

# TANZANIA ELECTRIC SUPPLY COMPANY LIMITED



## **RESETTLEMENT ACTION PLAN (RAP) FOR THE PROPOSED CONSTRUCTION OF 400KV TRANSMISSION LINE FROM NYAKANAZI TO KIGOMA AND ASSOCIATED 400/132/33KV SUBSTATION AT KIDAHWE KIGOMA**

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## **EXECUTIVE SUMMARY**

### **ES.1 Introduction**

The Kigoma region is among the 26 regions of Tanzania Mainland. The region is situated in western Tanzania and it borders the Democratic Republic of Congo (DRC) with Lake Tanganyika to its west, Tabora and Geita regions to its east, Kagera region and Burundi to its north and Katavi region to its south. Its economy is primarily agricultural based with large population engaged in subsistence agriculture farming apart from other activities like fishing, beekeeping, and livestock keeping. Kigoma Region has a lot of potential for development but the underdevelopment of economic infrastructure such as roads, unreliable rail and air transport and inadequate supply of electricity has been the most significant barrier to industrialization and socio-economic development of the region. The Government of Tanzania has been taking various measures to open up economic opportunities not only in Kigoma region itself but also in the North western regions. Among the measures include upgrading of road network to bitumen standard (Kigoma – Tabora and Kigoma – Nyakanazi), improvement of railway line and turning Kigoma as a dry port for neighbour countries.

Furthermore, in order to support improvement of economic activities in these regions, availability of reliable electricity supply is of paramount importance. In an effort to rectify this situation, the Ministry of Energy through Tanzania Electric Supply Company Limited (TANESCO) has decided to connect several regions in Western and North Western Tanzania to the national grid by installation of 400kV transmission line (TL) from Nyakanazi to Mbeya (1080 km), Mbeya to Iringa (293km) and associated substations at Nyakanazi, Kigoma, Mpanda, Sumbawanga, Mbeya, Tunduma and Kisada.

In addition, the Government is constructing the Rusumo Hydropower Plant in collaboration with Governments of Rwanda and Burundi and construction of 220kV to Nyakanazi substation. On the other hand efforts to construct the 220kV transmission line from Bulyahulu – Geita and Geita – Nyakanazi are ongoing. The construction of the 400kV transmission line from Nyakanazi to Kigoma will also hasten the construction of Malagarasi Hydro Power plant (44.8MW) and associated 132kV transmission line from Malagarasi to Kigoma substation. These measures will solve the long term regional energy problem and will enable the evacuation of excess power from Malagarasi Hydropower plant to the National Grid.

Therefore, the main objectives of the project is to supply reliable electricity in the western and north western regions specifically Kigoma region and attract connection to the national grid and get rid of diesel power generation which is quite expensive.

However, the most critical point in respect of socio-economic issues in this context is the compensation of properties along the transmission way-leave and Kidahwe

substation areas. Hence there was a need for undertaking Resettlement Action Plan (RAP) studies.

The objective of this Resettlement Action Plan (RAP) is to ensure that all households and persons that will be affected by the proposed construction of 400kV transmission line and substation are promptly and fairly compensated for any loss of crops, land and assets (houses and other building structures). Efforts have been made during the detailed planning phase and survey of the proposed transmission line route to minimise impacts by avoiding settlement areas.

Also RAP aims to fulfil the requirements defined in the national legislation pertaining to resettlement, most notably the Land Acquisition Act of 1967, the Land Act and the Village Land Act of 1999 and the Land Regulation of 2001. Also, RAP aims to comply with the AfDB OS 2 policy and the World Bank Operational Policy on Involuntary Resettlement (WB OP 4.12) as long as they are stipulated in the memorandum of understanding (MoU).

