment; (iv) structure direct field observations, for example, of resettlement site development; (v) formal and informal interviews with PAPs, women, other vulnerable groups and host communities; and, (vi) in-depth case studies of problems as identified by internal or external monitoring and required special efforts to resolve.

Database Management and Storage

The IMC will maintain computerized resettlement databases that will be updated every three months. They will contain files on each affected household and will be updated based on information collected in successive rounds of data collection. All monitoring databases will be fully accessible to DMDP-WGs of PMO-RALG and DLAs and TANROADS and the World Bank.

Reporting

Every three months, the IMC will submit an external monitoring report to the DMDP-WG of PMO-RALG. The report should summarize the findings of the IMC, including: (i) progress of RAP updating and implementation, including any deviations from the provisions of the RAP; (ii) identification of problem issues and recommended solutions so that implementing agencies are informed about the ongoing situation and can resolve problems in a timely manner; (iii) identification of specific issues related to vulnerable PAPs, as relevant; and, (iv) a report on progress of the follow-up of issues and problems identified in the previous report.

The monitoring reports will be discussed in a meeting between the IMC, DMDP-WGs of PMO-RALG, DLAs and TANROADS after submission of the reports. Necessary remedial actions will be taken and documented by relevant parties.

11.2. Evaluation

The following are the objectives of the evaluation:

- General assessment of the compliance of the implementation of the Resettlement Action Plan with general objectives and methods as set in this document;
- Assessment of the compliance of the implementation of the Resettlement Action Plan with laws, regulations and safeguard policies;
- Assessment of the consultation procedures that took place at individual and community level, together with the Central Government and Local Government levels in Tanzania;
- Assessment of fair, adequate and prompt compensation as they have been implemented;
- Evaluation of the impact of the compensation on income and standard of living;
- Identification of actions as part of the on-going monitoring to improve the positive impact of the programme and mitigate its possible negative impact if any.



A. APPENDICES



Appendix A Terms of Reference

PROJECT PREPARATION

Tanzania: Dar es Salaam Metropolitan Development Project (DMDP)

Terms of Reference

Subject: Storm Water Drainage Systems

1. Background

Dar es Salaam is Tanzania's largest and most important industrial and commercial centre with an estimated population of more than 4 million in 2012, about ten percent of the country's total population and 50 percent of its urban population. The total land area is about 1,500 sq.km. and the estimated population density around 2,700 persons per sq.km. With a population growth of about 4.3 percent per year, Dar es Salaam has become the third fastest growing city in Africa and among the ten fastest growing cities in the world. Its population is expected to reach more than 5 million by 2020. Dar es Salaam accounts for 83 percent of the national government domestic revenues (70 percent of all taxes), collects 33 percent of all own-source revenues by the local government authorities (LGAs) in the country, and produces about 40 percent of the national GDP. About half of the country's manufacturing employment is located in the city, and it is home to a growing and active youth and women dominated in the informal sector. The land locked countries of Malawi, Zambia, Burundi, Rwanda and Uganda as well as large parts of eastern Democratic Republic of Congo depend on the port and markets of Dar es Salaam for their import and export needs. This makes the city of strategic importance not just for Tanzania but also for large parts of East Africa.

Administratively, Dar es Salaam Region is composed of a coordinating Dar es Salaam Regional Secretariat, Dar es Salaam City Council (DCC) and three physically contiguous Municipal Councils, namely: Kinondoni (KMC) to the north, Ilala (IMC) in the center of the region, and Temeke (TMC) to the south. Together, the four local governments are commonly referred to as the Dar es Salaam Local Authorities (DLAs).

The proposed Dar es Salaam Metropolitan Development Project (DMDP) for World Bank financing is positioned within the context of the Bank's continued support to Tanzania through the proposed Local Government Support Project (LGSP2) to strengthen fiscal decentralization, improve accountability in the use of local government resources, and improve management of inter-governmental transfer systems. The Government of Tanzania has received financing from the World Bank / International Development Association (IDA) toward the cost of Tanzania Strategic Cities Project (TSCP), and intends to use part of these proceeds for consultant services to prepare the proposed DMDP, including for this consultancy assignment. DMDP is anticipated to be supported by an IDA Credit of US\$75 million responding to a request from the Ministry of Finance. Going forward, these three operations (LGSP2, TSCP, and DMDP) will provide support to all twenty one (21) Municipal Councils (MCs) in Tanzania and will address the core issues that are constraining the development potential, efficiency, equity, and competitiveness of the urban areas and local governments in Tanzania.

The objective of DMDP is to strengthen the institutional and urban management systems of the Dar es Salaam Local Authorities (DLAs) in order to enhance the service delivery over time. The project is expected to cover the three Municipal Councils (Ilala, Kinondoni and Temeke) and the Dar es Salaam City Council (DCC) and will have four interrelated components:

- (i) Institutional development for improved metropolitan and council management systems;
- (ii) Urban infrastructure investments;
- (iii) Land administration systems; and
- (iv) Support for project management.

Preparation and implementation of the project will primarily be the responsibility of the DLAs with assistance for consolidated reporting from the Prime Minister's Office – Regional Administration and Local Government (PMO-RALG), and for liaison with the national government from the Regional Commissioner's Office. In addition, the Ministry of Lands, Housing and Human Settlements Development (MLHSD) will have an important role in the reduction of informality of land tenure.

The project preparation activities will address the following subjects:

1. Solid Waste Management (SWM)
2. Local Roads
3. Storm Water Drainage Systems
4. Infrastructure Upgrading in Unplanned Settlements
5. Studies on Potential PPP Initiatives
6. Pre-feasibility Studies of Rail and Marine Transport
7. Institutional Review and Strengthening Plan
8. Preparation of Project Implementation Manual (PIM) including M&E arrangements
9. Preparation of Financial Management Manual(s)
10. Preparation of Procurement Management Manual(s)

This TOR is for subject no. 3: Storm Water Drainage Systems.

2. Objectives of the Assignment

The objective of this consultancy assignment is to prepare the investments for a comprehensive Storm Water Drainage System for Dar es Salaam to be ready for implementation under the Dar es Salaam Metropolitan Development Project (DMDP).

More specifically, the objectives of the consultancy assignment are to:

- (a) Prepare a drainage plan for Dar es Salaam with a prioritized list of drainage investments (DLA sub-projects) as a pre-feasibility study;
- (b) Prepare feasibility studies, preliminary designs and cost estimates for the DLA sub-projects in the sector; including definition of specific investments, economic and financial analysis, and implementation arrangements;
- (c) Prepare detailed designs, drawings and cost estimates for the DLA sub-projects, package them into suitable contracts, prepare final bidding (tender) documents and an overall time-

- bound implementation schedule (including plans for bidding processes and works supervision);
- (d) Conduct Environmental and Social Impact Assessment (ESIA) of the DLA sub-projects proposed for investment and prepare an overall ESIA report for the investments;
 - (e) Prepare Environmental and Social Management Plans (ESMPs) and where necessary, Resettlement Action Plans (RAPs) for the individual sub-projects and prepare overall ESMPs and RAPs for the DLA investments in the sector and
 - (f) Provide input to the separate consultant for Institutional Review and Strengthening Plan regarding any identified institutional strengthening needs related to Storm Water Drainage.

3. Scope

The consultancy will cover the three Municipal Councils (Ilala, Kinondoni and Temeke) and the Dar es Salaam City Council (DCC), as appropriate. The indicative scope of works is as follows.

A preliminary list of proposed DLA sub-projects is found in Attachment 5 for reference. Some variations are expected to occur as the list gets finalized during the project preparation cycle. Refinements will particularly be done after Stage 1a below at a review of the Drainage Plan and Pre-feasibility study. Additional background data on the Dar es Salaam Drainage Sector is included in Attachment 6.

The assignment shall be carried out in the following stages:

Stage 1a: Drainage Plan and Pre-feasibility Study including: establish a topographic base map; prepare a long term design for the drainage network of the city (a Drainage Plan); develop a flood/ drainage hydraulic model of the DLA metropolitan area (roughly 1,500 km²); and develop a pre-feasibility study to help prioritize the investments with most impacts.

Stage 1b: Feasibility studies etc. as per objective (b) above, improvements to related maintenance systems, economic and financial analysis, and specification of the implementation arrangements, including construction supervision.

Stage II: Design services for the physical investments as per objectives (c)-(e) above, including preparation of required safeguard documents (ESIA, ESMPs, RAPs, etc.); detailed designs; tender documents; and plans for bidding processes and works supervision.

The exact scope of DLA sub-projects for Stage 1b and II will be agreed with the Client and the World Bank based on review of the outputs from Stage 1a and 1b respectively.

4. Tasks

The Consultant is expected to undertake the following broadly defined tasks and produce the related indicated outputs (regarding Inception Report, see section 5):

Stage 1a: Drainage Plan and Pre-feasibility Study

- Establish a topographic base map preferably using LIDAR (light detection and ranging)

or LADAR (laser detection and ranging) technologies.¹ Scope to include: contour mapping and incorporation of satellite imagery as part of the base map.

