



MAKERERE

UNIVERSITY

COLLEGE OF ENGINEERING, DESIGN, ART AND TECHNOLOGY

SCHOOL OF BUILT ENVIRONMENT

DEPARTMENT OF CONSTRUCTION ECONOMICS AND MANAGEMENT

FINAL YEAR PROJECT REPORT

**TOPIC: ASSESSING THE CHALLENGES, CAUSES AND SOLUTIONS ON
COMPULSORY ACQUISITION OF LAND ON THE LIVELIHOODS OF PROJECT
AFFECTED PERSONS IN UGANDA**

CASE STUDY: KAMPALA JINJA EXPRESS HIGHWAY IN KINAWATAKA

(Katoogo)VILLAGE

BY

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**A RESEARCH REPORT SUBMITTED TO THE COLLEGE OF ENGINEERING,
DESIGN ART AND TECHNOLOGY IN REQUIREMENTS FOR THE AWARD OF
DEGREE IN BACHELOR OF SCIENCE IN LAND ECONOMICS AT MAKERERE
UNIVERSITY**

DECLARATION

I **Nandugga Mastulah**, hereby declare that this research report is my original work and has never been submitted by anyone else for the award of a degree in any institution of higher learning.

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SUPERVISOR'S DECLARATION

This is to certify that this research proposal is the original work of Nandugga Mastula and has been produced under my supervision and submitted to the college of Engineering, Design, Art and Technology in partial fulfillment of the requirements for the degree of Bachelor of Science in land economics at Makerere University.

Date: 24/02/2022

Signed: 

MR. JAMAL BACHOU

DEDICATION

I dedicate this piece of work to my beloved parents Mr. Muwanga Moses and Mrs. Nakabuye Joweria for their invaluable support both spiritually and finically in my education journey, siblings and friends for their tireless efforts rendered towards my studies.

ACKNOWLEDGEMENT

I must be thankful to the Almighty God who has given me life and the ability to reach this far. I am indebted to my parents Mrs. Nakabuye Joweria

Mr. Muwanga Moses for their love and care showed to me as they account for my success.

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My heartfelt thanks go to my siblings; Aisha, Adam and Aminah without whose moral and spiritual support, I would never reach this remarkable stage of my education. May the Allah bless you abundantly!

Finally, to my entire course mates who have been helpful in my coursework and research project. Your effort and advice have made this study a reality and I will always remember you for the rest of my life.

ABSTRACT

The existence of Kampala Jinja Highway express is a proposed four-lane toll highway (starting at Nakawa, Nammanve and Mukono district and end in (Jinja) the Eastern Region of Uganda). The researcher focused on the areas of Kinawataka Katoogo village neighboring Kireka division. This project is beneficial to the public targeting on improving mobility and provide efficient passenger freight operations for both regional and national traffic.

This is report focuses the challenges, causes and solutions on compulsory acquisition of land on livelihood of Project affected persons in Uganda. The objectives of the study are to assess the challenges of compulsory acquisition of land on livelihood of Project affected persons in Uganda, to identify the causes of the delays in the approval of compensation to the project affected persons in Uganda, to identify the solutions to the challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons in Uganda.

Data used during the research was primary data and a quantitative research approach was used in data collection.

A sample of 310Project affected Persons, 10 Surveyors and 1Local council leaders was selected to be used by the researcher. The researcher used simple random in collecting data with the help of questionnaires consisting of structured and unstructured questions designed by the researcher were used to obtain data consisting of both open ended and closed ended.

Data was Cleaned/Edited, coded, analyzed and Findings were tabulated by use of Microsoft excel software, a descriptive statistical measure which summarizes data such as standard deviation, Mean and mode was used in data analysis.

Findings of this study revealed that land acquisition process has negative effects on the livelihoods of project affected persons not only the disruption of economic activities, loss of means of livelihood, loss of land but also Unemployment and limited understanding by the PAPs on the legal requirements, procedures, and process of land acquisition leading to exposed manipulation violence and abuse.

It was therefore recommended that mitigation or elimination of the compulsory acquisition-related effects requires the PAPs to be adequately compensated and in time The government should also train the PAPs on the procedures, the process and rights of compulsory land acquisition to increase on the awareness of the community.

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LIST OF ACRONYMS

FAO	Food and Agriculture Organization
IFC	International finance Corporation
PAPS	Project Affected Persons
RAP	Resettlement Action Plan
IFC	International finance Corporation.
LARRP	Land Acquisition, Resettlement and Rehabilitation Policy
MLHUD	Ministry of Lands Housing and Urban Development
RAP	Resettlement Action Plan
UNRA	Uganda National Roads Authority
VGGTs	Voluntary Guidelines on the Responsible Government of Tenure
USAID	United State Agency for International Development
UBOS	Uganda Bureau of Standards
OP	Operational policy
RP	Resettlement plan

CHAPTER ONE

1.0 Introduction

1.1 Background

Land acquisition means the compulsory taking or alienation of land, buildings or other assets there on for purposes of the Project. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights (Muhindo, 2017).

Land Compensation means all amounts properly paid or payable to third parties for the value of land or an interest in land taken, disturbance (including compensation in consequence of dispossession or displacement from land and including amounts payable severance or injurious affection and also including allowable professional fees, stamp duty, land registration fees and conveyancing costs in respect of the acquisition of land or an interest in land or for use of land for the Site (Muhindo, 2017).

Compensation following involuntary resettlement or compulsory land acquisition is based on the principle of fairness, adequacy and prior and prompt compensation meaning the project affected persons should be no worse off in financial terms after the acquisition than he or she was before (MLHUD, 2017).

Each year, development-based land acquisition displaces tens of thousands of people globally. Land acquisitions are largely driven by increased investments on land triggered by increased global demand for energy, minerals and oil resources. Some of the development projects that have led to displacement and resettlement of people in Uganda include the construction of the hydroelectric power stations, like Bujagali and Karuma dams and electricity grid projects (Max & Joseph, . Balancing Development and Community Livelihoods, 2016)

Furthermore, the delay in land acquisition process has led to gradual loss in value or worth of the amount of financial compensation, especially with the runaway inflation and competition for resources that the country experiences. Second is the disruption and impoverishment that occurs if the Project Affected Persons transition economically during relocation and compensation exercise. Land acquisition has been done worldwide for various public projects which has led to displacement of people to acquire land for their establishment, (L Cotula, 2009).

In Kenya, compulsory acquisition of land is an active debate due to high number of large-scale, land- demanding, infrastructure projects implemented by the government in line with

its vision 2030. Legal challenges and irregularities have been made during the process not only but also contravene human rights principles in different ways and there is a requirement that any person with an interest in the land may access a court for determination of interest. This encapsulates the obligation of state authorities to abide by rules of law in acquisition of land and right to fair administrative action provided under article 4 subsection 7 of the constitution (L Cotula, 2009).

In Tanzania, the negative impact of land acquisition on indigenous communities' livelihood and environment, findings show that land acquisition programs in the study area have a negative impact on the livelihood of indigenous people and the environment. Some of the problems noted include loss of land, loss of means of livelihood, disruption of economic activities, persistent land-related conflicts, and relocations to poorly developed areas, inadequate and late compensation, and environmental degradation. (KONGELA, 2011)

In Uganda, it is usually anticipated that land acquisition for most projects have major social impacts on the lives and livelihoods of the affected communities. In an argument of free and fair compensation award given to the project affected persons, in quest for service delivery through infrastructural development, the social economic effects which are negative tend to out-weigh the positive outcomes of such. For example, the Kabaale Industrial Park, led to the displacement of over 7000 people, while the Tilenga Project will affect over 600 people. One of the long-lasting impacts of land acquisition is the permanent displacement of people from their land, often without adequate provision of sustainable alternative livelihood options (Tom Ogwang, 2019).

According to the Uganda Bureau of Statistics (UBOS), the agricultural sector employs over 70 percent of the workforce and about 81 per cent of households depend on agriculture, accounting for 90 percent of export earnings and as of 2014/15; agriculture provided for 24 percent of GDP.³ Therefore, the length and slow process of land acquisition affects the livelihood of project affected persons which leads to the need of assessing the challenges, causes and the solutions on land acquisition of land on the livelihood of project affected persons in Uganda.

