

Handwritten notes in the top left corner: "The Speaker", "Today's agenda may", "19/12/20", "22/12/20".

PETITION FOR VARIATION OF BOUNDARIES OF NGONG ROAD FOREST TO EXCISE THEREFOR 34 ACRES OF THE AREA OF LAND UPON WHICH KMA ESTATE, LANGATA GARDENS ESTATE, LANGATA VIEW ESTATE, SHALOM ESTATE, ST MARY'S HOSPITAL, FOREST EDGE VIEW ESTATE, THE LANGATA WOMENS PRISON, THE POLICE DOG UNIT, BOMAS OF KENYA, KENYA BROADCASTING CORPORATION, WILDLIFE CLUBS OF KENYA AND INTERNATIONAL CENTRE OF INSECT PHYSIOLOGY AND ECOLOGY ARE LOCATED PURSUANT TO SECTION 34 OF THE FOREST CONSERVATION AND MANAGEMENT ACT NO. 34 OF 2016.

Stamp: PARLIAMENT OF KENYA

THE HON. JUSTIN B.N MUTURI, EGH, 'MP
THE HONOURABLE SPEAKER
THE NATIONAL ASSEMBLY
PARLIAMENT BUILDINGS
P. O. BOX 41842-00100,
NAIROBI.

Handwritten notes in blue ink: "Hon. Speaker", "This is in order - you may appear for present to the House. CNA", "20/12/20".

I, Hon. Nixon Korir, Member of Parliament, Langata Constituency, the **UNDERSIGNED**, on behalf of the residents of Langata Constituency, Nairobi County.

DRAW the attention of the House to the following-

- A. THAT** on 30th June, 2020, I presented to the House a Petition on behalf of the residents of Sunvalley Phases I, II and III, Royal Park Estate, Shalom Estate and Forest Edge View Estate within Mugumoini Ward on alleged re-possession of land in Langata Constituency.
- B. THAT** the Petition was subsequently committed to the Departmental Committee on Environment and Natural Resources for its consideration pursuant to Standing Order 227(1).
- C. THAT** further on 17th November, 2020, the Departmental Committee on Environment and Natural Resources having considered the Petition tabled a Report pursuant to Standing Order 227(2) where it made various observations and recommendations. In particular the Committee recommended that-

"the law relating to declaration that a forest area shall cease to be a forest area with respect to the area of land upon which KMA Estate, Langata Gardens Estate, Langata View Estate, Shalom Estate, St Mary's Hospital, Forest Edge View Estate, Langata Women Prison, the Police Dog Unit, Bomas of Kenya, Kenya Broadcasting Corporation, Wildlife Clubs of Kenya and International Centre of Insect Physiology and Ecology (ICIPE) should be complied with and the land should be excised pursuant

Handwritten notes: "Approved", "NA", "22/12/2020".

Handwritten notes: "DLSD", "All clear and signed".

PETITION FOR VARIATION OF BOUNDARIES OF NGONG ROAD FOREST TO EXCISE THEREFOR 34 ACRES OF THE AREA OF LAND UPON WHICH KMA ESTATE, LANGATA GARDENS ESTATE, LANGATA VIEW ESTATE, SHALOM ESTATE, ST MARY'S HOSPITAL, FOREST EDGE VIEW ESTATE, THE LANGATA WOMENS PRISON, THE POLICE DOG UNIT, BOMAS OF KENYA, KENYA BROADCASTING CORPORATION, WILDLIFE CLUBS OF KENYA AND INTERNATIONAL CENTRE OF INSECT PHYSIOLOGY AND ECOLOGY ARE LOCATED PURSUANT TO SECTION 34 OF THE FOREST CONSERVATION AND MANAGEMENT ACT NO. 34 OF 2016.

to the provisions of Section 34 of the Forest Conservation and Management Act, Act No. 34 of 2016 to support the realization of the National Government's big four Agenda on Housing and stop further encroachment of Ngong Road through the practice of allocation and subsequent surrender of land between Government Departments , under paragraph 161 of the aforementioned Report."

- D. THAT**, in view of the foregoing, this Petition finds its basis on the Report of the Departmental Committee on Environment and Natural Resources in seeking to implement the recommendations contained in its Report tabled on 17th November, 2020.
- E. THAT** section 34(1) of the Forest Conservation and Management Act No. 34 of 2016 provides that "*any person may petition the National Assembly, for the variation of boundaries of a public forest or the revocation of the registration of a public forest or a portion of a public forest.*"
- F. THAT** we therefore seek to petition the House for the variation of the boundaries of the Ngong Road Forest pursuant to section 34(1) of the Forest Conservation and Management Act, 2016.
- G. THAT** additionally, recognizing the requirements of section 34(2) of the Forest Conservation and Management Act, 2016, we aver that the variation of the boundaries of the proposed area of Ngong Road Forest shall not *endanger any rare, threatened or endangered species, adversely affect its value as a water catchment area, prejudice biodiversity conservation, cultural site protection of the forest or its use for educational, recreational, health or research purposes.*
- H. THAT**, the residents have continuously engaged the Ministry of Environment and Forestry and the Kenya Forest Service and never received a response that was satisfactory.

