



REPUBLIC OF KENYA
TWELFTH PARLIAMENT (FOURTH SESSION)
THE NATIONAL ASSEMBLY

PUBLIC PETITION

(No. 007 of 2020)



Approved:
SNA
10/3/2020

**REGARDING IMMINENT EVICTION OF RESIDENTS OF HOSPITAL
WARD IN MATHARE CONSTITUENCY BY THE KENYA POLICE**

I, the **UNDERSIGNED**, on behalf of concerned residents of Hospital Ward in Mathare Constituency;

DRAW the attention of the House to the following:

1. **THAT**, Hospital Ward in Mathare Constituency is home to over thirty thousand residents who have lived on that land for over twenty years and have constructed both temporary and permanent residences on the land;
2. **THAT**, the said land has several public utilities such as schools, hospitals, children's homes for the vulnerable and homeless children, a playground for children, among other essential public amenities;
3. **THAT**, recently, Kenya Police Depot situated in Hospital Ward claimed to have been issued an allotment letter to occupy the parcel of land where the Depot is situated as well as the entire land in the Ward that is currently occupied by residents of Hospital Ward, particularly Kosovo and Mathare 4B areas;
4. **THAT**, residents of Hospital Ward, particularly those in Kosovo and Mathare 4B areas are living in fear of imminent eviction by the Kenya Police Depot, who are alleging to have been issued Title Deeds for all parcels of land in Hospital Ward;
5. **THAT**, it is an indisputable fact that Kosovo and Mathare 4B areas have been in existence as settlement areas in Mathare Constituency since 1967 and 1995, respectively;
6. **THAT**, the Police have since prevented youths and children from accessing and using the only available community playground in Hospital Ward on account of the alleged ownership of the playground;
7. **THAT**, if the imminent occupation of Hospital Ward land by the Kenya Police is not mitigated, residents will be rendered homeless and cut-off from accessing critical social amenities like schools, hospitals, children homes and playgrounds;

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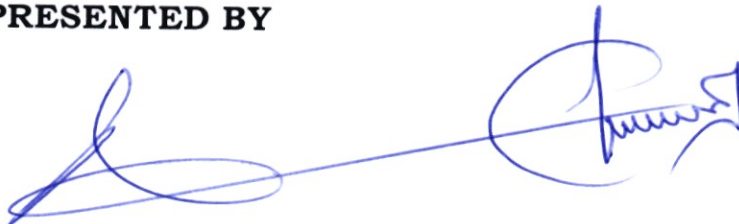
8. **THAT**, efforts to resolve the matter between the constituency, community and political leadership of Mathare Constituency on one hand and the Kenya Police on the other hand have failed to yield satisfactory response;
9. **THAT**, the matters in respect of which this Petition is made is not pending before any court of law or constitutional or legal body;

THEREFORE, your humble Petitioner(s) Pray that the National Assembly, through the Departmental Committee on Lands –

1. inquires into the matters raised in this Petition relating to the alleged ownership of land in Hospital Ward in Mathare Constituency with a view to ensuring that rights of residents to land are not subverted by the Kenya Police;
2. intervenes through the relevant Government Ministries to halt any potential eviction of residents of Hospital Ward from their land by the Kenya Police until the dispute is investigated by the relevant authorities and resolved;
3. intervenes through the Ministry of Lands and the National Land Commission to ensure that land in Hospital Ward in Mathare Constituency is adjudicated and verified residents issued with Title Deeds and appropriate sections of the land designated for public amenities safeguarded.

And your Petitioners will ever Pray.

PRESENTED BY



THE HON. ANTHONY OLUOCH, MP
MEMBER FOR MATHARE CONSTITUENCY

DATE: 05/03/2020

REPUBLIC OF KENYA
TWELFTH PARLIAMENT - (SECOND SESSION)
THE NATIONAL ASSEMBLY

PUBLIC PETITION

PETITION ON THE OWNERSHIP STATUS OF THE KENYA POLICE DEPOT
SITUATED IN HOSPITAL WARD, MATHARE CONSTITUENCY

I, the **UNDERSIGNED**, on behalf of the residents of Hospital Ward, Mathare Constituency;

DRAW the attention of the House to the following:-

- 1) **THAT** the Kenya Police Depot situated at Hospital Ward within Mathare Constituency claims to have been issued with an allotment letter to occupy the parcel of land where they are situated, as well as the entire ward known as the Hospital ward in Mathare Constituency.
- 2) **THAT** the Hospital Ward, Mathare Constituency is a home to over thirty thousand residents who have constructed both temporary and permanent residential places where they have lived for over twenty years.
- 3) **THAT** Hospital Ward has public facilities such as schools, hospitals, children homes, a child playground among others; which the Police Depot allegedly claims is land allotted to it.
- 4) **THAT** Kenya Police Depot is now claiming ownership of land in the whole of Hospital Ward having allegedly been issued with a Title Deed.
- 5) **THAT** the residents of Hospital ward, Mathare Constituency and in particular the residents living in Kosovo and Mathare 4B areas are living in

fear of imminent eviction by the Kenya Police Depot who also claim ownership of the entire land where the Hospital ward is situated.

