# ADJUDICATION OF LAND CASES IN TANZANIA: A BIRD EYE OVERVIEW OF THE DISTRICT LAND AND HOUSING TRIBUNAL<sup>1</sup>

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July, 2013.

"I call upon all District Councils to strengthen Village Land Councils and Ward Tribunals in order to reduce backlog of cases in District Land and Housing Tribunals" Prof. Anna Kajumulo Tibaijuka, Minister for Lands, Housing and Human Settlements Development -2013/2014 Budget Speech

#### 01. Introduction

The Land Dispute Courts Act of 2002<sup>3</sup> establishes a District Land and Housing Tribunal with jurisdiction over land matters within the district, region or zone in which it is established. Other institutions with jurisdiction to entertain land cases that are governed and established by The Land Dispute Courts Act, herein after referred to as the Act, are The Village Land Council, The Ward Tribunal, The High Court, and the Court of Appeal.

The Act was enacted as the response to implement one of the underlying principles of the Land Act<sup>4</sup> and Village Land Act<sup>5</sup>; which is to ensure the establishment of an independent, expeditious, and just system for adjudication of land disputes<sup>6</sup>. The land courts system established by the Act operates to ensure that land disputes are adjudicated in a just and expeditious way by an independent institution.

Since the Act came into operation on 1<sup>st</sup> day of October 2003, 42 District Land and Housing Tribunals (DLHTs) were established but only 39 are functioning. Given the fact that there are about 151 Towns and District Councils, this means that about 109 urban authorities do not have DLHTs<sup>7</sup> (LRC, 2013). This year marks ten years after the Act was made operational but not every district in Tanzania Mainland has DLHT.

This paper uses DLHT as a case study to argue that the principle conceived in the enactment of the Act is far from becoming a reality. It uses data of the past four years to demonstrate that DLHT is overburdened by increment of an average of 2000 pending cases every year. It further shows legal and practical challenges that hinder access to and independence of DLHT. The paper calls for drastic strategic measures to strengthen DLHT in terms of human resources and facilities. The author reiterates some of the reforms of the court system as proposed by the Law Reform Commission of Tanzania. At the onset it is important to register that the findings of this paper are based on library and desktop research only.

<sup>&</sup>lt;sup>1</sup> A paper prepared for internal reflections and discussion at the Land Rights Research and Resources Institute –HAKIARDHI in July 2013.

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<sup>&</sup>lt;sup>3</sup> Act No. 2 of 2002

<sup>&</sup>lt;sup>4</sup> Act No 4 of 1999

<sup>&</sup>lt;sup>5</sup> Act No 5 of 1999

<sup>&</sup>lt;sup>6</sup> S. 3 (1) of Land Act and Village Land Act of 1999

<sup>&</sup>lt;sup>7</sup> The Review of the Legal Framework on Land Dispute Settlement in Tanzania. The Law Reform Commission of Tanzania. Pg 7

# 02. District Land and Housing Tribunal-Establishment and Composition

The Act empowers the Minister responsible for Land to establish in each district, region, or zone a court to be known as District Land and Housing Tribunal with jurisdiction to entertain land cases in district, region or zone in which it is established<sup>8</sup>. DLHT is composed of the Chairman and not less than two assessors<sup>9</sup>. The Minister responsible for land appoints a Chairman from among legally qualified persons to hold the office for three years<sup>10</sup>. Before holding the office the chairman is required to take oath before a judge of the High Court. The Chairman of the DLHT can be removed from the office by the Minister after holding an inquiry. Not more than seven assessors - out of whom at least three are women, are also appointed by the Minister in consultation with the Regional Commissioner<sup>11</sup>. Assessors must be versed in land and housing matters and customs and norms of the area in which DLHT is established. The role of assessors is to assist the Chairman to reach a just decision by way of giving their opinion before the Chairman reaches a judgment. Though the Chairman is not bound by the opinion of assessors, he must give reasons in the judgment for differing with the opinion once he decides to differ<sup>12</sup>.