The following are the main objectives of Resettlement Action Plan

- Define rules for eligibility for compensation
- To present a social-economic basis of project affected persons (PAPs) for which identification of entitlements and livelihood restoration strategies for minimizing the impacts on the PAPs so as to improve their livelihoods and standards of living or at least to restore them in a pre – displacement levels
- Establish land acquisition and compensation processes and establish a dispute resolution mechanism to address any grievances arising from the displacement
- Identify gaps between international guidelines and the laws of Tanzania on matters addressing issues of involuntary displacement and suggest how the gaps can be narrowed to meet international best practices
- To propose the monitoring and evaluation program that will measure how well the mitigation will be implemented during the project cycle
- To recommend cost effective measures to be implemented to mitigate against the expected impacts
- To identify the criteria for different categories of PAPs who would require some form of assistance, compensation, rehabilitation or relocation (vulnerable groups)
- To present proposed livelihood restoration measures for the affected PAPs and the villages as discussed with PAPs.
- To identify the project affected persons (PAPs) and type of assets they own
- To assess and present type of vulnerable groups and propose the appropriate mitigation measures

## **ES.2 Project area and Project Description**

The 400kV transmission line project is divided into three phases due to distance to be covered (1080 km + 293km) and the financial implication to such distance. Phase

I is the construction of Iringa - Mbeya – Sumbawanga 400kV Transmission Line (613 km = 320km + 293km)) and associated substations at Kisada, Mbeya, Tunduma and Sumbawanga. Phase II is the construction of 400kV from Nyakanazi to Kigoma (285km) and associated substation at Kigoma. Phase III will now comprise of construction of 400 kV Transmission Line from Kigoma to Sumbawanga via Mpanda (480km of which 250km is from Kigoma to Mpanda and 230k from Mpanda to Sumbawanga) and construction of associated substation at Mpanda. However, this RAP study covers the section of 400kV transmission line from Nyakanazi to Kidahwe (285km).

Therefore, the proposed project involves a construction of about 285km of 400kV overhead transmission line from Nyakanazi to new Kigoma 400/132/33kV substation. The transmission line will utilize about 25m way leave corridor from either side, thus making a total of 50m wide corridor.

Generally, the proposed project is following the main regional road from Nyakanazi to Kigoma and is about 200 m to 5 km away from the main regional road. The route from Nyakanazi to Kigoma is about 285km in length with single circuit. Nyakanazi Substation is located at Kabale Village in Biharamulo District 5 km north of Nyakanazi. The Transmission Line stretches from Nyakanazi Substation to east then to south over passing T3 (B3) road, and goes along T9 (B8) road.

The proposed substation is designed to have a single busbar system of 400kV with possibility of future upgrade to 400kV double busbars. The substation will have one 400/132kV 120MVA power transformer and one 132kV/33kV 40MVA power transformer with each having a spare transformer. The rated power of the transformers covers the estimated power demand and also includes the generated power from Malagarasi hydropower plant as well as expected future load increase.

The proposed project will affect about 2135 PAPs and 3562 acres of land for the transmission line and about 413 PAPs and 375 acres for the Kigoma substation site. These PAPs will be required to be relocated outside the proposed corridor for transmission line and substation areas.

The study area includes Kagera and Kigoma regions and passes through various districts, wards and villages as shown in the table below.

Region	District	Ward	Village/Street
Kagera	Biharamulo	Rusahunga	Kabale, Nyakanazi,
		Nyanza	Nyakafundikwa, Kasato, Ruganzu
		Kalenge	Kalenge, Rusenga
Kigoma	Kakonko	Kakonko,	Itumbiko, Kasanda
		Kanyonza	Kihomoka, Muganza, Kanyonza,
		Kasanda	Kasanda, Kazilamihunda, Kewe
		Kiziguzigu	Kiyobera, Ruyenzi,

