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REPUBLIC OF KENYA



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Paper laid by Hon.
Alex Mwiru, MP,
Chairperson of the
Committee under
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ELEVENTH PARLIAMENT - THIRD SESSION - 2015

NATIONAL ASSEMBLY

DEPARTMENTAL COMMITTEE ON LANDS

REPORT ON LAND DISPUTE IN AWENDO TOWNSHIP AND LAND ADJUDICATION ISSUES
IN RANGWE

DIRECTORATE OF COMMITTEE SERVICES

AUGUST, 2015

CLERK'S CHAMBERS,

PARLIAMENT BUILDINGS,

NAIROBI

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ABBREVIATIONS/ACRONYMS

NLC – National Land Commission

SONY - South Nyanza Sugar Company Limited

ANNEXES

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1.0 PREFACE

On behalf of the Departmental Committee on Lands and pursuant to provisions of Standing Order 216(1) and (5) of the National Assembly, it is my pleasant honor to present to this House the Report of the Committee on the Land dispute in Awendo township and land adjudication issues in Rangwe.

The fact finding visit was necessitated by the serious concerns raised by the Member of Parliament for Rangwe Constituency, Hon.George Oner, and M.P. on the land dispute in Awendo Township and Rangwe.

1.1 COMMITTEE MANDATE

The Committee is established pursuant to the provisions of Standing Order No. 216 (1) and (5) with the following terms of reference:-

- a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations, and estimates of the assigned ministries and departments;
- b) Study the Programme and policy objectives of Ministries and Departments and effectiveness of the implementation;
- c) Study and review all legislation referred to it;
- d) Study, assess and analyze the relative success of the Ministries and Departments as measured by the results obtained as compared with their stated objectives;
- e) Investigate and inquire into all matters relating to the assigned Ministries and Departments as they may deem necessary, and as they may be referred to them by the House;
- f) Vet and report on all appointments where the Constitution or any Law requires the National Assembly to approve, except those under Standing Order 204(Committee on Appointments); and
- g) Make reports and recommendations to the House as often as possible, including recommendations on proposed legislation.

The Committee oversees the operations of the Ministry of Lands, Housing and Urban Development on the following matters: Land Policy and Physical Planning, Land Transactions, Survey and Mapping, Land Adjudication, Settlement, Land registration, Land Valuation, Administration of community and Public Land, and Land Information and Management System.

1.2 COMMITTEE MEMBERSHIP

The Committee comprises of the following Members:

1. The Hon. Alex Mwiru, M.P. (Chairperson)
2. The Hon. Moses Ole Sakuda, M.P (Vice Chairperson)
3. The Hon. Onesmas Ngunjiri, M.P.
4. The Hon. Mutava Musyimi, M.P.
5. The Hon. John Kihagi, M.P.
6. The Hon. Francis W. Nderitu, M.P.
7. The Hon. Francis Njenga, M.P.
8. The Hon. A. Shariff, M.P.
9. The Hon. Eusilah Jepkosgei, M.P.
10. The Hon. Benard Bett, M.P.
11. The Hon. Kipruto Moi, M.P.
12. The Hon. Oscar Sudi, M.P.
13. The Hon. Hellen Chepkwony, M.P.
14. The Hon. Sarah Korere, M.P.
15. The Hon. Julius Ndegwa, M.P.
16. The Hon. Benson Mbai, M.P.
17. The Hon. Kanini Kega, M.P.
18. The Hon. Esther Murugi, M.P.
19. The Hon. Gideon M. Mung'aro, M.P.
20. The Hon. Hezron Awiti Bollo, M.P.
21. The Hon. Suleiman Dori Ramadhani, M.P.
22. The Hon. George Oner Ogalo, M.P.
23. The Hon. Lekidime L. Mathew, M.P.
24. The Hon. Shakila Abdallah, M.P.
25. The Hon. Paul Otuoma, M.P.
26. The Hon. Thomas Mwadeghu, M.P.
27. The Hon. Magwanga Joseph Oyugi, M.P.
28. The Hon. Aburi Lawrence Mpuru, M.P.
29. The Hon. King'ola Patrick Makau, M.P.

1.3 VISIT TO AND MEETINGS IN AWENDO AND RANGWE

- 1.3.1 The Committee undertook the visit to Awendo Township and Rangwe on Monday 15th February, 2015 in order to familiarize itself with the situation on the ground and get views from the local Communities;
- 1.3.2 The Committee paid a courtesy call to the Migori Assistant County Commissioner Mr. Gerald Mutuku, who was in the company of Mrs. Elizabeth Alila, County Executive Committee member for Lands and other County officials;
- 1.3.3 The Committee also held a public meeting with the claimants of the land in question and other government officials in Awendo Township;
- 1.3.4 In Rangwe, the Committee met with the area Member of Parliament, Hon. George Oner and other stakeholders;
- 1.3.5 On 5th March, 2015, the Committee held a meeting with the Ministry of Lands, Housing & Urban Development where Mrs. Mariamu El-Maawy, Permanent Secretary accompanied by Mr. Peter Kahuho, Ag. Secretary Lands appeared before the committee and submitted the Ministry's evidence on Land issues in Awendo Township and Rangwe;
- 1.3.6 The following Members undertook the visit:-

1. The Hon. Paul Otuoma, M.P- **Chairing**
2. The Hon. Moses Ole Sakuda, M.P (Vice Chairperson)
3. The Hon. Onesmus Ngunjiri, M.P.
4. The Hon. John Kihagi, M.P.
5. The Hon. Francis W. Nderitu, M.P.
6. The Hon. Francis Njenga, M.P.
7. The Hon. A. Shariff, M.P.
8. The Hon. Kipruto Moi, M.P.
9. The Hon. Hellen Chepkwony, M.P.
10. The Hon. Sarah Korere, M.P.
11. The Hon. Julius Ndegwa, M.P.
12. The Hon. Hezron Awiti Bollo, M.P.
13. The Hon. Suleiman Dori Ramadhani, M.P.
14. The Hon. Lekidime Lempurkel Mathew, M.P.
15. The Hon. Thomas Mwadeghu, M.P.
16. The Hon. Magwanga Joseph Oyugi, M.P.

17. The Hon. Aburi Lawrence Mpuru, M.P.

18. The Hon. King'ola Patrick Makau, M.P.

1.4 COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS

Having held meetings, undertaken the inspection/fact finding visit and considered the submissions presented, the Committee made the following general observations and recommendations:-

OBSERVATIONS

1.4.1 The Committee made the following observations in Awendo, that:-

- a) The matter is active before the courts and therefore sub-judice;
- b) South Nyanza Sugar Scheme never utilized the entire acreage of each of the suit parcels of land upon compulsory acquisition;
- c) The original land owner's only contention is that the unutilized portions of the suit lands ought to revert back to them;
- d) The disputed parcels of lands has been fully allocated to third parties and fully developed.

1.4.2 The Committee made the following observations in Rangwe:-

In Kagan South

- a) Whereas some areas of Kagan South have been adjudicated others have not, and the main concern for the residents is commencement of adjudication programme and issuance of titles deeds to the residents as well as both private and public Institutions;
- b) The population in Kagan South is growing rapidly and yet the area has not been adjudicated fully and resident still lack title deeds.

In Kochia East

- a) Although adjudication was done in a section known as Kamenya, the residents have not been issued with title deeds;
- b) Lack of modern surveying equipment is the main reason for the delay in commencement of demarcation and survey of the parcels of land.

1.4.3 COMMITTEE RECOMMENDATION

The Committee made the following recommendations in respect of Kagan South/Kochia East

The Ministry of Lands, Housing and Urban Development and the National Land Commission should:-

- a) Fast track the adjudication programme for Kochia East and Kagan South so that the residents get title deeds.
- b) Procure modern survey equipment's to enable officers undertake demarcation and survey of the parcels of Land in the area.
- c) Take up the matter of budgetary constraints with Treasury so as to speed up the completion of adjudication programme and issuance of title deeds.

1.5 ADOPTION OF THE REPORT

The Members of the Departmental Committee on Lands have pursuant to Standing order 199 adopted this report on the fact finding visit to Awendo Township and Rangwe as affirmed by the attached Annex I on Friday 29th May 2015.

1.6 ACKNOWLEDGEMENT

The Committee wishes to register its appreciation to the Offices of the Speaker and the Clerk of the National Assembly for the support accorded to the Committee in the execution of its mandate.

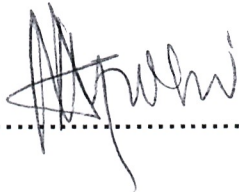
I take this opportunity to thank all Members of the Committee for their patience, sacrifice, endurance and hard work during the long sitting hours under tight schedules which enabled us to complete the tasks within the stipulated period.

The Committee wishes to record its appreciation for the services rendered by the staff of the National Assembly attached to the Committee. Their efforts made the work of the Committee and the production of this Report possible.

The Committee is also grateful to all the witnesses who made submissions and presentations before the Committee during the fact finding visit. Their Contributions gave the Committee the much needed insights into the issues under investigations and possible solutions.

Finally, it is now my pleasant duty, on behalf of the Departmental Committee on Lands, to present this report to the House pursuant to the provisions of Standing order 199.

SIGNED



DATE

29/5/2015

(HON. ALEX M. MWIRU, MP)

CHAIRPERSON

2.0 BACKGROUND

Land Issues in Awendo

- 2.0.1 The land which was previously an adjudication section was acquired by the Government of Kenya by way of compulsory acquisition through Gazette Notice No. 3734 of 1976; for purposes of "South Nyanza Sugar Scheme in South Nyanza District". Schedules for the compensations made are available;
- 2.0.2 The remaining land was allocated to Awendo Town Council and is already being developed;
- 2.0.3 However, persons compensated have been litigating and claim that the allocation of the Land to Awendo Town Council was irregular and that the land should be given back to them;

Land issues in Rangwe

- 2.0.4 The two adjudication sections in Rangwe are still incomplete despite funds being allocated to the National Land Commission in the financial year 2014/2015 for the land adjudication;

3.0 MEETINGS AND SITE VISIT.

3.1 Meeting with Hon. George Oner Ogalo, M.P.

During its sitting held on 27th January, 2015, The Member of Parliament for Rangwe Constituency, Hon. George Oner Ogalo, M.P. informed the Committee that:-

Land Issues in Awendo

- 3.1.1 The land which was previously an adjudication section was acquired by the Government of Kenya by way of compulsory acquisition through Gazette Notice No. 3734 of 1976; for purposes of "South Nyanza Sugar Scheme in South Nyanza District".
- 3.1.2 Since not all the land that was compulsorily acquired was utilized for expansion of South Nyanza Sugar Scheme. The remaining land was allocated to Awendo Town Council and is already being developed;

3.1.3 Although the original owners were compensated, they still claim that unutilized portion of the parcels of land be reverted back to them. They have been litigating and claiming that the allocation of the Land to Awendo Town Council was irregular.

Land issues in Rangwe

3.1.4 The two adjudication sections in Rangwe are still incomplete despite funds being allocated to the National Land Commission in the current financial year for the land adjudication.

3.2 Meeting with Migori Assistant County Commissioner

During a field visit to Awendo Township and Rangwe on Monday 15th February, 2015, the Committee paid a courtesy call to the Migori Assistant County Commissioner Mr. Gerald Mutuku, who was in the company of Mrs. Elizabeth Alila, County Executive Committee member for Lands and other County officials. The Committee was informed that:-

3.2.1 The Government of Kenya acquired the suit lands by way of compulsory acquisition through Gazette Notice No. 3734 of 1976; for purposes of "South Nyanza Sugar Scheme in South Nyanza District";

3.2.2 Not all the land that was compulsorily acquired was utilized for expansion of South Nyanza Sugar Scheme. This prompted some of the original land owners to continue living on some parts of those parcels that were not utilized;

3.2.3 Section 19(4) of the land acquisition Act provides that after taking possession of land that has compulsorily been acquired, the land vests in the Government absolutely free from encumbrances.

3.3 Meeting with the Claimants of the Suit Land in Awendo Township

While appearing before the Committee, Mr. Nelson Oduor Onyango, Mr. Samwel Onyango Omwaka (Awendo Timkinda members), Mr. Bernard Otieno - Sony Sugar, Mr. Musa Otieno Odongo – Ministry of Education, and Mr. Geoffrey K. Ngeno – Surveyor, Ministry of Lands informed the Committee as follows, that:-

3.3.1 On 24th September 1976 the Government of Kenya gave notice of intention to compulsorily acquire the following land parcels LR No. North

Sakwa/Waware/204, North Sakwa/Kamasoga/46, Sakwa/Kamasoga/34, North Sakwa/Kamasoga/1081, NorthSakwa/Kamasoga/1093, NorthSakwa/Kamasoga/1111, NorthSakwa/Kamasoga/1193, NorthSakwa/Kamasoga/1067, SouthSakwa/waware/207, NorthSakwa/Kamasoga/45, North Sakwa/Kamasoga/111, South Sakwa/waware/202 and South Sakwa/waware/168 to establish South Nyanza Sugar Scheme in South Nyanza District;

- 3.3.2 Subsequently the Government compulsorily acquired those parcels of land and published it under Gazette Notice No. 3737 dated 24th December 1976;
- 3.3.3 Not all the land that was compulsorily acquired was required or could be utilized for expansion of South Nyanza Sugar Scheme. Some of it remained unutilized;
- 3.3.4 Some of the original land owners continued to live on some parts of those parcels that were not utilized for the expansion of South Nyanza Sugar Scheme;
- 3.3.5 Town Council of Awendo, Considered itself entitled to use the unutilized parcels of land for purposes of its expansion. It took steps to take possessions of those parcels and to evict those in possession thereof. It also embarked on allocating those parcels of land to third parties;
- 3.3.6 The original land owners sought the intervention of the Chief Land Registrar demanding to be issued with titles for the unutilized parcels of land and In a letter dated 29th February 1996 the Chief Land Registrar directed the District Land Registrar, Homa Bay to sort out the matter in consultation with the District Surveyor Migori, but it was not done;
- 3.3.7 In 2005 the original land owners commenced suit by way of originating summons against the Town Council of Awendo in the High Court at Kisii. The High Court held that the Town Council of Awendo could not claim the unutilized portions land, that it is unacceptable that the original land owners were forced to sell their properties to the Government so as to establish South Nyanza Sugar Scheme and later for the Town Council of Awendo to force the land owners out of the unutilized portions and to allocate to other people. And there were no basis for the Town Council of Awendo to have assumed any rights over the unutilized portions of the suit land;
- 3.3.8 The Town Council of Awendo was aggrieved by the Judgment of the High Court and appealed the case. On 18th October, 2013, the Court upheld the judgment of

the High Court and dismissed the Town Council of Awendo appeal. It is against that background that the Town Council of Awendo intends to appeal to the Supreme Court.

3.4 Submission by Migori County Government

The County Attorney, County Government of Migori, vide a letter dated February 16, 2015, made written submissions to the Committee in regard to the dispute relating to parcels LR No. North Sakwa/Waware/204, North Sakwa/Kamasoga/46, Sakwa/Kamasoga/34, North Sakwa/Kamasoga/1081, North Sakwa/Kamasoga/1093, North Sakwa/Kamasoga/1111, North Sakwa/Kamasoga/1193, North Sakwa/Kamasoga/1067, South Sakwa/waware/207, North Sakwa/Kamasoga/45, North Sakwa/kamasoga/111, South Sakwa/waware/202 and South Sakwa/waware/168- Awendo Sub – County, Migori County. The Committee was informed as follows that:-

3.4.1 The Claimants had testified before the Committee in support of their claim to the suit lands during the Field visit by the Committee. The County Government of Migori had also given oral submissions during the field visit in support of the County Government recognizable interest on the suit properties, which was on the following grounds, that :-

- a) The defunct Awendo Town Council now forming part of Migori County had no priority rights over the suit parcel of land;
- b) The attempted eviction of the claimants from the suit lands by Migori County Government was illegal and unlawful;
- c) The Government of Kenya never utilized the entire acreage of each of the suit parcels of land upon compulsory acquisition;
- d) The defunct Awendo Sub-County of Migori County through its officials or agents was intending to fraudulently and unlawfully sub-divide the utilized portions of the suit land with a view to allocate or dispose them;
- e) The claimants were bound to suffer huge losses and damage by such action of Migori County Government;

- f) The claimants had lived on the parcels of land for over thirty years and had their homes and families on the lands where they earn their livelihoods from;
- g) The claimants had permanent buildings and farms on the lands;
- h) The Applicants' ancestors, parents and their other kin were buried on the said parcels of land;

3.4.2 The concept of compulsory acquisition of private land is an exception to the Constitutional protection of private property under section 40 & 75 of the current Constitution and retired Constitution respectively, which provide that "NO" property of any description shall be compulsorily acquired except where the following are applied:-

- a) The taking of possession of acquisition is necessary in the interest of defense, public safety, public order, public morality, public health , town and Country planning of the development of utilization of property so as to promote the public benefit; and
- b) The necessity thereof in such as to afford reasonable justification for the causing of hardship that may resort to nay person having an interest or right over the property; and
- c) Provision is made by a law applicable to that taking of possession of acquisition for the prompt payment of full compensation.

3.4.3 The Land Acquisition Act Cap 295 sets out the law under which the Government may compulsorily acquire land for the public benefit under Section 3 of the Act, whenever the Minister concerned is satisfied that a given parcel of land ought to be compulsorily acquired for a relevant public benefit, he causes a notice therefore to be published in the Kenya Gazette. The Commissioner upon Gazette notice is thereafter under obligation to pay full compensation to all persons whose land is so acquired;

3.4.4 Commissioner of Lands published Gazette Notices No's 3737 and 2996 on the 24th December 1976 and 8th October 1976 respectively;

3.4.5 The claimants' only contention is that the unutilized portions of the suit lands ought to revert back to them. The County Government of Migori submits that the claimants were fully compensated so their interest on the suit lands were extinguished;

- 3.4.6 The County Government of Migori further submits that Section 19(4) of the land acquisition Act provides that after taking possession of land that has compulsorily been acquired, the land vests in the Government absolutely free from encumbrances. It is not in dispute that the suit lands were compulsorily acquired by the Government by both the Gazette Notices hence the claimants have no legal rights to reclaim the same lands back, on the ground that they were utilized by the purpose for which they were not acquired, while also admitting having been fully compensated;
- 3.4.7 It's not therefore equitable for the claimants to claim back the land unless they are willing to pay back proportionate amount of the compensation sum that had been paid to them;
- 3.4.8 The original owners of the suit lands have no equitable rights over the suit land for they had been compensated fully. The County Government of Migori has a right to possess the suit lands in the circumstances hence the County Government dealings are legal;
- 3.4.9 The County Government of Migori in response submitted that the Government of Kenya acquired the suit lands by way of compulsory acquisition through Gazette Notice No. 3734 of 1976, which the claimants disputes but avers that their lands were compulsorily acquired vide Gazette Notice No. 2996 of 24/9/96. Consequently the claim for the recovery of the suit lands by the claimants is just mere afterthought and hence lacks merit.
- 3.4.10 The County Government of Migori prayed that the Committee intervenes to determine the following issues: Whether:-
- a) The Government of Kenya compulsorily acquired the above parcels of land;
 - b) The said acquisition by the Government of Kenya was for the sole purpose of establishing the nuclear estate for South Nyanza Sugar Company Limited;
 - c) The Government upon acquisition utilized the whole or part of the said parcel of land;
 - d) SONY utilized part of the said parcels of land leaving the balance which was unfit for the purpose of which the land was compulsorily acquired by the Government Kenya;

- e) The unutilized portion of the above parcels of land reverts back to the original owners and/ or the claimants, or whether the original owners have right over and above all others except the Government of Kenya;
- f) Migori County Government acquired legal proprietary rights from the Government of Kenya in respect of the unutilized portions in the above parcels through Gazettment;
- g) Migori County Government has any right or authority to evict, demolish or interfere with the Claimants properties (if any) and quiet possession of the suit lands;
- h) Migori County Government has any interest or right over the suit property capable of being transferred to third party;
- i) The claimants are the legal beneficial owner of the unutilized portions of the suit parcels of land and entitled to have the said interest registered as such at the relevant land registry;
- j) Migori County Government still owns or has proprietary rights over the suit property after allocating same to third parties;
- k) Migori County Government is liable to compensate the allottee or occupiers of the suit properties in event it is found that the allocation was irregular or illegal;
- l) Migori County Government is liable to compensate the claimants for the second time even after having been previously compensated for the same in the year 1976 and if so should the compensation be at the current market value or the 1976 market value;
- m) The Liability and assets of the defunct Awendo Town Council has legally been transferred to the County Government of Migori by the Transition Authority as by is required, in view of the fact that the Transition Authority is in the process of auditing the assets and liabilities of all the defunct local authorities;
- n) The Transition Authority view or participation is necessary in these proceedings;
- o) The claimants' still occupies the parcels of lands as alleged to warrant eviction;

- p) Disputed parcels of lands are still in vacant possession as alleged or has been fully allocated to third parties and fully developed;
- q) The third parties who were allocated the suit lands should compensate the claimants (if any);
- r) The claimants have the requisite legal standing to claim the suit properties or are just mere strangers;
- s) The claimants claim for recovery is statutory time barred considering that claim for recovery is being made over 30 years late;
- t) Who between the National Government and Migori County Government is liable to compensate the claimants (if any?);

3.4.11 The County Government of Migori further prayed, that:-

- a) The Committee finds Migori County Government as the Bonafied proprietor of land parcels LR No. North Sakwa/Waware/204, North Sakwa/Kamasoga/46, Sakwa/Kamasoga/34, North Sakwa/Kamasoga/1081, North Sakwa/Kamasoga/1093, North Sakwa/Kamasoga/1111, North Sakwa/Kamasoga/1193, North Sakwa/Kamasoga/1067, South Sakwa/waware/207, North Sakwa/Kamasoga/45, North Sakwa/kamasoga/111, South Sakwa/waware/202 and South Sakwa/waware/168- Awendo Sub – County, Migori County.
- b) The claimants were fully compensated in accordance with the law hence have no further recognizable interest over the land.
- c) The Committee makes a finding in favour of the claimants then a declaration be made to the effect that the liability vests and be satisfied by the National Government.