## 03. Accessing District Land and Housing Tribunal-Jurisdiction, Practical and Legal Challenges

DLHT enjoys original, appellate and revisional jurisdiction over land matters. Original jurisdiction of the DLHT is confined to pecuniary value of the subject in dispute. If the subject is immovable the limit is fifty million Tanzanian Shillings and if the subject is movable or can be computed to monetary compensation the limit is forty million Tanzanian Shillings<sup>13</sup>. Since the pecuniary jurisdiction of the Ward Tribunal is limited to three Million Tanzanian Shillings it can be argued that the pecuniary jurisdiction of the DLHT is above Three Million but limited to either forty or fifty millions Tanzanian shillings for movable and immovable property respectively. DLHT equally enjoys appellate<sup>14</sup> as well as revisional<sup>15</sup> jurisdiction over matters emanating from Ward Tribunals.

Prior to September 2009 when Olam Tanzania Limited Property International v Baraka Mkondola<sup>16</sup> case was not decided DLHT used to hear and determine land matters arising out of or affecting all categories of land. However, in the decision of Olam's case, the High Court of Tanzania ruled that DLHT has no original jurisdiction to adjudicate matters concerning land registered under the Land Registration Ordinance, Cap 334. The Court of Appeal in its ruling<sup>17</sup> made on October 2010 corrected the High Court decision and set the precedence to the court subordinate thereto by stressing that "....DLHTs have

<sup>&</sup>lt;sup>8</sup> S 22 (1) & (2) of the Land Disputes Courts Act, 2002 (LDCA)

<sup>&</sup>lt;sup>9</sup> S 23 LDCA

<sup>&</sup>lt;sup>10</sup> S 25 (1) LDCA

<sup>&</sup>lt;sup>11</sup> S 26 (1) LDCA

<sup>&</sup>lt;sup>12</sup> S 24 LDCA

<sup>&</sup>lt;sup>13</sup> S 33 (2) LDCA

<sup>&</sup>lt;sup>14</sup> S 34 LDCA

<sup>&</sup>lt;sup>15</sup> S 36 (1) LDCA

 $<sup>^{16}</sup>$  High Court of Tanzania (Land Division) at Mtwara, Land Appeal No 14 of 2007 (Unreported) Judgment delivered on 25  $^{
m th}$ 

September 2009

17 See Olam Tanzania Limited and 3 Others v Selemani S. Selemani and 4 Others, Court of Appeal of Tanzania at Mtwara, Consolidated Civil Revisions No. 2,3,4,5, &6 of 2010, ruling made on 11<sup>th</sup> October 2010 (Unreported)

jurisdiction to hear and determine all land disputes arising under the Land Act, regardless of whether the said land is registered or not". (Rwegasira, 2012)

A party can access the DLHT himself or through a relative or an advocate by filing an application in a prescribed form. The other procedures will ensue, such as: issuing summons to the respondent, submission of Written Statement of Defense, hearing of the case and delivering of the judgment and issuing of the decree. Hearing of the case can be either in Kiswahili or English language but the language of the record is English. The tribunal has powers to execute its own decrees and orders. Having gone through access to and jurisdiction of DLHT it is worth noting some legal and practical challenges as discussed hereunder:

*Firstly:* DLHT are far away from Local Communities. As stated in the introductory part of this paper, in Tanzania there are only 42 DLHTs hence very few districts in Tanzania have a DLHT. It is more costly for some villagers to access these tribunals. They have to travel for a very long distance <sup>18</sup> and incur travel, shelter and food costs.

