Approved for tabling in the Haire.



REPUBLIC OF KENYA THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – SIXTH SESSION – 2022

DEPARTMENTAL COMMITTEE ON LANDS

REPORT ON-

(PUBLIC PETITION NO. 007 OF 2022)

BY RIVERBANK RESIDENTS HOUSING WELFARE GROUP REGARDING LAND ALLOCATION AND ISSUANCE OF TITLES IN RESPECT OF LR. 1150 IN EMBAKASI SUB-COUNTY, NAIROBI

DIRECTORATE OF DEPARTMENTAL COMMITTEES

CLERK'S CHAMBERS

PARLIAMENT BUILDINGS

NAIROBI

MAY, 2022 THE NATIONAL ASSEN

DATE: 11 MAY 2022 TARDNER DAY

CHAIR, DC. LANDS HON. RACHEL NYAMA, MP TABLED BY:

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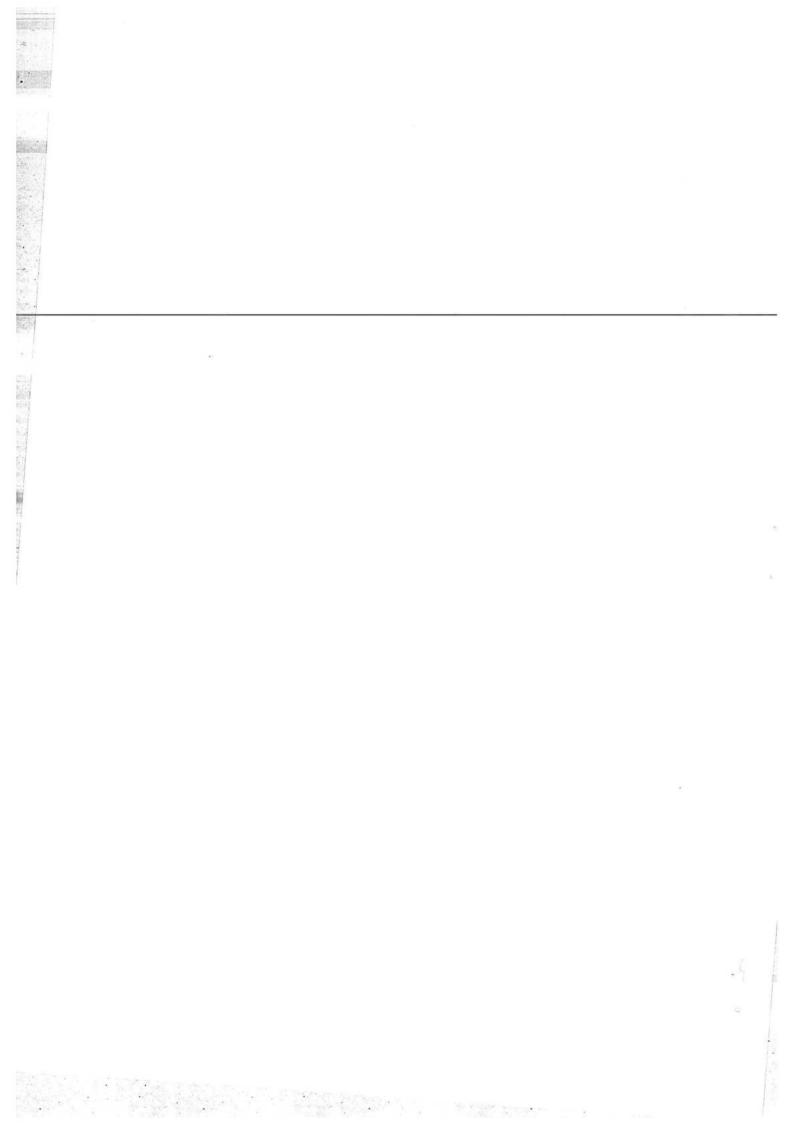


Table of Contents

Table of	of ContentsRPERSON'S FOREWORD	
CHAIR	RPERSON'S FOREWOOD	·iv
EXECU	RPERSON'S FOREWORD	v
1.0 PRE	REFACE	
	REFACEandate of the Committeeommittee subjects	**********
1.2 Com	ommittee subjects	v
1.3 Ove	ommittee subjectsversight	vi
	* *	••••••
1.5	Committee Membership Committee Secretariat	1
2.0 IN	Committee Secretariat INTRODUCTION	3
3.0 SI	NTRODUCTION SUBMISSIONS	3
3.1	SUBMISSIONS Submissions by the Petitioners	ds and Physical Planning 4
	Submissions by the Petitioners Submissions by the Cabinet Secretary Ministry of Land	
4.0	Submissions by the Cabinet Secretary Manager ISSUES FOR DETERMINATION AS PER TH	5
PET	TITION	7
5.0	TO OUTTEE RECOMMENDATION	

CHAIRPERSON'S FOREWORD

On 9th February 2022, the Hon. Speaker conveyed to the House Public Petition No 007 of 2022 regarding the land allocation and issuance of title deeds in respect of LR. 1150 in Embakasi Sub County Nairobi. The Petition was submitted by Ephantus Njeru Kabici, Bernard Otieno Owan, Joseph Onyango Lucas, and Stephen Musawa on behalf of Riverbank Residents Housing Welfare Group.

While considering the Petition, the Committee heard from the Petitioners on 3rd March 2022. The Committee also heard from the Cabinet Secretary, Ministry of Lands and Physical Planning, on Tuesday 22nd March 2022. The Committee also sought written submissions from the Nairobi City County Government but did not receive the same.

The Committee is thankful to the Speaker and the Clerk of the National Assembly for the logistical and technical support during its consideration of the Petition. The Committee is also grateful to the Petitioners and the Cabinet Secretary for Lands and Physical Planning for their valuable submissions to the Committee.

Under the provisions of Standing Order 227 and 199, it is my pleasant duty to table the Report of the Departmental Committee on Lands on its consideration of Public Petition No 07 of 2022 by Riverbank Residents Housing Welfare Group regarding the land allocation and issuance of title deeds in respect of LR. 1150 in Embakasi Sub County Nairobi.

Hon. Dr. Rachael Kaki Nyamai, CBS, MP

Chairperson, Departmental Committee on Lands

EXECUTIVE SUMMARY

This report responds to the prayers by Petitioners in Public Petition No. 007 of 2022 submitted by Riverbank Residents Housing Welfare Group regarding the land allocation and issuance of titles in respect of LR. 1150 in Embakasi Sub County Nairobi.

The Petitioners requested the National Assembly, through the Departmental Committee on Lands, to establish the status of ownership of parcels of land registered as LR. No 1150, No, 1811 and Block 10 in Embakasi East Constituency. They also asked the Committee to inquire into any irregular subdivision and allocation of land parcels and recommend revocation of such illegal land transactions.

The Petitioners also sought a recommendation that the Ministry of Lands & Physical Planning and the Nairobi City County Government immediately commence the validation process and facilitate the issuance of certificates of title and leases to the members of Riverbank Residents Housing Welfare Group living on LR. 11150 in Embakasi East Constituency.

Regarding the first prayer, the Committee observed that according to the submissions made by the Cabinet Secretary, Ministry of Lands and Physical Planning, LR. No 11150 is registered to the Nairobi Urban District Council (Nairobi City County), and LR No. 18111 was initially registered in the name of Sharjah Trading Co. Ltd, but it has since been subdivided and transferred to several other entities. In contrast, the Ministry holds no records regarding Riverbank Phase III (Block 10).

Regarding the second prayer, the Committee observed that it did not receive evidence indicating any irregular subdivision or allocation of the three parcels of land. The Committee further noted that the petitioners indicated that they reside on two parcels of land: LR 11150 and Block 10. The Committee found that LR. No. 1150 is still intact, and the Petitioners acknowledged that Block 10 is registered to the National Social Security Fund (NSSF).

On the third prayer, the Committee observed that although the then Nairobi City Commission intended to allocate portions of the land to the petitioners in 1985 the City Commission later cancelled the exercise. Therefore, the Committee concluded that the subject land was allocated to the Nairobi Urban District Council (now Nairobi City County) for sewerage disposal works. Therefore, it is currently not available for allocation.

However, the Committee observed that the Petitioners had occupied it for 24 years. Therefore, there is a need for the Nairobi City-County Government, and the Ministry of Lands and Physical Planning should consider settling the Petitioners on alternative land.

The Committee recommends that the Cabinet Secretary, Ministry of Lands and Physical Planning, in consultation with the Nairobi City County Government does, establish the claim of the Petitioners with a view to settling the Petitioners on alternative land in accordance with the Land Act, 2012 within six months of tabling of this Report.

1.0 PREFACE

1.1 Mandate of the Committee

- 1. The Departmental Committee on Lands is established under the provisions of Standing Order No. 216 (1) and (5) with the following terms of reference amongst others:
- (i) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations, and estimates of the assigned Ministries and departments
- (ii) study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation.
- (iii) make reports and recommendations to the House as often as possible, including the guidance of proposed legislation
- (iv) Study and review all legislation referred to it
- (v) study, access, and analyse the relative success of the Ministries and departments as measured by the results obtained compared with their stated objectives.
- (vi) investigate and inquire into all matters relating to the assigned Ministries and departments as they deem necessary and referred to them by the House.
- (vii) study and review all legislation referred to it.