3.5 Meeting with Kagan South & Kochia East Residents

The Committee visited Rangwe and met the following: Hon. George Oner – Member of Parliament, Rangwe Constituency, Sospeter O. Oyugi – O.O.P, Elekia Onyach – Senior Chief, O.O.P, Abel O. Ouku – Farmer, Daniel L.O. Bando – Farmer, Samuel Onyango – Farmer, Michael Ngicho Nyapala – Farmer, Roseline J. Okoth – Farmer, Doreen Oloo Wao – Farmer, Michael Obulo Wao – Farmer, Patrick Onyango Owino – Farmer, Richard Okoth Ogutu – Farmer. They informed the Committee as follows:

Kagan South

- 3.6.3 Some areas of Kagan South have been adjudicated while others have not been surveyed and adjudicated including the Rangwe Town Center and Public and Private institutions;
- 3.6.4 The population in Kochia South is growing rapidly and thus the need for the Government to speed up the adjudication programme and residents issued with title deeds;

Kochia East

- 3.6.3 Although adjudication was done in a section called Kamenya, the residents have not been issued with title deeds;
- 3.6.4 The residents were informed that the aerial map of the area is not available and surveyors have not been sent to the ground because of budgetary constraints;
- 3.6.5 Cases of land grabbing have been rampant in the area, and the residents fear that they will soon lose their land since they don't have documents to prove ownership.

3.6 Meeting with the Principal Secretary, Ministry of Lands, Housing, and Urban Development

While appearing before the Committee on 5th March 2015, Mrs. Mariamu El-Maawy, Principal Secretary, Ministry of Lands, Housing & Urban Development, accompanied by Mr Peter Kahuho, Ag. Lands Secretary informed the Committee as follows: that:-

Awendo Township Land

- 3.6.1 The land was compulsorily acquired as a result of a letter from the Principal Secretary Ministry of Agriculture to set aside land for Sony Sugar Project, vide Ref. SUG/14/A/55 OF 27th July 1976. This request was subsequently accepted and approved by the Commissioner of Lands. Gazette Notices for the same were done vide Notice No.
- i. 2996 of 24th September 1976.
 - ii. 3346 of 5th November 1976.

iii. 3737 of 24th December 1976.

iv. 3738 of 24th December 1976.

3.6.2 The beneficiaries were paid a total of Ksh. 13, 942, 895 as compensation.

3.6.3 Awendo Township was within the compulsorily acquired land. In order to protect Government interest, a caveat/caution was lodged through the District Land Registrar and Notices of taking possessions were then forwarded to the Chief Land Registrar, Homabay. This therefore means that no land was transferred to Awendo Township from the compulsorily acquired land.

Kagan South

3.6.4 Kagan South Adjudication Section will be declared in June, 2015 upon receipt of clearance from the Homa Bay County Government and Senior plans Records office, Nairobi. Plans are underway for procurement of Satellite images to enable the officers undertake demarcation and survey of parcels.

Kochia East

3.6.5 The adjudication section in question is Kamenya, which was declared on 3-9-1981 and the Adjudication Register published complete on 3-4-1999. The section comprises of approximately 6,000 parcels and is currently under final checking and resolution of field queries before submission to Sub-County Surveyor. The section will be completed by July, 2015;

3.6.6 Budgetary constraints had hampered completion of the exercise but the Ministry had taken up the matter with the treasury to address the issue.

3.7 Meeting with The Chief Executive Officer, National Land Commission

During its sitting held on 5th March 2015, Mr. Tom Aziz Chavangi, Chief Executive Officer, National Land Commission accompanied by Mrs. Edith S.L. Olando, Deputy Director Land Administration appeared before the Committee. The Committee was informed as follows, that:

Kagan South

- 3.7.1 Kagan South was part of Manyuanda Adjudication Section but due to clan rivalry, boundary of the adjudication section was amended to exclude Kagan South and subsequently Manyuanda was registered in September, 2002;
- 3.7.2 The Land Adjudication Officer for Homa Bay was set to place the proposal for adjudication of Kagan South to the County Assembly of Homa Bay in March 2015 for approval. While the Commission would obtain satellite imageries for the same and declaration of the section would be done during the month of April 2015.

Kochia East

- 3.7.3 Kochia East was part of Kamenya Adjudication Section that was declared on 28th February, 1992. The adjudication register was published complete for inspection on 17th February 1994 with a total of 5964 land parcels. However two map sheets (40 & 16) containing 216 plots were destroyed as a result of being rained on and as such the complete adjudication register could not be forwarded for a Certificate of finality;
- 3.7.4 One of the map sheets (16) had been replaced while the other would be done using ground survey. The Homa Bay team was scheduled to start their work in April, 2015 after completing the RRI program and it was expected that by 30th June 2015, the maps would be forwarded to Director of Surveys for publication and by 30th August, it would be signed;
- 3.7.5 The following constraints existed:-
- i. Lack of transport for field officers;
 - ii. Inadequate finances to enable Officers carry out the adjudication exercise;
 - iii. Problems of accommodation in some distant field stations.
- 3.7.6 The National Land Commission had come up with new strategies of carrying out adjudication program. These were;
- i. Conversion of adjudication sections into adjudication projects with clear timelines and resource allocations, every adjudication project is programmed to take 16 months from the time of declaration to the time finality is signed by the Director.
 - ii. Declaration of smaller adjudication sections that could be managed within the 16 months' timeline.

- iii. Partnering with County Governments in supporting the programme especially in terms of transport and other resources.
- iv. Use of modern survey technology in carrying out survey of adjudication sections.
- v. Using Rapid Result Initiative (RRI) to achieve specific milestones such as land cases or field queries to push those sections that have stalled for years to completion.

4.0 COMMITTEE OBSERVATIONS

From the public hearings with the claimants of the suit land in Awendo Township and Rangwe residents, the Committee observed that:-

i. Land Issues in Awendo:-

- a) The matter is active before the courts and therefore sub-judice;
- b) South Nyanza Sugar Scheme never utilized the entire acreage of each of the suit parcels of land upon compulsory acquisition;
- c) The original land owner's only contention is that the unutilized portions of the suit lands ought to revert back to them;
- d) The disputed parcels of lands has been fully allocated to third parties and fully developed.

ii. Land issues in Rangwe:-

The Committee made the following observations in Rangwe:-

In Kagan South

- a) Whereas some areas of Kagan South have been adjudicated others have not, and the main concern for the residents is commencement of adjudication programme and issuance of titles deeds to the residents as well as both private and public Institutions;
- b) The population in Kagan South is growing rapidly and yet the area has not been adjudicated fully and resident still lack title deeds.

In Kochia East

- a) Although adjudication was done in a section known as Kamenya, the residents have not been issued with title deeds;
- b) Lack of modern surveying equipment is the main reason for the delay in commencement of demarcation and survey of the parcels of land.

5.0 COMMITTEE RECOMMENDATIONS

The Committee made the following recommendations in respect of Kagan South/Kochia East

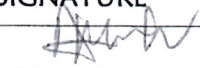

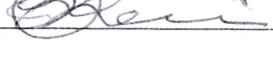

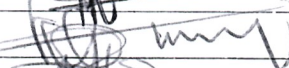
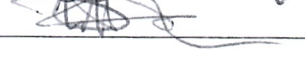
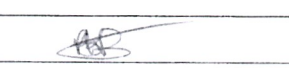

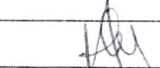
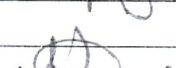

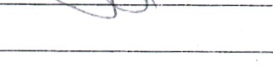



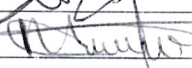


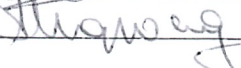
The Ministry of Lands, Housing and Urban Development and the National Land Commission should:-

- a) Fast track the adjudication programme for Kochia East and Kagan South so that the residents get title deeds.
- b) Procure modern survey equipment's to enable officers undertake demarcation and survey of the parcels of Land in the area.
- c) Take up the matter of budgetary constraints with Treasury so as to speed up the completion of adjudication programme and issuance of title deeds.

ATTENDANCE LIST
 DEPARTMENTAL COMMITTEE ON LANDS RETREAT
 SERENA BEACH RESORT & SPA, MOMBASA 27TH – 31ST MAY, 2015

DATE: 29th May 2015

AGENDA: ADOPTION OF THE REPORT ON REPORT ON AWENDO TOWNSHIP
 LAND ISSUES AND LAND ADJUDICATION IN RANGWE

NO.	NAME	TITLE	SIGNATURE
1.	The Hon. Alex Mwiru, M.P. (Chairperson)	Chairman	
2.	The Hon. Moses Ole Sakuda, M.P (Vice Chairperson)	Vice Chair	
3.	The Hon. Onesmas Ngunjiri, M.P.	M.	
4.	The Hon. Mutava Musyimi, M.P.		
5.	The Hon. John Kihagi, M.P.	Member	
6.	The Hon. Francis W. Nderitu, M.P.	Member	
7.	The Hon. Francis Njenga, M.P.	Member	
8.	The Hon. A. Shariff, M.P.	member	
9.	The Hon. Eusilah Jepkosgei, M.P.		
10.	The Hon. Benard Bett, M.P.	Member	
11.	The Hon. Kipruto Moi, M.P.		
12.	The Hon. Oscar Sudi, M.P.		
13.	The Hon. Hellen Chepkwony, M.P.	Member	
14.	The Hon. Sarah Korere, M.P.		
15.	The Hon. Julius Ndegwa, M.P.	Member	
16.	The Hon. Benson Mbai, M.P.	Member	
17.	The Hon. Kanini Kega, M.P.		
18.	The Hon. Esther Murugi, M.P.		
19.	The Hon. Gideon M. Mung'aro, M.P.	member	
20.	The Hon. Hezron Awiti Bollo, M.P.	member	
21.	The Hon. Suleiman Dori Ramadhani, M.P.		
22.	The Hon. George Oner Ogalo, M.P.		
23.	The Hon. Lekidime Lempurkel Mathew, M.P.	MP	
24.	The Hon. Shakila Abdallah, M.P.		
25.	The Hon. Paul Otuoma, M.P.	M	
26.	The Hon. Thomas Mwadeghu, M.P.	Member	
27.	The Hon. Magwanga Joseph Oyugi, M.P.	MP	
28.	The Hon. Aburi Lawrence Mpuru, M.P.		
29.	The Hon. King'ola Patrick Makau, M.P.	member	

Annex II

Minutes



MINUTES OF THE 157TH SITTING OF THE DEPARTMENTAL COMMITTEE (K) ON LANDS HELD ON FRIDAY 29TH MAY 2015, AT THE MASHUJAA CONFERENCE HALL, SERENA BEACH RESORT AND SPA, MOMBASA AT 2.00 PM

PRESENT:

1. The Hon. Alex Mwiru, M.P. - Chairperson
2. The Hon. Moses Ole Sakuda, M.P. - Vice Chairperson
3. The Hon. John Kihagi, M.P.
4. The Hon. Francis W. Nderitu, M.P.
5. The Hon. Francis Njenga Kigo, M.P.
6. The Hon. Patrick Makau, M.P.
7. The Hon. A. Shariff, M.P.
8. The Hon. Bernard Bett, M.P.
9. The Hon. Dr. Paul Otuoma, M.P.
10. The Hon. Julius Ndegwa, M.P.
11. The Hon. Hezron Awiti Bollo, M.P.
12. The Hon. Onesmus Ngunjiri, M.P.
13. The Hon. Hellen Chepkwony, M.P.
14. The Hon. Benson Mbai, M.P.
15. The Hon. George Oner, M.P.
16. The Hon. Gideon Mung'aro, M.P.
17. The Hon. Suleiman Dori, M.P.
18. The Hon. Mathew L. Lempurkel, M.P.
19. The Hon. Joseph Oyugi Magwanga, M.P.
20. The Hon. Thomas Mwadeghu, M.P.

ABSENT WITH APOLOGIES:

1. The Hon. Kipruto Moi, M.P.
2. The Hon. George Oner, M.P.
3. The Hon. Mutava Musyimi, M.P.
4. The Hon. Eusilah Ngeny, M.P.
5. The Hon. Mpuru Aburi, M.P.
6. The Hon. Kanini Kega, M.P.
7. The Hon. Sarah Korere, M.P.
8. The Hon. Esther Murugi, M.P.
9. The Hon. Shakila Abdallah, M.P.

ABSENT WITHOUT APOLOGY:

1. The Hon. Oscar Sudi, M.P.

IN ATTENDANCE:

KENYA NATIONAL ASSEMBLY

- | | | |
|---------------------------|---|-------------------------------|
| 1. Mr. James Ginono | - | Clerk Assistant I |
| 2. Ms. Ruth Mwhaki | - | Clerk Assistant III |
| 3. Mr. Emmanuel Muyodi | - | Clerk Assistant III |
| 4. Ms. Christine Odhiambo | - | Legal Counsel II |
| 5. Mr. Noah Arap Too | - | Research and Policy Analyst I |
| 6. Ms. Rahab Chepkilim | - | Audio Recorder |

MINUTE NO. DCK/LN/2015/ 534

PRELIMINARIES

The Chairman called the meeting to order at 2.30 p.m. with a word of prayer.

MINUTE NO. DCK/LN/2015/535

**CONSIDERATION AND ADOPTION OF THE
REPORT ON THE LAND DISPUTES IN
AWENDO TOWNSHIP AND LAND
ADJUDICATION ISSUES IN RANGWE**

The Committee Considered and adopted the report after being proposed by the Hon. Dr. Paul Otuoma, M.P and Seconded by the Hon. John Kihagi, M.P as follows.

The Committee makes the following Observations:

1. Land Issues in Awendo, that:-
 - a. The matter is Sub-judice
 - b. South Nyanza Sugar Scheme never utilized the entire acreage of each of the suit parcels of land upon compulsory acquisition;
 - c. The original land owner's only contention is that the unutilized portions of the suit lands ought to be reverted back to them;
 - d. Disputed parcels of lands have been fully allocated to third parties and fully developed.
2. Land issues in Rangwe :-
 - i) **Kagan South**
 - a. Whereas some areas of Kagan South have been adjudicated others have not, and the main concern for the residents is commencement of adjudication programme and issuance of titles deeds to the residents and both private and public Institutions;
 - b. The population in Kagan South is growing rapidly and yet the area has not been adjudicated fully and resident still lack title deeds.
 - ii) **Kochia East**
 - a. Although adjudication was done in section known as Kamenya, the residents of have not been issued with title deeds;
 - b. Lack of modern surveying equipment is the main reason for the delay in commencement of demarcation and survey of the parcels of land.

The Committee makes the following Recommendations:

In Kagan South/Kochia East

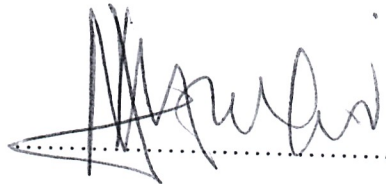
1. Ministry of Lands, Housing and Urban Development and National Land Commission should Speed up the adjudication programme for Kochia East and Kagan South so that the residents get title deeds.
2. Ministry of Lands, Housing and Urban Development should procure modern survey equipment's to enable officers undertake demarcation and survey of the parcels of Land.
3. Ministry of Lands, Housing and Urban Development should take up the matter of budgetary constraints with the Treasury so as to speed up the completion of adjudication programme and issuance of title deeds.

MINUTE NO. DCK/LN/2015/536

ADJOURNMENT

And the time being five minutes past 4 O'clock, the Chair adjourned the meeting.

SIGNED



.....

(CHAIRPERSON)

DATE

29th May 2015
.....

MINUTES OF THE 121ST SITTING OF THE DEPARTMENTAL COMMITTEE (K) ON LANDS HELD ON SUNDAY 15TH FEBRUARY 2015, AT THE AWENDO ASSISTANT COUNTY COMMISSIONERS OFFICE AT 11.00 AM

PRESENT:

1. The Hon. Alex Mwiru, M.P (Chairperson)
2. The Hon. Moses Ole Sakuda, M.P (Vice Chairperson)
3. The Hon. Dr. Paul Otuoma, M.P.
4. The Hon. Onesmus Ngunjiri, M.P.
5. The Hon. Hellen Chepkwony, M.P.
6. The Hon. John Kihagi, M.P.
7. The Hon. Shakila Abdallah, M.P.
8. The Hon. Mathew L. Lempurkel, M.P.
9. The Hon. Francis W. Nderitu, M.P.
10. The Hon. Athman Shariff, M.P.
11. The Hon. Joseph Oyugi Magwanga, M.P.
12. The Hon. George Oner, M.P.
13. The Hon. Bernard Bett, M.P.
14. The Hon. Sarah Korere, M.P.

APOLOGIES

1. The Hon. Mutava Musyimi, M.P.
2. The Hon. Thomas Mwadeghu, M.P.
3. The Hon. Eusilah Ngeny, M.P.
4. The Hon. Esther Murugi, M.P.
5. The Hon. Benson Mbai, M.P.
6. The Hon. Francis Njenga Kigo, M.P.
7. The Hon. Hezron Awiti Bollo, M.P.
8. The Hon. Suleiman Dori, M.P
9. The Hon. Gideon Mung'aro, M.P.
10. The Hon. Mpuru Aburi, M.P.
11. The Hon. Kipruto Moi, M.P.
12. The Hon. Julius Ndegwa, M.P.
13. The Hon. Kanini Kega, M.P.
14. The Hon. Patrick Makau, M.P

ABSENT

1. The Hon. Oscar Sudi, M.P.

IN ATTENDANCE

KENYA NATIONAL ASSEMBLY

- | | |
|------------------------|-------------------------------|
| 1. Mr. James Ginono | Clerk Assistant I |
| 2. Ms. Ruth Mwihaki | Clerk Assistant III |
| 3. Mr. Muyodi Meldaki | Clerk Assistant III |
| 4. Mr. Noah Arap Too | Research and Policy Analyst I |
| 5. Ms. Rahab Chepkilim | Audio officer |

MINUTE NO. DCK/LN/2015/357

PRELIMINARIES

The Chairman called the meeting to order at 11.15 a.m.