1.2 Problem statement

Stagnation of income generating activities during the process of land acquisition hinders the livelihood of the project affected persons (PAPs) especially those who have capacity to develop within the period between collecting of data and final paying of the compensation

award. There is a time lag between the date of announcement, assessment and evaluation of property of Project Affected Persons (PAPs) until the final date of awarding compensation as well as commencement of the project. Thus, the need to assess the challenges, causes and solutions on land acquisition of land on the livelihood of project affected persons in Uganda.

1.3. Objectives of the Study

1.3.1. Main objective

The main objective of the study was to assess the challenges, causes and the solutions on land acquisition of land on the livelihood of project affected persons in Uganda.

1.3.2. Specific objectives

1. To identify the challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons.
2. To identify the causes of the delays in the approval of compensation to the project affected persons in Uganda.
3. To identify the solutions to the challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons.

1.4 Research questions

1. What are the challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons?
2. What are the causes of the delays in the approval of compensation to the project affected persons in Uganda?
3. What are the solutions to the challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons?

1.5. Purpose of the study

The purpose of the study was to identify the challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons, to identify the causes of the delays in the approval of compensation to the project affected persons in Uganda and to identify the solutions to the challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons

1.6. Significance of the study

The study was to ensure the constitutional mandate of prompt payment in full, of just compensation was achieved.

The study was to potentially reduce resistance against government sponsored projects by affected property owners. This led to fast completion of the projects.

The Study was used as a point of reference in reduction of the cost involved when government projects are delayed due to compensation disputes.

1.7. Scope of study

1.7.1. Academic scope

This study was only concentrated on activities that took place in the time period between determination of compensation and date of actual payment of compensation to a project affected persons (PAPs) in Uganda since compensation was a process. In this case any activities before and after the define period were not considered.

1.7.2. Geographical scope

This research was carried out on Kampala Jinja Express Highway in areas of Kinawataka Katoogo Village. The area was chosen because it was found out that most Compensation steps or procedures were done and Project affected persons were not yet Compensated. (UNRA, 2013).

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter highlights various concepts relating to compulsory land acquisition and project implementation have been explored so as to give a clearer picture of the investigation underway. A project is a set of planned, inter-related activities aimed at achieving defined objectives by producing specified outputs.

2.2 Key terms and concepts

2.2.1 Livelihood

Livelihood refers to all the various means that individuals, families and communities use to make their living (International Finance Corporation, 2012). It comprises the local knowledge, capabilities/capacities, assets/capitals, material and social resources and the activities necessary to make a living. People engage in a wide range of livelihood activities to support themselves and their families, including land or water-based activities (for example. agriculture, subsistence or market gardening, fishing), enterprise-based activities (for example. sale of goods or services), and wage-based work. People may also have one or more supplementary sources of support, such as savings, access to credit, rental income, remittances or pensions (Smyth & Frank, 2017). People's access to social support networks is an integral part of their livelihood strategies. Having access to childcare, for example, can enable people to undertake their livelihood activities. These networks can be damaged by resettlement, especially when the community is not resettled as a whole community (Jones, Toban, Whiteford, & Murphy, 2015).

2.2.2 Compensation

Compensation, whether in financial form or as replacement land or structures, is at the heart of compulsory acquisition. As a direct result of government action, people lose their homes, their land, and at times their means of livelihood. Compensation is to repay them for these losses, and should be based on principles of equity and equivalence. The principle of equivalence is crucial to determining compensation: affected owners and occupants should be neither enriched nor impoverished as a result of the compulsory acquisition. Financial compensation on the basis of equivalence of only the loss of land rarely achieves the aim of putting those affected in the same position as they were before the acquisition; the money

paid cannot fully replace what is lost (Caracalla, Rome, & Italy, 2009). Furthermore, in some countries, there is legal provision recognizing this in the form of additional compensation to reflect the compulsory nature of the acquisition. In practice, given that the aim of the acquisition is to support development, there are strong arguments for compensation to improve the position of those affected wherever possible.

2.2.3 Displacement

Displacement refers to the experience of the people who are negatively affected by a project. When people's dwellings are directly affected and they can no longer physically live where they were previously living, this is known as 'physical displacement'. When people's livelihoods are negatively affected, whether directly or indirectly, this is called 'economic displacement'. Ideally, where the potential for physical or economic displacement exists, it should be acknowledged by project developers and, only when all possible project alternatives have been fully considered, a proper process of resettlement and/or compensation should be instigated. Displacement can occur even when there is no planned process of resettlement (Group, 2012).

2.2.4 Eminent domain

Eminent domain refers to the legal right of states to compulsorily acquire land and other possessions of individuals or companies, even against their will (Caracalla, Rome, & Italy, 2009). Expropriation refers to the actions by which the state acquires land and assets, i.e. the process of implementing eminent domain. The power of eminent domain is frequently invoked by states to enable large projects to proceed. In most jurisdictions, for this to be lawful, the project must be deemed to be in the national interest or public good, fair compensation must be provided, and there must be due process (Ploeg & Frank Vanclay, 2017). Because many large projects are public-private partnerships, for example the government is a partner in the project or a major beneficiary – the government may use its powers to ensure that the project succeeds, even when it is a commercial project like a mine or an industrial park (Hoops, Jonathan Saville, & Hanri Mostert, 2015).

Mao & Shitong Qiao,(2021) stated that, from a comparative law perspective, constraining the abuse of eminent domain power is a worldwide challenge with China as a most-noted example (Qiao and Upham). Between 2005 and 2015, Chinese local governments nationwide expropriated in the range of 10,000 to 50,000 hectares of rural land without approval each year. Furthermore, Considering that Chinese farmers own, on average, 0.09 hectares, this

means that local governments took land away from 100,000 to 500,000 farmers every year, in violation of national land use laws and quotas. In urban China, housing demolition in the name of urban renewal has frequently resulted in bloodshed, conflicts, and social instability (Mao & Shitong Qiao, 2021).

The legal right of government to use eminent domain to take private property derives from the Takings Clause of the Fifth Amendment to the United States Constitution, which states, "nor shall private property be taken for public use, without just compensation". Those 12 words have been the subject of immense litigation, legislation and theoretical debate throughout modern American history. While state laws cannot be less restrictive than the Fifth Amendment, they can be more restrictive, thus eminent domain laws are highly variable between states. Definitions of 'public use', requirements about just compensation, and the general legal process can vary greatly (Mann & Mildred E. Warner, 2019).

2.2.5 Compulsory acquisition

Compulsory acquisition is the power of government to acquire private rights in land for a public purpose, without the willing consent of its owner or occupant, (FAO, 2008). Compulsory acquisition requires finding the balance between the public need for land on the one hand, and the provision of land tenure security and the protection of private property rights on the other hand. In seeking this balance, countries should apply principles that ensure that the use of this power is limited, i.e. it is used for the benefit of society for public use, public purpose, or in the public interest, (Ahabwe, 2018). Legislation should define the basis of compensation for the land, and guarantee the procedural rights of people who are affected, including the right of notice, the right to be heard, and the right to appeal. It should provide for fair and transparent procedures and equivalent compensation.

2.2.6 Justifications for Compulsory Acquisition (Public Interests)

Legislation in Uganda gives the minister responsible for lands the authority to acquire land compulsorily where the land owner or occupier is not willing to sell by agreement to authorized bodies. This is referred to as "acquiring authority".

The Constitution of the Republic of Uganda Article 26 provides for "Prompt payment for fair and adequate compensation, prior to taking possession or acquisition of the property" in the event of compulsory land acquisition, which is envisaged specifically for instances where land is required for public use or interest. There are four constitutional tenure systems namely freehold, leasehold, Customary and Mailo. (The Constitution of Republic of Uganda).

The Land Act Cap. 227^121. S.59 (1) provides for the District Land Board to compile and maintain a list of rates for compensation payable in respect for crops, buildings of non-permanent nature and any other thing that may be prescribed. It reviews every year the list of rates of compensation referred to in paragraph. (Uganda, Land Act Cap 227) also provides guides to District Land Tribunals that are established to determine disputes arising from compensation.

The Land Acquisition Act Cap. 226 provides for the appointment of an Assessment officer to carry out the valuation assessment. Section 6(1) provides that the Assessment officer shall make an award for compensation which in his or her opinion shall be allowed. The Land Acquisition Act Cap. 226 only specifies the procedure for acquisition of land and therefore relies on the Land Act, and the general valuation practices for Land and developments to determine compensation

2.2.7 Principles of Land Acquisition

These are property acquisition standards that must be observed by agencies that acquire property under land acquisition. These principles focus on accessing information, assistance, consistency, transparency and fairness and include; Principle of Equivalence, Principle of Severance, Principle of Injurious Affection Public Interest.

