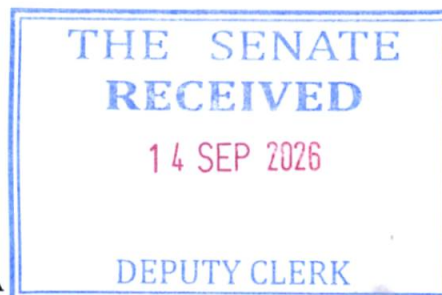


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REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - FIFTH SESSION



THE SENATE

STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL
RESOURCES



REPORT ON THE A PETITION BY THE RESIDENTS OF KITHIMA
LOCATION ON THE ALLEGED GRABBING OF LAND IN MERU COUNTY

Rt. Hon. Speaker
You may approve for tabling
J. M. Nyegenye, C.B.S.,
Clerk of the senate/secretary, PSC
Date: 14/09/26

Clerk's Chambers,
Parliament Buildings,
NAIROBI.

SEPTEMBER, 2026

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ABBREVIATIONS

CoK	-Constitution of Kenya
MoLPWHUD	- Ministry of Lands, Public Works, Housing and Urban Development
NLC	-National Land Commission

PREFACE

Mandate of the Committee

The Standing Committee on Land, Environment and Natural Resources is established pursuant to standing order 228(3) of the Standing Orders of the Senate. As set out in the Fourth Schedule, the Committee is mandated to consider all matters relating to lands and settlement, housing, environment, forestry, wildlife, mining, water resource management and development.

Committee Membership

The Committee comprises the following Members-

- | | | |
|----|--|---------------------------|
| 1. | Sen. Mohamed Faki Mwinyihaji, CBS, MP | - Chairperson |
| 2. | Sen. Karen Njeri Nyamu, MP | - Vice Chairperson |
| 3. | Sen. Johnes Mwashushe Mwaruma, CBS, MP | - Member |
| 4. | Sen. Abdul Mohammed Haji, CBS, MP | - Member |
| 5. | Sen. James Kamau Murango, MP | - Member |
| 6. | Sen. Allan Kiprotich Chesang, CBS, MP | - Member |
| 7. | Sen. Beatrice Akinyi Ogola, MP | - Member |
| 8. | Sen. Joe Nyutu, MP | - Member |
| 9. | Sen. Mariam Sheikh Omar, MP | - Member |

CHAIRPERSON'S FOREWORD

Mr. Speaker Sir,

At a sitting of the Senate held on 14th May, 2025, the Rt Hon Speaker, reported to the Senate a Petition that was submitted by Mr. Daniel Mutuma Rukaria on behalf of residents of Kithima Location in Meru County, concerning the alleged grabbing of Public Land reserved for public amenities with the following Land Parcel numbers Kiirua/Nkando 702, Kiirua/Nkando 704 and Kiirua/Nkando 690.

The Petitioners are seeking the intervention of the Senate to ensure-

- a) That the illegal occupants of the said parcels of land are evicted;
- b) That the boundaries of the said parcels of land are mapped out and beacons erected to that effect; and,
- c) That it considers taking any other action it so deems necessary to protect public property and the constitutional rights of residents of Kithima Location.

Mr. Speaker Sir,

Pursuant to Articles 37 and 119(1) of the Constitution, section 5(2) of the Petition to Parliament (Procedure) Act and standing order 238(2) of the Senate Standing Orders, the Committee is mandated to consider the Petition and respond to the Petitioners within the prescribed period.

To facilitate an informed settlement of the Petition, the Committee resolved to conduct an inquiry on the issues raised in the Petition. In this regard the Committee requested the Petitioners to submit written documents to elaborate further on the issues raised in the Petition and to supply supporting evidence on the same.

The Committee proceeded to seek responses from the Cabinet Secretary, Ministry of Lands, Public Works, Housing and Urban Development (MoLPWHUD) and the National Land Commission (NLC) to address the issues raised in the Petition.

The Committee concluded its sittings by conducting a visit to the areas mentioned in the Petition to verify the facts as alleged by the Petitioners vis a vis the submissions made by the Stakeholders on Monday, 27th October, 2025. (*Annex IV – Pictorial representation of the site visit*)

Committee Observations

1. Prayer One: The Committee ensures that the illegal occupants of the said parcels of land are evicted

- a) The Committee observed that based on the submission from

MoLPWHUD, the three parcels of land within the Kiirua/Nkando block were registered on 28th January, 2014 in favour of the County Council of Meru on a freehold basis, all of which are free from encumbrances, as detailed herewith: Parcel No. Kiirua/Nkando 704, measuring 0.42 hectares, is reserved for Kithima Dispensary; Parcel No. Kiirua/Nkando 702, measuring 6.40 hectares, is reserved for Kithima Primary School; Parcel No. Kiirua/Nkando 690, measuring 7.86 hectares, is reserved for C.C.M Secondary School;

- b) The Committee observed that the Catholic Diocese of Meru was allocated parcel 703 measuring approximately 0.42 Hectares for development of a church;
- c) It is however noted that the church developed a private dispensary, a primary school and a secondary school on public land namely-
 - i. Kiirua/Nkando 704 (earmarked for Kithima Dispensary);
 - ii. Kiirua/Nkando 702 (earmarked for Kithima Primary School); and
 - iii. Kiirua/Nkando 690 (earmarked for C.C.M Secondary).
- d) The Committee observed that the Catholic Church did not submit any documentary evidence to justify their occupancy of the entire parcel of land.

2. Prayer Two: The Committee recommends that the boundaries of the said parcels of land are mapped out and beacons erected to that effect

- a) The Committee observed that based on the submissions from the MoLPWHUD the said parcels of land are clearly mapped out and reserved for the public utilities allocated to them as per official records at the ministry. The Committee further observed that the religious institution had been properly allocated its own parcel of land; and
- b) That Kithima Location lacks a public health facility, a public primary school, and a public secondary school, forcing residents to travel approximately 10 kilometers to neighboring Isiolo County to access these essential services and thus need for possession and development of the parcels of land by the National and County Government.

Committee Recommendations

The Committee having investigated the matter in accordance with its mandate under the standing order 228(4) of the Senate Standing Orders recommends that-

- 1. That, the Ministry of Lands, Public Works, Housing and Urban Development undertakes a physical visit and conducts a survey on Parcel No. Kiirua/Nkando 690, 702, 703 and 704 to determine the actual acreage occupied by the Church;

and

2. The National Land Commission (NLC) institutes a dispute resolution mechanism between the Community, the Church and the County Government of Meru in order to prioritize and fast-track the development of the public utilities with a view to settle the matter and allocate the land to the Church and the remainder to the County Government of Meru and a status report submitted to the Senate within 90 days upon adoption of this report in the Senate.

ACKNOWLEDGEMENT

Mr. Speaker Sir,

The Committee thanks the Offices of the Speaker of the Senate and the Clerk of the Senate for the support extended to the Committee in the execution of its mandate. The Committee further extends its appreciation to the Petitioners and the Ministry of Lands, Public Works, Housing and Urban Development and the National Land Commission for their submissions and contribution to the resolution of this matter.

Mr. Speaker Sir,

It is now my pleasant duty and privilege, pursuant to SO 238 (2) on behalf of the Committee, to present this Report of the Standing Committee on Land, Environment and Natural Resources on the alleged grabbing of Public Land reserved for public amenities with the following Land Parcel numbers Kiirua/Nkando 702, Kiirua/Nkando 704 and Kiirua/Nkando 690 in Kithima location Meru County.

Signed:  _____ Date: 1/09/2026

**SEN. MOHAMED FAKI MWINYIHAJI, CBS, MP,
CHAIRPERSON,**

**SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND
NATURAL RESOURCES.**

CHAPTER ONE

1.1 INTRODUCTION

At a sitting of the Senate held on 14th May, 2025, The Rt Hon Speaker, reported to the Senate a Petition that was submitted by Mr. Daniel Mutuma Rukaria on behalf of residents of Kithima Location in Meru County, concerning the alleged grabbing of Public Land reserved for public amenities with the following Land Parcel numbers Kiirua/Nkando 702, Kiirua/Nkando 704 and Kiirua/Nkando 690.

1.1.1 Underlying Constitutional and Statutory Provisions

1. **Article 1(1) and (2)** of the Constitution, vests all sovereign power in the people of Kenya and shall be exercised only in accordance with the Constitution.
2. **Article 1(3) (a)** of the Constitution delegates sovereign power of the Constitution to, *inter alia*, Parliament and the legislative assemblies in the county governments.
3. **Article 37** of the Constitution provides that *every person has the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities* while **Article 119(1)** of the Constitution provides that “*every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation.*”
4. **Section 5(2)** of the Petition to Parliament (Procedure) Act, provides that *a petition that is tabled in Parliament under this Act shall be considered in accordance with the Standing Orders of the relevant House.*
5. **Constitution of Kenya, 2010**
 - i. **Article 43(1)(a) & (f)**: Guarantees the right to the highest attainable standard of health, including healthcare services, and the right to education.
 - ii. **Article 40**: Protects the right to property, but this is subject to the state's power to deprive property of title where it is established that the title was illegally, unprocedural, or unlawfully acquired.
 - iii. **Article 62**: Defines public land, which includes land reserved for public facilities.
 - iv. **Article 67**: Establishes the NLC with a mandate to manage public land on behalf of national and county governments.
6. **The Land Act, 2012:**
 - i. **Section 12**: Provides for the revocation of title where the land is proved to have been allocated unlawfully or unprocedural.

- ii. **Section 152A:** Makes it an offence for a person to occupy public, private, or community land without lawful authority.
- 7. **The National Land Commission Act, 2012:** This Act establishes the NLC, defines its powers, and outlines its procedures, including those of its tribunals. The petitioners' engagement with the NLC was conducted under the authority of this Act.
- 8. **Physical and Land Use Planning Act, 2019:** Provides for the protection of land reserved for public purposes within county and local physical development plans.
- 9. **National Land Policy, 2009:** Aims to secure and protect community and public land from unlawful allocation and alienation.

1.1.2 Background of the Petition

The salient issues raised in the Petition are as follows-

- i. The core issue is the alleged illegal occupation and alienation of public land legally reserved for essential social amenities, depriving a whole community of its constitutional rights to education and health.
- ii. That Kithima Location lacks a public health facility, a public primary school, and a public secondary school, forcing residents to travel approximately 10 kilometers to neighboring Isiolo County to access these essential services.
- iii. That specific parcels of land were historically set aside for these public amenities, namely:
 - Land Parcel No. Kiirua/Nkando 704 for Kithima Dispensary
 - Land Parcel No. Kiirua/Nkando 702 for Kithima Primary School
 - Land Parcel No. Kiirua/Nkando 690 for C.C.M Secondary School
- iv. That these public land parcels have been illegally occupied by a private entity, identified in supporting documents as the Catholic Diocese of Meru, thereby preventing the development of the crucial facilities.
- v. Documentary evidence, including a letter from the Ministry of Lands (15th March 2016), confirms that the parcels in question were officially registered as public land under the former Meru County Council, reserved specifically for a primary school, Secondary School and a dispensary.
- vi. Further correspondence from the National Land Commission (1st November 2016) indicates that the NLC was actively investigating the illegal occupation, having written to the Catholic Diocese of Meru to provide ownership documents. The final outcome of this investigation is not clear from the petitioners' submissions.

- vii. That the Petitioners have made extensive but unsuccessful efforts to have this matter addressed by the relevant authorities, including:
- a) The Ministry of Lands, Public Works, Housing and Urban Development (March 2016);
 - b) The National Land Commission (June 2016);
 - c) The County Land Management Board (June 2016); and
 - d) The Meru County Executive Committee Member for Lands (November 2018)

The Petitioners prayed that:

The Petitioners, therefore, pray that the Senate intervenes and ensures that-

- a) The illegal occupants of the said parcels of public land are evicted;
- b) The boundaries of the said parcels of land are mapped out and beacons erected to that effect; and
- c) Any other action that the senate may consider necessary to protect public property and the constitutional rights of the residents of Kithima Location.

CHAPTER TWO

2.1 LEGAL BASIS FOR PETITIONS

10. Petitions to the Senate are governed by the Constitution, the Petition to Parliament (Procedure) Act, No. 22 of 2012 and the Senate Standing Orders.
11. **Article 37** of the Constitution provides that *every person has the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities* while **Article 119(1)** of the Constitution provides that *“every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation.”*
12. **Section 5(2)** of the Petition to Parliament (Procedure) Act, provides that *a petition that is tabled in Parliament under this Act shall be considered in accordance with the Standing Orders of the relevant House*. In this regard, standing order 238 of the Senate Standing Orders provides as follows-
13. *Committal of Petitions (SO 238)*
 - (1) *Every Petition presented or reported pursuant to this Part, shall stand committed to the relevant Standing Committee.*
 - (2) *Whenever a Petition is committed to a Standing Committee, the Committee shall, in not more than sixty calendar days from the time of reading the prayer, table its report to the Senate for consideration.*
 - (3) *The Senate shall consider the Report under paragraph (2), within fourteen sitting days of its tabling.*
14. Standing order 239 requires the Clerk to, within fifteen days of the resolution of the Senate under Standing Order 238 in writing notify the petitioners of the decision of the Senate.

CHAPTER THREE

3.1 CONSIDERATION OF THE PETITION

3.1.1 Approach taken by the Committee

15. In considering the Petition, the Committee observed that it would be important to verify the facts alleged in the Petition. The Committee therefore resolved to conduct an inquiry on the issues raised in the Petition.
16. In this regard, the Committee received the Petition from the Petitioner through the House and further requested for written submissions and evidence from the Petitioners.
17. Thereafter, the Committee invited the Cabinet Secretary, Ministry of Lands Public Works Housing and Urban Development (MoLPWHUD), the Chairperson of the National Land Commission (NLC) who provided written responses to the Committee.
18. The Committee concluded its sittings by conducting a visit to the areas mentioned in the petition to verify the facts as alleged by the Petitioners vis a vis the submissions made by the Stakeholders on Monday, 27th October, 2025. (*Annex IV – Pictorial representation of the site visit*)

3.1.2 Petitioners Submissions

19. Vide a letter REF: SEN/DSEC/DPEAC/LENR/2025(3) (218) dated 16th July, 2025, the Committee invited the Petitioners to physically appear before the Committee on Thursday, 24th July, 2025. Further, the petitioners also submitted written submissions and evidence.
20. Evidence submitted includes; (*copies Annexed as Annex II Petitioners Submissions*)
 - a. A copy of the correspondence with the NLC
 - b. A copy of the correspondence with the County Government of Meru
 - c. A copy of the map showing the physical location of the parcels of land.

3.1.2.1 Submission by the Cabinet Secretary, Ministry of Lands Public Works Housing and Urban Development

21. The Committee invited the Cabinet Secretary to respond to Statements and Petitions and proceeded to admit written responses with a provision to seek for further clarification should the submissions be insufficient.

The Ministry of Lands submitted as follows:

- 22. That**, according to the records Kiirua/Nkando 704 measuring 0.42 Hectares is reserved for Kithima Dispensary. It was registered on 28th January, 2014 in favour of County Council of Meru on freehold basis and has no encumbrances. **Annexed** is a copy of the green card.
- 23. That**, according to the records Kiirua/Nkando 702 measuring 6.40 Hectares has been reserved for Kithima Primary School. It was registered on 28th January, 2014 in favour of County Council of Meru on freehold basis and has no encumbrances. **Annexed** is a copy of the green card.
- 24. That**, according to the records Kiirua/Nkando 690 measuring 7.86 Hectares has been reserved for C.C.M Secondary School. It was registered on 28th January, 2014 in favour of County Council of Meru on freehold basis and has no encumbrances. **Annexed** is a copy of the green card.