1.2 Committee subjects

- 2. The Committee is mandated to consider the following subjects:
- a) Lands
- b) Settlement

1.3 Oversight

3. The Committee oversights the Ministry of Lands and Physical Planning and the National Land Commission.

1.4 Committee Membership

4. The Committee membership comprises

Chairperson

Hon. Dr Rachael Nyamai, CBS, MP Kitui South Constituency

Jubilee Party

Vice-Chairperson

Hon. Mishi Mboko, MP Likoni Constituency

Orange Democratic Movement (ODM)

Hon. Benjamin Washiali, CBS, MP Mumias East Constituency

Jubilee Party

Hon Joshua Kutuny Serem, MP Cherangany Constituency

Jubilee Party

Hon. Omar Mwinyi, MP Changamwe Constituency

Orange Democratic Movement (ODM)

Hon. William Kisang, MP Maraket West Constituency

Jubilee Party

Hon. Ahmed Kolosh, MP Wajir West Constituency

Jubilee Party

Hon. Ali Mbogo, MP Kisauni Constituency

Wiper Democratic Movement (WDM)

Hon. Babu Owino, MP Embakasi East Constituency

Orange Democratic Movement (ODM)

Hon. Caleb Kipkemei Kositany, MP Soy Constituency

Jubilee Party

Hon George Aladwa, MP Makadara Constituency

Orange Democratic Movement (ODM)

Hon George Risa Sunkuyia, MP Kajiado West Constituency

Jubilee Party

Hon. John Muchiri Nyaga, MP Manyatta Constituency

Jubilee Party

Hon. Josphat Gichunge Kabeabea, MP

Tigania East Constituency

Party of National Unity (PNU)

Hon. Lilian Tomitom, MP West Pokot County

Jubilee Party

Hon. Owen Yaa Baya, MP Kilifi North Constituency

Orange Democratic Movement (ODM)

Hon. Patrick Munene Ntwiga, MP Chuka/Igambangombe Constituency

Jubilee Party

Hon. Samuel Kinuthia Gachobe, MP

Subukia Constituency

Jubilee Party

Hon. Teddy Mwambire, MP

Ganze Constituency

Orange Democratic Movement (ODM)

1.5 Committee Secretariat

5. The Committee secretariat comprises:

Lead Clerk

Mr. Leonard Machira

Senior Clerk Assistant

Mr. Ahmad Guliye

Clerk Assistant II

Ms. Jemimah Waigwa

Legal Counsel I

Mr. Collins Namulen
Fiscal Analyst III

Ms. Maureen Kweyu

Audio Recording Officer

Dr Kefa Omoti

Principal Researcher Officer

Mr. Joseph Okongo

Media Relations Officer

Ms. Peris Kaburi Serjeant at Arms

2.0 INTRODUCTION

- 6. On 9th February 2022, the Hon. Speaker conveyed to the House Public Petition No 007 of 2022 regarding the land allocation and issuance of title documents in respect of LR. 1150 in Embakasi Sub County Nairobi. The Petition was presented to the House by Ephantus Njeru Kabici, Bernard Otieno Owan, Joseph Onyango Lucas, and Stephen Musawa on behalf of Riverbank Residents Housing Welfare Group.
- 7. The Petitioners stated that they represent five hundred families comprising eight hundred persons residing in a parcel of land LR No. 1150, measuring approximately seven acres, in Embakasi East Sub County in Nairobi. They settled on the land in 1997 and remained there for the past 24 years.
- 8. The land in question comprises three phases, namely: Riverbank phase I (LR. No. 11150), Riverbank phase II (LR. No. 18111) and Riverbank phase III (LR. No. Block 10) was classified as a settlement scheme and surveyed around 2014 to 2015. The entire parcel of land is public land under the custody of the Nairobi City County Government. The Riverbank Residents Housing Welfare Society has unsuccessfully tried to secure allotment letters for the entire parcel of land on behalf of the residents to have it subdivided and allocated to the members.
- Following the creation of the settlement, the World Bank has supported the construction of a sewerage system, toilets, street lighting, and freshwater supply to support the Government's initiative to improve the residents' quality of life.
- 10. In 2018, the hopes of the residents to realize the security of tenure and full economic potential of their land were rekindled when the Ministry of Lands and Physical Planning, in conjunction with the Nairobi City County Government, published a notice for issuance of certificates of titles and leases for the land. However, the exercise did not proceed as planned, making the residents vulnerable to being disinherited of their land by unscrupulous land grabbers.
- 11. The residents have severally submitted to the Ministry of Lands and Physical Planning and the Nairobi City County Government all the requisite documents for authentication and facilitation of the issuance of certificates of the lease. Still, the efforts have not yielded any satisfactory outcome. Any further delay in issuing certificates of lease and titles to the residents is likely to jeopardize their security of tenure over their land, hinder the full realization of its economic potential and risk rendering them squatters on their land.

- 12. The Petitioners prayed that the National Assembly, through the Departmental Committee on Lands:
 - a. Inquire into the matters raised in the petition to establish the status of ownership of parcels of land registered as LR. No 1150, No, 1811 and Block 10 in Embakasi East Constituency.
 - b. Inquire into any irregular subdivision and or allocation of the parcels of land listed above with a view to recommending revocation of such illegal land transactions to revert the said land to the settlement schemes.
 - c. Recommend that the Ministry of Lands and Physical Planning and the Nairobi City County Government immediately commence the validation process and facilitate the issuance of certificates of title and leases to the members of Riverbank Residents Housing Welfare Group living on LR. 11150 in Embakasi East Constituency.
 - d. Makes any other recommendations to ensure that the members of Riverbank Residents Housing Welfare Group obtain security of tenure and realize the full economic potential of their land.

3.0 SUBMISSIONS

3.1 Submissions by the Petitioners

- 13. The Committee met the Petitioners' representatives on 3rd March 2022. During the meeting, the Petitioners informed the Committee as follows:
- 14. The Petitioners, comprising five hundred families, reside on two parcels of land: LR 11150 and Block 10 in Embakasi East Sub-County, measuring seven acres and Plot 10. The Petitioners also informed the Committee that the then area Member of Parliament, the late Hon David Mwenje, facilitated their settlement on the land in 1997. They have, since 1987 tried to secure allotment letters for the land to subdivide it among themselves in vain.
- 15. The Petitioners also claimed that the land in question is public land under the Nairobi City County Government. It was declared a settlement scheme in 2014. Subsequently, the Nairobi City County Government and the World Bank provided funding to establish a water project, street lighting and other sanitation facilities.
- 16. Following the publication of a notice regarding the issuance of title deeds within the County by the Ministry of Lands and Physical Planning in conjunction with the Nairobi City County Government in 2018. The Petitioners expected that they could be given title deeds for the land in question. However, the exercise did not occur. The Petitioners risked being disinherited from the land by unscrupulous individuals.
- 17. An agent for a company known as Martha representing Sterling Company Ltd approached them through the area chief and indicated that the said company held title deeds for LR. 18111. The agent claimed that the said titles overlap with part of LR. 11150. Efforts by the Petitioners to search LR. 18111 has been futile, with Ministry of Lands and Physical Planning officials claiming that the records for the said LR were not clear.
- 18. However, the Petitioners acknowledged that Block 10 is registered to the National Social Security Fund (NSSF). The Petitioners also reported that persons residing on the land negotiated with the Fund to settle the matter.
- 19. The Petitioners requested the Committee to inquire into the matter to establish the ownership status of LR. No. 11150, LR No. 18111 and Block 10 determine whether any irregular subdivision and or allocation affected the said three parcels had been undertaken to recommend that the land reverts to a public Settlement Scheme.

3.2 Submissions by the Cabinet Secretary Ministry of Lands and Physical Planning

- 20. The Committee met the Cabinet Secretary, Ministry of Lands and Physical Planning, on 22nd March 2022. The Cabinet Secretary informed the Committee as follows:
- 21. Land parcel LR No. 18111, measuring 15.32 Ha was initially registered as I.R No. 68298 in the name of Sharjah Trading Co. Ltd on 31st January 1996 for a term of 99 years with effect from 31st January 1993. The land was transferred to Altnay Investment Ltd on 13th January 1997 and Sterling Development Ltd on 19th September 1997. The parcel has since been subdivided and transferred to several other entities.
- 22. The Ministry holds no records regarding Riverbank Phase III (Block 10).
- 23. LR No. 11150 measures approximately 7.00 acres and is registered as I.R No. 19151 in favour of Nairobi Urban District Council (Nairobi City County) on October 17, 1962, for 99 years with effect from May 12, 1958. The grant indicates the user was for sewerage disposal works.
- 24. In 1985, the then Nairobi City Commission intended to allocate portions of the land to the petitioners but later cancelled the intention.
- 25. On January 20, 2017, the National Land Commission issued an intention to acquire 0.0315 Ha of the land on behalf of the Kenya Urban Roads Authority (KURA) to construct the Kayole Spine Eastern Bypass Link Road
- 26. The Cabinet Secretary concluded that the subject land was allocated to the Nairobi Urban District Council (now Nairobi City County) for sewerage disposal works and therefore is not available for allocation.

4.0 ISSUES FOR DETERMINATION AS PER THE PRAYERS IN THE PETITION

- a. That the National Assembly inquiries into the matters raised in the Petition with a view to establishing the status of ownership of parcels of land registered as LR. No 1150, No, 1811 and Block 10 in Embakasi East Constituency
- 27. Regarding this prayer, the Committee observed that the ownership status according to the submissions made by the Cabinet Secretary, Ministry of Lands and Physical Planning of the land is as follows:
- 28. LR. No 11150: The parcel of land, measuring approximately 7.00 acres, is registered as I.R No. 19151 in favour of Nairobi Urban District Council (Nairobi City County). The County Government holds a 99-year lease for the parcel of land with effect from 12th, 1958, for sewerage disposal works.
- 29. LR No, 18111: The parcel measuring 15.32 Ha was initially registered as I.R No. 68298 in the name of Sharjah Trading Co. Ltd on 31st January 1996 for a term of 99 years with effect from 31st January 1993. The land was transferred to Altnay Investment Ltd on 13th January 1997 and Sterling Development Ltd on 19th September 1997. The parcel has since been subdivided and transferred to several other entities.
- 30. Block 10: The Ministry holds no records regarding Riverbank Phase III (Block 10)
- a. Inquire into any irregular subdivision and or allocation of the parcels of land listed above with a view to recommending revocation of such illegal land transactions to revert the said land to the settlement schemes.
- 31. Regarding this prayer, the Committee observed that it did not receive evidence indicating any irregular subdivision or allocation of the three parcels of land. The Committee further noted that the petitioners, both in the Petition and in their oral submissions, indicated that they reside on two parcels of land: LR 11150 and Block 10 in Embakasi East Sub-County, measuring seven acres and Plot 10.
- 32. The Committee also noted that the Petitioners acknowledged that Block 10 is registered to the National Social Security Fund (NSSF). The Petitioners also reported that persons residing on the land negotiated with the Fund to settle the matter amicably.

