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STANDING COMMITTEE ON  
LAND AND NATURAL RESOURCES

ELEVENTH PARLIAMENT- FOURTH SESSION

REPORT ON THE PETITION MADE TO THE SENATE BY MEMBERS OF  
OLMOROGI PARCEL LAND P. NO. 21400 IN KAJIADO COUNTY

CLERK'S CHAMBERS  
THE SENATE  
PARLIAMENT OF KENYA  
NAIROBI

Approved  
  
SPEAKER  
19<sup>th</sup> APRIL 2016

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## LIST OF ABBREVIATIONS

- AHITI.....Animal Health and Industry Training Institute  
ATC.....Agricultural Training Centre  
NLC.....National Land Commission  
PS.....Principal Secretary

## PREFACE

1. The Standing Committee on Land and Natural Resources was constituted on Thursday 27th February 2014 during the Second Session of the Eleventh (11th) Parliament pursuant to the provisions of Senate Standing Order No.208.
2. The Committee is mandated, under the Second Schedule of the Senate Standing Orders, *to consider all matters related to lands and settlement, environment, forestry, water resource management and mining.*
3. In executing its mandate, the Committee oversees the Ministries of:
  - a) Land, Housing and Urban Development;
  - b) Environment, Natural Resources and Regional Development Authorities;
  - c) Ministry of Water & Irrigation; and
  - d) Mining.
4. The Committee comprises the following Members:

Sen. Lenny Kivuti, M.P.	- Chairman
Sen. Christopher Obure , M.P.	- Member
Sen. DawsonMwazo, M.P.	- Member
Sen. Henry Ndiema, M.P.	- Member
Sen. Boy Juma Boy, M.P.	- Member
Sen. Isaac Melly, M.P.	- Member
Sen. Liza Chelule, M.P.	- Member
Sen. Martha Wangari, M.P.	- Member

ACKNOWLEDGEMENT

Mr. Speaker Sir,

The Committee acknowledges the valuable time and considerable effort made by the stakeholders who provided information that has made the preparation of this report possible.

I also wish to express my gratitude to the Office of the Speaker and the Clerk of the Senate for facilitating all the actions that led to the production of this report.

Mr. Speaker Sir,

It is now my pleasant duty, pursuant to Standing Order 225 to table the report of the Standing Committee on Land & Natural Resources, in relation to the Petition on Olmorogi Parcel of Land-P. No. 21400.

SIGNED.......... DATE 13/4/2016.....

SEN. LENNY KIVUTI, M.P.  
CHAIRPERSON,  
STANDING COMMITTEE  
ON LAND & NATURAL RESOURCES.

## CHAPTER ONE: INTRODUCTION

### Background

Pursuant to the Senate Standing Orders No. 220 (1) (b) Senator Peter Mositet, M.P., Senator for Kajiado County, presented a Petition on Olmorogi Parcel of Land- P. No. 21400 to the Senate on behalf of Members of Keekonyokie Community Trust on 16<sup>th</sup> June, 2015.

The Committee held deliberative meetings with the Principal Secretary in the State Department of Livestock, within the Ministry of Agriculture, Livestock and Fisheries; and the Chairman, National Land Commission.

The Committee received documents during and after the deliberative sessions with the Principal Secretary in the State Department of Livestock, in the Ministry of Agriculture, Livestock and Fisheries; and the Chairman, National Land Commission.

The Minutes of these sessions as well as the documents and evidences presented to the Committee are annexed to this report.

### The Petition

The Petition drew the attention of the Senate to the following issues:

1. THAT, Olmorogi parcel of land P. No. 21400 Ngong/Ngong was gazetted on 5<sup>th</sup> March, 1957 in Gazette No. 3818 under Section 12 of the Application Notice;
2. THAT, the parcel of land was set aside by the Veterinary Department for the establishment of a Livestock Veterinary Farm and Training Centre to improve livestock farming among the inhabitants of the area;
3. THAT, the land is approximately 1510 acres;
4. THAT, over the years, the land has changed purpose from the original and intended purpose;
5. THAT, fifty years down the line the land has not been productive and the natives have not benefited from it or from the project for which the said parcel of land was intended;
6. THAT, the planned and approved use of the said parcel has been changed severally unprocedurally.

The Petitioners prayed that the Senate intervenes with a view to:

1. Establishing the status of the said parcel of land and having all uncommitted land reverted back to the Keekonyokie Community;
2. Ensuring that any land that was irregularly curved from the initial parcel of land is reverted back to the Community;

3. Ensuring that all development on the land from other parties other than the Veterinary Department stopped; and
4. Ensuring that no further allocation and adjudication of the land by the Ministry of Agriculture, Livestock and Fisheries and the Ministry of Land, Housing and Urban Development is permitted.

The Petition was committed to the Standing Committee on Land and Natural Resources on 16<sup>th</sup> June, 2015. The Committee held several meetings with officers from the Ministry of Agriculture, Livestock and Fisheries and the National Land Commission.

The Committee held meetings on 3<sup>rd</sup>, 15<sup>th</sup> and 22<sup>nd</sup> March, 2016 to consider the submissions presented, analyzed the information and made a several recommendations in chapter four.



## **CHAPTER TWO: PRESENTATIONS TO THE COMMITTEE**

This section contains the presentations that were made by the Principal Secretary in the State Department of Livestock, in the Ministry of Agriculture, Livestock and Fisheries; and the Chairman, National Land Commission.

### **3.1 Response from the Ministry of Agriculture, Livestock and Fisheries**

1. The Principal Secretary (PS), Prof. Fred Segor and the management team from Ngong Veterinary Farm met the Committee on 23<sup>rd</sup> July, 2015 and responded to the petition as follows;
2. According to available records, there is no land registered as Olmorogi parcel of land P. NO. 21400 Ngong/Ngong.
3. Gazette Notice No. 3818 states the setting apart of land under Section 12 of the Native Lands Trust Ordinance (Cap 100) for use by the Veterinary Department as a Veterinary Farm and Training Centre. This was contained in the Official Gazette Vol. LVIII No. 67 of 18th December, 1956. This Gazette Notice was however cancelled later and replaced with Gazette Notice No. 890 contained in the Kenya Gazette Vol. LIX No. 11 of 5th March, 1957. The land set aside was later registered as Ngong/Ngong/1959.
4. As per the Kenya Gazette Notice No.890 of 5th March, 1957 the land set apart for Veterinary Farm and Training Centre at Ngong is approximately 1400 acres. The exact acreage may only be ascertained through surveying.
5. Survey work on this farm is at an advanced stage. The Ministry of Agriculture, Livestock and Fisheries has already paid the survey fee to the Ministry of Lands, Housing and Urban Development.
6. The land was set apart for use by Veterinary Department as a Veterinary Farm and Training Centre.
7. The Veterinary Department's mandate is national and benefits both the local community and the Nation at large. Therefore, the Veterinary Department did not set aside this land for improvement of livestock farming among the inhabitants of the area only but for the entire country.
8. The planned and approved use of the land as a Veterinary Farm and Training Centre has been maintained.
9. The Ngong Veterinary Farm located on Land Parcel (Ngong/Ngong/21400) houses the following institutions;



- a) AHITI Kabete Satellite Campus for practical training of students in Animal Health and Production;
  - b) Ngong Agricultural Training Centre,
  - c) National Rabbit Multiplication Centre,
  - d) Apiary (Bee Keeping) Promotion Training Centre; and
  - e) Leather Science Institute.
10. The rest of the portion of land is the current Ngong Veterinary Diagnostics and Efficacy Trial Centre (Ngong Veterinary Farm and Training Centre).
11. The statement that the land has not been productive and that natives have not benefited is not true because of the following:-
- a) The efficacy trials done on drugs, vaccines and acaricides are for the benefit of the Local Community and the Country at large.
  - b) The Ngong Veterinary Farm offers practical training ground for Animal Health Students drawn from AHITIs, Colleges and Universities who after graduation provides services on Animal Health, Animal Production and Range Management to the local community and the entire nation.
  - c) The Public Institutions namely, National Rabbit Multiplication Centre, Ngong A.T.C and Bee Keeping Centre have been of great importance to the community.
  - d) The upcoming Leather Science Institute holds great potential in Value Addition of Leather and other animal by products. This will empower the local community and the Country economically.

### **3.2 Response from the National Land Commission**

The Chairman, National Land Commission, Dr. Muhammad Swazuri met the Committee on 19<sup>th</sup> November, 2015 and on 2<sup>nd</sup> December, 2015; and responded to the petition as follows;

- 1) Land Parcel No. Ngong/Ngong 21400 is part of the original land parcel No. Ngong/Ngong/1959 which vide Gazette Notice No, 890 of 3rd March 1957 was set aside as Veterinary Farm and Training Centre. The original acreage for the said land was 1510 acres.
- 2) In 1975, the original parcel No. 1959 was subdivided into 3 parcels, namely Ngong/Ngong/2627, 2628 and 2629 and 2 parcels allocated as follows:
  - a) Parcel No. Ngong/Ngong/2628, measuring 0.5946 was allocated to Halal Meat Product Limited by the Government for a term of 99 years from 1<sup>st</sup> January 1975.

On 3<sup>rd</sup> December, 2001 this title was charged to Barclays Bank of Kenya to secure a loan of Ksh. 65, 000, 000/=.

- b) Parcel No. Ngong/Ngong/2629, measuring 3.990 Ha was also allocated to Halal Meat product Limited by the Government for a term of 99 years from 1<sup>st</sup> January 1995. Available records also indicate that the land was charged to Barclays Bank of Kenya to secure a loan of Ksh65, 000,000/= on 3<sup>rd</sup> December 2001.
- c) Parcel No. Ngong/Ngong/2627, remained as veterinary farm and training centre, later it was subdivided/and or resurveyed and given parcel No. 21400.
- 3) A site visit by National Land Commission Surveyors to LR No. Ngong/Ngong/21400 established the land to be approximately 1580 Acres through a perimeter survey.
- 4) The following Institutions were found to be occupying portions of the said land as follows:-

a) Meteorological Department	-	38.47 Ha
b) Army /training Site	-	8.02 Ha
c) IGAD	-	5.44 Ha
d) Kenya Institute of Highways and Buildings Technology (KIHBIT)	-	50.16 Ha
e) Police Dog Section	-	50.9 Ha
f) Quarry Site	-	40.86 Ha
g) Areas reserved for dumping	-	14.79 Ha
h) IDD Hassan Malambu	-	9.21 Ha
i) Halal Meat Product	-	3.99 Ha
j) Halal Meat Product	-	0.59 Ha
k) East African Motor Sports	-	40.47 Ha
l) Dumping Site	-	8.09 Ha
<b>TOTAL</b>	-	<b>270.99 Ha</b>

- e) A total of 270.99 Ha (669.63 acres) is committed to the above mentioned public institutions and private interest. A balance of 368.41 Ha (910.36 acres) is left for Veterinary Farm and Training Centre.
- f) The National Land Commission is not in a position to state the acreage of unutilized land; this can only be provided by the Ministry of Agriculture, who are in charge of the said veterinary farm.

### CHAPTER THREE: OBSERVATIONS

During the course of consideration of the petition, the Committee made the following observations:

1. The land initially set aside for use by the Veterinary department had only been partially used for the intended purpose;
2. There was no evidence that the Ministry of Agriculture, Livestock and Fisheries had been consulted when part of the land was hived off;
3. Trust land originally set aside for public use had been allocated to private entities irregularly;
4. A Cadastral survey to confirm the acreages of the parcel of land had not been concluded;
5. There are conflicting details of acreages of the original land; where the Ministry of Agriculture, Livestock and Fisheries indicate the acreage as 1510 whereas the National land Commission indicates the acreage as 1580;
6. There are other conflicts in acreages arising from the ensuing subdivisions and remainders of the parcel of land.

