

Approved for tabling
SNA
25/11/24

Rt. Hon. Speaker
The report is in order
for tabling. You may
approve.
22/11/24



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT - THIRD SESSION - 2024


PUBLIC PETITIONS COMMITTEE

PARLIAMENT
OF KENYA
LIBRARY

REPORT ON-

CONSIDERATION OF PUBLIC PETITION NO. 33 OF 2023 REGARDING COMPENSATION
OF PERSONS AFFECTED BY MOMBASA- MARIAKANI DUALLING PROJECT

NOVEMBER, 2024

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 27 NOV 2024	
DAY: <u>Wednesday</u>	
TABLED BY:	Hon. Nimrod Mbari (Chairperson)
CLERK-AT THE-TABLE:	Lomale

Directorate of Legislative & Procedural Services
Clerk's Chambers
Main Parliament Buildings
NAIROBI

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LIST OF ACRONYMS

KeNHA	Kenya National Highways Authority
NLC	National Lands Commission
CSR	Corporate Social Responsibility

CHAIRPERSON'S FOREWORD

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it is my pleasant privilege and honour to present to this House the Report of the Committee on Petition No. 33 of 2023 regarding compensation of persons affected by Mombasa- Mariakani dualling project.

The Petition was presented to the House pursuant to Standing Order No. 225 (2) (a) by Hon. Bady Twalib Bady, M.P. on behalf of the people affected by the Mombasa West Community Project in Jomvu Constituency.

The Committee considered the Petition and observed that pursuant to Article 40(3) of the Constitution and section 110 of the Land Act (Cap. 280), the National Land Commission on behalf of the Kenya National Highway Authority compulsorily acquired the parcels for a public purpose of expanding the Mombasa-Mariakani road. However, some of the interested persons of Jomvu constituency are yet to be paid due to disputes on property ownership.

The Committee recommends that any dispute that relates to compensation may be referred to the Environment and Lands Court pursuant to section 128 of the Land Act (Cap. 280)

The Committee appreciates the Offices of the Speaker and Clerk of the National Assembly for providing guidance and necessary technical support without which its work would not have been possible. The Chairperson expresses gratitude to the Committee Members for their devotion and commitment to duty during the consideration of the Petition.

On behalf of the Committee and pursuant to the provisions of Standing Order 199, I now wish to lay the Report on the Table of the House.



HON. NIMROD MBITHUKA MBAI, M.P.
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

Date.....20/11/2024.....

PART ONE

1 PREFACE

1.1 Establishment and Mandate of the Committee

The Public Petitions Committee is established under the provisions of Standing Order 208A with the following terms of reference:

- a) considering all public petitions tabled in the House;
- b) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;
- c) recommending whether the findings arising from consideration of a petition should be debated; and
- d) advising the House and reporting on all public petitions committed to it.