

Determinants of Land Values during Compulsory Land Acquisition in Dar es Salaam: *The Case of Kinyerezi and Kipawa Wards of Ilala Municipality*

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Abstract: *Compulsory land acquisition has been crumbed by a lot of complains from the affected people revolving around unfair compensation by the state. Such complains are common in many African countries including Tanzania. This study aimed at assessing the whole process of land acquisition, participation of stakeholders and effects of land values to the people affected by acquisition projects. The study was conducted in two land acquisition projects in Ilala Municipality specifically, Kinyerezi and Kipawa Wards. The mixed approach was adopted with quantitative data collected through survey of the 97 affected people in Kipawa and Kinyerezi Wards with questionnaires attaining 69 percent of response rate. Qualitative information was sought from key project stakeholders. The quantitative analysis was done by the Relative Important Index (RII) whereas the qualitative data was analysed thematically. The results show that the determinants of land values in the compulsory land acquisition are accessibility, neighborhood quality, plot potentiality, legal factor, national and international situation. The participation of the stakeholders was poor and people affected by these project were not satisfied with the projects. Thus, the projects carried on the acquired land are viewed negatively by the affected people since they consider that the process was unfair.*

Keywords: Valuation, Land Acquisition, Compensation, Satisfaction

1. Background to the Study

Basically, the value of a property is determined by its supply and demand and the same applies to the land values. Economic market principles determine what value any commodity will have at a particular point in time. However, in the property market the supply of property is relatively fixed at any one time. In order to increase the supply, more properties need to be built, which of course, takes time. Demand, in contrast, can change relatively quickly. Therefore, property values tend to be influenced by demand rather than supply (Kertscher & Voss, 2007); (Millington, 2000). In the real estate business, it is common to assume that the value and potential of a property is fundamentally determined by its location (Lahoz, 2007). Certain sites are attractive because they may have a beautiful view, shore and forests in the vicinity, good rail and road connections without noise and all kind of public and private services (Alemu, 2014).

The price of land allocates space among alternative uses. Failures in the allocative function of land values are directly related to many problems facing urban areas. Governmental decisions like land acquisition and compensation are aimed at solving these problems, however, it require specific assumptions concerning land values. The same may also be responsible for creating or exacerbating some social and economic problems within the society. A clear understanding of the determinants of land values during compulsory land acquisition must, therefore, precede the formulation and implementation of all land-related policies (Asabere, 1981). However, lack of reliable and up to date, non-transparent compulsory land acquisition and valuation procedures are

some of the main problems that threaten the proper and equitable implementation of land acquisition (Alemu, 2014).

Compulsory land acquisition is an important tool for land acquisition for public purposes although it can often be arranged through other means. For instance, compulsory land acquisition can be exercised through voluntary agreements (Alemu, 2014). Driven by the demand for economic development and improvement of the well-being of citizens, governments in every country maintain and exercise the power to expropriate private properties for public purposes. Every sovereign state maintains an eminent domain power to advance the interest of the public. (ADB, 2007).

According to the United Nations Comprehensive Human Rights Guidelines on Development Based Displacement, adopted in June 1997, compulsory land acquisition should only occur as a last resort. The states should refrain, to the maximum possible extent, from compulsorily acquiring housing or land, unless such acts are legitimate and necessary and designed to facilitate the enjoyment of human rights through, for instance, measures of land reform or redistribution. As a last resort, states consider themselves compelled to undertake proceedings of compulsory acquisition (Plimmer, 2008). The rationale for acquisition is that government needs land for: exclusive government use, for general public use, for any government scheme, social services or housing; for or in connection with the laying out of any new city, for the development of any airfield, port or harbour; mining for minerals or oil as per section 3 of the Land Acquisition Act No. 47 of (1967).

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Despite the suggestion that compulsory acquisition should be the last resort, the question of fairness and fate of the affected people have been a debate through many states. The International Covenant on Economic, Social and Cultural Rights (CESCR), comment No.4 and General Comment No.7 indicates that the state itself must refrain from forced eviction and ensures that the law is enforced against its agents or third parties who carry out forced eviction. It states that evictions should not result in individuals being rendered homeless or vulnerable to the violations of other human rights; and prescribes procedural protective mechanisms for evictees in those highly exceptional circumstances where eviction is unavoidable. However, many developing countries suffer from badly outdated compulsory land acquisition legislation, which makes land acquisition so costly and time-consuming that it is, for many purposes, almost useless. Without reasonable compulsory land acquisition legislation, it would have been difficult to maintain the interests of both the expropriator and the expropriated households in the process of compulsory acquisition. Even when most public acquisitions are in fact negotiated, an effective acquisition of land, law is necessary as a "back-up" possibility to prevent owners from demanding excessive prices (International Covenant on Economic, Social and Cultural Rights; (CESCR), 1997).

Over the past decades, the world has experienced a considerable growth of urban areas, the main agent being the population increase. In 2014, there were 28 megacities in the world with a total of 453 million people. When considering the global urban population alone, this means that megacities are home to only about one in eight (12 per cent) of the world's urban dwellers (UNDESA, 2014). In 1970 there was no megacity in the less developed regions, but by 2014 less developed regions hosted the majority of the world's megacities. By 2030, 13 new megacities are expected to emerge in the less developed regions: Ahmadabad, Bangalore, Chennai, Hyderabad (India), Bangkok (Thailand), Bogota (Colombia), Chengdu (China), Johannesburg (South Africa), Lahore (Pakistan), Lima (Peru), Luanda (Angola), Thành Phố Hồ Chí Minh (Vietnam) and Dar es Salaam (United Republic of Tanzania), (UNDESA, 2014).

Dar es Salaam city, like all other capital and business cities in Africa, has experienced a rapid urban population growth. According to Tanzania national census of 2012, there is a population of 4,364,541 increasing at a rate of 5.6 per cent per year from 2002-2012. It is projected that by 2030 the city will have a population of 10.2 million with the prediction to reach 76 million by the year 2100 (UNDESA, 2014). Nonetheless, the critical and immediate impact resulting from rapid increase of urban populations has caused rapid increase in the demand for urban land. As a result, land prices rise sharply and land becomes increasingly unaffordable and expensive to the urban poor in particular and general public in general (UN-HABITAT, 2008). However, demand for land is not only limited to households but also include government institutions which need land for different purposes. Section 3 of Land Acquisition Act of 1967 empowers the President of United

Republic of Tanzania to acquire any land for any estate or term where such land is required for any public purpose.

Nevertheless, compulsory land acquisitions from owners and users have everlasting effects on their lives especially if those people depend on land for their livelihood. In the peripheral areas of many African cities including Dar es Salaam, public land acquisitions deny these land owners their means of livelihood, hence, change their lives forever (Ndjovu, 2003). That is why there is a general reluctance and hostility when an attempt is made to interfere with established land rights because land is a peculiar institution, which occupies a central position in the social organisation of the community. Any attempt to change the existing land relations whether by compulsory land acquisition or whatever means is likely to meet the strong opposition even if such projects are implemented by the government itself (Ndjovu, 2003).

Likewise, conflicts used to emerge because land occupiers were not being involved or educated about the rationale for the valuation for compensation process and the method used to compute the compensation payable for land and other developments therein. Of recent, the responsible parties seem to improve the degree of involvement of the public. Often, land occupiers were not directly represented in key decision-making stages related to the compulsory acquisition of their land, this led to prolonged disputes particularly between public authorities and land occupiers (Kombe & Kreibich, 2006).

