

Approved for tabling in the House.

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8/6/2022



REPUBLIC OF KENYA  
THE NATIONAL ASSEMBLY  
TWELFTH PARLIAMENT - SIXTH SESSION

DIRECTORATE OF DEPARTMENTAL COMMITTEES

EXIT REPORT  
OF  
THE DEPARTMENTAL COMMITTEE ON LANDS FOR THE TWELFTH  
PARLIAMENT

(DECEMBER 2017 TO JUNE 2022)

THE NATIONAL ASSEMBLY	
DATE: 08 JUN 2022 Wednesday	
TABLED BY:	Hon. B. Yari, MP Member, DC-Lands
CLERK AT THE TABLE:	Mawiah W. Mwan

PUBLISHED BY:  
THE DIRECTORATE OF DEPARTMENTAL COMMITTEES  
CLERK'S CHAMBERS  
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JUNE 2022



## Table of Contents

<b>CHAIRPERSON'S FOREWORD .....</b>	<b>3</b>
<b>PART ONE.....</b>	<b>5</b>
1.1 ESTABLISHMENT OF THE COMMITTEE.....	5
1.2 MANDATE OF THE COMMITTEE.....	5
1.3 COMMITTEE MEMBERSHIP .....	6
<b>PART TWO.....</b>	<b>9</b>
<b>2.0 EXIT REPORT .....</b>	<b>9</b>
2.1 BILLS .....	10
2.2 LEGISLATIVE PROPOSALS .....	12
2.3 PETITIONS .....	14
2.4 QUESTIONS .....	26
2.5 STATEMENTS .....	36
2.6 VETTING .....	37
2.7 INQUIRIES .....	38
2.8 BUDGETARY REVIEW.....	39
2.9 FOREIGN TRAVEL UNDERTAKEN.....	39
2.10 WORKSHOPS/RETREATS/FIELD VISITS UNDERTAKEN.....	40
<b>3.0 COMMITTEE ACHIEVEMENTS.....</b>	<b>43</b>
<b>4.0 REASONS THE COMMITTEE DID NOT CONCLUDE ITS WORK.....</b>	<b>44</b>
<b>5.0 CHALLENGES AND RECOMMENDATIONS .....</b>	<b>45</b>

### Annexures

Annexe I Adoption List

Annexe II- Adoption Minutes

## **CHAIRPERSON'S FOREWORD**

The Departmental Committee on Lands of the National Assembly's 12<sup>th</sup> Parliament was constituted in August 2017. The Committee will cease to discharge its responsibilities at the expiry of the life of the 12<sup>th</sup> Parliament. This exit report may guide the successive Committees in discharging their mandate during the life of the 13<sup>th</sup> Parliament and other successive Parliaments as stipulated in the revised Standing Orders of June 2017.

Under Standing Order 200A of the National Assembly Standing Orders, this exit report details the activities of the Departmental Committee on Lands during the period under review. The report also focuses on areas under the Committee's mandate that were not exhaustively handled and are still pending. While some of the business presented before the Committee may lapse with the end of the 12<sup>th</sup> Parliament, the Committee hopes to salvage any other business likely to be revived in the 13<sup>th</sup> Parliament.

During the 12<sup>th</sup> Parliament, the Committee considered concluded the consideration of twelve (12) Bills, out of sixteen Bills referred to it. The Committee also concluded the consideration of all the seven (7) Legislative Proposals referred to it. Further, the Committee facilitated response to forty-eight Members' Questions and requests for Statements. Further, the Committee concluded the consideration of forty-four (44) Public Petitions out of the sixty-five (65) Petitions referred to it.

The pending business includes the following four Bills:

- a. The National Rating Bill, 2022 National Assembly Bill No. 10 of 2022
- b. The Land Control Bill, 2022 National Assembly Bill No. 07 of 2022)
- c. The Valuers Bill, 2022 National Assembly Bill No. 18 of, 2022)
- d. The Statute Law (Miscellaneous) Amendments Bill (National Assembly Bill No. 26 of 2022)

The Committee encountered challenges while conducting its mandate. This included the COVID-19 pandemic, which affected the frequency of meetings and made it challenging to meet stakeholders affecting the Committee's efficiency in executing its mandate. Poor network bandwidth within Parliament buildings affected the conduct of virtual meetings worsening worsened the situation.

Some of the Members' questions and requests for Statements lapsed due to the fact they were referred to the committee at the end of the sessions, and the Committee had limited time to consider them. Inadequate committee meeting rooms and furniture occasionally led to delays in starting and cancellation of meetings.

Unavailability of Government officials when invited for meetings to consider business before the Committee leading to postponement of scheduled meetings. This made it difficult for the Committee to discharge its mandate effectively.

I wish to appreciate the Members of the Committee who have worked tirelessly for the achievement of the Committee's objectives during the period under review. Their tireless efforts ensured that the Committee succeeded in delivering on its mandate.

The Committee is also grateful to the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate.

## PART ONE

### 1.1 Establishment of the Committee

1. The Departmental Committee on Lands is one of the fifteen Departmental Committees of the National Assembly established under **Standing Order 216** whose mandate pursuant to the **Standing Order 216 (5)** is as follows:

- i. To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments.*
- ii. To study the programme and policy objectives of Ministries and departments and the effectiveness of their implementation.*
- iii. To study and review all the legislation referred to it.*
- iv. To study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives.*
- v. To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House.*
- vi. To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order No. 204 (Committee on appointments).*
- vii. To examine treaties, agreements, and conventions.*
- viii. To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.*
- ix. To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
- x. To examine any questions raised by Members on a matter within its mandate.*

### 1.2 Mandate of the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider the subjects of Lands; and Settlement.
3. In executing its mandate, the Committee oversees the following government Ministries and departments:
  - i. The Ministry of Lands & Physical Planning.
  - ii. National Land Commission

It is now my pleasant duty and privilege, on behalf of the Departmental Committee on Lands to present the Exit Report of the Departmental Committee on Lands for the 12<sup>th</sup> Parliament to the National Assembly pursuant to Standing Order 200.

**HON. DR. RACHAEL KAKI NYAMAI, CBS, MP**  
**CHAIRPERSON,**  
**DEPARTMENTAL COMMITTEE ON LANDS**



### 1.3 Committee Membership

4. The Departmental Committee on Lands was constituted by the House in 2017 and comprised the following Members:

**Chairperson**

Hon. Dr Rachael Nyamai, CBS, MP  
Kitui South Constituency

**Jubilee Party**

**Vice-Chairperson**

Hon. Mishi Mboko, MP  
Likoni Constituency

**Orange Democratic Movement (ODM)**

Hon. Benjamin Washiali, CBS, MP  
Mumias East Constituency

**Jubilee Party**

Hon Joshua Kutuny Serem, MP  
Cherangany Constituency

**Jubilee Party**

Hon. Omar Mwinyi, MP  
Changamwe Constituency

**Orange Democratic Movement (ODM)**

Hon. William Kisang, MP

**Hon Jubilee Party**

Hon. Ahmed Kolosh, MP  
Wajir West Constituency

**Jubilee Party**

Hon. Ali Mbogo, MP  
Kisauni Constituency

**Wiper Democratic Movement (WDM)**

Hon. Babu Owino, MP  
Embakasi East Constituency

**Orange Democratic Movement (ODM)**

Hon. Caleb Kipkemei Kositany, MP  
Soy Constituency

**Jubilee Party**

Hon George Aladwa, MP

Makadara Constituency

**Orange Democratic Movement (ODM)**

Hon George Risa Sunkuyia, MP  
Kajiado West Constituency

**Jubilee Party**

Hon. John Muchiri Nyaga, MP  
Manyatta Constituency

**Jubilee Party**

Hon. Josphat Gichunge Kabeabea, MP  
Tigania East Constituency

**Party of National Unity (PNU)**

Hon. Lilian Tomitom, MP  
West Pokot County

**Jubilee Party**

Hon. Owen Yaa Baya, MP  
Kilifi North Constituency

**Orange Democratic Movement (ODM)**

Hon. Patrick Munene Ntwiga, MP  
Chuka/Igambangombe Constituency

**Jubilee Party**

Hon. Samuel Kinuthia Gachobe, MP  
Subukia Constituency

**Jubilee Party**

Hon. Teddy Mwambire, MP  
Ganze Constituency

Orange Democratic Movement  
(ODM)

*Note: The membership of the Committee changed during the period covered by this Report, as follows:*

5. Previous Members of the Committee in the 12<sup>th</sup> Parliament were as follows:
  - 2) The Hon. Khatib Abdalla Mwashetani, M.P., Vice-Chairperson from December 2017 to February 2022.
  - 3) The Hon. Jayne Wanjiru Kihara, M.P., Member, December 2017 to July 2020.
  - 4) The Hon. Jane Njiru, M.P., Member December 2017 to December 2020.
  - 5) The Hon. Kimani Ngunjir, M.P., Member, December 2017 to July 2020.
  - 6) The Hon. Catherine Waruguru, M.P., Member, December 2017 to July 2020.
  - 7) The Hon Simon Kingara, M.P from December 2017 to July 2020.
6. The Committee secretariat comprised:

