



NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY - FIRST SESSION

**REQUEST FOR STATEMENTS**

Pursuant to standing order 41(2)c, I wish to request for a statement from the chairperson of Sectorial committee of Lands, Urban Planning and Housing on the alleged irregular and/or fraudulent disposal and or transfer of Land Reference number 209/6612, the property at Mariakani Estate, along and or within Mkoma Road. South B.

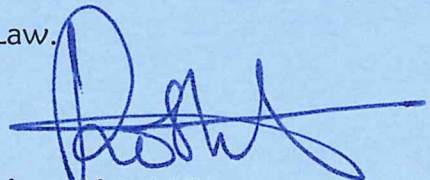
Mr. Speaker, the chairperson should proceed to inquire, investigate and or establish on:-

- (i). The criteria used to transfer the said property to Local Authority Provident Fund (LAPF) from the defunct City Council of Nairobi and or Nairobi City County Government.
- (ii). The procedure used to institute the transfer, whether it was irregular, unlawful, null and void since on the face of transfer instrument it was executed on 18<sup>th</sup> March 2013, long after the City Council of Nairobi had ceased to exist as an entity.
- (iii). Whether the process of the alleged sale and transfer of the estate which was conducted on this 18<sup>th</sup> March 2013 was executed without following the due legal process since the City Council of Nairobi was subject to transitional process which entailed two phases; phase one being the period from the year 2012 to March 2013 and phase two from the general elections up to three (3) years hence such kind of sale and transfer ought to have official permission and or approval for an action (sanction) to authorize the sale and transfer.
- (iv). Whether the former officials of City Council of Nairobi who signed a transfer and lodged it with the Registrar of Lands had sought permission of the Transition



Authority, Ministry of Devolution, Commission of Revenue Authority and or the Ministry of Local Government in charge of matters relating to inter-governmental relations and if the signature of George Aladwa Omwera had legal effect as the office of the Mayor had ceased to exist as at 18<sup>th</sup> March 2013, the signature of the chairman finance committee had legal effects since finance committee had ceased to exist, the signature of Director Legal had any legal effect since the department had ceased to exist, whether the signature of Mr. Roba Duba had legal effects as purported to be the Town Clerk, was the then MP for Moyale and Mr. Joshua Aduma was the MP for Nyakach Constituency.

- (v). Whether the alleged amount of debt swapped for consideration of only **Kenya Shillings One Billion Five Hundred and Fifty Million (Ksh1.55 billion)** which is a paltry figure given the nature and the extent of the estate which is made up of 240 housing units covering an area of **ten decimal one three (10.13) acres**.
- (vi). Reasons why an independent valuer was not engaged to give an independent valuation report rather than relying on the Council Valuers who were dictated to undervalue the property to benefit officials of the City Council of Nairobi and Local Authority Provident Fund who seem to have conspired.
- (vii). Whether Article 10 of the Constitution of Kenya 2010 and the Public Participation Act, in the matters of making the decision affecting public, in this matter, why Mariakani Estate Community Organization were not involved.
- (viii). Whether any alleged transfer of lease concurred with the Urban Areas and Cities Act, Section 58, if not, why the committee should not recommend the revocation of the alleged allocation of the said parcel of Land and any person involved in the fraudulent disposal of the same be recommended for criminal charges in a Court of Law.

  
Hon. Robert Alai, MCA.  
MEMBER FOR KILELESHWA WARD

Date: 22/11/2022



I. Statement sought by  
Hon. Moses Kitema

II. Chair Public Works to  
respond within 2 weeks

Chair  
22/11/2022

# GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY

(FIRST SESSION)



## REQUEST FOR STATEMENT

Hon. Speaker,

Pursuant to Standing Order 47(2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committees on Transport and Public Works and Water and Sanitation Committees regarding the dilapidated roads especially GNCA road in Kware Ward

Hon. Speaker, the Nairobi County Government recently awarded a contract for the construction of GNCA road in Kware Ward. However the contractor began the excavations and abandoned the project midway.

Hon. Speaker, the sewerage for GNCA road is also in a dire state since the sewerage refuse has flooded the road making it impassable and also very dangerous for the people living within the Kware road.

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

- i. A report on the status of construction of the GNCA road in Kware Ward;
- ii. Whether the County Executive has set aside a budget to ensure the road construction is completed;
- iii. Plans the County Executive has put in place to ensure that there's a sewerage system in Kware road; and
- iv. Measures the County Executive has deployed in managing sewerage in the County especially in Kware Ward.

Hon. Moses Kitema, MCA  
Kware Ward, MCA  
Nairobi City County Assembly

22/11/2022