2. Statement of the problem

There are continuous complaints on the land values used for valuations especially when it comes to compulsory land acquisition and payment of compensation to land holders. Nonetheless, little is known about assessment criteria for property values during compulsory land acquisition purposes (Respius *et al* (2013)). There is limited information about how valuation for compulsory land acquisition and payments of compensation are administered, perceived and accepted among landholders and affected people (Wanyoike, 2014). An informed understanding is required about how entrusted agencies and officials are related with actors during land acquisition.

2.1 Main Objective

To carry out the detailed scrutiny of determinants of land values and how they affect people's decisions and economy during compulsory land acquisition projects.

2.2 Specific objectives

- To assess the process of land values determination during compulsory land acquisition process;
- To assess the level of cooperation and involvement of stakeholders in identification of fair land values for use in land acquisition and other decision; and,
- To identify the effects of land values on people's livelihood that emerges from land acquisition.

3. Literature Review

Experiences from previous Land Acquisition Projects in Tanzania

To start, there is a study carried out to examine the land acquisition and emerging issues from the processes siting areas of Nzuguni and Machimbo in Dodoma by Lupala & Chiwanga, (2014). In that study, the researchers adopted purposive and proportional sampling techniques to obtain reasonable sample of 85 respondents who were interviewed. It was observed that community members were not adequately involved in the processes as expected, hence, they did not effectively participate. Furthermore, for those who participated, it was noticed that their opinions were not considered. The study revealed that the valuation processes adopted the lower rates compared to the market rates and automatically produced unfair values. Also, the researcher recognised general procedural flaws and non-adherence to the laws by designated stakeholders who were responsible in handling the project (Lupala & Chiwanga, 2014)

Another study was carried out in Dar es Salaam specifically at Kurasini in Temeke Municipality by Cletus Ndjovu in 2016. This was aimed at finding out the causes, nature and level of dissatisfaction among the project affected people (PAP) in land acquisition programme executed at the mentioned site. In simpler term, it wasn't a question whether people were dissatisfied or not, the dissatisfaction was clear prior to that study. In that study, through interviews with the affected people and review of the documents at the Ministry regarding dissatisfaction and respective municipality, important observations were made. The study noted the inadequate compensation payments, non-adherence to the laws, unfavorable resettlement practices and the use of force by government and acquiring authorities to accept compensation. The lack of involvement of the affected people in the processes as confirmed by the denial of the right of the PAPs' to lodge their complaints over the whole project (Ndjovu, 2016).

Regarding the compensation assessment by professionals in Tanzania, the study was done to assess the compliance to legal provision of fairness by Felician Komu in 2014. The researcher attempted to review the compensation assessment practice focusing on intervention by donors and government. It also evaluated the extent at which the acquiring authorities in association with responsible professionals comply with the Land Act which demands full, fair and prompt compensation. Researcher conducted interviews with 45 people affected with acquisition projects and formal and informal discussions with officials at district level and Ministry on the matter.

It was observed that there is a big problem in land acquisition schemes in Tanzania anchored at the lack of common understanding of the processes and products involved. That was seen, in spite of conformation by the same study that the laws and respective stipulations appear to be explicit on the way the matters should be handled (Komu, 2014).

Experiences from other countries in general

Beginning with the degree of compliance of national standards and practices measured against the international laid out standards, Nicholua Tagliarino did a study on this aspect in 2017. The researcher looked into legal provisions at national level on compensation across 50 countries and regions of Asia, Latin America and Africa. The same was compared to the legal indicators based on international standards specifically on valuation for compensation. Such indicators were those asking whether laws require assessors to account for various land values when calculating compensation. Also, they needed to know the existence of legal processes that allow affected people to negotiate on the compensation amounts, paid promptly and are allowed to hold the government accountable through appeal to tribunals or court on compensation.

The study was based on the legal indicator analysis to produce results. Surprisingly, the study shows that most of the 50 countries/regions assessed did not have national laws that comply with internationally recognised standards on the valuation of compensation (Tagliarino, 2017). However, good improvements are hoped to have been done from then since many countries have been reviewing laws and policies from time to time.

Lesson from Ethiopia

The study conducted by Wubante Fetene Admasu aimed at identifying, demonstrating and analysing the practice of land acquisition and compensation payment in Ethiopia citing the case of Bahir Dar City, specifically on the surrounding farming areas. The researcher used a desk review and survey approach and through key informant interviews, questionnaires, focus group discussions and field observations were used to collect data.

The study arrived at the conclusion that compensation paid was not aligned with the principles of equity and equivalence. The same practice was observed in cases from Tanzania. It further observed the existence of procedural flaws in execution not limited to lack of expropriation order for the affected people, acquisition without prior notice exclusion of commoners from the processes including valuation processes. The professionalism of valuers was questioned since it was noticed that valuation for compensation was done by professionals without property valuation background. As a result, unfair values were unavoidably the resultant of the processes. Reasons for unfair compensation was enlisted to be absences of land -to-land compensation, use of non-qualified and in-experienced valuers and application of the valuation technique which ignores the current market prices among others (Admasu, 2014).

Another study cemented on the unfairness of compensation in acquisition programme in Ethiopia. It was a comparative study done by Daniel Weldegebriel Ambaye in 2014 for comparing and contrasting valuation and compensation practices, basically the methods adopted in Ethiopia and the UK. It looked at the level of satisfaction by the compensation in both

countries comparatively. The study used a method of micro-comparison which focused on the individual aspect of comparison. As expected and supported by previous study of the same country and other countries in the region, the results affirmed that the principle of “the full recompense of the property lost” was being observed in UK, while the same was not the case in Ethiopia. It pointed out the main reason to be that the land had no value to the holder as legally conceived (Ambaye, 2014).

Specific experience from Kenya

The situation in Kenya is like the surrounding countries in the region. Starting with the in-depth examination of compensation practices in Kenya citing a case of Meru-Marimba - Nkubu - Mitunguu Road Project in Imenti South, Sub-County of Meru County. The study was set to establish the determinants of land owners' perception on government's compulsory land acquisition. It employed the descriptive survey design applied through descriptive survey and qualitative research.

Like other countries in the region, it was observed that more than half of landowners were not aware of appropriate legal proceedings. Concerning with fairness in payments, owners were found to be unfairly compensated crumbed with procedure which were said to be unclear, unpredictable and unenforceable giving a loopholes for corruption. Consequently, many affected people disagreed strongly with the assumption that the compensation given would be enough to help them acquire of new land for their restoration. On contrast, the received amount were spent to other uses on claims that it was too low to keep them at the same level of life (Wanyoike, 2014).

Another study of the same nature in Kenya was done by James M. Muriithi in 2013 to review the existing processes and procedures of compulsory land acquisition in Kenya, specifically for road construction. Also, the study went further looking into the challenges facing the process of compulsory land acquisition in Kenya with referring to the same case. To arrive at the intended results, the study combined both quantitative and qualitative methods of research and analysed by statistical package for social sciences and Microsoft excel. Although the study came up with the results which were like those of his fellow researchers in the country, it appeared in a little different context. The results revealed the major problem to be revolving on delays and its associated cause. The study put forward that such delays are hinged on economic, social, legal, environmental and technical factors. Economically, the factors include lack of funds by the acquiring authority, poverty among landowners, inadequate compensation and poor facilitation for government officers. Legal challenges include litigations either challenging the process or succession cases. Socially; challenges were said to be family disputes, illiteracy, communication barriers and ignorance among the affected landowners. Furthermore, failure of stakeholders like professionals who were said to be failing to understand the laws of land acquisition. Environmental challenges were linked with the low level of expertise of valuers like lack of

experience by government valuers on how to value for non-economic uses such as religious, historical sites and cultural sites. Also, on technical challenges, the ministry lacked enough experienced personnel in land acquisition matters and limited research in the area of compulsory land acquisition in Kenya (Muriithi, 2013).

