

THE REPUBLIC OF UGANDA

IN THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA

[Coram: Egonda-Ntende, Musoke, Madrama, Mugenyi & Gashirabake, JJCC]

Constitutional Petition No. 03 of 2019

BETWEEN

Citizens' Concern Africa=====Petitioner

AND

Attorney General=====Respondent

JUDGMENT OF FREDRICK EGONDA-NTENDE, JCC

Introduction

- [1] The Petitioner brings this action seeking a declaration that Section 91(1) (2)(3)(7)(8)(10) and (11) of the Land Act Cap 227 as amended by Section 37 of the Land (Amendment) Act, 2004 is unconstitutional in so far as it contravenes Articles 21(1), 26, 28 (1) and 44 (c) of the Constitution of Uganda.
- [2] The petitioner contends that Section 91 (1) (2)(3)(7)(8)(10) and (11) of the Land Act Cap 227 as amended by Section 37 of the Land Act (Amendment) 2004 gives the respondent powers through the Commissioner, Land Registration to cancel land titles issued by herself or her predecessor on the direction of the respondent after hearing and determining the matter herself, and without prior and adequate compensation to the proprietors. It is further contended that the impugned provision gives powers to the Commissioner, Land Registration to cancel titles even when the cancellation has an effect of the land reverting to the respondent and or his agencies.