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NATIONAL ASSEMBLY
ELEVENTH PARLIAMENT - FIRST SESSION

REPORT
OF THE
DEPARTMENTAL COMMITTEE (K) ON
LANDS

**THE VETTING OF THE PRINCIPAL
SECRETARY NOMINEE FOR LANDS,
HOUSING AND URBAN DEVELOPMENT**
24TH JUNE 2013

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1.0 PREFACE

On behalf of the Members of the Departmental Committee on Lands and pursuant to the provisions of Standing Order No. 199, it is my pleasure and duty to present to the House, the Committee's Report on the vetting of Principal Secretary nominee.

Committee Membership

The Departmental Committee on Lands was constituted by the House on Thursday 16 May, 2013 comprising of the following Members:-

The Hon. Alex Mwiru, M.P.	-	Chairperson
The Hon. Moses Ole Sakuda, M.P.	-	Vice Chairperson
The Hon. Rev. Mutava Musyimi, M.P.		
The Hon. John Kihagi, M.P.		
The Hon. Francis W. Nderitu, M.P.		
The Hon. Eusilah J. Ngeny, M.P.		
The Hon. Raymond K. Moi, M.P.		
The Hon. Hellen Chepkwony, M.P.		
The Hon. Sarah Korere, M.P.		
The Hon. Benson Mbai, M.P.		
The Hon. Janet Nangabo, M.P.		
The Hon. Gideon Mung'aro, M.P.		
The Hon. Suleiman Dori, M.P.		
The Hon. George Oner, M.P.		
The Hon. Mathew L. Lempurkel, M.P.		
The Hon. Aduma Owour, M.P.		
The Hon. Shakila Abdallah, M.P.		
The Hon. Dr. Paul Otuoma, M.P.		
The Hon. Thomas Mwadeghu, M.P.		
The Hon. Joseph Magwanga, M.P.		

The Hon. A. Shariff, M.P.
The Hon. Francis Njenga, M.P.
The Hon. Hezron Awiti Bollo, M.P.
The Hon. Benard Bett, M.P.
The Hon. Esther Murugi, M.P.
The Hon. Oscar Sudi, M.P.
The Hon. Onesmus Ngunjiri, M.P.
The Hon. Julius Ndegwa, M.P.
The Hon. Regina N. Changorok, M.P.

Committee's mandate

The Committee is established in accordance with Standing Order 216 with the following mandate:-

- (1) There shall be select committees to be known as Departmental Committees the members of which shall be nominated by the Committee on Selection in consultation with the parliamentary parties at the commencement of every Parliament.
- (2) Unless the House otherwise directs, the Departmental Committees and the subject matter assigned to them shall be set out in the Second Schedule
- Further, in the Standing Order 216 (5) the functions of the Departmental Committees shall be to:-
- 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.

Nomination of the Principal Secretaries

Pursuant to Article 155(3) of the Constitution, H.E. the President, forwarded to the Speaker of the National Assembly, the names of the nominees vide letter dated 10th June for vetting by the various Departmental Committees and consideration for approval by the National Assembly for appointment as Principal Secretaries. Among the nominees was Ms. Mariamu Ali El Maawy, for the position of Principal Secretary for Lands, Housing and Urban Development.

On Tuesday 11th June, 2013 the Honourable Speaker in a communication to the House, informed the House that he had received the names of the nominees and directed that their names and Curriculum Vitae be referred to the various Departmental Committee for vetting and reporting to the House within 14 days (by 20th June, 2013).

Committee meetings

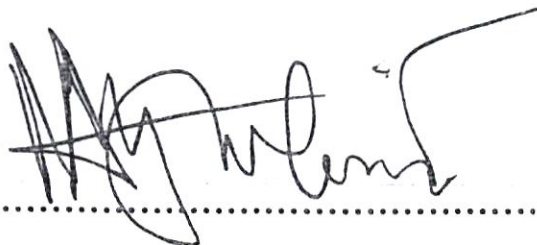
The Committee held one Sittings during which the nominee appeared and was vetted in accordance with the Public Appointments (Parliamentary Approval) Act No. 33 of 2011 for appointment as Principal Secretary.

On behalf of the Committee, I have the honour and pleasure to present the Committee's Report on the vetting of the nominee.

May I take this opportunity to thank all Members of the Committee for their input

and valuable contributions during the deliberations and vetting of the nominee.

Thank you.



Signed

Hon. Alex Mwiru, MP

Chairperson, Departmental Committee (K) on Lands

Date 29/6/2013

2.0 BACKGROUND

2.1 ESTABLISHMENT OF THE COMMITTEE

The Departmental Committee (K) on Lands is established under Standing Order No.216 with one of the mandates being to consider for approval by the House, appointments of Principal Secretaries under Article 155(3) of the Constitution.

2.2 APPOINTMENT PROCESS OF THE PRINCIPAL SECRETARIES NOMINEES

- (i) H.E. the President, in accordance with the provisions of Article 155(3) of the Constitution, forwarded to the Speaker of the National Assembly, the names of nominees vide letter dated 10th June, 2013 for vetting and approval for appointment by the National Assembly as Principal Secretaries.
- (ii) On 11th June 2013, the Honourable Speaker in a communication, referred the names of the nominees to the Departmental Committees for vetting and reporting to the House within 14 days.
- (iii) On 12th June 2013, an advertisement was placed in the print media inviting the public to submit memoranda by way of affidavit on the suitability or otherwise of the nominees in conformity with Section 6(9) of the Public Appointments (Parliamentary Approval) Act 2011. The submissions were to be received latest by 17th June 2013.
- (iv) The Office of the Clerk made a request to the Ethics and Anti-Corruption Commission, Kenya Revenue Authority (KRA) and the Higher Education Loans

Loans Board (HELB) to provide reports about the nominees on: -

- Matters touching on integrity;
- Tax compliance;
- Loan repayments.

In response, HELB confirmed that Ms Mariamu Ali El Maawy had, among others, benefited from the Loans Scheme and that she had cleared her loan. The Kenya Revenue Authority confirmed that she was tax compliant while the Ethics and Anti-Corruption Commission stated that the Commission had not received adverse reports or opened investigations against her.

3.0 VETTING OF THE NOMINEE

In conducting the vetting process, the Committee examined the nominees against the following criteria, amongst others, as set out in the Public Appointments (Parliamentary Approval) Act No. 33 of 2011.

- (i) Academic qualifications
- (ii) Employment record
- (iii) Professional affiliations
- (iv) Potential conflict of interest
- (v) Knowledge of the relevant subject
- (vi) Overall suitability for the position
- (vii) Tax compliance
- (viii) Integrity

During its Sitting held on Wednesday, 19th June 2013 the Committee conducted face to face interview of the nominee.

3.1 **MS MARIAMU ALI EL MAAWY - PRINCIPAL SECRETARY NOMINEE FOR THE MINISTRY OF LANDS, HOUSING AND URBAN DEVELOPMENT**

Ms. Mariamu Ali El Maawy appeared before the Committee on Wednesday 19th June 2013.

4.0 **COMMITTEE'S OBSERVATIONS**

4.1 **PRINCIPAL SECRETARY NOMINEE FOR THE MINISTRY OF LANDS, HOUSING AND URBAN DEVELOPMENT**

The Committee having considered her curriculum vitae and heard her oral submission during the vetting exercise/interview, made the following observations:-

- i. She holds a Bachelor of Architecture degree from the University of Nairobi and has completed course work leading to the award of a Masters Degree in Architecture from the University of Kwa Zulu Natal, Durban. She also has accounting skills, having completed Part 1 of Association of Chartered Certified Accountants at the Jaffery Institute of Professional Studies.
- ii. She is a registered architect having been registered by the Board of Registration of Architects and Quantity Surveyors (BORAQS), No A981(1996). She gained Firm Membership in the year 2009 and Corporate Membership No. 1452 in 1996. In this capacity she has attended several courses organized by BORAQS since 1987 to date.
- iii. She is associated with such professional bodies as the Kenya National Chamber of Commerce and Industry, the Rotary International, East African Institute of Architects and the Architectural Association of Kenya.

iv. She has acquired management and leadership skills through various courses attended as well as appointment to various positions in the public and private sector. She is currently the Principal Architect with Mariam Maawy Architects and Interior Designs for which she has worked since 1996. From July 2012 to March 2012, she worked as a consultant for M/s Abbarci Kenya Ltd. Previously, she had worked for M/s Leif Damgaard Associates as an Assistant Architect from 1993 to 1996 and was also a Project Architect for M/s Dalgliesh Marshall Johnson from 1997 to 2002. She also had interests in marketing where she was a partner at Outlook Enterprises, Outdoor Advertising from 1998 to 2002 and also Mariam Maawy & Co. Ltd, advertising from 1998 to 2002. From the year 1996 to 2003, she was the Coast area representative for Eagle Outdoor advertising.

v. She has won several awards in areas such as business and philanthropy and is a current member of Junior Achievement Kenya from 2002 to- date

vi. She is working on a research project on *Cultural and Contemporary Architecture in Port Cities* under the University of Kwa Zulu Natal and while at the University of Nairobi, she did a project paper on *Continuity In Swahili Architecture* in 1993. She has also contributed and participated in the development of policy papers at the EAC, Architectural Association of Kenya and in the procurement sector.

vii. She was appointed to serve in various offices such as Privatization Commission where she served as a Member; and African Public Procurement Network to which she is a steering member to-date. Other organizations she has served include Mombasa Polytechnic University Council, where she served as a member; Faza Fire Disaster Fund, where she served as a chairperson; Public Procurement Oversight Advisory Board, where she served as Chairperson; TIVET upgrading of National Colleges to Universities where she served as member and the EAC where she served as member of the Advisory Board .

viii. She has never been dismissed from office for contravention of the

provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.

ix. She has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with her tax obligation.

In reply to various questions put to her, she stated as follows:

i. Experience in Land issues

In her response to the question raised regarding her experience in land issues, she stated that her background in architecture has exposed her to matters such as, land survey, engineering and landscaping . She also informed the Committee that part of the modules taught in architecture include survey, engineering and landscaping. She further stated that her research for both bachelors and masters degrees brought out historical issues that have informed land matters in the country such as allocation, sustainability, population and migration and that as a lead consultant, she has had to deal constantly with issues such as land ownership, rates and rent.

ii. Corruption in Land Registries and integrity in professional service delivery

Ms. Maawy stated that her experience at the Ethics and Anti Corruption Commission as a member of the Advisory Board would be an added asset in dealing with corruption at the land registries. She stated that she would first have to identify the gaps, a task which would require systems analysis as well as internal and forensic audit. A digitally mounted system for monitoring data would also be enhanced to beef up transparency. She further stated that she would enhance transparency by installing physical support services such as surveillance cameras. Information and awareness campaigns would also be done as a means to

informing the public about payment for each service rendered at the Ministry.

iii. Recent freeze of land transactions by the National Land Commission and the apparent strained relationship between the Commission and the Ministry

She stated that the Land acts passed in the year 2012 did not cater for transition management, as they were silent on interim arrangement of signatories of titles, where the office of the Commissioner of Lands was abolished. She stated that she would work towards strengthening the Commission by ensuring that orientation programmes were put in place in addition to staff rationalization as most of the staff have been seconded from the Ministry. She would also ensure that core team of competencies were sourced to assist the Commission during the formative stage. Further, she would ensure that the Commission embarked on a Strategic Plan which would help identify short term programmes and key priority areas. She also said that she would empower the Commission to develop regulations to facilitate its work.

iv. Historical injustices in land administration

She stated that she would ensure that counties would be empowered to manage various registries and also ensure uniformity in infrastructure and service delivery. This requires a harmonized programme for all the counties to ensure uniformity in features and facilities.

She also emphasized the need for a programme to be worked out which would address issues country wide bearing in mind the unique features in each county. The programme would help in classification of problem areas where sufficient data would be gathered for ease in resolution.

She also stated that she would work towards a universal way of handling professional undertakings by professional players in the industry to ensure that bids were pegged on contract cost where fees are generated after the project cost is established. This in effect would eliminate the issue of contract variations during implementation.

v. Eradication of Slums and unplanned developments in towns

She noted the additional funds allocated to the Ministry for the development of Kenya National Spatial Data Infrastructure. She stated that the infrastructure would provide a centralized data for land mapping and development in all sectors of the economy.

She stated that she saw a core mandate of the ministry being the provision of shelter to the homeless and slum dwellers and would work towards ensuring that the severely challenged members of the society are secured. This would be made possible through programmes geared towards construction of government houses specifically targeted for them and giving incentives to assist them settle.

As a means towards elimination of encroachment of public utilities, she would strengthen management boards and professional organizations and enhance public participation as a safeguard against the vice. Partnering with the private sector would also be enhanced towards this end.

vi. Expiry of leases and sanctity of title deeds

She informed the Committee that some of the expired leases may have been renewed and expressed the need for a policy to be urgently formulated within the notice period of 3-6 years, to accord the country an opportunity for redistribution.

