

REPUBLIC OF KENYA



Approved
Rat
SNA
2/12/2020

THE NATIONAL ASSEMBLY (FOURTH SESSION)

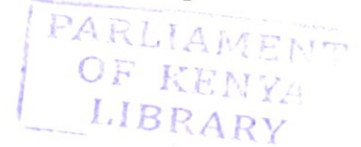
PUBLIC PETITION

(No. 47 of 2020)

BY MEMBERS OF KAGAA FARMERS CO-OPERATIVE SOCIETY
REGARDING LIQUIDATION OF THE SOCIETY

I, the **UNDERSIGNED**, on behalf of Members, Kagaa Farmers Co-operative Society;

DRAW the attention of the House to the following:



1. **THAT**, Kagaa Farmers Co-Operative Society was registered in 1964 as number 1203;
2. **THAT**, the objective of the Society was to farm coffee and rear cattle;
3. **THAT**, the Society owns two farms in Murang'a County namely, Kabuku Estate measuring 500 acres and Santamore Estate measuring 2000 acres as well as one plantation measuring 4167 acres in Kilifi county;
4. **THAT**, the three land parcels had been subdivided in equal portions amongst the 2041 members of the Society most of whom had already settled on the said pieces of land;
5. **THAT**, some members of the Kagaa Cooperative have settled in the Kilifi plantation farm after being issued with title deeds;
6. **THAT**, members of the Society who had settled at the Kilifi plantation farm were chased away from their land during the 1992 tribal clashes despite having titles deeds to the said land and up to date, they have never resettled;
7. **THAT**, the liquidator came to wind up the Society without informing members of the intention;
8. **THAT**, in the prevailing circumstances members of the society risk losing their pieces of land in Kabuku and Santamore Estates since the plots are still registered in the name 'Kagaa Farmers Co-operative Society.'

Hon-Speakers
This is ok. You may
1/12/2020

PUBLIC PETITION

**BY MEMBERS OF KAGAA FARMERS CO-OPERATIVE SOCIETY
REGARDING LIQUIDATION OF THE SOCIETY**

9. **THAT**, the liquidator who was appointed by the Commissioner of Co-operatives has refused to vacate office;
10. **THAT**, office documents were taken from the Society office under unclear circumstances on 10th August, 2020 under the guard of Murang'a Sub-County Commissioner and the area Chief;
11. **THAT**, efforts by the members to seek redress with not only the Police but also the Department of Registration of Co-operatives in the Ministry of Industrialization, Trade and Enterprise Development have been futile;
12. **THAT**, the matter presented in this Petition is not pending before any tribunal, court of law or Independent body;

THEREFORE, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Lands: -

- (i) Intervenes to have the process of issuance of title deeds to Members completed immediately so that the Kagaa Co-operative Society can be wound up;
- (ii) Recommends that the Police commence investigations into the case that was reported under OB NO. 09/10/08/2020 regarding office documents that were stolen on 10th August, 2020 from the Society's Office;
- (iii) Recommends that the Commissioner of Co-operatives withdraws the liquidator with immediate effect; and
- (iv) Makes any other recommendations it deems appropriate in the circumstances of the Petition.

And your PETITIONERS will ever pray.

PRESENTED BY:


HON. SABINA CHEGE, MP
MEMBER FOR MURANG'A COUNTY

DATE:



REPUBLIC OF KENYA
PARLIAMENT

Hon. Maitu Sabina Wanjiru Chege, MP.

Murang'a County

Chairperson - Parliamentary Health Committee

Member - Global TB Caucus

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Mobile: +254 722 624 684
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18th Nov 2020.

The Clerk

Kenya National Assembly

P.O Box 41842-00100

Nairobi, Kenya

Dear Sir,

RE: PETITION DRAFT.

I, the **UNDERSIGNED** Member for Murang'a County on behalf of the residents of Kagaa area, in Mitubiri road Kabati draw attention to the house regarding the following:

- (i) **THAT**, Kagaa farmers' cooperative was registered in 1965 vide number is 1203. The purpose of this was to farm coffee and rear cattle.
- (ii) **THAT**, it has two farms in Murang'a County namely, Kabuku Estate measuring 500 acres and Santamore Estate measuring 2000 acres, and Kilifi plantations measuring 4167 acres.
- (iii) **THAT**, the three land parcels had been subdivided amongst the 2041 members of Kagaa cooperative society in equal portions.
- (iv) **THAT**, some members of the Kagaa cooperative have settled in, Kilifi plantation farm after being issued with title deeds
- (v) **THAT**, the members of Kagaa cooperative society who had at Kilifi plantation farm were chased away from their land during the 1992 tribal clashes, and up to date, they have never resettled.
- (vi) **THAT**, the liquidator came to wind up Kagaa cooperative society without calling members to inform them, of that intention.

(vii) **THAT**, under the conditions of being chased away members of Kagaa Cooperative society stand to lose heavily.

(viii) **THAT**, the liquidator who was appointed by the Commissioner of Cooperatives has refused to vacate the office.

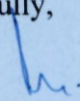
AND FURTHER noting that two persons cannot have a case in a tribunal court and the same court decides to wind up the society and other various issues in respect of which this petition is made are not before any constitutional or legal body.

Therefore, as a matter of urgency,,,,

- (i) I recommend that the issuance of the title deeds be completed immediately so that members can wind up Kagaa Cooperative society.
- (ii) The commissioner of the cooperative should withdraw the liquidator with immediate effect.
- (iii) The case that was taken to court and no action took place should be followed, and that the follow up on the office documents that were stolen on 10th August, 2020 under the guard of Murang'a Sub-county Commissioner and the area Chief should commence.