**Lead Clerk**

Mr. Leonard Machira

**Senior Clerk Assistant**

Mr. Ahmad Guliye

**Clerk Assistant II**

Ms. Jemimah Waigwa

**Legal Counsel I**

Mr. Collins Namulen

**Fiscal Analyst III**

Ms. Maureen Kweyu

**Audio Recording Officer**

Dr Kefa Omoti

**Principal Researcher Officer**

Mr. Joseph Okongo

**Media Relations Officer**

Ms. Peris Kaburi

**Serjeant at Arms**

7. The previous staff of the Committee include:

Mr. Joseph Tiyan **Researcher II**

Mr. Adan Abdi **Fiscal Analyst II**

Ms. Winnie Kizia **Media Relations Officer**

Mr. Nimrod Ochieng **Audio Officer**

Mr. John Mungai **Audio Officer**

Mr. Dennis Mawira **Audio Officer**

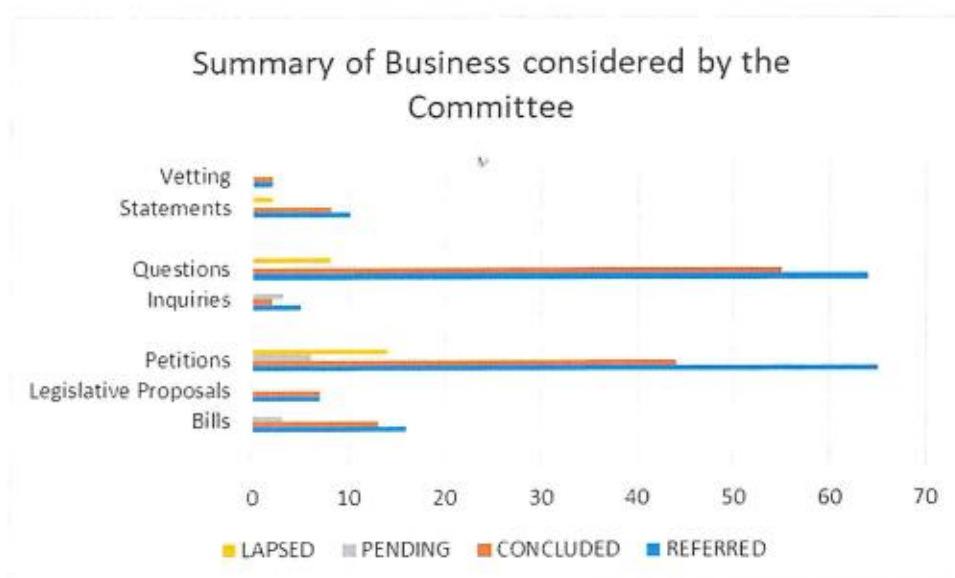


## PART TWO

### 2.0 EXIT REPORT

1. Standing Order No. 200A of the National Assembly Standing Orders provides that: *“(1) A Committee which is unable to complete its work before the expiry of its term shall table an exit report to the Assembly detailing reasons for such inability; (2) The report shall be made available to the succeeding Committee which may consider it in preparing its work plan”*.
2. The Committee considered business in the following areas in the 12<sup>th</sup> Parliament:
  - i. Bills
  - ii. Legislative Proposals
  - iii. Petitions
  - iv. Inquiries
  - v. Questions
  - vi. Statements
  - vii. Vetting
  - viii. Budgetary Review
3. The table below shows a summary of the business referred to the Committee in the Twelfth Parliament:

NO.	BUSINESS	REFERRED	CONCLUDED	PENDING	LAPSED
1.	Bills	16	12	4	0
2.	Legislative Proposals	7	7	0	0
3.	Petitions	65	44	6	14 1 Withdrawn
4.	Inquiries	5	2	3	0
5.	Questions	64	55	0	8 1 dropped
6.	Statements	10	8	0	2
7.	Vetting	2	2	0	0



4. Below are details of the business referred to the Committee:

### 2.1 BILLS

5. One of the roles of the National Assembly is to enact legislation. Committees assist the House in the in-depth consideration of Bills by incorporating public participation in the legislative process as well as considering making recommendations for approval of the Bills.
6. Sixteen (16) Bills were committed to the Departmental Committee on Lands. The Committee concluded consideration of sixteen (12) Bills, four (4) Bill was pending before the Committee.
7. The Table below shows the status of bills that were referred to the Committee

S. No.	Bill Title	SPONSOR	STATUS
1.	The Physical Planning Bill, 2017(National Assembly Bill No. 34 of 2017)	The Leader of the Majority	Concluded Report tabled on 17 <sup>th</sup> April 2018
2.	The Land Value Index Laws (Amendment) Bill, 2018 (National Assembly Bill No. 3 of 2018)	The Leader of the Majority	Concluded Report tabled on 6 <sup>th</sup> June 2018
3.	Statute Law (Miscellaneous Amendments) Bill, No 12 of 2018	The Leader of the Majority	Concluded Report submitted to the lead Committee on 3 <sup>rd</sup>

S. No.	Bill Title	SPONSOR	STATUS
			July 2018
4.	Statute Law (Miscellaneous Amendments) Bill, No 2 of 2018	The Leader of the Majority	Concluded Report submitted to the lead Committee on 3 <sup>rd</sup> July 2018
5.	Senate amendments to the Land Value Index (Amendment) Bill, (National assembly Bill No. 3 of 2018)	Hon. Adan Duale, MP Leader of the Majority Party	Concluded Report tabled on 26 <sup>th</sup> March 2019
6.	Senate amendments to the Physical Planning Bill (Amendment) Bill, (National assembly Bill No. 34 of 2017)	Hon. Adan Duale, MP Leader of the Majority Party	Concluded Report tabled on 26 <sup>th</sup> March 2019
7.	The Sectional Proprieties Bill, 2019 (National assembly Bill No. 23 of 2019)	Hon. Adan Duale, MP Leader of the Majority Party	Concluded Report tabled on 31 <sup>st</sup> July 2019
8.	The Business Laws (Amendment) Bill, 2019 (National Assembly Bill No. 80 of 2019)	Leader of the Majority Party	Concluded Report tabled on 3 <sup>rd</sup> March 2020
9.	The Land (Amendment) Bill 2019 (National Assembly Bill No. 54 of 2019)	Hon Simon Kingara MP	Concluded Report tabled on 11 <sup>th</sup> March 202
10.	The Land Registration (Amendment) Bill 2020 (National Assembly Bill No. 7 of 2020)	Leader of the Majority Party	Concluded Report tabled on 8 <sup>th</sup> September 2020
11.	Senate Amendment to the Sectional Properties Bill (National assembly Bill No. 23 of 2019)	Leader of the Majority Party	Concluded
12.	The Business Laws (Amendment) (No. 2) Bill, 2020)	The Leader of the	Concluded



S. No.	Bill Title	SPONSOR	STATUS
		Majority Party	Report tabled on 23 <sup>rd</sup> March 2021
13.	The National Rating Bill, 2022 National Assembly Bill No. 10 of 2022)	The Leader of the Majority Party	Pending
14.	The Land Control Bill, 2022 National Assembly Bill No. 07 of 2022)	Hon. Wilberforce Oundo, MP	Pending
15.	The Valuers Bill, 2022 National Assembly Bill No. 18 of 2022)	Hon, Michael Muchira, MP	Pending
16.	The Statute Law (Miscellaneous) Amendments Bill (National Assembly Bill No. 26 of 2022)  Amendments to the following Acts: <ul style="list-style-type: none"> <li>a. The Land Consolidation Act (Cap 283)</li> <li>b. The Land Adjudication Act (CAP 284)</li> <li>c. The National Land Commission Act (2012 (No. 5 of 2012)</li> </ul>	The Leader of the Majority Party	Pending

8. The following Bills were pending:

- a. The National Rating Bill, 2022 National Assembly Bill No. 10 of 2022
- b. The Land Control Bill, 2022 National Assembly Bill No. 07 of 2022)
- c. The Valuers Bill, 2022 National Assembly Bill No. 18 of 2022)
- d. The Statute Law (Miscellaneous) Amendments Bill (National Assembly Bill No. 26 of 2022)

## 2.2 LEGISLATIVE PROPOSALS

9. Standing Order 114 of the National Assembly Standing Orders provides for the consideration of Legislative Proposals by Departmental Committees.