PETITION FOR VARIATION OF BOUNDARIES OF NGONG ROAD FOREST TO EXCISE THEREFOR 34 ACRES OF THE AREA OF LAND UPON WHICH KMA ESTATE, LANGATA GARDENS ESTATE, LANGATA VIEW ESTATE, SHALOM ESTATE, ST MARY'S HOSPITAL, FOREST EDGE VIEW ESTATE, THE LANGATA WOMENS PRISON, THE POLICE DOG UNIT, BOMAS OF KENYA, KENYA BROADCASTING CORPORATION, WILDLIFE CLUBS OF KENYA AND INTERNATIONAL CENTRE OF INSECT PHYSIOLOGY AND ECOLOGY ARE LOCATED PURSUANT TO SECTION 34 OF THE FOREST CONSERVATION AND MANAGEMENT ACT NO. 34 OF 2016.

I. THAT, the matter presented in this petition is not pending before any court of law, constitutional or legal body.

THEREFORE, your humble petitioner **PRAYS-**

- (1) THAT**, the Departmental Committee on Environment and Natural Resources does recommend, pursuant to section 34(1) of the Forest Conservation and Management Act the variation of the boundaries of Ngong Road Forest to excise therefore the 34 acres of the area of land upon which KMA Estate, Langata Gardens Estate, Langata View Estate, Shalom Estate, St Mary's Hospital, Forest Edge View Estate, the Langata Womens Prison, the Police Dog Unit, Bomas of Kenya, Kenya Broadcasting Corporation, Wildlife Clubs of Kenya and International Centre of Insect Physiology are located;
- (2) THAT**, the House does direct the Cabinet Secretary, Ministry of Environment and Forestry to forthwith suspend any proposed action on the said 34 acres until the House considers this Petition;
- (3) THAT**, the House does direct the Cabinet Secretary, Ministry of Environment and Forestry to commence the actualization of paragraph (1) of the Petitioners' Prayers, including carrying out of an independent Environmental Impact Assessment and wide public consultation as required under section 34(3) of the Forest Conservation and Management Act, 2016;
- (4) THAT** upon the House approving the Prayers contained in paragraphs (1),(2) and (3) of this Petition and any further recommendation the House may make, the House does direct that the Cabinet Secretary for the Ministry of Environment and Forestry to submit a report to the House after every thirty days to apprise the House on the process of variation of the boundaries of the Ngong Road Forest; and,

PETITION FOR VARIATION OF BOUNDARIES OF NGONG ROAD FOREST TO EXCISE THEREFOR 34 ACRES OF THE AREA OF LAND UPON WHICH KMA ESTATE, LANGATA GARDENS ESTATE, LANGATA VIEW ESTATE, SHALOM ESTATE, ST MARY'S HOSPITAL, FOREST EDGE VIEW ESTATE, THE LANGATA WOMENS PRISON, THE POLICE DOG UNIT, BOMAS OF KENYA, KENYA BROADCASTING CORPORATION, WILDLIFE CLUBS OF KENYA AND INTERNATIONAL CENTRE OF INSECT PHYSIOLOGY AND ECOLOGY ARE LOCATED PURSUANT TO SECTION 34 OF THE FOREST CONSERVATION AND MANAGEMENT ACT NO. 34 OF 2016.

(5) THAT the Departmental Committee on Environment and Natural Resources does make any other resolutions that may be determined as appropriate.

And your **PETITIONERS** will ever pray.

PRESENTED BY,





**HON. NIXON KORIR MP'
LANGATA CONSTITUENCY**

Dated:

This.....22ND.....day of.....DECEMBER.....,2020

PETITION FOR VARIATION OF BOUNDARIES OF NGONG ROAD FOREST TO EXCISE THEREFOR 34 ACRES OF THE AREA OF LAND UPON WHICH KMA ESTATE, LANGATA GARDENS ESTATE, LANGATA VIEW ESTATE, SHALOM ESTATE, ST MARY'S HOSPITAL, FOREST EDGE VIEW ESTATE, THE LANGATA WOMENS PRISON, THE POLICE DOG UNIT, BOMAS OF KENYA, KENYA BROADCASTING CORPORATION, WILDLIFE CLUBS OF KENYA AND INTERNATIONAL CENTRE OF INSECT PHYSIOLOGY AND ECOLOGY ARE LOCATED PURSUANT TO SECTION 34 OF THE FOREST CONSERVATION AND MANAGEMENT ACT NO. 34 OF 2016.

Name of Petitioner	Address	ID/Passport No.	Signature
MOSI NGONGA	Box 938 005717 NBI	5956825	
DAVID OKETCH	625 00517 Langata	4856099	
MUSA DUMBUYA	38331-001 00 NBI	13490695	