

MINUTES ON A MEETING REGARDING
AQUISITION OF FARM NO. 19 WAMI/MAGOLE-
KILOSA DISTRICT HELD ON 15/9/1989 AT
THE REGIONAL OFFICE:

Attendance:

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| 1. Mr. O.Ongara | - Regional Development Director
Chairman. |
| 2. Mr. W.N. Kaihula | - Prime Minister and First Vice
President's Office. |
| 3. Mr. J.P.Brahim | - Home Affairs, P.O.Box 9223
Dar es Salaam. |
| 4. Mr. O.E. Malisa | - Prisons HQ - Dar es Salaam. |
| 5. Mr. J. Masua | - Chief Govt. Valuer's Office,
P.O.Box 2795 - Dar es Salaam. |
| 6. Mr. Kaya Vanda | - ANC - Mazimbu,
P.O.Box 680 - Morogoro. |
| 7. Mr. A. Masondo | - ANC - Mazimbu,
P.O.Box 680 - Morogoro. |
| 8. Capt. F.J. Tupa | - ANC - Mazimbu |
| 9. Dr. K.G. Mmari | - Prisons
P.O.Box 11 - Kingolwira |
| 10. F.T. Matalisi | - Ex. RLDO - Morogoro |
| 11. A. Mataboyerwa | - Regional Town Planner
- for RLDO - Morogoro.
- Secretary. |

The meeting started at 8.45a.m

1. It appeared during the discussion that the aquisition was to be done by the government so that the same land could be passed over for the ~~was~~ ANC use. ANC was already occupying several farms in the area.

The farm in question is being occupied legally by one Salum Abdallah Salehe since 1975 and it is measuring 502 Acres under L.O.No.15652.

2. Aquisition process started way back in 1982 and it was the Prime Minister's Office which was playing a leading role over this issue. Some how Salum was approached, (though up to now it appears nothing was documented), and he agreed to surrender his farm with certain conditions, as follows:

- (i) The government should give him alternative

farm land at Mabana village (neighbouring).

- (ii) Since the new farm will need clearing works which are expensive, then ANC or government should meet this obligation.
- (iii) He should be compensated for all unexhausted improvements in his existing farm.
- (iv) The mode of compensation should be: ANC/Govt should erect similar structures at his expected new farm since building costs are shooting up every other day.

3. Before all this was implemented through legal channels ANC entered Salum's farm and started farming activities. Naturally Salum was aggrieved by this illegal act and lodged his complaint to the District Commissioner- Kilosa. The District Commissioner reacted by writing a letter to the Director of ANC Dakawa Development Centre, ref.no. L.20/1/II/227 dated 6/June/1989. The message in that letter was that; as a matter of Law ANC should refrain from developing the farm without prior consent of the government or the legal occupier Nd. Salum. He further asked the Regional Commissioner, Morogoro to follow up the matter, which by his own assessment, was assuming dangerous proportions.

4. The Chairman agreed that Nd. Salum has a legal right over his farm and contioned that the matter must be settled through proper legal procedures before it explodes to the embarrassment of the government.

Since ANC has already entered the farm in the manner already explained earlier, there was a need to contact Salum privately over the matter in an-apologetic way.

All the way since 1982, this issue was being negotiated and no legal steps were, being taken. Only gentlemen's agreements were reached between parties concerned and this has dangerous legal repercussions. We should always try to avoid this dangerous trend.

5. ANC is also in active occupation of other farms e.g 21,23 & 25 which also have compensation elements but the owners are absentee landlords. Though it was said valuation was conducted but up to now no compensation by the Government was ever made.

As regards the farm in question (No.19) valuation has already been conducted by the Regional Land Development office and it has been sent to the Chief Government Valuer

for approval.

After approval it will then be clear how much money will be involved as compensation rights for Nd.Salum.

Resolution:

- i) An official notice must be sent to Nd. Salum indicating aquisition intentions.
- ii) Aquisition documentation which follow should be processed.
- iii) The Regional Land office should make a follow up so that the valuation report is approved as fast as possible .
- iv) The Region should find immediate political solution to this legal conflict between Nd.Salum and ANC.

The meeting was closed at 10.10am and it was agreed, the next review meeting will, be on 18th October, 1989.