4. Conceptual Framework

To study the determinants of land values in compulsory land acquisition in urban setting of Tanzania, the study established various variables. Considering the facts provided from the reviewed literature, variables are grouped as dependent and independent variables and they are listed below:

Dependent Variable: Land Values in Compulsory Land Acquisition

Independent Variables: Site and its location, Neighbourhood, Accessibility, Legal factors, Property Potentiality and National and International factors. The following figure presents the pictorial description of dependent and independent factors to this study:

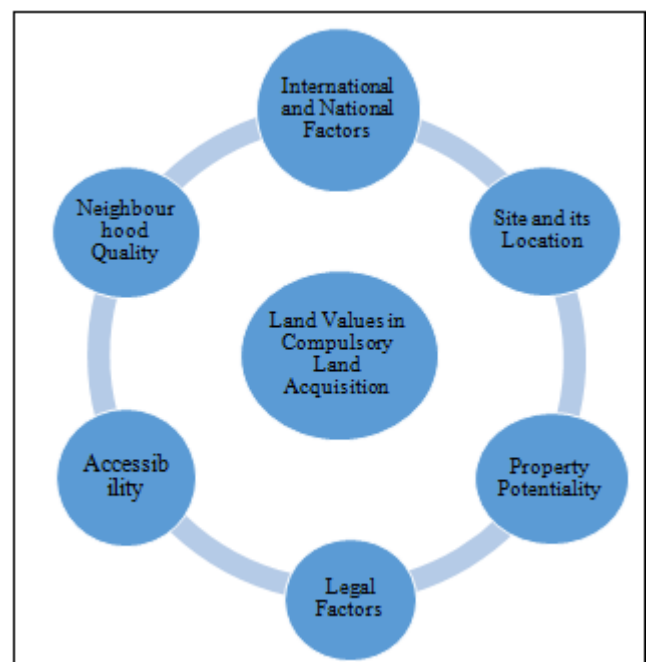


Figure 1: Conceptual Framework
Source: Author's Compilation, 2018

Research methodology

The study adopted the case study design where by two compulsory land acquisition projects were keenly studied, data were gathered and analyzed to answer the research questions. The mixed research strategy which combines qualitative and quantitative approaches was adopted. This research employed a sequential explanatory mixed strategy which starts with cross-sectional survey and thereafter phenomenology plays a secondary or supportive role in explaining the phenomenon.

Sample and Sampling Techniques

This research combines both probability and non-probability sampling techniques namely as random sampling and purposive sampling. Randomness ensures that the sample will be representative of the population as by Denscombe, (2007) and Creswell, (2014). Random sampling was employed in selection of land holders during land acquisition process. Purposive sampling technique is employed in deliberate choice of key informants sequentially after random sampling Denscombe, (2007) and Creswell, (2014).

Sample Size

The research adopted a random and purposive sampling technique in identifying the target population. Base on the available information from Ilala Municipal Council (IMC) and wards authorities from Kinyerezi and Kipawa, the possibly affected person were approximately 1000. Random sampling technique was used to select the sample from the population of 1000 respondents.

The formula used to arrive at the sample is $n = N / (1 + N \times e)$. Whereas 'n' is sample size, 'N' is target population and 'e' is standard error, thus with the standard error of 0.05 and target population of 1000 the sample size was planned to be 286 respondents. i.e. $1000 / (1 + 1000 \times 0.05 \times 0.05) = 285.7$ approx. 286. Thus, the sample size was planned to include 286 property owners viable for compensation. However, due to uneasy of reachability, change of residence uncertainty of actual compensatable persons, only 97 property owners were administered with questionnaires in Kipawa and Kinyerezi wards.

Alternatively, as put forward by Denscombe, (2007), purposive sampling is applicable to those situations where the researcher already knows something about specific people or events and deliberately selects particular thing because they are seen as instances that are likely to produce the most valuable data. In this case, five officials were purposively selected.

Data Collection Techniques

In this research, questionnaires were administered to homeowners to enable data collection in large extensive areas. Both structured and unstructured interviews were used to explore in-depth understanding of land values, acquisition and taxation phenomenon. Structured interviews, carefully script the interaction between interviewer and interviewees (Yin, 2009). Structured interviews were administered to selected 5 officials from Ilala Municipality and wards level (ward executive officer) after being informed from questionnaires responses.

5. Data analysis and Interpretation

Descriptive inferential numeric analysis methods and thematic analysis were used. The quantitative data specifically, were collected from the field, organised, coded classified and tabulated with the use of computer. Data were collected based on the Likert scale of 4 & 7 and the Relative Importance Index (RII) analysis was applied to analyse the data to obtain the

information. The inbuilt computer software of Microsoft Excel was used for RII analysis by applying the following formula: $RII = \frac{\sum W}{A \times N}$ ($0 \leq RII \leq 1$). Where by:

RII - is Relative Importance Index

W – is the weight given to each factor by the respondents and ranges from 1 to 4 or 7, (where “1” is “very low importance”, while “4” and “7” is “very high importance”)

A – is the highest weight (i.e. 4 and 7 as the case applied)

N – is the total number of respondents.

$RII \geq 0.5$ for any factor was considered important whereas the $RII < 0.5$ the factor was considered low to not important save for the cases where approximations were applied to the nearly positive.

The Likert scale for research question for the importance of factors influencing land values have numbers with assigned weight as follows:

7=Most important, 6=More important, 5=Important, 4=Moderate important, 3=Low importance, 2=Lower importance, 1=Very low importance.

The Likert scale for the reasons behind dissatisfaction in land acquisition programs had numbers with the following assigned weights as follow:

4=Most important, 3=Moderate important, 2=Low importance and 1=Very low importance.

Different methods which have been used to present the information after being analysed such as text, tables and figures.

Presentation and Discussion of Data

An overview of the Studied Case Projects

The two projects which were studied are located in Kipawa and Kinyerezi Wards in Ilala Municipality. In Kipawa ward, the project was the expansion of Julius Nyerere International Airport (JNIA) whereas in Kinyerezi ward, the project was the Survey of 3000 plots. The following are the details on each project:

The expansion of Julius Nyerere International Airport (JNIA)

This was a land acquisition project carried out by the Government of Tanzania through the Tanzania Airport Authority (TAA). It started in 1997 marked by the government declaration of the respective area to be acquired. The project based on the expansion plan affected the areas surrounding the existed airport and affected people in areas of Kipawa, Kigilagila and Kipunguni 'A' streets. However, this study was centred at Kipunguni 'A' street. The acquisition came as usual, with an order to the residents to stop making any improvement on land. It is noted that by this time, land acquisition processes were mainly guided by the Land Acquisition Act of 1967 contrary to the present where the Land Acts of 1999 dominated the operations of other acts in land matters.

