

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY (FOURTH SESSION)

CONVEYANCE OF PUBLIC PETITION

(No. 48 of 2020)

REGARDING RESETTLEMENT OF SQUATTERS OF TUCHA/ KIANDOGORO FOREST ON SOLIO RANCH VILLAGE 5

Honorable Members, pursuant to Standing Order 225(2)(b) requiring the Speaker to report to the House any Petition, other than those presented by a Member, I wish to report to the House that I have received a Petition from residents of Tetu sub county, representing evictees from Tucha/ Kiandogoro Forest.

Honourable Members, the Petitioners affirm that they are part of 534 households that were duly vetted on 11th October 2017 by a Committee led by the Deputy County Commissioner, Tetu Sub County. The Petitioners state that they were evicted from Tucha/ Kiandogoro Forest in 1988 with a promise to be resettled at Solio Ranch Village 3. Unfortunately, people who were not validated as evictees ended up being the beneficiaries, leaving the legitimate beneficiaries homeless and destitute.

Honourable Members, the Petitioners assert that in 2008, a major resettlement was done to evictees from Kabarú, Naro Moru, Hombe in Mount Kenya Forest and those evicted from Kabage and Zaina in Arbedare Forest, leaving out evictees from Tucha/Kiandogoro Forest. Currently, the Tucha/Kiandogoro Forest evictees are scattered all over Nyeri County. Most of them work as casual labourers with limited chances of making a living from agriculture the main economic activity, due to lack of land to cultivate. The petitioners claim that Village 5 of Solio Ranch is still vacant and unsettled on.

Honourable Members, efforts by the petitioners to have the matter resolved by the relevant authorities have culminated into the Regional Commissioner, Central Region advising them vide a letter dated 18th December 2019, to file a petition to Parliament since the matter required intervention from several Government agencies. The petitioners therefore pray that the National Assembly intervenes to have the evictees resettled.

Honourable Members, pursuant to the provisions of Standing Order 227, this Petition stands committed to the Departmental Committee on Lands for consideration. The Committee is required to consider the Petition and report its findings to the House and 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

Date.....



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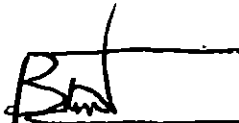
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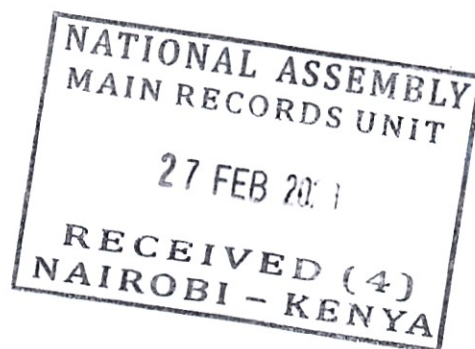
Date.....

TUCHA/KIANDONGORO
FOREST EVICTEES, NYERI
COUNTY, TETU SUB COUNTY.

P.O BOX 2234 NYERI

TEL 0728 440934/ 0729 613009/0722 665621/
0722 564370

PETITION TO THE NATIONAL ASSEMBLY OF THE
REPUBLIC OF KENYA.



DATED this 18TH DAY of FEBRUARY 2020.

TO

National Assembly of the Republic of Kenya
C/O The Clerk
Kenya National Assembly,
Parliament Buildings
P.O Box 41842 - 00100
Nairobi.

RESETTLEMENT OF SQUATTERS OF TUCHA/KIANDOGORO FOREST ON SOLIO RANCH VILLAGE 5.

RE: PETITION TO PARLIAMENT UNDER ARTICLES 119 & 37 OF THE CONSTITUTION; PETITION TO PARLIAMENT (PROCEDURE) ACT OF 2012; AND STANDING ORDERS NO.219 & 223 OF THE NATIONAL ASSEMBLY, THE LAND ACT, 2012 ; LAND REGISTRATION ACT CAP 300.