MINUTE NO. DCK/LN/2015/ 358

**BRIEF FROM HON. MEMBER OF
PARLIAMENT AWENDO CONSTITUENCY**

The Hon. Jared Kopiyo, M.P, informed the Committee as follows, that:-

- i. The land which was previously an adjudication section was acquired by the Government of Kenya by way of compulsory acquisition through Gazette Notice No. 3734 of 1976; for purposes of “South Nyanza Sugar Scheme in South Nyanza District”
- ii. Since not all the land that was compulsorily acquired was utilized for expansion of South Nyanza Sugar Scheme. The remaining land was allocated to Awendo Town Council and is already being developed;
- iii. Although the original owner were compensated, they still claim that unutilized portion of the parcels of land be reverted back to them. They have been litigating and claiming that the allocation of the Land to Awendo Town Council was irregular.

MINUTE NO. DCK/LN/2015/ 359

**SUBMISSIONS FROM THE ASSISTANT
COUNTY COMMISSIONERS**

The Committee paid a courtesy call to the Migori Assistant County Commissioner Mr. Gerald Mutuku, who was in the company of Mrs Elizabeth Alila - C.E.C Lands, Iscar Oluoch - C.E.C Agriculture, Deniss Oiro - Director Lands, George Odhiambo okede - County Lands Management Board member, Tonny Kidiga - County Lands Management Board member, Jacob Ombati – Governor’s office, Hon. Paul Mauston - M.C.A, Hon. Nicholas Roba – M.C.A , Hon. Owiro J.O – M.C.A , Hon. Osawah Jared – M.C.A, Mr. John Okoth Okello – Administrator S.C.A – Awendo, Gabriel Otiende – L.S.M, Sony Sugar and Linus Aluoch Odera. The County Commissioner informed the Committee that:-

- i. The Government of Kenya acquired the suit lands by way of compulsory acquisition through Gazette Notice No. 3734 of 1976; for purposes of “South Nyanza Sugar Scheme in South Nyanza District”
- ii. Not all the land that was compulsorily acquired was utilized for expansion of South Nyanza Sugar Scheme. This prompted some of the original land owners to continue living on some parts of those parcels that were not utilized;
- iii. In 2005 the original land owners commenced took the Town Council of Awendo to High Court. The High Court held that there were no basis for the Town Council of Awendo to have assumed any rights over the unutilized portions of the suit land;
- iv. The Town Council of Awendo appealed the case. But the Court upheld the judgment of the High Court and dismissed the Town Council of Awendo appeal. It’s against that background that the Town Council of Awendo appealed the case in the Supreme Court.

While appearing before the Committee Mrs Elizabeth Alila - C.E.C Lands Informed the Committee as understated:

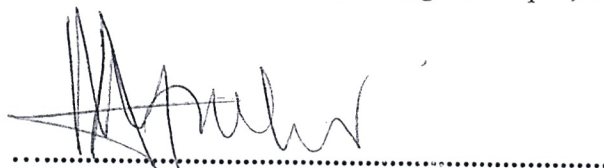
- i. On 24th September 1976 the Government of Kenya gave notice of intention to compulsorily acquire the following land parcels LR No. North Sakwa/Waware/204, North Sakwa/Kamasoga/46, Sakwa/Kamasoga/34, North Sakwa/Kamasoga/1081, North Sakwa/Kamasoga/1093, North Sakwa/Kamasoga/1111, North Sakwa/Kamasoga/1193, North Sakwa/Kamasoga/1067, South Sakwa/waware/207, North Sakwa/Kamasoga/45, North Sakwa/kamasoga/111, South Sakwa/waware/202 and South Sakwa/waware/168 to establish South Nyanza Sugar Scheme in South Nyanza District;
- ii. Subsequently the Government compulsorily acquired those parcels of land and Gazette Notice No. 3737 dated 24th December 1976 to that effect published; However not all land could be utilized for expansion of South Nyanza Sugar Scheme;
- iii. This prompted some of the original land owners to continue living on some parts of those parcels that were not utilized;
- iv. The claimants were fully compensated in accordance with the law hence have no further recognizable interest over the land, however they still claim that unutilized portion of the parcels of land be reverted back to them. They have been litigating and claiming that the allocation of the Land to Awendo Town Council was irregular.

The Committee resolution:-

The Committee resolved to hold a public hearing so as to get more information from both the Claimants and the Migori County Government.

There being no any other business, and the time being 12:45 pm; The Chairperson adjourned the Meeting.

SIGNED



DATE

29/5/2015

MINUTES OF THE 122ND SITTING OF THE DEPARTMENTAL COMMITTEE (K) ON LANDS HELD ON SUNDAY 15TH FEBRUARY 2015, AT THE AWENDO TOWNSHIP GROUNDS AT 2.00 PM

PRESENT:

1. The Hon. Alex Mwiru, M.P (Chairperson)
2. The Hon. Moses Ole Sakuda, M.P (Vice Chairperson)
3. The Hon. Dr. Paul Otuoma, M.P.
4. The Hon. Onesmus Ngunjiri, M.P.
5. The Hon. Hellen Chepkwony, M.P.
6. The Hon. John Kihagi, M.P.
7. The Hon. Shakila Abdallah, M.P.
8. The Hon. Mathew L. Lempurkel, M.P.
9. The Hon. Francis W. Nderitu, M.P.
10. The Hon. Athman Shariff, M.P.
11. The Hon. Joseph Oyugi Magwanga, M.P.
12. The Hon. George Oner, M.P.
13. The Hon. Bernard Bett, M.P.
14. The Hon. Sarah Korere, M.P.

APOLOGIES

1. The Hon. Mutava Musyimi, M.P.
2. The Hon. Thomas Mwadeghu, M.P.
3. The Hon. Eusilah Ngeny, M.P.
4. The Hon. Esther Murugi, M.P.
5. The Hon. Benson Mbai, M.P.
6. The Hon. Francis Njenga Kigo,
7. The Hon. Hezron Awiti Bollo, M.P.
8. The Hon. Suleiman Dori, M.P
9. The Hon. Gideon Mung'aro, M.P.
10. The Hon. Mpuru Aburi, M.P.
11. The Hon. Kipruto Moi, M.P.
12. The Hon. Julius Ndegwa, M.P.
13. The Hon. Kanini Kega, M.P.
14. The Hon. Patrick Makau, M.P.

ABSENT

1. The Hon. Oscar Sudi, M.P.

IN ATTENDANCE

KENYA NATIONAL ASSEMBLY

- | | |
|------------------------|-------------------------------|
| 1. Mr. James Ginono | Clerk Assistant I |
| 2. Ms. Ruth Mwhaki | Clerk Assistant III |
| 3. Mr. Noah Arap Too | Research and Policy Analyst I |
| 4. Mr. Muyodi Meldaki | Clerk Assistant III |
| 5. Ms. Rahab Chepkilim | Audio officer |

MINUTE NO. DCK/LN/2015/362

PRELIMINARIES

The Chairman called the meeting to order at 2.15 p.m.

MINUTE NO. DCK/LN/2015/ 363

SUBMISSIONS FROM THE LITIGANTS

The Following appeared before the Committee Mr. Nelson Oduor Onyango – Awendo Timkinda Member, Mr. Samwel Onyango Omwaka Awendo – Timkinda Member, Mr. Bernard Otieno - Sony Sugar, Mr. Musa Otieno Odongo – Ministry of Education, and Mr. Geoffrey K. Ngeno – Surveyor, Ministry of Lands. They informed the Committee as follows, that:-

1. On 24th September 1976 the Government of Kenya gave notice of intention to compulsorily acquire the following land parcels LR No. North Sakwa/Waware/204, North Sakwa/Kamasoga/46, Sakwa/Kamasoga/34, North Sakwa/Kamasoga/1081, North Sakwa/Kamasoga/1093, North Sakwa/Kamasoga/1111, North Sakwa/Kamasoga/1193, North Sakwa/Kamasoga/1067, South Sakwa/waware/207, North Sakwa/Kamasoga/45, North Sakwa/kamasoga/111, South Sakwa/waware/202 and South Sakwa/waware/168 to establish South Nyanza Sugar Scheme in South Nyanza District;
2. Subsequently the Government compulsorily acquired those parcels of land and Gazette Notice No. 3737 dated 24th December 1976 to that effect published;
3. Not all the land that was compulsorily acquired was required or could be utilized for expansion of South Nyanza Sugar Scheme. Some of it remained unutilized;
4. Some of the original land owners continued to live on some parts of those parcels that were not utilized for the expansion of South Nyanza Sugar Scheme;
5. Town Council of Awendo, Considered itself entitled to use the unutilized parcels of land for purposes of its expansion. It took steps to take possessions of those parcels and to evict those in possession thereof. It also embarked on allocating those parcels of land to third parties;
6. The original land owners sought the intervention of Chief Land Registrar demanding to be issued with titles for the unutilized parcels of land;
7. In a letter dated 29th February 1996 the Chief Land Registrar directed the District Land Registrar, Homa Bay to sort out the matter in consultation with the District Surveyor Migori, but it was not done;
8. In 2005 the original land owners commenced suit by way of originating summons against the Town Council of Awendo in the High Court at Kisii. The High Court held that it was not open to the Town Council of Awendo to claim the unutilized portions land; that it is unacceptable that the original land owners were forced to sell their properties to the Government so as to establish South Nyanza Sugar Scheme and later for the Town Council of Awendo to force the land owners out of the unutilized portions and to allocate to other people. And there were no basis for the Town Council of Awendo to have assumed any rights over the unutilized portions of the suit land;
9. The Town Council of Awendo was aggrieved by the Judgment of the High Court and appealed the case. On 18th October 2013. The Court upheld the judgment of the High Court

and dismissed the Town Council of Awendo appeal. It's against that background that the Town Council of Awendo intends to appeal to the Supreme Court.

MINUTE NO. DCK/LN/2015/364

SUBMISSIONS FROM THE MIGORI
COUNTY EXECUTIVE MEMBER FOR
LANDS

The County Government of Migori Officials Mrs Elizabeth Alila - C.E.C Lands, Iscar Oluoch - C.E.C Agriculture, Deniss Oiro - Director Lands, George Odhiambo okede - County Lands Management Board member, Tonny Kidiga - County Lands Management Board member, Jacob Ombati – Governor's office, Hon. Paul Mauston - M.C.A, Hon. Nicholas Roba – M.C.A , Hon. Owiro J.O – M.C.A , Hon. Osawah Jared – M.C.A, Mr. John Okoth Okello – Administrator S.C.A – Awendo, Gabriel Otiende – L.S.M, Sony Sugar and Linus Aluoch Odera. The County Government of Migori Officials led by the Executive Committee Members of Lands testified in support of the County Government recognizable interest on the suit properties on the following grounds:-

- i. That the defunct Awendo Town Council now forming part of Migori County had no priority rights over the suit parcel of land;
- ii. That the attempted eviction of the claimants from the suit lands by Migori County Government is illegal and unlawful;
- iii. That the Government of Kenya never utilized the entire acreage of each of the suit parcels of land upon compulsory acquisition;
- iv. That the defunct Awendo Sub-County of Migori County through its officials or agents is intending to fraudulently and unlawfully sub-divide the utilized portions of the suit land with a view to allocate or dispose them;
- v. That the claimants are bound to suffer huge losses and damage by such action of Migori County Government;
- vi. That the claimants are bound to suffer huge losses and damage by such action of Migori County Government;
- vii. That the claimants have lived on the parcels of land for over thirty years and have their homes and families on the lands where they earn their livelihoods from;
- viii. That the claimants have permanent buildings and farms on the lands;
- ix. That Applicants' ancestors, parents and their other kin are buried on the said parcels of land;

The County Government of Migori in response submitted that the Government of Kenya acquired the suit lands by way of compulsory acquisition through Gazette Notice No. 3734 of 1976, which the claimants disputes but avers that their lands were compulsorily acquired vide Gazette Notice No. 2996 of 24/9/96. The County Government maintains that the claim for the recovery of the suit lands by the claimants is just mere afterthought and hence lacks merit. The County Government of Migori asked the Committee to determine the following issues:-

Whether;

- i. The Government of Kenya compulsorily acquired the above parcels of land;
- ii. The said acquisition by the Government of Kenya was for the sole purpose of establishing the nuclear estate for South Nyanza Sugar Company Limited;
- iii. The Government upon acquisition utilized the whole or part of the said parcel of land;
- iv. SONY utilized part of the said parcels of land leaving the balance which was unfit for the purpose of which the land was compulsorily acquired by the Government Kenya;
- v. The unutilized portion of the above parcels of land reverts back to the original owners and/ or the claimants, or whether the original owners have right over and above all others except the Government of Kenya;
- vi. Migori County Government acquired legal proprietary rights from the Government of Kenya in respect of the unutilized portions in the above parcels through Gazettment;
- vii. Migori County Government has any right or authority to evict, demolish or interfere with the Claimants properties (if any) and quiet possession of the suit lands;
- viii. Migori County Government has any interest or right over the suit property capable of being transferred to third party;
- ix. The claimants are the legal beneficial owner of the unutilized portions of the suit parcels of land and entitled to have the said interest registered as such at the relevant land registry;
- x. Migori County Government still owns or has proprietary rights over the suit property after allocating same to third parties;
- xi. Migori County Government is liable to compensate the allottee or occupiers of the suit properties in event it is found that the allocation was irregular or illegal;
- xii. Migori County Government is liable to compensate the claimants for the second time even after having been previously compensated for the same in the year 1976 and if so should the compensation be at the current market value or the 1976 market value;
- xiii. The Liability and assets of the defunct Awendo Town Council has legally been transferred to the County Government of Migori by the Transition Authority as by is required, in view of the fact that the Transition Authority is in the process of auditing the assets and liabilities of all the defunct local authorities;
- xiv. The Transition Authority view or participation is necessary in these proceedings;
- xv. The claimants' still occupies the parcels of lands as alleged to warrant eviction;
- xvi. Disputed parcels of lands are still in vacant possession as alleged or has been fully allocated to third parties and fully developed;
- xvii. The third parties who were allocated the suit lands should compensate the claimants (if any);
- xviii. The claimants have the requisite legal standing to claim the suit properties or are just mere strangers;
- xix. The claimants claim for recovery is statutory time barred considering that claim for recovery is being made over 30 years late;
- xx. Who between the National Government and Migori County Government is liable to compensate the claimants (if any?).

COMPULSORY ACQUISITION

1. The concept of compulsory acquisition of private land is an exception to the Constitutional protection of private property under section 40 & 75 of the current Constitution and retired Constitution respectively, which provide that "NO" property of any description shall be compulsorily acquired except where the following are applied:-
 - a) The taking of possession of acquisition is necessary in the interest of defense, public safety, public order, public morality, public health, town and Country planning of the development of utilization of property so as to promote the public benefit; and
 - b) The necessity thereof in such as to afford reasonable justification for the causing of hardship that may resort to nay person having an interest or right over the property; and
 - c) Provision is made by a law applicable to that taking of possession of acquisition for the prompt payment of full compensation.
2. The Land Acquisition Act Cap 295 sets out the law under which the Government may compulsorily acquire land for the public benefit under Section 3 of the Act, whenever the Minister concerned is satisfied that a given parcel of land ought to be compulsorily acquired for a relevant public benefit, he causes a notice therefore to be published in the Kenya Gazette. The Commissioner upon Gazette notice is thereafter under obligation to pay full compensation to all persons whose land is so acquired.
3. Commissioner of Lands published Gazette Notices No's 3737 and 2996 on the 24th December 1976 and 8th October 1976 respectively.
4. The claimants' only contention is that the unutilized portions of the suit lands ought to revert back to them. The County Government of Migori submits that the claimants were fully compensated so their interest on the suit lands were extinguished.
5. The County Government of Migori further submits that Section 19(4) of the land acquisition Act provides that after taking possession of land that has compulsorily been acquired, the land vests in the Government absolutely free from encumbrances. It is not in dispute that the suit lands were compulsorily acquired by the Government by both the Gazette Notices hence the claimants have no legal rights to reclaim the same lands back, on the ground that they were utilized by the purpose for which they were not acquired, while also admitting having been fully compensated.
6. It's not therefore equitable for the claimants to claim back the land unless they are willing to pay back proportionate amount of the compensation sum that had been paid to them.

7. The original owners of the suit lands have no equitable rights over the suit land for they had been compensated fully. The County Government of Migori has a right to possess the suit lands in the circumstances hence the County Government dealings are legal.

The County Government of Migori informed the Committee that it further seeks, that:

- a) That the Committee finds Migori County Government as the Bonafied proprietor of land parcels LR No. North Sakwa/Waware/204, North Sakwa/Kamasoga/46, Sakwa/Kamasoga/34, North Sakwa/Kamasoga/1081, North Sakwa/Kamasoga/1093, North Sakwa/Kamasoga/1111, North Sakwa/Kamasoga/1193, North Sakwa/Kamasoga/1067, South Sakwa/waware/207, North Sakwa/Kamasoga/45, North Sakwa/kamasoga/111, South Sakwa/waware/202 and South Sakwa/waware/168- Awendo Sub – County, Migori County;
- b) The claimants were fully compensated in accordance with the law hence have no further recognizable interest over the land;
- c) The Committee makes a finding in favour of the claimants then a declaration be made to the effect that the liability vests and be satisfied by the National Government.

The Committee thereafter made the following observations:

- a. South Nyanza Sugar Scheme never utilized the entire acreage of each of the suit parcels of land upon compulsory acquisition;
- b. The original land owner's only contention is that the unutilized portions of the suit lands ought to be reverted back to them;
- c. Disputed parcels of lands have been fully allocated to third parties and fully developed.

The Committee thereafter made the following recommendation, that:-

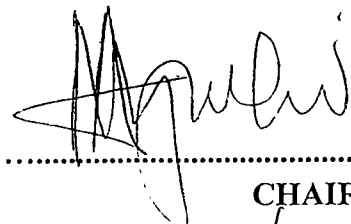
The Ministry of Lands, Housing and Urban Development and National Land Commission, be called to shed more light on this matter.

MINUTE NO. DCK/LN/2015/365

ADJOURNMENT

There being no any other business, and the time being 3:15 pm; The Chairperson adjourned the Meeting.

SIGNED


.....
CHAIRMAN

DATE

29/5/2015
.....

**MINUTES OF THE 123RD SITTING OF THE DEPARTMENTAL COMMITTEE (K)
ON LANDS HELD ON MONDAY 15TH FEBRUARY 2015, AT RANGWE AT 4.00 PM**

PRESENT:

1. The Hon. Alex Mwiru, M.P (Chairperson)
2. The Hon. Moses Ole Sakuda, M.P (Vice Chairperson)
3. The Hon. Dr. Paul Otuoma, M.P.
4. The Hon. Onesmus Ngunjiri, M.P.
5. The Hon. Hellen Chepkwony, M.P.
6. The Hon. John Kihagi, M.P.
7. The Hon. Shakila Abdallah, M.P.
8. The Hon. Mathew L. Lempurkel, M.P.
9. The Hon. Francis W. Nderitu, M.P.
10. The Hon. Athman Shariff, M.P.
11. The Hon. Joseph Oyugi Magwanga, M.P.
12. The Hon. George Oner, M.P.
13. The Hon. Bernard Bett, M.P.
14. The Hon. Sarah Korere, M.P.