She also said that she would ensure that titles were embossed with security

features aimed at preventing replication.

vii. Availability of land for realization of Vision 2030

She stated that land was a key factor in the realization of Vision 2030 and there was therefore the need to establish how much public land was available for development such that the shortfall would be acquired from the private sector through direct purchase or partnership with the owners.

viii. Setting up of Land Bank

She informed the Committee of the need for demystification of land as the only source of capital/equity, being a finite commodity. She stated the need for the sensitization of Kenyans on promotion of other forms of reserves.

She called for innovations in the land and housing sectors and reiterated that investment partnerships bring opportunities to be exploited. She further said that public land is a source of equity which if well directed would bring about sustained development.

The Committee noted:

- i) **Academic qualifications** That her academic credentials were relevant for the technical tasks undertaken at the Ministry and further that she had additional skills required of an AIE holder in accounting and financial management which would enhance her managerial capacity.
- ii) **Employment Record** That she had been self employed for most of her working life where she has been a custodian of finances for her business outlets. The experience gained in running/managing her budget would work towards enabling her prioritize programmes at the Ministry. Furthermore, her experience in various management positions at board level have contributed to her confidence which

she exuded as she addressed issues raised by the Members.

- iii) **Professional Affiliations** That her affiliations with professional bodies in architecture and commerce have instilled discipline and a sense of objectivity which she displayed at the meeting.
- iv) **Knowledge of the relevant subject** That she was well versed with the functions of the Ministry and the supervisory role she would play in ensuring the fulfillment of the Ministry's mandate. Her background in architecture gave her exposure to land issues, planning, survey, and land administration in general, matters which were core to the running of the Ministry. Her university project papers specifically dealt with buildings/architecture which form part of the core mandate of the Ministry.
- v) **Overall suitability for the position** The Committee found her qualified for the position due to the vast academic and management experience. Her interaction with both the private and the public sector depict her as a people person and a team player, attributes that are essential in leadership.

The Committee found the nominee suitable for appointment as the Principal Secretary for the Ministry of Lands, Housing and Urban Development.

5.0 RECOMMENDATION

Pursuant to Article 155(3) of the Constitution and Standing Order No. 216 (5), the Committee recommends that:-

This House approves the nominee, Ms. Mariamu Ali El Maawy for appointment as Principal Secretary for Lands, Housing and Urban Development .

APPENDICES

Appendix (1) -Correspondence

- Kenya Revenue Authority
- Higher Education Loans Board
- Ethics and Anti-Corruption Commission

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KENYA REVENUE AUTHORITY

D/Committees

*Betty
Distribute to
all departmental
Committees*

Ref: CDT/MST/HO/59

19th June 2013

Clerk of the National Assembly
Clerk's Chambers
P.O. Box 41842-00100
NAIROBI

19 JUN 2013
P.O. Box 41842-00100

*WVNA
Pik-chemue
- 19/6/13*

Dear Sir

VETTING OF NOMINEES TO POSITIONS OF PRINCIPAL SECRETARY BY THE DEPARTMENTAL COMMITTEES

Your letter on the above subject dated 12th June 2013 refers.

Attached is a list of Tax Compliant Nominees.

Yours faithfully

Alice Owuor, OGW.
**COMMISSIONER OF DOMESTIC TAXES,
MEDIUM AND SMALL TAXPAYERS**

Tulipe Ushuru Tujitegemee!



VETTING OF NOMINEES TO POSITIONS OF PRINCIPAL SECRETARY

S/NO	MINISTRY	NOMINEE	ID NO.	PIN NO.	TAX COMPLIANCE STATUS	
		Department				
1	Devolution and Planning	Devolution	Mr. John Konchella	1068916	A002272884W - SON	Compliant
		Planning	Eng. Peter Oganga Magiti	1512335	A001218286Z - WON	Compliant
2	Defence	Amb. Monica Kathina Juma			A002007200V - SON	Compliant
3	Foreign Affairs	Eng. Karanja Kibicho		8796760	A001168211B - WON	Compliant
4	Education, Science & Technology	Education	Dr. Richard Belio Kipsang	9101178	A001714780A - ELD	Compliant
		Science and Technology	Colletta Akinyi Suda	4846013	A001163755L - WON	Compliant
5	The National Treasury	Dr. Kamau Thugge		27645149	A004642852X - NON	Compliant
6	Health	Prof. Fred H.K. Segor		7060029	A001428625T - ELD	Compliant
7	Transport and Infrastructure	Transport	Mr. Nduva Muli	10089241	A0011562531L - MKS	Compliant
		Infrastructure	Eng. John Kipngetich Mosonik	2302644	A001237655W - NKR	Compliant

8	Environment, Water & Mineral Resources	Water	Mr. James Teko Lopoyetum	568259	A001224232A - WON	Compliant
		Environment and Natural Resources	Mr. Richard Leresian Lesiyampe	3442348	A001620519F - SON	Compliant
9	Land, Housing and Urban Development	Ms. Mariamu El Maawy		8525755	A002460689Y - MSA-N	Compliant
10	Information, Communication and Technology (ICT)	Mr. Joseph Musuni Tiampaty		2302594	A002068485C - SON	Compliant
11	Sports, Culture and Arts	Mr. Patrick Omutia		4220286	A001282238I - WON	Compliant
12	Energy and Petroleum	Eng. Joseph K. Njoroge		4830683	A000133856J - NON	Compliant
13	Agriculture, Livestock and Fisheries	Agriculture	Sicily Kanini Kariuki	7806180	A001274856V - WON	Compliant
		Livestock	Dr. Khadijah Kassachom	9762906	A002342842J - ELD	Compliant
		Fisheries	Prof. Japhet Micheni Ntiba	2042269	A001160409U - WON	Compliant
14	Industrialization & Enterprise Development	Dr. Wilson Songa		202814678	A000114383H - WON	Compliant
15	East African Affairs, Commerce & Tourism	East African Community	Mwanamaka Amani Mabruki	8460971	A002369803U - WON	Compliant
		Commerce and Tourism	Dr. Ibrahim M. Mohamed	438240	A000095919N - WON	Compliant
16	Mining	Amb. Richard Ekai Titus		7477635	A002381505A - ELD	Compliant

17	Labour, Social Security and	Ali Noor Ismail		12765	A001136729M - WON	Compliant
18	Interior and Coordination of National Government	Interior	Mutea Iringo	1091066	A002126122Z - WON	Compliant
		Co-ordination	Josephtha Mukobe	6971413	A001222731A - WON	Compliant



HIGHER EDUCATION LOANS BOARD

Tel: 0711052000, 2278000, 0722205292, 0733205292,
0704333035, 0704333036, 0737205292, 0754556899
Fax: 2252330
E-mail: ceo@helb.co.ke
Website: www.helb.co.ke

Anniversary Towers
18th Floor, University Way
P.O. Box 69489-00400
Nairobi, Kenya

HELB/RD/56593/POV/116

13th June 2013

Mr. Justin N. Bundi,
Clerk of the National Assembly,
National Assembly of Kenya,
P.O BOX 41842-00100,
NAIROBI.

Dear

VETTING OF NOMINEES TO POSITIONS OF PRINCIPAL SECRETARY BY DEPARTMENTAL COMMITTEES.

We acknowledge receipt of your letter regarding the vetting of nominees to the positions of Principal Secretary by the Departmental committees pursuant to the provisions of Standing Order 216.

Please find a list of the applicants who were beneficiaries of the HELB loans, and whom we are pleased to confirm that they repaid their loans to completion, the other applicants did not benefit from the Loan Scheme.


We urge you to encourage the applicants to seek their clearance and compliance certificates from HELB as part of their testimonials and conformity to Chapter Six of the Constitution.

THOSE WHO HAVE CLEARED	
1	Mr. John Konchella
2	Eng. Peter Oganga Mangiti
3	Amb. Monica Kathima Juma
4	Eng. Karanja Kibicho
5	Dr. Belio Kipsang
6	Ms. Colleta Akinyi Suda



7	Mr. Joseph Nduva Muli, EBS
8	Eng. John Kipngetch Mosonik, EBS
9	Mr. Leresian Richard Lesiyampe, MBS
10	Ms. Mariamu El Maawy
11	Eng. Joseph K. Njoroge, MBS
12	Ms. Sicily Kanini Kariuki, MBS
13	Dr. Khadjah Kassachoon
14	Prof. Micheni Japhet Ntiba, CBS
15	Dr. Wilson Songa, MBS, OGW
16	Ali Noor Ismail
17	Mwanamaka Amani Mabruki
18	Amb. Richard Ekai Titus, PhD., MBS
19	Mr. Joseph O. Mukobe
20	Mr. Mutea Iringo
21	Mr. Joseph Musuni Tiampaty
THOSE WHO NEVER BENEFITED	
22	Mr. Omutia Patrick
23	Dr. Ibrahim M. Mohamed
24	Dr. Thugge Kamau
25	Prof. Fred H.K Segor
26	Mr. James Teko Lopoyetum

We wish to thank you most sincerely for allowing us to provide you this information as this kind of collaboration goes a long way in assisting HELB finance needy Kenyans pursue higher education now and in the future.

Yours *Sincerely*


CHARLES M. RINGERA
CHIEF EXECUTIVE OFFICER & BOARD SECRETARY

(1)

Committees
see deal
Juba
19/6/2013

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ETHICS AND ANTI-CORRUPTION COMMISSION

INTEGRITY CENTRE (Valley Rd. /Milimani Rd. Junction) P.O. Box 61130 -00200, NAIROBI, Kenya

TEL.: 254 (020) 2717318/ 310722, MOBILE.: 0729 888881/2/3

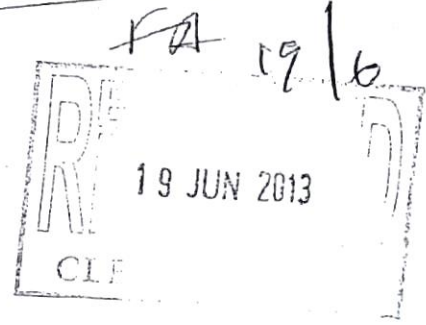
When replying please quote:

To all clerks

Our ref. EACC. 6/42 VOL. XV / (140)

17th June 2013

Mr. Justin N. Bundi
Clerk of the National Assembly
P. O. Box 41842-00100
NAIROBI



Dear Mr. Bundi,

RE: VETTING OF NOMINEES TO POSITIONS OF PRINCIPAL SECRETARY BY DEPARTMENTAL COMMITTEES

Reference is made to your letter dated **12th June 2013** on the above matter.

This is to confirm that we have not received adverse reports or opened investigations against any of the nominees for the post of Principal Secretaries listed below.

S/NO	MINISTRY	NOMINEE	
		Department	
1.	Devolution and Planning	Devolution	Mr. John Konchella
		Planning	Eng. Peter Oganga Magiti
2.	Defence	Amb. Monica Kathina Juma	
3.	Foreign Affairs	Eng. Karanja Kibicho	
4.	Education, Science & Technology	Education	
		Science and Technology	Colletta Akinyi Suda

On the Frontline Against Corruption

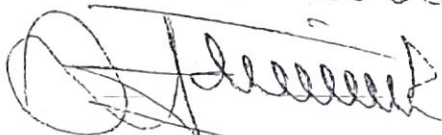
5.	The National Treasury	Dr. Kamau Thugge	
6.	Health	Prof. Fred H.K. Segor	
7.	Transport and Infrastructure	Transport	
		Infrastructure	Eng. John Kipngetich Mosonik
8.	Environment, Water & Mineral Resources	Water	Mr. James Teko Lopoyetum
		Environment and Natural Resources	
9.	Land, Housing and Urban Development	Ms. Mariamu El Maawy	
10.	Information, Communication and Technology (ICT)	Mr. Joseph Musuni Tiampaty	
11.	Sports, Culture and Arts	Mr. Patrick Omutia	
12.	Energy and Petroleum		
13.	Agriculture, Livestock and Fisheries	Agriculture	Sicily Kanini Kariuki
		Livestock	Dr. Khadijah Kassachom
		Fisheries	Prof. Japhet Micheni Ntiba
14.	Industrialization & Enterprise Development	Dr. Wilson Songa	
15.	East African Affairs, Commerce & Tourism	East African Community	Mwanamaka Amani Mabruki
		Commerce and Tourism	Dr. Ibrahim M. Mohamed
16.	Mining	Amb. Richard Ekai Titus	
17.	Labour, Social Security and Services	Ali Noor Ismail	
18.	Interior and Coordination of National Government	Interior	Mutea Iringo
		Co-ordination	

We also confirm that the Commission received adverse allegations against: **Dr. Belio Kipsang, Mr. Nduva Muli, Mr. Richard Lerisian Lesiyampe** and **Eng. Joseph K. Njoroge**, but after investigations, the allegations were found not true and the files were closed.

We further confirm having received a complaint against **Josephta Mukobe** which is subject of ongoing investigations.

Please note that absence of records in our database is not a guarantee of absolute integrity of the applicants.

