

Hon. Speaker
You may agree
HTO.
13/12/2020



Approved
SNA
3/12/2020

REPUBLIC OF KENYA
TWELFTH PARLIAMENT (FOURTH SESSION)
THE NATIONAL ASSEMBLY

PUBLIC PETITION

(No. 49 of 2020)

REGARDING RESETTLEMENT OF CHIDONGO, JUNJU, MIRIMA MINE AND BODOI
VILLAGERS IN KILIFI SOUTH CONSTITUENCY

I, the **UNDERSIGNED**, on behalf of residents of Chidongo, Junju, Mirima Mine and Bodoi Villages of Kilifi South Constituency;

DRAW the attention of the House to the following: -

PARLIAMENT
OF KENYA
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- THAT**, the residents of Chidongo, Junju, Mirima Mine, and Bodoi Villages comprising of a population of over 2,300 people currently live on their ancestral land registered under plot no 71|1|IV|MN and measuring approximately 1,776 acres in Kilifi South Constituency;
- THAT**, the residents have lived on this parcel of land for decades as evidenced by graves and mature trees that are over 100 years old, and are primarily composed of various Mijikenda tribes including the Chonyi, the Giriama, the Jibana, and the Kauma who have intermarried and lived in peace and harmony during this time;
- THAT**, the community is composed mainly of farmers who have grown crops such as maize, cassava, cashew nuts, mangoes and coconut, and has expanded exponentially to the point of establishing infrastructure such as Bodoi Primary School, Chidongo Primary School, Junju Primary School, Junju Secondary School, Mirima Mine Primary School, Sirini Primary School, mosques, dispensaries, churches, hotels, saloons, shops and other commercial establishments some of which were started as early as 1943;
- THAT**, in 2003, the community through the District Land Management Board applied to be allotted the said parcel of land and to be duly issued with title deeds, only to be informed that the process could not be executed because there was no information in the Land Registry;
- THAT**, on 23rd February 2015, the community through the Chijumibo Community Based Organization (CBO) made another application to the National Land Commission (NLC) to have the squatters formally settled on this land, whereupon the NLC investigated the matter and noted that the squatters had been on that land and ought to be duly settled since no claimant to the land existed in the Land Registry records;

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SPEAKER'S OFFICE
P. O. Box 41842, NAIROBI.

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6. **THAT**, on 21st November 2017, the NLC advertised this parcel of land through the Kenya Gazette, and by the expiration of the 30-day timeline that had been provided, no individual or corporation made any claim to the land;
7. **THAT**, despite the expiration of this notice the community was not allocated the land, with the NLC making no additional communication on the matter;
8. **THAT**, on 13th May 2020, the Office of the NLC Coordinator in Kilifi County wrote to the NLC seeking a second placement of parcel No. 71/1/IV/MN in the Kenya Gazette, but the request was not honoured;
9. **THAT**, the residents were utterly dismayed when an official search of the ownership of the land on 11th September 2020 revealed that their land had been illegally and irregularly registered under Messers Daniel Kimeu Muhia, Lucas Chimeza Keng Francis Kipkosgei Kemboi and Christopher Tuitoek Kiplagat commencing in 1995 under a 999 years lease, yet in 2003 the District Land Management Board had claimed that no records on the land existed;
10. **THAT**, efforts to have this matter addressed by the relevant authorities, including the National Land Commission and the Kilifi Lands Registry, have been futile;
11. **AND THAT**, the matter in respect of which this petition is made is not pending before any Court of Law or Constitutional body.

NOW THEREFORE, your humble petitioners pray that the National Assembly through the Departmental Committee on Lands: -

- i. Enquires into the matter with a view to securing, with the assistance of the National Land Commission, the revocation of the current title deed, and the subsequent allotment and subdivision of parcel No. 71/1/IV/MN to residents of Chidongo, Junju, Mirima Mine and Bodoi Villages of Kilifi South Constituency and the issuance of title deeds to them;
- ii. Secures the prosecution of all land officers and persons involved in the fraudulent allocation of the land to Messers Daniel Kimeu Muhia, Lucas Chimeza Kenga, Francis Kipkosgei Kemboi and Christopher Tuitoek Kiplagat so as to discourage repetition of such incidents of blatant impunity regarding land matters in the country; and
- iii. Makes any other order or direction that it deems fit in the circumstances of the matter.

And your **PETITIONERS** will ever pray.

PRESENTED BY


HON. KEN KITI CHONGA, MP

MEMBER FOR KILIFI SOUTH CONSTITUENCY

Date... 3/12/2020

PUBLIC PETITION

REGARDING RESETTLEMENT OF CHIDONGO, JUNJU, MIRIMA MINE AND BODOI VILLAGERS IN KILIFI SOUTH CONSTITUENCY

We, the undersigned, hereby append our signatures in support of this Petition:

	Name	I/D No.	Telephone No.	Signature
1	MAURICE KATUNGO TSUMA	8657629	0723-358-655	
2	CATHERINE KANZE KOMBÉ	4628054	0722628710	
3	PETER MUNGA MWAMBWA	26565133	0793841243	
4	FERRY EDISON KOMBÉ	31779681	0702013809	
5	JIMMY NGALA	23506766	0746124227	
6	Marco ZIRU	25073746	0723 163965	
7	JUSTUS MRABU	32830029	0796095820	
8	HERMANN KALAMA	26661763	071788498	
9	KATAHA KATAHARA	9773229	0710259474	
10	SONJE MABONGO	22618053	0769881738	
11	DANNA WASHÉ	24826845	0701005506	
12	JACOB MUNGA WASHÉ	22284772	0764041309	
13	BOSMARK KOMBÉ	28607123	0708602365	
14	ALEXANDER M. ZIRO	16036171	0721477144	
15	ANTHONY NZUNGU	27219373	0726263824	
16	JAMES C DÉCHÉ	4578348	0769038611	
17	RODOLPHE ATIENO	30541571	0700348367	
18	STANLEY MILATSOMA	34494734	0742493509	
19	SERESTILLE K. HONTO	27145075	0703736508	