APOLOGIES

1. The Hon. Mutava Musyimi, M.P.
2. The Hon. Thomas Mwadeghu, M.P.
3. The Hon. Eusilah Ngeny, M.P.
4. The Hon. Esther Murugi, M.P.
5. The Hon. Benson Mbai, M.P.
6. The Hon. Francis Njenga Kigo,
7. The Hon. Hezron Awiti Bollo, M.P.
8. The Hon. Suleiman Dori, M.P
9. The Hon. Gideon Mung'aro, M.P.
10. The Hon. Mpuru Aburi, M.P.
11. The Hon. Kipruto Moi, M.P.
12. The Hon. Julius Ndegwa, M.P.
13. The Hon. Kanini Kega, M.P.
14. The Hon. Patrick Makau, M.P.

ABSENT

1. The Hon. Oscar Sudi, M.P.

IN ATTENDANCE

KENYA NATIONAL ASSEMBLY

- | | |
|-----------------------|-------------------------------|
| 1. Mr. James Ginono | Clerk Assistant I |
| 2. Ms. Ruth Mwhaki | Clerk Assistant III |
| 3. Mr. Noah Arap Too | Research and Policy Analyst I |
| 4. Mr. Muyodi Meldaki | Clerk Assistant III |
| 5. Ms. Rahab | Audio officer |

MINUTE NO. DCK/LN/2015/366

PRELIMINARIES

The Chairman called the meeting to order at 4.15 p.m.

MINUTE NO. DCK/LN/2015/ 367

SUBMISSIONS FROM THE RANGWE RESIDENTS

The Committee visited Rangwe and met the following: Hon. George Oner – Member of Parliament, Rangwe Constituency, Sospeter O. Oyugi – O.O.P, Elekia Onyach – Senior Chief, O.O.P, Abel O. Ouku – Farmer, Daniel L.O. Bando – Farmer, Samuel Onyango – Farmer, Michael Ngicho Nyapala – Farmer, Roseline J. Okoth – Farmer, Doreen Oloo Wao – Farmer, Michael Obulo Wao – Farmer, Patrick Onyango Owino – Farmer, Richard Okoth Ogutu – Farmer. They informed the Committee as follows:-

Kagan South

- i. Some areas of Kagan South have been adjudicated while others have not been surveyed and adjudicated;
- ii. The population in Kochia South is growing rapidly and the people are requesting the Government to speed up the adjudication programme and residents issued with title deeds;
- iii. The Rangwe Town Center, Public and Private institutions are occupying land that has not been adjudicated.

Kochia East

- i. Although adjudication was done in a section called Kamenya, the residents have not been issued with title deeds;
- ii. The residents were informed that the aerial map of the area is not available and surveyors have not been sent to the ground because of budgetary constraints;
- iii. Cases of land grabbing has been rampant in the area, and the residents fear that they will soon lose their land since they don't have documents to prove ownership.

The Committee made the following observations:

Kagan South

- a. Whereas some areas of Kagan South have been adjudicated others have not, and the main concern for the residents is commencement of adjudication programme and issuance of titles deeds to the residents and both private and public Institutions;
- b. The population in Kagan South is growing rapidly and yet the area has not been adjudicated fully and resident still lack title deeds.

Kochia East

- a. Although adjudication was done in section known as Kamenya, the residents of have not been issued with title deeds;

The Committee resolved to

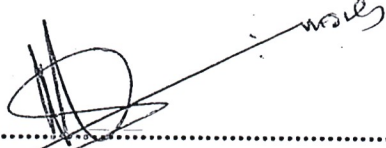
Take up the matter of budgetary constraints with the Treasury so as to speed up the completion of adjudication programme and issuance of title deeds.

MINUTE NO. DCK/LN/2015/369

ADJOURNMENT

There being no any other business, and the time being 5:45 pm; the meeting was adjourned.

SIGNED


.....

(CHAIRPERSON)

DATE

..... 29/5/2015

Annex III

Submission from the
Ministry of Lands, Housing and
Urban Development.

DD/Committee

SA 1936

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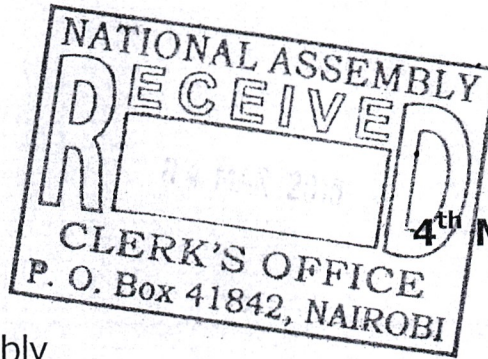
os/2



MINISTRY OF LAND, HOUSING & URBAN DEVELOPMENT

Telegrams "MINILANDS", Nairobi
Telephone: Nairobi 2718050
When replying please quote

ARDHI HOUSE
1st NGONG AVENUE
OFF NGONG ROAD
P.O. BOX 30450
NAIROBI



4th March 2015

Ref: MOLHUD/ADM/56

Justin Bundi, CBS
Clerk of the National Assembly
Parliament Chambers
NAIROBI.

DEPARTMENTAL COMMITTEE ON LANDS – SUBMISSION OF INFORMATION ON VARIOUS ISSUES PENDING BEFORE THE COMMITTEE

Please refer to your letter ref. KNA/DCL/CORR/2015(113) dated 20th February 2015 over the above mentioned subject.

Enclosed find the statements as requested.


A. A. Ombima
FOR: PRINCIPAL SECRETARY

Details of Land (LR. No.s) and its Current Status

Kedong land was initially on **LR No. 11192 (Naivasha)** and measured approximately **19211 acres**.

Upon conversion from **RTA Cap 281** (repealed) to **RLA Cap. 300** (repealed) the above quoted LR No. changed to **LONGONOT/KIJABE/Block 2/Utheri Wa Lari**. After subdivision, the original title deed for LR. No.11192 was surrendered in exchange of 7956 resultant titles for each parcel. The said resultant titles were transferred to shareholders and green cards opened in year 2000.

10. Awendo Land Matters

- a. Information regarding the compulsory acquisition of land for the Nucleus Estate of south Nyanza Sugar Company Limited (Sony Sugar)
- b. Detailed list of beneficiaries and amounts paid for the compensations made for the compulsory acquisition.
- c. Transfer and subsequent ownership of part of the compulsorily acquired land by Awendo Town Council.
- d. Any information as may be relevant to the committee in regard to the above matter.

Answers

- a. The land was compulsorily acquired as a result of a letter from the Principal Secretary Ministry of Agriculture to set aside land for Sony Sugar Project vide **ref.SUG/14/A/55 of 27th July 1976**. This request was subsequently accepted and approved by the Commissioner of Lands.

Don't

Gazette Notices for the same were done vide Notice No.

- i. 2996 of 24th September 1976**
- ii. 3346 of 5th November 1976**
- iii. 3737 of 24th December 1976**
- iv. 3738 of 24th December 1976**

- b. A detailed list of beneficiaries who were paid a total of **Ksh. 13, 942,895** is attached.
- c. Awendo township was within the compulsorily acquired land. In order to protect Government interest, a caveat/caution was lodged through the District Land Registrar and Notices of taking possessions were then forwarded to the Chief Land Registrar, Homabay. This therefore means that no land was transferred to Awendo township from the compulsorily acquired land.

11. Rangwe Adjudication Section

a) When will the Adjudication in Kagan South be carried out?

Kagan South Adjudication Section will be declared in June, 2015 upon receipt of clearance from the Homa Bay County government and Senior Plans Records Office, Nairobi. Plans are underway for procurement of satellite images to enable the officer undertake demarcation and survey of parcels.

b) When will the adjudication in Kochia East be completed?

The adjudication section in question is Kamenya, which was declared on 3-9-1981 and the Adjudication Register published complete on 3-4-1999. The section comprises of approximately 6,000 parcels and is currently under

final checking and resolution of field queries before submission to Sub-County Surveyor. The section will be completed by July, 2015.

c) What constraints exists?

- Budgetary constraints have hampered completion of this exercise. But the Ministry is taking up the matter with the Treasury to address this.

d) What can the Committee do to assist in ensuring that the adjudication sections in the Country are completed or done urgently?

The Committee can assist in ensuring allocation of adequate funds to:

- Run the adjudication programme
- Purchase modern survey equipments
- Purchase Motor vehicles
- Staff capacity building on use of modern survey equipments.



Hon. Charity Kaluki Ngilu, EGH
Cabinet Secretary

3rd March 2015

Telegrams: "MINAG", Nairobi
Telephone: Nairobi 35855
When replying please quote
Ref. No. SUG/14/A/52
and date



VOL 32 / 204/144
MINISTRY OF AGRICULTURE
KILIMO HOUSE
CATHEDRAL ROAD
P.O. Box 30028
NAIROBI

SONY SUGAR COMPANY
LAND ACQUISITION

27th July, 1976

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

Attention: Mr. L. W. Muchiri

LAND ACQUISITION - SOUTH NYAZA SUGAR PROJECT


You will recall Muchiri/Awich verbal and telephone discussions of last week regarding the needs to convey to your office the time table of acquisition of land in respect of the above scheme.

As agreed between us, I am formally writing to request you to embark on all the relevant exercises required before you can start on the actual acquisition of land in the above area. It would be appreciated if your office could get Registry Index Maps showing pieces of plots supposed to be covered by the nucleus estates as per the attached maps. I do not think I am able to give you details of the Sublocations affected but I trust that you will be able to locate the Sublocations as detailed in the copy of the map prepared during the feasibility study.

As soon as your office is able to determine the areas affected it would be appreciated if you could embark on the exercise related to valuation and I am available at all times for consultation with you on this subject matter.

Your urgent action on this matter would be sincerely appreciated.

for:



H. B. AWICH
PERMANENT SECRETARY

Noted
Sbenjagi
30/8/76.

File No. VAL. 357/3.C.V.O.SOUTH NYANZA SUGAR PROJECT.

Please refer to folio 2 which was erroneously addressed for my attention. I spoke to Mr. Awich the other day on compensation of Nzoia and in the course of discussion South Nyanza Sugar Project came in.

Could I, please, have your permission to start arranging for the acquisition of land.


(L.W. Muchiri).
S.V.O. (Agric).


29th July, 1976.

VAL.357/4

S.V.O. Ag.

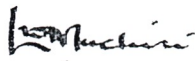
SOUTH NYANZA SUGAR PROJECT

You may now go ahead and arrange for the acquisition of the land for the above mentioned project. You will have to satisfy yourself that the area has already been adjudicated and registered otherwise we shall be expected to set apart some of the land that has not been registered. You should in my view also agree with the Ministry of Agriculture what land should be acquired to avoid the embarrassing situation we faced with the Nzoia Sugar Project.


C.L.

5.8.76.

File 71018


6/8

158

District Land Registrar,
Kamp Bay Land Registry,
P.O. Box 1,
KAMP BAY.

LAND ACQUISITION ACT, 1962, SECTION 10
NORTH NYANZA SUGAR SCHEME
SECTION 10(1) OF 1962 ACT, 1962
3147 OF 1962 ACT, 1962
3737 OF 1962 ACT, 1962
2738 OF 1962 ACT, 1962

SURRENDER OF OR RECTIFICATION OF TITLE AND
RECTIFICATION OF TITLE BOOKS IN CONNECTION

As you are aware the Government has now decided on the
Acquisition of all land required for the acquisition of North
Nyanza Sugar Scheme. The awards under the Land Acquisition Act,
1962, together with the vesting orders have been issued to all
affected landowners and at the same time requesting them to
surrender to you all their documents of title for your certification
Agreement to read "Government of Kenya".

What now remains is for you to ensure all the titles that
have been acquired for the North Nyanza Sugar Scheme. There are
two types of land in this scheme i.e.

- a) Those acquired in whole.
- b) Those acquired in part i.e. a shared plot between the
Nucleus Estate and the Outgrowers or between the
Nucleus Estate and the Awendo Township expansion area.

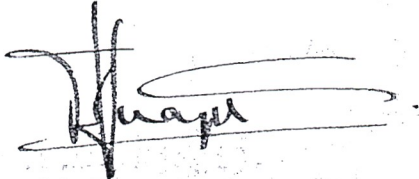
For a plot that is wholly acquired the thing to do would
be to complete rectification of title. On the other hand for a
plot that is partly acquired, the thing to do would be to lodge a
Caveat/ Caution to protect the Government Interest on the portion
purchased.

We are enclosing a schedule of all the affected plot numbers
together with areas acquired. We have for the sake of clarity
provided two areas in our schedule.

- i) Whole area of the plot
- ii) Area acquired by the Government.

Where these two areas are the same the whole plot has
been taken.

We are also enclosing a photocopy of a practice letter
from the Chief Land Registrar for your guidance and the sake
of taking possession for your record. Please treat this as
urgent.



MINISTRY OF LANDS AND SETTLEMENT



DEPARTMENT OF LANDS
P.O. Box 30089, NAIROBI

Telegrams: "LANDS"
Telephone: 27471-ext.
When replying please quote
Ref. No.
and date

28th February, 1977

The Permanent Secretary,
Ministry of Agriculture,
Kilimo House,
P.O. Box 30021,
NAIROBI. (Att. Mr. R.G. Swich)

LAND ACQUISITION ACT, 1968
CAP. 295
SOUTH NYANZA SUGAR SCHEME.
KENYA GOVERNMENT NOTICES Nos.
3996 OF 24th September 76. - 8/10/76
3346 of 5th November 76. - 12/11/76
3737 of 24th December 76.
3738 of 24th December 76.

Pursuant to the above mentioned Kenya Government notices, I am in a process of issuing the awards of compensation together with issuing notices of taking possession in respect of all the land required for the South Nyanza Sugar Scheme (Nucleus Estate). In the interest of time, however, I am applying for Individual Compensation cheques as listed here below for my onward transmission to the interested parties. You will appreciate the urgency to release the land to the developing Company and do all you can to prepare these cheques with a priority preference. The cheques will be made as per the following schedule:-

NAUNDHA SUB-LOCATION.

Plot No.	Interested Persons	Individual Award In shs.
4	Doti Adago ✓	1248/- ✓
5	Abnel Ochieng ✓	8632/- ✓
7	Johnson Juma ✓	5032/- ✓
	Rosa Opiyo ✓	10259/- ✓
9	Mdege Alaro ✓	12901/- ✓
	Fredrick Aloo ✓	2492/- ✓
11	Isa Odere ✓	3836/- ✓
10	Jonathan Onene ✓	7498/- ✓
12	Josto Madenya ✓	18285/- ✓
13	Andrew Odici ✓	23468/- ✓
14	Isaya Abade Oratho ✓	2844/- ✓
16	Charles Okumu ✓	7027/- ✓
C 17	Jane Akoth - collected in Nairobi ✓	2145/- ✓
	Godfred ✓ James Oram Oram Collected in Nairobi ✓	10197/- ✓
	Joab O. Oram Collected in Nairobi ✓	10197/- ✓
	✓ Oluya Orwa ✓	26160/- ✓
21	✓ Amboga Ochogo ✓	7322/- ✓
22	Christopher Osi Ochogo ✓	29644/- ✓
23	Osunga Lisch ✓	26610/- ✓
24	Ochara Ongonga	5110/- * *
* 25	Othawa Ongweya ✓	32555/- ✓
26	Joyce Oram Odhawa ✓	4773/- ✓
	Jane Atieno Odhawa ✓	4112/- ✓
	Consolata Cayengo Odhawa ✓	3832/- ✓
	John Olebo Osiuga ✓	1702/- ✓
	Joseph Orijole Odhawa ✓	4310/- ✓

NAIROBI SUB-DELEGATION

Plot No.	Interested Persons	Individual Award In shs.
27	Otuta Majina ✓	25467/- ✓
	Joas Otieno Otuta ✓	10267/- ✓
28	Majina Ongonga ✓	4676/- ✓
29	Paul Okelo Ojuka ✓	7127/- ✓
30	Ochola Mayua ✓	3997/- ✓
31	Camiko Ojuka ✓	8886/- ✓
33	Andrew O.D. Ogola ✓	1409/- ✓
	Ondipo Nyadimo (deceased) ✓	580/- ✓
	Elfrida Anyango ✓	1203/- ✓
34	Owuor Ongoro ✓	16814/- ✓
35	Wilfred M. s/o E. abur ✓	11313/- ✓
	Ezra Abul ✓	4347/- ✓
36	Mange Ongonga ✓	3067/- ✓
37	Majina Ongonga ✓	30238/- ✓
	John Liganda ✓	266/- ✓
	Ongonga Majina *	1228/- * *
	John Okingo Majina ✓	1955/- ✓
38	Auma Odhwo ✓	6342/- ✓
	J.H. Okumu Ounga ✓	5486/- ✓
39	John Charles Okola ✓	8732/- ✓
	Owade Okeyo ✓	1811/- ✓
	Lucas Oloc ✓	4025/- ✓
40	Nicolas Otieno Okech ✓	9322/- ✓
41	Okumu Cludhe ✓	10945/- ✓
42	S.N.C.C. ✓	3220/- ✓
	Ongonga Ng'ong'o ✓	83/- ✓
	William Otieno ✓	65/- ✓
43	William Otieno ✓	4610/- ✓
45	Anim Ohune ✓	8119/- ✓
46	S.N.C.C. ✓	230/- ✓
47	Muga Ondele ✓	1369/- ✓
	Andrew O.D. Ogola ✓	1610/- ✓
48	Paul Akeio ✓	15914/- ✓
49	Oyamo Makoli ✓	12710/- ✓
50	Onditi Ondole ✓	10025/- ✓
51 (Plot 464 & another)	Ochara Saye ✓	10463/- ✓
	Miriam Oyuer ✓	1304/- ✓
	Timon B.T. Angiro ✓ <i>Collected in Nairobi</i>	4330/- ✓
52	(See Plots 447 & 448)	
53	Nyakota Saye ✓	9730/- ✓
	Sefania Oyuki Owiti ✓	1208/- ✓
54	Mito Tado ✓	15745/- ✓
55	Otiemo Okeyo ✓	6498/- ✓
74	Okanda Muga ✓	12696/- ✓
	Odero Okanda ✓	14679/- ✓
	Katiti Okanda ✓	4160/- ✓
75	Ochola Muga ✓	11522/- ✓
	Otieno Muga ✓	7612/- ✓
76	Marero Okech ✓	19084/- ✓
77	John Owuor ✓	51574/35 ✓
	A.F. Corporation ✓	7682/65 ✓
78	Samuel Odero Ogalo ✓	26411/- ✓
	Dishon Oshobho ✓	11491/- ✓
	Abiud Gwino ✓	1663700 ✓
79	Manda Othini ✓	9800/- ✓
	Olewe OTHINO ✓	8453/- ✓

PLAT NO	EMERGENCY PERSONS	INDIVIDUAL AMOUNT IN SH.
	Henry Owino ✓	3685/ ✓
80 A	akula Odhiambo ✓	15165/- Pay H. Court
	Leonida Adoyo Akula ✓	1716/-
	Julius Otieno ✓	53/- 5838/- ✓
81	Okele Andungu ✓	17155/- ✓
82	John Nyawira Nyawara ✓	11225/- ✓
	Yasonga Nyawira ✓	1084/- ✓
	Veronica Odior ✓	2919/- ✓
83	Oluoch Oyamo ✓	11078/- ✓
	Obonya Owama ✓	1079/- ✓
	Acha Leonida Acha ✓	1614/- ✓
	Peter Ouyango Oluoch ✓	2073/- ✓
	Henda Odidi ✓	148/- ✓
	Joseph Oyamo ✓	5290/- ✓
84	Obunga Odoro ✓	11673/- ✓
	Martin Ndola ✓	9273/- ✓
	Okech Obunga ✓	9273/- ✓
	Joseph Manwa ✓	5870/- ✓
	Aska Anyanya ✓	144/- ✓
	Jane Apayo ✓	5427/- ✓
85	Okele Ojwang ✓	12216/- ✓
	John Owuor ✓	1109/- ✓
	Andrew Anido ✓	1315/- ✓
86	Akach Okida ✓	1945/- Hold cheque
87	John F.A. Abangia ✓	2816/- ✓
88	Chele Ajwang ✓	12272/- ✓
89	John F.A. Abangia ✓	13048/- ✓
90	Oyusi Migwala <i>collected in Nairobi</i>	12178/- ✓
	Mrs. Lucia Omolo <i>collected in Nairobi</i>	2136/- ✓
91	Abraham Omolo ✓	12331/- ✓
	John Gogo ✓	12331/- ✓
	Clement G. Omolo ✓	955/- ✓
	John G. Omolo ✓	1473/- ✓
92	Ayuro Wero ✓	9919/- ✓
	Major B.O.O. Ouyango ✓	1830/- ✓
93	Antonius Oyier Andoche ✓	22213/- ✓
94	Wadenya Okumu ✓	10825/- ✓
	Phares Oluoch Anido ✓	1208/- ✓
	Tobias Owiti ✓	4712/- ✓
	Samuel Obilo Akula ✓	332/- ✓
	Gladis Oguta Omur ✓	53/- ✓
95	Oluoch Migwala ✓	10752/- ✓
96	Otieno Nyakiriga ✓	31592/- ✓
	Daniel Otieno Ouma ✓	1117/- ✓
97	Daniel Otieno Ouma ✓	8225/- ✓
98	Ong'ang'o Ngo'ng'o ✓	1266/- ✓
99	Onyango Ogala ✓	37533/- ✓
	Mbarak Ouma Ouyango ✓	10111/- ✓
100	Deoti Idung'u <i>collected in Nairobi</i>	10063/- <i>** in NRB</i>
	Tobias Oguma <i>Samuel Odhiambo</i>	3171/- <i>5150/-</i>
	Oguta Okenga <i>Tobias Oguma</i>	17321/-
101	Oluoch Anbogo ✓	11116/- ✓
102	Okenga Okech ✓	20918/- ✓
104	Obonyo Molo ✓	13006/- ✓
105	Joshia Odhiambo Ouyango ✓	15664/- ✓
106	Eara Abur Okele ✓	7001/10 ✓
	Agricultural Finance Corporation ✓	2077/90 ✓
107	Okech Katiti ✓	12085/- ✓
108	Okele Nyagwang'u ✓	10011/- ✓
109	Okele Omer ✓	5036/- ✓
	Muga Omer ✓	3021/- ✓
	Lang'o Omer ✓	1525/- ✓

Plot No.