	Kibondo	Kitahana	Kumkugwa
		Kibondo town	Kibondo Town
		Butirana	Nengo, Butirana
		Rusohoko	Rusohoko, Mloregwa
		Busagara	Kifura, Kisogwe, kigendeka
		Busunzu	Busunzu, Nyankwi
	Kasulu	Kalela	Kalela, Kabagwa
		Kwaga	Kwaga, Nyakayaga
		Rusesa	Rusesa
		Kigembe	Kasangezi
		Muzye	Muzye, Mutala
		Bugaga	Bugaga, Nkundutsi
		Nyumbigwa	Nyumbigwa A, Mnanila, Nyanguge
		Nyansha	Nyansha, Kumubanga
		Kigondo	Kigondo, Kumuhama
		Ruhita	Ruhita, Buhilima
		Kanazi	Zampane, Nyakabondo, Migogwe, Tabilugu
		Nyamnyusi	Nyamnyusi
		Nyakitonto	Nyakitonto, Mugombe
		Nyachenda	Nyachenda
		Kitagata	Kitagata, Kasasa
		Makere	Makere, kalimungoma
		Nyamidaho	Nyamidaho, Mvugwe, Kumkumbati, Kumtundu
	Kigoma Rural	Kidahwe	Kidahwe
		Matendo	Matendo, Samwa

### ES.3 Legal and Policy Framework

The construction of the proposed 400kV transmission line has to comply with several national policies and laws that promote economic development, community participation, energy development and improvement of social services. Therefore, in order to ensure smooth implementation of the proposed project, compliance with a number of national and international policies, laws, regulations, guidelines and standards has to be in place. Several of the laws and policies that the proposed development comply with include:

- The National Energy Policy of Tanzania (URT 2015);
- The Environment Management Policy (1997) and Act (2004);
- The National Land Policy (1997) and the Land Act (1999);
- The Village Land Act (1999);
- The Land Acquisition Act (1967);
- National Human Settlements Development Policy (2000); and
- The Land Regulations (2001).
- African Development Bank (AfDB) Operational Safeguard Operational Policy OS 2 on Involuntary Resettlement land acquisition, population displacement and compensation;
- World Bank OP 4.12 guidelines on Involuntary Resettlement of which the proposed RAP need to comply with.

### ES.4 Socio-Economic Aspects

Villagers who will be affected by the project have most of the basic social services available, as described in socio-economic profile and analysis chapter. The services include schools, energy, water, health, communications, roads and security. Most of these services are of moderate quality but sometimes lacking essential facilities or are insufficient.

Most of the local communities along the newly proposed 400kV line, and substation areas are small-scale farmers, practising agriculture and livestock keeping as their main economic activities. Other PAPs, especially those in semi urban areas, are employed or self-employed in commercial and service activities. Most farmers practice subsistence farming with very low annual output. There is very little use of agricultural fertilizers and mechanization. Seasonal crops grown include palm oil trees grown for cash crops, whereas food crops include cassava, sweet potatoes, maize, groundnuts and beans.

### **ES.5 Community Participation and Consultation**

The overall goal of the consultation process among others was to disseminate project information and to incorporate affected people's views and concerns in the RAP report. The specific aims of the consultations are to improve project design and lead to fewer conflicts and delays in implementation; facilitate development of appropriate and acceptable entitlement options; increase long term project sustainability and ownership, and reduce problems of institutional coordination. They also aim to make the resettlement process transparent; increase the effectiveness of sustainability of income restoration strategies, and improve livelihood restoration process. Views of the PAPs among others included the following:

- All Project Affected Persons (PAPs) should be compensated accordingly and timely: RAP study team responded that compensation will be fair and will follow government regulation of market value. Government valuers of the respective region or district will perform the task
- Most of the villages demanded to be electrified after construction of the proposed project: The national regulation clearly stipulates that project of this kind should benefit society by electrifying their villages. So the project shall ensure that rural electrification component is implemented
- Stakeholders were worried on new transmission and or spread of HIV/AIDs diseases: TANESCO with the help of experts from district/ward shall conduct awareness on ways to control new spread of HIV/ AIDS
- TANESCO should at least prepare special package for vulnerable groups: There should be special help to vulnerable groups; TANESCO, Valuer with the help of local leaders will help in identification of PAPs who fall under this group and arrange for special help if needed.
- The contractor should take consideration on ritual areas; TANESCO shall respect all cultural properties of any society and will compensate those to be relocated and for untouchable ritual area the project will offer alternatives to

avoid the area.

