

REF: MC/2/FM

16th September 2022



1. The President,
Institution of Surveyors of Uganda (I.S.U),
P. O. Box 2122, Kampala, Uganda.
Karobwa Towers, Nkrumah Road.

2. The Secretary,
Surveyors Registration Board (SRB),
P. O. Box 9575 Kampala, Uganda.
Plot 19, Runee Tower, Lumumba Avenue.

KAMPALA.



Dear Sir/Madam,

RE.: CONFLICT OF INTEREST COMPLAINT AGAINST R.S.U. KIZITO BASHIR JUMA AND REQUEST FOR DISCIPLINARY MEASURES FOR PROFESSIONAL MISCONDUCT IN THE MATTER OF LAND DISPUTE BETWEEN KIHAM ENTERPRISES (U) LIMITED AND KABAKA OF BUGANDA ON LAND COMPRISED IN KYADONDO BLOCK 273 FRV Wak 6104/25, Plots 23974, 23975, 23976 and 23977

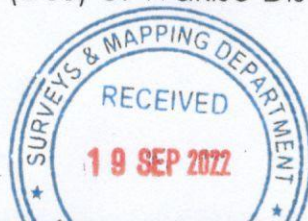


We are the registered proprietors of land comprised in Kyadondo Block 273 FRV Wak 6104/25, Plots 23974, 23976, 23975 and 23977. (Copies of our client's titles are enclosed to this letter as joint annexure "A")

Buganda Land Board through its lawyers K&K Advocates and S&L Advocates filed a complaint before the office of the Commissioner Land Registration seeking the cancellation of our aforementioned titles. (A copy of the said complaint is enclosed to this letter as annexure "B")

The office of the Commissioner Land Registration summoned both parties to their offices for a public hearing on the 6th day of May 2022. (See copy of the summons herewith attached as annexure "C")

In the aforementioned hearing, R.S.U. Kizito Bashir Juma introduced himself as the District Staff Surveyor (DSS) of Wakiso District (which fact we also know), a



Lead surveyor/Registered Surveyor representing the Buganda Land Board (read the "Kabaka of Buganda") and also the lawful attorney of the Kabaka of Buganda. (See copies of minutes attached hereto as annexures "D" and "E")

Wakiso District Land Board as a public office granted us permission to obtain freehold land titles over former public land. Currently, Bashir works as the District Staff Surveyor of Wakiso District and has actual notice of our freehold land titles and truly participated in the process of their creation by checking and Okaying the subdivisions thereof that happened on the 14th day of July 2020. (See copy of certified JRJ attached herewith as annexure "F")

To our greatest shock and disbelief, we discovered that Bashir also authored a survey report which the Kabaka of Buganda is relying on in its complaint to cancel our freehold titles; **making him the "complainant", "the registered surveyor of the complainant", and "the DSS-Wakiso who approved the JRJ in 2020 against the complainant's will"**. To date, it is again RSU Bashir Juma Kizito on top of the cancellation game of our freehold certificates of title for our land situated in Kigo. This gross conflict of interest and the reprimandable by the laws of public service, but also incomparable professional misconduct, the very reason we are presenting him before the two bodies that govern professional and practicing surveyors in the country, that is, ISU and SRB. We believe that this matter will be of immense interest to by your offices for disciplinary action against your member, notwithstanding dismissal option, since his actions have become a public nuisance and maintaining an uncalled for land dispute between two entities that have previously had a cordially good working relationship.

Also attached are two survey reports, one the majority report by a technical committee team of 10 members delegated by the office of the commissioner land registration and a non factual contrary minority report by RSU Bashir Kizito made in total disregard of professional standards out of mere conflict of interest for selfish gains. (See copy attached herewith as annexure "G" and "H")

We are also aware that the Institution of Surveyors of Uganda (I.S.U) and Surveyors Registration Board (S.R.B) are both regulated by a Constitution and or the act of Parliament. For example, the constitution of ISU under **Article 12.1.5** provides that,

"a member must never place himself in a position where his duties are liable to conflict."

Furthermore, **Article 12.1.6** provides that,

"a member shall at all times act in an honourable manner."