Yours

Sincerely,


HALAKHE D. WAQO, ACI Arb
SECRETARY/CHIEF EXECUTIVE OFFICER



Appendix (2)

Minutes



MINUTES OF THE ELEVENTH SITTING OF THE DEPARTMENTAL
COMMITTEE (K) ON LANDS HELD ON WEDNESDAY, 19TH JUNE 2013, IN
COMMITTEE ROOM NO.7, PARLIAMENT BUILDINGS, AT 2.30 P.M.

PRESENT

The following members of the Committee were present:

- | | | |
|------------------------------------|---|-------------------------|
| The Hon. Alex Mwiru, M.P. | - | Chairperson |
| The Hon. Moses Ole Sakuda, M.P. | - | Vice Chairperson |
| The Hon. John Kihagi, M.P. | | |
| The Hon. Francis W. Nderitu, M.P. | | |
| The Hon. Benson Mbai, M.P. | | |
| The Hon. Gideon Mung'aro, M.P. | | |
| The Hon. George Oner, M.P. | | |
| The Hon. Eusilah J. Ngeny, M.P. | | |
| The Hon. Aduma Owour, M.P. | | |
| The Hon. A. Shariff, M.P. | | |
| The Hon. Suleiman Dori, M.P. | | |
| The Hon. Benard Bett, M.P. | | |
| The Hon. Janet Nangabo, M.P. | | |
| The Hon. Hezron Awiti Bollo, M.P. | | |
| The Hon. Joseph Magwanga, M.P. | | |
| The Hon. Francis Kigo Njenga, M.P. | | |
| The Hon. Shakila Abdalla M.P. | | |
| The Hon. Mathew L. Lempurkel, M.P. | | |
| The Hon. Hellen Chepkwony, M.P. | | |
| The Hon. Sarah Korere, M.P. | | |
| The Hon. Regina N. Changorok, M.P. | | |

The Hon. Onesmus Ngunjiri, M.P.
The Hon. Thomas Mwachugu, M.P.
The Hon. Julius Ndegwa, M.P.
The Hon. Raymond K. Moi, M.P.

ABSENT WITH APOLOGY

The Hon. Rev. Mutava Musyimi, M.P.
The Hon. Oscar Sudi, M.P.
The Hon. Esther Murugi, M.P.
The Hon. Dr. Paul Otuoma, M.P.

IN ATTENDANCE

NATIONAL ASSEMBLY

Ms. Phyllis Mirungu	Principal Clerk Assistant 1
Ms. Anita Kaptan	Parliamentary Intern

MIN. NO.33 /2013

**VETTING OF THE PRINCIPAL SECRETARY
NOMINEE FOR LANDS, HOUSING AND URBAN
DEVELOPMENT, MS. MARIAMU EL MAAWY**

The Chairman called the meeting to order at Thirty Minutes Past Two O'clock and thereafter said prayers.

Educational and Professional Qualifications

Ms. Mariamu El Maawy took members through her educational and professional background and stated as follows: -

- i. She holds a Bachelor of Architecture degree from the University of Nairobi and has completed course work leading to the award of a Masters Degree in Architecture from the University of Kwa Zulu Natal, Durban. She also has accounting skills, having completed Part 1 of Association of Chartered Certified Accountants at the Jaffery Institute of Professional Studies.
- ii. She is a registered architect having been registered by the Board of Registration of Architects and Quantity Surveyors (BORAQS), No A981(1996). She gained Firm Membership in the year 2009 and Corporate Membership No. 1452 in 1996. In this capacity she has attended several courses organized by BORAQS since 1987 to date.
- iii. She is associated with such professional bodies as the Kenya National Chamber of Commerce and Industry, the Rotary International, East African Institute of Architects and the Architectural Association of Kenya.
- iv. She has acquired management and leadership skills through various courses attended as well as appointment to various positions in the public and private sector. She is currently the Principal Architect with Mariam Maawy Architects and Interior Designs for which she has worked since 1996. From July 2012 to March 2012, she worked as a consultant for M/s Abbarci Kenya Ltd. Previously, she had worked for M/s Leif Damgaard Associates as an Assistant Architect from 1993 to 1996 and was also a Project Architect for M/s Dalgliesh Marshall Johnson from 1997 to 2002. She also had interests in marketing where she was a partner at Outlook Enterprises, Outdoor Advertising from 1998 to 2002 and also Mariam Maawy & Co. Ltd, advertising from 1998 to 2002. From the year 1996 to 2003,

- she was the Coast area representative for Eagle Outdoor advertising.
- v. She has won several awards in areas such as business and philanthropy and is a current member of Junior Achievement Kenya from 2002 to- date
 - vi. She is working on a research project on *Cultural and Contemporary Architecture in Port Cities* under the University of Kwa Zulu Natal and while at the University of Nairobi, she did a project paper on *Continuity In Swahili Architecture* in 1993. She has also contributed and participated in the development of policy papers at the EAC, Architectural Association of Kenya and in the procurement sector.
 - vii. She was appointed to serve in various offices such as Privatization Commission where she served as a Member; and African Public Procurement Network to which she is a steering member to-date. Other organizations she has served include Mombasa Polytechnic University Council, where she served as a member; Faza Fire Disaster Fund, where she served as a chairperson; Public Procurement Oversight Advisory Board, where she served as Chairperson; TIVET upgrading of National Colleges to Universities where she served as member and the EAC where she served as member of the Advisory Board .
 - viii. She has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
 - ix. She has never been charged in a Court of Law, has no potential conflict of interest, and has fully complied with her tax obligation.

In reply to various questions put to her, she stated as follows:

I. Corruption in Land Registries and integrity in professional service delivery

That her experience at the Ethics and Anti Corruption Commission as a member of the Advisory Board would be an added asset in dealing with corruption at the land

registries. She stated that she would first have to identify the gaps, a task which would require systems analysis as well as internal and forensic audit. A digitally mounted system for monitoring data would also be enhanced to beef up transparency. She further stated that she would enhance transparency by installing physical support services such as surveillance cameras. Information and awareness campaigns would also be done as a means to informing the public about payment for each service rendered at the Ministry.

II. Recent freeze of land transactions by the National Land Commission and the apparent strained relationship between the Commission and the Ministry

She stated that the Land acts passed in the year 2012 did not cater for transition management, as they were silent on interim arrangement of signatories of titles after the abolition of the office of the Commissioner of Lands. She stated that she would work towards strengthening the Commission by ensuring that orientation programmes were put in place in addition to staff rationalization as most of the staff have been seconded from the Ministry. She would also ensure that core team of competencies were sourced to assist the Commission during the formative stage. Further, she would ensure that the Commission embarked on a Strategic Plan which would help identify short term programmes and key priority areas. She also said that she would empower the Commission to develop regulations to facilitate its work.

III. Historical injustices in land administration

She stated that she would ensure that counties would be empowered to manage various registries and also ensure uniformity in infrastructure and service delivery. This requires a harmonized programme for all the counties to ensure uniformity in features and

facilities.

She also emphasized the need for a programme to be worked out which would address issues country wide bearing in mind the unique features in each county. The programme would help in classification of problem areas where sufficient data would be gathered for ease in resolution.

She also stated that she would work towards a universal way of handling professional undertakings by professional players in the industry to ensure that bids were pegged on contract cost where fees are generated after the project cost is established. This in effect would eliminate the issue of contract variations during implementation.

IV. Eradication of slums and unplanned developments in towns

She noted the additional funds allocated to the Ministry for the development of Kenya National Spatial Data Infrastructure. She stated that the infrastructure would provide a centralized data for land mapping and development in all sectors of the economy.

She stated that she saw a core mandate of the ministry being the provision of shelter to the homeless and slum dwellers and would work towards ensuring that the severely challenged members of the society are secured. This would be made possible through programmes geared towards construction of government houses specifically targeted for them and giving incentives to assist them settle.

As a means towards elimination of encroachment of public utilities, she would strengthen management boards and professional organizations and enhance public participation as a safeguard against the vice. Partnering with the private sector would also be enhanced towards this end.

V. Expiry of leases and sanctity of title deeds

She informed the Committee that some of the expired leases may have been renewed and expressed the need for a policy to be urgently formulated within the notice period of 3-6 years, to accord the country an opportunity for redistribution.

She also said that she would ensure that titles were embossed with security features aimed at preventing replication.

VI. Availability of land for realization of Vision 2030

She stated that land was a key factor in the realization of Vision 2030 and there was therefore the need to establish how much public land was available for development such that the shortfall would be acquired from the private sector through direct purchase or partnership with the owners.

VII. Setting up of Land Bank

She informed the Committee of the need for demystification of land as the only source of capital/equity, being a finite commodity. She stated the need for the sensitization of Kenyans on promotion of other forms of reserves.

She called for innovations in the land and housing sectors and reiterated that investment partnerships bring opportunities to be exploited. She further said that public land is a source of equity which if well directed would bring about sustained development.

MIN. NO. 34/2013

DATE OF THE NEXT MEETING

The Committee resolved to sit on Thursday 20th June 2013 at 4.30 p.m.

MIN. NO. 35/2013

ADJOURNMENT OF THE MEETING

There being no other business, the meeting was adjourned to 4.30 p.m. Tomorrow.

SIGNED _____

(CHAIRPERSON)

DATE _____

**MINUTES OF THE TWELFTH SITTING OF THE DEPARTMENTAL
COMMITTEE (K) ON LANDS HELD ON THURSDAY, 20TH JUNE 2013, IN
COMMITTEE ROOM NO.7, PARLIAMENT BUILDINGS, AT 4.30 P.M.**

PRESENT

The following members of the Committee were present:

The Hon. Alex Mwiru, M.P.	-	Chairperson
The Hon. Moses Ole Sakuda, M.P.	-	Vice Chairperson
The Hon. John Kihagi, M.P.		
The Hon. Francis W. Nderitu, M.P.		
The Hon. Benson Mbai, M.P.		
The Hon. Gideon Mung'aro, M.P.		
The Hon. George Oner, M.P.		
The Hon. Eusilah J. Ngeny, M.P.		
The Hon. Aduma Owour, M.P.		
The Hon. Benard Bett, M.P.		
The Hon. Joseph Magwanga, M.P.		
The Hon. Mathew L. Lempurkel, M.P.		
The Hon. Hellen Chepkwony, M.P.		
The Hon. Regina N. Changorok, M.P.		
The Hon. Onesmus Ngunjiri, M.P.		
The Hon. Raymond K. Moi, M.P.		

ABSENT WITH APOLOGY

The Hon. Rev. Mutava Musyimi, M.P.
The Hon. Oscar Sudi, M.P.
The Hon. Esther Murugi, M.P.
The Hon. Dr. Paul Otuoma, M.P.

The Hon. A. Shariff, M.P.
The Hon. Suleiman Dori, M.P.
The Hon. Hezron Awiti Bollo, M.P
The Hon. Francis Kigo Njenga, M.P.
The Hon. Shakila Abdalla M.P.
The Hon. Sarah Korere, M.P.
The Hon. Thomas Mwadeghu, M.P.
The Hon. Julius Ndegwa, M.P.
The Hon. Janet Nangabo, M.P

IN ATTENDANCE

NATIONAL ASSEMBLY

Ms. Phyllis Mirungu Principal Clerk Assistant 1
Ms. Anita Kapten Parliamentary Intern

MIN. NO.36/2013

CONFIRMATION OF MINUTES

The Minutes of the Committee Sitting held on 19th June ,2013were confirmed by the Members present and signed by the Chairperson.

MIN. NO. 37/2013

MATTERS ARISING

It was resolved that Vide Minute No.33/2013, the nominees response on her experience in land matters be inserted in the minutes.

MIN. NO.38 /2013

**ADOPTION OF THE COMMITTEE REPORT ON
VETTING OF MS. MARIAMU ALI EL MAAWY
FOR THE POSITION OF PRINCIPAL
SECRETARY**

The Committee considered the draft report and resolved that :

(I) the nominee, Ms Mariamu Ali El Maawy, be appointed Principal Secretary

for the **Ministry of Lands, Housing and Urban Development.**

(II) The following observations be highlighted in the report:

- i) **Academic qualifications** That her academic credentials were relevant for the technical tasks undertaken at the Ministry and further that she had additional skills required of an AIE holder in accounting and financial management which would enhance her managerial capacity.
- ii) **Employment Record** That she had been self employed for most of her working life where she has been a custodian of finances for her business outlets. The experience gained in running/managing her budget would work towards enabling her prioritize programmes at the Ministry. Furthermore, her experience in various management positions at board level have contributed to her confidence which she exuded as she addressed issues raised by the Members.
- iii) **Professional Affiliations** That her affiliations with professional bodies in architecture and commerce have instilled discipline and a sense of objectivity which she displayed at the meeting.
- iv) **Knowledge of the relevant subject** That she was well versed with the functions of the Ministry and the supervisory role she would play in ensuring the fulfillment of the Ministry's mandate. Her background in architecture gave her exposure to land issues, planning, survey, and land administration in general, matters which were core to the running of the Ministry. Her university project papers specifically dealt with buildings/architecture which form part of the core mandate of the Ministry.
- v) **Overall suitability for the position** The Committee found her qualified for the position due to the vast academic and management experience. Her interaction with both the private and the public sector depict her as a people person and a team player, attributes that are essential in leadership.