3.1.2.2 Submission by the Chairperson, National Land Commission

- 25.** Further correspondence from the National Land Commission indicates that the NLC was actively investigating the illegal occupation, having written to the Catholic Diocese of Meru to provide ownership documents.
- 26.** Further responses from the National Land Commission are as follows:
- 27.** The Commission undertook investigations into the matter, including a review of adjudication records, registry searches (Annex 1), and a site visit to establish the current status of the parcels. Records indicate that during the Kiirua/Nkando Adjudication process in 1992, several parcels were set aside for public purposes. Titles were subsequently issued in 2014 to the then County Council of Meru.
- 28.** The Commission's site visit confirmed that parcel 690, reserved for a secondary school, is presently occupied by a private secondary school operated by the Catholic Church; parcel 702, reserved for a primary school, is occupied by a private primary school run by the Catholic Church; parcel 704, reserved for a dispensary, is developed and operated as a dispensary by the same institution; and parcel 703, reserved for C.C.M Church, is also fully under the management of the Catholic Church, fenced together with the adjoining parcels.
- 29.** It was further established that members of the public have been raising concerns over parcels 690, 702, and 704 since 2016, but the matter has not been conclusively resolved. All four parcels fall within the definition of public land under Article 62 of the Constitution of Kenya, 2010, having been reserved for public purposes and issued with titles to the defunct County Council of Meru.

30. The Commission notes with concern that public land set aside for schools and a dispensary has been developed and occupied by a private institution without due process of allocation or regularization. This undermines the principle of public land management as enshrined in the Constitution.
31. The Commission's position is that the matter requires a structured and consultative resolution process involving the Catholic Diocese of Meru, the County Government of Meru, and relevant national government agencies. This will establish the circumstances under which the Church came to occupy and develop the land, determine whether any regularization is possible within the law, and safeguard the rights of the residents of Kithima Location.
32. In addition, the Commission emphasizes that while dispensaries are a devolved function of county governments, primary and secondary schools fall within the mandate of the national government, and therefore both levels of government must be involved in resolving the matter.
33. In Conclusion, the Commission confirms that the parcels in question were lawfully set aside for public purposes but are currently in use by a private institution. To safeguard public land and uphold the constitutional rights of the residents, the Commission recommends a consultative engagement of all stakeholders with its facilitation, guided by the provisions of Article 62 of the Constitution and the National Land Commission Act. The Commission remains committed to ensuring that public land in Kithima Location is protected, administered, and managed in the public interest, and that an equitable and lawful resolution is achieved.

3.1.3 Site Visit by the Committee

34. The Committee undertook a site visit of the area to understand and verify the issues raised in the petition. Accompanying the Committee was the NLC, the area Senator and officials from the County Government of Meru.
35. The Committee held a public forum with the community, the petitioners and a representative from the Catholic Church.
36. During the site visit, it was confirmed that parcel 690, reserved for a secondary school, is presently occupied by a private secondary school operated by the Catholic Church; parcel 702, reserved for a primary school, is occupied by a private primary school run by the Catholic Church; parcel 704, reserved for a dispensary, is developed and operated as a dispensary by the same institution; and parcel 703, reserved for C.C.M Church, is also fully under the management of the Catholic Church, fenced together with the adjoining parcels.
37. The petitioners further confirmed that they have no public-school amenities and their children have to walk long distances to the neighbouring Isiolo County to attend school.

38. The County Government through its representatives made oral submissions to the effect that the Church had a right to occupy the said parcels of land given that it serves the wider community which is the public. As a rejoinder, the area Senator implored on the Church and the petitioners to have a consultative engagement to resolve the dispute facilitated by the National Land Commission. NLC supported the idea of an Alternative Dispute Resolution between the petitioners and the respondent, and was tasked by the Committee to initiate the process within the shortest convenient time period.
39. The committee noted that the submissions by the County Government were not sufficient and it would be prudent for the NLC to work closely with the County Government of Meru in resolving the dispute between the Church and the petitioners.

3.1.4 Submission by the County Government of Meru

REPORT OF PARCELS NUMBER KIIRUA NKANDO 702, 703, 704 AND 690.

A. Introduction

Following a public petition by the residents of Kithima location on public land grabbing, a technical team from Directorate of Lands and Physical Planning visited the site to establish, verify, and document the boundaries, land use, and existing developments on four parcels of land situated in the Kiirua Nkando registration sheet number 56. The parcels surveyed include Kiirua/Nkando 702, 703, 704 and 690. (Annex A)

The objective of this survey was to:

1. Demarcate parcel boundaries as per the Registry Index Map (RIM).
2. Identify existing developments
3. Assess conformity with reserved uses
4. Verify the ground status of the four parcels land.

The area of interest was limited to the four identified parcels of Land as access road around these parcels.

The following methodology was adopted:

1. Retrieval and review of Registry Index map of the area from the Survey of Kenya.
2. Ground inspection and verification using existing survey marks and visible boundary features.

3. Measurement and documentation of any development and existing boundaries were observed using GNSS receivers.

B. Findings:

All the four parcels of land have been fenced together as one block enclosing an Area of 15.446 Ha, the total registered area of the four parcels of land is 15.1 Ha, indicating a slight increment in the total area. (Annex B)

I) Parcel Kiirua Nkando/702

The land parcel is registered under the County Council of Meru reserved for Kithima Primary School, with an area of 6.40 Ha. (Annex C) The land has no physical Boundaries on the ground. Upon boundary demarcation as per the existing survey records it was found that staff houses and Cow shed have been developed within the parcel of land.

II) Parcel Kiirua Nkando/703

The land parcel is registered under the County Council of Meru reserved for C.C.M Church, with an area of 0.42 Ha. (Annex D) There exist no physical Boundaries on the ground. Upon boundary demarcation as per the existing survey records it was found that some sanitation blocks have been erected in this land and they are used by Kithima Primary School.

III) Kiirua / Nkando 704

The land parcel is registered under the County Council of Meru reserved for Kithima Dispensary, with an area of 0.42 Ha. (Annex E) There exist no physical Boundaries on the ground. Upon boundary demarcation as per the existing survey records it was found that some classroom blocks are erected and they are used by Kithima Primary School.

IV) Kiirua/Nkando/690

The land parcel is registered under the County Council of Meru reserved for C.C.M Secondary School, with an area of 7.86 Ha. (Annex F) There exist no physical Boundaries on the ground. Upon boundary demarcation as per the existing survey records it was found that a Church building and a sanitation block have been erected in the land they are used by Church.

The current uses on the ground does not match the uses registered in the official land records from the Meru Land Registry.

C. Observations

From the above below are the observations made: -

Parcel No. Kiirua/Nkando/702 is public land which is strictly reserved for educational use that is Kithima Primary School. Rather than this piece of land being used for the purpose for which it was reserved for, it is used for staff houses and cowshed. This therefore indicates encroachment of land reserved for educational purposes being used for other purposes i.e. staff houses and cowshed.

Parcel no. Kiirua/Nkando/703 which is reserved for C.C.M Church has sanitary blocks which are used by Kithima Primary School this indicate that public resources are being invested in the wrong sites. It also indicates that the developer did not undertake due diligent particularly to look for professional support to be shown the actual site reserved for the Kithima Primary School.

Parcel no. Kiirua/Nkando/704 reserved for Kithima Dispensary this is where Kithima Primary School has invested in terms of development of classrooms. This Means Kithima Primary School did undertake to ascertain the site/parcel reserved for it.

Parcel no. Kiirua/Nkando/690 is reserved for C.C. M Secondary School yet a church building and sanitary block are erected on this parcel of land. The church has encroached on this land which is reserved C.C.M Secondary School. Their land which is reserved for C.C.M Church that is parcel no. Kiirua /Nkando/703 measuring 0.42 ha.

It is important to note that the four parcels of land are not used for the purpose they were reserved. Different uses have been introduced into the registered reservations. It is also important to note that parcels no. Kiirua/NKando702 and 704 the reservations are purely for public purposes/use and therefore the two parcels of land are public Land. (Annex G)

D. Recommendations

From the analysis of the ground picked data there is no single structure that has been erected in this land which has conformed with the reserved land use. The County proposed the following recommendations to address the issue of encroachment/grabbing in the four parcels of land: -

1. Amalgamation of the parcels no. Kiirua/Nkando/702 and 703 which are reserved for Kithima Primary School and Kithima Dispensary respectively and subdivisions into two portions based on the original acreages. This scenario will require amendment of the cadastral maps to reflect the situation on the ground

and current land use. It will also require that actual fixed survey to be carried out to prevent overlaps/encroachment into the future. This scenario saves the existing investments or developments of Kithima Primary School from demotion.

2. Surveying the four portions of land and retaining the original reservations and acreages and requiring each to relocate to the parcels they were reserved for. Carryout boundary fixation as per the parcels of land and section 19 of Land Registration Act, 2012, this will ensure no grabbing in future. This scenario will necessitate the users to relocate their developments to their actual sites as indicated in the official land records.
3. The C.C.M church to relocate to its original site that is Kiirua/Nkando/703 as per the records. Only a sanitary block used by Kithima Primary School exist on this parcel. This will ensure that parcel no. Kiirua/Nkando/690 to be utilized by the C.C.M Secondary School as per the registered reservation.

E. Conclusion

In conclusion, County Government of Meru recommended scenario 1 and 3 above which will enable encroachment be solved with minimal disruptions and costs. The idea is to protect the existing public facilities and create harmonious existence.

Committee observation:

1. All four parcels are confirmed public land held for specific reserved public purposes.

The official land searches (Annexes C–F) confirm each parcel was registered in favour of the County Council of Meru (now County Government of Meru) with express reservations: 702 for Kithima Primary School, 703 for C.C.M Church, 704 for Kithima Dispensary, and 690 for C.C.M Secondary School. *The Committee observes that the petitioners' concern regarding "public land grabbing" is substantiated at least to the extent that none of the developments on the ground currently match these registered reservations.*

2. There is a confirmed area discrepancy requiring explanation.

The four parcels, though separately registered with a combined official area of 15.1 Ha, were found fenced together as a single block measuring 15.446 Ha, an unexplained increment of roughly 0.346 Ha. *The Committee observed that this discrepancy, while described as "slight," warrants clarification, particularly as to whether any adjoining public or private land has been absorbed into the fenced block.*

3. Every parcel is being used contrary to its registered reservation, indicating systemic misallocation rather than an isolated incident.

- Parcel 702 (reserved for Kithima Primary School) hosts staff houses and a cow shed instead of school use.
- Parcel 703 (reserved for C.C.M Church) hosts a sanitation block used by the primary school.
- Parcel 704 (reserved for Kithima Dispensary) hosts classroom blocks used by the primary school.
- Parcel 690 (reserved for C.C.M Secondary School) hosts a church building and sanitation block used by the church.

The Committee observed that the pattern shows the primary school has effectively encroached onto three of the four parcels (703, 704, and part of 702's intended footprint) rather than developing on its own designated site (702), while the church has similarly encroached onto 690 rather than developing on its own designated site (703).

4. The County's own analysis attributes the encroachment to lack of due diligence rather than deliberate grabbing by outside parties.

The report's observation that "the developer did not undertake due diligent particularly to look for professional support to be shown the actual site" suggests institutional or professional failure (i.e., institutions built on the wrong plots) rather than allocation to unauthorized third parties. *The Committee observed that this framing shifts the narrative somewhat from the petitioners' "grabbing" characterization toward one of administrative/technical error in site identification, though the practical effect on public land use is the same.*

5. No party has fully complied with its reserved allocation, undermining the original planning intent for the area.

The report's own conclusion states there is "no single structure... erected in this land which has conformed with the reserved land use." *The Committee observed that this is a comprehensive failure of adherence to the Registry Index Map allocations, affecting public institutions (school, dispensary) and a religious institution (church) alike.*

6. The County has proposed remedial options but has pre-selected a preferred pathway that prioritizes minimal disruption over strict restoration of original allocations.

Of the three scenarios presented (amalgamation and resurvey of 702/703 preserving existing investment; full relocation of all users to their original sites; or targeted relocation of the church only), the County's own conclusion endorses "scenario 1 and

3" — i.e., protecting the primary school's existing investments through boundary/cadastral adjustment, while requiring only the church to relocate.

The Committee observed that:

a.this preserves continuity of essential services (education, health) with minimal cost and disruption to children currently using the facilities;

b.however, it also means the primary school's encroachment onto 703 and 704 would be regularized through cadastral amendment rather than reversed, which the Committee wish to weigh against the principle that public land reservations should not be altered merely because encroachment has already occurred;

c.the dispensary's reserved parcel (704) is not addressed in the preferred scenario — no dispensary currently exists on any of the four parcels, and the report is silent on whether or when a dispensary will actually be established, which the Committee wishes to query directly.

7. The recommendation would require formal survey and legal/cadastral processes, not merely administrative directive.

The proposed amalgamation and subdivision would require amendment of cadastral maps and a fresh fixed survey under section 19 of the Land Registration Act, 2012.

The Committee observed that implementation is not immediate and will require monitoring to ensure the County follows through, particularly given that the encroachment itself appears to have persisted for a considerable period without correction.

CHAPTER FOUR

4.1 COMMITTEE OBSERVATIONS

Prayer One: The Committee ensures that the illegal occupants of the said parcels of land are evicted

1. The Committee observed that based on the submission from MoLPWHUD, the three parcels of land within the Kiirua/Nkando block were registered on 28th January, 2014 in favour of the County Council of Meru on a freehold basis, all of which are free from encumbrances, as detailed herewith: Parcel No. Kiirua/Nkando 704, measuring 0.42 hectares, is reserved for Kithima Dispensary; Parcel No. Kiirua/Nkando 702, measuring 6.40 hectares, is reserved for Kithima Primary School; Parcel No. Kiirua/Nkando 690, measuring 7.86 hectares, is reserved for C.C.M Secondary School;
2. The Committee observed that the Catholic Diocese of Meru was allocated parcel 703 measuring approximately 0.42 Hectares for development of a church.
3. It is however noted that the church developed a private dispensary, a private primary school and a private secondary school on public land namely-
 - i. Kiirua/Nkando 704 (earmarked for Kithima Dispensary);
 - ii. Kiirua/Nkando 702 (earmarked for Kithima Primary School); and
 - iii. Kiirua/Nkando 690 (earmarked for C.C.M Secondary).
4. The Committee observed that the Catholic Church did not submit any documentary evidence to justify their occupancy of the entire parcel of land.

Prayer Two: The Committee recommends that the boundaries of the said parcels of land are mapped out and beacons erected to that effect

1. The Committee observed that based on the submissions from the MoLPWHUD the said parcels of land are clearly mapped out and reserved for the public utilities allocated to them as per official records at the ministry. The Committee further observed that the religious institution had been properly allocated its own parcel of land; and
2. That Kithima Location lacks a public health facility, a public primary school, and a public secondary school, forcing residents to travel approximately 10 kilometers to neighboring Isiolo County to access these essential services and thus need for possession and development of the parcels of land by the National and County Government.

CHAPTER FIVE

5.1. COMMITTEE RECOMMENDATIONS

The Committee having investigated the matter in accordance with its mandate under the standing order 228(4) of the Senate Standing Orders recommends that-

1. That the Ministry of Lands, Public Works, Housing and Urban Development undertakes a physical visit and conducts a survey on Parcel No. Kiirua/Nkando 690, 702, 703 and 704 to determine the actual acreage occupied by the Church; and
2. The National Land Commission (NLC) institutes a dispute resolution mechanism between the Community, the Church and the County Government of Meru with a view to settle the matter and allocate the land to the Church and the remainder to the County Government of Meru for them to be able to plan for the public utilities and a status report submitted to the Senate within 90 days upon adoption of this Report in the Senate.