From the evidence adduced and the observations made, the Committee made the following determinations on the prayers of the petitioners:

**Prayer 1:** Establishing the status of the said land and having all uncommitted land reverted back to the Keekonyokie Community.

1. Land Parcel No. Ngong/Ngong 21400 is part of the original land parcel No. Ngong/Ngong/1959 which vide Gazette Notice No, 890 of 3<sup>rd</sup> March 1957 was set aside as Veterinary Farm and Training Centre. The original acreage for the said land was 1510 acres.
2. In 1975, the original parcel No. 1959 was subdivided into 3 parcels, namely Ngong/Ngong/2627, 2628 and 2629 and 2 parcels allocated as follows:
  - a) Parcel No. Ngong/Ngong/2628, measuring 0.5946 was allocated to Halal Meat Product Limited by the Government for a term of 99 years from 1<sup>st</sup> January 1975. On 3<sup>rd</sup> December, 2001 this title was charged to Barclays Bank of Kenya to secure a loan of Ksh. 65, 000, 000/=.
  - b) Parcel No. Ngong/Ngong/2629, measuring 3.990 Ha was also allocated to Halal Meat product Limited by the Government for a term of 99 years from 1<sup>st</sup> January 1995. Available records also indicate that the land was charged to Barclays Bank of Kenya to secure a loan of Ksh65, 000,000/= on 3<sup>rd</sup> December 2001.
  - c) Parcel No. Ngong/Ngong/2627, remained as veterinary farm and training centre, later it was subdivided/and or resurveyed.

**Prayer 2:** Ensuring that any land that was irregularly curved from the initial parcel of land is reverted back to the Community

A total of 270.99 Ha (669.63 acres) of the original parcel of land No. 1959 was allocated to public and private entities under unclear circumstances.

**Prayer 3:** Ensuring that all development on the land from other parties other than the Veterinary Department stopped.

The Committee noted that the National Land Commission is mandated by law to stop developments on the land by other parties other than those of the Veterinary Department.

**Prayer 4:** Ensuring that no further allocation and adjudication of the land by the Ministry of Agriculture, Livestock and Fisheries and the Ministry of Land, Housing and Urban Development is permitted.

The Committee noted that the two Ministries did not have any mandate or authority to allocate land.

#### **CHAPTER FOUR: RECOMMENDATIONS**

The Committee considered the information presented before it and made the following recommendations;

1. A Cadastral survey should be undertaken to establish the actual acreage of the parcel of land allocated to the Veterinary department and a title issued;
2. The original land that was set aside for use by the Veterinary Department was only partially used for the intended purpose and should remain for use by the Ministry of Agriculture, Livestock and Fisheries;
3. The National Land Commission should stop any development by private entities on all parcels of land that were hived off the original land set aside for the Veterinary Farm and Training Centre;
4. The National Land Commission should investigate and establish the circumstances under which private entities acquired part of the original land with the view of cancelling the titles to those parcels of land and reverting the same to Keekonyoikie Community Trust;
5. The National Land Commission should register parcels of land that belong to beneficiaries appointed by Keekonyoikie Community Trust;
6. The Parcels of land hived off from the original land of the Veterinary Farm and Training Centre and allocated to other government agencies should remain for the use as currently is for public good.

**Annex 1: Minutes of the Committee meetings**

**MINUTES OF THE 57<sup>TH</sup> MEETING OF THE STANDING COMMITTEE ON LANDS AND NATURAL RESOURCES HELD ON THURSDAY, 3<sup>RD</sup> MARCH, 2016 AT KICC, 1<sup>ST</sup> FLOOR BOARD ROOM AT 11.00 A.M.**

**MEMBERS PRESENT**

- |                           |               |
|---------------------------|---------------|
| 1. Sen. Lenny Kivuti      | - Chairperson |
| 2. Sen. Boy Juma Boy      | - Member      |
| 3. Sen. Christopher Obure | - Member      |
| 4. Sen. Dawson Mwazo      | - Member      |

**MEMBERS ABSENT WITH APOLOGY**

- |                          |          |
|--------------------------|----------|
| 1. Sen. Henry Ole Ndiema | - Member |
| 2. Sen. Isaac Melly      | - Member |
| 3. Sen. Liza Chelule     | - Member |
| 4. Sen. Martha Wangari   | - Member |

**SENATE SECRETARIAT**

- |                       |                                  |
|-----------------------|----------------------------------|
| 1. Mr. Charles Ngatia | -Clerk Assistant                 |
| 2. Dr. Johnson Okello | -Deputy Director, Legal Services |
| 3. Ms. Ann Kigoro     | -Research Officer                |
| 4. Mr. Leonard Koech  | -Legal Counsel                   |

**MINUTE SEN/SCLNR/326/2016 : PRELIMINARIES**

The meeting was called to order at 11:29 a.m. and there followed a word of prayer by the Chairperson.

**MINUTE SEN/SCLNR/327/2016 : ADOPTION OF AGENDA**

The agenda of the meeting was adopted with amendments after it was proposed and seconded with amendments by Sen. Christopher Obure, M.P. and Sen. Boy Juma Boy, M.P. as follows;

Prayer

1. Adoption of Agenda;
2. Consideration of memorandum of Council of Governors on the Water Bill;
3. Consideration of draft report on the Petition on Olmorogi Land in Kajiado County;
4. Any Other Business;
5. Adjournment and Date of Next Meeting.

**MINUTE SEN/SCLNR/328/2016 :CONFIRMATION OF PENDING MINUTES**

Confirmation of pending minutes was differed to the next meeting.

**MINUTE SEN/SCLNR/329/2016 : CONSIDERATION MEMORANDUM ON THE WATER BILL**

**a) Memorandum from the Council of Governors**

The Committee was informed by the Deputy Director, Legal Services that from the memorandum submitted by the COG on 15<sup>th</sup> February, 2016, there were only four (4) new proposed amendments. ~~The other proposals were a word for word replica of what the COG had~~

~~submitted in October, 2015 and the Committee had considered them.~~

The Committee considered the four (4) new set of proposed amendments and resolved as follows;

1. Clause 24 (1) (c): The Committee was of the view that the proposed amendment was catered for in clause 24 (1) (b), but only amend the clause by adding the words “appointed by the respective county government” immediately after the word “basin”;
2. Clause 25 (f): The Committee observed that the proposal was catered for through regulations to be made by the Authority as provided for in Clause 27 (1);
3. Clause 64 (1) (b) and 64 (1) (c) : The Committee noted that there was no need to have representation of the national government at the Water Works Development Agency level, but amend Clause 64 (1) (b) by adding the words “from the respective counties” immediately after the words “ Cabinet Secretary”.

**b) Amendment from Sen. Mutula Kilonzo Junior, M.P.**

The Committee was informed that Sen. Mutula Kilonzo Junior, M.P. had submitted a proposed amendment to;

- Clause 75 (1) to delete the word “**may**” immediately after the word “government” and immediately before the word “establish” and replace it with the word “**shall**”.

The Committee adopted the amendment and resolved to include it in the Committee Stage Amendments.



**MINUTE SEN/SCLNR/330/2016: CONSIDERATION OF DRAFT REPORT ON THE PETITION ON OLMOROGI LAND IN KAJIADO COUNTY**

The Committee considered the draft report on Olmorogi land in Kajiado County and made the following recommendations;

1. The original land set aside for the was only partially used for the intended purpose and should remain for use by the Ministry of Agriculture, Livestock and Fisheries;
2. National Land Commission should stop any development on all parcels of land that were hived off the original land set aside for the Veterinary Farm and Training Centre;
3. The National Land Commission should investigate and establish the circumstances under which private entities acquired part of the original land with the view of cancelling the titles to those parcels of land and reverting the same to Keekonyoikie Community Trust;
4. The Ministry of Agriculture, Livestock and Fisheries & Ministry of Land, Housing and Urban Development have no power to allocate land;
5. The National Land Commission should register parcels of land that belong to beneficiaries appointed by Keekonyoikie Community Trust;
6. Parcels of land hived off from the original land of the Veterinary Farm and Training Centre but allocated to other government agencies should remain for use as currently is.

**MINUTE SEN/SCLNR/331/2016 : ANY OTHER BUSINESS**

1. The Chairman informed the Committee that he sought the intervention of the Clerk of the Senate in regard to facilitating the Committee travel to Finland. However, the response from the Clerk was that there were no funds at the time to facilitate the visit but efforts were being made to secure funds.
2. The Committee resolved that meetings of the Committee be scheduled for Tuesdays at 11:00 a.m.

MINUTE SEN/SCLNR/332/2016 : ADJOURNMENT AND DATE OF  
NEXT MEETING.

Having concluded the business as set out in the agenda, the meeting was adjourned at  
12:51 p.m. until Tuesday, 8<sup>th</sup> March, 2016 at 11:00 a.m.

SIGNATURE.....

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(CHAIRPERSON: SEN. LENNY KIVUTI, M.P.)

DATE.....

**MINUTES OF THE 58<sup>TH</sup> MEETING OF THE STANDING COMMITTEE ON LANDS AND NATURAL RESOURCES HELD ON TUESDAY, 15<sup>TH</sup> MARCH, 2016 AT KICC, 3<sup>RD</sup> FLOOR ROOM 304 AT 11.00 A.M.**

**MEMBERS PRESENT**

1. Sen. Lenny Kivuti, M.P. - Chairperson
2. Sen. Henry Ole Ndiema, M.P. - Member
3. Sen. Boy Juma Boy, M.P. - Member
4. Sen. Liza Chelule, M.P. - Member
5. Sen. Christopher Obure, M.P. - Member
6. Sen. Isaac Melly, M.P. - Member

**MEMBERS ABSENT WITH APOLOGY**

1. Sen. Dawson Mwazo, M.P. - Member
2. Sen. Martha Wangari, M.P. - Member

**SENATE SECRETARIAT**

1. Mr. Charles Ngatia - Clerk Assistant
2. Mr. Leonard Koech - Legal Counsel
3. Ms. Sarah Rukwaro - Serjeant-At-Arms

**MINUTE SEN/SCLNR/333/2016 : PRELIMINARIES**

The meeting was called to order at 11:25 a.m. and there followed a word of prayer by Sen. Boy Juma Boy, M.P.

**MINUTE SEN/SCLNR/334/2016 : ADOPTION OF AGENDA**

The agenda of the meeting was adopted with amendments after it was proposed and seconded with amendments by Sen. Liza Chelule, M.P. and Sen. Boy Juma Boy, M.P. as follows;

Prayer

1. Adoption of Agenda;
2. Confirmation of 38<sup>th</sup>, 47<sup>th</sup>, 53<sup>rd</sup>, 56<sup>th</sup> & 57<sup>th</sup> Minutes;
3. Matters Arising from the 56<sup>th</sup> & 57<sup>th</sup> Minutes;
4. Adoption of Report on Olmorogi Petition;
5. Statements;
6. Any Other Business;
7. Adjournment and Date of Next Meeting.