- Prepare a long term design for the drainage network of the city (a Drainage Plan) based on a topographic map with 0.5 meter contour intervals (as a minimum), develop a flood / drainage hydraulic model of the DLA metropolitan area (roughly 1,500 km²), and develop a pre-feasibility study to help prioritize the investments with most impacts (possible “quick win” investments should be highlighted).
- The output shall be reviewed with the Client, the DLAs, DAWASA and the World Bank to refine the scope and content of the assignment for Stage 1b.

Output: Drainage Plan and Pre-feasibility Study

Stage 1b: Feasibility Study and Preliminary Engineering Designs

- (a) Prepare feasibility study and preliminary engineering designs (including draft economic analysis of the anticipated investments), specifications and cost estimates for the DLA sub-projects and indicate a time-bound implementation schedule, possible bid/tender packages by sub-project (see design guidelines in Attachment 4). Where applicable, sub-projects include civil works, equipment/goods and consultancies.
- (b) Provide input to the separate consultant for Institutional Review and Strengthening Plan regarding any identified institutional strengthening needs related to storm water drainage.
- (c) Prepare an overall preliminary integrated report (technical and financial) based on the final DLA investment proposals, and in line with the indicated budget allocation for the subject. This report together with draft reports for ESIA, ESMPs and RAPs (see descriptions under Stage II below) are to be submitted to Client prior to the GoT/WB pre-appraisal mission. The Consultant will be required to make a power-point presentation of this report to the Client and to key stakeholders during the pre-appraisal mission.

Output: Initial Drafts

Stage II: Detailed Engineering Designs, Bidding Documents & Safeguard Documents

- (a) Prepare detailed engineering designs, specifications and final cost estimates (to an accuracy within 10%) for recommended bid packages, with physical and price contingencies shown separately; verify or modify total DLA sub-project investment costs in line with available financing, and prepare engineering drawings to appropriate scales as per normal practice to enable bidding and construction (see design guidelines in Attachment 4) as well as final draft reports for ESIA, ESMPs and RAPs. As noted

¹ The larger “natural drains” of the area, i.e. the rivers, may need dredging in order to improve their hydraulic performance and mitigate flooding. These are, for example, the Msimbazi, Kizinga, Mzinga, Ngonge Rivers. Many of these rivers may eventually benefit as drains to be lined or partially lined to improve operation and maintenance.

above, where applicable, sub-projects include civil works, equipment/goods and consultancies.

- (b) Prepare detailed bills of quantities, specifications, conditions of contract, conditions of bid/tender and all necessary bid/tender documentation to a standard appropriate for national competitive bidding using national bidding documents acceptable to the World Bank, or international competitive bidding using World Bank documents, all in draft form. Standards and levels of service will be prepared in accordance with appropriate standards as shown in Attachment 4. Four volumes will be required for each bid/tender package comprising the Invitation for Bids (including conditions of contract), Specifications, Drawings and Bills of Quantities.
- (c) For the recommended bid packaging arrangements for the DLA sub-projects, present the draft bid documents to the DLAs and the Client respectively for review/feedback and agreement.
- (d) Prepare final draft bid document packages for National Competitive Bidding or International Competitive Bidding as appropriate (depending on size and specified procurement thresholds); to cover all prioritized DLA sub-projects as would be agreed by GoT and the World Bank.;
- (e) Prepare final draft overall time-bound schedule for the implementation of the DLA sub-projects.
- (f) Consolidate final draft investment proposal document for the DLA sub-projects including all the stated reports above and the final reports for ESIA, ESMPs and RAPs with the necessary clearances from GoT/agencies and the World Bank, as well as meeting the disclosure requirements of the World Bank in a timely manner. This is to be prepared in consultation with the DLAs, PMO-RALG and other relevant central government ministries and agencies. The documents are to be submitted to the Client prior to the GoT/WB appraisal mission. The Consultant will be required to make a brief power-point presentation of this DLA proposal document to the Client and to key stakeholders during the appraisal mission and thereafter incorporate views and comments in the Final Reports.
- (g) Prepare confidential cost estimates (engineer's estimate) as per the recommended bid packages through priced bills of quantities and submit directly to the Client; as draft prior to appraisal mission and as final afterwards.
- (h) The consultant will undertake an economic analysis of the investments including establishing the Economic Rate of Return (EIRR).

Environmental and Social Impact Assessments (Safeguards Documentation)

- (a) Undertake Environmental and Social Impact Assessment (ESIA) for each sub-project proposed by the DLA for funding under the DMDP. The ESIA should conform to World Bank requirements as specified in the World Bank's Operational Policy for

Environmental Assessment (OP 4.01). Determine design or operating quality standards to meet compliance with environmental safeguards (e.g. health and safety requirements), and national laws and regulation on environmental assessment. The results of the ESIA for each sub-project should be used to prepare an Environmental and Social Management Plan (ESMP) for the sub-project, and these further be consolidated respectively into an overall ESIA Report and ESMP for the DLA investments under DMDP. The Consultant should also assist the DLAs through the required review and approval processes within the GoT and the World Bank up to the disclosure of the documents to the public (see Guidelines in Attachment 1 and 2);

- (b) As detailed in Attachment 3, determine whether any resettlement, or temporary displacement, loss of assets, loss of access to assets and services will be required in each sub-project area, based on its ESIA report. If it is determined that resettlement is required, compile a list of Resettlement Actions (RAs) required for each sub-project and prepare a Resettlement Action Plan (RAP) for the sub-project. Prepare an overall RAP for the DLA investments under DMDP, and assist the DLAs through the required GoT and World Bank review and approval processes up to the disclosure of the documents to the public.
- (c) Note that, in order to meet World Bank (IDA) disclosure requirements, the draft ESIA, ESMPs, RAPs and other safeguard documents (if required) will need to be reviewed and cleared by the Bank during project pre-appraisal and finalized and publicly disclosed in the respective municipal area(s) and Info-Shop at the World Bank prior to project appraisal.

Output: Final Drafts & Final Reports

5. Deliverables

The Consultant shall deliver the following:

<u>Weeks after contract signing</u>	<u>Deliverable</u>
<i>Two (2)</i>	<i>Inception Report</i>
<i>Six (6)</i>	<i>Drainage Plan and Pre-feasibility Study</i>
<i>Twelve (14)</i>	<i>Initial Drafts</i>
<i>Twenty (20)</i>	<i>Final Drafts</i>
<i>Twenty-four (24)</i>	<i>Final Reports</i>

- Inception Report, to be submitted within **two (2) weeks** of commencing the assignment giving a brief outline of the methodology, detailed work plan and activity schedule, schedule for technical teams fieldwork in DLAs, team composition and staff assignment, reporting schedule, tentative table of content of draft reports described and any other key issues regarding the execution of the assignment;
- Drainage Plan and Pre-feasibility Study: as specified above, to be submitted within **six(6)**

weeks of commencing the assignment;

- **Initial Drafts:** (a) The overall preliminary integrated draft report (technical and financial) for the DLA sub-projects investment proposals; (b) Draft reports for ESIA, ESMPs and RAPs; to be submitted within **fourteen (14) weeks** of commencing the assignment, but prior to the GoT/World Bank pre-appraisal mission. The Consultant will be required to make a power-point presentation of the mentioned reports to the Client and key stakeholders during the mission and thereafter incorporate views and comments in subsequent stages of the assignment;
- **Final Drafts:** (a) Consolidated final draft DLA sub-projects investment proposal document including draft detailed engineering design report, draft bidding documents and all other stated reports and the necessary ESIA, ESMPs and RAPs clearances from GoT/agencies and World Bank and disclosure details; to be submitted within **twenty (20) weeks** of commencing the assignment, but prior to the GoT/WB appraisal mission. The Consultant will be required to make a power-point presentation of the DLA proposal document to the Client and to key stakeholders during the mission and thereafter incorporate views and comments in the Final Reports;
- **Final Reports, Bidding Documents and Cost Estimates** incorporating views and comments of the DLAs, Client, World Bank and the GoT/World Bank appraisal mission, to be submitted **twenty-four (24) weeks** after commencement of the assignment;

The Consultant shall submit seven (7) hard copies of each of the draft reports and twenty (20) copies of each of the final reports as well as a soft copy on CD of each to the Client. The Consultant shall also install the developed flood/drainage hydraulic model on computers in the DLAs, and provide related training to DLA staff to run the model.

In addition, the Consultant shall submit monthly Progress Reports.

6. Timetable

The assignment is expected to take approximately **six (6) calendar months** to complete, from contract signing. However, the Consultant will be responsible for carrying out revisions /improvements etc as advised by the approving bodies/authorities (including GoT and its agencies, and the World Bank) up to the time the documents get the necessary approvals for project implementation (particularly completion of project appraisal mission).

7. Required Consultant Resources

A team of specialists will be required to undertake this assignment. The assignment is expected to require an effort of **about sixty (60) staff-months** of key consultant resources. It is expected that the following key consultant resources will be required, each with strong analytical and communication skills. The Consultant may however propose additional resources and a different resource mix with its rationale; for example, the positions may be filled by separate resources or be combined and performed by less number of resources.

The consultant proposal should include all costs for consultant resources, travel, accommodation, workshop arrangements and preparations², report production and other office costs, and interpretation and translation as required.