LIST OF APPENDICES

Appendix I	Minutes of the Standing Committee on Land, Environment and Natural Resources
Appendix II	Submissions from key stakeholders
Appendix III	Petition
Appendix IV	Submissions by the Petitioner
Appendix V	Site visit photos

APPENDIX I:

MINUTES



MINUTES OF THE EIGHTY EIGHTH (88TH) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD IN KITHIMA LOCATION MERU COUNTY ON MONDAY, 27TH OCTOBER, 2025 AT 2:00 PM

PRESENT

- | | |
|--|---------------|
| 1. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - Chairperson |
| 2. Sen. Johnes Mwashushe Mwaruma, MP | - Member |
| 3. Sen. Joe Nyutu, MP | - Member |

ABSENT WITH APOLOGIES

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Karen Nyamu, MP | - Vice Chairperson |
| 2. Sen. Allan Chesang, CBS, MP | - Member |
| 3. Sen. Abdul Haji, MP | - Member |
| 4. Sen. James Murango, MP | - Member |
| 5. Sen. Beatrice Akinyi Ogola, MP | - Member |
| 6. Sen. Mariam Sheikh Omar, MP | - Member |

IN ATTENDANCE

FRIEND OF THE COMMITTEE

- | | |
|----------------------------------|-----------------------|
| 1. Sen. Kathuri Murungi, MGH, MP | -Senator, Meru County |
|----------------------------------|-----------------------|

MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION

- | | |
|-------------------------|----------------------|
| 1. Ms. Josephine Njenga | – DCC, Buuri East |
| 2. Mr. Martin Kagucia | –ACC- Buuri Division |

COUNTY GOVERNMENT OF MERU

- | | |
|-----------------------|----------------------------|
| 1. Mr. Sarafine Mutui | - Chief Officer, Lands |
| 2. Mr. Ronald Mwenda | –Physical Planning Officer |

RELIGIOUS REPRESENTATIVES

- | | |
|-----------------------------|--|
| 1. Fr. Jason Michemi | -Fr. In Charge, Christ the King Parish |
| 2. Mr. Martin Kirimi Kiragu | -Catechist, Catholic Church |

PETITIONERS

1. Mr. Daniel Mutuma
2. Ms. Mary Nkatha
3. Mr. Julius Riagu

4. Ms. Christine Gatweri
5. Mr. Stanley Kiogora

SECRETARIAT

- | | |
|------------------------|-------------------------------|
| 1. Mr. Victor Bett | - Clerk Assistant I |
| 2. Ms. Ivy Nyambura | - Clerk Assistant III |
| 3. Mr. Andrew Nyairo | - Legal Counsel II |
| 4. Mr. John Gichia | -Research Officer III |
| 5. Mr. Simon Muinde | - Audio Officer |
| 6. Mr. Jack Lemeteki | -Ass. Media Relations Officer |
| 7. Ms. Boniface Mbithi | -Serjeant At Arms |

MINUTE SEN/LENR/476/2025:

PRELIMINARIES

The Chairperson called the meeting to order at 2.07 am followed by a word of prayer.

MINUTE SEN/LENR/477/2025:

MEETING WITH THE COUNTY GOVERNMENT OF MERU AND THE CATHOLIC CHURCH ON THE PETITION REGARDING PUBLIC LAND GRABBING IN KITHIMA LOCATION, MERU COUNTY

County Government of Meru

The Committee received submissions from the Chief Officer for Lands, who appeared on behalf of the Governor. He informed the meeting that was engaged in a prior commitment before another Senate Committee. The Chief Officer informed the Committee that the County Government had received a formal invitation to respond to the issues raised by the Petitioners and had consequently scheduled a site visit together with the surveyors on Wednesday, 29th October 2025, to ascertain the status of the disputed parcels of land.

Upon consideration of the preliminary findings presented from the County land registry, the Committee observed certain discrepancies in the information provided. Consequently, the Committee resolved to grant the County Government an additional seven (7) days to submit a comprehensive and conclusive report addressing all matters raised in the Petition.

Religious Representatives

The Committee also received representations from members of the clergy. The representative present informed the Committee that the Church had convened an internal meeting to deliberate on the issues raised in the Petition and expressed willingness to engage with the community in an open dialogue aimed at resolving the matter amicably.

The representative further invited the Catechist to provide a brief historical account of the Catholic Church's association with the land in question. However, the representatives indicated that they had appeared before the Committee in good faith and not as official representatives of the Catholic Church, and were therefore unable to provide documentary evidence of ownership at that time.

In view of this, the Committee resolved to issue a formal invitation to the Catholic Church, through the appropriate diocesan authority, to appear before it and present official submissions as a key respondent to the issues raised by the Petitioners.

MINUTE SEN/LENR/478/2025

ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/479/2025

**ADJOURNMENT AND DATE OF
NEXT MEETING**

The meeting was adjourned at 3.28 pm. The next meeting was to be called by notice.

SIGNED:



DATE. 11/11/25

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP

CHAIRPERSON

**STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL
RESOURCES.**



MINUTES OF THE EIGHTY SEVENTH (87TH) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD IN KITHIMA LOCATION, MERU COUNTY ON MONDAY, 27TH OCTOBER, 2025 AT 11:00 AM

PRESENT

- | | |
|--|---------------|
| 1. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - Chairperson |
| 2. Sen. Johnes Mwashushe Mwaruma, MP | - Member |
| 3. Sen. Joe Nyutu, MP | - Member |

ABSENT WITH APOLOGIES

- | | |
|-----------------------------------|--------------------|
| 1. Sen. Karen Nyamu, MP | - Vice Chairperson |
| 2. Sen. Allan Chesang, CBS, MP | - Member |
| 3. Sen. Abdul Haji, MP | - Member |
| 4. Sen. James Murango, MP | - Member |
| 5. Sen. Beatrice Akinyi Ogola, MP | - Member |
| 6. Sen. Mariam Sheikh Omar, MP | - Member |

IN ATTENDANCE

FRIEND OF THE COMMITTEE

- | | |
|----------------------------------|-----------------------|
| 1. Sen. Kathuri Murungi, MGH, MP | -Senator, Meru County |
|----------------------------------|-----------------------|

MINISTRY OF INTERIOR AND NATIONAL ADMINISTRATION

- | | |
|-------------------------|----------------------|
| 1. Ms. Joesphine Njenga | – DCC, Buuri East |
| 2. Mr. Martin Kagucia | –ACC- Buuri Division |

PETITIONERS

1. Mr. Daniel Mutuma
2. Ms. Mary Nkatha
3. Mr. Julius Riagu
4. Ms. Christine Gatweri
5. Mr. Stanley Kiogora

SECRETARIAT

- | | |
|----------------------|-----------------------|
| 1. Mr. Victor Bett | - Clerk Assistant I |
| 2. Ms. Ivy Nyambura | - Clerk Assistant III |
| 3. Mr. Andrew Nyairo | - Legal Counsel II |

4. Mr. John Gichia
5. Mr. Simon Muinde
6. Mr. Jack Lemeteki
7. Ms. Christabelle Waiswa

-Research Officer III
- Audio Officer
-Ass. Media Relations Officer
-Serjent At Arms

MINUTE SEN/LENR/472/2025:

PRELIMINARIES

The Chairperson called the meeting to order at 11.26 am followed by a word of prayer.

MINUTE SEN/LENR/473/2025:

**MEETING WITH THE PETITIONERS
ON THE PETITION REGARDING
PUBLIC LAND GRABBING IN
KITHIMA LOCATION, MERU
COUNTY**

The petitioners began by informing the Committee that Kithima Location lacks essential public facilities, including a dispensary, a primary school, and a secondary school. As a result, residents are compelled to walk approximately 10 (ten) kilometers to neighboring Isiolo County to access healthcare and education services.

The land parcels originally set aside for these amenities are as follows—

1. Land Parcel No. KIIRUA/NKANDO 704 – allocated for Kithima Dispensary;
2. Land Parcel No. KIIRUA/NKANDO 702 – allocated for Kithima Primary School; and
3. Land Parcel No. KIIRUA/NKANDO 690 – allocated for C.C.M. Secondary School (corrected from a typographical error originally indicated as parcel No. 590).

The petitioners alleged that the above parcels have been irregularly acquired and occupied by private entities. They further stated that various efforts made between 2016 and 2018 to have the matter addressed by the Ministry of Lands, the National Land Commission, the County Land Management Board, and the Meru County Executive Committee Member for Lands did not yield any satisfactory outcome.

Consequently, the petitioners sought the intervention of the Senate to—

- i. Facilitate the eviction of illegal occupants from the public land;
- ii. Ensure that the boundaries of the affected parcels are clearly mapped and beacons erected; and
- iii. Undertake any other appropriate action necessary to protect public property and the constitutional rights of the residents.

Additionally, the Petitioners informed the Committee that the only police station serving the area, located in Kathiri, is in a dilapidated state owing to inadequate funding. The facility lacks proper holding cells, compelling law enforcement officers to transport

inmates approximately 40 kilometers away for incarceration. The Petitioners further appealed for the Senate's intervention to ensure that at least five percent of the equalization fund share allocated to the County Government is dedicated to the development of Kithima Location, noting that the area remains marginalized and deprived of essential public services and infrastructure.

MINUTE SEN/LENR/474/2025

ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/475/2025

**ADJOURNMENT AND DATE OF
NEXT MEETING**

The meeting was adjourned at 12.44 am. The next meeting was to be held at 2.00pm on Monday, 27th October, 2025.

SIGNED:



DATE. 11/11/25

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP

CHAIRPERSON

**STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL
RESOURCES.**



MINUTES OF THE EIGHTY THIRD (83RD) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD IN COMMITTEE ROOM 2, BUNGE TOWER ON TUESDAY, 23RD SEPTEMBER, 2025 AT 10:00 AM

PRESENT

- | | |
|--|---------------|
| 1. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - Chairperson |
| 2. Sen. Beatrice Akinyi Ogola, MP | - Member |
| 3. Sen. Mariam Sheikh Omar, MP | - Member |
| 4. Sen. Allan Chesang, CBS, MP | - Member |

ABSENT WITH APOLOGIES

- | | |
|--------------------------------------|--------------------|
| 1. Sen. Karen Nyamu, MP | - Vice Chairperson |
| 2. Sen. Johnes Mwashushe Mwaruma, MP | - Member |
| 3. Sen. Joe Nyutu, MP | - Member |
| 4. Sen. James Murango, MP | - Member |
| 5. Sen. Abdul Haji, MP | - Member |

IN ATTENDANCE

1. Mr. Victor Bett
2. Ms. Ivy Nyambura
3. Ms. Regina Munyao
4. Mr. Simon Muinde
5. Mr. Jack Lemeteki
6. Ms. Christabelle Waiswa
7. Mr. George Kariuki

SECRETARIAT

- Clerk Assistant I
- Clerk Assistant III
- Legal Counsel I
- Audio Officer
- Assistant Media Relations Officer
- Public Communications Officer
- Intern

MINUTE SEN/LENR/447/2025:

PRELIMINARIES

The Chairperson called the meeting to order at 10.28 am followed by a word of prayer.

MINUTE SEN/LENR/448/2025:

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after having been proposed by Sen. Mariam Sheikh, MP, and seconded by Sen. Beatrice Akinyi Ogola, MP as follows –

1. Prayer;
2. Adoption of the Agenda;

3. **Meeting with the Chairperson, National Land Commission to deliberate on the following Nine (9) Petitions and Eight (8) Statements pending before the Committee; (*Committee Paper 58*)**
4. **Meeting with the following stakeholders-**
 - a. **Petitioners;**
 - b. **Governor, Meru County; and**
 - c. **Catholic Diocese of Meru****to deliberate on the Petition regarding public land grabbing in Kithima Location, Meru County; (*Committee Paper 59*)**
5. **Any Other Business; and**
6. **Date of the Next Meeting and Adjournment.**

MINUTE SEN/LENR/449/2025:

**MEETING WITH THE CHAIRPERSON,
NATIONAL LAND COMMISSION TO
DELIBERATE PENDING PETITIONS AND
STATEMENTS (*COMMITTEE PAPER 58*)**

The Committee expressed concern regarding the apparent laxity by the Commission in responding to legislative business referred to it by the Committee, noting that such delays were hindering the Committee's progress in the execution of its mandate. In response, the Chairperson of the National Land Commission acknowledged the concerns raised and assured the Committee of timely and proactive engagements going forward.

The Chairperson, National Land Commission proceeded to table the responses on Petitions that are summarized as follows –

- i. **Petition on Historical Injustices and Illegal Alienation of L.R. No. 7153/1, 7153/2, 7153/R, also known as L.R. 12825 in Kiambu County** – The Commission confirmed receipt of a Historical Land Injustices (HLI) claim in 2017. Hearings were initially stayed due to pending court cases. Although some suits have since been withdrawn, the matter is now subject to Judicial Review before the Environment and Land Court, and the Commission has complied with court orders to await determination.
- ii. **Petition Regarding the Plight of the Landless in Muthanthara, Embu County** – The Commission explained that the matter relates to land adjudication and settlement. Following the Land Laws Amendment Act, 2016, such matters fall under the Ministry of Lands, Public Works, Housing and Urban Development, which is therefore the proper body to address the petitioners' concerns.
- iii. **Petition by Marungu Residents within Mchanga Mwanda Ward, Taita Taveta County** – The Commission confirmed receipt of a Historical Land Injustices claim in 2021. The petitioners allege irregular adjudication and allocation of land to the

Catholic mission. NLC acknowledged the claim and indicated that it is under consideration within its HLI framework.

- iv. **Petition Concerning Recognition of Land Ownership Rights and Redress of Historical Injustices in Mombasa County** – The Commission reported that it has received and investigated several Historical Land Injustices claims from the county, including tenancy-at-will disputes. Determinations on these matters were issued in August 2025 and communicated to the parties, with outcomes also published on the Commission’s website.
- v. **Petition Regarding Land Ownership Dispute of the Mwananchi Settlement Scheme in Mwatate Constituency, Taita Taveta County** – The Commission noted that the land is subject to an ongoing dispute before the courts. The Environment and Land Court in Voi ruled in 2024 in favour of Wananchi Ranching Limited, but this judgment was stayed by the Court of Appeal. NLC, as a named party, recommended collaboration with the Attorney General to protect the interests of over 1,000 affected residents and to investigate the historical ownership of the land.
- vi. **Petition Concerning Land Injustices against Community Members Living in Olderkesi, Narok West Constituency, Narok County** – The Commission clarified that it has not received a petition directly on the matter. It observed that the issues appear to involve both community land and a conservancy. While matters relating to the Group Ranch fall under the Community Land Act (mandate of the Ministry of Lands), any lease renewal for the conservancy would be processed by NLC if a formal request is made.
- vii. **Petition Regarding Eviction of Korogocho Community Living in the Nairobi River Corridor After its Declaration as a Special Planning Area** – The Commission acknowledged the seriousness of the matter but emphasized that the declaration of the Nairobi River Corridor as a Special Planning Area falls under the mandate of the Nairobi City County Government. The County Government is therefore responsible for addressing the concerns raised in the petition.
- viii. **Petition Regarding Public Land Grabbing in Kithima Location, Meru County** – The Commission confirmed that the three parcels in question were reserved for public purposes (dispensary, primary school, and secondary school). They are held in trust by the Meru County Government, though by law schools are under the National Treasury while the dispensary remains under the County. NLC is awaiting a ground status report from its County Coordinator in Meru before providing a comprehensive way forward.

The Committee took note of the responses provided by the National Land Commission and resolved to follow up with the relevant Ministries and agencies on outstanding issues raised in the petitions. Further,

The Committee acceded to the request for an additional 2 weeks by the National Land Commission to submit comprehensive responses to the pending Statements and Petitions arising from the unsatisfactory responses provided.

MINUTE SEN/LENR/450/2025:

**MEETING WITH STAKEHOLDERS TO
DELIBERATE ON THE PETITION
REGARDING PUBLIC LAND GRABBING
IN KITHIMA LOCATION, MERU
COUNTY; (COMMITTEE PAPER 59)**

The Committee noted the absence of the Catholic Church, Diocese of Meru who failed to communicate their reasons for not honouring the Committee's invitation and the absence of the County Government of Meru. The County Government requested to be rescheduled to enable them to prepare adequately.