- TANESCO and contractor should provide employment opportunities to local labour in the villages: TANESCO will make sure contractor is instructed to employ local people of the respective area for works that requires little skills such as manual labours.
- Land valuer should prepare sensitization meetings and trainings to all PAPs before asset census and valuation processes. Government land valuers in respective districts shall provide sensitization meetings to all PAPs before valuation and compensation processes
- Most of the stakeholders requested TANESCO to consider helping the villages affected by project by providing the needed social service such as water services as part of the Corporate Social Responsibility.
- TANROADS requested that Transmission Line route should avoid road reserve and newly designed road by-pass in Kasulu and Kibondo: TANESCO shall integrate TANROADS' coordinates in the design of the transmission line
- Grievance Redress: Community members expressed fear of their property being taken against their terms and consent. Members were informed that whatever payment they get will be determined according to the provisions of the law. If they are not happy with the payments, they can raise the matter with the project developer, which in this case is TANESCO or the land office in their respective districts. Where they fail to reach mutual agreement with TANESCO, they can go to the Ward Land Committee and Village Grievance Redress Committees to settle compensation issues
- Stakeholders asked on the Entitlement Cut-Off: Members of the communities expressed uncertainty whether they should stop making developments in their land since the project is taking the land. In response, communities were informed that during the detailed valuation exercise, all affected properties will be identified and counted in their presence. After agreeing on the compensation rates, PAPs will be given a notification indicating that any development after that date will not be considered for compensation. The date a person gets the notification will be the cut-off date. However, the developer will take the necessary care to ensure that the names of persons omitted during the field survey or who are not around during the count of properties are given a second chance to be included in the list and their assets are valued accordingly

## **ES.6 Potential Impacts**

The following are the main types of expected impacts leading to economic losses and/or physical displacements and resettlement.

### **ES.6.1 Loss of land resources**

The construction of the proposed transmission line will lead to the permanent loss of lands for agriculture, reserve area, grazing, residential and part of military area. The

total loss of the land will be confined within the way leave corridor of 50m from Nyakanazi to Kidahwe. It is expected that about 1425 hectares for transmission line (from Nyakanazi to Kidahwe) will be taken permanently for the establishment of the facilities of proposed Transmission Line project and about 150 hectares will be required for Kigoma (Kidahwe) substation. However, the land which is utilized for agriculture is approximately 52.1% (1856 acres). The remaining percentage 1628 acres (are for village land, game reserve, prison land, military land and wetland). Others are river reserves (19.3 acres), swampy areas (21.0 acres), Maragarasi River crossing (10.5 acres), mountainous areas (14.5 acres) and road crossings (3.7 acres). The acquisition of this land will lead to farm loss and disturb farm lands.

However, no major threats will be posed to livelihoods, as most people in the project area will be able to continue with their farming and livestock keeping activities within their villages and compensation will enable them get another plots.

#### ***ES.6.2 Loss of structures and shelter***

During the RAP study, it was revealed that about 30 residential structures were found within the 50m wayleave corridor. As such, all these structures shall be compensated according to the national land acquisition Act of 1967 complying with other relevant international policies and standards as long as they are stipulated in the MoU.

#### **ES.6.3 Change of land uses**

The acquisition of community and individual lands at Biharamulo, Kibondo, Kakonko, Kasulu and Kigoma Rural Districts for construction of the proposed project will lead to total change of land uses. The construction of transmission line on the lands that are used for agricultural, grazing and forest reserve shall permanently change as it will be occupied by the project facilities.

#### **ES.6.3 Loss of income sources or means of livelihood**

As stated earlier, all project affected person within the corridor depends on subsistence agriculture, livestock keeping and agricultural labour as source of their incomes and livelihoods. Therefore, loss of 1856 acres of productive land for transmission line would result to loss of income sources. This however, will be avoided or minimized by payment of compensation to allow them purchase another productive land in their villages.