LAND REFORM SUB-COMMISSION
Interested Persons

Award Individual
In shs.

Plot No.	Interested Persons	Award Individual In shs.
110	Ezekiel O. Owinyo ✓	3181/- ✓
111	Christopher O. Gorio ✓	21631/- ✓
112	S.N.C.C. ✓	92/- ✓
116	Obwang Oluya ✓	11116/- ✓
120	Mrs. Sael Masonga ✓	4218/- ✓
121	Washington O. Obet ✓	8707/- ✓
122	William Owor ✓	2335/- ✓
	Obayo Owungu ✓	621/- ✓
123	Ismael Gere ✓	9776/- ✓
123	Alexander Okumu ✓	19402/- ✓
	Elly A. Nyamul ✓	20000/- ✓
	Christopher Owino ✓	12046/- ✓
129	S.N.C.C. ✓	345/- ✓
	Treasurer Marienga A. Church ✓	17354/- ✓
130	Raphael Opiyo ✓	11000/- ✓
	Joseph Nyamuhia ✓	13550/- ✓
131	Jonathan Anem ✓	28502/- ✓
132	Richard Owino ✓	8192/- ✓
	Reuben Nyayaro ✓	8192/- ✓
133	Barack Jome ✓	70266/- ✓
134	John Owor ✓	10918/- ✓
135	Elijah Oyuzi ✓	39265/- ✓
136	George Onyango ✓	17501/- ✓
137	Joel Ouma s/o I. Opiyo ✓	17114/- ✓
138	Joram GONDHA ✓	6517/- ✓
	Christopher Olando ✓	3617/- ✓
139	James Otieno Amamo ✓	21516/- ✓
140	Erasto Oyugi Oguta ✓	15993/- ✓
	Christina Ochungo ✓	3565/- ✓
141	Ojwang' Ndisio ✓	17075/- ✓
142	Alfred Okech Otieno ✓	6189/- ✓
	Silvanos Okoth ✓	6189/- ✓
143	Ochuocho Omona ✓	7781/- ✓
144	Nyangata Ogutu ✓	42877/- ✓
145	Bethlomeo O. Oguta ✓	22214/- ✓
	Jonah Oguta ✓	1787/- ✓
	Maurice B. Owira ✓	1546/- ✓
	Mikal Maduga ✓	7742/- ✓
146	Ojuok Oguta ✓	11293/- ✓
147	Erasto Oyugi Oguta ✓	2300/- ✓
175	Samuel Odongo ✓	10568/- ✓
182	Eliazar O. Odera ✓	11270/- ✓
183	Ezekiel Kuga ✓	6029/- ✓
	Athanasio Nyangaga ✓	6029/- ✓
C 184	collected in Nairobi	
	Moses C. Mwangi - Names differ	4059/- ✓
185	Bilasio Ouma ✓	48168/- ✓
186	Athanasius Nyangaga ✓	27509/- ✓
	Zeruya Nyangaga ✓	15714/- ✓
	Janeth Onyango ✓	3694/- ✓
	Yunia Nyangaga ✓	2180/- ✓
	Joshua Okelo Nyangaga ✓	1074/- ✓
	Rose Nyangaga ✓	1480/- ✓
	Eliand O. Nyangaga ✓	1159/- ✓
	Filimon Ooko Nyangaga ✓	1159/- ✓
188	Thomas Ouma ✓	2950/- ✓
189	Philip Okoth Oculu ✓	46714/- ✓
190	Richard Auma Agani ✓	1940/- ✓
	Onyuwa Oregu *** ✓	7006/- X*
192	Joseph Juma ✓	21990/- ✓
	Andrew Otieno ✓	3121/- ✓
193	Jagoro Nyarigi ✓	25001/- ✓
194	Isaya Opiyo ✓	13680/- ✓
196	S.N.C.C. ✓	300/- ✓

23966?
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See at the end of Wandh Schedule

Plot No.

WAMBUA SUB-LOCATION
Interested Persons

Individual Award

In sh.s.

197	Berna Solo ✓	10149/-
198	Ajwang Solo ✓	12292/-
199	Isidor Oguta Solo ✓	19858/-
200	Ongweya Solo ✓	13702/-
201	Ochire Ndonji ✓	7697/-
	William W. Ndonji ✓	7697/-
	Mathew A. Ndonji ✓	7697/-
	Rephael A. Ndonji ✓	7697/-
	William O. Ndonji ✓	6856/-
202	Andrew Solo Ovino ✓	4057/-
203	Mikal Amolo ✓	20420/-
204	Melbetos O. Feti ✓	59706/-
205	Dishon Odhiambo ✓	15170/-
	Odera Ojwang ✓	4612/-
	Ziporah Ochanda ✓	6641/-
	Zilpha Mukuwa ✓	3490/-
	Karen Odire ✓	5101/-
	Turfeza Aiteno ✓	5982/-
206	Teresa Akumu ✓	7735/-
	Richard Otumu ✓	8785/-
207	Ochieng Wanganya ✓	15512/-
208	Ayugi Ligogo ✓	20068/-
209	Silvanus A. Wiyaga ✓	15065/-
210	Ober Ojwang ✓	57274/-
211	Polioan O. Ojwang ✓	21016/-
	Kamba Gwa ✓	2252/-
212	Silvanus Obante ✓	2904/-
	Alons Nyirani ✓	2924/-
	Joseph Amos ✓	3901/-
213	Christopher A. Amos ✓	11305/-
214	Odera Odera ✓	6281/-
	Jashon Odera ✓	6381/-
	Jamlex Odere ✓	6281/-
215	Felician Giambe ✓	6586/-
216	Magalo Ojono ✓	13697/-
217	Rabar Samuel ✓	9589/-
218	Peter Ojono M. Ojono ✓	15169/-
219	Dhansya Bahar ✓	81377/-
	Ochil Oguwa ✓	4871/-
	Mika Opliny ✓	4871/-
220	Machack O. Mili ✓	8653/-
	Machack Odera ✓	1110/-

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wasonga Cowes

See 12/1

Plot No.

INTERESTED PERSONS
Interested Persons

Individuals
In No.

Plot No.	Interested Persons	Individuals In No.
236	Fredrick Nyandiga ✓	1178/- ✓
237	Naron Kapella ✓	1500/- ✓
238	James Orungu ✓	1442/- ✓
239	Registrar High Court ✓	1569/- ✓
	David Oloo Misasa ✓	3745/- ✓
	Aliud Adich ✓	2225/- ✓
	Okele Misasa ✓	2483/- ✓
	James Schieng Misasa ✓	303/- ✓
	Rabara Misasa ✓	6145/- ✓
240	Abner Odera Billa Orui ✓	22700/- ✓
241	James Otieno Awana ✓	12700/- ✓
242	Dominick Okech Omondi ✓	13410/- ✓
	Edward Ajuora ✓	13071/- ✓
243	Walter Dome Mubani ✓	15180/- ✓
244	John Okwany ✓	6899/- ✓
245	Johnes Oduer ✓	14032/0 ✓
246	Joseph Otieno ✓	13333/- ✓
247	Iwanda Orwa ✓	3619/- ✓
	Barasa Orwa ✓	119/- ✓
248	Omondi Otuko ✓	
	Okele Otuko ✓	
	Oryango Otuko ✓	21360/- ✓
	Omondi Otuko ✓	2093/- ✓
	Glanda Catholic Mission ✓	2135/- ✓
249	Odipo Oduko ✓	1365/- ✓
250	Joanes Okoth Oduko ✓	19021/- ✓
251	John Okwany ✓	12131/- ✓
	Angwe Gattile Dir ✓	17710/- ✓
252	Ajwang' Solo ✓	28731/- ✓
253	Ochieng Nyadundo ✓	5022/- ✓
254	Ogunda Ochola & Oremo Ochola ✓	9258/- ✓
	Ogunda Ochola ✓	1317/- ✓
	George Oremo Ochola ✓	765/- ✓
255	Daniel Ogola ✓	7260/- ✓
256	E Jackson Kisugi ✓	7055/- ✓
257	Omondi Odipo ✓	8464/- ✓
258	Gabriel Okare & Peter Okare ✓	8730/50 ✓
	Agricultural Finance Corporation ✓	3123/50 ✓
259	Were Otiato ✓	3154/- ✓
260	Ogur Otiato ✓	13111/- ✓
	Nyakira Nyapondo ✓	601/- ✓
261	Japheth Orola Nyamogo ✓	55652/- ✓
262	Muhonja Okech ✓	25258/- ✓
	Mugoye Okech ✓	
	Ojwang Wamala ✓	
	Muhonja Okech ✓	12015/- ✓
	Achieng Uisia ✓	4559/- ✓
	Ojwang Wamala ✓	12564/- ✓
263	Melitus Oduro Okech * ✓	
	Christopher Onyango * ✓	
	John Okech * ✓	
264	Oloo Ogolo ✓	97404/- ✓
	Dominick Obiero ✓	38220/- ✓
265	Siam Ogola ✓	
	Olila Om Oduma ✓	
	Odhiambo Siam ✓	
	Ongeche Siam ✓	
	Ogaga Siam ✓	
	Siam Ogola ✓	
	Olila Om Oduma * ✓	
	Odhiambo Siam ✓	
266	Paul Ojal ✓	
267	Obala Mugalo ✓	

NATIONAL SHT-JOURNAL
Interested persons

Individual award
In Sh.

Plot No.	Interested persons	Individual award In Sh.
263	Obala Magalo ✓	700/- ✓
269	Samio Cayango ✓	18368/- ✓
270	Registrar High Court ✓	19320/- ✓ -1540
	Osodo Magalu ✓	7205/- ✓
	George Ochieng ✓	2277/- ✓
	Langi Mwai ✓	673/- ✓
	George Ochieng ✓	1871/- ✓
271	George Ochieng ✓	20589/- ✓
272	Langi Mwai ✓	11711/- ✓
273	James Ochieng ✓	2212/- ✓
274	Samio Maswi ✓	17362/- ✓
275	Paulina Awiti ✓	7521/- ✓
	Amok Acila ✓	2511/- ✓
276	Registrar High Court ✓	2415/- ✓
	Joseph Okeyo Onditi ✓	1103/- ✓
	John Dumba ✓	50/- ✓
277	Achieng Ongoso ✓	21123/- ✓
278	Sola Magama ✓	12676/- ✓
279	Kenya Nyanza County Council ✓	2611/- ✓
280	Owiti Opiyo ✓	16695/- ✓
	Herbert Opiyo ✓	989/- ✓
	Joseph Ochieng ✓	1070/- ✓
281	Joseph Ochieng ✓	15319/- ✓
282	Asha Ochieng ✓	5630/- ✓
283	Ogutu Opiyo ✓	10714/- ✓
284	Michael Otieno ✓	10039/- ✓
	Bernard Okech ✓	131/- ✓
285	Bernard Okech ✓	19126/- ✓
286	Benedic Amaka Wandere ✓	4013/- ✓
287	S.M.C.C. ✓	2213/- ✓
	Get Primary School ✓	16067/- ✓
	Titus Anara ✓	23/- ✓
	Obala Magalo ✓	51/- ✓
288	James Otieno Malowa ✓	12650/- ✓
	Ogutu Magalu ✓	1688/- ✓
289	Julius (an Wigingle ✓	15236/- ✓
290	Mumbo Owiti ✓	991/- ✓
Ogutu	Ogutu Owiti ✓	621/- ✓
291	Ogutu Owiti ✓	2593/- ✓
	Mumbo Owiti ✓	230/- ✓
292	Gusba Asango ✓	7739/- ✓
293	Abach Asango ✓	2112/- ✓
	Maura Asango ✓	2112/- ✓
294	Haron Owiti Mhoche ✓	1521/- ✓
295	Andrew Angila ✓	3824/- ✓
	Gusba Asango ✓	23/- ✓
296	John Magama ✓	21837/- ✓
297	Ogutu Magalu ✓	26738/- ✓
298	Obonyo Magalu ✓	25539/- ✓
	Ogutu Nyamamba ✓	2215/- ✓
	Ob Obanga Ochieng ✓	1010/- ✓
299	Opiyo Magalu ✓	2211/- ✓
300	Olang'u Magalu ✓	1122/- ✓
	Nikolas Okeno ✓	1291/- ✓
301	John Babar Owang ✓	11952/- ✓
	Oguda Owang ✓	23/- ✓ 3495/- ✓
302	Osodo Magalu ✓	21310/- ✓
303	Opiyo Magalu ✓	13139/- ✓
304	Obala Magalu Samo ✓	20931/- ✓
305	Ogala Agutu ✓	12968/- ✓
306	Okech Mjangu ✓	17196/- ✓
307	Opiyo Maende ✓	1812/- ✓
	Majuek Opiyo ✓	1101/- ✓

DISSIDENT UNION
Interested Persons

Plot No.	Individual Name	Individual Number
308	Adeero Nyamogo ✓	12172/-
	Tobias Nyamogo ✓	12168/-
	Gelina Onodha ✓	6591/-
309	Marsilius Ogalo Goya ✓	11059/-
310	Lekiana Odiano ✓	19018/-
311	* Justo Masta Otieno ✓	7062/-
312	* Henry Opondo Odindo ✓	11265/-
	Olum Odindo ✓	12157/-
313	Peter Enchier Gjar ✓	12157/-
	Martin Otieno Obok ✓	12157/-
314	Marikus Odang Antony ✓	12157/-
315	S.N.U.S. ✓	12157/-
338	Wellington Alphano K. Arwa ✓	12157/-
339	Silvanus Odiano ✓	12157/-
340	Ochieng Ochieng ✓	6562/ ✓
	Onyango Ochieng ✓	2549/ ✓
	Omonai Ochieng ✓	12157/-
341	Alongo Apud ✓	12157/-
342	Aggrey Umhek ✓	5130/-
	Yonah Orawo ✓	5130/-
343	Pierito Wisono Moko ✓	12157/-
344	Gabriel Madolhe Musodho Muga ✓	12157/-
	Nyadimo Ochieng ✓	6562/ ✓
	Omor Muga ✓	12157/-
	Onyango Ochieng ✓	12157/-
345	Andreas Odidiando ✓	12157/-
346	Mrs. Hwai Mwanja ✓	12157/-
	Michael Omonai Alami ✓	12157/-
347	Aporo Opiyo ✓	1693/-
	Paul Mamba ✓	16610/-
	Onyango Paul Aporo ✓	2019/-
348	Abacha Oluosa ✓	1115/-
	Dennis Ocho Opat ✓	14052/-
349	S.N.U.S. ✓	12157/-
362	Opicha Odidiando ✓	805/-
365	Francis Juma Otieno ✓	50127/-
367	Samuel Onyango Madara ✓	20127/-
	Charles Odidiando Madara ✓	20500/-
	Jekonia Ocho Madara ✓	12679/-
	Rebellea Ocho Madara ✓	11701/-
369	Constantine Okumu Amamo ✓	5980/-
370	Migot Ogunja ✓	3236/-
371	Oloo Barloya ✓	3236/-
372	Constantine Okumu Amamo ✓	65602/-
373	Michael Okinyi Onditi ✓	7107/-
	Joseph Oropo ✓	1802/-
	Constance Namboue ✓	897/-
	Teresa Namboue ✓	1665/-
374	John Dinba ✓	1349/-
375	Christopher Oropo ✓	11617/-
	Edward Ajuogi ✓	11617/-
376	Obiero Nyamita ✓	9715/-
377	Hezron Oguba Owin ✓	14500/-
378	Otila Owin ✓	14500/-
379	John Odidiando ✓	12157/-
380	Opiyo Owin ✓	12157/-
	Lucas Ochieng ✓	12157/-
381	Philip Olongo ✓	6086/-
	Charles Olongo ✓	12157/-
385	Owanya Kariaka ✓	12157/-
	Chairman S.S.A. Church ✓	12157/-
	Obara Mwangi ✓	12157/-

1100 40.

MICHAEL PARSONS.

1100 40.

370	George Odhiambo ✓	2150/-
371	Chris. Ladinga ✓	2150/-
372	Mbikimo & Agutu ✓	2150/-
373	Longo Adhiambo ✓	2150/-
374	Alura Adhiambo ✓	2150/-
375	L. Agutu ✓	2150/-
376	Chas. Orola ✓	2150/-
377	Mrs. Anastasia Arino ✓	2150/-
378	Opala Obinga ✓	2150/-
379	Otila Oino ✓	2150/-
380	* * * N.S.I. ✓	2150/-
381	Roman Catholic Mission ✓	2150/-
382	Maria Lina Oiang (Pay to Court) Pd to Court	2150/-
383	Spring. Serv ✓	2150/-
384	James Otieno Amuro ✓	2150/-
385	Robert Luma Onyango ✓	2150/-
386	424 Joseph Otieno ✓	2150/-
387	John Ogada ✓	2150/-
388	Maria ... Nyanani ✓	2150/-
389	Grace Wanga Ogada ✓	2150/-
390	John Atinda ✓	2150/-
391	Olud. Oyam ✓	2150/-
392	S.N.S.I. ✓	2150/-
393	S.N.S.I. ✓	2150/-
394	S.N.S.I. ✓	2150/-
395	S.N.S.I. ✓	2150/-
396	John Leo Odera ✓	2150/-
397	Chris. Ombach ✓	2150/-
398	John. Luma Ogo ✓	2150/-
399	Rev. Ngala ✓	2150/-
400	Miss. Ocho Oino ✓	2150/-
401	Hyachundo Nyanogo (Pay to Court) Pd to Court	2150/-
402	Olud. Nyanogo ✓	2150/-
403	Capit. Nyanogo ✓	2150/-
404	Edward Nyanogo (Pay to Court) Pd to Court	2150/-
405	Ojwang Nyanogo ✓	2150/-
406	Onyango Nyanogo ✓	2150/-
407	Odino Nyanogo *	2150/-
408	Edward Nyanogo *	2150/-
409	Selina Ochoha ✓	2150/-
410	Odino Nyanogo ✓	2150/-
411	Nyachundo Nyanogo ✓	2150/-
412	... (Dora Owiti) ✓	2150/-
413	Teresa Adhiambo Oriti ✓	2150/-
414	Nathan Otieno ✓	2150/-
415	Mila Olaya ✓	2150/-
416	S.N.S.I. ✓	2150/-
417	Church of Christ in Africa ✓	2150/-
418	S.N.S.I. ✓	2150/-
419	Evangelical & Reformed Church ✓	2150/-
420	S.N.S.I. ✓	2150/-
421	George Kariri ✓	2150/-
422	Douglas L. Guimbo Collected in Nairobi	2150/-
423	Barasa Owa ✓	2150/-
424	Otien. Solo ✓	2150/-
425	Michael Ougi ✓	2150/-
426	Eliza. Angela ✓	2150/-
427	Henry Ochiu Paid to Court.	2150/-
428	James Paul Owa Collected in Nairobi	2150/-
429	Palmer Logo Ogiro ✓	2150/-
430	John. Ogiro ✓	2150/-

2313/-

37337/-

12480/-

ask wason

Pay H. Court

Collected in Nairobi

9660/-

6115/-

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Dist No.