From the Compensation Payment Committee's report of Ilala Municipal Council (Ilala Municipal Council (IMC), 2011) on

the month of October, the project was launched without enough funds to compensate the affected people. No budget was ever set by the respective authority for payment of the affected people until 2009/2010 financial year. That year, Tsh. 30 billion was planned as a budget for the whole project of expansion of JNIA and among these funds, Tsh. 10,415,279,000/= was set apart for compensation.

The information availed by the Ilala Municipality affirms that in 2009, the money for paying 856 people at Kigilagila was made available and up to 2011, 856 people equivalent to 99 percent had picked their respective payments.

By the time the acquisition announcement was done and consequent valuation to ascertain the fair value of the properties to payment made to the affected people, land value was not among the compensatable items in land law of Tanzania. This is because the existed law ignored that land has market value. However, by the time payments were made, land was one of the compensation item since its market value was being recognized by the Land Act No. 4 of 1999 having been in place. Therefore, it was only improvement on land which were valued.

Compensation to the lost land was done through provision of alternative plots. The government in cooperation with other stakeholders surveyed the land set for this project compensation at PuguMwakanga and a total of 860 plots were made available and distributed to respective people by October 2011. Those were previously farms owned by the people who resided in the same places. They offered their farms and received plots after survey equivalent to what their property values could be.

The area surrounding the airport where the expansion project taken place was not surveyed at large. However, the area of PuguMwakanga where the affected people were reallocated was well planned and surveyed before allocating people. The new occupants could own titles for their lands. The major problem was that the place had not yet been serviced by the time they were being occupied and the promise to service them was made by the authority. The same is being implemented progressively.

The Plan for PuguMwakanga had five streets namely Kigogo Fresh, Kinyamwezi, Mgeule, Zavara and Kivule. The following is the list of number of plots per land use as planned in PuguMwakanga as a new residents for the project affected people subject to the information obtained from Ilala Municipality.

Table 1: Land use as planned in new Kigilagila Resettlement

S/No.	Land Use	Number of Plots
1	Residential Plots	860
2	Primary Schools	2
3	Pre-school	2
4	Recreational	1
5	Markets	1
6	Institutional	1

7	Worship	4
8	Cemetery-Kinyamwezi	1
9	Cemetery-Nyeburu	1
10	Open Space	10
11	Public Buildings	1
12	Sports facilities	3
13	Sports facilities-Kinyamwezi	1
14	Waste disposal	2

Source: Project Data, 2018

Reallocation and its subsequent compensation had a lot of challenges and issues were raised. From the contacted people with the information from Ilala Municipality, the following are some of the challenges:

- Underpayment below the expectation;
- Absence of land titles for some people after being allocated;
- Allocation of people to unsurveyed areas and uncompensated areas; and,
- Encroachment of surveyed plots and occupying them.

Some of these problems were worked upon through series of committees and their subsequent meetings.

The project was phased out and there were a lot of people who were not yet paid. In the Kipunguni ‘A’ street, being the specific area of this study, the majority have not yet been paid. Also, they claimed that they did not have any information about what was going on.

The 3000 plots project in Kinyerezi ward

This was the Ilala Municipality based project aimed at surveying the land in streets of Kinyerezi and Kifuru. KifuruStreet was the centre of our study for this project. The project was initiated in 2009 by Ilala Municipality and it was aimed at surveying the land in these streets and produced 3000 plots to be sold to the public. Upon launching this project however, the Municipality had called for a loan of Tsh. 10 billion from the MLHSD.

The ministry provided only Tsh. 400 million which was very small to facilitate the project as expected. Consequently, the project was phased the 2000 plots phase began. By 2009 the plots were in various processes of being surveyed and only 176 plots had been surveyed and their compensation paid ready to be disposed. Among these, 147 plots were in area with buildings and the owners were privileged to keep the same plots as part of their compensation. Also, 158 plots were in land occupied by 62 people who came out for valuation and they had a privilege to buy plots at Tsh. 7,000/= from Tsh. 10,000/ per square meter set for other ordinary buyer.

Discussion of the respondents and pre content information Response Rate

The study sampled out a number of 100 people to be reached and successfully 97 respondents out of planned 100 were contacted. Out of the contacted sample, only 67 responded giving a response rate of 69 percent as shown in the table below. Such response rate proves to be adequate for this study

and has convinced a researcher to draw conclusion out of the findings from the responses.

Table 2: The response rate

Reached Sample	Responded	Response Rate
97	67	69 %

Source: Survey data, 2018

Previous researchers and academicians support such level of response to be sound enough for the study. For example (Frank & Richard, 1994) suggest that a response rate of 20 percent and above and can form a base for data analysis. Also, Mugenda, (2003) agreed that any response rate above 50percent in the studies of this nature does fit the statistical reporting as for this study.

Determinants of Land Values

Determination of the market value of real property is critical activity requiring a professional advice. This is anchored on the aspects of real property being with the highly imperfect market. This makes information about these property unavailable and operates on secrecy save for professional valuers who hold a great deal of skills to investigate and arrive on market value. However, every one interested can possess certain understanding on the real estate market including what are things behind variation of property values.

Coming to compulsory land acquisition, it is important that project affected people possesses at least primary information on what are considered by the consultant in determining what may be their compensation. This helps them to discern whether they are fairly compensated or there are some things unconsidered or unduly held. The study sought to understand whether the project affected people in the respective project had a proper knowledge on what determined the property values. The table 2 below briefs their judgment to the land values affecting factors through Relative Important Index analysis:

Table 3: Value determining factors

Value Determining Factors				
Factors	Total Responses	W	RII	RANK
Site and its location	63	414	0.93	1
Neighbourhood quality	63	326	0.74	3
Accessibility	63	178	0.4	5
Legal factor	63	392	0.89	2
Potential of a property	63	220	0.49	4
National situation	63	135	0.31	6
International situation	63	119	0.27	7
W = Total score for a factor				
RII = Relative Importance Index				

Source: Survey Data, 2018

Property site and its location

The respondents had ranked the property site and its location to be the first factor affecting the property value with 0.94 scores. It implies that with the property located to a well situated site with improvement which were in good condition

was expected to receive a higher payment compared to the one located at undeveloped and bad condition. This present the view of the respondents who were the project affected people and were considered laymen and women by valuation professionals. However, such ranking concur with the professional view from Ilala Municipal Council and other literature who put the location the first factor. The same tells that the respondents seemed to be aware of what might cause the value from one property to another to differ.

Legal factors

This factor was ranked the second determinant by the respondents scoring 0.89 index. The practice is different as given from the professional perspective. In spite of its importance, the legal factor could not come before accessibility and neighbourhood. Untitled plot, for example, in good location and accessible surrounded by the well-developed neighbourhood was likely to fetch higher value than the same with the title but inaccessible.

Neighbourhood and Potentiality of the Property

Neighbourhood might have been properly ranked by respondents being the third with the index of 0.74. Such ranking concurs with the perspective of the respondents from professional side who emphasised that the neighbourhood had higher influence to property value. The same applies to the potentiality of the property whereby the respondents had ranked the fourth with index of 0.45 approximately 0.5 to prove its importance. As the property potential includes the use of the property and the prospective potentiality. It increases the validity of the awareness of the property value influencing factors.

Accessibility

Accessibility of the property as important as in valuation practice, was ranked by the respondents at the 5th position with the index of 0.4 worth of being considered as not important factor in the eyes of the respondents. However, this is contrary to the reality since accessibility is set at the second position after location and the same goes together in influencing the value of real properties. The influence of property accessibility cannot be marginalised in the process of value determination as pointed out by valuation experts.