#### **ES.6.4 Loss of cultural and archaeological property**

Basing on the household socio-economic survey, it was reported that there about 74 graves and two shrines. All of these graves will be relocated based on grave relocation Act of 1969. There were no archaeological sites that are internationally recognised found in the project area.

### **ES. 7 Institutional and Organizational Framework**

In RAP implementation for the proposed project, there will be many actors who will be involved in various capacities. While TANESCO is a project implementer it needs other bodies or institutions for approval, collaboration and for successful implementation of the project. The key institutions that will be involved in the resettlement planning and implementation will be:

- TANESCO (project proponent);
- The Ministry of Lands, Housing and Human Settlements Development (Land issues and approval of compensation rates and compensation schedules (Chief Government Valuer));
- Regional and District Commissioners' Offices (for endorsement of the compensation schedules and grievance redress);
- Kigoma, Kasulu, Kibondo, Kakonko and Biharamulo District Councils (oversee the land interest in the village, land use plans, to collaborate with TANESCO in valuation, approval of rates, valuation report, compensation and grievances resolution);
- Local authorities (i.e. ward and village leaders); and
- Project financiers to give no objection to the RAP

### **ES.8 Eligibility and Entitlement**

According to Tanzanian legislation, all owners of properties located within the proposed wayleave at the time of inspection and valuation will be eligible for compensation. Notices to claim compensation will be served to all owners of affected properties along the wayleave using Land Form No.14. A "cut-off" date for eligibility for compensation and resettlement measures will be determined by the date on which these notifications are served. The owners or occupiers of the properties are expected to complete and submit Land Form No.15 and to agree upon a date for official valuation of their properties.

There are three categories of relocated people that have been identified. Those losing land parcels, those losing crops, those who will lose shelter, those who will have grave relocated and those who will suffer damage during project implementation and those who have no land but having crops on someone's land.

PAPs losing houses will be entitled with the following:

- Cash compensation for the land according to market value of the subject area, type of building and materials used and condition. Disturbance allowance at 8% of estimated land value. Compensation of the residential land plot at local market value, accommodation allowance equivalent to 36 months' rent for the displaced house, transport allowance at cost to move 12 tons of luggages within a radius of 20 km.

PAPs losing land parcel with crops the entitlement will include the following:

- Compensation of the agricultural land inside the project area according to area and local land market prices. Cash compensation for perennial crops, fruit trees, shade tresses and other commercially valuable standing crops (banana, etc.) at the time of valuation based on the government price list of

each crop or tree. Disturbance allowance at 8% of estimated land value and crop value. Annual crops will not be compensated rather the PAPs will be allowed to harvest them.

The last category is the special case of vulnerable people, such as widows, single mothers, child-headed households, handicapped people, HIV/AIDS victims, and the elderly who when relocated often require special assistance to cope with the relocations. These PAPs apart from the above entitlements, they will receive special or supplementary measures considering their particular needs. The details of other categories of PAPs are obtained in chapter 9.

### **ES.9 Livelihood Restoration and Community Development**

Apart from compensation, there recommended various livelihood restoration measures that will be implemented to PAPs and the villages. These include training, assistance, employment and construction of facilities that may have positive impacts to the communities. These measures among others include:

- Allowing PAPs to harvest their crops that have reached maturity;
- Allowing PAPs to salvage materials from structured to be demolished;
- Providing fair and prompt compensation to PAPs to allow them acquire new land before the rain season to allow them to cultivate
- Provide access to agricultural extension services to affected communities;
- Provide training in improved farming and management methods;
- Providing the trainings on entrepreneurship to enable them utilize the available opportunities to generate income.
- Provision of jobs as they are available to project affected people;
- Distribution of tree seedlings to PAPs that will lose trees such as palm trees and provide training in seedling propagation and nursery management, and management of the trees to maturity level.
- Providing electricity to affected villages without electricity and densification in the villages already having REA electricity.

