

Approved for tabling in the House

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5/10/2021



PARLIAMENT OF KENYA

THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – FIFTH SESSION – 2021

DEPARTMENTAL COMMITTEE ON LANDS

REPORT ON-

(PUBLIC PETITION NO. 003 OF 2021)

BY EAST MAU FOREST EVICTEES REGARDING RESETTLEMENT OF
EAST MAU FOREST EVICTEES

DIRECTORATE OF DEPARTMENTAL COMMITTEES
CLERK'S CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI


		<u>OCTOBER 2021</u>	
 THE NATIONAL ASSEMBLY PAPERS LAID			
DATE: 05 OCT 2021		DAY: TUESDAY	
TABLED BY:	CHAR, DC - LANDS HON.(DR). RACHAEL NYAMAI, MP		
CLERK-AT THE-TABLE:	BENSON INZOGU		



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CHAIRPERSON'S FOREWORD

Public Petition No.003 of 2021 by East Mau Forest evictees regarding resettlement of East Mau Forest evictees was conveyed to the House by the Hon Speaker on 1st March 2021 on behalf of the Petitioners.

In considering the Petition the Committee met the Petitioners on 10th August 2021 and the Cabinet Secretary, Ministry of Lands and Physical Planning on 22nd September 2021.

The Committee is thankful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. The Committee is also thankful to the Cabinet Secretary, Ministry of Lands and Physical Planning, the Petitioners for the submissions they made to the Committee.

On behalf of the Committee, and pursuant to Standing Order, 227 it is my pleasant duty to table the Report of the Departmental Committee on Land on its consideration of Public Petition No.003 of 2021 by East Mau Forest evictees regarding resettlement of East Mau Forest evictees



Hon. Dr. Rachael Kaki Nyamai, CBS, MP
Chairperson, Departmental Committee on Lands

EXECUTIVE SUMMARY

The purpose of this report is to respond to the prayers made by Petitioners in Public Petition No.003 of 2021 by East Mau Forest evictees regarding resettlement of East Mau Forest evictees. The Petitioners prayed that the National Assembly, through the Departmental Committee on Lands, investigate the matters raised in the petition with a view to finding a resolution relating to the settlement of the East Mau Evictees.

In response to the prayer made by the Petitioners the Committee observed that the Petitioners, as stated in their submissions, comprise 4350 persons evicted from East Mau Forests in 1988. The Committee noted that the Petitioners further averred that presently they live-in various places in Njoro and Molo Constituencies within Nakuru County.

The Committee further observed that the Petitioners stated in the petition that although the government had settled other persons within East Mau Forest, the petitioners were not resettled.

The Committee also observed that based on the submissions by the Ministry of Lands and Physical Planning, the Petitioners were part of the persons allowed to farm in the forest through the Shamba system prior to 1988.

The Ministry of Lands and Physical Planning also submitted that the Eastern Mau Forest block was proclaimed a forest reserve in 1932 and the Mau Forest block was identified to settle squatters mainly from the Ogiek community and other people who were evicted from other parts of Mau Forest like Chepakundi and families affected by ethnic clashes of 1992 were settled in ten settlement schemes namely Sururu, Likia, Teret, Sigotik, Nessuit, N on oneri, Marioshoni, Kapsita(Molo), Kapsita(Elbur on) and Baraet.

The Ministry of Lands and Physical Planning further submitted that the exercise of settlement of the squatters in Sigotik and Marioshoni schemes was suspended by a court order in Nakuru High Court Petition No. 11 of 2020.

Based on the submissions by the Petitioners and the Ministry of Lands and Physical Planning, the Committee concluded that there was no documentary evidence availed indicating that the petitioners have been vetted by relevant government departments. Therefore, the Committee could not verify the Petitioners' claims including whether they were evictees of the East Mau Forests to necessitate a recommendation for resettlement.

The Committee recommends that the Cabinet Secretary, Ministry of Lands and Physical Planning in consultation with the Cabinet Secretary, Ministry of Interior and Coordination of National Government profiles and vets the Petitioners with a view of establishing the veracity of their claims within six months of the tabling of this report.

1.0 PREFACE

1.1 Mandate of the Committee

1. The Departmental Committee on Lands is established pursuant to the provisions of Standing Order No. 216 (1) and (5) with the following terms of reference: -
 - (i) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
 - (ii) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
 - (iii) study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;
 - (iv) study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
 - (v) investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House or a Minister.
 - (vi) study and review all legislation referred to it.

1.2 Committee subjects

2. The Committee is mandated to consider the following subjects:
 - a) Lands
 - b) Settlement

1.3 Oversight

3. The Committee oversees the Ministry of Lands and Physical Planning, and the National Land Commission.

1.4 Committee Membership

4. The Committee membership comprises:

Chairperson

Hon. Dr. Rachael Nyamai, CBS, MP
MP for Kitui South Constituency
Jubilee Party

Vice Chairperson

Hon. Khatib Mwashetani, MP
MP for Lunga Lunga Constituency

Jubilee Party

Hon. Benjamin Washiali, CBS, MP
Member for Mumias East Constituency
Jubilee Party

Hon George Risa Sunkuyia, MP
Member for Kajiado West Constituency
Jubilee Party

Hon Joshua Kutuny Serem, MP
Member for Cherangany Constituency
Jubilee Party

Hon. John Muchiri Nyaga, MP
Member for Manyatta Constituency
Jubilee Party

Hon. Mishi Mboko, MP
Member for Likoni Constituency
Orange Democratic Movement (ODM)

Hon. Josphat Gichunge Kabeabea, MP
Member for Tigania East Constituency
Party of National Unity (PNU)

Hon. Omar Mwinyi, MP
Member for Changanwe Constituency
Orange Democratic Movement (ODM)

Hon. Lilian Tomitom, MP
Member for West Pokot County
Jubilee Party

Hon. Ahmed Kolosh, MP
Member for Wajir West Constituency
Jubilee Party

Hon. Owen Yaa Baya, MP
Member for Kilifi North Constituency
Orange Democratic Movement (ODM)

Hon. Ali Mbogo, MP
Member for Kisauni Constituency
Wiper Democratic Movement (WDM)

Hon. Patrick Munene Ntwiga, MP
Member for Chuka/Igambangombe
Constituency
Jubilee Party

Hon. Babu Owino, MP
Member for Embakasi East Constituency
Orange Democratic Movement (ODM)

Hon. Samuel Kinuthia Gachobe, MP
Member for Subukia Constituency
Jubilee Party

Hon. Caleb Kipkemei Kositany, MP
Member for Soy Constituency
Jubilee Party

Hon. Teddy Mwambire, MP
Member for Ganze Constituency
Orange Democratic Movement (ODM)

Hon George Aladwa, MP
Member for Makadara Constituency
Orange Democratic Movement (ODM)

1.5 Committee Secretariat

5. The Committee secretariat comprises:

Lead Clerk

Mr. Leonard Machira

Senior Clerk Assistant

Mr. Ahmad Guliye

Second Clerk Assistant

Dr. Kefa Omoti

Principal Researcher

Ms. Jemimah Waigwa

Legal Counsel I

Mr. Adan Abdi

Fiscal Analyst II

Mr. Joseph Okongo

Media Relations Officer

2.0 INTRODUCTION

Public Petition No.003 of 2021 by East Mau Forest evictees regarding resettlement of East Mau Forest evictees was conveyed to the House by the Hon. Speaker on 1st March 2021 on behalf of the Petitioners.