MIN. NO. 39/2013

ADJOURNMENT OF THE MEETING

There being no other business, the Chairperson adjourned the Sitting at 5.35 p.m.

SIGNED _____

(CHAIRPERSON)

DATE _____

Appendix (3)

Curriculum Vitae



REPUBLIC OF KENYA



KENYA NATIONAL ASSEMBLY
COMMITTEE ON APPOINTMENTS
QUESTIONNAIRE

1. Name: (State full name): Mariamu Ali El-Maawy
2. Position: (State office to which you have been nominated)...
Principal Secretary Lands, Housing And Urban Development
3. Sex: Female
4. Date of Birth: (State year and place of birth) 1967 Mombasa
5. Marital Status: Divorced
6. Daytime phone number: +254 41 2222806
7. Mobile phone number: +254 712 415030
8. Email Address: mariammaawy@yahoo.com
9. ID Number: 8525755
10. PIN Number: A002460689Y
11. Nationality: Kenyan
12. Postal Address: P. O. Box 99621, Mombasa, 80107 Kenya
13. Town/City: Mombasa, Kenya
14. Knowledge of Languages: (specify Languages)
Kiswahili and English written and spoken excellent
German, written and spoken fair

15. Education (List in reverse chronological order)

Year	To	University/College	Award/Attainment	Courses	Class/Grade
From		Institution/School	(e.g. Degree, Diploma, Certificate)	(E.g. PhD, Msc, BA)	
February-11	June-13	University of Kwa Zulu Natal, Durban South Africa	Masters in Architecture, near completion	M.Arch	graduating in 2014
January-05	Nov-05	The British Council	Interaction leadership Programme		Pass
June-02	Dec-02	Jaffery Institute of Professional Studies	ACCA part 2, papers 2.1	ACCA	Pass
January-02	Jun-02	Jaffery Institute of Professional Studies	ACCA part 1	ACCA	Pass
1997	2003	University of Nairobi	B. Architecture	B.Arch	2nd class Honours
1985	1986	Kenya High School	Kenya Advanced Certificate of Education	math/physics/economics/german	16pts
1984	1985	Goethe Institute	Certificate of German as a foreign language	Levels 1/2	excellent
1981	1984	Kenya High School	Kenya Certificate of Secondary Education	8 Subjects	Div 1
1979	1980	Parklands Primary School, Nairobi	Certificate of Primary Education	3 subject	3 A's
1974	1978	Aga Khan Primary School, Mombasa	Std 1 to 5		
1970	1973	Aga Khan Nursery School, Nairobi	Kindergarten		

16. Employment Record (List in reverse Chronological Order)

Year	Name of Organization		Capacity in which you served
From	To		
1996	Date	Mariam Maawy Architect and Interior Designs	Principal Architect
July 2012	April 2013	Abbarci Kenya Ltd	Consultant
May 2005	March 2012	Newline Ltd, Furniture retail	Agency Coast
2002	2009	Outlook Enterprises, Outdoor advertising	Partner
1998	2002	Mariam Maawy & Co. Ltd, advertising	Partner
1996	2003	Eagle Outdoor Advertising	Coast Area

			representative
1997	2000	Dalgliesh Marshall Johnson	Project Architect
1993	1996	Leif Damgaard Associates	Assistant Architect
1992	attachment	Symbion International	Student Architect
1991	attachment	Shahjahan Khan Associates	Student Architect
1990		Venny Communications	Advertising Sales executive
1987		National Museums of Kenya	Volunteer tour guide

17. Honours and Awards

Honour/Award	Date of Award	Awarding Institution
Second , Women in Business	December 2009	Feather Awards
Winner	Professional Category and enterprise	Phoenix awards
Rotary International Presidents Citation	June 2002	Rotary International
Appreciation for Excellent Services rendered	June 2003	Rotary district 9200
Outstanding Services	1997	Rotary District 9200
Appreciation for Support	August 2011	Muslim Education and welfare association
Certificate of Appreciation	June 2011	The Aga Khan Academy Mombasa
Certificate of Appreciation	February 2006	Shanzu Girl Guide Centre For the Physically Handicapped

18. Professional Association (Where Applicable)

Professional Association Membership	Position Held	Date of holding position
East African Institute of Architects	Treasurer	2007-2008
Architectural Association Of Kenya [no 1452]	Treasurer	2007-2009
Architectural Association Of Kenya	Assistant Secretary	2005-2007
Architectural Association Of Kenya	Mombasa Branch Secretary and Founder Member	2002-2005
Board of Registration Of Architects and Quantity Surveyors [no A981]	Ethics and Practice committee member	2003-2005
Kenya National Chamber of commerce and Industry	Interim Officials	2002-2003

19. Memberships (Others)

Rotary Club of Mombasa Central 1995- 2012, Soroptimist International 1996 -1998, Junior Achievement Kenya, 2002 – date

20. Published Writings

a). List the titles, publishers and dates of books, articles, reports letters to the editor, editorial pieces or other published materials you have authored or edited

University of Kwa Zulu Natal Durban,	Cultural and Contemporary Architecture in Port Cities	Current research
University of Nairobi	Continuity InSwahili Architecture	1993

b). Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of any bar association, committee, conference or organization of which you were a member

I have contributed and participated to the following however do n tar t present have copies available;

Communication Policy at the KACC

Financial restructuring plan at the Architectural Association of Kenya

Presentation on the link of Preventive Mechanisims in procurement and anti corruption Strategies

As well as several other presentations in procurement for a both local and regional

21. Public Office, Political Activities and Affiliations:

a). List chronologically any public offices you have held or are currently holding, including the terms of service and whether such positions were elected or appointed

Date	Organisation	Position [all appointed]
Nov 2009 to date	Privatisation Commission Of Kenya	Member
September 2009 to date	African Public Procurement Network	Steering team member
2007-20012	Mombasa Polytechnic University Council	Council Member
September 2009-nov 2011	The Faza Fire Disaster Fund	Chairman
2007-2010	Public Procurement Oversight Advisory Board	Chairman
2007-2009	TIVET upgrading of National Colleges to Universities	member
2003-2009	Kenya Anti Corruption Commission	member, advisory board

b). List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities. Also include any linkage you have to a political party at present
NONE

c). Have you ever been dismissed or otherwise removed from office for a contravention of the provisions of Article 75 of the Constitution?
NO

d). Have you ever been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of public duties?
NO.

22. Deferred Income/Future Benefits: (List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, etc)

Architectural works ongoing	about kshs 4million
Uncollected fees	kshs kshs 3 million
Previous partenership Dissolution	Amount not yet known

23. Outside commitment during service in office: (Do you have any plans, commitments or agreements or pursue outside employment with or without compensation during your service in office? If so explain)

Agreements and Commitments, none.

I have a retail shop in Mombasa, which have not decided whether to continue or close.

24.

Sources of Income:

a. (List sources and amounts of all income received during the calendar year preceding your nomination and in the current calendar year) [Please note previous year I took a break from work to go to school

1. Architectural works fees about kshs 2.5 million
2. Consultancies kshs 240,000 per month
3. Retail Furniture Outlet sales turnover of between kshs 200,000 and 1 million a month
4. Board Allowances Cumulatively around kshs 200,000

b. Tax Status: (State whether you have fully complied with your tax obligations to the State up to the end of the financial year immediately preceding the nomination for appointment)

YES

25. Statement of Net Worth: (State your financial net worth) kshs 15 million

26. Potential Conflicts of Interest:

a). Identify the family members or other persons, parties, categories of litigation or financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to rise

NONE

b). Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern

1. Declaration of Interest.

2. Ensuring the institution adopts a Code of Ethics for Officers in Compliance to the Constitution Chapter 6 and Chapter 15

3. Disclosure of information to the relevant Authorities concerned.

4. May require potential withdrawal from any business engagements where conflict may arise

27. Pro-Bono/Charity Work/Donations to charity: (Describe what you have done by way of pro bono or charity work, listing specific instances the amount contributed and the amount of time devoted to each)

1. Architectural Design Drawings for the Extension of Shanzu Gilr guide Centre For the Physically Handicapped

2. Partial Services for the Sheikh Zayed Children Welfare Centre [For Orphans]

3. Rotary Service related activities and contribution to various programmes.

4. High School Mentoring and Girl Child Development through Junior Achievement and Other Organisations.

5. MEWA organizing and fund raising for the Annual youth camp for High school leavers and University students

28. Have you ever been charged in a court of law in the last three years? If so, specify the nature of the charge, where the matter is ongoing, the present status of the matter, or where the matter is concluded, the judgement of the court, or otherwise, how the case was concluded

NO. Family matter on Child Custody awarded custody and Joint responsibility on

29. Have you ever been adversely mentioned in an investigatory report of parliament or any other commission of Inquiry in the last three years.

NO

30. Have you any objection to the making of Enquiries with your present employer / referees in the course of Consideration of your nomination.

NO. OBJECTION

31. References

1. Justice [Dr] Smokin Wanjalla swanjalla@yahoo.com

Supreme Court Judge, Kenya

2. Mrs Anna Muchungu amuchungu@gmail.com

Investment Officer at PTA Bank and Country Manager of Tanzania

3. Professor Ambrose Adebayo adebayo@ambroafrique.co.za

Ambro Afrique Consultants, Durban South Africa.

School of Architecture and Development Studies,

University of Kwa Zulu Natal, Durban, South Africa.

ENDS



20/6/2013
Thursday.

DEPARTMENTAL COMMITTEE ON LANDS

LIST OF ATTENDANCE

NO	NAME (IN FULL)	EMAIL ADDRESS	TELEPHONE NUMBER	SIGNATURE
1	HON. GIDEON MUNG'ARO,		0721600856	
2	HON. EUSILAH		0721343860	
3	Hon. Bernard K. Bett	bernardbett2010@gmail.com	0723936959	Kuni:
4	Hon Helen Chepkwaj	chekwajhellen@yahoo.com	0721902953	
5	HON. JOHN KIHAGI	jkihagi@yahoo.com	0722866452	
6	HON MATTHEW KEMUNDET	Matteo@maxeng.com	0728-294223	
7	HON NTERIS Q.	regina.changoo@tan	0711498519	Doro
8	HON KIPROTO MOI	SINBA MUMPAK @ GMAIL.COM.	0726399144	Kiprot
9	Hon Aduma Oduod	Saadero@yahoo.com	0721395404	
10	Hon. Francis W. Nderitu.	wnderitufrancis@gmail	0722540531	
11	HON O.K. NGENIAI	—	0725371937	
12	Hon. George Enor	egabens@gmail.com	0726938786	
13	Hon Benson I. Mbatia	bmbat@telcel.com	0726511053	SBF
14	Hon. Moses Ole Saida	Olesaida@gmail.com	0725253761	
15	Hon. Alex Mwiru	mmwiru@yahoo.com	072844445	
16	Hon. Joseph O. Magwanga	magwanga@yaho.com	072774429	



- vii. The government should ensure that locals whose land will be acquired for the establishment of the project are adequately compensated and within reasonable time.
- viii. Farmers should form co-operative societies before the start of the project to enable them effectively and or efficiently carry out operations.

XX



DEPARTMENTAL COMMITTEE ON LANDS

The Departmental Committee on Lands was constituted on 16th May 2013, pursuant to the provisions of Standing Order no. 216 (1) and (5) of the National Assembly. The functions and mandate are outlined in the SO and House Rules.

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.

COMMITTEE MEMBERSHIP

The Committee comprises of the following Members:

The Hon. Alex Mwiru, M.P - Chairman	The Hon. George Oner
The Hon. Moses Ole Sakuda, M.P. -Vice Chairman	The Hon. Mathew L. Lempurkel
The Hon. Rev. Mutava Musyimi	The Hon. Shakila Abdallah
The Hon. John Kihagi	The Hon. Dr. Paul Otuoma
The Hon. Francis W. Nderitu	The Hon. Thomas Mwadeghu
The Hon. Eusilah J. Ngeny	The Hon. Ali A. Shariff
The Hon. Raymond K. Moi	The Hon. Francis Njenga
The Hon. Hellen Chepkwony	The Hon. Hezron Awiti Bollo
The Hon. Sarah Korere	The Hon. Benard Bett
The Hon. Benson Mbai	The Hon. Esther Murugi
The Hon. Kanini Kega	The Hon. Oscar Sudi
The Hon. Gideon Mung'aro	The Hon. Onesmus Ngunjiri
The Hon. Suleiman Dori	The Hon. Julius Ndegwa
The Hon. Lawrence Mpuru Aburi	The Hon. Joseph Magwanga
The Hon. Patrick King'ola	

ACKNOWLEDGEMENT

Mr. Speaker Sir,

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 and the staff, in the execution of its mandate.

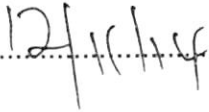
Let me take this opportunity to thank all Members of the Committee for their patience, endurance and dedication to committee business, despite their other commitments and tight schedules, which enabled the Committee to complete this Report.