On further deliberation and engagement between the Committee, the National Land Commission and the Petitioner who was present, the Committee resolved to plan a site visit on a fact finding investigation regarding the Petition before the end of the session.

MINUTE SEN/LENR/451/2025

ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/452/2025

**ADJOURNMENT AND DATE OF
NEXT MEETING**

The meeting was adjourned at 11.44 am. The date of the next meeting was to be called on notice.

SIGNED:  DATE. 11/11/25

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP

CHAIRPERSON

**STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL
RESOURCES.**



MINUTES OF THE SEVENTY THIRD (73RD) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON THURSDAY, 24TH JULY, 2025 IN COMMITTEE ROOM 6, FIRST FLOOR, BUNGE TOWER BUILDING AT 10:00 AM

PRESENT

- | | |
|--|---------------|
| 1. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - Chairperson |
| 2. Sen. Beatrice Akinyi Ogola, MP | - Member |
| 3. Sen. Mariam Sheikh Omar, MP | - Member |

ABSENT WITH APOLOGIES

- | | |
|--------------------------------------|--------------------|
| 1. Sen. Karen Nyamu, MP | - Vice Chairperson |
| 2. Sen. Allan Chesang, CBS, MP | - Member |
| 3. Sen. Johnes Mwashushe Mwaruma, MP | - Member |
| 4. Sen. Joe Nyutu, MP | - Member |
| 5. Sen. Abdul Haji, MP | - Member |
| 6. Sen. James Murango, MP | - Member |

IN ATTENDANCE

I. PETITIONER

- | | |
|------------------------------|--------------|
| 1. Mr. Daniel Mutuma Rukaria | - Petitioner |
|------------------------------|--------------|

II. SECRETARIAT

- | | |
|-----------------------------|------------------------------------|
| 1. Mr. Victor Bett | - Clerk Assistant I |
| 2. Mr. Andrew Nyairo | - Legal Counsel II |
| 3. Mr. John Gichia | - Research Officer III |
| 4. Mr. Simon Muinde | - Audio Officer |
| 5. Mr. Jack Lemeteki | -Assistant Media Relations Officer |
| 6. Ms. Christabelle Wasilwa | -Assistant Public Comms. Officer |

MINUTE SEN/LENR/387/2025:**PRELIMINARIES**

The Chairperson called the meeting to order at 10.10 am followed by a word of prayer.

MINUTE SEN/LENR/388/2025:**ADOPTION OF THE AGENDA**

The agenda of the meeting was adopted after having been proposed by Sen. Beatrice Akinyi Ogola, MP, and seconded by Sen. Mariam Sheikh Omar, MP as follows –

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the previous sitting;
4. Matters Arising;
5. **Meeting with Petitioners on the Petition by residents of Kithima Location regarding public land grabbing;**
6. Any Other Business; and
7. Date of the Next Meeting and Adjournment.

MINUTE SEN/LENR/389/2025:**CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING**

- a) The Committee confirmed the Minutes of the seventy first (71st) meeting held on 17th July, 2025 as a true record of events after having been proposed by Sen. Beatrice Ogola, MP and seconded and Sen. Mariam Sheikh Omar, MP respectively; and
- b) The Committee confirmed the Minutes of the Seventy second (72nd) meeting held on 22nd July, 2025 as a true record of events after having been proposed by Sen. Beatrice Ogola, MP and seconded and Sen. Mariam Sheikh Omar, MP respectively;

MINUTE SEN/LENR/390/2025:**MATTERS ARISING**

There were no matters arising.

MINUTE SEN/LENR/391/2025:**MEETING WITH CABINET SECRETARY,
MINISTRY OF LANDS, PUBLIC WORKS,
HOUSING AND URBAN DEVELOPMENT**

The Petitioner made the following oral submissions –

1. That, the Catholic Church has fenced off and is currently occupying the three parcels of County Government Land which is adjacent to their rightfully owned land that is –
 - a. Land Parcel No. KIIRUA/NKANDO 704 – Kithima Dispensary, approx. 6.4Ha(s);
 - b. Land Parcel No. KIIRUA/NKANDO 702 – Kithima Pri. School, approx. 0.42Ha(s);
 - c. Land Parcel No. KIIRUA/NKANDO 690 – C.C.M Sec. School, approx. 7.86Ha(s).
2. That, there are no public facilities in the area and school going children are forced to go to the neighbouring County, Isiolo County to attend school and seek medical attention;
3. That, there have been expressions of interest to invest in the land by well-wishers to build a school and affordable houses on the land to benefit the Community;
4. That, the Petitioners made attempts to seek assistance from the Ministry of Lands, Public Works, Housing and Urban Development, the National Land Commission, the County Government and the Catholic Church but haven't made any headways.

The Committee resolved that the MoLPPUD submits the survey report for the three parcels of land including the one occupied by the Catholic Church at Kithima sublocation, Meru County and that all the stakeholders mentioned below be invited to appear before the Committee on 9th July, 2025 namely –

- i. The County Government of Meru;
- ii. The Catholic Church Archdiocese of Meru;
- iii. The National Land Commission and
- iv. The Petitioner.

MINUTE SEN/LENR/392/2025

ANY OTHER BUSINESS

- i. Conduct a site visit to Wajir County; following the Statement requested on 20th May, 2025, by Sen. Abass Sheikh Mohamed, MP, regarding the illegal dumping of hazardous waste at the **Wajir County** dumpsite, which has resulted in severe environmental degradation and a threat to public health. Further that, the Committee during the visit proposed for **27th – 30th August, 2025** includes a visit to projects done under the FLLoCA programme;
- ii. Reschedule the proposed visit to **Kilifi County** from the earlier proposed 31st July – 4th August, 2025 to new dates tentatively **17th – 23rd August, 2025**.

- iii. The Committee resolved to vacate its earlier decision to write letters to all the 47 Governors requesting for them to identify dates they are available to appear before the Committee and that normal invitations continue;
- iv. The Committee noted the concern by the Majority Leader on the increasing number of Petitions that are before the Committee, and resolved that emphasis is put on ensuring the reports are considered by the Committee;
- v. Acknowledged receipt of the Legislative Proposal, “The Mining Amendment Bill, 2025”, sponsored by Sen. Karen Nyamu and resolved to consider the Bill as soon as possible and report back to the Rt. Hon. Speaker and
- vi. Conduct a visit to Sukari industries and FLLoCA projects in Homa Bay County during the Devolution Conference subject to confirmation of the situation by Sen. Beatrice Ogola, MP who is in the steering Committee.

MINUTE SEN/LENR/393/2025

**ADJOURNMENT AND DATE OF
NEXT MEETING**

The meeting was adjourned at 11.07 am. The date of the next meeting was to be called on notice.

SIGNED: 

DATE. 6/8/25

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP

CHAIRPERSON

**STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL
RESOURCES.**



MINUTES OF THE SEVENTY SECOND (72ND) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON TUESDAY, 22ND JULY, 2025 IN COMMITTEE ROOM 1, FIRST FLOOR, BUNGE TOWER BUILDING AT 10:00 AM

PRESENT

- | | |
|--|--------------------|
| 1. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - Chairperson |
| 2. Sen. Karen Nyamu, MP | - Vice Chairperson |
| 3. Sen. Johnes Mwashushe Mwaruma, MP | - Member |
| 4. Sen. Joe Nyutu, MP | - Member |
| 5. Sen. Abdul Haji, MP | - Member |
| 6. Sen. Beatrice Akinyi Ogola, MP | - Member |
| 7. Sen. Mariam Sheikh Omar, MP | - Member |
| 8. Sen. James Murango, MP | - Member |

ABSENT WITH APOLOGIES

- | | |
|--------------------------------|----------|
| 1. Sen. Allan Chesang, CBS, MP | - Member |
|--------------------------------|----------|

IN ATTENDANCE

I. MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN

DEVELOPMENT

- | | |
|----------------------------|-------------------------------|
| 1. Hon. Alice Wahome, EGH, | - Cabinet Secretary |
| 2. Kennedy Njenga | - Director, Land Adjudication |
| 3. Nyandoro David | - Chief Land Registrar |
| 4. Harrison Mattevwa | - SAS, Parliamentary Liaison |
| 5. Stella Muthungu | - Parliamentary Officer |

II. SECRETARIAT

- | | |
|-----------------------|------------------------|
| 1. Mr. Victor Bett | - Clerk Assistant 1 |
| 2. Ms. Ivy Nyambura | - Clerk Assistant III |
| 3. Mr. Andrew Nyairo | - Legal Counsel II |
| 4. Mr. John Gichia | - Research Officer III |
| 5. Ms. Keziah Muthama | - Fiscal Analyst III |
| 6. Mr. Simon Muinde | - Audio Officer |

7. Mr. Jack Lemeteki
8. Ms. Christabelle Wasilwa

-Assistant Media Relations Officer
-Assistant Public Comms. Officer

MINUTE SEN/LENR/380/2025:

PRELIMINARIES

The Chairperson called the meeting to order at 10.24 am followed by a word of prayer.

MINUTE SEN/LENR/381/2025:

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after having been proposed by Sen. Beatrice Akinyi Ogola, MP, and seconded by Sen. James Murango, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the previous sitting;
4. Matters Arising;
5. **Meeting with the Cabinet Secretary, Ministry of Lands, Public Works, Housing and Urban Development and the Chairperson, National Land Commission to deliberate on the following Petitions -**
 - i. *The Petition on historical injustices and illegal alienation of L.R. No. 7153/1, 7153/2, 7153/R, also known as L.R. 12825 in Kiambu County;*
 - ii. *The Petition regarding the plight of the landless in Muthanthara, Embu County;*
 - iii. *The Petition on delayed allocation of alternative land by way of re-settlement or compensation for the ancestral land that was alienated by the Government of Kenya for creation of Kisii Agricultural Institute and Kisii Farmers Training Center;*
 - iv. *The Petition concerning recognition of land ownership rights and redress of historical injustices in Mombasa County;*
 - v. *The Petition regarding land ownership dispute of the Mwananchi Settlement Scheme in Mwatate Constituency in Taita Taveta County;*
 - vi. *The Petition concerning land injustices against community members living in Olderkesi, Narok West Constituency of Narok County;*
 - vii. *The Petition regarding eviction of Korogocho community living in the Nairobi River corridor after its declaration as a special planning area;*
 - viii. *The Petition regarding Public land grabbing in Kithima Location in Meru County; and*
 - ix. *The Petition by Marungu Residents within Mchange Mwanda Ward, Taita Taveta County.*
6. **Meeting with the Chairperson, National Land Commission on the following eight (8) Statements before the Committee -**
 - i. *Statement sought by Sen. Richard Onyonka, MP, regarding alleged delayed compensation of landowners affected by the Eldoret bypass project;*

- ii. *Statement sought by Sen. Fatuma Dullo, CBS, MP regarding alleged grabbing of community land in Isiolo County;*
- iii. *Statement sought by Sen. (Dr.) Steve Lelegwe Ltumbesi, CBS, MP, regarding acquisition of part of L.R. No. Samburu/East Waso/1 in Samburu County by the National Government;*
- iv. *Statement sought by Sen. Wahome Wamatinga, MP, regarding the status of land belonging to the Kenya Veterinary Vaccine Production Institute (KEVEVAPI);*
- v. *Statement sought by Sen. Andrew Omtatah Okoiti, MP, regarding the delay in compensating owners of land whose parcels were compulsorily acquired for the Ejinja- Bumala Road Project in Busia and Kakamega Counties;*
- vi. *Statement sought by Sen. Shakilla Abdalla, MP regarding acquisition and utilization of land for the construction of the Lamu Port and access roads;*
- vii. *Statement sought by Sen. Fatuma Dullo, CBS, MP, regarding the status of compensation to landowners displaced in the construction of the Horn of Africa Gateway Development Project; and*
- viii. *Statement sought by Sen. Agnes Kavindu Muthama, MP, regarding compulsory acquisition of land in Mutituni Market, Machakos County belonging to the late Reuben Mutuma by the Government.*

7. Any Other Business; and

8. Date of the Next Meeting and Adjournment.

MINUTE SEN/LENR/382/2025:

CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING

The confirmation of Minutes was deferred.

MINUTE SEN/LENR/383/2025:

MATTERS ARISING

There were no matters arising.

MINUTE SEN/LENR/384/2025:

MEETING WITH CABINET SECRETARY, MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT

1. Petition on Historical Injustices – L.R. No. 12825, Kiambu County

Petition Summary: The Mbari ya Mbogo family claims that their ancestral land was illegally alienated, citing violations of land laws and irregularities in past survey and registration processes. They allege that the National Land Commission (NLC) conducted a biased and improperly concluded hearing and demand that the land be returned, development halted, and compensation awarded.

Ministry Response: The Ministry acknowledged the concerns raised but clarified that matters relating to historical land injustices fall under the constitutional mandate of the NLC pursuant to Article 67(2) (e) of the Constitution and the National Land Commission Act. As such, the Ministry referred the petitioners to the NLC for further action and determination.

2. Petition by Marungu Residents – Mwanda/Mgange Ward, Taita Taveta

Petition Summary: Petitioners alleged irregular allocation of 1,000 acres of trust land to the Holy Rosary Catholic Church, beyond an initially agreed 75 acres. They claim the demarcation lacked proper community consultation and suspect manipulation during a water project exercise.

Ministry Response: The Ministry presented documentary evidence showing legal allocation through the then County Council of Taita Taveta, including minutes, consent by the Land Control Board, and gazette notices. The allocation was formalized with a lease issued to the Catholic Archdiocese of Mombasa. The land was categorized as private in 2020, rendering it unavailable for adjudication. The Ministry maintained the allocation followed due process under the Trust Land Act (Cap. 288).

3. Petition on Landlessness in Muthanthara, Embu County

Petition Summary: Residents of Muthanthara village reported they have lived on the land since independence but lack title deeds and face threats of eviction. They seek recognition, protection from harassment, and declaration of the area as an adjudication section.

Ministry Response: The Ministry stated that Muthanthara is part of the Kamarandi Registration Section, which was declared in 1972, demarcated, and adjudicated by 1982. The adjudication register was finalized and registered in 1987. All disputes were addressed within the legal timelines. As the law does not allow re-declaration of adjudication sections, the Ministry cannot restart the process. However, it committed to conducting ground verification to identify affected individuals and reconcile occupancy with titles issued.

4. Petition on Alienated Land for Kisii Agricultural Institute and FTC

Petition Summary: Residents allege that land originally allocated to KALRO and the Kisii FTC in 1963 exceeded the lease terms and was never returned. They also claimed non-use of much of the land and lack of compensation to the original owners.

Ministry Response: The Ministry emphasized that compensation and historical land injustice matters fall within the purview of the NLC. It advised the petitioners to pursue

their claims through the Commission, which has the constitutional authority to investigate and recommend compensation or redress for historical grievances.

5. Petition on Land Ownership Disputes in Mombasa County

Petition Summary: Long-term tenants residing on various parcels in Mombasa County alleged exploitation by absentee landlords, lack of legal leases, and denial of tenancy rights. They requested lease agreements, policy clarity, and a pathway to land ownership.

Ministry Response: The Ministry pointed to the NLC as the appropriate forum for these matters. They acknowledged the complex historical land issues in the coastal region and encouraged the petitioners to engage with the Commission for redress, policy reform, and investigation.

6. Petition on Mwananchi Settlement Scheme – Mwatate, Taita Taveta

Petition Summary: Residents raised alarm over a recent court ruling that awarded the land (L.R. No. 12924) to a third party, threatening the tenure of over 1,300 beneficiaries who were settled on the land by the government and issued titles.