Consultant's Experience. The Consultant should have general experience in carrying out feasibility or preparation studies, planning and design of relevant infrastructure projects. The Consultant should have had at least 10 years of experience in planning for infrastructure development/investments, environmental and social impact assessments; preparation of environmental management plans, resettlement plans, preliminary and detailed designs, cost estimates, bidding documents and project implementation schedules as well as having successfully prepared at least 1 similar project (by size and complexity) in an urban or peri-urban environment in Sub-Saharan Africa.

The following key types of staff are considered to be essential for the assignment (the number of staff of each category should be specified in the Consultant proposal):

Key Staff	No.	Main tasks / responsibilities and Qualification Requirements
Team Leader	1	<p>The Team Leader shall be responsible for the proper conduct of the entire study and shall be the principal contact person between the Design team and the Client.</p> <p>The Team Leader must be a registered professional Civil Engineer with a degree in Civil Engineering or an equivalent qualification. Postgraduate qualifications will be an added advantage. He/She must have at least 10 years of cumulative experience related to <i>water/drainage</i> studies and designs. The Team Leader must have a working experience in similar capacity on at least three (3) projects of similar magnitude and complexity in the past 10 years. Working experience in sub-Sahara Africa is an added advantage. Fluency in written and spoken English is mandatory.</p>
Drainage Management Expert /Hydrologist	3	<p>The Hydrologist shall be responsible for estimating and assessing the relationship between rainfall, surface run-off and soils and rock features of the catchments along the project area with focus on surface water, including rivers and dams. He/She shall study and update the available hydrological data by computer models or any other means in order to maintain and develop successful flood water management strategies. He/She shall provide advice and information to the Drainage Engineer on hydraulic characteristics of the catchments along the project area.</p>

² Costs for workshop facilities, participant travel and allowances, food and refreshments, etc. will be covered by separate project preparation funds.

		<p>The Hydrologist shall be a holder of a degree in Applied Science or Civil Engineering with not less than 10 years of cumulative experience related to water/flood management schemes. He/She shall have served as a Hydrologist on at least three (3) infrastructure projects of similar nature and size within the last ten years. Experience in working in Sub-Sahara Africa will be an added advantage. Fluency in written and spoken English is essential.</p>
Drainage Engineer	3	<p>The Drainage Engineer shall be responsible for the assessment of existing bridges, design of new bridges and other structures relevant to the project. He/She must be a registered Civil Engineer with a degree in Civil Engineering or an equivalent qualification. Postgraduate qualification will be an added advantage. He/She must have a minimum of ten (10) years of cumulative experience in studies, detailed design and construction of bridges/structures. He/She must have served in similar capacity on at least three (3) projects of similar nature and complexity involving design of Storm Water Drainage Systems in the last 10 years. Working experience in sub-Sahara Africa is an added advantage. Fluency in written and spoken English is mandatory.</p>
Land Surveyor	3	<p>The Land Surveyor shall be responsible for conducting and supervising the survey team. He/she will be responsible for planning of the fieldwork, select known survey reference points, and determine the precise location of important features in the survey area. He/she shall be responsible for researching legal records, look for evidence of previous reference survey points (geodetic reference points and national benchmarks) and analyze the data to determine the location of boundary lines and record the results of the survey, verify the accuracy of data, and prepare plots, maps, and reports. The Land Surveyor shall be a holder of a college degree in land surveying or equivalent. Post graduate qualifications will be an added advantage He/She must have at least ten (10) years of cumulative experience related to Land surveying activities. He/She must have served as a Topographical Surveyor on at least three (3) projects of similar magnitude and complexity within the last 10 years. Working experience in sub-Sahara Africa is an added advantage. Fluency in written and spoken English is mandatory.</p>
Environmental Planner / Expert	1	<p>The Environmentalist shall be responsible for carrying out an environmental impact assessment of the project and prepare Environmental Management</p>

		<p>Plan in order to minimize any negative impacts that the project may have on the environment.</p> <p>The Environmentalist shall have a degree in environment management or related discipline.</p> <p>He/She must have a cumulative experience of at least 5 years in environment related activities.</p> <p>He/She must have done an EIA of at least three (3) projects of a similar nature within the past five (5) years. Working experience in sub-Sahara Africa is an added advantage. Fluency in written and spoken English is mandatory.</p>
Sociologist /Resettlement Expert	1	<p>The Sociologist shall be responsible for assessing social benefits and conducting the social impact assessment in the area of the project. He/She shall propose mitigation measures and prepare Resettlement Action Plan (RAP) in order to minimize any negative impacts that the project may have on the people in the project area.</p> <p>The Sociologist shall be a holder of a degree in social science or related disciplines. A post graduate qualification in social science will be an added advantage.</p> <p>He/She must have a cumulative experience of at least five (5) years in project social related activities.</p> <p>He/She must have done a SIA on at least three (3) projects within the last 5 years. Working experience in sub-Sahara Africa is an added advantage. Fluency in both written and spoken English and Swahili are mandatory.</p>
Economist	1	<p>The Economist will be responsible for carrying out economic evaluation of the project. He shall carry out a review of the underlying economic factors pertaining to the various aspects of the project over its life. The Economist shall carry out a review of the benefit and cost streams attributed to the project. The economic analysis shall yield overall economic indicators such as the NPV, the FYRR and EIRR as well as the best project staging options for optimum timing and maximum benefits. The analysis shall also include sensitivity tests to check the robustness of the project outcomes as indicated.</p> <p>The Economist must have a minimum of first degree in economics or equivalent. He/She must have at least five (5) years of cumulative working experience in carrying out socio-economic analysis of public investment projects. He/She must have served on similar position in at least 2 projects of similar magnitude within the last 5 years. Working experience in sub-Sahara Africa is an added advantage. Fluency in both written and spoken English is essential.</p>

Note on Key Staff. The Client would like the Consultant to take note of the following requirement when preparing their proposal. For Consultants participating in more than one tender, the proposed key staff for each tender will likely need to be mostly different due to the fact that, the assignments under the tenders advertised by the Client (particularly subjects 1-4 above) are to be carried out at the same time to fit the agreed schedule for the DMDP preparation.

3. Inputs from Government

DMDP preparation is coordinated by the World Bank (WB) projects working group of PMORALG who represents the Employer in this project; this working group is led by the Project Coordinator and is responsible for all WB financed projects including the DMDP. In order to improve communication during the project preparation, a DMDP Project Coordination Team (PCT) comprising of DMDP sub-coordinator from PMORALG, Dar es Salaam RAS engineer and coordinators from each of the DLAs has been formed to coordinate preparation of this project. In addition to the DLAs coordinators, each DLA has a focal person for each of the identified project areas.

The consultant should liaise with the PCT, the DLAs coordinators and most particularly the focal persons and the Dar es Salaam Water and Sewerage Authority (DAWASA) in carrying out the assignment. Consultation with NGOs, CBOs, social and environmental organizations and other stakeholders in the project areas should be made as required and appropriate.

Officials at central and local government levels will provide readily available data needed for the assignment to the consultant in the local language, and will be available to provide additional information and clarification of data upon request by the consultant.

9. Reporting

The Consultant shall report to the Project Coordinator for the World Bank (PC-WB) financed projects who represents the Client (PMORALG) in the implementation of the assignment. The deliverables shall be in English, in electronic form, on a CD and in software acceptable to the Client. The Consultant shall submit seven (7) hard copies of each of the draft reports and twenty (20) copies of each of the final reports as well as a soft copy on CD of each to the Client. Arrangements will be made by the Consultant to make PowerPoint presentations on the content of the draft and final reports immediately after making submissions to the client. In addition, the Consultant shall submit a monthly Progress Report.

10. Contract and Disbursement Schedule

The consultancy contract will be a lump sum contract against submitted and approved deliverables, as per the following disbursement schedule:

- 15% Upon contract signing, against the submission of a bank guarantee for the same.
- 10% Upon submission of an Inception Report acceptable to the Client.
- 20% Upon submission and approval of a Drainage Plan and Pre-feasibility Study Report
- 20% Upon submission and approval of Initial Drafts acceptable to the Client.

- 20 % Upon submission and approval of Final Drafts acceptable to the Client.
- 15% Upon submission and approval of Final Reports acceptable to the Client.

ATTACHMENT 3

GUIDELINES FOR PREPARATION OF RESETTLEMENT

ACTION PLAN (RAP)

1 Introduction

These Guidelines outline the scope of work to be carried out in preparation of a Resettlement Action Plan (RAP) for Storm Water Drainage of the proposed DMDP. The RAP will compile information on any Resettlement Actions (RAs) required at sub-project level as gathered through Environmental and Social Impact Assessments (ESIAs) carried out for all sub-projects to be implemented through DMDP. The RAP will be prepared according to the requirements set out in the relevant Bank's safeguards Operational Policies (OP 4.12 Involuntary Resettlement & OP 4.10 Indigenous Peoples Policy) to ensure consistency and compliance with them. Consideration should also be of national policies and legislations concerned with land management. Land Acquisition Act 1967, Land (Assessment of the Value of Land for Compensation) Regulations, 2001 and, Land Act No. 4 of 1999 are prime in this regard.

Based on the findings from the ESIAs conducted, the Consultant shall prepare a RAP/IPDP reflecting besides such national policies and rules, the requirements of World Bank's OP 4.12 & 4.10. The main principles for RAP preparation will be:

- (i) to minimize as much as possible land acquisition and resettlement and;
- (ii) to carry out compensation/resettlement tasks so as to guarantee the improvement or, at least, the maintenance of the Project Affected Families (PAFs) pre-project standards of living.

