

COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY
THIRD ASSEMBLY*
(FOURTH SESSION)



[PUBLIC PETITION PURSUANT TO STANDING ORDER 214]

**BY FRANCIS KURIA ON BEHALF DANDORA DUMPSITE LAND OWNERS
ON DUMPSITE OWNERSHIP IN NAIROBI CITY COUNTY.**

WE THE UNDERSIGNED Citizens of Kenya who are residents of KomaRock Estate Phase 3A in Embakasi Sub-County within Nairobi City County.

DRAW the attention of the County Assembly of Nairobi to the following: -

AWARE THAT, Article 185 of the Constitution of Kenya, 2010 vests the legislative authority and oversight of the County Governments in the County Assembly;

THAT, Article 62 of the Constitution mandates the County Government to hold in trust public land in trust for county residents;

THAT, the Kenya National Land Use Policy 2017 recognizes the need for social development that takes cognizance of provision of basic infrastructure and services;

THAT WHEREAS, Section 5(e) of The National Land Commission Act, 2012 requires the Commission to initiate investigations into present or historical land injustices and recommend appropriate redress;

THAT WHEREAS, Section 116 of the County Governments Act, 2012 imposes an obligation on the County Government and its agencies to deliver services within its designated area of jurisdiction. Further, Section 117 (1) (a) of the Act provides that the County Government shall give priority to basic needs of the public to ensure that all members of the public have access to basic services;

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THAT, Dandora dumpsite is an important space to the Nairobi City County Government where all waste collected from across the County is disposed;

THAT, where the dumpsite sits originally belonged to a group of residents of Nairobi City County by deed of letters of allotment given by the then defunct City Council of Nairobi in 1910s by way of a balloting process; and that they have been paying premiums and rents on their respective pieces of land;

THAT, despite the Nairobi City County government repossessing the dumpsite the owners of the said pieces of land have neither been contacted nor compensated;

THAT WHEREAS, petitioners, confirm that efforts have been made to have the matter addressed by the relevant body, it failed to give a satisfactory response;

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

NOW THEREFORE, your humble Petitioners PRAY that the County Assembly of Nairobi City County intervenes and ensure that; -

- a) The National Land Commission and all the relevant bodies furnishes the Nairobi City County with the deed plans to facilitate and solve the dispute herein; and
- b) Nairobi City County Government be directed with immediate effect to commence the process of relocating the dumpsite and subsequent removal of waste from the said parcels of land in order to allow the owners to either develop them or alternatively be compensated.

And your Petitioners will forever pray.

Presented by;
Hon. Speaker, MCA

On behalf of;

- Dandora Dumpsite land owners

And by extension;

- All residents of Nairobi County.

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