2.2.8 Principle of Equivalence

Compensation should be fair, adequate and timely and must be paid before the land is taken. The affected person must not be left in a worse off financial position after the acquisition than he or she was before.

2.2.9 Principle of Severance

This principle is used when the government exercises its power to take part of private property for public use. If the value of the remaining property depreciates because of the intended use by the government of the land taken, the owner is entitled to compensation called severance damage.

2.5 Power of Injurious Affection

This principle applies where a land owner suffers injury to the remaining land when part of his or her land is acquired. This loss or damage must be non-physical and does not include

any sentimental value such as; Direct, Physical interference or complete obstruction and Loss of view or loss of privacy can take possession of the property (The constitution of Uganda Article 26(2) and 237(2)).The Land Acquisition Act provides the procedure of land acquisition in Uganda. Land owners whose area aggrieved can go to the courts of law for an appropriate remedy.

2.6 Public Interest

In order for the government to acquire private land through compulsory acquisition, it must prove that it is doing so on the grounds of “public interest.” Public interest may arise where: acquisition is necessary for public use, acquisition in the interest of defense, acquisition for public safety, acquisition for public order, acquisition for public morality and acquisition for public health. (Article 26(2) (a) of the 1995 Constitution) Land acquisition is in public interest if it is in the general interest of the community, not the particular interest of individuals (Member of world bank, Hand book for preparing a Resettlement action plan).

2.7 The Power of Compulsory Acquisition On Land

FAO (2009), Describes that each country has its own set of agencies, ministries and officials who have the power to compulsorily acquire land. The national level of government is usually granted authority for compulsory acquisition by the constitution, the relevant laws often designate the head of government or a specific minister as the person empowered to authorize the functions associated with compulsory acquisition. In some countries, power is assigned only to the national government while in other countries it may be also vested at the regional level. Furthermore, it states that the relevant laws and regulations should clearly identify the authorized government bodies in order to reduce opportunities for abuse of power Each agency authorized to compulsorily acquire land may have its own regulatory guidelines on what acquisitions are permitted and how to carry out the processes defined in national legislation. The Agencies include; Government departments, ministries and agencies at the national and regional levels, Local governments, Public bodies with statutory obligations for example companies responsible for energy and water services, Private bodies regulated by government, for example airport authorities, forest enterprises and energy companies (FAO, 2008).

2.8 Resettlement

Under the key resource highlighting Uganda’s land tenure system and the various policies and legal framework concerning modes of acquiring rights and interest in land an the

requirements that have to be fulfilled for compulsory acquisition of land by the government, Resettlement means movement of individuals or groups of people from one location to another and providing them with land, shelter and other basic needs. This can be on a permanent or temporary basis (Baker, 2017).

Frank (2017), defines Resettlement as the comprehensive process of planning for and implementing the relocation of people, households and communities from one place to another for some specific reason, together with all associated activities, including; the provision of compensation for lost assets, resources and inconvenience, and the provision of support for livelihood restoration and enhancement, re-establishment of social networks, and for restoring or improving the social functioning of the community, social activities and essential public services. He further opines that ‘resettlement’ also addresses issues associated with economic displacement, that is when people do not need to be physically moved but their means of making their living (livelihood strategies) are adversely affected by the project’s land-take (For example. loss of access to farming land and fishing grounds.) (Vanclay, 2017).

2.9 A Resettlement Action Plan (RAP) document

This is drafted by the sponsor or other parties responsible for resettlement (such as government agencies), specifying the procedures it will follow and the actions it will take to properly resettle and compensate affected people and communities. The RAP is the sponsor’s commitment to IFC (International finance cooperation) and to the affected people that it will meet its obligations arising from involuntary resettlement. Proper resettlement planning can enhance the development impact of a project. IFC urges sponsors to avoid involuntary resettlement wherever feasible or to minimize it by exploring alternative project design or siting. For Preparing a Resettlement Action Plan, The RAP must identify the full range of people affected by the project and justify their displacement after consideration of alternatives that would minimize or avoid displacement. The RAP outlines eligibility criteria for affected parties, establishes rates of compensation for lost assets and describes levels of assistance for relocation and reconstruction of affected households. The RAP’s planning protects the sponsor against unanticipated or exaggerated claims from individuals who have spurious eligibility for resettlement benefits. The mediation of such claims can cause significant delays in project implementation, which can result in cost overruns for the sponsor (Member of world bank, Hand book for preparing a Resettlement action plan).

3.0 Policy Framework

A policy framework needs to be prepared if the extent and location of resettlement cannot be known at appraisal because the project has multiple components, as typically happens in sectoral investments, projects with financial intermediaries, and other projects with simple sub projects. The policy framework establishes resettlement objectives and principles, organisational arrangements, and funding mechanisms for any resettlement operation that may be necessary during project implementation. The framework also estimates the probable number of affected persons and resettlements, and especially for financial intermediary projects, assesses the institutional capability to design, implement and oversee resettlement operations. When during project implementation the extent of resettlement in any subproject becomes known, an RP, or an abbreviated RP, depending on the scale and severity of impacts is prepared before the investment is approved for funding. OP 4.12, paras 26-28, and Annex A, paras.23-25, provide the outline and recommend content for a policy framework.

Identification of Measures to Improve or Restore Livelihoods and Living Standards.

The Framework describes how groups or communities will be involved in identifying

- a) The most equitable basis for sharing access to resources under restricted use,
- b) Alternative resources available for use, and
- c) Other opportunities to offset losses.

This section describes the participatory method by which adversely affected community members will make collective decisions about the options available to them as eligible individuals or households. The framework also describes enforcement provisions and clearly delineates responsibilities of the community and government agencies to ensure that use restrictions are observed.

In general, affected communities will likely use one or more of four strategies in devising alternatives: Devising reliable and equitable ways of sustainably sharing the resource at issue. (Attention to equitable property rights or more efficient practices may significantly reduce pressure on forest products, for example.), Obtaining access to alternative resources or functional substitutes. (Obtaining access to electricity or biomass energy may eliminate overuse of timber for firewood, for example.), Obtaining public or private employment (or financial subsidies) to provide local residents with alternative livelihoods or the means to purchase resource substitutes and Providing access to resources outside of the park or

protected area. Of course, a framework promoting this strategy must also consider impacts on people and the sustainability of the resources in these alternative areas.

3.1 Purposes for compulsory land acquisition

The environmental impact assessment and Cost Benefit analysis must be prepared by a state agency, a local government prior to expropriation. They are required to rigorously explore and objectively evaluate all reasonable alternatives to achieving a public purpose that would acquisition of private property. According to the land acquisition Act, the Government can acquire your land for the following purposes: The resettlement of internally displaced people, the government can also acquire private land in the interest of national defense, for public safety so as to protect its citizens and the government can also acquire land for public health for example in cases of outbreak of pandemic diseases.

3.2 Compulsory acquisition process in Uganda

The Land Acquisition Act Cap. 226 governs the compulsory acquisition of land for public purposes in addition to the Constitution of Uganda and the Land Act. The Minister spearheads the land acquisition process. He/she authorizes any person to find out the suitability of land for the purpose it is being acquired under Section 2 of the Land Acquisition Act). The activities include surveying the land, digging or boring the land for samples and any other activities prescribed. Government compensates the land owner for the damages that occur during the initial process of finding its suitability for public use.

The Minister after proper supervision from his adviser(s) then makes a declaration by statutory Instrument that the land is suitable and a copy of the declaration is issued to the different land owners of land (Land acquisition act, 2016). The Land Acquisition Act empowers the Assessment officer who is a public officer appointed by the Minister orders to start demarcating, measuring of the land and draft a plan of the land to be made public. A notice of more than 15 days should be issued inviting all people having interest in the land to be acquired to meet the assessment officer on a specified day, time and place in order to determine the nature of their claims, the amount of compensation to be and any objections to the planned use of the land (Land acquisition act, 2016)

According to the Land Acquisition Act, the Assessment officer on the day specified hears the claims and makes an award stipulating the true area of the land and the compensation which should be given to each person having an interest in the land.