6. The Petitioners wished to draw the attention of the House to the following, that:
 - i. They constitute a community of 4350 persons that lived in ten (10) East Mau Forest in the larger Nakuru County for 70 years as caretakers during the colonial period until they were evicted from the said forests in 1988;
 - ii. While other persons hailing from counties outside Nakuru were resettled in the same forest the petitioners were not resettled, leaving the Petitioners landless;
 - iii. In their pursuit for justice, the evictee sought the intervention of the Truth Justice and Reconciliation Commission in 2011 and the National land Commission in 2018 to no avail and sought the intervention of the National Assembly in securing the resettlement; and
 - iv. The matter in respect of which the petition is made are not pending before any court of law or Constitutional body.
7. The petitioners prayed that the National Assembly through the Departmental Committee on Lands investigate the matters raised in the petition with a view to finding a resolution relating to the settlement of the East Mau Evictees.

3.0 SUBMISSIONS

3.1 Submissions by the Petitioners

8. The Committee met the Petitioners in Parliament Buildings on 10th August 2021. The representatives of the petitioners informed the Committee as follows:
9. The Petitioners comprise 4350 persons who lived in Mau East Forests for over seventy (70) years prior to eviction in 1988. The said persons were currently live-in various places in Njoro and Molo Constituencies within Nakuru County.
10. The colonial government relocated the Petitioners' ancestors from various places in the central and Rift Valley regions in 1918 and forced them to work in the said forests, particularly in the establishment of commercial plantations for logging.
11. In 1958 the colonial government allowed the forest workers to establish homes on $\frac{3}{4}$ acre plots of land and to keep cattle and grow crops under the shamba system.
12. Although the government settled other persons within the Mau East forests in 1993, the Petitioners have not been resettled to date. Consequently, they felt discriminated against in the resettlement programme..
13. The evictees sought the intervention of the Truth, Justice and Reconciliation Commission in 2011 and the National Land Commission in 2018. Further the petitioners also sought assistance from the Kenya Human Rights Commission in vain.
14. The matters raised in the petition were not pending before any court of law.
15. They prayed that the Committee intervenes to have the evictees resettled in alternative land to alleviate their suffering

3.2 Submissions by the Cabinet Secretary Ministry of Lands and Physical Planning

16. The Committee met Cabinet Secretary Ministry of Lands and Physical Planning on 22nd June 2021 in Parliament Buildings. The Cabinet Secretary informed the Committee as follows:
17. The Eastern Mau Forest block was proclaimed a forest reserve in 1932. The forest reserve was declared a Central Forest vide legal notice No. 174 of May 20, 1964. The total area was 65,842.21 Hectares. This block consists of the following forest stations-
 - a. Baraget
 - b. Kiptung

- c. Nessuit
- d. Likia
- e. Logoma
- f. Sururu
- g. Teret
- h. Elburgon
- i. Marishon
- i

18. Part of the Eastern Mau Forest block was identified to settle squatters mainly from the Ogiek community and other people who were evicted from other parts of Mau Forest like Chepakundi and families affected by ethnic clashes of 1992 were settled in the settlement schemes that were established as follows-

S/No.	Schemes	Area (Ha.)	No. of Beneficiaries	Status
1.	Sururu	5852	2600	Completed
2.	Likia	2290	900	Completed
3.	Teret	2117	850	Completed
4.	Sigotik	1812	600	Suspended due to a court order issued in Nakuru High Court Petition No. 1 1 of 2020 (annexure 7)
5.	Nessuit	4730	1500	Completed
6.	N on oneri	4100	1400	Completed
7.	Marioshoni	8300	1500	Suspended due to a court order issued in Nakuru High Court Petition No. 1 1 of 2020 (annexure 7)
8.	Kapsita (Molo)	901.6	671	Completed
9.	Kapsita (Elbur on)	3,300	900	Completed
10.	Baraet	2 800	700	Completed

19. The Forest Department within the Ministry of Environment and Natural Resources had a programme called the "Shamba System" a method of forest plantation that allowed communities to reside inside forests and tend to young plantation trees as they produce food crops.

20. In the original practice, resident forest workers were allowed to reside on freshly cleared areas to plant food crops for 2-3 years while tree seedlings were grown. Over the years, the offer of tenancy was extended to others as well. The system was consequently banned

by a presidential decree in 1987 and in 1988 all forest residents were evicted from forest areas. This is the group that lodged a petition.

21. Although the Petitioners claim not to have been considered for settlement in all the schemes that were established in the Eastern Mau Forest block. The Ministry does not have any documentary evidence indicating that the evictees were profiled.

4.0 ISSUES FOR DETERMINATION AS PER THE PRAYER IN THE PETITION

That the National Assembly, through the Departmental Committee on Lands, investigates the matters raised in the petition with a view to finding a resolution relating on the settlement of the East Mau Evictees:

In response to the prayer made by the Petitioners:


1. The Committee observed that the Petitioners, as stated in their submissions, comprise 4350 persons evicted from East Mau Forests in 1988. The Committee noted that the Petitioners further averred that presently they live-in various places in Njoro and Molo Constituencies within Nakuru County.
2. The Committee further observed that the Petitioners stated in the petition that although the government had settled other persons within East Mau Forest, the petitioners were not resettled.
3. The Committee also observed that based on the submissions by the Ministry of Lands and Physical Planning, the Petitioners were part of the persons allowed to farm in the forest through the Shamba system prior to 1988.
4. The Committee also noted that the Ministry of Lands and Physical Planning also submitted that the Eastern Mau Forest block was proclaimed a forest reserve in 1932 and the Mau Forest block was identified to settle squatters mainly from the Ogiek community and other people who were evicted from other parts of Mau Forest like Chepakundi and families affected by ethnic clashes of 1992 were settled in ten settlement schemes namely Sururu, Likia, Teret, Sigotik, Nessuit, N on oneri, Marioshoni, Kapsita(Molo), Kapsita(Elburon) and Baraet.
5. The Ministry of Lands and Physical Planning further submitted that the exercise of settlement of the squatters in Sigotik and Marioshoni schemes was suspended by a court order in Nakuru High Court Petition No. 11 of 2020.