MANHATTAN JOB-REGISTRATION
Interested Persons

Individual Name

457
458
461
462
C 469
C 470

OLYMPIO CHANGGO ✓
SOMEREL OJASO ✓
Ojondo Ojondo ✓
ANTHONY OJASO DELFINES OGOLA ✓
Abayemere Odieno ✓
James Odieno ✓
ANASTAS OJASO ODIENO ✓
10/23/71 ✓
2/14/71 ✓
2/14/71 ✓
10/23/71 ✓
4207 ✓

308
314

RAY HESH COURT ✓
OSORINA AYALMORO ✓
Anthony Ojido ✓

1/4/71 ✓
7/1/71 ✓

186

ATHANASIOS NYANWAGAA ✓ 6877 1/2 Pat Cover
CHARLES OPERA ✓ 6877 1/2
JOSUA OKELO ✓ 7951 1/2
PHILIMON OOKO ✓ 7622 1/2
ZERUYA NYANWAGAA ✓ 15714 1/2
JAPHETH ONYANWAGOO ✓ 3694 1/2
YUNIA NYANWAGAA ✓ 2180 1/2
ROSE NYANWAGAA ✓ 16228 1/2
EDWARD O. NYANWAGAA ✓ 1159 1/2

KAMASOGE SUB-DIVISION

Plot No.	Interested Persons	Individual Acreage in a/c.
1	Paraito Migundo Akoko ✓ Joshua Oluoch ✓ James Ouma ✓ Simon Ojindi ✓ Thomas Odhiambo ✓ Nerea Owino Oindo ✓ Boda Akelo Oindo ✓ Miro Ondlang ✓ Adur Oguok ✓ Samuel Ochlang ✓ Otieno Oyombe ✓ Paraito Migundo Akoko ✓ Ogula Akuno ✓ Marepi Ogola ✓ Alos Okello ✓ Mirina Okelo ✓ Ango Okelo ✓ Magot Omuor ✓ Patroba Opiko Kilopa Oulo ✓ Musa Omuor ✓ Jacob Orimba ✓ Peterson Otiwa ✓ John Ochiambo ✓ Justo Oloo ✓ Mashon Otieno ✓ Johana Javichire ✓ Apondi Javichire ✓ Joseph Oduni ✓ Hezron Nyabore ✓ Isiah Owino ✓ Priscilla Obunga ✓ Therain Oluoch ✓ Phillip Ouma Mwene ✓ Muche Ogodo ✓ Joshua Opiyo ✓ Omolo Opiyo ✓ Insi Christopher ✓ Joseph Ggaja ✓ Karat Ogo ✓ Ochlang O ✓ Peter Olag ✓	91237/ ✓ 1448/ ✓ 1300/ ✓ 1449/ ✓ 2532/ ✓ 15723/ ✓ 17005/0 ✓ 1679/ ✓ 1357/ ✓ 828/ ✓ 9164/ ✓ 11471/ ✓ 15988/ ✓ 1034/ ✓ 13748/ ✓ 14544/ ✓ 1001/ ✓ 1424/ ✓ 26652/ ✓ 26596/ ✓ 24480/ ✓ 1447/ ✓ 5644/ ✓ 1597/ ✓ 8348/ ✓ 14844/ ✓ 14844/ ✓ 6809/ ✓ 7897/ ✓ 3927/ ✓ 2050/ ✓ 6967/ ✓ 994/ ✓ 13570/ ✓ 11095/ ✓ 1507/ ✓ 828/ ✓ 994/ ✓ 20956/ ✓ 632/ ✓ 1294/ ✓

14
15

Plot No.

KANISORA SUB-LOCATION
Interested Persons

Individual Award
In sh.

24	Charles Owala	5911/-
	Okech Owala	5911/-
25	Okech Ngarre	7805/-
26	Onyango Ngarre	10574/-
	Elmond Achar	10574/-
27	Andrea Anindo	20/-
	Martin Dan Oryga	3220/-
	Okech Ouko	10321/-
28	Morris Fawo	12995/-
	Andrea Aniwendo	32/-
29	Isaya Omolo Nyayal	8945/-
	Andrea Anindo	65/-
30	Mhare Nyayal	11632/-
31	S.M.C.C.	817/-
32	Dalmas Ooko Oloo	1120/-
	Joseph Okieno Oloo	1120/-
33	Ouma Omolo	5389/-
	Othindo Omolo	5389/-
	Andrea Anindo	81/-
46	Amara Obat	6619/-
46	Odang Obat	6619/-
	Sanson Oloo Onyango	6619/-
	Nelson Omuor Onyango	6619/-
47	Idwo Onyango	8740/-
48	Fareck Ouma	9567/-
49	Alex Okelo Onyango	4699/-
50	Iemadus Gwada Onyango	3513/-
	Gabriel Tomo Gwada	3513/-
	Johnes Onyango Gwada	3513/-
52	Nyabera Onyango	4056/0
	Penina Akumu Nyabola	4056/-
53	Joshua Oder	9647/-
54	Odongo Okumu	9396/-
	Daniel Okumu	345/-
	Anyona Okumu	403/-
55	Onyango Okumu	9707/-
	Ochleng Onyango	11576/-
	Abogo Onyango	9707/-
	Obena O Ogo	9707/-
56	Onyango Omu	8988/-

KAWASOGU SUB-COUNTY
Interested Persons

Plot No.	Interested Persons	Individual Award In shs.
66	Owino Okumu	9125/- ✓
67	Anyona Okumu	2401/- ✓
68	Oganda Akoko	3632/- ✓
69	Philip Otieno Ogando	391/- ✓
	Joshia Odongo Owiro	11385/- ✓
	Siproa Nyange	934/- ✓
70	James Oturu Owiro	874/- ✓
	Samwel Otieno	6172/- ✓
	Manase Okumu	5296/- ✓
	Baridi Oyoo	2954/- ✓
71	Grace O. Ombewa	58/- ✓
72	S.N.C.C.	262/- ✓
73	S.N.C.C. (Nabolo Water Point)	414/- ✓
74	S.N.C.C. (Wadhii Ongur Water Point)	690/- ✓
77	Ismael Owiro Akoko	8941/- ✓
	Kalo Ondiek	1622/- ✓
	Omolo Ondiek	1510/- ✓
78	Mechack Odiinya Owiro	119600/- ✓
79	Arwa Oyoo	493/- ✓
80	Owato Njiri	1093/- ✓
81	S.N.C.C.	363/- ✓
82	Arege Akoko	14377/- ✓
	Ogola Ogando	656/- ✓
	Akoko Oreye	8616/- ✓
	Adengo Arege	4476/- ✓
83	Guche Owiro	7849/- ✓
84	Ebel Orogo	2954/- ✓
85	Peter Akoko Okombo	13125/- ✓
86	Ogalo Owayo	3302/- ✓
	Miriam Owayo	449/- ✓
94	Kesia Okelo Muga	891/- ✓
	Akoko Odiango	1669/- ✓
95	Onditi Akoko	35/- ✓
96	Onditi Akoko	1883/- ✓
N	Nashon Oluma Okombo	29448/- ✓
97	Nandi Oduma <u>Pay High Court.</u>	29448/- <u>Pay H/Court</u>
98	Robert Otieno Owiro	8623/- ✓
100	Emekiel Mado Ogwang	11269/- ✓
	S.N.C.C.	10063/- ✓
	School Committee Awendo P. School	30067/- ✓
	Ondiala Okumu	783/- ✓
	Agira Dulo	783/- ✓
	Stephen Juma Agira	783/- ✓
	Okumbo Aenda	783/- ✓
	Nyakiye Oludhe	575/- ✓
101	S.N.C.C.	414/- ✓
102	Catholic Church (Priest in Charge)	14614/- ✓
	S.N.C.C.	4025/- ✓
112	Sub-Chief Kombok or D.S.	38175/- ✓
	Catholina Mbur Olilo	2214/- ✓
	Magalita Meshia Olilo	2214/- ✓
	Joseph Odior	3417/- ✓
	Nbogo Olilo	424/- ✓
	Okeyo Olilo	4076/- ✓
113	Lawrence Oguda Okeyo	948/- ✓
114	Ogula Agutu	50619/- ✓
	Okumbo Aenda	12913/- ✓
	Jackton Okombo	3735/- ✓
115	Agira Dulo	30313/- ✓
	Gordon Ogweno Agira	14564/- ✓

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Pact No.

Interest on Payments

Amount Paid

Pact No.	Name	Amount Paid
115	Stephen Juma Agira	5257/- ✓
	Lucia Ougo	3159/- ✓
116	Ondiala Omann	39536/- ✓
120	Peter Aura Mwodo	17354/- ✓
	Rosalyn Munn	574/- ✓
121	Okeke Omwodo	20618/- ✓
122	Angweso Omwolo	23689/- ✓
123	Ogola Omwodo	24902/- ✓
124	Osuago Kiwa	12004/- ✓
125	Nyoke Ongudā	9640/- ✓
	Marikus Ndong' ongudā	175/- ✓
127	Were Okalo	6776/- ✓
	Raphael Odhiambo Okoth	836/- ✓
126	Johnes Obambo Achar	26852/- ✓
128	Atula Omolo	12172/0 ✓
129	Were Okalo	1050/- ✓
130	Maricus Abiero	8704/0 ✓
	James Misumba	20/- ✓
	Were Okalo	279/- ✓
131	Apiyo M Odhiambo	7719/- ✓
	James Misumba	720/- ✓
132	Araka Odhiambo	12129/- ✓
	Nyakiti Aguko	66/- ✓
	Nyamboga Nyariji	21/- ✓
133	Zedekia M. Oluoch	18781/- ✓
	Oyisko Oganda	484/- ✓
	ZAKARIA O. Oganda	575/- ✓
134	Zakaria O. Oganda	20153/- ✓
	Nyakite Aguko	575/- ✓
	Keya Aguko	575/- ✓
	Atula Omolo	288/- ✓
	Samuel Ouel	704/- ✓
	Miruka Oluoch	143/- ✓
	Marikus N. Ongondi	35/- ✓
135	Oyioko Oganda	8454/- ✓
136	Ojuok Agawa	20146/- ✓
	Onyango Guche	1381/- ✓
137	Achuola Guche	2818/- ✓
	Ojuok Guche	5320/- ✓
138	Otieno Okombo	6549/- ✓
139	Elijah O. Owiro	1811/- ✓
140	Robert Otieno Owiro	9338/- ✓
141	Joshua Odongo	4861/- ✓
142	Joas Napemo	2818/- ✓
143	Onditi Akoko	3301/- ✓
144	Jeremiah A. Owiro	10723/- ✓
X 145	Turfena Ajuang'	13789/- ✓
146	Omor Daya	552/- ✓
	Odogo Daya	1051/- ✓
	Joseph Olero	994/- ✓
147	Odoyi Hanen	7627/- ✓
	Wanda Hanen	6938/- ✓
	Miriam Okongo	2310/- ✓
148	Naftali O. Orero	46632/- ✓
149	Johnson Opiyo	26442/- ✓
151	Christopher Otandi	11923/- ✓
	Sablon Osiyo	621/- ✓
	Ernest Were	1357/- ✓
152	S.N.C.C.	460/- ✓
153		

Plot No.	Individual Name	in shs.
153	Odundo Nyabeng'	47601/- ✓
	Joan Otieno Odundo	969/- ✓
	Johnson Juanda	635/- ✓
154	Ochocho Obondo	11920/- ✓
	Joshua Upege Obondo	12157/- ✓
155	Peter Omolo	14496/- ✓
	Odeng Obondo	1025/- ✓
156	S.M.C.C.	443/- ✓
157	Richard Nyakite	13185/- ✓
158	Javes Omolo	2621/- ✓
	Okombo Obondo	2621/- ✓
159	Bonyo Nyamwanda	57012/- ✓
	Juna Bonyo	1253/- ✓
	Julius O. Bonyo	1212/- ✓
160	Okong'o Waganda	8458/- ✓
161	Ayoko Omwanga	7515/- ✓
162	Odhambo Ayodo	12689/- ✓
163	Marikos Abiero	3345/- ✓
164	Changwe Onguru	5321/- ✓
165	Gumbo Owuocha	10217/- ✓
	James Ogutu	575/- ✓
	Akinyi Odong'	383/- ✓
	Oding Gombo	383/- ✓
	Odiedo Odong'	383/- ✓
166	Marikus M. M. Ongadi	2616/- ✓
	Nyamboga Nyariji	575/- ✓
	Nyaoke Ongudi	23/- ✓
167	George Otieno Owuoch	5742/- ✓
168	James Agutu	424/- ✓
169	Otieno Owenga	4241/- ✓
	John Owenga	4033/- ✓
	Odhambo Ayodo	148/- ✓
	Marikus Abiero	551/- ✓
170	Ayodo Odo	10238/- ✓
	Odhambo Ayodo	806/- ✓
171	Oding' Gombo	2764/- ✓
	Akinyi Odong'	2764/- ✓
	Odiedo Odong'	2764/- ✓
	Milson Oruwa	2141/- ✓
173	Odeng Ouko	9583/- ✓
	Owino Ouko	7977/- ✓
	Okoth Ouko	7490/- ✓
	Ombewa Ouko	7490/- ✓
	Akuku Odeng'	538/- ✓
172	Marikus Ndong' Ongadi	6503/-
172	Odamo Ouko	1226/- ✓
	Marikus Ndong' Ongadi	6503/- ✓
174	S.M.C.C.	253/- ✓
179 179	Okombo Akoko	611/- ✓
	Adier Akoko	611/- ✓
	Ogando Akoko	611/- ✓
	Aeda Akoko	611/- ✓
	Onditi Akoko	611/- ✓
180	Mijuek Oganda	5720/- ✓
	Juok Agawo	87/- ✓
181	Gidion Akumu	427/- ✓
	Rebeca Aoko	8610/- ✓
	Walter Gwendo	1410/- ✓
182	Crispo Otieno Okech	6970/- ✓
183	Nyatuga Matui	3396/- ✓
	Abonyo Nyatuga	2566/- ✓
	Odondi Nyatuga	1047/- ✓
	Nboga Nyatuga	1047/- ✓
	Okech Nyatuga	1047/- ✓

LANDS INTERESTED PARTIES

Plot No.	Interested Parties	Acres	In shs.
184	Keya Aguko	3474	✓
	Ogang Keya	8774	✓
	Otieno Keya	340	✓
185	Claude Aguko	2955	✓
	John Ogada Nyarigi	2030	✓
186	Nyakite Aguko	3174	✓
	Oyunga Aguko	2172	✓
	Ogutu Nyakite	2172	✓
187	Wilson Otuol Midua	30759	✓
	Peter Douglas Midua Otuol	51339	✓
	Herbert Otuol	1231	✓
188	Philomon Muga Nyakite	14714	✓
	Konslata Ajuang Muga	1646	✓
189	Onyango Nyakiro	1797	✓
190	Johnson Omolo Nyakiro Owiro	7387	✓
191	S.W.C.C.	1006	✓
192	Shem Otieno Olang	3538	✓
193	Hexron Omuga	3727	✓
194	Opiyo Nyagaya	17520	✓
195	Oloth Oyier	11977	✓
196	Washington Cor Ongodi	5178	✓
	Absolon Mboya	5178	✓
197	Mboya Opande	2024	✓
198	Osida Oluoch	6509	✓
	Samuel Opiyo	6509	✓
	Edward Midua	6509	✓
	Robert Ojwang	6509	✓
199	Solomon Juma	10219	✓
200	Dishon Liech Gegero	3976	✓
	Martin Odasia	3538	✓
	Orwa Gegero	1311	✓
201	S.N.F.C.	3421	✓
202	Joel Onyango	8555	✓
	Dishon Lelech Liech	46	✓
203	Jacob Oluoch	7171	✓
	Dishon Liech	46	✓
	Oloth Oyier	300	✓
204	Ochieng Oluenge	300	✓
205	Daniel Ombeso	4096	✓
	Gronge Ombeso	3842	✓
	Odero Ombeso	2086	✓
	Peter Okondo Odindo	1467	✓
	Samuel Adera Ombeso	1167	✓
207	Ochieng Oluenge	4454	✓
208	Mathew Danga Midua	4326	✓
	Mishack Ajuang	1242	✓
	Samson Akoko	2174	✓
	Joshua Opiyo	1334	✓
	Garrison Midua	2369	✓
	Samuel Onyango	1794	✓
209	S.N.F.C.	368	✓
	Mathew Danga Midua	1159	✓
210	S.N.C.C.	368	✓
206	Hexron Omuga Chindo	17343	✓
	Walter Mboya Omuga	12175	✓
	Eliud Ndago Omuga	8015	✓
	Daniel Oluam Omuga	6573	✓
	James Kinagu	2058	✓
	Arastus Ng'um	17	✓
215	S.N.C.C.	42	✓



check list

Alice Ajuang obony
1493/2

Plot No.

MILAKA Sub-division
Interested Persons

Individual Area
In ahs.