To comply with principle (ii), land and house/buildings compensation will be delivered in kind with replacement housing or in cash at replacement/market rates. The RAP will also provide compensation for income losses (including business losses), incurred by the PAFs during the resettlement process. Finally the RAP will include rehabilitation measures such as: (i) allowances for relocation expenses (transport costs/transition-period subsistence); (ii) subsidies for service connection fees and special vulnerable groups, and; (iii) income restoration provisions including training, employment and credit assistance.

According to Bank policy/practice all PAFs whether legal or not are entitled to compensation/rehabilitation measures, providing that they are listed in the tallies of the PAF inventory (see below). However, as long as the basic rehabilitation principle is maintained, distinctions in compensation percentages may be made between legal and illegal settlers. To be included among the PAF are also families that may be indirectly affected by the resettlement process itself. Points in the National law contradicting the above eligibility principles will need to be waived.

2 Scope of Work

2.1 Information and Data Requirements

The RAP will cover all communities in relevant sub-project areas and will include the following intensive data gathering activities:

- (i) an inventory of the PAFs, loss of assets, loss of access to assets and services, both permanent and temporary, and
- (ii) a socio-economic census.

The inventory will provide an identification of all PAFs and their physical/financial losses. The socio-economic census will provide benchmark data to measure the achievement of the rehabilitation objective following the implementation of the RAP. Information to be collected for the socio-economic census includes the parameters shown in Table 1 below. The RAP shall be prepared on the basis of the best information available on the technical designs and shall form an integral part of the sub-projects design process.

Table 1: Basic Information Required for Resettlement Plan

Household composition: by sex, age, education, occupation, and skills	Household Assets and Services
Household standards of Living	Special needs of Vulnerable Groups
Resident Status of Each Person	Legal Status of Land
Legal Status of House	Category of Structure (I, II, III, IV)
Housing space in m ²	Use of business site with or without license
Household Members Eligible for Special Income or Treatment	Number and Category of Wage-Earners and Location of Work
Present Monthly Household Income and Expenditures	Preference Among Options for Resettlement Package
Preference for replacement housing Location and Style	Arrival date and Length of occupancy Period
Significant consumption goods in each household	

2.2 Principal Duties and Responsibilities

The Consultant will be responsible for a wide range of activities, many of which will be carried out in collaboration with the City/Municipal Council. Where necessary, the Consultant shall utilize local counterparts and survey interviewers who will be given induction in techniques required. The Consultant's duties shall include:

- (a) Identifying any Resettlement Actions (RAs) that may be required in a sub-project area, documenting these according to procedures laid out in the RPF and incorporates these

¹ By replacement cost is meant the amount of money needed to buy land or houses of equal make, dimension and location

into sub-project RAP. For each RAP, a site specific plan summarising relevant details of the RA will be prepared. Other tasks to be completed include:

- (i) Modifying sub-project designs so as to minimize project impacts as much as possible.
 - (ii) Preparing relevant maps, in collaboration with counterpart agencies.
 - (iii) Identifying sub-project impacts on land, houses and incomes; and assessing the number of individuals and PAFs. The resettlement expert will prepare a PAFs/impacts inventory, covering 100% of the PAFs, based on surveys to be carried out by local counterpart agencies.
 - (iv) Conducting a socio-economic census jointly with local counterparts in each sub-project area requiring resettlement. The socio-economic census will be based on a 100% sample of the PAFs and will outline the PAFs' main pre-project demographic and socio-economic features (these include: household composition by sex, age, education and occupation; Train the local counterpart and the interviewers as necessary.
 - (v) Studying the form of land tenure in any affected sub-project area and assessing market prices and substitution costs for land and houses.
 - (vi) Providing a clear description of the resettlement implementation arrangements, including defining staffing needs and institutional responsibilities;
 - (vii) Organizing and selectively supervising a comprehensive consultation program as part of the preparation of RAPs. Consultation/participation meetings will be organized and carried out so as to gather PAF's input in sub-project design. The meetings' outcomes, including needed changes in project design, will be reflected in RAs and in consolidated in the RAP. The Consultant shall also plan and schedule subsequent consultation/public participation meetings to be carried out during project implementation.
- (b) Prepare a RAP for the relevant sub-project incorporating the RAs, and detail other general activities to be carried out as part of the RAP including:
- (i) Consolidating information from each RA (relevant sub-projects) in an overall RAP for the DLAs.
 - (ii) Defining public information tasks related to sub-projects implementation program in the DLAs and preparing public information pamphlet.
 - (iii) Defining a supervision plan for internal monitoring agencies; identifying potential internal and external monitoring agencies and defining the internal and external monitoring plan.
 - (iv) Preparing a detailed action plan describing the implementation of each RAP task, including phasing of activities and a schedule linking resettlement/compensation tasks with construction tasks;
 - (v) Using the entitlement matrix in the RPF to prepare a detailed cost assessment of the RAP program based on unit compensation costs and unit values for subsidies/allowances defined by the Consultant.
 - (vi) Preparing the Storm Water Drainage Resettlement Section of the Operational Manual for the DMDP to guide in the implementation of sub-projects investment program and catalogue the typical resettlement mitigation measures to be

incorporated in the design of variation/additional works or additional sub-projects.

2.3 Overall RAP for the DLAs

The Consultant shall prepare an Overall Storm Water Drainage RAP for the DLAs by consolidating individual sub-projects RAPs. The Overall RAP will include the following chapters and detail the following topics:

- **Executive Summary.** Besides describing the DMDP background and main impacts, this chapter should summarize: a) RPF with focus on compensation policy/ legal framework; b) base-line info; c) institutional arrangements and responsibilities; d) implementation schemes including, complaints and grievances, participation, implementation process and schedule; and d) costs.
- **Project Description.** This chapter will provide maps of the project areas and will deal with the following: a) purposes of the project; b) spatial and administrative context; c) project components; and d) alternatives studied and mitigation measures.
- **Compensation Policy.** This chapter will describe: a.) resettlement principles; b.) eligibility frames and cut-off dates; c.) entitlement frames. An entitlements matrix summarizing the above will conclude the chapter.
- **Base-line Information.** This chapter will describe: a) when and how the data gathering process was initiated and concluded; b) the total and per component amount of land affected; c) the total and per component number of families and people affected, d) the total and per component number/area of houses/buildings affected (the houses/buildings data-base will be divided by house type.)
- **Compensation for Land and Houses.** Based on the "entitlement matrix" in the RPF this chapter will present data on compensation land and other relevant items (e.g. houses, business, loss of access to share cropping, etc), data on and will indicate available areas, locations, and preparation work is needed. A map of the replacement land areas will be added as an appendix to the RAP.
- **Implementation Organization.** This chapter will detail: i.) the project organization framework; ii.) besides such national policies and rules,
- **Information, Consultation, Participation and Monitoring.** This chapter shall describe: a) the pre-implementation information campaign, b) how the documents (RAP, etc) will be disclosed to the public and in particular the affected peoples; c) consultation and participation activities carried out during project preparation; d) complete documentation with names of participants and description of the meetings and of the issues that emerge from them, and e) will detail the monitoring program - both internal and external - to be carried out during sub-projects implementation.
- **Complaints and Grievances** This chapter will describe complaint/grievances procedures and will detail provisions to be taken in case the PAFs are compensated with delays in relation to the moment of land/house acquisition.
- **Implementation Process and Schedules** This chapter will detail implementation mechanisms/procedures, describe RAP implementation sequences, and will provide a GANTT chart linking the resettlement and construction schedules.

- **Costs and Finances** This chapter will detail the procedures for the identification of replacement/substitution costs, will list unit compensation rates and will provide a comprehensive assessment of the costs of the resettlement program.

A pro-forma outline of the RAP is provided below.

2.4 Inputs

The Consultant team shall include an urban planner/resettlement expert, a sociologist and a valuer who will be responsible for coordinating these activities. Other disciplines such as an environmental planner, engineer/cost estimator etc should be drawn in as and when required.

RESETTLEMENT ACTION PLAN AN OUTLINE

11. Introduction

- Brief introduction about the project
- List of project components
- Description of project components causing land acquisition and resettlement.
- Overall estimates of land acquisition and resettlement.
- Minimizing resettlement
- Describe efforts made for minimizing resettlement
- Describe the result of these efforts

12. Census and socio-economic surveys

- Identify all the Project Affected Persons (PAPs) first and draw a list
- Identify all categories of impacts (loss of property and assets; loss of livelihood; impacts on groups and communities)
- Give formats and tables for census surveys
- Provide outlines for socio-economic survey
- Summarize process for consultations on the results of the census surveys
- Describe need and mechanism to conduct updates, if necessary

13. Resettlement policies and legal framework

- Identify areas of conflict between local laws and World Bank policies, and project-specific mechanisms to address conflicts
- Provide a definition of project affected persons
- Describe entitlement categories for each category of impact
- Describe method of evaluation used for affected structures, land, trees and other assets
- Provide entitlement matrix

14. Resettlement sites

- Does the project need community relocation? Have these been accepted by the PAPs?
- Give layouts and designs of residential sites
- Have the PAPs agreed to the strategy for housing replacement? Have the selected sites

been explicitly approved by the PAPs describe the specific process of showing the sites to the PAPs and obtaining their opinion on them.