**MINUTE SEN/SCLNR/335/2016 : CONFIRMATION OF MINUTES**

- 1) The Minutes of the thirty eighth meeting held on 24<sup>th</sup> April, 2015 were confirmed as the true record of the proceedings after they were proposed by Sen. Liza Chelule, M.P. and seconded by Sen. Boy Juma Boy, M.P.
- 2) The Minutes of the forty seventh meeting held on 30<sup>th</sup> September, 2015 were confirmed as the true record of the proceedings after they were proposed by Sen. Boy Juma Boy, M.P. and seconded by Sen. Liza Chelule, M.P.
- ~~3) The Minutes of the fifty third meeting held on 19<sup>th</sup> January, 2016 were confirmed~~ as the true record of the proceedings after they were proposed by Henry Ole Ndiema, M.P. and seconded by Sen. Lenny Kivuti, M.P.
- 4) The Minutes of the fifty sixth meeting held on 23<sup>rd</sup> February, 2016 were confirmed as the true record of the proceedings after they were proposed by Sen. Boy Juma Boy, M.P. and seconded by Sen. Henry Ole Ndiema, M.P.
- 5) The Minutes of the fifty seventh meeting held on 3<sup>rd</sup> March, 2016 were confirmed as the true record of the proceedings after they were proposed by Sen. Christopher Obure, M.P. and seconded by Sen. Boy Juma Boy, M.P.

**MINUTE SEN/SCLNR/336/2016 : MATTERS ARISING FROM THE MINUTES**

**From the Fifty Sixth Meeting**

**Ex. MINUTE SEN/SCLNR/322/2016: CONSIDERATION OF BUDGET POLICY STATEMENT (BPS)**

The Committee was informed that the recommendations it made on the BPS were included in the report of the Senate on the BPS that was tabled on 25<sup>th</sup> February, 2016.

**From the Fifty Seventh Meeting**

**Ex. MINUTE SEN/SCLNR/329/2016: CONSIDERATION OF MEMORANDUM ON THE WATER BILL**

The Committee was informed that the Committee Stage Amendments on the Water Bill were moved in the Senate and the Bill was scheduled for division in the Senate.

**MINUTE SEN/SCLNR/337/2016 : ADOPTION OF REPORT ON THE PETITION ON OLMOROGI LAND IN KAJIADO COUNTY**

The Committee considered the report on Olmorogi land in Kajiado County and made amendments to chapter three on observations as follows;

1. The land initially set aside for use by the Veterinary department had only been partially used for the intended purpose;
2. There was no evidence that the Ministry of Agriculture, Livestock and Fisheries had been consulted when part of the land was hived off;
3. Trust land originally set aside for public use had been allocated to private entities irregularly;
4. A Cadastral survey to confirm the acreages of the parcel of land had not been concluded;
5. There are conflicting details of acreages of the original land; where the Ministry of Agriculture, Livestock and Fisheries indicate the acreage as 1510 whereas the National land Commission indicates the acreage as 1580;
6. There are other conflicts in acreages arising from the ensuing subdivisions and remainders of the parcel of land.

The Committee further made amendments to the determinations on the Prayers in the Petition as follows;

1. Renumbering under Prayer 1 number (2) to alphabetical order;
2. Number (c) to read as follows: Parcel No. Ngong/Ngong/2627, remained as veterinary farm and training centre, later it was subdivided/and or resurveyed;
3. Delete what was previously numbered as 6.

#### **MINUTE SEN/SCLNR/338/2016 : STATEMENTS**

The Committee was informed that there were three responses to statements that were Pending; two from the Ministry of Lands, Housing & Urban Development (MoLHUD) and one from the Ministry of Environment, Natural Resources & Regional Development Authorities (MENRD).

The Committee was further informed that the response from the MENRD had been submitted and was due to be relayed in the Senate. However, two responses from the (MoLHUD) were ready and only awaiting the Cabinet Secretary's signature.

The Committee noted with concern the delay in sending the responses and resolved that a reminder letter be sent so that the responses can be presented in the Senate on Thursday, 17<sup>th</sup> March, 2016.

#### **MINUTE SEN/SCLNR/339/2016 : ANY OTHER BUSINESS**

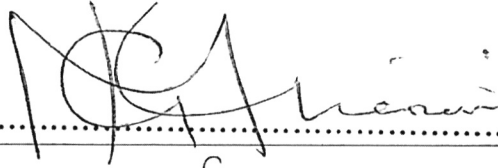
The Committee was informed that visit to Finland that was proposed for end of April 2016 would not be tenable due to financial constraints in the Senate.

MINUTE SEN/SCLNR/340/2016

: ADJOURNMENT AND DATE OF  
NEXT MEETING.

The meeting was adjourned at 12:48 p.m. until Tuesday, 22<sup>nd</sup> March, 2016 at 11:00  
a.m.

SIGNATURE.....



for  
(CHAIRPERSON: SEN. LENNY KIVUTI, M.P.)

DATE.....

12/4/2016

**MINUTES OF THE 59<sup>TH</sup> MEETING OF THE STANDING COMMITTEE ON LANDS AND NATURAL RESOURCES HELD ON TUESDAY, 22<sup>ND</sup> MARCH, 2016 AT COMMITTEE ROOM NO. 4, MAIN PARLIAMENT BUILDING AT 11.00 A.M.**

**MEMBERS PRESENT**

1. Sen. Lenny Kivuti, M.P. - Chairperson
2. Sen. Henry Ole Ndiema, M.P. - Member
3. Sen. Christopher Obure, M.P. - Member
4. Sen. Isaac Melly, M.P. - Member
5. Sen. Dawson Mwazo, M.P. - Member

**MEMBERS ABSENT WITH APOLOGY**

1. Sen. Martha Wangari, M.P. - Member
2. Sen. Boy Juma Boy, M.P. - Member
3. Sen. Liza Chelule, M.P. - Member

**SENATE SECRETARIAT**

1. Mr. Charles Ngatia -Clerk Assistant
2. Mr. Leonard Koech -Legal Counsel
3. Ms. Sarah Rukwaro -Serjeant-At- Arms

**MINUTE SEN/SCLNR/341/2016 : PRELIMINARIES**

The meeting was called to order at 11:02 a.m. and there followed a word of prayer by the Chairperson.

**MINUTE SEN/SCLNR/342/2016 : ADOPTION OF AGENDA**

The agenda of the meeting was adopted after it was proposed and seconded by Sen. Dawson Mwazo, M.P. and Sen. Christopher Obure, M.P. as follows;

Prayer

1. Adoption of Agenda;
2. Confirmation of Previous Minutes;
3. Matters Arising from the Minutes;
4. Adoption of Report on Olmorogi Petition;
5. Consideration of draft report on the COP 21 Paris Climate Change Conference held in December, 2015;
6. Statements;
7. Any Other Business;

8. Adjournment and Date of Next Meeting.

**MINUTE SEN/SCLNR/343/2016 : CONFIRMATION OF MINUTES**

Confirmation of previous minutes was deferred to the next meeting.

**MINUTE SEN/SCLNR/344/2016 : ADOPTION OF REPORT ON THE PETITION ON OLMOROGI LAND IN KAJIADO COUNTY**

The Committee resolved that Members read through the draft report of the Petition on Olmorogi land in Kajiado County and give their recommendations on the report in the next meeting.

**MINUTE SEN/SCLNR/345/2016 : CONSIDERATION OF REPORT ON THE COP 21 PARIS CLIMATE CHANGE CONFERENCE HELD IN PARIS IN DECEMBER 2015.**

The Committee resolved that members read through the draft report on the COP 21 Paris Climate Change Conference held in December, 2015 and propose their recommendations in the next meeting.

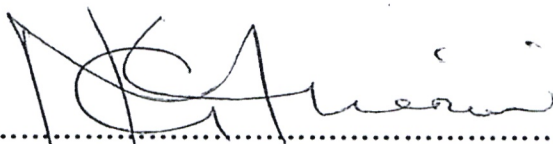
**MINUTE SEN/SCLNR/346/2016 : STATEMENTS**

The Chairperson informed Members that the Committee had several responses to Statements that were due for issuance and he requested Members to assist in issuing them in the Senate.

**MINUTE SEN/SCLNR/347/2016 : ADJOURNMENT AND DATE OF NEXT MEETING.**

The meeting was adjourned at 11:28 a.m. until Tuesday, 22<sup>nd</sup> March, 2016 at 4:00 p.m.

SIGNATURE.....



for

(CHAIRPERSON: SEN. LENNY KIVUTI, M.P.)

DATE.....



NAME OF PRINCIPAL SECRETARY: PROF. FRED H. K. SEGOR

MINISTRY: .....MINISTRY OF AGRICULTURE,  
LIVESTOCK AND FISHERIES

DEPARTMENT: .....STATE DEPARTMENT OF LIVESTOCK

SIGNATURE: .....  ..... 22/7/2015 .....



**REPUBLIC OF KENYA**



**MINISTRY OF AGRICULTURE, LIVESTOCK  
AND FISHERIES**

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**REPORT FOR THE MEETING WITH THE SENATE STANDING  
COMMITTEE ON LAND AND NATURAL RESOURCES TO DELIBERATE  
ON A PETITION ON OLMORONGI PARCEL OF LAND-P.NO.21400  
AT KICC  
BY  
PROF. FRED .H.K. SEGOR, PRINCIPAL SECRETARY  
KICC BOARD ROOM  
16<sup>th</sup> JULY, 2015**

---

*JULY 2015*



**MEETING WITH THE SENATE STANDING COMMITTEE ON LAND AND NATURAL RESOURCES TO DELIBERATE ON A PETITION ON OLMORONGI PARCEL OF LAND-P.NO.21400 MADE BY MEMBERS OF OLMORONGI KEEENYOIKE TRUST**

**1.0 RESPONSE**

**1.1 PETITION (A)**

That, Olmorongi parcel of land P. NO. 21400 Ngong/Ngong was gazetted on 5<sup>th</sup> March, 1957 in Gazette Notice No. 3818 under Section 12 of the application notice.

According to available records, there is no land registered as **Olmorongi parcel of land P. NO. 21400 Ngong/Ngong.**

The **Gazette Notice No. 3818** states the Setting Apart of land under Section 12 of the Native Lands Trust Ordinance (Cap 100) for use by the Veterinary Department as a Veterinary Farm and Training Centre. This was contained in the Official Gazette Vol. LVIII No. 67 of **18<sup>th</sup> December, 1956**. This Gazette Notice was however cancelled later and replaced with **Gazette Notice No. 890** contained in the Kenya Gazette Vol. LIX No. 11 of **5<sup>th</sup> March, 1957**. The land set aside was later registered as **Ngong/Ngong/1959**.

(Copies of both Gazette Notices are attached as **Annex 1, 2 and 2-a**).

## 1.2 PETITION (B)

**That, the parcel of land was set aside by the Veterinary Department for the establishment of a Livestock Veterinary Farm and Training Centre to improve livestock farming among the inhabitants of the area;**

- Veterinary Department **did not** set aside this land for improvement of livestock farming among the inhabitants of the area. It is clear from the Gazette Notice that this land was set apart for use by Veterinary Department as a Veterinary Farm and Training Centre. It further emphasises that the land was to benefit the entire Country. The veterinary Directorates' mandate is National and benefits both the local community and the Nation at large.
- Veterinary Farms are essentially Quarantine areas as per the Animal Disease Control **Act Cap 364**. This implies there is controlled movement of livestock and livestock products. Indeed the Veterinary Farms are now rebranded as **Veterinary Diagnostic and Efficacy Trial Centers**.
- **Ngong Veterinary Diagnostic and Efficacy Trial Centre** (Ngong Veterinary Farm) is just one of the seven (7) strategically located Veterinary Farms in different regions of the Country.
- Ngong Veterinary Farm rears cattle, sheep and goats for disease surveillance and diagnostic work. Specifically, sheep are used for production of sheep erythrocytes (blood cells) for laboratory diagnostic work. They are also kept for Disease Surveillance where they act as Sentinel Herds.
- The farm is also a key facility providing infrastructure for testing of locally produced vaccines and imported ones before they are released into the local market. These are strategic undertakings that cannot be conducted in privately owned farms due to the bio-safety risks, costs and the confidentiality involved.

