



*Approved*  
*SNA*  
*11/4/26*


REPUBLIC OF KENYA  
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FIFTH SESSION – 2026  
PUBLIC PETITIONS COMMITTEE

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REPORT ON-

CONSIDERATION OF P/NO.35 OF 2023 REGARDING COMPENSATION FOR  
COMPULSORILY ACQUIRED LAND PROPERTIES ALONG KIBWEZI-KITUI ROAD  
BY MR. IBRAHIM NTHITU MAKWATTAH

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE:	01 APR 2026
	DAY: Wednesday
TABLED BY:	Hon. Muchangi Karemba Chair, Public Petitions
CLEARANCE:	Mado Miriam



Directorate of Audit Appropriations &  
General-Purpose Committees  
Clerk's Chambers  
Main Parliament Buildings  
NAIROBI

MARCH, 2026

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## ACRONYMS

CEO	Chief Executive Officer
KeNHA	Kenya National Highways Authority
NGAO	National Government Administration Officers
NLC	National Land Commission

## **CHAIRPERSON'S FOREWORD**

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it is my pleasant privilege and honor to present to this House the Report of the Committee on Public Petition No. 35 of 2023 regarding the compulsorily acquired land and properties along Kibwezi-Kitui road by Mr. Ibrahim Nthitu Makwattah.

The petition was presented to the House pursuant to Standing Order No. 225 (2) (a) by the Hon. Speaker on behalf of the Petitioner.

The Committee undertook this inquiry by receiving and considering written submissions from the National Land Commission (NLC), the Kenya National Highway Authority (KeNHA) and the Ministry of Land, Public Works, Housing and Urban Development.

The Committee considered the Petition and observed that due process was followed for the acquisition of the property and the process of compensation of the affected landowners commenced and was still ongoing.

The committee recommends that the Kenya National Highway Authority (KeNHA) and the National Land Commission (NLC) finalize any outstanding payments towards the land owners within ninety (90) days upon tabling of the report. The Committee appreciates the Offices of the Speaker and Clerk of the National Assembly for providing guidance and necessary technical support, without which its work would not have been possible. The Chairperson expresses gratitude to the Committee Members and secretariat for their devotion and commitment to duty during the consideration of the Petition.

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On behalf of the Committee and pursuant to the provisions of Standing Order 199, I now wish to lay the Report on the Table of the House.

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**HON. MUCHANGI KAREMBA, CBS, M.P.**  
**CHAIRPERSON, PUBLIC PETITIONS COMMITTEE**

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## PART ONE

### 1. PREFACE

#### 1.1 Establishment and Mandate of the Committee

1. The Public Petitions Committee is established under the provisions of Standing Order 208A with the following terms of reference:
  - a) considering all public petitions tabled in the House;
  - b) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;
  - c) recommending whether the findings arising from consideration of a petition should be debated; and
  - d) advising the House and reporting on all public petitions committed to it.

## 1.2 Committee Membership

2. The Public Petitions Committee was constituted in October 2022 and comprises the following Members:

### **Chairperson**

Hon. Muchangi Karemba, CBS, M.P.  
Runyenjes Constituency  
**United Democratic Alliance (UDA)**

### **Vice Chairperson**

Hon. Janet Jepkemboi Sitienei, M.P.  
Turbo Constituency  
**United Democratic Alliance (UDA)**

Hon. Patrick Makau King'ola, M.P.  
Mavoko Constituency

**Wiper Democratic Movement-Kenya  
(WDM-K)**

Hon. Edith Vethi Nyenze, M.P.  
Kitui West Constituency

**Wiper Democratic Movement-Kenya (WDM-  
K)**

Hon. Ntwiga Patrick Munene, M.P.  
Chuka Igambang'ombe Constituency  
**United Democratic Alliance (UDA)**

Hon. Maisori Marwa Kitayama, M.P.  
Kuria East Constituency  
**United Democratic Alliance (UDA)**

Hon. Joshua Chepyegon Kandie, M.P.  
Baringo Central Constituency  
**United Democratic Alliance (UDA)**

Hon. Beatrice Kadeveresia Elachi, M.P.  
Dagoretti North Constituency  
**Orange Democratic Movement (ODM)**