Based on the submissions by the Petitioners and the Ministry of Lands and Physical Planning, the Committee concluded that there was no documentary evidence availed indicating that the Petitioners have vetted by relevant government departments. Therefore, the Committee could not verify the Petitioners' claims including whether they were evictees of the East Mau Forests to necessitate a recommendation for resettlement.

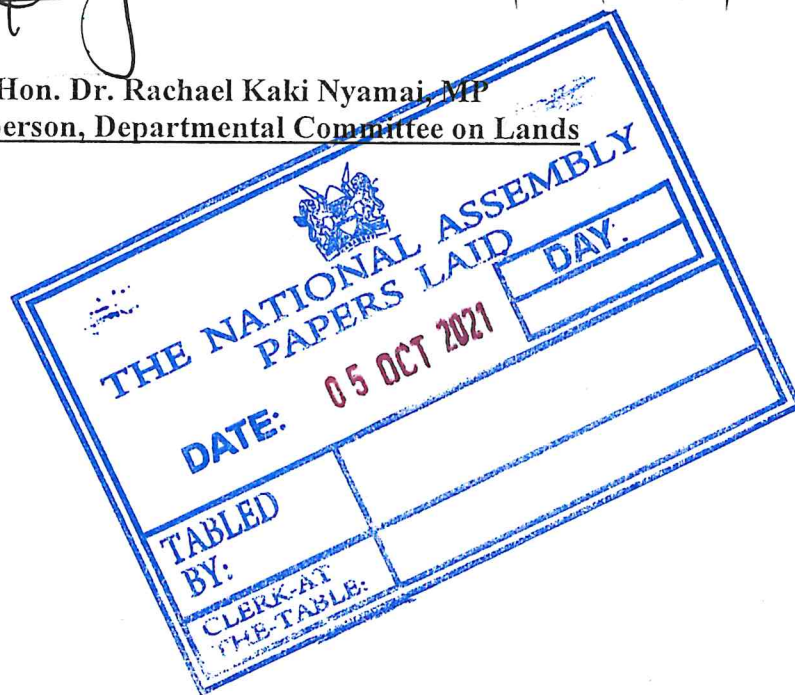
The Committee recommends that the Cabinet Secretary, Ministry of Lands and Physical Planning in consultation with the Cabinet Secretary, Ministry of Interior and Coordination of National Government profiles and vets the Petitioners with a view of establishing the veracity of their claims within six months of the tabling of this report.

5.0 COMMITTEE RECOMMENDATION

Pursuant to Standing Order 227, the Committee recommends that the Cabinet Secretary, Ministry of Lands and Physical Planning in consultation with the Cabinet Secretary, Ministry of Interior and Coordination of National Government profiles and vets the Petitioners with a view of establishing the veracity of their claims within six months of the tabling of this report.

Sign  Date 05/10/2021

Hon. Dr. Rachael Kaki Nyamai, MP
Chairperson, Departmental Committee on Lands







REPUBLIC OF KENYA
KENYA NATIONAL ASSEMBLY
TWELFTH PARLIAMENT
DEPARTMENTAL COMMITTEE ON LANDS
Adoption List

Report on the Petition by East Mau Forest Evictees on resettlement of the Evictees

Date: 29/09/2021

	NAMES	SIGNATURE
1.	Hon. Dr. Rachael Nyamai, CBS, MP - Chairperson	
2.	Hon. Khatib Mwashetani, MP V/Chairperson	
3.	Hon. Benjamin Washiali, CBS MP	
4.	Hon. Joshua Kutuny Serem, MP	
5.	Hon. Mishi Mboko, MP	
6.	Hon. Omar Mwinyi Shimbwa, MP	
7.	Hon. Ahmed Kolosh, MP	
8.	Hon. Ali Mbogo, MP	
9.	Hon. Babu Owino, MP	
10.	Hon. Caleb Kipkemei Kositany, MP	
11.	Hon. George Aladwa, MP	
12.	Hon. George Risa Sunkuyia, MP	
13.	Hon. John Muchiri Nyaga, MP	
14.	Hon. Josphat Gichunge Kabeabea, MP	
15.	Hon. Lilian Tomitom, MP	
16.	Hon. Owen Yaa Baya, MP	
17.	Hon. Patrick Munene Ntwiga MP	
18.	Hon. Samuel Kinuthia Gachobe, MP	
19.	Hon. Teddy Mwambire, MP	



**MINUTES OF THE 48TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
LANDS HELD ON FRIDAY 24TH SEPTEMBER 2021 AT TAMARIND HOTEL,
MOMBASA AT 2.30 P.M.**

PRESENT

1. Hon. Dr. Rachael Nyamai, CBS, M.P - **Chairperson**
2. Hon. Khatib Mwashetani, M. P - **Vice Chairperson**
3. Hon. Benjamin Washiali, CBS, MP
4. Hon. Joshua Kutuny, MP
5. Hon. Omar Mwinyi, MP
6. Hon. Ahmed Kolosh, MP
7. Hon. Ali Mbogo, M.P
8. Hon. Caleb Kositany, MP
9. Hon. George Risa Sunkuyia, M.P
10. Hon. John Muchiri Nyaga, MP
11. Hon. Owen Yaa Baya, M.P
12. Hon. Patrick Munene Ntwiga, MP
13. Hon. Samuel Kinuthia Gachobe, MP
14. Hon. Teddy Mwambire, MP

APOLOGIES

1. Hon. Mishi Mboko, M.P
2. Hon. Babu Owino, MP
3. Hon. George Aladwa, M.P
4. Hon. Josphat Gichunge Kabeabea, M.P
5. Hon. Lilian Tomitom, MP

THE NATIONAL ASSEMBLY SECRETARIAT

1. Mr. Daniel Mutunga - Principal Clerk Assistant
2. Mr. Leonard Machira - Senior Clerk Assistant
3. Mr. Ahmad Guliye - Second Clerk Assistant
4. Dr. Kefa Omoti - Research Officer
5. Ms. Jemimah Waigwa - Legal Counsel
6. Ms. Maureen Kweyu - Audio Officer
7. Ms. Peris Kaburi - Serjeant At Arms
8. Ms. Mercy Mutuku - Intern

MIN. NO. NA/DDC/LANDS/2021/169: PRELIMINARIES

The meeting was called to order at fifteen minutes to three o'clock with a word of prayer.

