



KENYA NATIONAL ASSEMBLY



*Paper hand
By Hon. A. Mwangi,
Chairman - DC Lands on
Wed. 18-11-15 (pm)
Mw*

DEPARTMENTAL COMMITTEE ON LANDS

STATUS REPORT

(I) BILLS BEFORE THE COMMITTEE

The Committee has been considering the following three Bills, which were referred to it by the House, and they include the following:

1. Community Land Bill, 2015
2. Physical Planning Bill, 2015
3. Land Laws (Amendment) Bill 201

The Committee tabled reports of the above Bills on Wednesday 14th October 2015 and the Bills awaiting Second Reading.

The Committee is processing the Bills clause by clause and in the weekend of 19-22 November 2015 it anticipate to finalize on the amendments.

(2) PETITIONS COMMITTED TO THE COMMITTEE

The Committee received the following Petitions:

2.1 Concluded and tabled Petitions

The Following petitions have been concluded and reports tabled before the House

1. Report on the Petition by the Nairobi United IDPs C.B.O on provision of funds for resettlement of IDPs, conveyed by the Hon. Speaker of the National Assembly.
2. Report on the Petition by Enosupukia Evicted Persons on resettlement conveyed by the Speaker of the National assembly.
3. Report on the Petition by Maanoni dam displaced persons on delayed land and crop compensation by Hon. Dan Maanzo, MP
4. Report on the Petition for the resettlement of the 1992 Molo clash victims presented by the Hon. Jacob Macharia, MP.
5. Report on the Petition by Hon. Shimbwa Omar Mwinyi on behalf of Changamwe Residents regarding grabbed land in Airport Ward and Port Reitz Ward in Changamwe Constituency.
6. Report on the Petition by Hon. Agostino Neto, M.P on behalf of Citizens of the Republic of Kenya regarding recognition of title deeds and removal of Caveats on Title deeds in Tendwet Location, Narok.



7. Report on the Petition by Twiga Farm Evictees regarding the alleged eviction of over six hundred families from their Land which was referred to it on 14th October, 2014

2.2 Pending Petitions

2.2.1 The Committee has finalized and is awaiting the adoption of the following Reports on Petitions and will today table;

1. Report on the Petition by Residents of Masongaleni Ward, Kibwezi East Constituency Regarding the dispute over the ownership of Tisya Primary School Plot no.280 MAKUENI Masongaleni settlement Scheme; **to be tabled within one day.**
2. Report on the Petition by Residents of Pongwe Area in Lunga Lunga Constituency on Imminent Eviction from LR 1083 Shimoni Kwale; **to be tabled within one week.**
3. Report on the Petition By Hon. Muthomi Njuki, M.P Regarding the Alleged Grabbing of Public Land Belonging To Chuka Township Primary School; **to be tabled within one week.**

2.2.2 The Committee is in the process of inquiring into the following petitions and is awaiting various government agencies to make their submissions;

1. Petition by the Residents of Kajiado West Constituency, Kajiado County on the Inquiry into the Compulsory Acquisition of Land, Reference No.Ngong/Ngong/1959 referred on 25th June 2015; its awaiting the submission from the Ministry of Environment and Natural Resources; **Note the Committee has written to Prof. Judy Wakhungu 10 times on the matter and yesterday through the Director of Committees issued summons to the Cabinet Secretary who has sought over eight permissions to reschedule meetings with the Committee, her submissions are key in resolving pertinent issues therein in the petitions.**
2. Petition by the Residents of Mavoko Constituency regarding alleged compulsory acquisition of land in Mavoko Constituency LR no. 10029/2 referred on 30th June 2015 and **the Committee awaiting submissions from the Ministry of Environment and Natural Resources and the Ministry of Agriculture, Livestock and Fisheries to finalise its report.**
3. Petition by the Hon. William Kisang, M.P on behalf of Chebororwa Community in Marakwet West Constituency regarding ceding of 1,800 acres of Chebororwa Agricultural Training Centre to Chebororwa Community referred on 20th October 2015 note the Petitions had erroneously been referred to the Departmental Committee on Agriculture on 4th August 2015 however the Committee has received a briefing from the Area Member of Parliament the Hon. Kisan and Hon. Tiren and is scheduled to meet and receive evidence from petitioners and other government agencies involved.
4. Petition by Mr. Joseph Mugambi and Ms.Ruth Nchurubu regarding the resettlement of Ntirimiti Subuiga squatters in Meru County on Land Parcel Nos 2806/3 Subuiga Bosnia and 2822/3 Ntirimiti Settlement Scheme referred on 13 October 2015 and the Committee has received a briefing from the area Member of Parliament and is scheduled to meet and receive evidence from petitioners and other government agencies.

5. Petition Conveyed by the Speaker of the National Assembly on behalf of Yala Residents regard on 11th November 2015 Committee has received a briefing from the Area Member of Parliament and is scheduled to meet and receive evidence from petitioners and other government agencies.
6. Petition Conveyed by the Speaker of the National Assembly on behalf of regarding alledged land grabbing and illegal evictions in Isiolo County.