Seven (7) Legislative Proposals were referred to the Committee in the Twelfth Parliament. The Committee submitted seven reports to the Speaker for consideration,

10. The table below shows the status of Legislative Proposals that were referred to the Committee.

S/No.	SUBJECT	SPONSOR	STATUS
1.	The proposed Evictions and Resettlement Procedures Bill, 2019	Hon. Shakeel Shabbir, MP	Concluded Report forwarded to the Hon. Speaker on 1 <sup>st</sup> July 2020
2.	The proposed Institution of Surveyors of Kenya Bill, 2020	Hon. Murungi Kathuri, MP	Concluded Report forwarded to the Hon. Speaker on 24 <sup>th</sup> November 2020
3.	The proposed Land (Amendment) Bill 2019	Hon Simon Kingara, MP	Concluded Report forwarded to the Hon. Speaker on 13 <sup>th</sup> June 2019
4.	The Proposed National Land Commission (Amendment) 2021	Hon. Owen Baya, MP	Concluded Report forwarded to the Hon. Speaker on 24 <sup>th</sup> February 2022
5.	The Proposed Valuers Bill, 2021	Hon. Michael Muchira, MP	Concluded Report forwarded to the Hon. Speaker on 24 <sup>th</sup> February 2022
6.	The Proposed Land Disposition Review, Bill 2021	Hon. Wilberforce Oundo, MP	Concluded Report forwarded to the Hon. Speaker on 9 <sup>th</sup> December 2021
7.	The Proposed National Land Commission (Amendment) Bill	Hon. Prof. Jacqueline Oduol, MP	Concluded Report forwarded to

S/No.	Petition	Subject	Date Committed	Status
30.	Petition by Hon Jaldesa Rehema MP on behalf of residents of Burat in Isiolo County	Land dispute between Burat residents and the Kenya Defence Forces School of Infantry	17/9/2019	Lapsed
31.	Public Petition No. 061 of 2019 by Mr. Francis Cheplaiti	Compulsory acquisition of land and compensation of Keiyo North Constituency	8/10/2019	Lapsed
32.	Hon. Josephat Kabeabea, MP on behalf of residents of Tigania East Constituency	unlawful occupation of ancestral land by the Kenya Defence Forces School of Artillery (78 Tank Battalion)	2/7/2019	Concluded Report tabled on 5 <sup>th</sup> December 2019
33.	Public Petition No. 007 of 2020 by Hon. Anthony Olouch MP on behalf of residents of Mathare Constituency	Imminent eviction of residents of Hospital Ward in Mathare North Constituency	10/3/2020	Concluded Report tabled on 24 <sup>th</sup> November 2020
34.	Public Petition No. Hon. Ken Chonga, MP on behalf of residents of Vipingo	Historical land injustices committed against indigenous people of Vipingo Community	9/6/2020	Concluded Report tabled on 01/07/2021
35.	Public Petition No. 17 of 202 by Mr. Bernard Kioko Mutisya on behalf of residents of Vuta, Mua Ward in Machakos Town Constituency	Obstruction of the tarmacking of the Konza- Katumani Road	2/7/2020	Concluded Report tabled on 15th October 2020
36.	Public Petition No 25 of 2020 by Hon. Benjamin Dalu	Irregular transfer of the ownership of Chenze	12/8/2020	Concluded



S/No.	Petition	Subject	Date Committed	Status
	Stephen Tayari, MP on behalf of shareholders of Chenze Ranching Cooperative Society Ltd regarding	Ranch		Report tabled on 2 <sup>nd</sup> December 2020
37.	Public Petition No. BY Hon. Arbelo Malimo, MP on behalf of residents of Karare Ward, Marsabit County	Compulsory acquisition of land in Marsabit County by the Kenya Defence Force	2/7/2020	Concluded Report tabled on 13 <sup>th</sup> October 2020
38.	Public Petition by Hon Tandaza Kassim Sawa, MP on behalf of residents of Golini	Regularization of allocation of land in Golini Settlement Scheme	10/3/2020	Concluded Report tabled on 13 <sup>th</sup> October 2020
39.	Settlement of shareholders of Makutano Gwatanero Company on land purchased in Nakuru and Laikipia	Mr. Peter Kairang'a	12/3/2020	Concluded Report tabled on 12 <sup>th</sup> May 2020
40.	Historical Land Injustices in Chepchas area in Bomet and Kericho Counties	Hon. Brighton Yegon, MP on behalf of Chepchas area in Bomet and Kericho Counties	17/11/2020	Concluded Report tabled on 1/12/2020
41.	Public Petition No. 028 by H.E Stephen Kipyego Sang, Governor Nandi County	Historical Land Injustices in Nandi County	15/9/2020	Lapsed
42.	Public Petition No. 030 of 2020 by Hon Sabina Wanjiru Maitu Chege, MP on behalf of residents Kinyona Ward	Safeguarding public interest in the use of Gituamba Land in Kinyona Ward of Muranga County	07/09/2020	Concluded Report tabled on 05/05/2021
43.	Public Petition No. 38 of 2020 by Hon. Richard Chonga, MP on behalf of	Dispossession of land belonging to Dindiri - Makata and Kaole in	03/11/2020	Concluded Report tabled

S/No.	Petition	Subject	Date Committed	Status
	residents of Dindiri – Makata and Kaole Villages in Chasimba Ward Kilifi South Constituency	Kilifi South Constituency		on 10 <sup>th</sup> August 2021
44.	Public Petition No. 045 of 2021 by Hon. Ali Wario, MP on behalf of residents of Garsen in Tana River County	Subdivision of Agricultural Development Corporation (ADC) land stakeholder consultation on the Galana - Kulalu food security project	26/11/2020	Concluded Report tabled on 02/12/2021
45.	Public Petition No. 048 of 2021 by residents of Tetu Sub County	Settlement of squatters of Tucha /Kiandogoro Forest of Solio Ranch	01/12/2020	Concluded Report tabled on 10/08/2021
46.	Public Petition No. 049 of 2020 by Hon. Ken Chonga, MP on behalf of residents of Chidongo, Junju, Mirima Mine villagers in Kilifi South Constituency	Settlement of Chidongo, Junju, Mirima Mine villagers in Kilifi South Constituency	03/12/2020	Concluded Report tabled on 10 <sup>th</sup> August 2021
47.	Public Petition No. 050 of 2020 by Hon. Khatib Mwashetani, MP on behalf of the family of the late Mohamed Mwinyihaji Bwika	Repossession of Diani Beach Complex land	22/12/2020	Lapsed
48.	Public Petition No. 003 of 2021 by Mr. John Njogu Njoroge on behalf of East Mau Forest Evictees	Resettlement of East Mau Forest Evictees	02/03/2021	Concluded Report tabled on 05/10/2021
49.	Public Petition No. 025 of 2021 by Hon. Joshua Kutuny,	Fraudulent sub-division of land registered as	22/06/2021	Pending



S/No.	Petition	Subject	Date Committed	Status
	MP on behalf of the family of the late Hon Arthur Kinyanjui Magugu	LR. No. 12422/9		
50.	Public Petition No. 024 of 2021 by Hon. Andrew Mwadime, MP on behalf of residents of Mto Mwangodi against	Complaint against the irregular establishment of Diaspora University	23/06/2021	Concluded Report tabled on 5 <sup>th</sup> October 2021
51.	Public Petition No. 028 of 2021 by Hon. Tandaza Kasim, MP on behalf of registered owners of parcels of land in Tiwi Shimba North Kundutsi B in Matuga Constituency	Irregular annexation & fencing by Greatcom LTD of private land in Tiwi, Matuga Constituency	07/07/2021	Concluded Report tabled on 5 <sup>th</sup> October 2021
52.	Public Petition No. 031 of 2021 by Hon. Ali Wario, MP on behalf of residents of Garsen Constituency	Degazettement of specified Agricultural Development Corporation (ADC) land in Garsen Constituency	10/08/2021	Concluded Report tabled on 02/12/2021
53.	Public Petition No 037 of 2021 by Hon. Sarah Korere, MP on behalf of residents of Kirimun	Restoration of Kirimom Community Land to the Petitioners	20/10/2021	Concluded Report tabled on 20/10/2021
54.	Public Petition No. 0004 of 2021 by Hon. Michael Kingi, MP on behalf of Magarini Sub County Landowners	Irregular Extension of Galana Ranching Boundary	11/05/2021	Concluded Report tabled on 11/05/2022
55.	Public Petition No by Hon. Khatib Mwashetani, MP on behalf of residents of Wasini Island	An appeal for land adjudication in Wasini Island	07/10/2021	Pending

S/No.	Petition	Subject	Date Committed	Status
56.	Public Petition No 055 of 2021 Hon. Owen Baya, MP on behalf Mrs. Teresia Wambui Kesi	Restoration of land belonging to Mrs. Teresia Wambui Kesi	14/10/2021	Concluded Report tabled on 14/04/2022
57.	Public Petition No. 063 of 2021 by Hon. Mishi Mboko, MP on behalf of residents of Mwananguvuze village in Likoni County	Securing land ownership rights of the residents of Mwananguvuze village in Likoni County	19/10/2021	Concluded Report tabled on 12/04/2022
58.	Public Petition No. 068 of 2021 by Mr. Victor Mwanganda Gogo on behalf residents of Kadzengo Village, Mtepeni Ward, Kilifi County	Resolution of Kwa Kadzengo land dispute	19/10/2021	Concluded Report tabled on 11/05/2022
59.	Public Petition No. 080 of 2021 by residents of Haraka Settlement Scheme in Yatta and Masinga Constituencies	Forceful eviction of squatters from Haraka Settlement Scheme in Yatta & Masinga Constituencies	02/12/2021	Concluded Report tabled on 11/05/2022
60.	Public Petition No. 007 of 2022 by Riverbank Residents Housing Welfare Group	Land allocation & issuance of Title Deeds in respect of LR No. 11150 in Embakasi Sub-County	01/02/2022	Concluded Report tabled on 11/05/2022
61.	Public Petition No. 071 of 2021 Hon. Omar Mwinyi, MP on behalf of Changamwe Primary School. Changamwe Secondary School and Changamwe Girls Secondary School	Encroachment of land in belonging to Changamwe Primary School. Changamwe Secondary School and Changamwe Girls Secondary School	25/11/2021	Concluded
62.	Public Petition No. 045 of	Compensation of land	16.02/2022	Pending