MIN. NO. NA/DDC/LANDS/2021/170: ADOPTION OF THE REPORT ON A PETITION BY EAST MAU FOREST EVICTEES ON THE RESETTLEMENT OF THE EVICTEES

The Committee considered the report on a Petition by East Mau Forest Evictees on the resettlement of the evictees and adopted it with the following observations and recommendations after it was proposed and seconded by Hon. John Muchir, MP and Hon. Owen Baya, MP, respectively;

Observations


1. The Committee observed that the Petitioners as stated in their submissions comprise 4350 persons evicted from East Mau Forest in 1988.
2. The Petitioners further averred that presently they live-in various places in Njoro and Molo Constituencies within Nakuru County and have not been settled by the government.
3. The Petitions also stated that although the government had settled other persons within East Mau Forest, the petitioners were not resettled.
4. The Committee observed that based on the submissions by the Ministry of Lands and Physical Planning, the Petitioners were part of the persons allowed to farm in the forest through the Shamba system.
5. The Ministry of Lands and Physical Planning submitted that the Eastern Mau Forest block was proclaimed a forest reserve in 1932 and the Mau Forest block was identified to settle squatters mainly from the Ogiek community and other people who were evicted from other parts of Mau Forest like Chepakundi and families affected by ethnic clashes of 1992 were settled in ten settlement schemes namely Sururu, Likia, Teret, Sigotik, Nessuit, N on oneri, Mariosioni, Kapsita(Molo), Kapsita(Elbur on) and Baraet.
6. The Ministry of Lands and Physical Planning also submitted that exercise of settlement of the squatters in Sigotik and Mariosioni schemes suspended by a court order in Nakuru High Court Petition No. 11 of 2020.
7. Based on the submissions by the Petitioners and the Ministry of Lands and Physical Planning, the Committee observed that there was no documentary evidence availed indicating that the petitioners were vetted by relevant government departments. Therefore, the Committee could not verify the Petitioners' claims including whether they were evictees of the East Mau Forest.

Recommendations

Pursuant to Standing Order 227, the Committee recommends that the Cabinet Secretary, Ministry of Lands and Physical Planning in consultation with the Cabinet Secretary, Ministry of Interior and Coordination of National Government profiles and vets the Petitioners with a view of establishing the veracity of their claims within six months of the tabling of this report.

MIN. NO. NA/DDC/LANDS/2021/171: ADJOURNMENT

There being no other business to discuss, the meeting was adjourned at seventeen minutes past five o'clock.

Signature 

HON. DR. RACHAEL KAKI NYAMAI, CBS, M.P.
(Chairperson)

Date..... 30/9/2021





REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY (FIFTH SESSION)

CONVEYANCE OF PUBLIC PETITION

(No.003 of 2021)

REGARDING RESETTLEMENT OF EAST MAU FOREST EVICTEES

Honourable Members, Standing Order 225(2)(b) requires the Speaker to report to the House any Petition, other than those presented by a Member. I wish to report to the House that my Office has received a petition from several residents under the banner of East Mau Forest Evictees led by one Mr. John Njogu Njoroge of Postal Address 264 Elburgon calling for *"the resettlement of East Mau Forest evictees."*

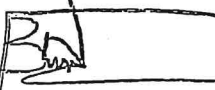
In their petition, **Honourable Members**, the petitioners aver that they constitute a community of over 4,350 people that served as caretakers of ten (10) forest Blocks in Nakuru County for over seventy (70) years before being evicted from the area by the Government in 1988. Following their eviction, the petitioners claim that people who hail from other Counties were settled in the same forest areas, leaving them landless since no alternative land was provided for their relocation.

In their pursuit for justice, the evictees sought the intervention of the Truth, Justice and Reconciliation Commission in 2011 and the National Land Commission in 2018 but to no avail, and now seek the intervention of this House in securing their resettlement.



Honourable Members, pursuant to the provisions of Standing Order 227(1), this Petition stands committed to the Departmental Committee on Lands. The Committee is requested to consider the petition and report its findings to the House and to the petitioners in accordance with Standing Order 227(2).

I thank you!



THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Monday, March 01, 2021

**PUBLIC PETITION TO THE PARLIAMENT ON RESETTLEMENT OF
EAST MAU FOREST EVICTEES**

10th February, 2021

**TO: THE CLERK,
THE NATIONAL ASSEMBLY
PARLIAMENT BUILDINGS
P.O. BOX 41842 – 00100**

Dear Sir,

**REF: PUBLIC PETITION TO THE PARLIAMENT ON
RESETTLEMENT OF EAST MAU FOREST EVICTEES**

We, the undersigned citizens of Kenya on behalf of the residents of Kenya lodge this petition concerning (hereinafter the “**Petitioner**”).

WE DRAW the attention of the house to the following:-



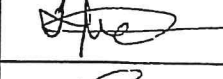

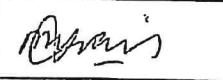

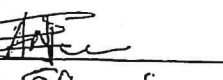
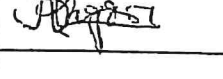
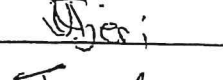
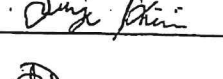
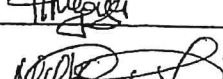
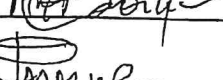
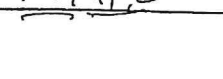
1. **THAT**, we are East Mau Forest Evictees comprising of 4,350 members.
 2. **THAT**, East Mau Forest Evictees are composed of ten (10) forests which are in the larger Nakuru District (Now Nakuru County).
 3. **THAT**, the members of the East Mau Forest Evictees lived inside the said forests for 70 years legally as caretakers to our forests during the colonial period in Kenya under the crown of the Queen of England, President Jomo Kenyatta’s Government and during President Moi’s Government who later evicted us from the forests in the year 1988.
 4. **THAT**, other persons from other counties e.g Bomet, Kericho, Baringo etc were resettled in the same forest areas we were in.
 5. **THAT**, East Mau Forest Evictees wrote to the T.J.R.C on 21st September 2011 and the National Land Commission on 7th June 2018 but have never responded.
 6. **THAT**, members are currently landless and have lived as squatters since 1988 and have never been allocated land.
 7. **THAT**, the matters addressed under the petition are not pending before any court of law or constitutional body.
-
-




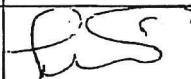
**PUBLIC PETITION TO THE PARLIAMENT ON RESETTLEMENT OF
EAST MAU FOREST EVICTEES**

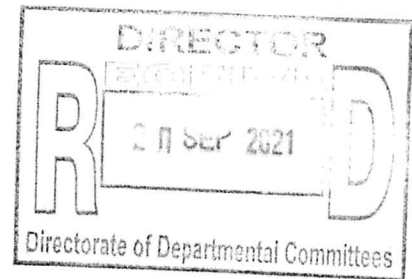
THEREFORE, your humble petitioners pray that the Parliament through the relevant Committee of the National Assembly:-