- 33. The Petitioners further submitted they settled on the land in question in 1997. The Committee observed that the land in question, LR 11150, was registered to Nairobi Urban District Council (Nairobi City County) in 1962. respective entities before the petitioners occupied it.
- 34. Additionally, the parcel of land was still intact, save for the intention issued by the National Land Commission to acquire 0.0315 Ha of the land on behalf of Kenya Urban Roads Authority (KURA) to construct the Kayole Spine Eastern Bypass Link Road.
- 35. Further, the Cabinet Secretary submitted that LR No. 18111 was first registered to Sharjah Trading Co. Ltd on 31st January 1996, and it does not overlap with LR 11150, as claimed by the Petitioners. Therefore, the assertions made by the Petitioner regarding the illegal subdivision of LR. No. 18111 were not confirmed.
- a. Recommend that the Ministry of Lands and Physical Planning and the Nairobi City County Government immediately commence the validation process and facilitate the issuance of certificates of title and leases to the members of Riverbank Residents Housing Welfare Group living on LR. 11150 in Embakasi East Constituency.
- 36. According to the submissions made by the Cabinet Secretary, Ministry of Lands and Physical Planning, the then Nairobi City Commission intended to allocate portions of the land to the petitioners in 1985, but the Commission later cancelled the intention. It is further noted that the National Land Commission issued an intention to acquire 0.0315 Ha of the land on behalf of the Kenya Urban Roads Authority (KURA) to construct the Kayole Spine Eastern Bypass Link Road.
- 37. On record, there is evidence from the Cabinet Secretary Ministry of Lands and Physical Planning that the subject land was allocated to the Nairobi Urban District Council (now Nairobi City County) for sewerage disposal works. Therefore, it is currently not available for allocation. However, the Committee observed that the Petitioners having occupied the land for 24 years, there is a need for the Nairobi City-County Government to consider allocating them the land in case the initial user is cancelled, considering that the sewerage works have not commenced since 1962. Alternatively, the Ministry of Lands and Physical Planning should consider settling the Petitioners on alternative land.

5.0 COMMITTEE RECOMMENDATION

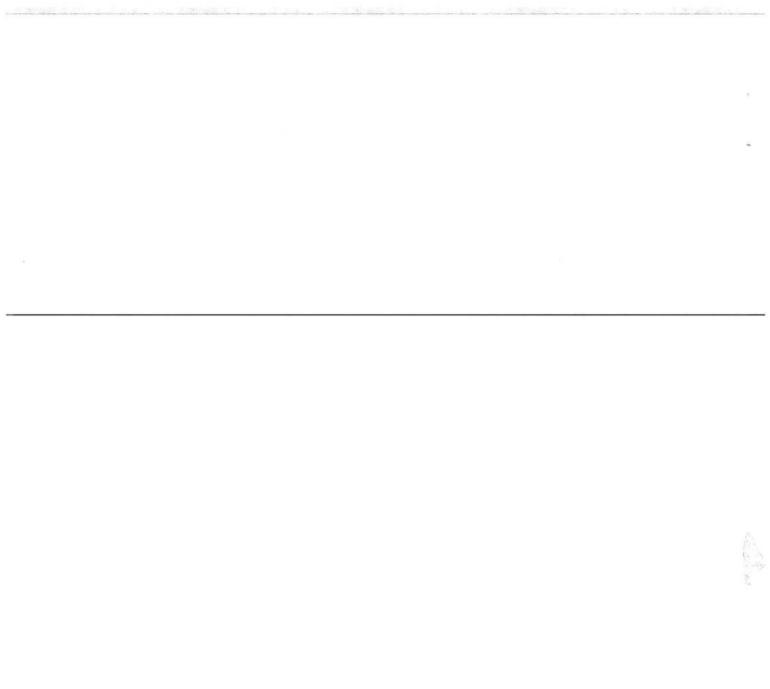
Under the provisions of Standing Order 227, the Committee recommends that the Cabinet Secretary, Ministry of Lands and Physical Planning in consultation with the Nairobi City County Government does, verify the Petitioners' claim with a view to settling them on alternative land in accordance with the Land Act, 2012 within six months of tabling of this Report.

Signed.

The Hon. Dr. Rachael Kaki Nyamai, CBS, MP

Chairperson, Departmental Committee on Lands











REPUBLIC OF KENYA KENYA NATIONAL ASSEMBLY TWELFTH PARLIAMENT

DEPARTMENTAL COMMITTEE ON LANDS Adoption List

Public Petition 007 of 2021 BY Riverbank Residents Welfare Group regarding land allocation and issuance of Title Deeds in respect of LR No. 11150 in Embakasi, Nairobi

Date: 27104/2022

	NAMES	SIGNATURE
1.	Hon. Dr. Rachael Nyamai, CBS, MP - Chairperson	HAMIN
2.	Hon. Mishi Mboko, CBS, MP V/Chairperson	
3.	Hon. Benjamin Washiali, CBS MP	- AM
4.	Hon. Joshua Kutuny Serem, MP	
5.	Hon. Omar Mwinyi Shimbwa, MP	CARA T
6.	Hon. William Kisang, MP	1(000)
7.	Hon. Ahmed Kolosh, MP	
8.	Hon. Ali Mbogo, MP	
9.	Hon. Babu Owino, MP	
10.	Hon. Caleb Kipkemei Kositany, MP	Hommintony
11.	Hon. George Aladwa, MP	1
12.	Hon. George Risa Sunkuyia,MP	Quinimit
13.	Hon. John Muchiri Nyaga, MP	
14.	Hon. Josphat Gichunge Kabeabea, MP	Flore
15.	Hon. Lilian Tomitom, MP	
16.	Hon. Owen Yaa Baya, MP	W Soul
17.	Hon. Patrick Munene Ntwiga MP	Drynene 0
18.	Hon. Samuel Kinuthia Gachobe, MP	Charmy !
19.	Hon. Teddy Mwambire, MP	

MINUTES OF THE 21ST SITTING OF THE DEPARTMENTAL COMMITTEE ON LANDS HELD ON WEDNESDAY 27TH APRIL 2022 AT ENGLISH POINT MARINA HOTEL MOMBASA AT 9:30 AM

PRESENT

- Hon. Dr. Rachael Nyamai, CBS, M.P.
- 2. Hon. Mishi Mboko, CBS, M.P.
- 3. Hon. Omar Mwinyi Shimbwa, M.P.
- 4. Hon. Hon. Caleb Kositany, M.P.
- 5. Hon. George Risa Sunkuyia, M.P.
- 6. Hon. Josphat Gichunge Kabeabea, M.P.
- 7. Hon. Owen Baya, MP
- 8. Hon. Patrick Munene Ntwiga, MP
- 9. Hon. Samuel Kinuthia Gachobe, MP
- 10. Hon. Teddy Mwambire, M.P.

- Chairperson
- Vice-Chairperson

APOLOGIES

- 1. Hon. Benjamin Washiali, CBS, M.P.
- Hon. Joshua Kutuny, MP
- 3. Hon. William Kisang, MP
- 4. Hon. Ali Mbogo, M.P
- 5. Hon. Ahmed Kolosh, MP
- 6. Hon. Babu Owino, MP
- 7. Hon. George Aladwa, M.P.
- 8. Hon. John Muchiri Nyaga, MP
- 9. Hon. Lilian Tomitom, MP

IN ATTENDANCE

THE NATIONAL ASSEMBLY SECRETARIAT

- Mr. John Mutega
 Deputy Director Departmental Committees
- Mr. Leonard Machira Senior Clerk Assistant
- Mr. Ahmad Guliye Second Clerk Assistant
- 4. Ms. Jemima Waigwa Legal Counsel
- 5. Mr. Collins Namulen Fiscal Analyst III
- 6. Ms. Maureen Kweyu Audio Officer

MIN. NO. NA/DC/LANDS/2022/091:

PRELIMINARIES

The meeting was called to order at twenty- minutes to ten o'clock with a word of prayer.

MIN. NO. NA/DC/LANDS/2022/092:

CONFIRMATION OF MINUTES

The consideration of the item was deferred.

MIN. NO. NA/DC/LANDS/2022/093:

BRIEFING BY THE PARLIAMENTARY BUDGET OFFICE ON THE 2022/2023 BUDGET ESTIMATES

The Parliamentary Budget Office briefed the Committee on the 2022/2023 Budget Estimates of the Ministry of Lands & Physical Planning and the National Land Commission. The following salient issues were noted:

- A 23.6% increase in the recurrent expenditure of the Ministry with no corresponding output was noted.
- II. A 36.4% increase in the Development Planning and Land Reforms sub program was noted. There was no corresponding increase in the targeted output of the program.
- III. Digitization of Land Registries was slow compared to the uptake of the allocated budget against the timelines targeted for countrywide coverage.
- IV. Pending bills: The analysis of the pending bills as published in the Controller of Budget Reports as at 31st December 2021 shows the Ministry of Lands and Physical Planning had no pending bills. On the other hand, the National Land Commission had a pending bills amounting to Ksh. 606 million.
- V. Historical Land Injustices (HLI) cases: Land disputes and Conflict resolution sub-programme under the National Land Commission has a reduced recurrent expenditure allocation of ksh.166.06 million (-85.7%). This could affect the commission's objective of hearing and determining the approximately 2500 pending Historical Land Injustice (HLI) cases.

MIN. NO. NA/DC/LANDS/2022/094:

ADOPTION OF A REPORT ON PUBLIC PETITION NO. 004 OF 2021 BY HON. MICHAEL KINGI MP ON BEHALF OF MARAGIRI COMMUNITY LANDOWNERS REGARDING IRREGULAR EXTENSION OF GALANA RANCHING BOUNDARY

The Committee considered the report on the above Petition and adopted it with the following recommendations having being proposed and seconded by Hon. Teddy Mwambire, MP and Hon. Patrick Munene, MP respectively. That:

- I. The Director of Survey, in collaboration with the ADC, County Government of Kilifi, the National Land Commission, and representatives of the local communities, including the Petitioners, undertake a repeat picking exercise to determine the boundary between Galana Kulalu Ranch, ADC 1 FR. 119/86 and Adu Kamale/ Adu Chamari adjudication sections within six months of the tabling of this report.
- II. The Ethics and Anti-Corruption Commission and the Directorate of Criminal Investigations expedite and conclude the ongoing investigations into the attempted illegal subdivisions and encroachment of Galana Kulalu Ranch, ADC 1 FR. 119/86 land with a view to prosecuting any persons found culpable.

MIN. NO. NA/DC/LANDS/2022/095:

ADOPTION OF A REPORT ON PUBLIC PETITION NO 007 OF 2022 BY RIVERBANK RESIDENTS HOUSING WELFARE GROUP REGARDING THE LAND ALLOCATION AND ISSUANCE OF TITLE DEEDS IN RESPECT OF LR. 1150 IN EMBAKASI SUB COUNTY NAIROBI.