Secondly: Filing the case and pleadings are expensive. This is another hurdle in realization of the constitutional right to accessing justice. In August 2012 the Minister responsible for land published amendments to the fees applicable to Land Dispute Courts. Published fees to access courts are in my view absurd and unaffordable as they are too high to be afforded by local communities, the majority of whom are poor. Below is the table showing old and new fees

Table 1: Fees for District Land and Housing Tribunal

No	Item	Old Fees in Tsh.	New Fees in Tsh.
1.	On Obtaining Application form	500	4,000
2.	On Filing an application, where the subject matter does	5,000	40,000
	not exceed ten million		
3.	On filing an application, where the subject matter exceeds	15,000	120,000
	ten Million		
4.	On filling written statement of defense	2,500	20,000
5.	On filling chamber application	5,000	40,000
6.	On filling an affidavit	1,500	12,000
7.	On filling annexure(s) to the pleadings, each document	500	4,000
8.	On filling memorandum of appeals arising from the ward	2,000	16,000
	tribunal		
9.	On filing petition to the Land Division of the High Court	As may be	As may be
		applicable to	applicable to the
		the High Court	High Court (Land
		(Land Division)	Division)
10.	On filing reply to the petition of appeal	As may be	As may be
		applicable to	applicable to the
		the High Court	High Court (Land

<sup>&</sup>lt;sup>18</sup> For instance a villager from Tanganyika Masagati village in Kilombero District can travel a distance of 270 km by bus for 5 to 7 hours to Ifakara where the nearest DLHT is located. And a villager from Makelele village in Kilindi District can travel a distance of 280 km by bus for 6 to 8 hours to Korogwe where the nearest DLHT is located.

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		(Land Division)	Division)
11.	For a copy of proceedings for each typed page	500	4,000
12.	For copy of judgment or ruling	2,000	16,000
13.	For copy of decree or drawn order	500	4,000
14.	For service of application, written statement of defense,	3,000	24,000
	chamber application or affidavit within a City or		
	Municipality, the Process Server shall be paid		
15.	For service of application, written statement of defense,	2,000	16,000
	chamber application or affidavit in any other areas other		
	than the City or Municipality, the process server shall be		
	paid		
16.	On issuing witness summons or notice	500	4,000
17.	On filling bill of costs	5,000	40,000
18.	On filling application for execution	2,000	16,000
19.	On filing or obtaining any other document which is not	5,00	4,000
	specified in the Schedule		

Source; TALA (2012). And GN.No.263<sup>19</sup>

Considering that 33% of the population in Tanzania lives below 1 USD a day and of 12.9 million people who live in poverty 83% resides in rural areas<sup>20</sup>, it will be impossible for them to access DLHTs. A clear example is Ms Dora Mafore, who failed to pay Tanzanian Shillings 160,000 to file her application and annexures at Ilala DLHT after the new fees were made operational. Ms Dora Mafore sought legal aid services at Women's Legal Aid Center (WLAC)<sup>21</sup>. Based on the situation on the ground, one can question the mechanism used by the Ministry to arrive at the new fees.

Thirdly: Representation through an advocate is expensive. The Act requires the party to represent himself, or through a relative or advocate. Though the Act does not make it mandatory for parties to be represented by an advocate it is important that the party is availed with best legal service in the DLHT. Representation of the party by an advocate is hindered by high fees which are charged by advocates and limited number of advocates in the country. Until July 2013, Tanzania has 3,639 advocates<sup>22</sup>, majority of whom are based in cities like Dar es Salaam, Mwanza and Arusha. This makes it very hard for local communities to access their services.

Fourthly: Language barrier. As stated earlier, the language of record in DLHT is English. The party is served in case of appeal with memorandum of appeal and has to file his reply to the memorandum of appeal in the English language. Proceedings and the judgment are also written in English. Without the

<sup>&</sup>lt;sup>19</sup> http://www.ardhi.go.tz/sites/default/files/Gn%20263,%20264,%20265.pdf

Poverty and Human Development Report 2009. Interestingly according to http://www.tanserve.co.tz/Documentary/index files/Tanzania%27s%20Wealth.htm 89% of the population lives in abject poverty
<sup>21</sup> TALA, 2012 pg 4.

This number includes all advocates that are in the Roll of Advocates of Tanzania from 1921 to 2013. It does not exclude deceased and non-practicing advocates. Source; Reviewed Roll of Advocates until December 2012 (3519) and List of Petitioners of 2013 (120). Source; the Ministry of Lands Budget Speech 2013/2014

service of translators or an advocate, the party will effectively be unable to plead his case because he can't engage with it and follow what is going on.

