



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Fourth Session

Tuesday 13th October 2020

The House met at 9.30 a.m.

[Hon. Deputy Speaker (Mr Geophrey Majiwa) in the Chair]

PRAYERS

MOTION

Hon. Deputy Speaker: Hon. Jayendra Malde.

PERENNIAL LAND GRABBING IN THE COUNTY

Hon. Jayendra Malde: Thank you, Mr. Speaker. I beg to move the following Motion:

THAT, aware that the County has always been experiencing increased cases of land grabbing over the past years, noting the many allegations of officers at the Planning and Housing Department who work in cahoots with these people in order to acquire land fraudulently or get favoritism to blatantly contravene standard building plans and/ or regulations; cognizant of the fact that corruption continues to mar the transfer process of lands and properties in the County without the knowledge of the residents living on such lands; further noting the relevant department of the County Government has continued to remain adamant or complacent to rectify the many anomalies dating back to 2017, giving example of Highridge Clinic that is under construction by a private developer, North Highridge School situated in 6th Parkland Avenue that is allegedly grabbed and Parkland/Highridge Ward whose approval for ten storey was extended to more than twelve storey building; deeply concerned that many residents of Nairobi have abruptly been displaced from their lands and /or properties as a result of politicians and business elites allegedly giving bribes and engaging in corruption activities; fully aware of the laid down building guidelines and the implication of Chapter Six of the Constitution of Kenya, 2010 on Leadership and Integrity and the President's pronouncement in the fight against graft by public officers, this Assembly urges the County Executive in liaison with the Nairobi Metropolitan Services to urgently investigate the processes followed in the issuance of building approvals and fraudulent acquisition of lands in the County since 2017 that led to the many contraventions of requisite building and land transfer regulations and issues on residents consultation before transfer of such lands and property.

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I call upon *Mheshimiwa* Ogeto to second the Motion.

Hon. Moses Ogeto: Thank you Hon. Speaker. It is good as I stand here to second the Motion, I want to give my statement to the same Motion Mr. Speaker. I thought my colleague the former chairman for Justice would have elaborated why he brought the Motion in this House, but he is on a learning process.

Hon. Speaker, he has categorically mentioned politicians and business elites. Hon. Speaker, as I second this Motion, I believe the spirit of bringing this Motion is because of the violation of section 75 (a) where Chapter 6 of the constitution is very clear that any state officer or any civil servant who conflict section 75 (a) Chapter 6 of the Constitution of the republic of Kenya should face jail term.

Hon. Speaker, it could have been very good public lands utility were being taken away for the purpose of Nairobi City County.

Whatever he is alleging about the public land in Highridge ward and Highridge Clinic, we as Members have realized the circus behind the Highridge clinic and Highridge school and I believe when you were the city mayor; you are aware of this. It would be appropriate that, as I second this Motion, Nairobi Metropolitan Services moves with speed. We went with Hon. Malde and the 'General' to visit these clinics and I believe that he will make sure that he gets the clinics back.

Hon. Speaker for that reason, residents of Parklands/Highridge are in dire need of these clinics. If you go along that route, there is only Agha Khan Hospital which the residents of Deep Sea cannot afford. He has also talked about the schools; we have come here to legislate for Nairobi residents---

Hon. Deputy Speaker: Sorry Hon. Member. We have a serious technical problem with our systems and we do not want them to collapse on us. We will have to adjourn this session and continue with this Motion in the afternoon. Thank you for understanding.

(Debate on Motion deferred to afternoon Sitting)

ADJOURNMENT

Hon. Deputy Speaker: There being no any other business, the assembly stands adjourned to 2.30 p.m.

(The House rose at 10.25 a.m.)