The amount Compensated is paid basing on the current market price of the land in the area prepared annually by the District Land Board (Uganda Land Act, 2016). According to the Land Act Section 76 1(b) and (c), any person in disagreement with the award of the Assessment officer may petition the District Land Tribunal or the High court if the Uganda Land Commission is responsible for paying compensation for the value of the land if no appeal is made to the Courts of law (Section 6(4) (b) of the Land Acquisition Act). The government fully takes possession of the land after adequately compensating people who have interest in the land. The land which is deemed public is then managed by Uganda land commission as prescribed by Section 7 of the Land Acquisition Act, Article 26(2) (b) (i) of the Constitution ((Land acquisition act, 2016; Uganda Land Act, 2016).

3.3 Resolution of Potential Conflicts or Grievances

The framework describes processes for addressing disputes among affected groups or communities. A key aspect of these processes will be the role of government in both mediation and the enforcement of agreements. The Framework also describes processes for addressing grievances raised by affected individuals or households that are dissatisfied with eligibility criteria, the design of mitigation measures, or patterns of actual implementation. The framework should describe how responsibilities will be distributed among government agencies and the communities themselves in the event that unanticipated problems or impacts arise or mitigation measures cannot be implemented successfully.

In addition, a process framework includes at least two elements that may not necessarily be directly related to community participation.

3.4 Land acquisition may qualify non landowners for assistance

Land acquisition affects anyone who owns, resides in, or works in the area taken by state. Although only the legal or customary owner is compensated for the loss of the land, other people may be directly affected because of loss of occupancy or of other assets and may qualify for alternative forms of assistance.

Three major categories of non-owners are renters, businesses, and workers and employees. Renters occupying residences to be acquired are eligible for relocation assistance because

they have to move. Relocation assistance typically covers assistance in locating replacement housing, as well as in packing and moving; financial payment for the cost of the move and possibly for refitting the new residence; and follow up services for the individuals in their new locations.

Businesses are similarly eligible for relocation and other assistance, regardless of whether they own the property or building. Businesses using rented properties are given assistance in finding a new location, compensation at replacement value for any immovable assets, compensation for the loss of income during transition, assistance with physical transfer, and follow up services. Workers and employees, meanwhile, may be eligible for wages during the transition. In addition, several categories of informal occupiers, often termed squatters and encroachers, may be eligible for specific assistance.

3.5 Compensation and Income restoration

According to OP 4.12, the resettlement plan (RAP) provides “prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project” (para. 6).

For households with land-based livelihoods that lose a significant portion of their holdings, Bank policy gives preference to land-based strategies. “These strategies may include resettlement on public land, or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential.

3.6 Reasons Why Compulsory Acquisition Is Carried Out

Wordsworth, Adarkwah , & Paul, (2014) state the reasons why governments may acquire land compulsorily as including: -The need to provide social and economic amenities like hospitals, schools, police stations, markets, airports, harbors’, roads and highways, open spaces, public parks, waste treatment sites and other uses for the overall benefit of the society, which are unlikely to be privately provided.

Compulsory acquisition may be used to achieve this efficiency by guiding development and redevelopment of land to more desirable purposes, limiting urban sprawl and unnecessary encroachment on agricultural land, and achieving economies of scale and least-cost production of public services. (OdameLarbi, Antwia, & Olomolaiyea, 2013). Furthermore, the search for greater equity and social justice in the distribution of land, it is argued that the

poor can have easy access to land if the government intervenes to limit price escalation. The ethos of public sector agencies is often based on the assumption that they should compensate for the failure of private housing markets by providing for those directly in need.

Ding (2007) justifies land acquisition in a market economy as a way of correcting the following: -

Mis-pricing of infrastructure and profit-driven private markets often result in urban development patterns that have inadequate provision of public and urban basic services, inadequate provision of open spaces and recreational park, and park facilities, and inadequate protection of natural environmental systems such as wetlands; Public goods, interests, and services such as schools, hospitals, roads, and easements require governmental intervention in land development by imposing restrictions on privately owned lands (OdameLarbi, Antwia, & Olomolaiyea, 2013).

Restrictions on the ways land can be used in terms of type and intensity help to achieve social, environmental and cultural goals; Urban land development patterns driven by private markets often harm the environment and natural ecological system, hurt the urban poor, and impose social costs on the society; Successful implementation of urban and regional planning needs sound land management and policy and the need to address social issues like equity and justice becomes urgent and critical in fast urbanizing economies (OdameLarbi, Antwia, & Olomolaiyea, 2013).

3.7 Causes of the Delays of Compensation of Project Affected Persons

Delayed payment of compensation and delayed provision of physical relocation are the order of the day and from delayed compensation there are several issues affecting the ability of families to sustain their livelihoods come out prominently (Ltd & Consultant Surveyors and Planners, 2018).

This is due to the gradual loss in value worth of the amount of financial compensation, especially with the runaway inflation and competition for resources that the country experiences, sometimes leading to costly re-valuations, the disruption and impoverishment that occurs as Project Affected Persons transition economically during relocation and compensation exercises, lack of adequate budgeting and funds to implement land acquisition and resettlement in a timely manner and lack of budgetary funds for upfront payment of compensation, lead to litigation. Consultant Surveyors Ltd and Planners, (2018).

The practice is that compensation money is only released on a quarterly basis instead of fully at the time of land acquisition; Ownership disputes, Inability to locate absentee owners,

Disputes and court cases over compensation. Furthermore, delayed land acquisition and infrastructure projects, have led the government to propose an amendment to the Constitution to remove the mandatory requirement of payment of compensation prior to acquisition. Consultant Surveyors Ltd and Planners, (2018)

Section 16.3 of the VGGTs calls for states to provide “prompt” payments of compensation. However, there is no specified deadline established by the VGGTs. The FAO Handbook states that laws should ensure that people receive full payment of the agreed-upon compensation sum in a timely manner, and that governments should be prohibited from taking possession of acquired land until after a substantial percentage of compensation has been paid. Delays in payments could potentially result in the impoverishment of affected populations (FAO, 2008).

A recent USAID survey in Rwanda found that payments of compensation for expropriation were, on average, delayed by 16 months past the legally imposed deadline for compensation payments. In Ghana, compensation was not paid for approximately 90 percent of all land expropriated between 1966 and 2001 (W.O, Antwi A, & Olomolaive P, 2014).

As of 2011, there were hundreds of pending cases in courts petitioning the government to either pay compensation or return lands to indigenous landholders. In China, the promise of cash compensation payments was unfulfilled in approximately one-third of the 476 land expropriations surveyed. In Kenya, landowners are often not compensated promptly, according to the World Bank’s LGAF study (Washington, DC, & USA, Land Governance Assessment Frame Work, 2016). In Nigeria, the LGAF study found:

The speed at which compensations are paid to property owners is also very slow. This may be attributed to the lack of planning on the part of the expropriating institution and the inadequate understanding of the need to pay compensation on the part of the government, which results in the poor budgetary allocation to the institutions saddled with the responsibility of land acquisition in the country” (Washington, DC, & USA, Land Governance Assessment Framework, 2011).

The ninth legal indicator asks whether laws mandate that affected populations receive payment prior to the taking of possession or within a specified timeframe thereafter. It was found that 21 of 50 countries/regions have laws that require governments to pay compensation before acquiring land or within a specified timeframe thereafter (Washington, DC, & USA, Land Governance Assessment Frame Work, 2016). For example, Article 93 of Vietnam’s Law on Land, 2013 provides that “within 30 days after decision on the land

recovery by the competent state agency takes effect, agencies and organizations in charge of compensation shall pay compensation and support to people whose land is recovered.”

Thirteen of 50 countries/regions received “partial” scores because their laws establish deadlines for compensation payments but also provide exceptions by which the deadline may be extended (Washington, DC, & USA, Land Governance Assessment Frame Work, 2016). In Trinidad and Tobago, for example, the answer is “partial” because claimants can petition for advance payment of compensation, made before possession of their land is taken; however, without a petition, advance payment is not required by law (Trinidad & Tobago, 2015).

Sixteen of 50 countries/regions have laws that do not require prior payment of compensation or payment within a specified timeframe (Trinidad & Tobago, 2015). For example, according to Tanzania’s Land Acquisition Act 1967, the Minister can pay compensation “at any time” after the publication of the acquisition notice in the Gazette (Dodoma & Tanzania, 2014).