Hon. Bernard Muriuki Nebart, M.P.  
Mbeere South Constituency  
**Independent**

Hon. Biego Paul Kibichy, M.P.  
Chesumei  
**United Democratic Alliance (UDA)**

Hon. Peter Irungu Kihungi, M.P.  
Kangema Constituency  
**Maendeleo Chap Chap Party (MCCP)**

Hon. John Bwire Okano, M.P.  
Taveta Constituency  
**Wiper Democratic Movement-Kenya (WDM-  
K)**

Hon. Peter Mbogho Shake, M.P.  
Mwatate Constituency  
**Jubilee Party (JP)**

Hon. Sloya Clement Logova, M.P.  
Sabatia Constituency  
**United Democratic Alliance (UDA)**

Hon. Suzanne Ndunge Kiamba, M.P.  
Makueni Constituency  
**Wiper Democratic Movement-Kenya  
(WDM-K)**

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### 1.3 Committee Secretariat

3. The Public Petitions Committee is facilitated by the following members of the secretariat:

**Lead Clerk**  
Mr. Victor Weke  
**Principal Clerk Assistant II**

Ms. Miriam Modo  
**First Clerk Assistant**

Ms. Kafuyai Wamae  
**Third Clerk Assistant**

Ms. Nancy Akinyi  
**Research Officer III**

Ms. Roselyne Njuki  
**Principal Serjeant-at-Arms**

Mr. Pascal Valerian  
**Hansard Officer III**

Ms. Felistus Muiya  
**Public Communication Officer**

Mr. Benard Toroitich  
**Third Clerk Assistant**

Mr. Clinton Sindiga  
**Legal Counsel II**

Mr. Arkan Mumin  
**Research Officer III**

Mr. Paul Shana  
**Serjeant-at-Arms**

Mr. Collins Mahamba  
**Audio Officer III**

Mr. Calvin Karungo  
**Media Relations Officer III**

## PART TWO

### 1 BACKGROUND OF THE PETITION

#### 1.1 Introduction

4. The Petition was reported to the House by the Hon. Speaker on behalf of the Petitioner.
5. The Petitioner represents landowners who were invited for a meeting in the Office of the Deputy County Commissioner, Kibwezi Sub-County on 7th October 2021 where they were informed of the decision by the Government of Kenya to acquire parcels of land for purposes of construction of a lorry park and other roadside amenities. During the said meeting, the National and County Governments, the Kenya National Highways Authority (KeNHA), the National Lands Commission (NLC) and APEC Consortium were in attendance. The affected land owners were requested to give access to their properties for purposes of identification of beacons and measurements for design purposes.
6. When it was time for this exercise to commence none of the Government Officers were present. Instead, staff of APEC Consortium participated in the exercise of 8th October, 2021 claiming to represent the Kenya National Highways Authority.
7. The Petitioner adds that the Kenya National Highways Authority published a Gazette Notice indicating interest on the parcels of land and inviting the landowners for negotiations, a process which he claims was unsuccessful. The Petitioner states that immediately thereafter, the NLC wrote to affected landowners informing them that the KeNHA had been granted full access to commence construction.
8. The Petitioner asserts that all efforts to have the matter settled amicably including the ~~intervention of the then Makueni Senator have all been unsuccessful.~~
9. The issues in respect of which this Petition is raised are not pending before any Court of law or any constitutional or legal body.

#### 1.2 Petitioners' Prayers

10. The Petitioners prayed that the National Assembly, through the Public Petitions Committee-
  - a) Investigates the alleged illegal acquisition of their properties;
  - b) Investigates why the affected landowners were not compensated;
  - c) Investigates what the role of APEC Consortium was in the compulsory acquisition of the properties; and
  - d) Investigates whether National Land Commission shared the valuation report and any recommended offers to the affected landowners.