Ministry Response: The Ministry informed the Committee that it has lodged a civil appeal against the judgment delivered by the Voi Environment and Land Court on 18th October 2024. It assured the Committee that the appeal is active and that the Ministry will pursue all legal avenues to safeguard the rights of the beneficiaries pending the outcome.

7. Petition on Land Disputes – Olderkesi, Narok West

Petition Summary: Community members complained of irregular land allocation during subdivision of Olderkesi Adjudication Section, including exclusion of original members and unaccounted leases to a conservancy investor, Mr. Calvince Cottars.

Ministry Response: The Ministry outlined that Olderkesi was lawfully declared an adjudication section in 2010. A notice of register completion was issued and inspection was open for 60 days as required. No objections were formally lodged. Over 6,600 titles have already been issued out of the expected 7,818. On the conservancy matter, the Ministry stated it was not party to the private lease agreement, which should be handled by the conservancy committee. Legal remedies are available under the Land Adjudication Act.

8. Petition on Korogocho Evictions – Nairobi River Corridor

Petition Summary: The Korogocho Community Forum raised issues over evictions following the Nairobi River Corridor's designation as a Special Planning Area, citing lack of public participation, intimidation, and inadequate compensation.

Ministry Response: The Ministry clarified that planning, designation, and eviction decisions within Nairobi fall under the Nairobi City County Government. As such, the county is best placed to respond to the concerns raised, though the Ministry encouraged due process and adherence to the Constitution in all actions.

9. Petition on Public Land Grabbing – Kithima, Meru County

Petition Summary: Petitioners allege that three parcels of public land earmarked for a dispensary, primary, and secondary school have been illegally occupied by private entities.

Ministry Response: The Ministry confirmed that all three parcels—Kiirua/Nkando 704, 702, and 690—are registered in the name of the County Council of Meru for public use and have no encumbrances. The records show clear ownership, and any illegal occupation can be addressed through legal eviction mechanisms.

10. Petition by Nyandarua IDPs – Delayed Compensation and Survey

Petition Summary: Internally Displaced Persons (IDPs) in Nyandarua County petitioned the Senate over delays in compensation, issuance of title deeds, and lack of survey on farms settled between 2010–2013. They also cited frozen funds in banks.

Ministry Response: The Ministry reported that while some farms were planned and surveyed, others were not, and regularization is pending. A budget of Ksh. 25.9 million is required to finalize planning and issuance of title deeds for these farms. It noted that over Ksh. 7.6 billion has already been spent nationwide on IDP resettlement, and that the government ceased land purchase for IDPs in 2013 in favor of cash payouts. The Ministry committed to completing the pending exercises subject to budget availability.

On concluding the Committee took note of the Ministry's responses and acknowledged areas requiring further follow-up, particularly with the National Land Commission, county governments, and courts. The Ministry was commended for its cooperation and commitment to stakeholder engagement and resolution of land grievances.

Further, the Committee resolved that-

- i. The records in Committee possession regarding *the Petition regarding the plight of the landless in Muthanthara, Embu County* be shared with the Ministry of

Lands, Public Works, Housing and Urban Development for them to review the issues raised by the Petitioners before embarking on a site visit for further data collection;

- ii. That the land records regarding *the Petition on delayed allocation of alternative land by way of re-settlement or compensation for the ancestral land that was alienated by the Government of Kenya for creation of Kisii Agricultural Institute and Kisii Farmers Training Center* is sent to the Committee within seven (7) days;
- iii. That the Ministry of Lands, Public Works, Housing and Urban Development shares the list of beneficiaries who recently received titled deeds in the *Petition concerning land injustices against community members living in Olderkesi, Narok West Constituency of Narok County* within seven (7) days; and
- iv. That the Ministry of Lands, Public Works, Housing and Urban Development is given a grace period of 6 months to effect the commitment they made on resettling of the Nyandarua/Laikipia IDPS on the land already procured within this FY 2025/2026 and report back to the Committee.

MINUTE SEN/LENR/385/2025: **MEETING WITH CHAIRPERSON,**
NATIONAL LAND COMMISSION

The Committee noted with concern the persistent requests for postponement of meetings by the Chairperson, National Land Commission and that the increase in submissions that are yet to be received by the Committee are a lot. The Committee thereafter proceeded to issue summons to the Chairperson, National Land Commission.

MINUTE SEN/LENR/386/2025 **ANY OTHER BUSINESS**

There was no other business discussed.

MINUTE SEN/LENR/387/2025 **ADJOURNMENT AND DATE OF**
NEXT MEETING

The meeting was adjourned at 1.24 pm. The date of the next meeting was to be called on notice.

SIGNED:  DATE. 6/8/25

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP
CHAIRPERSON
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL
RESOURCES.



**MINUTES OF THE ONE HUNDRED AND FORTY SEVENTH (147TH)
SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT
AND NATURAL RESOURCES HELD ON TUESDAY, 25TH AUGUST, 2026 AT
CROWN PLAZA HOTEL, IGH, AIRPORT AT 2.00 P.M.**

PRESENT

- | | |
|--|---------------|
| 1. Sen. Mohamed Mwinyihaji Faki, CBS, MP | - Chairperson |
| 2. Sen. Mariam Sheikh Omar, MP | - Member |
| 3. Sen. Beatrice Akinyi Ogola, MP | - Member |
| 4. Sen. Joe Nyutu, MP | - Member |
| 5. Sen. Abdul Haji, MP | - Member |

ABSENT WITH APOLOGIES

- | | |
|---|--------------------|
| 1. Sen. Karen Nyamu, MP | - Vice-Chairperson |
| 2. Sen. Johnes Mwashushe Mwaruma, CBS, MP | - Member |
| 3. Sen. James Murango, MP | - Member |
| 4. Sen. Allan Chesang, CBS, MP | - Member |

SECRETARIAT

- | | |
|----------------------------|-------------------------|
| 1. Mr. Boniface Lenairoshi | - Deputy Director, DSEC |
| 2. Mr. Victor Bett | - Clerk Assistant I |
| 3. Ms. Caroline Njue | - Clerk Assistant II |
| 4. Mr. Andrew Nyairo | - Legal Counsel I |
| 5. Mr. John Mwiruri | - Research Officer III |
| 6. Mr. Simon Muinde | - Audio Officer |
| 7. Mr. Boniface Mbithi | - Sergeant at Arms |
| 8. Ms. Caroline Mukami | - DSEC Secretary |

MINUTE SEN/LENR/887/2026:

PRELIMINARIES

The Chairperson called the meeting to order at 2.30 p.m. followed by a word of prayer.

MINUTE SEN/LENR/888/2026:

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed by Sen. Mariam Sheikh, MP, and seconded by Sen. Joe Nyutu, MP as follows –

1. Prayer;
2. Introduction;
3. Adoption of the Agenda;
4. Confirmation of minutes of previous sittings;
5. Matters Arising;
6. **Adoption of the Reports of the Committee on-**
 - i. **The Petition regarding the eviction of Korogocho community living in the Nairobi River corridor after its declaration as a special planning area;**
 - ii. **The Petition by the Cultural Environmental Care Society (CECARE Society) concerning the conversion of LR NO. 209/2378/1 Pumwani Majengo from public to private land.**
 - iii. **The Petition regarding public land grabbing in Kithima Location in Meru County;**
 - iv. **The Petition by the Single Mother's Association of Kenya (SMAK) regarding the eviction from property Ref No. CP & ARCH/00219 excision of L.R. NO209/6738 in Nairobi County;**
 - v. **The Petition concerning land injustices against community members living in Olderkesi, Narok West Constituency of Narok County.**
7. **Consideration of the Legislative Proposal on the Water (Amendment) Bill;**
8. Any Other Business; and
9. Date of the Next Meeting and Adjournment.

MINUTE/SEN/LENR/889/2026:

**CONFIRMATION OF MINUTES
OF THE PREVIOUS MEETING**

The confirmation of minutes of the previous sittings was deferred to a later date.

MINUTE/SEN/LENR/890/2026:

MATERS ARISING

There were no matters arising.

MINUTE/SEN/LENR/891/2026:

**ADOPTION OF COMMITTEE
REPORTS**

- i. **The Petition by the Cultural Environmental Care Society (CECARE Society) concerning the conversion of LR NO. 209/2378/1 Pumwani Majengo from public to private land – the secretariat incorporated the changes on the recommendations as directed by the Committee and thereafter the Committee adopted the report having being proposed by Sen. Joe Nyutu, MP and seconded by Sen. Mariam Sheikh, MP.**

- ii. **The Petition regarding the eviction of Korogocho community living in the Nairobi River corridor after its declaration as a special planning area** - the secretariat incorporated the changes on the recommendations as directed by the Committee and thereafter the Committee adopted the report having being proposed by Sen. **Beatrice Ogola, MP** and seconded by **Sen. Joe Nyutu, MP**.
- iii. **The Petition regarding public land grabbing in Kithima Location in Meru County** - the Committee adopted the report having being proposed by Sen. **Joe Nyutu, MP** and seconded by **Sen. Beatrice Ogola, MP**.
- iv. **The Petition by the Single Mother's Association of Kenya (SMAK) regarding the eviction from property Ref No. CP & ARCH/00219 excision of L.R. NO209/6738 in Nairobi County** - the Committee adopted the report having being proposed by Sen. **Mariam Sheikh, MP** and seconded by **Sen. Beatrice Ogola, MP**.
- v. **The Petition concerning land injustices against community members living in Olderkesi, Narok West Constituency of Narok County** – The Committee did not adopt the report until the Visit to Narok County is done.

Committee Resolutions

The Committee resolved to invite the Cabinet Secretary, Ministry of Lands, to respond to the Petition regarding land injustices against community members living in Olderkesi, Narok West Constituency of Narok County on Tuesday, 8th September, 2026.

MINUTE/SEN/LENR/892/2026:

CONSIDERATION OF THE LEGISLATIVE PROPOSAL ON THE WATER (AMENDMENT) BILL

The Committee was taken through the proposal and resolved to invite the sponsor to deliberate on some amendments the Committee wants to make to the Bill before publication.

MINUTE/SEN/LENR/893/2026:

ANY OTHER BUSINESS

The Committee resolved to visit Muranga County on a Statement requested by Sen. Joe Nyutu, MP regarding the dumping of untreated waste by avocado processing factories within Kandara and Maragua sub-counties in Muranga County from Thursday, 10th September, 2026 to Saturday, 12th September, 2026.

MINUTE/SEN/LENR/894/2026:

**ADJOURNMENT AND DATE
OF NEXT MEETING**

The meeting was adjourned at 3:30 p.m. The date of the next meeting was to be called on notice.

Signed:  Date: 10/09/2026_____

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP
CHAIRPERSON.

**APPENDIX II:
SUBMISSIONS
FROM KEY
STAKEHOLDERS**



NATIONAL LAND COMMISSION

THE PETITION REGARDING PUBLIC LAND GRABBING IN KITHIMA LOCATION IN MERU COUNTY

Honourable Chair,

Following the meeting between the Senate Committee on Land, Environment and Natural Resources and the National Land Commission held on **23rd September 2025** at **Bunge Towers, Committee Room 2**, the Committee tasked the Commission to undertake comprehensive ground reviews to gather factual information and provide detailed advisory on the petitions submitted.

PETITIONERS' CLAIM

The petitioner's claim is touching on 3 parcels of land which they allege have been grabbed. The parcels in question are situated in Kithima Location, Buuri East Sub County, Meru County. The petitioners claim that the three parcels of land which are alleged to have been grabbed and occupied by a private entity. The 3 parcels in question are;

- i. Kiirau/Nkando 704 (earmarked for Kithima Dispensary)
- ii. Kiirau/Nkando 702 (earmarked for Kithima Primary School)
- iii. Kiirau/Nkando 690 (earmarked for C.C.M Secondary)

The petitioners therefore, pray that the Senate intervenes and ensures that:

- i. The illegal occupants of the said parcels of public land are evicted;
- ii. The boundaries of the said parcels of land are mapped out and beacons are erected to that effect; and
- iii. Any other action that the senate may consider necessary to protect public property and the constitutional rights of the residents of Kithima Location.

RESPONSE

Honourable Chair. the Commission undertook investigations into the matter, including a review of adjudication records, registry searches(**Annex 1**), and a site visit to establish the current status of the parcels. Records indicate that during the Kiirua/Nkando Adjudication process in 1992, several parcels were set aside

for public purposes. Titles were subsequently issued in 2014 to the then County Council of Meru.

The Commission's site visit confirmed that parcel 690, reserved for a secondary school, is presently occupied by a private secondary school operated by the Catholic Church; parcel 702, reserved for a primary school, is occupied by a private primary school run by the Catholic Church; parcel 704, reserved for a dispensary, is developed and operated as a dispensary by the same institution; and parcel 703, reserved for C.C.M Church, is also fully under the management of the Catholic Church, fenced together with the adjoining parcels.

It was further established that members of the public have been raising concerns over parcels 690, 702, and 704 since 2016, but the matter has not been conclusively resolved. All four parcels fall within the definition of public land under Article 62 of the Constitution of Kenya, 2010, having been reserved for public purposes and issued with titles to the defunct County Council of Meru.

Honourable Chair, The Commission notes with concern that public land set aside for schools and a dispensary has been developed and occupied by a private institution without due process of allocation or regularization. This undermines the principle of public land management as enshrined in the Constitution.

The Commission's position is that the matter requires a structured and consultative resolution process involving the Catholic Diocese of Meru, the County Government of Meru, and relevant national government agencies. This will establish the circumstances under which the Church came to occupy and develop the land, determine whether any regularization is possible within the law, and safeguard the rights of the residents of Kithima Location.

In addition, the Commission emphasizes that while dispensaries are a devolved function of county governments, primary and secondary schools fall within the mandate of the national government, and therefore both levels of government must be involved in resolving the matter.

Conclusion

Honourable Chair and Committee Members, the Commission confirms that the parcels in question were lawfully set aside for public purposes but are currently in use by a private institution. To safeguard public land and uphold the constitutional rights of the residents, the Commission recommends a consultative engagement of all stakeholders with its facilitation, guided by the provisions of Article 62 of the Constitution and the National Land Commission Act. The Commission remains committed to ensuring that public land in Kithima Location is protected, administered, and managed in the public interest, and that an equitable and lawful resolution is achieved.

Existing developments within the above parcels

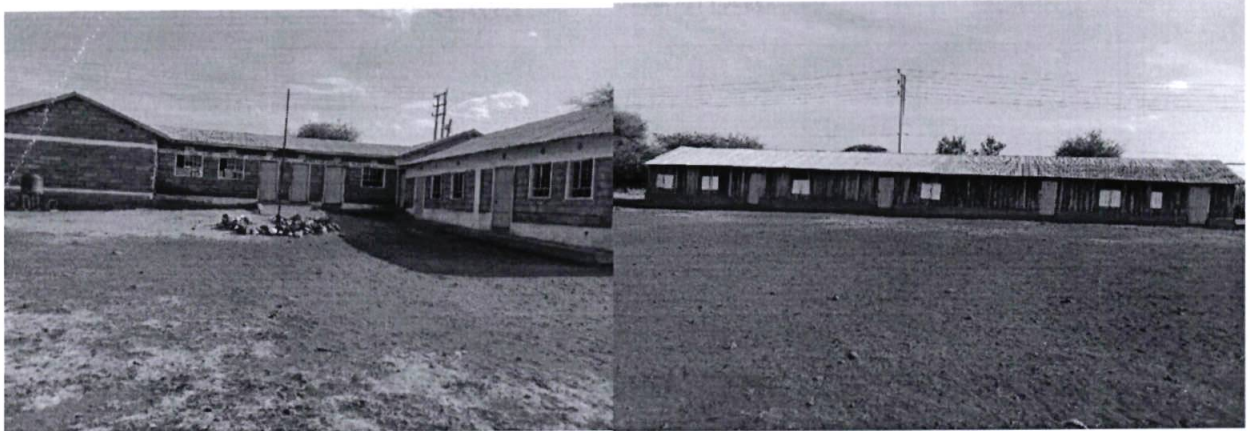


Plate 1&2: Existing private Secondary School and Primary School.