S/No.	Petition	Subject	Date Committed	Status
	2021 Hon. Owen Baya, MP on behalf of residents of Kilifi County	disposed of by the British Colonial govt from the local communities in Kilifi & the larger Coast Region		
63.	Public Petition by Hon. Ken Kiti Chonga, MP on behalf of residents	Persistent harassment & unlawful eviction of residents of <i>Kurwitu</i> village in <i>Junju</i> Ward, Kilifi South Constituency	01/03 2022	Pending
64.	Public Petition No. 009 of 2022 Mr. Benjamin Liru Shivina Petition	Reclamation of Arid & Semi-Arid lands	01/03/2022	Pending
65.	Public Petition No. 014 of 2022 on behalf of residents of Vingujini Location in Msambweni Constituency	Issuance of allotment letters to the residents of Tumbe Village in Vingujini Location in Msambweni Constituency	12/04/2022	Pending

13. The following Petitions were pending before the Committee at the end of the Sixth Session

- a. Public Petition No. 025 of 2021 by Hon. Joshua Kutuny, MP on behalf of the family of the late Hon Arthur Kinyanjui Magugu regarding fraudulent sub-division of land registered as LR. No. 12422/9.
- b. Public Petition No. 009 of 2022 by Mr. Benjamin Liru Shivina Petition regarding reclamation of Arid and Semi-Arid lands.
- c. Public Petition No. 014 of 2022 by Hon. Feisal Abdalla Bader, MP on behalf of residents of Vingujini Location in Msambweni Constituency regarding the issuance of allotment letters to the residents of Tumbe Village in Vingujini Location in Msambweni Constituency.



	Wamunyinyi, MP	Marakaru /Tuuti Ward	
7.	Question No. 257/2018 by the Member for Kisumu West Constituency Hon. Olago Alouch, MP	Allocation of Land Reference No. 332/182 in Maseno Township of Kisumu County to the Administration Police	Lapsed
8.	Question No. 257/2018 by the Member for Mathare Constituency Hon. Antony Tom Olouch, MP	Steps taken by the Ministry of Lands and Physical Planning to safeguard land for public schools in Mathare Constituency from irregular allocation	Lapsed
9.	Question No. 008/2019 by the Member for Mathare Constituency, Hon. Antony Tom Oluoch, M.P	Circumstances under which a private entity has taken possession of public land set aside for purposes of developing Mathare Youth Polytechnic in Mathare Constituency	Responded to on 12 <sup>th</sup> March 2019
10	Question No. 027/2019 by the Member for Saboti Constituency, Hon. Caleb Amisi, M.P	Details of ownership of X-Soronzon and Mengo/Muroki farms in Saboti Constituency?	Responded to on 12 <sup>th</sup> March 2019
11	Question No. 057/2019 by the Member for Isiolo County, Hon. Rehema Dida Jaldesa, M.P	Status of implementation of the High Court judgment of 6 <sup>th</sup> June on Constitutional Petition No. 511 of 2015 regarding the boundary between Isiolo and Meru Counties	Question dropped on 12 <sup>th</sup> March 2019
12	Question No. 051 /2019 by the Member for North Imenti Constituency, Hon. Abdul Rahim Dawood, MP	Status of implementation of the Taskforce Report on Delineation and Demarcation of the greater Meru District and the boundary between Tharaka and Tigania districts which were appointed vide <i>Gazette</i>	Responded to on 12 <sup>th</sup> March 2019



		<p><i>Notice 11412 of 4<sup>th</sup> December 2008</i></p> <p>Measures the Ministry undertaking to ensure that the disputes between Meru and Tharaka Nithi Counties <i>are resolved</i></p>	
13	Question No. 060/2019 by the Member for Kinango Constituency, Hon. Benjamin Dalu Tayari, M.P	How the adjudication process in Maji ya Chumvi area of Kinango Constituency was done and how the following parcels of land were adjudicated: Kinango/ Maji ya Chumvi/Plot No. 2,3 67,68,60,70 275,358,366,367,423, and 424	Responded to on 5 <sup>th</sup> May 2019
14	Question No. 060/2019 by the Member for Mwingi Central Constituency, Hon. Gideon Mulyungi, M. P	Issuance of title deeds with inconsistencies and errors on actual acreage of land to residents on Mwingi	Responded to on 5 <sup>th</sup> May 2019
15	Question No. 246/2019 by the Member for Embakasi Central Constituency, Hon. Benjamin G. Mwangi, M. P	Non-issuance of title deeds to residents	Responded to on 25 <sup>th</sup> June 2019
16	Question No. 246/2019 by the Member for Yatta Constituency, Hon. Charles Kilonzo, M. P	Status of Report of the probe Committee led by the then Deputy Provincial Commissioner Mr. Callistus Akello regarding persons living as squatters in Ndalani Location of the former Yatta District	Responded to on 25 <sup>th</sup> June 2019
17	Question No. 246/2019 by the Member for Yatta Constituency, Hon. Charles Kilonzo, M. P	Status of Report of the probe Committee led by the then Deputy Provincial Commissioner Mr. Callistus	Responded to on 25 <sup>th</sup> June 2019

		Akello regarding persons living as squatters in Ndalani Location of the former Yatta District	
18	Question No. 214 /2019 by the Member for Bonchari Constituency, Hon. Oroo Oyioka, M. P	Service at the Kisii County Land Registry	Responded to on 21 <sup>st</sup> August 2019
19	Question No. 328 /2019 by the Member for Kirinyaga	Steps taken by the Ministry to end the long-standing conflict land in South Ngariama	Responded to on 21 <sup>st</sup> August 2019
20	Question No. 343 /2019 by the Member for Mwea Constituency, Hon. Kabinga Wachira, M. P	Subdivision of land in South Ngariama Ranching Scheme	Responded to on 21 <sup>st</sup> August 2019
21	Question No. 354 /2019 by the Member for Laikipia County, Hon. Catherine Waruguru, M. P	Details on the ongoing land allocation at Karandi Township, Marmanet Ward of Laikipia	Responded to on 21 <sup>st</sup> August 2019
22	Question No 366/2019 by the Member for Bonchari (Hon. John Oroo Oyioka, MP:	Occupancy of the Suneka Sports Ground in Bonchari Constituency for the last 40 years	Responded to on 29 <sup>th</sup> October 2019
23	Question No. 412/2019 by the Member for Ruiru (Hon. Simon King'ara, MP)	The registration status of land under LR numbers RUIRU/KIU BLOCK 4/1205, 1378, 1380, 1381, 1382, 1389, 1390, 1391, 1397, 1168, 1169, 1170, 1171, 1172, 1198, 1203, 1371, 1372, 1375, 1376, 1377, 1379, 1407, 1408 located in Ruiru Constituency	Responded to on 29 <sup>th</sup> October 2019
24	Question No. 448/2019 by the Member for Mathare (Hon. Anthony Tom	ownership status of the parcel of land LR. No. 209/8600 located in Hospital Ward,	Responded to on 29 <sup>th</sup> October 2019

	Oluoch, MP	Mathare Constituency	
25	Question No. 426/2019 by the Member for Lurambi (Hon. Bishop Khamala, MP	Staffing at Kakamega Land Registry	Responded to on 29 <sup>th</sup> October 2019
26	Question No. 488/2019 by the Member for Kajiado Central Constituency, Hon. Elijah Memusi Kanchory, MP	The status of compensation of persons affected by the ongoing construction of the <i>Isinya – Namanga</i> Transmission Line in Kajiado County	Responded to on 3 <sup>rd</sup> December 2019
27	Question No. 489/2019 by the Member for Loima Constituency, Hon. Jeremiah Lomurukai, MP	Demarcated, surveyed, or subdivided land in Turkana County for purposes of settling the residents including demarcating trust land and changing from customary tenure to individual or group ownership?	Responded to on 3 <sup>rd</sup> December 2019
28	Question No. 495/2019 by the Member for Roysambu Constituency, Hon. Issac Waihenya Ndirangu, M.P	The circumstances under which the <i>Muthaiga Golf Club</i> was allocated to a section of the parcel of land meant for <i>Muthaiga Primary School</i>	Responded to on 3 <sup>rd</sup> December 2019
29	023/2021 Hon. Michael Kingi, MP	Status of implementation of NLC recommendations on the review of grants & dispossession of public land	Responded to on 10/03/2021
30	020/2021 Hon. Owen Baya, MP	Measures taken by the Ministry of Lands and Physical Planning to address the settlement of the residents of <i>Takaungu</i> in Kilifi North Constituency	Responded to on 10/03/2021