National situation

This factor has ranked the sixth factor with an index of 0.3. This ranking by respondents goes together with the professional view. The national situation implies a lot of other combined factors like peace and security situation at national level. The major government decisions like enactment of new policies and laws with impacts to property values. Also, the general economic condition of the nation is implied within this factor. However, the situation has a great impact though it is true that such impacts are too general, compulsory and not common. Consequently, overridden by other factors.

International Situation

Lastly, the international situation is one of the value influencing factors as ranked by the respondents to be the seventh factor with the relative importance index of 0.26 and far away from 1. Being below 0.5, the factor could be considered as unimportant. However, the same has a great influence over the property and contains factors like the international peace, international relationship, regional and interregional economic situation and the like. As applied to national situation, the same ranks below the importance line because its influence takes time to be felt by the property.

Overall judgment of factors determining land values

The overall judgement on the factors affecting the value of the property during land acquisition by the respondents who are considered laymen to valuation professional shows that they have considerable understanding on the factors determining the value of their properties. Such conclusion is arrived by comparing their judgement with views of the professionals in property valuation obtained from the Valuation Section of Ilala Municipal Council. The stakeholders provided a similar pattern on the factors affecting the property value. The list in order of their importance, similar to what respondents had given to rank is as follows:

- Location;
- Accessibility to the property;
- Neighbourhood quality;
- Plot potentiality;
- Legal factor;
- National situation; and,
- International situation.

Assessment of property Values

Assessing the land property value is a professional work carried out by the valuers observing the laws, valuation standards and the market response to the situation. With specific reference to assessment of fair value for compensation, valuers observe the Land Act. Section 3(1)(g) of the Land Act 1999 requires that the compensation should be full, fair and prompt payable to any person whose interests in land has been interfered.

The same law goes further stating that the base for assessment of value should be the market value of any land and unexhausted improvements thereon. Also, it states that the value shall be arrived at the use of comparative method evidenced by actual recent sales of similar properties. Since this may not be possible every time and it requires the availability of data on the comparable, the act allows the use of other methods permissible by international valuation standards, such as income approach or replacement cost method where the property is of special nature and not saleable.

In land acquisition in urban settings of Tanzania, the attainment of full, fair and prompt compensation is still under doubt. Referring to the project under study, the payments were not promptly paid since it is more than 10 years now some

people have not yet been paid. The high degree of dissatisfaction among respondents indicates that the payment was not full and fair. This is not far away from other African countries where it is also claimed that there is unfair compensation in land acquisition issues. The comparable analysis from the comparative study on compensation assessment between Ethiopia and United Kingdom by Tagliarino, 2017 revealed the underassessment in Ethiopia. The study claimed that the reason was mainly the exclusion of land as property with compensable market value. This signals the continuation of unfairness in assessment in the East African region including Tanzania.

Cooperation and involvement of stakeholders

The process of land acquisition specifically in Tanzania is called to follow all laid legal procedures. The whole exercise is guided by the Land Acts (No.4&5) of 1999, Land Acquisition Act of 1967 and Urban Planning Act of 2007 among other land and planning and land laws. However, they are subject to the mother law, the Constitution of the United Republic of Tanzania. The constitutional provisions are in agreement with international accords on human rights, especially the Human Rights Convention and its subsequent provisions.

To ensure the fulfillment of legal requirements, various stakeholders are directly responsible in the processes of land acquisition in their areas of their jurisdiction. These stakeholders include the central government, local governments, independent professionals, the acquiring body and the property owner. In line with the projects under study, the special concern is posed to the Minister and the Chief Government Valuer. Local government implies the Ilala Municipal Council, Kipawa Ward and Kinyerezi ward. The acquiring bodies are Ilala Municipal Council for the Kinyerezi Project and the Tanzania Airport Authority for the Kipawa (Kipunguni A) Project. The following are the roles played by the aforesaid parties subject to the consultation made by the researcher with their representative with the views of the project affected people in some aspects.

Central Government

In administering the Land Act at the compensation project, the Land Acquisition Act no 47 of 1967 gives power to the President to acquire land as per section 3 for public purposes. Moreover, the Urban Planning Act of 2007 approves expansion of urban centres. In abiding by the provisions of Urban Planning Act in section 8, the Minister responsible for land matters is empowered to declare the planning area. Such declaration is upon application of the acquiring authority having gone through stages and scrutiny by the local government and adhered to recommendations. Then, having deemed fit and considering the advice from subsequent parties, the Minister makes the declaration through the government gazette. This goes hand in hand with specification of area to be acquired, purpose, statement of the acquiring body and ordering the owners not to progress with any development.

The procedures were followed accordingly in Kinyerezi-Kifuru project until the declaration of the area to be planning area. The same was done in Kipawa-Kipunguni area. However, the views of the respondents are negative regarding the procedures since they seemed not to have been properly informed over the intention of the project. They claimed to receive the order not to proceed with any development which was a stage of declaration. Another area which questions the efficiency of the Ministry in declaration from the general public is the elongated acquisition period without any statement and wherever there was a statement there was always no implementation. This is proved by the fact that the Tanzania Airport Authority land acquisition project started in 1997/1998 when people claimed to have received orders not to develop. From thereon, there had been series of activities which were not clear to the majority of residents including:

- Claims of underpayments by those who had been paid;
- The delayed payments of which there were a lot of people who were not yet paid;
- Lack of involvement at that time, whereby the residents at Kipunguni who were affected claimed they knew nothing to be going on since they were given stop order. They witnessed others being paid and some structures being destroyed; and,
- There have been court cases by PAPs against the proceedings in either project some of which the court decided in their favour like the one of Kinyerezi in 2010.

The results concur with the study from Dar es Salaam by Ndjovu in 2016 specifically at Kurasini land acquisition project in Temeke Municipality. This study observed that the government approved under-assessed value and forced people to accept payments. Nevertheless, the study from Kenya by Wanyoike, (2014), observed that the affected people had no chance to put forward their complaints to court or tribunals.

Local government

Ilala Municipal Council is the local government authority where both projects under study are found. The Council is responsible to cooperate with the acquiring authority and link it with the public under the project. On the other hand, they are responsible to supervise and ensure compliance to the law by either parties. In the Kinyerezi-Kifuru project however, the same was the acquiring body aimed at planning and surveying the land. When questioned on the public complaints such as project delay, claim of underpayments and partial payments, the project supervision committee as a representative of the municipality, ward leader and municipal valuer agreed that financial issue was the challenge and it was still a challenge. Again, the change of laws brought the confusion to the Kipawa project since the initiatives were on the past laws before the 1999 Land Laws (Land Act and Village Land Act), when it came to further implementation including assessment and payment, it raised a challenge regarding the question over under which law should the whole exercise adhere. Worse enough, most respondents claimed that they didn't know exactly what was going on.

The role of the ward level local government cannot be overlooked. While this level receive instructions from above, the same is close to the people and can also raise important concern on behalf of the majority. Some people appreciated the role of local government, whereas some had lost confidence in their assistance. In Kinyerezi-Kifuru project, the respondents claimed that the local government brought papers calling them to fill information of their property without initiating any awareness, the same area appreciated their cooperation when they were needed to join together to seek justice from the court.