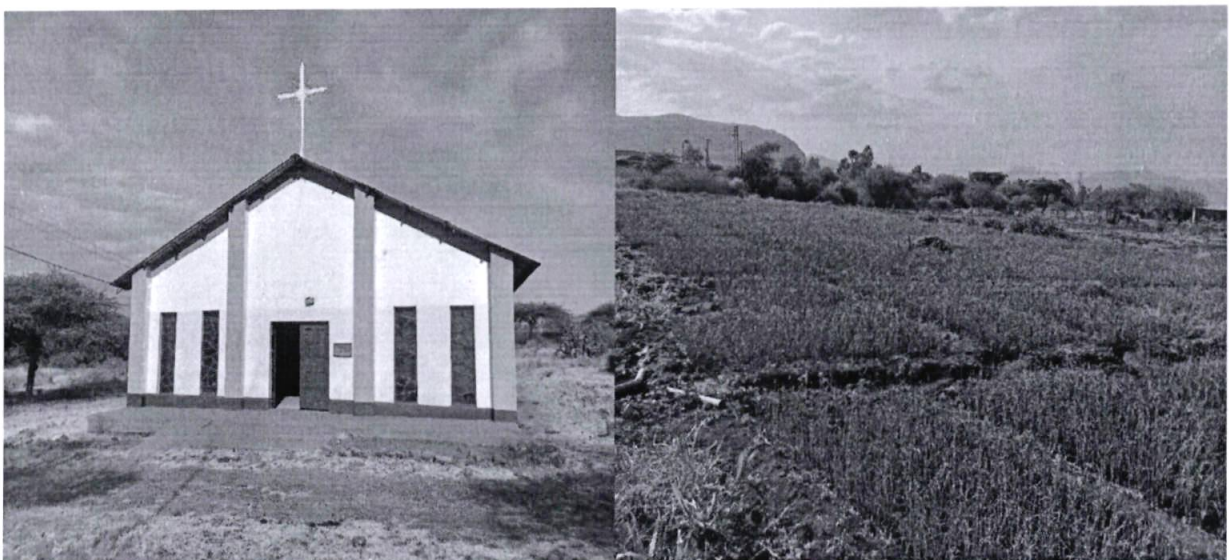


Plate 3&4: Existing Kithima Catholic Parish and horticultural (onion farming.)

Annex 1: Adjudication Records and Registry Searches for Kithima Location(Meru County. Petition Regarding Public Land Grabbing in Kithima Location

THE LAND REGISTRATION ACT
THE LAND REGISTRATION (GENERAL) REGULATIONS, 2017
CERTIFICATE OF OFFICIAL SEARCH
TITLE NO. KIIRUA/NKANDO/690

SEARCH NO.

On the 30TH day of SEPT 2025 the following were the subsisting entries on the register of the above-mentioned title:

Part A — Property Section (easements, etc.) RESERVED FOR C.C.M.

Nature of title ABSOLUTE SECONDARY SCHOOL

Approximate area 7.26 (SEVEN DEUMA EIGHT SIX) Ha

Part B — Proprietorship Section

Name and address of proprietor 28.1.14 COUNTY COUNCIL OF MERU

Inhibitions, cautions and restrictions 28.1.14 TITLE DEED ISSUED

Part C — Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:

- (a)
(b)
(c) NIL
(d)

The following certified copies are attached as requested:

- (a)
(b)
(c) NIL
(d) 30TH

Date 30TH day SEPT 20 25

Signed by the Registrar

Seal

Name:

Signature: [Signature]

THE LAND REGISTRATION ACT
THE LAND REGISTRATION (GENERAL) REGULATIONS, 2017

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. KIUAUA/NKANDO/702

SEARCH NO.

On the 30TH day of SEPT. 2025, the following were the subsisting entries on the register of the above-mentioned title:

Part A — Property Section (easements, etc.)

RESERVED FOR KITHIMA
PRIMARY SCHOOLNature of title ABSOLUTEApproximate area 6.40 (SIX DECIMAL FOUR ZERO) Ha

Part B — Proprietorship Section

Name and address of proprietor 28.1.2014 COUNTY COUNCIL OF MERUInhibitions, cautions and restrictions 28.1.2014 TITLE DEED ISSUED

Part C — Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:

- (a)
- (b)
- (c) NIL
- (d)

The following certified copies are attached as requested:

- (a)
- (b)
- (c) NIL
- (d)

Date 30TH day SEPT. 2025

Signed by the Registrar

Seal

Name:

Signature:

THE LAND REGISTRATION ACT

THE LAND REGISTRATION (GENERAL) REGULATIONS, 2017

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. KILWA / NKANDO / 703SEARCH NO. 7HOn the 30TH day of SEPT 2025 the following were the subsisting entries on the register of the above-mentioned title:Part A — Property Section (easements, etc.) RESERVED FOR CCM CHURCHNature of title ABSOLUTEApproximate area 0.42 (ZERO DECIMAL FOUR TWO) Ha

Part B — Proprietorship Section

Name and address of proprietor 28.1.2014 COUNTY COUNCIL OF MERUInhibitions, cautions and restrictions 3.11.2014 TITLE DEED ISSUED

Part C — Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:

(a)

(b)

(c) NIL

(d)

The following certified copies are attached as requested:

(a)

(b)

(c) NIL

(d)

Date 30TH day SEPT 2025

Signed by the Registrar

Name:

Signature: [Signature] *376

Seal

Land Adj. & Set.
P.O. Box 2208,
MERU,

SCH/LA/13 Vol.1/488.

11th August, 1992.

The Chief,
Kilrua Education,
N/Isenti Division,
MERU.

RE: PUBLIC PURPOSE PLOTS - K/BRANDO ADJ. SECTION, 001/11/25

With reference to your letter No. SCH/LA/13 Vol.1/459 I hereby submit the list of Public Purpose Photo.

P	P/NO.	PURPOSE SET ASIDE FOR.
1.	679	Barrier Market.
2.	680	Barrier Pry. School Kinyenjere
3.	681	Kabari Ga Zakayo
4.	682	Methodist Church of Kenya
5.	683	Kinyenjere Women Group
6.	684	East African Petegocast
7.	685	Munanda Primary School
8.	686	Ntumburi Market
9.	687	Ntumburi Dispensary
10.	688	Kithima Kia Mukuu
11.	689	Kithima Kia mberoki
12.	690	C.C.M. Secondary School
13.	691	Kithima Methodist Church
14.	692	Kithima Gini Klayi Well Comp.
15.	693	Kithima Administration Camp
16.	694	Ndonyu Gari Kithi Primary School
17.	695	Independent Church
18.	696	Full Gospel Kamuketha Pry School 13 Acre
19.	697	Kamuketha Water Tank 0.90
20.	698	Kamuketha Murzary School 1 Acre
21.	699	Seventh Day Adventist Church
22.	700	Nation Independent Church
23.	701	Cattle Dip KITHIMA
24.	702	Kithima Primary School
24.	703	C.C.M. Church
25.	704	Kithima Dispensary
26.	705	



NATIONAL LAND COMMISSION

THE PETITION REGARDING PUBLIC LAND GRABBING IN KITHIMA LOCATION IN MERU COUNTY

Honourable Chair,

The Senate Committee on Land, Environment and Natural Resources invited the Commission to a meeting held on 23rd September 2025 at Bunge Towers, Committee Room 2.

Further, through a letter Ref: SEN/DSEC/DPEAC/LENR/2025(3)(252), the Committee invited the Commission to accompany it for a site visit aimed at ascertaining the status on the ground.

Consequently, the Committee conducted the site visit on Monday, 27th October 2025, to consider the petition regarding the alleged public land grabbing in Kithima Location, Meru County.

The Committee, together with the Commission, undertook comprehensive ground assessments to gather factual information and provide detailed advisory on the petitions submitted

PETITIONERS' CLAIM

The petitioner's claim is touching on 3 parcels of land which they allege to have been grabbed.

The parcels in question are situated in Kithima Location, Buuri East Sub County, Meru County.

The petitioners claim that the three parcels are occupied by a private entity.

The parcels in question are;

- i. Kiirua/Nkando/704 (earmarked for Kithima Dispensary)
- ii. Kiirua/Nkando/702 (earmarked for Kithima Primary School)
- iii. Kiirua/Nkando/690 (earmarked for C.C.M Secondary)

The petitioners therefore, pray that the Senate intervenes and ensures that:

- i. The illegal occupants of the said parcels of public land are evicted;
- ii. The boundaries of the said parcels of land are mapped out and beacons are erected to that effect; and
- iii. Any other action that the senate may consider necessary to protect public property and the constitutional rights of the residents of Kithima Location.

RESPONSE

Honourable Chair the Commission undertook investigations into the matter, including a review of adjudication records, registry searches (*Annex 1*), and a site visit to establish the current status of the parcels. Records indicate that during the Kiirua/Nkando Adjudication process in 1992, several parcels were set aside for public purposes. Titles were subsequently issued in 2014 in favour of the defunct County Council of Meru for the respective users.

The Commission's site visit confirmed that LR No. Kiirua/Nkando/690, is reserved for a secondary school, LR No. Kiirua/Nkando/702 is reserved for a primary school, LR No. Kiirua/Nkando/704 is reserved for a dispensary and LR No. Kiirua/Nkando/703 is reserved for C.C.M Church, is also fully under the management of the Catholic Church, fenced together with the adjoining parcels.

The Commission site visit confirmed that the four parcels are all fenced and within it there's a private secondary school, Private primary school and a Church.

It was further established that members of the public have been raising concerns over L.R No. Kiirua/Nkando/690, LR No. Kiirua/Nkando/702 and LR No. Kiirua/Nkando/704 since 2016, but the matter has not been conclusively resolved.

All four parcels fall within the definition of public land under Article 62 of the Constitution of Kenya, 2010, having been reserved for public purposes and issued with titles to the defunct County Council of Meru.

The National Land Commission is in receipt of a letter from the Diocese of Meru (*Annex 3*) addressed to the Senate and copied to the Commission requesting to be allocated a half of the total land acreage in question in order to continue undertaking the current services i.e. Church, Primary and junior Secondary, since they have been in occupation of the same since 1970.

The Commission's position is that the matter requires a structured and consultative resolution process involving the Catholic Diocese of Meru, the County Government of Meru, and relevant national government agencies. This will establish the circumstances under which the Church came to occupy and develop the land, determine whether any regularization is possible within the law, and safeguard the rights of the residents of Kithima Location.

In addition, the Commission emphasizes that while health centres are a devolved function of county governments, primary and secondary schools fall within the mandate of the national government except education institutions run by private institutions including religious institutions, and therefore both levels of government must be involved in resolving the matter.

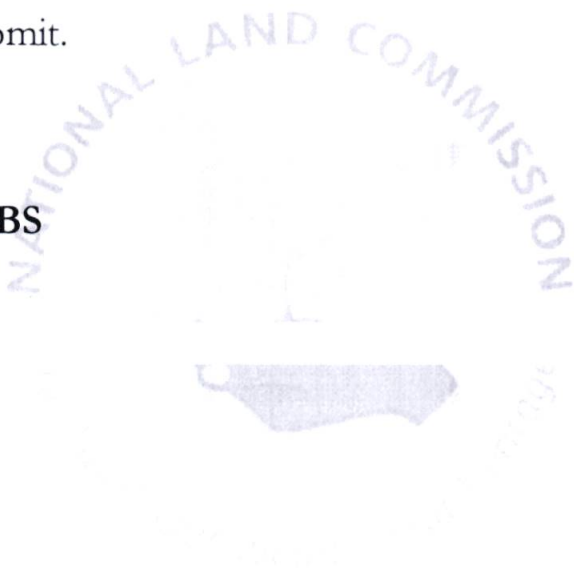
Recommendation.

Honourable Chair and Committee Members, the Commission confirms that the 3 parcels parcels in question were lawfully reserved for public purposes but are currently in use by the Catholic Diocese education and religious purposes. To safeguard public land and uphold the constitutional rights of the residents, the Commission recommends a consultative engagement of all stakeholders with its facilitation, guided by the provisions of Article 62 of the Constitution and the National Land Commission Act. The Commission remains committed to ensuring that public land in Kithima Location is protected, administered, and managed in the public interest, and that an equitable and lawful resolution is achieved.

Further, all the stakeholders may consider amalgamating the 4 land parcels and sub dividing them into 2 or 3 land parcels as guided by the community and planning standards to accommodate the various public utilities i.e dispensary, primary school, secondary school and the church.

Honourable Chair, I submit.


Kabale Tache Arero, MBS
SECRETARY/CEO



MINISTRY

OF HOUSING.

Land Adj. & Set.
P.O. Box 2008,
MERU.

SCM/LA/13 Vol.1/488.

11th August, 1972.

The Chief,
Kiirua Location,
N/Isiolo Division,
MERU.

RE: PUBLIC PURPOSE PLOTS - KILGARDI ADJ. SECTION, Vol.1/11/25

With reference to your letter No. SCM/LA/13 Vol.1/459 I hereby submit the list of Public Purpose Plots.

P	P/NO.	PURPOSE SET ASIDE FOR.
1.	679	Barrier Market.
2.	680	Barrier Pry. School Kinyanjere
3.	681	Kabari Ga Zakeyo
4.	682	Methodist Church of Kenya
5.	683	Kinyanjere Women Group Certificate 102
6.	684	East African Petroleum Office
7.	685	Munanda Primary School
8.	686	Mtumburi Market
9.	687	Mtumburi Dispensary
10.	688	Kithima Kin Mokuu
11.	689	Kithima Kin Mberoki
12.	690	C.C.M. Secondary School
13.	691	Kithima Methodist Church
14.	692	Kithima Gwa Kijaji Hall
15.	693	Kithima Administration Camp
16.	694	Mdumyungu Primary School
17.	695	Independent Church
18.	696	Full Gospel Kamuketha Pry School 13 ACRES
19.	697	Kamuketha Water Tank 0.90
20.	698	Kamuketha Nursery School 1 ACRES
21.	699	Seventh Day Adventist Church
22.	700	Nation Independent Church
23.	701	Cattle Dip KITHIMA
24.	702	Kithima Primary School
25.	703	C.C.M. Church
26.	704	Kithima Dispensary
27.	705	Munanda Women Group
		MUNANDA CHIEF CAMP

THE LAND REGISTRATION ACT
THE LAND REGISTRATION (GENERAL) REGULATIONS, 2017
CERTIFICATE OF OFFICIAL SEARCH
TITLE NO. KURUA/NKANDO/690

SEARCH NO.

On the 30TH day of SEPT 2025 the following were the subsisting entries on the register of the above-mentioned title:

Part A — Property Section (easements, etc.) RESERVED FOR C.C.M.

Nature of title ABSOLUTE SECONDARY SCHOOL

Approximate area 7.86 (SEVEN DECIMAL EIGHT SIX) Ha

Part B — Proprietorship Section

Name and address of proprietor 28.1.14 COUNTY COUNCIL OF MERU

Inhibitions, cautions and restrictions 28.1.14 TITLE DEED ISSUED

Part C — Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:

(a)

(b)

(c) NIL

(d)

The following certified copies are attached as requested:

(a)

(b)

(c) NIL

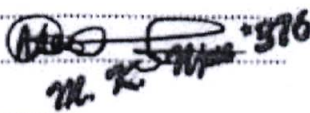
(d)

Date 30TH day SEPT 20 25

Signed by the Registrar

Seal

Name:

Signature: 

THE LAND REGISTRATION ACT

THE LAND REGISTRATION (GENERAL) REGULATIONS, 2017

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. KIIMWA/NKANDO/702

SEARCH NO.