31	032/2021 Hon. Charles Kilonzo, MP	Reopening of the Ngong Land Registry following its closure in November 2020 and measures put in place by the Ministry of Lands and Physical Planning to ensure all land registries in the County are open	Responded to on 10/03/2021
32	062/2021 Hon. Jude Njomo, MP	Status of ownership of <i>Land Reference No. 6944/2 in Kenyatta Road, Kiambu County</i>	Responded to on 05/05/2021
33	082/2021 Hon. Michael Kingi, MP	Land related owed to Settlement Trust Fund by Magarini Sub-County Residents	Responded to on 05/05/2021
34	127/2021 Hon. Joshua Kandie, MP	Establishment of a Lands Registry in Baringo County to effectively serve the high number of people without title deeds	Responded to on 05/05/2021
35	139/2021 Hon. George Murugura, MP	circumstances that led to the stalling of the land adjudication process in <i>Turima and Karocho Locations in Turima Division and Gikingo, Thiiti and Ntoroni Locations in Mukothima Division of Tharaka Constituency</i>	Responded to on 05/05/2021
36	145/2021 Hon. Abdulaheem Dawood	current ownership status of a parcel of land LR No. <i>Ntima/Igoki /1769 in Gakoromone Area</i> in North Imenti Constituency	Responded to on 07/07/2021
37	160/2021 Hon. Benjamin Mwangi, MP	Status of ownership of a parcel of land LR. No. 23927 in	Responded to on 07/07/2021

		Nairobi City County	
38	184/2021 Hon. John Mwirigi, MP	Multiple demarcations of land described as Amungenthi B Sub - Section C, D in Igembe South Sub-County	Responded to on 07/07/2021
39	179/2021 Hon. Gabriel Kago, MP	Facilitation of the transfer of land reference No. 16217/87/6 to David Kariuki following Mr Michael Shaw successful dismissal of a caveat on the land	Responded to on 07/07/2021
40	226/2021 Hon. Olago Aluoch, MP	Progress made in disbursing compensation funds from KeNHA for the construction of Kisumu Northern Bypass to the affected families.	Responded to on 21/09/2021
41	284/2021 Hon. Gitonga Murugara, MP	Relationship between County boundaries and land adjudication process concerning the boundary between Tharaka Nithi & Meru Counties	Responded to on 29/09/2021
42	287/2021 Hon. Robert Pukose, MP	Circumstances that led to the formation & Gazettement of a Task Force by the Trans Nzoia County Govt to investigate issues affecting public land	Responded to on 29/09/2021
43	295/2021 Hon. Bernard Okoth, MP	Status of the settlement of the award granted by ELC to one Shabban Opiyo Kassim	Responded to on 29/09/2021
44	304/2021 Hon. Mercy Gakuya, MP	ownership status of land occupied by squatters in Chokaa, Ruai Ward, Kasarani Constituency	Responded to on 29/09/2021
45	315/2021 Hon. Benjamin	The procedure employed to	Responded to on

	Mwangi, MP	allocate Komarock Estate Land Devt Project to the current Housing Finance Co. Kenya Ltd	29/09/2021
46	317/2021 Hon. Kabinga Wachira, MP	Status of ownership of land measuring appx. 0.75 acres that were originally reserved for the r construction of a cattle dip at Diffathas Township, Mwea Constituency, Kirinyaga County	Responded to on 29/09/2021
47	350/2021 Hon. Moses Kirima Nguchine, MP	Demarcation of boundaries between Tharaka Nithi and Meru Counties	Responded to on 01/12/2021
48	343/2021 Hon. Simba Arati, MP	ownership details of parcels of land of Kilimani, Milimani and Kilelshwa Pri Schools	Responded to on 01/12/2021
49	353/2021 Hon. Babu Owino, MP	Ownership status of parcels of land LR Nos. 3334 & 4422 in Embkasi East Constituency	Responded to on 01/12/2021
50	420/2021 Hon. Godfrey Osotsi, MP	Ownership status of parcels of land within Mautuma Central Settlement Scheme in Lugari sub-county, Kakamega county	Responded to on 01/12/2021
51	433/2021 Hon. Ali Wario, MP	Details of parcels of land registered under M/s. Nairobi Ranching Co. Ltd in Chara, Kipini& Witu areas in Tana River County	Responded to on 01/12/2021
52	411/2021 Hon. Rahab Mukami, MP	Steps taken to address bureaucracy concerning application and granting of necessary approvals to facilitate home ownership through mortgage	Response tabled on 01/12/2021

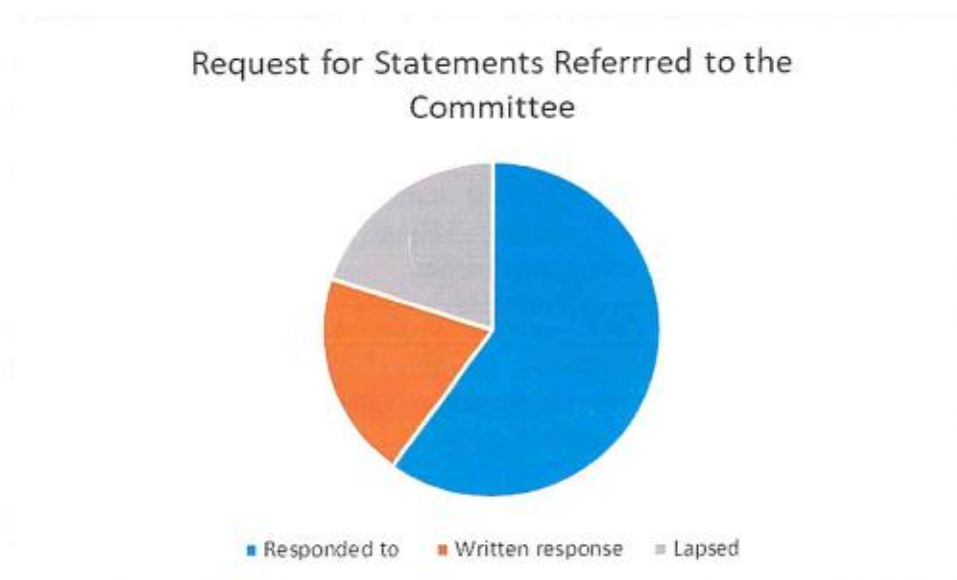


53	452/2021 Hon. Florence Bore, MP	Ownership status and acreage of land occupied by the Bomas of Kenya	Lapsed
54	467/2021 Hon. Bady Twalib, MP	Blockage of Mganda Road in Jomvu Constituency	Lapsed
55	440/2021 Hon. Yusuf Hassan, MP	Status of ownership of land LR No. 209/21721 in California Ward, Kamkunji Constituency	Lapsed
56	029/2022 Hon. David Sankok, MP	Ownership status of Kedong ranch in Nakuru County	Response tabled on 22 <sup>nd</sup> March 2022
57	021/2022 Hon. Abdul Rahim Dawood, MP	Ownership status of land LR No. Ntima/Igoki/1769 in North Imenti Constituency	Response tabled on 22 <sup>nd</sup> March 2022
58	043/2022 Hon. Peter Kihara, MP	Compensation for land along Kiriani -Kairo Road in Mathioya Constituency	Response tabled on 1 <sup>st</sup> March 2022
59	015/2022 Hon. Bady Twalib, MP	Compensation to Mr. Salim Said of Maganda Village, Jomvu Constituency	Responded to on 24 <sup>th</sup> March 2022
60	051/2022 Hon. Robert Pukose, MP	Circumstances that led to the formation of a task force by the Trans Nzoia County Govt on issues affecting public land	Responded to 24 <sup>th</sup> March 2022
61	072 Hon. Martin Owino, MP (Ndhiwa Constituency)	Ownership status of land donated by <i>Kanyadoto</i> residents to the government	Response submitted on 2nd June 2022
62	No. 107 /2022 Hon. Esther Passaris, MP (Nairobi County)	Ownership of parcels of land located in <i>Deep Sea Area</i> , Westlands, Nairobi	Response submitted on 2nd June 2022
63	No. 120/2022 Hon Safia Adam (Marsabit County)	Measures put in place by the Ministry of Lands and Physical Planning to protect grazing	Response submitted on 2 <sup>nd</sup> June 2022

	lands of pastoral communities from illegal acquisition by private developers.	
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### 3.1 STATEMENTS

16. Ten (10) Statements were referred to the Committee for response in the Twelfth (12<sup>th</sup>) Parliament. Of the ten (10) Statements, six (6) were responded to, and written responses were provided for two (and 2), and two (2) lapsed. The pie chart below gives a summary of the above information.