Plot No.	Interested Persons	Individual Area In ahs.
214	* S.N.S.C	1156/-*
215	S.N.S.C	729/-✓
216	Agoti Owiro	2157/-✓
	Abenedego Onyango Owiro	6510/-✓
217	Paulito Migondo Akoko	22885/-✓
218	Barnaba Adongo Opudo	6002/-✓
219	Isack Obovo	5039/-✓
	Kango s/o Onoka	6361/-✓
220	Seppeter Owior Onoka	24272/-✓
211	* Nyatuga Katui	12290/-*
	Joel Okelo Nyatuga	3143/-✓
	Patrick Oboo	6270/-✓
	John Juna	3303/-✓
	Joshua Otieno	3305/-✓
222	John Omolo Onoka	3364/-✓
223	Christopher Ouko ONOKA	5797/-✓
	Elisha Wanda Onoka	5797/-✓
224	Jacinton Onana Oraro	6532/-✓
225	Ibrahim Onyango	28841/-*
226	Okuma Akoth	23682/-*
227	Anduro Achar	2181/-✓
	Jacob Noka	53/-✓
228	Okoth Akoth	11521/-✓
229	Samuel Onoka Akoth	15123/-✓
	Onwodo Akoth	126/-✓
230	Onwono Akoth	7255/-✓
	Robert Obudho Onjango	97/-✓
321	James Odhiambo Obondo	9042/-✓
	Daves Omolo	1617/-✓
320	Osina Orero Orino	3091/-✓
322	Charles Oloo Ojuang	1452/-✓
	Ouko Ojuang	1452/-✓
	Joseph Opiyo Owiro	1452/-✓
324	Ogur Otizo	2878/-✓
	Ojuck Sulwe	2873/-✓
346	Peter Ogara	5273/-✓
	John ONGUDI	5273/-✓
347	Wilson Ogutu	2185/-✓
348	Owino Ongudi	2051/-✓
	Elekiah Ndago	2051/-✓
	Aneko Ongudi	2051/-✓
349	Daniel Okumu	1409/-✓
350	Jacob Oluoch	1265/-✓
351	Erasto Choro	40040/-✓
371	Japheth Orogo	320/-✓
372	Jeremiah Akoko Owiro	328/-✓
	Japheth Orogo	11554/-✓
373	Kenedi Owiro	4410/-✓
374	Amos Ukeyo Owiro	4362/-✓
375	Samuel Akumu Owiro	4386/-✓
376	Bernard Ogalo Owiro	8765/-✓
421	James Oturu Owiro	4278/-✓
	S.N.S.C.	1181/-✓
	Chairman Adel Nursery School	1595/-✓
	Owino Ongudi	1791/-✓
	Lawrence Nyawada	137/-✓
485	Ligawa Amolo	2009/-✓
	Otieno Oyombe	79/-✓
515	Ishmael Owiro	76106/-✓
	Johnson Omolo Owiro	76706/-✓

Plot No.	Interviewee Name	Initial Amount
515	Sola Erua	2651/-
516	Robert Odieno Owiro	55352/-
558	Elijah Adengo Owiro	31194/-
559	Elijah Adengo Owiro	5160/-
560	Nathaniel Ochieng Owiro	3939/-
561	Sakaria Oryango Owiro	4775/-
562	Joas Kaleso Owiro	7632/-
563	Joseph Owiti Owiro	2532/-
	Owiro Akoko	4914/-
	Joshua Owiro	4914/-
565	Nashon Ochieng	3129/-
	Patrick Obop Nyabuga	2436/-
586	Johnna Abade Owiro	4317/-
587	Oludhe Aloro	12936/-
674	Masiliana Ochieng	30415/-
712	Joshua Cluoch Nigande	621/-
713	Joshua Abade Owiro	1449/-
714	Samuel Akuma Owiro	823/-
715	Amos Okeyo Owiro	1012/-
716	Joseph Owiti Owiro	397/-
717	Joseph Owiti Owiro	397/-
718	Jeremiah Akoko Owiro	690/-
717	Japheth Papy Orog	690/-
719	Joshua Ochieng Owiro	690/-
720	Bernard Ogalo Owiro	1152/-
721	Kennedy Oryango Owiro	759/-
722	James Oturo Owiro	690/-
723	Milka Gucho Owiro	1195/-
1020	Moshack Dede	1617/-
1021	S.N.C.C.	322/-
1025	S.N.C.C.	212 345/-
1033	S.N.C.C.	212 1610/-
1034	S.D.A. Church Ombo South N-CC.	8901/- * 2013/-
1035	S.N.C.C.	322/-
1049	S.N.C.C.	523/-
1049	Bonyo Nyabwaha	5762/-
1050	Helen Benter Odoi	3695/-
1053	John Ogweni Ocano	3123/-
1057	Ogutu Ondiek	25947/-
	Mau Mau Ogutu	328/-
	Odundo Ogutu	1300/-
	Abich Ogutu	3330/-
	Atuto Ogutu	1921/-
1058	Ugala Ondiek	17050/-
1060	Olang Otieno	21297/-
	Peter Otach Olang	605/-
	Duncan Odhiambo Olang	552/-
1064	Jeremiah Akoko Owiro	10903/-
1065	Charles Ombewa	5538/-
	Grace Odora Ombewa	11011 5538/-
1066	Andrew Ombewa Ombogo	6498/-
1070	Karen Osano Akoko	3657/-
	Johana Akoko	3657/-
1071	Rosbelle Ombogo Manded	3643/-
	Philip Otieno Oundo	968/-
1072	Theodays Osano Mundai	3172/-
1073	Angelia Akuma Oundo	3030/-
1074	Joshua Oundo Oundo	2506/-
1075	Kelina Ogala Oundo	3610/-

Plot No.

Registered Person

Registered No.

Plot No.	Registered Person	Registered No.	Status
1076	Phillip Otiene	1076	✓
1077	Philip Adango	1077	✓
1080	Antony Wero	1080	✓
1088	Justo Ochieng	1088	✓
1097	Osipo Ogendo	1097	✓
1098	William Oyente	1098	✓
1099	Henry Ombao	1099	✓
1100	Amos Mwangi	1100	✓
1101	Edulis Ochieng	1101	✓
1102	Colophon Ombao	1102	✓
1103	Michael Ombao	1103	✓
1104	Annalia Ombao	1104	✓
1104	Alison Ombao	1104	✓
1104	Michael Ombao	1104	✓
1105	Samuel Ombao	1105	✓
1106	John Ombao	1106	✓
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Christina Ogola
S-A-C-C.

1587/ = ✓

2013/ = ✓

Plot No	Interested Person	Individual Amount	
12	Kpace Ojwang	375/-	
13	Munoya Ojwang	200/-	
	Salenia Mbeo Ojwang	1575/-	
14	Rickson Ooro	2575/-	
15	Alfayo Okombo	10378/-	
16	Abok Ochieng	3205/-	
25	James Oudo	8903/-	
26	Nasonga Obiero	8905/-	
27	Aludo Okeyo	25499/-	
	Simon Owor	372/-	
	Joel Obara	1702/-	
	Laurenti Ngombe	17/-	
28	Adige Okeyo	10689/-	
29	Simon Owor	7775/-	
31	Ngimba Aduor	25839/-	
	Agayo Okelo	6545/-	
	Joel Obara	4715/-	
33	Abeka Myaongo	11029/-	
	Robert Otieno	345/-	
	Joseph Kabunga	722/-	
35	Pambo Ochieng	12230/-	
36	Shen Owato (Pay to Court)	29543/-	
	Patrick Otieno Owato	12324/-	
	Samuel Orog	276/-	
50	Otieno Ojwang†	6690/-	
	The Pastor, Pentecostal Church	807/-	
	Samuel Orog	1490/-	
52	Otieno Owor	12363/-	9076/-
	Joseph Guna Mamra	6158/-	
	Samuel Ogiweno	5003/-	10,096/-
53	Earon Angulo	11027/-	
54	Owor Okeyo	5945/-	
	Laurenti Ngombe	2335/-	
55	Abraham Omolo	8200/-	
56	Ogalo Okeyo	7398/-	
	Jadera Okeyo	3520/-	
	Owor Okeyo	1944/-	
	Laurenti Ngombe	9619/2	
57	Okeyo Nyengo	8238/-	
	Ogalo Okeyo	999/-	
	Owor Okeyo	101/-	
	Odongo Okeyo	62/-	
	Jadera Okeyo	1517/-	
58	Ojambi Subba	2025/-	
	Laurentia Ngombe	518/-	
59	Odongo Okeyo	3510/-	
60	Juna Ongoyo	5071/-	
61	Odoyo Owor	20323/-	
62	Ooko Marinwa	6440/-	
	Okelo Ogutu ✓	3470/-	
63	Opiyo Ogutu	6678/-	
64	Odiemy Ogutu	8000/-	7988/-
65	Obongo Midheme	9183/-	
66	Oguta Midheme	7051/-	
67	Onyango Midheme	7186/-	
68	Aoko Migoma	1229/-	
	Oyoko Migoma	1229/-	
	Milfreda Nyagilo	2167/-	
69	Ayaxi Migoma	1123/-	3780/-
	Schola Migoma	1123/-	3780/-
	Ignasius Ayako	1123/-	2637/-
	Milfreda Nyagilo	160/-	

62

Plot No.	Interested Persons	Individuals' Share In sh.
70	Otieno Ogutu	3128/-
82	Aosha Nyagilo	5122/-
83	Isack Orege	11787/-
84	Osingo Okelo	2011/-
85	Oding Okelo	1939/-
86	Dongo Okelo	12533/-
87	Silphano Oyier	1222/- 19,201/-
88	Richard Odhiambo	12967/-
89	Dismas Ounga	10930/-
	Christopher Samba	1046/-
90	Oumbo Oweke	3662/-
91	Elisha Onyango	4855/-
90	Dismas Ounga	90/-
92	John Otano	16070/-
93	Kosma Orwa	4783/-
94	Susan Ayalo	7910/-
95	Barack Odira	10243/-
96	Sabestiano Ochodho Osiru	19592/-
97	Benjamin Omwaga	65240/-
	Walter Orwa Omwaga	2512/-
	Gideon Oongo Omwaga	3970/-
	John Olare	10322/- 83799/-
	Elisha Otuome Omwaga	8827/-
98	Manason Adongu	22895/-
99	Kristopher Odare	41014/-
	Philip Nyangira Odare	2221/-
	Jusuf Ogawe	621/-
100	Abisalon Samba	7647/-
	Robert Samba	736/-
	Mrs. Mary Samba	14922/-
101	Abonyo Onge	19306/-
	James Ouma Ogutu	8723/- 7823/-
	Tertio Nyawade	6990/-
102	Japhan Manga	9297/-
	Isack Okeyo Manga	1104/-
	Joab Isack Ochieng Manga	828/-
	Timothy Wagumba Manga	1242/-
103	Odhiambo Onge	14797/-
130	Girshon Misasa (Land Pay to Court)	25086/-
	Edward Ajuoga	5750/-
	(Land Pay to Court)	14892/-
	Joseph Abaja Nguka	164/-
132	Odinge Odera	+ 10524/- 70 collect
131	Esra Misasa	31849/- 14 in of west
133	Ouko Orwa	32808/- 25-411/2606
148	Charles Onyango	1314/- 13147/-
	Elizabeth Obonyo	1460/-
	Christopher Somba	855/-
	Mary Otieno Samba	1684/-
149	Zadock Odanga	13016/-
	Joseph Ochola	6073/-
	Sipporah Achieng	11120/-
	Elly Sungu	5233/-
150	Dache Ojambi	4936/-
	Zedekia Onyola	1485/-
	Ajelo Ouko	610/-
	Ouko Ogalo	1893/- 1893
151	Awika Ouko Ojambi	6985/-
152	Nathaniel Agwenda	2174/-
+ 153	Rao Ojambi	9719/-
	Laurentia Ngonbe	1920/-

 Letter

70 collect
14 in of west
25-411/2606

WAKARI SUB-LOCATION

Plot No.	Interested Persons	Individual share in shs.
* 154	Onoio Onno	11221/-
	Laurentia Ngombe	4255/- 4898/-
155	Odoyo Ojambi	46996/-
	Benjamin Oguta	69/-
	James MATO	1633/-
	Daniel Oliwa	276/-
	Daudi Onoio	105/-
	John Mlambo	748/-
	John Ogot	5319/-
160	S.N.C.C.	140/-
168	Okombo Okwiri	30246/-
	Okwiri Okwiri	30246/-
169	Opany Okwiri	16592/-
* 171	Nehemia Okinyi	73785/-
172	Jeremiah Zacharia Kamala	38108/-
184	OPERE Odeka	1050/-
185	William Odero Ochola	90912/-
	William Adero	12876/-
	Elleasar Otieno Odero	3721/-
	Belina Aoko	173/-
	Yuda Odero	9556/-
	Bael Awino Ochola	6998/-
	Zacharia Odero	955/-
186	Susan Nyawode	13693/-
	Pricilla Ajuang	2424/-
	Newton Cagwech	874/-
	Morris Odhiambo	138/-
	George Okeyo	1603/- 794/-
	Miriam Odera	1603/-
	Peter Ochola	1242/-
187	Josphat Orwa	29297/- 29127/-
	Philemon Gor	828/-
	Samuel Otieno	248/-
	Francis Owuor	1663/-
	Henry Orimba	2436/-
	Harrison Ayieta	2177/-
188	Ajusa Nyayieyi	23193/-
	Michael Nyaoke	2415/-
189	Okeyo NYayieyi	14128/-
	John Oguta	1645/-
190 <i>nrh</i>	Jeremia Onyango	5233/-
	Dalmas Kawa	397/-
191	Odundo Nyayieyi (Pay to Court)	7245/-
	Oreje Odundo	444/-
	Oyugi Odundo	444/-
192	Ongoro Nyayieyi	19139/-
193	Odoyo Ojambi	4428/-
	Benjamin Oguta	46/-
208	Odwar Misweta	14620/-
209	S.N.C.C.	782/-
210	Philomen Owuor	15098/-
211	Erastus Opiyo	29943/-
212	Andrew Anindo	37937/-
	Oluoch Kanindo	26082/-

PAY all into High Court.
"Conflict of Information."
Sberia

Collected in NAIROBI

Plot No.	Interested Persons	Individual share In shs.
212	Yuda Odhiambo	3443/-
213	Paul Ogutu	26627/-
	Samson Achieng	4525/-
214	John Mijungu	22611/-
	Charles George Mijungu	58/-
215	Albert Otieno	32311/-
216	Ogada Janwa	14585/-
	Joseph Odhiambo	2218/-
217	Omwor Otieno	2817/-
	Christopher Rudolf Onyango	700/-
218	Lucas Andedo	20747/-
219	Sabastiano Ochuodho Osiru	2882/-
220	Osuko Otieno	22552/-
	William Orwa Osuko	9522/-
221	Walter Kisia	45156/-
	John Mijungu	57116/-
	Agnes Kasuku Ogonga	42427/-
222	Ignasio Ayako	105789/-
265	Daniel Akelo	8790/-
266	Mikwa Onyango	3382/-
267	Nelson Okangi	23/-
	Kasera Ogunde	762/-
268	Okumu Chupe Ochupe	1002/-
275	Richard Oyugi Nyawire	6271/-
	Patrick Okumu	292/-
289	Tete Opiyo	7723/-
297	Mathia Odote	3421/-
298	Olik Nyayieyi	24810/-
	Susana Ngare	1801/-
299	Mikaya Odhiambo (Deceased pay to Court)	20930/-
	Wambi Makaya alias Wapi Makaya ID/H/164187	9090/-
	Henry Odero Makaya	10695/-
300	Yogo Obegi	29987/-
	Isaya Oguta	1116/-
301	Joseph Osunga	10500/-
302	Jared Majola & Mary Osodo Osiko	17586/-
303	Girshon Odare (Deceased Pay to Court)	14490/-
	Timothy Nyabao Wakianga	9948/-
	Sara Mook Odare - <i>Rev'd</i>	7391/-
	Conslata Awiti Odare - <i>paid Jwasanga</i>	7391/-
304	William Okombo	10019/-
	Rev. Canon Samuel Meja	7008/-
	Land Disputed.	1879/- Pay to High Court
305	Timothy Nyabao Wakianga	1692/-
306	Pongo Mosasa	11397/-
307	Airo Misasa	4092/-
308	Naftali Oyugi	7230/-
	Sospeter Orwa	4050/-
309	William Adinda	27587/-
	James Ochieng'	3064/-
310	Wilson Ong'onga	15606/-
	Kastanjo Nyambuche	1346/-
311	Thomas Otieno	1475/-
312	Zacharia Mundi (deceased Pay to Court)	14490/-
	Ngai Mundi ID/SK/320791	4996/-
313	Daniel Otieno alias	
	Daniel Ochieng OchoLa ID/SK/410584	7880/-
314	Hezbon Mwangi	11952/-
315	Harrison Nyagilo	5490/-
316	Robert Achacha	24412/-

? See valuation

NAWARI SUB-LOCATIONS.

Plot No.	Interested Persons.	Individual Amount In shs.
394	Odongo Odumbo (deceased pay to Court)	6056/-
	Masliana Orwa w/o Odongo	9317/-
	Anjelina Ongeyi w/o Odongo	75/-
	Dorina Ochieng w/o Odongo	745/-
395	Odumbo Ogilo (Deceased pay to Court)	3623/-
	Magret Achieng w/o Odumbo	2951/-
396	Joseph Sirawa	10621/-
	Gideon Aluoch	1203/-
	Ezra Odondi	167/-
397	Opere Ononi (deceased pay to Court)	14490/-
	Okele Ononi	4752/-
	Joel Oriko	1053/-
398	Okweng Ogilo	6632/-
	Magret Achieng w/o Odumbo	35/-
399	Odago Ondisio (deceased pay to Court)	15698/-
	Siprosa Adipo w/o Odago	1045/-
	Joseph Owino Noa Owino	4159/-
	Charles George Mijungu Masawi	4969/-
400	Anyango Mitiaure	21311/- 21311/-
498	Odira Osiru	2821/-
449	Silvanus Opiyo	3431/-
499	Okumu Cyler	3659/-
501	Charles Okumu	13382/-
502	John Wagumba	1967/-
503	Patrick Okumu	2813/-
	Zadock Odanga	4671/-
	Okambo Onyango	690/-
504	Nelson Okangi	6003/-
	Gaudensia Obiero	4362/-
505	Myagaya Onyango	4194/-
	Mikwa Onyango	52/-
	Kasera Ogunde	6295/-
506	Nyamwanji Onyango	4029/-
507	Odondi Onyango	6015/-
508	Okambo Onyango	45492/-
509	Joshia Akech	41063/-
510	Jpshua Milenye	11155/-
	Patroba Owich	
511	Sailas Ouma	43018/-
512	Mishael Okele	3227/-
514	Odumbo Kiriri	36563/-
515	Kiriri Maende Maende	7643/-
516	Nyangande Odumbo	10092/-
517	Okumu Ogomda	14746/-
	Julius Gin	345/-
	Jedida Awiti Onyiego	2562/-
518	Joshua Ndonga	8601/-
519	Martin Ongalo	5519/-
520	Osewe Ogalo	3283/-
521	Waguma Osiru	2732/-
522	Ondigo Omolo	2623/-
523	Oweke Osiru	2953/-
524	Cosmas Orwa	3849/-
525	Miganda Madiri	213664/-
526	Pius Arido	13350/-
527	Elijah Owino	17178/-
528	Erasmus Gilbert Ogweni	14555/-
529	Meshack Atonga	32310/-
530	Ouko Jamwa	14031/-
531	Aser Abado	51697/-
532	Agalo Adno	19374/-
	Peter Otieno Obwogo	3507/-
	Doris Orege	7073/-

21311/-

WAWARE SUB-LOCATION

Plot No.	Interested Persons.	Individual Award In Shs.
533	Eliach Onyango	1700/-
534	James Odira	2139/-
535	Onolo Okelo	1839/-
	Oding Okelo	994/-
	Okelo Ogola	7013/-
536	Joel Ojwang	30965/-
537	Adhiambo Ogalo	3215/-
	Lumumba Ogalo	3579/-
	Auko Ogalo	777/-
538	Joseph Onyiero (deceased pay to Court)	395/-
574	George Oremo	4689/-
x 594	Oloo OJAMBI	1905/-
595	Abware Ojambi	3185/0
	Oloo Ojambi	1495/-
606	Johnson Ezra Achola	15278/-
604	George Gwako	2016/-
607	Gideon Wata	5095/-
608	S.N.C.C.	1150/-
610	Ogunde Obiero	11774/-
611	Odongo Madiri	13251/-
	Otieno Muganda	3351/-
	Asbela Ogutu	4217/-
613	Osusu Odundo	8253/-
614	Jacob Awiti	26179/-
615	S.N.C.C.	69/-
616	Odongo Sika	4496/-
	Hito Otieno alias Peter Osiko Odongo IB/227000/617	2305/-
620	S.N.C.C.	115/-
623	Salmon Milenya (In prison in Tanzania sale dispute pay to Court)	19597/-
	Miriam Adhiambo	456/-
626	Joseph Dirawa	12299/-
628	Warren Orone Oganda	11519/-
630	Erasto Siro Oganda	13997/-
	The Children of God Regeneration Church Reg. No. 3734. Ng'ong'o Mission	2528/-
641	Mariko Ochola	12252/-

36.

