

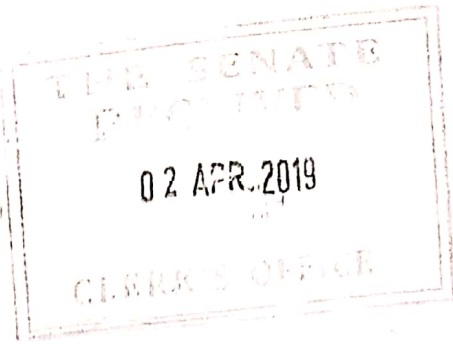
THE CLERK OF THE SENATE

PARLIAMENT BUILDINGS

P.O. BOX 41842-00100,

NAIROBI.

EMAIL: csenate@parliament.go.ke



RE: PETITION TO THE SENATE ON NON PAYMENT OF COMPENSATION FOR LAND COMPULSORILY ACQUIRED TO CONSTRUCT MWATATE-TAVETA-HOLILI ROAD.

We the undersigned;

Citizens of the republic of Kenya, from Chawia ward of Taita Taveta county, being representatives of 28 persons whose land was compulsorily acquired to construct Mwatate --Taveta-Holili road but have not been compensated, wish to present this petition to the senate.

We humbly draw the attention of the senate on the following:

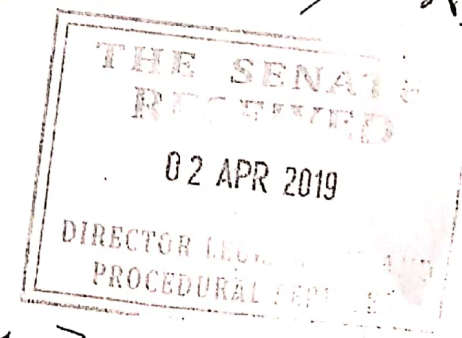
1. THAT our parcels of land which lie in Chawia-Wumari Sechu land registration section were compulsorily acquired by the National Land Commission to construct Mwatate-Taveta-Holili road via gazette notice 7709 of 23rd September 2016
2. THAT despite being given compensation award letters in 2016; the following persons have not been paid their dues to date.

Plot owner	Registration section
Johnson Mjomba	Chawia/Wumari/Sechu/A52b
Griffin Crispus Sikukuu Msagha	Chawia/Wumari/Sechu/A53
Denaise Samba Kafuse	Chawia/Wumari/Sechu/A54a
Penina Machocho Mwandoe	Chawia/Wumari/Sechu/A55c
Penina Mailengo Kitonga	Chawia/Wumari/Sechu/A55d
George Mongo and Florence Manga Kambucha	Chawia/Wumari/Sechu/A55e
Samwel Kuwona Cherugha	Chawia/Wumari/Sechu/A55f
Livingstone Mwawasi MWangwai	Chawia/Wumari/Sechu/A55g
Stanley Kirubai and Gabriel Mcharo Iligha	Chawia/Wumari/Sechu/A55h
Florence Mkira Mbokomu	Chawia/Wumari/Sechu/A55j
Ngerere Mwakitau and Rejoice Marura Kezia.	Chawia/Wumari/Sechu/A55k
Mgharo Benja	Chawia/Wumari/Sechu/A55l
Mombo Ngala and Timothy Mwakio Mwazo	Chawia/Wumari/Sechu/A55m
Fidelis Ngondo Kichimbi	Chawia/Wumari/Sechu/A55n

① DLPS
Please process
2/4/19

② Mr. Chanja
PS ~~re deal~~
3/4/19

③ Ms - Nthini
You are dealing with this matter.
This is a re submission.
Kindly review and facilitate
D-Chanja
3/4/19



**PETITION IN COURT TO THE SENATE ON NON PAYMENT
ON COMPENSATION FOR LAND COMPULSORILY ACQUIRED
TO CONSTRUCT MWATATE-TAVETA-HOLILI ROAD**

Peter Shake Msagha	Chawia/Wumari/Sechu/A55p
Mathias Mighanga Mcharo	Chawia/Wumari/Sechu/A55q
Mwawasi Mwazo Mwangombe	Chawia/Wumari/Sechu/A55R
Grazelda Mrunde Mchawia	Chawia/Wumari/Sechu/A55s
Caroline Chao Mwadime	Chawia/Wumari/Sechu/A55T
James Shake Nyange	Chawia/Wumari/Sechu/A84a
Oliver Mwkughu	Chawia/Wumari/Sechu/A84b
Jackan Mwaiyu Mombo	Chawia/Wumari/Sechu/A84c
Phenescus Mshimba Koti	Chawia/Wumari/Sechu/A84d
Kaya Cultural Shrine	Chawia/Wumari/Sechu/A84e
Ronald Lela Mwagharo.	Chawia/Wumari/Sechu/A84f
Anderson John Isaka Kishere	Chawia/Wumari/Sechu/A84g
Peter Muya and James Shake	Chawia/Wumari/Sechu/A84h
Fredrick Mwamburi	Chawia/Wumari/Sechu/A52

3. THAT the members have on diverse dates spent a lot of money and time in following up their payment with Kenya National Highways Authority (KENHA) without success.
4. THAT the members are concerned that the more the payment delays, the more the money loses value
5. THAT the delay in payment contravenes section 111 of the land act of 2012 which states that: "if land is acquired compulsorily under this act, just compensation shall be paid promptly in full to all persons whose interest in the land has been determined".
6. THAT the members have made every effort to resolve the matters raised in this petition with Kenya National Highways Authority (KENHA) but have proved futile.
7. THAT there is no case pending in a court of law, constitutional or any other legal body on the matters raised in this petition.

HEREFORE your humble petitioners pray that the senate through its relevant committee:

1. Deals with this petition immediately in view of the urgency and seriousness of the matters raised herein.
2. Investigates the circumstances that led to the nonpayment of compensation to the 28 members and any other member eligible for compensation from this project.
3. Recommends that the 28 members and any other person eligible for compensation along the Mwatate-Taveta-Holili road be paid immediately.
4. Takes any other appropriate action it deems fit.

And your Petitioners will ever pray.

Dated this 15th day of November 2018.

**PETITION TO THE SENATE ON NON PAYMENT OF COMPENSATION FOR LAND COMPULSORILY
ACQUIRED TO CONSTRUCT MWATATE-TAVETA-HOLILI ROAD.**

SIGNED:

NAME	IDENTITY CARD NUMBER	ADDRESS	MOBILE PHONE NUMBER	SIGNATURE
GRIFTHN CRISPUS SILUKU MSAKA	1162431	Box 63-80305 MWATATE	0716108929	<i>[Signature]</i>
TIMOTHY MWAZO	5396417	Box 26 80305 MWATATE	0725524631	<i>[Signature]</i>
Oliver Mwakughu	11311463	160 MWATATE	0726 322702	<i>[Signature]</i>
PHENESCUS MSHIMBA KOTI	13270245	47 MWATATE	072389 0410	<i>[Signature]</i>
Peter Shaka MSAGA	5348415	160 MWATATE	070213 9038	<i>[Signature]</i>

COUNTERSIGNED BY:

HON SENATOR JOHNES MWARUMA

[Signature]

SENATOR FOR TAITA TAVETA COUNTY.