- Currently, the Farm has a total of **238 heads of cattle, 254 Sheep and 30 goats** which require adequate grazing area.
- There are plans in place to raise this herd to **400 cattle, 500 sheep and 200 goats**. This will provide additional capacity required for Testing of Animal Health Resource Inputs. These inputs include both locally produced and imported animal vaccines, drugs and acaricides. The importance of Ngong Veterinary Farm in this respect is critical, and has been used over the years for these roles.
- This therefore shows the difference between the functions of Veterinary farms and other Livestock Multiplication Farms which are used for breeding of improved livestock for use by farmers

### **1.3 PETITION (C)**

#### **That the land is approximately 1510 acres**

As per the Kenya Gazette Notice No.890 of **5<sup>th</sup> March, 1957** the land set apart for Veterinary Farm and Training Centre at Ngong is approximately **1400 acres**. The exact acreage may only be ascertained through surveying. Survey work on this farm is at an advanced stage. The Ministry has already paid the survey fee to the Ministry of Lands. **(Annex 3)**

### **1.4 PETITION (D)**

#### **That over the years the land changed purpose from the original and intended purpose.**

The land under consideration was set apart as a Veterinary Farm and Training Centre. The farm has maintained this role effectively.

The Ngong Veterinary Farm houses AHITI Kabete Satellite Campus for practical training of students in Animal Health and Production, Ngong Agricultural Training Centre, National Rabbit Multiplication Centre, Apiary (Bee Keeping) Promotion Training Centre and the ongoing Leather Science Institute.

The current land use at Ngong Veterinary Diagnostics and Efficacy Trial Centre (Ngong Veterinary Farm) is as shown in **Table 1:**

**TABLE 1: CURRENT LAND USE AT NGONG VETERINARY DIAGNOSTICS AND EFFICACY TRIAL CENTRE**

	USAGE	REMARKS
1	Provision of animals for Veterinary Diagnostic and Efficacy Trials of both local and Imported Animal Health Inputs (drugs, vaccines and acaricides).	Test animals are kept in the farm for testing of veterinary drugs, acaricides and vaccines before they are used by the Livestock Farmers (Efficacy Trials)
2	Provision of Sentinel Herds For Animal and Human Disease Surveillance for early detection of diseases.	Cattle, Sheep and Goats kept in the farm serves Ngong Ecological Zone as Sentinel Herds for Disease Surveillance for early detection of Animal and Human Diseases (Zoonotic diseases e.g. Rift Valley Fever)
3	Source of animal and human disease diagnostic materials (sheep blood).	Biological products from the Livestock kept in the farm (sheep and calf blood) are used for both human and animal diseases diagnostics.
4	Teaching facility as a	The satellite campus of Animal Health



	residential satellite campus of Animal Health and Industry Training Institute (AHITI) Kabete.	and Industry training Institute (AHITI) Kabete use the animals in the farms for their practical training before they graduate in order to serve the community and the nation at large
5	Training facility frequented by Colleges and universities for practicals in Animal Health.	Local schools, Colleges and University students use the facilities for their skills development in Animal Health, and attachments for Colleges and University Students
6	Training facility for Rabbit Production and the only National Rabbit Multiplication Centre.	The Veterinary Farm houses the only National Rabbit Multiplication Centre for supply of rabbit breeding stock (as emerging Livestock) to all parts of the country.
7	Development of National Leather Science Institute in progress.	The upcoming Leather Science Institute will train both the Community and Livestock owners in the Leather Industry for production of both leather and Leather products <b>(A flagship project of Vision 2030).</b>
8	Training facility in Agricultural Technologies for the Local Community at Ngong ATC located in Ngong Veterinary Farm.	The Agricultural Training Centre (ATC) housed in the Veterinary Farm is used to impart knowledge on Crop Technologies to the Community in Kajiado County. It also serves Nairobi and the neighbouring Counties.
9	Production of Hay and Fodder for the existing Livestock and excess for sale during the dry spell at subsidized prices to the local	The Livestock carrying capacity of Ngong Veterinary Farm is low at one cow or four sheep/goats per acre. These animals are kept under Free Range Grazing System which is ideal for the

	livestock owners.	<p>Efficacy Trials of Vaccines, Drugs and acaricides.</p> <p>Therefore enough fodder and hay is required to sustain the livestock at the farm during the dry spell. The surplus is sold at subsidized prices to the local livestock owners</p>
10	Apiary (Bee Keeping) Centre for training of community on bee keeping technologies	<p>The Apiary Centre housed in the Veterinary Farm trains the community on bee keeping technologies in order to give them income generating activities on honey production, harvesting and processing.</p> <p>This is another emerging Livestock which is economically viable in Arid and Semi Arid areas of Kenya.</p>

### 1.5 PETITION (E)

**That fifty years down the line, the land has not been productive and thus the natives have not benefited from it or from the project for which the said parcel of land was intended**

The petition that the land has not been productive and that natives have not benefited is not true because of the following:-

- The efficacy trials done on drugs, vaccines and acaricides are for the benefit of the Local Community and the Country at large.
- The Ngong Vet Farm offers practical training ground for Animal Health Students drawn from AHITIs, Colleges and Universities who

after graduation provides services on Animal Health, Animal Production and Range Management to the local Community and the entire Nation (*Annex 4*).

- The Public Institutions namely, National Rabbit Multiplication Centre, Ngong A.T.C and Bee Keeping Centre have been of great importance to the community.
- The upcoming Leather Science Institute holds great potential in Value Addition of Leather and other animal by products. This will empower the local community and the Country economically.

## **1.6 PETITION (F)**

### **That the planned and approved use of the said parcel of land has been changed severally unprocedurally**

The planned and approved use of the land as a Veterinary Farm and Training Centre has been maintained. However since the setting aside of this land for use as a Veterinary Farm and Training Centre as per the Gazzette Notice No. 890 of 1957, the following changes have taken place:

- i. 10th May 1974 – Registered in the name of Olekajiado County Council as parcel number Ngong/Ngong/1959
- ii. 14th March 1975 – Land transferred to the Government of Kenya vide Ref 91889/11 of 12th March 1975 (this was a letter from the Commissioner of Lands). It was also closed after subdivision into parcel numbers 2627, 2628, and 2629.
- iii. Parcel No. Ngong/Ngong/2627 was Registered under the Government of Kenya as the Proprietor and reserved for Veterinary Farm.

iv. Parcel Ngong/Ngong/No.2628 (approx. 0.5946 Ha) was registered under the Government of Kenya as the Proprietor and reserved for Treatment Lagoons. On 18th April 1975, this was registered as Leasehold with the Government of Kenya being the Lessor and Halal Meat Products Limited as the Lessee. This was to run for 99 years wef 1-1-75. There was a RESTRICTION imposed stating "No Disposition by the Proprietor shall be Registered without the Written Consent of the Lessor".

v. Parcel No. Ngong/Ngong/ 2629 (approximately 3.990 Ha) was registered under the Government of Kenya as the Proprietor and reserved for Abbatoir. On 18th April 1975, this was registered as Leasehold with the Government of Kenya being the Lessor and Halal Meat Products Limited as the Lessee. The lease was to run for 99 years wef 1-1-75. There was a RESTRICTION imposed stating "No Disposition by the Proprietor shall be registered without the Written Consent of the Lessor".

\* vi. Parcel No. 2627 was closed on 7/12/1998, after subdivision into two (2) parcels, 21399 and 21400.

Why? vii. Parcel No. Ngong/Ngong/21399 (approx. 48.70 Ha or 142 Acres) was registered as Leasehold with Ol'kejiado County Council being the Lessor and Permanent Secretary (to the Treasury of Kenya) as the Lessee. This was to run for 99 years w.e.f 1-02-97. There was a RESTRICTION imposed stating "No Disposition by the Proprietor shall be registered without the Written Consent of the Lessor". This now belongs to Kenya Police. //

viii. Parcel No. Ngong/Ngong/21400 (approx. 541.01 Ha or 1336.84 Acres) was Registered under the Government of Kenya. Out of this some portions of the land were hived off and allocated to the following institutions:

<b>INSTITUTIONS</b>	<b>ACREAGE</b>
Ministry of Roads and Housing (Kenya Institute of Building and Highway Training)	75 ✓
Army Graveling Unit	10 ✓
Meteorological Department	100
Halal Meat Products	12
Olkejuado County Council (Dumping site)	20
East African Motor Sports	100 ✱

- The remaining portion of land which is approximately **1031 acres** is the current Ngong Veterinary Diagnostics and Efficacy Trial Centre (Ngong Veterinary Farm and Training Centre).
- The National Rabbit Multiplication Centre, Agricultural Training Centre, AHITI Satellite Campus and the upcoming Leather Science Institute are all located on this land (**Ngong/Ngong/21400**).
- There is also a temporary quarry used as a source of materials for the construction of the Nairobi Southern bypass which is a Government project.

The detailed account of all the above transactions are being pursued by the legal officer of the Ministry of Agriculture, Livestock and Fisheries in consultation with the Ministry of Lands and the National Land Commission.



Annex I



# OFFICIAL GAZETTE

## OF THE COLONY AND PROTECTORATE OF KENYA

Published under the Authority of His Excellency the Governor of the Colony and Protectorate of Kenya

Vol. LVIII—No. 67

NAIROBI, 18th December, 1956

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(Published 18th December, 1956)

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THE OFFICIAL GAZETTE WILL NOT BE PUBLISHED ON CHRISTMAS DAY, 25th DECEMBER, 1956

GAZETTE NOTICE No. 3813

THE NATIVE AUTHORITY ORDINANCE  
(Cap. 97)

## APPOINTMENT

IN EXERCISE of the powers thereunto enabling me, I hereby appoint the person named in the Schedule annexed hereto to be the Official Chief for the area named therein.

A. C. C. SWANN,  
Provincial Commissioner,  
Nyanza Province.

Kisumu,  
4th December, 1956.

## SCHEDULE

Name.—Milikau Sawanga.  
Area.—Butso Location.  
With effect from.—29th October, 1956.  
Remarks.—On retirement of Chief Petro Khalumi.

GAZETTE NOTICE No. 3814

(Def. 89/1/6/11)

THE EMERGENCY (DETAINED PERSONS)  
REGULATIONS, 1954  
(G.N. 1142 OF 1954)

## COMMITTEE OF INSPECTION—CHANGE OF APPOINTMENT

IN EXERCISE of the powers conferred upon him by regulation 6 of the Emergency (Detained Persons) Regulations, 1954, the Governor has been pleased to appoint—

SHEIKH HARITH ALAMIN

to be a member of the Committee of Inspection for the Detention Camps in the Lamu District, in place of Sheikh Al'Amin bin Said El-Mandhry.

Gazette Notice No. 2917 of 1956 is varied accordingly.

Dated this 8th day of December, 1956.

By Command of the Governor.

JOHN CUSACK,  
Minister for Internal Security  
and Defence.

GAZETTE NOTICE No. 3815

(T.C./2/2/168)

THE TRAFFIC ORDINANCE, 1953  
(No. 39 of 1953)

## DRIVING TEST EXAMINERS

IN EXERCISE of the powers conferred by section 3 (3) of the Traffic Ordinance, 1953, and of all other powers thereunto me enabling—

(a) I appoint—

EDWARD JOSHUA WOOD (NAIROBI)  
to be a driving test examiner as from 1st December, 1955;

(b) I revoke the appointment of—

HUMPHREY PETER BERESFORD DE LA POLE DAKEYNE  
to be a driving test examiner\* as from 1st December, 1956.