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## PART THREE

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### 2 STAKEHOLDERS' SUBMISSIONS

#### 2.1 National Land Commission

The CEO, National Land Commission, Ms. Kabale Tache Arero, vide a letter REF:NLC/NA/PPC/2026/03(1) dated 9th March, 2026 presented written submissions to the committee. She submitted as follows –

11. The Commission commenced the compulsory acquisition process for land required for the construction of the Kibwezi–Mutomo–Kitui–Kabati Road Project through Gazette Notice No. 5075 published on 25<sup>th</sup> May 2018. Following the initial notice, several addenda, corrigenda and deletion notices were issued to accommodate changes in the project design.
12. The component relating to the Kibwezi Lorry Park and roadside amenities was not part of the initial road design. This was later introduced through an addendum request submitted to the Commission in 2021 by the acquiring authority (KeNHA). Subsequently, a stakeholder consultation meeting was held on 7th October 2021 at the Office of the Deputy County Commissioner in Kibwezi. The purpose of the meeting was to inform landowners and other stakeholders about the proposed development and the intended acquisition of land for the lorry park and associated facilities.
13. The meeting was attended by representatives from the National Government Administration Officers (NGAO), NLC, KeNHA and APEC Consortium. During the meeting, landowners were informed of the proposed acquisition and were given an opportunity to seek clarification on the process.
14. Regarding the role of APEC Consortium; APEC Consortium was a private contractor that had been engaged by KeNHA to implement the construction works for the road project. Therefore, it had no formal relationship with the National Land Commission in the compulsory acquisition process. Consequently, any actions undertaken by APEC Consortium were carried out under the authority and supervision of KeNHA, and the Commission's role remained limited to undertaking compulsory acquisition in accordance with the Constitution and the applicable statutory provisions.
15. On the matter of a legal framework governing the compulsory acquisition; compulsory acquisition of land in Kenya is governed by Article 40 of the Constitution of Kenya, Part VIII of the Land Act, 2012, and the Land (Assessment of Just Compensation) Rules and Regulations, 2017. These legal provisions require the Commission to adhere to a clearly defined statutory process when acquiring land for public purposes.
16. In practice, the process begins with the publication of a Notice of Intention to Acquire in the Kenya Gazette. This is followed by inspection and valuation of the affected properties to determine the extent of land required for the project and the appropriate compensation

payable to the affected persons. The Commission thereafter publishes a Notice of Inquiry specifying the venue and dates when the affected landowners will appear before the Commission to present their claims for compensation. The Commission issues awards which the landowner may accept or reject.

17. The law further provides for situations where urgent possession of land is required in the public interest. In this regard, Section 120(2) of the Land Act, 2012 allows the Commission to take possession of land notwithstanding that the normal process has not been fully concluded, provided that the urgency of the project justifies such action and that no person will be rendered homeless as a result.
18. On the status of the acquisition; upon verifying that the statutory conditions had been met, including confirmation that fifteen days had elapsed from the date of publication of the notice of intention to acquire and that the affected parcels were unoccupied, the Commission issued notices of formal taking possession dated 2nd February 2022.
19. Regarding the compensation status; the Commission subsequently finalized the valuation and assessment of compensation for the affected landowners and issued letters of award in December 2025. The total compensation assessed for the parcels within the Kibwezi Lorry Park area amounted to Kenya Shillings Sixteen Million Six Hundred Eighty-Six Thousand Six Hundred Ninety (Ksh. 16,686,690.00).
20. To date, the Commission has received partial compensation funds amounting to Kenya Shillings Ten Million Five Hundred Eighteen Thousand Three Hundred Eighty (Ksh. 10,518,380.00) from the Kenya National Highways Authority. The Commission is currently in the process of effecting payments to those landowners who have submitted the requisite documentation and have consented to the compensation awards issued by the Commission. Payment of the remaining compensation will be undertaken once the acquiring authority releases the balance of the required funds.
21. The delay in the payment of compensation has not arisen from any procedural failure on the part of the Commission but is attributable to the fact that the Commission can only effect payment upon receipt of the requisite funds and documentation.

## **2.2 Kenya National Highways Authority**

The Director General, KeNHA, Eng. Luka Kimeli, vide a letter Ref:KeNHA/04.D/S/VOL.62/26 dated 2<sup>nd</sup> March, 2026 presented written submissions to the committee. He submitted as follows -

22. Due to the urgent need for possession of site by the contractor, the owners of the affected parcels were issued Notices of Taking Possession by NLC to facilitate the construction of a lorry park adjacent to the subject road, as required by Section 120(2) of the Land Act 2012.
23. The Authority has already remitted the compensation funds for all the affected parcels and developments to the National Land Commission through the letters Ref(s).