The Committee considered the report on the above Petition and adopted it with the following recommendation having being proposed and seconded by Hon. Patrick Munene, MP and Hon. Omar Mwinyi, MP respectively. That:

The Cabinet Secretary, Ministry of Lands and Physical Planning, in consultation with the Nairobi City County Government does, establish the claim of the Petitioners with a view to settling the Petitioners on alternative land in accordance with the Land Act, 2012 within six months of tabling of the Report.

MIN. NO. NA/DC/LANDS/2022/096:

ADJOURNMENT

There being no other business to discuss, the meeting was adjourned at ten minutes past one o'clock. The next meeting will be held on Wednesday 27th April 2022 at 2:30 p.m.

Signature

HON. DR. RACHAEL KAKI NYAMAI, CBS, M.P.

(Chairperson)

Date 11/05/2022

Hon Shealier Kindows &

REPUBLIC OF KENYA THE NATIONAL ASSEMBLY (SIXTH SESSION)

CONVEYANCE OF PUBLIC PETITION

(No. 07 of 2022)

REGARDING THE LAND ALLOCATION AND ISSUANCE OF TITLES IN RESPECT OF L.R. 11150 IN EMBAKASI SUB-COUNTY, NAIROBI

Honourable Members, Standing Order 225(2)(b) requires the Speaker to report to the House any petition, other than those presented by a Member. Further, Article 119 of the Constitution provides for the right of any person to petition Parliament to consider any matter within its authority, including petitioning the House to enact, amend or repeal any legislation.

Honourable Members, in this regard I wish to report to the House that my office has received a petition from various members of Riverbank Residents Housing Welfare Group of P.O. Box 72236 Nairobi calling for the urgent issuance of certificates of titles and leases to members of the group living in land registered as L.R. No. 11150 in Embakasi Sub-County of Nairobi County.

In their petition, **Honourable Members**, the petitioners aver that they were settled in the aforementioned land in Embakasi in 1997 following political skirmishes that had engulfed the area at the time. The said sevenacre parcel of land is now comprising of over 500 families. For over two decades, the petitioners have attempted, in vain, to secure allotment letters of the land as proof of ownership with a view to facilitating subdivisions among the residents.

PUBLIC PETITION

SEEKING INTERVENTION IN ALLOCATION AND ISSUANCE OF CERTIFICATES IN RESPECT OF L.R. NO. 11150 IN EMBAKASI SUB-COUNTY, NAIROBI

- **4. THAT,** since the year 1997, the *Welfare* has been tirelessly trying to secure allotment letters for the entire parcel of land as proof of ownership in trust on behalf of the residents with a view to facilitating sub-division to its members;
- 5. THAT, the area occupied by the residents was classified as a Settlement Scheme and surveyed around 2014/2015 to comprise of the following three Phases –
 - a. Riverbank Phase I (L.R. No. 11150);
 - b. Riverbank Phase II (L.R. No. 18111; and,
 - c. Riverbank Phase III (Block 10);
- 6. THAT, the entire parcel of land that makes up the above Settlement Schemes is public land under the custodianship of the them Nairobi City Council and currently Nairobi City County Government;
- 7. THAT, after the survey, the residents hoped to be issued with Allotment Letters of Certificates of Lease but to date, this is yet to be accomplished, thereby making them vagrants on their own land;
- 8. THAT, following the creation of the settlement, the World Bank has supported construction of sewerage system, toilets, lighting, streets and fresh water supply in a support of the Government's initiative to improve the residents' quality of life in accordance with Article 43 of the Constitution;
- 9. THAT, in 2018, the residents' hope to finally have security of tenure and realize full economic potential of their land was rekindled when the Ministry of Lands and Physical Planning in conjunction with the Nairobi City County Government issued a published a Notice for issuance of certificates of title and leases;

PUBLIC PETITION

SEEKING INTERVENTION IN ALLOCATION AND ISSUANCE OF CERTIFICATES IN RESPECT OF L.R. NO. 11150 IN EMBAKASI SUB-COUNTY, NAIROBI

- 10. THAT, the exercise never took place as planned, hence making residents vulnerable to being disinherited of their land by unscrupulous land grabbers;
- 11. THAT, the residents have severally submitted to the Ministry of Lands and the Nairobi City County Government all the requisite documents for authentication and to facilitate issuance of certificates of title and leases but their efforts are yet to yield satisfactory outcome;
- 12. THAT, any further delay in issuance of certificates of title and leases to the residents is likely to jeopardize the residents' security of tenure over their land, hinder realization of its full economic potential and risks rendering the residents squatters on their land;
- 13. THAT, the matter is not pending before any court of law, constitutional or legal body;

THEREFORE, your humble petitioners pray for intervention of the National Assembly as their last of resort in accordance with Article 95 of the Constitution to –

- inquire into the matters raised in the Petition with a view to establishing the status of ownership of parcels of land registered as L.R. No. 11150, L.R. No. 18111 and Block 10) in Embakasi Sub-County;
- (2) inquire into any irregular sub-division and/or allocation of the parcels of land listed above with a view to recommending revocation of such illegal land transaction in order to revert the said land to the public Settlement Scheme;
- (3) recommend that the Ministry of Lands and the Nairobi City County Government immediately commences the process of validating and facilitates the issuance of certificates of titles and leases to members of Riverbank Residents Housing Welfare Group

PUBLIC PETITION

SEEKING INTERVENTION IN ALLOCATION AND ISSUANCE OF CERTIFICATES IN RESPECT OF L.R. NO. 11150 IN EMBAKASI SUB-COUNTY, NAIROBI

living on L.R. No. 11150 in Embakasi Sub-County in order to forestall any further inordinate delays;

(4) make any other recommendations deemed fit in ensuring that members of *Riverbank Residents Housing Welfare Group* obtain security of tenure and realize full economic potential of their land.

And your **PETITIONER** will ever pray.

PRESENTED BY:

3				
37	NAME	CONTACT	I/D NO.	SIGNATURE
	Ephantus Njeru Kabici	Chairman, Riverbank Residents Housing Welfare Group P.O. Box 72236-00200, Nairobi	4248927	Hum -
•	Bernard Otieno Owang'	Secretary Riverbank Residents Housing Welfare Group P.O. Box 72236-00200, Nairobi	22831320	Breuer.
y		Tel. 0728427619		
	Joseph Onyango Lucas	Treasurer Riverbank Residents Housing Welfare Group P.O. Box 72236-00200, Nairobi	6061126	Lucai
	Stephen Musawa	Trustee River Bank Resident Housing Welfare Group . P.O. Box 72236-00200	11328178	Milan Z



REPUBLIC OF KENYA

MINISTRY OF LANDS AND PHYSICAL PLANNING

RESPONSES TO THE NATIONAL ASSEMBLY DEPARTMENTAL COMMITTEE ON LANDS

Honourable Chair,

Pursuant to a letter Ref. Ref: NA/DC/LANDS/2022 / (021)) dated March 8, 2022, the Committee invited the Cabinet Secretary Ministry of Lands and Physical Planning to respond to the following:

- 1. Public Petition No. 080 of 2021 by residents of Haraka Settlement Scheme in Yatta and Masinga Constituency regarding alleged forceful eviction of squatters from Haraka Settlement Scheme
- 2. Public Petition No. 007 of 2022 by Riverbank Residents Housing Welfare Group regarding land allocation and issuance of title deeds in respect of L.R No. 11150 in Embakasi East Sub County, Nairobi.

Response

Honourable Chair, I wish to respond as follows:

1. PUBLIC PETITION NO. 080 OF 2021 BY RESIDENTS OF HARAKA SETTLEMENT SCHEME

Honourable Chair, I wish to respond as follows:

Background and Context

Yatta Haraka Settlement Schemes as their name signify were hurriedly established to cater for displaced labourers and squatters. The settlement schemes commenced under the defunct Commissioner of Squatters in 1966 and continued under the Settlement Fund Trustees (SFT) programme in 1971. By this time, much of the land had been demarcated and majority of the plots allocated but not surveyed and registered.

The main challenges encountered during implementation of the settlement programme mainly included:

- i) Lack proper documentation
- ii) Double allocations
- iii) Infiltration of squatters causing conflict with legal allottees
- iv) Ownership disputes

Intervention measures

Honourable Chair,

Various methods were employed to solve the squatter problems in the Yatta Haraka settlement schemes in order to create a conducive environment for orderly settlement. Several committees have attempted to tackle the problems since 1971. However, none of them came up with adequate and comprehensive recommendations for solutions to the problems.

Notable is the report of the Provincial Commissioner, Eastern Province whose work began in 1989 and ended in 1992. The Provincial Commissioner provided a list of the plots and the proposed allottees per scheme. From the list of the proposed allottees, it was found that a total of 1848 original allottees retained their plots but 708 others were replaced by other squatters. In effect, this resulted in double allocation of 708 plots.

The Provincial Commissioner requested the Ministry to issue them with letters of allotment. He did not offer a solution for the 708 allottees who would be displaced. This proposal was therefore not implemented.

During the same period, a Ministerial Plots Committee (MPC) was set up by the then Ministry of Lands and Settlement and the Provincial Administration, Eastern Province to resolve the long-standing disputes between the allottees and squatters.

The Committee completed its work in 1994 and identified the following challenges in the documentation and titling process:

- i. Abandonment of land by allottees due to natural calamities
- ii. Invasion of abandoned plots by squatters
- iii. Double allocation
- iv. Deceased landowners and succession issues
- v. Boundary disputes
- vi. Conflict between allottees and squatters.

The Committee in its report (annexure 1) proposed the following approaches to resolve the settlement problems:

- i) To issue title deeds for the 1848 plots which are not disputed thereafter deal with the problems of the 708 double allocated plots
- ii) To have all the disputed plots shared among the disputants i.e allottees and squatters
- iii) Proceed with documentation (payments and transfers) to settlers as earlier allocated and deal with vacant plots separately
- iv) Proceed with documentation of legal allottees and old nominated squatters as recommended by the Provincial Commissioner
- v) Find alternative settlement for displaced allottees /nominees
- vi) Re-plan and reallocate resultant plots to accommodate all old settlers and new selectees by the Provincial Commissioner

In the end, the Committee recommended the re-planning option as the most suitable and viable option. The Committee however noted that the proposal would not be taken kindly by the allottees and squatters especially because it would reduce the size of the plots and interfere with their developments.