R. C. CATLING,  
Commissioner of Police.

G.N. No. 1843/56.

GAZETTE NOTICE No. 3816

THE WILD ANIMALS PROTECTION ORDINANCE, 1951  
(No. 18 of 1951)

## APPOINTMENTS

IN EXERCISE of the powers conferred by section 52 of the Wild Animals Protection Ordinance, 1951, I hereby appoint—

Reginald Alfred Pollard, Esq.,  
John Arthur Gould Glenn, Esq.,  
David George Anstey, Esq.,  
Andrew George Beverly Robinson, Esq.,  
Robert Rustat McConnel, Esq.,  
Donald Kingsford-Smith, Esq.,  
Terence Maurice Bourke, Esq.

for a period of five years from

GAZETTE NOTICE No. 3817

(Agr. 26/50/1)

THE COTTON LINT AND SEED MARKETING  
ORDINANCE, 1954  
(No. 50 of 1954)

## APPOINTMENT OF COTTON LINT AND COTTON SEED SUPERVISORS

IN EXERCISE of the powers conferred by section 15 of the Cotton Lint and Seed Marketing Ordinance, 1954, the Cotton Lint and Seed Marketing Board has appointed the persons holding the offices set forth in the first column of the Schedule hereto to be cotton lint and cotton seed supervisors in respect of the provinces, districts or divisions specified in the second column of the said Schedule for the purposes of the said Ordinance and of the Cotton Lint and Cotton Seed Supervisors (Powers of) Regulations.

SCHEDULE		Column 2
Column 1	Officer,	
The Senior Marketing Officer, Kisumu.		Nyanza Province.
The District Marketing Officer, Central Nyanza.		Central Nyanza District.
The District Marketing Officer, South Nyanza.		South Nyanza District.
The District Marketing Officer, North Nyanza.		North Nyanza District.
The District Marketing Officer, Elgon Nyanza.		Elgon Nyanza District.

L. H. BROWN, Chairman,  
Cotton Lint and Seed Marketing Board.

GAZETTE NOTICE No. 3818

THE NATIVE LANDS TRUST ORDINANCE  
(Cap. 100)

## SETTING APART OF LAND UNDER SECTION 12

WHEREAS application has been made to me for the area of land hereinafter defined (being an area exceeding 10 acres in extent and situated within the native lands) to be set apart as hereinafter provided:

AND WHEREAS I am of the opinion that the proposed setting apart will be for the benefit of the Africans by reason of the use to which the land is to be put:

AND WHEREAS the conditions specified in paragraphs (b) and (c) of section 14 and in the proviso to sub-section (1) of section 15 of the Native Lands Trust Ordinance have been fulfilled and the Native Lands Trust Board has granted the said application:

NOW THEREFORE, in pursuance of the provisions of section 15 of the said Ordinance, I hereby give notice that in exercise of the powers conferred by section 12 of the said Ordinance, the area of land, the boundaries of which are defined in the Schedule hereto, has been set apart for the purposes therein specified.

## SCHEDULE

Applicant.—Veterinary Department.

Purposes.—Veterinary farm and training centre.

Place.—Ngong.

Area.—1,400 acres (approximately).

## Description of boundaries:

The area is enclosed by a hedge or barbed-wire fence, commencing at a point, Map Reference HZJ 059504, on the edge of the road reserve 400 yards north-east of the Ngong/Uas Kedong road junction;  
thence following the road reserve in a north-easterly direction to a point Map Reference HZJ 079528;  
thence in a west-north-westerly direction to the Embakasi Forest boundary at Map Reference HZJ 054540;  
thence following the gazetted forest boundary south and west to a point Map Reference HZJ 043524;  
thence south-easterly along the Embakasi Forest track to its junction with the Uaso Kedong road at Map Reference HZJ 046516;  
thence continuing south-easterly along the Uaso Kedong road to the point of commencement.

Map GSGS 4786 Sheet  $\frac{\text{South-A-37}}{\text{G-II-SW}}$

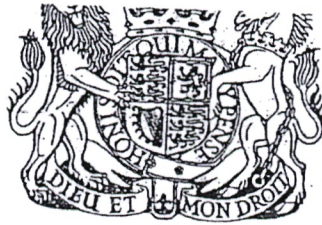
Plans are deposited in the offices of the District Commissioner, Kajjido, and the Provincial Veterinary Officer, Ngong.

Given under my hand this 2nd day of August, 1956.

K. M. COWLEY.



Annex 2



# THE KENYA GAZETTE

Published under the Authority of His Excellency the Governor of the Colony and Protectorate of Kenya  
(Registered as a Newspaper at the G.P.O.)

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NAIROBI, 5th March, 1957

Price 50 cents

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#### Bills, 1957

(Published 5th March, 1957)



OF LAND UNDER SECTION 21

Under it desirable that the area of land (being an area situated within the Native Land) should be set apart as herein provided:

AND WHEREAS the approval of the proper authority to the setting apart has been obtained and the provisions of sub-section (2) of section 23 of the Native Lands Trust Ordinance have been complied with:

NOW, THEREFORE, in exercise of the powers conferred by the said section 21 I hereby give notice that in exercise of the powers conferred by virtue of the said section the area of land, the boundaries of which are defined in the Schedule hereto, has been set apart for the purpose therein specified.

SCHEDULE

Applicant.—Christian Council of Kenya Trustee.  
Place.—Below Kereri D.E.B. School, Kisii, Nyaribari Location.  
Area.—0.76 acre.

Description of boundaries.—Starting at a point A on a bearing of 108 degrees for 145 ft. to a point B; thence on a bearing of 32 degrees for 132 ft. to a point C; thence on a bearing of 413 degrees for 100 ft. to a point D; thence on a bearing of 180 degrees for 67 ft. to a point E; thence on a bearing of 260 degrees for 187 ft. to a point F; thence on a bearing of 222 degrees for 140 ft. to a point G; thence on a bearing of 343 degrees for 210 ft. to the starting point

Given under my hand this 14th day of February, 1957.

A. C. C. SWANN,  
Provincial Commissioner,  
Nyanza Province.

GAZETTE NOTICE No. 888

THE NATIVE LANDS TRUST ORDINANCE

(Cap. 100)

SETTING APART OF LAND UNDER SECTION 23

WHEREAS I consider it desirable that the area of land hereinafter defined (being an area situated within the Native Lands) should be set apart as herein provided:

AND WHEREAS the approval of the proper authority to the setting apart has been obtained and the provisions of sub-section (2) of section 23 of the Native Lands Trust Ordinance have been complied with:

NOW, THEREFORE, in exercise of the powers conferred by the said section 23 I hereby set apart the area of land, the boundaries of which are defined in the Schedule hereto, for the purpose therein specified.

SCHEDULE

Applicant.—Government.  
Place.—Government Substation extension, Uasin Gishu District, Kenya.

Description of boundaries.—Starting at Point A, the south-east corner of the Uasin Gishu District, thence on a bearing of 222 degrees for a distance of 167 ft. to Point B; thence on a bearing of 121 degrees for a distance of 147 ft. to Point C; thence on a bearing of 219 degrees for a distance of 90 feet to Point D; thence on a bearing of 326 degrees for a distance of 300 feet to Point E; thence on a bearing of 120 degrees back to the point of commencement.

Given under my hand this 18th day of February, 1957.

A. C. C. SWANN,  
Provincial Commissioner,  
Nyanza Province

SETTING APART OF LAND UNDER SECTION 23

WHEREAS I consider it desirable that the area of land hereinafter specified (being an area situated within the Native Lands) should be set apart as herein provided:

AND WHEREAS the approval of the proper authority to the setting apart has been obtained and the provisions of sub-section (2) of section 23 of the Native Lands Trust Ordinance have been complied with:

NOW, THEREFORE, in exercise of the powers conferred by the said section 23 I hereby set apart the area of land, the boundaries of which are defined in the Schedule hereto, for the purpose therein specified.

SCHEDULE

Purpose.—Secondary school.  
Place.—Kamusinga, Kimilili Location.  
Area.—55.51 acres.

Boundaries.—Commencing at a point A, which is situated one-quarter of a mile from and with a bearing of 157 degrees and the Kimilili Co-operative Society Union office. Then from A in a westerly direction for a distance of 1,290 ft. to a point B. From B in a northerly direction for a distance of 1,760 ft. to a point C. From C in an easterly direction for a distance of 1,300 ft. to a point D to the point of commencement at A in a southerly direction for a distance of 1,890 ft.

Given under my hand this 11th day of February, 1957.

A. C. C. SWANN,  
Provincial Commissioner,  
Nyanza Province.

GAZETTE NOTICE No. 890

THE NATIVE LANDS TRUST ORDINANCE

(Cap. 100)

SETTING APART OF LAND UNDER SECTION 12

WHEREAS application has been made to me for the area of land hereinafter defined (being an area exceeding ten acres in extent and situated within the Native Lands) to be set apart as hereinafter provided:

AND WHEREAS I am of the opinion that the proposed setting apart will be for the benefit of the Africans by reason of the use to which the land is to be put:

AND WHEREAS the conditions specified in paragraphs (b) and (c) of section 14 and in the proviso to sub-section (1) of section 15 of the Native Lands Trust Ordinance have been fulfilled and the Native Lands Trust Board has granted the said application:

NOW, THEREFORE, in pursuance of the provisions of section 15 of the said Ordinance, I hereby give notice that in exercise of the powers conferred by section 12 of the said Ordinance the area of land, the boundaries of which are defined in the Schedule hereto, has been set apart for the purposes therein specified.

SCHEDULE

Applicant.—Veterinary Department.  
Purpose.—Veterinary farm and training centre.  
Place.—Ngong.  
Area.—1,400 acres (approximately).

Boundaries.—The area is enclosed by a hedge or barbed-wire fence, commencing at a point (Map Reference HZJ 059504) on the edge of the road reserve 400 yards north-east of the Ngong-Uaso Kedong road junction; thence following the road reserve in a north-easterly direction to a point (Map Reference HZJ 075524); thence for approximately 700 yards in a northerly direction to a point (Map Reference HZJ 075531); thence in a west-north-westerly direction to the Embakasi Forest boundary at Map Reference HZJ 154539; thence in a parallel line to the gazetted forest boundary at a distance of 20 yards from the aforesaid boundary south and west to a point (Map Reference HZJ 043524); thence south-easterly along the Embakasi Forest track to its junction with Uaso Kedong Road at Map Reference HZJ 046516; thence continuing south-easterly along the Uaso Kedong Road to the point of commencement.

South-A-37

Map GSGS 4786, Sheet

G-II-SW

Plans are deposited in the offices of the District Commissioner, Kajjado, and the Provincial Veterinary Officer, Ngong. Gazette Notice No. 3818 of 1956 is hereby cancelled.

Given under my hand this 18th day of February, 1957.

K. M. COWLEY,  
Provincial Commissioner,  
Southern Province.



Annex 2-a

REPUBLIC OF KENYA



MINISTRY OF LANDS

Mwangi (Kakoo) lets respond as requested

Duo Kapenta - North for Personal Document 2 24/2 2012

Telegrams: "LANDS" NAIROBI  
Telephone: Nairobi 718050  
When replying please quote.

Department Of Lands (17/2)  
Ardhi House  
1st Ngong Avenue  
P. O. Box 30089  
NAIROBI

RE: 209163/IV/E

10<sup>th</sup> February 2012

The Permanent Secretary  
Ministry of Livestock Development  
P.O. Box 34188  
NAIROBI

14 FEB 2012

RE: CONFIRMATION OF NGONG VETERINARY FARM STATUS

Your letter reference MLD/LAND/1/I/Vol. II of 13<sup>th</sup> January 2012 refers.