Fifthly: Ward Tribunals in Urban Areas are ousted from dealing with land cases. The Act recognizes the ward tribunals established only within District Councils and not in Cities or Municipal Councils. Though there are Ward Tribunals in Cities and Municipal Councils they are not allowed to deal with land cases. This position was reiterated in the High Court (Land Division) in the case of Rehema Hamis and others v Faudhia H. Awadhi<sup>23</sup> where it was stated "...it must be noted that all the Ward Tribunals in Cities and Municipalities in Tanzania are not competent courts to determine all the matters of disputes, actions and proceedings concerning land .." (LRC, 2013). This is argued, and will be supported by data in the subsequent part of this paper, as the reasons why DLHTs located in Cities are overburdened.

Sixthly: Security of Tenure. The Chairman and his assessors are appointed by the Minister and are supposed to serve in the DLHT for three years. The fact that these officials are appointed by politicians and that it is politicians who decide the renewal or termination of their contracts makes them, in practice, not independent. This is against cardinal constitutional principle of separation of power which, if not guarded, can make the system inefficient and corrupt.

Other challenges are those that relate to lack of provision on the limitation of the age of assessors; corrupt officials; lack of provisions of adjournment of cases; and lack of provisions that allow for mediations before hearing the case in DLHT. What then is the current state of the DLHT in terms of cases filled, determined, and those that are pending? This is the subject of the subsequent part.

# 04. Current State of the District Land and Housing Tribunal: Filled, Decided, and Pending Cases

Data used in this part were obtained from the budget speeches of the Ministry of Lands, Housing and Human Settlements Development from five consecutive financial years starting in the 2009/2010 financial year to the 2013/2014 financial year. Choosing the records of the five years was purposive as it is sufficient to provide the trend and general picture of DLHT and establishing Act which marks a decade since it became operational. Choice was also limited by the available information from the Ministry of Lands website and other possible sources. It is important to note that in Tanzania the financial year begins in July and ends in June of the other year.

Findings show that between 2010 and 2011 many cases were filed and determined in the DLHT compared to other years. Cases that were filed within that financial year are 12,643 and those that were decided were 10,092. The trend change in the following financial year as there was a drop down of both filed and decided cases. The year 2012 and 2013 experienced another increase of both filed and decided cases registering a total of 12,074 filed and 9,831 decided cases. While the trend for both filed and determined cases have been changing back and forward in the last four financial years, the trend for pending cases has shown an increasing phenomenon at an average of 2000 cases per annum. In the 2009/2010 financial year, pending cases were 13,203 whereas in 2012/2013 pending cases were 19,897 as shown in the table below:

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<sup>&</sup>lt;sup>23</sup> Misc. Land Appeal No. 129 of 2009 (Unreported)

Table 2: State of DLHT based on number of cases from 2009-2013

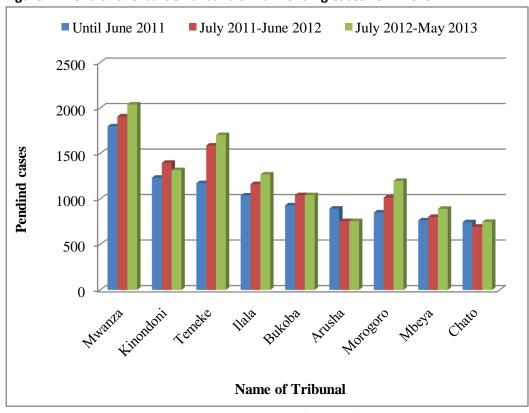
Financial Year	Instituted Cases	<b>Determined Cases</b>	Pending Cases
2009/2010	9,219	7,756	13,203
2010/2011	12,643	10,092	15,754
2011/2012	10,428	8,528	17,654
2012/2013	12,074	9,831	19,897

Source; Ministry of Lands Budget Speeches; 2009/2010- 2013/2014

It is also observed from the findings that until June 2011, June 2012 and May 2013 out of the 10 most overburdened tribunals analyzed every year, 9 have remained the same hence making them the most overburdened tribunals. Mwanza, Kinondoni, Temeke, and Ilala have maintained the position of four most overburdened Tribunals. Incidentally these tribunals are located in Cities where the Act does not allow Ward Tribunals to deal with land conflicts. This could be one of the reasons why these tribunals are overburdened. It is interesting to note that Babati, Tarime and Mbeya don't prospect in the trend displayed by the graphs below because they don't have data in all three years (see figure 1 and appendix 1-3).