Independent Professionals

Special concern is on the valuation firms and individual valuers who are called to ascertain the property value through which the acquiring authority have to pay an individual. However, in the 3000 plots of Kifuru and Kinyerezi in Kinyerezi Ward the municipality was the acquiring part and the same was the valuing agent. This is one of the areas which raised questions from the occupiers regarding to the legal compliance in valuation for compensation. In this situation, there are some issues under question including:

- The independence of the valuation agent who was the valuation section of Ilala Municipality, the authority which was the acquiring body; and,
- The lack of involvement of the project affected people from the initial stage as the result they stood against the project until the municipality came down to explain the project. At one time, the project affected people filed a case against the project procedures including lack of involvement and the judge decided in their favour. The judge stopped the local government from carrying out any project and allowed the land owners to continue with their operations over their lands.

The inconveniences have been resolved from time to time through court and common agreement between the municipality and the land owners. However, the general status of the project by the time of carrying out this study, the project had stopped and the municipality is planning to start afresh.

They prepared the schedule and processed it accordingly through all levels of scrutiny including the Chief Government Valuer's Office, then after, they submitted the schedule to allow further processes.

When responding to complaints regarding to user payments, two issues were raised by the municipality and affirmed by the study among many:

It is obvious that people claim a little better sometimes than the reality. They try to influence the amount to be paid. This concurs with the response from the respondents when asked when they would like their property to have high value. Of them, 45percent preferred that during acquisition while no one opted the same in taxation and purchase; and,

The time of payment is another thing. The representative of the company question that if the valuation which the company

carried out in nearly 10 years ago are not yet paid, how will the authority pay adequately and fair?

Nonetheless, the affected people throws burden that there are diligence not exercised by valuers including exclusion of some development are not disclosing the detailed valuation schedule.

The Valuation Consultants

While according the modern developments in consultancy, typical exercises involve private consultants in most cases as opposed to former practice where government bodies did it all. Majengo Estate Developers Ltd is a valuation firm which carried out the valuation for the JNIA expansion project. They carried out the valuation to ascertain the market value of the property for compensation. The compensation schedule was prepared and approved by the Government Chief Valuer. The same values which is subjected to complaints of being unfair till today. The practice in Tanzania since long time proves to have made one step ahead by involving private firms as professional consultants in valuation activity. This is contrary to what was observed in Ethiopia by Admasu, (2014) where the project involved the non-qualified so called valuers and the inexperienced ones. The same could not be checked having based on the government side.

Concerning the question of possibility of unfairness, valuers for the project, noted by the Municipal Valuers and the available evidences held the values to be fair. The query was put to the delay of payment to be a possible source of unfairness if any. The approval of the valuation schedule by the authority affirms that they abode by the valuation standard and the comparative and replacement cost methods were used to arrive at the value. The legal provisions on valuation for compensation by the time of acquisition have to be put in consideration. Before 1999, land in Tanzania was considered to have no value.

The change of laws from the time the valuation was carried out and the time these payments were being made was likely to be another source of such complaints. Consensus on some raised issues and revaluation arrive at the current market value were suggested to solve those issues.

Acquiring Authority

It is expected that the acquiring authority is well prepared both technically and financially to carry out the whole assignment successfully. However, the prevalence of complaints and elongated delays due to various issues signals the possibility of inability which results to inefficiency. Financially, the acquiring authority is expected to collect funds from various sources prior to the instigation of the processes or within they proceedings but with prior consent from financiers. Technically, some activities may be carried out by the in-house technical staffs, whereas some requires hiring of independent bodies. The good example is hiring of valuer during land acquisition. More issues raised against the acquiring authority are:

Shortage of funds, main impediments

The project which was carried out at Kinyerezi and still in progress, the case valuer was the valuation section of Ilala Municipality. Financially, the project had a great trauma since the municipality requested Tsh. 10 billion as a loan to fund the project and only Tsh.400 million was obtained by 2009. This was to fund the project which began in 1997/1999 as reported in the minute of the project committee's meeting which sat in April, 2011. This shows extent at which finances were a big problem and a major source to turn it off. There have been the continuous problems in other countries as also noted and recommended by Muriithi in (2013) in Kenya that the acquiring body lacked enough funds to run the project smoothly.

The Kipawa project seemed to face the same financial challenges. It was projected to use internal financial source of which up to 2011 no payment had been done. It was the same year when the payment was done. The available information from Ilala Municipal Council and Tanzania Airport Authority supported by interviews from the same declare that payment was done up to 99 percent in phase two. This was done in spite of the fact that phase three is still in preparation to be carried out and the lack of fund is still the major obstacle.

Lack of involvement is another claim against the acquiring authority

The residents on site claimed that they were not informed on what was going on. Some said that they were still living on order not to develop their land parcels without knowing exactly when they were going to be paid so that they could leave their places. These were said regardless of the authority claiming that they did by phasing the project and they were preparing to implement the third phase. The following table portrays the situation of payment among the respondents as in Kipawa and Kinyerezi.

Table 4: Payments among respondents

Paid	Not yet paid
26	41
39 %	61 %

Source: Survey Data, 2018

General observation

Based on the prolonged operation of the projects in both cases, many issues have emerged. Valuations were carried out in 1999 as in the case of the Kipawa Project and payments were done in 2011. This caused many complaints about underpayments. As a result, the level of satisfaction is very low ranging from neutral to unsatisfied.

General Satisfaction

When questioned to what extent are these affected people satisfied with the payments, its only seven (7) respondents equivalent to 27 percent were in neutral sense of being satisfied whereas the remaining 19 responding matching to 73 percent of the paid respondents were totally not satisfied.

Reasons for not being satisfied

The level of satisfaction by the acquisition projects to the affected people was very low as portrayed by the above results. The question of satisfaction is held by more than one factor. These projects under study were at various levels of progress with nearly the same age. Most Factors for not being satisfied were low or delayed payments, lack of clarity of procedures and uninformed procedures and progress. When given a list of these factors with a Likert scale 4 to rank them, the respondents' results were as detailed in the table below:

Table 5: Results of the factors in Likert scale

Criteria	Low Payments	Delayed Payments	Complexity of procedures	Uninformed Processes
Scores	78	201	167	149
Total Weight	268	268	268	268
RII	0.2910	0.7542	0.6231	0.5559
Rank	4	1	2	3

Source: Survey data, 2018

The delayed payment protrude to be the most burning factor with RII of 0.75 since most respondents were not yet paid and are not informed what amount they could receive while the JNIA project has nearly 20 years from the acquisition order. Complexity of procedures of which the affected people were not aware of, ranks the second scoring 0.6 followed by the unavailability of information to the plot owners with RII of 0.5. This is true due to the fact that most respondents did not know exactly what was going on in spite of the clear progress report availed by the municipality and the acquiring parties.

Again, in both projects, some land owners sued the acquiring part in the court of law. The decision by the court as in the Kinyerezi project was to stop the acquiring part and waving the acquiring order. This allowed the owners to continue with their ordinary use of their land. This situation continued until when the two parties sat together and resolved some matters and implementing the part of the project.

Low payment is the greatest and common complaints of these projects as evidenced by the reports and ongoing cases against the acquiring party especially the TAA project. However, the same has ranked last with very little importance. This is, but not the case since most respondents were not yet paid. Also, it is claimed by the respondents that most payments were low and claims proceedings are very consuming. The same throws the burden to responsible stakeholders namely the acquiring parties and the government bodies and agency for not supervising the whole projects.