(3) INVESTIGATIVE REPORTS BEFORE THE COMMITTEE

The Committee Considered the following matters under its mandate

3.1 Tabled Reports

3.1.1 the following reports were tabled and debated by the House

1. Report on the Compensation of evictees of Galeria mall and the expansion of Lang'ata Road; ***the report was tabled and debated by the House.***
2. Report on the Land Disputes in Taita Taveta County; ***the report was tabled and debated by the House.***
3. Report on the Disputed Karen Land (LR 3586/3)
4. Report on the resettlement of squatters in:
 - i. Muri Farm,
 - ii. Mathengeta, Tumutumu/Riakanau Farm,
 - iii. Drake Farm and Kaseku Farm in Masinga.

3.1.2 the following reports were tabled and are awaiting debate by the House;

1. Report on land Disputes in Tharaka Nithi and Meru Counties,
2. Report on Land Dispute In Awendo Township and Land Adjudication Issues in Rangwe,
3. Report on Land Conflict between Kamae Resettlement Scheme residents and Kenyatta University,
4. Report on Land Conflict In Kedong Ranch, Report on Sirikwa Settlement Scheme,
5. Report on Degazettement of Government Land owned by Chorlim Co-operative Society,
6. Report on Banita Settlement Scheme.

3.2 Pending Reports

3.2.1 the following reports are pending before the Committee;

1. Inspection Visit to Kilifi (Reports on Mombasa Cement Land, Pwani University Land, John Keen Land and Mtana Lewa Land) the reports are finalized and ***scheduled for adoption by the Committee and tabled in the House within one week.***
2. Land and Squatter Issues in Nyali Constituency ***scheduled for adoption by the Committee and tabled in the House within one week.***
3. Report on State House Crescent Land, the report is finalized and ***scheduled for adoption by the Committee and tabled in the House within one week.***
4. Inspection visit to Ngati Farmers' Cooperative in Naivasha the reports are finalized and ***scheduled for adoption by the Committee and tabled in the House within two week.***

5. Report on Naivasha Land Issues, the report is finalized ***scheduled for adoption by the Committee and tabled in the House within two week.***
6. Land Disputes in Nakuru County ***scheduled for adoption by the Committee and tabled in the House within two week.***

(5) FOREIGN VISITS UNDERTAKEN BY THE COMMITTEE

The Committee has undertaken the following foreign visits this year and the reports are finalized and scheduled for adoption

1. Washington, DC, 23rd- 27th March, 2015:- The Annual World Bank Conference on Land and Poverty 2015; ***adopted by the Committee awaiting tabling within one week***
2. Malawi, Lilongwe, 14th - 17th April, 2015:- Conference on Sustainable Food Security through Land Regeneration in a changing Climate; ***adopted by the Committee awaiting tabling within one week***
3. Germany, Berlin, 18th - 24th April 2015:- 3rd Global Soil Week; ***adopted by the Committee awaiting tabling within one week***
4. Senegal, Dakar, Kaolak, 11th – 17th May 2015:- The 2015 Global Land Forum; ***adopted by the Committee awaiting tabling within one week***
5. South Africa, 4th – 9th May 2015 -Visit to the Department of Rural Development and Land Reform in South Africa. ***scheduled for adoption by the Committee and tabled in the House within two week.***
6. Report on the Tribal Lands and Environment Forum held in Minneapolis - St. Paul, Minnesota ***scheduled for adoption by the Committee and tabled in the House within three week.***


18th November 2015

Hon. Alex Mwiru.
C/m an - DC Lands.

187



187

REPUBLIC OF KENYA

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NAIROBI, Kenya

When replying please quote

KNA/DCL/CORR/2015(113)

February 20, 2015

✓ Ms. Mariam El Maawy,
Principal Secretary,
State Department of Lands,
Ministry of Lands,
Housing and Urban Development
Ardhi House, Ngong Road
NAIROBI

Dr. Kamau Thuge, EBS
Principal Secretary,
The National Treasury,
Treasury House,
NAIROBI.

Dear Madam,

RE: DEPARTMENTAL COMMITTEE ON LANDS- SUBMISSION OF INFORMATION ON VARIOUS ISSUES
PENDING BEFORE THE COMMITTEE

Our Letter ref KNA/DCL/CORR/2014(101) dated January 28th 2015 Refers.

The Committee is considering the various land matters and requests that the Ministry of Lands, Housing and Urban Development furnishes it information relating to the aforementioned land matters:

1. Petition by Twiga Farm Evictees regarding the alleged eviction of over six hundred families from their Land;
 - a) The registered owners of LR No.9312, LR No.9313 and LR No.3760;
 - b) Information relating to the ownership, sale and or transfer of the said land;
 - c) Any other information as may be relevant to the matter.