Findings also show that the ten most overwhelmed tribunals every year have cases totaling to more than half of all cases pending in 39 operating tribunals in Tanzania. In 2011 they were totaling to 10,025 out of 15, 754 pending cases, where as in May 2013 they were totaling 11, 853 out of 19,897 pending cases as shown in **appendix 1-3**.

Figure 1: Trend of overburden tribunals with Pending Cases 2011-2013



Source: Ministry of Lands Budget Speeches 2012/13-2013/14

Though Mwanza is the leading overburdened tribunal with the most pending cases of all the tribunals in past three consecutive years, it is not the leading tribunal with more filed cases in the same timeframe. Between July 2011 and June 2012 about 567 cases were registered in Mwanza while Temeke which is the leading registered 1,079. Mwanza was not even in the list of 10 leading Tribunals where more cases were filed between July 2012 and April 2013. Interestingly Temeke which was a leading Tribunal between July 2011 and June 2012 is not among the 10 Tribunals which received more cases between July 2012 and April 2013. Like pending cases, filed cases in the top 10 Tribunals are more than half of all cases filed in all 39 Tribunals in Tanzania. Tables below show general trend on this aspect

Table 3: Tribunals where more cases were filed between July 2011 and June 2012

Rank	Name of the Tribunal	Cases Filed
1	Temeke	1079
2	Bukoba	757
3	Mwanza	567
4	Kinondoni	561
5	Babati	522
6	Musoma	488
7	Ifakara	465
8	Dodoma	420
9	Ilala	387
10	Morogoro	382
	Total	5,628 out of 10,428

Source; The Ministry of Lands Budget speech 2012/2013

Table 4: Tribunals where more cases were filed between July 2012 and April 2013

Rank	Name of the Tribunal	Cases Filed
1	Pwani	819
2	Bukoba	750
3	Dodoma	647
4	Kinondoni	626
5	Ilala	625
6	Babati	569
7	Musoma	549
8	Korogwe	463
9	Ifakara	436
10	Mwanza	429
	Total	5,913 out of 12,074

Source; The Ministry of Lands Budget Speech 2013/2014

Ten DLHTs that have decided more cases in the last two years have remained the same with the exception of Moshi tribunal which dropped out of the ten Tribunals from July 2012 to April 2013. Temeke Tribunal ranked the first from July 2011 to June 2012 after deciding 666 cases but became the last in the list of ten Tribunals that have decided more cases from July 2012 to April 2013 having decided 313 cases.

Table 5: Tribunals with more decided cases between July 2011 and June 2012

Rank	Name of Tribunal	Number of cases determined
1	Temeke	666
2	Bukoba	645
3	Musoma	542
4	Mwanza	458
5	Kinondoni	398
6	Arusha	380
7	Moshi	353
8	Dodoma	329
9	Ifakara	327
10	Babati	324
	Total	4422 out of 8,528

Source; The Ministry of Lands Budget speech 2012/2013

Table 6: Tribunals with more decided cases between July 2012 and April 2013

Rank	Name of Tribunal	Number of cases determined
1	Kinondoni	706
2	Bukoba	672
3	Pwani	571
4	Ilala	519
5	Musoma	518
6	Arusha	481
7	Dodoma	443
8	Babati	436
9	Ifakara	377
10	Temeke	313
	Total	5036 out of 9831

Source; the Ministry of Lands Budget Speech 2013/2014

The general observation supported by the data is that, though there is variation in the top ten DLHTs with more registered and determined cases, the top ten tribunals with pending cases have remained almost the same in the last three years. If the Ministry responsible for Land will not take drastic measures in strengthening 9 DLHTs identified in **figure1** and appendix 1-3, it is likely that the trend will continue. It can be predicted that DLHTs will continue to be overburdened with an increase of an average of 2000 cases every year if the situation remains the same. Having said so, the Ministry responsible for land matters is advised to take on board the recommendations discussed below.