We, the undersigned, citizens of Kenya, Nyeri County, Tetu sub County representing the forest evictees of Tucha/Kiandongoro Forest, wish to state that it is in the squatters interest that we lodge this petition concerning the resettlement of the forest evictees in the unsettled land at Solio Ranch village 5.

We draw the attention of the House to the following:

HISTORICAL BACKGROUND OF THE TUCHA/KIANDONGORO FOREST SQUATTERS.

THAT We are genuine squatters from Tucha/Kiandongoro Forest who were duly vetted on 11th October, 2017 by a committee led by the Deputy County Commissioner-Tetu Sub- County. The committee herein identified 534 households as the genuine squatters and we therefore bring this petition on our own behalf and on behalf of the 534 households. (Copy of letter is attached herein).

In 1988, the Government of Kenya evicted us from the aforementioned forest with false promises of resettlement. During the eviction, due process of the law was not followed as properties were destroyed and houses burnt and no compensation was offered for the destruction. Tucha forest has been the only home and land we have known since

time immemorial and it has been our ancestral land where our forefathers were born and brought up.

Upon eviction, the Government identified Solio Ranch and allocated Village 3 to us but unfortunately, other people who were not on record as evictees were the beneficiaries thereon leaving us homeless and destitute.

Resettlement was done to evictees from Kabarau, Naromoru, Hombe in Mount Kenya Forest and those evicted from Kabage and Zaina in Abadares Forest in 2008, leaving out the Tucha/Kiandongoro Forest evictees without any justification or reason.

Presently, the Tucha/Kiandongoro Forest evictees are scattered all over Nyeri County and for most of them, their only source of livelihood is serving as casual labourers due to lack of land to cultivate and earn a living.

We have however recently discovered that some parts of Solio Ranch is still vacant and unsettled, this is Solio Village 5 (Copy of the map is attached herein).

THAT

We have had the matter addressed by various Government agencies namely; The Ministry of devolution and planning, Kenya National Commission on Human rights, The Governor, County Government of Nyeri, Ministry of Lands, Provincial Commissioner- Central Police, Ethics and Anti-Corruption Commission etc all whom have given unsatisfactory responses to our plight.(copies of various correspondences attached herein).

After lots of attempt to get assistance, we finally received a response from the Regional Commissioner, Central Region, WILFRED NYAGWANGA, MBS vide letter reference no. RC/LN 5/3/2.VOL.V/38 which was a response to our letter Reference KNDGT/5013/VOL.10/34 advising us to file a petition to parliament as the matter requires intervention from various Government agencies. (Copy attached herein)



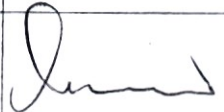
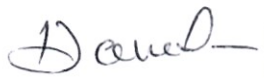
We have renewed hope that this Honourable Parliament will end the suffering of the Tucha/Kiandongoro Forest Squatters.

THAT

The issues in which the petition is made are not pending before any Court of Law, or Constitutional or any legal body.

HEREFORE your humble petitioners Pray that Parliament intervenes on their behalf to have the matter expeditiously addressed to ensure that the Tucha/ Kiandongoro forest evictees are resettled at the unsettled portion of land in Solio Village 5 in fulfillment of the Government's resettlement promise.

and your PETITIONERS will ever Pray.

No.	NAME OF THE PETITIONER	ADDRESS	NATIONAL ID NO.	SIGNATURE
1	JOSHUA MUTHU I MURUITHIA	P O BOX 2234 NYERI	3229605	
2	MARGARET I LIMBU I THITA	P.O BOX 2234 NYERI	5552122	
3	LINUS WALIRA KIBICHO	P.O BOX 2234 NYERI	6835646	
4	DAVID ICINGORI GICHOTH	P.O. BOX 2234 NYERI	7669714	

Joshua Muthu's phone No. 0728440934



THE PRESIDENCY
MINISTRY OF INTERIOR AND COORDINATION
OF
NATIONAL GOVERNMENT

Telephone: 061 2030619/20
Fax: 061 2032089
Email: mkoakati2017@gmail.com

REGIONAL COMMISSIONER
CENTRAL REGION
P.O.BOX 33-IOIOO
NYERI

When replying please quote

REF.NO. RC/LN 5/3/2.VOL.V/38

18TH DECEMBER, 2019

The Chairman
Tucha/Kiandongoro Forest Squatters
P.O. Box6
NYERI

RE: REQUEST TO SETTLE AT SOLIO VILLAGE FIVE AT THE PORTION
LEFT UNSETTLED

Please refer to your letter Ref. KNDGT/5013/VOL.10/34 dated 28th October, 2019 addressed to this office and copied to the Cabinet Secretary Interior and Coordination of National Government, among others.