17. The table below highlights the status of the Statements:

S/N	Statement	Subject Matter	Status
1.	Hon. Yussuf Hassan, MP	encroachment of land by the Kenya Air Force in Kamukunji Constituency	Responded to on 03/12/2019
2.	Hon. John Paul Mwirigi, MP	eviction of residents of Amungenti B subsection D adjudication area in Igembe South Constituency, Meru County	Responded to on 03/12/2019
3.	Hon. Godfrey Osotsi, MP	Forceful eviction carried out by security forces.	Responded to on 03/12/2019

4.	The statement requested by Hon. Patrick Wainaina, MP	Application for renewal leases for land held by Del Monte Company Limited	Responded to on 4th May 2020
5.	Statement requested by Hon. Malulu Injendi, MP	Conflicts over land along the Nandi Escarpment along the borders of Nandi and Kakamega Counties	Responded to on 6th August 2020
6.	The statement requested by Hon. Jonah Mburu Mwangi, MP	Lifting of embargo and settling issues surrounding titles for Kinale Settlement Scheme in Lari Constituency	Responded to on 8th July 2020
7.	Hon. Geoffrey Makokha Odaga, MP	Intended lease of Land LR. No. Bukhayo/ Nasewa/ 1000	Lapsed
8.	Request for Statement by the Hon. Olago Aluoch, MP	Illegal acquisition and re-allocation of land parcel LR. No. 332/182 in Maseno Township Kisumu County	Response submitted
9.	Request for Statement by the Hon. Joseph Tonui, MP	Caveat placed on the Title Deeds in Kuresoi South Constituency	Lapsed
10	Request for Statement by Hon. Gideon Ochanda, MP	Allocation of Yala Swamp in Siaya County to M/S. Lake Agro Limited	Responded submitted on 25/11/2021

## 2.6 VETTING

18. The Committee conducted vetting of various persons for appointment to various positions as follows:



- a. The Committee vetted the nominees for approval for appointment as Chairperson and nine Members of the National Land Commission and presented a report to the House on 26<sup>th</sup> September 2019
- b. The Committee vetted the nominee for approval for appointment as Principal Secretary, State Department for Physical Planning and presented a report to the House on 25<sup>th</sup> February 2020

## **2.7 INQUIRIES**

19. The Committee concluded two inquiries as follows:

- a. Inquiry into a complaint by Kamiti Forest Squatters Association on Allocation of LR. No. 8390 Kamiti /Anmer – concluded - Report tabled on 18<sup>th</sup> June 2019
- b. Inquiry into alleged irregularities in compensation for part of LR. No. 7879/4 to Ms Afrison Export Import Ltd and Huelands Ltd by the National Land Commission on behalf of the Ministry of Education for the acquisition of land for Ruaraka High School and Drive Inn Primary School- Report tabled on 7<sup>th</sup> June 2018.

20. The consideration of four inquiries was pending before the Committee as follows:

- g. Inquiry into complaints by Hon Omar Mwinyi, MP, on behalf of the residents of Changamwe Constituency Irregular eviction/ imminent eviction from the following parcels of land in Changamwe Constituency: L.R No. MN/VI/255/1 and Plot. No. 430/R/MN/VI in Mazunguka, Changamwe Constituency. L.R. No. /MN/VI/3794 in Mbuyuni area, Changamwe Constituency and L. R. No. MN/VI/1212R (Title CR No. 10383) in Dunga Unuse, Constituency.
- h. Inquiry into a complaint by Hon. Benjamin Washiali, CBS MP, on behalf of the Abawuyi Associatio, an Alleged breach of a lease agreement between the Government of Kenya and owners of the land set aside for the piloting of the Mumias Sugar Scheme Project.
- i. Inquiry into a complaint Hon Owen Baya, MP, on behalf of the family of Fundi Sudi regarding alleged irregular allocation of land parcel plot No 11 /Kilifi Mafumbi in Mnarani, Kilifi North Constituency.
- j. Inquiry into the resolution of Ministry of Defence land disputes.

## 2.8 BUDGETARY REVIEW

21. The Committee, in playing its budget-making role, reviewed budget documents i.e., budget policy statements for 2018, 2019, 2020, 2021 and 2022, budget estimates for Financial Years 2018/19, 2019/20, 2020/21, 2021/22 and 2022/23 and supplementary estimates that were submitted to the House for consideration during the period.

### 2.9 Foreign Travel Undertaken

22. The Committee undertook the following international conferences and training:

	Dates	Country Visited	Activity
1.	19 <sup>th</sup> to 23 <sup>rd</sup> March 2018	Washington DC USA	Annual World Bank Conference on Land and Poverty in Washington D.C, U.S. A
2.	5 <sup>th</sup> – 12 <sup>th</sup> May 2018	Istanbul Turkey	International Federation of Surveyors Congress
3.	30 <sup>th</sup> July – 3 <sup>rd</sup> August	Singapore	Sustainable Town Development Training
4.	21 <sup>st</sup> – 28 <sup>th</sup> October 2018	Italy and Switzerland	Benchmarking tour with the Institution of Surveyors of Kenya
5.	22 <sup>nd</sup> to 25 <sup>th</sup> May 2019	Norway	Future Global Conference
6.	7 <sup>th</sup> – 9 <sup>th</sup> November 2019	Canada	Eco City World Summit
7.	3 <sup>rd</sup> – 8 <sup>th</sup> September 2019	Ethiopia	Global Forum on Human Settlement
8.	24 <sup>th</sup> May to 3 <sup>rd</sup> June 2021	Kampala Uganda	Capacity Building Training
9.	11 <sup>th</sup> to 20 <sup>th</sup> June 2021	Dubai - UAE	Capacity Building Training
10.	31 <sup>st</sup> October to 12 <sup>th</sup> November 2021		United Nations Climate Change Conference (COP 26)

## 2.10 Workshops/Retreats/Field Visits Undertaken

23. The Committee undertook the following local field visits and retreats:

	Dates	Venue	Activity
1.	28 <sup>th</sup> Jan to 1 <sup>st</sup> Feb 2018	Mombasa	Inaugural induction retreat for the Departmental Committee on Lands
2.	1 <sup>st</sup> to 4 <sup>th</sup> March 2018	Mombasa	Consideration of the Physical Planning Bill, 2017
3.	22 <sup>nd</sup> to 24 <sup>th</sup> March 2018	Meru	Field visit on the petition on Excision of the Mt. Kenya Forest under Legal Notices No. 68/75 and 107/1977
4.	5 <sup>th</sup> to 8 <sup>th</sup> April 2018	Kilifi	Field visit to Kilifi on the Irregular acquisition of land belonging to the indigenous people of Vipingo Lands Community in Kilifi County
5.	26 <sup>th</sup> to 29 <sup>th</sup> April 2018	Naivasha	Retreat to consider the Land Value Index Laws (Amendment), Bill 2018
6.	16 <sup>th</sup> to 19 <sup>th</sup> August 2018	Sarova Whitesands, Mombasa	Retreat with the Institution of Surveyors of Kenya
7.	20 <sup>th</sup> to 23 <sup>rd</sup> September 2018	Mt. Elgon, Bungoma	Visit to Mt. Elgon Forest on the Petition by the Executive seeking the variation of the boundaries of Mt. Elgon Forest reserve.
8.	27 <sup>th</sup> to 30 <sup>th</sup> September 2018	Sarova Whitesands, Mombasa	Report Writing retreat
9.	19 <sup>th</sup> October 2018	Mavoko, Machakos	Fact-finding mission on the Petition of irregular acquisition of land parcel L.R 7473- Athi Kapiti
10.	15 <sup>th</sup> to 17 <sup>th</sup> November 2018	Kiambu County	Field visit to Kiambu County on a complaint by Kamiti Forest Squatters Association on the alleged irregular allocation of L.R No. 8390 –



	Dates	Venue	Activity
			Kamiti/Anmer
11.	22 <sup>nd</sup> to 25 <sup>th</sup> November 2018	Kilifi County	Field visit to Kilifi County on the Petition regarding Mazrui Trust Lands
12.	6 <sup>th</sup> to 9 <sup>th</sup> December 2018	Changamwe, Mombasa County	Field visit to Changamwe Constituency, Mombasa County, regarding a complaint by Hon. Omar Mwinyi, M, P on alleged illegal evictions and demolitions of dwellings belonging to residents of Changamwe Constituency
13.	28 <sup>th</sup> February to 3 <sup>rd</sup> March 2019	Sarova Whitesands, Mombasa	Field visit to Likoni Constituency regarding a complaint on Bububu settlement scheme
14.	14 <sup>th</sup> to 17 <sup>th</sup> March 2019	English Point, Marina - Mombasa	Retreat on the adoption of the reports to the Senate Amendments on the Land Value Index Laws (Amendment) Bill, 2018 and the Physical Planning Bill, 2017
15.	11 <sup>th</sup> to 14 <sup>th</sup> April 2019	Malindi	Field visit to Magarini Constituency in response to a petition on the dispossession of ancestral lands in Sabaki Ward, Magarini Constituency
16.	2 <sup>nd</sup> to 5 <sup>th</sup> May 2019	Meru County	Fact-finding mission on the Petition by residents of Ntoroni Sub-Location regarding loss of property due to land clashes
17.	21 <sup>st</sup> to 24 <sup>th</sup> May 2019	English Point, Mombasa	Retreat to consider the 2018/19 Supplementary Estimates II & 2019/2020 Budget Estimates
18.	1 <sup>st</sup> to 4 <sup>th</sup> August 2019	Field visit to Kisauni Constituency	Field visit on a petition by Taita Taveta Teachers Investment Company on alleged illegal occupation of the company land
19.	20 <sup>th</sup> to 23 <sup>rd</sup>	English Point,	Report writing retreat