3.8 Effect of Compulsory Land Acquisition On the Project Affected Persons

Given that ‘land is life’ for many people and that people everywhere have place attachment (a sense of place) to a varying extent, (Vanclay F. 2008) project land acquisition and the consequent displacement and disruption can cause much hurt and hardship. Being resettled, even when it leads to an improvement in material standard of living, can provoke significant emotional pain and other social impacts, (O Bennet, 2012). Contrary to this, In Vietnam, a recent study indicated that much as there was loss of land, majority of people were able to reconstruct their livelihoods with better living conditions after acquisition, (P Nguyen, 2017). In a study by Sophia Kongela, (2011) on the negative impact of land acquisition on indigenous communities’ livelihood and environment in Tanzania, findings show that land acquisition programmes in the study area have a negative impact on the livelihood of indigenous people and the environment. Some of the problems noted include loss of land, loss of means of livelihood, disruption of economic activities, persistent land-related conflicts, and relocations to poorly developed areas, inadequate and late compensation, and environmental degradation. In an argument of free and fair compensation award given to the project affected persons, in quest for service delivery through infrastructural development,

the social economic effects which are negative tend to outweigh the positive outcomes of such (Sophia Kongela, 2011).

In relation to compulsory land acquisition, agricultural land shrinkage due to industrialization and modernization has a negative impact on the livelihood strategies of people, who depend on agricultural land or other natural resources. Farmland is very important for the livelihoods of most rural people in Vietnam, (Tuyen, 2013).

In 2017, 68% of the labor force was engaged in agriculture, (GSO, 2013). In this regard, (Nguyen, 2011) indicated that the need to convert a large amount of agricultural land into industrial, commercial, and residential land has raised many issues such as labor conversion, reduced traditional food production, the need for compensation, and future risk. (P Nguyen, 2017) also concluded that equitable development and sustainable livelihoods were a challenge in Hue's periphery in the long term.

On a land acquisition project in Thailand, up to 67% of agricultural workers still retained their old jobs. The number of peasants transferred to new jobs was 13% and 25%–30% had no or not enough employment. This was the situation of 53% of the people, whose land was recovered, who had lower incomes than before. On average, after land loss, each household had 1.5 laborers who were unemployed. For every hectare of agricultural land, there were 13 unemployed laborers who had to find ways to change their jobs (Thanh, 2019). Therefore, it can be said that agricultural land acquisition has a significant impact on poor households in rural and per-urban areas of Vietnam.

In Ghana, the study of the execution of compulsory acquisition and compensation at Suame-Buoho found that its negative effects were family dis-unity, congestion, dust evading rooms due to partial demolition of the habitable house, loss of business customers and profits, general insecurity and difficulty in renting new accommodation access difficulties, insecurities, delays and inflation (King & D, 2015).

3.9 Suggested Solutions to The Problem of Land Acquisition

According to Vanclay, (2017) there should be active role of Civil Engineer in the planning phase of land acquisition. As in the process of land acquisition and computing the value of compensation to be provided to affected people, two things are very crucial and important: Measurement of affected farmland or area which is going to be affected by land acquisition and Assessment of the property or area which is affected in land acquisition process. Effective measures should be taken in carrying out Land acquisition in order to calculate the compensation, valuation should be carried out properly, Utmost care should be taken in

surveys carried out during site selection. Priority should be to acquire barren land instead of fertile land, Urgency clause should be used only in case of actual urgency, Land surveyors should be entitled to work with utmost professionalism, accuracy and clarity, Compensation rates for the destruction of crops should be calculated as per current market prices and maturity of the crop (Vanclay, 2017).

CHAPTER THREE

METHODOLOGY

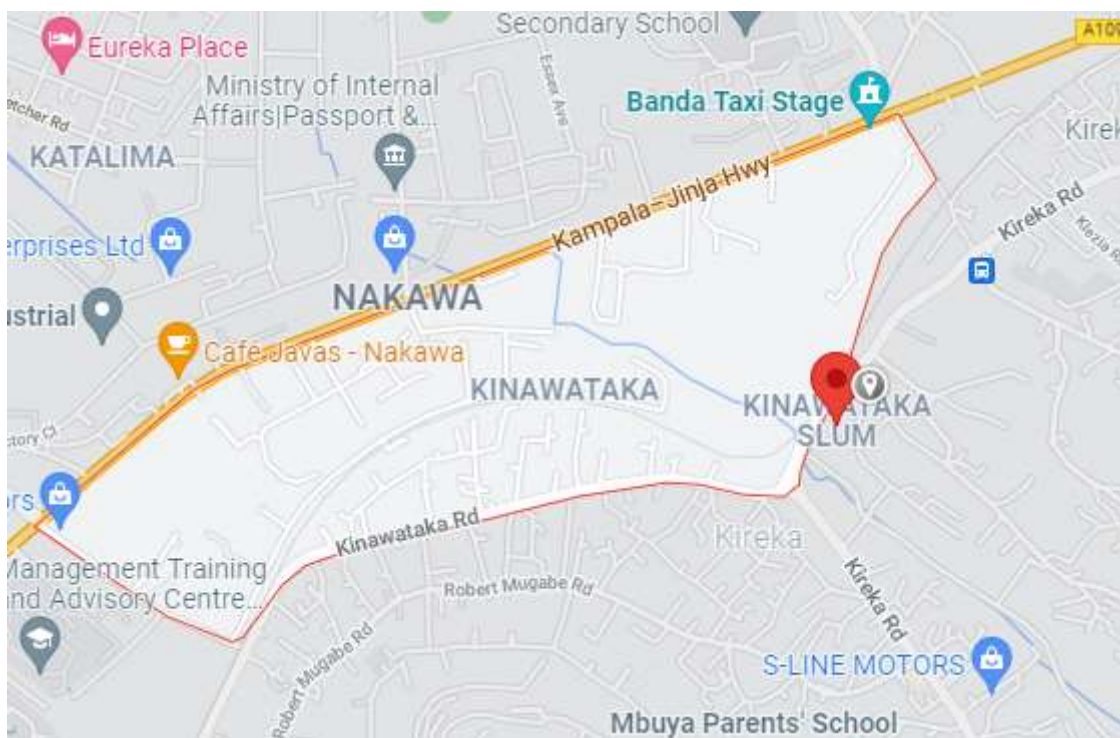
3.1 Introduction

This chapter presents the methods and instruments the researcher used during the research study. The specific areas included: the description of the study area, the research design, data source and target population, sample size, sampling techniques and procedures, sampling instruments, reliability of instruments, data collection procedures or methods, data analysis, data presentation and ethical considerations.

Description of the study area

The area of the study Nakawa Division of Kampala the commercial and administrative capital city of Uganda. According to 2020 Population and Housing Census, Nakawa Division contributes 20.3% of the total Kampala district population. The division covers a total land area of 474.5sqkms.

The parish neighborhood was Mbuya II and Kira Town Council to the North, Butabika to the East, Ruzira to the South and Bugolobi to the West. The Parish covers a Total Land area of approximately 413.76 hectares. The longitudes and Latitudes of Kinawataka are 0.336°N, 32.6292° E (UBOS, 2014) .



Source: Google map

3.2 Research design

A cross sectional research design was used in data collection. This design analyses data of variables collected at one given point in time across a sample population or observations that come from similar individuals or groups.

Quantitative research approach was used in data collection. It focuses on obtaining data through open-ended and conversational communication.

3.3 Data source

The data used during the research was primary data. Primary data was collected through questionnaires that was distributed by emails, here the researcher was directly involved in data collection.

3.4 Target Population

The Researcher's target population was 1600 project affected persons of Kinawataka Katoogo Village 10 Surveyors and 1 local council K. Kato, Personal Communication, November, 17 2021. This was intended to be used because it was to help the researcher generalize the study findings basing on the analyzed results (Whaley, 2010).

3.5 Sample size

The sample size of 310 Project affected Persons, 10 surveyors and 1 Local council leader was arrived using Krejcie and Morgan table (1970). The researcher managed to get 234 Project affected Persons, 10 surveyors and 1 Local council out of that sample.

3.6 Sampling technique

The researcher used simple random in collecting data. The respondents were selected in such a way that every person in the population has the same probability of being selected for study and the selection of an individual does not affect the selection of the other.

3.7 Sampling procedure

Each member of the population was assigned a number, these numbers are drawn at random to compromise the sample group. Every person will have a chance to be selected.

3.8 Sampling instruments

The researcher used questionnaire consisting of structured and unstructured questions designed by the researcher to obtain data.

Both open ended and closed ended questionnaires to the respondents were administered by the researcher to discover people's knowledge about compulsory acquisition of land on the livelihoods of the PAPs.