It is advised that since this matter requires intervention from several government agencies the best route for yourselves would be to file a petition to parliament for appropriate consideration and redress.

Kindly be advised accordingly.

WILFRED NYAGWANGA, MBS
REGIONAL COMMISSIONER
CENTRAL REGION





THE PRESIDENCY

MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT

DEPUTY COUNTY COMMISSIONER
TETU SUB-COUNTY
P.O. Box 30-10108
GIAKANJA

e - mail: tetudistrict@yahoo.com
When replying, please quote:

Ref. No. TE/LND/3/2/VOL. I/56

19th December, 2017

The County Commissioner
Nyeri

RE: TUCHA/KIANDONGORO EVICTEES

Your letter Ref. NYC/LND.5/I.VOL.IV/70 dated 4th October, 2017 refers.

A meeting was held with the evictees on 11th October, 2017 at Iithe market. The meeting was attended by the County Surveyor, the County Ecosystem Conservator, the Physical Planner, the District Settlement Officer, the Red Cross and the Director - National Land Commission.

As directed, retired Assistant Chief Kiama of Tucha Sub-Location also attended the meeting and gave the history of the evictions at Tucha/Kiandongoro.

After lengthy deliberations, it was agreed that retired Assistant Chief Kiama together with the Committee of the evictees clean up the list of the evictees to have only genuine names of those who were evicted. It was agreed that the Assistant County Commissioner - Tetu West leads the team and the list of the evictees is attached herewith, together with a letter from the Assistant County Commissioner and one from the retired Assistant Chief.


Bernard Ole Kipury
For: Deputy County Commissioner
Tetu Sub-County



OFFICE OF THE PRESIDENT
PROVINCIAL ADMINISTRATION AND INTERNAL SECURITY

Telephone: 061 2030619/20
When replying please quote

PROVINCIAL COMMISSIONER
CENTRAL PROVINCE
P.O. BOX 33-10100
NYERI

LND/5/3/2/VOL.IV/12

2nd October, 2012

The Chairman,
Tucha/Kiandongoro Forest Squatters,
P. O. BOX 6,
NYERI

RE: SQUATTERS PROMISED LAND

Your un-referenced letter dated 13th August, 2012 on the above refers.

Please note that it has not been possible to address your problem as earlier anticipated, together with those other landless persons in colonial villages and other similar circumstances. However, the Government continues to place your issue and that of the others into serious consideration alongside the on-going re-settlement of Internally displaced persons when the situation permits.

Be assured that due consideration will be given as soon as practicable.

J. K. RUGUT EBS
PROVINCIAL COMMISSIONER
CENTRAL PROVINCE

The Permanent Secretary,
Secretary to the Cabinet and
Ag. Head of Public Service
NAIROBI

Permanent Secretary
Provincial Administration & Internal Security,
NAIROBI

The County Commissioner,
NYERI COUNTY

The District Commissioner,
TETU DISTRICT

THE PRESIDENCY

MINISTRY OF INTERIOR AND COORDINATION OF NATIONAL GOVERNMENT

Telegram "DISTRICTER", Tetu
E-mail tetudistrict@yahoo.com
Telephone
When replying, please quote



OFFICE OF THE ASSISTANT COUNTY COMMISSIONER
TETU WEST
PO BOX 30 - 10108
GIAKANJA

30th November, 2017

REF NO.TW/ADM 21/1 VOL.I/ 175

DEPUTY COUNTY COMMISSIONER
TETU SUB COUNTY
PO BOX 30
GIAKANJA

RE; TUCHA / KIANDONGORO EVICTEES

Reference is made to the above stated evictees of the meeting held at Ihithe, market on 11.10.2017. The deliberations arrived at during the meeting have been followed and the list of the beneficiaries. I am forwarding to you is true to the best of my knowledge.