On behalf of the Departmental Committee on Lands, and pursuant to Standing Orders No.199 of the National Assembly, I now have the honor to present the Report and Recommendations thereto for adoption pursuant to the provisions of standing orders of the National Assembly.

Thank You,

SIGNED 

CHAIRPERSON
(HON. ALEX M. MWIRU, MP)
DEPARTMENTAL COMMITTEE ON LANDS

DATE..... 

1.0 INTRODUCTION

1. During its various sittings, the Committee was seized of the matter having been tabled by the Hon. Esther Murugi, MP who requested the Committee to look into the issue of delayed compensation of evictees of Galleria mall and the expansion of Lang'ata Road.
2. The Committee was informed that the evictees had been evicted to pave way for the expansion of the Road and had vacated their properties but were yet to receive compensation from the government and that this led to most of them losing millions of shillings in terms of forgone returns on opportunity costs forfeited at the expense of the construction and expansion of the Road.
3. The Committee held sittings on 26th June 2014, 19th August 2014 and 4th November 2014 in Parliament to deliberate on the matter and received evidence from the National Land Commission (NLC) and the Kenya Urban Roads Authority (KURA) in an attempt to resolve the stalemate revolving around the compensation.

2.0 CONCERNS BY THE EVICTEES

4. During its 69th Sitting held on 24th June 2014, Hon. Esther Murugi, M.P representing the evictees informed the Committee that the rehabilitation and upgrading of Lang'ata Road had affected about 25 residents of Galleria mall whose residential properties had not been occupied since August 2013 due to the compulsory acquisition by KURA, occasioning a loss of revenue and opportunity costs to the owners as the rental income from the said property was between Kshs. 120, 000 p.m and Kshs. 300,000 p.m.
5. The Committee was further informed that the property valuations had been done and agreed to by the NLC, KURA and the land owner's but no compensation has been made.
6. The Committee learnt that the owners were willing to be paid on prorata basis subject to an agreement indicating when the balance would be paid, and a commitment to pay with interest and pay the opportunity cost. Further, that the evictees had already filed a case in court regarding the matter.

3.0 EVIDENCE FROM THE NATIONAL LAND COMMISSION (NLC)

7. During its 69th Sitting held on 24th June 2014, Mr. Tom Aziz Chavangi, Chief Executive Officer, National Land Commission (NLC) accompanied by Mr. Solomon Mbutia, Legal Officer, appeared before the committee and informed the Committee that the NLC had held a meeting with KURA in June 2013 where KURA had informed the NLC that they had the money to compensate the evictees. It is on the basis of that information that the NLC proceeded with the acquisition of the property.
8. The Committee was informed that KURA thereafter made a deposit of Kshs. 267, 245,

350 million in the first quarter being payment for five individuals only but the NLC was unable to process the payments since doing so would be in violation of Article 40 of the Constitution as read together with Section 111 of the land act which provides that payment be prompt, fair, just and to all persons and also because partial payment would open the NLC to legal suits by the other evictees;

9. The Committee was further informed that the NLC together with KURA held a meeting with the Senate Committee on Lands on 17th June 2014 where KURA claimed that the Government is losing Kshs. 50 million per day to the Contractor due to the stalemate over the payment of owners in the intersection near Bomas.
10. In the said Senate meeting, the NLC was asked to pay the five evictees whose properties were crucial to the functionality of the interchange first and the rest be paid later. In order to effect the payment, the NLC asked for an undertaking from KURA that they should pay only five people first, to which KURA wrote to the NLC saying they would pay the five persons first and the rest later.
11. The Committee learnt that the valuation report on the entire land was Kshs. 1,037, 813, 089, and the figure was agreed upon by KURA who promised to source for resources to compensate the victims from the Exchequer.
12. The Committee was informed that the NLC is willing and ready to pay the Kshs. 267, 245, 350 million to the five persons provided that KURA avails an agreement with the other 20 evictees indicating that they are willing to wait for their payment.
13. The Committee was further informed that the NLC has not been served with any court orders concerning a suit against them in regard to the matter;
14. In a subsequent meeting held on Tuesday 19th August 2014, the National Land Commission Informed the Committee that following the meeting held on 26th June 2014, the NLC had held a meeting with the Land owners, KURA and NLC and the following progress had been made:
 - a) The Land owners had agreed that the payment be made on a pro rata basis;
 - b) The five land owners whose properties were critical to the interchange had also accepted payment on pro rata basis;
 - c) A total of 246,581,472 has already been paid to the Land Owners.
 - d) Magnate Ventures were yet to be paid as they had not presented their details to the Commission;
15. The Committee was also informed that the NLC wrote to KURA inviting them for the meetings but KURA only attended one meeting in which Mr. Kiminza, Manager Survey represented KURA. KURA failed to attend the meeting where pro-rated payments were agreed upon.

4.0 EVIDENCE BY THE KENYA URBAN ROADS AUTHORITY (KURA).

16. During its 69th and 78th Sittings held on Tuesday, 24th June 2014, and Tuesday, 19th August, 2014, respectively Eng. J. N Nkadaiyo, Director General KURA, accompanied by Mr. Abdikadir Jatani, Chief Surveyor, Eng. Paul Kamande- Senior Engineer, Engineer John M. Mwatu, General Manager, Kenya Urban Roads Authority (KURA), Mr. Francis M. Kiminza, Manager Survey and Ms. Carolyn Ng'ang'a Manager, legal Affairs appeared before the Committee.
17. The Committee was informed that the Works Contract for the Expansion of Lang'ata Road was awarded in 2011, and the acquisition plans (Lang'ata Road KWS gate-Bomas Section) prepared and submitted to Commissioner of Lands on 27th February, 2012 for valuation. The undertaking was communicated to the NLC once the Commission was gazzeted and functional in 2012.
18. The Committee was informed that all the 25 pieces of land are at the Junction but the rationale for paying five vendors first was because their properties were critical to the roads functionality since they lay at the interchange, and the owners had refused to move to allow for the construction until full payment was made.
19. The Committee learnt that KURA had engaged the other 20 land owner's who allowed them to proceed with the construction awaiting payment but there were neither written agreements entered to nor minutes available to that effect.
20. The Committee was further informed that KURA had made provisions of Kshs.450 million in the 2013/14 budget for compensation of the KWS-Bomas Road Project but was allocated a total of Kshs. 2.4 billion for all compensations in the Country and so due to inadequate funds, the Ministry released 267,245,350 million to offset partial compensation for five critical properties located at the Boma's inter-change to enable works to progress. The money was remitted to the NLC but NLC insisted that they would either maintain the money on account until all compensation was remitted or be forced to pay all awardees on pro-rata basis;
21. The Committee was informed that the criteria used to give priority to the critical properties was:
 - a) The locations of the critical properties was critical to the overall functionality of the interchange and the entire road,
 - b) The said parcels of land had structures that were to be demolished. The owners could not allow demolition before receiving compensation. The other affected land owners had allowed KURA possession of site pending payment,
 - c) The delay in possession of the site by the contractor had led to contractual claims leading to cost overruns. The initial completion date was 9th May 2013 but had been revised twice. The revised completion date was 7th June

2014,

d) The delay in project delivery had other indirect costs to the road user.

22. The Committee was informed that paying the Ksh.267, 245, 350 million available to the 25 land owner's on a prorata basis would delay the construction at the Junction. The contractor had been instructed to leave the site to avoid incurring further costs by KURA until the land issue was settled, whereby KURA would call back the contractor or engage a new contractor.
23. The Committee was informed that there are no sale agreements under compensation on compulsory acquisitions and currently, compulsory land acquisitions are being done before the contractor goes to the site and efforts have been made to ensure that excised land is captured in the deed plans
24. There are neither written agreements nor minutes between KURA and the Land Owners in regards to the transactions reached when dealing with the projects however there was an understanding on a gentleman basis between the two parties over a cup of tea.

5.0 OBSERVATIONS

The Committee observed THAT:

1. KURA had erred by entering into verbal agreements with the land owner's in regard to taking up their properties pending payment.
2. Payment should be fair, prompt and just and paying only five people in full would amount to discrimination against the 20 land owner's whose properties had already been taken over by KURA.
3. The valuation of Kshs. 1,037, 813, 089.00 was excessive and an inflated cost in comparison to the initial estimate of Kshs. 450 million leading to mistrust as to whether valuation was done with due diligence.

6.0 RECOMMENDATIONS

The Committee makes the following recommendations, THAT:

1. Ethics and Anti Corruption Commission investigates the alleged conspiracy for the escalation and inflation of the cost of the Land in question with a view to prosecuting those found to be behind the scheme.
2. The Ethics and Anti Corruption Commission to investigate the Managers in Kenya Urban Roads Authority (KURA) who committed public funds in informal meetings

and casual interactions, with a view to establishing if they are fit to hold public office and instigate measures to ensure that any agreement made by KURA and other parties in future touching on public funds should be in writing.

3. In future, calculations for compensation should be integrated in the road designs to allow for costing and budgeting for the compensations.
4. The National Treasury should consider prioritizing on compensation for land on Compulsory acquisitions while allocating funds to KURA in the supplementary budget.

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DEPARTMENTAL COMMITTEE ON LANDS

DATE: 11/11/14

VENUE: Protection House, 4th floor

AGENDA: ADOPTION OF THE REPORT ON COMPENSATION OF EVICTEES OF GALERIA MALL AND THE EXPANSION OF LANGATA ROAD

NO.	NAME	TITLE	SIGNATURE
1.	The Hon. Alex Mwiru, M.P. (Chairperson)		
2.	The Hon. Moses Ole Sakuda, M.P. (Vice Chairperson)	V/Chairman	
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.		
8.	The Hon. A. Shariff, M.P.	member	
	The Hon. Eusilah Jepkosgei, M.P.		
9.	The Hon. Benard Bett, M.P.	member	
11.	The Hon. Kipruto Moi, M.P.	Member	
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.	member	
19.	The Hon. Gideon M. Mung'aro, M.P.		
20.	The Hon. Hezron Awiti Bollo, M.P.		
1.	The Hon. Suleiman Dori Ramadhani, M.P.	"	
2.	The Hon. George Oner Ogalo, M.P.		
23.	The Hon. Lekidime Lempurkel Mathew, M.P.		
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.	member	
28.	The Hon. Aburi Lawrence Mpuru, M.P.		
29.	The Hon. King'ola Patrick Makau, M.P.		

MINUTES OF THE NINETY SEVENTH SITTING OF THE DEPARTMENTAL COMMITTEE (K) ON LANDS HELD ON TUESDAY 4TH NOVEMBER 2014, AT THE 4TH FLOOR BOARD ROOM, PROTECTION HOUSE AT 10.00 A.M

PRESENT:

1. The Hon. Moses Ole Sakuda, M.P. - Chairing
2. The Hon. Mutava Musyimi, M.P.
3. The Hon. Francis W. Nderitu, M.P.
4. The Hon. Onesmus Ngunjiri, M.P.
5. The Hon. Francis Kigo Njenga, M.P.
6. The Hon. Hellen Chepkwony, M.P.
7. The Hon. Joseph Oyugi Magwanga, M.P.
8. The Hon. Bernard Bett, M.P.
9. The Hon. Kipruto Moi, M.P.
10. The Hon. Patrick Makau, M.P.
11. The Hon. John Kihagi, M.P.
12. The Hon. Benson Mbai, M.P.
13. The Hon. Julius Ndegwa, M.P.
14. The Hon. Suleiman Dori, M.P.
15. The Hon. Thomas Mwadeghu, M.P.
16. The Hon. Eusilah Ngeny, M.P.
17. The Hon. A. Shariff, M.P.
18. The Hon. Dr. Paul Otuoma, M.P.
19. The Hon. Esther Murugi, M.P.

APOLOGIES

1. The Hon. Alex Mwiru, M.P. - Chairperson
2. The Hon. Kanini Kega, M.P.
3. The Hon. Gideon Mung'aro, M.P.
4. The Hon. Mpuru Aburi, M.P.
5. The Hon. Sarah Korere, M.P.
6. The Hon. George Oner, M.P.
7. The Hon. Hezron Awiti Bollo, M.P.
8. The Hon. Mathew L. Lempurkel, M.P.
9. The Hon. Shakila Abdallah, M.P.

ABSENT

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

KENYA NATIONAL ASSEMBLY

1. Mr. James Ginono Clerk Assistant I
2. Ms. Ruth Mwhaki Clerk Assistant III
3. Ms. Noah Too Research and Policy Analyst
4. Ms. Lynette Otieno Legal Counsel II

MINUTE NO. DCK/LN/2014/239

PRELIMINARIES

The Chairman called the meeting to order at 10.20 a. m with a word of prayer.

MINUTE NO. DCK/LN/2014/240

ADOPTION OF THE AGENDA

The agenda was adopted after being proposed by the Hon. Esther Murugi, M.P and seconded by the Hon. Bernard Bett, M.P.