1. Invites the Petitioners to present all information including documentation relating to the **RESETTLEMENT OF THE EAST MAU EVICTEES**;
2. Investigates the matters raised in this Petition with a view to finding a resolution relating to **THE RESETTLEMENT OF THE EAST MAU EVICTEES**;

And your **PETITIONERS** ever pray for your considerations

NAME OF PETITIONERS	FULL ADDRESS	NATIONAL I.D/PASSPORT NO.	SIGNATURE/ THUMB IMPRESSION
JOHN NJOGU NJOROGI	P.O. BOX 264 ELBURGON	0743950	
PETER IRUNGU MWANGI	P.O. BOX 165 EGERTON	9127147	
HARRISON THINJI CHEGE	P.O. BOX 137 NJORO	4012310	
MICHAEL CHICHIA KIEMA	P.O. BOX 25 ELBURGON	1331429	
JANE NDUTA MAHIA	P.O. BOX 25 ELBURGON	1104385	Jane
FRANCIS N. MBUGUA	P.O. BOX 264 ELBURGON	3558337	
MARY KIRIGO MUNGAI	P.O. BOX 264 ELBURGON	0839015	
ANN NJERI GITHIOMI	P.O. BOX 165 EGERTON	29405800	
JACOB JOHNSON NGURE KING'ORI	P.O. BOX 43 ELBURGON	3641261	
JULIANA NJERI NGUGI	P.O. BOX 43 ELBURGON	10272625	
JOSEPH MWANGI KAIRU	P.O. BOX 165 EGERTON	5991881	
PETER KANYI NGANGA	P.O. BOX 168 EGERTON	0743166	
NELSON NJUGUNA KABIARU	P.O. BOX 137 NJORO	13126175	
FRANCIS MWANGI MUGO	P.O. BOX 137 NJORO	2331698	

BENARD KAMAU MWENDIA	P.O. BOX 43 ELBURGON	1332400	
DORCAS WAIRIMU KIHUMBA	P.O. BOX 165 EGERTON	9777343	Dorcias
BEATRICE NYAMBURA MWANGI	P.O. BOX 137 NJORO	3558234	
NELSON INJINI	P.O. BOX 1145 NAKURU	7132587	
MARY NJOKI MACHARIA	P.O. BOX 137 NJORO	12743195	Mary
NICKSON MUGO GATHII	P.O. BOX 137 NJORO	13068620	



REPUBLIC OF KENYA

MINISTRY OF LANDS AND PHYSICAL PLANNING
Office of the Principal Secretary

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Ardhi House
1st Ngong Avenue
P.O. BOX 30450-00100
Nairobi, KENYA

When replying please quote:

Ref. No. MOLPP/ADMIN/21/8 (77)

September 16, 2021

Mr. Michael Sialai, EBC
The Clerk
National Assembly
Parliament Buildings
P.O Box 41842-00100
NAIROBI

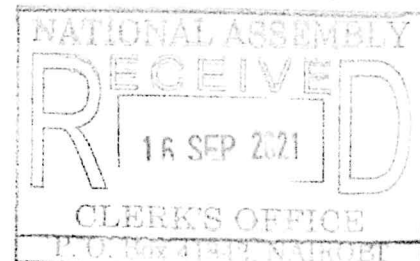
Leonard Madira
pls facit. haste Consideration
20/9/21 /DC
17/9/2021

Dear Sir,

RE: RESPONSES TO THE NATIONAL ASSEMBLY DEPARTMENTAL COMMITTEE
ON LANDS

Reference is made to your letter Ref. NA/DDC/LANDS/2021 (091) dated August 10, 2021. Please find our responses to the following petitions:

1. Petition by Hon. Andrew Mwadime, MP on behalf of residents of Mto Mwagodi, Mgeno Area, Rong'e Ward in Mwatate Constituency regarding the irregular establishment of Diaspora University on community land
2. Petition by East Mau Forest evictees regarding resettlement of East Mau Forest evictees
3. Petition by Hon. Joshua Kutuny, MP on behalf of the family of the late Hon. Arthur Kinyanjui Magugu regarding fraudulent subdivision of land registered as L.R No. 12422/9
4. Petition by Hon. Tandaza Kassim Sawa, MP on behalf of registered landowners in Tiwi Shimba North Kunditsi B regarding irregular annexation of private land in Tiwi, Shimba North Kunditsi B in Matuga Constituency by Greatcom Limited.



We hope that the information is sufficient.

Yours Sincerely,



Dr, Nicholas Muraguri
PRINCIPAL SECRETARY

Encl



REPUBLIC OF KENYA

MINISTRY OF LANDS AND PHYSICAL PLANNING

RESPONSES TO THE NATIONAL ASSEMBLY DEPARTMENTAL COMMITTEE ON LANDS

Honourable Chair,

Pursuant to a letter Ref. NA/DDC/LANDS/2021 (091) dated August 10, 2021, the Committee invited the Cabinet Secretary Ministry of Lands and Physical Planning to respond to:

1. Petition by Hon. Andrew Mwadime, MP on behalf of residents of Mto Mwangodi, Mgeno Area, Rong'e Ward in Mwatate Constituency regarding the irregular establishment of Diaspora University on community land
2. Petition by East Mau Forest evictees regarding resettlement of East Mau Forest evictees
3. Petition by Hon. Joshua Kutuny, MP on behalf of the family of the late Hon. Arthur Kinyanjui Magugu regarding fraudulent subdivision of land registered as L.R No. 12422/9
4. Petition by Hon. Tandaza Kassim Sawa, MP on behalf of registered landowners in Tiwi Shimba North Kunditsi B regarding irregular annexation of private land in Tiwi, Shimba North Kunditsi B in Matuga Constituency by Greatcom Limited.

Honourable Chair, I wish to respond as follows:

1. PETITION BY HON. ANDREW MWADIME, MP ON BEHALF OF RESIDENTS OF MTO MWAGODI, MGENO AREA, RONG'E WARD IN MWATATE CONSTITUENCY REGARDING THE IRREGULAR ESTABLISHMENT OF DIASPORA UNIVERSITY ON COMMUNITY LAND

Honourable Chair,

The Petitioners presented the petition seeking to stop construction of a university known as Diaspora University on a community land, which they claim to have been in occupation since time immemorial.

They claim that there was no public participation on the project. Additionally, the Petitioners claim that the County Government of Voi is opposed to the project owing to the lack of transparency, accountability and viability of the project as well as unresolved land ownership issues.

They allege that efforts to have the matter addressed by local authorities including the police have been futile. They therefore request the Committee to:

- i) Intervene with a view to securing restoration of the land encroached upon by the proprietors of Diaspora University to the residents who are the rightful owners of the land
- ii) Secure the timely resolution of the matter so as to restore peace and tranquility in the area
- iii) Make any other recommendation that it deems fit in the circumstances of the petition.