	Dates	Venue	Activity
	September 2019	Mombasa	
20.	21 <sup>st</sup> to 24 <sup>th</sup> November 2019	English Point, Mombasa	Report writing retreat
21.	28 <sup>th</sup> November to 1 <sup>st</sup> December 2019	English Point, Mombasa	Report writing retreat
22.	20 <sup>th</sup> to 23 <sup>rd</sup> February 2020	English Point Marina, Mombasa	Induction Retreat with the newly appointed National Land Commission Commissioners
23.	1 <sup>st</sup> to 4 <sup>th</sup> October 2020	English Point Marina, Mombasa	Field visit to Kinango Constituency, Kwale County, in response to a Petition by Chenze Cooperative Society regarding irregular allocation of Chenze Ranch
24.	21 <sup>st</sup> to 25 <sup>th</sup> October 2020	English Point Marina, Mombasa	Report Writing retreat
25.	12 <sup>th</sup> to 15 <sup>th</sup> November, 2020	Sarova Whitesands	Stakeholder engagement with the Ministry of Defence and the Committee on Defence and Foreign Relations on land parcels owned by the Ministry of Defence
26.	11 <sup>th</sup> to 14 <sup>th</sup> February 2021	English Point - Mombasa	Retreat with the Ministry of Lands & Physical Planning to consider the implementation status of the programs of the FY 2020/2021 of the Ministry of Lands & Physical Planning
27.	22 <sup>nd</sup> to 24 <sup>th</sup> February, 2021	Windsor Golf & Country Club - Kiambu	Consideration of the 2021 Budget Policy Statement
28.	11 <sup>th</sup> to 15 <sup>th</sup> March 2021	English Point - Mombasa	Retreat with the National Land Commission to consider the implementation status of the programs of the FY 2020/2021 of the Commission

	Dates	Venue	Activity
29.	18 <sup>th</sup> to 21 <sup>st</sup> March, 2021	Pride Inn Paradise Resort - Mombasa	Inspection visits to Kilifi South Constituency on Petitions
30.	17 <sup>th</sup> to 22 <sup>nd</sup> May, 2021	Sarova Whitesands - Mombasa	Stakeholder engagement on the 2021/2022 Budget Estimates
31.	19 <sup>th</sup> to 22 <sup>nd</sup> August, 2021	Mwatate & Matuga Constituencies	Field visit in response to Petitions
32.	14 <sup>th</sup> to 17 <sup>th</sup> Oct, 2021	English Point, Mombasa	Engagement with the Ministry of Lands and Physical Planning and the National Land Commission on the 2020/2021 budget implementation review
33.	3 <sup>rd</sup> to 12 <sup>th</sup> Nov 2021	English Point. Mombasa	Report Writing retreat
34.	31 <sup>st</sup> March to 3 <sup>rd</sup> April, 2022	Serena Hotel	Field visit to Changamwe Constituency in response to a Petition on encroachment of school land
35.	26 <sup>th</sup> April to 1 <sup>st</sup> May, 2022	English Point Hotel	Report Writing retreat and consideration of the 2022/2023 Budget Estimates
36.	2 <sup>nd</sup> to 5 <sup>th</sup> June, 2022	English-Point Hotel	Consideration of Exit report of the of the Committee of the 12 <sup>th</sup> Parliament

### 3.0 COMMITTEE ACHIEVEMENTS

24. The achievements of the Committee include the following:

- i. The Committee considered and tabled reports containing proposed amendments that were agreed to by the House on twelve (12) Bills during the period. Three of the Bills have since been enacted into law. The said Bills will have a positive impact on the country in the real estate sector through the Sectional Proprieties Act 2020. The enactment of the Physical and Land Use Planning Act 2017 has harmonized plans and standards for physical and land use planning, provided for in the Bill, which will ensure orderly physical development and land use
- ii. The Committee also considered and tabled a report on the Land Value Index Laws (Amendment)The Bill has since been enacted as the Land Value Laws (Amendment) Act,



2018 The Act seeks to create uniformity and predictability in compensation of land acquired by the government for infrastructural projects: The Act provides for the assessment of land value index in respect of the compulsory acquisition of land. The Act provides for uniformity and predictability in the compensation of land acquired by the government for infrastructural projects through the development of a land index that will indicate the value of land in all parts of the country.

- iii. This will also reduce speculation and corruption in the compulsory acquisition of land by the government: The land value index provided for in the Act will have a positive impact through the standardization of the valuation of land for purposes of compensation following compulsory acquisition for the development of infrastructural projects. This will also drastically corruption through overvaluation of land earmarked for acquisition by the government. It will also ultimately reduce the cost of the said projects.
- iv. The Committee also undertook an inquiry into alleged irregularities in the compensation for part of LR. No. 7879/4 to Ms. Afrison Export Import Ltd and Huelands Ltd by the National Land 13 Commission on behalf of the Ministry of Education for the acquisition of land for Ruaraka High School and Drive Inn Primary School. The Committee, in its report, recommended that the Director of Criminal Investigations should investigate collusion among Afrison Import Export Ltd and Huelands, the National Land Commission, National Treasury and the Ministry of Education to fleece and swindle public funds.
- v. The Committee recommendations in the said report had a positive impact as they contributed to the stoppage of loss of public funds amounting to Kshs. 1, 500, 000, 000 that had been factored in the second Supplementary Estimates 2017/18 Financial Year as payment to Afrison Import Export Ltd and Huelands for the acquisition of land for Ruaraka High School and Drive Inn Primary School. The National Assembly did not approve the allocation due to the findings of the Committee through the said report. This saved the country from the loss of Kshs. 1, 500,000, 000 through fraud.
- vi. The Committee also concluded the consideration of forty-four (44) Public Petitions and facilitated the response to forty-eight Members' Questions. The Committee reports on the said petitions and the response to the Members' Questions contained recommendations to address issues of illegal acquisition of public land, delay in the issuance of title deeds, land disputes and settlement of squatters.

#### **4.0 REASONS THE COMMITTEE HAD PENDING BUSINESS AT THE END OF THE TERM OF PARLIAMENT**

25. Some of the challenges that the Committee encountered while carrying out its mandate include:
  - i. The COVID-19 pandemic affected the frequency of meetings and made it difficult to meet stakeholders to prosecute matters before the Committee. This affected the

Committee's efficiency in the execution of its mandate. This was also worsened by poor network bandwidth within Parliament Buildings for purposes of virtual meetings.

- ii. Four Bills, some Questions and requests for statements lapsed due to the fact they were referred to the Committee at the end of the sessions with the Committee having limited time to consider them.
- iii. Inadequate committee meeting rooms occasionally led to delays in starting meetings and at times cancellation of meetings.
- iv. The unavailability of Government officials when invited for meetings to consider business before the Committee resulting in the postponement of meetings. This made it difficult for the Committee to discharge its mandate effectively.

## **5.0 CHALLENGES AND RECOMMENDATIONS**

26. Some of the challenges that the Committee encountered while conducting its mandate include:

- i. The Committee received a total of sixty-five Public Petitions. Therefore, the huge workloads could not be concluded in the provided time leading to some public Petitions lapsing.
- ii. Unavailability of Government officials when invited for meetings to consider business before the Committee resulting in the postponement of meetings. This made it difficult for the Committee to discharge its mandate effectively.
- iii. Lack of effective feedback mechanism on the extent to which Committee recommendations adopted by the House have been implemented by government agencies.
- iv. The COVID-19 pandemic affected the frequency of meetings as it made it difficult to meet stakeholders to prosecute matters before the Committee. This affected the Committee's efficiency in the execution of its mandate. This was also worsened by poor network bandwidth within Parliament buildings for purposes of virtual meetings.

27. The Committee recommends as follows:

- i. Provision of realisable internet network bandwidth within Parliament buildings for purposes of virtual meetings.
- ii. Provision of enough resources should be availed within the stipulated time to enable Committees to implement their work plans effectively.

- iii. The need to review timelines for budget scrutiny processes to enable a thorough examination of budgetary allocation.

Signed.....

Date: .....