MINUTE NO. DCK/LN/2014/241

CONFIRMATION OF MINUTES

The minutes of the 93rd sitting held on Thursday 23rd October 2014 were proposed by Hon. Francis Nderitu, M.P and seconded by the Hon. Onesmus Ngunjiri, M.P as a true record of the

proceedings and signed by the Chairman.

MINUTE NO. DCK/LN/2014/242 MATTERS ARISING

1. Vide MINUTE NO. DCK/LN/2014/225(i) Auction of Land in Kajiado West Constituency
Members were informed that the date of the planned Auction of public land in Kajiado West Constituency was 27th November 2013.

MINUTE NO. DCK/LN/2014/243 SUBMISSIONS FROM THE CABINET SECRETARY FOR
LANDS, HOUSING AND URBAN DEVELOPMENT

Members were informed that the Cabinet Secretary had not confirmed her attendance in the days meeting despite various attempts by the Secretariat to contact her office on Monday 10th November to confirm attendance.

Members noted that the Committee had not received a formal Communication from the Cabinet informing the committee that she would not attend the sitting. Members further expressed their displeasure with the failure of the Cabinet Secretary to appear before the committee even on matters which she had prior Committed herself to. Members observed that the actions of the Cabinet Secretary in snubbing Committee invitations were rendering the Committee impotent and unable to fully perform its oversight function

Members also noted that the Committee leadership had failed to provide leadership to the Committee noting that the Committee had not achieved much in the one and a half years of its existence.

The Committee resolved to hold a press briefing at 1.00 p.m to address the issue of the Cabinet Secretary snubbing Committee invitation and exonerate itself.

The Committee further resolved to hold an in house meeting to deliberate on the Committee's leadership and look for a way forward.

MINUTE NO. DCK/LN/2014/244 ADOPTION OF THE REPORT ON COMPENSATION OF
EVICTEES OF GALLERIA MALL AND THE EXPANSION OF
LANG'ATA ROAD

The Report was adopted after being proposed by the Hon. Bernard Bett, M.P and Seconded by the Hon. Hellen Chepkwony, M.P with the following amendments:

The Committee observed THAT:

1. KURA had erred by entering into verbal agreements with the land owner's in regard to taking up their properties pending payment.
2. Payment should be fair, prompt and just and paying only five people in full would amount to discrimination against the 20 land owner's whose properties had already been taken over by KURA.
3. The valuation of Kshs. 1,037, 813, 089.00 was excessive and an inflated cost in comparison to the initial estimate of Kshs. 450 million leading to mistrust as to whether valuation was done with due diligence. (Valuation attached)

The Committee makes the following recommendations, THAT:

1. The Ministry of the Interior through the Criminal Investigation Department and the Ethics and Anti Corruption Commission investigates the alleged conspiracy for the escalation and inflation of the cost of the Land in question with a view to prosecute those found to be behind the scheme.
2. The Ethics and Anti Corruption Commission to investigate the Managers in Kenya Urban Roads Authority (KURA) who committed public funds in informal meetings and casual interactions, with a view to establishing if they are fit to hold public office and instigate measures to ensure that any agreement made by KURA and other parties in future touching on public funds should be in writing.
3. In future, calculations for compensation should be integrated in the road designs to allow for costing and budgeting for the compensations.
4. The National Treasury should consider prioritizing on compensation for land on Compulsory acquisitions while allocating funds to KURA in the supplementary budget.

MINUTE NO. DCK/LN/2014/245 ADOPTION OF THE REPORT ON THE DEGAZZETMENT OF LAND BELONGING TO CHORLIM COOPERATIVE SOCIETY

The Report was adopted after being proposed by the Hon. Thomas Mwadeghu, M.P and Seconded by the Hon. Francis Nderitu, M.P with the following amendments:

The Committee makes the following observations THAT:

1. No documentation showing ownership of the Land can be produced by the Government Forest Department.
2. The coordinates of the land as observed from the Global Positioning System equipment showed that the area in question is outside the Forest Land.
3. The Forest department in the area were acting with impunity and harassing the people in the area.
4. The gazzement of the area as forest land was influenced by political reasons.
5. The inhabitants of the area had paid the Government some money and issued with allotment letters.

The Committee makes the following recommendations. THAT:

1. The government through the Ministry of Lands, Housing and Urban Development should formalize the allocation of the land to the shareholders of the Cooperative Society and a directive issued to the forest department to forthwith cease harassing the people and to vacate the land.
2. The government through the Ministry of Lands, Housing and urban Development with the relevant agencies should institute investigations with a view of establishing the status and ownership and subsequently resettling and/or compensating the people evicted from the land.

MINUTE NO. DCK/LN/2014/246 ADOPTION OF THE REPORT ON LAND ISSUES IN TAITA/TAVETA COUNTY

The Report was adopted after being proposed by the Hon. Joseph Magwanga, M.P and Seconded by the Hon. Esther Murugi, M.P with the following amendments:

The Committee Made the Following Observations in Taita Taveta County, THAT:

1. The boundary had been tampered with.
2. Damages had been caused by the management of Teita Sisal Estate in 1991 at Majengo where food crop were ploughed down without NOTICE when there was no court case and obstructing Community developments leading to the grabbing of land by the Sisal Estate.
3. Sisal Police Patrol is used by the Sisal Estate management as a private security institution to intimidate innocent people of Singila Majengo

The Committee made the following observation in Taveta Sub-County, THAT:

1. There are activities by land officers in Taveta Sub County and the beneficiaries to the scheme that needed to be stopped forthwith to pave way for thorough investigation and audit by the National Land Commission and other relevant bodies.

The Committee makes the following recommendations. THAT:

The Committee recommends as follows, THAT;

A. GENERAL RECOMMENDATIONS

1. The Ministry of Lands, Housing and Urban Development and the National Land Commission should bring proposals for legislation to ensure that investments in property benefits local community and their economy as provided for in Article 66(2) the Constitution.
2. The National Cohesion and Integration Commission should intervene for the purpose of averting possible land based ethnic clashes in the County.
3. The National Commission on Human Rights should intervene to ascertain the outright and blatant breach of the Bill of Rights (chapter four of the constitution).
4. The Constitution Implementation Commission intervenes to ensure that the entire process is constitutional, and that all respective Government Institutions and State agencies undertake their respective responsibilities accordingly.
5. The National Land Commission to initiate an inquiry into land historical injustices in Taita/Taveta County and seek redress as provided by the law.
6. Title deed and Deed Plans be reviewed in the entire county and Land lease reviewed to establish whether its terms have expired or not, and if it was renewed without legal procedures followed, be revoked and the land be given back to the community.

B. IN TEITA SISAL ESTATE

1. The Ministry of Interior and Coordination of Government should with immediate effect remove all illegal Road blocks on public roads and allow members of the local community access to public roads without conditions in Teita Sisal Estate and its neighborhood.
2. The Ministry of Lands, Housing and Urban Development through the Director of survey should carry out a survey with a view to ascertain the boundaries as per the records of 1992 from the Survey of Kenya, so as to separate the 33,000 acres that belongs to Teita Sisal Estate (LR Nos. LR 3380/5 (3880/4/R), LR 11378, LR 6924 and LR 9487(Dam) with a total acreage

of 33,284 acres), and the neighboring trust lands, so that the rest is given back to the community.

3. The Government through the Ministry of Land Housing and Urban Development and the National Lands Commission should determine if there is any encroachment on the road, airstrip, sanctuary, trust land around Tasha Hill and railway reserves by Teita Sisal Estate Limited.
4. Teita Sisal Estate Limited should compensate the neighboring indigenous citizens for economic, socio-cultural, other losses and damages for all their years of illegal occupation and the exploitation of the resources of the areas occupied illegally if any.
5. Damages caused by the management of Teita Sisal Estate in 1991 in Majengo when food crops were ploughed down without NOTICE when there was no court case and obstructing Community developments should be fully compensated.

C. IN MWATATE

1. The National Land Commission, Ministry of Lands, Housing and Urban Development and other stakeholders should fulfill their legal mandate of identification of beneficiaries and administration in settlement programs in Taita Taveta, Coast and other parts of the Country urgently. This will facilitate the long awaited access to land ownership and management by residents of Mwatate (Singila Majengo), Taveta and other parts of the country (Section 134 of the Land Act).
2. The Mwatate settlement scheme settlers should be given title deeds.
3. The Government through the Ministry of Transport and Infrastructure should establish why the public feeder road that links the Voi - Mwatate road with the Voi - Mwatate -Taveta - Moshi Railway Line (1911) near Mwatunge entrance gate have been blocked and measures put in place to re-open the roads and railways.

D. IN TAVETA

1. Kenya Ethics and Anti Corruption Commission should institute investigation against Settlement Fund Trust (SFT), the Taveta Land's Office and the entire land allocation committee, for the purpose of unearthing corruption and fraud committed during issuance of title deeds.
2. The National Land Commission initiates an audit for the list of beneficiaries and the entire process leading to land allocation in the contentious Taveta Settlement Scheme.
3. The Commission of Administrative Justice (Ombudsman) should investigate and take action against public officers (Taveta Land's Office, the CDF office, the Provincial Administration and their collaborators involved in the distribution and allocation of the Taveta Settlement Scheme Phase I and II.

MINUTE NO. DCK/LN/2014/247 ADOPTION OF THE REPORT ON LAND ADJUDICATION ISSUES IN MERU AND THARAKA NITHI COUNTIES

The Report was adopted after being proposed by the Hon. John Kihagi, M.P and Seconded by the Hon. , M.P with the following amendments:

The committee observed in Tharaka Nithi County that:-

1. The historical background of Tharaka people settlement in Kwang'ombe/Kiburine dates as early as 1960 according to the boundaries of 1954 imposed by colonial Government which have never been changed in other parts of Kenya, but were changed in Tharaka.
2. There is insecurity in Murinda due to historical land injustices hence there is no peace and further residents have been denied title deeds in Murinda sub-location, Gakurungu Location, Chiaaringa Wards, Tharaka sub-country, Tharaka- Nithi County.
3. The Ogongo Taskforce Report Gazette Notice NO. 6064 of 11412 – 2008 was not implemented in its full content by the Government
4. Over 3,500 Tharaka families are displaced and primary schools destroyed during clashes of 1997 between Igembe and Kamba against Tharaka people, the Primary Schools include;
 - i. Karimba Primary School Code Number 84-069-03-023
 - ii. Kabangua Primary School Code Number 84-069-03-021
 - iii. Mpunguru Primary School Code Number 84-069-03-024
 - iv. Machabini Primary School Code Number 84-069-03-022
 - v. Kanjoro Primary School Code Number 84-069-03-027
 - vi. Riamiku Primary School Code Number 84-069-03-025
 - vii. Kiumbe Primary School Code Number 84-069-03-026
5. There is insecurity and lack of cohesion among the population living along the borders of Tharaka Nithi and Meru.
6. There are visible signs of historical injustices imbedded on the Tharaka Community.
7. There are IDPS still living in KINDANI as a result of the 1997 clashes.

The Committee Observed in Meru Town that:-

1. There are squatters living in slums in Meru town in such villages as Mjini, Majengo and Salama.
2. Residents of villages in Meru town have not been issued with title deeds despite having paid for them and being in possession of allotment letters.

The Committee Recommends That:-

- 1) The National Land Commission and the Ministry of Lands, Housing and Urban Development to form joint peace and land committees with a view to maintaining and sustaining peace and cohesion along the bordering sub-counties of Tharaka Nithi and Meru.
- 2) The National Land Commission to include Tharaka Nithi and Meru in their inquiry into land historical injustices and seek redress as provided by the law.
- 3) The National and County Government, Church leaders and the Ministry of Lands, Housing and Urban Development be fully involved in the process of resettlement and peace keeping once historical land injustices are addressed.
- 4) The security personnel at Gatithini Chief's Camp, Tharaka should enforce joint patrol across Ura River together with security personnel at Kianda in Meru North/Igembe to give people confidence in the government so as to restore the status quo prior to 1997

evictions and curfew imposition.

- 5) The County Administration, the National Government representatives and security agencies should form a joint peace initiative committee to include the Tharaka, Igembe and Kamba people for resettlement and peace keeping in the area.
- 6) The Ministry of Lands, Housing and Urban Development should implement the recommendations of the Zachary Ogongo task force which directed that land on the common border be adjudicated.
- 7) That Parliament should allocate resources to the relevant Ministry and compel the Ministry of Education, Science and technology to reconstruct the destroyed and closed schools in Tharaka County namely;
 - a. Karimba Primary School Code Number 84-069-03-023
 - b. Kabangua Primary School Code Number 84-069-03-021
 - c. Mpunguru Primary School Code Number 84-069-03-024
 - d. Machabini Primary School Code Number 84-069-03-022
 - e. Kanjoro Primary School Code Number 84-069-03-027
 - f. Riamwanki Primary School Code Number 84-069-03-025
 - g. Kiumbe Primary School Code Number 84-069-03-026

The Committee Recommends In Meru County That:-

The Ministry of Lands, Housing and Urban Development should issue title deeds to residents of the villages of Mjini, Salama, Shauri Yako slums and Majengo in Meru town .