I will be submitting the figures for the Awendo ~~Sub~~ Township expansion area as soon as these are ready. In the meantime I am giving all the priority to the awards in respect of the Nucleus Estate.

(S.B.C. Njagi).
for COMMISSIONER OF LANDS.

TOTALS FOR NUCLEUS ESTATE

	[SHS]
1. WAUDHA	6,016,764
2. KAMASOGA	4,181,457
3. WAWARE	3,744,674
	<u>13,942,895</u>

£697,014

Annex IV

Submissions from the National
Lands Commission.



NATIONAL LAND COMMISSION

DEPARTMENTAL COMMITTEE ON LANDS

SUBMISSION OF INFORMATION ON VARIOUS ISSUES PENDING BEFORE THE PARLIAMENTARY COMMITTEE ON LANDS

REPORT PREPARED BY:

**CHIEF EXECUTIVE OFFICER
NATIONAL LAND COMMISSION**

5TH MARCH 2015

II

Due to lack of panning and survey of the scheme the perimeter boundary has not been fixed occasioning encroachment to the neighboring Vyambani adjudication section.

Way forward

The Kilifi County Survey Office to assist in fixing the perimeter boundaries of the two settlement schemes with the neighboring adjudication sections.

Response to Q II Rangwe Adjudication Section

(a) When will the adjudication in Kagan South be carried out

Kagan South was part of Manyuanda Adjudication Section but due to clan rivalry, boundary of the adjudication section was amended to exclude Kagan South and subsequently Manyuanda was registered in September, 2002.

Way forward for Kagan South

The Land Adjudication Officer for Homa Bay will place the proposal for adjudication of Kagan South to the County Assembly of Homa Bay in March, 2015 for approval. In the meantime during the same month the Commission will obtain satellite imageries for the same and declaration of the section will be done during the month of April 2015.

(b) When will the adjudication in Kochia East be completed

Kochia East is part of Kamenya Adjudication Section that was declared on 28th February, 1992. The adjudication register was published complete for inspection on 17.02.1994 with a total of 5964 land parcels. However two map sheets (40 & 16) containing 216 plots were destroyed as a result of being rained on and as such the complete adjudication register could not be forwarded for a Certificate of finality.

Way forward for Kochia East

One of the map sheets (16) has been replaced while the other will be done using ground survey. The Homa Bay team will start their work in April, 2015 after completing the RRI program and it is expected that by 30th June 2015, the maps will be forwarded to Director of Surveys for publication and by 30th August, finality will be signed.

(c) What Constraints Exist

- (i) Lack of transport for field officers
- (ii) Inadequate finances to enable Officers carry out the adjudication exercise.
- (iii) Problems of accommodation in some distant field stations.

(d) What can the Committee do to assist in ensuring that the adjudication sections in the country are either completed or done urgently?

The National Land Commission has come up with new strategies of carrying out adjudication program.

- (i) Convert adjudication sections into adjudication projects with clear timelines and resource allocations. Every adjudication project is programmed to take 16 months from the time of declaration to the time finality is signed by the Director
- (ii) Because of the project set up, declare smaller adjudication sections that can be managed within the 16 months time line.
- (iii) Partner with County Governments in supporting the programme especially in terms of transport and other resources.
- (iv) Use of modern survey technology in carrying out survey of adjudication sections.
- (v) Using Rapid Result Initiative (RRI) to achieve specific milestones such as land cases or field queries to push those sections that have stalled for years to completion.

What the Parliamentary committee can do to assist

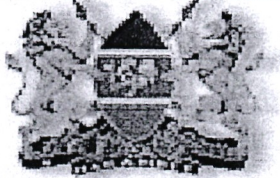
- (i) Increase financial allocation to National Land Commission to carry out land adjudication across the country.
- (ii) Recognize land adjudication as a function of the Commission and Support the commission in the implementation of land adjudication function so as to avoid conflicts with the Ministry.
- (iii) Speed the enactment of the Community Land Bill into Law so as those counties where adjudication has not been done such as Mandera, Wajir, Turkana and Isiolo can be adjudicated using the Community Land Law.

Annex V.

Submissions from Migori
County.

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REPUBLIC OF KENYA



① D/committees

MIGORI COUNTY GOVERNMENT

Telegram: "MIGORI COUNTY" Migori
Tel: 0726319450/0736860086/07770304976
e-info@migori.go.ke

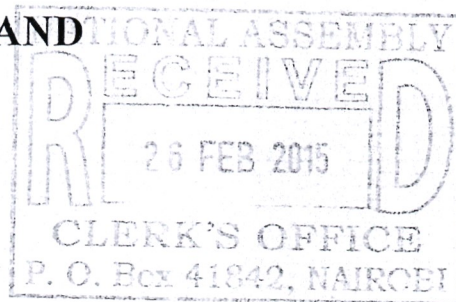
MIGORI COUNTY
P O Box 195 - 40400
SUNA - MIGORI

Our Ref: MCG/LA/PCL/2015 Reply to MIGORI office

Date 16th Feb 2015.

Your Ref: TBA

**CHAIRMAN
PARLIAMENTARY COMMITTEE ON LAND
PARLIAMENT BUILDING
PARLIAMENT ROAD
NAIROBI.**



Dear Sir,

RE: SUBMISSION ON DISPUTE RELATING TO LAND PARCELS L.R NO. NORTH SAKWA/WAWARE/204, NORTH SAKWA/KAMASOGA/46, SAKWA/KAMASOGA/34, NORTH SAKWA/KAMASOGA/1081, NORTH SAKWA/KAMASOGA/1093, NORTH SAKWA/KAMASOGA/1111, NORTH SAKWA/KAMASOGA/1193, NORTH SAKWA/KAMASOGA/1067, SOUTH SAKWA/WAWARE/207, NORTH SAKWA/KAMASOGA/45, NORTH SAKWA/KAMASOGA/111, SOUTH SAKWA/WAWARE/202 AND SOUTH SAKWA/WAWARE/168 -AWENDO SUB COUNTY, MIGORI COUNTY

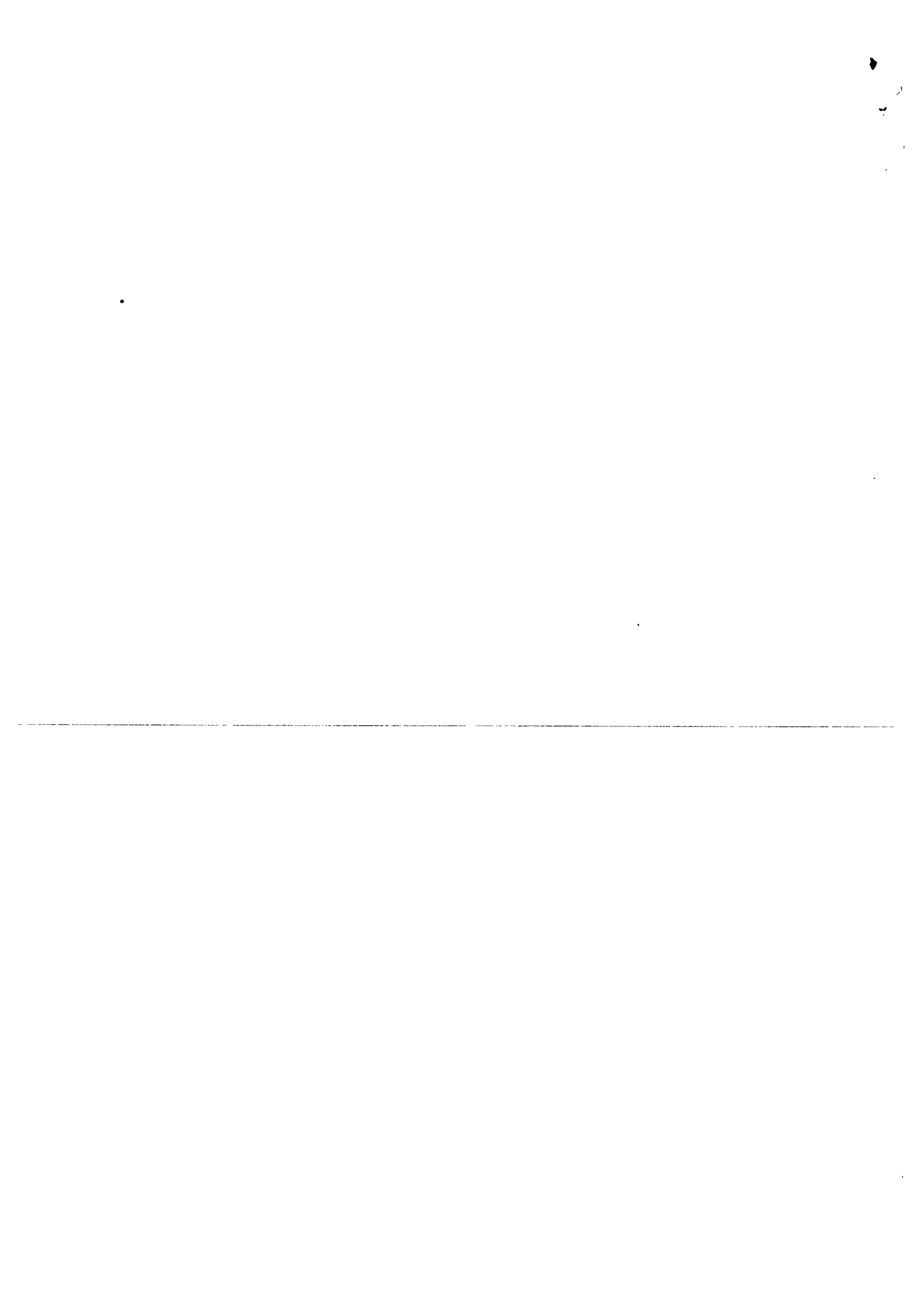
Honorable members following your visit to Migori County on the 15th day of February 2015 to investigate the ownership dispute in respect to land parcels L.R No's North Sakwa/Waware/204, North Sakwa/ Kamasoga/46, Sakwa/Kamasoga/34, North

10

Sakwa/Kamasoga/1081, North Sakwa/Kamasoga/1093, North Sakwa/Kamasoga/1111, North Sakwa/Kamasoga/1193, North Sakwa/Kamasoga/1067, South Sakwa/Waware/207, North Sakwa/Kamasoga/45, North Sakwa/Kamasoga/111, South Sakwa/Waware/202 and South Sakwa/Waware/168 forming part of Awendo Sub County Migori County within the Republic of Kenya I wish to make the following submission to this committee;-

Honorable members on the material day, Nelson Oduor Onyango Mijungu Misweta, Hezron Otieno, Roselina Nyakure and among others testified before this committee in support of their claim to the above mentioned suit lands, The county Government of Migori Officials led by the Executive Committee Member of Lands also testified in support of the County government recognizable interest on the suit properties on the following grounds;-

- i. That the defunct Awendo town council now forming part of Migori County had no priority rights over the suit parcel of land.
- ii. That the attempted eviction of the claimants from the suit lands by Migori County government is illegal and unlawful.
- iii. That the government of Kenya never utilized the entire acreage of each of the suit parcels of land upon compulsory acquisition.
- iv. That the defunct Awendo sub-county of Migori County through its officials or agents is intending to fraudulently and unlawfully sub divide the utilized portions of the suit lands with a view to allocate or dispose them.
- v. That the claimants are bound to suffer huge losses and damage by such action of Migori county Government.
- vi. That the claimants have lived on the parcels of land for over thirty years and have their homes and families on the lands where they earn their livelihoods from.
- vii. That the claimants have permanent buildings and farms on the lands.
- viii. That Applicants' ancestors, parents and their other kin are buried on the said parcels of land.



The County Governments in response hereby submits that the Government of Kenya acquired the suit lands by way of compulsory acquisition through **Gazette Notice No. 3734 of 1976**, which the claimants disputes but avers that their lands were compulsorily acquired vide **Gazette Notice No. 2996 of 24/9/96**. Consequently the claim for the recovery of the suit lands by the claimants is just mere afterthought and hence lacks merit.

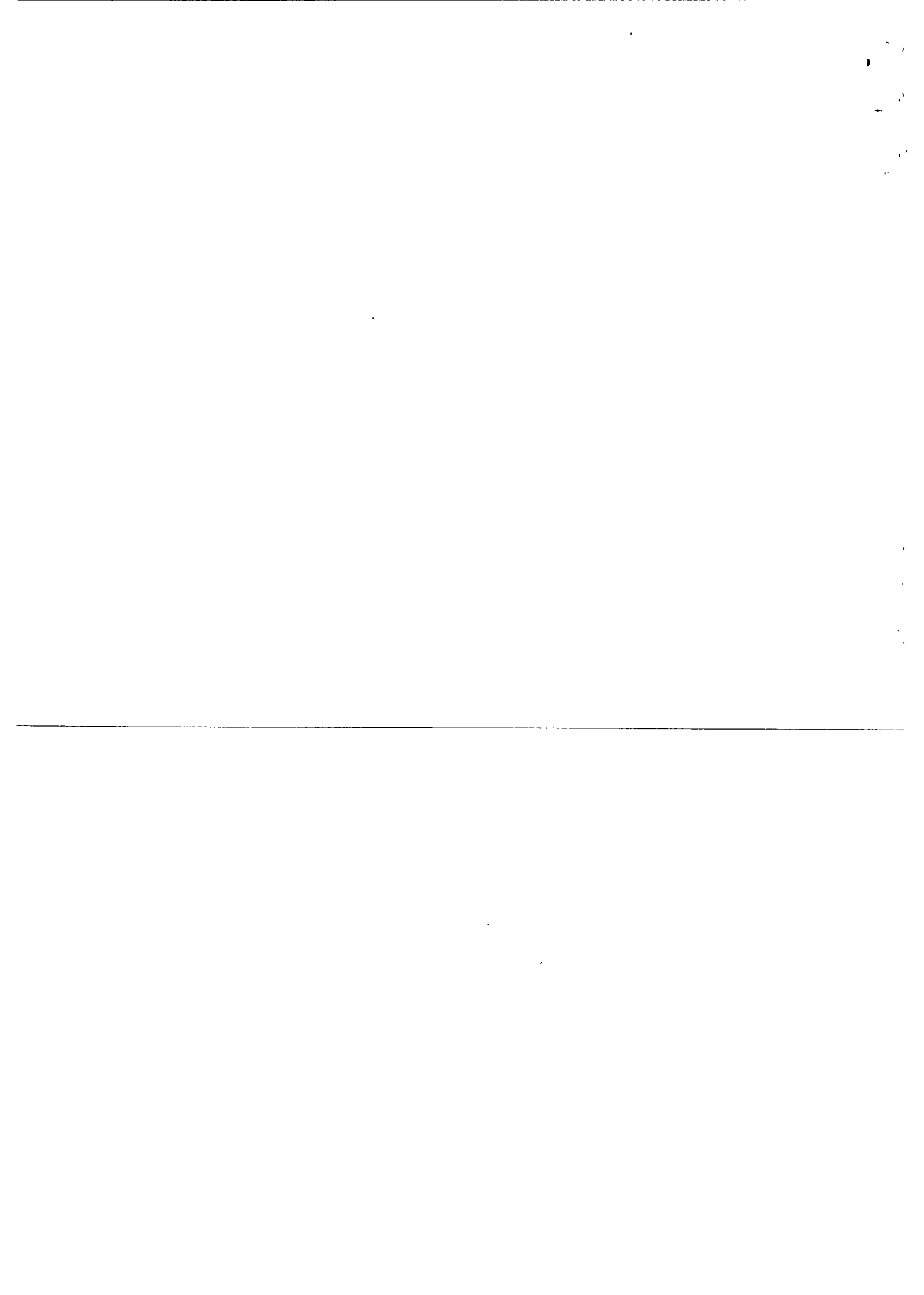
This committee hence is asked to determine the following issues ;-

1. Whether the Government of Kenya compulsorily acquired the above parcels of land.
2. Whether the said acquisition by the Government of Kenya was for the sole purpose of establishing the nuclear estate for South Nyanza Sugar Company Limited (hereinafter referred to as SONY).
3. Whether the Government upon acquisition utilized the whole or part of the said parcels of land.
4. Whether SONY utilized part of the said parcels of land leaving the balance which was unfit for the purpose of which the land was compulsorily acquired by the Government of Kenya.
5. Whether the unutilized portion of the above parcels of land reverts back to the original owners and/or the claimants. Or whether the original owners have right over and above all others except the Government of Kenya.
6. Whether Migori County Government acquired legal proprietary rights over and above the Claimants in respect of the unutilized portions of the above listed parcels of land.
7. Whether Migori County Government acquired any proprietary rights from the Government of Kenya in respect of the unutilized portions in the above parcels through Gazettment.
8. Whether Migori County Government has any right or authority to evict, demolish or interfere with the Claimants properties (if any) and quiet possession of the suit lands.
9. Whether Migori County Government has any interest or right over the suit property capable of being transferred to third party.

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10. Whether the claimants are the legal beneficial owner of the unutilized portions of the suit parcels of land and entitled to have the said interest registered as such at the relevant land registry.
11. Whether Migori County Government still owns or has proprietary rights over the suit property after allocating same to third parties.
12. Whether Migori County Government is liable to compensate the allottee or occupiers of the suit properties in event it is found that the allocation was irregular or illegal.
13. Whether the Migori County Government is liable to compensate the claimants for the second time even after having been previously compensated for the same in the year 1976 and if so should the compensation be at the current market value or the 1976 market value.
14. Who between the National Government and Migori County Government is liable to compensate the claimants (if any).
15. Whether the liability and assets of the defunct Awendo town council has legally been transferred to the County Government of Migori by the Transition Authority as by is required, in view of the fact that the Transition Authority is in the process of auditing the assets and liabilities of all the defunct local authorities.
16. Whether the Transition Authority view or participation is necessary in these proceedings.
17. Whether the claimants' still occupies the parcels of lands as alleged to warrant eviction.
18. Whether disputed parcels of lands are still in vacant possession as alleged or has been fully allocated to third parties and fully developed.
19. Whether the third parties who were allocated the suit lands should compensate the claimants (if any)
20. Whether the claimants have the requisite legal standing to claim the suit properties or are just mere strangers.



by the purpose for which they were not acquired, while also admitting having been fully compensated. The claimants cannot eat their cake and have it.

It's not therefore equitable for the claimants to claim back the land unless they are also saying that they are willing to pay back proportionate amount of the compensation sum that had been paid to them.

Having said that the original owners of the suit lands have no equitable rights over the suit land for simple reason that they all been compensated fully, I believe the County Government of Migori has a right to possess the suit lands in the circumstances hence the County Government dealings are legal.

RELIEFS

In conclusion Honorable committee Members, we thus seek as follows;

- a) That this Committee does find that Migori County Government is the Bonafied proprietor of land parcels L.R. No's **North Sakwa/Waware/204, North Sakwa/Kamasoga/46, Sakwa/Kamasoga/34, North Sakwa/Kamasoga/1081, North Sakwa/Kamasoga/1093, North Sakwa/Kamasoga/1111, North Sakwa/Kamasoga/1193, North Sakwa/Kamasoga/1067, South Sakwa/Waware/207, North Sakwa/Kamasoga/45, North Sakwa/Kamasoga/111, South Sakwa/Waware/202 and South Sakwa/Waware/168** forming part of Awendo Sub County Migori County.
- b) A declaration that the claimants were fully compensated in accordance with the law hence have no further recognizable interest over the land.
- c) **AND** in the alternative and without prejudice to prayers (a) and (b) above **AND** in event this committee makes a finding in favour of the claimants then a declaration be made to the effect that the liability vests and be satisfied by the National Government.

We so pray.

Dated at Migori this^{25th}.....day of February.....2015.

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T. KWANGA MBOYA
COUNTY ATTORNEY-MIGORI COUNTY

TO BE SERVED UPON
PARLIAMENTARY COMMITTEE ON LAND
PARLIAMENT BUILDING
NAIROBI.