3.9 Reliability and validity of data

Pretesting of the project affected persons was undertaken by selecting a sample of 20 respondents. The result was used to review the questions that was not clear and also increase the answer options for some of the questions on the original questionnaire.

3.10 Questionnaires

It consisted of a set of questions to which the target population will respond to in writing. It involved open ended and closed ended questions. Questionnaire was considered because it was a good tool for data collection in respect to the study as it also gave respondents opportunity to express themselves without being influenced by the investigator.

3.11 Data collection procedures

After the research proposal was approved by the supervisor, the researcher then designed research instruments to be used in data collection with the help of the supervisor.

This enabled the researcher to officially conduct the study in the areas with ease. The researcher proceeded to the field with the introductory letter obtained from the research coordinator which was presented to respondents on request. After obtaining the relevant data from the research participants, the researcher then cross examined the responses and compiled the meaningful statements for analysis.

3.12 Data Analysis

Cleaning/Editing was done immediately after administering of all questionnaires which involved cross checking for mistakes and errors given by the respondents to ensure that there was completeness of the questionnaires' accuracy and uniformity.

Coding of primary data was done by categorizing of questions in the questionnaires that had the same meaning were grouped into a meaningful pattern of answers. This was done for the purpose of bringing out the relationship between variables so that they would be easily analyzed.

Findings were tabulated by use of Microsoft excel software in this stage, Excel 2016 (16.0). Each question was run through counting the number of responses from all the questionnaires and was later recorded into a coding frame. Thereafter tables were made to help in interpretation of data. A descriptive statistical measure which summarizes data such as mode were used.

3.13 Data presentation

Pie-charts and graphs were mainly used by the researcher as the main way of presenting data. This gives a presentation of data in a frequency distribution table on an x-y coordinate system. The class intervals were plotted on the x-axis and the corresponding frequencies on the y-axis.

3.14 Ethical consideration

Respondents to questionnaires were briefed that the instruments being administered was for study use only, interpreted the questions in their local language, helped out some respondents by asking them questions in the questionnaire and filling in the questions. The information was treated with confidentiality and was not disclosed to anyone. Also, the university Identity card was shown to the various interviewed officials to clarify about the identity of the researcher.

3.14 Challenges encountered in the field

The scope and depth of the study was limited by the time factor and financial resource constraints which made it tiresome. The time allocated for the study was insufficient while doing it together with other course units made it was very much hectic. However, the researcher tried to conduct the research within the time frame specified.

Language barrier especially with some of the project affected persons that did not understand English, which made it had for them to interpret questions.

Some of the people were not willing to give the researcher any information for fear that the report will be used against them.

Inadequate funds to cover the several trips made to the field.

Covid19 pandemic which made much fear in collecting information from people where most of them did not want to put on masks.

It was sometimes hard to get in touch with respondents, most of them were busy with day to day activities especially in conducting interviews.

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION AND INTERPRETATION OF THE FINDINGS

4.1 Introduction

This chapter presents the findings of the study that sought to assess the effect of compulsory land acquisition of land on the livelihoods of project affected persons on Kampala Jinja Express Highway in Kinawataka Katoogo Village. Findings were obtained from data of 245 respondents who were given questionnaires to respond to options on the effect of compulsory acquisition of land on the livelihoods of the PAPs including the PAPs, Surveyors and the local leader. Data was analyzed using excel and later on presented in form of frequency tables and pie charts showing counts and percentages for easy understanding. Data was analyzed and presented in line with three substantive objectives of the study which are to; To identify the causes of the delays in the approval of compensation to the project affected persons in Uganda, To identify the challenges associated with implementation of compulsory acquisition programs by the government institutions to the project affected persons and To identify the solutions to the challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons.

4.2 Response Rate

This refers to the number of people who answered the survey divided by the number of people in the survey. From the sampled population, the sample population and the realized population are presented in a table below.

A table showing the response rate of respondents.

Population category	Sample	Realized	Percentage realized
Project affected persons	310	234	75.5
Local leader	1	1	100
Surveyors	10	10	100
Total	328	245	275.5

Source: Primary data

In reference to the above illustration, 234(75.5%) of the respondents were project affected persons which were realized, 10(100%) of the respondents were surveyors and 1(100%) was

a local leader. The above findings show that the majority of the respondents were project affected persons with 234(75.5%).

4.3 Demographic characteristic of the respondents

This section was intended to capture background information about the respondents' gender, age, Period of stay in the area, Level of education, employment status, type of development.

4.3.1 Gender of Respondents

This was important for the success of the study and in investigating the influence of gender towards the effect of compulsory acquisition of land on the livelihoods of the PAPs. Information on the respondents' Gender were presented in the frequency table below.

A Table Showing Gender of the Respondents

Gender	Frequency	Percentage
Female	127	51.8
Male	118	48.2
Total	245	100

Source: Primary data

Findings above show that 127(51.8%) of respondents were female and 118(48.2%). This implies that the majority of the respondents were female.

4.3.2 Age of the respondents

It was also useful to investigate the age in assessing the effect land acquisition on the livelihoods of PAPs in Katoogo Village. This was shown in the table below.

A Table showing the age of the respondents

Age	Frequency	Percentage
18-20	0	0
21-30	63	25.7
31-40	95	38.8
41-50	55	22.44
51-60	32	13.1
Above 61	0	0
Total	245	100

Source: Primary data

According to the findings above, 95(38.8%) of the respondents were in the age bracket of 31-40 years, followed by 63(25.7%) in the age bracket of 21-30years, 55(22.44%) were in the age bracket of 41-50years, 32(13.1%) were in age bracket of 51-60years, between 18-20 and above 61 years had no respondents. Findings shows that the majority of the respondents were in the age bracket of 31-40 years.

4.3.4 Education Level of Respondents

This was important in investigating the effect of compulsory land acquisition on land on the livelihood of Project Affected Persons. The information on the respondents' level of education was illustrated in the pie-chart below;

A table showing the Education Level of Respondents

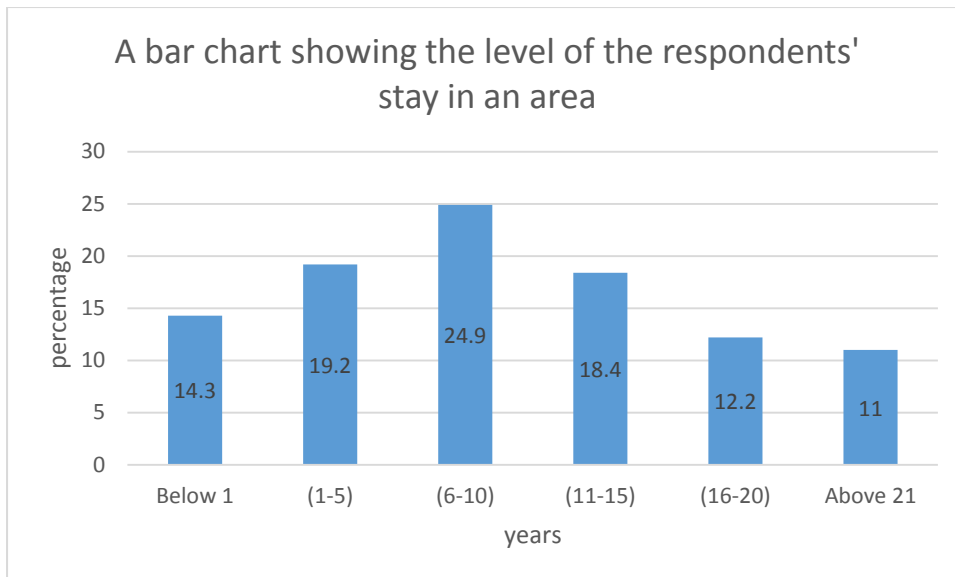
Level of education	Frequency	Percentage
Did not study	100	40.8
Ordinary level	56	22.9
Advanced level	43	17.6
Tertiary insititution	31	12.7
University	15	6.0
Total	245	100

Source: Primary Data

Findings above show that 100(40.8%)of respondents did not study, followed by Ordinary level with 56(22.9%), Advanced level was followed with 43(17.6%), Tertiary institution with 31(12.7%) and the University had 15(6.0%). This implies that majority of the respondents did not study with 100(40.8%).

4.3.5 Length of the respondents' stay in the area

It was important for the success of this study to find out how long the respondent has stayed in the area to help the researcher get the right information. This was shown in the illustration below.