- Describe the technical and feasibility studies conducted to determine the suitability of the proposed sites.
- Is the land quality/area adequate for allocation to all of the PAPs eligible for allocation of agricultural land?
- Give calculations relating to site requirements and availability.
- Describe mechanisms for (i) procuring, (ii) developing and (iii) allotting resettlement sites
- Provide detailed description of the arrangements for site development for agriculture, including funding of development costs.
- Carry out an assessment of possible impacts on the receiving environment.

15. Institutional arrangements

- Identify and discuss the institutions responsible for delivery of each item/activity in the entitlement policy
- Describe the project resettlement unit — functions and organizational structure of the unit and coordination relationship
- State how coordination issues will be addressed in cases where resettlement is spread over a number of jurisdictions.
- Identify who will coordinate all agencies-with the necessary mandate
- State when the project resettlement unit will be staffed.
- Describe plans for training and development of staff in the resettlement unit/local agencies.
- Discuss initiatives taken to improve the long term capacity or resettlement institutions

16. Income restoration

- Briefly spell out the main restoration strategies for each category of impacts, and describe the institutional, financial and technical aspects.
- Describe the process of consultation with PAPs to finalize strategies for income restoration
- How do these strategies vary with the areas/locality of impact?
- Are the compensation entitlements sufficient to restore income streams for each category of impact? What additional economic rehabilitation measures are necessary?
- Does income restoration require change in livelihoods, development of alternative farmlands, etc., or involve some other activities, which require a substantial amount of time for preparation and implementation?
- How does the action plan propose to address impoverishment risks?
- Are choices and options built into the entitlements? If so, what is the mechanism for risk and benefit analysis of each option? What is the process of ensuring that PAPs have knowledge about alternatives and can make informed decisions? Is there a mechanism to encourage vulnerable groups among PAPs to choose lower risk options such as support in kind rather than cash?
- What are the main institutional and other risks for the smooth implementation of the resettlement programs?

17. Implementation schedule

- List and briefly describe the chronological steps in implementation of the resettlement, including identification of agencies responsible for each step of the program.
- Prepare a month-wise implementation schedule of activities to be undertaken as part of the resettlement implementation (Gantt chart)
- Describe the linkages between resettlement implementation and initiation of civil works for each of the project components.

18. Costs and budgets

- Clear statement of financial responsibility and authority.
- Ensure that the cost of resettlement is included in the overall project costs.
- Identify components, if any, to be funded by donors
- Prepare a cost-wise, item-wise budget estimate for the entire duration of resettlement implementation, including administrative expense, monitoring and evaluation and contingencies.
- Identify sources of funds and describe their flow management.
- Describe the specific mechanisms to adjust cost estimates by the inflation factor.
- Describe provisions to account for physical and price contingencies.

19. Participation and consultation

- Describe the process of consultation/participation in resettlement preparation and planning.
- Describe the various stakeholders.
- Describe the plan for disseminating information to project affected persons (PAPs), such as provisions for a booklet to inform PAPs and other stakeholders.
- Describe examples of outcomes of participation and consultation, such as how local beneficiaries' views have influenced the process, entitlements and support mechanisms, or other issues.
- Have workshops been conducted, or are they planned? Who are the participants, and what are the inputs and expected outcomes and impacts?

20. Grievance redress

- Describe the step-by-step process for registering and addressing grievances
- Provide specific details regarding registering complaints, response time, communication modes, etc.
- Describe the mechanism for appeal

21. Monitoring and evaluation

- Describe the internal monitoring process
- Define key monitoring indicators. Provide a Matrix of RAP monitoring indicators, which would be used for internal monitoring and evaluation. Describe institutional (including financial) arrangements.
- Describe frequency of reporting and content for internal monitoring.

- Describe process for integrating feedback from internal monitoring into implementation.
- Describe financial arrangements for external monitoring and evaluation, including process for awarding and maintenance of contracts for the duration of resettlement.
- Describe methodology for external monitoring.
- Define key indicators for external monitoring, focusing on outputs and impacts.
- Describe frequency of reporting and content for external monitoring.
- Describe process for integrating feedback from external monitoring into implementation.

Appendix B Consultation register and minutes of meeting

MEETING CONCERNING CHANG'OMBE, KEKO, AND MIBURANI - HELD ON 12 APRIL 2014, 8:00-10:00AM

The Chairman began the meeting at 2:48pm by thanking and welcoming the citizens and various leaders in attendance. He then introduced the first speaker, Mr Bakari.

Following feasibility studies carried out by consultants in the first phase of the drainage project, World Bank officials have agreed to direct funds towards addressing drainage problems concerning the Serengeti Drain.

Thus the reason for holding the meeting is to address the fact that the project will affect residents living around the drainage system. These people should be compensated accordingly and their rights should be respected throughout all future stages of the project.

The Council is responsible for paying this compensation, and today a summary and list of all citizens in attendance will be prepared.

COWI Tanzania Ltd. has both established the standards for the width of the entire drain and has designed the project in such a way that future flood events are prevented. These decisions were made based on the logic that the ideal way to repair the drainage system is to follow the natural drainage network. In this way COWI collaborated with a company from Portugal that used a model to determine where the drains, culverts and bridges must be placed/built. There are many other things that have been determined/established in these stages.

This exercise will be facilitated by the drainage project. According to the Land Act No. 4 of 1999, the project may impact the following in matters of compensation:

1. Housing allowance
2. Disturbance allowance
3. Transport allowance (TZS200,000 to be paid for loads up to 12 tons that are transported over 20km)
4. Allowance to compensate for the loss of profits or accommodation

These are fundamental issues in this exercise, and property valuers will examine the houses that are affected by the project.

The valuers must assess each house so that all rights of residents are respected. According to national laws only home owners are recognized in matters regarding compensation and not tenants.

INQUIRER	MTAA
SAIMON MAFILA	Chang'ombe "B" <ul style="list-style-type: none"> • Gives his thanks to the World Bank • Valuations of properties have been taking place for a while

	<ul style="list-style-type: none"> If the valuation exercise is not concluded within six months, the valuers will be reported
DENIS MNAVU	Magurumbasi “B” <ul style="list-style-type: none"> Ile program yaalamailiyowekwa – hapananitofauti The marking of houses is a separate exercise from the valuation process
MKALIE JODEPH Maji -7.5M	<ul style="list-style-type: none"> How wide will the drain be (in meters)? Will the trench/drain be open or closed?
ERNEST SAADA	Keko bora
JASONI MWAFULA	MtaawaKekojuu
CHARLES	
MAJIBU	
CHRISTINA LWALA	<ul style="list-style-type: none"> Brochures need to be prepared
PETER KATO	
PAULO AMOSI	MAGURUMBASI “B”
ALFONSE KOMBA	KEKO MACHUNGWA
SUPRIANO MAPUNDA	M/KITI
ABRAHAM MAJENGE	KEKO JUU
TWAHIRI MUSHI	CHANG,OMBE “B”
SAID KABEGA	KEKO “B”

The Honorable Councillor explained that areas near the Serengeti Drain would be regarded for compensation purposes.

Said Kambenga's question

According to fundamental laws houses with six rooms will either have one room removed or have the room that makes up over half the size of the rooms altogether removed. Reason and discernment will inform such decisions.

Bakari

The Chang'ombe Road is covered by the DMDP project.

NOTE

Valuers must wear gumboots when visiting Keko so that each house can be evaluated.

The meeting was terminated at 4:22pm.

	FULL NAME	POSITION	MTAA	PHONE NUMBER
1.	MUSA KUZIWA	CHAIRMAN S/MTAA	CHANG'OMBE 'A'	0715 611112
2.	JUMA MKENGA	COUNCILLOR	MIBURANI K/MACHUNGWA	0715 269527

3.	DOMINIC KASSONGO	WEO	KEKO	0682 520111
4.	GAUDENSIA MFUKO	CHAIRMAN	K/JUU	0754 460832
5.	R.A. GUNDUM	WEO	MIBURANI	0783 550224
6.	ANGELA G. MSUYA	MEO	CHB	0714 298888
7.	ERICK KOMBA	MEO	CHG'A'	0715797220
8.	ASHURA CHUMA	MEO	K/MWANGA 'B'	0718 184560
9.	SIMON MBILONGA	MEO	K/MAGURUMBASI 'B'	0712 631185
10.	EDWARD PEMBE	MEO	KEKO MACHUNGWA	0713 339427
11.	MWAJABU MIZONGO	MTAA EXECUTIVE OFFICER		0713 210228
12.	VICENT.W.SEMKURU TO	CHAIRMAN		0773 510228
13.	VICENT J. RUTINWA	CHAIRMAN		0784 323222
14.	HOLDA J. ULOMI	WEO	CHANG'OMBE	0655 707048
15.	ANATOLY A.SHIYO	CHAIRMAN	K/MACHUNGWA	0715/0754 953912
16.	LIBAO OMARY LIBO	HOMEOWNER		0754/0655 200074/0658 070809
17.	SALUM SETU	HOMEOWNER - HOUSE NO.56		0657151479
18.	ISSA BAKARI ISSA	HOMEOWNER - HOUSE NO.48		
19.	SIMON MANGIA	HOMEOWNER - HOUSE NO.184		0717 389238/0784 901817
20.	MBOMOYAE J.BUNGARA	HOMEOWNER - HOUSE NO.147C		
21.	UNOPLAST (T) LTD (BANCO) BOX 2545	HOMEOWNER - HOUSE NO. 252		0715 692436/0864
22.	DENNIS L.MNAVU		KEKO MAG "B"	0713 735009
23.	SHABANI K.MPETUKA		KEKO MAG "B"	0719 214627
24.	RAMADHANI MSHAM		KEKO MAG "B"	
25.	ABRAHAM D.MACHENJE		KEKO M.G7	0784 305479
26.	TADEI SIMON		KEKO JUU	0713 659136
27.	AMANI MKWANGA		KEKO JUU	0715 228719
28.	KAIFA J.MWALE		KEKO JUU	0716 494257
29.	CLAUDIA HAULE		KEKO JUU	0713 506232
30.	OMAR MWINYI		KEKO JUU	0715 709511