2. Petition by residents of Maanoni Dam, Makueni County;
 - a) When will the Displaced Persons Maanoni Dam be resettled;
 - b) What plans does the government put in place to compensated the victims whose crops were destroyed;
 - c) Is the government setting aside funds or land to compensate the victims;
 - d) Any other information relevant to the subject matter.

3. Kamae Resettlement scheme:
 - a) Information regarding the ownership, allocation, subdivision or transfer of LR nos.11026/R and 11026/2;
 - b) Any other information as may be relevant to the matter.

4. State House Crescent Land:
 - a) Current status and ownership of the land Known as LR no.209/5581 and LR no.209/19473;
 - b) Information detailing any subdivision, transfers and or amalgamations on the land;
 - c) Acquisition of the land by the government of Kenya, Ministry of Foreign affairs;
 - d) The tendering process was carried out in procuring the contractor putting up the perimeter wall;
5. Kilifi Land Matters
 - * The Cabinet secretary should inform the committee Plans by the Ministry to resettle squatters in Kilifi County and specifically the following:
6. Ihaleni Farmers Group
 - * a) The Current Status of Plot no's 4236/4 5023 and plot no.11
 - * b) The Status of the lease and ownership of the aforementioned pieces of land
 - c) Information relating to MAVUENI SETTLEMENT SCHEME
 - d) Any other information as may be relevant to the Committee;
7. Mtaani/Kisumu Ndogo/Kibaoni Extension GTZ upgrading project
 - a) The registered owner and current status of LR.No.5046/1 and LR 5024/1
 - b) Any other information as it relates to the transfer and/or ownership of the said parcels of land.
8. Kiwandani/Kibaoni/Boyani/Kibarani
 - a) Ownership and current status of Plot no1705/44 (CR 26743/2/3)
 - b) Ownership and current status of Plot no.5054/1210 and LR no.1510/4
 - c) Ownership and current status of plotno. MN/III/290,291/2/III/MN,MN/III/289 and 4391/MN/III
 - d) Ownership and current status of plot no. L.R 5046/5
 - e) Ownership and current status of MN/IV/150 (CR 13080 in Kikambala;
 - f) Details regarding the acreage,allocation,charges,transfers and/or subdivisions on the aforementioned parcels of land;
 - g) Any other information as it relates to the aforementioned parcels and as may be relevant to the Committee.
9. Naivasha Land Matters
 - a) Details regarding the ownership of LR No.11192 and LR no.376 (also known as Longonot, Kijabe Block 2/Utheri was Lari to 7956 Nakuru;
 - b) History of the land known as LR 1380/LR 2662/1 and LR 8398
 - c) Details regarding the acreage, allocation, charges, transfers and/or subdivisions on the aforementioned parcels of land;
 - d) Beneficiaries/current use of 5000 acres surrendered to the government (2661/1) in consideration of the approval of a subdivision scheme;
 - e) Any information as may be relevant to the committee in regard to the above matter.
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.

11: Langwe Adjudication Section

- a) When will the adjudication in Kagan South be carried out;
- b) When will the adjudication in Kochia East be completed;
- c) What constraints exists;
- d) What can the Committee do to assist in ensuring that the adjudication sections in the country are either completed or done urgently.

Further as you may be aware, the Budget Policy Statement was laid before the House on February 18th, 2015 and committed to relevant Departmental Committees pursuant to Section 25(2) of the Public Finance Management Act, 2012 and Standing order 235(2) of the National Assembly for consideration.

Consequently, the Committee requests the Cabinet Secretary for Lands, Housing and Urban Development to address matters related to the Budget Policy Statement including the following:

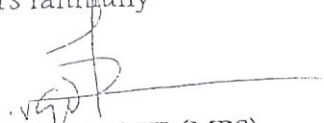
- a) Breakdown of the total allocations to the State Department for Lands and Settlement (Recurrent and Development);
- b) The itemised Budget for all Semi Autonomous Government Agencies in the State Department for Lands and Settlement;
- c) Allocations to each capital project under the State Department for Lands and Settlement and the specific outputs of each project
- d) Allocations in the State Department for Lands and Settlement versus requirement detailing shortfalls and the affected programmes
- e) All pending bills and how the Ministry intends to pay them
- f) Any other information as may be relevant to the Committee Mandate

This is therefore to request you to inform the Cabinet Secretary to attend a Sitting of the Committee, which will be held on 5th March 2015 in the Board Room of 4th Floor Protection House, Parliament Building at 10.00am.

The Principal Secretary, National Treasury is requested to send a representative to the meeting.


The Cabinet Secretary may be accompanied by Officers who can assist him answer queries from members may accompany the Chairman.

Yours faithfully


LUCY WANJOHI (MRS)
FOR: CLERK OF THE NATIONAL ASSEMBLY

Copy to:

Hon. Charity K. Ngilu EGH
Cabinet Secretary
Ministry of Lands,
Housing and Urban Development
Ardhi House, Ngong Road
NAIROBI


T. KWANGA MBOYA
COUNTY ATTORNEY-MIGORI COUNTY

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