Source: primary data

Findings of the above study shows that 61(24.9%)of the respondents have stayed in an area between (6-10) years, followed by the respondents who have stayed in an area between (1-5) years with 47(19.2%), followed by respondents that have stayed between (11-15) years with 45(18.4%), below one year with 35(14.3%) respondents, (16-20) years followed with 30(12.2%) and above 21 years with 27(11%). This implies that 61(24.9%) was the majority of the respondents that have stayed in an area between (6-10) years.

4.3.6 Number of respondents' employed

It was important to know the number of people that were employed and not employed in order to investigate the effect of compulsory land acquisition on land on the livelihood of Project Affected Persons. The information on the respondents' number of people employed is illustrated on the pie-chart below.

A table showing the number of respondents employed

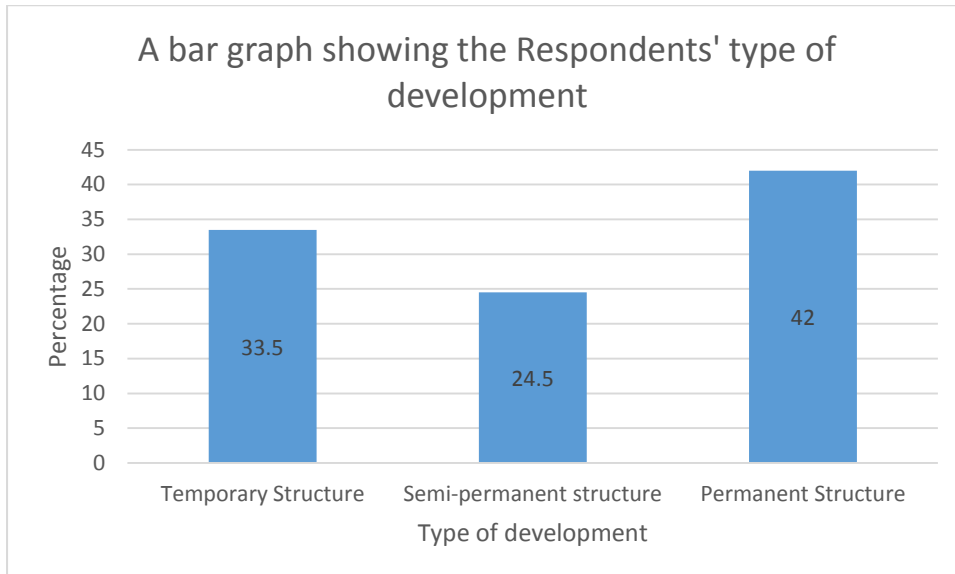
Employed	Frequency	Percentage
Yes	145	59.18
No	100	40.82
Total	245	100

Source: primary data

Findings of the above shows that 145(59.18%) of the respondents were employed and 100(40.82%) of the respondents were unemployed. This implies that the majority of the respondents were employed.

4.3.7 Respondents' type of development

This was important in investigating the effect of compulsory land acquisition on land on the livelihood of Project Affected Persons. It was illustrated in the graph below.



Source: primary data

Findings of the above shows that 103(42%) of the respondents have permanent structures, followed by temporary structures with 82(33.5%) and semi-permanent structures with 60(24.5%). This implies that majority of the respondents have permanent structures with 103(42%).

4.4 Respondents' Perception on specific objectives

4.4.1 The challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons

The researcher wanted to know the respondents' perception on the effect of land acquisition of land on the livelihoods of project affected persons which was the main objective of the study. Findings are illustrated on a frequency table below.

4.4.2 Table1: Challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons

Challenges	Frequency		Percentage of the Frequency		Mode
	Yes (1)	No (2)	Yes	No	
Delayed payment of compensation	245	0	100	0	1
Lack of participation in choosing between possibilities of cash compensation or physical resettlement	134	112	54.69	45.71	1
Consultations and participation of affected people in the process	129	116	52.65	47.34	1
Persistent land related conflicts	125	120	51.02	48.98	1
Unfair and inadequate compensation	0	245	0	100	2
Disruption of economic activities	80	165	32.65	67.35	2

Source: Primary Data

In response to the above findings, 245(100%) of the respondents agreed that the government had delayed to compensate them however there were no respondent that disagreed that the government had delayed to compensate, 134(54.69%) of the respondents agreed that there is lack of participation in choosing between possibilities of cash compensation or physical resettlement however 112(45.71%) disagreed on it,

129(51.02%) of the respondents agreed on the consultations and participation of affected people in the process however 116(52.65%) disagreed on it, 125(51.02%) of the respondents agreed that there are persistent land conflicts that occurs in the process of land acquisition however 120(48.98%) of the respondents disagreed on it, 80(32.65%) of the respondents

agreed that there is disruption of economic activities however 165(67.35%) disagreed on it, no respondent agreed on unfair and inadequate compensation to the PAPs and the rest disagreed on it.

Findings show that majority of the respondents, 245(100%) of the respondents agreed that the government had delayed to compensate them however 245(100%) of the respondents disagreed that there is unfair and inadequate compensation. According to the mode in the table above, it implies that most respondents have not been compensated in time.

4.4.3 Other challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons

Limited understanding by the PAPs on the legal requirements, procedures, and process of Land acquisition leading to exposed manipulation violence and abuse.

Threats by some government officials to leaders of the government advocates for fair compensation packages.

Alleged forced signing of compensation disclosure agreement by some residents which lowers the amount that should be worth the property.

The process is costly and time consuming in transferring title documents on the side of the officials.

4.4.4 Causes of the delays in the approval of compensation to the project affected persons

The researcher wanted to know the respondents' perception on the causes of the delays in the approval of compensation to the of project affected persons. Findings are illustrated on a frequency table below.

Table 3: Causes of the delays in the approval of compensation to the project affected persons

Causes	Frequency		Percentage of the Frequency		Mode
	Yes (1)	No (2)	Yes	No	
Gradual loss in value worth of the amount of financial compensation	92	153	37.55	62.45	2
Lack of budgetary funds for upfront payment of compensation	134	111	54.69	45.31	1
Disruption and impoverishment that occurs in compensation exercises	146	99	59.59	40.41	1
Disputes and court cases over compensation	131	114	53.47	46.53	1
Lack of planning on the part of the expropriating institution	129	116	52.65	47.35	1
Inadequate understanding of the need to pay	111	134	45.31	54.69	2

compensation on the part of the government					
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Source: primary data

In response to the above, 146 (59.59%) of the respondents agreed that the delay has been caused by the disruption and impoverishment that occurs in compensation exercises however 88(40.41%) disagreed on it., 134(54.69%) of the respondents agreed that the delay has been caused by lack of enough budgeting and funds for upfront payment of compensation however 111(45.31%) of the respondents disagreed on it , 131 (53.47%) of the respondents agreed that the delay has been caused by disputes and court cases over compensation however 114(46.53%) disagreed on it, 129(52.65%) of the respondents agreed that the delay has been caused by lack of planning on the part of the expropriating institution however 116(47.35%) disagreed on it, 111 (45.31%) of the respondents agreed that the delay has been caused by inadequate understanding of the need to pay compensation on the part of the government however 134(54.69%) disagreed on it, 92(37.55%) of the respondents agreed that the delay has been caused by gradual loss in value worth of the amount of financial compensation however 153(62.45%) of the respondents dis agreed on it.

Majority of the findings show that 146 (59.59%) of the respondents were disrupted and impoverished in compensation exercises and 153 (62.45%) of the respondents dis agreed on the gradual loss in value worth of the amount of financial compensation.

According to the mode in the table above, it implies that most delays of compensation were caused by the disruption and impoverishment that occurs in compensation exercises.

4.4.5 Other causes of the delays in the approval of compensation to the project affected persons

Covid 19 Pandemic delayed the compensation programs which led to stagnation of peoples’ economic activities leading to poverty.

Use of unprofessional officials which made the delay of the process leaving PAPs’ livelihood getting affected.

Ownership disputes amongst the project affected persons and Inability to locate absentee owners causes the delays in the approval of compensation to the project affected persons.

4.4.6 Solutions associated with implementation of compulsory acquisition programs by the government institutions to project affect persons

The researcher wanted to know the respondents' perception on the solutions associated with implementation of compulsory acquisition programs by the government institutions to project affect persons. Findings are illustrated on a frequency table below.