### **ES.10 Grievance Mechanisms**

A grievance mechanisms have been described the path through which PAPs can lodge complaints/grievances and make a follow-up for grievances related to land acquisition and compensation. It describes stages and procedures to be followed during grievance management. TANESCO will have a duty to inform the PAPs about various grievance redress procedures and of their right to appeal if not satisfied.

Several committees at Village, Ward and District in collaboration with the Regional Commissioner have been recommended to deal with complaints and grievances that are expected to raise during the RAP and compensation implementation. During the planning each village voluntarily selected between 4 and 10 people to be represented in the village committee depending on the size of the village. However, if the PAP is not satisfied with the decision of committee, the land tribunals and court procedures will be followed.

### **ES.11 Monitoring and Evaluation**

Monitoring and evaluation (M&E) is necessary to check on implementation progress, to ensure that targets are being met, to assess the process used to plan and implement the resettlement exercise and to measure the socio-economic impacts of resettlement on the affected population against baseline conditions. Therefore for this proposed RAP for the transmission line, monitoring and evaluation will have the following objectives:

- To ensure that all eligible affected persons have received their full compensation entitlements within agreed timeframes
- Whether actions and commitments described in the RAP are implemented fully and on time.
- Whether RAP actions and compensation measures are effective in sustainably enhancing affected peoples' living standards and income levels
- Whether complaints and grievances lodged by PAPs are followed up and that appropriate corrective actions are implemented or have been implemented
- Check whether changes in the RAP procedure are necessary in order to improve delivery of compensation to PAPs

There will be internal monitoring and external monitoring. The internal monitoring will be done by TANESCO resettlement and Compensation Management Unit which is under the project implementation unit. Regular reports will be issued preferably monthly and quarterly.

The external monitoring will complement the internal monitoring. It will be carried out by the independent monitors, who will use the internal monitoring data and other information provided by the Resettlement Management Unit. The external monitors will produce annual report and a completion report. The external monitoring among other things will report the following:

- Whether baseline information on all PAPs has been collected, all losses inventoried and valued;
- Whether resettlement and compensation entitlements are in accordance with the approved valuation report and financiers' requirement;
- Whether the consultation in connection with the agreement and disbursement of compensation is taking place effectively;
- Whether grievances are being processed and resolved in accordance with the approved grievance procedure; and
- Whether there are any implementation problems or not and recommend redress measures ;

### **ES.12 RAP budget and Implementation Schedule**

Based on the surveyed assets to be lost due to project, the compensation cost provided has covered the cost of the following components:

- Cash compensation for land acquisition;
- Cash compensation for loss of fruit trees and other commercially valuable perennial plants;

- Disturbance allowance;
- Grave relocation and other allowances

The table below shows the budget for RAP implementation for the proposed transmission line from Nyakanazi to Kigoma. There are about 2135 PAPs. 30 houses will have to be also relocate.

Compensation for 30 House Structures	207,488,010.00
Land value for the 2986 acres	2,287,444,321.00
Crops value	1,719,384,736.00
Disturbance Allowance	330,271,748.00
Graves and Shrines	4,920,000.00
<b>Total Estimated Compensation Cost</b>	<b>4,549,508,815.00</b>

In addition, it is proposed that a maximum of 10% is to be added to address compensation claims that may arise from additional claims for compensation for land and crops that may be raised through the grievance structure and also an additional 10% as a cost for livelihood restoration measures.

Total Estimated Compensation Cost	4,549,508,815.00
Livelihood Restoration Measures 10%	454,950,882.00
Additional Grievances redress cost 10%	454,950,882.00
Capacity building for Resolution Committees	345,600,000.00
Awareness raising programs for the PAPs	118,840,000.00
<b>Total Estimated RAP Budget</b>	<b>5,923,850,579.00</b>

The details of compensation for each district are as shown in the table below. Also the RAP implementation schedule which covers a period of twenty eight months (28) as shown in the schedule below to accommodate all planned activities before the project implementation begins. This is to ensure that all possible barriers and hindrances to the project implementation are dealt with. However, it is expected that some grievances may arise during the project implementation.