This is to confirm that the above land measuring 1,400 acres was reserved to your ministry vide Gazette Notice Number 890 of 1957 for purposes of Veterinary Training School, Veterinary Farm and other activities related therewith. A copy of a map (not to scale) showing the extent of the land is herewith attached.

  
Karuki J.K.  
FOR: COMMISSIONER OF LANDS

CERTIFIED TRUE COPY OF THE ORIGINAL  
MUTATION / GREEN CARD



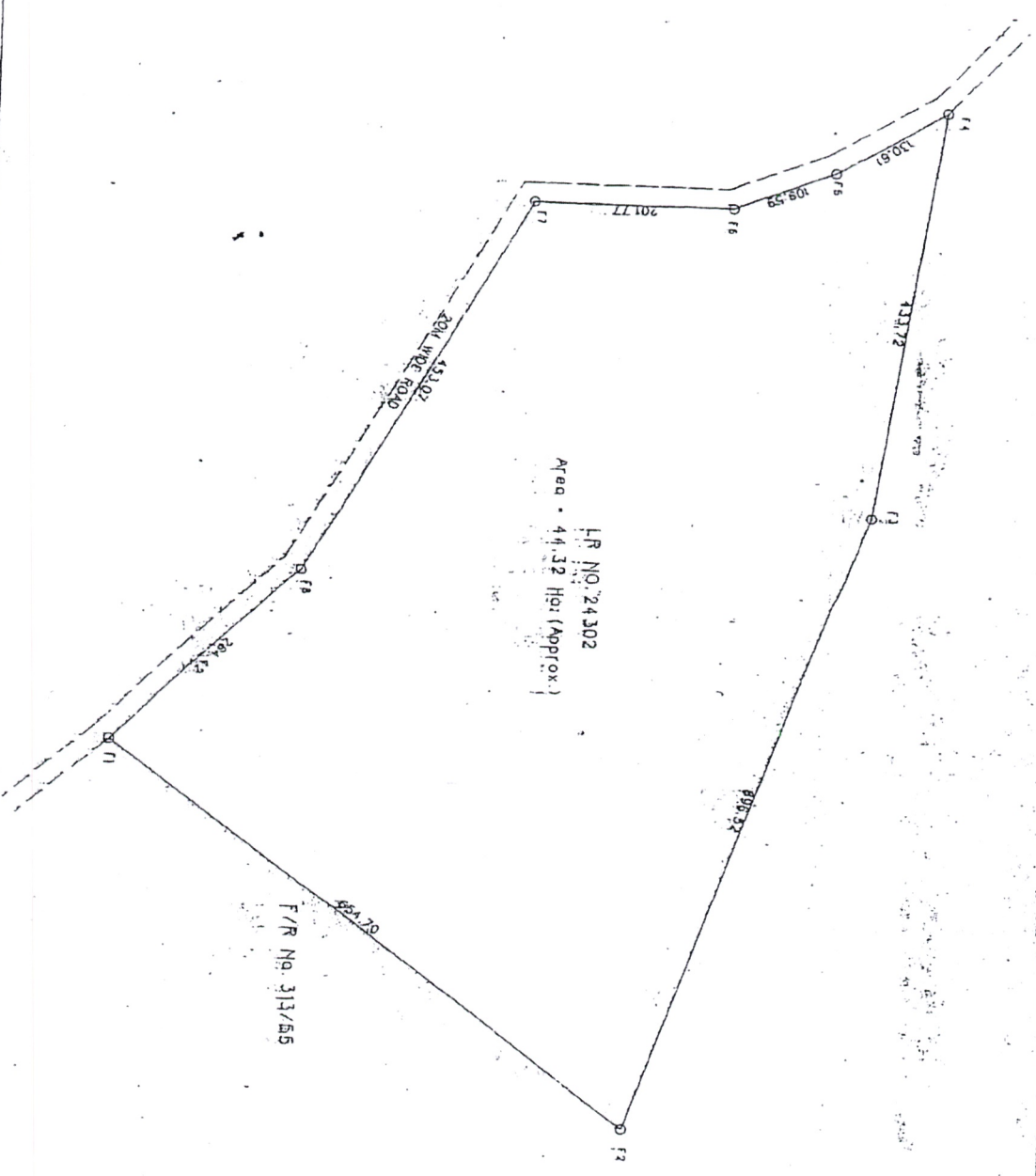
111111  
LICONS: TOWN - KALIADO DISTRICT  
RE TERRITORIOLOGICAL DEPARTMENT.

SCALE: 1:5000  
DATE: FEBRUARY 2004

PROJECT:  
PLAN OF L.R. NO. 24302 - LICONS: TOWN - KALIADO DISTRICT

PLAN DRAWN BY:  
HIGHLAND SURVEYORS

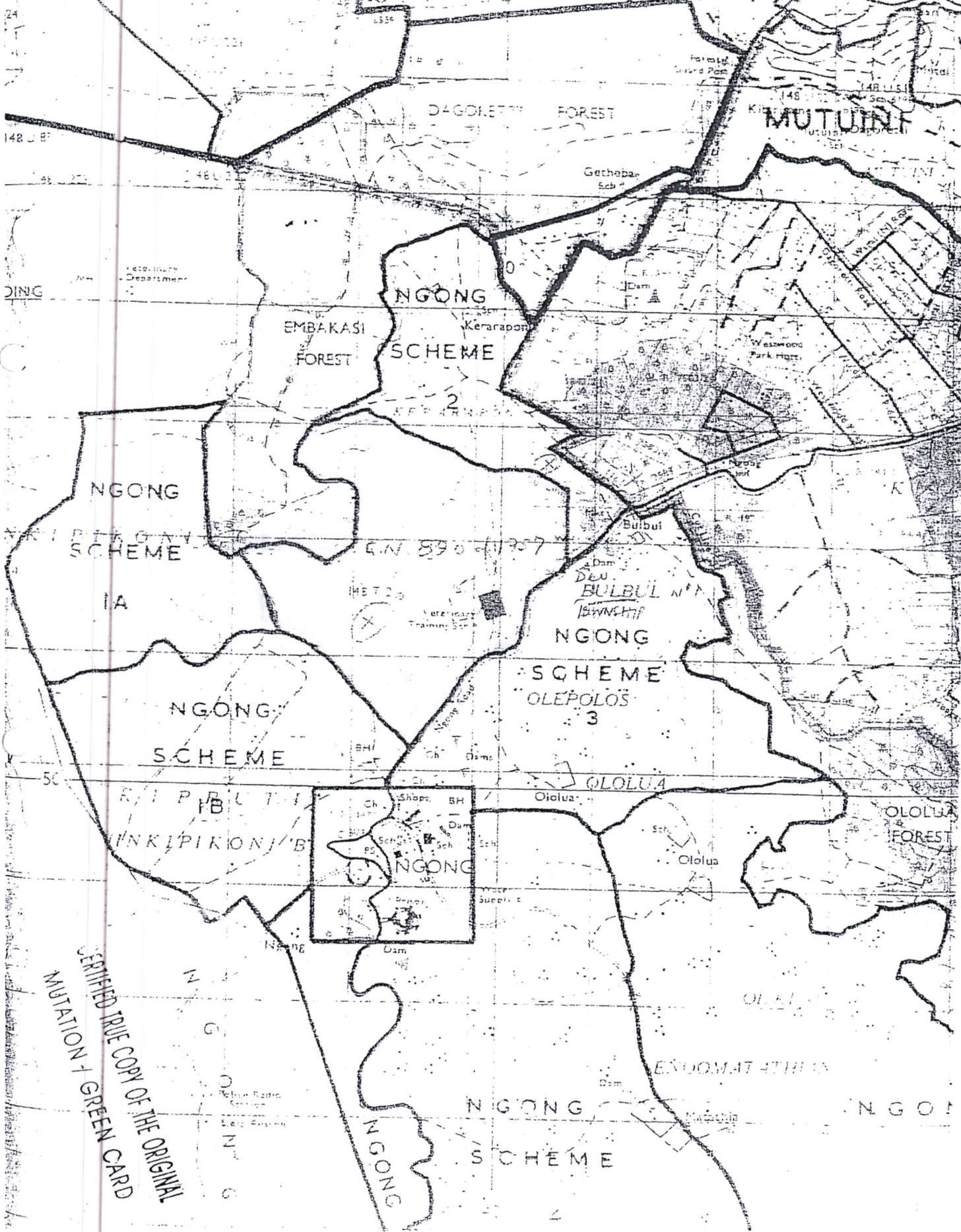
HIGHLAND SURVEYORS  
P.O. BOX 552 (001001)  
TEL: 21211261, 21211903, 21121187  
FAX: 21212092  
HAIKONGI.



CERTIFIED TRUE COPY OF THE ORIGINAL  
MUTATION / GREEN CARD

SIKAMBURA

THOGOTG D A G O



CERTIFIED TRUE COPY OF THE ORIGINAL  
 MUTATION - GREEN CARD





Annex 3



REPUBLIC OF KENYA  
MINISTRY OF LANDS

Survey of Kenya  
P.O. Box 30046  
00100 NAIROBI

Date: 3<sup>rd</sup> January 2013

All correspondence  
Should be addressed to:-  
Director of Surveys

Telegrams: "Surveys"  
Head Office: Ardhi House  
Telephone: 2718050  
Fax: 2717553  
E-Mail: dirsok@ardhi.go.ke

Field Headquarters, Ruaraka  
Telephone: 020 2314113, 020 2314114

Our Ref: PROF/6/9/VOL.XX/2

✓ **The Manager**  
Ngong Veterinary farm  
P. O. Box 24914  
KAREN.

**RE: SURVEY OF NGONG VETERINARY LAND**

This is in reference to your letter Ref. No. Land/vet/vol. I/53 dated 2<sup>nd</sup> January 2013.

I wish to inform you that Department of Surveys, Ministry of Lands is capable of undertaking the requested exercise. Ordinarily and as per the survey Act (CAP. 299), the cost of such a survey would be about **Ksh 8.4 Million**. However, yours being a Government Department, arrangements will be made for you to pay for facilitation of the survey work hence accomplish your target at cost.

In this regard and as per our discussion please deposit **Ksh 250,000/=** in Ministry of Lands account as detailed below to enable us start doing reconnaissance and other initial tasks. Other monies shall be computed and will be payable as the work progresses. Note that you will be required to facilitate monumentation (i.e. provide cement, sand, ballast, iron-pins etc), bush clearing and other labour intensive tasks for the whole exercise.

**Account details – DEPOSIT 136. MINISTRY OF LANDS. ACCT. NO. 1000122315.**

Please liaise with the officer in charge Technical Section at Survey Field Head quarters Ruaraka as you prepare to deposit the initial cost.

A handwritten signature in black ink, appearing to read 'R. K. Amati'.

R. K. Amati (Mr.)  
For **Director of Surveys**

CC  
SAD-LS – Provide Data Book  
Oic Technical – Urgently prepare to start the Survey exercise





REPUBLIC OF KENYA

## MINISTRY OF LANDS

All correspondence  
Should be address  
Director of Surveys

Telegrams: "Surveys"  
Head Office: Ardhi House  
Telephone: 2718050  
Fax: 2717553  
E-mail: dirsok@ardhi.go.ke  
Website: www.ardhi.go.ke.

