



REPUBLIC OF KENYA

**THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT (SECOND SESSION)**

PUBLIC PETITION

(No. 4 of 2023)

**ON DELAYED ADJUDICATION AND SETTLEMENT OF SQUATTERS
AFTER THE EXPIRY OF LEASE OF MACALDER MINES LTD LAND**

I, the UNDERSIGNED, on behalf of the residents of Nyatike Constituency;

DRAW the attention of the House to the following:

1. **THAT**, the Macalder Mines in Nyatike Location, Nyatike Constituency measuring approximately 300 acres is among ancestral land belonging to the people of Nyatike Constituency given up following a mining lease to the Macalder Mines Ltd in 1935 and which company had been conducting mining activities in the land until 1966;
2. **THAT**, the leasing of the land dispossessed the rightful owners of the land rendering them squatters despite Macalder Mines Ltd apportioning portions of the land for residential purposes and open mines;
3. **THAT**, upon the exit of the Macalder Mines Ltd from Kenya in 1970, the land was not fully developed except the residential areas inhabited by gold miners and a portion of land inhabited by local workers;

*On Macalder,
You may approve.
Carap Kiniaups
16.2.23.*

*Approved
SNA:
17/2/23*

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4. **THAT**, most landless citizens who had given up their land to Macalder Mines Ltd began settling back and farming in the undeveloped lands;
5. **THAT**, the number of people settling in the land increased between 1970s and 1990s when the local chief allocated people the said land;
6. **THAT**, the people who have settled in the land have put it into good economic use, constructed residential houses and commercial centres which are earning them income, but the government has neither adjudicated the land nor issued title deeds;
7. **THAT**, records held at the Department of Land Adjudication, Land Registrar and Department of Survey are allegedly erroneous hence causing uncertainty among affected families and land owners;
8. **THAT**, the alleged reluctance of the County Government of Migori and the national government to adjudicate the land and issue title deeds amounts to denying the affected community access to fair administrative action;
9. **THAT**, the issues in respect of which this Petition is raised are not pending before any Court of Law, Constitutional or any legal body;

THEREFORE, your humble petitioners pray that the National Assembly through the Public Petitions Committee;

- i. Engages the Ministry of Lands to ensure that the Macalder land is re-adjudicated to allow the owners to acquire title deeds and save the residents from alleged erroneous and missing records; and

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- ii. Makes any other recommendation or action it deems fit in addressing the plight of the Petitioners.

And your **PETITIONER** will ever pray.

PRESENTED BY:



THE HON. TOM MBOYA ODEGE, MP
MEMBER FOR NYATIKE CONSTITUENCY

DATE: 16.02.2023