Ground verification

Honourable Chair,

To implement the report of the Ministerial Plots Committee (MPC), the Ministry embarked on a ground verification exercise in 2011/2012 FY to establish the ground occupancy covering a total 2565 parcels. 746 disputed plots were identified as shown in the table below-

Scheme No.	Scheme Name	Date Established	No. of Plots at Inception	Status	No. of Plots with recorded squatters problems
442	Mamba	1969	326	Registered	48
435	Ndalani I	22	512	"	169
439	Ndalani II	"	502	"	98
438	Nzukini I	22	155	"	34
454	Nzukini II	"	543	"	128

Scheme No.	Scheme Name	Date Established	No. of Plots at Inception	Status	No. of Plots with recorded squatters problems
455	Nzukini III	27	263	22	83
456	Nzukini IV543	77	264	27	186
TOTAL			2565		746

Implementation of the report was however resisted by the local leadership and the squatters who championed allocation of the entire parcels occupied by squatters. They were against the proposed re-planning as it would reduce the size of their land. In the circumstances, the report has not also implemented.

Honourable Chair,

In view of the foregoing, the Ministry undertakes to engage the Ministry of Interior and Coordination of National Government, County Government of Machakos, National Land Commission and the local leadership with a view to set up a multiagency team within the next 30 days to build consensus for titling of the parcels to proceed.

Honourable Chair,

The Ministry has not sanctioned any eviction of squatters from Haraka Settlement Scheme. We recommend that the specific cases be directed to the Ministry of Interior and Coordination of National Government for investigation.

2. PUBLIC PETITION NO. 007 OF 2022 BY RIVERBANK RESIDENTS HOUSING WELFARE GROUP

Honourable Chair, I wish to respond as follows:

The petition states that the area occupied by the residents was classified as a settlement scheme and surveyed around the years 2014/2015 to comprise the following three phases:

- i) Riverbank Phase I (L.R No. 11150)
- ii) Riverbank Phase II (L.R No. 18111)
- iii) Riverbank Phase III (Block 10)

Honourable Chair,

Contrary to what is stated in the petition, according to our records, land parcel L.R No. 18111 measuring 15.32 Hectares was originally registered as I.R No. 68298 in the name of Sharjah Trading Company Limited on January 31, 1996 for a term of 99 years with effect from December 1, 1993. The parcel was transferred to Altay Investments Limited on January 13, 1997. It was further transferred to Sterling Developers Limited on September 19, 1997. The parcel has since been subdivided and transferred as shown in the copy of the title marked **annexure 2**.

Riverbank Phase III (Block 10) does not exist in our survey records.

L.R No. 11150 measures approximately 7.00 Acres and is registered as I.R No. 19151 in favour of Nairobi Urban District Council (Nairobi City County) on October 17, 1962 for a term of 99 years with effect from May 12, 1958. **Annexure 3** is a copy of the Memorandum of Registration of Transfer of Land (MRT), the Grant and Deed Plan No. 79213. The grant indicates that the user was for sewerage disposal works.

According to our records, in 1985, the then Nairobi City Commission allocated portions of the land to individuals but later withdrew the same. Copies of the letters withdrawing the allocations are marked **annexures 4**.

Our records indicate that the parcel L.R. No. 11150 is still intact and has not been subdivided as per Survey Plan F/R 98/30 (annexure 5).

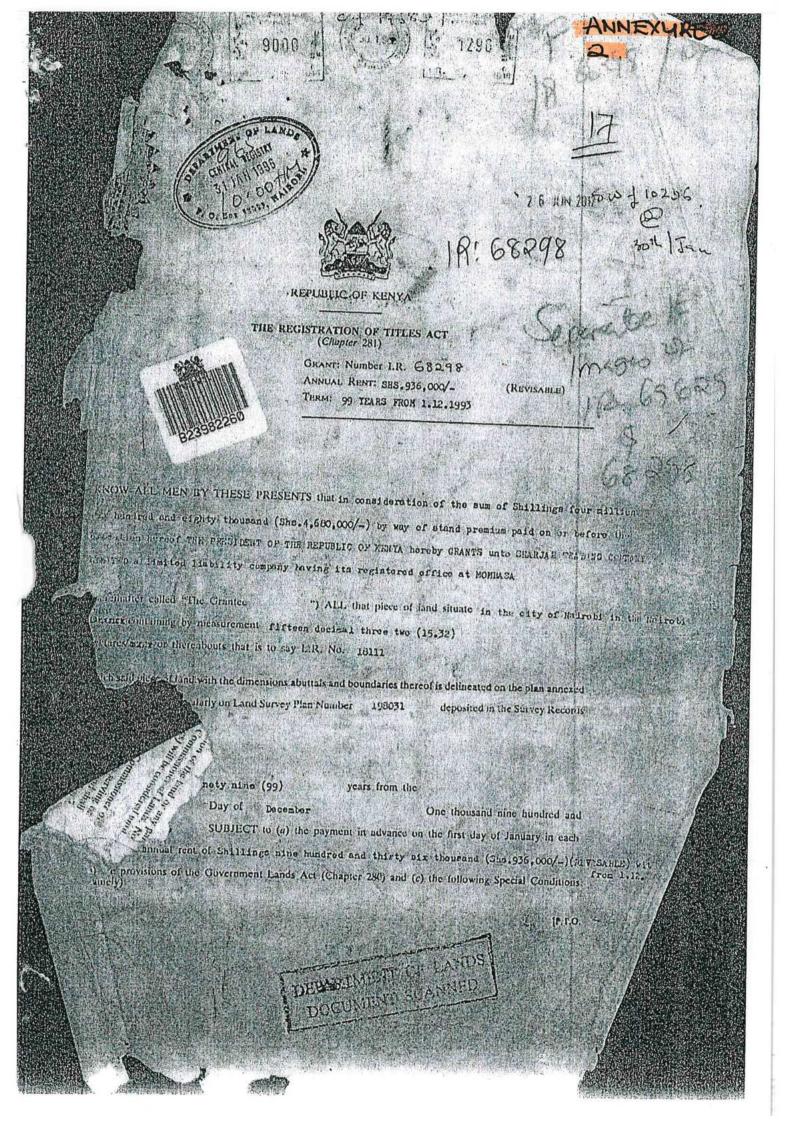
On January 20, 2017, the National Land Commission issued an intention to acquire 0.0315 Hactares of the land on behalf of Kenya Urban Roads Authority for the construction of Kayole Spine Eastern Bypass Link Road. **Annexure 6** is a copy of the Gazette Notice.

From the foregoing the subject land was allocated to the Nairobi Urban District Council (now Nairobi City County) for sewerage disposal works and therefore is not available for allocation.

Honourable Chair, I submit.

Farida Karoney, EGH CABINET SECRETARY

March 22, 2022



FORM 6 (Residential) SPECIAL CONDITIONS 1. No buildings shall be erected on the land nor shall additions or external alterations be made to any by otherwise than in conformity with plans and specifications previously approved in writing by the Con of Lands and the Local Authority. The Commissioner shall not give his approval unless he is satisfic proposals are such as to develop the land adequately and satisfactorily, 2. The Grantee shall within six calendar months of the actual registration of the Grant submit it to the Local Authority and the Commissioner of Lands plans (including block plans showing the position the buildings and a system of drainage for disposing of sewage surface and sulfage water) drawings elevat and specifications of the buildings the Grantee proposes to erection the land and shall within 24 months the actual registration of the Grant complete the erection of such buildings and the construction of the draining the construction of the draining that the system in conformity with such plans drawings elevations and specifications as amended (if such be the case) the Commissioner PROVIDED that notwithstanding anything to the contrary contained in or implied by the Government Lands Act if default shall be made in the performance or observance of any of the requirements of this condition it shall be lawful for the Commissioner of Lands or any person authorized by him on behalf of the President to re-enter into and upon the land or any part thereof in the name of the whole and thereopon the term hereby created shall cease but without prejudice to any right of action or remedy of the President or the Commissioner of Lands in respect of any antecedent breach of any condition herein contained, shall maintain in good and substantial repair and condition all buildings at any time 3. The Grantee erected on the land. give notice in writing to the Commissioner of Lands that it is complete the buildings within the period aforesaid the Commissioner of Lands shall (at the Grantee's e accept a surrender of the land comprised herein: Provided further that if such notice as aforesaid shall be given within 12-months of the actual regist 50 per centum of 13 the Grant term the Commissioner of Lands shall refund to the Grantee. premium paid in respect of the land, or (ii) at any subsequent time prior to the expiration of the said building period the Commissioner of 25 per centum of the said stand promium. In the event of notice by after the expiration of the said building period no refund shall be made. 5. The land and the buildings shall only be used for Regidential purposes. 6. The buildings shall not cover more than fafty per centum of the area of land or such lessor area as be laid down by the Local Authority in its by-laws. 7. The land shall not be used for any purpose which the Commissioner of Lands considers to be dange shall not subdivide the land, without the prior consent in writing of the Commisoffensive. 8, The Grantee Lands. shall not sen transfer sublet charge or part with the posse thereof or and buildings thereon except with the prior consent in writing of the application for such consent (except in respect of a loan-required for building purpa Special Condition No. 2 has been performed. shall pay to the Commissioner of Lands on demand such sum as the Lands may estimate to be the proportionate cost of constructing all roads and drains and seve adjoining the land and the proportionate cost for the supply of both the water and the electric power on completion of such construction and the ascertainment of the actual proportionate cost either pay (wit days of demand) or be refunded the amount by which the actual proportionate cost exceeds or falls short of the amount paid as aforesaid. shall from time to time pay to the Commissioner of Lands on demand such proportion of the cost of maintaining all roads and drains serving or adjoining the land as the Commissioner may asess, 12. Should the Commissioner of Lands at any time require the said roads to be constructed to a igher shall pay to the Commissioner on demand such proportion of such construon as standard the Grantee the Commissioner may assess. 13. The Grantee shall pay such rates taxes charges duties assessments or outgoings of altever description as may be imposed charged or assessed by any Government or Local Authority upon the la of the buildings erected thereon including any contribution or other sum paid by the President in lieuercol,

12 2312 /

14. The President or such person or authority as may be appointed for the purpose shall have the right to enter upon the land and lay and have access to water mains service pipes and drains telephone or telegraph wires and electric mains of all descriptions whether overhead or underground and the Grantee shall not creet any buildings in such a way as to cover or interfere with any existing alignments of main or service pipes or telephone or telegraph wires and electric mains.