Table 5: Solutions associated with implementation of compulsory acquisition programs by the government institutions to project affect persons

Solution	Frequency		Percentage of the Frequency		Mode
	Yes (1)	No (2)	Yes	No	
Measurement of affected area	75	170	30.61	69.39	2
Assessment of the affected property	86	159	35.10	64.90	2
measures should be taken in carrying out Land acquisition compensation exercises	127	118	51.84	48.16	1
Care should be taken in surveys during site selection	175	70	71.43	28.57	1
Urgency clause should be used in case of actual urgency	125	120	51.02	48.98	1
Professionals should be the ones entitled in the process	124	121	50.61	49.39	1

Source: Primary Data

In response to the above solutions, 175 (71.43%) of the respondents agreed on the taking care in surveys during site selection however 70(28.57%) disagreed on it, 127(51.84%) of the respondents agreed on taking measures in carrying out land acquisition however 118(48.17%) disagreed on it,125(51.02%) of the respondents agreed that urgency clause should be used in case of actual urgency however 120(48.98%) of the respondents disagreed on it, 124(50.61%) of the respondents agreed that professionals should be the ones entitled in the process however 121(49.39%) disagreed on it, 86(35.10%)of the respondents agreed on the assessment of the affected property however 159(35.10%) of the respondents disagreed on it, 75(30.61%) of the respondents agreed that the affected area should be measured however 170 (69.39%) of the respondents disagreed on it.

Majority of the findings show that 175 (71.43%) of the respondents agreed on taking care of surveys during site selection however 159(35.10%) of the respondents disagreed agreed that the affected area should be measured.

According to the mode in the table above, it implies that care should be taken in surveys during site selection in land acquisition process.

Other Solutions associated with implementation of compulsory acquisition programs by the government institutions to project affect persons

The procedure for compulsory acquisition of land should be protected from potential abuse and should be applied uniformly.

All aggrieved persons in the process of compulsory land acquisition should have access to independent and time bound grievance redress mechanism.

The project administrators should be transparent about compensation activities with the affected people so as to have a smooth relationship with the people and promote coordination. This can be achieved through the use of sociologists to inform people about the project and its uses.

Government should negotiate and inform the people before going ahead to obtain loans which do not cover some items like compensating the project affected persons.

CHAPTER FIVE

SUMMARY CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter involves the summary of the findings in relation to the study objectives, conclusion based on the problem statement, recommendation based on the conclusion and the limitations of the study.

5.2 Summary of findings

Challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons

This research has shown that disruption of economic activities, delayed payment of compensation, lack of participation in choosing between possibilities of cash compensation or physical resettlement, consultations and participation of affected people in the process are the major challenges that affect the PAPs which are caused by the delay in compensating the PAPs.

Causes of the delays in the approval of compensation to the project affected persons

The delays in the actual implementation of the compensation that is the time lag between the date of assessment and the disclosure and date of project implementation contribute to the persistence of adverse social, economic and environmental consequences on PAPs. This research has shown that lack of budgetary funds for upfront payment of compensation and lack of planning on the part of the expropriating institution, Gradual loss in value worth of the amount of financial compensation, disruption and impoverishment that occurs during relocation and compensation exercises and inadequate understanding of the need to pay compensation on the part of the government are the most causes of the delay in the approval of compensation of project affected persons.

Solutions associated with implementation of compulsory acquisition programs by the government institutions to project affect persons

This research has shown that there are various solutions associated with implementation of compulsory acquisition programs by the government institutions to project affect persons including; Measurement of the affected area, assessment of the property or area which is affected, effective measures should be taken in carrying out Land acquisition, taking much

care in surveys carried out during site selection, urgency clause should be used only in case of actual urgency and lastly professionals should be the ones entitled in the process in order to calculate the compensation and carrying out valuations properly.

5.3 Recommendation

It is recommended that all the aggrieved persons in the process of compulsory land acquisition should have access to independent and time bound grievance redress mechanisms.

The project administrators should be transparent about compensation activities with the affected people so as to have a smooth relationship with the people and promote coordination. This can be achieved through the use of sociologists to inform people about the project and its uses.

Government should negotiate and inform the people before going ahead to obtain loans which do not cover some items like compensating the project affected persons.

Government should state clear dates of receiving the compensation awarded so as to avoid speculations by the people leading to misinformed judgments and to enable people prepare for their livelihood in the given time.

Government should compensate the people upon delays on awarding compensation since the people's economic activities lower I form of returns each passing day yet there is a need to stay alive.

Delaying compensation leads to a lot of speculation, misinterpretation, and critiquing by the media which results in a lot of unsettlement.

Government should hire competent valuation firms to carry out these projects.

The government should train the PAPs on the procedures, the process and rights of compulsory land acquisition to increase on the awareness of what is included in the process.

5.4 Conclusion

This research found out that PAPs face both the challenges and negative effects of compulsory land acquisition process. Some of the negative effects include; the disruption of economic activities, gradual loss in value or worth of the amount of financial compensation, lack of participation in choosing between possibilities of cash compensation of

affected people in the process, especially with the runaway inflation and competition for resources that the country experiences.

This was mostly caused by a number of delays in the approval of compensation projects between the date of assessment, the disclosure and date of project implementation which has led to stagnation of income generating activities and discomfort. This was sometimes caused by lack of budgetary funds for upfront payment of compensation and the lack of planning on the part of the government of expropriating institution which limits the possible time that the compensation should be fully completed.

It can therefore be concluded that compulsory acquisition land has a negative effect on the livelihoods of project affected persons in the areas of Kinawataka (katoogo) Village.

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APPENDICES

APPENDIX 1: QUESTIONNAIRE

TOPIC: Assessing The Effect of Compulsory Acquisition of Land On the Livelihoods of Project Affected Persons in Uganda

Case Study: Kampala Jinja Express Highway in Kinawataka (Katoogo)Village

TO BE FILLED BY PROJECT AFFECTED PERSONS IN KINAWATAKA (Katoogo) VILLAGE.

Dear respondent; this questionnaire is designed to facilitate the collection of data concerning the topic: Assessing the effect of land acquisition of land on the livelihoods of Project Affected Persons (PAPs) in Uganda.

This is for academic purposes and all information shall be used for this purpose.

You have been selected to participate in this study because of your direct involvement or directly affected by the compensation and compulsory acquisition practice in Uganda with regard to the ongoing project of KAMPALA JINJA EXPRESS HIGHWAY IN KINAWATAKA VILLAGE.

Back ground information

Please tick the most suitable answer

1. What is your Gender?

Female Male

2. Under which category do you fall in?

Project affect person

Local leader

Official

3. How old are you?

18-20yrs	21-30yrs	31-40yrs	41-50yrs	51-60yrs	above 61yrs

4. How long have you been staying in the area?

Below 1 yr.	(1-5) yrs.	(6-10) yrs.	(11-15) yrs.	(16-20) yrs.	above 21 yrs.

5. What is your attained level of education?

- a) Did not study
- b) Ordinary Level Secondary school certificate / State class
- c) Advanced Level Secondary school certificate / State class
- d) Tertiary Institution certificate / State study
- e) University Graduate / State courses

6. Are you employed?

- a) Yes
- b) No

7. What were your type of development before the commencement of the project?

- a. Temporary structure
- b. Semi-permanent structure
- c. Permanent structure

8. What are the challenges associated with implementation of compulsory acquisition programs by the government institutions to project affect persons?

Challenges	Yes	No
Delayed payment of compensation		
Lack of participation in choosing between possibilities of cash compensation or physical resettlement		
Consultations and participation of affected people in the process		
Persistent land related conflicts		
Unfair and inadequate compensation		
Disruption of economic activities		

Specify if there is any other Challenge(s)

.....

9. What are the causes of the delays in the approval of compensation to the project affected persons in Uganda?

Cause	Yes	No
Gradual loss in value worth of the amount of financial compensation		
Lack of budgetary funds for upfront payment of compensation		
Disruption and impoverishment that occurs in compensation exercises		
Disputes and court cases over compensation		
Lack of planning on the part of the expropriating institution		
Inadequate understanding of the need to pay compensation on the part of the government		

Specify if there is any other Cause(s)

.....

10. What are the solutions associated with implementation of compulsory acquisition programs by the government institutions to project affect persons?

Solution	Yes	No
Measurement of affected area		
Assessment of the property or area which is affected		
Effective measures should be taken in carrying out Land acquisition		
Taking much care in surveys carried out during site selection		
Urgency clause should be used only in case of actual urgency		

Professionals should be the ones entitled in the process		
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Specify if there is any other solution(s)

.....
.....
.....

Thank you, Sir/Madam, for your time.

“You are blessed.”