Awareness to Acquisition Procedures

People claimed that they were not being informed of what was going on in these projects. This means that they were not involved by the acquiring and government parties including the government agency and independent professionals. The figure below shows the degree of awareness to the land acquisition processes based on how they were involved.

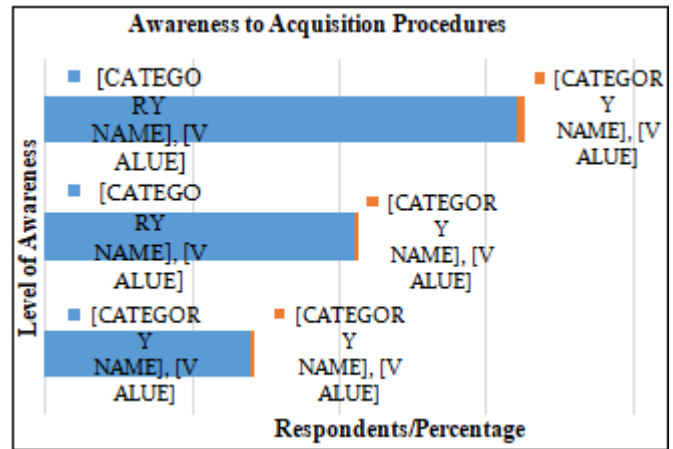


Figure 2: The awareness to acquisition procedures
Source: Survey Data, 2018

As observed in the above graph, 32 respondents were totally not aware whereas 21 were partly aware and 14 respondents were aware. Some respondents said that they did not know the authority and people who did valuation of their properties. Others said that they didn't know whether there were valuation carried out in their properties but they saw people coming in their places and writing numbers on their properties as reported by Kipunguni respondents claimed that they didn't know how much they would be paid. This is the same project where the acquiring authority and the municipal authority said that the valuation took place through the Valuation Company, schedule was prepared and 99percent were paid in phase two of the project. The question of awareness is the shortcoming to many African countries considering the evidence from Ethiopia by Admasu,(2014)and Kenya by Muriithi,(2013) serve as examples.

Expression of awareness

Respondents seemed to be aware on matters regarding valuation, the need for their plots to be surveyed, property values and the necessity of fair payments. They also talked about the necessity of being involved from the initial stage, something which seemed to put the project to huge cost. The respondents from the affected area said that they were issued with forms from the local government at street level to fill the information about their properties. That was the first information from which they organised themselves and began agitation before the higher authority coming down and narrating the whole project. Generally, such views question on the role played by the stake holders.

Effects of land Values on people's livelihood as emerging from land acquisition exercise

There are two major cases of discussing land values as submitted by the Ilala Municipal Valuers. The first case is the impact of the payment as the value of the acquired land and the second is the impact brought by the value of new residence. Based on the case study areas, both scenarios are relevant and they seem to operate in opposite direction. The following is a detailed explanation of how does the land value affect negatively the livelihood of the people.

Over expectations

The project affected people expected their lives to improve from the compensation but this was not realized as it was not the intention acquisition authority. Respondents from the Ilala Municipal Council said that the core intention of compensation is to maintain the standard of life of the affected person. It is never intended to make anyone's life better than before. The same is what is referred to as the principles of equivalence and substitution. However, the expectations of respondents were bit different since they had various expectation of values.

The respondents preferred the value of their properties to be higher during sale. Another preference to high value was during expropriation and no respondent who preferred the value to be higher during sale or taxation valuation. The case of higher value preferences as a graph below shows is an evidence of such expectation. As it may be noted from the graphs below, 37 respondent equivalent to 55percent preferred high values during sale, whereas 30 respondents being 45 percent had preference to high values during expropriation or compulsory land acquisition. Fifty three (53) respondents preferred their properties to have lower values during taxation whereas 14 respondents preferred their lower property values during purchase.

Acquisition procedure, delayed payment and under payments

These are major factors which cause current payments to have negative effects to the project affected people. The study discovered that both projects under study began in late 1990s and 2000s respectively and it was during that time when the valuation was done. From then, people were not legally permitted to make any development in those plots rather than waiting for payments to vacate. Then, payment takes a very long time and the adjustment was made is subject to be under the current value the property could fetch. Consequently, the lives of these vacating people are put at risk of inability to raise another house to maintain the lives they had prior to acquisition.

The effects of land values on the new residences

These can be felt in the perception of the affected people and hope of the resulting project. The response of the residence in Kinyerezi, the area where the project is being carried out shows that all (100 percent) people were ready and welcomed the planning and surveying of their lands. This indicates that they had hoped in post-acquisition life in their planned and surveyed lands. The major issues were basically the procedures which were said to have excluded them and the mode and amount of payments over their lands to be surrendered.

While testing whether they knew the importance of having their lands surveyed, the respondents concurred with the truth saying that they had land titles, they could secure loans from banks and they would have their land more secured than it was. All these were stated while aware that due to the survey expenses the pieces of land which they were likely to receive

after surveying are likely to be small compared to what they then owned. Still, they preferred surveying and this implies that if the exercise was properly carried out, the value of their new land was likely to improve their lives.

The observations and responses from the residents of PuguMwakanga who were formerly the residents of the part of the project at Kigilagila, show that their lives were improving. Physical and environmental pattern had changed, land had titles and they were secured compared to the past where they lived in unplanned settlements. The same people had complained of underpayments and delayed payments but they were happy to be relocated to the planned areas.

General conclusion

The study aimed at examining the determinants of land values during compulsory land acquisition and their associated impacts to the livelihoods of the project affected people. In so doing, it has looked into the determinants of land value with specific reference to the two studied cases. It also got in-depth of the roles played by key stakeholders to land acquisition processes and lastly, questioned the effects of the ascertained values to the affected peoples. The following is a conclusive comments on the specific issues as examined by the study.

Determinants of Land Values**Public awareness on factors determining land values**

Starting with whether the project affected people were aware or not with what was considered when arriving at fair values of their properties specifically in land acquisition, people had a considerable understanding. The results of factors ranking from the affected people in the projects under study gives no much difference with the professional view. The public view arrange the determinants of land values in the manner of their importance matches with the professional views to some extent. The respondents in the affected areas arranges the factors as follows:

Site and its location;

- Neighbourhood quality;
- Accessibility;
- Legal factor;
- Potential of a property;
- National situation; and,
- International situation.

The same is measured against the professional facts from Valuation section of Ilala Municipality. The professional fact is as follow:

- Site and its location;
- Accessibility to the Property;
- Neighbourhood quality;
- Plot potentiality;
- Legal factor;
- National situation; and,
- International situation.

Such results indicate that the residents of the affected area had considerable understanding regarding the factors which determined the property ownership. Also, they could have a proper discernment on why someone received greater than another. Such ability was helpful since it checks unnecessary complaints of favouritism during payments.

Value assessment processes

The valuing agents, Majengo Estates Developers Ltd seemed to follow the necessary procedures as affirmed by the Ilala Municipality and the approval from the Chief Government Valuer. They exercised diligence as given by recognised valuation standard and interpreted in the land law of Tanzania. This indicated that if a valuing unit operates independently, it is asserted that the resulting figure will be most likely fair to the affected people.

The complaints to unfairness in value

There is a valid argument from the affected people on the degree of fairness on values paid, and may not necessarily be the values arrived during the assessment process. The 3000 plots in Kinyerezi Ward left the question of possibility of having the fair valuation exercise if the acquiring authority and the valuing authority are primarily the same. Ilala Municipality was the one acquiring the land for planning, whereas the valuation section of the same municipality did valuation for compensation. In addition to that, the same authority on the same project experienced a serious shortage of funds whereby out of 10 billion requested for the project, only Tsh.400 million was provided which was equivalent to 4 percent.