15. The Commissioner of Lands reserves the right to revise the annual ground rent payable hereunder on the 1st January, 1989 and thereafter at the expiration of every fen years of the term. Such rental shall be at a rate to be determined by the Commissioner of Landsroff the unimproved freehold value of the land as at 31st December, 1988 as assessed by the Commissioner of Lands or at the rate in force on the 31st December, 1988 whichever is the greater.

16. The Commissioner of Lands reserves the right to revise the annual ground rent payable hereunder at the expiration of every ten years of the term. Such rental shall be at a rate to be determined by the Commissioner of Lands of the unimproved value of the land as at the end of every tenth year of the term.

15. The Commissioner of Lands reserves the right to revise the annual ground rent payable herounder on 31st December, 1996 and thereafter at the expiration of every ten years of the term.

IN WITNESS WHEREOF I WILSON GACANJA the Commissioner of Lands have by order of the President hereunto set my hand this day of Jane

One thousand nine hundred and ninety six ... in the presence of:

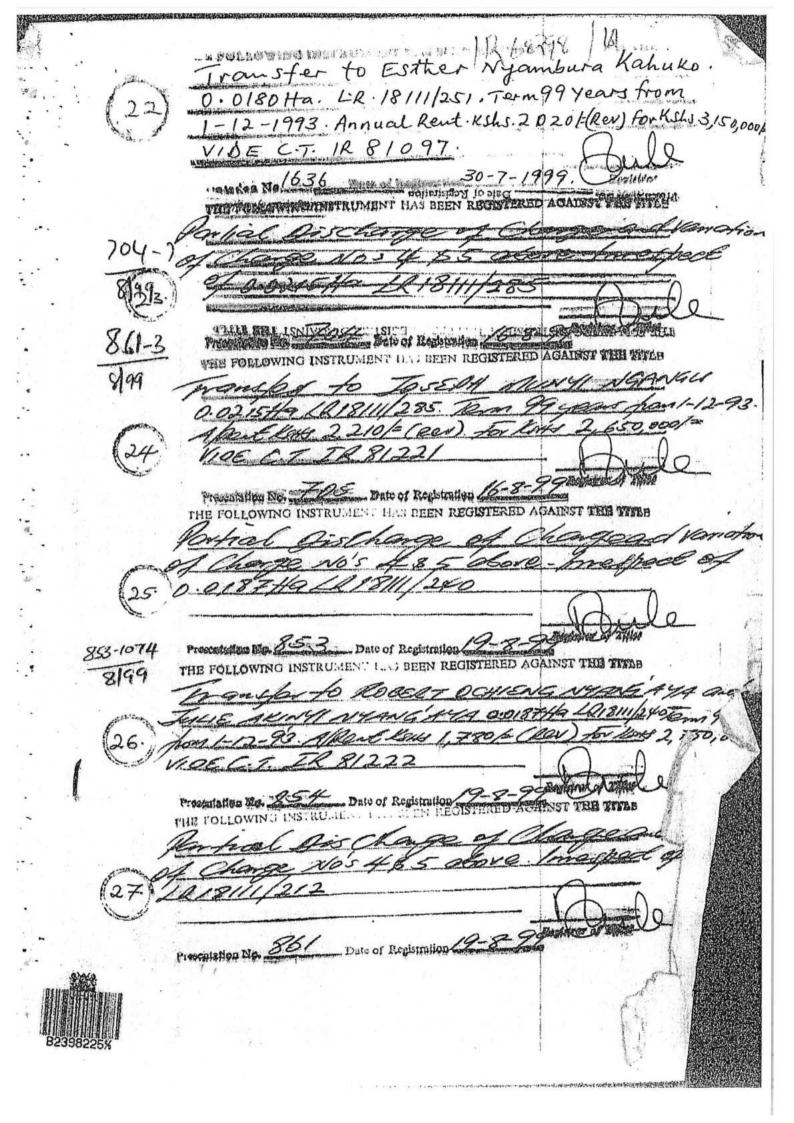
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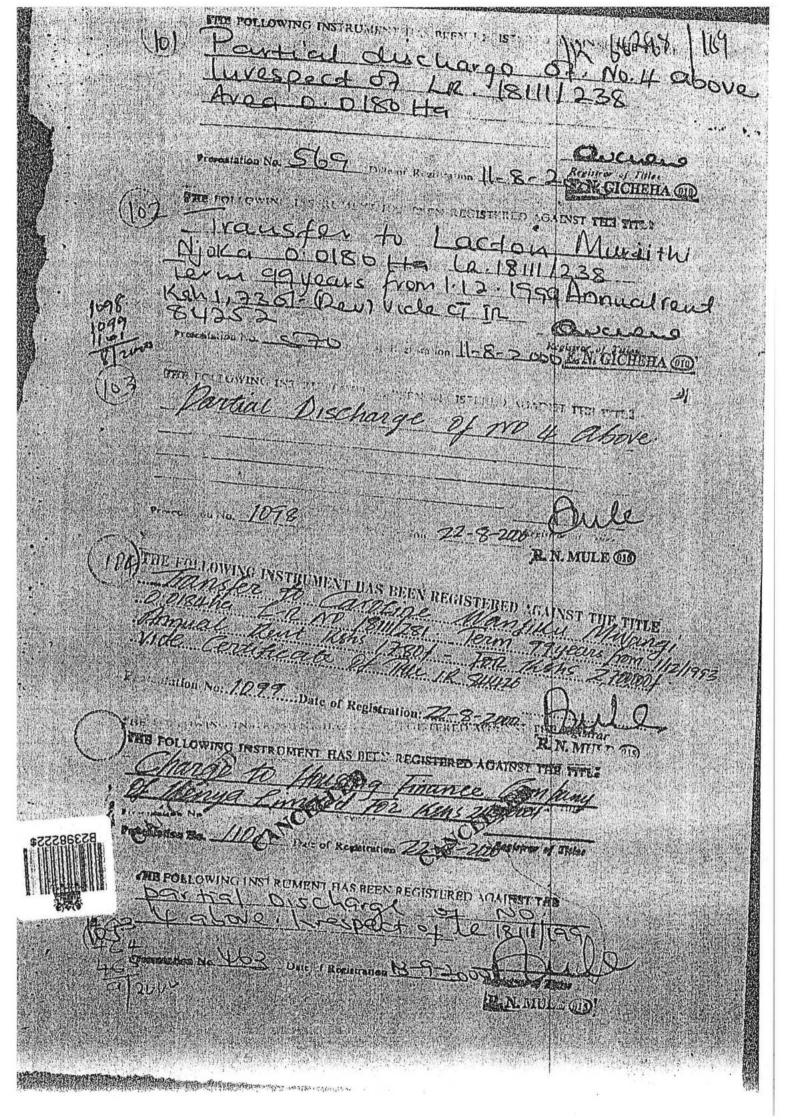
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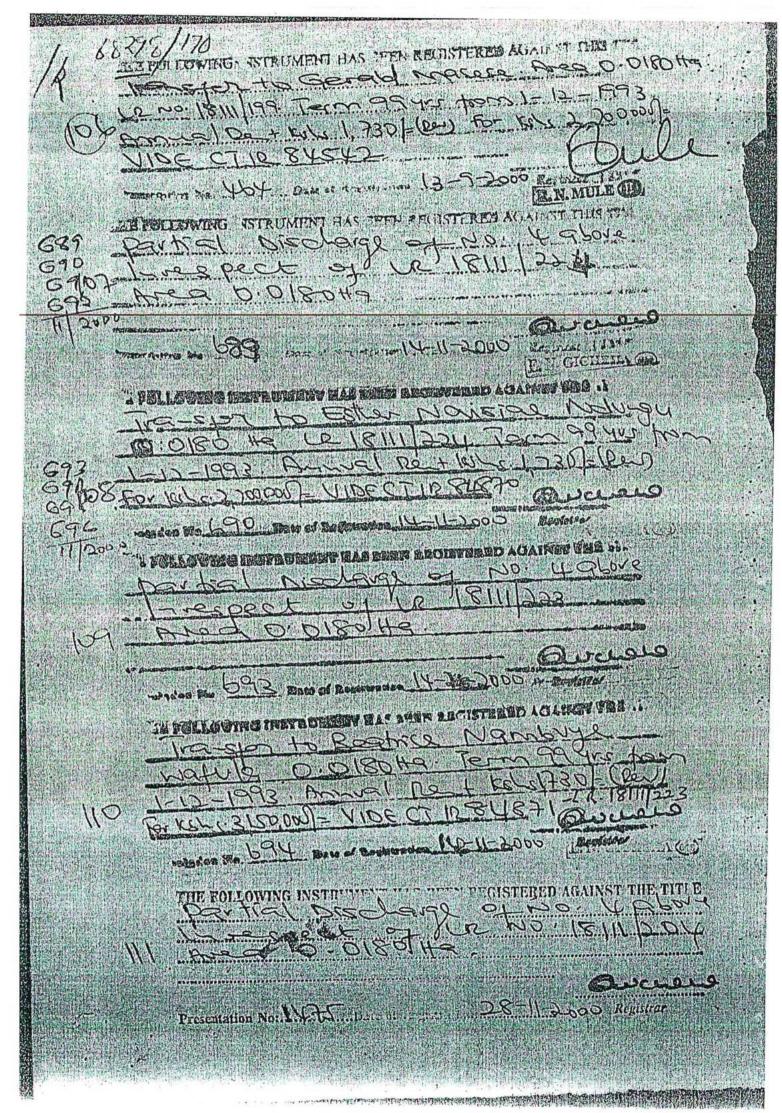
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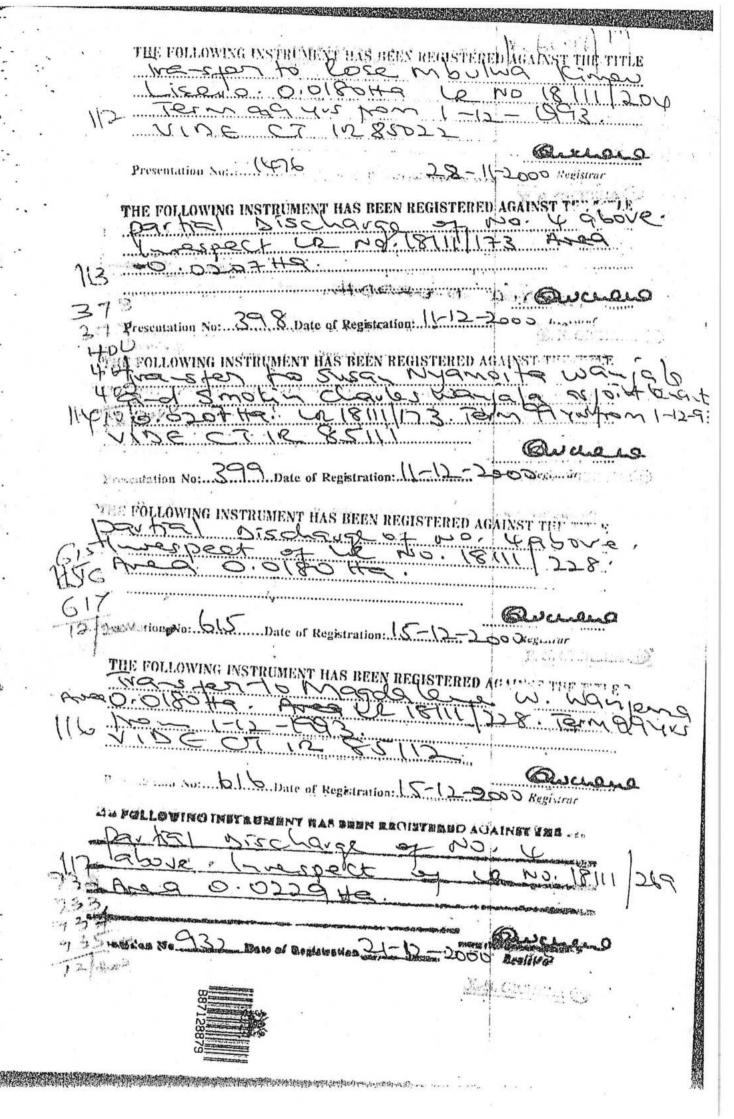
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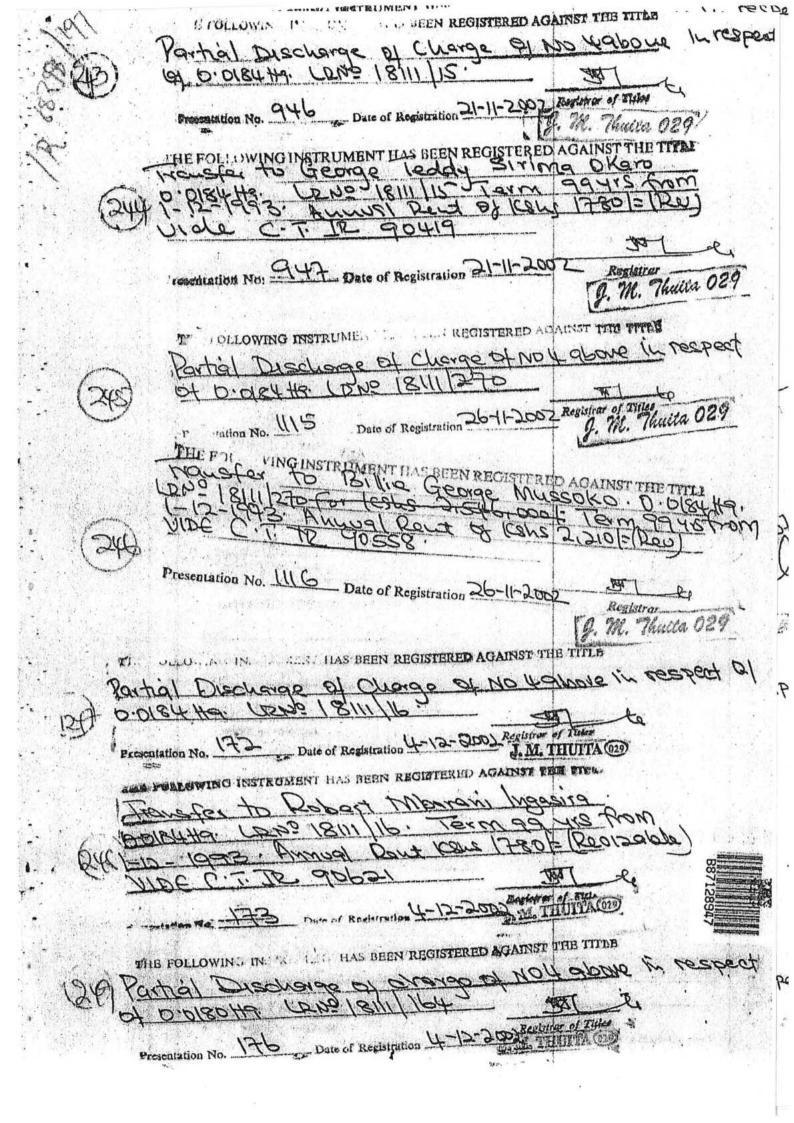
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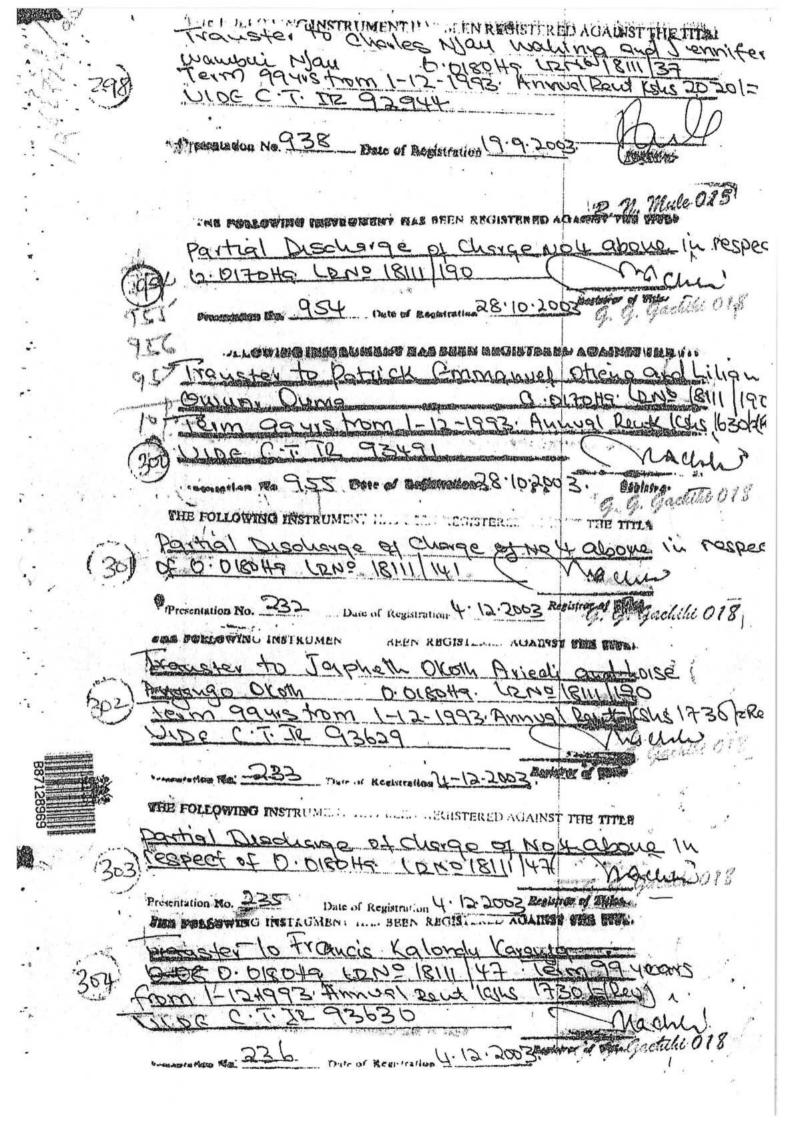
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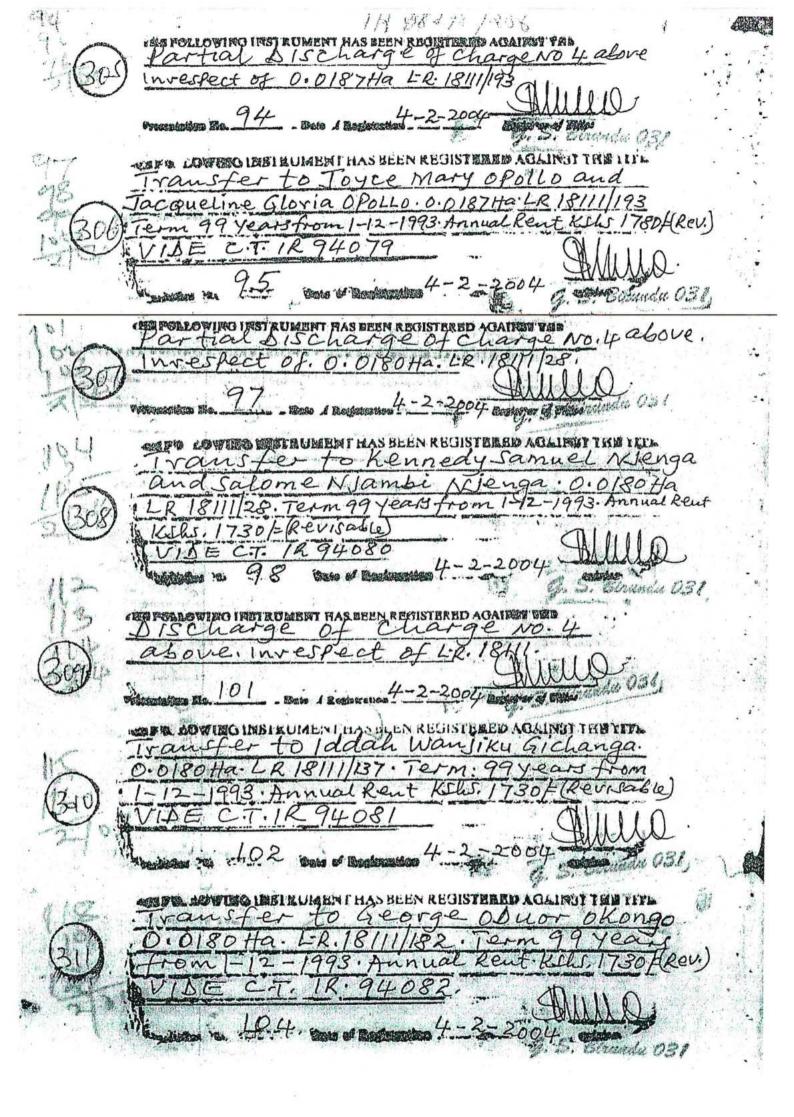
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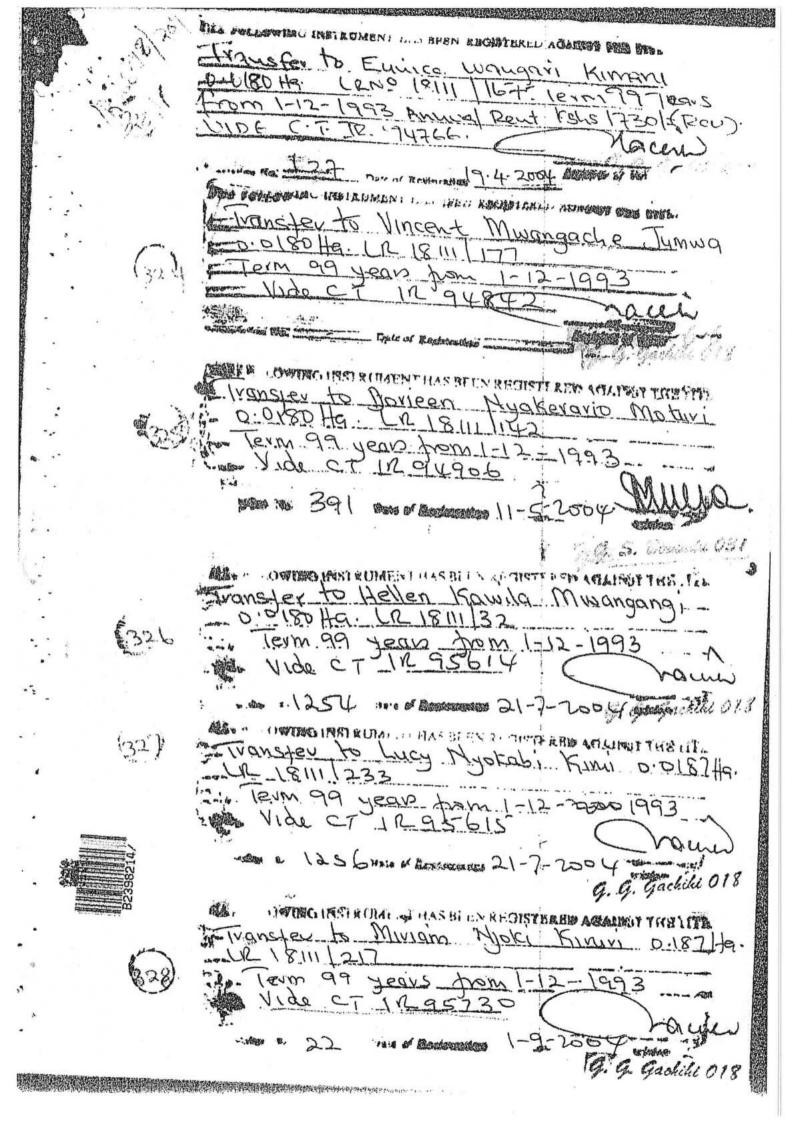
rang a massan, mya sanan wacapangyan pagyanah dipe 12-2-9003 LE RELLOWING DEFINITION OF THE SAME PROPERTY DESIGNATION OF THE SA I FOLLOWING INSTRUMENT HAS SEEN ASCISTED AC R-0.0184Ha Socret of Manuscrana 4-6-2003 SOLLOWING INSTRUMENT MAS SEER REGISTREND AGAINST VERLAN. HE FOLLOWING INSTRUMENT HAS LET !! REGISTERED AGAIN THE NO 4 Apone 1/2 Partial Discharge 61 0.0180 Ha. CRNS P-ntation No. 421 Date of Registration 10-6-2003 Registrated 578 Chill 018