#### 05. Recommendations

*First:* Strengthen DLHTs. The Ministry responsible for Land should strengthen DLHTs in term of facilities, man power and finance. This should start with the nine most overburdened Tribunals identified in **figure** 1 above. More qualified officials should be employed to deal with pending cases immediately. This should go hand in hand with putting in place required facilities and finances to facilitate the process.

Increasing the number of DLHTs is not immediate and strategic but a long-term solution to the current situation.

Second: Extend the jurisdiction of the Ward Tribunals. The Act limits the jurisdiction of the ward tribunals to entertain cases where subject matter is not more than three million Tanzanian Shillings and to operate within District councils. As argued earlier, Ward Tribunals are not competent courts in Municipalities and Cities hence the reason for backlog of cases in DLHTs located in cities and municipalities. We reiterate recommendations made by the Law Reform Commission of Tanzania to amend the Act to confer Ward Tribunals established within cities, municipal councils and town councils with jurisdiction to deal with land disputes and to extend pecuniary jurisdiction to Tanzanian Shillings ten million<sup>24</sup>.(LRC, 2013)

Three: Kiswahili to be language of DLHT. We want to direct the Minister responsible for land matters to the recommendation made by the Presidential Commission of Inquiry into Land Matter two decades ago on this matter. The commission says "the language of the court-including that of recording proceedings and judgments-at all levels should be Kiswahili. Undoubtedly, the court will continue combining English and Kiswahili to refer to certain concepts<sup>25</sup>". It further continues "We do not see any formidable obstacles which cannot be overcome through effort and practice in this regard, even if the statutes continue to be in English. The commission gives the words of wisdom on this by saying that "...the process of dispute resolution itself, if conducted in Kiswahili, will organically generate a vocabulary and a conceptual apparatus which in turn will assist the drafting of laws in Kiswahili<sup>26</sup>."(URT, 1994). English language distances a party from his case unless he is availed with the service of an advocate.

Four: Strengthen Village Land Council and Ward Tribunals. Every Village and Ward in Tanzania is supposed to have Village Land Council and Ward Tribunal competent to deal with land cases. The practice, however, is that, these courts are often faced with challenges relating to lack of knowledge on their limitation and powers. They are also underfunded and not technically supported which makes it very hard for them to discharge their functions according to the Act. We echo the call made by Prof. Anna Tibaijuka, the Minister responsible for land in recent parliamentary budget session in which she said "I call upon all District Councils to strengthen Village Land Councils and Ward Tribunals in order to reduce backlog of cases in District Land and Housing Tribunals"<sup>27</sup>. This call shows strengthening Village Land Councils and Ward Tribunals is the solution to the current plight of overwhelmed DLHTs.

We also advise the Ministry responsible for land to work on the following recommendations as proposed by the Law Reform Commission; DLHTs, Ward Tribunals, and Village Land Councils should be brought under Judiciary and also that a special body or authority be established to oversee the conduct of the members of the Village Land Councils and Ward Tribunals; Current jurisdiction of DLHTs should be taken over by District Courts; DLHTs should be given powers to deal with matters relating to contempt of court; The Tribunal brokers should be appointed in every District Council regardless of whether a

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<sup>&</sup>lt;sup>24</sup> The Review of the Legal Framework on Land Dispute Settlement in Tanzania. The Law Reform Commission of Tanzania. Pg 6.