MINUTE NO. DCK/LN/2014/248 ANY OTHER BUSINESS.

a. Foreign Visits

The Committee was informed that foreign visits have been rescheduled for the beginning of next year when the House resumes from long recess.

b. Galeria Mall Evictees

The Committee was informed that most tenants of Galeria mall have moved out after a fence that had been put up collapsed making the area insecure.

The committee was further informed that the balance of compensation to the evictees is still outstanding.

c. Lamu Report

Members were informed that the Report of the National land Commission on the Lamu Land has been released.

It was resolved that the report be availed to the members.

MINUTE NO. DCK/LN/2014/249 ADJOURNMENT & DATE OF THE NEXT SITTING

And the time being fifty four minutes past eleven O'clock, the Chairperson adjourned the Sitting to Thursday 13th November at 10.00 a. m

SIGNED


.....
(CHAIRPERSON)

DATE

2/12/2014
.....

MINUTES OF THE SEVENTY EIGHTH SITTING OF THE DEPARTMENTAL COMMITTEE (K) ON LANDS HELD ON TUESDAY 19TH AUGUST 2014, AT THE SMALL DINIG ROOM, MAIN PARLIAMENT BUILDINGS AT 9.30 A.M.

PRESENT:

- | | | |
|--|---|------------------|
| 1. The Hon. Alex Mwiru, M.P. | - | Chairperson |
| 2. The Hon. Moses Ole Sakuda, M.P. | - | Vice Chairperson |
| 3. The Hon. Onesmus 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. Benson Mbai, M.P. | | |
| 8. The Hon. Eusilah Ngeny, M.P. | | |
| 9. The Hon. Bernard Bett, M.P. | | |
| 10. The Hon. Kipruto Moi, M.P. | | |
| 11. The Hon. Sarah Korere, M.P. | | |
| 12. The Hon. Hellen Chepkwony, M.P. | | |
| 13. The Hon. Esther Murugi, M.P. | | |
| 14. The Hon. Gideon Mung'aro, M.P. | | |
| 15. The Hon. Suleiman Dori, M.P. | | |
| 16. The Hon. Dr. Paul Otuoma, M.P. | | |
| 17. The Hon. Joseph Oyugi Magwanga, M.P. | | |
| 18. The Hon. Mpuru Aburi, M.P. | | |
| 19. The Hon. Patrick Makau, M.P. | | |

ABSENT WITH APOLOGY

1. The Hon. Francis Kigo Njenga, M.P.
2. The Hon. George Oner, M.P.
3. The Hon. A. Shariff, M.P.
4. The Hon. Hezron Awiti Bollo, M.P.
5. The Hon. Julius Ndegwa, M.P.
6. The Hon. Kanini Kega, M.P.
7. The Hon. Mathew L. Lempurkel, M.P.90
8. The Hon. Thomas Mwadeghu, 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 Mwihaki - Clerk Assistant III
3. Mr. Noah Arap Too - Research and Policy Analyst I
4. Ms. Lynette Otieno - Legal Counsel II

MINUTE NO. DCL/LN/2014/154

PRELIMINARIES

The Chairman called the meeting to order at 9.47 a.m with a word of prayer.

MINUTE NO. DCL/LN/2014/155

EVIDENCE REGARDING A PETITION

Mr. Anthony David Mureithi, District Land Adjudication Officer, Narok South, Mr. Audrey G. Kibebe, District Surveyor, Narok and Mr. Nicco Nzuki Mutiso, District Land Registrar, Narok appeared before the Committee to give evidence on the petition regarding the recognition of Titles and removal of caveats on selected properties in Narok.

The Committee noted the Land officials before the committee and resolved that the following information and documents be deposited with the Secretariat:

1. Documents showing the total acreage of the Enkaroni, Enakishomi and Sisian group ranches;
2. Report of the government taskforce on the conservation of the Mau Complex;
3. Report of the Ministerial taskforce on the encroachment of Maasai Mau Forest;
4. Maps of the boundaries as determined by the Ministry of Lands, Housing and Urban Development for the ranches before and after the subdivision;
5. Map showing the Mau Complex;
6. Copies of Correspondences from the from the Ministry of Lands that authorized the imposition of the caveats on the Mau forest Complex;
7. Report based on the submissions from the witnesses to the Committee during the meeting held in Narok on August 8th 2014

MINUTE NO. DCL/LN/2014/156

SUBMISSIONS FROM KENYA URBAN ROADS AUTHORITY (KURA)

Eng. J.N Nkadaiyo, Director General KURA, accompanied by Mr. Abdikadir Jatani, Chief Surveyor, Eng. Paul Kamande, Senior Engineer, Ms. Carolyn Ng'ang'a, Manager Legal and Eng. John M. Mwatu, General Manager appeared before the Committee and gave evidence on compensation of evictees of Galeria mall and compulsory acquisition of land on Langata road. The Committee was informed that:

1. The acquisition plans for Lang'ata Road (KWS gate-Bomas Section) were prepared and submitted to Commissioner of Lands on 27th February, 2012 for valuation;
2. The National Land Commission (NLC) carried out the valuations and the awards totaling to 1,037,813,089 was communicated to KURA on 13th November 2013;
3. KURA had made provisions of Kshs.450 million in the 2013/14 budget for compensation of the KWS-Bomas Road Project;
4. Due to inadequate funds the Ministry released Ksh. 267,245,350 to offset partial compensation for critical properties located at the Bomas to enable works to progress;
5. The money was remitted to the NLC. The NLC however insisted that they would either maintain the money on account until all compensation is remitted or be forced to pay all awardees on pro rata basis;
6. There are no sale agreements under compensation on compulsory acquisitions;
7. The criteria to give priority to the critical properties were:
 - a) The locations of the critical properties are critical to the overall functionality of the interchange and the entire road
 - b) The said parcels of land had structures that were to be demolished. The owners could not allow Demolition before receiving compensation. The other affected land owners had allowed KURA possession of site pending payment.
 - c) The delay in possession of the site by the contractor has led to contractual claims leading to cost overruns. The initial completion date was 9th May 2013 but has been revised twice. The revised completion date is 7th June 2014.
 - d) The delay in project delivery has indirect costs to the road user

8. The other sections of the Road are already in use;
9. KURA requests the NLC to release the funds already forwarded to the specific awarded to avoid attracting further interest.

The Committee Observed:

1. That evaluations for Compensation should be integrated in the road designs to allow for costing and budgeting for the compensations;
2. That Treasury should prioritize on compensation for land on Compulsory acquisitions while allocating funds to KURA in the financial Budgets.

MINUTE NO. DCL/LN/2014/157

SUBMISSIONS FROM THE NATIONAL LAND COMMISSION (NLC)

Mr. Tom Aziz Chavangi, Chief Executive Officer NLC, accompanied by Salome Munubi, Director Valuations and Mr. Solomon Mbuthia, Legal Affairs appeared before the Committee and gave evidence on gave evidence on:

1. Compensation of evictees of Galeria mall and compulsory acquisition of land on Lang'ata road.

The Committee was informed that following the meeting held on 26th June 2014 between the Committee, NLC and KURA whereby the Committee directed that a tripartite meeting be held between the Land owners, KURA and NLC the following progress has been achieved:

1. The NLC held meetings with the Land owners and it was agreed that the payment be made on pro rata basis;
2. The five land owners whose properties are critical to the interchange have also accepted payment on pro rata basis;
3. A total of 246,581,472 has already been paid;
4. Magnate Ventures are yet to be paid as they have not presented their details to the Commission;
5. NLC wrote to KURA inviting them for the meetings but KURA only attended one meeting in Which Mr. Kiminza, Manager Survey represented KURA.KURA failed to attend the meeting where pro-rated payments were agreed upon.

The Committee Resolved that:

NLC presents to KURA and the Committee proof of payment to the land owners and the acceptance of awards signed by the 25 land owners

2. Petition for the recognition of titles and removal of caveats on Titles on selected properties in Narok and petition for the resettlement of Enoosupukia Evictees.

The Committee resolved that NLC presents a write up on the petitions to the secretariat.

3. Revocation of 500,000 title deeds in LAMU

The Committee was informed that:

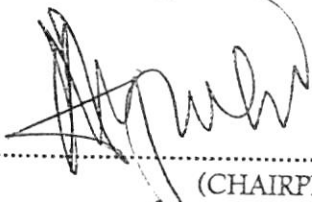
1. The NLC has already instituted investigations in to the matter with a view of establishing whether the property was acquired irregularly and if not, chances of regularizing or revoking the titles in the alternative.
2. Ten out of the 22 files of the owners of the land in question were received by the NLC from the Solicitor general two weeks ago. The remaining two files have since been received on 18th August 2014;
3. The NLC has received three responses to the public notice put in the newspapers and several memoranda's have also been received from the public on the matter;

4. Public hearings on the matter begin on 21st August at the KICC;
5. The NLC is conducting an audit of the land and will brief the Committee accordingly once its concluded.
6. Lamu leaders are privy to discussions held by the NLC on the issues concerning the Land.

MINUTE NO. DCL/LN/2014/158 ADJOURNMENT & DATE OF THE NEXT SITTING

And the time being Twenty three Minutes past eleven O'clock, the Chairperson adjourned the Sitting until Thursday 21st August 2014 at 9.00 am at the Small Dining, Main Parliament Buildings.

SIGNED


.....
(CHAIRPERSON)

DATE

25/8/2014
.....

MINUTES OF THE SIXTY NINTH SITTING OF THE DEPARTMENTAL COMMITTEE (K) ON LANDS HELD ON THURSDAY, 26TH JUNE 2014, IN COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDINGS AT 10.00 A.M.

PRESENT:

- | | | |
|--|---|------------------|
| 1. The Hon. Alex Mwiru, M.P. | - | Chairperson |
| 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 Kigo Njenga, M.P. | | |
| 7. The Hon. Eusilah Ngeny, M.P. | | |
| 8. The Hon. Bernard Bett, M.P. | | |
| 9. The Hon. Kipruto Moi, M.P. | | |
| 10. The Hon. Hellen Chepkwony, M.P. | | |
| 11. The Hon. Kanini Kega, M.P. | | |
| 12. The Hon. Esther Murugi, M.P. | | |
| 13. The Hon. Suleiman Dori, M.P. | | |
| 14. The Hon. Mathew L. Lempurkel, M.P. | | |
| 15. The Hon. Thomas Mwadeghu, M.P. | | |
| 16. The Hon. Joseph Oyugi Magwanga, M.P. | | |
| 17. The Hon. Mpuru Aburi, M.P. | | |
| 18. The Hon. Patrick Makau, M.P. | | |

ABSENT WITH APOLOGY

1. The Hon. A. Shariff, M.P.
2. The Hon. Benson Mbai, M.P.
3. The Hon. Gideon Mung'aro, M.P.
4. The Hon. Hezron Awiti Bollo, M.P.
5. The Hon. Julius Ndegwa, M.P.
6. The Hon. Sarah Korere, M.P.
7. The Hon. George Oner, M.P.
8. The Hon. Shakila Abdallah, M.P.

ABSENT WITHOUT APOLOGY

1. The Hon. Mutava Musyimi, M.P.
2. 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. Ms. Lynette Otieno | Legal Counsel II |

MINUTE NO. DCL/LN/2014/93

PRELIMINARIES

The Chairman called the meeting to order at 10.20 a.m with a word of prayer.

MINUTE NO. DCL/LN/2014/94

ADOPTION OF THE AGENDA

The agenda was adopted after being proposed by the Hon. Joseph Magwanga, M.P and seconded by the Hon. Esther Murugi, M.P.

MINUTE NO. DCL/LN/2014/95

BRIEFING FROM HON. ESTHER MURUGI ON
COMPENSATION OF EVICTEES OF GALERIA MALL AND
THE EXPANSION OF LANGATA ROAD.

The Committee was informed THAT:

1. The rehabilitation and upgrading of Lang'ata Road has affected about 25 residents of Galeria mall whose residential properties have not been occupied since August 2013 due to the compulsory acquisition by KURA, occasioning loss of revenue and opportunity costs to the owners.
2. The rental income from the said property is between Ksh120,000 p.m and Ksh.300,000 p.m
3. Valuations were done for the land acquired for the expansion of the road and results of the valuation report was agreed upon to by the NLC, KURA and the land owners but no compensation has been made to date.
4. The owners are willing to be paid on prorata basis subject to an agreement indicating when the balance will be paid in full and a commitment to pay interest and the opportunity cost.
5. The evictees have already filed a case in court.

MINUTE NO. DCL/LN/2014/96

EVIDENCE

Mr. Tom Aziz Chavangi, Chief Executive Officer, National Land Commission (NLC) accompanied by Mr. Solomon Mbuthia, Legal Officer, and Engineer John M. Mwatu, General Manager, Kenya Urban Roads Authority (KURA) accompanied by Mr. Francis M. Kiminza, Manager and Ms. Carolyn Ng'ang'a Manager, legal Affairs, appeared before the committee and gave evidence on compensation of evictees of Galeria mall and the expansion of Lang'ata Road.