Response

Honourable Chair, I wish to respond as follows-

The subject land was registered on January 20, 1982 as Parcel no. SAGALLA/NDARA (B)/1 (measuring approximately 2215.0 Hectares) in the name of NDARA B Group Ranch, under the Land (Group Representatives) Act, Cap. 287 (repealed by the Community Land Act, 2016).

On October 26, 2016 the group ranch subdivided the parcel into two (2) portions namely SAGALLA/NDARA 'B'/14 & SAGALLA/NDARA 'B'/15. On August 18, 2017, the group Ranch further subdivided parcel SAGALLA/NDARA 'B'/14 into three (3) portions, creating parcels SAGALLA/NDARA B/16, SAGALLA/NDARA B/17 & SAGALLA/NDARA B/18. On the same day August 18, 2017 the group ranch registered a five (5) year lease in favour of KUP Institution Town Limited for

parcel SAGALLA/NDARA "B"/17 measuring approximately 600 Hectares. A Certificate of Lease dated August 18, 2017 was issued.

Vide an application to the Voi Land Control Board dated July 10, 2019, KUP Institution Town Limited sought consent from the board to transfer parcel p SAGALLA/NDARA "B"/17 to Diaspora University Trust.

The application was rejected and reasons for the same communicated vide a letter dated September 11, 2019 (**annexure 1**) as follows-

- i) The application submitted indicated parcel no. SAGALLA/NDARA "B"/19 as the subject parcel whereas the accompanying documents namely certificate of lease is for a different parcel SAGALLA/NDARA "B"/17
- ii) The application sought to transfer land belonging to a group ranch whereas the Community Land Act under Section 47 (3) clearly indicates that land held by group representatives shall not be sold, leased or converted to private land before it is registered under the Act
- iii) The minutes accompanying the application do not indicate the transaction submitted to the board
- iv) The submissions by the applicant to the board that parcel no. SAGALLA/NDARA "B"/17 belongs to KUP institution limited is unfounded as Section 54(5) of the Land Registration Act indicates that only long term leases have the effect of conferring ownership. These are leases exceeding 21 years. KUP institution Limited has a 5 year lease which is short term
- v) The County Government of Taita Taveta through a letter dated July 12, 2019 to the board objected to the application citing Section 47 of the Community Land Act, 2016
- vi) The failure of the entire executive of the group ranch to appear before the land control board.

The letter by County Government of Taita Taveta objecting the transfer of parcel SAGALLA/NDARA "B"/17 to Diaspora University Trust is marked **annexure 2**.

Honourable Chair,

The matter has been the subject of litigation before the Principal Magistrate's Court in Voi, Civil Suit No. 161 of 2018. The court delivered judgement on the case on July 18, 2019 where it issued an injunction restraining the group representatives of the NDARA B Group Ranch from making any new resolutions pending conversion of the group ranch as contemplated under the Community Land Act, 2016. A copy of the judgment is marked **annexure 3**.

Consequently, the Ministry recalled the Certificate of Lease issued to KUP Institution Limited for cancellation. The lease was surrendered on November 2, 2019 and cancelled accordingly (**annexures 4**).

Honourable Chair,

The Community Land Act, 2016 repealed the Land (Group Representatives) Act, Cap. 287. Section 47 (1) of the Act provides that the respective group representatives together with their communities they represent shall be registered as a community in accordance with the provisions of the Act. In relation to land held under the repealed Act, Section 47 (3) of the Act provides that it shall not be sold, leased or converted to private land before it has been registered under the Act. Part VIII of the Community Land Regulations, 2017 prescribes the process of conversion of group ranches and it entails the following:

- i) Preparation by the Cabinet Secretary of an inventory of all land held under the repealed Land (Group Representatives) Act, (Cap. 287)
- ii) Issuance of a notice by the Registrar to group representatives of the requirement to convert into a community
- iii) Application by the groups to register as a community
- iv) Issuance of a Certificate of Registration and thereafter a certificate of title or lease is issued upon surrender of the existing title document and certificate of incorporation issued under the Land (Group Representatives) Act (now repealed) for cancellation. Upon registration, the respective group representatives shall cease to hold office.

The inventory of all land held under the repealed Land (Group Representatives) Act, (Cap. 287) has been prepared (**annexures 5a -5c**). Steps (ii) - (iv) have been undertaken as far as NDARA B Group Ranch is concerned. The Community Land Registrar conducted elections of the Community Land Management Committee on February 24, 2021 in accordance with the provisions of Section 7 (5) of the Community Land Act, 2021 (**annexures 6**).

Under Section 15 (5) of the Act, any decision of a registered community to dispose or otherwise alienate community land shall be binding if it is supported by at least two thirds of the registered adult members of the community.

2. PETITION BY EAST MAU FOREST EVICTEES REGARDING RESETTLEMENT OF EAST MAU FOREST EVICTEES

Honourable Chair,

The petition was filed by East Mau Forest Evictees said to comprise 4,350 members who were evicted from ten (10) forests within Eastern Mau in 1988. The Petitioners claim that they had been living in the area for over seventy (70) years before they were evicted and have not been resettled.

They contend that they have been discriminated against in the resettlement programme by the National Government as other forest evictees from Bomet, Kericho and Baringo have been resettled.

According to the petitioners, although the case was referred to the Truth Justice and Reconciliation Commission (TJRC) and the National Land Commission (NLC) in 2011 and 2018 respectively, it has not been resolved. They have therefore presented the petition to request the Committee to intervene and investigate their case with a view to find a solution.

Response

Honourable Chair, I wish to respond as follows-

The Eastern Mau Forest block was proclaimed a forest reserve in 1932. The forest reserve was declared a Central Forest vide legal notice No. 174 of May 20, 1964. The total area was 65,842.21 Hectares. This block consists of the following forest stations-

- i) Baraget
- ii) Mariashoni
- iii) Kiptunga
- iv) Nessuit
- v) Likia
- vi) Logomani
- vii) Sururu
- viii) Teret
- ix) Elburgon

Part of this Eastern Mau Forest block was identified to settle mainly the Ogiek community at the edges of the forest to deter them from interfering with the rest of the forest. Other people who were evicted from other parts of Mau Forest like Chepakundi and families affected by ethnic clashes of 1992 were settled in the settlement schemes that were established as follows-

S/No.	Schemes	Area (Ha.)	No. of Beneficiaries	Status
1.	Sururu	5852	2600	Completed
2.	Likia	2290	900	Completed
3.	Teret	2117	850	Completed
4.	Sigotik	1812	600	Suspended due to a court order issued in Nakuru High Court Petition No. 11 of 2020 (annexure 7)
5.	Nessuit	4730	1500	Completed
6.	Ngongoneri	4100	1400	Completed
7.	Marioshoni	8300	1500	Suspended due to a court order issued in Nakuru High Court Petition No. 11 of 2020 (annexure 7)
8.	Kapsita (Molo)	901.6	671	Completed
9.	Kapsita (Elburgon)	3,300	900	Completed
10.	Baraget	2,800	700	Completed

Honourable Chair,

The Forest Department within the Ministry of Environment and Natural Resources had a programme called the “Shamba System” a method of forest plantation where communities were allowed to reside inside forests and tend to young plantation trees as they produce food crops. In the original practice, resident forest workers were allowed to reside on freshly cleared areas to plant food crops for 2-3 years while tree seedlings were grown. Over the years, the offer of tenancy was extended to others as well. The system was consequently banned by a presidential decree in 1987 and in 1988 all forest residents were evicted from forest areas. This is the group that lodged a petition.

