

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 Committee on Lands, Urban Planning and Housing alleged regarding illegal demolition of a residential home built on Land LR. No. 1570/111/86 and the irregular acquisition of the same land by Lariak Properties in School Lane, Parklands Highridge Ward.

Hon. Speaker, Article 61 (1) of the Constitution of Kenya 2010 presupposes that all land in Kenya belongs to the people of Kenya collectively as a nation, as communities and as individuals. Further, the Nairobi City County Evictions, Resettlement and Demolition Act, 2016 provides for the procedures for evictions, demolition and resettlement in the County.

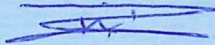
Hon. Speaker, on Sunday 8th November, 2022, Citizen TV aired the public outcry of an Asian family namely Ms. Avani Shaz whose residential home of 46 years was illegally demolished on 4th November, 2022 by a private developer called Lariak Properties despite Court orders and a County Government notice restraining Lariak Properties from demolishing the said property.

Hon. Speaker, Lariak Properties claimed ownership of the 1 Acre parcel of land in School Lane, parklands. They claim to have bought the land from Metro pharm Pharmaceuticals in 2010 yet the said land has a lease expiring in 26 years.

Hon. Speaker, whereas the applicant, respondent and magistrates name are the same, the court orders issued allegedly differ. Lariak Properties court order states that they serve Avani shaz for interperities on 1st of November, 2022, while Avani Shaz court order restrained Lariak properties from demolishing the property.

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

- i. A report on history of ownership of Land LR. No. 1570/111/86;
- ii. Whether there is an existing lease between the County Government and Ms. Avani Shaz;
- iii. Whether Lariak Properties had any legal document from the County Government authorizing the demolition of the said property;
- iv. Plans the County Government has put in place to curb such incidences of irregular and/or forceful acquisition of private property in the County.


Hon. Stephen Gitau, MCA
Parklands, MCA
Nairobi City County Assembly

*Statement sought
and to responded on
Wednesday 16th Nov 2022
All
8/11/2022*