Field Headquarters, Ruaraka  
Telephone: 020 2314113/4

Our Ref: SK/GEOID/A/15/16

Survey of Kenya,  
P.O. Box 30046, 00100  
**NAIROBI.**

Date: 26<sup>th</sup> April, 2013

**The Manager,**  
Ngong Veterinary farm  
P O Box 24914  
**KAREN**

### **RE: SURVEY OF NGONG VETERINARY LAND**

I refer to the letter ref: PROF/6/9/VOL.XX/2 dated 3<sup>rd</sup> January 2013 on which you were advised to deposit KES. 250,000.00 in Ministry of Lands account to enable initial tasks on the survey of the Ngong Veterinary land. We acknowledge receipt of the said amount via official receipt no. 1397099.

The above mentioned letter had also indicated that other monies would be computed and communicated to you. The necessary computations have been done yielding a budget of KES. 370,000.00.

Considering the short duration of executing the survey on the ground, it is logical that the survey team be facilitated in full at the commencement of the field survey. I therefore advise that you deposit the remaining **KES 120,000.00** in the Ministry of Lands account.

### **Account details – DEPOSIT 136. MINISTRY OF LANDS. ACCT.NO. 1000122315**

In connection with your facilitation cost for bush clearing and other labor intensive tasks, it would be ideal to visit the vet-farm with the survey team and make the necessary estimates.

**H.M. Ngomo**  
For Director of Surveys

## REPUBLIC OF KENYA



## MINISTRY OF LIVESTOCK DEVELOPMENT

Telegrams: PROVET'' NGONG  
Telephone 0202321605

NGONG VETERINARY FARM  
P.O BOX 24914  
KAREN

When replying please quote

DATE:15/05/2013

Ref: Land/Vet/Vol.1/55

The Director of survey  
Survey of Kenya  
P.O BOX 30046  
00100 NAIROBI

RE: PAYMENT FOR SURVEY OF NGONG VETERINARY LAND.

This is in reference to your letter Ref No. SK/GEIOD/A/15/16 dated 26<sup>th</sup> April 2013. Kindly find enclosed herein a cheque No. 00369 of Ksh 120,000 (One hundred and twenty thousand only) being the remaining facilitation required for the survey of Ngong veterinary land.

A handwritten signature in black ink, appearing to read 'Eliud W. Simiyu'.

Eliud .W.Simiyu.  
Farm manager  
Ngong veterinary farm



## **AHITI-KABETE**

### **HISTORICAL BACK GROUND**

Animal Health and Industry Training Institute was started in 1965. AHITI Kabete started as a project of GOK, FAO and UNDP. It was officially opened in 1966 by the first president of Kenya, the late Mzee Jomo Kenyatta.

### **OBJECTIVES**

- To provide training for middle grade technicians and field extension staff in livestock and related disciplines.
- To develop livestock industry in Kenya and the whole of East Africa through availing of training to people of East Africa.

### **COURSES OFFERED**

Initially the institute was offering certificate courses but due to the demand by the stakeholders there was need to move to diploma courses while the other AHITIS (AHITI-Ndomba and AHITI-Nyahururu) remains with certificate courses.

The following courses are offered in the Institute:

- a) Animal Health and Production
- b) Animal Health and Range Management
- c) Leather Technology
- d) Short courses.
  - i) Artificial Insemination
  - ii) Tailor made courses e.g Leather craft, cobblers etc

### **FACILITIES**

Currently the institute has a population of about 300 trainees. The locality of the main Institution does not have its own training facilities but mainly depends on its Satellite Campus located at Ngong Veterinary Farm. This is a very important training facility because there are other key Institutions within the same vicinity which provide complimentary training facilities. These include the National Rabbit Multiplication Station and Ngong Agricultural Technologies Training Centre. All these are situated within Ngong Veterinary Farm.

### **A.H.I.T.I –NGONG EXTENSION (NGONG SATELLITE CAMPUS)**

This is part of AHITI-KABETE its mainly used for the practicals and accommodation. The courses handled in this part of the institutes are as follows:

a) Animal Health & Production, Animal Health & Range Management

The facilities in AHITI-Ngong extension are used by the AHITI- Kabete students for accommodation and also to be able to access some of the collaborators in the vicinity for their Practical's .This includes mainly,Supervised work in various livestock sections where students feed livestock (cattle, sheep, goats, pigs, poultry, beekeeping and rabbits), practice milking, organize breeding and care for sick animals. Livestock feed rationing, rearing of young stock, keeping of farm records. Management practices: culling, sexing. Livestock handling and restraining, judging, weighing.Farm structures and maintenance. Pasture production, management and conservation. These practicals are mostly done early in the morning before classes and after classes.

b) Leather Technology

There has also been a need to train hides and skins producers, the majority of who are farmers and Pastoralists from Arid and semi-arid lands of Kenya (ASAL) areas. These ASAL Communities depend on their livestock for their livelihood. More than 60% of hides and skins produced in the country come from ASAL areas. Most of the animals slaughtered in Nairobi and other urban towns come from ASAL areas. These areas include Baringo, Kajiado, Laikipia, Samburu, Narok, West Pokot, Turkana, Mwingi, Makueni, Isiolo, Marsabit, Mbere, Garissa, Mandera, Tana River, Wajir, Machakos and Kitui districts.

The hides and skins from these ASAL areas have not been given enough attention hence a substantial quantity goes to waste for lack of: -

- Adequate collection of hides and skins
- Proper storage
- Proper preservation
- Nearby or ready market
- Market intelligence

The above problems can be overcome through relevant education of the communities

AHITI is the only institute in the country that offers a comprehensive course in Hides and Skins improvement, Leather Manufacture and Leather goods manufacture.

Currently the institute is rolling out diploma course in Leather Technology starting August this year 2015.Hence there is need to improve and expand the facilities in AHITI-NGONG .It has also the capacity to offer short courses to the farmers, butchers and traders from ASAL areas to address the problems mentioned above. The short courses include: -

- One month course in footwear manufacture
- One month course in leather goods manufacture
- Two- weeks course in Hides and Skins Improvement
- One-month course in Rural Tanning Techniques,(using locally available materials).

These courses will be carried out at AHITI-Ngong Extension in collaboration with modern slaughterhouses, tanneries and Leather Goods and Footwear workshops in Nairobi and bordering districts.



The institute has the capacity to offer four such courses during the academic year. The classes will consist of 25 students per course drawn from the above mentioned ASAL districts. The impact of these courses to ASAL communities will be: -

- Improved quality of hides and skins
- Better prices for the products will be fetched
- The government will earn foreign exchange for through exportation of hides skins, processed leather and handicrafts.
- ASAL communities will be able to form community groups and start cottage industries which will process some of the hides and skins and produce leather articles for local consumption in those areas and export to other districts.

To carry out these programmes effectively the institute will require: -

- A footwear manufacture workshop
- Two classrooms
- A quality control chemistry laboratory
- An effluent treatment model
- Renovation and repair of the tannery and hostels
- Capacity building of the personnel at various levels

The above facilities are proposed to be constructed at AHITI-Ngong extension and renovation done on the existing facilities to ensure effective implementation of the three diploma curricula.

Attached is also a table of students who have graduated from AHITI Kabete since the year 1969. They have all utilized Ngong Veterinary Farm as the main Practical Training Centre.

Dr. A. K. Mutua  
Principal  
**AHITI KABETE**



STUDENTS TRAINED IN AHITI-EXTENSION NGONG FARM

YEAR	TOTAL
1969	61
1970	60
1971	59
1972	61
1973	60
1974	56
1975	58
1976	59
1977	61
1978	62
1979	60
1980	72
1981	69
1982	70
1983	75
1984	80
1985	79
1986	82
1987	90
1988	88
1989	75
1990	72
1991	80
1992	83
1993	85
1994	87
1995	83
1996	86
1997	87
1998	88
1999	90
2000	89
2001	83
2002	85
2003	86
2004	82
2005	88
2006	99
2007	100
2008	99
2009	116
2010	112
2011	115
2012	116
2013	117
2014	118
	3783
A.I TRAINEES	6,680
grand total	10463

diploma programmes in 2015-total applicants 450  
no selected 125  
there is urgent need to expand facilities to accommodate more students  
and AHITI-NGONG campus would provide such a facility .





**THE NATIONAL LAND COMMISSION**

Telegrams "MINILANDS" Nairobi  
Telephone Nairobi 2718050  
When replying please quote

ARDHI HOUSE  
NGONG ROAD  
P.O. BOX 41777  
**NAIROBI**

**Ref: NLC/PARL/9**

19<sup>th</sup> November ,2015

The Clerk of the Senate  
P.O. Box 41842 - 00100  
**NAIROBI**

Chairperson  
Land & Natural Resources Committee  
**NAIROBI**

**Attn: Sen Lenny Kivuti**

**A PETITION ON OLMORONGI PARCEL OF LAND NO. 21400  
(NGONG)**

---

Honourable members I am invited by this committee to send light on the following:-

- a. Olmorongi parcel No. 21400/Ngong /Ngong was gazetted on 5<sup>th</sup> March 1978 in Gazette Notice No. 3818 under section 12 of the application notice.
- b. That the parcel of land was set aside by the veterinary department for the establishment of the livestock veterinary

farm and training center to improve livestock farming among the inhabitant in the area.

- c. That the land is approximately 1510 Acres.
- d. That over years the land user has changed unprocedurally from the original and intended purpose.
- e. That 50 years down the line the land has not been productive and thus the community has not benefited from the project for which the said parcel of land was intended for.

## Reply

### 'A' History of LR No. Ngong/Ngong 1959

LR NO. Ngong/Ngong/1959 came into existence during the adjudication and Demarcation of Ngong registration section in 1970's. The land measures approximately 560 Ha.

Prior to Adjudication and demarcation vide Gazette notice No. 890 of 5<sup>th</sup> March 1957, the said Land had been set aside for Veterinary Farm and Training Centre.

In 1975, the said land was subdivided into 3 parcels, namely - Ngong/Ngong/2627, 2628/ and 2629 then allocated as follows:

- Parcel No. Ngong/Ngong/2628 measuring 0.5946 Ha was allocated to Halal Meat Product Limited by the Government for a term of 99 years from 1<sup>st</sup> January 1975. On 3<sup>rd</sup> December 2001 this titles was charged to Barclays Bank of Kenya to secure a loan of Ksh 65,000,000/=
- Parcel No. Ngong/Ngong/2629 measuring 3.990 Ha was also allocated to Halal Meat Product Limited by the Government for a term of 99 years from 1<sup>st</sup> January 1975. Available records also indicate that the land was charged to Barclays Bank of



Kenya to secure a loan of Kshs 65,000,000/= on 3<sup>rd</sup> December 2001.

**'B' History of LR No. Ngong/Ngong/21400**

Parcel No. Ngong/Ngong/21400 is a subplot of original LR No. Ngong/Ngong/2627, it measures approximately 449 Ha, and it belongs to Veterinary Farm. We have no records of any transfer of parcel No. Ngong/Ngong/21400 to anybody, but the following Government departments have got interest on the said land.

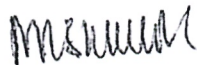
- Ministry of Roads
- Army Gravelling Unit & Training
- Ngong Dumpsite
- Kenya Police
- East Africa Motor Sports Club
- Balance with the veterinary Department

The actual acreage occupied by the referred instituting can be established by picking their boundaries to know the exact area for the veterinary department.

**'C'. Any other Information**

From what is provided under item A & B, it is clear that LR No. Ngong/Ngong 1959 was Government Land reserved for Veterinary Department, though latter excision was done and other Government institutions and Private entities got some allocations.

Following a visit on the ground on 7<sup>th</sup> & 8<sup>th</sup> of October we became aware that a group by the name Gikuyu and Mumbi purports to own the land since 1970's. This allegation is not supported by any ownership documents.