They claim that they were not considered as beneficiaries in all the schemes that were established in the Eastern Mau Forest block.

After being evicted from Eastern Mau forest block in 1988 there is no documentary evidence to portray how and where they were resettled in this office. Again, there

is no list of the names to indicate whether or not they were profiled. Most of those families reside in informal settlements scattered all over Nakuru County.

3. PETITION BY HON. JOSHUA KUTUNY, MP ON BEHALF OF THE FAMILY OF THE LATE HON. ARTHUR KINYANJUI MAGUGU REGARDING FRAUDULENT SUBDIVISION OF LAND REGISTERED AS L.R NO. 12422/9

Honourable Chair,

The petitioner claims that land parcel L.R No.12422/9 measuring approximately 41.133 Hectares was registered in the name of the late Hon. Arthur Kinyanjui. The Certificate of Title was issued on December 16, 1982. They state that on February 19, 1991, the deceased engaged the firm of Kamwere & Associates Surveyors to carry out subdivision of the land into two (2) parts. The subdivision was carried out to create L.R Nos. 12422/203 & 12422/204.

They claim that the surveyor subsequently fraudulently subdivided parcel L.R No. 12422/204 to create L.R Nos. 12422/318 & 12422/319 vide a Certificate of Subdivision given on October 25, 1993 by the Town Clerk, City Council of Nairobi approving the subdivision. Parcel L.R No. 12422/ 319 was transferred to Karura Investment Limited on the same day. The Petitioners claim that the subdivision of L.R No. 12422/204 was fraudulent for the following reasons:

- i) The Certificate of Tile in respect of L.R No. 12422/204 was issued to the deceased
- ii) The application for consent to transfer parcel L.R No. 12422/319 is not dated nor signed
- iii) The consent to transfer parcel L.R No. 12422/ 319 was made one (1) month before the parcel was created.
- iv) The transfer document dated October 25, 1993 was only executed by the alleged vendor and not the purchaser.

The Petitioners therefore request the Committee to:

- i) Inquire into the issues raised in the petition
- ii) Make recommendations requiring the Registrar of Titles to cancel the fraudulent entries of title registered under L.R 12422/319
- iii) Make any other recommendations, as it may deem appropriate.

Response

Honourable Chair, I wish to respond as follows-

According to our records, the parcel of land L.R. No. 12422/9 measuring approximately 41.13 Hectares was registered on December 16, 1982 as I.R. No. 37221 in favour of Arthur Kinyanjui Magugu. A copy of the Memorandum of Registration of Transfer of Land (MRT) is marked **annexure 8**.

A proposal by proprietor through Kamwere & Associates (Survey & Planning Consultants) to subdivide the land into two (2) portions was approved by the then Nairobi City Commission vide a letter Ref. CP & ARCH/DC/777/L.R. 12422/9 dated February 23, 1988 (**annexure 9**). The Ministry gave its approval to the subdivision vide a letter Ref. 112003/18 dated June 8, 1990 (**annexure 10**). An approval for the subdivision was also obtained from the Nairobi Land Control Board (**annexure 11**). A copy of the approved subdivision scheme plan is marked **annexure 12**. The subdivision created land parcels L.R. Nos. 12422/203 and 12422/204 as per the copy of the survey plan marked **annexure 13**.

L.R. No. 12422/204 was further subdivided into two (2) portions creating L.R. Nos. 12422/318 measuring 2.498 Hectares and 12422/319 measuring 33.37 Hectares as per the copy of Survey Plan F/R 220/26 (**annexure 14**), approved subdivision scheme plan (**annexure 15**), approval from the Nairobi City Commission dated October 16, 1991 (**annexure 16**), consent from the Nairobi Land Control Board dated January 9, 1992 (**annexure 17**) and approval from the Ministry dated August 7, 1992 (**annexure 18**).

On October 25, 1993, a Certificate of Title (I.R 60756) was issued for L.R No. 12422/204 in favour of Arthur Kinyanjui Magugu (**annexure 19**). On the same date, a transfer to Karura Investments Limited in respect of L.R No. 12422/319 was registered and a Certificate of Title I.R 60757 issued (**annexure 20**).

From our records, L.R No. 12422/203 (I.R 37227/6) measuring 5.261 Hectares was transferred to Somson Muriithi Nduhiu on May 4, 1999. The parcel was later subdivided into 25 portions and transferred to third parties. (Entry No. 6 of Certificate of Title I.R 37227 marked **annexure 21**).

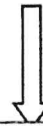
L.R. No. 12422/318 was registered in favour of Arthur Kinyanjui Magugu as I.R No. 103666 on December 7, 2004. A copy of the title is marked **annexure 22**. The resultant subdivisions relating to L.R No. 12422/9 are described in the organogram below:-

L.R No. 12422/9 (I.R No. 37221)
Area: 41.13 Ha.
Transferred to Arthur Kinyanjui Magugu on December 16, 1982
Subdivided into two (2) subplots- L.R No. 12422/203 & 204 (Ref: F/R 190/199)



L.R No. 12422/203 (Orig. 12422/9/1)
Area: 5.261 Ha.
Transferred to Somson Murithi Nduhiu on May 4, 1999
Subdivided by estate of the late Samson Murithi into 25 plots and transferred to third parties.

L.R. No. 12422/204 (Orig. 12422/9/2)
I.R No. 60756 Area: 35.87 Ha.
Registered in the name of Arthur Magugu on October 25, 1993 who then subdivided it into 2 subplots- L.R No. 12422/318 and L.R No. 12422/319 (Ref: F/R 220/26)



L.R No. 12422/318 (Orig. No. 12422/204/1)
Area: 2.498 Ha.
Registered in the name of Arthur Kinyanjui Magugu
Further sub-divided into six (6) subplots L.R No. 12422/341- 346. REF: F/R 274/102

L.R No. 12422/319 (Orig. No.12422/204/2)
Area: 33.37 Ha
Transferred to Karura Investements Limited on October 25, 1993

We request more time to summon both parties to provide documentation for the subdivision of L.R NO. 12422/204 and the subsequent transfer of L.R. NO. 12422/319 to Karura Investments Limited. We shall report to the Committee on the progress within two weeks.