- 6) **THAT** the areas known as 4B and Kosovo areas have been in existence since the years 1967 and 1995 respectively.
- 7) **THAT** section 4(1) (6) and (e) of the Limitation of Actions Act (Cap 22) provides that no action based on a constant and claim for equitable relief may be brought after the end of six years from the date on which the cause of action occurred.
- 8) **THAT** section 7 of the Limitation of Actions Act (Cap 22) provides that an action to recover land may not be brought by any person to recover land after the end of twelve years from the date on which the right of action accrued to him or, if it first accrued to some person through whom he claims, to that person.
- 9) **THAT** the entire ward including schools, hospitals, children homes and other public facilities would all be affected if there is no intervention and were the police to make good their claim.
- 10) **THAT** a playground (police depot playground) enjoins the Police Depot which is a public facility open to use by all the area residents of Hospital ward; and which is also under threat.
- 11) **THAT** the police have prevented youths and children from using and accessing the only playground (police depot playground) available in Hospital ward on account of the alleged ownership of the playground.
- 12) **THAT** efforts have been made to have the matter addressed between the Constituency, community and political leadership and the Kenya Police Depot, and it failed to give satisfactory response.
- 13) **THAT** the issues in respect of which the petition is made are not pending before any court of law, or constitutional or legal body.

THEREFORE, your humble petitioner prays that the National Assembly, through a joint resolution between the Departmental Committee on Lands and Justice and Legal affairs;

- a) Titles issued in the entire constituency be revoked.
- b) Separate titles be developed for areas already occupied by;
 - i. the Police Depot
 - ii. the residential areas in 4B, Kosovo and Gitathuru
 - iii. the depot community playground and
 - iv. the school, hospitals, children homes and other public amenities
- c) Title issued separately to the Police Depot already occupied claiming ownership of the entire ward known as Hospital ward be revoked.
- d) An Order be issued restraining the police or any other person acting on their behalf from interfering with their residential occupation, businesses, schools, hospitals and playgrounds, on account of the alleged title or allotment to the police depot.
- e) A declaration that the Playground that enjoins the Police Depot is a public facility open for use by all area residents.
- f) This Petition be jointly resolved or placed before the joint committees of
 - i. Lands and
 - ii. National Security or Security Committee

And your **PETITIONER** will ever pray.

PRESENTED BY:


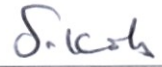








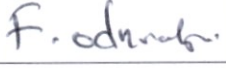

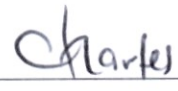
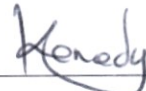


THE HON. ANTHONY TOM OLUOCH






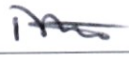
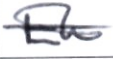
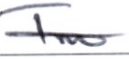
MEMBER FOR MATHARE CONSTITUENCY

Date.....15/8/2019.....

PUBLIC PETITION

REGARDING IMMINENT EVICTION OF RESIDENTS OF HOSPITAL WARD IN MATHARE CONSTITUENCY BY THE KENYA POLICE

No.	NAME	ID NUMBER	ADDRESS OR TELEPHONE NO.	SIGNATURE OR THUMP IMPRESSION
1.	George Rama	20926226	0723270572	
2.	Sammy Amadi kobe	14667716	0720201581	
3.	MOREEN ATIENO	23169811	0706623413	
4.	EUNICE RUMA	21123019	0720757518	
5.	MURANATHA ADHIAMBO	28421265	0716736948	
6.	Phillip ochieng	25026366	0727905633	
7.	Mueni Samantha	28146809	0710642629	
8.	John odhiambo	31485712	0722493030	
9.	Daniel Makoha	11423843	0724515151	
10.	Dickson Guya	21072988	0722756330	
11.	Fredrick odhiambo	25301756	0720216900	
12.	Shamim Anyego	28071669	0725455513	
13.	Charles Otieno	256595	07204468589	
14.	Kenedy Oram	13235772	0722960987	
15.	Bernard ochieng	228602653	0723494515	

No.	NAME	ID NUMBER	ADDRESS OR TELEPHONE NO.	SIGNATURE OR THUMP IMPRESSION
16.	Joseph Alaka	8417497	0721025292	
17.	Dickson Otieno Guga	21072988	0722 756330	
18.	Judith Adhiambo	27493690	072 4795187	J. Adhiambo
19.	Damela Asilco	13502152	0723967151	pu
20.	Aidah Nekesa	2355884	0722 11402	pu
21.	SYLVIA NAMALWA	24162356	0700450228	
22.	Benard Omer	13656958	0723 628828	
23.	EMILY ACHIENG	22961413	07 27060951	E.A.O
24.	FELIX ODERO	23454331	0781681118	
25.	Mildred Acheng	14675828	0712 480723	
26.	Magret Ngira	11815539	0721 430939	MAGNET.
27.	Eunice Kamene	20401265	0723003242	E.K.
28.	Petronela Moseti	20008027	0723020550	pu
29.	Miriam Wrobi	21172673	070 662341	Miw
30.	Eunice Imali	23146344	0725 492118	
31.	Teresa Leesa Juma	11723625	0717265058	
32.	Magret Nduta	27568392	0703227060	MAGNET.