Attached herein find the original list prepared by the evictees committee for your perusal and action.

Thank you in advance

PIUS M. NJERU

ASSISTANT COUNTY COMMISSIONER
TETU WEST.DIVISION

cc-The chairman Tucha/Kiandongoro forest evictees.

-CHIEF Thegenge location

Ex Area Assistant Chief,
Tucha / Kiandongoro Forest,
P.O Box 1377,
Nyeri.

30th November 2017.

The Deputy County Commissioner,
Tetu Sub County,
P.O Box 30,
Giakanja,


Dear Sir,

RE: TUCHA/KIANDONGORO FOREST EVICTEES LIST:

Sir, this is to inform your office that, after many meetings with the committees of Tucha/Kiandongoro forest evictees, we came up with this refined list that is very true to my knowledge

NB: This list consists of (534) Five hundred and thirty four households please.

Yours faithfully


Jervasio N. Kiama
Ex Area Assistant chief
ID No. 1900589

COUNTY GOVERNMENT OF NYERI



Town Hall – 2nd Floor
Along Kenyatta Road
P.O. Box 1112 – 10100
Telephone 061 2030700
NYERI

Email: nyericountysecretary@gmail.com

OFFICE OF THE COUNTY SECRETARY/HEAD OF COUNTY PUBLIC SERVICE

OUR REF: CGN/GVN/M/1/64/23

DATE: August 8th 2016

THE CHAIRMAN,
TUCHA/KIANDONGORO FOREST EVICTEES
P.O. BOX 6
NYERI

Dear Sirs,

REF: NEWS PAPER ADVERT

We refer to your letter Ref. No. KNDGR/SQ131/VOL 10/24 dated 18th July 2016 on the above stated subject.

We very much regret the inadvertence of including your group among those who benefitted from the land at Solio Ranch.

We, however, care profoundly about your plight and promise to follow up with the relevant National Government Offices for an early resolution to your plight.

Please be assured that we are fully together with you in your twin concerns of resettlement and payment as casual workers in the Nyayo Tea Zone. We shall keep you appraised of any progress on the matter.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Alice Wachira'.

ALICE WACHIRA
AG. COUNTY SECRETARY/HEAD OF COUNTY PUBLIC SERVICE
NYERI COUNTY

CO-ORDINATOR
YA RED CROSS SOCIETY
RI BRANCH

TUCHA/KIANDONGORO FOREST SQUATTERS PLEA

above group is genuine squatters who hail from Tucha/Kiandongoro

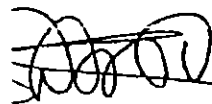
usually provide them with relief food whenever there are all
rtunately there has been a delay in receiving the same.

is therefore, to kindly request you to consider the group and prov
relief food and bedding materials.

ched herewith, please find a list of the group members.

assistance accorded to them is highly appreciated.

DISTRICT COMMISSIONER
TETA DISTRICT



I. SHAMBI
TRICT COMMISSIONER
TU DISTRICT.

mbi (Attn. Mr. Mbachi)

County Commissioner

REQUEST FOR RELIEF FOOD

Re above subject matter refers.

Our sub-county had previously been receiving relief food to cater for the needs of the people who were evicted from the Aberdare forest in 1988. The situation is still unsettled.

In view of the above we humbly request your office to come to the sub-county to provide some food items for free distribution to the needy cases.

We are expecting a positive and urgent response from you soonest.

Yours faithfully,



mbi
County Commissioner
sub-county

... Abong'oro Forest Squatters

PO BOX 6

ERI

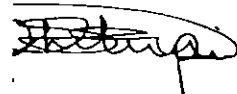
TEL 0721 803126

RESETTLEMENT OF TUCHA/KIANDONGORO
FOREST SQUATTERS

Reference is made to your complaint letter dated 28th October, 2009.