On the 30TH day of SEPT 2025 the following were the subsisting entries on the register of the above-mentioned title:Part A — Property Section (easements, etc.) RESERVED FOR KITHIMANature of title ABSOLUTE PRIMARY SCHOOLApproximate area 6.40 (SIX DECIMAL FOUR ZERO) Ha

Part B — Proprietorship Section

Name and address of proprietor 28.1.2014 COUNTY COUNCIL OF MERUInhibitions, cautions and restrictions 28.1.2014 TITLE DEED ISSUED

Part C — Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:

(a)

(b)

(c) NIL

(d)

The following certified copies are attached as requested:

(a)

(b)

(c) NIL

(d)

Date 30TH day SEPT 2025

Signed by the Registrar

Name: 376Signature: [Signature]

Seal

THE LAND REGISTRATION ACT

THE LAND REGISTRATION (GENERAL) REGULATIONS, 2017

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. KILWA / NKANDO / 703

SEARCH NO.

On the 30TH day of SEPT 2025 the following were the subsisting entries on the register of the above-mentioned title:Part A — Property Section (easements, etc.) RESERVED FOR CCM CHURCHNature of title ABSOLUTEApproximate area 0.42 (ZERO DECIMAL FOUR TWO) Ha

Part B — Proprietorship Section

Name and address of proprietor 28.1.2014 COUNTY COUNCIL OF MERUInhibitions, cautions and restrictions 3.11.2014 TITLE DEED ISSUED

Part C — Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:

(a)

(b)

(c) NIL

(d)

The following certified copies are attached as requested:

(a)

(b)

(c) NIL

(d)

Date 30TH day SEPT 2025

Signed by the Registrar

Name:

Signature: [Signature]

Seal



**COUNTY GOVERNMENT OF MERU
OFFICE OF THE COUNTY ATTORNEY**

Email: merucounty@meru.go.ke
When replying please quote

Meru County Headquarters
P.O. Box 120-60200
MERU

Our ref: MC/OCA/GEN/22(01)/2025

Date: 24th October 2025

The Senate,
Clerk's Chambers,
Parliament Buildings,
P.O. Box 41812-00100,
Nairobi, Kenya.
Victor.bett@parliament.go.ke



Dear Sir,

**RE: VISIT BY THE SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND
NATURAL RESOURCES TO MERU COUNTY.**

The above matter refers.

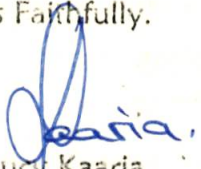
Reference is made to your letter referenced SEN/DSEC/DPEAC/LENR/2025(3)/(249) dated 21st October, 2025 inviting H.E Hon. Isaac Mutuma M'Ethingia, Governor, County Government of Meru, to a meeting on the subject matter.

We wish to inform you that the Governor is regrettably unable to attend the scheduled meeting since H.E Hon. Isaac Mutuma M'Ethingia will be attending another senate meeting with the County Public Investments and Special Funds Committee which will be held at Committee Room 10, Second Floor, Bunge Tower, Nairobi scheduled on 27th October 2025 at 10.00 a.m., which coincides with the current invitation. (see the attached copy of the senate).

In light of the above, we humbly seek that you reschedule the visit to a later date to enable us prepare for the visit by the senate.

We sincerely regret any inconvenience this may cause and respectfully request for your kind consideration.

Yours Faithfully,


Ms. Lucy Kaaria,
County Attorney

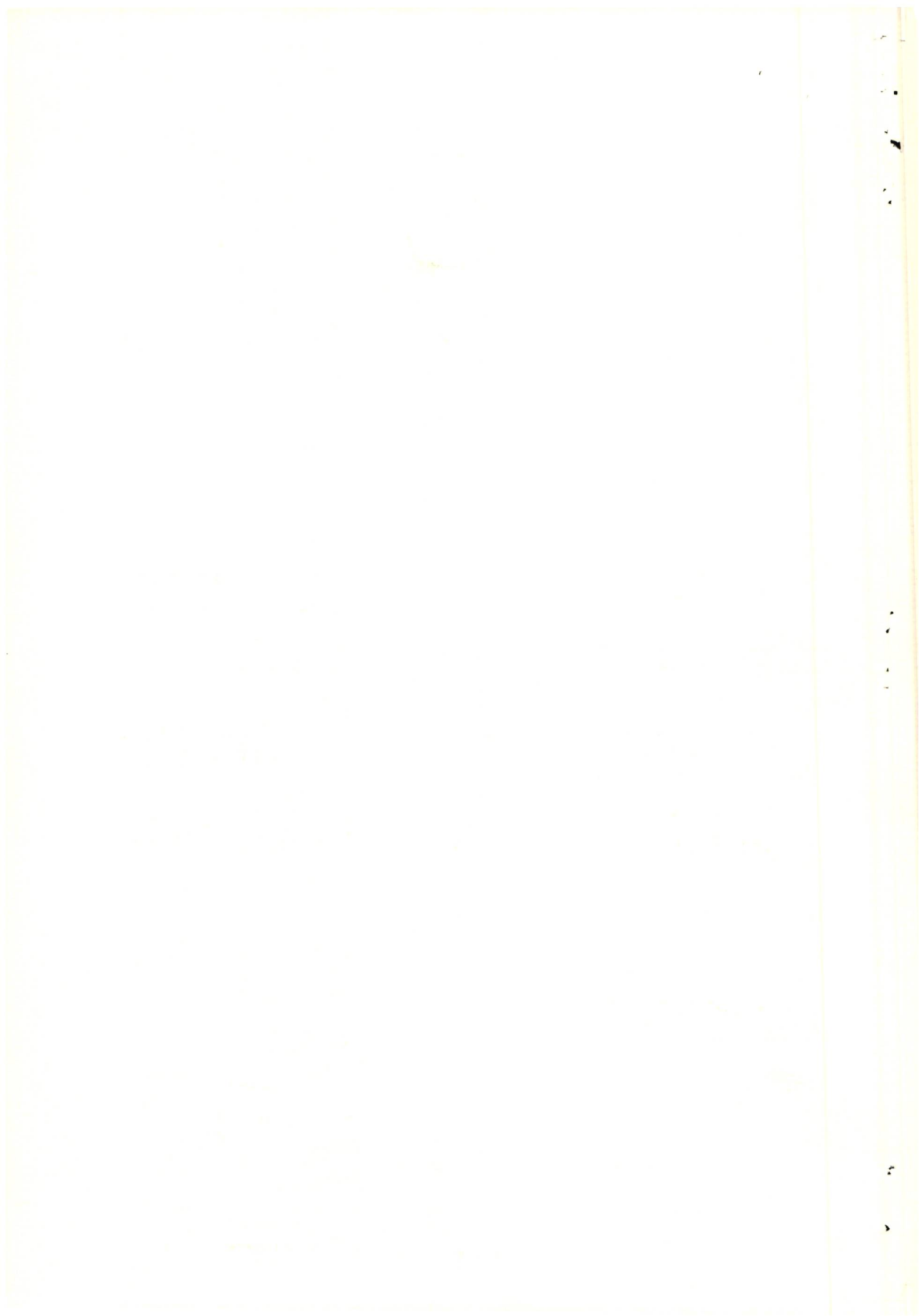
For: H.E Hon. Rev. Isaac Muruma M'Ethingia,
Governor, County Government of Meru

① DSEC

kindly deal

② Mr. B...
Kindly deal
27/10/25

Garipari's



REPUBLIC OF KENYA

Telegraphic Address
'Bunge', Nairobi
Telephone 2848000
Fax: 2243694
E-mail: clerk.senate@parliament.go.ke



The Senate
Clerk's Chambers
Parliament Buildings
P. O. Box 41842 -00100
NAIROBI, Kenya

**PARLIAMENT
OFFICE OF THE CLERK OF THE SENATE**

Ref: SEN/DGAC/CPICSF/2025/188

22nd October, 2025

Hon. Isaac Mutuma M'Ethingia,
Governor,
Meru County,
P.O. Box 120 – 60200,
MERU.

Dear Sir,

**RE: MEETING WITH THE COUNTY PUBLIC INVESTMENTS AND SPECIAL
FUNDS COMMITTEE**

Reference is made to our letter, Ref: SEN/DGAC/CPICSF/2025/175, dated 30th September, 2025 regarding a meeting with the County Public Investments and Special Funds Committee that was scheduled for Thursday, 16th October, 2025.

This is to inform you that the Committee resolved to re-schedule the meeting to **Monday, 27th October, 2025 at 10.00 a.m.** The meeting will be held at **Committee Room 10, Second Floor, Bunge Tower, Nairobi.**

Mr. Yussuf Shimoy, Clerk Assistant (Tel: +254723611301; Email: yussuf.shimov@parliament.go.ke), is the Clerk to this Committee and is responsible for facilitating this matter.

Yours faithfully,

For: *Ef*
J. M. NYEGENYE, CBS,
CLERK OF THE SENATE.

Copy to:

FCPA Nancy Gathungu, CBS,
Auditor-General,
Office of the Auditor-General,
Anniversary Towers, University Way,
NAIROBI.

Sen. Kathuri Murungi, MGH, MP,
Senator,
Meru County,
Parliament Buildings,
NAIROBI.

Mr. Jacob Kirari,
Clerk,
Meru County Assembly,
P.O. Box 120-60200,
MERU.

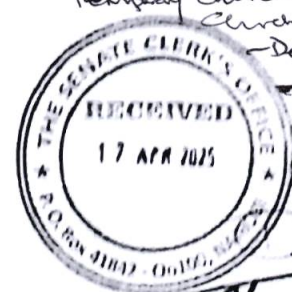
APPENDIX III:

PETITION

1992- District land
adjustment office
lost 8 hands. hand based
on time for one.
✓ Scapito Mubenda
Chief of the lands.
County Governor
✓ Ronald Mubenda - physical planner

Fr. Jasan Nicken
- 1995

THE CLERK OF THE SENATE
PARLIAMENT BUILDINGS
P.O. BOX 41842-00100
NAIROBI



Temporary Church in 1998, the permanent
Church was in 2004.
Demarcation was in 2012.
Original map.
Evicted someone in
2002.

DLPS

Please lead.

MA
17/4/25

EMAIL: csenate@parliament.go.ke

PUBLIC PETITION PURSUANT TO ARTICLE 119 OF THE CONSTITUTION BY RESIDENTS OF KITHIMA LOCATION ON PUBLIC LAND GRABBING.

WE THE UNDERSIGNED residents of Kithima location, Buuri East Sub-County, Meru County;

DRAW the attention of the Senate to the following: -

THAT WHEREAS, Article 43 (1) (a) of The Constitution of Kenya, 2010 provides that every person has the right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;

THAT WHEREAS, Article 43 (1) (f) of The Constitution of Kenya, 2010 provides that every person has the right to education.

THAT Kithima location does not have a single public health facility therefore forcing members of public to walk for approximately 10 kilometers to seek health services to the neighboring Isiolo County.

THAT Kithima location does not have a single public primary school therefore forcing pupils to walk for approximately 10 kilometers in search of education in the neighboring Isiolo County.

THAT Kithima location does not have a single public secondary school therefore forcing students to walk for approximately 10 kilometers in search of education in the neighboring Isiolo county.

THAT land was set aside for public amenities as follows:

- | | | |
|----------|------|---|
| 1 acre | I. | LAND PARCEL NO: KIIRUA/ NKANDO 704 - KITHIMA DISPENSARY |
| 15 acres | II. | LAND PARCEL NO: KIIRUA/ NKANDO 702 - KITHIMA PRIMARY SCHOOL |
| 18 acres | III. | LAND PARCEL NO: KIIRUA/ NKANDO 590 - C.C.M SECONDARY |

THAT, the aforementioned parcels of land have been grabbed and occupied by a private entity.

THAT, the petitioners confirm that efforts have been made to have the matter addressed by the Ministry of Lands, Public Works, Housing and Urban Development on 3rd of March 2016, by requesting on the status of the afore mentioned land parcels.

Petitioners

✓ 38.5 Sq Km

- ✓ Marginalized
- ✓ No primary
- ✓ 3,860 the world
- ✓ No secondary school
- ✓ No county

Page 1 of 4

- Threatened by Joseph Wanjau
- Director County of land
- 2008 - 1965 acres was been grabbed.
- Regarding some project to this location.
- The police station doesn't have cells.

Waswa Josephat

**PUBLIC PETITION PURSUANT TO ARTICLE 119 OF THE CONSTITUTION BY RESIDENTS OF
KITHIMA LOCATION ON PUBLIC LAND GRABBING.**

The Ministry responded through a letter dated the 15th of March 2016, Ref. COMP/2/17 XLIX/75, indicating that the parcels of land are registered as public land under the Meru County Council.

THAT WHEREAS, the petitioners confirm that efforts were made on the 6th of June 2016 to have the matter investigated and redressed by the National Land Commission, the commission responded through a letter dated the 1st of November 2016, Ref: NLC/CHAIRMAN/VOL.XVIII/84, and that the response was unsatisfactory.

THAT WHEREAS, the petitioners confirm that efforts were made to have the matter addressed by the County Land Management Board through a letter dated the 6th of June 2016 requesting the board to establish the ownership of the said parcels of land, and that no response was received from the board.

THAT WHEREAS, the petitioners confirm that the issue was raised to the Meru County Executive Committee Member for Lands, Physical Planning, Urban Development, Housing & Public Works on the 5th of November 2018, and that no response was received from the County Executive Committee Member.

AND THAT, all the matters in respect of which the petition is raised are not pending before any court of law or constitutional body.

HEREFORE, your humble Petitioners PRAY that the Senate intervenes and ensures that:

- i. The illegal occupants of the said parcels of public land are evicted
- ii. The boundaries of the said parcels of land are mapped out and beacons erected to that effect.
- iii. Any other action that the senate may consider necessary, to protect public property and the constitutional rights of the residents of Kithima location, be taken.

And your Petitioners will forever pray.

Dated this 10th day of April 2025.