KeNHA/F/NLC/6/Vol.7/3557 (Cheque No. PV98708CHQ000038) and KeNHA/F/NLC/6/Vol.7/3567 (Cheque No. PV 99133 CHQ000054) dated 5<sup>th</sup> July, 2025 and 22<sup>nd</sup> July, 2025 respectively, except for the parcel Kikumbulyu/Mikuyuni/1305 which could not be paid due to budgetary constraints. The Authority intends to settle the outstanding compensation once funds are available.

Below is the current status of compensation:

S/No.	Title Number	Registered Owner/Claimant/Payee	Areas Acquired(Ha.)	Award(Ksh.)	Payment Status
1	Kikumbulyu/Mikuyuni/1302	Faith Murangi Onyango & Benson Onyango Nyairo	0.092	1,060,880.00	Paid
2	Kikumbulyu/Mikuyuni/1303	Faith Murangi Onyango & Benson Onyango Nyairo	0.046	529,000.00	Paid
3	Kikumbulyu/Mikuyuni/1304	Faith Murangi Onyango & Benson Onyango Nyairo	0.046	534,750.00	Paid
4	Kikumbulyu/Mikuyuni/1305	George Mutua Makwatta and Rose Kavata Mukumbu	0.520	6,168,310.00	Not Paid
5	Kikumbulyu/Mikuyuni/1307	John Muthusi Kimondi and Francis Muiva Ndimu	0.190	2,231,000.00	Paid
6	Kikumbulyu/Mikuyuni/295	Antony Kyathe Mwilu	Improvements	208,960.00	Paid
7		Leah Wamjiku Kiarie	Improvements	36,800.00	Paid
8		Agatha Muringi Ndirangu	Improvements	36,800.00	Paid
9		Jackson Wambua Mongoli	Improvements	11,500.00	Paid
10		Samson Muasya Mwongela & Margaret Mwikali Mulwa	Improvements	23,000.00	Paid
11		Japheth Mwongela Charles	Improvements	51,700.00	Paid
12		Phoebe Mwelu Muindi	Improvements	17,250.00	Paid
13		Peninah Munyiva	Improvements	63,250.00	Paid
14		Luther Musoma Maingi	Improvements	8,570.00	Paid
15		Jeniffer Muia	Improvements	36,800.00	Paid

16	Kikumbulyu/Mikuyuni/1325	Raphael Mutuku Ndiku	0.059	678,500.00	Paid
17	Kikumbulyu/Mikuyuni/1326	Raphael Mutuku Ndiku	0.046	598,000.00	Paid
18	Kikumbulyu/Mikuyuni/1327	Raphael Mutuku Ndiku	0.040	506,690.00	Paid
19	Kikumbulyu/Mikuyuni/1328	Raphael Mutuku Ndiku	0.046	529,000.00	Paid
20	Kikumbulyu/Mikuyuni/1329	Raphael Mutuku Ndiku	0.039	454,250.00	Paid
21	Kikumbulyu/Mikuyuni/1330	Raphael Mutuku Ndiku	0.093	1,075,880.00	Paid
22	Kikumbulyu/Mikuyuni/1332	Raphael Mutuku Ndiku	0.066	790,170.00	Paid
23	Kikumbulyu/Mikuyuni/1333	Paul Sammy	0.090	1,035,580.00	Paid
24	Kikumbulyu/Mikuyuni/1847	Michael Mbai Nyenze	Improvements	3,429,000.00	Paid
25	Kikumbulyu/Mikuyuni/1202	Anthony Muthui Mung'eli & Douglas Pius Mung'eli	0.3287	827,090.00	Paid
26		Robert Somba Nzamba	Improvements	517,500.00	Paid
27		Dan Kitheka	Improvements	152,490.00	Paid
28		Josiah Masu Kwosa	Improvements	773,380.00	Paid
29		Peter Kwali	Improvements	639,690.00	Paid
30		David Ndunyu	Improvements	990,780.00	Paid

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## PART FOUR

### 3 COMMITTEE OBSERVATIONS

Upon reviewing and considering the submissions by NLC and KeNHA, the Committee observed that—

24. On the alleged illegal acquisition of the petitioners' properties; NLC issued sufficient notice and held stakeholder engagements with the land owners, KeNHA and representatives of NGAO where the landowners were given an opportunity to seek clarifications on the process.
25. On the matter of compensation of land owners; there were steps already taken to address the matter and NLC together with KeNHA need to finalize the outstanding compensation payments in accordance with the law.
26. KeNHA has already remitted compensation funds for all the affected parcels and developments to NLC however, due to budgetary constraint only one parcel out of the 30 parcels has not been paid.
27. The APEC Consortium was a private contractor that was engaged by KeNHA to implement the construction works for the road project. Any actions undertaken by APEC Consortium were carried out under the authority and supervision of KeNHA.