MINUTE NO. DCL/LN/2014/97

EVIDENCE FROM MR. TOM AZIZ CHAVANGI, CHIEF
EXECUTIVE OFFICER, NATIONAL LAND COMMISSION

The Committee was informed THAT:

1. The NLC held a meeting with KURA in June 2013 where KURA informed the NLC that they had the money to compensate the evictees. The NLC then proceeded with the acquisition of the property.
2. KURA thereafter made a deposit of Kshs. 267, 245, 350 million in the first quarter being payment for five individuals.
3. The NLC could not proceed with the payments since doing so would be in violation of Article 40 of the Constitution as read together with Section 111 of the land act which provides that payment be prompt, fair, just and to all persons and in order to avoid legal suits.
4. The NLC together with KURA held a meeting with the Senate Committee on 17th June 2014 where KURA claimed that Kshs. 50 million is being lost per day to the Contractor due to the stalemate. The NLC was asked to pay the five evictees first for public good, and pay the rest later. The NLC asked for an undertaking from KURA that they should pay only five people first, to which KURA wrote to the NLC saying they would pay the five persons first and the rest later.

5. The valuation report the entire land was Kshs. 1,037, 813, 089 and the figure was agreed upon by KURA who promised to source for resources to compensate the victims.
6. The NLC is willing and ready to pay the Kshs. 267, 245, 350 million to the five persons provided that KURA avails an agreement with the other 20 indicating that they are willing to wait for the resources/ monies.
7. The NLC has not been served with any court orders concerning a suit against them in regard to the matter.

MINUTE NO. DCL/LN/2014/98

EVIDENCE FROM ENGINEER JOHN M. MWATU,
GENERAL MANAGER, KENYA URBAN ROADS
AUTHORITY (KURA)

The Committee was informed THAT:

1. The Works for the Expansion of Lang'ata Road was awarded in 2011.
2. All the 25 pieces of land are in the road however, the rationale for paying five people first is because their properties are critical to the roads functionality since they lie at the interchange and the owners have refused to move until full payment is made.
3. KURA engaged informally with the other 20 land owners who have allowed them to proceed with the construction awaiting.
4. The Budgetary Allocation for KURA for the land in question was Kshs. 450 millions but the valuation done by NLC consultants and government valuers on the land in November 2013 was Kshs. 1,037,813,089; KURA was allocated Kshs. 2.4 billion that FY 2013/14 of which Kshs. 267, 245, 350 million, based on the valuation, was allocated for payment to the five land owners. The money was forwarded to the NLC but the NLC could not pay until they received the full amount for all the affected land owners.
5. Paying the Ksh.267, 245, 350 million available to the 25 land owners on a prorata basis will delay the construction at the Junction since the 5 individuals whose land lie in the interchange will not accept to move.
6. The Contractor has already been instructed to leave the site to avoid incurring further costs by KURA until the land issue is settled.
7. Currently, land acquisitions are being done before the contractor goes on site and efforts have been made to ensure that excised land is captured in the deed plans.

Resolution

The Committee resolved THAT:

1. The NLC, KURA and the Land owners should meet within 21 days and the outcome of the meeting be communicated to the Committee during its sitting to be held on 24th July 2014
2. Any agreement by KURA and other parties touching on public funds in future be made in writing;
3. The following information be availed to the Committee by Monday 30th June 2014 by the NLC and KURA:
 - a) Any available minutes of meetings held between KURA and the land owners;
 - b) Any minutes of the meeting held between the NLC and KURA showing that KURA informed NLC that money was available to pay all affected persons;
 - c) Letters from KURA to NLC asking that the 5 individuals be paid and the remaining 20 be paid in due course when monies are available.

- d) The list of the affected land owners, their LR. No's and amount due to each Individual
- e) The valuation report for the parcels of land acquired.

MINUTE NO. DCL/LN/2014/99 A.O.B

The following matter arose:

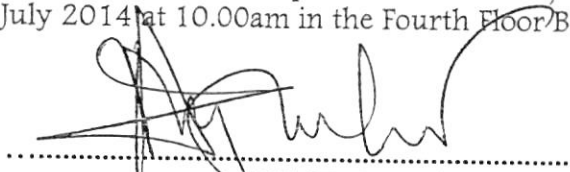
1. Submission of Details of owners of parcels of land at City Park

The Committee resolved that the information be provided on Saturday 5th ^{July} ~~June~~ 2014 when the Committee and NLC meet at the workshop to be held in Mombasa from 4th-6th July 2014.

MINUTE NO. DCL/LN/2014/100 ADJOURNMENT & DATE OF THE NEXT SITTING

And the time being Forty two Minutes past twelve O'clock, the Chairperson adjourned the Sitting until Tuesday 1st July 2014 at 10.00am in the Fourth Floor Board Room, Protection House.

SIGNED


.....
(CHAIRPERSON)

DATE

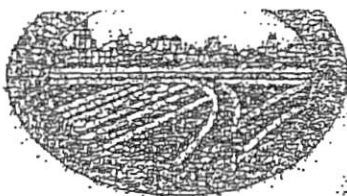
..... 1/7/2014

Date LANG'ATA ROAD

Date of Gazette Notice

Date of Inquiry 24th September, 2013Date of Valuation 8th October, 2013

No.	Plot L.R.NO. (a)	Land Size Acquired (c)	Payee (d)	Award (f)	Remarks
1.	9925	0.0991 Ha	Libya Oil Kenya Ltd	122,247,300	
2.	9925	0.0991 Ha	INNSCOR	15,557,853	Tenant
3.	9925	0.0991 Ha	Cross Point Asset Managers	12,962,492	Oil and fuel dealer
4.	2248/6	0.8370 Ha	Norkan Investment Ltd	251,990,064	
5.	2248/6	0.8307 Ha	Magnate Ventures (Billboard)	3,804,200	Billboard upon the land
6.	12144/124	0.1140 Ha	Naran V. Arjan	78,051,112	
7.	12144/123	0.0875 Ha	Naran V. Arjan	75,908,152	
8.	12144/122	0.2072 Ha	Mbandu Stores & Hardware	100,608,610	
9.	12144/125	0.0435 Ha	Solomon Muiga Muchiri	20,101,729	
10.	12144/128	0.0435 Ha	Pewin Motors	11,863,500	Tenant
11.	12144/126	0.0462 Ha	A. Gichuru, Ann Njogu & Agnes Mbugua & NIC Bank	26,961,140	
12.	12144/126	0.0462 Ha	Generations Salon & Barber	745,200	Tenant
13.	12144/126	0.0462 Ha	MSN Communications	745,200	Tenant
14.	12144/126	0.0462 Ha	Mahammedi Glass & Mirrors	745,200	Tenant
15.	12144/126	0.0462 Ha	Innova Enterprises	532,000	Tenant
16.	12144/126	0.0462 Ha	Hily Maus Enterprises	745,200	Tenant
17.	12144/126	0.0462 Ha	ENG Kenya Limited	1,918,600	Billboard upon the land
18.	12144/127	0.0499 Ha	Hezron Mogaka Osano	16,116,362	
19.	12144/128	0.0958 Ha	Seventh Day Adventist Church (EA) Ltd	26,772,225	
20.	10488	0.2635 Ha	Sammy G. Mwangi, Cecilia H. Mwangi	77,093,150	
21.	10488	0.2635 Ha	LIVE AD Ltd	3,804,200	Billboard upon the land
22.	27626 (Orig 10485)	0.2439 Ha		85,000,000	
23.	27626 (Orig 10485)	0.2439 Ha	Francis T. Nyammo House No. 7	85,000,000	
24.	27626 (Orig 10485)	0.2439 Ha	Forest Edge Management Ltd	16,350,000	Management Company
25.	12066	0.8055 Ha	Magnate Ventures Ltd	2,189,600	Billboard upon the land
26.	TOTAL			1,037,813,089/=	



Efficient and safe urban roads

HILL PLACE, Bishop's Road, Tel: 254-020-8013844
Email: info@kura.go.ke Web: www.kura.go.ke
P.O. Box 41717-00100, GPO, NAIROBI

Ref. KURA/FIN/7/4/ Vol. VIII / (55)

Date: 1st April, 2014

Dr. Muhammad A. Swazuri, PhD, OGW,
Chairman, National Land Commission
Ardhi House,
P.O. BOX 44417,
NAIROBI.

Dear Sir,

RE: REHABILITATION AND UPGRADING OF LANG'ATA ROAD (KWS GATE-BOMAS SECTION)

Your letter Ref. VAL/1428/11 of 13th November, 2013 on the above captioned subject refers.

The Authority received Kshs. 267,247,350.00 (Two Hundred and Sixty Seven Million Two Hundred and Forty Seven Thousand Three Hundred and Fifty Shillings Only) for partial land compensation in respect of properties as listed below as per Kenya Roads Board's letter Ref. KRB/F/37/00/A/VOL. IV(167)

S/No	LR Number	Land Acquired (Ha)	Payee	Amount
1.	10488	0.2635	Sammy G. Mwangi Cecilia H. Mwangi	77,093,150.00
2.	10488	0.2635	LIVE AD Ltd	3,804,200.00
3.	27626 (Original 10485)	0.2439		85,000,000.00
4.	27626 (Original 10485)	0.2439	Francis T. Nyamuno	85,000,000.00
5.	27626 (Original 10485)	0.2439	Forest Edge Management Ltd	16,350,000.00
	Total Amount			267,247,350.00

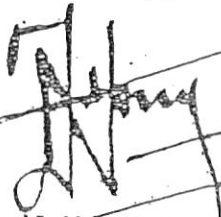
We have since processed and paid Kshs. 267,247,350.00 vide Cheque No. 000686 to the National Land Commission through the account details provided vide your letter Ref. No. VAL/1428/11 of 17th March, 2014 as below:-

Bank : National Bank of Kenya
A/C Name : National Land Commission of Kenya
A/No : 0182980000
Branch : Hill Plaza

For ease of reference please find attached herewith other various correspondences relating to the subject matter.

Kindly acknowledge receipt.

Yours faithfully,



Joseph N. Nkadayo, MBS,
DIRECTOR GENERAL

CC Eng. John K. Mosonik, EBS,
Principle Secretary (Infrastructure),
NAIROBI.

Eng. Jacob Z. Ruwa,
Ag. Executive Director,
Kenya Roads Board,
NAIROBI.

Eng. John M. Mwatu, OGW,
General Manager (D&C),
Kenya Urban Roads Authority,
NAIROBI.

Date of Gazette Notice <u>6th August 2013</u>		Date of Inquiry <u>24th September 2013</u>		Date of Valuation <u>8th October 2013</u>	
No	Plot L.R. NO.	Land size acquired	Payee	Award (KES)	Remarks
1	9925	0.0991 Ha	Libya Oil Kenya Ltd	122,247,300	
2	9925	0.0991 Ha	INNASCOR	15,557,853	Tenant
3	9925	0.0991 Ha	Cross Point Asset Managers	12,962,492	Oil and fuel dealer
4	2248/6	0.8370 Ha	Norkan Investments Ltd	251,990,064	
5	2248/6	0.8307 Ha	Magnate Ventures (Billboard)	3,804,200	Billboard upon the land
6	12144/124	0.1140 Ha	Naran V. Arjan	78,051,112	
7	12144/123	0.0875 Ha	Naran V. Arjan	75,908,152	
8	12144/122	0.2072 Ha	Mbandu Stores & Hardware	100,608,610	
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11	12144/126	0.0462 Ha	A. Gichuru, Ann Njogu & Agnes Mbugua & NIC Bank	26,961,140	
12	12144/126	0.0462 Ha	Generations Salon & Barber	745,200	Tenant
13	12144/126	0.0462 Ha	MSN Communications	745,200	Tenant
14	12144/129	0.0462 ha	Hilltop Junction Motors	745,200	Tenant
15	12144/126	0.0462 Ha	Mohammedi Glass & Mirrors	745,200	Tenant
16	12144/126	0.0462 Ha	Innova Enterprises	532,000	Tenant
17	12144/126	0.0462 Ha	Hily Manj Enterprises	745,200	Tenant
18	12144/126	0.0462 Ha	ENG Kenya Limited	1,918,600	Billboard upon the land
19	12144/127	0.0499 Ha	Hezron Mogaka Osano	16,116,362	
20	12144/128	0.0958 Ha	Seventh Day Adventist Church (EA) Ltd	26,772,225	
21	10488	0.2635 Ha	Sammy G. Mwangi, Cecilia H. Mwangi	77,093,150	

22	10488	0.2635 Ha	LIVE AD Ltd	3,804,200	Billboard upon the land
23	27626 (Orig 10485)	0.2439	Rashid Amin House No. 8	85,000,000	
24	27626 (Orig 10485)	0.2439 Ha	Francis T. Nyammo House No. 7	85,000,000	
25	27626 (Orig 10485)	0.2439 Ha	Forest Edge Management Ltd	16,350,000	Management Company
26	12066	0.8055 Ha	Magnate Ventures Ltd	2,189,600	Billboard upon the land
	Total			1,038,555,289/ =	