Presented by:

DANIEL MUTUMA RUKARIA OF I.D NO: 26496593 Signature 

P.O BOX 28 60300,

ISIOLO

Tel. 0720 301 970, email: drukaria@gmail.com

For:- The Residents of Kithima Location

**PUBLIC PETITION PURSUANT TO ARTICLE 119 OF THE CONSTITUTION BY RESIDENTS
OF KITHIMA LOCATION ON PUBLIC LAND GRABBING.**

NO	NAME	ADDRESS	I.D NO	SIGNATURE
1.	DANIEL MUTUMA	07205	26496593	
2	MARY NKAUSA	07998	15 275	
3	DAVID MUTHARA	0720	1336	
4	THOMAS MURUGA	07259	13	
5	WAGA KIMBI	07010	1370	
6	JAMES MURUGI	07184	122	
7	GEORGE KICHA	07186	13	
8	HAROLD MURUGI	07186	89	
9	CHARITY MURUGA	07123	1169	
10	STEPHEN MUTHI	07215	23	
11	JOSEPH KIMBI	07109	746	
12	MARTIN MURUGA	07957	2336	
13	JOSEPH KIMBI	07170	75	
14	KENNETH MURUGA	07203	146	
15	DANIEL MURUGA	07013	236	
16	SILAS MURUGA	0723	135	
17	SILAS NGUTIKU	07255	836	
18	CHARITY GAKU	07204	1280	
19	MILIE GONGA	07953	2101	
20	STEPHEN KIMBI	07217	0190469	
21	SARIS KIMBI	07217	7453	
22	FRANCIS SHIBILI	07215	160	
23	JOSEPH KIMBI	07219	1236	
24	LYDIA MURUGA	07203	72163	
25	ROSEMARY KIMBI	07248	063	
26	JOHN KIMBI	07211	756	
27	ROBERT KIMBI	07235	15	
28	WAGNER KIMBI	07083	105	
29	Prince D.K	07131	8470	
30	Fr. Jagan Muthi	07253	53	
31	Dr. MURUGA MURUGA	07298	9030	
32	Rev. James Kabutia	07235	1179	

Presented by:

DANIEL MUTUMA RUKARIA OF I.D NO: 26496593 Signature

Tel. 0720 301 970, email: drukaria@gmail.com

**PUBLIC PETITION PURSUANT TO ARTICLE 119 OF THE CONSTITUTION BY RESIDENTS
OF KITHIMA LOCATION ON PUBLIC LAND GRABBING.**

NO	NAME	ADDRESS	I.D NO	SIGNATURE
33	ELAND GITONGA J	07581	7419	
34	MOSES MUKENEN	07412	02	
35	Rev. Robert Mithemiti	07257	2445	
36	Rev. NICOLETA LETUNGAI	07056	745	
37	DENIS MUTUMA RUKIA	07900	7600	
38	ALLAN KIRIMI	0721-113	8539	
39	Rev ROBERT KIRIMI	07235	947	
40	Paul Muthuri	07013	2937	
41	Samson Gitimbu	072957	444	
42	TASHUA MURENDA	0722	1788	
43	Silas MURUGA	0707	276	
44	DAVID M'AGUI	07164	0071	
45	FESTUS M'AKA KIRIA	079077	4492	
46	CATHERINE KIRIMI	07005	52371	
47	ROSE KIRIMI	07140	246	
48	ALVIN MURITHI	07137	2018	
49	ALVIN MURITHI	072	5072	326
50	MURUGA	07257	77	
51	CATHERINE GACHERI	07200		
52	PAUL KIRIMI	07431	242	
53	STEPHEN MUGAMBI	07904	445	
54	WILLIAM KIMATHI	0251705	074	
55	ZIPPORAH KIRIMA	07425	256	

Presented by:

DANIEL MUTUMA RUKARIA OF I.D NO: 26496593 Signature

Tel. 0720 301 970, email: drukaria@gmail.com

DANIEL MUTUMA RUKARIA
FOR: RESIDENTS OF KITHIMA LOCATION
P.O BOX 28-60300
ISIOLO
EMAIL: drukaria@gmail.com
Tel: 0720301970

03/06/2025

THE CLERK OF THE SENATE
THE SENATE
PARLIAMENT BUILDINGS
P.O BOX 41842-00100
NAIROBI
EMAIL: clerk.senate@parliament.go.ke

Dear Sir,

**SUBJECT: REQUEST FOR AMENDMENT TO A CLAUSE IN A PARAGRAPH IN AN
EARLIER PUBLIC PETITION**

I am writing to respectfully request a revision to a specific paragraph contained in a public petition that I submitted to the Senate on behalf of the people of Kithima Location, Buuri East Sub County, Meru County titled; "PUBLIC PETITION PURSUANT TO ARTICLE 119 OF THE CONSTITUTION BY RESIDENTS OF KITHIMA LOCATION ON PUBLIC LAND GRABBING", that was reported by the Speaker of the Senate on 14th of May 2025.

Upon further review of the petition, it has come to my attention that one clause in a paragraph does not accurately convey the intended message due to a typing error. For the purpose of clarity and accuracy, I kindly request that the following third clause containing a land parcel number be amended.

The original third clause in the paragraph reads:

"THAT land was set aside for public amenities as follows:

iii. LAND PARCEL NO: KIIRUA/NKANDO 590- C.C.M SECONDARY"

I kindly propose that the third clause in the paragraph be amended to read:

"iii. LAND PARCEL NO: KIIRUA/NKANDO 690 – C.C.M SECONDARY"

This amendment is necessary to correct a factual error. I sincerely apologize for any inconvenience this may cause and appreciate your attention to this matter. Please do not hesitate to contact me should any further information or action be required to facilitate this correction.

Thank you for your kind consideration.

Yours sincerely,

DANIEL MUTUMA RUKARIA of I.D Number 26496593, Sign 
For: Residents of Kithima Location

Copy to: **Sen. Mwinyihaji Mohamed Faki, CBS, MP,**
Chairperson, Standing Committee on Land, Environment and Natural
Resources
Parliament Buildings
NAIROBI

**APPENDIX IV:
SUBMISSIONS BY
PETITIONER**



DIOCESE OF MERU

MERU CATHOLIC SECRETARIAT

P. O. BOX 16 - 60200 MERU, KENYA
Tel: +254 721 491 149 or +254 720 868 694
Email: dioceseofmeru@yahoo.com.

Your Ref: SEN/DSEC/DPEAC/LENR/2025(3) (248)

Our ref: 682/12,

3rd November 2025,

The Senate,
Clerk's Chambers
Parliament Building
P.O. Box 41842- 00100
NAIROBI.

Dear Sir,

Re: Parcels of land registered as Kiirua/Nkando 690,702, 703 & 704

We refer to your letter dated 21st October 2025, together with the annexures therein, which culminated in a public hearing on the matter on 27th of October 2025, and in appreciation of the Parliament's, we commend the Senate for its effort to consider and/or oversee the resolution of a dispute over the above parcels of land situated in Meru County.

The parcels of land in question and others in the Kiirua/NKando adjudication sections were registered under the County Council of Meru, reserved for CCM, which stands for Consolata Catholic Mission, for development that was already underway on the land, as well as others planned for the future.

This can be confirmed from the letter dated 4th November 2006, which indicates that Parcel Number 690 has been reserved for CCM secondary school, no.702 Kithima Primary, and no. 703 is reserved for the CCM church; as such, the question of land grabbing does not arise.

It is prudent to appreciate that at the time of demarcation in the mid-sixties, the parcels were demarcated for specific purposes given for various reasons under different entities. In the present case, the development was under the Catholic Diocese of Meru. As such, the Diocese of Meru, Trustees Registered, has made efforts to assert its proprietary interest over the said land, which it has occupied and extensively developed for over fifty (50) years, since the early 1970s. As such, we would be grateful if the resolution of the dispute and subsequent redemarcation of the land, if the same is deemed necessary, the Diocese of Meru be granted the part of the land hosting the

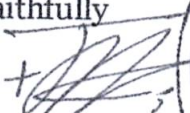
Recd
[Signature]
3/11/2025

Church and Primary school, as well as incidental structures.

This is approximately half of the total acreage of the property in issue.

We appreciate your effort and concurrence in agreeing to intervene in resolving the dispute over the said property between the parties.

Yours faithfully


Rt. Rev. Jackson Murugara
COADJUTOR BISHOP OF MERU



Cc: NLC coordinator Meru

Encl. letter dated 4th November 2006



REPUBLIC OF KENYA
PARLIAMENT

Hon. Rindikiri Mugambi Murwithania, MP.
Buuri Constituency

Parliament Buildings
P. O. Box 41842 - 00100
Tel: +254 20 2221291
Nairobi, Kenya
5th November, 2018

Mobile: +254 722 790 555
+254 736 455 934
E-mail: murwithaniamugambi@gmail.com

The CECM
Lands, Physical Planning Urban Dev. Housing & Public Works
MERU COUNTY

Dear Sir,

**RE: KITHIMA PRIMARY SCHOOL PLOT NO.702 AND KITHIMA
DISPENSARY PLOT NO. 704**

The above indicated plots were allocated as public utility areas adjacent to Catholic Church and CCM secondary school.

Our humble request is that these two plots are issued with title deeds to enable the Government through NCO CDF, the community and the County Government initiate development.

Please refer to the Map in your possession and also the various correspondences submitted to your office. Part of the correspondences is reference letter from the National Lands Commission and, one from the school interim committee which is also overseeing the issues of the dispensary.

Of most important is to note that Kithima location has no Public primary and secondary school. The children from this location attend schools in Isiolo, Ntumburi location, Nkando location and Mutunyi which are an average of 10 Kilometres away.

Our prayer is that you expedite the documents and mapping of the boundaries of the two plots as soon as possible.

Yours faithfully

Hon. Rindikiri Mugambi Murwithania

c.c.

Permanent Secretary
Ministry Of Lands

Permanent Secretary
Ministry of Education

County Commissioner
MERU COUNTY

National Land Commission
MERU

CECM- Education

DCCs (Buuri East/West)

County Director of Education

County Director – TSC

MCA – Naari/Kiirua ✓



MINISTRY OF LAND, HOUSING AND URBAN DEVELOPMENT

Telegraphic Address: "LANDCON"

Telephone: Nairobi 718050

When replying please quote

LAND ADJUDICATION AND SETTLEMENT
DEPARTMENT
P.O. Box 30297
NAIROBI

Ref. COMP/2/17 XLIX/75

Date 15th March, 2016

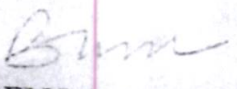
Hon Kinoti Gatobu, MP,
Buuri Constituency,
MERU COUNTY

**STATUS OF LAND NUMBERS
KIIRUA NKANDO 702 AND KIIRUA NKANDO 703**

This is in reference to your letter dated 3rd March, 2016 in respect of the above land parcels.

The same are registered as follows:-

1. Kiirua Nkando 702 - Meru County Council, reserved for Kithima Primary School, 6.4 hectares.
2. Kiirua Nkando 703 - Meru County Council, reserved for C.C.M Church, 0.42 hectares.


BENSON MBITI
FOR: DIRECTOR OF LAND ADJUDICATION AND SETTLEMENT

THE CHAIRMAN,
PROPOSED KITHIMA PRIMARY SCHOOL
P.O BOX 772-60300,
ISIOLO.
06/05/2016
0720616579

THE SECRETARY,
COUNTY LAND MANAGEMENT BOARD,
P.O BOX 1722-60200,
MERU.

Dear Sir/Madam

RE: LAND PARCEL NO. KIIRUA NKANDO 702 AND 704

We the under signed wish to inform you that the above parcels of land were preserved as public land for Kithima primary school and Kithima dispensary respectively during adjudication.

The said land is fenced and occupied by the catholic diocese of Meru. We kindly request your office to assist us have the land vacated and boundaries shown so that the public can build a school and a dispensary for the location doesn't have one.

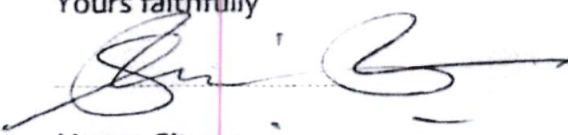
Attached find supporting documents including a map clearly showing all the parcels occupied by the diocese

1. 590 c.c.m secondary
2. 703 Catholic church
3. 702 Kithima primary school
4. 704 Kithima dispensary

We look forward for your assistance.

Thank you

Yours faithfully


Moses Gituma

Cc

Hon. Kinoti Gatobu – Mp Buuri

The bishop – catholic diocese of Meru

Chairman – national land commission



NATIONAL LAND COMMISSION

Tel.0202718050

Email:info@nlc.or.ke

Website:www.nlc.or.ke

**ARDHI HOUSE
1st NGONG AVENUE
P.O. Box 44417
NAIROBI**

Ref: NLC/CHAIRMAN/VOL.XVIII/84

1st November, 2016

**Bishop-In-charge
Catholic Diocese of Meru
MERU COUNTY**

LAND PARCEL NOS. KIIRUA NKANDO 702 AND 704 MERU COUNTY

The National Land Commission has received complaints that you have illegally entered and occupied the above two parcels yet they are public lands reserved for a primary school and dispensary respectively.

Kindly submit to us ownership and allocation documents that you may have, so as to determine authenticity. We need to consider the public interest as per the reserved uses. According to Section 152A of the Land Act of (Ammended) of 2016, it is an offence for a person to occupy public, private or community land without permission.

The said information should reach us not later than 15th November, 2016.

Muhammad
**Prof. Muhammad A. Swazuri, PhD, OGW
Chairman, National Land Commission and
Associate Professor of Land Economics**

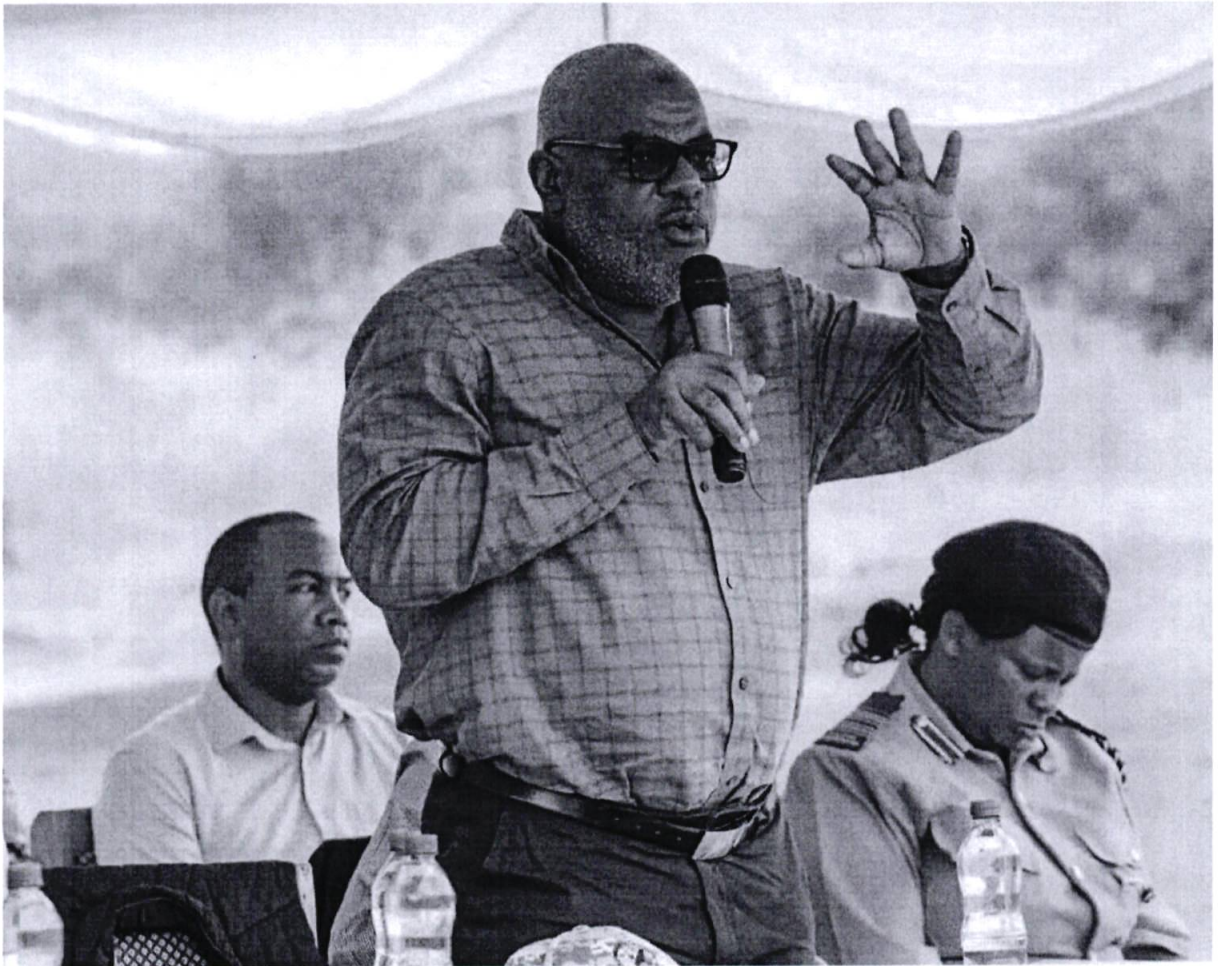
Cc

Hon. Kinoti Gitobu - MP. Buuri Constituency

✓ Chairman
Proposed Kithima Primary School
P. O. Box 772 - 60300
ISIOLO

Commr. Kinoti - In charge of Meru County

APPENDIX V: SITE VISIT PHOTOS





The three (3) pictures above are representations of the *residents of Kithima Location on the alleged grabbing of public land in Meru County* as witnessed during the Committees visit to the area on Monday, 25th October, 2025.