



**REPUBLIC OF KENYA**

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

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**CONVEYANCE OF PUBLIC PETITION**

*(No. 11 of 2023)*

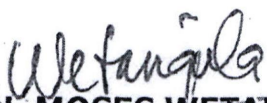
**REGARDING THE ILLEGAL ACQUISITION OF PRIVATE LAND BY THE  
DEFUNCT AWENDO TOWN COUNCIL**

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- 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.
- 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.
- 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.
- 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 .....**



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT (SECOND SESSION)

PUBLIC PETITION

(No. 12 of 2023)

**REGARDING DESILTATION OF MATINGA DAM IN KITUI WEST  
CONSTITUENCY**

Approved for  
presentation  
SNA  
14/3/23

I, the **UNDERSIGNED**, on behalf of the residents of Kitui West Constituency;  
**DRAW** the attention of the House to the following:

1. **THAT**, Article 69 of the Constitution provides that the State shall ensure sustainable exploitation, utilization, management and conservation of the environment and natural resources, and ensure the equitable sharing of the accruing benefits;
2. **THAT**, water is a key natural resource which is essential for the wellbeing of every individual;
3. **THAT**, Kitui West Constituency is arid and semi-arid area and as a result experiences dry spells and lack of water and pastures throughout the year;
4. **THAT**, the Kitui West residents main economic activity is livestock farming and therefore it is crucial to have adequate water for livestock use;
5. **THAT**, in the recent past the residents of Kitui West and in particular *Kauwi, Mutonguni, Matinyani, Kithumula/Kwa Muthonga Wards* in Kitui West Constituency have been facing difficulties in regard to provision of water for their livestock and household;
6. **CONCERNED THAT**, for more than 42 years, Kitui West residents have suffered due to lack of basic necessities such as water for both domestic use and for livestock due to silted Matinga Dam;

**PUBLIC PETITION REGARDING DESILTATION OF MATINGA DAM IN  
KITUI WEST CONSTITUENCY**

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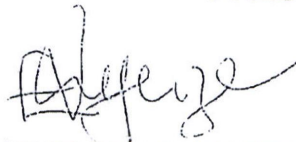
7. **THAT**, the residents have persistently sought assistance from the government and non-governmental organization for desiltation of Matinga Dam to provide water to the residents with no avail;
8. **THAT**, efforts to resolve this matter with the relevant government levels and agencies have been futile; and
9. **THAT**, the matter presented in this petition is not pending before any tribunal, court of law or Independent body.

**THEREFORE**, your humble Petitioners pray that the National Assembly through the Public Petitions Committee makes an inquiry into all matters raised in this Petition with a view to:

- (i) Ensure that, the desiltation of Matinga Dam in Kitui West Constituency is carried out by the Ministry of Water, Sanitation and Irrigation to provide water to the residents around the dam and its environs; and,
- (ii) Make any other necessary recommendation the Committee deems fit to address the issues raised in this Petition.

And your Petitioners will ever pray.

**PRESENTED BY:**



**THE HON. EDITH VETHI NYENZE, MP  
MEMBER FOR KITUI WEST CONSTITUENCY**

Date:.....