**PROF. MUHAMMAD A. SWAZURI, OGW**  
**CHAIRMAN, NATIONAL LAND COMMISSION**





07 DEC 2015



**NATIONAL LAND COMMISSION**

Telegram: **"MINILANDS  
"Nairobi"**

Telephone Nairobi 2718050  
When replying please quote

*Hi Chairman  
Please acknowledge  
receipt in the  
usual format.*

ARDHI HOUSE  
NGONG ROAD  
P.O. BOX 41777  
**NAIROBI**

Ref: NLC/CHAIRMAN/VOL.XIII/287

30<sup>th</sup> November, 2015

✓ The Clerk of the Senate  
P. O. Box 41842 - 00100  
**NAIROBI**

*Director, committees*

Sen. Lenny Kivuti  
Chairperson  
Land & Natural Resources Committee  
**PARLIAMENT HSE**

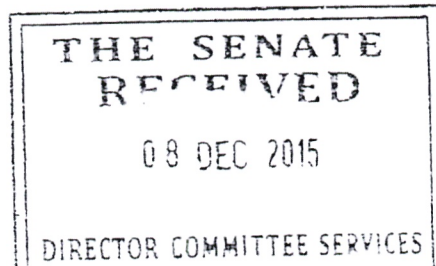
*Please bring to the attention  
of the relevant committee  
stands*

*eg 07/12/15*

**A PETITION ON OLMORONGI PARCEL OF LAND NO. 21400 NGONG**

1. Establishing the status of the said land and having all uncommitted land reverted back to the Keekonyokie Community.
2. Ensuring that any land that was irregularly carved from the initial parcel of land is reverted back to community.
3. Ensuring that all development on the land from other parties other than the veterinary department stopped;
4. Ensuring that no further allocation and adjudication of the land by the Ministries of Agriculture, Livestock and Fisheries; and Land, Housing and Urban Development is permitted.

1



## **HISTORICAL BACKGROUND FOR LAND PARCEL NO. NGONG/NGONG.21400**

Land Parcel No. Ngong/Ngong 21400 is part of the original land parcel No. Ngong/Ngong/1959 which vide Gazettee Notice No, 890 of 3<sup>rd</sup> March 1957 was set aside as Veterinary Farm and Training Centre. The original acreage for the said land was 1510 Acres.

In 1975, the original parcel No. 1959 was subdivided into 3 parcels, namely Ngong/Ngong/2627, 2628 and 2629 and 2 parcels allocated as follows:

- Parcel No. Ngong/Ngong/2628, measuring 0.5946 was allocated to Halal Meat Product Limited by the Government for a term of 99 years from 1<sup>st</sup> January 1975. On 3<sup>rd</sup> December, 2001 this title was charged to Barclays Bank of Kenya to secure a loan of Ksh. 65,000,000/=.
- Parcel No. Ngong/Ngong/2629, measuring 3.990 Ha was also allocated to Halal Meat product Limited by the Government for a term of 99 years from 1<sup>st</sup> January 1995. Available records also indicate that the land was charged to Barclays Bank of Kenya to secure a loan of Ksh65,000,000/= on 3<sup>rd</sup> December 2001.
- Parcel No. Ngong/Ngong/2627, remained as veterinary farm and training centre, later it was subdivided/and or resurveyed and given parcel No. 21400 measuring 1122.5 Acres.
- We have written to the Director of Surveys for a copy of the Map for the parcel.

### **Current Ground Status**

Following a visit by National Land Commission Surveyors to LR No. Ngong/Ngong/21400, a perimeter survey for the whole land was done and it was found to be approximately 1580 Acres.

The following Institutions were found to be occupying portions of the said land as follows:-

- |  |   |           |
|--|---|-----------|
| 1. Meteorological Department                                     | - | 38.47 Ha  |
| 2. Army /training Site   | - | 8.02 Ha   |
| 3. IGAD  | - | 5.44 Ha   |
| 4. Kenya Institute of Highways and Buildings Technology (KIHBIT) | - | 50.16 Ha. |

5.	Police Dog Section	-	50.98 Ha
6.	Quarry Site	-	40.86 Ha
7.	Areas reserved for dumping	-	14.79 Ha
8.	IDD Hassan Malambu	-	9.21 Ha
9.	Halal Meat Product	-	3.99 Ha
10.	Halal Meat Product	-	0.59Ha

From the foregoing a total of 222.51 Ha (556.27 Acres) is committed to the above mentioned public institutions and private interest.

A balance of 409.48 Ha (1023.72 Acres) is left for Veterinary farm and training centre. (See the sketch plan attached herewith as Appendix I, showing all the commitment on the ground)

### **Position on allocation of parts of L.R.No.21400**

It was not possible to establish how the above referred Government institutions and private individuals got into LR.NO.21400, because the Director of Physical Planning and most of his staff were in Mombasa picking and planning the Waitiki farm in Likoni in preparation for President to issue titles in January, 2016.

Only the provision or existence of PDPs can explain the number of subdivisions officially done on the land.

### **Ngong Land Registry Status**

We were unable to get official search in Ngong Land Registry to know the current status of the title for Ngong/Ngong/21400, because the green card for the said parcel of Land was either misplaced or plucked out of the register. However, we have written to the Chief Land Registrar to provide more information and or guide on how to get the official search.

### **Procedure and law for reversion of land to the Community**

We are not aware of any law allowing the reversion of the land back to the community.

Section 15(2) of the Land Act of 2012 states that "land that has been reserved by the Commission shall only be used for the purpose set out by the Commission in the order designating the reservation and shall not be subject to allocation or development"

Section 16(1) (a), further states that the Commission may by order in the Gazettee, vest the care, control and management of any reserved land with a

statutory body, public corporation or a public agency for the same purpose as that for which the relevant public land is reserved under Section 15 and for purposes ancillary or beneficial to that purpose.

### **Acreage of the Unutilized Portion**

The Commission is not in a position to state the acreage of unutilized land, this can only be provided by the Ministry of Agriculture, who are in charge of the said veterinary farm.

### **Reverting land back to Keekonyoike Community**

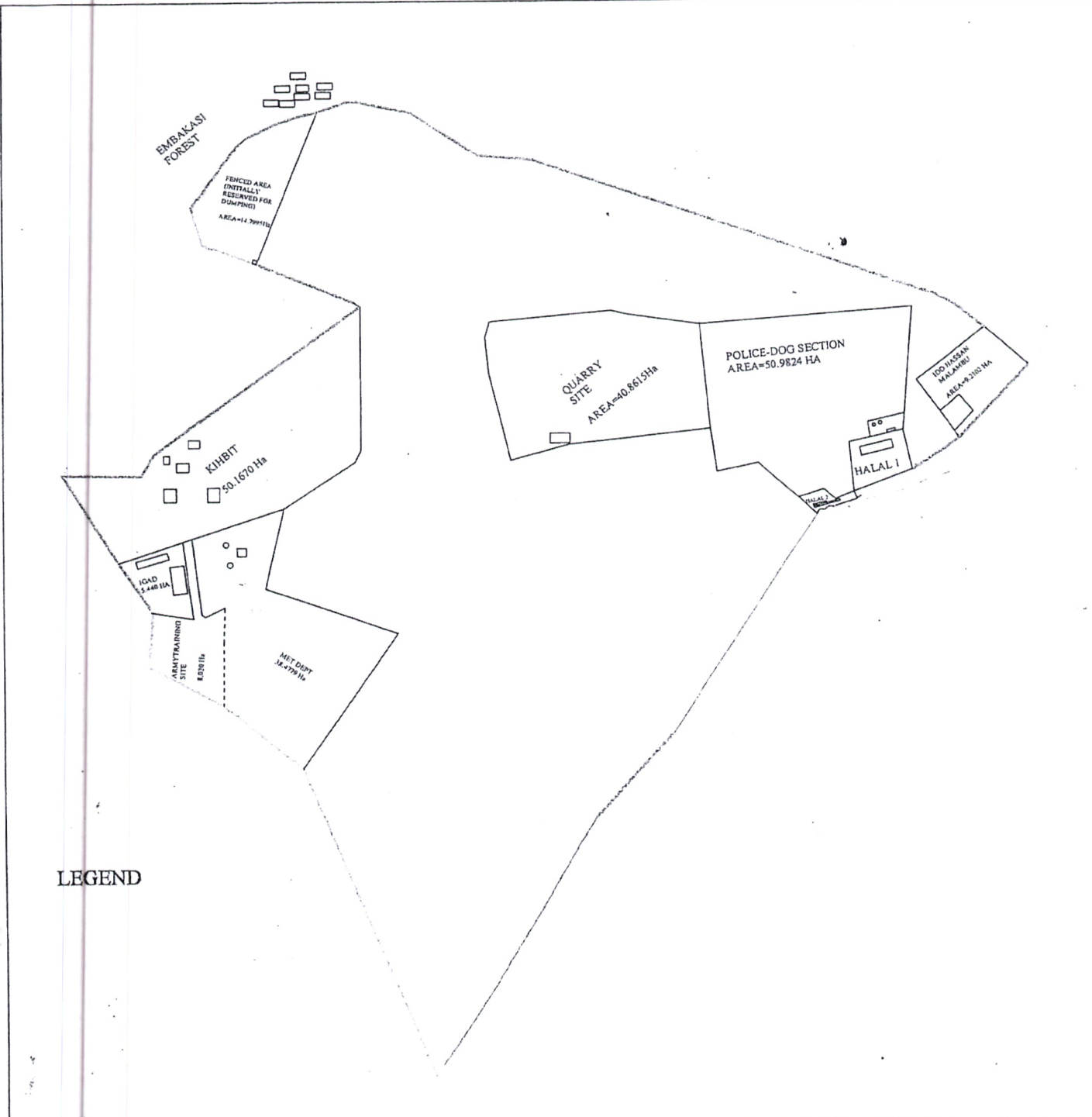
As long as the veterinary farm is being utilized by the above named Government institutions, the land cannot be reverted back to the community.

As for the part of the veterinary land which went to the private individuals, the Commission will investigate how it was allocated with a view of nullifying the titles if the due process of law was not followed. This shall involve inquiries to all the listed institutions and/ or the Veterinary Department, whichever gives the information.




**Prof. Muhammad A. Swazuri, PhD, OGW**  
**Chairman, National Land Commission and**  
**Associate Professor in Land Economics**

# Appendix I



LEGEND

<p><b>LEGEND</b></p> <p>— Existing Original Veterinary Lab Boundary</p> <p>— Sub-divisions</p> <p>— River</p>	<p>N</p>  <p>Coordinates Referred To UTM Zone 37s</p> <p>Units Metes</p> <p>Scale 1: 1000</p>	<p>NATIONAL LAND COMMISSION</p> <p>Prepared by S. Ohanya</p> <p>Date: November 2015</p>
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**THE NATIONAL LAND COMMISSION**

Telegrams "MINILANDS" Nairobi  
Telephone Nairobi 2718050  
When replying please quote

ARDHI HOUSE  
NGONG ROAD  
P.O. BOX 41777  
**NAIROBI**

**Ref: NLC/PARL/7**

2<sup>nd</sup> December, 2015

Chief Land Registrar  
**NAIROBI**

**RE:SEARCH FOR LR NO. NGONG/NGONG/21400**

We have been tasked by the Senate Committee on land to provide details of allocation of parts of parcel No. Ngong /Ngong/21400, on visiting Ngong land registry, we were told the green card for the said parcel of land was not in the register.

This is to ask you to guide us on how to get the current status on the said title in absent of the green card from Ngong land registry

**S.K. MBURUGU**  
For: CHAIRMAN  
**NATIONAL LAND COMMISSION**





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