31.	ADREA J.NYEMBE		KEKO B	0716 666202
32.	JOHN C.CHACHA		KEKO B'	0757 621536
33.	CHANCE P TUAID		CHANG'B'	0755 097684
34.	UPENDO S.MZIRAI		KEKO MAGURUMBASI	0713 775230
35.	CAPT.JASSON MWAFULA MWANGWEMBE		KEKO JUU	0755 459125
36.	JOB B.MWAKAJILEKE		KEKO	0756 976854
37.	NEEMA ADENI MWAKYOMA		UNUBUNI CHANG'OMBE A	0713 415046
38.	ELIZABETH KISAMBA		UNUBUNI CHANG'OMBE A	0752 852120
39.	SHIRIFA RAMADHANI		KEKO JUU	0716 118697
40.	JOSEPH E.NDITI	AREA SUPERVISOR	KITONGOJI MAGURUMBASI 'B'	0784 252132
41.	SOFIA W.MAKORI		KEKO MOLEMO BIASHARA	0752 924296
42.	PHILIPO A.MAGANGA	CHAIRMAN	KEKO MWANGA 'B'	0764 649511
43.	THEODORE MARIRO	BUSINESSMA N	KEKO JUU	0754 868494
44.	WALTER ALLY	HOMEOWNER	KEKO MACHUNGWA	0713 592657
45.	DAMIANI KOMBA		KEKO MACHUNGWA	0655 798545
46.	DONALD TUMBUDYA		KEKO 'B'	0655 227243
47.	ALLY R.MIZOLA		KEKO	0655 414568
48.	AUGUSTINO A.MNG'ONG'O		KEKO	0755 545882
49.	REHEMA MWANYIRO		KEKO	0718 536389
50.	RHODA STANSLAUS		KEKO	0714 092933
51.	MARWA CHACHA NATHANIEL		MAGURUMBASI 'B'	0755 306630
52.	WILFRED MWANKUGA		KEKO MOLEMO	0784 008585
53.	SAID MBWANA		KEKO "B"	0657 055557
54.	SYONI IKENDA		KEKO MWANGA 'A'	0713 324063
55.	GOD ADREA		KEKO MWANGA A	0713 722989
56.	J.SACKI		KEKO MAGURUMBAZI "B"	0713 786143/0768 228270
57.	JANETH NGWETA		KEKO MACHUNGWA	0712 474191
58.	GODFREY M.ZAAR		KEKO "B"	0713 239235
59.	SAIDI KAMBENGA		KEKO "B"	0784 847562

60.	RAJABU SADALLAH		KEKO "B"	0716 788497
61.	STELA KESSY		KEKO "B"	0657800422
62.	REHEMA MOHAMED		CHANG'OMBE "A"	0713 852538
63.	HABI LITAUNGA	FARIONTRADING LTD		0655 444133
64.	ADAM HASSAN		UNIBUNI (NYUMAYA SHEL)	0716 990903
65.	PAUL AMOS MAKUTA		MAGURUMBASI "B"	0753 720250
66.	DEOGRATIAS LUKAS		MAGURUMBASI "B"	0719 918592
67.	NIBWENE SIMON		KEKO MWANGA "A"	0714 114234
68.	JANE MACKSON LUCAS		KEKO MWANGA "B"	0658 820096
69.	SAMWEL MWANTIKA		UNIBUNI TMK	0714 645457
70.	SHAMILA KINGONGO		CHANG'OMBE "B" TMK	0715 276343
71.	DOROTHI MAMTEMI		CHANG'OMBE "B" TMK	0655 773761
72.	FHATUMA ABDALLA		CHANG'OMBE "B" TMK	0657 985144
73.	VERONICA A.MASIMBA		CHANG'OMBE "B" TMK	0714 331035
74.	JIMMY P.MWAKAJUMBA		KEKO "B"	0713 731777
75.	STAMIRI MALIWA		KEKO "B"	0713 731777
76.	JUSTINE TUMAINI		KEKO "B"	0656 330282
77.	FATUMA KALIMA NGASI		KEKO "B"	0788 314262
78.	ISSA S.MARIMUSI		KEKO "B"	0657 035461
79.	NEEMA MADONGO		KEKO "B"	0654 509030
80.	HENRY J.SABU		KEKO MAGURUMBASI "B"	0713 279779
81.	MWANAHAMIS R.M	KK/KMA/435	KEKO MWANGA	0719 731140
82.	BAKARI S.MSATA	KK/45	KEKO MWANGA	0719 731140
83.	REBEKA J.MWALUBANDA	HOMEOWNER - HOUSE NO.50	KEKO JUU	0655 210211
84.	TATU	RESIDENT	KEKO "B"	
85.	LUCY NAKAPENDA	HOMEOWNER - HOUSE NO.51	KEKO JUU	0685 058070
86.	EDMUND.H.KIYAME	ARCHBISHOP	KANISA LA UDUGU WA KIKRISTO	0784 715771
87.	GEOTREY I.MWABUKUSI	BISHOP - DSM REGION	KANISA LA UDUGU WA KIKRISTO	0754 151375
88.	SAMSON	INSPEKORS	NYUMBA YANGU	0718 594937

	MWAISENYE			
89.	GLORIA HAULE	OWNER OF HOUSE OPPOSITE TAKURUKURU	NYUMBA NO 117 BORA	0763 821415
90.	L.MWANYESYA	KEKO JUU		0658 058070
91.	ESTHER H.YENGAYENGA	HOMEOWNER – HOUSE NO.370	KEKO MAGURUMBASI B	0787 289210
92.	THOMAS EMANUEL			
93.	CHRISTINA E.LWALA		CHANG'OMBE	0714 612235
94.	MRSYUSTA KASSANG		MAGURUMBASI B	
95.	MAYOLUS NG'OGE		MAGURUMBASI B	0754 866946
96.	HASSAN M.KANJILALJI LTD		CHANG'OMBE B	0754 329693
97.	FALUNK ABEDI		KEKO MACHUNGWA	
98.	EU.J.E. CHIKALA	EVANGELIST	KANISA LA UDUGU WA KIKRISTO	0656 922259
99.	ALLY M.MGOMA	HOMEOWNER	KEKO "B"	0715 756214
100.	CHRISTINA ALHANAS	HOMEOWNER	KEKO "B"	0655 801754
101.	ESELEDA AMOSI	HOMEOWNER	KEKO "B"	0755 439902
102.	LUSEKELO AMBAKYISE	HOMEOWNER	KEKO "B"	0783 469375
103.	MWAJUMA KIPELEKA	HOMEOWNER	KEKO J	0712 941286
104.	ALLY ULIZA		KEKO MWANGA B	0798 989543
105.	HAMZA ZAYUMBA		MWANGA B	0715 101204
106.	GIDEON G.NGULLO		KEKO MWANGA "A"	0654 812656
107.	FELIX FABIAN		KEKO MWANGA "A"	0719 536098
108.	AMBAKISYE ABEL		KEKO MWANGA "A"	0714 185355
109.	GETRUDA MATIAS		KEKO MWANGA	0718 916083
110.	CLOTIDE MATHEW		KEKO JUU	0714 001510
111.	ALEX E.KAMUGISHA		KEKO MAGURUMBASI "B"	0713 366454
112.	HASSANI M.HALLY		KEKO	0653 819310
113.	CHRISTOPHER HAULE		KEKO MACHUNGWA	0712 474191
114.	HALIMA SABATIT		KEKO M.B	0719 145426
115.	ZUHURA MOHAMEDI		KEKO MWANGA B	0787 109446
116.	ERNEST MWASADA	RETIRED	BELIRED BORA NO.118	0763 644669
117.	ATHANASIO YENGA HAULI	TCHC	KEKO MAGURUMBASI B	0786 091923

