



REPUBLIC OF KENYA

**THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT (SECOND SESSION)**

CONVEYANCE OF PUBLIC PETITION

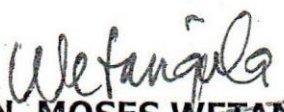
(No. 11 of 2023)

**REGARDING THE ILLEGAL ACQUISITION OF PRIVATE LAND BY THE
DEFUNCT AWENDO TOWN COUNCIL**

- 1. Honourable Members,** Article 119 of the Constitution accords any person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225(2)(b) requires the Speaker to report to the House any Petition other than those presented by a Member.
- 2. In this regard, Honourable Members,** I wish to report to the House that my office has received a petition from one *Mr. Boniface Otieno Opere of Identification Number No. 4238636* and four others representing members of *Tim Kinda Self - Help Group* in Awendo Town, Migori County.
- 3. The Petitioners** state that in 1988 the allocation of plots to various persons was halted by the then South Nyanza District Plot Allocation Committee on grounds that the government had not acquired the said pieces of land. The Petitioners claim to have lodged a complaint with the Ministry of Lands and were confirmed to be the legal owners of the said land.
- 4. The Petitioners** further aver that, in 2003, the Awendo Township Council embarked on evicting land owners without any notice or orders from any court on grounds that the said parcels of land had been compulsorily acquired by government.

- 5. Honourable Members,** the Petitioners consequently took legal action in 2005 by suing the Awendo Town Council at the High Court in Kisii, which ruled in their favour. Unfortunately, the Council failed to produce acquisition and compensation documents to the court as directed.
- 6. Honourable Members,** further efforts by the petitioners to compel Awendo Town Council to produce acquisition and compensation documents were thwarted as the appeal was dismissed and directed to the District Land Registrar to issue title deeds to the original land owners.
- 7. Honourable Members,** the petitioners further state that the Awendo Town Council having been dissatisfied by the judgement of Court of Appeal, applied for a certificate to appeal its decision at the Supreme Court which was dismissed by the Supreme Court.
- 8. Honourable Members,** the Petitioners therefore pray that the National Assembly engages the Ministry of Lands, Housing & Urban Development to ensure that the Petitioners are duly compensated for the lands they lost due to illegal allocation by the defunct Awendo Town Council.
- 9. Honourable Members,** having established that the matter raised in the Petition is well within the authority of this House; and further, that the matters raised are not pending before any court of law, constitutional or legal body, I hereby commit the Petition to the Public Petitions Committee for consideration pursuant to Standing Order 208A.
- 10.** The Committee is required to consider the Petition and report its findings to the House and to the Petitioners in accordance with Standing Order 227(2).

I thank you.


THE RT. HON. MOSES WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Date