4. PETITION BY HON. TANDAIZA KASSIM SAWA, MP ON BEHALF OF REGISTERED LAND OWNERS IN TIWI SHIMBA NORTH KUNDITSI B REGARDING IRREGULAR ANNEXATION OF PRIVATE LAND IN TIWI, SHIMBA NORTH KUNDITSI B IN MATUGA CONSTITUENCY BY GREATCOM LIMITED

The Petition was presented by Hon. Tandaza Kassim Sawa, MP on behalf of over fifty (50) registered owners of various parcels of land in Tiwi, Shimba North Kundutsi "B" in Matuga Constituency, Kwale County totaling approximately 400 acres. The parcels were adjudicated in the 1960s to 1980s and title deeds issued.

The Petitioners state that Maruma Holdings Limited owned an adjacent land registered as Kwale/Tiwi L.R No.4752/2 measuring approximately 1000 acres. They state that in early 2021, they learnt that M/s Greatcom Limited had purchased the land from Maruma Holdings Limited.

The Petitioners' complaint is that in April, 2021 the proprietors of Greatcom Holdings Limited, with the protection of the police encroached and fenced off their land and have since denied them access.

The petitioners sought the intervention of Kwale County Commissioner but the matter has not been resolved. They have thus filed the petition to request the Committee to-

- i) Investigate the circumstances in which M/s Greatcom illegally fenced off private land belonging to over fifty (50) families
- ii) Compel M/S Greatcom Limited to immediately vacate the encroached land so as to enable the petitioners to revert to their settlements and access public utilities that have been fenced off
- iii) Cause the concerned National Government Departments to re-survey the area so as to ascertain the boundary between the petitioners land and L.R No. Kwale/Tiwi 4752/2
- iv) Restrain M/s Greatcom Limited from any further development on the petitioners land pending re-survey
- v) Make any other recommendations deemed fit in safeguarding the petitioners rights

Response

Honourable Chair, I wish to respond as follows-

According to our records, land parcel L.R. No 4752 (C.R. 8561) measuring approximately 404.7 hectares (1000 acres) was registered in the name of *Brierley formerly of Aden* on November 15, 1933. **Annexure 23** is a copy of the title.

On October 8, 1943 the parcel was transferred to Diani Estates Limited. On March 15, 1978 the parcel was transferred to Jeremiah Njoroge. Subsequently, on May 28, 1980 the parcel was transferred to Maruma Holdings Company Limited **Annexure 24**.

In a letter dated May 22, 1980 Maruma Holdings Company Limited applied for extension of lease (**Annexure 25**) and vide a letter Ref: 46474/102 dated November 12, 1981 the Commissioner of Lands approved the extension of lease to 999 with effect from January 1, 1914 (**Annexure 26**).

Maruma Holdings Company Limited subdivided the parcel giving rise to L.R. No. 4752/1 (now L.R. No. 12800) and L.R. No 4752/2. The subdivision was done in order to excise a 150*x150* plot (L.R. No. 4752/1 measuring 0.2133 hectares) for establishing an electricity substation for the Kenya Power and Lightning Company Limited. See **Annexure 27**.

L.R. 4752/2 measuring approximately 404.5 hectares was re-granted to Maruma Holdings Company Limited and registered as CR. 16746 on March 16, 1984). The term of the leasehold title was endorsed to commence on December 1, 1981 for 932 years 1 month being the residue of the initial 999 year term approved (**annexure 28**).

On August 13, 2007, Maruma Holdings Company Limited through their advocates wrote to the then Minister of Lands and Settlement intimating their intention to sale the land to the Government with a view that the land would be ideal for settling squatters. See **Annexure 29**.

On May 10, 2013 Maruma Holdings Company Limited transferred L.R. 4752/2 to Greatcom Limited. A copy of the official search certificate is marked **annexure 30**. The Ministry is aware of the complaint by the Petitioners. Greatcom Limited applied to the Ministry for a resurvey of L.R. 4752/2 to establish the boundaries. The County Land Surveyor, Kwale summoned all interested parties on September 7, 2021 to witness the reestablishment of the beacons as shown in the letter Ref. KWL/ACS/2VOLXXVI/149 (**annexure 31**).

The exercise was undertaken on September 7, 2021. We shall submit a report on the outcome of the resurvey in two (2) weeks' time.

Honourable Chair, I submit.

A handwritten signature in black ink, appearing to be 'Farida Karoney', written over a circular scribble.

Farida Karoney, EGH
CABINET SECRETARY

September 14, 2021

ANNEXURE 7

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT IN NAKURU
CONSTITUTIONAL PETITION NO. 11 OF 2020
BETWEEN

HON. SAMUEL KIPKEMOI TANUI.....PETITIONER
VERSUS
KENYA FOREST SERVICE.....1ST RESPONDENT
THE HONOURABLE ATTORNEY GENERAL.....2ND RESPONDENT
CABINET SECRETARY, MINISTRY OF ENVIRONMENT
AND FORESTRY.....3RD RESPONDENT
GEORGE NATEMBEYA.....4TH RESPONDENT
AND
LAW SOCIETY OF KENYA.....INTERESTED PARTY
ZAKAYO KIPKOECH LESINGO
(SUING ON HIS OWN BEHALF
AND ON BEHALF OF THE MAU OGIEK
COMMUNITY OF EASTERN MAU FOREST).....2ND INTERESTED PARTY

IN COURT ON 15 DECEMBER 2020
BEFORE THE HON. MR. JUSTICE J. MUTUNGI

ORDER

AND WHEREAS THIS MATTER, coming up for mention for directions on 15th December 2020 before HON. JUSTICE J. MUTUNGI and in the presence of Mr. Kibet for Mr. Kipkoech for the Petitioners, Ms Mbugua for Mr. Matiri for the 1st Interested Party, Mr. Bore for the 1st - 9th proposed interested parties, Ms. Cheruiyot for Mr. Eredi for the Respondents, Ms. Kinama for Ms Nkonge for the 2nd Interested Party, and Mr. Biko for Lipow Morop Self-Help Group, the proposed interested party.

IT IS HEREBY ORDERED

1. THAT ELC Nakuru Petition No. 130 of 2017; ELC Nakuru Petition No. 5 of 2020 and ELC Nakuru Petition No. 16 of 2020 are hereby consolidated with ELC Nakuru Petition No. 11 of 2020.
2. THAT ELC Nakuru Petition No. 11 of 2020 shall be the lead file.