118.	JOHN B.HAULE		K/K MAGURUMBASI B	
119.	MOHAMED SAID NJ.MBISI	TEACHER		0713 291902
120.	ELIZABETH HARRIES LUPEMBE	RETIRED	KEKO JUU	0652 288899
121.	OMARY IDD	RETIRED	KEKO MWANGA B	0713 489051
122.	MGENI M.BILALY	RETIRED	K/MACHUNGWA	0754 262528
123.	PAULINA IBRAHIM IMANUEL		K/MACHUNGWA	0713 633052
124.	SHARIFA HAMZA NZAWANGA		K/MACHUNGWA	0718 184030
125.	MWINYIMBEGU RAJABU		K/MANGA	0652 476164
126.	SYPRIANO MAPUNDA		KEKO JUU	0713 429754
127.	SALOME MWANZA		KEKO BORA NO.120	0754 744405
128.	RICHARD E.SHIIJA		K/MACHUNGWA	0713 298740
129.	ALPHONCE J.KOMBA		K/MACHUNGWA	0754 237746
130.	ABDALA MAHIAD		URUDINI	0718 619516
131.	ATHUMAN S.KINGONGO		CHANG'OMBE "B" EAC	0784 276343
132.	SHABANI KIBASILA		CH/UNUBINI	0716 827986
133.	JONAS DANIEL		CH/UNUBINI	
134.	JUDE P.MKAI	RESIDENT		0754/0784 694880/0754 087299
135.	PETER KATO	RESIDENT		0784 472024/0783/974603
136.	MONIKA S.UBAY	RESIDENT		0718 626288/0752 152115
137.	ELIMRINAI A.KIMAMISO	RESIDENT		0768 646491
138.	ESTOMIN M.MURO	RESIDENT		0784 743367
139.	JOHN A.MLAWA	RESIDENT		0713 256642
140.	ALLEN B.MPETA	RESIDENT		0754/0658/0786 038583
141.	REGINA MBILIMA	RESIDENT		0754 503081/0716 588750
142.	PATRICK MUNABI	RESIDENT		0715 367663
143.	TELESPHORY T.CHAMBO	RESIDENT		0657 911769/0786/010001/0754 368287
144.	SOPHIA AMONI		KEKO MWANGA B	0717 248799
145.	HOSSENI RAMADHANI		KEKO MWANGA A	0654 772359
146.	ELARENCE BASILE		MAGURUMBASI B	0719 877644
147.	ROBART		MAGURUMBASI	0714 800933
148.	STEPHANE		MAGURUMBASI B	0654 992848
149.	HADIJA RAMADHANI		MAGURUMBASI B	0713 758526
150.	EMMANUELA DABANA		CHANG'OMBE B	0756 406688

151.	JASTINI R.MAGOA		MAGURUMBASI B	0714 158822
152.	BOSIKO PAULO		MAGURUMBASI B	
153.	JOYCE ALFLED		KEKO B	
154.	GEORGE MWAIGWISYA		KEKO MWANGA (MOWLEM) A	0718 914356
155.	SAMWEL MWAISOLOKA		CHANG'OMBE B	0712 398589/0784 200767
156.	SALMA MASIMIKE		CHANG'OMBE A	0659 207951
157.	ABDALLAH HASSANI		MOLEMO	0718 713100
158.	HALIMA MBWILO		KEKO MOLEMO (MWANGA A)	0713 413614
159.	THERAES J.MTONO		KEKO MOWLEMO (MWANGA A)	0716 828172
160.	GRACE MWAIGWISYA		KEKO MWANGA	0754 804846

WSEOLS

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project

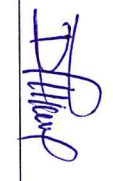
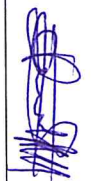




Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/4/2014	CHARLESS A. SEMIRUA	IMEC	WFO	0754296612	
-	STUDA UDHI	IMEC	WFO CHANGIMBE	0655707048	
-	SHAMULA HASSANI	IMEC	WFO MI	0712773280	
-	FIDEUA KRABER	IMEC	WFO TANBIKA	0655054221	
-	PETER K. MADOYE	IMEC	WFO KWA WALA	0635-379904	
-	PETERA F. GAERWA	IMEC	WFO Mbigi/Kisumu	0717030835	

WED'S

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project







Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/4/2014	DOMINIC KASSONED	TMC	WED-KEKD	0682 520 111	
10/4/2014	DENIS F. MWALELE	TMC	WSO - TEMEKE	0784 779664	
10/4/2014	BAZIL L. DAVID	TMC	WED - KIJICH	0715 671903	
10/4/2014	RASHAB A. GUNDRAM	TMC	WED - MIBURANI	0783 550224	
10/4/2014	MUSTAFA DEKESALA	TMC	WED - MIBURANI	0779903554	
	BALANDYA M. ELUKANY	TMC	WFO	0784.725183	

WILVITI SIMETA & NEDOS

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project

Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/4/2014	BUDI NGAWDALI	FMU	WILVITI BUSTANI	0955087715	
10/4/2014	JANETH B. MURPHY		NEDOS	0652-672403	
11	MAREGE A. MAREGE	Climate Time	NEDOS	0713-551383	
11	NERTI S. RUTIMWA	MUKITI	MUKITI Udugwa Taifa	0784323222	
11	STANISLAV MATYEMBA	NEDOS	AZIMIO/KUSIWI	0752-223493	
11	JANORAH ST. GARDENIA	NEDOS	AZIMIO/KUSIWI	0655067924	

W/mti S/NITA & MEO'S

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project

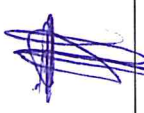
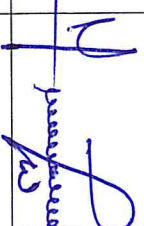



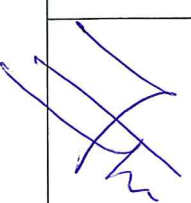
Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/04/04	FERRICK OUMA MATHIU	Time	MEO - SABASABA	0784 212190	
-do-	FRANK T. SIMBAMWENE	-do-	MEO - BUSYANI	0756 935256	
-do-	ABDULLAH SIKIRIJEWA	-do-	MEO - MTONI	0653-941494	
-do-	IBRAHIM MR. MWIZA	-do-	M/KITI - SABASA	0715-857575	
-do-	Pius King'wanda	"	M/KITI KISIWANI	0715130680	
-do-	CLEMENTINE MURAKI BOMBA	"	M/KITI, M. MURUDOLEA	0713 479314	
+	ZUBIERU KABUMAYE	"	M/KITI MAMBAKOLE	0713 396923	
-11-	GNANIAYI MUISANOBYA	-11-	M/KITI/KIMBURGA	0713740383	
-11-	NURUDINI A. UGAMBA	-11-	M/KITI/USALIMBA	0712-5220165	
-11-	MUSSA B. MUSSA	-11-	M/KITI/SHINTA WYOMBEWA	0777-770720	
-11-	MASIDI D. KESULA	-11-	MES MAMBAKOLE	0719903554	

WATHESHINIWA MADIMANI

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project


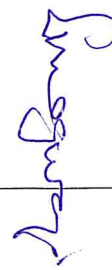





Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
9/11/14	NOEL L. NYANJWE	TMC	Assistant Engineer	0715737353	
30-	MHEABRA/BO. TAYNS TIME		SALESMAN	0713-553180	
28-	Hue: Laurence A. J TIC		DIUWANI CHARACTER	0713-447117	
26-	MR SHABANI SAIFUDDIN	TMC	DIUWANI KOTORA	0652532985	
26	AMINA HASIBU	TMC	DIUWANI/VM	0654512434	
26	JUMA MLENGA	TMC	DIUWANI MURBAN	0715269527	

WEN HESHIMIWA MAIDIMANI

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project


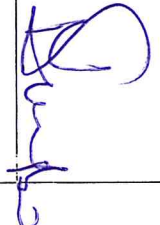
Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/04/2014	ZENA T. MGRYA	TMC	DIWANU KILAKALA	0715 519978	
11	ELIZABETH MATHURIA	TMC	KILAKALA	0715 519978	
11	J. MIZANA	"	KEKO DIWANU AZIWO	0784 244495 0789 486913	 
11	AKMIST MZUZUB	TMC			
10/04/2014	DOROITHI KILAUZ	TMC	DIWANU/V/M	0783 355377	
11	MARIAM MTEMBU	TMC	DIWANU/V/M	071 5274632	

WA H ESTH NIWA MADIMANI

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project


Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/04	AGREY S. WATYONGE	AGREY S. WATYONGE TINC	DURUMU MUBAATA	0713 232712	
10/04	STANISLAV NGOMBO	TINC	DURUMU TUMEKE 14	665653977	

WATER LAM

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project



Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
	Edward Simon	TMC	Coordinator	0719553112	

MAAFISA TARAFU

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project







Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/04/14	BETHA MURUK	DISTRICT COMMISSIONER'S OFFICE	DO-CHANDU MBE	0713 2431914	
	AGNES KYANDO	-11-	DR. MBATGALA	0655016827	

WATAALAM

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project

Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/4/2014	TUHOBWIKE NWAKESSIN	TMC	VALUER	0658 958947	
	VICTOR F. NDORWE	Tme	MEMBER	0713 215439	
	Bahari Said	Tme	MEMBER - TEAM	0652-4957493	
	BENASETA NISMAN	TMC	PRO	0714-556710	
	Magdalen Mwanika	Tme	GRUS	0718493853	
	TATU AMBARAKISYE	TMC	MEMBER	0713 312879	

**Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in
Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project**

Meeting costs for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Amount received	Sign
10/4/14	EMARZ R. LUTAMBO				

**Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in
Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project**

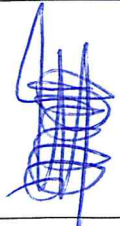
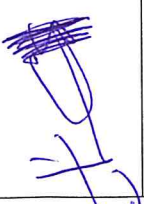




Meeting costs for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Amount received	Sign
10/14/14	ZENA MGHATA	Tme			
-11-	M.H.E				

MILITI SIMPULIA & MEOs

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project




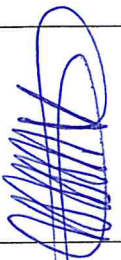

Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/11/2011	EDWARD P. FERRE	TMC	MEO	0713339427	
3	STANISLAV MURRAY	TMC	MEO	0752-263493	
11	Jamona -H. GORDON	TMC	MEO	0655 067925	
11	AILEY SILVERUS	TMC	MILKITI BUCHHEIM	0713 232712	
11	GAUDENSIA MUKO	TMC	MILKITI	0754 460832	
11	MARIANA ANASTASIA	TMC	MILKITI	0754 827926	

WUJI SHUKITA & MEOS

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project


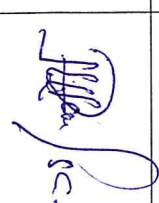


Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/4/2014	IBSI S. Kilima	MALURUMBAZI RIS	M/Kiti Shukita	0786231915 0655-231915	
11-	Ali M. Kinyanda	.	M/Kiti Kinyanda	0712267633 0784691638	
1	EVERETT W. MARI SAUNDARI		Meo	0718-966399	
1	ANACES. HAYANA	WE2	WE2 - Bura	0712016503	
	MAGDARENA KOKA	WE2	CHAMPANGE	0788-576353	

W/UTI S/MIITA & W/EDS M/EOs

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project

Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/4/2014	ISMAAS M. KHAIJA	IMR	M/EO KILAKALO	0717 205072	
P1	MOTHAWEBSHARAZAN FAKHA	KEICO	M/EST	0655-023866	Motawebsharazan
P1	Ramadhani Ramadhani	KEICO	M/EST	0689-911699	
P1	Phatoly D. Shifu	K/MACHUNGA	M/EST	071570254-953912	Phatoly D. Shifu
P1	SHAMARI S. MITHANE	KIGUNGA KULIKILI	M/EST	0719 982201	
P1	MUSTAPHA S. NAWU	TMK	M/EO KIGUNGA	0714-589838	

W/with SIMITIA & MUSA'S

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project




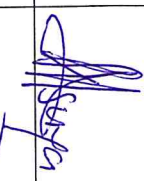
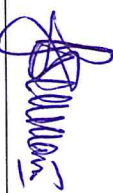

Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/04/14	PHILIP A. MASHAKA		14/14/11	0764-649511	
11-	DANIEL R. KASHIKI	Kwanza	Act	0787 887994	
11-	TABU M. MATAIRO	UKTAFCA	MED	0754-218424	
11-	MWAKABU H. MIZANUN	BIRA	MED	0713 278555	
11-	IDD. S. NUSCHETE TEACHER GRABBY	AZIMUO AZIMUO	M/14/11 M/14/11	0715 371134 0713 746021	
11-	DIMARI R. HUMWISO	T/RESTI	M/14/11	0787 5022125	

MISO'S & MWITI SIMITA

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project

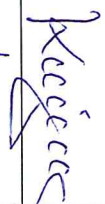
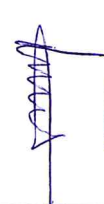




Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/09/11	ASTHURA CHUMA	K/MWAZOGA B'	MBO	0718-184560	
11-11-	SIMON MBI LANGA	K/MWAZOGA B' / MUEURUBA B' / MEO	MEO	0712-631185	
11-	ALEX D. HASTI	TMEKES MAGEA'	MEO	0655-400322	
11-	ANGELA E. MUYA	CHANGIMBE K' / ZOMBOKO	MEO	0714-298888	
11-	NURDIN MNAMA	CHARRA MBE	M/KITI	0655579393	
11-	SELEMANI ALEY MRODE	ADANGITAY / CHARRAMBE	M/WIJI	0715-774201	

W/VITI S/MITAA & W/H MEDS

Consultancy Services for Improvement of Storm Water Drainage Systems in Dar es Salaam Metropolitan Area in Support of Preparation of the Proposed Dar es Salaam Metropolitan Development Project

Consultations for the preparation of the Resettlement Action Plans - Temeke

Date	Name	Institution	Position	Contact Number	Sign
10/4/2014	MUSSA KUZUWA	TEMEKE	M/KITI	0715-611112	
"	Hamada TAJIRI	TEMEKE	M/VITI	0719-058703	
"	SOPHIA MILANDI	MIBAGALA	MEO	0659-202945	
"	HARSON MREMA	HIBAKAIA	WEO	0915-901230	
"	RUTH TEIE	MIBAGALA	MEO	0756-350168	
"	TELEPHUS MESSU	SABALI	MEO	0963-973197	



Appendix C Socio-economic data questionnaire

SURVEY FORM FOR AFFECTED HOUSEHOLD

Date: _____

Name of enumerator: _____ Questionnaire No. _____ Valuation Code No. _____

Street: _____ Ward: _____ Municipal: _____

Name of owner (household head): _____ Phone No.: _____

Affected assets (indicate number and/or extent):

Land Business House
 Structure Trees Crops

Others (specify): _____

SECTION A: APPLICABLE FOR ALL AFFECTED HOUSEHOLDS

1. Socioeconomic information

1.1 Household's Information

Sex of household head: **M** **F**

Age of household head: _____

Marital status of household head: Single Married

Widow(er)

Education level of household head:

Primary Secondary University None Other

Employment of household head: _____

No. of household members: Males Females

Number of children in:

Nursery school Primary Secondary Vocational

University

None

Number of household members eligible for special treatment (i.e. vulnerable): _____

Elderly Widow Orphan Disabled

Terminally ill for more than three months

Year moved to current location: _____

1. 2 Economic Information of Household (FOR FULLY AFFECTED HOUSES ONLY)

1.2.1 Income sources of household

S/N	Income source	Primary source - ✓ where applicable, briefly describe	Secondary source (briefly describe)
1.	Business Informal e.g. kiosk, petty traders Formal e.g. shop, factory		
2.	Non-skilled labour		
3.	Skilled labour (employed)		
4.	Agriculture		
5.	Service sector (i.e. hospitality)		
6.	Fishery		
7.	Pensioner		
8.	Remittances		
9.	Others (Specify)		

Income of household head:

0-50,000 Tsh/month	1,620,001-4,320,000 Tsh/month
50,000-200,000 Tsh/month	4,320,001-6,480,000 Tsh/month
200,000-500,000 Tsh/month	6,480,000-8,640,000 Tsh/month
500,000-800,000 Tsh/month	Over 8,640,001 Tsh/month
800,000-1,620,000 Tsh/month	

SECTION B: ANSWER FOR FULLY AFFECTED HOUSES ONLY

2. Living conditions of household (tick the answer/s)

S/ N	Services	Service type	Use ✓ to indicate use/availability, provide brief description	Distance in time, mode of transport
1.	Water source for drinking/cooking:	1. Rain water		
		2. Tap water inside house		
		3. Public tap water		
		4. Canal, river, pond		
		5. Hand dug well		
		6. Borehole		
		7. Others		
2.	Water source for cleaning:	1. Rain water		
		2. Tap water inside house		
		3. Public tap water		
		4. Canal, river, pond		
		5. Hand dug well		
		6. Borehole		
		7. Others		
3.	Toilet:	1. Pit latrine		
		2. Pour flush toilet		
		3. Flush toilet		
		4. No toilet/neighbour's toilet		
4.	Main source of lighting:	1. Electricity		
		2. Solar energy		
		3. Generator		
		4. Battery		
		5. Candles/kerosene lamps		
		6. None		
5.	Main source of cooking fuel:	1. Gas		
		2. Kerosene		
		3. Charcoal		
		4. Fuel wood		
		5. Electricity		
		6. Others		

6.	Religious	1. Church		
		2. Mosque		
		3. Temple		
		4. Others		
7.	Education	1. Primary School		
		2. Secondary School		
		3. Vocational/technical college		
		4. University		
8.	Health Services	1. Clinic/Chemist		
		2. Dispensary		
		3. Health centre		
		4. Hospital		
9.	Security	1. Police Post		
		2. Others		
10.	Transport	1. Car		
		2. Bus		
		3. Motorcycle		
		4. Bicycle		
		5. Bajaj		
11.	Shops	1. Market		
		2. Shops for clothing		
		3. Shops for food		

3 Relocation options for PAPs

3.1 Would you be willing to give up part of your land for the project if necessary?

Yes No

If yes, where would you like to be resettled? (Tick the answer/s)

- i. Within the same land
- ii. In the same community area
- iii. To resettlement site, if available
- iv. The resettlement location does not matter
- v. Another area of my choice (please specify): _____
- vi. Do not know where to move

If no, please state why:



3.2 Which income restoration arrangement do you prefer?

Cash

In-kind

If in kind, what is your suggestion?

3.3 Preferred compensation arrangement

Cash compensation:

In kind compensation:

If in kind, what is your suggestion?