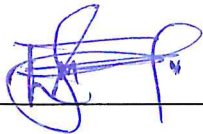
## PART FIVE

### 4 COMMITTEE RECOMMENDATIONS

28. Pursuant to the provisions of Standing Order 227, the Committee responds to the Petition as follows—

- (i) On the prayers that the National Assembly investigates on the alleged illegal acquisition of the properties, **the committee notes that due process was followed by KeNHA and NLC.**
- (ii) On the compensation of the landowners; **the committee recommends that the Kenya National Highway Authority (KeNHA) and the National Land Commission (NLC) finalize any outstanding payments towards the land owners within ninety (90) days upon adoption of this report.**
- (iii) On the prayer on inquiry into the role of APEC Consortium; **the committee acknowledges that APEC Consortium as a private contractor worked under the authority and supervision of KeNHA.**
- (iv) On the prayer that the National Assembly investigates on the valuation of the properties by NLC; **the committee notes that the NLC did its valuations in accordance with the law.**

Signed: \_\_\_\_\_



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

01/04/2026

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**HON. MUCHANGI KAREMBA, M.P.**

**CHAIRPERSON, PUBLIC PETITIONS COMMITTEE**

## ANNEXURES

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- Annex 1: The Adoption List
- Annex 2: Public Petition No.35 Of 2023 Regarding Compensation for Compulsorily Acquired Land Properties Along Kibwezi-Kitui Road
- Annex 3: Minutes of proceedings



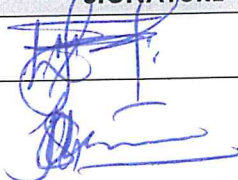
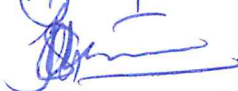
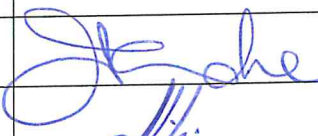
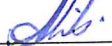
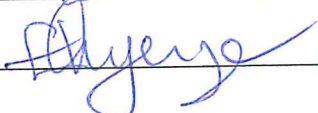
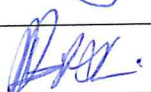
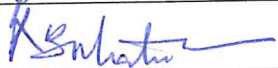
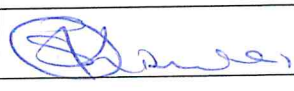
**PUBLIC PETITIONS COMMITTEE**

**ADOPTION LIST**

- (i) **Consideration and adoption of the Report on Public Petition No. 35 of 2023 by Mr. Ibrahim Nthitu Makwattah, regarding compensation for compulsorily acquired land properties along Kibwezi – Kitui Road**

**We, the undersigned, hereby affix our signatures to this Report to affirm our approval:**

DATE: 18/02/2025

	HON. MEMBER	SIGNATURE
1.	Hon. Muchangi Karemba, CBS, M.P. (Chairperson)	
2.	Hon. Janet Jepkemboi Sitienei, CBS, M.P. (Vice Chairperson)	
3.	Hon. Patrick Makau King'ola, M.P.	
4.	Hon. Beatrice Kadeveresia Elachi, CBS, M.P.	
5.	Hon. Joshua Chepyegon Kandie, M.P.	
6.	Hon. Maisori Marwa Kitayama, M.P.	
7.	Hon. Edith Vethi Nyenze, M.P.	
8.	Hon. Patrick Ntwiga Munene, M.P.	
9.	Hon. Paul Biego Kibichy, M.P.	
10.	Hon. (Eng.) Bernard Muriuki Nebart, M.P.	
11.	Hon. Peter Mbogho Shake, M.P.	
12.	Hon. Suzanne Ndunge Kiamba, M.P.	
13.	Hon. John Bwire Okano, M.P.	
14.	Hon. Sloya Clement Logova, M.P.	
15.	Hon. Peter Irungu Kihungi, M.P.	