



THE NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY

(FOURTH SESSION)



REQUEST FOR STATEMENTS

Subject: Alleged Grabbing of Public Land

Hon. Speaker,

Pursuant to Standing Order 45(2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Planning and Housing regarding alleged grabbed land LR 209/1647 & 1648 located along Kiarie Kiiu Road in Pangani Ward.

Hon. Speaker, Article 63 of the Constitution of Kenya, 2010 is clear on Community land which dictates that such land should be held by communities identified on the basis of ethnicity, culture or similar community of interest.

Hon. Speaker, in view of the foregoing, concerns are being raised by the residents of Pangani Ward regarding the current ownership of the land LR 209/1647 & 1648 by the Muslim Community which is alleged to have been allocated the land illegally by unscrupulous entities.

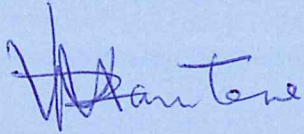
It is instructive to note that the contested land had been reserved for public space for recreational activities and other essential amenities. This is in light of Article 62 (1) (d) that defines a Public land as land in respect of which no individual or community ownership can be established by any legal process.

Hon. Speaker, there is evidence in a letter addressed to a previous Commissioner of Lands by the then Director responsible for City Planning and architecture in the defunct City Council indicating that the said land was solely meant for recreational activities in Pangani and its environs.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on: -

- i) Who allocated the alleged grabbed land to Muslim community;
- ii) When did the Land previously reserved for public space change ownership to be a Community land contrary to Article 62 1 (d) of CoK, 2010;
- iii) Copies of title deed and related documentations verifying the authenticity of real owners of the land; /

iv) Measures the Nairobi Metropolitan Service and County Executive is putting in place to ensure there is no acrimony or interfaith conflicts amongst the religious formations on the land under contestation.



Hon. Peter M. Warutere, MCA
MEMBER FOR ROYSAMBU WARD

Date.....15/10/20