R.S.U. Kizito Bashir Juma is exhibiting the highest form of conflict of interest and/or professional misconduct by acting in his capacity as the District Staff Surveyor, checked and approved the process that led to the creation of the freehold titles of our land and also acting as the lead surveyor/registered surveyor for the Kabaka of Buganda, is an act of depriving and grabbing of our land.

The said conduct of Kizito Bashir Juma contravenes the abovementioned Constitutional provisions of your professional body. Unless such conduct is regulated through disciplinary measures, we fear that in the near future surveyors will stop acting in an honourable manner as emphasized by **Article 12.1.6** and exhibit the highest forms of conflict of interest in their day to day work.

This will taint the image of your profession and result into loss of public confidence in your profession in the country.

On that note, we seek intervention from your office to take the appropriate measures against the aforementioned blatant conduct of R.S.U. Kizito Bashir Juma.

Yours faithfully,



For.: KIHAM ENTERPRISES (U) LTD

- c.c.: The Permanent Secretary, Ministry of Lands, Housing and Urban Development. ✓
- c.c.: The Commissioner, Department of Surveys and Mapping, Entebbe. ✓
- c.c.: The Commissioner Land Registration, Ministry of Lands, Housing and Urban Development ✓
- c.c.: Muwema and Company advocates. ✓
- c.c.: The Tribunal Committee members delegated by the office of the Commissioner Land Registration ✓

Dr. Nathan Kibwami
President
kibwami@gmail.com
+256 782 429591

RSU Alozius Gonza
Vice President
alozius@gmtconsults.com
+256 701 478636

RSU Robert Wafula MRICS
Honorary Secretary
robertwafula@gmail.com
+256 782 859665

RSU Siras Nyonyintono
Vice Hon. Secretary
njsiras@gmail.com
+256 774 478429

RSU Eliot Ankunda
Honorary Treasurer
eliotkampikaho@yahoo.com
+256 784 848484

Mr. Joel Mawerere Mukisa
Vice Hon. Treasurer
joelmukisa20@gmail.com
+256 783 806530

RSU Okeny Geoffrey
LS Chapter Chair
jokwarwot@gmail.com
+256 703 785108

RSU Naome Kayondo
VS Chapter Chair
yondos4@yahoo.com
+256 782 274951

RSU Tom Ssenyondo
QS Chapter Chair
ssenyondotom@gmail.com
+256 781 660910

Mr. Noel Etimu
Technician Representative
etimunoel72@gmail.com
0785486400

Ms. Ahishibwe Priscilla
Student Representative 22/23
ahishibwep@gmail.com
+256 774 357696

Dr. Ronald Ssengendo
Immediate Past President
r.ssendendo@yahoo.com
+256 784 614675

Our Ref: ISU/31/09/2022/NK

30th September, 2022

The Managing Director
Kiham Enterprises (U) Ltd.
Kampala.

Dear Sir,

RE: CONFLICT OF INTEREST COMPLAINT AGAINST RSU KIZITO BASHIR JUMA AND REQUEST FOR DISPLINARY MEASURES FOR PROFESSIONAL MISCONDUCT IN THE MATTER OF LAND DISPUTE BETWEEN KIHAM ENTERPRISES (U) AND KABAKA OF BUGANDA ON LAND COMPRISED IN KYADONDO BLOCK 273 FRV WAK 6104/25, PLOTS 23974, 23975, 23976 AND 23977

Reference is made to yours No. MC/17/222/FM dated 16th September, 2022 in which you requested for disciplinary measures for professional misconduct of RSU Kizito Bashir Juma in the matter of land dispute between Kiham enterprises (U) and Kabaka of Buganda on land comprised in Kyadondo Block 273 FRV WAK 6104/25, plots 23974, 23975, 23976 and 23977.

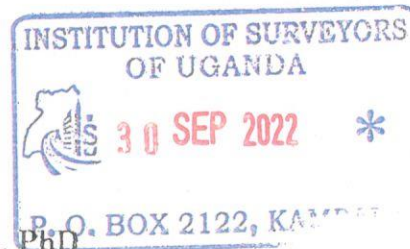
This case has been considered by the ISU disciplinary committee and decided that it is forwarded to the Surveyors Registration Board for action as it involves a complaint concerning disciplinary action against a Registered Surveyor.

Thank you for reaching out to us.

Yours faithfully,



Dr. Nathan Kibwami, PhD



President: ISU

CC: Registrar SRB