

PETITION TO THE SENATE CONCERNING ILLEGAL ALIENATION OF PARCEL OF LAND EMBU/MUNICIPALITY/375 (LEASEHOLD) BY THE CHILD WELFARE SOCIETY OF KENYA

To:
The Clerk of the Senate
Parliament Building
P.O Box 41842 – 00100
NAIROBI

RE: **PETITION TO THE SENATE CONCERNING ILLEGAL ALIENATION OF PARCEL OF LAND EMBU/MUNICIPALITY/375 (LEASEHOLD) BY THE CHILD WELFARE SOCIETY OF KENYA**

We the undersigned citizens of Kenya AND IN PARTICULAR representatives of the Diocese of Embu, Trustees of the Catholic church and the Community Managers of the St. Angela Embu Children's home and residents of the Embu County, DRAW THE ATTENTION of the SENATE to the following: -

1. THAT the Diocese of Embu Trustees, is currently the owner of the piece of land EMBU/MUNICIPALITY/375.
They hold a lease dated the 13th day of July 2012, as evidence of ownership.
The lease is for 99 years from 13.7.2012.
2. THAT the diocese of Embu Trustees, has been running a Children's home on the said plot under the name, St. Angela Embu Children's home, from the year 1960 to date.
3. The Children's home has always been under the custody, occupation and management of the Diocese of Embu, from the pre-independence days, at independence, and post-independence.
4. When the Diocese applied for a lease of the land where the home now stands, the lease was gladly given by the Government on the 13.7.2012 for 99 years.
5. That to the dismay of the diocese, individuals calling themselves the Child Welfare Society of Kenya laid claim to the home by force but this was resisted and repelled. There was court intervention and the invaders were pushed out and law and order restored.
6. The Child Welfare Society of Kenya has never run the home even for one day, since its inception to date.
7. That again to the dismay of the Diocese, its attention was drawn to two items appearing in the Kenya Gazette, one dated the 22nd January 2016 and the other dated the 17th July 2017.

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8. That in the Gazette of 22nd January 2016, item number 17, the title EMBU/MUNICIPALITY/375 belonging to the Catholic Diocese of Embu was revoked, apparently by the National Land Commission of Kenya at the instance of the Child Welfare Society of Kenya.
9. That in the Gazette of 17th July 2017, item No. 30, title Embu/Municipality/375 "the Chief Land Registrar was directed to revoke title held by Catholic Diocese of Embu". The property is vested in the "Child Welfare Society of Kenya". The notice was given by the National Land Commission of Kenya.
10. That the Child Welfare Society of Kenya, buoyed by the two publications again attempted to force their way into the home, but this was repulsed by the Diocese.
11. That the current position is that the Diocese is the legitimate and the legal owner of plot No. EMBU/MUNICIPALITY/375. They are in possession of the home; they run the home; and have the unexpired lease.
12. The Diocese is concerned that their lease to EMBU/MUNICIPALITY/375 was declared cancelled by the Land Commission of Kenya at the instance of the Child Welfare Society of Kenya, the hopeful beneficiaries of the alienation.
13. That the purported act of the alienation continues to threaten the Petitioners since the Land Commission has already reassured the Child Welfare Society that it has revoked the title; and recommended a new lease be issued to them.
14. That the matter has been in court severally but never finally resolved. It is the Child Welfare Society of Kenya that triggers these court interventions by surprise forced attempts at occupation, alienation and eviction.
15. That the petitioners have made efforts to have the matter addressed by the relevant bodies, all of which have not been fruitful.
16. That currently there is no dispute pending in court of law, constitutional or any other legal body.



WHEREFORE your humble Petitioners pray that the SENATE do investigate this matter and: -

1. Initiate a process to ascertain if the true owners of the parcel of land EMBU/MUNICIPALITY/375 are Diocese of Embu Trustees.
2. Recommend for the cancellation or otherwise set aside the contents of the two Gazette notices, specifically Gazette notice No. 6 of 22nd January 2016; and Gazette notice No. 97 of 17 July 2017.

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3. Recommend for the prohibition of the Child Welfare Society of Kenya from further making claims, interfering with harassing or otherwise making attempts at entry into the Petitioner's Children's home.
4. The relevant Committee makes a visit to the St. Angela Embu Children's home to see how the home is run and the developments made over the years by the Petitioners.
5. Recommend that a plot be allocated to the Child Welfare Society of Kenya for the purpose of building their own home away from that of the Petitioners in view of the many homeless children in Embu County.

DATED at Embu this day of 2021

1	Bishop Paul Kariuki Njiru	P.O Box 1499 Embu	ID/3736445	
2.	Sister Alice Wambui Change	P.O Box 1499 Embu	ID/11380582	

Counter signed by Sen. Njeru Ndwiga, MP, Senator for Embu County.

Chirg

Sen. Njeru Ndwiga, MP
Senator for Embu County

