

# Church accuses Asian firm of land grabbing



## LOCATION

The land under dispute comprises Plots 19 to 27 and M95 at Maluku Road and Plot M92 on Masaba Road.

**Appeared.** The Rev Can Kutosi appears before the land probe in Mbale.

PHOTO BY EPHRAIM KASOZI

**Pinned.** The church said the investors, together with State House officials, connived with land officials to illegally cancel the church land title.

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**KAMPALA.** The Church of Uganda is embroiled in protracted legal battles that threaten to deprive its ownership of land in Mbale District, the clergy have revealed.

The church leadership in Mbale said they have been involved in land wrangles that resulted in unending court cases since 2008 in a struggle to save hectares of land under the management of St Andrew's Cathedral, Mbale Diocese.

The land under dispute comprises Plots from 19 to 27 and M95 at Maluku Road, and Plot M92 on Masaba Road, both in Mbale Municipality.

Appearing before the Justice Catherine Bamugemereire-led Commission of inquiry into

land matters, the Archdeacon of St Andrew's Cathedral, Rev Titus Kutosi, said Kakira Investments Limited, a company owned by Asian businessmen with the aid of officials from State House, connived with the former commissioner land registration, Ms Sarah Kulata, to cancel the church land title without a hearing as required by law.

## Presidential directive

Describing the cancellation as a move to overturn a presidential directive, Rev Kutosi testified that the church acquired freehold tenure of ownership of disputed land at Maluku Road in 2010 from the district land board at the expiry of the Mbale Municipality lease.

It is alleged that in 2008, President Museveni, while presiding over at the consecration of Mbale bishop, directed the then minister for Presidency, Ms Beatrice Wabudeya, to help the church secure the land after the expiry of an existing

lease.

"We applied to the district land board through the area land committee and a freehold tenure of 1,804 hectares was granted to the registered trustees of the Church of Uganda, Mbale Diocese.

But to our surprise, after a short time, a court bailiff claiming to represent a Kakira Investments Company, surfaced and started surveying our land saying there was a court order directing the district land board to extend the company lease," Rev Kutosi said.

Documents before the commission show that Kakira Investments acquired a lease in 2002 amid a running lease for Mbale Municipal Council.

Rev Kutosi testified that the court order that had been issued by a Grade One Magistrate was nullified and the company was advised to file a case against the land board and the church.

"Instead of suing us as the court directed, the Asian company went to State House and got a letter directing Ms Kulata to cancel our land title. Instead of writing to us, the commissioner only wrote to the secretary of District Land Board that our title was to be cancelled because it was acquired fraudulently and hence erroneous," he testified.

Rev Kutosi, whose role is to assist the bishop in the administration of the church assets and property, learnt of the cancellation notice in 2013 while at Mbale High Court where he had gone to follow up some matters. He said since then their case to overturn the cancellation has never been determined by court.

Justice Bamugemereire h directed that all the named persons be summoned to give their side of the story.