It is to inform you that there are no funds set aside to buy land for the settlement of the said squatters.

You may liaise with the Provincial Administration for further necessary advice as they were the ones dealing with Solio ranch.



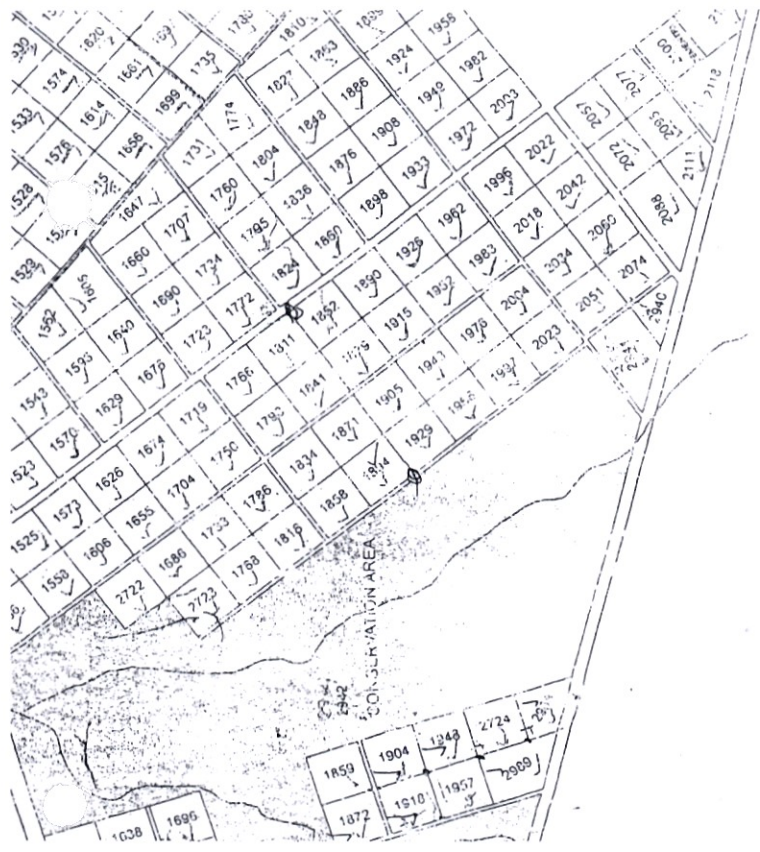
PHILIP ABONG'ORO

DIRECTOR OF LAND ADJUDICATION AND SETTLEMENT

ANNOUNCEMENT

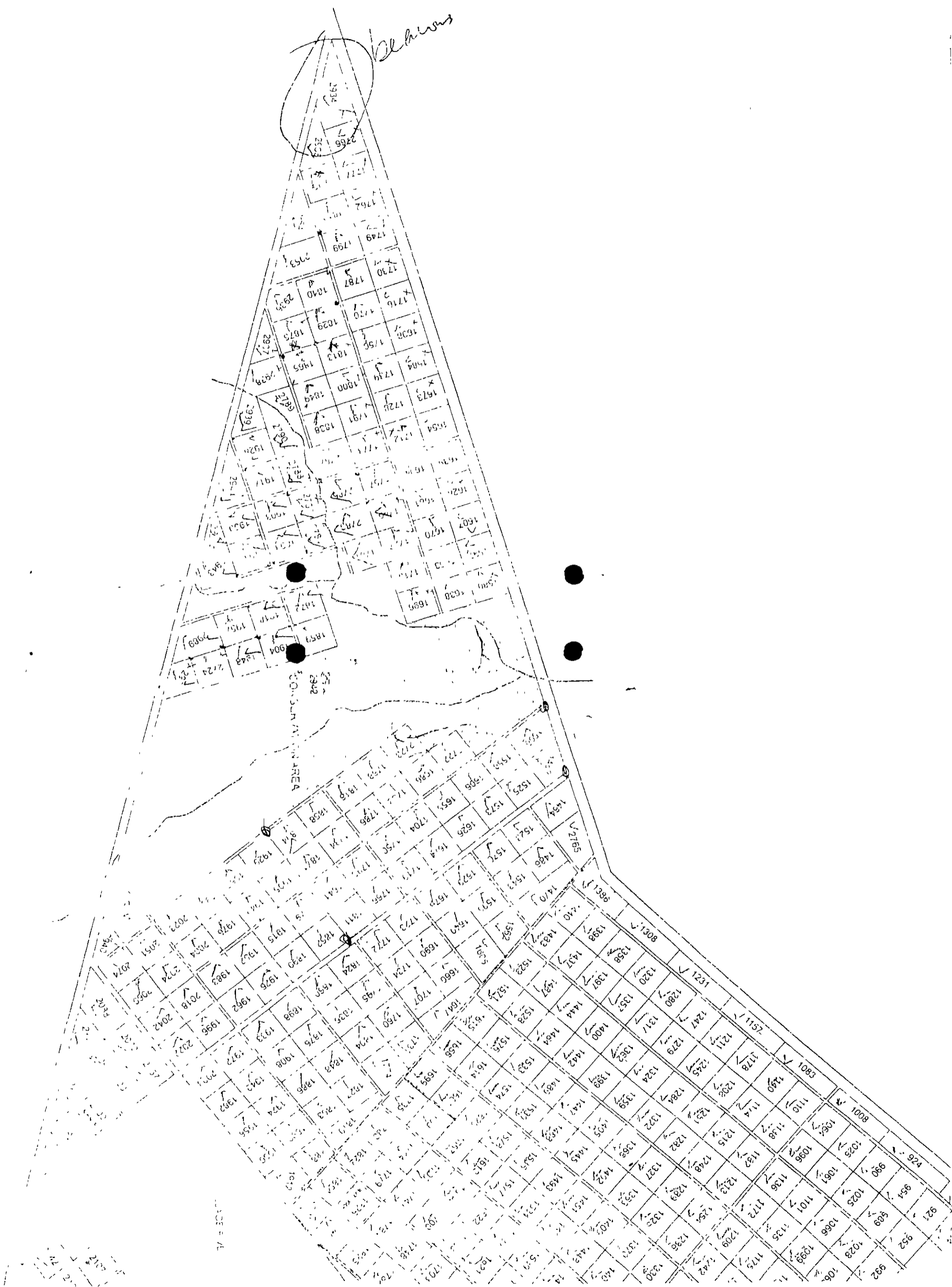
Fact and Figures Table: 'Settlement Programme 2006- 2008'

LANDS	KIVULINI	KATIKATI	SOLIO RANCH	GATHECHA	CHAKAMA RANCH I	CHAKAMA RANCH II	SABHARWAL
	9062	9060	-	29	13472/5	13472/6	38557/6
	300	360	14,000	927	15,636	34,821	949
able	Unavailable	Unavailable	4.5	Proposed 10 acres, actual one to 1.5 acres	Unavailable	Unavailable	Unavailable
000	72,000,000	48,000,000	1,200,000,000	33,185,000	39,000,000	69,000,000	28,500,000
00	195,000	160,000	85,714	35,800	2,494	1,931	30,031
	2006	2006	2007	2007	2007	2007	2007
arume 1	Mr. Njenga Karume	Mr. Njenga Karume	Information not available	Gathecha Holdings 2	Mr. Kasera Yeri 3 and Others	Mr. Kasera Yeri and Others	Mr. Sabharwal
s from Extension re	Information Unavailable	Information Unavailable	3,100 squatter families from Chehe, Ragati, Homba, Ndathi, Kabaru, Gathiuru areas of the Mount Kenya forest, the Zaina, Kabage, Kindongoro areas of the Aberdare forest and the Ngongu forest	Landless families in Kilifi District	Landless families in Malindi District	Landless families in Malindi District	Landless families in Kwale District



15
16
17
18
19
20

Bluffs



1:500 = 1"