How much was being paid?

From the both projects however, there had been the question as to what was being paid. The major concern had been whether the payments amounted to the current market value of the property by the time the payment was made. Delayed payments were behind this argument. If the area which had a stop developing order since 1997 and valuation took place in the same year, then, the affected people are paid in 2010s, is there any fairness? The delayed payment as evidenced in these case studies is the source of the complaints regarding underpayments. The Land Act provides for the 6 percent interest rate yearly of which the paying authority and respective committee said they abode. However, whether the resultant value according to what the market could offer or not, the responsible body could not affirm. Thus, in spite of complying with what the law says, it is important that the assessment fits the market value to let the payees able to afford life as the purpose of compensation.

Cooperation and involvement of stakeholders

Referring to the participation of concerned authorities in the respective projects seems good but limited with many challenges to the extent that the majority consider that they were not playing their role. Financial incapacity seems to be the major obstacle to the municipality project in Kinyerezi. The ward and street leadership were sometimes excluded in initial plan, while they were expected to play many roles. They

operated on orders and when the citizens questioned they found themselves not in a position to cater the need of their subjects. There might have been improvements in carrying out the like assignments but when referring to the cases under study, the public involvement was very minimal.

The top government officials especially at the Ministry and Chief Government Valuer's Office were doing their good job. However, when there was an incidents of delay, the public question their positions. Local governments at the municipality level were highly looked by the general public. Regardless of the challenges, they were expected to supervise the exercise and if necessary call for assistance from above contrary to what was seen in these cases whereby the affected people conclude that the municipality is not on their side.

The acquiring authority as a paying authority as assessed in both projects has portrayed lack of preparations especially financially. As a result, all projects experienced delays in payments and completion which had automatically affected the project affected people.

Effects of land Values on people's livelihood as emerging from land acquisition exercise

Effects of the paid values

Much as these are delayed payments and even the interest rate applied as per the law, they seem not to be able to give the market value. Consequently, almost every payments were crippled with complains. Apart from delayed payment, there was a great problem of delayed implementation of the projects themselves. This put life of the people in economic trauma. In the case of JNIA of Kipunguni A, people were prohibited from making any developments since 1998 till the time this study carried out and no payment had been done yet to some residents. Worse enough, nothing is known from the authority regarding to when these payments will be made. For example, some people were in construction of their residents, but due to the stop order, they stopped construction activities and up to now those buildings are dilapidated, while they have not been paid. At the same time, few who had been paid, there was an indicator that they were being paid below the possible market value.

The arrived values after valuation if paid promptly and legally, they are likely to improve livelihoods of the affected people. The case projects have primarily been crippled by lack of funds and the time value of money has made the amount paid to be as small and beyond expectation.

The state of life in new residence

The areas where the affected people get to occupy are always planned and improved the land ownership status from their previously unplanned settlements and they, therefore, enjoyed the associated benefits. Physically, there was an improvements as already mentioned. However, these new residences always are not serviced with water, electricity, sewage systems and road facilities. These services follow people after they have occupied while the places they vacate are always serviced.

Therefore, people prefer to stay in planned areas with services, if the resettlement projects and the planning programmes are properly handled, the lives of residents are improved.

6. Recommendations

Value determination and its fairness

It should be compulsory practice that the acquiring authority, the supervising authority and the valuing agent in compulsory acquisition be independent and separate as far as possible to increase the chance of appropriate checks. It is not the preferred experience as to what took place in the Kinyerezi 3000 plots project whereby the municipality did valuation on its own and resulted in suspicions from the affected people.

The legal provision of 6 percent interest rate should be reviewed since it is proved not to result into market rate. The provisions of the Valuation and Valuers Registration Act, 2016 require revaluation after two years of first valuation. This may give the relief to the long unpaid values appreciated by the interest rates regardless of the resultant values.

The role of stakeholders

It is recommended that each stakeholder should be responsible in fulfilling the roles legally given. Key solution to most complaints associated with compulsory land acquisition is involvement and promptness. These are highly crumbled with lack of preparations adequate enough to involve all stakeholders and implement projects promptly including paying the affected people.

The governments at all levels are responsible to ensure that every step is thoroughly made in compliance with the law. In context where the authority like a local government is in direct interest in a project as is in 3000 plots of Kinyerezi, the independent expertise should be hired to ensure fairness like it was in the project of JNIA. The local government should put itself in a position to ensure that all procedures are followed.

Professional independence

The involved professionals in acquisition projects should be independent enough to exercise their diligence including the one expected in valuation. Also, much as the acquisition is done primarily by the government, the independence of the Chief Government Valuer is under question. It is advised that there might be the more independent body, totally desalinated from the government to crosscheck the resulting land values.

Financial challenges

The question of financial limitation of the acquiring body is not a surprise. Upon decision to acquire land, the responsible body must be clear of where, when and how the whole project will be funded. If the funding is unstable and it may take long time and in phases, the declaration of acquisition should also be phased. This will allow the people to proceed with their ordinary lives until the funds are available to carry out the whole project and accomplish it promptly with little impact on the affected people.

Necessity of involvement

As provided by the law, the people to be affected by the project should be involved fully at every stage. This is very helpful even in case there is something to hamper the progression of the project, the two parties the acquiring and the affected can sit and come to agreement. The Kinyerezi project had this problem at the beginning but since they involved people, they were able to reconcile on various matters on the table. Until the time of this study, the project stopped on agreement that people who were already paid should return money and the municipality shall start afresh with the project. Without involvement of the people, the project could operate on force and the impact could be worse as unexpected.

Impacts of land values to the project affected people

Everything possible should be done to ensure that the compensation is full, fair and prompt as provided by section 3 of the Land Act no.4.(1999) Most people are negatively affected by the acquisition exercise because one or either of those principles of compensation is overlooked by the responsible stakeholder. Full compensation is anchored to the financial base of the acquiring authority carefully checked by the government with the involvement of stakeholder as required by the law. Fairness is attributed to free independent assessment, independent approval and timely payment whereas promptness is the product of carefully planning and strong supervision assisted by cooperation from all stakeholders having been involved.

7. Areas for Further Study

There is a need to careful study the validity of the 6 percent compound interest rate in case of highly extended payments. There is a need to examine whether the 6 percent as recommended by the Land Regulations, (2001) to be applied after (six months of valuation date) valuation date bring the market value of the surrendered property.

The study query on the independent of the valuation agent and valuation approving authority especially when the government has a closer interest with the project. The same suspects is a chance that there is chance of unjust judgment. Nonetheless, the legal and professional views consider such scenario appropriate. They assume that a professional like the municipal valuer, as in our case, can be independent from the municipality. Also, the Chief Government Valuer is assumed to be independent from the possible pressures and undue influences from the government in scenario when the government is closely interested in the acquisition project. This require and in-depth look to prove its possibility and validity in all possible contexts.

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List of Acts

Valuation and Valuers Registration Act, 2016
 Land Act No.4 of 1999
 Village Land Act No. 5 of 1999
 Land acquisition Act No.47 of 1967
 Urban Planning Act of 2007
 Constitution of the United Republic of Tanzania, 1977
 Land Regulations, 2001

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