LINE BOTTON CHALFANENS "" BEBN KROMAKED YOTHER GEES BIRST Transfer to Jenima Kamenda Kitala 10.4 dd des town 1-13-1863 UIDE CT-72 92157 _ Dute of Rechtested 0-6-2005 . G. Gachille 018 THE FOLLOWING INSTRUMENT I... I SEN REGISTERED AGAINST THE TITLE Butial Dischage of NO 4 above is 1 D. 0184 HZ. 50 NO 18111/18 To mention No. 427 frate of Registration 10-6-200 Registrate of Titles THE PERSONNE PRETERENT HAS BEEN BECKTERED AGAINST THE DOISHHE COND 1811/13 86 JEIN 99 415-from 1-12-1993. Annual Rent 1845 1780/7 Ren) Date of Restriction To. P. Jobs Branches To. P. Job EGGG-D-Y Sustantians to stad EGG/ on restauries THE THAT THE THE THE PARTY HAS BEEN REGISTERIC AGAINST THE 10 Joseph taygethe Singy-0.0170Hq. met 52 65 1811/138. Jer 201/11/21/20 melon No 1004 Date of Delighanting 14-6-5703 THE THE PROPERTY BAS BREN & POINTERLE ANALYST RATE. Mule 0151 merbect of Doogover or 1811 Manual Residence of Registration 24 6-2003 Africanting ster to marity s pins of 0.070/40 292/15 from 1-12-1993. A/real 500: 1970 HOW 24-6-2003

consequence inscriment also in the continuer of consequence of 722 / do Discharge of no 4 above The respect 6.0180 Hd. FBN= 18111/183 trends then ren 175 S-8-200 zerrig 2. 7. Mule 015 William Indianament by and and endelled to the contraction Allan Musmba Wangony1 rous 18111/183 O.0780Hd. most Exp PP mist 1730= (Dea) VIDE C.T. IR9266 1-12-12 No. 176 Provide Proposition 5-8-2003 2. 7. Mule 013 UP PER METER PRINCIPAL DISTRIBUTION TO STATE OF CHATCHED AGASEST THE PIPE Partial Descharge of no 4 above it respect of 10-0180 HS (BNO 1811) pressponses to TD7 inte or Acomiration 14-8-3600 PERCHAPITY ... 1951 1.3 MBP. I IV. BEEN KAGIBIEALD AGAIRST BEEN BEEN Grass 540.0180HB 1118/5WD Eim 39415 From (Slu 1,7301-(Rea) VIDE C. 1729276 346-1349E FOLLOWING INTITUTION THAS BEEN REGISTERED AGAINST THE TITLE val Discrede of 400 doors it respect of 0.018th Has 15000 Presentation No. 1346 Description 25.8. 2003 Referrol Ka 2 n. Mule 015 THE FOLLOWING INSTRUMENT HAS DEEN REDISTERED AGAINST THE TITAL 15 PM 18111 / 3PA P.018A HS. Rout Kels 2210 = (Reu) 13. Annual resentation No. 1347 Date of Registration 29-8:2003. R. W. Wals 018 THE BELLEWING DESTRUMENT HAS HELD RECEIVERED AGAREST CON THE Portial Discharge of No 4 above 15 respect of 0.0180H1. (5M3 Date of Bestiething 19.9.2 48 White all







. * TOWN CLERK'S DEPARTMENT

CITY COMMISSION ANNEXURELY

CITY HALL

P.O. BOX 30075

NAIROBI

KENYA

TELEGRAMS: "MUNICIPALITY" NAIROBI TELEPHONE 24281

EXT:....

Fet. No.CV 365/S/65/2

19th March, 1985,

Mr. Kimanzi J. Musyimi,			·	**
P.O. Box 19202.	¥			
NAIROBI.	•			
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		(4)		

Dear ir.

RE: ALLOCATION OF PLOT NO. 11150 SCHEME (PART EMBAKASI.)

As you are probably aware the allocation of plots in the above Scheme was suspended pending some Government investigations. The investigations have now been completed and it has been decided that the Scheme be nullified.

ake notice therefore that the allocation of the above plot to you is. hereby withdrawn and you are required to surrender to the Chief Valuer's Office in their original form, the letter of allocation and payment receipts for any monies you may have paid this Commission to facilitate refund of the same.

Yours faithfully,

S.J.GETONGA TOWN CLERK.

c.c. Commissioner of Lands, P.O. Box 30089, NAIROBI.

c.c. Director of City Planning.

WAIRDBY ,CITY COMMISSION TILEGRAMS: "MUNICIPALITY" NAIROBI CITY HALL P.O. BOX 30075 TOWN CLERK'S DEPARTMENT NAIROBI KENYA CV. 367/S/65/2

· Rev. M. Mglethe, .

19th March, 1985.

Dear sir,

CLEPHONE 24281

Fier. No.....

EXT:....

RE: ALLOCATION OF PLOT NO. (ORIGINAL NO. 11150

SCHEME.11150(PART) EMBARASI.

As you are probably aware the allocation of plots in the above Scheme was suspended pending some Government investigations. The investigations have now been completed and it has been decided that the Scheme be nullified.

Take notice therefore that the allocation of the above plot to you is hereby withdrawn and you are required to surrender to the Chief Valuer's Office in their original form, the letter of allocation and payment receipts for any monies you may have paid this Commission to facilitate refund of the same.

Yours faithfully.

S.J.GETONGA TOWN CLERK.

> Commissioner of Lands, P.O. Box 30089, NAIROBI.

c.c. Director of City Planning.

THE LAND ACT

(No. 6 of 2012)

CONSTRUCTION OF KAYOLE SPINE–EASTERN BYPASS LINK ROAD

INTENTION TO ACQUIRE LAND

IN PURSUANCE of the Land Act, 2012, No. 6 of 2012, Part VIII and the transitional provisions contained in section 162(2) of the same Act, the National Land Commission on behalf of Kenya Urban Roads Authority (KURA) gives notice that the Government intends to acquire the following parcels of land for the construction of Kayole Spine–Eastern Bypass Link Road.

Plot No.	Registered Owner	Area Affected (Ha)	
L. R. No. 12293/7	Edenvale Sisters	0.5740	
L. R. No. 18169	KDF-Embakasi Barracks	0.5326	
L.R. No. 11150		0.0315	

Plans for the affected land may be inspected during working hours at the office of the National Land Commission, Ardhi House, 3rd Floor, Room 305, 1st Ngong Avenue, Nairobi. Notice of Inquiry will be published in the *Kenya Gazette* as per section 112 (1) of the Land Act.

MR/2694751

MUHAMMAD A. SWAZURI, Chairman, National Land Commission.

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