THEREFORE, your humble petitioners **PRAY** that the National Assembly, through the Departmental Committee on Lands intervenes in this matter to bring it to an end.

Faithfully,


Hon. Maitu Sabina Wanjiru Chege,
Murang'a County Woman M.P.

323,000
Dec

KAGAA FARMERS CO-OPERATIVE SOCIETY LTD.

P.O. Box 520 - 01000 Thika
Tel: 0729 161 567

500 Meters off Mitubiri Road
From Kabati Flyover

Our Ref: C/S 1203

Your Ref:

Date...22/10/2020.....

TO:
WOMEN REP.
MURANG'A COUNTY

Dear HON. SABINA WANJIRU CHEGE,

RE: LIQUIDATION IN KAGAA FARMERS CO-OPERATIVE SOCIETY
A BRIEF POSITION OF THE SOCIETY

Kagaa Farmers Co-operative was registered in 1964 No. 1203. *Katg*

The purpose was to farm Coffee and cattle rearing.

It has a total of Two thousand one hundred and forty one members (2041)

It has two farms in Makuyu namely:-

- (i) Kabuku Estate measuring about 500 acres .
- (ii) Santamor Estate measuring over 2000 Acres
- (iii) Kilifi Plantations measuring 4167 Acres in Kilifi county.

All the land parcels have been subdivided over amongst the 2041 numbers in equal portions . Kabuku Estate and Santamor Estate have not received their title deeds due to court wrangles.

All members have settled on their plots. Kilifi plantations farm has also been sub divided and members issued with their title deeds unfortunately members of the society were chased away from their land during 1992 chaos to date. Under these conditions mentioned the members are worried because the liquidator has come to wind up the society without calling members to inform them of the intentions.

It is a common knowledge and commercial practice that the members are informed though a called meeting that they contribute. This is conditional principle which guides the co-operative movement.

Two persons cannot have a case in a tribunal court and the same court decides to wind up the society. Having done that an appeal was put in the High Court and an order of stay of execution order was granted on 10/08/2020 and they refused to honour the order to date.

During these times the liquidator has refused to vacate the office, they have sold the properties of the society hurriedly. Members stand to lose heavily because the plots they occupy are under Kagaa Farmers Co-op. Society's name.

Your honour, if this situation is not checked in time, ugly incidents may take place. Help your members get out of these mess.

It appears the liquidator has full support from the administration.

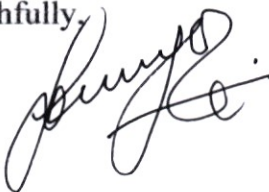
NOTE they broke the office under the guard of Murang'a Sub County Commissioner and the area Chief and took all the office documents on 10th August, 2020.

The matter was reported at **KABATI POLICE STATION** and an **OB NO. 09 / 10 / 08/2020** issued. The matter rested at that and no action was taken to date.

Now that the matter are widely spread the department of Co-operative in the industrialization is involved since the Commissioner of Co-operative is the one who ordered the liquidation to take place. His office (Commissioner) has refused several requests to recall the team and has refused to head. If he do agree the requests, we would (society) finish the issuing of titles and the members would call them (Liquidators) to close the society's affairs for good.

Kindly do the needful.

Yours faithfully,



JOE KARANJA NJOROGE
CHAIRMAN – KAGAA FARMERS CO-OP. SOCIETY LTD

CC

Office File

Approved Members Kagga Farmers Co-op. Society Ltd.

Membership:

20-10-2020

- ① Francis Kabeca Cachago 2069 ~~W.~~
- ② Joseph Ngungi Mutune 939 ~~W.~~
- ③ Charles Wanyike Ngungi 65 ~~Chungu~~
- ④ Carlo Waitira Muthom 2106 ~~Caro~~
- ⑤ Wilson Ngugi Kangara 1568 ~~W.~~
- ⑥ John Citan mburu ~~W.~~
- ⑦ Maria Wanjiku Kabeca 821 ~~W.~~
- ⑧ Chege Kamweru 1116 ~~Chege~~
- ⑨ Herman Gichira 1527 ~~H.~~
- Titus Mureithi Murnithia 192 ~~T.M.~~
- ⑩ Mwangi Nyoka 1860 ~~M.~~
- ⑪ Milka Nyambura Kazungu 257. ~~M.K.~~
- ⑫ Jacqueline Wanza Mutune 346 ~~J.~~
- ⑬ Nickeon Wainaina Mwiruri 536 ~~N.~~
- ⑭ Sospeter Ngarinye Mungai 2098 ~~S.~~
- ⑮ Evan Chege Citan 2111 ~~E.~~
- ⑯ Cacharu Macharia 1237 ~~C.~~
- ⑰ Citan Ndrugu 570 ~~C.~~
- ⑱ Margret W. Mwiruri 199 ~~M.~~
- Peter Kiringa Wanyike 1384 ~~P.~~
- ⑳ Peter Kanan Waweru 33 ~~P.~~
- ㉑ Erastus Kiringa Citan ~~E.~~
- ㉒ MUSA WAMUHI THENYA 721 ~~M.~~
- ㉓ STEPHEN KIBE NGUGI-1615 ~~S.~~
- ㉔ NELVIS NYORONI KIBE-544 ~~N.~~

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