Report of the Presidential Commission of Inquiry into Land Matters. Vol,1 Land Policy and Land Tenure Structure. Pg 199

<sup>&</sup>lt;sup>27</sup> 2003/2004 Budget Speech of the Minister for Land. Paragraph 41, pg 32 of the PDF version

DLHT has been established in that particular District or not; sensitization campaign to inform the public about the role and responsibility of land courts should continue; chairmen of DLHTs should be employed on permanent and pensionable terms; and, the Act should be amended to provide for mediation as a mandatory requirement before hearing of the case at DLHTs. (LRC,2013).

#### 06. Conclusion

Two decades ago the Presidential Commission of Inquiry into Land Matters stated that "We believe land matters are specialized matters and a fairly expeditious machinery for solving disputes would enhance certainty and finality<sup>28</sup>." The Commission cautioned that "the separation of the machinery from the Executive should be maintained at all levels including the village level<sup>29</sup>." Land Acts of 1999 echoed the wisdom of the Commission by taking on board fundamental principles of the Land Policy, one of which states "to establish an independent, expeditious and just system for the adjudication of land disputes which will hear and determine cases without undue delay<sup>30</sup>." A decade ago, the Act establishing land dispute settlement machinery was made operational. The established system is not devoid of the control of Executives as shown above, despite the caution given by the Commission. This year, the Law Reform Commission of Tanzania vehemently recommends to the same government (what was recommended two decades ago) in the following words "all land courts should form part of the judiciary<sup>31</sup>". The commission insists that "land courts should be left to work independently<sup>32</sup>."

DLHT is overburdened with 19,897 pending cases out of which 11,853 cases are concentrated to only 10 Tribunals out of 39 operating DLHTs until May 2013. This shows that the machinery is not as expeditious as it was expected to be. Ten years down the line is an opportune time to reflect on the pitfalls within the existing machinery to ensure that it delivers the expectations of its conception. This narrow overview which uses DLHT as the case study is expected to be the stepping stone to further discussions to that end.

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<sup>&</sup>lt;sup>28</sup> Report of the Presidential Commission of Inquiry into Land Matters. Vol,1 Land Policy and Land Tenure Structure. Pg 198

<sup>&</sup>lt;sup>30</sup> S 3 (1) of Land Act and Village Land Act of 1999

<sup>&</sup>lt;sup>31</sup> The Review of the Legal Framework on Land Dispute Settlement in Tanzania. The Law Reform Commission of Tanzania. Pg 4.

<sup>&</sup>lt;sup>32</sup> The Review of the Legal Framework on Land Dispute Settlement in Tanzania. The Law Reform Commission of Tanzania. Pg 10

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URT (2013): The Review of the Legal Framework on Land Dispute Settlement in Tanzania. The Law Reform Commission of Tanzania. Dar es Salaam

### **APPENDIXES**

**Appendix 1.** Most overburdened tribunals with Pending Cases until June 2011

Rank	Name of Tribunal	Pending cases
1	Mwanza	1798
2	Kinondoni	1234
3	Temeke	1174
4	Ilala	1038
5	Bukoba	930
6	Arusha	894
7	Morogoro	851
8	Mbeya	764
9	Chato	744
10	Tarime	598
	Total	10,025 out of 15,754

Source; the Ministry of Lands Budget Speech 2012/2013

**Appendix 2.** Most overburdened tribunals with Pending Cases until June 2012

Rank	Name of Tribunal	Pending cases
1	Mwanza	1907
2	Temeke	1587
3	Kinondoni	1397
4	Ilala	1163
5	Bukoba	1042
6	Morogoro	1016
7	Mbeya	803
8	Arusha	756
9	Chato	696
10	Babati	663
	Total	11,030 out of 17,654

Source; the Ministry of Lands Budget Speech 2012/2013

Appendix 3. Most overburdened tribunals with Pending Cases until May, 2013

Rank	Name of Tribunal	Pending cases
1	Mwanza	2039
2	Temeke	1703
3	Kinondoni	1317
4	Ilala	1269
5	Morogoro	1199
6	Bukoba	1120
7	Mbeya	892
8	Babati	796
9	Dodoma	769
10	Chato	749
	Total	11,853 out of 19,897

Source; the Ministry of Lands Budget Speech 2013/2014