  
HON. DR. RACHAEL KAKI NYAMAI, CBS, MP  
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON LANDS

DATE: 08 JUN 2022

TABLED

BY:

SECRETARY



ANNEXE I

ADOPTION LIST





**KENYA NATIONAL ASSEMBLY  
TWELFTH PARLIAMENT**

**DEPARTMENTAL COMMITTEE ON LANDS  
MEMBERS' ATTENDANCE  
ADPOTION LIST -**

Consideration of the Exit Report for the twelfth Parliament – 2017 to 022

Date: \_\_\_\_\_ Venue: \_\_\_\_\_

	NAMES	SIGNATURE
1.	Hon. Dr. Rachael Nyamai, CBS, MP – <b>Chairperson</b>	
2.	Hon. Mishi Mboko, CBS MP <b>V/Chairperson</b>	
3.	Hon. Benjamin Washiali, CBS MP	
4.	Hon. Joshua Kutuny Serem, MP	
5.	Hon. Omar Mwinyi Shimbwa, MP	
6.	Hon. Ahmed Kolosh, MP	
7.	Hon. Ali Mbogo, MP	
8.	Hon. Babu Owino, MP	
9.	Hon. Caleb Kipkemei Kositany, MP	
10.	Hon. George Aladwa, MP	
11.	Hon. George Risa Sunkuyia, MP	
12.	Hon. John Muchiri Nyaga, MP	
13.	Hon. Josphat Gichunge Kabeabea, MP	
14.	Hon. Lilian Tomitom, MP	
15.	Hon. Owen Yaa Baya, MP	
16.	Hon. Patrick Munene Ntwiga MP	
17.	Hon. Samuel Kinuthia Gachobe, MP	
18.	Hon. Teddy Mwambire, MP	
19.	Hon William Kisang MP	





**ANNEXE II**

**ADOPTION MINUTES**





**MINUTES OF THE 27<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON LANDS HELD ON FRIDAY 3<sup>RD</sup> JUNE 2022 AT ENGLISH POINT MARINA MOMBASA AT 9:30 AM**

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**PRESENT**

- |  |                    |
|--|--------------------|
| 1. Hon. Dr. Rachael Nyamai, CBS, M.P   | - Chairperson      |
| 2. Hon. Mishi Mboko, CBS, M.P          | - Vice-Chairperson |
| 3. Hon. Benjamin Washiali, CBS, M.P    |                    |
| 4. Hon. Omar Mwinyi Shimbwa, M.P       |                    |
| 5. Hon. George Risa Sunkuyia, M.P      |                    |
| 6. Hon. Owen Baya, MP                  |                    |
| 7. Hon. Patrick Munene Ntwiga, MP      |                    |
| 8. Hon. Josphat Gichunge Kabeabea, M.P |                    |
| 9. Hon. Samuel Kinuthia Gachobe, MP    |                    |
| 10. Hon. Teddy Mwambire, M.P           |                    |

**APOLOGIES**

1. Hon. Joshua Kutuny, MP
2. Hon. Babu Owino, MP
3. Hon. Ali Mbogo, M.P
4. Hon. George Aladwa, M.P
5. Hon. Hon. Caleb Kositany, M.P
6. Hon. John Muchiri Nyaga, MP
7. Hon. William Kisang, MP
8. Hon. Ahmed Kolosh, MP
9. Hon. Lilian Tomitom, MP

**THE NATIONAL ASSEMBLY SECRETARIAT**

- |                        |   |                        |
|------------------------|---|------------------------|
| 1. Mr. Leonard Machira | - | Senior Clerk Assistant |
| 2. Ms. Jemimah Waigwah | - | Legal Counsel          |
| 3. Ms. Peris Kaburi    | - | Serjeant at Arms       |
| 4. Ms. Maureen Kweyu   | - | Audio Officer          |

**MIN. NO. NA/DC/LANDS/2022/114: PRELIMINARIES**

The meeting was called to order at twenty-seven minutes to ten o'clock with a word of prayer. Thereafter, introductions were made.

**MIN. NO. NA/DC/LANDS/2022/118: CONFIRMATION OF MINUTES**

- i. The minutes of the 15<sup>th</sup> sitting held on 22<sup>nd</sup> March, 2022 were confirmed as an accurate record of the Committee's deliberations. The minutes were proposed by Hon. Patrick Munene , MP and Hon. Teddy Mwambire, MP and seconded.
- ii. The minutes of the 16<sup>th</sup> sitting held on Thursday, 24<sup>th</sup> March 2022 were confirmed as an accurate record of the Committee's deliberations. The minutes were proposed by Hon. Owen Baya, MP and Hon. Samuel Gachobe , MP and seconded.
- iii. The minutes of the 17<sup>th</sup> sitting held on Thursday, 31<sup>st</sup> March 2022 were confirmed as an accurate record of the Committee's deliberations. The minutes were proposed Hon. Teddy Mwambire and Hon. Hon. Omar Mwinyi Shimbwa, M.P and seconded.
- iv. The minutes of the 18<sup>th</sup> sitting held on Friday, 1<sup>st</sup> April, 2022 were confirmed as an accurate record of the Committee's deliberations. The minutes were proposed Hon Teddy Mwambire, MP and Hon. Benjamin Washiali, MP and seconded.
- v. The minutes of the 19<sup>th</sup> Sitting held on Thursday, 7<sup>th</sup> April, 2022 were confirmed as an accurate record of the Committee's deliberations. The minutes were proposed by Hon. Owen Baya, MP and Hon. Patrick Munene , MP seconded.
- vi. The minutes of the 20<sup>th</sup> sitting held on Thursday, 14<sup>th</sup> April, 2022 were confirmed as an accurate record of the Committee's deliberations. The minutes were proposed by Hon. Omar Mwinyi Shimbwa, M.P and Hon. George Risa Sunkuyia MP seconded.
- vii. The minutes of the 21<sup>st</sup> sitting held on Wednesday 27<sup>th</sup> April 2022 were confirmed as an accurate record of the Committee's deliberations. Hon Patrick Munene Ntwiga, MP proposed the minutes and Hon. Owen Baya, MP seconded.
- viii. The minutes of the 22<sup>nd</sup> sitting held on Wednesday 27<sup>th</sup> April 2022 were confirmed as an accurate record of the Committee's deliberations. Hon George Risa Sunkuyia MP proposed the minutes. and Hon. Samuel Kinuthia Gachobe, MP seconded.
- ix. The minute of the 23<sup>rd</sup> sitting held on Thursday 28<sup>th</sup> April 2022 were confirmed as an accurate record of the Committee's deliberations. Hon. George Risa Sunkuyia MP proposed the minutes and Hon. Samuel Kinuthia Gachobe, MP seconded by MP.

- x. The minutes of the 24<sup>th</sup> sitting held on Thursday 29<sup>th</sup> April 2022 were confirmed as an accurate record of the Committee's deliberations. Hon. George Risa Sunkuyia MP proposed the minutes and Hon. Samuel Kinuthia Gachobe, MP seconded.
- xi. The minutes of the 25<sup>th</sup> sitting held on Thursday 5<sup>th</sup> May 2022 were confirmed as an accurate record of the Committee's deliberations. Hon Patrick Munene , MP proposed the minutes. and Hon. Samuel Kinuthia Gachobe, MP seconded.
- xii. The minutes of the 26<sup>th</sup> sitting held on 19<sup>th</sup> May 2022 were confirmed as an accurate record of the Committee's deliberations. Hon. George Risa Sunkuyia MP proposed the minutes and Hon. Owen Baya MP seconded.

**MIN. NO. NA/DC/LANDS/2022/119: CONSIDERATION OF PENDING BILLS**

The Committee unanimously agreed to drop the consideration of the following Bills referred to it. The Members noted that the timeliness before the House adjourned Sine Die limited the possibility of the consideration of the Bills by the National Assembly and the Senate Therefore the Committee did not need to act in vain:

- a. The National Rating Bill, 2022 National Assembly Bill No. 10 of 2022
- b. The Land Control Bill, 2022 National Assembly Bill No. 07 of 2022)

**MIN. NO. NA/DC/LANDS/2022/120: ADOPTION OF THE EXIT REPORT (TWELFTH PARLIAMENT)**

The Committee unanimously adopted the Exit report after it was proposed by Hon Teddy Mwambire, MP and seconded by Hon Samuel Gachobe, MP. Subject to the following amendments:

- a. Amendment to the summary of the business considered by the Committee to indicate that twelve Bill were considered by the Committee and four (4) Bills were pending.
- b. Amendment to the section on Bills to indicate that the following Bills were pending:
  - i. The National Rating Bill, 2022 National Assembly Bill No. 10 of 2022
  - ii. The Land Control Bill, 2022 National Assembly Bill No. 07 of 2022)
  - iii. The Valuers Bill, 2022 National Assembly Bill No. 18 of 2022)
  - iv. The Statute Law (Miscellaneous) Amendments Bill (National Assembly Bill No. 26 of 2022)

**MIN. NO. NA/DC/LANDS/2022/121: ADJOURNMENT**

There being no other business to discuss, the meeting was adjourned at five minutes to five o'clock.  
The next meeting will be held on notice.

**Signature .....**

**HON. DR. RACHAEL KAKI NYAMAI, CBS, M.P.**  
**(Chairperson)**